

# 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, April 17, 2007 2:00 PM

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

Regular Meeting

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*AARON PESKIN, PRESIDENT  
MICHELA ALIOTO-PIER, TOM AMMIANO, CHRIS DALY,  
BEVAN DUFTY, SEAN ELSBERND, ED JEW, SOPHIE MAXWELL,  
JAKE MCGOLDRICK, ROSS MIRKARIMI, GERARDO SANDOVAL  
Kay Gulbengay, Interim Clerk of the Board*

### BOARD COMMITTEES

#### Committee Membership

##### **Budget and Finance Committee**

Supervisors Daly, Ammiano, Dufty, Mirkarimi, Sandoval

##### **City and School District Select Committee**

Supervisors Dufty, Mirkarimi, Maxwell, Commissioners Kim, Mendoza, Wynns

##### **City Operations and Neighborhood Services Committee**

Supervisors McGoldrick, Alioto-Pier, Jew

##### **Government Audit and Oversight Committee**

Supervisors Elsbernd, Alioto-Pier, Daly

##### **Land Use and Economic Development Committee**

Supervisors Maxwell, Sandoval, McGoldrick

##### **Public Safety Committee**

Supervisors Mirkarimi, Maxwell, Dufty

##### **Rules Committee**

Supervisors Ammiano, Elsbernd, Peskin

#### Meeting Days

Wednesday  
1:00 PM

1st and 3rd Thursday  
3:30 PM

2nd and 4th 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 102 Number 13

**Members Present:** Michela Alioto-Pier, Tom Ammiano, Chris Daly, Bevan Dufty, Sean Elsbernd, Ed Jew, 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 2:05 p.m. On the call of the roll Supervisor Ammiano was noted absent.*

*There was a quorum.*

*Supervisor Ammiano was noted present at 2:08 p.m.*

## APPROVAL OF MEETING MINUTES

Supervisor Dufty, seconded by Supervisor Jew, moved to approve the March 20, 2007 and March 27, 2007 meeting minutes. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Absent: 1 - Ammiano

## CONSENT AGENDA

### Recommendations of the Budget and Finance Committee

070208 [Electronic benefit transfers, monthly pay period; deleting payment by emergency check]  
Mayor, Supervisors Ammiano, Dufty

Ordinance amending sections 20.57.6A, 20.59, 20.59.1, 20.59.3, 20.76, 20.106, and 20.206 of the San Francisco Administrative Code by: 1) authorizing the Department of Human Services (DHS) to provide aid payments in the form of electronic benefit transfers in the General Assistance program, 2) authorizing DHS to provide aid payments on a monthly basis, and 3) deleting DHS' ability to provide aid payments in the form of emergency checks.

Ordinance No. 93-07  
FINALLY PASSED

- 070397 [Apply For-Accept-Expend Federal Funding - Community Development Block Grant]**  
Resolution approving the 2007/08 Community Development Block Grant (CDBG) Program; authorizing the Mayor, on behalf of the City and County of San Francisco, to apply for, accept, and expend the City's 2007/08 Community Development Block Grant Program entitlement from the U.S. Department of Housing and Urban Development (HUD) together with Program Income and Reprogrammed Funds, totaling \$24,618,026. (Mayor)
- Resolution No.** 197-07  
**ADOPTED**
- 070398 [Apply For-Accept-Expend Federal Funding - Emergency Shelter Grants Program]**  
Resolution approving the 2007/08 Emergency Shelter Grant (ESG) Program; and authorizing the Mayor, on behalf of the City and County of San Francisco, to apply for, accept, and expend the City's 2007/08 Emergency Shelter Grant Program entitlement from the U.S. Department of Housing and Urban Development (HUD) in the amount of \$943,166. (Mayor)
- Resolution No.** 194-07  
**ADOPTED**
- 070399 [Apply For-Accept-Expend Federal Funding - HOME Program]**  
Resolution approving the 2007/08 HOME Investment Partnership (HOME) Program; and authorizing the Mayor, on behalf of the City and County of San Francisco, to apply for, accept, and expend the City's 2007/08 HOME Program entitlement from the U.S. Department of Housing and Urban Development (HUD) together with Reprogrammed Funds, totaling \$8,445,053. (Mayor)
- Resolution No.** 195-07  
**ADOPTED**

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

- 070229 [Amending certain Traffic Code penalty provisions to delete outdated penalties and provisions that are repetitive of state law]**  
**Supervisor McGoldrick**
- Ordinance amending the Traffic Code by amending Sections 33.5, 37(c) and 56, and repealing Sections 38.F, 58 ½, and 130 to eliminate provisions that are repetitive of state law and remove outdated penalty provisions for school bus loading zone violations, violations of parking prohibitions for street cleaning, red, green, white and blue zone violations, and parking violations on median dividers and traffic islands. (Municipal Transportation Agency)
- Ordinance No.** 88-07  
**FINALLY PASSED**

### **Recommendations of the Land Use and Economic Development Committee**

**061214 [Approving Zoning Map Amendments for the Trinity Plaza Project at Market and 8th Streets]  
Supervisor Daly**

Ordinance amending the San Francisco Planning Code by amending Sectional Map 1H of the Zoning Map of the City and County of San Francisco to change the height and bulk classification of the property located at 1167 Market Street (Assessor's Block 3702, Lot No. 053), 670 Stevenson Street (Assessor's Block 3702, Lot No. 051), 693 Stevenson Street (Assessor's Block 3702, Lot No. 052), 1164 Mission Street (Assessor's Block 3702, Lot No. 039), and a portion of former Jessie Street between 7th and 8th Streets from height and bulk classifications of 120-X, 150-X and 240-S to 160-X, 180-X and 240-S; amending Sectional Map 1SU of the Zoning Map of the City and County of San Francisco to add the Trinity Plaza Special Use District; and adopting General Plan, Planning Code Section 101.1, and environmental findings.

**Ordinance No. 89-07**

**FINALLY PASSED**

**061216 [Zoning - Establishing the Trinity Plaza Special Use District at Market and 8th Streets]  
Supervisor Daly**

Ordinance amending the San Francisco Planning Code by adding Section 249.34 to establish the Trinity Plaza Special Use District, encompassing the real property located at 1167 Market Street (Assessor's Block 3702, Lot No. 053), 670 Stevenson Street (Assessor's Block 3702, 5Lot No. 051), 693 Stevenson Street (Assessor's Block 3702, Lot No. 052), 1164 Mission Street (Assessor's Block 3702, Lot No. 039), and a portion of former Jessie Street between 7th and 8th Streets, to eliminate floor-area restrictions, maximum dwelling-unit density limits, and sunlight access to public sidewalk requirements, and allow exceptions through the process outlined in Planning Code Section 309 to the dwelling-unit exposure requirements; and adopting General Plan, Planning Code Section 101.1, and environmental findings.

Economic Impact

**Ordinance No. 90-07**

**FINALLY PASSED**

**061217 [Trinity Plaza Development Agreement; Property at 1167 Market St., 670-693 Stevenson St., and 1164 Mission St.]  
Supervisor Daly**

Ordinance approving a development agreement between the City and County of San Francisco, and 1169 Market Street, LP, a California limited partnership, for certain real property located at 1167 Market Street (Assessor's Block 3702/Lot 053), 670 Stevenson Street (Assessor's Block 3702/Lot 051), 693 Stevenson Street (Assessor's Block 3702/Lot 052), 1164 Mission Street (Assessor's Block 3702/Lot 039), and a portion of former Jessie Street between 7th and 8th Streets, altogether consisting of approximately 177,295 square feet (4.07 acres) and commonly known as Trinity Plaza for a term of fifteen (15) years with a five (5) year extension option; adopting environmental, General Plan, and Planning Code Section 101.1 (b) findings; amending Administrative Code Chapters 37 and 37A by amending Sections 37.2(r)(5) and 37A.1(g) and by adding Section 37.9(a)(15), to provide that specified residential units constructed pursuant to the terms of a development agreement are subject to the City's residential rent stabilization and arbitration ordinance; and ratifying previous actions taken in connection therewith.

**Ordinance No. 92-07**

**FINALLY PASSED**

**061688 [Zoning-Use of Transferable Development Rights (TDRs)]**  
**Supervisor Daly**

Ordinance amending the San Francisco Planning Code by amending Sections 123, 124, and 128 to address use of Transferable Development Rights (TDRs) under specified circumstances; and adopting findings including environmental findings and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1(b).

**Ordinance No. 87-07**  
**FINALLY PASSED**

**070194 [Approving a General Plan Amendment Related to the Trinity Plaza Project at Market and 8th Streets]**

Ordinance amending the San Francisco General Plan by amending the height and bulk districts found on "Map 5 - Proposed Height and Bulk Districts," and referred to in Policy 13.1 of the Downtown Area Plan, for the proposed Trinity Plaza Special Use District, which encompasses the real property located at 1167 Market Street (Assessor's Block 3702, Lot No. 053), 670 Stevenson Street (Assessor's Block 3702, Lot No. 051), 693 Stevenson Street (Assessor's Block 3702, Lot No. 052), 1164 Mission Street (Assessor's Block 3702, Lot No. 039), and a portion of former Jessie Street between 7th and 8th Streets, by changing the height and bulk classification from 120-X, 150-X and 240-S to 160-X, 180-X and 240-S; adopting environmental findings and findings that the proposed General Plan amendments are consistent with the General Plan and eight Priority Policies of Planning Code Section 101.1. (Planning Department)

**Ordinance No. 91-07**  
**FINALLY PASSED**

**070262 [Mint Plaza public improvements on a portion of Jessie and Mint Streets.]**  
**Supervisor Daly**

Ordinance approving the issuance of a major encroachment permit and encroachment maintenance agreement to Friends of Mint Plaza to permit the construction and maintenance of certain improvements on Jessie and Mint Streets, including authorization to allow certain specified uses and occupancy in said area, including café tables and chairs and moveable public seating; waiving public right-of-way occupancy assessment fees for said permit; conditionally accepting an offer from Friends of Mint Plaza for said improvements; conditionally dedicating said improvements for public use and designating portions of Jessie and Mint Streets as a public plaza; making environmental findings and findings of consistency with the General Plan and Planning Code Section 101.1; accepting offers of quitclaim deeds for abutters' rights of vehicular access to Jessie Street; and authorizing official acts in furtherance thereof.

**Ordinance No. 83-07**  
**FINALLY PASSED**

**Recommendations of the Public Safety Committee**

**070265 [Accept-Expend State Grant - Police Department]**  
**Supervisor Dufty**

Resolution authorizing the Chief of Police for the City and County of San Francisco to retroactively accept and expend a grant in the amount of \$330,000.00 from the Governor's Office of Emergency Services for a project entitled "California Multi-Jurisdictional Methamphetamine Enforcement Team (Cal-MMET)" program.

**Resolution No. 185-07**  
**ADOPTED**

**070266 [Accept-Expend Federal Grant - Police Department]  
Supervisor Dufty**

Resolution authorizing the Chief of Police for the City and County of San Francisco to retroactively accept and expend a grant in the amount of \$98,280 from the Governor's Office of Emergency Services for a program entitled Project Safe Neighborhood -- Operation Cease-Fire.

Resolution No. 184-07

ADOPTED

**Recommendations of the Rules Committee**

**070193 [Accept-Expend Federal and State Grants for Voting Equipment]**

Resolution authorizing the Department of Elections to accept and expend additional grants under the federal Help America Vote Act of 2002 ("HAVA"), Section 301 in an amount not to exceed \$5,742,340 for voting equipment to be used for the November 2007 election and elections thereafter. (Elections Department)

Resolution No. 196-07

ADOPTED

**070322 [Settlement of Claim - Glorina Crisostomo]**

Resolution approving the settlement of the unlitigated claim filed by Ms. Glorina Crisostomo against San Francisco for \$30,000; claim was filed on May 16, 2006. (City Attorney)

Resolution No. 183-07

ADOPTED

**070432 [Appointment - Police Commission]**

Motion confirming the Rules Committee's nomination of, and appointing, Theresa Sparks, term ending April 30, 2011, to the San Francisco Police Commission.

Theresa Sparks, succeeding herself, seat 1, term expiring April 30, 2007, must be nominated by the Rules Committee or its successor and subject to confirmation by the Board of Supervisors, for a four-year term ending April 30, 2011.

Motion No. M07-39

APPROVED

**070433 [Appointment - Graffiti Advisory Board]**

Resolution appointing Milo Hanke, Paul Giusti, Deborah Mansfield, and Alexander Mamak, terms ending April 10, 2009, to the Graffiti Advisory Board.

Milo Hanke, new appointment, seat 13, must represent nonprofit organizations who provide services related to the City's beautification and neighborhood cleanup programs, for a two-year term ending April 10, 2009.

Paul Giusti, new appointment, seat 15, must represent business that operates in San Francisco, for a two-year term ending April 10, 2009.

Deborah Mansfield, new appointment, seat 16, must represent private schools or art schools who operate in San Francisco, for a two-year term ending April 10, 2009.

Alexander Mamak, new appointment, seat 17, must represent contracting agency for Municipal Railway shelters, for a two-year term ending April 10, 2009.

Resolution No. 182-07

ADOPTED

- 070435 [Appointment - Community Oversight Committee Regarding Enforcement of Marijuana Offenses]**  
Resolution appointing Catherine Smith, Michael Goldstein, Patt Denning, Camilla Norman Field, and Richard Rendon, terms ending January 1, 2009, to the Community Oversight Committee Regarding Enforcement of Marijuana Offenses; residency requirement waived.

Catherine Smith, new appointment, seat 3, must be a representative of a medical cannabis dispensary operating in San Francisco, for the unexpired portion of a two-year term ending January 1, 2009.

Michael Goldstein, new appointment, seat 4, must be a civil liberties advocate, for the unexpired portion of a two-year term ending January 1, 2009.

Patt Denning, new appointment, seat 5, must be a harm reduction practitioner, for the unexpired portion of a two-year term ending January 1, 2009.

Camilla Norman Field, new appointment, seat 6, must be a representative of a drug policy reform organization, for the unexpired portion of a two-year term ending January 1, 2009.

Richard Rendon, new appointment, seat 7, must be a representative from any of the following categories: juvenile justice advocate, advocate for homeless persons, resident of public housing, or representative of an organization providing services to or advocating on behalf of residents of public housing in San Francisco., for the unexpired portion of a two-year term ending January 1, 2009.

**Resolution No. 181-07**

**ADOPTED**

- 070436 [Appointment - In-Home Supportive Services Public Authority]**  
Resolution appointing Patricia Webb, Kelly Dearman, and James Illig, terms ending March 1, 2010, to the In-Home Supportive Services Public Authority.

Patricia Webb, succeeding herself, term expired, seat 2, must be a consumer between the ages of 18 and 60, authorized to represent organizations that advocate for younger people with disabilities, for the unexpired portion of a three-year term ending March 1, 2010.

Kelly Dearman, succeeding herself, term expired, seat 6, must be a member of the Human Services Commission, recommended to the Board by the Commission, for the unexpired portion of a three-year term ending March 1, 2010.

James Illig, succeeding himself, term expired, seat 8, must be a member of the Health Commission, recommended to the Board by the Commission, for the unexpired portion of a three-year term ending March 1, 2010.

**Resolution No. 190-07**

**ADOPTED**

- 070437 [Appointment - Child Care Planning and Advisory Council]**  
Resolution appointing Heidi McLaughlin, term ending December 31, 2008, to the Child Care Planning and Advisory Council; residency requirement waived.

Heidi McLaughlin, succeeding Helen Lee, term expired, seat 9, must be a nominee of District 9 Supervisor selected from: parent advisory councils of public and private child care programs; associations of child care centers, family day care providers and Head Start; public interest organizations including but not limited to the Child Care Law Center; community organizations; the Bay Area Employer Work and Family Coalition; and members of labor organizations and local organizations that fall within the definition of "Community representative", for the unexpired portion of three-year term ending December 31, 2008.

**Resolution No. 189-07**

**ADOPTED**

The foregoing items were acted upon by the following vote:

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

## REGULAR AGENDA

## UNFINISHED BUSINESS

### Recommendations of the Budget and Finance Committee

- 070254 [Appropriating \$19,884,652 for San Francisco General Hospital, Laguna Honda Hospital and Health Access Program expenditures to the Department of Public Health for Fiscal Year 2006-2007]  
Supervisors Ammiano, Dufty

Ordinance appropriating \$19,884,652 of sources, including \$9,443,985 of additional San Francisco General Hospital patient revenue, \$5,000,000 of San Francisco General Hospital prior year settlements, \$3,354,090 of additional Laguna Honda Hospital Medi-Cal revenue and \$423,945 of Laguna Honda Hospital Distinct Part Nursing Facility federal funding and de-appropriating \$1,662,632 in surplus Mental Health Program salaries and Laguna Honda Hospital Social Security budget; appropriating \$19,884,652 of uses, including \$12,617,977 in salaries, related fringe, overtime and materials and supplies at San Francisco General Hospital, \$5,031,675 in overtime, materials and supplies, and other related expenses at Laguna Honda Hospital, and \$2,235,000 for information technology infrastructure costs to implement the Health Access Program; and de-appropriating \$741,973 of General Fund sources and uses to reflect prior appropriation for additional funding for HIV/AIDS related services (File No. 070123 and 070127) in the Department of Public Health for Fiscal Year 2006-2007.

(Fiscal impact.)

**Ordinance No.** 85-07

**FINALLY PASSED** by the following vote:

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

- 070296 [Appropriating \$4,440,000 of General Fund Reserve funding for County Jail No. 3 Construction Project legal costs]

Ordinance appropriating \$4,440,000 of General Fund Reserve funding for litigation expenses related to the County Jail No. 3 Replacement Project for Sheriff's Office through the Department of the Public Works to work order for legal services with the City Attorney's Office. (Sheriff)

(Fiscal Impact.)

**Ordinance No.** 84-07

**FINALLY PASSED** by the following vote:

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

070309 [Department of Elections Amendment to Current Voting Systems Contract]  
Supervisor Daly

Resolution approving the award and execution of a 17 month amendment to an existing contract by the City and County of San Francisco, through its Department of Elections (Department), with Elections Systems & Software (ES&S), for the provision of voting services and the maintenance of the current voting system.

(Fiscal Impact.)

Resolution No. 179-07

ADOPTED by the following vote:

Ayes: 7 - Ammiano, Daly, Dufty, Jew, Maxwell, Mirkarimi, Peskin

Noes: 2 - Alioto-Pier, Elsbernd

Absent: 2 - McGoldrick, Sandoval

Recommendation of the City Operations and Neighborhood Services Committee

070078 [Healthy Products, Healthy Children Ordinance]  
Supervisor Alioto-Pier

Ordinance amending the San Francisco Health Code by re-numbering and amending Sections 34.1 through 34.3 and adding new Sections 34.1, 34.2, and 34.6 through 34.9, to: re-state the ban on toys, child care products, and child feeding products made with certain phthalates; repeal the ban on toys, child care products, and child feeding products made with Bisphenol-A, pending State action; add a new title and findings; provide for implementation and enforcement, including administrative and criminal penalties; and, add disclaimer of liability and severability clauses.

*Supervisor Daly, seconded by Supervisor Mirkarimi, moved to divide the question relating to the regulations concerning Bisphenol-A.*

*Motion to adopt regulations concerning Bisphenol-A failed by the following vote:*

*Noes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval*

Ordinance No. 86-07

FINALLY PASSED by the following vote:

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

*Supervisor Alioto Pier, seconded by Supervisor Dufty, moved to rescind the previous vote.*

*Motion to rescind the previous vote passed by the following vote:*

*Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin*

*Absent: 1 - Sandoval*

*Motion to adopt regulations concerning Bisphenol-A passed by the following vote:*

*Ayes: 9 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin*

*Noes: 1 - Daly*

*Absent: 1 - Sandoval*

Ordinance No. 86-07

FINALLY PASSED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin

Absent: 1 - Sandoval

**Recommendations of the Land Use and Economic Development Committee****061529 [Residential Inclusionary Affordable Housing Requirements]  
Supervisors McGoldrick, Maxwell**

Ordinance approving changes to the Residential Inclusionary Affordable Housing Requirements by amending Section 315 to clarify the regulations in effect for particular projects; amending Section 315.1 to modify certain definitions related to income and sale price calculation; amending Section 315.2 to add update findings; amending Section 315.3 to conform the legislation to the requirement that the ordinance apply to all projects of 5 units or more; amending Sections 315.4 and 315.5 to establish separate requirements for buildings of 120 feet in height or greater, to clarify the requirements related to the type of on- and off-site housing required, and to establish a preference in the lottery for on- and off-site units for people who live and work in San Francisco; amending Section 315.6 to provide updated guidelines for the calculation of the in lieu fee and to allow MOH to expend funds for a study to periodically update the fee; amending Section 315.7 to change the amount of time an ownership unit shall remain affordable; amending Section 315.8 to amend certain monitoring and study obligations; making a related change to the Jobs-Housing Linkage Program by amending Section 313.6 to make annual adjustments in the in lieu fee for that program correspond to the method used for the Residential Inclusionary Affordable Housing Program; and making findings, including findings under the California Environmental Quality Act.

11/14/06 -Economic Impact

*Supervisor Daly, seconded by Supervisor Mirkarimi, moved to divide the question relating to buildings 120 feet or higher to have lower inclusionary requirements.*

*Motion to include regulations relating to buildings 120 feet or higher to have lower inclusionary requirements passed by the following votes:*

*Ayes: 10 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval*

*Noes: 1 - Daly*

**Supervisor McGoldrick, 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, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval**

Ordinance approving changes to the Residential Inclusionary Affordable Housing Requirements by amending Section 315 to clarify the regulations in effect for particular projects; amending Section 315.1 to modify certain definitions related to income and sale price calculation; amending Section 315.2 to update findings; amending Section 315.3 to conform the legislation to the requirement that the ordinance apply to all projects of 5 units or more; amending Sections 315.4 and 315.5 to establish separate requirements for buildings of 120 feet in height or greater, to clarify the requirements related to the type of on- and off-site housing required, and to establish a preference in the lottery for on- and off-site units for people who live and work in San Francisco; amending Section 315.6 to provide updated guidelines for the calculation of the in lieu fee and to allow MOH to expend funds for a study to periodically update the fee; amending Section 315.7 to change the amount of time an ownership unit shall remain affordable; amending Section 315.8 to amend certain monitoring and study obligations; making a related change to the Jobs-Housing Linkage Program by amending Section 313.6 to make annual adjustments in the in lieu fee for that program correspond to the method used for the Residential Inclusionary Affordable Housing Program; and making findings, including findings under the California Environmental Quality Act.

11/14/06 -Economic Impact

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

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

Noes: 1 - Jew

**070217 [Zoning - Interim moratorium on installation of microcell equipment]**

**Supervisors Peskin, Jew, Sandoval, McGoldrick, Maxwell, Daly, Mirkarimi, Ammiano, Dufty, Alioto-Pier, Elsbernd**

Urgency Ordinance approving an interim zoning moratorium on installation of microcell equipment for 45 days and making required findings, including findings of consistency with the priority policies of Planning Code Section 101.1 and environmental findings.

*Continued to May 22, 2007.*

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

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

## **CALLED FROM COMMITTEE**

**060589 [Liquor License Transfer, 845 Market Street, Space 010]**

Resolution determining that the transfer of a Type 21 off-sale general license from 1001 South Van Ness Avenue to 845 Market Street, basement of the San Francisco Centre, Space 010 to Bristol Farms Inc., 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.

*Continued to June 5, 2007.*

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

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

## NEW BUSINESS

### Recommendations of the Budget and Finance Committee

**061535 [Planning Code - Adjustment to fee programs]  
Supervisor Peskin**

Ordinance amending San Francisco Planning Code Sections 351 and 355 to adjust fees for Planning Department services; and making environmental findings.

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

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

**070264 [Payment of Fixed Pedestal Permit Fees For Space In Fixed Pedestal Newsracks]  
Supervisor Dufty**

Ordinance amending Public Works Code Section 184.12(e) to allow applicants for fixed pedestal permit to pay fixed pedestal permit fees within ten business days after the Director's allocation of space in a fixed pedestal newsrack.

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

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

**070316 [Requiring Board of Supervisors approval of spending plans for specified Proposition 1B funds]  
Supervisors Sandoval, Ammiano, Daly, Jew, McGoldrick, Mirkarimi, Peskin**

Ordinance amending the San Francisco Administrative Code by amending Section 10.170-1 to require departments to develop spending plans for the use of any funds received by the City and County under California Government Code Section 8879.23(l), the Local Streets and Road Improvement, Congestion Relief and Traffic Safety Account of 2006, to require departments to obtain approval by the Board of Supervisors of these spending plans prior to appropriation of the funds, to report back to the Board of Supervisors at six-month intervals following appropriation of the funds, and requiring the Controller to conduct an audit of the funds on a biannual basis.

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

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

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

**070267 [Second Amendment to Master Tournament Agreement between City and PGA Tour, Inc.]  
Supervisor Elsbernd**

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

*Continued to May 1, 2007.*

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

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

**Recommendations of the Land Use and Economic Development Committee**

**070039 [Planning Code-Amending Article 11 Designation of 583-587 Howard Street]**

Ordinance amending the designation of 583-587 Howard Street from "Unrated—Category V" to "Contributory—Category III" under Planning Code Article 11; and adopting General Plan, Planning Code Section 101.1(b) and environmental findings. (Planning Commission)

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

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

**070045 [Planning Code-Amending Article 11 Designation of 625-631 Pine Street and 635-659 Pine Street]  
Supervisor Peskin**

Ordinance amending the designation of 625-631 Pine Street from "Unrated—Category V" to "Significant—Category I" under Planning Code Article 11; amending the designation of 635-659 Pine Street from "Unrated—Category V" to "Significant—Category I" under Planning Code Article 11; and adopting General Plan, Planning Code Section 101.1(b) and environmental findings. (Planning Commission)

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

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

**Recommendation of the Public Safety Committee**

**070271 [Police Staffing at the Airport and Deployment of Personnel to District Stations]  
Supervisors Mirkarimi, Dufty, Ammiano**

Ordinance adding Section 2A.87 of the San Francisco Administrative Code to: require the Chief of Police and Airport Director to determine staffing needs at the Airport Bureau; require the Chief of Police to create a staffing plan to redeploy sworn Airport Bureau personnel under certain circumstances; and set reporting requirements.

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

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

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

**Recommendations of the Rules Committee****070370 [Waiving certain fees for Anti-War Rally on March 18, 2007]  
Supervisors Ammiano, Daly**

Resolution urging the San Francisco Fire Department to retroactively waive, or reimburse, the ANSWER Coalition for fees paid to hold their March 18th Anti-War rally.

**Resolution No.** 180-07

**ADOPTED by the following vote:**

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

**070372 [Confirming the appointment of Stephanie Shakofsky to the Port Commission, fulfilling the current term ending May 1, 2010 left vacant due to the passing of Sue Bierman]  
Mayor**

Resolution confirming the appointment of Stephanie Shakofsky to the Port Commission, fulfilling the current term ending May 1, 2010 left vacant due to the passing of Sue Bierman.

**Resolution No.** 178-07

**ADOPTED by the following vote:**

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

**070386 [Confirming the reappointment of Michael Hardeman to the Port Commission, term ending May 1, 2010]  
Mayor**

Resolution confirming the reappointment of Michael Hardeman to the Port Commission, term ending May 1, 2010.

**Resolution No.** 177-07

**ADOPTED by the following vote:**

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

**From the Rules Committee Without Recommendation****070323 [Settlement of Claim - Eun Young Lee]**

Resolution approving the settlement of the unlitigated claim filed by Eun Young Lee against the City and County of San Francisco for payment of \$88,493 and reinstatement of paid leave to vacation account; claim was filed on April 3, 2005. (City Attorney)

**Resolution No.** 193-07

**ADOPTED by the following vote:**

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

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

*Supervisor Sandoval welcomed, introduced, and presented a Certificate of Honor to the family of Tomasa Perez.*

## COMMITTEE REPORTS

**070347 [Apply for State Re-Use Assistance Grant - Department of Telecommunications and Information Services]  
Mayor**

Resolution authorizing the Department of Telecommunications and Information Services to apply for annual grants from the California Integrated Waste Management Board for the purpose of conducting activities leading to an increase of the re-use of materials that might otherwise go into the landfill.

**Resolution No. 188-07**

**ADOPTED by the following vote:**

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

**070269 [Closing specified streets in Golden Gate Park on Saturdays on a trial basis for six months beginning May 5, 2007]  
Supervisor McGoldrick**

Ordinance adding Section 6.13 to the San Francisco Park Code to prohibit motor vehicle traffic on Saturdays in Golden Gate Park on John F. Kennedy Drive between Transverse Drive and the western side of Hagiwara Tea Garden Drive and Stow Lake Drive between Stow Lake Drive East and John F. Kennedy Drive from May 26, 2007 until September 29, 2007; requesting development of improvement plan for Middle Drive West between Transverse Drive and Metson Road; requiring reports from the Recreation and Park Department pertaining to the Saturday road closures; and making environmental findings.

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

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

## 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.*

*Abdullah Megaheed; expressed concern with issues relating to the homeless  
James Chaffee; expressed concern with issues relating to the SF Public Library  
Dr. Noh; expressed concern with issues relating to Police Services  
John Rosen; expressed concern with various issues  
Emily; expressed concern with issues relating to Community Choice Aggregation  
Allisa Wasserman; expressed concern with issues relating to Community Choice Aggregation  
Charlie Walker; expressed concern with issues relating to minority contracting  
Mr. Baker; expressed concern with issues relating to city contracting  
Erwin Lum; expressed concern with issues relating to Muni  
Dane; expressed concern with issues relating to the homeless  
Evette Simpson; expressed concern with issues relating to Community Choice Aggregation  
Female speakers; expressed concern with issues relating to "Poems Under the Dome"  
Males speaker; expressed concern with issues relating to "Poems Under the Dome"  
Don Isenberb; expressed concern with issues relating to energy  
Helen; expressed concern with issues relating to Community Choice Aggregation  
Don Ires; expressed concern with issues relating to Community Choice Aggregation  
Eugene Gordon Jr.; expressed concern with various issues  
Colette Crucker; expressed concern with issues relating to Community Choice Aggregation  
Brad Johnson; expressed concern with issues relating to Community Choice Aggregation  
Males speaker; expressed concern with various issues  
John Hanley; expressed concern with various issues*

*Supervisors Sandoval and McGoldrick were noted absent at 3:50 p.m.*

*Supervisor McGoldrick was noted present at 4:15 p.m.*

## CLOSED SESSION

**Supervisor Alioto-Pier, seconded by Supervisor Duffy, moved to convene in closed session. The motion carried by the following vote:**

**Ayes: 10 - Alioto-Pier, Ammiano, Daly, Duffy, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin  
Absent: 1 - Sandoval**

070481 [Closed Session - Potential Litigation involving the Department of Elections voting system contracts]  
Supervisor Elsbernd

Motion that the Board of Supervisors convene in closed session with the City Attorney for the purpose of conferring with, or receiving advice from, the City Attorney regarding potential litigation involving the Department of Elections voting system contracts. Government Code Section 54956.9(a) and San Francisco Administrative Code Section 67.10(d)(2) permit this closed session because discussion in open session concerning these matters would likely and unavoidably prejudice the position of the City in the potential litigation.

*The Board recessed at the hour of 4:30 p.m. to convene in closed session pursuant to the above motion.*

*Reconvening of the Board*

*The Board at the hour of 4:55 p.m. reconvened.*

*Calling the Roll*

*The following Supervisors were noted present: Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin*

*Persons in attendance: Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin*

*John Arntz, Director of Elections  
Chad Jacobs, Deputy City Attorney  
Cheryl Adams, Deputy City Attorney  
Monique Zmuda, Deputy Controller  
Kay Gulbengay, Interim Clerk of the Board  
Victor Young, Assistant Clerk*

*[Elect To Disclose]*

*Motion that the Board finds it is in the public interest to disclose information discussed in closed session, and directs the President immediately to disclose that information.*

*[Elect Not to Disclose]*

*Motion that the Board finds that it is in the best interest of the public that the Board elect at this time not to disclose its closed session deliberations concerning the anticipated litigation listed above.*

**Supervisor Alioto-Pier, seconded by Supervisor Dufty, moved to not disclose. The motion carried by the following vote:**

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

**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.*

**070469 [CalHome Application]  
Supervisor Elsbernd**

Resolution authorizing the submittal of an application to the California State Department of Housing and Community Development for funding under the CalHome Program; the execution of a standard agreement if selected for such funding and any amendments thereto; and any related documents necessary to participate in the CalHome Program.

**Resolution No. 176-07  
ADOPTED**

**070470 [Urging NAVTEQ to correct its driving directions to gain access to the Central Freeway from Market Street.]  
Supervisors Dufty, Mirkarimi, Daly**

Resolution urging NAVTEQ to correct its driving directions to gain access to the Central Freeway from Market Street.

**Resolution No. 191-07  
ADOPTED**

**070471 [Commending the organizers of the second annual Poem Under the Dome]  
Supervisor Mirkarimi**

Resolution commending the organizers of the second annual Poem Under the Dome poetry open mic event in City Hall.

**Resolution No. 187-07  
ADOPTED**

**070472 [Opposing SB 893]  
Supervisor Mirkarimi**

Resolution declaring opposition to Senate Bill 893, state legislation that would shift all Proposition 10 revenue away from First 5 San Francisco County to the statewide California Families and Children’s Commission.

**Resolution No. 192-07  
ADOPTED**

**070473 [Relay For Life Day]  
Supervisor Peskin**

Resolution proclaiming May 1, 2007 as Relay for Life’s Paint Our Town Purple Day; and April 28-29 and July 14-15, 2007 as San Francisco Relay for Life Days in San Francisco.

**Resolution No. 186-07  
ADOPTED**

The foregoing items were acted upon by the following vote:

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

### **Severed From For Adoption Without Reference to Committee**

070474 [Supporting SB 464 to discourage abuse of the Ellis Act by real estate speculators]  
Supervisor Peskin

Resolution supporting SB 464 to discourage abuse of the Ellis Act by real estate speculators.

*Supervisor Jew requested this item be severed so that it might be considered separately.*

*Supervisor Jew requested that this matter be referred to Committee.*

**REFERRED to the Land Use and Economic Development Committee.**

## **OFF-AGENDA LEGISLATION**

### **Introduced by Supervisors or Mayor**

#### **Ordinances**

070501 [Adopting Community Choice Aggregation Draft Implementation Plan and Adopting Further Implementation Measures]  
Supervisors Ammiano, Mirkarimi

Draft Ordinance adopting a Community Choice Aggregation Draft Implementation Plan, establishing key aspects of the Community Choice Aggregation program, and establishing a Community Choice Board of Control to administer program startup activities.

(Fiscal Impact; Economic Impact)

4/17/07, ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 5/17/2007.

070502 [Adopting Community Choice Statement of Intent]  
Supervisors Mirkarimi, Ammiano

Draft Ordinance adopting a Community Choice Statement of Intent Pursuant to Public Utilities Code 366.2(c)(4).

(Fiscal Impact; Economic Impact)

4/17/07, ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 5/17/2007.

**070499 [Public Employment - Department of Human Resources]  
Supervisor Daly**

Ordinance amending Ordinance No. 203-06 (Annual Salary Ordinance FY 2006-2007) to reflect the addition of 15 positions (1.20 FTE) at the Department of Human Resources (HRD).

(Fiscal Impact.)

4/17/07, RECEIVED AND ASSIGNED to Budget and Finance Committee.

**070505 [Expanding Post-Employment Restrictions For Senior Mayoral Staff and Board Aides]  
Supervisor Peskin**

Ordinance amending section 3.234 of the San Francisco Campaign and Governmental Conduct Code to prohibit individuals who have served as senior staff members to either the Mayor or a member of the Board of Supervisors from communicating with any representative of the City with the intent to influence a government decision for one year after they terminate employment with the City.

4/17/07, RECEIVED AND ASSIGNED to Rules Committee.

**070507 [ADA Grievance Procedure]  
Supervisor Alioto-Pier**

Ordinance adopting an ADA Grievance Procedure that includes oversight by the Mayor's Office on Disability, time limits for filing and resolving grievances, investigation by the relevant City department, an appeal process, and an annual report to the Mayor and the Board.

4/17/07, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 5/17/2007.

**070508 [Banning alcohol in parks with playgrounds]  
Supervisor Alioto-Pier**

Ordinance amending Section 4.10 of the Park Code to ban consumption of alcohol in any park that contains a children's playground or play structure.

4/17/07, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

**Resolutions****070500 [Reconstruction of San Francisco General Hospital; Finding of Fiscal Responsibility]  
Mayor**

Resolution adopting finding that the proposed reconstruction of San Francisco General Hospital is fiscally feasible and responsible under Administrative Code Chapter 29.

(Fiscal Impact.)

4/17/07, RECEIVED AND ASSIGNED to Budget and Finance Committee.

**070503 [Issuance and Sale of Tax-Exempt Bonds - Pacific Institute]  
Supervisor Mirkarimi**

Resolution approving the issuance and sale of tax-exempt bonds by the ABAG Finance Authority for Nonprofit Corporations in an aggregate principal amount not to exceed \$32,000,000 to finance the acquisition and construction of improvements to and equipping of senior residential care facilities owned by Pacific Institute or an affiliate.

4/17/07, RECEIVED AND ASSIGNED to Budget and Finance Committee.

**070504 [Ocean Beach Erosion]  
Supervisor Jew**

Resolution urging the Department of Public Works to put in place a long term solution to erosion problems at Ocean Beach that preserves the beach's character, enhances the condition of the beach to increase recreational opportunities, and to the extent possible mimics natural processes.

4/17/07, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

**070506 [Lease of Real Property - 1390 Market Street]  
Supervisor Peskin**

Resolution authorizing the exercise of an option to extend an approximate 68,783 square foot lease at 1390 Market Street for use by the City Attorney.

(Fiscal Impact.)

4/17/07, RECEIVED AND ASSIGNED to Budget and Finance Committee.

**070510 [Small Business Week - May 5 to May 11, 2007]  
Supervisors Elsbernd, Alioto-Pier, Jew**

Resolution proclaiming May 5, 2007 to May 11, 2007 Small Business Week in San Francisco.

4/17/07, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**070511 [Expanding household hazardous waste programs, and supporting AB 1109]  
Supervisor Sandoval**

Resolution urging the Department of the Environment to increase the number of outlets in San Francisco that accept various types of household hazardous waste and universal waste, and urging San Francisco retailers, including the new Home Depot, to serve as drop off sites, and to support AB1109, which holds manufacturers responsible for the collection and recycling of these products at the end of their useful life.

4/17/07, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**070512 [Proclaiming May 1, 2007 as Immigrant Workers Day in San Francisco]  
Supervisors Sandoval, Elsbernd, Mirkarimi**

Resolution proclaiming May 1, 2007 as Immigrant Workers Day in San Francisco.

4/17/07, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**070513 [Urging the California State Legislature to repeal Section 1569-147 of the Health and Safety Code]  
Supervisor Ammiano**

Resolution urging the California State Legislature to repeal Section 1569-147 of the Health and Safety Code to allow local governments to limit the annual rent increase imposed on occupied units of licensed residential care facilities for the elderly.

4/17/07, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**070514 [Grant to fund a project through Department of Public Health, HIV Epidemiology Section]  
Supervisor Ammiano**

Resolution authorizing the San Francisco Department of Public Health, AIDS Office (DPH-AIDS Office), to accept and expend a grant in the amount of \$20,030 from the Medical School University of Zagreb, Croatia, for the Time Location Sampling Training Module; for the period of July 1, 2007, through October 31, 2007.

4/17/07, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**070515 [Supporting chemical testing and ingredient disclosure in cosmetic products, and endorsing SB 578]  
Supervisor Maxwell**

Resolution urging San Francisco's State delegation to support efforts requiring testing and ingredient disclosure in cosmetic products, and to support SB 578, which requires manufacturers to disclose chemical ingredients in products as well as the health risks associated with these chemicals.

4/17/07, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**070516 [Armenian Genocide Commemoration Day - April 24, 2007]  
Supervisors Peskin, Elsbernd, Mirkarimi**

Resolution declaring April 24, 2007 as Armenian Genocide Commemoration Day in San Francisco.  
4/17/07, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**070517 [Extending review time for landmark tree designation at 730 28th Avenue]  
Supervisor McGoldrick**

Resolution extending the landmark tree designation review period for a California buckeye at 730 28th Avenue (Assessor's Block 1617, Lot 030) for an additional 90 days in accordance with Public Works Code Section 810(d) and requesting other official acts in connection with this extension.  
4/17/07, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**070518 [Accept-Expend Private Foundation Grant - District Attorney]  
Supervisor Maxwell**

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 \$25,000 through the Blue Shield of California Foundation, for a project entitled "Planning Grant for Comprehensive Services to Children Who Witness Violence for the period March 1, 2007 to December 1, 2007."  
4/17/07, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**070519 [Plug-in hybrid pilot project]  
Supervisor Daly**

Resolution urging the Department of the Environment to develop a pilot project to determine the viability of plug-in hybrid electric vehicles in San Francisco, as part of the municipal vehicle fleet.  
4/17/07, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**070520 [Extending Western SoMa Citizens Planning Task Force]  
Supervisor Daly**

Resolution extending the life and operation of Western SoMa Citizens Planning Task Force.  
4/17/07, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**070474 [Supporting SB 464 to discourage abuse of the Ellis Act by real estate speculators]  
Supervisor Peskin**

Resolution supporting SB 464 to discourage abuse of the Ellis Act by real estate speculators.

4/10/07, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

4/17/07, REFERRED to Land Use and Economic Development Committee. Supervisor Jew requested this item be severed so that it might be considered separately.

Supervisor Jew requested that this matter be referred to Committee.

### **Requests for Hearing**

**070490 [Catastrophic Sick Leave Ordinance]  
Supervisor Ammiano**

Hearing to discuss the Catastrophic Sick Leave Ordinance.

4/17/07, RECEIVED AND ASSIGNED to Rules Committee.

**070491 [Bay Area Preparedness Initiative]  
Supervisor Alioto-Pier**

Hearing on the Bay Area Preparedness Initiative, including an evaluation of the Bay Area's ability to respond to a natural disaster.

4/17/07, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

**070492 [Findings and recommendations of the Port of San Francisco's Cruise Terminal Advisory Panel]  
Supervisor Alioto-Pier**

Hearing to consider the findings and recommendations of the Port of San Francisco's Cruise Terminal Advisory Panel including long-term plans to serve and/or expand cruise business at the Port, the best locations for turn-around and port-of-call berthing and strategies, and strategies to finance a cruise terminal.

4/17/07, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

**070493 [Western SOMA Citizens Planning Task Force]  
Supervisor Daly**

Hearing on progress report of the Western SOMA Citizens Planning Task Force.

4/17/07, RECEIVED AND ASSIGNED to Rules Committee.

**070494 [MTA's FY 07-08 Budget]  
Supervisors Daly, Ammiano**

Hearing on Municipal Transportation Authority's FY 2007-2008 Budget.

4/17/07, RECEIVED AND ASSIGNED to Budget and Finance Committee.

**070495 [Budget Reserves]**  
**Supervisors Daly, Ammiano**

Requesting Budget Analyst to provide an overview of the Status of Reserves listed in Appendix B of the Controller's 6-Month Report released on February 2, 2007. When was each reserve set? What is the likelihood that each reserve be released in the current or next fiscal year? How many reserves have been on the books for multiple years? Have any reserves been closed out in the current or last fiscal year?

4/17/07, RECEIVED AND ASSIGNED to Budget and Finance Committee.

**070496 [Findings of the 2007 City Survey]**  
**Supervisor Dufty**

Hearing to consider the findings of the 2007 City Survey conducted by the Controller's office and to discuss in detail the City services that are not meeting the expectations of San Francisco's citizens and any policy implications for the 2007-2008 Budget.

4/17/07, RECEIVED AND ASSIGNED to Budget and Finance Committee.

**070497 [Geneva Office Building]**  
**Supervisor Sandoval**

Hearing with the Department of Recreation and Park to discuss the status of the project to renovate the Geneva Office Building.

4/17/07, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

**070498 [2008 Recreation and Park Bonds]**  
**Supervisor Sandoval**

Hearing with the Department of Recreation and Park to discuss the 2008 Recreation and Park Bond. The hearing should address the department's process for selecting projects for inclusion on the bond and the public outreach being conducted by the department.

4/17/07, RECEIVED AND ASSIGNED to Budget and Finance Committee.

## **PROPOSED ORDINANCES**

**070422 [Appropriating \$1,003,073 of State reimbursements for additional ballot costs and other current expenses in the Department of Elections for Fiscal Year 2006-2007]**

Ordinance retroactively appropriating \$1,003,073 from State mandated prior year election cost reimbursements to fund additional ballot costs related to the November 2006 Election and other current expenses in the Department of Elections for Fiscal Year 2006-2007. (Elections Department)

(Fiscal Impact.)

4/9/07, RECEIVED AND ASSIGNED to Budget and Finance Committee.

**070423 [Contract for the purchase of telecommunications services in excess of \$10 Million]**  
Ordinance approving a contract with AT&T providing for the purchase of a variety of telecommunications services at a cost in excess of \$10 million and waiving certain requirements of the Administrative Code with respect to the contract. (Telecommunications and Information Services)

(Fiscal Impact.)

4/9/07, RECEIVED AND ASSIGNED to Budget and Finance Committee.

**070420 [Settlement of Lawsuit - Javed Malik]**  
Ordinance authorizing settlement of the lawsuit filed by Javed Malik against the City and County of San Francisco for \$30,000; the lawsuit was filed on February 10, 2005 in San Francisco Superior Court, Case No. 438-564; entitled Javed Malik, et al., v. City and County of San Francisco, et al. (City Attorney)  
4/4/07, RECEIVED AND ASSIGNED to Rules Committee.

## PROPOSED RESOLUTIONS

**070421 [Department of Building Inspection Annual Report printing]**  
Resolution authorizing the Department of Building Inspection, in accordance with Administrative Code Section 1.56, to expend funds to print 50 copies its fiscal year 2005/06 Annual Report and 50 copies of its fiscal year 2006/07 Annual Report. (Building Inspection Department)  
4/5/07, RECEIVED AND ASSIGNED to Budget and Finance Committee.

**070424 [Lease of Real Property at 1212 Market Street]**  
Resolution authorizing the lease of 14,472 square feet of space at 1212 Market Street (and also commonly known as 11 Grove Street) for the Department of the Environment. (Real Estate Department)

(Fiscal Impact.)

4/9/07, RECEIVED AND ASSIGNED to Budget and Finance Committee.

**Requests Granted**

*From: Supervisor McGoldrick*

*To: City Attorney*

*Requesting/Inquiring: Requesting the City Attorney to draft legislation that would require all power provided to San Francisco residents and businesses to be 100% zero carbon by 2017. By 2012 we would require that the mix be at least 50%.*

*From: Supervisor Mirkarimi*

*To: Director, Municipal Transportation Agency*

*Requesting/Inquiring: Requesting the Municipal Transportation Agency to report on the status of replacing or repairing damaged MUNI railing at the MUNI stop at Judah and 11th Avenue.*

*From: Supervisor Mirkarimi*

*To: Director, Department of Parking and Traffic*

*Requesting/Inquiring: Requesting the Department of Parking and Traffic to report on the feasibility of installing the following:*

- Pedestrian signals at 9th Avenue and Judah and 9th Avenue and Irving. A crosswalk at the intersection of 12th Avenue and Judah.*
- ADA Cutouts at 9th Avenue and Irving.*

*From: Supervisor Mirkarimi*

*To: Director, Department of Parking and Traffic*

*Requesting/Inquiring: Requesting the Department of Parking and Traffic to report on the repainting of a crosswalk at the intersection of 12th Avenue and Judah.*

*From: Supervisor Mirkarimi*

*To: Director, Department of Parking and Traffic*

*Requesting/Inquiring: Requesting the Department of Parking and Traffic to report on the status of removing graffiti on the parking signs located on both sides of the street (unless otherwise noted), at the following locations:*

- Clayton between Hayes and Grove*
- Hayes between Masonic and Ashbury*
- Grove between Central and Baker*
- Central between Grove and Fulton (including black frames)*
- Fulton between Cole and Clayton*
- Baker between Grove and McAllister*
- Central between McAllister and Grove*
- Central between Haight and Buena Vista West*

*From: Supervisor Mirkarimi*

*To: Director, Department of Parking and Traffic*

*Requesting/Inquiring: Requesting the Department of Parking and Traffic to report on the status of removing graffiti on the DPT signs at the following locations:*

- Park at 90 Degree green sign on the pole at the Southwest corner of Baker and Golden Gate*
- No Pedestrian Crossing sign at the Northeast and Southeast corner of Fulton and Cole*
- Southeast corner of Grove and Clayton (Stop Sign)*
- Northeast corner of Haight and Central (Stop Sign)*

*From: Supervisor Mirkarimi*

*To: Director, Department of Parking and Traffic*

*Requesting/Inquiring: Requesting the Department of Parking and Traffic to report on the status of replacing missing signs at the following locations:*

- Street Identification Sign for "Baker" street at the intersection of Baker and Hayes*

*From: Supervisor Mirkarimi*

*To: Director, Department of Public Works*

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

*Emergency Boxes:*

- 2094 Grove (Green)*
- Northeast corner of Buchanan and Page*

*From: Supervisor Mirkarimi*

*To: Director, Department of Public Works*

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

- 2000 Grove*
- 1813 Fulton*
- 590 Baker*

*From: Supervisor Mirkarimi*

*To: Director, Department of Public Works*

*Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing the graffiti from light switch boxes and phone switch boxes at the following locations:*

*Light Switch Box*

- Southeast corner of Masonic and Fulton*
- Northeast corner of Masonic and Golden Gate*
- Northeast corner of Buchanan and Oak*

*Phone Switch Box*

- Northeast corner of Hayes and Shrader*

*From: Supervisor Mirkarimi*

*To: Director, Department of Public Works*

*Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing the graffiti from mailboxes and garbage cans at the following locations:*

*Mailboxes*

- Northeast corner of Buchanan and Haight (Blue)*
- Northwest corner of Hayes and Ashbury*

*Garbage Cans*

- Southeast corner of Central and Grove*
- Northeast corner of Haight and Buchanan*

*From: Supervisor Mirkarimi*

*To: Director, Department of Public Works*

*Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from news stands at the following locations:*

*Chronicle*

- Northeast corner of Hayes and Cole*
- Northwest corner of Hayes and Ashbury*
- Southwest corner of Baker and Hayes*
- Southeast corner of Shrader and McAllister*

*SF Weekly*

- Southeast corner of Shrader and McAllister*
- Southwest corner of Lyon and Fulton*

*Examiner*

- Southeast corner of Shrader and McAllister*

*From: Supervisor Mirkarimi*

*To: Director, Public Utilities Commission*

*Requesting/Inquiring: Requesting the Public Utilities Commission to report on the status of removing graffiti at the following locations:*

*Metal Poles*

*· 1967 Hayes*

*· 2062 Grove*

*· Northwest corner of Fulton and Masonic*

*· 1750 McAllister*

*· Multiple poles at Golden Gate and Laguna*

*· Multiple poles on Hayes Street between Buchanan and Octavia*

*· Northeast corner of Central and Waller*

*From: Supervisor Mirkarimi*

*To: City Attorney*

*Requesting/Inquiring: Requesting the City Attorney to draft legislation to protect and encourage the successful use of solar energy in residential construction by requiring that solar access to solar energy systems be protected from shading by vegetation, consistent with the Solar Shade Control Act and that protection of solar access to solar energy systems registered with the County be reviewed when construction on neighboring property is proposed.*

*From: Supervisor Mirkarimi*

*To: City Attorney*

*Requesting/Inquiring: Requesting the City Attorney to draft legislation that develops steps to centralize the City and County of San Francisco's work-force development programs through its myriad departments and agencies as determined by the Budget Analyst, the Controller, and the Economic Analyst. As it pertains to work-force funding coordination, performance assessment and objectives, the draft legislation shall:*

*1) Join the City's Work-Force Development Strategy with its Economic Development Strategy.*

*2) Establish performance-based accountability measures for those agencies and departments that disseminate funds and for community based organizations that receive them.*

*3) Establish policy elements reflective of all surveys and audits since 2003 administered by any and all city agencies and departments pertinent to work-force development program's sector-based progress and performance, goals and objectives.*

*From: Supervisor Peskin*

*To: City Attorney*

*Requesting/Inquiring: Requesting the City Attorney to draft legislation - Mandatory rating system requiring Dry Cleaners to be assigned a letter rank based on the environment effect of the chemicals used to clean clothes.*

## **In Memoriams**

*John Avery - Supervisor Dufty*

*Neil Murphy - Supervisor Elsbernd*

*Roger McNeil - Supervisor Mirkarimi*

*The Victims of Virginia Tech University - Entire Board*

## ADJOURNMENT

*There being no further business the Board adjourned at the hour of 5:17 p.m.*

*Kay Gulbengay, Interim 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 May 15, 2007.*



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Kay Gulbengay  
Interim Clerk of the Board