

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, September 6, 2005 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 Ammiano, Mirkarimi, Elsbernd

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 Peskin, Elsbernd, Daly

Land Use Committee

Supervisors Maxwell, Sandoval, McGoldrick

Rules Committee

Supervisors Alioto-Pier, Mirkarimi, Peskin

Meeting Days

Thursday
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

Wednesday
10:00 AM

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

Volume 100 Number 31

Members Present: Tom Ammiano, Bevan Dufty, Sean Elsbernd, Fiona Ma, Sophie Maxwell, Ross Mirkarimi, Aaron Peskin, Gerardo Sandoval.

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:05 p.m. On the call of the roll the following Supervisors Alioto-Pier, Daly and McGoldrick were noted absent.

Supervisors Alioto-Pier, Daly and McGoldrick were previously excused from attending today's meeting. (See Infra)

Quorum present.

Supervisors Alioto-Pier, Daly and McGoldrick Excused from Attendance

Supervisor Mirkarimi, seconded by Supervisor Elsbernd, moved to excuse Supervisors Alioto-Pier, Daly and McGoldrick from attending today's meeting. The motion carried by the following vote:

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

APPROVAL OF MEETING MINUTES

Supervisor Maxwell, seconded by Supervisor Mirkarimi, moved to approve July 26, 2005 and August 2, 2005 Meeting Minutes. The motion carried by the following vote:

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

AGENDA CHANGES

CONSENT AGENDA

Recommendation of the City Operations and Neighborhood Services Committee

**051294 [Fillmore and Grove "STOP" Intersection]
Supervisor Mirkarimi**

Resolution designating Fillmore and Grove as a "STOP" intersection.

STOP SIGNS - ESTABLISH

Fillmore and Grove, stopping northbound and southbound Fillmore, making this intersection an All-Way STOP.

(7/11/05: 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. 657-05

ADOPTED

Recommendation of the Land Use Committee

**050739 [SLI Zoning District - Allowing Certain Financial Services]
Supervisor Daly**

Ordinance amending the San Francisco Planning Code by amending Table 817 to add Section 817.32 allowing a financial service use in an SLI (Service/Light Industrial) Zoning District under certain circumstances; adopting findings.

Ordinance No. 221-05

FINALLY PASSED

Recommendations of the Rules Committee

051349 [Settlement of Lawsuit - Shao Xi Tan]

Ordinance authorizing settlement of the lawsuit filed by Shao Xi Tan against the City and County of San Francisco for \$80,000; the lawsuit was filed on August 22, 2003 in the United States District Court, Case No. C03-3907 MMC; entitled Shao Xi Tan, et al. v. City and County of San Francisco, et al. (City Attorney)

Ordinance No. 218-05

FINALLY PASSED

051350 [Settlement of Lawsuit - San Francisco Bay Area Transit District]

Ordinance approving settlement of litigation brought by the San Francisco Bay Area Transit District against City and County of San Francisco in the eminent domain action entitled San Francisco Bay Area Transit District v. City and County of San Francisco, et al. (Alameda County Superior Court No. HG03-099024, filed July 7, 2003), for a total value of \$2,750,000. (City Attorney)

Ordinance No. 220-05

FINALLY PASSED

051377 [Settlement of Lawsuit - Daniel Curiel]

Ordinance authorizing settlement of the lawsuit filed by Daniel Curiel against the City and County of San Francisco for \$31,420.11; the lawsuit was filed on April 14, 2003 in San Francisco Superior Court, Case No. 419-362; entitled Daniel Curiel, et al., v. City and County of San Francisco, et al. (City Attorney)

Ordinance No. 219-05

FINALLY PASSED

The foregoing items were acted upon by the following vote:

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

Severed from the Consent Agenda

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

051257 [Sweatfree Ordinance]

Mayor, Supervisors Ammiano, Alioto-Pier, Daly, Mirkarimi, Maxwell, McGoldrick, Dufty, Ma, Sandoval

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

(Fiscal impact.)

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

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

PASSED ON FIRST READING AS AMENDED by the following vote:

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

REGULAR AGENDA

UNFINISHED BUSINESS

From the Clerk

051441 [Motion adopting findings related to the categorical exemption issued for 39 Chattanooga Street]
Motion adopting findings related to the determination by the Planning Department that the 39 Chattanooga Street project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

(Companion measure to Files 051320, 051321, 051311, 051323.)

Motion No. M05-115

APPROVED by the following vote:

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

Called From the City Operations and Neighborhood Services Committee

051034 [Prohibiting the display of human remains without appropriate written authorization from the deceased or the deceased's next-of-kin]
Supervisors Ma, Dufty, Daly, Sandoval

Ordinance amending the San Francisco Police Code, by adding a new Article 11.1, beginning with Section 788, to prohibit the display of human remains without appropriate written authorization from the deceased or the deceased's next-of-kin.

Ordinance No. 222-05

FINALLY PASSED by the following vote:

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

NEW BUSINESS

From the Land Use Committee Without Recommendation

- 051129 [General Plan Amendment in connection with the Executive Park -- Candlestick Cove Project]**
Ordinance amending the San Francisco General Plan in connection with approvals for the proposed Executive Park - Candlestick Cove Project; adopting findings pursuant to the California Environmental Quality Act; and adopting findings that the General Plan amendment is consistent with the General Plan and the eight Priority Policies of Planning Code Section 101.1. (Planning Department)

NOT PASSED ON FIRST READING by the following vote:

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

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

Recess

The Board recessed at the hour of 3:09 p.m.

Reconvening of the Board

The Board reconvened at the hour of 4:05 p.m.

Calling the Roll

*The following Supervisors were noted present: Ammiano, Dufty
Elsbernd, Ma, Maxwell, Mirkarimi, Peskin - 7*

Supervisor Sandoval was noted present at 4:06 p.m.

SPECIAL ORDER 4:00 P.M.

- 051435 [Public Hearing - Appeal of Tentative Subdivision Map for 858 Duncan Street]**
Hearing of persons interested in or objecting to from the decision of the Department of Public Works dated August 1, 2005, approving Tentative/Parcel Map to legalize the proposed subdivision of Lot 015 in Assessor's Block 7518 located at 858 Duncan Street, San Francisco. The Duncan parcel is approximately 67.92 feet wide and 1140 feet deep, proposed to be split in half lengthwise into 2 parcels. (Appellant: Greg Turner on behalf of the Safira Court Homeowner's Association Board of Directors.)

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

The appellant was not present.

The Department of Public Works representative was present.

There were no speakers.

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 Tentative Subdivision Map 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.)**051436 [Approving decision of the Director of Public Works and approving Tentative Subdivision Map for 858 Duncan Street]**

Motion approving decision of the Director of Public Works, and approving Tentative Subdivision Map to legalize the proposed subdivision of Lot 015 in Assessor's Block 7518, located at 858 Duncan Street. (Clerk of the Board)

Motion No. M05-116

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

Ayes: 8 - Ammiano, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin, Sandoval

Excused: 3 - Alioto-Pier, Daly, McGoldrick

051437 [Disapproving decision of the Director of Public Works and disapproving Tentative Subdivision Map for 858 Duncan Street]

Motion disapproving decision of the Director of Public Works, and disapproving Tentative Subdivision Map to legalize the proposed subdivision of Lot 015 in Assessor's Block 7518, located at 858 Duncan Street. (Clerk of the Board)

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

Ayes: 8 - Ammiano, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin, Sandoval

Excused: 3 - Alioto-Pier, Daly, McGoldrick

051438 [Findings - 858 Duncan Street]

Motion directing the Clerk of the Board to prepare findings relating to Tentative Subdivision Map to legalize the proposed subdivision of Lot 015 in Assessor's Block 7518, located at 858 Duncan Street. (Clerk of the Board)

Motion No. M05-117

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

Ayes: 8 - Ammiano, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin, Sandoval

Excused: 3 - Alioto-Pier, Daly, McGoldrick

COMMITTEE REPORTS**ROLL CALL FOR INTRODUCTIONS**

Pursuant to the Board of Supervisors Rule No. 3.9

Supervisor Ammiano provided the Board an update on the Municipal Transportation Commission and the Golden Gate Bridge District on which he represents the Board of Supervisors.

PUBLIC COMMENT

Abdullah Megaheed; expressed concern with issues relating to Hurricane Katrina's disaster response by the Federal Government
Robert O'Malley; expressed concern with issues relating to the Love Parade from Germany being allowed to take place in San Francisco
Espanola Jackson; showed interest in the Community Benefit for Little Hollywood and Baview Hunter's Point John; expressed concern with issues relating to gun laws
Male Speaker; showed interest in the Federal government's response to Hurricane Katrina
John DiDonna; expressed concern with issues relating to the disaster of Hurricane Katrina
Eugene Gordon, Jr.; expressed concern with advertising
Ms. Jadea; expressed concern with issues in her neighborhood and CAITrans lack of cleaning up after construction is completed

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.

051476 [Accept-Expend Federal Grant - Port Commission]
Supervisor Alioto-Pier

Resolution authorizing the San Francisco Port Commission to accept and expend a grant in the amount of \$100,000 from the United States Environmental Protection Agency for the San Francisco Bay Cruise Liner Emissions Reductions Incentives Grant (SF Bay CLEARING) Program.

Resolution No. 649-05
ADOPTED

051477 [50th Anniversary Celebration of CSI]
Supervisor Ammiano

Resolution recognizing the 50th Anniversary Celebration of the San Francisco Chapter of the Construction Specifications Institute and commending that Chapter and its many volunteers on this 17th day of September, 2005, for contributing to the advancement of construction technology and education in the City and County of San Francisco.

Resolution No. 658-05
ADOPTED

051478 [Opposing federal legislation that unduly restricts the local role in telecommunications and video policy]
Supervisors Ammiano, Mirkarimi, Peskin, Maxwell, Daly, Dufty, Alioto-Pier

Resolution urging the United States Congress to reject legislation that would unduly restrict the role of local governments in providing broadband Internet access, managing public rights of way, or awarding franchises to video providers and to approve legislation that would preserve the option for local governments to participate in the provision of communications services.

Resolution No. 650-05
ADOPTED

**051479 [Continuing the Ongoing work of the Utility Undergrounding Task Force]
Supervisors Dufty, Elsbernd**

Resolution continuing the ongoing work of the Utility Undergrounding Task Force to advise the City and County of San Francisco on the future of the utility undergrounding process in San Francisco and to complete its work by June 1, 2006.

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

Resolution No. 659-05

ADOPTED

**051480 [Honoring Trevor Hailey]
Supervisor Dufty**

Resolution honoring Trevor Hailey upon her retirement, for 16 years leading the "Cruisin' the Castro" walking tour, using her gift for storytelling to inspire and educate both tourists and native San Franciscans on the history of the world-famous Castro District.

Resolution No. 656-05

ADOPTED

**051481 [Commending the 85th Anniversary of the 19th Amendment]
Supervisor Ma**

Resolution commending the 85th anniversary of the 19th Amendment to the United States Constitution, extending the right of suffrage to women.

Resolution No. 655-05

ADOPTED

**051482 [Homeland Security Grants]
Supervisor Ma**

Resolution amending Resolution No. 385-04 to authorize designated City and County officials to execute and file on behalf of the City and County of San Francisco applications for federal and state financial assistance under the Emergency Management Performance Grant Program, the renamed State Homeland Security Grant Program, Public Law 107-206 and any other federal funding programs that are passed through the State of California.

Resolution No. 660-05

ADOPTED

**051484 [Supporting the Amendment of the Million Solar Roofs Initiative Program]
Supervisor Mirkarimi**

Resolution urging the California Assembly Appropriations Committee, the Assembly and the Senate to amend SB1 in order to allow a Community Choice Aggregator the option to administer its own solar roofs program, and to receive solar incentives that will be funded by their ratepayers under SB1; to guarantee the right of Community Choice Aggregators to use existing lawful financing instruments, such as H bonds and government-owned solar as is required for the City and County's 31 Megawatt Community Choice photovoltaic program pursuant to Ordinance 86-04.

Resolution No. 651-05

ADOPTED

- 051488 [Consolidation of Special Statewide Election and special Community College District election with the Consolidated Municipal Election scheduled for November 8, 2005]
Supervisor Peskin

Resolution consolidating the Special Statewide Election and special Community College District election, to be held in the City and County of San Francisco on November 8, 2005, with the Consolidated Municipal Election to be held in the City and County of San Francisco on the same date, and providing that the election precincts, voting places and officers for the Special Statewide Election and special Community College District election shall be the same as for the Consolidated Municipal Election.

Resolution No. 654-05

ADOPTED

- 051489 [Meeting Schedule]
Supervisor Peskin

Resolution revising the regular meeting schedule of the Board of Supervisors by canceling the October 4, 2005 meeting and scheduling a Board Meeting on October 11, 2005.

Resolution No. 653-05

ADOPTED

- 051450 [Needle Exchange Emergency]
Supervisors Ammiano, Daly, Peskin, McGoldrick, Maxwell, Dufty, Mirkarimi

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

Motion No. M05-118

APPROVED

The foregoing items were acted upon by the following vote:

Ayes: 8 - Ammiano, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin, Sandoval

Excused: 3 - Alioto-Pier, Daly, McGoldrick

Severed from Without Reference to Committee Agenda

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

- 051483 [Accept-Expend Federal Grant - Office of Emergency Services]
Supervisor Ma

Resolution authorizing the Office of Emergency Services to retroactively accept and expend a Federal Grant in the amount of \$280,000 from the United States Department of Homeland Security for the purpose of providing financial assistance to San Francisco's Metropolitan Medical Response System (MMRS).

REFERRED to the Government Audit and Oversight Committee.

IMPERATIVE AGENDA

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

[Purely Commendatory Finding]

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

Supervisor Maxwell, seconded by Supervisor Ammiano, moved **ADOPTION** of the commendatory finding. The motion carried by the following vote:

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

[Brown Act Finding]

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

Supervisor Maxwell, seconded by Supervisor Ammiano, moved **ADOPTION** of the Brown Act finding. The motion carried by the following vote:

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

051502 [Commending Julia Viera]

Resolution commending Julia Viera for her dedication and exemplary service to the community and proclaiming September 9, 2005 as Julia Viera Day in San Francisco.

Resolution No. 652-05

ADOPTED by the following vote:

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

051503 [Assembly Bill 451]

Supervisor Peskin

Resolution urging the California State Senate to immediately approve Assembly Bill 451, as proposed by Assembly Bill 451, as proposed by Assembly Speaker Pro Tem Leland Yee, in order to restore vital revenue to San Francisco and San Mateo Counties.

Resolution No. 648-05

ADOPTED by the following vote:

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

OFF-AGENDA LEGISLATION

Introduced by Supervisors or Mayor

Ordinances

**051508 [Establishing a Visitacion Valley Community Facilities and Infrastructure Fee and Fund]
Supervisor Maxwell**

Ordinance adding Planning Code Sections 319 through 319.7 to impose a \$4.58 per square foot fee on new residential development in the Visitacion Valley area, to establish a Visitacion Valley Community Facilities and Infrastructure Fund to mitigate impacts from residential development on public infrastructure in Visitacion Valley including libraries, streets, playgrounds, recreational facilities, and community centers, and making findings including findings under the California Environmental Quality Act.

9/6/05, ASSIGNED UNDER 30 DAY RULE to Land Use Committee, expires on 10/6/2005.

**051509 [General Plan Amendment in connection with the Executive Park -- Candlestick Cove Project]
Supervisor Maxwell**

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

9/6/05, ASSIGNED UNDER 30 DAY RULE to Land Use Committee, expires on 10/6/2005.

**051510 [First Source Hiring Ordinance - Expanding the Chapter to apply to contract modifications; defining OLSE; amending liquidated damages and penalty sections and to provide for administrative review]
Supervisor Mirkarimi**

Ordinance amending the San Francisco Administrative Code by amending sections 83.2, 83.4, 83.6, 83.7, 83.9, 83.10, 83.11, 83.12, and 83.18 of the First Source Hiring Program to: 1) correct erroneous grammar and subsection references; 2) change "Department of Human Services (DHS)" to "Human Services Agency (HSA);" 3) define OLSE; 4) include the OLSE in making the final administrative determination regarding compliance with this Chapter; 5) include contract modifications under the definition of contracts; 6) amend provision of liquidated damages against contractors who fail to comply with this Chapter and to provide for administrative review; and 7) amend provision of a penalty against permittees and contractors engaged in non-City work performed in San Francisco who fail to comply with this Chapter and to provide for administrative review.

(Fiscal impact.)

9/6/05, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 10/6/2005.

- 051511 [To appropriate general fund reserve to the Board of Supervisors for the Budget Analyst to perform a management audit of the Office of Emergency Services]
Supervisor Peskin**

Ordinance appropriating \$200,000 from the General Fund Reserve to the Board of Supervisors to pay the Budget Analyst to perform a management audit of the Office of Emergency Services for Fiscal Year 2005-2006. 9/6/05, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

- 051519 [Grants for the Arts in charge of administration of Nonprofit Performing Arts Loan Program]
Mayor**

Ordinance amending Sections 50.2, 50.10, 50.11 and 50.21 of the San Francisco Administrative Code concerning the Nonprofit Performing Arts Loan Program to transfer administration of the program from the Mayor's Office of Housing to the Grants for the Arts and allowing Grants for the Arts to establish criteria for loan forgiveness and issue other related regulations and agreements and amending Section 10.100-119 of the San Francisco Administrative Code to clarify that the Fund shall be used for construction project management, capital improvement and acquisition loans to nonprofit performing arts organizations under Chapter 50 of the Administrative Code.

(Fiscal impact.)

9/6/05, RECEIVED AND ASSIGNED to Budget and Finance Committee.

- 051520 [Zoning Map Amendment for parcel on Roosevelt Way at Henry Street]
Mayor**

Ordinance amending the San Francisco Planning Code by amending Zoning Map Section 7 ZN from a designation of P (Public Use) to RH-2 (Residential House Two Family) and height and Bulk Map Section 7 HT from an OS (Open Space) designation to a 40-X height and bulk limit for the property on Roosevelt Way at Henry Street (Lot 50, Assessor's Block 2612); adopting findings under the California Environmental Quality Act; and making findings of consistency with the General Plan and the priority policies of Planning Code Section 101.1.

9/6/05, RECEIVED AND ASSIGNED to Land Use Committee.

- 051522 [To de-appropriate current capital project appropriations to reflect updated sources and uses of capital project funding]
Mayor**

Ordinance de-appropriating \$287,977,266 of existing sources and uses authority for various San Francisco International Airport (SFIA) capital project funding to reflect actual sources of funding available to support the Five-Year Capital Plan, Fiscal Year 2004-05 through Fiscal Year 2008-09.

(Fiscal impact.)

9/6/05, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

**051529 [To appropriate capital project funding to reflect updated sources and uses appropriation consistent with the priorities outlined in the San Francisco International Airport's Five-Year Capital Plan]
Mayor**

Ordinance appropriating \$243,723,524 in total sources and uses, including the de-appropriation of \$125,321,506 in current project funding to use this source for appropriation, as well as appropriating an additional \$26,055,079 of available Airport fund balance, \$59,588,300 of grant authorization to accept and expend funds from the Federal Aviation Administration for projects related to security, runway and taxiway construction and improvements, \$23,182,388 of grant authorization to accept and expend funds from the California Department of Transportation (Caltrans) for viaduct construction, and \$9,576,251 in interest income. These various sources and uses are herein appropriated for various San Francisco International Airport (SFIA) capital projects as detailed below to reflect the updated San Francisco International Airport Five-Year Capital Plan, Fiscal Year 2004-05 through Fiscal Year 2008-09.

(Fiscal impact.)

9/6/05, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

Resolutions

**051500 [Public Education Enrichment Fund]
Supervisor Ammiano**

Resolution approving the San Francisco Unified School District revised expenditure plans for the Public Education Enrichment Fund.

(Fiscal impact.)

9/6/05, RECEIVED AND ASSIGNED to Budget and Finance Committee. Sponsor requests this item be scheduled for consideration at the September 8, 2005 meeting.

**051505 [Traffic Regulations]
Supervisor Dufty**

Resolution enacting and rescinding traffic regulations on various streets

BICYCLE LANES - ESTABLISH (6-month trial)
Fourteenth Street, eastbound, from Market Street to Dolores Street.

ONE WAY STREET – ESTABLISH (6-month trial)
Fourteenth Street, from Market Street to Dolores Street (two-way to eastbound only).

(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.)

9/6/05, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee. 09/13/05 - Parking and Traffic notified to post required notices and ad placed in the 09/21/05 edition of the SF Chronicle.

**051506 [Improve HIV/AIDS treatment and prevention services in San Francisco]
Supervisors Duffy, Ammiano**

Resolution authorizing the San Francisco Department of Public Health (SFDPH) to accept and expend retroactively a grant in the amount of \$1,488,000 from the Department of Health and Human Services, Centers for Medicare and Medicaid Services (DHHS, CMMS) to improve HIV/AIDS treatment and prevention services in San Francisco and to enter into an agreement for the use of these funds; for the period of July 1, 2005 to June 30, 2006.

9/6/05, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

**051507 [Contract funds to participate in the traineeship for AIDS prevention studies at the University of California at San Francisco Center on AIDS Prevention]
Supervisors Duffy, Ammiano**

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 \$6,624 in order to participate in the traineeship for AIDS prevention studies (TAPS) at UCSFCAPS for the two month period of July 1, 2005, through August 31, 2005.

9/6/05, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

**051517 [To provide trauma and burn care supplies to the San Francisco General Hospital Trauma Center cache]
Supervisor Ma**

Resolution authorizing the San Francisco Department of Public Health, San Francisco County EMS Agency (SFDPH, EMS) to accept retroactively and expend a grant in the amount of \$127,272 from the State Emergency Medical Services Authority (SEMSA) to provide trauma and burn care supplies to the San Francisco General Hospital Trauma Center cache and to enter into an agreement for the use of these funds; for the period of June 6, 2005 through October 31, 2005.

9/6/05, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

**051523 [Traffic Calming Measures on McAllister and Grove Streets]
Supervisor Mirkarimi**

Resolution urging the Department of Parking and Traffic to take measures to prevent unlawful and dangerous driving on McAllister Street between Webster Street and Laguna Street and on Grove Street between Webster Street and Laguna Street.

9/6/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**051518 [To provide health education services to youth in San Francisco]
Supervisor Ma**

Resolution authorizing the San Francisco Department of Public Health (SFDPH) to accept retroactively and expend a new grant in the amount of \$127,000 from the State Office of Family Planning (SOFP) for health education services to youth in San Francisco and to enter into an agreement for the use of these funds; for the period of July 1, 2005, through June 30, 2006.

9/6/05, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

**051524 [Speed Humps on Linden and Rose Streets]
Supervisor Mirkarimi**

Resolution urging the Department of Parking and Traffic to install speed humps to prevent unlawful and dangerous driving on Linden Street between Webster Street and Buchanan Street and on Rose Street between Webster Street and Buchanan Street.

9/6/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

051525 [Support and Expenditures for Hurricane Katrina Relief Efforts]

Resolution establishing City support for Hurricane Katrina relief efforts and preliminarily approving expenditures required to provide City support.

9/6/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**051526 [Grant from Friends of City Planning for the Leland Avenue Revitalization Project]
Supervisor Maxwell**

Resolution authorizing the Director of the Planning Department to accept and expend a grant in the amount of \$75,000 from the Friends of City Planning to undertake streetscape design for the Leland Avenue Revitalization Project.

9/6/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**051527 [To provide three food related programs in San Francisco]
Supervisor Maxwell**

Resolution authorizing the San Francisco Department of Public Health (SFDPH) to accept retroactively and expend three grants in the total amount of \$4,606.18 from the California Department of Food and Agriculture (CDFA) for organic foods (\$1,000), egg quality control (\$2,256.18), and weighmasters (\$1,350) programs, and to enter into agreements for the use of these funds; for the period of July 1, 2005 through June 30, 2006.

9/6/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**051528 [Approving Child Care Subsidy Plan]
Supervisor Peskin**

Resolution approving county individualized child care subsidy plan authorized by Senate Bill 701 (Migden), for submission to California Department of Education, Child Development Division.

9/6/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Requests for Hearing

**051501 [Student Achievement Update]
Supervisor Ammiano**

Hearing of the Joint City/School District Committee to consider an update from SFUSD staff on student achievement.

9/6/05, RECEIVED AND ASSIGNED to City and School District Select Committee.

**051514 [Treasure Island Development Authority (TIDA)]
Supervisors Daly, Mirkarimi**

Hearing on the status of the Treasure Island Development Authority (TIDA) as an independent agency and of the Exclusive Negotiating Agreement (ENA) and its proposed extension with the developer.

9/6/05, RECEIVED AND ASSIGNED to Land Use Committee.

**051515 [Emergency Preparedness in San Francisco]
Supervisor Dufty**

Hearing to allow the City's Office of Emergency Services (OES) to provide information on emergency plans and preparedness in the event of a disaster. Specific information should be provided on steps that individuals and families should take to have plans prepared to respond to any disasters.

9/6/05, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

**051516 [San Francisco's Disaster Preparedness]
Supervisor Mirkarimi**

Hearing on San Francisco's disaster preparedness in the event of a man-made or natural calamity, with emphasis on but not limited to: community notification warning systems; regional and national assistance and planning; citizen preparedness and participation; mass care, shelter and transportation; OES budget and grant funding projections; preservation of critical services and government oversight; and more subjects to follow - requests the presence of local and state (e.g. OES, etc.), and federal representatives (e.g. FEMA) who are best equipped to address issues pertaining to municipal and regional disaster preparedness.

9/6/05, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

Motions

**051512 [Amendment to Budget Analyst contract to exercise two year option]
Supervisor Peskin**

Motion approving exercising the first option set forth in the agreement for Professional Budget Analyst Services between the City and County of San Francisco and Stanton W. Jones and Associates; Debra A. Newman; Rodriguez, Perez, Delgado & Company Certified Public Accountants; Harvey M. Rose Accountancy Corporation Certified Public Accountants; and Louie & Wong LLP Certified Public Accountants ("A Joint Venture") to extend the term of the Agreement from January 1, 2006 through December 31, 2007.

(Fiscal impact.)

9/6/05, RECEIVED AND ASSIGNED to Budget and Finance Committee.

**051513 [Directing the Budget Analyst to conduct a management audit of the Emergency Communications Department - Emergency Services Coordination Program on a Priority Basis]
Supervisor Peskin**

Motion amending the Schedule of Audits for the Budget Analyst and Directing the Budget Analyst to conduct a management audit of the Emergency Communications Department – Emergency Services Coordination Program and to perform this management audit as the next priority assignment.

9/6/05, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

PROPOSED ORDINANCES

**051439 [Campaign Finance Reform Amendments of 2005]
Supervisor Mirkarimi**

Ordinance amending the Campaign and Governmental Conduct Code by adding a new Section 1.103, amending Sections 1.100, 1.104, 1.112, 1.114, 1.120, 1.128, 1.130, 1.134, 1.144, 1.152, 1.168, and 1.170, repealing Section 1.118, and repealing Chapter 3 of Article 1, Sections 1.300, 1.305, 1.310, 1.312, 1.315 and 1.320 to: (1) make technical changes including the correction of grammatical or reference errors and the reordering of Sections; (2) conform the Campaign Finance Reform Ordinance to the adoption of Ranked Choice Voting; (3) move the Electronic Filing Ordinance from Chapter 3 of Article 1 of the Campaign and Governmental Conduct Code to the Campaign Finance Reform Ordinance; and (4) expressly set forth a statute of limitations for criminal, civil, administrative and collection actions brought under the Campaign Finance Reform Ordinance. (Ethics Commission)

8/11/05, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 10/6/2005.

9/7/05, REFERRED TO DEPARTMENT. Referred to Ethics Commission for review and recommendation.

051442 [Settlement of Lawsuit - Anna Maria Olmedo]

Ordinance authorizing settlement of the lawsuit filed by Anna Maria Olmedo against the City and County of San Francisco for \$62,500; the lawsuit was filed on August 15, 1999 in San Francisco Superior Court, Case No. 314-031.

8/15/05, RECEIVED AND ASSIGNED to Rules Committee.

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

Ordinance amending Articles 89, 100, 110, 210, 215, 220, 230, 250, 300, 333, 334, 336, 340, 348, 350, 352, 351, 348, 378, 331, 362, 384, 410, 411, 645, 700, 760, and 800 of the Electrical Code to make minor clerical changes for greater clarity, to extend the general requirement for headroom about panelboards to residential panelboards rated not more than 200 amps, to provide that equipment rated 1200 amps or more, regardless of width, requires an entrance to each end of the working space, to allow for non-metallic sheathed cable to be installed in multifamily dwellings with Type III, IV and V construction up to 4 stories in height, and to make findings in accordance with California Health and Safety Code Section 17958.5 as to the local climatic, topological and geological reasons for amending the State Building Code. (Building Inspection Department)

8/16/05, ASSIGNED UNDER 30 DAY RULE to Land Use Committee, expires on 10/6/2005.

PROPOSED RESOLUTIONS

051440 [Airport Equipment Maintenance and Operating Agreement]

Resolution approving Equipment Maintenance and Operating Agreement between San Francisco Terminal Equipment Company, LLC and the City and County of San Francisco, acting through its Airport Commission. (Airport Commission)

8/10/05, RECEIVED AND ASSIGNED to Budget and Finance Committee.

051485 [Parking Regulations]

Resolution enacting and rescinding parking regulations at various locations.

DIAGONAL (60-DEGREE ANGLE) PARKING - ESTABLISH

Ulloa Street, south side, from 33rd Avenue to 98 feet easterly (nine 60-degree parking spaces).

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

Harriet Street, east side, from Ahern Way to Harrison Street.

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

Masonic Avenue, west side, from Grove to Hayes Streets.

NO PARKING ANYTIME - ESTABLISH

Warren Drive, north side, from Blairwood Lane to 60 feet easterly.

PERPENDICULAR (90-DEGREE ANGLE) PARKING - ESTABLISH

Gilman Avenue, north side, between Griffith and Hawes Streets.

TOW-AWAY, NO PARKING ANYTIME - ESTABLISH

Carolina Street, west side, from 23rd Street to 90 feet southerly.

TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH

Cambridge Street, south side, from Stoneyford Avenue to 20 feet westerly (replacing the existing visibility red zone).

PERPENDICULAR (90-DEGREE ANGLE) PARKING - ESTABLISH

201 Telegraph Hill Boulevard (formally establishes perpendicular parking in front of this building);
275 to 285 Telegraph Hill Boulevard, along east side of Kearny Street right-of-way, from Telegraph Hill Boulevard to 39 feet northerly (5 perpendicular parking spaces); and,
18th Street, north side, between Potrero Avenue and Utah Street.

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

Gough Street, east side, between Colton and Otis Streets (Unit block).

YELLOW (COMMERCIAL LOADING) ZONES, 7 AM - 6 PM, EVERYDAY, TOW-AWAY, NO STOPPING ALL OTHER TIMES - ESTABLISH

7th Street, east side, between Market and Stevenson Streets.

1-HOUR PARKING TIME LIMIT, 7 AM TO 6 PM, MONDAY THROUGH SATURDAY - RESCIND**GENERAL METERED PARKING AREA 1 (1-HOUR PARKING TIME LIMIT, 7 AM - 6 PM, MONDAY THROUGH SATURDAY) - ESTABLISH**

Stevenson Street, south side, between 5th and 6th Streets (400 block).

NO PARKING ANYTIME - ESTABLISH

Noriega Street, north side, from the western edge of the #616 Noriega Street driveway to the western edge of the #624 property line.

MUNI BUS ZONE - EXTEND

Bayshore Boulevard at Marengo Street, east side, from 60 feet to 100 feet north of Marengo Street (extend existing bus zone by 40 feet). (Parking and Traffic Department)

(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. 3044.)

8/15/05, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee. 08/25/05 - Parking and Traffic notified to post required notices and ad placed in the 09/06/05 edition of the SF Chronicle.

**051486 [STOP Intersections]
Supervisor Elsbernd**

Resolution designating certain intersections as "STOP" intersections.

STOP SIGNS - ESTABLISH

Buena Vista Avenue East at Duboce Avenue, making this intersection an All-Way STOP; and, Teresita Boulevard and Stillings Avenue, stopping Teresita Boulevard, making this intersection an All-Way STOP. (Parking and Traffic Department)

(8/11/05: 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. 3044.)

8/15/05, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee. 08/25/05 - Parking and Traffic notified to post required notices and ad placed in the 09/06/05 edition of the SF Chronicle.

Supervisor Elsbernd requested to be added as sponsor.

051487 [Traffic Regulations]

Resolution enacting and rescinding traffic regulations on various streets.

ONE-WAY STREET - ESTABLISH

Flora Street, northbound, between Bayview and Thornton Streets; and, Pomona Street, southbound, between Bayview and Thornton Streets.

MID-BLOCK CROSSWALK - ESTABLISH

Alabama Street, between 24th and 25th Streets. (Parking and Traffic Department)

(8/11/05: 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. 3044.)

8/15/05, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee. 08/25/05 - Parking and Traffic notified to post required notices and ad placed in the 09/06/05 edition of the SF Chronicle.

051496 [Recurring FY2005-2006 State grant funds to the Department of Public Health from the California Department of Health Services]

Resolution authorizing the acceptance and expenditure of State grant funds by the San Francisco Department of Public Health for FY 2005-2006. (Public Health Department)

8/19/05, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

051539 [Confirming the appointment of the Director of Transportation to the Transbay Joint Powers Authority]

Resolution confirming the appointment of the Director of Transportation to the Transbay Joint Powers Authority as the representative of the Municipal Transportation Agency Board of Directors, effective August 16, 2005. (Municipal Transportation Agency)

8/29/05, RECEIVED AND ASSIGNED to Rules Committee.

Requests Granted

From: Supervisor Mirkarimi

To: Director, Department of Public Works

To: Director, Recreation and Parks Department

Requesting/Inquiring: Requesting that the Department of Public Works and the Recreation and Parks Department report on the feasibility of removing the graffiti on the walls around Koshland Park, which is at the intersection of Page Street and Buchanan Street.

From: Supervisor Mirkarimi

To: Director, Department of Parking and Traffic

Requesting/Inquiring: Requesting that the Department of Parking and Traffic report on the feasibility of installing bulb-out curb extensions at the intersection of Fell Street and Broderick Street, adjacent to the new Broderick Plaza.

From: Supervisor Mirkarimi

To: Director, Department of Parking and Traffic

Requesting/Inquiring: Requesting that the Department of Parking and Traffic report on the feasibility of rescinding the morning tow-away zone on Oak Street between Baker Street and Laguna Street.

From: Supervisor Mirkarimi

To: Director, Department of Parking and Traffic

To: Director, Municipal Transportation Agency

Requesting/Inquiring: Requesting that the Department of Parking and Traffic and the Municipal Transportation Agency report on the status of re-painting the crosswalk at the intersection of Alma Street and Stanyan Street.

From: Supervisor Mirkarimi

To: Director, Recreation and Parks Department

Requesting/Inquiring: Requesting that the Recreation and Parks Department report on the status of providing dial-up Internet access at the Hayes Valley Playground.

From: Supervisor Maxwell

To: City Attorney

Requesting/Inquiring: Requesting that the City Attorney draft legislation establishing the San Francisco Hurricane Katrina Relief Fund for introduction at the September 13 Board of Supervisors meeting.

The legislation should establish a special fund administered by the Controller's Office and create a mechanism for the Board of Supervisors to appropriate and monitor supplemental appropriations towards the relief effort.

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting that the Department of Public Works report on the status of the repair of a pothole at 1150 Stanyan Street.

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting that the Department of Public Works report on the status of the repair of a large crack and raised area of the street at 739 Cole Street.

From: Supervisor Elsbernd

To: Director, Department of Parking and Traffic

Requesting/Inquiring: Requesting the Department of Parking and Traffic to inspect whether or not Kensington Way should be made a one-way street.

Text as follows:

Can DPT inspect and assess the feasibility of making Kensington Way a one-way street? This street represents a safety concern to neighbors in the area, vehicles are traveling well over the 15MPH speed limit.

From: Supervisor Elsbernd

To: Director, Department of Parking and Traffic

Requesting/Inquiring: Requesting the Department of Parking and Traffic to inspect whether or not DPT can install a stop sign at the corner of Claremont and Allston.

Text as follows:

Can DPT inspect and assess the need to install a stop sign at the corner of Claremont and Allston? This intersection represents a safety concern to neighbors in the area.

In Memoriams

Thomas Herrion - Supervisors Dufty and Ammiano

Brian Marquez - Supervisor Ammiano

Father Patrick Pearse McCarthy - Supervisor Elsbernd

Jerome J. Mahoney - Supervisor Elsbernd

Manuizo Pennington - Supervisor Mirkarimi

Xzavie George - Supervisor Mirkarimi

John Bernard Murphy - Supervisor Elsbernd

Claire Shea - Supervisor Sandoval

Gabriel Zavala-Diaz - Supervisor Sandoval

Harvey Wong - Supervisor Peskin

ADJOURNMENT

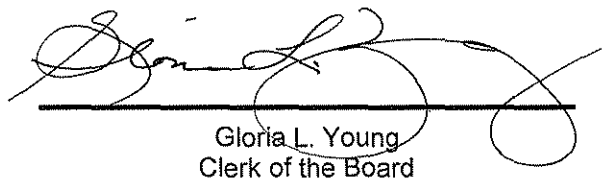
There being no further business the Board adjourned at the hour of 4:11 p.m.

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 September 27, 2005.

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



Gloria L. Young
Clerk of the Board