

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, December 9, 2008 2:00 PM

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

Regular Meeting

AARON PESKIN, PRESIDENT

**MICHELA ALIOTO-PIER, DAVID CAMPOS, CARMEN CHU, CHRIS DALY,
BEVAN DUFTY, SEAN ELSBERND, SOPHIE MAXWELL, JAKE MCGOLDRICK,
ROSS MIRKARIMI, GERARDO SANDOVAL**

Angela Calvillo, Clerk of the Board

BOARD COMMITTEES

Committee Membership

Budget and Finance Committee

Supervisors McGoldrick, Mirkarimi, Elsbernd

City and School District Select Committee

Mirkarimi, Dufty, Alioto-Pier, Mendoza, Commissioners Maufas, Mar

City Operations and Neighborhood Services Committee

Supervisors Chu, McGoldrick, Elsbernd

Government Audit and Oversight Committee

Supervisors Peskin, Campos, Maxwell

Land Use and Economic Development Committee

Supervisors Maxwell, Sandoval, Peskin

Public Safety Committee

Supervisors Maxwell, Mirkarimi, Dufty

Rules Committee

Supervisors Daly, Dufty

Meeting Days

Wednesday
1:00 PM

1st and 3rd Thursday
3:30 PM

1st and 3rd Thursday
1:00 PM

1st and 3rd Monday
10:00 AM

Monday
1:00 PM

2nd and 4th Monday
10:00 AM

1st and 3rd Thursday
10:00 AM

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

Volume 103 Number 39

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

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:07 p.m. On the call of the roll all Supervisors were noted present.

COMMUNICATIONS

Angela Calvillo, Clerk of the Board, informed the Board members she was in receipt of a communication from Mayor Gavin Newsom indicating that he had appointed David Campos as District 9 Supervisor.

Angela Calvillo, Clerk of the Board, informed the Board members she was in receipt of a communication from Mayor Gavin Newsom indicating that he had vetoed legislation contained in File No. 080658 which would prohibit the City from placing new advertising on street furniture. Consideration of the veto override will be at the December 16, 2008 Board meeting.

Angela Calvillo, Clerk of the Board, informed the Board members she was in receipt of a communication from John Arntz, Director of Elections, certifying that he had canvassed the votes as cast at the Consolidated General Election held on November 4, 2008.

CONSENT AGENDA

Recommendations of the Budget and Finance Committee

**081328 [Recreation and Park Department - Marina Small Craft Harbor Fees]
Supervisor Alioto-Pier**

Ordinance making environmental findings and amending San Francisco Park Code, Article 12, Section 12.11 to increase the West Harbor berth rental fees in fiscal year 2012-2013, or upon completion of the West Harbor renovations.

**Ordinance No. 307-08
FINALLY PASSED**

081346 [Approving Contract for Security Services - \$19,326,260]

Ordinance approving the contract between Guardsmark GP and the City and County of San Francisco to provide security services to the Human Services Agency for a one year term with four automatic extensions of one year each for a total cost not to exceed \$19,326,260 and also providing that Guardsmark may terminate the contract at the end of any year by providing appropriate notice. (Human Services Department)

(Fiscal Impact.)

Ordinance No. 306-08

FINALLY PASSED

Recommendation of the City Operations and Neighborhood Services Committee**081219 [Gift - Department of Public Health, Community Behavioral Health Services - \$800,000]**

Resolution authorizing the Department of Public Health, Community Behavioral Health Services to retroactively accept a gift of Buprenorphine medication from Reckitt Benckiser Pharmaceuticals with a monetary value of up to \$800,000 for the period of October 1, 2008 through September 30, 2009 for ongoing and new patients receiving Opiate Replacement Treatment in San Francisco. (Public Health Department)

Resolution No. 515-08

ADOPTED

Recommendations of the Government Audit and Oversight Committee**080379 [Regulating the conditions for purchasing prior public service credit through the Retirement System]
Supervisor Elsbernd**

Ordinance amending Administrative Code Sections 16.55-1 through 16.55-4 and 16.61-5 to allow miscellaneous members of the San Francisco Employees' Retirement System to purchase credit for prior public service at any time before retirement, to require the Retirement System to calculate the cost to purchase that service credit based on the normal cost percentage for that service as determined by the actuary, to require the member to pay for all of the normal cost for the service credit, to allow eligible members to choose to receive prorated service credit if they terminate an installment agreement to purchase prior public service, to allow the Retirement System to accept rollovers to pay for public service purchases, and to conform to changes in the applicable law and Retirement System practices.

Ordinance No. 308-08

FINALLY PASSED

081286 [Authorizing the Real Estate Division to perform and award contracts for public work under a specified procedure]

Supervisor Peskin

Ordinance adding San Francisco Administrative Code Chapter 6, Section 6.70, to authorize the Real Estate Division to perform and award contracts for facilities public work through competition among a pre-qualified pool of contractors.

Ordinance No. 309-08

FINALLY PASSED

081383 [Transferring the powers and duties of the Taxi Commission to the Municipal Transportation Agency and setting operative date for transfer]
Supervisor Peskin

Ordinance amending the San Francisco Police Code by adding Section 1075.1, to transfer the powers and duties of the Taxi Commission to the Municipal Transportation Agency, and setting an operative date for the transfer.

Ordinance No. 303-08

FINALLY PASSED by the following vote:

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

The foregoing items were acted upon by the following vote:

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

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of the Budget and Finance Committee

081283 [Approving an Amendment to the Western Addition A-2 Redevelopment Plan to Extend the Redevelopment Agency's Time for Issuing and Repaying Debt and to Suspend the Limit on Total Tax Increment Revenue for Affordable Housing Development]
Supervisor Mirkarimi

Ordinance approving an amendment to the Western Addition A-2 Redevelopment Plan to extend both the time for issuance of debt and the receipt of tax increment by the San Francisco Redevelopment Agency and to suspend the limit on the total number of dollars of tax increment revenue that may be received by the San Francisco Redevelopment Agency under the Plan in order to continue financing Low and Moderate Income Housing Fund activities under the Plan.

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

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

PASSED ON FIRST READING AS AMENDED by the following vote:

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

From the Budget and Finance Committee Without Recommendation

**080846 [Reporting requirement certain non-profit employee salaries]
Supervisors McGoldrick, Daly**

Ordinance requiring non-profit organizations receiving City funds to report salary and benefits paid to executive director and certain other employees.

Ordinance No. 310-08

FINALLY PASSED by the following vote:

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

From the Land Use and Economic Development Committee Without Recommendation

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

Ordinance amending Public Works Code Sections 156, 157, 159, 160, 161, 162, and 163 to clarify application requirements, to add operating conditions for such stands and establish an abandonment period, to establish an annual public right-of-way occupancy fee, to delete provisions regarding permit assignment to family members of the permittee, to change the criminal penalty for violations from a misdemeanor to an infraction, and to establish administrative penalties for violations; and adding Section 165 concerning the establishment of new sidewalk flower-vending stand locations, including permit application fees.

NOT PASSED ON FIRST READING by the following vote:

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

Privilege of the Floor

Supervisor Mirkarimi, seconded by Supervisor Dufty, moved to suspend Rule 4.37 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to Mayor Gavin Newsom to address the Board members on the mid-year proposed budget cuts for FY 2008-09. The motion carried by the following vote:

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

Recommendations of the Land Use and Economic Development Committee

**081232 [Zoning - Requiring a Conditional Use Permit for Formula Retail Uses in the Residential-Commercial Combined Medium Density (RC-3) and Residential-Commercial Combined High Density (RC-4) Districts]
Supervisor McGoldrick**

Ordinance amending the Planning Code by amending Section 209.9, to require a conditional use permit for formula retail uses in the Residential-Commercial Combined Medium Density (RC-3) and Residential-Commercial Combined High Density (RC-4) Districts; and adopting findings, including environmental findings and findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan.

Ordinance No. 301-08

FINALLY PASSED by the following vote:

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

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

Supervisor Daly was previously excused from voting on File Nos. 081152, 081153, 081154 and 081155.

081152 [Approving General Plan Amendments Related to the Eastern Neighborhoods Area Plans - the Mission, East SoMa, Showplace Square/Potrero Hill and Central Waterfront Area Plans]

Ordinance amending the San Francisco General Plan by adding four new area plans, entitled the Mission Area Plan, the East South of Market (East SoMa) Area Plan, the Showplace Square/Potrero Hill Area Plan and the Central Waterfront Area Plan and approving General Plan amendments to implement the four aforementioned Eastern Neighborhoods Area Plans by amending the Commerce and Industry and Recreation and Open Space Elements, the Land Use Index, and the South of Market, Northeastern Waterfront, and Central Waterfront Area Plans; making environmental findings and findings that the proposed amendments are consistent with the General Plan and the eight priority policies of the Planning Code Section 101.1. (Planning Department)

Ordinance No. 297-08

FINALLY PASSED by the following vote:

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

081153 [Planning Code Amendments for the Eastern Neighborhoods Area Plans]

Ordinance amending the San Francisco Planning Code by adding and amending various sections to implement the four Eastern Neighborhood Area Plans comprised of the East SoMa, the Mission, the Showplace Square/Potrero Hill, and the Central Waterfront Area Plans; adopting in-lieu fees for on-site open space, trees, and affordable housing; adopting the Eastern Neighborhoods impact fee subject to certain restrictions; and making various findings, including environmental findings and findings of consistency with the General Plan and priority policies of Planning Code Section 101.1. (Planning Department)

Ordinance No. 298-08

FINALLY PASSED by the following vote:

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

081154 [Zoning Map Amendments in connection with the Eastern Neighborhoods Area Plans]

Ordinance amending Zoning Map Sheets ZN01, ZN07, ZN08, HT01, HT07, HT08 and SU08 of the City and County of San Francisco Planning Code with revised use districts and height and bulk districts within the four Eastern Neighborhoods Planning Areas comprised of the East South of Market, Mission, Showplace Square/Potrero Hill and Central Waterfront Area Plans; and creating three four five four special use districts for Life Science and Medical Special Use District bounded generally by Mariposa Street to the north, Illinois Street to the West, Iowa Street to the East, and 23rd Street to the South; for Innovative Industries Incubator Special Use District bounded generally by 3rd Street to the West, Illinois Street to the east, 20th Street to the north and 23rd Street to the South; for Transit Oriented Retail Special Use District on 16th Street bounded generally by Capp Street to the East, Potrero Avenue to the West, 15th Street to the North and 17th Street to the South; for Restricted Integrated PDR Special Use District bounded generally by Cesar Chavez Street to the South, Pennsylvania and Iowa Streets to the West, 23rd Street to the North and Michigan and Maryland Streets to the East; and making various findings, including CEQA findings and findings of consistency with the General Plan and Planning Code Section 101.1. (Planning Department)

Supervisor Dufty, seconded by Supervisor Alioto-Pier, moved to sever Parcel Nos. 3595-024 and 3616-007 with a 85 ft designation height limit. (See File No. 081589)

Ordinance No. 299-08

FINALLY PASSED by the following vote:

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

081589 [Eastern Neighborhoods Zoning Map - Height District for Mission Street theater properties]

Ordinance amending the San Francisco Zoning Map by amending the height district designation for Assessor's Block 3595, Lot 024 on Mission Street between 19th and 20th Streets and Assessor's Block 3616, Lot 007 on Mission Street between 21st and 22nd Streets to 65-X/85-X; and making various findings, including environmental findings and findings of consistency with the General Plan and priority policies of Planning Code Section 101.1. (Planning Department)

PASSED ON FIRST READING by the following vote:

Ayes: 6 - Alioto-Pier, Chu, Dufty, Elsbernd, Maxwell, Sandoval
Noes: 4 - Campos, McGoldrick, Mirkarimi, Peskin
Excused: 1 - Daly

081155 [Eastern Neighborhoods Area Plans - monitoring program, CAC, integrated PDR TIDF fee]

Ordinance amending the Administrative Code Chapter 10E to establish the Eastern Neighborhoods Monitoring Program for purposes of reviewing the effectiveness of the Eastern Neighborhoods Area Plans and implementation of specified improvements, the Integrated PDR Reporting program, and the Eastern Neighborhoods Citizens Advisory Committee; amending Administrative Code Chapter 38, Sections 38.1, 38.3, and 38.10 to create a Transit Impact Development Fee for Integrated PDR; and adopting environmental findings. (Planning Department)

Ordinance No. 300-08

FINALLY PASSED by the following vote:

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

**081333 [Zoning - SoMa Youth and Family Special Use Districts]
Supervisor Maxwell**

Ordinance amending the San Francisco Planning Code by adding Section 249.41 and amending various sheets of the Zoning Map of the City and County of San Francisco to establish the South of Market (SoMa) Youth and Family Special Use District, bounded generally by Natoma Street on the north, Harrison Street on the south, 4th Street on the east, and 7th Street on the west, to address youth and family concerns and expand affordable housing opportunities, including establishment of in-lieu affordable housing fees; and adopting environmental findings and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1(b).

(Economic Impact.)

Supervisor Dufty, seconded by Supervisor Alioto-Pier, moved to sever Assessor Blocks 3727, 3730 and 3755. Supervisor Dufty withdrew his motion to sever this item.

Ordinance No. 302-08

FINALLY PASSED by the following vote:

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

**081334 [Zoning - Potrero Center Mixed-Use Special Use District]
Supervisor Maxwell**

Ordinance amending the San Francisco Planning Code by adding Section 249.40 and amending Sheet SU08 of the Zoning Map of the City and County of San Francisco to establish the Potrero Center Mixed-Use Special Use District for the existing shopping center at 2300 16th Street between Bryant Street and Potrero Avenue (Assessor's Block 3930A Lot 002); and adopting environmental findings and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1(b).

Ordinance No. 304-08

FINALLY PASSED by the following vote:

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

**081339 [Zoning - Publicly-owned properties in the Eastern Neighborhoods]
Supervisor Peskin**

Ordinance amending the Zoning Map of the City and County of San Francisco to rezone various publicly-owned properties in the Eastern Neighborhoods Plan Area to a "P" (Public) zoning district; and adopting environmental findings and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1(b).

Ordinance No. 305-08

FINALLY PASSED by the following vote:

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

NEW BUSINESS

Recommendations of the Budget and Finance Committee

081440 [De-Appropriating \$998,145 of General Fund and \$761,021 of Federal Direct Grant Revenue for the Community Justice Center for FY 2008-2009]

Supervisors Daly, McGoldrick, Peskin

Ordinance de-appropriating \$998,145 of General Fund in the Mayor's Office of Community Justice and \$761,021 of Federal Direct Grant Revenue in the Department of Public Health for the Community Justice Center in Fiscal Year 2008-2009.

(Fiscal Impact.)

(Supervisor Elsbernd dissented in committee.)

Supervisor Sandoval was previously excused from voting on this matter.

Continued to December 16, 2008.

Supervisor Daly, seconded by Supervisor Mirkarimi, moved that this Ordinance be CONTINUED ON FIRST READING. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Campos, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin

Excused: 1 - Sandoval

081449 [Changes to the Payroll Expense Tax exclusion for clean energy technology businesses]

Supervisors McGoldrick, Maxwell

Ordinance amending San Francisco Business and Tax Regulations Code by amending Article 12-A, Section 906.2 to expand eligibility for the clean technology payroll tax exclusion to include carbon trading, solar panel and other clean technology research and development-related businesses, and to include businesses with fewer than ten employees.

(Economic Impact)

Supervisor McGoldrick, seconded by Supervisor Mirkarimi, 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, Campos, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Ordinance amending San Francisco Business and Tax Regulations Code by amending Article 12-A, Section 906.2 to expand eligibility for the clean technology payroll tax exclusion to include solar panel and other clean technology research and development-related businesses, and to include businesses with fewer than ten employees.

PASSED ON FIRST READING AS AMENDED by the following vote:

Ayes: 9 - Alioto-Pier, Campos, Chu, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Sandoval

Noes: 2 - Daly, Peskin

081453 [Appropriating \$1,923,629,194 of Water Revenue Bond proceeds for the Water System Improvement Program in the Public Utilities Commission for Fiscal Year 2008-2009]**Mayor**

Ordinance appropriating \$1,923,629,194 of San Francisco Water Revenue Bond authorized in 2002 to fund construction and financing costs for the San Francisco Public Utilities Commission (SFPUC) Water System Improvement Program (WSIP) for Fiscal Year 2008-2009, placing the entire appropriation by project on Controller's reserve subject to SFPUC and Board of Supervisors' discretionary approvals following completion of project-related analysis pursuant to California Environmental Quality Act (CEQA), where required, and receipt of proceeds of indebtedness, adopting environmental findings, placing on Budget and Finance Committee reserve any project in excess of \$100,000,000 and authorizing the increase of the Water Commercial Paper Program from \$250,000,000 to \$500,000,000 to facilitate projected WSIP financing needs.

(Fiscal Impact.)

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

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

PASSED ON FIRST READING AS AMENDED by the following vote:

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

081499 [Accept and Expend FY 08 Urban Areas Security Initiative Grant and Amend Annual Salary Ordinance, FY 2008-2009 - \$29,724,000]**Supervisor Alioto-Pier**

Ordinance authorizing the Department of Emergency Management (DEM), on behalf of the City and County San Francisco as the primary grantee for the combined Bay Area Urban Area ("Super UASI" or "SUASI") region and as the fiscal agent for the SUASI Approval Authority, to retroactively accept and expend an Urban Areas Security Initiative ("UASI") grant in the amount of \$29,724,000 from the United States Department of Homeland Security, through the California Governor's Office of Homeland Security; amending Ordinance No. 141-08 (Annual Salary Ordinance, FY 2008-2009) to reflect the addition of two grant-funded positions in the Department of Emergency Management.

PASSED ON FIRST READING by the following vote:

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

**081500 [Obtain, Accept and Expend Federal Interoperable Emergency Communications Program Grant and Amend Annual Salary Ordinance, FY 2008-2009 - \$1,374,422]
Supervisor Alioto-Pier**

Ordinance authorizing the Department of Emergency Management (DEM), as primary grantee and fiscal agent for the Capitol-Bay Planning Area, to obtain, accept and expend an Interoperable Emergency Communications Program Grant (IECGP) award in the amount of \$1,374,422 from the United States Department of Homeland Security (DHS), through the California Office of Homeland Security (OHS), for the period October 6, 2008 to May 31, 2010, and amending Ordinance No. 141-08 (Annual Salary Ordinance, FY 2008-2009) to reflect the addition of one grant-funded position (0.50 FTE - 0931 Manager III) in the Department of Emergency Management.

PASSED ON FIRST READING by the following vote:

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

080946 [Airport Concession Lease]

Resolution approving the Lease Agreements for the Rental Car Center Operations between The Hertz Corporation; Avis Budget Car Rental, LLC; EAN, LLC; DTG Operations, Inc.; and Fox Rent a Car, Inc., and the City and County of San Francisco, acting by and through its Airport Commission. (Airport Commission)

Resolution No. 509-08

ADOPTED by the following vote:

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

081359 [Increasing the Golden Gate Petroleum contract dollar from less than \$10 million to less than \$20 million]

Resolution approving the Second Amendment to the Agreement between the City and Golden Gate Petroleum as a supplier of gasoline and diesel fuel, increasing the contract's dollar amount from less than \$10 million to \$20 million, pursuant to Charter Section 9.118(b). (Office of Contract Administration)

(Fiscal Impact.)

Resolution No. 512-08

ADOPTED by the following vote:

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

081361 [Raising the contract's not-to-exceed amount, between the CCSF and Firestone-Bridgestone for rental bus tires, to an amount not the exceed \$11,010,000]

Resolution approving the Fourth Amendment to the Agreement between the City and County of San Francisco (City) and Firestone-Bridgestone (Contractor) for rental of bus tires, increasing the contract's not-to-exceed amount to more than \$10 million, pursuant to San Francisco Charter Section 9.118(b). (Office of Contract Administration)

(Fiscal Impact.)

Resolution No. 511-08

ADOPTED by the following vote:

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

- 081371 [Amendment to Lease of Real Property at 3119 Mission Street]**
Resolution authorizing the Amendment to Lease at 3119 Mission Street for the Human Services Agency. (Real Estate Department)
Resolution No. 507-08
ADOPTED by the following vote:
Ayes: 11 - Alioto-Pier, Campos, Chu, Daly, Duffy, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
- 081373 [Agreement for the Reimbursement for Interim Assistance Payments Pursuant to Section 1631(g) of the Social Security Act]**
Resolution authorizing the renewal of Resolution 791-89 between the City and County of San Francisco and the State of California Department of Social Services for the purpose of assuring the availability of reimbursement to the City and County by the Secretary of Health and Human Services for the interim assistance paid to Social Security Income Program (SSI)/ State Supplementary Payment (SSP) Applicants. (Human Services Department)
Resolution No. 514-08
ADOPTED by the following vote:
Ayes: 11 - Alioto-Pier, Campos, Chu, Daly, Duffy, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
- 081416 [Approving Seven Technology Store Contracts pursuant to Charter Section 9.118(b)]**
Supervisor Duffy

Resolution approving the award of seven contracts for Technology Store purchases pursuant to San Francisco Charter Section 9.118(b).

(Fiscal Impact.)
Resolution No. 508-08
ADOPTED by the following vote:
Ayes: 11 - Alioto-Pier, Campos, Chu, Daly, Duffy, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Recommendations of the City Operations and Neighborhood Services Committee

- 081009 [Prohibiting smoking in taxicabs and motor vehicles for hire and free distribution of tobacco products and accessories in places open to the public]**
Supervisor Maxwell

Ordinance amending the San Francisco Health Code by amending Section 1009.22 and amending the San Francisco Police Code by amending Section 1143 and repealing Sections 53, 53.1, and 1098, to prohibit smoking in taxicabs and other motor vehicles for hire, and amending San Francisco Police Code Section 95, to prohibit the free distribution of tobacco products and accessories in places open to the public.

PASSED ON FIRST READING by the following vote:
Ayes: 11 - Alioto-Pier, Campos, Chu, Daly, Duffy, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

**081250 [Massage practitioner requirements]
Supervisor Dufty**

Ordinance amending Section 1902 of the San Francisco Health Code by changing the requirement that massage practitioners obtain a certificate of graduation to a certificate of completion verifying at least 100 hours of massage instruction.

PASSED ON FIRST READING by the following vote:

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

**081405 [2008 Hazard Mitigation Plan]
Mayor, Supervisor Alioto-Pier**

Resolution adopting the 2008 City and County of San Francisco Hazard Mitigation Plan.

Resolution No. 517-08

ADOPTED by the following vote:

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

Recommendations of the Land Use and Economic Development Committee

**081202 [Interim Zoning Requiring Conditional Use Authorization for Change in Use or Reduction of 15,000 square feet or more of Recreational Space]
Supervisor Daly**

Resolution imposing interim zoning controls establishing a requirement for conditional use authorization for a change in use or reduction in size of any recreational space of 15,000 square feet or more including indoor or outdoor facilities for a six (6) month period and making a determination of consistency with the priority policies of Planning Code Section 101.1.

Resolution No. 522-08

ADOPTED by the following vote:

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

**081446 [Eastern Neighborhoods MOU]
Supervisor Maxwell**

Resolution approving a Memorandum of Understanding between City departments relating to the planning of various capital projects in the Eastern Neighborhoods Plan Area, subject to the approval of the affected City departments and commissions; establishing an Eastern Neighborhoods Infrastructure Finance Working Group; and making findings under the California Environmental Quality Act.

Resolution No. 510-08

ADOPTED by the following vote:

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

081276 [Real Property Lease Amendment and Sale - 875 Stevenson Street]

Resolution approving a third amendment to the City's lease at 875 Stevenson Street and approving the sale of a portion of Stevenson Street between 9th and 10th Streets to 1355 Market Street Associates, L.P. following the vacation of such portion of Stevenson Street; and finding the sale and improvement of the Stevenson Street Property is consistent with the City's General Plan and with the Eight Priority Policies of City Planning Code Section 101.1, and is categorically exempt from environmental review under the California Environmental Quality Act. (Real Estate Department)

Resolution No. 516-08

ADOPTED by the following vote:

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

From the Land Use and Economic Development Committee Without Recommendation**081088 [Requirement of Conditional Use Authorization for any permit application to remove dwelling units]**

Ordinance amending the Planning Code by amending Section 317 to require Conditional Use Authorization for any elimination of existing dwelling units through mergers, conversions, or demolitions of residential units.

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 December 19, 2008.

Therefore, the Board will lose the ability to override the veto unless it votes on the veto override on or before January 18, 2009.

PASSED ON FIRST READING by the following vote:

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

SPECIAL ORDER 3:00 P.M.

081463 [Public Hearing - Appeal of Minor Sidewalk Encroachment for 1335 Stanyan Street]

Hearing of persons interested in or objecting to the decision of the Department of Public Works, by its letter dated November 14, 2008, disapproving a Minor Sidewalk Encroachment Permit No. 07MSE-0012 to construct and maintain an "L" shaped partition fence encroaching 12" into the unimproved right-of-way of Stanyan Street to hide garbage and recycling cans from view on Clarendon Avenue. (Appellant: Pennie Sempell)

(Filed November 24, 2008; companion measure to Files 081464, 081465; District 7.)

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

John Quong, Representative of the Department of Public Works

Pennie Sempell, Appellant

Male speaker; opposed to the appeal

Male speaker; opposed to the appeal

Richard Margessa; opposed to the appeal

Linda Lyons; opposed to the appeal

Female speaker; opposed to the appeal

Lee Sealy; opposed to the appeal

Female speaker; support of the appellant

Pennie Sempell; Appellant - Rebuttal Period

Heard at public hearing.

The President declared the public hearing closed.

FILED.

(Only one of the following two motions should be approved.)**081464 [Minor Sidewalk Encroachment Permit Appeal - 1335 Stanyan Street]**

Motion disapproving the decision of the Department of Public Works' denial of an encroachment permit for 1335 Stanyan Street and granting an encroachment permit.

Supervisor Elsbernd moved to amend the Department of Public Works encroachment permit with certain conditions.

Motion No. M08-181

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

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

081465 [Minor Sidewalk Encroachment Permit Appeal - 1335 Stanyan Street]

Motion affirming the Director of Public Works' denial of an encroachment permit for 1335 Stanyan Street and denying an encroachment permit.

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

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

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

Privilege of the Floor

Supervisor Dufty, seconded by Supervisor Elsbernd, moved to suspend Rule 4.37 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, Campos, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Supervisor Dufty introduced, welcomed and presented a Certificate of the Honor to Scott Hall.

Supervisor McGoldrick introduced, welcomed and presented a Certificate of the Honor to Amber Crouch, Planning Department.

Supervisor Elsbernd introduced, welcomed and presented a Certificate of Honor to Members of the Irish Gaelic Athletic Association in appreciation of the dedication of the athletic fields on Treasure Island.

SPECIAL ORDER 4:00 P.M.**081420 [Public Hearing - Conditional Use Appeal for 299 Valencia Street]**

Hearing of persons interested in or objecting to the decision of the Planning Commission by its Motion No. 17739 dated November 6, 2008, relating to the approval of a Conditional Use Authorization (Case No. 2006.0432CV), under Planning Code Sections 121.1, 151.1 and 303 to allow a large-lot mixed-use development providing up to 25 off-street residential parking spaces and 2 car share spaces in an NCT-3 (Moderate-Scale Neighborhood Commercial Transit District) Zoning District and a 50-X Height and Bulk District on property located at 299 Valencia Street, Lot 014 in Assessor's Block No. 3532. (Filed by Jason Henderson on behalf of the Hayes Valley Neighborhood Association and subscribed by Supervisors Peskin, Ammiano, Maxwell, Daly and Mirkarimi; District 6.)

(Filed 11/14/08; Companion Measure to 081421, 081422, 081423.)

The President inquired as to whether any member of the public wished to address the Board. Continued to January 6, 2009.

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

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

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the conditional use application 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 approved.)

- 081421 [Approving Planning Commission decision related to Conditional Use Appeal for 299 Valencia Street]**
Motion approving decision of the Planning Commission by its Motion No. 17739, approving Conditional Use Application 2006.0432CV on property located at 299 Valencia Street, and adopting findings pursuant to Planning Code Section 101.1. (Clerk of the Board)
Continued to January 6, 2009
Supervisor Daly, seconded by Supervisor Mirkarimi, moved that this Motion be CONTINUED. The motion carried by the following vote:
Ayes: 11 - Alioto-Pier, Campos, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
- 081422 [Disapproving Planning Commission decision related to Conditional Use Appeal for 299 Valencia Street]**
Motion disapproving decision of the Planning Commission by its Motion No. 17739, approving Conditional Use Application 2006.0432CV on property located at 299 Valencia Street. (Clerk of the Board)
Continued to January 6, 2009
Supervisor Daly, seconded by Supervisor Mirkarimi, moved that this Motion be CONTINUED. The motion carried by the following vote:
Ayes: 11 - Alioto-Pier, Campos, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
- 081423 [Preparation of findings related to the Conditional Use Appeal for 299 Valencia Street]**
Motion directing the Clerk of the Board to prepare findings relating to proposed Conditional Use Application No. 2006.0432CV on property located at 299 Valencia Street, for action by the Board at its next meeting. (Clerk of the Board)
Continued to January 6, 2009
Supervisor Daly, seconded by Supervisor Mirkarimi, moved that this Motion be CONTINUED. The motion carried by the following vote:
Ayes: 11 - Alioto-Pier, Campos, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

COMMITTEE REPORTS

081230 [Medical Cannabis Dispensary Permits]
Supervisor Daly

Ordinance amending Section 3308 of the San Francisco Health Code to include the installation of platform lifts under the minimum disability access standards for Medical Cannabis Dispensaries.

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

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

PASSED ON FIRST READING AS AMENDED by the following vote:

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

081424 [Appointment, Public Utilities Commission - Juliet Ellis]

Motion confirming the Mayor's appointment of Juliet Ellis to the Public Utilities Commission, Seat 2, for the term ending August 1, 2010. (Mayor)

Motion No. M08-180

APPROVED by the following vote:

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

081308 [Confirming the appointment of Helen Nigg to the Treasure Island Development Authority Board of Directors]

Motion confirming the appointment of Helen Nigg to the Treasure Island Development Authority Board of Directors for a four-year term ending September 11, 2010. (Mayor)

Amended by changing the date from "September 11, 2010" to "April 28, 2010."

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

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

Motion confirming the appointment of Helen Nigg to the Treasure Island Development Authority Board of Directors for a four-year term ending April 28, 2010. (Mayor)

Motion No. M08-179

APPROVED AS AMENDED by the following vote:

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

081444 [Establishing the San Francisco Self-Insurance Surety Bond Fund and Setting Standards Governing Deposits into the Fund]

Supervisors Maxwell, Alioto-Pier, Daly, Dufty, Sandoval, Elsbernd, Mirkarimi, Peskin, Campos

Ordinance amending the San Francisco Administrative Code by adding Section 10.100-317, establishing the San Francisco Self-Insurance Surety Bond Fund, contributions thereto, and use of said Fund.

(Fiscal Impact.)

PASSED ON FIRST READING by the following vote:

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

081443 [Annual Contributions to the San Francisco Self-Insurance Surety Bond Fund]

Supervisors Maxwell, Alioto-Pier, Daly, Dufty, Sandoval, Elsbernd, Mirkarimi, Peskin, Campos

Ordinance amending the San Francisco Bonding and Financial Assistance Program to require annual contributions to the San Francisco Self-Insurance Surety Bond Fund.

(Fiscal Impact.)

PASSED ON FIRST READING by the following vote:

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

081450 [Real Property Transfer Tax - Change of delinquency date; substitution of references to current laws; conform partnership rule to state law changes; elimination of tax stamp provision and elimination of Transfer Tax Review Board, operative January 1, 2013]

Ordinance amending Sections 1106, 1108, 1108.4, 1115, 1115.1 and 1115.3 and deleting Sections 1109, and 1115.2 of Article 12-C of the Business and Tax Regulations Code to (1) change delinquency date; (2) replace references to prior bankruptcy, income tax, and local laws with references to current laws; (3) conform rule for partnership interest transfers to state law changes; (4) eliminate obsolete provision regarding documentary tax stamps; and (5) eliminate Transfer Tax Board of Review and references to that Board.

Continued to December 16, 2008

Supervisor Elsbernd, seconded by Supervisor McGoldrick, moved that this Ordinance be CONTINUED ON FIRST READING. The motion carried by the following vote:

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

**081451 [Property Tax Refund Claim Processing]
Supervisor Peskin**

Ordinance to amend Administrative Code Section 10.2 to delegate to City Attorney the authority to grant or deny property tax refund claims and to establish administrative rules and procedures for City Attorney to follow.

Continued to December 16, 2008

Supervisor Elsbernd, seconded by Supervisor McGoldrick, moved that this Ordinance be CONTINUED ON FIRST READING. The motion carried by the following vote:

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

081414 [Reaffirming and Restating Finding of Fiscal Feasibility for the revised Exploratorium Project at Piers 15/17 and Finding of Lease Exemption from Competitive Bidding Policy; Endorsing Amended and Restated Term Sheet]

Resolution reaffirming and restating the Board of Supervisor's prior findings that the revised Exploratorium Project at Piers 15/17 is fiscally feasible and responsible pursuant to Administrative Code Chapter 29 and is exempt from the competitive bidding policy set forth in Administrative Code Section 2.6-1, and endorsing the Amended and Restated Term Sheet between the Exploratorium and the San Francisco Port Commission. (Port)

Resolution No. 521-08

ADOPTED by the following vote:

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

**081447 [Accept-Expend State Grant - Southeast Community Response Network - \$402,457]
Supervisor Maxwell**

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 \$402,457 through the United States Department of Justice, for a program entitled "Southeast Community Response Network" for fiscal year July 2006 through June 2010.

Resolution No. 518-08

ADOPTED by the following vote:

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

**081448 [Juvenile Probation and Camp Funding Grant Program]
Supervisor Maxwell**

Resolution authorizing the Juvenile Probation Department to participate in the State of California's Juvenile Probation and Camp Funding Program, to receive funds for direct services to eligible children and their families.

Supervisor Maxwell, seconded by Supervisor Alioto-Pier, moved that this Resolution be **RE-REFERRED** to the Government Audit and Oversight Committee. The motion carried by the following vote:

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

**080520 [Below Market Rate Condominium Conversion Program]
Mayor, Supervisor McGoldrick**

Ordinance amending the San Francisco Subdivision Code by adding Section 1344 to update and clarify the provisions relating to Below Market Rate Units under the Condominium Conversion Program including provisions related to the calculation of sales price, renting, capital improvements, duration and monitoring of affordability, marketing, and ongoing regulations and the provisions relating to Original Subdividers who rent their Units; providing for alternatives for compliance with the ordinance; and amending Sections 1308, 1309, 1341, 1341B, 1343, 1359, and 1385 to make conforming changes, and making findings including findings under the California Environmental Quality Act (CEQA).

(Supervisor Sandoval dissented in Committee.)

PASSED ON FIRST READING by the following vote:

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

*Supervisor McGoldrick, seconded by Supervisor Maxwell, moved to rescind the previous vote.
Motion to rescind the previous vote passed without objection.*

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

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

PASSED ON FIRST READING AS AMENDED by the following vote:

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

**081100 [Zoning - Providing for a Five Feet Special Height Exception for Active Ground Floor Uses in the NC-2 and NC-3 Designated Parcels fronting Mission Street, from Silver Avenue to the Daly City border]
Supervisor Sandoval**

Ordinance amending the San Francisco Planning Code by amending Section 263.20 to provide for a special height exception for ground floor uses in the Neighborhood Commercial Districts; amending Sections 703.1, 710.1, 711.1, 712.1, 713.1, 715.1, 716.1, 717.1, 718.1, 719.1, 720.1, 721.1, 723.1, 724.1, 725.1, 726.1, 727.1, 728.1, 729.1, 730.1, 731.1, 732.1, to refer to this special height exception; adopting findings, including environmental findings and findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan.

PASSED ON FIRST READING by the following vote:

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

**081513 [Limited Equity Housing Cooperative Conversions]
Supervisors Peskin, Mirkarimi**

Ordinance amending the Subdivision Code by adding Article 11, consisting of Sections 1399.1 through 1399.22, to create a method for Limited Equity Housing Cooperatives to convert existing residential buildings to limited-equity housing cooperatives, and making findings including findings under the California Environmental Quality Act.

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

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

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

PASSED ON FIRST READING AS AMENDED by the following vote:

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

ROLL CALL FOR INTRODUCTIONS

PUBLIC COMMENT

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

*James Chaffee; expressed concern with issues relating to the SF Public Library
Richard McRee; expressed concern with issues relating to his patent for the design of Sigmund Stern Grove
Robert Louie Smith; expressed concern with health issues in San Francisco
Walter; shared with the Board certain memorabilia
Mike Catrellis; expressed concern with issues relating to the passage of Prop 8*

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

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

**081528 [Mortgage Credit Certificates]
Supervisor Chu**

Resolution authorizing an application to the California Debt Limit Allocation Committee to permit the issuance of Mortgage Credit Certificates.

**Resolution No. 519-08
ADOPTED**

**081529 [Accept-Expend Federal Pass Through Grant - Asian Women's Shelter - \$10,000]
Supervisor Chu**

Resolution authorizing the Department of the District Attorney of the City and County of San Francisco to accept and expend a grant in the amount of \$10,000 from the Asian Women's Shelter, allocated through the Office on Violence Against Women, Office of Justice Programs (OVW), to assist Asian and Pacific Islander (API) victims of domestic violence for fiscal year 2008-2010.

**Resolution No. 513-08
ADOPTED**

081277 [Final Map - 420-428 Vallejo Street]

Motion approving Final Map 4304, a 5 Unit Residential Condominium Project, located at 420 – 428 Vallejo Street being a subdivision of Lot 013 in Assessors Block No. 0133 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1. (Public Works Department)

(DPW Order 177,926; District 3.)

Motion No. M08-178

APPROVED by the following vote:

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

081354 [Declaration of Election Results - November 4, 2008]

Supervisor Peskin

Resolution declaring the results of the November 4, 2008 General Election.

Resolution No. 503-08

ADOPTED

The foregoing items were acted upon by the following vote:

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

Severed from the Adoption Without Reference to Committee

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

081411 [Opposing location of proposed Presidio Fine Arts Museum]

Supervisor Peskin

Resolution declaring official City policy opposing preferred alternatives 2 and 2A in the San Francisco Presidio Trust's Draft Supplemental Environmental Impact Statement (DSEIS) that propose the construction of a large hotel and museum facility in the Presidio.

Supervisor Elsbernd, seconded by Supervisor Alioto-Pier, moved that this Resolution be TABLED to the Land Use and Economic Development Committee. The motion FAILED by the following vote:

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

Supervisor Dufty, seconded by Supervisor Mirkarimi, moved to refer this matter to Committee.

Supervisor Dufty, seconded by Supervisor Mirkarimi, moved that this Resolution be REFERRED to the Land Use and Economic Development Committee. The motion carried by the following vote:

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

**081526 [Requesting California establish a Do Not Mail Registry]
Supervisors Mirkarimi, Dufty, Campos**

Resolution urging the California State Legislature to establish a Do Not Mail Registry.

Continued to December 16, 2008.

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

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

IMPERATIVE AGENDA

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

[Purely Commendatory Finding]

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

Supervisor Dufty, seconded by Supervisor Alioto-Pier, moved ADOPTION of the commendatory finding. The motion carried by the following vote:

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

[Brown Act Finding]

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

Supervisor Dufty, seconded by Supervisor Alioto-Pier, moved ADOPTION of the Brown Act finding. The motion carried by the following vote:

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

**081556 [Honoring Carl Friedman for over thirty years of leadership of the San Francisco Department of Animal Care and Control and Animal Welfare community].
Supervisor Dufty**

Resolution honoring Carl Friedman for over thirty years of leadership of the San Francisco Department of Animal Care and Control and Animal Welfare community.

Resolution No. 520-08

ADOPTED by the following vote:

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

OFF-AGENDA LEGISLATION

Ordinances

081540 [Ordinance amending the Fiscal Year 2008-2009 Annual Appropriation and Annual Salary Ordinance to reflect the Mayor's Mid-Year Adjustment Plan and reducing other selected Department appropriations.]

Supervisor Peskin

Ordinance deappropriating \$8,515,891 of General Fund, including \$81,522 in the Board of Supervisors, \$2,366,392 in Economic and Workforce Development, \$52,468 in the Department of Emergency Management, \$3,948,326 in Fire Department, \$1,422,554 in the City Administrator's Office, \$83,955 in the Mayor's Office, \$560,674 in the Police Department and \$57,957 in Recreation and Park related to the project budget deficit in Fiscal Year 2008-2009.

12/5/08, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

081555 [Public Employment - Deletion of Positions]

Supervisor Peskin

Draft ordinance amending Ordinance No. 141-08 (Annual Salary Ordinance FY 2008-2009) to reflect the deletion of 98 positions (26.27 FTE) in various Classes and Departments.

(FiscalImpact.)

12/5/08, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

081560 [India Basin Industrial Park Zoning Map Amendment]

Supervisor Maxwell

Ordinance amending the San Francisco Planning Code by amending Sectional Map Sheets ZN08, ZN10, SU08 and SU10 to change the use classification of certain parcels in and around the India Basin Industrial Park Redevelopment Project Area from M-1 (Light Industrial) and M-2 (Heavy Industrial) Districts to PDR-1-B (Light Industrial, Buffer) and PDR-2 (Production, Distribution, and Repair) Districts and to incorporate all of the subject parcels into the India Basin Industrial Park Special Use District; adopting findings, including environmental findings and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1.

12/9/08, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 1/8/2009.

081561 [India Basin Industrial Park, Planning Code Text Amendment]

Supervisor Maxwell

Ordinance amending the San Francisco Planning Code by adding Section 249.42 to create a new India Basin Industrial Park Special Use District; adopting findings, including environmental findings and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1.

12/9/08, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 1/8/2009.

**081563 [Public Employment - Addition of Positions]
Supervisor Mirkarimi**

Draft ordinance amending Ordinance No. 141-08 (Annual Salary Ordinance 2008-2009) to reflect the addition of one position (.50 FTE) 9775 Senior Community Development Specialist II and one position (.50 FTE) 9770 Community Development Assistant to the Board of Supervisors (BOS).

(Fiscal Impact.)

12/9/08, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

**081564 [Administrative Code - Amendment to Large Tourist Hotel Conversion Ordinance]
Supervisor Peskin**

Ordinance amending Administrative Code Chapter 41F to clarify the scope and implementation of the Large Tourist Hotel Conversion Ordinance, including minor edits to the definition of "Convert" and additional guidance regarding the conversion process for Large Tourist Hotel Rooms, and making required findings.

12/9/08, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

**081565 [Adopting a new Planning Code Article 10 and Article 11 and adding new Planning Code Section 176(f)]
Supervisors Peskin, Daly**

Ordinance rescinding Planning Code Article 10 in its entirety and adopting a new Article 10 to implement the provisions of new San Francisco Charter Section 4.135.

12/9/08, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 1/8/2009.

081577 [Zoning Map Amendments for 1-25 Division Street and 45 Rhode Island]

Ordinance amending the San Francisco Zoning Map by amending the use designation for Assessor's Block 3912, Lots 001 and 003, known as 1-25 Division Street and 45 Rhode Island Street, respectively, from PDR-1-D (Production Distribution and Repair - Design) to UMU (Urban Mixed Use); and making various findings, including environmental findings and findings of consistency with the General Plan and priority policies of Planning Code Section 101.1.

12/9/08, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

Resolutions

**081556 [Honoring Carl Friedman for over thirty years of leadership of the San Francisco Department of Animal Care and Control and Animal Welfare community]
Supervisor Dufty**

Resolution honoring Carl Friedman for over thirty years of leadership of the San Francisco Department of Animal Care and Control and Animal Welfare community.

12/9/08, ADOPTED.

**081559 [Accept-Expend Federal grant funds - Department of Public Works - \$1,475,675]
Supervisor Elsbernd**

Resolution authorizing the Department of Public Works to accept and expend a grant in the amount of \$1,475,675 from the U.S. Department of Justice, Bureau of Justice Assistance Edward Byrne Memorial Discretionary Grants Program.

12/9/08, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

**081562 [Establishing City policy supporting Smart Grid technology and protocols for City electric systems]
Supervisor Peskin**

Resolution establishing City policy supporting Smart Grid technology and protocols for City electric systems and urging the Public Utilities Commission to prepare a study to identify the most effective and economic means to implement smart grid technology.

12/9/08, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

**081567 [Commending Gerald H. Bibelheimer and his stellar work as a Social Worker throughout the City and County of San Francisco]
Supervisor Dufty**

Resolution commending Gerald H. Bibelheimer and his stellar work as a Social Worker throughout the City and County of San Francisco for the past 20 years.

12/9/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**081568 [Resolution to commend the 5th Anniversary of the opening of the Noe Valley Farmers' Market]
Supervisor Dufty**

Resolution to commend the 5th Anniversary of the opening of the Noe Valley Farmers' Market.

12/9/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**081569 [Honoring Rodel Rodis for sixteen years of service to City College of San Francisco]
Supervisor Dufty**

Resolution honoring Rodel Rodis for sixteen years of service to City College of San Francisco.

12/9/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**081570 [Honoring Scott Hall and the Gay American Heroes]
Supervisors Dufty, Campos**

Resolution honoring Scott Hall and the Gay American Heroes

12/9/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**081571 [Supporting the public process in development of the master plan for Ocean Beach]
Supervisors Chu, McGoldrick, Elsbernd**

Resolution supporting the public process of the development of the master plan for Ocean Beach.
12/9/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**081572 [Commemorating 65th anniversary of repeal of 1882 Chinese Exclusion Act]
Supervisors Chu, Mirkarimi, Maxwell, Campos**

Resolution commemorating December 17, 2008 as the 65th Anniversary of the repeal of the 1882 Chinese Exclusion Act, which was the first significant restriction on free immigration in United States history.
12/9/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**081502 [Preferred Alternative for the South Access for the Golden Gate Bridge: Doyle Drive Project]
Supervisor McGoldrick**

Resolution approving the Preferred Alternative for the South Access for the Golden Gate Bridge: Doyle Drive Project.
11/25/08, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.
12/9/08, ASSIGNED to Land Use and Economic Development Committee.
12/9/08, SUBSTITUTED. Supervisor McGoldrick submitted a substitute resolution bearing same title.

**081517 [Resolution to Establish the Tourism Improvement District]
Mayor, Supervisors Peskin, Maxwell, Dufty**

Resolution of Formation: Establishing a business-based business improvement district to be known as the "Tourism Improvement District," ordering the levy and collection of assessments against defined hotel businesses located in that district for fifteen (15) years commencing January 1, 2009, subject to conditions as specified, and making environmental findings.
11/25/08, RECEIVED AND ASSIGNED to Board of Supervisors. Scheduled for December 16, 2008 at 3:00 p.m.

12/9/08 - Referred to Planning for determination of environmental impact.
12/9/08, ASSIGNED to Board of Supervisors.
12/9/08, SUBSTITUTED. Supervisor Peskin submitted a substitute resolution bearing same title.

**081411 [Opposing location of proposed Presidio Fine Arts Museum]
Supervisor Peskin**

Resolution declaring official City policy opposing preferred alternatives 2 and 2A in the San Francisco Presidio Trust's Draft Supplemental Environmental Impact Statement (DSEIS) that propose the construction of a large hotel and museum facility in the Presidio.

11/12/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

11/18/08, CONTINUED. Continued to November 25, 2008

11/25/08, ADOPTED. Supervisor Alioto-Pier requested that this matter be severed so that it might be considered separately.

11/25/08, PREVIOUS VOTE RESCINDED.

11/25/08, CONTINUED. Continued to December 9, 2008.

12/9/08, TABLED to Land Use and Economic Development Committee.

12/9/08, REFERRED to Land Use and Economic Development Committee. Supervisor Dufty, seconded by Supervisor Mirkarimi, moved to refer this matter to Committee.

Motions

081541 [Appointment, Historical Preservation Commission - Karl Hasz]

Motion approving the Mayor's nomination for appointment of Karl Hasz to the Historical Preservation Commission, Seat No. 6, for a two-year term ending date to be determined. (Clerk of the Board)

(Section 4.135 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 081542. Transmittal date – December 4, 2008.)

12/4/08, RECEIVED AND ASSIGNED to Rules Committee.

081542 [Appointment, Historical Preservation Commission - Karl Hasz]

Motion rejecting the Mayor's nomination for appointment of Karl Hasz to the Historical Preservation Commission, Seat No. 6, for a two-year term ending date to be determined. (Clerk of the Board)

(Section 4.135 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 081541. Transmittal date – December 4, 2008.)

12/4/08, RECEIVED AND ASSIGNED to Rules Committee.

081543 [Appointment, Historical Preservation Commission - Sue Lee]

Motion approving the Mayor's nomination for appointment of Sue Lee to the Historical Preservation Commission, Seat No. 4, for a two-year term ending date to be determined. (Clerk of the Board)

(Section 4.135 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 081544. Transmittal date – December 4, 2008.)

12/4/08, RECEIVED AND ASSIGNED to Rules Committee.

081544 [Appointment, Historical Preservation Commission - Sue Lee]

Motion rejecting the Mayor's nomination for appointment of Sue Lee to the Historical Preservation Commission, Seat No. 4, for a two-year term ending date to be determined.

(Section 4.135 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 081543. Transmittal date – December 4, 2008.)

12/4/08, RECEIVED AND ASSIGNED to Rules Committee.

081545 [Appointment, Historical Preservation Commission - Jonathan Pearlman]

Motion approving the Mayor's nomination for appointment of Jonathan Pearlman to the Historical Preservation Commission, Seat No. 2, for a two-year term ending date to be determined. (Clerk of the Board)

(Section 4.135 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 081546. Transmittal date – December 4, 2008.)

12/4/08, RECEIVED AND ASSIGNED to Rules Committee.

081546 [Appointment, Historical Preservation Commission - Jonathan Pearlman]

Motion rejecting the Mayor's nomination for appointment of Jonathan Pearlman to the Historical Preservation Commission, Seat No. 2, for a two-year term ending date to be determined. (Clerk of the Board)

(Section 4.135 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 081545. Transmittal date – December 4, 2008.)

12/4/08, RECEIVED AND ASSIGNED to Rules Committee.

081547 [Appointment, Historical Preservation Commission - Allison Williams]

Motion approving the Mayor's nomination for appointment of Allison Williams to the Historical Preservation Commission, Seat No. 1, for a four-year term ending date to be determined. (Clerk of the Board)

(Section 4.135 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 081548. Transmittal date – December 4, 2008.)

12/4/08, RECEIVED AND ASSIGNED to Rules Committee.

081548 [Appointment, Historical Preservation Commission - Allison Williams]

Motion rejecting the Mayor's nomination for appointment of Allison Williams to the Historical Preservation Commission, Seat No. 1, for a four-year term ending date to be determined. (Clerk of the Board)

(Section 4.135 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 081547. Transmittal date – December 4, 2008.)

12/4/08, RECEIVED AND ASSIGNED to Rules Committee.

081549 [Appointment, Historical Preservation Commission - Charles Chase]

Motion approving the Mayor's nomination for appointment of Charles Chase to the Historical Preservation Commission, Seat No. 3, for a four-year term ending date to be determined. (Clerk of the Board)

(Section 4.135 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 081550. Transmittal date – December 4, 2008.)

12/4/08, RECEIVED AND ASSIGNED to Rules Committee.

081550 [Appointment, Historical Preservation Commission - Charles Chase]

Motion rejecting the Mayor's nomination for appointment of Charles Chase to the Historical Preservation Commission, Seat No. 3, for a four-year term ending date to be determined. (Clerk of the Board)

(Section 4.135 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 081549. Transmittal date – December 4, 2008.)

12/4/07, RECEIVED AND ASSIGNED to Rules Committee.

081551 [Appointment, Historical Preservation Commission - Henry Karnilowicz]

Motion approving the Mayor's nomination for appointment of Henry Karnilowicz to the Historical Preservation Commission, Seat No. 5, for a four-year term ending date to be determined. (Clerk of the Board)

12/4/08, RECEIVED AND ASSIGNED to Rules Committee.

- 081552 [Appointment, Historical Preservation Commission - Henry Karnilowicz]**
Motion rejecting the Mayor's nomination for appointment of Henry Karnilowicz to the Historical Preservation Commission, Seat No. 5, for a four-year term ending date to be determined. (Clerk of the Board)
12/4/08, RECEIVED AND ASSIGNED to Rules Committee.
- 081553 [Appointment, Historical Preservation Commission - Susan Sun]**
Motion approving the Mayor's nomination for appointment of Susan Sun to the Historical Preservation Commission, Seat No. 7, for a four-year term ending date to be determined. (Clerk of the Board)
12/4/08, RECEIVED AND ASSIGNED to Rules Committee.
- 081554 [Appointment, Historical Preservation Commission - Susan Sun]**
Motion rejecting the Mayor's nomination for appointment of Susan Sun to the Historical Preservation Commission, Seat No. 7, for a four-year term ending date to be determined. (Clerk of the Board)
12/4/08, RECEIVED AND ASSIGNED to Rules Committee.
- 081573 [Approving an application form for Boards, Commissions and Committees and specifying a supplemental form for applicants to Reentry Council seats designated for former inmates] Supervisor Mirkarimi**

Motion approving use of designated application form for applicants to Boards, Commissions and Committees and specifying a supplemental application for those seeking the former inmates seats on Reentry Council to ascertain experiential qualifications and avoid unfair stigmatization of the formerly incarcerated applicants.
12/9/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 081574 [Amending Board Rule 3.8 - Committee Report] Supervisor Elsbernd**

Motion amending Rule 3.8 of the Board of Supervisors Rules of Order to allow a single Supervisor to continue a matter referred as a committee report under certain circumstances; motion suspending Rule 4.38 regarding committee referral for said motion.
12/9/08, RECEIVED AND ASSIGNED to Rules Committee.

Requests for Hearing

- 081557 [Energy Conservation Program(s) & SF Go Solar by the San Francisco PUC Update] Supervisor Mar**

Hearing to consider an update on the status of Energy Conservation Program(s) & SF Go Solar by the San Francisco, PUC, including any recommendations from both the Solar Task Force and PUC staff on program changes or possible changes.
12/9/08, RECEIVED AND ASSIGNED to Budget and Finance Committee.

**081558 [Joint Hearing of the Public Safety Committee of the Board of Supervisors and the Police Commission]
Supervisor Mirkarimi**

Joint Hearing of the Public Safety Committee of the Board of Supervisors and the Police Commission to officially receive and discuss Police Executive Research Forum's findings and final report of their Organizational Review of the San Francisco Police Department.

12/9/08, RECEIVED AND ASSIGNED to Public Safety Committee.

**081566 [Future Plans for the Aquatic Park and Fisherman's Wharf areas]
Supervisor Alioto-Pier**

Hearing on future plans for the Aquatic Park and Fisherman's Wharf areas. The hearing will consider the proposed plans impacting the area including: 1) Van Ness BART, 2) The Fisherman's Wharf Community Benefit District, 3) Aquatic Park area, including the Maritime Museum, and 4) The bike plan.

12/9/08, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

081575 [Board of Supervisors Seniority]

Lottery to determine the seniority of the new members of the Board of Supervisors to be scheduled at the Tuesday, December 16, 2009 Board meeting. (Clerk of the Board)

12/9/08, ASSIGNED to Board of Supervisors. Scheduled for consideration on December 16, 2008.

PROPOSED ORDINANCES

081535 [Waiver of Administrative Code Sections 6.40 and 6.41 to allow award of agreement for program construction management services without a competitive procurement process]

Ordinance granting the San Francisco Public Utilities Commission a waiver of Administrative Code Sections 6.40 and 6.41 to allow award of Agreement No. CS-963, Program Construction Management Services, without a competitive procurement process. (Public Utilities Commission)

(Fiscal Impact.)

11/24/08, RECEIVED AND ASSIGNED to Budget and Finance Committee.

PROPOSED RESOLUTIONS

081484 [WSIP Agreement No. CS-917, San Joaquin Regional Construction Management Services - Not to Exceed \$28,000,000]

Resolution authorizing the General Manager of the San Francisco Public Utilities Commission to award and execute the Water System Improvement Program-funded Professional Service Agreement No. CS-917, San Joaquin Regional Construction Management Services, with PMA Consultants LLC to provide Construction Management Services for the San Joaquin Regional Projects, for an amount not to exceed \$28,000,000, pursuant to San Francisco Charter Section 9.118. (Public Utilities Commission)

(Fiscal Impact.)

11/24/08, RECEIVED AND ASSIGNED to Budget and Finance Committee.

- 081485 [WSIP Agreement No. CS-765, Parsons Water and Infrastructure]**
Resolution approving Amendment No. 2 to Agreement No. CS-765, San Francisco Water System Improvement Program – Program/Project/Pre-Construction Management Services with Parsons Water and Infrastructure. (Public Utilities Commission)
11/24/08, RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 081536 [WSIP Agreement No. CS-963, Program Construction Management Services - Not to Exceed \$26,000,000]**
Resolution authorizing the General Manager of the San Francisco Public Utilities Commission to execute the Water System Improvement Program-funded Agreement No. CS-963, Program Construction Management Services, with AECOM WATER, for an amount not to exceed \$26,000,000 with a term of up to seven (7) years, pursuant to San Francisco Charter Section 9.118, if the Board of Supervisors has approved an ordinance waiving procurement requirements of San Francisco Administrative Code Sections 6.40 and 6.41, and that ordinance is effective. (Public Utilities Commission)
- (Fiscal Impact.)
11/24/08, RECEIVED AND ASSIGNED to Budget and Finance Committee.

Requests Granted*Requests Granted*

From: Supervisor Mirkarimi

To: Director, Department of Public Works

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

Garbage Cans

Northwest corner of Grove and Webster

Northwest corner of Haight and Fillmore

Mailboxes

Cole and Fulton

Linden and Oak

Northwest corner of Haight and Fillmore

From: Supervisor Mirkarimi

To: Director, Department of Public Works

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

1226 9th Avenue

509 Oak

607 Irving, back of building on 6th Avenue

600 Stanyan

688 Stanyan

668 Stanyan

650 Stanyan

1432 Haight

1501 Haight

546 Haight

542 Haight

588 Haight

295 Buchanan

300 Buchanan

602 Haight

923 Divisadero

857 Divisadero

808 Divisadero

876 Haight

99 Webster

1667 Haight

1684 Haight

1648 Haight

1668 Haight

From: Supervisor Mirkarimi

To: Director, Department of Public Works

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

Wood:

Southeast corner of Steiner and Herman

429 Oak

Southwest corner of Oak and Laguna

Metal Pole:

Northwest corner of Fillmore and Haight, near bus shelter
Southwest corner of Clayton and Haight
Northeast corner of Page and Scott
Divisadero near O'Farrell

From: Supervisor Mirkarimi

To: Director, Department of Public Works

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

San Francisco Bay Guardian

Southeast corner of Fillmore and Post

Southwest corner of Divisadero and Sutter

9th Avenue and Judah (near bus stops)

7th Avenue and Irving (near bus stops)

Northwest corner of Hayes and Fillmore

Southeast corner of Fillmore and Haight

San Francisco Chronicle

Northwest corner of Fillmore and Hayes

Southeast corner of Haight and Fillmore

Irving and 9th Avenue

Irving and 7th Avenue

Southwest corner of Haight and Clayton

Southeast corner of Haight and Masonic

San Francisco Examiner

Northwest corner of Fillmore and Hayes

Southeast corner of Haight and Fillmore

SF Daily

Northwest corner of Hayes and Gough

City Star

Northwest corner of Hayes and Gough

Southeast corner of Fillmore and Haight

SF Weekly

Southeast corner of Masonic and Haight

Southeast corner of Haight and Fillmore

From: Supervisor Mirkarimi

To: Director, Department of Public Works

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

Utility Boxes

Southwest corner of 9th Avenue and Lincoln

Near 1215 Fell

Northeast corner of Masonic and Haight

Northeast corner of Gough and Grove

Bus Shelters

Southeast corner of 5th Avenue and Oak

Northeast corner of Oak and Stanyan

All bus shelters on Haight and Fillmore need power washing and graffiti

Southwest corner of Haight and Buchanan

Southwest corner of Oak and Fillmore

Emergency Boxes

Northeast corner of Divisadero and Fell

Southwest corner of Ashbury and Haight

Fire Hydrant

Northeast corner of Central and Haight

In Memoriams

Jurline Lawson - Supervisor Elsbernd
John Francis Cahill- Supervisors Elsbernd and Dufty
Judge Herbert M. Donaldson- Supervisor Dufty
Anthony (Tony) Christopher Guilfoyle- Supervisor Dufty
Leon Curtis Stanford - Supervisor Mirkarimi
Shu Fan Yang - Supervisor Peskin
John Lee Woo - Supervisor Peskin
Jessie Williams - Supervisor Maxwell

ADJOURNMENT

There being no further business the Board adjourned at the hour of 5:46 p.m.

Angela Calvillo, Clerk of the Board

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

Approved by the Board of Supervisors on January 27, 2009.



Angela Calvillo
Clerk of the Board