

# BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

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

## MEETING MINUTES

Tuesday, January 31, 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 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 4

**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.

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## ROLL CALL AND PLEDGE OF ALLEGIANCE

*The meeting was called to order at 2:08 p.m. On the call of the roll Supervisor McGoldrick was noted absent.*

*There was a quorum.*

*Supervisor McGoldrick was noted present at 2:32 p.m.*

## AGENDA CHANGES

## COMMUNICATIONS

## CONSENT AGENDA

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

**050960 [Liquor License, 585 Columbus Avenue]**

Resolution determining that the issuance of a Type 42 on-sale beer and wine public premises license to Jeffrey Branco for Paired Wines and Spirits dba as Coit Liquors located at 585 Columbus Avenue, 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. 46-06**

**ADOPTED**

**051915 [Rescind Tow-away on Columbus Avenue]  
Supervisor Peskin**

Resolution rescinding parking regulations on the 200 Block of Columbus Avenue.

TOW-AWAY NO STOPPING, 4 PM TO 6 PM, MONDAY THROUGH FRIDAY - RESCIND  
Columbus Avenue, east side, between Pacific Avenue and Broadway

12/13/05: 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. 3094.)

**Resolution No. 47-06**

**ADOPTED**

**051945 [Traffic Regulations]**

Resolution enacting and rescinding traffic regulations on various streets.

MULTIPLE LEFT TURN LANES - RESCIND

Eddy Street, eastbound, requiring the center lane to turn right at Cyril Magnin Street, eliminating multiple left turn condition.

BICYCLE LANES - ESTABLISH

Market Street, south side, eastbound, from McCoppin Street to Valencia Street (Parking and Traffic Department)

11/29/05: 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. 3094.)

**Resolution No. 48-06**

**ADOPTED**

**051955 [Parking Regulations]  
Supervisor Peskin**

Resolution enacting and rescinding parking regulations at various locations.

PARKING METER AREA 3, 9 AM TO 6 PM, MONDAY THROUGH SATURDAY, 1-HOUR PARKING – RESCIND

PARKING METER AREA 3, 9 AM TO 6 PM, MONDAY THROUGH SATURDAY, 2-HOUR PARKING – ESTABLISH

Grant Avenue, both sides, between Vallejo and Filbert Streets

(11/29/05: 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.)

**Resolution No. 49-06**

**ADOPTED**

**052019 [Accept-Expend Federal Grant - Police Department]  
Supervisor Ma**

Resolution authorizing the Chief of Police for the City and County of San Francisco to retroactively accept and expend grant funds in the amount of \$225,542 made available through the United States Department of Justice, Office of Community Oriented Policing Services (COPS) for a project entitled Secure Our Schools.

Resolution No. 43-06

**ADOPTED**

**052042 [STOP Intersections]  
Supervisor Elsbernd**

Resolution designating certain intersections as "STOP" intersections.

STOP SIGNS - ESTABLISH

Mangels at Colon Avenues, making this intersection an All-Way STOP. (Parking and Traffic Department)

(12/13/05: 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. 3111.)

*Supervisor Elsbernd requested to be added as sponsor.*

Resolution No. 50-06

**ADOPTED**

**052048 [Contract funds to participate in the traineeship for AIDS prevention studies at the University of California at San Francisco Center on AIDS Prevention]**

Resolution authorizing the San Francisco Department of Public Health (SFDPH) to enter retroactively into an agreement with the University of California San Francisco, Center on AIDS Prevention Studies (UCSFCAPS) the primary contractor, and expend funds in the amount of \$43,407 in order to participate in the traineeship for AIDS prevention studies (TAPS) at UCSFCAPS for the period of September 1, 2005, through August 31, 2006. (Public Health Department)

Resolution No. 51-06

**ADOPTED**

**052049 [Parking Regulations]**

Resolution enacting and rescinding parking regulations at various locations.

NO PARKING, 6 AM TO 9 AM, MONDAY THROUGH FRIDAY, EXCEPT VANPOOLS - RESCIND  
Folsom Street, both sides, between First and Spear Streets

UNMETERED MOTORCYCLE PARKING - ESTABLISH

Hayes Street, south side, from the northbound Octavia Boulevard Frontage Road to 14.5 feet westerly. (Parking and Traffic Department)

(12/23/05: 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. 3113.)

Resolution No. 52-06

**ADOPTED**

**052050 [STOP Intersections]**

Resolution designating certain intersections as "STOP" intersections.

**STOP SIGNS - ESTABLISH**

Lakewood Way at Fairfield Way, stopping the northbound direction of Lakewood Way;  
Amazon Avenue at Madrid Street, making this intersection an All-Way STOP;  
Francisco Street and Laguna Street, stopping Francisco Street at Laguna Street, the stem of this T-intersection;  
and,  
York Street at Peralta Avenue, stopping the stem of this T-intersection. (Parking and Traffic Department)

(12/23/05: 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. 3113.)

**Resolution No. 53-06**

**ADOPTED**

**052051 [Traffic Regulations]**

Resolution enacting and rescinding traffic regulations on various streets.

**NO RIGHT TURN EXCEPT MUNI - ESTABLISH**

Market Street, southbound, at Clayton Street.

**NO LEFT TURN, 7AM TO 9AM AND 4PM TO 7PM, MONDAY THROUGH FRIDAY - ESTABLISH**

Potrero Avenue, northbound, at 22nd Street. (Parking and Traffic Department)

(12/22/05: 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. 3113.)

**Resolution No. 54-06**

**ADOPTED**

**Recommendations of the Land Use Committee**

**051818 [Green Business Program]**

**Supervisors Maxwell, Sandoval**

Ordinance amending the Environment Code by adding Chapter 15 to authorize a City-wide Green Business Program and amending Business and Tax Regulations Code Section 906.2 to require a clean technology business to be a recognized Green Business in order to be eligible for a payroll tax exclusion under that section.

**Ordinance No. 21-06**

**FINALLY PASSED**

**Recommendations of the Rules Committee**

**052043 [Settlement of Lawsuit -Frank Euphrate, et al.]**

Ordinance authorizing settlement of the lawsuit filed by Frank Euphrate against the City and County of San Francisco for \$925,000; the lawsuit was filed on September 10, 2003 in San Francisco Superior Court, Case No. 424-288; entitled Frank Euphrate, et al., v. City and County of San Francisco, et al. (City Attorney)

**Ordinance No.** 22-06

**FINALLY PASSED** by the following vote:

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

**060051 [Appointment - SOMA Community Stabilization Fund Community Advisory Committee]**

Resolution appointing Rudy Corpus, Jr., Conny Ford, Jazzie Collins, Ada Chan, Donald Frazier, Kelly Wilkinson, and Steven Sarver, for a term to be determined, to the SOMA Community Stabilization Fund Community Advisory Committee, residency requirement waived.

Rudy Corpus, Jr., new appointment, seat 1, must be representative for low-income families who lives with his or her family in SOMA, for a term to be determined by lot.

Conny Ford, new appointment, seat 2, must have expertise in employment development and/or represents labor, for a term to be determined by lot.

Jazzie Collins, new appointment, seat 3, must be a senior or disabled resident of SOMA, for a term to be determined by lot.

Ada Chan (residency requirement waived), new appointment, seat 4, must have affordable housing expertise and familiarity with the SOMA neighborhood, for a term to be determined by lot.

Donald Frazier, new appointment, seat 5, must represent a community-based organization in SOMA, for a term to be determined by lot.

Kelly Wilkinson, new appointment, seat 6, must provide direct services to SOMA families, for a term to be determined by lot.

Steven Sarver, new appointment, seat 7, must have small business expertise and a familiarity with the SOMA neighborhood, for a term to be determined by lot.

**Resolution No.** 76-06

**ADOPTED** by the following vote:

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

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

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

**Severed From the Consent Agenda**

*Supervisor Ma requested that the following two items be severed so that they might be considered separately.*

**051142 [Construction and Demolition Debris Recovery]  
Mayor, Supervisors Ma, Sandoval**

Ordinance amending the Building Code by amending Chapter 13 of the Building Code to change the title of the Chapter from "Energy Conservation" to "Resource Conservation" and adding Chapter 13B entitled "Construction and Demolition Debris Recovery Program;" amending the Health Code by adding Sections 288 and 288.1; and amending the Environment Code by adding Chapter 14, entitled Construction and Demolition Debris Recovery Ordinance, to establish a comprehensive program to require the recovery rather than landfill disposal of construction and demolition debris generated in San Francisco by prohibiting disposal of such debris with garbage; imposing requirements and conditions in building permits; establishing a program to register construction and demolition debris transporters and processing facilities; and establishing enforcement mechanisms including penalties; amending the Police Code Section 39-1 to implement the new program; setting an operative date; and making environmental findings.

*Continued to February 7, 2006*

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

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

**060052 [Appointment - Western SOMA Citizens' Planning Task Force]**

Resolution appointing Daniel Becco, term ending November 23, 2007, to the Western SOMA Citizens' Planning Task Force.

Daniel Becco, new appointment, seat 17, must represent labor, for the unexpired portion of a three-year term ending November 23, 2007.

*Continued to February 7, 2006*

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

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

## REGULAR AGENDA

## UNFINISHED BUSINESS

### Vetoed by the Mayor

**051822 [Residential Housing Purchaser Protection Ordinance]  
Supervisor Daly**

Ordinance amending Administrative Code Section 37.10A to require property owners to disclose to prospective buyers of residential property consisting of two or more units, the legal ground(s) for the termination of a tenancy and whether any units were occupied by elderly and or disabled tenants at the time of termination of tenancy.

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 January 20, 2006. Therefore, the Board will lose the ability to override the veto unless it votes on the veto override on or before February 19, 2006.)

*Consideration of the Mayor's Veto.*

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

*Ayes: 6 - Ammiano, Daly, Maxwell, Mirkarimi, Peskin, Sandoval*

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

*Absent: 1 - McGoldrick*

## NEW BUSINESS

### Recommendations of the Budget and Finance Committee

**051759 [Rewards to Informants (Real Estate Watchdogs) for Information Related to the Detection of Underpayment of Property Tax]  
Supervisors Alioto-Pier, Peskin, Daly, Dufty, Maxwell, Mirkarimi, Ma**

Ordinance amending Chapter 10 of the San Francisco Administrative Code by adding Sections 10.177-2 and 10.177-3, authorizing the Assessor to recommend rewards for information related to the detection of underpayment of tax owed to the City and County of San Francisco. (Assessor-Recorder)

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

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

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

*Absent: 1 - McGoldrick*

**060048 [Public Auction]**

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

**Resolution No. 55-06**

**ADOPTED** by the following vote:

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

*Absent: 1 - McGoldrick*

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



- 052052 [Permitting unattended vehicles in white zones in front of schools when the vehicle displays a special disabled license plate or placard, and in front of child care centers]**  
**Supervisors Ma, McGoldrick**

Ordinance amending Traffic Code Section 38.C to permit vehicles to be left unattended in a white zone in front of schools when the vehicle displays a special disabled license plate or placard, and in front of child care centers. (Parking and Traffic Department)

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

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

- 060026 [Condemning the persecution of Falun Gong practitioners]**  
**Supervisor Daly**

Resolution condemning the persecution of Falun Gong practitioners and expressing the position of the City and County of San Francisco to Federal Officials, urging federal officials and the State Department to follow United States Congress Resolution 304, and stating that the views expressed by Falun Gong practitioners are not officially sanctioned by the City and County of San Francisco.

(Supervisor McGoldrick dissenting in committee)

*Supervisor McGoldrick was noted present at 2:32 p.m.*

**Resolution No. 66-06**

**ADOPTED** by the following vote:

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

- 060027 [Change the name of 16th Street between Pond Street and Prosper Street in the Castro to José Sarria Court]**  
**Supervisors Dufty, Ammiano, Ma, Mirkarimi, Daly, McGoldrick**

Resolution changing the name of 16th Street between Pond Street and Prosper Street in the Castro to "José Sarria Court," in recognition of José Sarria, who is one of the most heroic, courageous, and colorful and creative figures in San Francisco's history.

*Supervisor McGoldrick was noted absent at 2:42 p.m.*

**Resolution No. 64-06**

**ADOPTED** by the following vote:

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

**051944 [Parking Regulations]**

Resolution enacting and rescinding parking regulations at various locations.

**UNMETERED MOTORCYCLE PARKING - ESTABLISH**

285 Dorland Street, south side, between the driveways of #285 and #295 Dorland Street (establishes three motorcycle parking spaces in this 14.5 foot space).

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

Folsom Street, west side, between Cesar Chavez Street and 26th Street.

**PERPENDICULAR (90-DEGREE ANGLE) PARKING - ESTABLISH**

Mississippi Street, west side, north of 25th Street to the terminus

**PARKING METER AREA NO. 3 (2-HOUR PARKING TIME LIMIT, 9 AM TO 6 PM, MONDAY THROUGH SATURDAY) - ESTABLISH**

Green Street, south side, from Battery Street to 140 feet westerly; and,  
Green Street, south side, from Sansome Street to 16 feet easterly.

**PARKING METER AREA 3, 2-HOUR TIME LIMIT, 9AM TO 6PM, MONDAY THROUGH SATURDAY- ESTABLISH**

Ellis Street, both sides, between Van Ness Avenue and Franklin Street

**PARKING METER AREA 3, 2-HOUR TIME LIMIT, 9 AM TO 6 PM, MONDAY THROUGH SATURDAY -ESTABLISH**

Portola Drive, south side, between Fowler Avenue and Evelyn Way and between Teresita and O'Shaughnessy Boulevards

**1-HOUR TIME LIMIT PARKING - RESCIND****PARKING METER AREA 1, 7AM TO 6PM, 2-HOUR, MONDAY THROUGH SATURDAY - ESTABLISH**

Tehama Street, north side, between 1st Street and 140 feet west of 2nd Street (Unit and 100 block)

Clementina Street, south side, between 1st and 2nd Streets (Unit block)

**TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH**

Market Street, south side, from Octavia Street off-ramp to Valencia Street

**TOW-AWAY, NO PARKING ANYTIME - RESCIND**

Market Street, south side, from 151 feet west of Valencia Street to McCoppin Street

**TOW-AWAY, NO STOPPING, 7 AM TO 9 AM, EXCEPT SATURDAY – RESCIND**

Market Street, south side, from Valencia Street to 151 feet westerly

**RESIDENTIAL PERMIT PARKING AREA "S" (2-HOUR TIME LIMIT, 8 AM TO 9 PM, MONDAY THROUGH FRIDAY) - ESTABLISH**

Mars Street, both sides, between 17th and Corbett Streets (Unit block)

**RESIDENTIAL PERMIT PARKING AREA "S" (2-HOUR TIME LIMIT, 8 AM TO 9 PM, MONDAY THROUGH FRIDAY) - ESTABLISH**

Divisadero Street, east side, between Haight and Page Streets (200 block)

**STREET CLOSURE - ESTABLISH**

Jack Kerouac Alley, between Grant and Columbus Avenue (permanent closure to automobile traffic).

**SIDEWALK WIDTH - EXTENSION**

Mission Street and 18th Street intersection, northwest and southeast corners (sidewalk would be widened by five feet by installing new corner bulbs)

TOW-AWAY, NO PARKING ANYTIME - ESTABLISH  
McKinnon Avenue, north side, between Toland and Selby Streets.

TOW-AWAY, NO PARKING ANYTIME - ESTABLISH  
Waterville Street terminus (200 block)

RESIDENTIAL PERMIT PARKING AREA "Z" (2-HOUR TIME LIMIT, 8 AM - 6 PM, MONDAY THROUGH FRIDAY) - ESTABLISH  
28th Street, both sides, between Church and Sanchez Streets (200 block)

TOW-AWAY, NO STOPPING, 6 AM TO 9 AM, MONDAY THROUGH FRIDAY - ESTABLISH  
Trumbull Street, north side, from Congdon Street to 100 feet easterly. (Parking and Traffic Department)

11/29/05: 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. 3094.)

Resolution No. 63-06

ADOPTED by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Daly, Dufty, Ma, Maxwell, Mirkarimi, Peskin, Sandoval  
Noes: 1 - Elsbernd  
Absent: 1 - McGoldrick

### Recommendation of the Government Audit and Oversight Committee

051963 [Memorandum of Understanding - Local 21, AFL-CIO]  
Mayor

Ordinance adopting and implementing the agreement between the International Federation of Professional and Technical Engineers, Local 21, AFL-CIO and the City and County of San Francisco to resolve a grievance regarding the application of performance bonus language for Fiscal Year 2004-2005 in the parties' Memorandum of Understanding and to implement the amended performance bonus language for Fiscal Year 2005-2006 in Amendment No. 5 to the Memorandum of Understanding, effective upon adoption.

(Fiscal impact.)

*Settlement agreement was amended.*

PASSED ON FIRST READING by the following vote:

Ayes: 9 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin, Sandoval  
Noes: 1 - Alioto-Pier  
Absent: 1 - McGoldrick

### Recommendation of the Land Use Committee

**051676 [24th Street – Noe Valley Neighborhood Commercial District – full-service restaurants and bars]  
Supervisor Dufty**

Ordinance amending Planning Code Sections 728.41 and 728.42 of the 24th Street – Noe Valley Neighborhood Commercial District to provide for a limited number of new full-service restaurants and new bar uses that satisfy specific requirements and obtain conditional use authorization; and making 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: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin, Sandoval  
Absent: 1 - McGoldrick

**From the Rules Committee "Without Recommendation"**

**052008 [Charter Amendment - Requiring that one-time revenues be spent only for one-time uses, unless otherwise authorized by the Board of Supervisors]  
Supervisors Elsbernd, Ma**

Charter amendment (First Draft) to add Section 9.120 to require that one-time revenues be spent only for one-time uses, unless the Board of Supervisors appropriates the revenues for another purpose by a two-thirds' vote.

*Continued to February 7, 2006*

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

Supervisor Elsbernd, seconded by Supervisor Maxwell, moved that this Charter Amendment be CONTINUED. The motion carried by the following vote:

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

**SPECIAL ORDER 3:00 P.M.**

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

**060082 [Public Hearing - Resolution amending the Articles of Formation of the South of Market Project Area Committee]**

Hearing to consider a proposed resolution amending the Articles of Formation of the South of Market Project Area Committee to (1) require new elections and (2) add a representative who shall be a parent of a student of the Bessie-Carmichael School as a category of membership thereof following the adoption of the Redevelopment Plan Amendment for the South of Market Redevelopment Project Area. (Clerk of the Board)

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

*Antoinetta; opposed to the legislation*

*Chris Grosso; support of legislation*

*Donald Clark; support of legislation*

*Bruce Allison; support of legislation*

*Jim Garrison; support of legislation*

*Lisa Watchin; support of legislation*

*Wilma Parker; reviewed role of Project Area Committee (PAC)*

*Male speaker, member of PAC*

*The President declared the public hearing closed.*

*Jim Morales, General Counsel for the Redevelopment Agency reviewed with the Board the Redevelopment Agency concerns relating to the amendments being considered.*

**HEARD AT PUBLIC HEARING.**

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

### **From the Rules Committee**

**052022 [Amending the Articles of Formation of the South of Market Project Area Committee to Require new elections]**

**Supervisor Daly**

Resolution amending the Articles of Formation of the South of Market Project Area Committee to (1) require new elections and (2) add a representative who shall be a parent of a student of the Bessie-Carmichael School as a category of membership thereof following the adoption of the Redevelopment Plan Amendment for the South of Market Redevelopment Project Area.

**Resolution No. 75-06**

**ADOPTED by the following vote:**

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

Absent: 2 - Alioto-Pier, McGoldrick

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

### **Privilege of the Floor**

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

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

Absent: 1 - McGoldrick

*Supervisor Duffy introduced, welcomed and presented a Certificate of Honor to Bishop Yvette Flunder.*

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

### *Recess*

*The Board recessed at the hour of 3:55 p.m.*

### *Reconvening of the Board*

*The Board reconvened at the hour of 4:01 p.m.*

### *Calling the Roll*

*The following Supervisors were noted present: Alioto-Pier, Daly, Duffy, Ma, Maxwell, Mirkarimi, Peskin, - 7*

*Supervisor Ma was noted present at 4:02 p.m.*

*Supervisor Elsbernd was noted present at 4:13 p.m.*

*Supervisor Sandoval was noted present at 4:35 p.m.*

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

### **060075 [Hearing - Emergency ordinance reenacting a Disadvantaged Business Enterprise Program]**

Hearing to consider the possible adoption of an emergency ordinance reenacting a Disadvantaged Business Enterprise Program set forth in Chapter 14A of the San Francisco Administrative Code; suspending Chapter 12D.A; providing for data collection to ensure nondiscrimination in City contracting; and adopting a declaration of emergency. (Clerk of the Board)

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

*The President declared the public hearing closed.*

**HEARD AT PUBLIC HEARING.**

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

### **060074 [Reenacting a Disadvantaged Business Enterprise Program]**

**Supervisor Ma**

Emergency ordinance reenacting a Disadvantaged Business Enterprise Program set forth in Chapter 14A of the San Francisco Administrative Code; suspending Chapter 12D.A; providing for data collection to ensure nondiscrimination in City contracting; and adopting a declaration of emergency.

**Ordinance No. 23-06**

**FINALLY PASSED** by the following vote:

Ayes: 8 - Alioto-Pier, Ammiano, Daly, Duffy, Ma, Maxwell, Mirkarimi, Peskin

Absent: 3 - Elsbernd, McGoldrick, Sandoval

**SPECIAL ORDER 4:00 P.M.****052035 [Hearing - Appeal of Categorical Exemption from Environmental Review for 1043-1045 Francisco Street]**

Hearing of persons interested in or objecting to the decision of the Planning Department granting a Categorical Exemption from environmental review as part of a variance application (Case No. 2005.0032DV, Building Permit Application No. 2004.02.10.6005S), the proposed project at 1043-1045 Francisco Street, Lot 020 in Assessor's Block 0477. The proposal is to add a one-story horizontal addition over the existing one-story extension at the rear of the existing building. The site contains a two-story (with one-story section at the rear where the addition is proposed) over basement, two-family building at the front of the lot and a one-story, two-car garage at the rear of the lot. The project originally proposed to expand the garage, but that part of the project has been eliminated.

The lot size is 4,726 square feet, within RH-2 (Residential House, Two-Family) District and 40X Height and Bulk District. (Appellant: Stephen M. Williams).

(Filed 12/9/05; companion measure to Files 052036, 052037, 052038; District 2.)

*The President inquired as to whether or not a 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.)****052036 [Affirming the categorical exemption issued for 1043-1045 Francisco Street]**

Motion affirming the determination by the Planning Department that the 1043-1045 Francisco Street project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

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

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

**052037 [Disapproving the categorical exemption issued for 1043-1045 Francisco Street]**

Motion disapproving the determination by the Planning Department that the 1043-1045 Francisco Street project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

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

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

**052038 [Preparation of findings related to the appeal of the CEQA exemption determination issued for 1043-1045 Francisco Street]**

Motion directing the Clerk of the Board to prepare findings related to the appeal of the determination by the Planning Department that a project at 1043-1045 Francisco Street is exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

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

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

## **ROLL CALL FOR INTRODUCTIONS**



**PUBLIC COMMENT**

*Abdullah Megaheed; expressed concern with the school closures in San Francisco*  
*James Chaffee; expressed concern with issues relating to the SF Public Library*  
*Ann Connery; expressed concern with the closure of John Swett Elementary School*  
*Sarah Rubenstein Thomas; expressed concern with the closure of John Swett Elementary School*  
*Walter; showed interest in cartoons and Disney productions*  
*John di Donna; expressed concern with issues relating to the homeless*  
*Steven; showed interest in Falun Gong*  
*Female Speaker; showed interest in human rights*  
*Male speaker; showed interest in Falun Gong*  
*Charles Lee; expressed concern with human rights issues*  
*Female Speaker; showed interest in Falun Gong*  
*Eric Wong; showed interest in Falun Gong*  
*Nan Su; expressed concern with issues relating to Falun Gong and homosexuality*  
*Male speaker; showed interest in Falun Gong*  
*Qau Lew; expressed concern with articles relating to homosexuality and Falun Gong*  
*Male speaker; showed interest in Falun Gong*  
*Ms. Lee; expressed concern with articles relating to Falun Gong*  
*Male speaker; showed interest in Falun Gong*  
*Female speaker; showed interest in Falun Gong*  
*Ben Fendick; showed interest in Falun Gong*  
*Shanna Gogonat; showed interest with issues relating to Steve Covey*  
*Pete Art; expressed concern with the closure of John Swett Elementary School*  
*Vanessa Harvey; expressed concern with the closure of John Swett Elementary School*  
*Gail Baum; expressed concern with the closure of John Swett Elementary School*  
*Jim Morshell; expressed concern with the closure of John Swett Elementary School*  
*Jimmy; showed interest in human rights*  
*Rubin David Goodman; expressed concern with the Empress Hotel evictions*  
*Young Chin; showed interest in human rights and Falun Gong*  
*Female speaker; expressed concern with housing issues in SF*  
*Female speaker; showed interest in Falun Gong*  
*Male speaker; showed interest in Falun Gong*  
*Female speaker; showed interest in Falun Gong*  
*Ace Washington; expressed concern with the City Hall Press Room*  
*Jakkee Bryson; expressed concern with discrimination issues*  
*Stephen Dreyfuss; showed support of Item 46*  
*Ms. Kwon; showed interest in Falun Gong*  
*Abraham Thompson; showed interest in Falun Gong and concern with homosexuality articles*

**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.*

- 060111 [Commending Inspector Farrell Suslow for his 35 years of dedicated service to the San Francisco Police Department]  
Supervisors Dufty, Elsbernd**

Resolution commending Inspector Farrell Suslow for his 35 years of dedicated service to the San Francisco Police Department.

*Supervisor Elsbernd requested to be added as co-sponsor.*

**Resolution No. 56-06**

**ADOPTED**

- 060112 [Commending Lost in the Fog and owner Harry J. Aleo for winning the Eclipse Award as the year's champion sprinter]  
Supervisor Dufty**

Resolution commending Lost in the Fog and owner Harry J. Aleo for winning the Eclipse Award as the 2006 champion sprinter in the United States.

**Resolution No. 57-06**

**ADOPTED**

- 060115 [Supporting Immigrant and Human Rights]  
Supervisors Maxwell, Peskin, Daly**

Resolution affirming the City and County of San Francisco's support for immigrant and human rights in the face of growing border vigilantism.

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

**Resolution No. 44-06**

**ADOPTED**

- 060116 [Recognizing the month of February as Black History Month]  
Supervisors Maxwell, Dufty**

Resolution recognizing the month of February as Black History Month.

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

**Resolution No. 58-06**

**ADOPTED**

**060117 [Accept-Expend Regional Grant - Department of the Environment]  
Supervisor Maxwell**

Resolution authorizing the Department of the Environment to accept and expend a grant in the amount of \$430,500 from the Bay Area Air Quality Management District to retrofit diesel engines in forty-one (41) Heavy Duty Vehicles (HDV) with diesel emission control equipment.

Resolution No. 59-06

ADOPTED

**060118 [Approval of Port Lease for Living Classroom at Heron's Head Park]  
Supervisor Maxwell**

Resolution approving the Lease between the San Francisco Port Commission and Literacy for Environmental Justice, a non-profit organization, for the Living Classroom Project, located at Heron's Head Park, for a total term of ten years.

Resolution No. 60-06

ADOPTED

**060120 [Blue Diamond Growers]  
Supervisors McGoldrick, Dufty, Mirkarimi, Ma**

Resolution supporting the workers of Blue Diamond Growers and their efforts to join the International Longshore and Warehouse Union Local 17 (ILWU) and condemning Blue Diamond for waging an aggressive anti-union campaign and violating the National Labor Relations Act.

Resolution No. 67-06

ADOPTED

**060124 [Welcoming Qantas Airways to San Francisco]  
Supervisors Peskin, Elsbernd, Dufty**

Resolution commending Qantas Airways on new service to San Francisco International Airport, starting March 29, 2006 and welcoming the new airline to San Francisco.

*Supervisors Elsbernd and Dufty requested to be added as co-sponsors.*

Resolution No. 61-06

ADOPTED

**060125 [1906 Great Earthquake and Fire Expo Endorsement]  
Supervisors Peskin, Dufty, Ma**

Resolution endorsing the San Francisco Fire Department and Historical Society 1906 Great Earthquake and Fire Expo and declaring said Expo an official event of the City's Centennial observances.

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

Resolution No. 62-06

ADOPTED

The foregoing items were acted upon by the following vote:

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

Absent: 1 - McGoldrick

**Severed From Without Reference to Committee Agenda**

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

**060110 [Commending Bishop Yvette Flunder, Reverend Al Sharpton, and the National Black Justice Coalition]  
Supervisors Dufty, Maxwell, Ammiano, Daly**

Resolution commending Bishop Yvette Flunder, Reverend Al Sharpton, and the National Black Justice Coalition for their leadership in convening the Black Church Summit and in seeking equality for lesbian, gay, bisexual and transgendered members of the African-American community.

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

**Resolution No.** 45-06

**ADOPTED** by the following vote:

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

*Supervisor Ma requested that the following two items be severed so that they might be considered separately.*

**060114 [Emergency Disadvantaged Business Enterprise Program - January 31, 2006, Committee of the Whole]  
Supervisor Ma**

Motion for the Board of Supervisors to convene as a committee of the whole on January 31, 2006, at 4:00 p.m. to accept public testimony concerning the possible adoption of an emergency ordinance reenacting a Disadvantaged Business Enterprise Program set forth in Chapter 14A of the San Francisco Administrative Code; suspending Chapter 12D.A; providing for data collection to ensure nondiscrimination in City contracting; and adopting a declaration of emergency.

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

**Motion No.** M06-12

**APPROVED** by the following vote:

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

**060113 [Supporting the Musicians of the San Francisco Symphony]  
Supervisors Ma, Ammiano**

Resolution supporting the Musicians of the San Francisco Symphony in their effort to be compensated at a level comparable to what musicians in other leading orchestras receive -- not more and not less.

**AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.**

**Supervisor Ma, seconded by Supervisor Alioto-Pier, moved that this Resolution be CONTINUED AS AMENDED.**

**The motion carried by the following vote:**

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

*Supervisor Mirkarimi requested that following two items be severed so that they might be considered separately.*

**060122 [Zoning - Extension of Planning Commission Review Period]  
Supervisor Mirkarimi**

Resolution extending the prescribed time within which the Planning Commission may render its decision on a proposed ordinance to amend the Zoning Map in order to reclassify both sides of the 600 Block of Haight Street to NC-2 (Small-Scale Neighborhood Commercial District).

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

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

**060123 [Opposing the Closure to John Swett Alternative School]  
Supervisors Mirkarimi, Daly, Ammiano**

Resolution opposing San Francisco's Board of Education's decision to close the John Swett Alternative School.

*Continued to February 7, 006*

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

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

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

**060121 [Incorporating Street Performers into the Street Artist Program and designating sound appropriate sales areas for certified Street Artists]  
Supervisor McGoldrick**

Resolution recognizing that qualified Street Performers are eligible to participate in the Street Artist Program and urging the designation of sales areas within the Program that are appropriate for amplified sound.

*Continued to February 7, 2006*

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

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

## OFF-AGENDA LEGISLATION

### Introduced by Supervisors or Mayor

*Ordinances Resolutions Requests for Hearing Motions Introduced by the President at the Request of Departments*

### Ordinances

**060141 [To appropriate capital project funding for seven capital improvement projects by revising the current sources and uses appropriations in the S.F. International Airport's Five-Year Capital Plan]  
Mayor**

Ordinance appropriating \$16,342,714, including the de-appropriation of \$15,707,484 in current project funding to use this source for appropriation, and appropriating an additional \$635,230 of Airport fund balance generated from prior year's interest income. These sources and uses are herein appropriated for various San Francisco International Airport (SFIA) capital projects to reflect the updated San Francisco International Airport Five-Year Capital Plan, Fiscal Year 2004-2005 through Fiscal Year 2008-2009.

(Fiscal impact.)

1/31/06, RECEIVED AND ASSIGNED to Budget and Finance Committee.

**060142 [Public Works Code – sidewalk landscape permits]  
Mayor, Supervisor Alioto-Pier**

Ordinance amending the Public Works Code by amending Section 801 to recognize sidewalk landscaping as an important contributor to the City's quality of life; by adding Section 812 to establish a permit process for sidewalk landscape installation and removal, including permit fees; and making environmental findings.

1/31/06, ASSIGNED UNDER 30 DAY RULE to Land Use Committee, expires on 3/2/2006.

**060143 [Board of Appeals – Notice of Hearings]  
Supervisor Ma**

Ordinance amending the San Francisco Business and Tax Regulations Code by amending Section 12 to require mailed notice of hearings to all owners and, to the extent practicable, residents within 150 feet of the property that is the subject of the appeal.

1/31/06, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 3/2/2006.

**060151 [Implementation of Proposition H, which prohibits the sale, manufacture or distribution of firearms and limits possession of handguns within CCSF, by placement in the Police Code and by enacting penalties for violation]  
Mayor**

Ordinance implementing Proposition H, which was enacted by the voters on November 8, 2005, and which prohibits the sale, distribution, transfer, and manufacture of firearms and ammunition and limits possession of handguns within the City and County of San Francisco, by placing the text of Proposition H in the Police Code and by enacting penalties for its violation.

1/31/06, RECEIVED AND ASSIGNED to Rules Committee.

**060152 [Tenant History Disclosures to Buyers of Multi-Unit Residential Property]  
Supervisor Dufty**

Ordinance amending Administrative Code Section 37.10A to require that a property owner selling real property with two or more residential units must disclose to the buyer within three (3) calendar days of entering into a contract for sale, the legal ground(s) for the termination of any tenancy from a unit to be delivered vacant at the close of escrow, and whether that unit was occupied by an elderly or disabled tenant at the time of termination of tenancy.

1/31/06, ASSIGNED UNDER 30 DAY RULE to Land Use Committee, expires on 3/2/2006.

**Resolutions****060149 [STOP Intersections]  
Supervisor Mirkarimi**

Resolution designating Fillmore and Ellis as a 4-Way STOP intersection.

**STOP SIGNS - ESTABLISH**

Fillmore and Ellis: stopping northbound and southbound Fillmore, and eastbound and westbound Ellis, making this intersection an All-Way STOP.

1/31/06, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services 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.

1/31/06, RECEIVED AND ASSIGNED to Budget and Finance Committee.

**060153 [Supporting Compassionate Use of Medical Cannabis]  
Supervisors Ammiano, Mirkarimi, Peskin**

Resolution supporting the compassionate use of medical cannabis for patients while in the custody of the City and County of San Francisco and other California counties, and reaffirming the right of Steven Wynn Kubby who requires the medicinal use of marijuana to remain in good health while in custody in the Placer County jail.

1/31/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**060154 [Extension of Arts Task Force]  
Supervisor Ammiano**

Resolution extending the operations of the Arts Task Force through the implementation of the Arts Task Force recommendations.

1/31/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**060155 [Supporting the California Energy Commission's recommendation for a cost/risk/benefit analysis of the State's continued reliance on aging nuclear facilities]  
Supervisor Ammiano**

Resolution supporting the California Energy Commission's recommendation for a cost/risk/benefit analysis of the state's continued reliance on aging nuclear facilities and to support the planning for our state's energy needs and decrease any risks from a radioactive release due to an act of terrorism, malice or insanity, or to earthquake or age-related accidents.

1/31/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**060156 [Investigate and Impeach President Bush and Vice President Cheney]  
Supervisor Daly**

Resolution calling for a full investigation, impeachment or resignation of President George W. Bush and Vice President Richard B. Cheney.

(Supervisor Elsbernd Dissented in Committee)

1/31/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**060157 [Urging State Legislature and Governor to include funding in any state infrastructure bond placed before the voters in 2006]  
Supervisors Daly, Dufty**

Resolution urging the State Legislature and the Governor to include funding for the Caltrain downtown extension/Transbay Terminal Project and the Statewide High Speed rail system in any state infrastructure bond placed before the voters in 2006.

1/31/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**060158 [Commending Joseph B. Williams]  
Supervisors Dufty, Maxwell**

Resolution commending Joseph B. Williams on an outstanding career of law and Civic activism and wishing him the best of luck in all of his future endeavors.

1/31/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**060159 ["National Black HIV/AIDS Awareness Day" in San Francisco]  
Supervisors Maxwell, Dufty, Mirkarimi**

Resolution proclaiming February 7th, 2006 as "National Black HIV/AIDS Awareness Day" in San Francisco.

1/31/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**060160 [Supporting transparency and accountability in setting refuse collection rates]  
Supervisor Peskin**

Resolution urging the Director of the Department of the Environment and the Director of the Department of Public Works to develop a detailed cost projection for proposed expenditures from the Solid Waste Impound Account over the proposed 2006-2011 residential refuse rate period and to make these materials available for review by the public.

1/31/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.



- 060161 [Urging Governor Arnold Schwarzenegger and Senator Don Perata to support placing the \$10 billion bond measure to fund a high-speed rail system between San Francisco and Los Angeles on the November 2006 ballot]  
Supervisor Sandoval

Resolution urging Governor Arnold Schwarzenegger and Senator Don Perata to support placing the \$10 billion bond measure to fund a high-speed rail system between San Francisco and Los Angeles on the November 2006 ballot.

1/31/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

### Requests for Hearing

- 060140 [Golden Gate Suicide Barrier]  
Supervisors Ammiano, Dufty

Hearing to investigate the progress of the proposed plans for the erection of the Golden Gate Suicide Barrier.  
1/31/06, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

- 060145 [Controller's performance and financial audit of the Mission Housing Development Corporation]  
Supervisor Ammiano

Hearing on the Controller's performance and financial audit of the Mission Housing Development Corporation.  
1/31/06, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee. Sponsor requests this item be scheduled on February 13, 2006 meeting.

- 060146 [Audit schedule for fiscal year 2006-2007]  
Supervisor Ammiano

Hearing to review the audit schedule for fiscal year 2006-2007.  
1/31/06, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

- 060147 [Community Policing]  
Supervisor Maxwell

Hearing on community policing strategies.  
1/31/06, RECEIVED AND ASSIGNED to Select Committee on Ending Gun and Gang Violence. Sponsor requests this item be scheduled at the February 6, 2006 meeting.

- 060148 [Voting Systems]  
Supervisor Mirkarimi

Hearing to assess progress in readying voting equipment from newly selected vendor Sequoia Voting Systems in advance of the upcoming November election.  
1/31/06, RECEIVED AND ASSIGNED to Rules Committee.

### Motion

**060144 [Legislative Analyst Request - Student Housing Regulations]  
Supervisor Elsbernd**

Motion requesting the Legislative Analyst to prepare a report on the following issue(s): As the need for student housing at San Francisco State University expands, area residents have expressed concerns regarding regulations. What policies do the cities of Berkeley, Santa Clara and Santa Cruz have in place to ensure the peaceful co-existence of students, universities, and area residents?

1/31/06, ASSIGNED to Board of Supervisors. Scheduled for Board consideration February 7, 2006.

## PROPOSED ORDINANCES

**060099 [Settlement of Lawsuit and Grievance - Gary Thompson]**

Ordinance authorizing settlement of the lawsuit filed by Gary Thompson and the grievance filed by his Union, Service Employees Service Employees International Union, Local 790, against the City and County of San Francisco for \$199,000; the lawsuit was filed on May 14, 2003 in United States District Court, Northern District of California, Case No. CV-03-02243-WDB and is entitled Gary Thompson v. City and County of San Francisco, et al; the grievance was filed on August 28, 2003 and is entitled Service Employees International Union, Local 790 v. City and County of San Francisco, ERD No. 12-03-1143. (City Attorney)

1/23/06, RECEIVED AND ASSIGNED to Rules Committee.

**060097 [Settlement of Lawsuit - Maria Castillo]**

Ordinance authorizing settlement of the lawsuit filed by Maria Castillo against the City and County of San Francisco for \$40,000; the lawsuit was filed on January 18, 2005 in San Francisco Superior Court, Case No. 437-830; entitled Maria Castillo, et al., v. City and County of San Francisco, et al. (City Attorney)

1/23/06, RECEIVED AND ASSIGNED to Rules Committee.

## PROPOSED RESOLUTIONS

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

Resolution authorizing the San Francisco Department of Public Health (SFDPH), to renew 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)

1/20/06, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

**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)

1/20/06, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

**060096 [Lease of Real Property located at One Market Plaza]**

Resolution authorizing the renewal of a lease of 20,677 sq. ft. of space including related auxiliary spaces at One Market Plaza for the Department of Telecommunications and Information Services. (Real Estate Department)

1/23/06, RECEIVED AND ASSIGNED to Budget and Finance Committee.

**Requests Granted**

*From: Supervisor Elsbernd*

*To: Director, Department of Parking and Traffic*

*Requesting/Inquiring: Requesting the Department of Parking and Traffic to investigate the status of replacing the right turn sign on Lake Merced and Clearfield, which was removed during the October 2005 golf tournament (American Express Championship).*

*From: Supervisor Elsbernd*

*To: Recreation and Park Department*

*Requesting/Inquiring: Requesting the Department of Recreation and Park Department to investigate the status of the Junipero Serra Playground project, and provide the following:*

- The previous and current project cost estimates*
- An accounting of all dollars spent on the project thus far*
- The previous and current expected project outcome*
- A project timeline*

*From: Supervisor Elsbernd*

*To: Municipal Transportation Agency*

*San Francisco Unified School District*

*Public Library*

*Requesting/Inquiring: Requesting the Municipal Transportation Agency, San Francisco Unified School District, and Public Library to investigate what steps are being taken to coordinate capital improvement efforts near West Portal station.*

*From: Supervisor Mirkarimi*

*To: Department of Public Works*

*Public Utilities Commission*

*Requesting/Inquiring: Requesting the Department of Public Works and the Public Utilities Commission to report on the status of the repair of a large pothole at the intersection of Willard Street and Carl Street.*

*Cc: Mark Goldstein*

*1335 Willard Street*

*San Francisco, CA 94117*

*From: Supervisor Mirkarimi*

*To: Department of Parking and Traffic*

*Requesting/Inquiring: Requesting the Department of Parking and Traffic to report on the feasibility of utilizing countdown signals for pedestrians crossing at Masonic Avenue and Hayes Street.*

*Cc: Gary Gregorian*

*1500 Howard Street*

*San Francisco, CA 94103*

*From: Supervisor Mirkarimi*

*To: Department of Parking and Traffic*

*Requesting/Inquiring: Requesting the Department of Parking and Traffic to report on the feasibility of extending the red light times for both :*

*(1) eastbound Fell Street at Octavia Boulevard; and*

*(2) southbound Octavia Boulevard at Fell Street so as to allow increased time for neighbors on Fell Street east of Octavia Boulevard to enter and exit parking spaces and garages.*

*From: Supervisor Mirkarimi*

*To: Department of Parking and Traffic*

*Requesting/Inquiring: Requesting the Department of Parking and Traffic to report on the feasibility of utilizing "head start" intervals/leading intervals for pedestrians crossing at the east and west sides of 9th Avenue.*

*From: Supervisor Mirkarimi*

*To: Department of Public Works*

*Requesting/Inquiring: Requesting the Department of Public Works to report on the status of graffiti removal of:*

- Green box at the northwest corner of Webster and Grove Streets*
- Green box at the northwest corner of Laguna and Oak Streets*
- Green box at the northwest corner of Laguna and Fell Streets*

### **In Memoriams**

*Stephen A. Legnitto - Entire Board*

*Lillian Rose - Entire Board*

*Coretta Scott King - Entire Board*

*Joyce Wong Lam - Entire Board*

*Will Carter - Supervisor Ammiano*

*Allan Temko - Supervisor Duffy*

*Betty Berson - Supervisors Duffy, Ammiano*

*Richard Lucas - Supervisor Ma*

*Annette Jones Spingola - Supervisor Mirkarimi*

*Janice Allen - Supervisor Mirkarimi*

## ADJOURNMENT

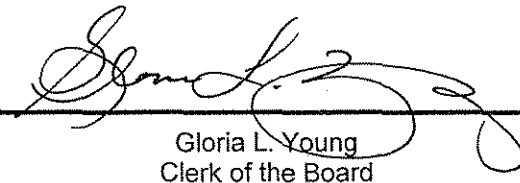
*There being no further business the Board adjourned at the hour of 5:24 p.m.*

*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 February 28, 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