

**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, August 14, 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

APPROVAL OF MEETING MINUTES

Motion to approve Board Meeting Minutes for July 17, 2007 and July 24, 2007.

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. 071057 [Accept-Expend Regional Grant - Airport Commission] Mayor**

Resolution authorizing the Airport Commission to accept and expend a grant of \$609,711 from the Bay Area Air Quality Management District (Air District), and a matching grant of \$500,000 from the California Department of Transportation for the retrofit of diesel buses by Airport transportation operators.

Question: Shall this Resolution be ADOPTED?
- 2. 071063 [Authorizing the Committee on Information Technology to amend its contract with Central Computer Systems by more than \$500,000]**

Resolution authorizing the Office of Contract Administration to enter into the Fifth Amendment to the Agreement between the City and Central Computer Systems (part of the Computer Store procurement vehicle), in which the amendment shall increase the contract's not-to-exceed amount by more than \$500,000. (Office of Contract Administration)

(Fiscal Impact.)

Question: Shall this Resolution be ADOPTED?
- 3. 071077 [Lease of Real Property at 400 McAllister Street]**

Resolution authorizing the lease of 1,118 square feet of space to the Nasra Family Partnership, in the Courthouse located at 400 McAllister Street on behalf of the Superior Court. (Real Estate Department)

Question: Shall this Resolution be ADOPTED?
- 4. 071078 [Fire Department Eligibility Renewal Application for State and Federal Surplus Personal Property Program]**

Resolution authorizing the San Francisco Fire Department to apply to renew its eligibility for the State and Federal Surplus Personal Property Program. (Fire Department)

Question: Shall this Resolution be ADOPTED?

5. **071086** **[Multifamily Housing Revenue Bonds - Mason Street Apartments]** **Mayor**
- Resolution authorizing the issuance and delivery of multifamily housing revenue bonds (as defined herein) in an aggregate principal amount not to exceed \$28,000,000 for the purpose of providing financing for a multifamily rental housing project to be known as Mason Street Apartments; approving the form of and authorizing the execution of an indenture providing the terms and conditions of the bonds; approving the form of and authorizing the execution of a regulatory agreement and declaration of restrictive covenants; approving the form of and authorizing the execution of a loan agreement; ratifying and approving any action heretofore taken in connection with the bonds and the project; granting general authority to city officials to take actions necessary to implement this resolution; and related matters.

Question: Shall this Resolution be ADOPTED?

Present: Supervisors Ammiano, Dufty

6. **071155** **[Approval of one-year extension of professional services contract for the San Francisco Treasurer/Tax Collector for interactive voice response ("IVR") payment services for various City]**
- Resolution approving one-year extension of professional services contract for the San Francisco Treasurer/Tax Collector for services to process credit card payment applications on interactive voice response ("IVR") systems for various City and County departments. (Treasurer-Tax Collector)

Question: Shall this Resolution be ADOPTED?

Recommendations of the Government Audit and Oversight Committee

Present: Supervisors Elsbernd, Alioto-Pier, Daly

7. **070997** **[MOU, San Francisco Fire Fighters Union, Local 798, IAFF, AFL-CIO (Unit 1)]** **Mayor**
- Ordinance adopting and implementing the Memorandum of Understanding between the City and County of San Francisco and the San Francisco Fire Fighters Union, Local 798, IAFF, AFL-CIO (Unit 1), to be effective July 1, 2007 through June 30, 2011.
- (Fiscal Impact)
(No Economic Impact)

8/7/2007, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

8. **070998** **[MOU, San Francisco Fire Fighters Union, Local 798, IAFF, AFL-CIO (Unit 2)]** **Mayor**
- Ordinance adopting and implementing the Memorandum of Understanding between the City and County of San Francisco and the San Francisco Fire Fighters Union, Local 798, IAFF, AFL-CIO (Unit 2), to be effective July 1, 2007 through June 30, 2011.
- (Fiscal Impact)
(No Economic Impact)

8/7/2007, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the Rules Committee

Present: Supervisors Ammiano, Elsbernd, Peskin

9. 070976 [Settlement of Lawsuit - Edwin Macon, Sr.]

Ordinance authorizing settlement of the lawsuit filed by Edwin Macon, Sr. against the City and County of San Francisco for \$225,000; the lawsuit was filed on August 14, 2006 in United States District Court, Northern District of California, Case No. C06-4904 SI; entitled Edwin Macon, Sr., et al., v. City and County of San Francisco, et al. (City Attorney)

(No Economic Impact)

8/7/2007, PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

10. 070977 [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 \$52,500.00; the lawsuit was filed on March 16, 2006 in San Francisco County Superior Court, Case No. 450-385; entitled Pacific Bell Telephone Company v. City and County of San Francisco, et al; there are no other material terms of said settlement. (City Attorney)

(No Economic Impact)

8/7/2007, PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

11. 070978 [Settlement of Lawsuit - Nawal Rizkallah]

Ordinance authorizing settlement of the lawsuit filed by Nawal Rizkallah against the City and County of San Francisco for \$100,000; the lawsuit was filed on April 3, 2006 in San Mateo Superior Court, Case No. 453874; entitled Nawal Rizkallah v. City and County of San Francisco, et al. (City Attorney)

(No Economic Impact)

8/7/2007, PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

12. 070979 [Settlement of Lawsuit - Ophelia Alvarez]

Ordinance authorizing settlement of the lawsuit filed by Ophelia Alvarez against the City and County of San Francisco for \$117,500; the lawsuit was filed on November 7, 2005 in San Francisco Superior Court, Case No. 446448; entitled Alvarez, et al., v. City and County of San Francisco, et al. (City Attorney)

(No Economic Impact)

8/7/2007, PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

13. 070993 [Settlement of Lawsuit - Francisco Moreno, et al.]

Ordinance authorizing settlement of the lawsuit filed by Francisco Moreno, Maria Govea, Mauricio Moreno and Nancy Moreno against the City and County of San Francisco for \$112,000; the lawsuit was filed on November 18, 2005 in United States District Court, Case No. C05-4752; entitled Francisco Moreno, et al. v. City and County of San Francisco, et al. (City Attorney)

8/7/2007, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

14. 070994 [Settlement of Lawsuit - Dave Alba et al.]

Ordinance authorizing the settlement of a lawsuit filed by Dave Alba et al., acting for themselves and others similarly situated, against the City and County of San Francisco for \$625,000.00; the lawsuit was filed on April 22, 2005, in the United States District Court for the Northern District, Case No. C05-01667, entitled Dave Alba, et al., v. City and County of San Francisco. (City Attorney)

8/7/2007, PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

15. 071062 [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 \$818,000, plus interest through the date of entry of judgment; the lawsuit was filed on September 12, 2005 in San Mateo Superior Court, Case No. CGC-05-449522; entitled Pacific Gas and Electric Company v. City and County of San Francisco, et al.; other material terms of said settlement are set forth in the Stipulation For Entry Of Judgment In Condemnation (and exhibits thereto), contained in Board of Supervisors File No. 071062. (City Attorney)

8/7/2007, PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

16. 071042 [Appointment - Immigrant Rights Commission]

Resolution appointing Christopher Punongbayan, Angus McCarthy, Felix Fuentes, Falguni Sheth, and Toye Moses, terms ending June 6, 2009, to the Immigrant Rights Commission.

Christopher Punongbayan, succeeding Deborah Escobedo, term expired, seat 4, must have a demonstrated knowledge of and interest in the health, human service, educational, or employment issues that affect immigrants residing in San Francisco, for the unexpired portion of a two-year term ending June 6, 2009.

Angus McCarthy, succeeding himself, term expired, seat 7, must be an immigrant to the United States who is appointed in accordance with Section 4.101 of the Charter. In addition, members shall have a demonstrated knowledge of and interest in the health, human service, educational, or employment issues that affect immigrants residing in San Francisco, for the unexpired portion of a two-year term ending June 6, 2009.

Felix Fuentes, succeeding Samira McCoy, term expired, seat 8, must be an immigrant to the United States who is appointed in accordance with Section 4.101 of the Charter. In addition, members shall have a demonstrated knowledge of and interest in the health, human service, educational, or employment issues that affect immigrants residing in San Francisco, for the unexpired portion of a two-year term ending June 6, 2009.

Falguni Sheth, succeeding Phu Nguyen, term expired, seat 10, must be an immigrant to the United States who is appointed in accordance with Section 4.101 of the Charter. In addition, members shall have a demonstrated knowledge of and interest in the health, human service, educational, or employment issues that affect immigrants residing in San Francisco, for the unexpired portion of a two-year term ending June 6, 2009.

Toye Moses, succeeding himself, term expired, seat 11, must be an immigrant to the United States who is appointed in accordance with Section 4.101 of the Charter. In addition, members shall have a demonstrated knowledge of and interest in the health, human service, educational, or employment issues that affect immigrants residing in San Francisco, for the unexpired portion of a two-year term ending June 6, 2009.

Question: Shall this Resolution be ADOPTED?

17. 071103 [Appointment - Commission on the Aging Advisory Council]

Resolution appointing Lila McCarthy, term ending March 31, 2008, to the Commission on the Aging Advisory Council.

Lila McCarthy, succeeding Robert Lipman, term expired, seat 1, must be a nominee of District 2 Supervisor, for the unexpired portion of a two-year term ending March 31, 2008.

Question: Shall this Resolution be ADOPTED?

18. 071105 [Appointment - Assessment Appeals Board No. 2]

Resolution appointing Margaret Ruxton, Mervin Conlan, and Richard Lee, terms ending September 6, 2010, to Assessment Appeals Board No. 2.

Margaret Ruxton, succeeding herself, term expiring September 3, 2007, seat 2, must meet the eligibility criteria set forth in Section 1624.05 of the California Revenue and Taxation Code: Must have a minimum of five years professional experience in the State of California as one of the following: Certified Public Accountant (CPA) or Public Accountant (PA); licensed Real Estate Broker; Attorney; or a Property Appraiser accredited by a nationally recognized professional organization, or Property Appraiser certified by the Office of Real Estate Appraiser; or he or she is a current member of an assessment appeals board, for a new three-year term ending September 6, 2010.

Mervin Conlan, succeeding himself, term expiring September 3, 2007, seat 3, must meet the eligibility criteria set forth in Section 1624.05 of the California Revenue and Taxation Code: Must have a minimum of five years professional experience in the State of California as one of the following: Certified Public Accountant (CPA) or Public Accountant (PA); licensed Real Estate Broker; Attorney; or a Property Appraiser accredited by a nationally recognized professional organization, or Property Appraiser certified by the Office of Real Estate Appraiser; or he or she is a current member of an assessment appeals board, for a new three-year term ending September 6, 2010.

Richard Lee, succeeding himself, term expiring September 3, 2007, seat 4, must meet the eligibility criteria set forth in Section 1624.05 of the California Revenue and Taxation Code: Must have a minimum of five years professional experience in the State of California as one of the following: Certified Public Accountant (CPA) or Public Accountant (PA); licensed Real Estate Broker; Attorney; or a Property Appraiser accredited by a nationally recognized

professional organization, or Property Appraiser certified by the Office of Real Estate Appraiser; or he or she is a current member of an assessment appeals board, for a new three-year term ending September 6, 2010.

Question: Shall this Resolution be ADOPTED?

19. 071110 [Appointment - SRO Task Force]

Resolution appointing Jorge Portillo, term ending December 31, 2009, to the SRO Task Force.

Jorge Portillo, succeeding Christina Olague, resigned, seat 5, must be a representative of the Mission SRO Collaborative, for the unexpired portion of a three-year term ending December 31, 2009.

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

Called From the City Operations and Neighborhood Services Committee

20. 060589 [Liquor License Transfer, 845 Market Street, Space 010]

Resolution determining that the transfer of a Type 21 off-sale general license from 1001 South Van Ness Avenue to 845 Market Street, basement of the San Francisco Centre, Space 010 to Bristol Farms Inc., will serve the public convenience and necessity of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code, with conditions.

8/15/2006, CONTINUED. Continued to September 12, 2006

9/12/2006, CONTINUED. Continued to September 19, 2006

9/19/2006, RE-REFERRED to City Operations and Neighborhood Services Committee.

3/20/2007, CALLED FROM COMMITTEE. Pursuant to Rule 5.31, Supervisor Dufty called this measure from City Operations and Neighborhood Services Committee.

3/27/2007, CONTINUED. Continued to April 10, 2007.

4/10/2007, CONTINUED. Continued to April 17, 2007.

4/17/2007, CONTINUED. Continued to June 5, 2007.

6/5/2007, CONTINUED. Continued to July 31, 2007.

7/31/2007, CONTINUED. Continued to August 14, 2007

Question: Shall this Resolution be ADOPTED?

Recommendation of the Land Use and Economic Development Committee

(No Economic Impact)

Question: Shall this Ordinance be PASSED ON FIRST READING?

24. 071128 [De-appropriating \$45,717 of General Fund and Appropriating \$45,717 for a Golf Course Task Force in the Department of Recreation and Park for Fiscal Year 2007-2008] Supervisor McGoldrick

Ordinance de-appropriating \$45,717 for Golden Gate Park Stables in the Department of Recreation and Park, and appropriating \$45,717 for a half-time 1823 Senior Administrative Analyst position to staff a Golf Course Task Force in the Department of Recreation and Park for Fiscal Year 2007-2008.

Question: Shall this Ordinance be PASSED ON FIRST READING?

25. 071129 [Public Employment - Recreation and Park Department] Supervisor McGoldrick

Ordinance amending Ordinance No. 175-07 (Annual Salary Ordinance FY 2007-2008) to reflect the addition of one position (.37 FTE) Class 1823 - Senior Administrative Analyst in the Recreation and Park Department.

Question: Shall this Ordinance be PASSED ON FIRST READING?

Present: Supervisors Peskin, Ammiano, Dufty

26. 071065 [Approving a contract in excess of \$10 million]
Resolution approving an Agreement between the City and County of San Francisco and Pioneer Americas LLC for sodium hypochlorite, a contract estimated to exceed \$10 million, pursuant to San Francisco Charter Section 9.118(b). (Office of Contract Administration)
(Fiscal Impact.)

Question: Shall this Resolution be ADOPTED?

27. 071084 [Renew Joint Power and Revolving Fund Contract with State] Supervisor Mirkarimi

Resolution authorizing the Department of the District Attorney to enter into a Joint Power and Revolving Fund Contract with the California Victim Compensation and Government Claims Board to: (1) contract for, accept and expend up to \$1,184,530 allocated from the California Victim Compensation and Government Claims Board for the assistance of victims and witnesses of crime for the period of July 1, 2007 through June 30, 2009; and (2) renew its current agreement with the California Victim Compensation and Government Claims Board, an agent of the State of California, for a revolving loan fund in the amount of \$75,000 to be used to pay for verified funeral/burial expenses and emergency relocation for victims of domestic violence and sexual assault for an additional two years from July 1, 2007 through June 30, 2009.

Question: Shall this Resolution be ADOPTED?

Recommendations of the Land Use and Economic Development Committee

27, 2009, to the SOMA Community Stabilization Fund Community Advisory Committee, San Francisco elector requirement waived.

Jazzie Collins, succeeding herself, term expired, seat 3, must be a senior or disabled resident of SOMA, for the unexpired portion of a two-year term ending April 27, 2009.

Ada Chan (San Francisco elector requirement waived), succeeding herself, term expired, seat 4, must have affordable housing expertise and familiarity with the SOMA neighborhood, for the unexpired portion of a two-year term ending April 27, 2009.

Angelica Cabande (San Francisco elector requirement waived), succeeding Donald Frazier, resigned, seat 5, must represent a community-based organization in SOMA, for the unexpired portion of a two-year term ending April 27, 2009.

Question: Shall this Resolution be ADOPTED?

36. 071200 [Appointment - Assessment Appeals Board No. 1]

Resolution appointing Carol Ruth Silver, term ending September 6, 2010, to Assessment Appeals Board No. 1.

Carol Ruth Silver, succeeding herself, term expiring September 3, 2007, seat 4, must meet the eligibility criteria set forth in Section 1624.05 of the California Revenue and Taxation Code as follows: Must have a minimum of five years professional experience in the State of California as one of the following: Certified Public Accountant (CPA) or Public Accountant (PA); licensed Real Estate Broker; Attorney; or a Property Appraiser accredited by a nationally recognized professional organization, or Property Appraiser certified by the Office of Real Estate Appraisers; or he or she is a current member of an assessment appeals board, for a three-year term ending September 6, 2010.

(Supervisor Peskin Dissenting in Committee)

Question: Shall this Resolution be ADOPTED?

From the Rules Committee Without Recommendation

Present: Supervisors Ammiano, Elsbernd, Peskin

37. 070666 [Allowing for closed sessions of the Board of Supervisors to discuss information related to matters posing a threat to public facilities]

Supervisor Alioto-Pier

Motion amending Rule 1.8 of the Rules of Order to allow for closed sessions of the Board of Supervisors to discuss information related to matters posing a threat to the security of public buildings or a threat to the public's right of access to public services or public facilities.

Question: Shall this Motion be APPROVED?

SPECIAL ORDER 3:00 P.M.

38. 071028 [Public Hearing - Landmark Appeal, U.C. Extension Center, 55 Laguna Street (formerly San Francisco State Teachers College)]

Hearing of persons interested in or objecting to (1) the decision of the Planning Commission by its Resolution No. 17445 adopted June 7, 2007, disapproving the proposal of the Landmarks Preservation Advisory Board to designate the U.C. Extension Center as a San Francisco Landmark on property located at 55 Laguna Street (formerly San Francisco State

Teachers College); Lots 001, 001A in Assessor's Block 0857 and Lots 001, 002, and 003 in Assessor's Block 0870. (Appellants: Robert W. Cherny, Acting President, Landmarks Preservation Advisory Board filed on July 2, 2007 and F. Joseph Butler on behalf of the San Francisco Preservation Consortium filed on July 6, 2007.) or (2) designation by the Board of Supervisors of the U.C. Extension Center, located at 55 Laguna Street, Lots 001, 001A in Assessor's Block 0857 and Lots 001, 002 and 003 in Assessor's Block 0870 as a San Francisco Landmark.

(Filed July 2 and 6, 2007; Companion measure to 071029, 071030, 071081; District 8.)

7/31/2007, CONTINUED. The President inquired as to whether or not any member of the public wished to address the Board members. There were none. Continued to August 14, 2007 at 3:00 p.m.

Action:_____

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the landmark designation 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.)

**39. 071029 [Approving decision of the Planning Commission
Disapproving Proposed Landmark Designation of 55
Laguna Street]**

Motion approving the decision of the Planning Commission disapproving proposed landmark designation of 55 Laguna Street. (Clerk of the Board)

7/31/2007, CONTINUED. Continued to August 14, 2007 at 3:00 p.m.

Question: Shall this Motion be APPROVED?

**40. 071030 [Disapproving decision of the Planning Commission
Disapproving Proposed Landmark Designation of 55
Laguna Street]**

Motion disapproving the decision of the Planning Commission disapproving proposed landmark designation of 55 Laguna Street. (Clerk of the Board)

7/31/2007, CONTINUED. Continued to August 14, 2007 at 3:00 p.m.

Question: Shall this Motion be APPROVED?

41. 071081 [Findings - 55 Laguna Landmark Designation Appeal]

Motion directing the Clerk of the Board to prepare findings relating to the Board of Supervisors' decision concerning the appeal of the Planning Commission's disapproval of a landmark designation of 55 Laguna Street. (Clerk of the Board)

7/31/2007, CONTINUED. Continued to August 14, 2007 at 3:00 p.m.

Question: Shall this Motion be APPROVED?

42. 071082 [Landmark Designation of 55 Laguna Street (U.C.

Extension Center, formerly known as the San Francisco State Teacher's School]

Ordinance Designating 55 Laguna Street (U.C. Extension Center, formerly known as the San Francisco State Teacher's School) as a Landmark under Planning Code Article 10; and adopting General Plan, Planning Code Section 101.1(b) and environmental findings. (City Attorney)

7/2/2007, RECEIVED AND ASSIGNED to Board of Supervisors.

7/31/2007, CONTINUED. Continued to August 14, 2007 at 3:00 p.m.

Question: Shall this Ordinance be PASSED ON FIRST READING?

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.*

43. 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.)

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.)

- 44. 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)
Question: Shall this Motion be APPROVED?
- 45. 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)
Question: Shall this Motion be APPROVED?
- 46. 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)
Question: Shall this Motion be APPROVED?

COMMITTEE REPORTS

Reports from committees, if any, recommending emergency or urgent measures.

The following item will be considered by the City Operations and Neighborhood Services Committee on August 9, 2007 at 1:00 p.m. The chair intends to request the Committee to send the following item to the Board as a committee report on Tuesday, August 14, 2007.

- 47. 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; and (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; and (f) clarify the definition of "medical cannabis dispensary."

Question: Shall this Ordinance be PASSED ON FIRST READING?

The following items will be considered at a Special Meeting of the Government Audit and Oversight Committee on August 13, 2007 at 10:00 a.m. The chair intends to request the Committee to send the following items to the Board as a committee report on Tuesday, August 14, 2007.

48. 070931 [Seeking a permanent halt to the Blue Angels air show over San Francisco] Supervisor Daly

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

(No Economic Impact)

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

Question: Shall this Resolution be ADOPTED?

49. 071127 [Formalizing the Board of Supervisor's response to the Civil Grand Jury Recommendations] Supervisor Elsbernd

Resolution amending the process by which the Board of Supervisors responds to the Civil Grand Jury Reports by adopting a resolution formally accepting or rejecting the Civil Grand Jury recommendations.

Question: Shall this Resolution be ADOPTED?

50. 071174 [Approval of Amendment to Security Guard Services Contract] Mayor

Resolution approving amendment to armed and unarmed security guard services contract for Municipal Railway Revenue and Cost Accounting Divisions.

Question: Shall this Resolution be ADOPTED?

51. 071176 [Application for ABAG Priority Development Area Designation] Supervisor Peskin

Resolution authorizing the San Francisco County Transportation Authority and the Mayor's Office of Housing to apply on behalf of the City and County of San Francisco for Priority Development Area designation by the Association of Bay Area Governments.

Question: Shall this Resolution be ADOPTED?

52. 071177 [FY 2007-2008 California Constitution Appropriations Limit] Supervisor Peskin

Resolution establishing the appropriations limit for Fiscal Year 2007-08 pursuant to

rebuttal ballot arguments for submittal to the voters at the November 6, 2007 Election. (Clerk of the Board)

7/24/2007, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

7/31/2007, AMENDED.

7/31/2007, CONTINUED AS AMENDED. Continued to August 7, 2007

8/7/2007, AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.

8/7/2007, CONTINUED AS AMENDED. Continued to August 14, 2007

Question: Shall this Motion be APPROVED?

57. 071179 [Lights Out San Francisco] Supervisors McGoldrick, Alioto-Pier

Resolution to support extinguishing all non-essential lighting in all city government buildings, public schools and public landmarks for the hour between 7:00 PM and 8:00 PM on October 20, 2007 to conserve energy as part of the city-wide energy conservation event: Lights Out San Francisco, and establishing October 20, 2007 as Lights Out San Francisco Day.

8/7/2007, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

58. 071180 [Armando Peraza Day - September 1, 2007] Supervisor Peskin

Resolution declaring September 1, 2007 "Armando Peraza Day" in San Francisco.

8/7/2007, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

59. 071181 [Eddie Fung Day - November 10, 2007] Supervisor Peskin

Resolution declaring November 10, 2007 as Eddie Fung Day in San Francisco.

8/7/2007, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

60. 071182 [Commending John Barleycom Pub] Supervisor Peskin

Resolution commending John Barleycom Pub for almost 40 years of enriching the City.

8/7/2007, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

61. 071183 [Sea Otter Awareness Week - September 23 - 29, 2007] Supervisor Peskin

Resolution declaring September 23-29 Sea Otter Awareness Week.

8/7/2007, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

- 62. 071184 [Urging California's congressional delegation to support H.R. 2401] Supervisor Sandoval**

Resolution urging California's congressional delegation to support H.R. 2401.

8/7/2007, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

- 63. 071185 [Condemning defamatory language used by radio personality Michael Savage against the immigrant community] Supervisors Sandoval, Ammiano**

Resolution condemning defamatory language used by radio personality Michael Savage against the immigrant community.

8/7/2007, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

- 64. 071186 [Opposition to SB 670 (Correa)] Supervisor Mirkarimi**

Resolution in opposition to Senate Bill 670 (Correa) barring development fees imposed for the acquisition of open space, parks, public recreational facilities and other community benefits.

8/7/2007, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

- 65. 071187 [Commending Chad Jacobs] Supervisor Peskin**

Resolution commending Chad Jacobs for his outstanding years of service as a Deputy City Attorney.

8/7/2007, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

- 66. 071191 [Declaring the month of August, 2007 as Barry Lamar Bonds Month in the City and County of San Francisco] Supervisors Dufty, Alioto-Pier, Maxwell, Peskin, McGoldrick**

Resolution congratulating Barry Bonds on becoming the greatest home run hitter in the History of Major League Baseball and declaring the month of August, 2007 as Barry Lamar Bonds Month in the City and County of San Francisco.

8/7/2007, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

67. **071160** **[Final Map - One South Park Avenue]**
Motion approving Final Map 4064, a 35 Residential Unit and 1 Commercial Unit Mixed-Use Condominium Project, located at One South Park Avenue being a subdivision of Lot 007 in Assessors Block No. 3775 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1. (Public Works Department)

(DPW Order 177,016; District 6.)

8/2/2007, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

68. **071161** **[Final Map - 2145 California Street]**
Motion approving Final Map 3115, a 5 Unit Residential Condominium Project, located at 2145 California Street being a subdivision of Lot 022 in Assessors Block No. 0651 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1. (Public Works Department)

(DPW Order 177,035; District 5.)

8/2/2007, 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:_____

69. **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

None

PROPOSED RESOLUTIONS

Proposed resolutions received from July 31, 2007 through August 6, 2007 for reference by the President to appropriate committee on August 14, 2007.

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)

8/1/2007, RECEIVED AND ASSIGNED to Rules Committee.

071164 [Approval of two contracts with Siemens Medical Solutions USA, Inc. to support and maintain clinical and financial software applications in use by the Department]

Resolution authorizing the San Francisco Department of Public Health (DPH), to enter into two contracts with Siemens Medical Solutions USA, Inc. (Siemens) for the continued licensing and maintenance of proprietary Siemens applications for the term July 1, 2007 through June 30, 2012. (Public Health Department)

8/6/2007, RECEIVED AND ASSIGNED to Budget and Finance Committee.

PROPOSED MOTIONS

None

071202 [Petitions and Communications]

Petitions and Communications received from July 31, 2007 through August 6, 2007 for reference by the President to August 14, 2007.

From Department of Elections, submitting report on the facilities used by the Department of Elections.(1)

From various City departments, submitting list of sole source contracts entered into during fiscal year 2006-2007: (2)

Department of Emergency Management

Department of Building Inspection

Board of Appeals

Human Rights Commission

Arts Commission

Department of Human Resources

Office of the Controller

Department of Public Works

Department of Telecommunications and Information Services

Office of the Treasurer and Tax Collector

From Animal Care and Control, submitting request for waiver of Administrative Code 12B

and 14B for Safeway, Inc.(3)

From Department of Public Works, regarding status on repairs of potholes and raised areas (bumps) at various locations in District 5. (Reference 20070410-015) Copy: Supervisor Mirkarimi(4)

From Department of Public Works, regarding status on repairing multiple potholes at the 100 block of Frederick Street. (Reference 20070619-008) Copy: Supervisor Mirkarimi(5)

From Claudia Chamberlain, regarding request for continuance of the appeal hearing for project at 445 Wawona Street and 15th Avenue. File 071037, Copy: Each Supervisor(6)

From Mary Miles, commenting on restoration of two-way traffic on Hayes Street. File 071097, Copy: Each Supervisor(7)

From Coblentz, Patch, Duffy & Bass LLP, regarding the Conditional Use/Mitigated Negative Declaration appeal for the 601 Duboce Avenue Medical Clinic and Office Building. File 071024, 070905, Copy: Each Supervisor(8)

From Department on the Status of Women, regarding adopted budget for fiscal year 2007/2008.(9)

From Building Inspection Commission, regarding appeal of Director's determination to grant an extension to file for an extension for 700 Montgomery Street.(10)

From Office of the Treasurer/Tax Collector, submitting the cash difference and overage fund balance and activities reported to the Office of the Treasurer/Tax Collector for the period ending July & July 2007.(11)

From Recreation and Park Department, submitting report for the 4th quarter of fiscal year 2006-2007 in response to the requirements of Resolution 157-99 Lead Poisoning Prevention.(12)

From concerned citizens, commenting on the mitigated negative declaration for 3400 Cesar Chavez Street. File 070708, Copy: Each Supervisor, 7 letters(13)

From David Grace, commenting on emergency preparedness and homeland security issues. File 070666(14)

From Sedgwick, Detert, Moran & Arnold LLP, regarding a request for continuance of the tentative map appeal hearing for 3150 Geary Boulevard. File 070985, Copy: Each Supervisor(15)

From T Mobile, submitting notification letter to the California Public Utilities Commission regarding the cellular base site at 2601 Mission Street.(16)

From concerned citizens, urging the Board to support the immediate halt to the Lennar construction project in Bayview Hunters Point. File 071098, Copy: Each Supervisor, 10 letters(17)

From Georgia McInnis, submitting opposition to the agreement with Earthlink to provide wireless service to San Francisco. File 070800, Copy: Each Supervisor (18)

From Ivan Sokol, submitting support for the proposed Wi-Fi agreement with Google and

Earthlink. File 070077, Copy: Each Supervisor(19)

From concerned citizen, commenting on health dangers to school students caused by wireless. File 070077, Copy: Each Supervisor(20)

From concerned citizens, submitting support for the Davies Neuroscience Project at the Davies Medical Center Campus located at 601 Duboce Avenue. File 071024 / 070905, Copy: Each Supervisor, 40 letters(21)

From Nicole B. Mason, Esq., commenting on the proposed ordinance for issuance of permits to install certain telecommunications facilities in public rights-of-way. File 070904, Copy: Each Supervisor(22)

From concerned citizens, commenting on the proposed ban on the Blue Angels air show. File 070931, Copy: Each Supervisor, 2 letters(23)

From Sedgwick, Detert, Moran & Arnold, regarding tentative map approval appeal for 3150 Geary Boulevard. File 070985, Copy: Each Supervisor(24)

From Kara Knafelc, commenting on the Lorraine Hansberry Theatre. (25)

From Barbara A. Daily, commenting on the UC Berkeley Extension's Laguna Street Campus. File 071082, Copy: Each Supervisor(26)

From J. Kevin Hufferd, submitting letter from the University of California, Berkeley regarding the 55 Laguna Street landmark appeal. File 071028, Copy: Each Supervisor(27)

From Francisco Da Costa, regarding Bayview Hunters Point. 4 letters(28)

From Tim Trahan, commenting on various issues and concerns.(29)

From Robert W. Vorkapich, commenting on purchasing a MUNI Fast Pass.(30)

From Ralph P. Mango, commenting on naming Candlestick park in honor of the late Bill Walsh. (31)

From Daniel Schneider, commenting on City parks and open spaces.(32)

From concerned citizens. commenting on service on MUNI's 23 line. Copy: Municipal Railway, 2 letters(33)

From Mike Zelinsky, commenting on City residency requirements. Copy: Supervisor Jew(34)

From Patrick Monette-Shaw, regarding increased crime in the Marina district. Copy: Supervisors Alioto-Pier, Mirkarimi(35)

From Steven Courlang, commenting on San Francisco's flag.(36)

From Henry Belli, commenting on pedestrian walkways for 19th Avenue.(37)

From Richard Everett, commenting on health care costs for City employees.(38)

From concerned citizens, submitting opposition to building a new Starbucks. File 071031, Copy: Each Supervisor, 3 letters(39)

From Dr. Ahimsa Porter Sumchai, regarding a rally scheduled for Friday, August 10, 2007.
(40)

From Christian Holmer, regarding immediate disclosure response from the District Attorney.
2 letters(41)

From Katherine Higgins, regarding two prohibitions within the Government Code.(42)

From Sidney Bosley, urging the Board to support the conditional use appeal for 601 Duboce
Avenue. File 071024, Copy: Each Supervisor, Approx. 50 post cards(43)

From Office of Clerk of the Board, submitting report of each City Department that provided
the Board of Supervisors with a list of sole source contracts entered into during fiscal year
2006-07.(44)

From Department of Elections, regarding disclaimer requirements for local ballot measures.
Copy: Each Supervisor(45)

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 sotf@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