

BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

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

MEETING MINUTES

Tuesday, December 11, 2007 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, CARMEN CHU, CHRIS DALY,
BEVAN DUFTY, SEAN ELSBERND, SOPHIE MAXWELL, JAKE MCGOLDRICK,
ROSS MIRKARIMI, GERARDO SANDOVAL**

Angela Calvillo, Clerk of the Board

BOARD COMMITTEES

Committee Membership

Budget and Finance Committee

Supervisors Peskin, Ammiano, Dufty

City and School District Select Committee

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

City Operations and Neighborhood Services Committee

Supervisors McGoldrick, Alioto-Pier, Chu

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, Chu

Rules Committee

Supervisors Ammiano, Elsbernd, Peskin

Meeting Days

Wednesday
1:00 PM

1st and 3rd Thursday
3:30 PM

2nd and 4th Thursdays
1:00 PM

1st and 3rd Mondays
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 41

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

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:04 p.m. On the call of the roll all Supervisors were noted present.

There was a quorum present.

CONSENT AGENDA

Recommendations of the City Operations and Neighborhood Services Committee

**071516 [Grant to support the Healthcare Facilities Partnership Program through the San Francisco Department of Public Health]
Supervisor Alioto-Pier**

Resolution authorizing the San Francisco Department of Public Health (DPH), to retroactively accept and expend a grant in the amount of \$787,659 from the Department of Health and Human Services, Public Health Service, for year 1 of the Healthcare Facilities Partnership Program, for the period of September 1, 2007, through August 8, 2008.

**Resolution No. 681-07
ADOPTED**

**071517 [Grant to support the SF Child Injury Prevention Program]
Supervisor Alioto-Pier**

Resolution authorizing the San Francisco Department of Public Health (DPH), to retroactively accept and expend funds from the Kids' Plates Program, San Diego State University Research Foundation in the amount of \$54,000 in support of SF Child Injury Prevention Program, for the period of October 1, 2007 through June 30, 2008.

**Resolution No. 680-07
ADOPTED**

**071524 [Retroactive Accept - Expend State Grant - Department of the Environment]
Supervisor Maxwell**

Resolution authorizing the Department of the Environment to retroactively accept and expend a grant in the amount of \$11,175 from the California Integrated Waste Management Board for the purpose of increasing proper disposal of Household Hazardous Waste and supporting San Francisco's involvement in the California Product Stewardship Council.

Resolution No. 682-07

ADOPTED

**071525 [Accept-Expend State Grant - Department of the Environment]
Supervisor Maxwell**

Resolution authorizing the Department of the Environment to accept and expend a grant in the amount of \$11,002 from the California Integrated Waste Management Board for the purpose of increasing proper disposal of Household Hazardous Waste and supporting San Francisco's involvement in the California Product Stewardship Council.

Resolution No. 683-07

ADOPTED

**071527 [Accept-Expend Federal Grants - Municipal Transportation Agency]
Supervisor Mirkarimi**

Resolution authorizing the Municipal Transportation Agency to accept and expend a grant in the amount of \$478,000 from 2006 Regional Transportation Improvement funds for the Transportation for Livable Communities - Inner Sunset Traffic Calming and Transit Enhancements Project.

Resolution No. 684-07

ADOPTED

**071537 [Grant of Regional Funds-San Francisco Municipal Transportation Agency]
Supervisor Sandoval**

Resolution authorizing the San Francisco Municipal Transportation Agency to accept and expend \$200,000 of Regional Measure 2 - Safe Routes to Transit funding to conduct a study analyzing how to improve traffic patterns on the southern side of the Balboa Park BART station.

Resolution No. 685-07

ADOPTED

**071562 [Accept-Expend California Department of Parks and Recreation Grant]
Supervisor Chu**

Resolution authorizing San Francisco Arts Commission (SFAC) to accept and expend a grant in the amount of \$36,000 from the California Department of Parks and Recreation for restoration of the Portals of the Past monument in Golden Gate Park.

Resolution No. 686-07

ADOPTED

**071563 [Accept-Expend State Grant - Sheriff's Department]
Supervisor Dufty**

Resolution authorizing the Sheriff's Department of the City and County of San Francisco to apply for, accept and expend \$377,895 in funds from the Corrections Standards Authority for the standards and training of local corrections and probation officers programs; stipulating adherence to standards for recruitment and training established by the Corrections Standards Authority, waiving any indirect costs.

Resolution No. 687-07

ADOPTED

Recommendation of the Government Audit and Oversight Committee

**071541 [Appropriating \$8,890,628, of additional Proposition 1B State Funds revenue for street resurfacing projects in the Department of Public Works for Fiscal Year 2007-2008]
Mayor, Supervisor Elsbernd**

Ordinance appropriating \$8,890,628 of additional Proposition 1B State Funds for street resurfacing projects in the Department of Public Works for Fiscal Year 2007-2008. The department will use the accelerated appropriations of bond funds from the state to fund projects for which design money has already been appropriated and were included in the City's FY 2008-09 capital program.

Ordinance No. 278-07

FINALLY PASSED

Recommendations of the Public Safety Committee

**071597 [Accept-Expend FY 07 Community Oriented Policing Services Grant and Amend Annual Salary Ordinance, FY 2007-2008]
Supervisor Elsbernd**

Ordinance authorizing the Department of Emergency Management, as fiscal agent for multiple local jurisdictions, to retroactively accept and expend a Community Oriented Policing Services (COPS) grant in the amount of \$5,733,986 from the United States Department of Justice and to provide \$406,002 as San Francisco's portion of required matching funds; and amending Ordinance No. 175-07 (Annual Salary Ordinance, FY 2007-2008) to reflect the addition of one position (0.75 FTE) IS Project Director in the Department of Emergency Management (ECD).

Ordinance No. 277-07

FINALLY PASSED

**070678 [Planning - institutional master plan review for medical institutions]
Supervisors Maxwell, Ammiano, Alioto-Pier, Sandoval, McGoldrick**

Ordinance amending Planning Code Section 304.5, Institutional Master Plans, to require a qualified health planner retained by the Department of Public Health to analyze the relationship between the City's long-term health care needs and facility planning for medical institutions as part of the Institutional Master Plan and revisions process; clarifying and updating the Institutional Master Plan process through minor changes to generally applicable institutional master plan requirements, making environmental findings, and making findings of consistency with the General Plan and priority policies of Planning Code Section 101.1.

Ordinance No. 279-07

FINALLY PASSED

Recommendations of the Rules Committee

071417 [Settlement of Lawsuit - CCSF v. Michael Levine and What Do We Do? Inc.]

Ordinance authorizing settlement of the lawsuit filed by the City and County of San Francisco against Michael Levine and What Do We Do? Inc. for \$30,000; the lawsuit was filed on May 26, 2006 in San Francisco Superior Court, Case No. 452-470; entitled City and County of San Francisco, et al., v. Michael Levine, et al.; other material terms of said settlement are that Judgment is to be entered against Michael Levine personally in the amount of \$30,000, that payment of \$15,000 is to be made at the time of finalization of the settlement of this matter, that the remaining payment of \$15,000 is to be in monthly installments over a period of 18 months, and if any payment is late, the entire amount is immediately due, payable and collectible. (City Attorney)

Ordinance No. 281-07

FINALLY PASSED

071459 [Settlement of Lawsuit - Pacific Gas and Electric Company]

Ordinance authorizing settlement of the lawsuit filed by Pacific Gas & Electric ("PG&E") against the City and County of San Francisco for \$10,000; the lawsuit entitled Pacific Gas and Electric Company v. City and County of San Francisco, et al., Case No. RG-05-246128, was filed on December 9, 2005 in Alameda County Superior Court; other material terms of said settlement are set forth in the Stipulated Judgment and Final Order of Condemnation (and exhibits thereto), contained in Board of Supervisors File No. 071459. (City Attorney)

Ordinance No. 282-07

FINALLY PASSED

071513 [Settlement of City's Lawsuit Against Dynegy, Inc., Dynegy Marketing and Trade and West Coast Power LLC]

Ordinance authorizing partial settlement of the lawsuit filed by the City and County of San Francisco against defendant Sempra Energy and other companies; the lawsuit entitled City and County of San Francisco v. Sempra Energy, et al. (JCCP No. 4221-00023) was filed on June 8, 2004, and has been coordinated as Natural Gas Anti-Trust Cases I, II, III & IV in the Superior Court of the State of California for the County of San Diego (JCCP Nos. 4221, 4224, 4226, and 4228); the settlement provides approximately \$480,000 to the City from defendants Dynegy, Inc. and its affiliates Dynegy Marketing and Trade and West Coast Power LLC. (City Attorney)

Ordinance No. 283-07

FINALLY PASSED

The foregoing items were acted upon by the following vote:

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

REGULAR AGENDA

UNFINISHED BUSINESS

From the Clerk

071574 [Adopting findings related to disapproving the Categorical Exemption issued for the 376 Eureka Street project]

Motion adopting findings related to disapproving the determination by the Planning Department that the 376 Eureka Street project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Motion No. M07-150

APPROVED by the following vote:

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

Recommendation of the Budget and Finance Committee

071460 [Easement Modification and Relocation Agreement - University of California Parnassus Heights Campus]

Resolution approving and authorizing the execution and delivery of an Easement Modification and Relocation Agreement between The Regents of the University of California ("University") and the City and County of San Francisco, acting by and through its Public Utilities Commission (collectively referred to hereafter as the "City"), authorizing the City's acceptance of a Modified and Restated Grant of Easement and Agreement For Expanded Storage Tank Easement, the City's quitclaim of the Existing Storage Tank Easement to the University, the City's acceptance of a Grant of Easement and Agreement For New Pump Station Easement and the City's quitclaim of the Existing Pump Station Easement to the University following completion of the Project; adopting findings of consistency with the General Plan and Eight Priority Policies of Planning Code Section 101.1; and adopting environmental findings. (Real Estate Department)

Resolution No. 688-07

ADOPTED by the following vote:

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

Board of Supervisors Sitting as a Committee of the Whole

**071218 [Charter Amendment - San Francisco Affordable Housing Fund and Public Accountability]
Supervisors Daly, Ammiano, Mirkarimi, Peskin, Maxwell, Sandoval, Dufty, McGoldrick**

Charter amendment (Third Draft) to add Section 16.127 to: establish a baseline appropriation and set aside the equivalent of the available annual tax of two and one-half cents (\$0.025) on each one hundred dollars (\$100) of assessed property tax valuation for the next fifteen (15) years to support affordable housing programs; require the Mayor's Office of Housing, in cooperation with the Department of Public Health and Department of Human Services, to prepare an affordable housing plan every three (3) years and an annual affordable housing budget; affirm City policy urging the Redevelopment Agency to use at least fifty percent (50%) of its tax increment funds for low and moderate income housing; and set an expiration date of July 1, 2024.

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

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

Charter amendment (Fourth Draft) to add Section 16.127 to: establish a baseline appropriation and set aside the equivalent of the available annual tax of two and one-half cents (\$0.025) on each one hundred dollars (\$100) of assessed property tax valuation for the next fifteen (15) years to support affordable housing programs; require the Mayor's Office of Housing, in cooperation with the Department of Public Health and Department of Human Services, to prepare an affordable housing plan every three (3) years and an annual affordable housing budget; affirm City policy urging the Redevelopment Agency to use at least fifty percent (50%) of its tax increment funds for low and moderate income housing; and set an expiration date of July 1, 2024.

Continued to January 8, 2008 with the Board Sitting as a Committee of the Whole

Supervisors Maxwell, Sandoval, Dufty and McGoldrick requested to be added as co-sponsors.

Supervisor Daly, seconded by Supervisor Ammiano, moved that this Charter Amendment be CONTINUED AS AMENDED. The motion carried by the following vote:

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

NEW BUSINESS

Recommendations of the Budget and Finance Committee

071436 [Appropriating \$33,521,354 of land sales revenue for construction at 525 Golden Gate to the San Francisco Public Utilities Commission for Fiscal Year 2007-2008]**Mayor**

Ordinance appropriating \$33,521,354 of San Francisco Water and Wastewater Enterprises estimated land sales revenues from properties including BART land, Petrocchi Brothers property, 425 Mason Street, Muni Transfer at Cesar Chavez, Peter Naughton Easement Transfer, Sea Cliff Lot, Chestnut and El Camino property in South San Francisco, Manzano Way lots in Fremont, PG&E Jefferson Martin Line, and Martin Gaehwhiler property, for costs related to architectural, excavation design services, construction and construction management at 525 Golden Gate Avenue to the San Francisco Public Utilities Commission for Fiscal Year 2007-2008.

(Fiscal Impact.)

PASSED ON FIRST READING by the following vote:

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

071469 [Accept-Expend Federal Grant - Sheriff's Department]**Supervisor Alioto-Pier**

Ordinance amending Ordinance No. 175-07 (Annual Salary Ordinance 2007-2008) to reflect the addition of a .50 FTE 8420 Program Rehabilitation Services Coordinator in the Sheriff's Department, and a .50 FTE 2586 Health Worker II and .50 FTE 2803 Epidemiologist in the Department of Public Health, and authorizing the Sheriff's Department to accept and expend a 12-month grant in the amount of \$391,556 from the U.S. Department of Health and Human Services for the Women's Integrated Skills (WISH) Project and waiving indirect costs.

PASSED ON FIRST READING by the following vote:

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

071542 [Accept-Expend Federal Grants - Municipal Transportation Agency]**Mayor**

Resolution authorizing the Municipal Transportation Agency to accept and expend a grant in the amount of \$2,740,000 from the Metropolitan Transportation Commission Regional Bicycle and Pedestrian Program for various transportation projects.

(Fiscal Impact.)

Resolution No. 699-07

ADOPTED by the following vote:

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

071514 [Prevailing wages for workers on public works/improvement projects; janitorial services; public off-street parking lots, garages, or auto storage facilities; theatrical services; moving services; and hauling solid waste]

Resolution fixing prevailing wage rates for (1) workers performing work under City contracts for public work and improvement; (2) workers performing work under City contracts for janitorial services; (3) workers performing work in public off-street parking lots, garages, or storage facilities for automobiles on property owned or leased by the City; (4) workers engaged in theatrical or technical services for shows on property owned by the City; (5) workers performing moving services under City contracts at facilities owned or leased by the City; and (6) workers engaged in the hauling of solid waste generated by the City in the course of City operations, pursuant to a contract with the City. (Civil Service Commission)

Resolution No. 676-07

ADOPTED by the following vote:

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

071568 [Appropriating \$250,000 Unappropriated Port Operating Fund Balance for Fuel Spill Clean-up Activities in the Port of San Francisco for Fiscal Year 2007-2008]

Mayor

Ordinance appropriating \$250,000 of Unappropriated Fund Balance from the Port Operating Fund to fund fuel spill clean-up by commercial vessels under contract with the Port of San Francisco and under direction of the Cosco Busan Incident Command retroactive to November 10, 2007 in the Port of San Francisco Fiscal Year 2007-2008.

(Fiscal Impact.)

PASSED ON FIRST READING by the following vote:

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

071551 [Approving Agreement to Implement the Term Sheet between the San Francisco Public Utilities Commission and Modesto Irrigation District for a Long Term Power Sales Agreement pursuant to Charter Section 9.118(a) with a term through June 30, 2015]

Resolution approving Agreement to Implement the Term Sheet between the City and County of San Francisco, acting by and through its Public Utilities Commission, and the Modesto Irrigation District and authorizing the General Manager to implement the Term Sheet by incorporating the terms thereof into a new Long Term Power Sales Agreement and executing the same. (Public Utilities Commission)

Resolution No. 689-07

ADOPTED by the following vote:

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

From the Budget and Finance Committee Without Recommendation

- 070040 [Department of Elections contract for new voting system]**
Resolution approving the award and execution of a \$12.65 million four-year contract by the City and County of San Francisco, through its Department of Elections, to Sequoia Voting Systems, Inc., for the purchase of a new voting system and provision of associated voting services. (Elections Department)

(Fiscal impact.)

Resolution No. 654-07

ADOPTED by the following vote:

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

Recommendations of the City Operations and Neighborhood Services Committee

- 070134 [Golden Gate Park-Authorization to Construct Skate Park]**
Supervisors Mirkarimi, Alioto-Pier

Ordinance making environmental findings and authorizing the creation of a skate park in the block of Waller Street in Golden Gate Park, between Stanyan Street and Kezar Drive, pursuant to Charter Section 4.113.

PASSED ON FIRST READING by the following vote:

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

- 070508 [Banning alcohol in children's play areas]**
Supervisors Alioto-Pier, Chu

Ordinance amending Section 4.10 of the Park Code to ban consumption of alcohol in children's play areas.

PASSED ON FIRST READING by the following vote:

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

- 071089 [Warning on cough and cold medicine for infants and young children ordinance]**
Supervisors Alioto-Pier, Dufty

Ordinance amending the San Francisco Health Code by adding Article 36, Sections 3601 through 3609, to: (1) require businesses located in the City and County of San Francisco to post point-of-sale warnings on administering cough and cold medicine to infants and children younger than 6 years, and (2) provide penalties for violations.

Supervisor Alioto-Pier, seconded by Supervisor Maxwell, moved that this Ordinance be AMENDED. The motion carried by the following vote:

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

Supervisor Alioto-Pier, seconded by Supervisor Maxwell, moved that this Ordinance be PASSED ON FIRST READING AS AMENDED. The motion carried by the following vote:

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

071482 [Liquor License - 1870 Fillmore Street]

Resolution determining that the issuance of a Type 42 on-sale beer and wine public premises license to Kamran Shirazi for Lot61, located at 1870 Fillmore Street (District 5), will serve the convenience of the people of the City and County of San Francisco, in accordance with Section 23958.4; with conditions.

Resolution No. 678-07

ADOPTED by the following vote:

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

Recommendation of the Land Use and Economic Development Committee**071534 [Zoning - Interim Moratorium on institutional uses in the Western SoMa]
Supervisors Peskin, Ammiano, Daly, Maxwell, McGoldrick, Mirkarimi**

Urgency Ordinance approving an interim zoning moratorium to prohibit the establishment of new institutional uses in the Western SoMa Planning Area Special Use District for 45 days and making required findings, including findings of consistency with the priority policies of Planning Code Section 101.1 and environmental findings.

Ordinance No. 280-07

FINALLY PASSED by the following vote:

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

From the Land Use and Economic Development Committee Without Recommendation**071564 [Bayview Hunters Point Redevelopment Project Area C Interim Controls]
Supervisor Maxwell**

Resolution adopting interim zoning controls for a period of eighteen (18) months in the area designated as "Area C" in the Bayview Hunters Point Redevelopment Survey Area, an area generally bounded by Jennings Street, Hunters Point Boulevard, Innes Avenue, Earl Street and the San Francisco Bay to require a conditional use permit for all new construction, changes of use, alterations that expand the building envelop and demolitions, except for alterations of a lawfully existing use in the M-1, M-2 or NC-2 zones or the establishment of or a change of use on the ground floor of a principally permitted use in the NC-2 area; specifying criteria to be applied in the evaluation of a conditional use permit application, and adopting findings.

Resolution No. 697-07

ADOPTED by the following vote:

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

Recommendation of the Public Safety Committee

**071572 [Urging the United States Senate to immediately ratify Annex VI of the International Convention for the Prevention of Pollution from Ships]
Supervisor Sandoval**

Resolution urging the United States Senate to immediately ratify Annex VI of the International Convention for the Prevention of Pollution from Ships.

Resolution No. 701-07

ADOPTED by the following vote:

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

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

Privilege of the Floor

Supervisor Alioto-Pier, seconded by Supervisor Sandoval, moved to suspend Rule 4.37 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests. The motion carried by the following vote:

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

Supervisor Alioto-Pier introduced, welcomed and presented Certificates of Honor to individuals in recognition of their efforts in the coordination of the handling of the recent oil spill in the bay: Deputy Director Lisa Hoffman for Laura Phillips, Deputy Director Vicki Hennessy, Rob Dudgeon, Rob Stengal, Dave Sullivan, Glenn DeCastro, Chief Joanne Hayes-White, on behalf of the Fire Department, Tim Felton, Richard Berman and Andres Acevedo

Supervisor Sandoval introduced, welcomed and presented Certificates of Honor to members of the Latino transgender community.

COMMITTEE REPORTS

071593 [Agreement with King Security Services Inc. for Armed and Unarmed Security Guard Services] Supervisor Elsbernd

Resolution authorizing a three year agreement, with option to renew for up to an additional two years, with King Security Services, Inc. for an amount not to exceed \$17,100,000.

(Supervisor Daly dissented in Committee.)
(Fiscal Impact.)

Continued to January 8, 2008

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

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

ROLL CALL FOR INTRODUCTIONS

PUBLIC COMMENT

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

*Abdullah Megahed; expressed concern with issues relating to the homeless
James Chaffee; expressed concern with issues relating to the SF Public Library
Female speaker; expressed concern with Falun Gong persecution
Male speaker; expressed concern with Falun Gong persecution
Eugene Gordon Jr.; expressed concern with issues relating to the violations of human right conditions
Dr. Porter; expressed concern with issues relating to safety at Candlestick Point
Richard Mageary; expressed concern with issues relating to building designs and his patent in San Francisco
Silvia Johnson; expressed concern with issues relating to general issues
Carol Blair, Urban Forest Council; showed interest in the tree landmarking ordinance proposed amendments
Ann Garrison; expressed concern with issues relating the Blue Angels flying in San Francisco
Richard Mead; expressed concern with issues relating the Blue Angels flying in San Francisco
Richard Robinson; expressed concern with issues relating to cooking oil, biodiesel and recycling
Male speaker; expressed concern with issues relating to politicians and city elections
Darryl Jones; expressed concern with issues relating to police brutality
Jose Morales; expressed concern with issues relating to housing for seniors and support for senior housing
Male speaker; expressed concern with issues relating to a City contract for Central City Hospitality House*

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

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

**071628 [Funds to support the HIV Prevention among High-Risk Men in South Africa study]
Supervisor Dufty**

Resolution authorizing the San Francisco Department of Public Health (DPH), to accept and expend retroactively a grant in the amount of \$9,429.04 from the University of California, San Francisco (UCSF), to provide technical assistance for the HIV Prevention among High-Risk Men in South Africa (Gauteng MSM Study) to measure the prevalence of HIV risk behaviors and HIV infection in Soweto, South Africa, for the period of November 5, 2007 through April 30, 2008.

**Resolution No. 690-07
ADOPTED**

**071629 [Funds to support the Impact Evaluation in Malawi project]
Supervisor Dufty**

Resolution authorizing the San Francisco Department of Public Health (DPH), to accept and expend retroactively a grant in the amount of \$31,466 from the University of California, San Francisco (UCSF), the primary contractor, with funds from the World Health Organization, to provide technical assistance and consultation to create a resource manual documenting the triangulation methodology and will participate in the planning of a national Anti-Retroviral Therapy distribution evaluation, for the period of February 1, 2007 through May 31, 2007.

Resolution No. 691-07

ADOPTED

**071631 [Accept-Expend Corporate Grant - Department of the Environment]
Supervisor Chu**

Resolution authorizing the Department of the Environment to accept and expend grant funds in the amount of \$10,000 from the AAA Greenlight Initiative for the purpose of developing, producing and disseminating a brochure on clean air vehicles in English, Spanish and Chinese.

Resolution No. 695-07

ADOPTED

**071632 [Accept-Expend Two Gifts from the Fidelity Charitable Gift Fund]
Supervisor Elsbernd**

Resolution authorizing the San Francisco Public Library to accept and expend two gifts in the amount of \$20,000 and \$12,000 respectively from the Fidelity Charitable Gift Fund for the enhancement of the Library's public website.

Resolution No. 692-07

ADOPTED

**071642 [Commending the work of the US PROStitutes Collective to end violence and criminalization]
Supervisor Ammiano**

Resolution commending the US PROStitutes Collective for the protection of sex workers all over the nation and to end violence and criminalization through organizing.

Resolution No. 703-07

ADOPTED

**071644 [Drug Conviction/Financial Aid]
Supervisor Daly**

Resolution urging San Francisco Congressional representatives to overturn the provision of the Higher Education Act of 1998 that denies or delays access to financial aid for persons convicted for drug-related offenses.

Resolution No. 702-07

ADOPTED

- 071645 [Approving a 90 day extension for Planning Commission review for Conditional Use Authorization for new construction shading existing registered solar energy systems]
Supervisor Mirkarimi**

Resolution extending by 90 days the prescribed time within which the Planning Commission may render its decision on a proposed ordinance that would amend Section 303 to require a conditional use authorization for any new construction that would shade a registered solar energy system, as defined, and provide for the registration of existing and new solar energy systems, and making environmental findings, General Plan findings, and other required findings.

Resolution No. 698-07

ADOPTED

- 071646 [Declaration of Election Results]
Resolution declaring the results of the November 6, 2007 Municipal Election. (Clerk of the Board)**

Resolution No. 675-07

ADOPTED

- 071647 [Accept-Expend \$14,826 from the Friends of the San Francisco Public Library]
Supervisor Elsbernd**

Resolution authorizing the San Francisco Public Library to accept and expend a gift in the amount of \$14,826 from the Friends of the San Francisco Public Library's Main Campaign Fund for public service improvements at the Main Library.

Resolution No. 693-07

ADOPTED

- 071650 [Resolution in Support of the Pacheco Pass Alternative for the High-Speed Train System]
Supervisors Peskin, Elsbernd**

Resolution urging the California High Speed Rail Authority to adopt the Preferred Network Alternative, Pacheco Pass to San Francisco (via San Jose), for the Central Valley to Bay Area portion of the High-Speed Train system including pursuit of Regional Rail commuter service via the Altamont Pass between Sacramento/Northern San Joaquin Valley and Oakland/San Jose in partnership with local and regional agencies and transit providers.

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

Resolution No. 677-07

ADOPTED

- 071653 [Accept- Expend State Grant - Department of Telecommunications and Information Services]
Mayor**

Resolution authorizing the Department of Telecommunications and Information Services to accept and expend a grant in the amount of \$49,900.00 from the California Integrated Waste Management Board for the purpose of increasing the Re-Use of Computers and other Electronic equipment in the City and County of San Francisco.

Resolution No. 696-07

ADOPTED

The foregoing items were acted upon by the following vote:

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

Severed from the Without Reference to Committee Agenda

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

**071643 [Reinstating 19 union janitors at the new Federal building]
Supervisors Daly, Ammiano, Mirkarimi, Sandoval**

Resolution calling on Exemplar Enterprises to reinstate 19 union janitors at the new state of the art Federal building at 90 7th Street and urging Congresswoman and Speaker of the House of Representatives Nancy Pelosi to call upon the Government Services Agency and Exemplar Enterprises to work to reinstate the janitors at the new Federal building.

AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE by the following vote:

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

Resolution No. 700-07

ADOPTED AS AMENDED by the following vote:

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

**071641 [Condemning the Islamic Republic of Iran for its government-sanctioned policy of executing gay and lesbian Iranians]
Supervisors Ammiano, Dufty, Mirkarimi**

Resolution urging the Congressional Human Rights Caucus to support legislation condemning the Islamic Republic of Iran for its government-sanctioned policy of executing gay and lesbian Iranians and calling on Tehran to adopt a more tolerant culture between gay and lesbian Iranians and greater Iranian society.

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

Resolution No. 679-07

ADOPTED by the following vote:

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

IMPERATIVE AGENDA

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

[Purely Commendatory Finding]

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

Supervisor Alioto-Pier, seconded by Supervisor Sandoval, moved ADOPTION of the Purely Commendatory findings. The motion carried by the following vote:

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

[Brown Act Finding]

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

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

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

**071656 [Commending the Latino transgender community for their advocacy on behalf of the transgender and Latino communities]
Supervisor Sandoval**

Resolution commending the Latino transgender community for their advocacy on behalf of the transgender and Latino communities.

Resolution No. 694-07

ADOPTED by the following vote:

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

[Purely Commendatory Finding]

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

Supervisor Daly, seconded by Supervisor Elsbernd, moved ADOPTION of the Purely Commendatory findings. The motion carried by the following vote:

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

[Brown Act Finding]

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

Supervisor Daly, seconded by Supervisor Elsbernd, moved ADOPTION of the Brown Act findings. The motion carried by the following vote:

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

**071657 [Commending New Tang Dynasty Television]
Supervisor Daly**

Resolution commending New Tang Dynasty Television [NTDTV] for the outstanding achievement in hosting worldwide the most spectacular Performing Arts Celebration "Divine Chinese New Year Spectacular" in San Francisco on January 23, 2008 at the Orpheum Theater.

The proposed Imperative Resolution failed adoption by the following vote:

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

Noes: 1 - Chu

(NOTE: Imperative matters require a unanimous vote for adoption.)

OFF-AGENDA LEGISLATION

Introduced by Supervisors or Mayor

Ordinances

**071659 [Changes the name of the Film Commission and deletes the cap on the amount that an individual production can receive under the Rebate Program]
Supervisor Alioto-Pier**

Ordinance changing the name of the Film Commission to the "Film and Digital Cinema Commission," and repealing the provision that limits individual rebates under the Rebate Program to the amount of tax that the film production paid to the City.

Economic Impact

12/11/07, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 1/10/2008.

**071661 [Menu Labeling At Chain Restaurants]
Supervisors Ammiano, Dufty, Mirkarimi, McGoldrick, Maxwell**

Ordinance amending Sections 468 through 468.8 of the San Francisco Health Code to (1) require chain restaurants to provide, per standard menu item, the total number of calories on menu boards and food tags, and the total number of calories, saturated fat, carbohydrates and sodium on menus; and (2) revise existing requirements for providing nutritional information on alternative disclosure media.

12/11/07, ASSIGNED UNDER 30 DAY RULE to City Operations and Neighborhood Services Committee, expires on 1/10/2008.

**071662 [Prohibiting contractors from assisting in the enforcement of federal immigration law unless required by applicable laws]
Supervisor Daly**

Ordinance amending the San Francisco Administrative Code by amending Sections 12B.2 and 12C.3 to prohibit contractors of the City and County of San Francisco from assisting in the enforcement of federal immigration law, except where required by applicable laws, and to add "place of birth" to the list of protected categories, and by adding Section 12C.01 to change the title of Chapter 12C to "Nondiscrimination in Business Establishments and Public Accommodations."

12/11/07, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 1/10/2008.

**071669 [Planning -Haight Street Neighborhood Commercial District - Full-Service Restaurants]
Supervisor Mirkarimi**

Ordinance amending Planning Code Sections 719.1 and 781.9 concerning the Haight Street Neighborhood Commercial District to provide for up to four new full-service restaurant uses that satisfy specific requirements and obtain conditional use authorization, making environmental findings, and making findings of consistency with the General Plan and priority policies of Planning Code Section 101.1.

12/11/07, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 1/10/2008. 12/21/07 - Referred to Planning Commission and Planning Department for review, comment, and determination of environmental impact.

**071670 [Administrative fines for violation of City ordinances]
Supervisor Mirkarimi**

Ordinance amending the San Francisco Administrative Code by adding Chapter 100, entitled "Procedures Governing the Imposition of Administrative Fines" and encompassing Section 100.1 through 100.10, to establish a procedure for the assessment, review and appeal of administrative fines imposed for violation of City ordinances.

12/11/07, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 1/10/2008.

**071671 [De-appropriating \$50,000 Golden Gate Park Stables General Fund project and Re-appropriating \$50,000 for Golf Course Recreational Study at Recreation and Park for Fiscal Year 2007-2008]
Supervisor McGoldrick**

Ordinance de-appropriating \$50,000 of General Fund from the Golden Gate Park Stables Project and re-appropriating \$50,000 of General Fund for a Recreational Opportunity Study at San Francisco Golf Courses in the Department of Recreation and Park for Fiscal Year 2007-2008.

12/11/07, RECEIVED AND ASSIGNED to Budget and Finance Committee.

**071672 [Public Works Code - landmark trees]
Supervisor McGoldrick**

Ordinance amending Section 810 of the San Francisco Public Works Code to make clarifying changes, establish hearing notice provisions, and extend the term of temporary designation of nominated landmark trees; and making environmental findings.

12/11/07, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 1/10/2008. 12/21/07 - Referred to Planning Commission and Planning Department for review, comment, and determination of environmental impact.

**071674 [Zoning - Amend Superseded Height and Bulk Provisions in the North Beach NCD]
Supervisor Peskin**

Ordinance amending the San Francisco Planning Code by amending Section 722.10 and the Zoning Control Table in Section 722 to delete building height and bulk provisions superseded by Ordinance No. 20-88 and adopting findings, including environmental findings, Section 302 findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1.

12/11/07, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 1/10/2008. 12/21/07 - Referred to Planning Commission and Planning Department for review, comment, and determination of environmental impact.

**071677 [Affordable Energy Improvement Loan Program General Obligation Bond Election]
Mayor**

Ordinance calling and providing for a special election to be held in the City and County of San Francisco on Tuesday, June 3rd 2008, for the purpose of submitting to the voters of the City and County of San Francisco a proposition to restructure the City's previously approved Seismic Safety Loan Program to authorize the following bonded debt of the City and County: Fifty Million Dollars (\$50,000,000) for a loan program seeking to finance privately-owned renewable energy and energy efficiency projects, subject to loan repayments from the borrowers in amounts necessary to pay debt service on such bonded indebtedness; amending the previously approved Seismic Safety Loan Program bonding authority to reflect such reallocation; finding that the estimated cost of such proposed project is and will be too great to be paid out of the ordinary annual income and revenue of the City and County and will require expenditures greater than the amount allowed therefor by the annual tax levy; reciting the estimated cost of such proposed project; fixing the date of election and the manner of holding such election and the procedure for voting for or against the proposition; fixing the maximum rate of interest on such bonds and providing for the levy and collection of taxes to pay both principal and interest thereof; prescribing notice to be given of such election; finding that the proposed project is excluded from the California Environmental Quality Act; finding that the proposed project is in conformity with the priority policies of Planning Code Section 101.1(b) and with the General Plan consistency requirement of Administrative Code Section 2A.53; authorizing landlords to passthrough to residential tenants in units subject to Chapter 37 of the San Francisco Administrative Code (the "Residential Stabilization and Arbitration Ordinance") 50% of the increase in the real property taxes attributable to the cost of the repayment of the bonds; consolidating the special election with the general election on the same date; establishing the election precincts, voting places and officers for the election; waiving the word limitation on ballot propositions imposed by San Francisco Municipal Elections Code Section 510; complying with Section 53410 of the California Government Code; incorporating the provisions of Article V of Chapter V of the San Francisco Administrative Code; and waiving the time requirements specified in Section 2.34 of the San Francisco Administrative Code.

12/11/07, RECEIVED AND ASSIGNED to Budget and Finance Committee.

071679 [Solar Energy Incentive Program.]

Ordinance amending the Environment Code by adding Chapter 18 creating a Solar Energy Incentive Program; establishing limits on the incentive payments; providing eligibility criteria for the incentive payments; establishing limits on the amount of assistance available; allocating program funding among types of buildings; and imposing duties and responsibilities on the program administrator. (Assessor-Recorder)

Economic Impact

12/11/07, ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 1/10/2008.

Resolutions**071656 [Commending the Latino transgender community for their advocacy on behalf of the transgender and Latino communities]
Supervisor Sandoval**

Resolution commending the Latino transgender community for their advocacy on behalf of the transgender and Latino communities.

12/11/07, ADOPTED.

**071660 [Comprehensive Package to Support Film Production in San Francisco]
Supervisor Alioto-Pier**

Resolution directing City departments, and urging other public entities, to cooperate with the Film Commission to streamline film permitting procedures, to adopt a single Use Agreement and a single insurance policy for film productions, and to create consistent fee structures.

12/11/07, RECEIVED AND ASSIGNED to Rules Committee.

**071665 [Accept-Expend State Grant, Chief of Police - \$220,000]
Supervisor Elsbernd**

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 \$220,000 from the Governor's Office of Emergency Services for a program entitled "Anti-Gang Initiative/Project Search & Rescue".

12/11/07, RECEIVED AND ASSIGNED to Public Safety Committee.

**071666 [Accept-Expend Federal Grant, Chief of Police - \$754,618]
Supervisor Elsbernd**

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 \$754,618 from the U.S. Department of Justice, Bureau of Justice Assistance for a program entitled "Byrne 2007 Discretionary Grant Program; BJA-Targeting Violent Crime Initiative".

12/11/07, RECEIVED AND ASSIGNED to Public Safety Committee.

**071668 [Reauthorization of Food Security Task Force]
Supervisor Maxwell**

Ordinance amending the San Francisco Health Code by amending Sections 470.1 and 470.2, to extend the sunset provisions of the Food Security Task Force to January 31, 2009, and change the organizations from which members must be appointed.

12/11/07, RECEIVED AND ASSIGNED to Rules Committee.

**071675 [Adding the name "Dante Benedetti Lane" to Jasper Alley in North Beach]
Supervisor Peskin**

Resolution adding the name "Dante Benedetti Lane" to Jasper Alley in North Beach in recognition of Dante Benedetti's many contributions to the community of North Beach and the City of San Francisco.

12/11/07, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee. 12/21/07 - Referred to the Police Dept., Fire Dept, Parking and Traffic, and Public Works for review and comment.

**071676 [Grant to support the Shape Up BVHP program]
Supervisor Peskin**

Resolution authorizing the San Francisco Department of Public Health (DPH) to accept and expend retroactively a two-year grant from Kaiser Permanente in the amount of \$150,000 for the project entitled "Shape Up BVHP," for the period of October 1, 2007 through September 30, 2009, which includes a subcontract with the SF Study Center for \$130,610 for the same time period.

12/11/07, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

**071678 [Affordable Energy Improvement Loan Program General Obligation Bonds]
Mayor**

Resolution determining and declaring that the public interest and necessity demand the restructuring of the City's previously approved Seismic Safety Loan Program to allow for the establishment of a loan program financing privately-owned improvements to real property that will result in a reduction in the use of energy generated from nonrenewable sources; finding that the estimated cost of \$50,000,000 for such loan program is and will be too great to be paid out of the ordinary annual income and revenue of said City and County and will require the incurring of a bonded indebtedness; finding the proposed project is in conformity with the priority policies of Planning Code Section 101.1(b) and with the General Plan consistency requirement of Administrative Code Section 2A.53; stating that the ordinance submitting such proposal to the voters shall comply with Section 2.40 of the Administrative Code; and waiving the time limits set forth in Administrative Code Section 2.34.

12/11/07, RECEIVED AND ASSIGNED to Budget and Finance Committee.

**071680 [Urging the California State Assembly to pass Assembly Bill 23]
Supervisors Dufty, Ammiano, Peskin, Mirkarimi, Sandoval**

Resolution urging the California State Assembly to pass Assembly Bill 23.

12/11/07, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

- 071681 [Changing the name of a an approximately 200-ft long portion of Jessie Street bounded by 5th and Mint Streets and a 75-ft long portion of Mint Street to Mint Plaza]**
Supervisor Daly

Resolution changing the name of an approximately 200-foot-long portion of Jessie Street (from 400 to 426 Jessie Street), bounded by 5th Street and Mint Street and an approximately 75-foot portion of Mint Street (containing one address, 54 Mint Street) to Mint Plaza, in recognition of the newly constructed pedestrian plaza that now occupies those areas.

12/11/07, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

- 071682 [Approval of an additional 120-day extension for Planning Commission review in order to allow the Planning Department to meet the goals of this legislation through the Eastern Neighborhoods Rezoning]**
Supervisor Daly

Resolution extending by an additional 120 days the prescribed time within which the Planning Commission may render its decision on a proposed Ordinance that would amend the Planning Code by repealing Section 825.1 and amend Planning Code Sections 135, 309.1, 318.3, 809, 825 and 827 to apply many of the provisions of Rincon Hill Downtown Mixed Use Zoning District to all Downtown Residential Districts and to add design requirements to enhance the pedestrian environment.

12/11/07, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

- 071683 [Approval of a 90 day extension for Planning Commission review for Planning Code Amendment of C-3 Development Impact Fees]**
Supervisor Daly

Resolution extending by 90 days the prescribed time within which the Planning Commission may render its decision on a proposed ordinance that would require the City Controller to study the impacts of new development in the C-3 zoning districts, requiring the Board of Supervisors to amend City codes to establish new development impact fees and/or to change the amounts of existing fees for development in the C-3 zoning districts, depending on the results of the study, and making environmental findings, General Plan findings, and other required findings.

12/11/07, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Hearings

- 071658 [Mountain Lake]**
Supervisor Alioto-Pier

Hearing regarding the status of Mountain Lake. The hearing will explore the extent of the problem, including any hazards to Mountain Lake users. The hearing will also focus on potential solutions and timeliness for completion.

12/11/07, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

Charter Amendments

- 071663 [Charter Amendment - New hire qualifications for retiree health care; employer contributions to Health Service System for retiree health care for new hires; improving retirement benefits for City employees hired on or after January 10, 2009]
Mayor, Supervisor Elsbernd**

Charter amendment (First Draft) to add Sections A8.594 and A8.594-1 through A8.594-14 to provide retirement benefits for employees hired on and after January 10, 2009, who have never been members of the Retirement System before that date and to amend Sections A8.509, A8.584, A8.584-1, A8.587, and A8.587-1, to include certain rehired City employees as members of those plans; amend Section A8.428 to increase the years of service required for new employees to qualify for subsidized health benefits at retirement and to adjust the formula for calculating retiree health benefit subsidies for those new employees; amend Section 9.113.5 to pre-fund retiree health benefits for City employees; add Sections 12.204, A8.409-7, A8.432 and A8.590-8 and by amending Section A8.433 to fund retiree health benefits for the City and County of San Francisco and other participating employers.

12/11/07, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 1/10/2008.

- 071664 [Charter Amendment - Retired employees convicted of crimes involving moral turpitude in connection with their employment to forfeit any right to pension benefits funded from employer contributions]
Supervisor Elsbernd**

Charter amendment (First Draft) to amend Sections A8.584-9, A8.586-12, A8.587-9, A8.588-12, A8.597-12 and A8.598-12, and by adding Sections A8.584-13, A8.586-16, A8.587-14, A8.588-16, A8.597-16 and A8.598-16 to reaffirm the voters' intent that members convicted of a crime involving moral turpitude in connection with their duties as an officer or employee of the City and County, the school district, the college district, or the Superior Court of California, County of San Francisco, shall forfeit any right to a retirement benefit funded, in whole or in part, from contributions by the City and County, the school district, or the college district.

12/11/07, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 1/10/2008.

- 071667 [Charter Amendment - Dividing the power to nominate members of the Public Utilities Commission between the Mayor and the President of the Board of Supervisors, subject to confirmation by the Board]
Supervisors Maxwell, Dufty, Peskin, Mirkarimi, Ammiano**

Charter amendment (First Draft) to amend Section 4.112 to divide the power to nominate members of the Public Utilities Commission between the Mayor and the President of the Board of Supervisors, subject to confirmation of all nominations by the Board of Supervisors.

12/11/07, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 1/10/2008.

- 071673 [Charter Amendment - New hire qualifications for retiree health care; employer contributions to Health Service for retiree health care for new hires; improving benefits for retirees and City employees staying in service to age 60]
Supervisors Peskin, Mirkarimi, Sandoval, Ammiano**

Charter amendment (First Draft) to amend Sections A8.428, A8.509, A8.526, A8.526-1, A8.587-2, and A8.587-13 to: reduce employer contributions for retiree medical benefits for employees hired after June 30, 2008 and retiring from the City and County of San Francisco with less than 15 years of credited service; and, increase retirement benefits to eligible employees to encourage longer employment and retention.

12/11/07, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 1/10/2008.

PROPOSED ORDINANCES**071581 [Changing the official sidewalk width - Townsend Street]**

Ordinance amending Ordinance No. 1061 entitled "Regulating the Width of Sidewalks" by adding thereto Section 1576 to change the official sidewalk width on the northerly side of Townsend Street between 6th and 7th Streets; making environmental findings and findings pursuant to the General Plan and Planning Code Section 101.1 and requiring relocation, modification, or both of facilities affected by the sidewalk width change. (Public Works Department)

(DPW Order No. 177,191)

11/30/07, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

071612 [Settlement of Eminent Domain Lawsuit Against the City and County of San Francisco]

Ordinance authorizing settlement of the lawsuit filed by Pacific Gas & Electric ("PG&E") against the City and County of San Francisco for \$1,088,000.00; the lawsuit was filed on June 6, 2006 in San Francisco Superior Court, Case No. CGC-06-452985; entitled Pacific Gas & Electric Company v. City and County of San Francisco; other material terms of said settlement are set forth in the Stipulation for Entry of Judgment in Condemnation and the Judgment in Condemnation, contained in Board of Supervisors File No. 071612. (City Attorney)

11/27/07, RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED RESOLUTIONS**071579 [Approval of Modification No. 1 of Lease and Operating Agreement L-99-0321 with Cathay Pacific Airways, Ltd., at San Francisco International Airport]**

Resolution approving and authorizing the execution of Modification No. 1 of Lease and Operating Agreement L-99-0321 with Cathay Pacific Airways, Ltd., for office space in the International Terminal of San Francisco International Airport. (Airport Commission)

11/29/07, RECEIVED AND ASSIGNED to Budget and Finance Committee.

071580 [Approval of Lease Agreement L-07-0255 with Singapore Airlines Cargo Pte., Ltd. at San Francisco International Airport]

Resolution approving and authorizing the execution of Lease Agreement L-07-0255 with Singapore Airlines Cargo Pte., Ltd. for cargo warehouse and office space in Building 710 on Plot 12 of San Francisco International Airport. (Airport Commission)

11/29/07, RECEIVED AND ASSIGNED to Budget and Finance Committee.

Requests Granted

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 utility poles at the following locations:

- 1035 Haight Street*
- Northwest corner of Haight and Lyon*
- All four corners of Ashbury and Waller*
- 1425 Waller*
- 609 Stanyan*
- South side of Fulton between Cole and Ashbury*

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 private property locations:

- 1146 Oak*
- 1301 Haight or 97 Central*
- 1455 Haight*
- 1059 Haight*
- 1675 Haight*
- 909 Haight*

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting the Department of Public Works to report on the status or repairing sidewalks at the following locations:

Sidewalk

- 1500 Page*
- Traditions Elementary School - 2049 Grove St.*
- 545 Linden St.*

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 newsstands at the following locations:

Chronicle

- Southwest corner of Stanyan and Parnassus*
- Northwest corner of Haight and Stanyan*
- Southeast corner of Haight and Belvedere*
- Southeast corner of Haight and Masonic*

Examiner

- Northwest corner of Divisadero and Fulton*

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting the Department of Public Works to report on the status of cleaning debris from the tops of the drain at the intersection of Ashbury and Waller.

From Supervisor Mirkarimi

To: Director, Department of Parking and Traffic

Requesting/Inquiring: Requesting the Department of Parking and Traffic to report on the status of removing graffiti from the following locations:

Light Switch Boxes

- Southeast corner of Haight and Stanyan
 - Northwest corner of Fulton and Baker
- Phone Switch Boxes
- Northeast corner of Waller and Stanyan
 - North side of Parnassus between Belvedere and Cole
 - South side of the 1600 block of Fulton
 - Northwest corner of Scott and McAllister

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 a damaged residential parking sign at 1690 Page.

From: Supervisor Mirkarimi

To: Director, Department of Parking and Traffic

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

- Page between Divisadero and Broderick
- Page between Masonic and Stanyan (including black frames)
- Ashbury between Waller and Oak (including black frames)
- Clayton between Oak and Haight Street (including black frames)
- Haight between Stanyan and Shrader (stickers on signs)
- Lyon between Haight and Page
- Baker between Haight and Page
- Central between Waller and Buena Vista West
- Carl between Cole and Clayton
- Parnassus between Clayton and Shrader
- Ashbury between Frederick and Waller
- Clayton between Waller and Frederick
- Behula between Stanyan and Cole
- Scott between McAllister and Golden Gate
- Fulton between Laguna and Webster
- Stanyan between Carl and Haight

From: Supervisor Mirkarimi

To: Director, Department of Parking and Traffic

Requesting/Inquiring: Requesting the Department of Parking and Traffic to report on the status of removing graffiti from the following DPT/MTA property:

- "No Pedestrian Crossing" sign at the southeast corner of Fulton and Cole (Signs)
- Ashbury between Waller and Haight (Parking Meters)

From: Supervisor Mirkarimi

To: Director, Recreation and Park Department

Requesting/Inquiring: Requesting the Department of Parking and Traffic to report on the status of removing graffiti from Alamo Square Playground.

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 Haight and Buchanan
- Southeast corner of Pierce and McAllister
- Northeast corner of Scott and McAllister

Garbage Cans

- Northeast corner of Haight and Baker
- Southeast corner of Haight and Buena Vista East

In Memoriams

Dr. Merle Sande - Supervisor Dufty
John "Joby" Shinoff - Supervisor Dufty
Gary Truong - Supervisor Peskin
Marion Johnson - Supervisor Mirkarimi
Rebecca Marie Susan Ohlson - Supervisors Daly and Sandoval
Robert Feldman - Entire Board

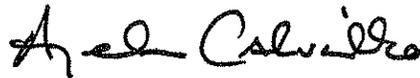
ADJOURNMENT

There being no further business the Board adjourned at the hour of 4:18 p.m.

Angela Calvillo, Clerk of the Board

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

Approved by the Board of Supervisors on January 8, 2008.



Angela Calvillo
Clerk of the Board