

Board of Supervisors

City and County of San Francisco

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



AGENDA

**Tuesday, September 25, 2007
2:00 PM**

Regular Meeting

**AARON PESKIN, PRESIDENT
MICHELA ALIOTO-PIER, TOM AMMIANO, CHRIS DALY,
BEVAN DUFTY, SEAN ELSBERND, ED JEW, SOPHIE MAXWELL,
JAKE MCGOLDRICK, ROSS MIRKARIMI, GERARDO SANDOVAL**

Angela Calvillo, Clerk of the Board

ROLL CALL AND PLEDGE OF ALLEGIANCE

AGENDA CHANGES

COMMUNICATIONS

Note: Each item on the Consent or Regular agenda may include the following documents:

- 1) Legislation*
- 2) Budget Analyst report*
- 3) Legislative Analyst report*
- 4) Department or Agency cover letter and/or report*
- 5) Public correspondence*

These items will be available for review at City Hall, Room 244, Reception Desk.

SPECIAL ORDER 2:00 P.M. - Mayor's Appearance Before The Board

(This item will be read at the third regularly scheduled Board meeting of every month)

The following is a time dedicated for the Mayor to discuss with the Board of Supervisors issues pertaining to the governance of the City and County of San Francisco. The Board of Supervisors offers this time for dialogue on the third regularly scheduled Board meeting of every month pursuant to the will of the voters as expressed in Proposition I in November of 2006.

Should the Mayor fail to appear after five minutes of the item being called, the Clerk shall remove the item from the Board's agenda, and the item shall not be considered by the Board. Should the Mayor appear and the Board therefore consider this item, general public comment for this item will take place during public comment.

CONSENT AGENDA

All matters listed hereunder constitute a Consent Agenda, are considered to be routine by the Board of Supervisors and will be acted upon by a single roll call vote of the Board. There will be no separate discussion of these items unless a member of the Board so requests, in which event the matter shall be removed from the Consent Agenda and considered as a separate item.

Items 1 through 19

Recommendations of the Budget and Finance Committee

Present: Supervisors Peskin, Ammiano, Dufty

- 1. 071085 [Appropriating \$5,647,000 for increased costs at San Francisco General and Laguna Honda Hospitals in the Department of Public Health retroactive to Fiscal Year 2006-2007] Mayor**

Ordinance appropriating \$5,647,000, including \$4,591,000 of Patient Revenue to support increased overtime, fringes and services of other departments at San Francisco General Hospital and \$1,056,000 of MediCal revenues at Laguna Honda hospital to support salary and fringes at Laguna Honda Hospital for the Department of Public Health retroactive to Fiscal Year 2006-2007.

(Fiscal Impact.)

9/18/2007, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?
- 2. 071165 [Setting San Francisco's fiscal year 2007-2008 property tax rate and establishing pass-through rate for residential tenants] Supervisor Peskin**

Ordinance providing revenue and levying property taxes for City and County purposes and establishing pass-through rate for residential tenants pursuant to Chapter 37 of the Administrative Code for the fiscal year ending June 30, 2008.

9/18/2007, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?
- 3. 071166 [Setting San Francisco Community College District's fiscal year 2007-2008 property tax rate to be included in the City's overall property tax rate] Supervisor Peskin**

Ordinance providing revenue and levying property taxes for San Francisco Community College District purposes for the fiscal year ending June 30, 2008.

9/18/2007, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?
- 4. 071167 [Setting San Francisco Unified School District's fiscal year 2007-2008 property tax rate to be included in the Supervisor Peskin**

City's overall property tax rate]

Ordinance providing revenue and levying property taxes for San Francisco Unified School District purposes for the fiscal year ending June 30, 2008.

9/18/2007, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

5. **071168** **[Setting San Francisco Bay Area Rapid Transit District's fiscal year 2007-2008 property tax rate to be included in the City's overall property tax rate]** **Supervisor Peskin**

Ordinance providing revenue and levying property taxes for San Francisco Bay Area Rapid Transit District purposes for the fiscal year ending June 30, 2008.

9/18/2007, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

6. **071193** **[Minimum Compensation Ordinance]** **Supervisors Ammiano, Peskin, McGoldrick**

Ordinance amending the San Francisco Administrative Code by adding Section 12P.5.1 to amend the Minimum Compensation Ordinance by imposing additional contract requirements on City contractors, including Airport property contractors.

9/18/2007, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendation of the City Operations and Neighborhood Services Committee

Present: Supervisors McGoldrick, Alioto-Pier, Jew

7. **071227** **[Accept-Expend Federal Grant - Department of Public Works]** **Supervisor Elsbernd**

Resolution authorizing the Department of Public Works to accept and expend a federal grant in the amount of \$482,040 from the California Department of Transportation to upgrade guardrails at Twin Peaks Boulevard; O'Shaughnessy Boulevard at Del Valle Avenue; Portola Drive north of Burnett Avenue and west of Burnett Avenue.

Question: Shall this Resolution be ADOPTED?

Recommendations of the Land Use and Economic Development Committee

Present: Supervisors Maxwell, Sandoval

8. **071005** **[No Parking Anytime - Establish]** **Supervisor Jew**

Resolution establishing NO PARKING ANYTIME on Lincoln Way, south side, from 45th Avenue to 40 feet westerly.

(No Economic Impact)

Question: Shall this Resolution be ADOPTED?

9. **071088** **[Parking Regulations]** **Supervisor McGoldrick**

Resolution enacting and rescinding parking regulations at various locations

PARKING METER AREA 3 (1-HOUR PARKING TIME LIMIT, 9 AM TO 6 PM,
MONDAY THROUGH SATURDAY) - RESCIND

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

Clement Street, on metered blocks and adjacent north-south metered streets, between Arguello Boulevard and 25th Avenue (changes existing one hour meters to two hour time limit)

Question: Shall this Resolution be ADOPTED?

Recommendations of the Rules Committee

Present: Supervisors Ammiano, Elsbernd

10. 071237 [Settlement of Lawsuit - Pacific Bell Telephone Company]

Ordinance authorizing settlement of the lawsuit filed by Pacific Bell Telephone Company against the City and County of San Francisco for \$94,000.00; the lawsuit was filed on October 25, 2006 in San Francisco County Superior Court, Case No. 457-327; entitled Pacific Bell Telephone Company v. City and County of San Francisco. (City Attorney)

Question: Shall this Ordinance be PASSED ON FIRST READING?

11. 071238 [Settlement of Lawsuit - Jane Martin, et al. (Order Sons of Italy) v. CCSF]

Ordinance authorizing settlement of the portion of the lawsuit filed by Order Sons of Italy in America Grand Lodge of the Golden West Corporation against the City and County of San Francisco for \$75,000; the lawsuit was filed on January 31, 2005 in San Francisco Superior Court, Case No. 436930; entitled Jane Martin, et al. v. City and County of San Francisco, et al. (City Attorney)

Question: Shall this Ordinance be PASSED ON FIRST READING?

12. 071246 [Settlement of Lawsuit - Theodore Tarver, Jr. (Kathryn Cox) v. CCSF]

Ordinance authorizing settlement of an award of attorney's fees to attorney Kathryn Cox for \$162,941 against the City and County of San Francisco; the underlying lawsuit was filed on July 19, 2002 in San Francisco Superior Court, Case No. 410499 entitled Theodore Tarver, Jr. v. City and County of San Francisco. (City Attorney)

Question: Shall this Ordinance be PASSED ON FIRST READING?

13. 071252 [Settlement of City's Lawsuit Against Aquila, Inc. and Aquila Merchant Services, Inc.]

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 \$1,500,000 from defendants Aquila, Inc. and Aquila Merchant Services, Inc. to the City and County of San Francisco and the other plaintiffs, which will be used to prosecute the cases against the remaining defendants. (City Attorney)

Question: Shall this Ordinance be PASSED ON FIRST READING?

14. 071253 [Settlement of City's Lawsuit Against Enserco Energy, Inc.]

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 \$750,000 from defendant Enserco Energy, Inc. to the City and County of San Francisco and the other plaintiffs, which will be used to prosecute the cases against the remaining defendants. (City Attorney)

Question: Shall this Ordinance be PASSED ON FIRST READING?

15. 071256 [Settlement of City Claim Against PG&E]

Ordinance approving the settlement of a claim asserted by the City and County of San Francisco against Pacific Gas & Electric Company in the bankruptcy proceeding entitled In Re Pacific Gas & Electric Company, United States Bankruptcy Court, Northern District of California, Case No. 01-30923-DM. (City Attorney)

Question: Shall this Ordinance be PASSED ON FIRST READING?

16. 071163 [Settlement of Unlitigated Claim - Wells Fargo]

Resolution approving the settlement of the unlitigated claim filed by Wells Fargo against San Francisco for \$43,678; claim was filed on May 23, 2007. (City Attorney)

Question: Shall this Resolution be ADOPTED?

17. 071271 [Appointment - Sweatfree Procurement Advisory Group]

Resolution appointing Christian Martinez, term ending December 17, 2007, to the Sweatfree Procurement Advisory Group.

Christian Martinez, succeeding Laura Juran, resigned, seat 4, must be a member of the public, for the unexpired portion of a two-year term ending December 17, 2007.

Question: Shall this Resolution be ADOPTED?

18. 071272 [Appointment - Urban Forestry Council]

Resolution appointing J. Malcolm Hillan, term ending April 5, 2009, to the Urban Forestry Council.

J. Malcolm Hillan, succeeding Larry Costello, term expired, seat 1, must be a representative of the University of California Cooperative Extension or a representative of another educational organization involved with tree management, for the unexpired portion of a two-year term ending April 5, 2009.

Question: Shall this Resolution be ADOPTED?

19. 071273 [Appointment - Child Care Planning and Advisory Council]

Resolution appointing Sheila Norman, term ending December 31, 2008, to the Child Care Planning and Advisory Council.

Sheila Norman, succeeding herself, term expired, seat 11, must be a nominee of District 11 Supervisor selected from: parent advisory councils of public and private child care programs; associations of child care centers, family day care providers and Head Start; public interest organizations including but not limited to the Child Care Law Center; community organizations; the Bay Area Employer Work and Family Coalition; and members of labor organizations and local organizations that fall within the definition of "Community representative," for the unexpired portion of a three-year term ending December 31, 2008.

Question: Shall this Resolution be ADOPTED?

Questions on the Consent Agenda are on final passage, first reading, or adoption, as indicated: _____

REGULAR AGENDA

UNFINISHED BUSINESS

From the Board

20. 070667 [Medical Cannabis Dispensary Permits] Supervisor Alioto-Pier

Ordinance amending Sections 3301, 3304, 3305, 3307, and 3308 of the San Francisco Health Code and Sections 209.3, 217, 790.141 and 890.133 of the San Francisco Planning Code to (a) require the Director of Public Health to certify that applicants for Medical Cannabis Dispensary permits have not been convicted of certain felony offenses, (b) require Dispensaries to provide security measures, including lighting and alarms, (c) establish minimum disability access standards; (d) extend the time period for Dispensaries to obtain a Medical Cannabis Dispensary permit to March 1, 2008; (e) authorize the sale and delivery of medical cannabis to qualified patients with a verifiable, written recommendation from a physician for medical cannabis; (f) clarify the definition of "medical cannabis dispensary; and (g) adopting General Plan, Planning Code Section 101.1(b) and environmental findings."

8/14/2007, CONTINUED AS AMENDED.

8/14/2007, CONTINUED AS AMENDED. Continued to September 11, 2007 with the Board Sitting as a Committee of the Whole

9/11/2007, AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.

9/11/2007, CONTINUED AS AMENDED. Continued to September 18, 2007

9/18/2007, PASSED ON FIRST READING AS AMENDED.

Question: Shall this Ordinance be FINALLY PASSED?

21. 071349 [Adopting findings related to the conditional use

appeal on property located at 4041 Geary Boulevard]

Motion adopting findings related to the appeal of the Planning Commission's approval of Conditional Use Application No. 2007.0286C, subject to certain conditions, to allow the establishment of a Formula Retail Use (dba Starbucks, retail coffee store), with approximately 750 square feet in floor area in a vacant commercial space located in a recently approved auto service and repair shop (dba "Service Center for San Francisco Toyota"), a one-story commercial building. The project site is located in an NC-3 (Moderate Scale) Neighborhood Commercial District and a 40-X Height and Bulk District on property located at 4041 Geary Boulevard, Lot 050 on Assessor's Block 1540.

9/20/2007, REFERRED to Board of Supervisors.

Question: Shall this Motion be APPROVED?

Recommendation of the Government Audit and Oversight Committee

Present: Supervisors Elsbernd, Alioto-Pier, Daly

22. 070680 [Administrative Penalties and Fees for Fare Evasion or Passenger Misconduct Offenses] Supervisor Peskin

Ordinance amending San Francisco Traffic Code Sections 127, 128, 128.1, 128.1-A, 128.2, and 128.3 to clarify the definition of "Proof of Payment" and impose administrative penalties and fees for certain types of fare evasion or passenger misconduct offenses instead of criminal penalties for offenders over the age of eighteen where authorized by state law, and authorizing the Municipal Transportation Agency's Board of Directors to set the specific penalty and fee amounts.

7/31/2007, PASSED ON FIRST READING.

8/7/2007, CONTINUED. Continued to September 11, 2007

9/11/2007, AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.

9/11/2007, PASSED ON FIRST READING AS AMENDED.

Question: Shall this Ordinance be FINALLY PASSED?

NEW BUSINESS

Recommendations of the Budget and Finance Committee

Present: Supervisors Peskin, Ammiano, Dufty

23. 070833 [2008 Finance Corporation Equipment Program] Mayor

Resolution approving the form of and authorizing execution and delivery by the City and County of San Francisco of an Equipment Lease Supplement No. 15 (Series 2008A Bonds) between the City and County of San Francisco Finance Corporation, as lessor, and the City and County of San Francisco, as lessee, with respect to the equipment to be used for city purposes, a related certificate of approval and a continuing disclosure certificate; approving the issuance of lease revenue bonds by said nonprofit corporation in an amount not to exceed \$13,500,000; approving the form of the official statement in preliminary and final form; providing for reimbursement to the City and County of San Francisco of certain city expenditures incurred prior to the issuance of lease revenue bonds; and providing for the execution of documents in connection therewith.

(Fiscal Impact.)

Question: Shall this Resolution be ADOPTED?

24. 071245 [Authorizing the Office of Contract Administration to amend its contract with En Pointe to exceed \$31 million and its contract with Xtech to exceed \$37 million]

Resolution authorizing the Office of Contract Administration to enter into the Sixth Amendment between the City and En Pointe (part of the Computer Store procurement vehicles), to increase the contract amount to \$35 million, and to enter into the Eighth Amendment between the City and Xtech (also part of the Computer Store procurement vehicle), to increase the contract amount to \$51 million. (Office of Contract Administration)

Question: Shall this Resolution be ADOPTED?

25. 071255 [Authorizing the Teeter Tax Losses Reserve Fund to be governed by Revenue and Taxation Code Section 4703 for fiscal year 2006-2007 and thereafter]

Resolution authorizing the Teeter Tax Losses Reserve Fund to be governed by Revenue and Taxation Code Section 4703 for fiscal year ending June 30, 2007 and thereafter. (Controller)

Question: Shall this Resolution be ADOPTED?

From the Budget and Finance Committee Without Recommendation

Present: Supervisors Peskin, Ammiano, Dufty

26. 071231 [Lease of Real Property at 1390 Market Street] **Mayor**
Resolution authorizing the lease of 6,029 square feet of space in the building located at 1390 Market Street for the Office of Labor Standards Enforcement.
(Fiscal Impact.)

Question: Shall this Resolution be ADOPTED?

Recommendation of the City Operations and Neighborhood Services Committee

Present: Supervisors McGoldrick, Alioto-Pier, Jew

27. 071162 [Liquor License - 690 Market Street]
Resolution determining that the of a Type 57 Special On-Sale General liquor license to Michael J. Brewer for RC Social Club of San Francisco, Inc. located at 690 Market Street (District 6) will serve the public convenience and necessity of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code; with conditions.

Question: Shall this Resolution be ADOPTED?

Recommendations of the Land Use and Economic Development Committee

Present: Supervisors Maxwell, Sandoval

28. 071149 [Planning Code-Amending Article 11 Designation of 225-227 Front Street]

Ordinance amending the designation of 225-227 Front Street (Assessor's Block 0237, Lot 005) from Category V (Unrated) to Category IV (Contributory) under Planning Code Article 11; and adopting General Plan, Planning Code Section 101.1(b) and environmental findings. (Planning Department)

Question: Shall this Ordinance be PASSED ON FIRST READING?

29. 071111 [Parking Regulations]

Resolution enacting parking regulations on Clementina Street.

RESIDENTIAL PERMIT PARKING AREA "Y" (2-HOUR TIME LIMIT, 9 AM TO 6 PM, EVERYDAY) - ESTABLISH

Clementina Street, both sides, between 1st and 2nd Streets (unit block, includes addresses on both sides for permits, but signs will only be installed on the south side); and, 246 Second Street (no signs will be installed on 2nd Street, but residents will be eligible for Area "Y" permits). (Parking and Traffic Department)

(6/28/07 - 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. 3375). (No Economic Impact)

Question: Shall this Resolution be ADOPTED?

Called From the Government Audit and Oversight Committee

30. 070931 [Seeking a permanent halt to the Blue Angels air show over San Francisco] Supervisors Daly, Mirkarimi, Sandoval, Ammiano

Resolution seeking a permanent halt to the annual Blue Angels air show over the City of San Francisco.

(No Economic Impact)
(Supervisor Daly dissented in Committee)

6/26/2007, REFERRED to Government Audit and Oversight Committee. Supervisor Elsbernd requested that this matter be referred to Committee.

9/18/2007, CALLED FROM COMMITTEE. Pursuant to Rule 5.31 Supervisors Daly, Mirkarimi, Sandoval and Ammiano called this measure from Government Audit and Oversight Committee.

Question: Shall this Resolution be ADOPTED?

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

SPECIAL ORDER 4:00 P.M.

APPEAL PROCEDURES

Board Rule 4.29 provides that public hearings on appeals shall be scheduled for 4pm. If more than one public hearing is scheduled, then the Clerk, in consultation with the President, may determine the order in which the appeals will be scheduled. Second and later appeals may be scheduled at specified times later than 4 pm. An appeal shall not be heard prior to its

scheduled time on the calendar, and it may not be called until the Board's consideration of appeals scheduled earlier on the calendar is completed. It is the policy of the Clerk of the Board to schedule multiple appeals in the following order at 4pm:

- 1. Appeals where all parties have agreed to request a continuance or a tabling of the appeal.*
- 2. Continued appeals from previous Board meetings (continued appeals will be listed in order of those closest to deadlines for Board decision).*
- 3. Appeals appearing on the calendar for the first time, in chronological order of receipt by the Clerk.*
- 4. Multiple appeals appearing on the calendar may be staggered at times specific, beginning at 4pm.*
- 5. Appeals involving participants who have ADA considerations may be set for specific times beginning at 4pm.*

31. 071037 [Appeal of Determination of Exemption from Environmental Review for project at Wawona Street and 15th Avenue (aka "445 Wawona Street")]

Hearing of persons interested in or objecting to the decision of the Planning Department dated June 12, 2007, Case No. 2006.0608E, exempting from environmental review under Categorical Exemption, Class 32 (State CEQA Guidelines Section 15332). The project would construct eight 3,760 square-foot, three-story, 3 bedroom, 35-foot high detached residential units with below-grade parking on eight vacant lots created out of a portion of the Ardenwood residential care facility property at 445 Wawona Street. The project site is located at the intersection of Wawona Street and 15th Avenue on the block bounded by 19th Avenue and Sloat Boulevard in the West Portal Neighborhood (Assessor's Block 2540, Lots 93-100). The project site was subdivided from the 532,738 square-foot (12.23-acre) Ardenwood property (Assessor's Block 2540, Lot 8) in 2006, creating nine new lots. No changes are proposed for the Ardenwood residential care facility. The project site is currently vacant open space with the exception of a greenhouse/storage structure, which would be demolished as part of the project. The project site is located within the RH-1(D) (One-Family, Detached Dwellings) zoning district and a 40-X height and bulk district. (Appellants: Matthew and Claudia Chamberlain and Susan Hewitt filed July 6, 2007)

(Filed July 6, 2007; companion measure to 071038, 071039, 071040; District 7.)

8/14/2007, CONTINUED. The President inquired as to whether any member of the public wished to address the Board members. Continued to September 25, 2007

Action:_____

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the categorical exemption from environmental review described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be approved.)

32. 071038 [Affirming the categorical exemption issued for 445 Wawona Street]

Motion affirming the determination by the Planning Department that the 445 Wawona Street project is categorically exempt from environmental review under the California

Environmental Quality Act. (Clerk of the Board)

8/14/2007, CONTINUED. Continued to September 25, 2007

Question: Shall this Motion be APPROVED?

33. 071039 [Disapproving the categorical exemption issued for 445 Wawona Street]

Motion disapproving the determination by the Planning Department that the 445 Wawona Street project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

8/14/2007, CONTINUED. Continued to September 25, 2007

Question: Shall this Motion be APPROVED?

34. 071040 [Preparation of findings related to the 445 Wawona Street project]

Motion directing the Clerk of the Board to prepare findings related to the appeal of the determination by the Planning Department that the project at 445 Wawona Street is exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

8/14/2007, CONTINUED. Continued to September 25, 2007

Question: Shall this Motion be APPROVED?

SPECIAL ORDER 4:00 P.M.

35. 071070 [Public Hearing - Appeal of Determination of Exemption from Environmental Review for 317 Cortland Avenue]

Hearing of persons interested in or objecting to the decision of the Planning Department dated June 21, 2007, Case No. 2006.0056E, exempting from environmental review under Categorical Exemption, Class 1 (State CEQA Guidelines Sections 15301(1)(4) and Categorical Exemption Class 3 (State CEQA Guidelines Sections 15303(b) and 15303(c). The project would demolish the existing two-car parking structure and construct a 35-foot-tall, 3,820-square foot, three-story mixed-use building with two dwelling units over approximately 1,590-square-feet of commercial space open to Cortland Avenue and with the 130-square foot walk-up access to the residential floors above. The two dwelling units would each be about 1,115 square feet. Each unit would have access to private usable open space on either a rear deck, balcony or a courtyard. The subject property (Assessor Block 5667, Lot 014) is within an NC-2 (Small Scale Neighborhood Commercial) Use District and a 40-X Height and Bulk District. (Appellants: Gordon Thrupp, Robin Mackey, Suzanne Landucci, Donna Roberts, Caroline Peel and Bloum Cardenas.)

(Filed July 18, 2007; companion measure to 071071, 071072, 071073; District 9.)

9/11/2007, CONTINUED. The President inquired as to whether any member of the public wished to address the Board members. Continued to September 25 , 2007

Action:_____

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in

court, the categorical exemption from environmental review described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be approved.)

- 36. 071071 [Affirming the categorical exemption issued for the 317 Cortland Street Project]**
Motion affirming the determination by the Planning Department that the 317 Cortland Street Project is categorically exempt from environmental review under the California Environmental Quality Act.
9/11/2007, CONTINUED. Continued to September 25, 2007
Question: Shall this Motion be APPROVED?
- 37. 071072 [Disapproving the categorical exemption issued for the 317 Cortland Street Project]**
Motion disapproving the determination by the Planning Department that the 317 Cortland Street Project is categorically exempt from environmental review under the California Environmental Quality Act.
9/11/2007, CONTINUED. Continued to September 25, 2007
Question: Shall this Motion be APPROVED?
- 38. 071073 [Preparation of findings related to the 317 Cortland Street Project]**
Motion directing the Clerk of the Board to prepare findings related to the appeal of the determination by the Planning Department that the project at 317 Cortland Street is exempt from environmental review under the California Environmental Quality Act.
9/11/2007, CONTINUED. Continued to September 25, 2007
Question: Shall this Motion be APPROVED?

39. ROLL CALL FOR INTRODUCTIONS

Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, letters of request to the City Attorney and Board Members' reports on their regional body activities.

40. 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.

APPROVAL OF REQUESTS TO THE LEGISLATIVE ANALYST

These items may be introduced by any Supervisor seeking analysis from the Office of the Legislative Analyst on introduced legislation and for the purpose of providing assistance to Board of Supervisors' task forces and advisory committees. Requests to the Legislative Analyst shall require the affirmative vote of a majority of the members of the Board.

41. 071348 [Legislative Analyst Request - School Districts and City and County governments] Supervisor Dufty

Motion requesting the Office of the Legislative Analyst to prepare a report on best practices by School Districts and City and County governments on maximizing the ability of children and their families to qualify for benefits, such as health care (Medi-Cal), food stamps and school nutrition programs, among others. The Legislative Analyst is requested to work with the Department of Human Services Office of Policy and Planning in the preparation of this report.

Question: Shall this Motion be APPROVED?

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.

Items 42 through 51

42. 071352 [Supporting Private Security Officers Week of Action] Supervisor Daly

Resolution supporting the private security officers and their union SEIU 24-7's week of action to win improved training for personal advancement, a living wage and full family health benefits on par with janitors and other workers in San Francisco's commercial real estate sector; and encouraging the City's wealthiest property owners and the security company contractors such as ABM and Securitas to end the double standard facing security officers who struggle to make ends meet based on the low wages and often unaffordable healthcare premiums.

9/18/2007, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE
AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

43. 071353 [Approval of a 45-day extension for Planning Commission review] Supervisor Daly

Resolution extending by 45 days the prescribed time within which the Planning Commission may render its decision on a proposed Ordinance that would amend Planning Code Sections 315.4 and the addition of 315.6A that would allow project sponsors the option of paying the inclusionary housing in-lieu fee to a qualifying nonprofit entity to acquire and rehabilitate units as permanently affordable rental housing if the number of resulting units will be 25% higher than the amount provided under the existing off-site alternative.

impounding]

Resolution urging the San Francisco Police Department to temporarily cease the impoundment of vehicles for lack of a California Driver's License, pending City Attorney review of current law.

9/18/2007, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

- 49. 071359 [SF Climate Challenge] Supervisor Alioto-Pier**
Resolution to support public participation in the SF Climate Challenge and to name October 25, 2007 SF Climate Challenge Day, with the goal of reducing energy use in City residences, thereby reducing the emission of greenhouse gases which cause global warming.

9/18/2007, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

- 50. 071314 [Final Map - 2917-2919 24th Street]**
Motion approving Final Map 4185, a 5 Unit Residential and 1 Unit Commercial Mixed-Use Condominium Project, located at 2917-2919 24th Street being a subdivision of Lot 015 in Assessors Block No. 4269 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1. (Public Works Department)
(DPW Order No. 177,127; District 9.)

9/14/2007, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

- 51. 071315 [Final Map 4078 - 1158 Sutter Street]**
Motion approving Final Map 4078, a 15 Unit Mixed-Use Condominium Project, located at 1158 Sutter Street being a subdivision of Lot 010 in Assessors Block No. 0669 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1, (Public Works Department)
(DPW Order No. 177,091; District 3)

9/14/2007, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

Questions on the For Adoption Without Committee Reference Agenda: _____

52. 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).

[Serious Injury Finding]

Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

[Purely Commendatory Finding]

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

[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.

OFF-AGENDA LEGISLATION

PROPOSED ORDINANCES

Proposed ordinances received from September 11, 2007 through September 17, 2007, for reference by President to appropriate committee on September 25, 2007.

071326 [Public Employment - Department of Public Health]

Ordinance amending Ordinance No. 175-07 (Annual Salary Ordinance FY 2007-2008) reflecting the addition of 34.95 positions in the Department of Public Health pursuant to Ordinance 162-07 (Memorandum of Understanding between the City and County of San Francisco and the Service Employees International Union Local 790 Staff and Per Diem Nurses) and Ordinance 164-07 (Memorandum of Understanding between the City and County of San Francisco and the Freight Checkers, Clerical Employees and Helpers Local 856 Supervising Registered Nurses Unit 11.B) using funding from the Salaries and Benefits Reserve as appropriated in Ordinance 174-07 (Consolidated Budget and Annual Appropriation Ordinance for Fiscal Year Ending June 30, 2008). (Human Resources Department)

9/11/2007, RECEIVED AND ASSIGNED to Budget and Finance Committee.

071329 [Amending and Repealing Cash Revolving Funds and Cash Revolving Accounts]

Ordinance amending and repealing various sections of Article XV, Part I of the San Francisco Municipal Code (Administrative Code), which established cash revolving funds and cash revolving accounts for the City and County of San Francisco departments. (Controller)

9/17/2007, RECEIVED AND ASSIGNED to Budget and Finance Committee.

PROPOSED RESOLUTIONS

Proposed resolutions received from September 11, 2007 through September 17, 2007, for reference by President to appropriate committee on September 25, 2007.

071323 [STOP Intersections]

Resolution designating certain intersections as "STOP" intersections.

STOP SIGNS - ESTABLISH

20th Avenue and Moraga Street, stopping 20th Avenue, making this intersection an All-Way STOP;

Pacheco Street at 41st Avenue, stopping the stem of this currently uncontrolled T-intersection;

Both ends of Dormitory Road at Northridge Road/Jerrold Avenue and at Kiska Road/Kirkwood Avenue, stopping the stem of these currently uncontrolled T-intersections. (Parking and Traffic Department)

(9/7/07 - 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. 3407.)

9/11/2007, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

071324 [Traffic Regulations]

Resolution enacting and rescinding traffic regulations on various streets.

NO LEFT TURN, 7 AM TO 7 PM, EVERYDAY EXCEPT BUSES AND TAXIS - ESTABLISH

5th Street, southbound, at Mission Street.

(9/7/07 - 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. 3407.)

9/11/2007, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

071325 [Parking Regulations]

Resolution enacting and rescinding parking regulations at various locations.

RESIDENTIAL PERMIT PARKING AREA "X" (2-HOUR TIME LIMIT, 8 AM - 6 PM, MONDAY THROUGH FRIDAY) - ESTABLISH

1550 - 1562 22nd Street (includes these addresses to be eligible for Area "X" permits, but no signs will be posted on the street).

RESIDENTIAL PERMIT PARKING AREA "R" (2-HOUR TIME LIMIT, 9 AM - 6 PM, MONDAY THROUGH SATURDAY) - ESTABLISH

Ivy Street, both sides, between Buchanan and Webster Streets (signs will only be posted on the north side because of NPAT on the south side), and;
Webster Street, east side, between Ivy and Grove Streets.

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

Laurel Street, east side, between California Street and Mayfair Drive.

NO PARKING ANYTIME - RESCIND

Linden Street, north side, from 82 feet to 101 feet west of Gough Street.

COMPACT VEHICLES ONLY - ESTABLISH

Linden Street, north side, from 82 feet to 101 feet west of Gough Street.

TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH

Linden Street, south side, from 40 feet to 136 feet west of Gough Street.

TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH

Geary Boulevard, south side, Masonic Avenue frontage road to 70 feet westerly (removes parking meter #2703).

TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH

Page Street, south side, from Laguna Street to 20 feet easterly; and,
Laguna Street, east side, from Page Street to 21 feet southerly.

2-HOUR PARKING TIME LIMIT, 9 AM TO 6 PM, MONDAY THROUGH SATURDAY - RESCIND

Gough Street, east side, from Geary Boulevard to Ellis Street.

1-HOUR PARKING TIME LIMIT, 7 AM TO 6 PM, MONDAY THROUGH SATURDAY - RESCIND

Gough Street, west side, from Eddy Street to Golden Gate Avenue.

TOW-AWAY, NO PARKING, 1 AM TO 6 AM, DAILY - ESTABLISH

Clementina Street, south side, from Gallagher Lane to 5th Street,

TOW-AWAY, NO PARKING, MIDNIGHT TO 6 AM, DAILY ESTABLISH

Gallagher Lane, west side, from 20 feet north of Clementina Street to Tehama Street; and,
Gallagher Lane, east side, from Clementina Street to 20 feet south of Tehama Street.

4-HOUR PARKING TIME LIMIT, 7 AM - 6 PM, EXCEPT SATURDAY AND SUNDAY - ESTABLISH

San Bruno Avenue, east side, between 15th and Alameda Streets; and,
15th Street, both sides, between San Bruno and Vermont Streets. (Parking and Traffic Department)

(9/7/07 - 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. 3407.)

9/11/2007, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

071327 [Extending to September 30, 2008 the Cooperative Agreement between the Treasure Island Development Authority and the U.S. Navy through which the Authority provides caretaker services at

Resolution approving and authorizing the Treasure Island Development Authority to enter into a modification to the Cooperative Agreement with the Navy to extend the Cooperative

Agreement from October 1, 2007 to September 30, 2008. (Treasure Island Development Authority)

9/12/2007, RECEIVED AND ASSIGNED to Budget and Finance Committee.

071361 [Approval of Exercise of Renewal Option of Lease of Real Property at One Market Plaza]

Resolution approving the exercise of a Six Month Renewal Option of a lease of 20,677 square feet of office, storage and datacenter space at One Market Plaza for the Department of Telecommunications and Information Services (DTIS). (Real Estate Department)

9/17/2007, RECEIVED AND ASSIGNED to Budget and Finance Committee.

071362 [Petitions and Communications]

Petitions and Communications received from September 11, 2007 through September 17, 2007 for reference by the President to September 25, 2007

- 1) From Jim Tatarazuk regarding the Transbay Terminal
- 2) From Peter Warfield regarding the Sunshine Ordinance Task Force (4 letters received)
- 3) From Kimo Crossman concerning the Federal Rules of Civil Procedure
- 4) From Francisco Da Costa concerning Dust Mitigation at Parcel A
- 5) From Alex Austin agreeing to a continuance of an appeal concerning 1166 Haight (file#070967)
- 6) From various citizens opposing the establishment of a Starbucks at 4th and Geary (21 letters received) (file #070131)
- 7) From the US Department of Transportation regarding Freedom of Information Act Request, Control # 2004-009884WP Reference No 20040203-008.
- 8) From Department of Telecommunications & Information Services regarding Shot Spotter funding
- 9) From Park Merced Residents Organization regarding SFSU Master Plan Draft EIR
- 10) From Mike Gilbrade regarding Sharp Park Golf Course
- 11) From various citizens regarding the Blue Angels (4 letter received) (file #071232)
- 12) From Cassady Foster concerning CitiAppartments
- 13) From Howard Cabner regarding the California Pacific Medical Center Neurosciences Institute at the Davies Campus
- 14) From Francisco Da Costa concerning Nancy Pelosi's visit to Evan Street Clinic
- 15) From Francisco Da Costa regarding Mayor Newsom
- 16) From Dr. Ahimsa Porter Sumchai regarding access to a health center

- 17) From Lee Mentley concerning the Bush Administration
- 18) From Francisco Da Costa regarding Susan Leal
- 19) From Jonathan Romano regarding the Kaiser Permanente Thrive Model
- 20) From Parviz Karim-Pahahi regarding various legal proceedings
- 21) From the San Francisco Public Utilities Commission in response to Supervisor Alioto-Pier's request, reference #20070710-002
- 22) From Patrick Monette-Shaw concerning Mayor Newsom
- 23) From Francisco Da Costa regarding festivities at the Bayview Opera House
- 24) From the San Francisco Office of the Controller submitting Fiscal Year 2007-2008 departmental budget certifications
- 25) From the San Francisco Department of Human Resources regarding Human Rights Commission Waiver Request Forms
- 26) From the Southeast Community Facility Commission regarding Chapter 12Y of the Administrative Code, the "Slavery Disclosure Ordinance."
- 27) From Eula Walters concerning the Korean Monument
- 28) From The American Legion Alexander Hamilton Post 448 concerning building conditions
- 29) From Kim Malcheski concerning the CEQA filed for 700 Valencia St. (file #071248)
- 30) From Jennifer Gordon regarding the Williams turbines
- 31) From Ahimsa Porter Sunchai concerning the Disaster Council
- 32) From Carl Glovier regarding several issues
- 33) From the San Francisco Office of the Treasurer concerning various investment portfolios
- 34) From Department of Public Works, regarding Board of Supervisors Inquiry #20070807-005.
- 35) From Department of Public Works, regarding Board of Supervisors Inquiry #20070807-002.
- 36) From Department of Public Works, regarding Board of Supervisors Inquiry #20070807-007.
- 37) From Department of Public Works, regarding Board of Supervisors Inquiry #20070807-006.
- 38) From Department of Public Works, regarding Board of Supervisors Inquiry #20070814-004.

- 39) From Department of Public Works, regarding Board of Supervisors Inquiry #20070814-005.
- 40) From Department of Public Works, regarding Board of Supervisors Inquiry #20070814-003.
- 41) From Scott Oswald regarding the Mayor's Office of Neighborhood Services
- 42) From the Office of Legislative Analyst, submitting the Office of Legislative Analyst report Elected Officials' Code of Conduct Report (OLA No. 030-07)
- 43) From Clerk of the Board, submitting Form 700 Statement of Economic Interests from: Jonathan Lau
- 44) The California State Board of Equalization submitting notice of Summons to a State Board of Equalization Meeting
- 45) From the Mario Lombardo concerning US Marine recruiting film on the Golden Gate Bridge
- 46) From the San Francisco Police Department regarding police services in the Marina and Cow Hollow
- 47) From the San Francisco Office of the Controller submitting notice of authorization for the San Francisco Finance Corporation to Issue Lease Revenue Bonds, Series 2008A
- 48) From Round the Diamond submitting notice of a Special Meeting

ADJOURNMENT

Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices, (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4) standing in the Legislative Chamber.

Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

USING LAPTOP COMPUTERS FOR PRESENTATIONS: Please contact City Hall Media Services at (415) 554-4933 to coordinate the use of laptop computers for presentations at the meeting. Computers to be used are required to be tested in advance. The presenter should arrive 30 minutes prior to the meeting to connect and test their computer.

THE AGENDA PACKET IS AVAILABLE AT CITY HALL, ROOM 244, RECEPTION DESK. Agendas are available on the internet at www.sfgov.org/site/bdsupvrs_index.asp?id=4383 For information, call (415) 554-5184.

Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 554-4188.

Results of each Board meeting can be obtained about a half hour after the end of the meeting by telephoning (415) 554-5555.

Requests for language interpreters at a meeting must be received at least 48 hours in advance of the meeting to help ensure availability. Contact Madeleine Licavoli at (415) 554-7722.

AVISO EN ESPAÑOL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia de el viernes

anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.



Disability access

The Legislative Chamber and the Committee Room in City Hall are wheelchair accessible.

Meetings are real-time captioned and are cablecast open-captioned on SF Cable 26. Assistive listening devices for the Legislative Chamber are available upon request at the Clerk of the Board's Office, Room 244. Assistive listening devices for the Committee Room are available upon request at the Clerk of the Board's Office, Room 244 or in the Committee Room. To request sign language interpreters, readers, large print agendas or other accommodations, please contact Madeleine Licavoli at (415) 554-7722 or (415) 554-5227 (TTY). Requests made at least 48 hours in advance of the meeting will help to ensure availability.

The nearest accessible BART station is Civic Center (Market/Grove/Hyde Streets). Accessible MUNI Metro lines are the J, K, L, M, N and T (Civic Center or Van Ness Stations). MUNI bus lines serving the area are the 47 Van Ness, 9 San Bruno, and the 6, 7, 71 Haight/Noriega. For more information about MUNI accessible services, call (415) 923-6142.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex. Accessible curbside parking is available on Dr. Carlton B. Goodlett Place and Grove Street. In order to assist the City's efforts to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to perfumes and various other chemical-based scented products. Please help the City to accommodate these individuals.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Frank Darby by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at sof@sfgov.org

Citizens may obtain a free copy of the Sunshine Ordinance by contacting Mr. Darby or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at <http://www.sfgov.org/sunshine>

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site www.sfgov.org/ethics