

**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, January 6, 2009
2:00 PM**

Regular Meeting

**AARON PESKIN, PRESIDENT
MICHELA ALIOTO-PIER, DAVID CAMPOS, CARMEN CHU, CHRIS DALY, BEVAN DUFTY, SEAN ELSBERND, SOPHIE MAXWELL,
JAKE MCGOLDRICK, ROSS MIRKARIMI**

Angela Calvillo, Clerk of the Board

ROLL CALL AND PLEDGE OF ALLEGIANCE

APPROVAL OF MEETING MINUTES

Approval of the November 25, 2008 Board Meeting Minutes.

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.

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 16

Recommendations of the Budget and Finance Committee

Present: Supervisors McGoldrick, Elsbernd, Mirkarimi

- | | | | |
|-----------|---------------|---|--------------|
| 1. | 081522 | [Appropriating \$136,000,000 of General Obligation Bonds for the San Francisco General Hospital and Trauma Center for the Department of Public Health for Fiscal Year 2008-2009] | Mayor |
| | | <p>Ordinance appropriating \$136,000,000 of General Obligation Bond Proceeds approved by voters under Proposition A in the November 2008 election authorizing the issuance of general obligation bonds for the building or rebuilding and earthquake safety improvement of the San Francisco General Hospital and Trauma Center in the Department of Public Health for Fiscal Year 2008-2009.</p> <p>(Fiscal Impact.)</p> <p>12/16/2008, PASSED ON FIRST READING.</p> <p>Question: Shall this Ordinance be FINALLY PASSED?</p> | |
| 2. | 081523 | [General Obligation Bond Short-Term Indebtedness] | Mayor |
| | | <p>Ordinance amending the San Francisco Administrative Code by adding Article 43.11, Sections 43.11.1 through 43.11.5, to authorize the issuance of short-term indebtedness in anticipation of the issuance of general obligation bonds authorized by</p> | |

the voters.

(Fiscal Impact.)

12/16/2008, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

3. **081507** **[Accept-Expend Federal Grant and amend Annual Salary Ordinance, FY 2008-2009 \$1,024,467.00]** **Supervisor Elsbernd**
Ordinance authorizing the Police Department to retroactively accept and expend grant funding in the amount of \$1,024,467.00 from the National Institute of Justice for a program entitled "NIJ's 2008 Forensic DNA Unit Efficiency Improvement Program," and amending the Annual Salary Ordinance to create grant-funded positions.
12/16/2008, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the City Operations and Neighborhood Services Committee

Present: Supervisors Chu, McGoldrick, Elsbernd

4. **081124** **[Prohibiting advertisements for alcoholic beverages on City property]** **Supervisors Mirkarimi, McGoldrick**
Ordinance amending the San Francisco Administrative Code by amending Section 4.20, to prohibit advertisements for alcoholic beverages on City property.
12/16/2008, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?

5. **081508** **[Funds to support public health emergency preparedness - \$460,396]** **Supervisor Maxwell**
Resolution authorizing the San Francisco Department of Public Health (DPH) to accept and expend retroactively a grant in the amount of \$460,396 from the California Department of Public Health (CDPH) Emergency Preparedness Office, to fund the Hospital Preparedness Program; for the period of August 9, 2008 through August 8, 2009.
Question: Shall this Resolution be ADOPTED?

6. **081559** **[Accept-Expend Federal grant funds - Department of Public Works - \$1,475,675]** **Supervisor Elsbernd**
Resolution authorizing the Department of Public Works to accept and expend a grant in the amount of \$1,475,675 from the U.S. Department of Justice, Bureau of Justice Assistance Edward Byrne Memorial Discretionary Grants Program.
Question: Shall this Resolution be ADOPTED?

7. **081506** **[State grants to fund agricultural projects - \$17,672.98]** **Supervisor Dufty**
Resolution authorizing the San Francisco Department of Public Health (DPH) to accept and expend three grants with a total amount of \$17,672.98, from the California Department of Food and Agriculture (CDFA); with retroactive approval to accept and expend two of these grants (Agreements #08-0507 and #08-0415) totaling \$914.98, for the period of July 1, 2008 through June 30, 2009, and approval to accept and expend a third grant (Agreement #08-0345) in the amount of \$16,758.00 for the period of January 1, 2009 through December 31, 2009.
Question: Shall this Resolution be ADOPTED?

Recommendations of the Government Audit and Oversight Committee

Present: Supervisors Peskin, Campos, Maxwell

8. **081452** **["Know your rights" brochure for towing]** **Supervisor Peskin**
Ordinance adding Section 3055.2 to the San Francisco Police Code to require tow car firms to display "Know Your Rights When Your Car is Towed from Private Property" brochure and setting administrative penalties.
12/16/2008, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?

9. **081514** **[Appropriating \$45,000,000 of Certificates of Participation Revenue for the Moscone Center Improvement Project in the Office of the City Administrator for Fiscal Year 2008-2009]** **Supervisor Peskin**
Ordinance appropriating \$45,000,000 of San Francisco Certificates of Participation (COPs) Series 2009B to fund the Moscone Center Improvement Project in the General Services Agency - Office of the City Administrator for Fiscal Year

15. 081478 [Settlement of Lawsuit - Jane Martin, et al. v. CCSF, et al. (IMG Home) - \$500,000]
Ordinance authorizing settlement of the portion of the lawsuit filed by IMG Home Corporation against the City and County of San Francisco for \$500,000; 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)
12/16/2008, PASSED, ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?
16. 081479 [Settlement of Lawsuit - Jane Martin, et al. v. CCSF, et al. (N. Quimson) - \$45,000]
Ordinance authorizing settlement of the portion of the lawsuit filed by Noreen Quimson against the City and County of San Francisco for \$45,000; 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)
12/16/2008, PASSED, ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?

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

REGULAR AGENDA

UNFINISHED BUSINESS

Vetoed by the Mayor

Consideration of Mayor's Veto

Consideration to override veto pursuant to Charter Section 2.106 of Ordinance amending Planning Code by amending Section 317 to require Conditional Use authorization for any elimination of existing dwelling units through mergers, conversions, or demolitions of residential units.

17. 081088 [Requirement of Conditional Use Authorization for any permit application to remove dwelling units] **Supervisor McGoldrick**
Ordinance amending the Planning Code by amending Section 317 to require Conditional Use Authorization for any elimination of existing dwelling units through mergers, conversions, or demolitions of residential units.
NOTE: This action requires two-thirds vote. The Board may not amend the ordinance and may only vote in favor or in opposition to the veto override.
The Board of Supervisors must act on the veto override within 30 days of the date of the veto. The Mayor vetoed the Ordinance on December 19, 2008.
Therefore, the Board will lose the ability to override the veto unless it votes on the veto override on or before January 18, 2009.
12/9/2008, PASSED ON FIRST READING.
12/16/2008, FINALLY PASSED.
Action: _____

From the Clerk

18. 081496 [Adopting findings related to disapproving the categorical exemption issued for the 2626 Filbert Street project]
Motion adopting findings related to disapproving the determination by the Planning Department that the 2626 Filbert Street project is categorically exempt from environmental review under the California Environmental Quality Act.
12/17/2008, REFERRED to Board of Supervisors.
Question: Shall this Motion be APPROVED?
19. 081467 [Adopting findings related to disapproving the categorical exemption issued for the 2655 Scott Street project]
Motion adopting findings related to disapproving the determination by the Planning Department that the 2655 Scott Street project is categorically exempt from environmental review under the California Environmental Quality Act.
12/17/2008, REFERRED to Board of Supervisors.

Question: Shall this Motion be APPROVED?

From the Board

20. **081589** **[Eastern Neighborhoods Zoning Map - Height District for Mission Street theater properties]**
- Ordinance amending the San Francisco Zoning Map by amending the height district designation for Assessor's Block 3595, Lot 024 on Mission Street between 19th and 20th Streets and Assessor's Block 3616, Lot 007 on Mission Street between 21st and 22nd Streets to 65-X/85-X; and making various findings, including environmental findings and findings of consistency with the General Plan and priority policies of Planning Code Section 101.1. (Planning Department)
- 12/9/2008, PASSED ON FIRST READING.
- 12/16/2008, AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.
- 12/16/2008, PASSED ON FIRST READING AS AMENDED.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendation of the Budget and Finance Committee

Present: Supervisors McGoldrick, Elsbernd, Mirkarimi

21. **081440** **[De-Appropriating \$998,145 of General Fund and \$761,021 of Federal Direct Grant Revenue for the Community Justice Center for FY 2008-2009]** **Supervisors Daly, McGoldrick, Peskin**
- Ordinance de-appropriating \$998,145 of General Fund in the Mayor's Office of Community Justice and \$761,021 of Federal Direct Grant Revenue in the Department of Public Health for the Community Justice Center in Fiscal Year 2008-2009.
- (Fiscal Impact.)
(Supervisor Elsbernd dissented in committee.)
- 12/9/2008, CONTINUED ON FIRST READING. Supervisor Sandoval was previously excused from voting on this matter. Continued to December 16, 2008.
- 12/16/2008, PASSED ON FIRST READING. Supervisor Sandoval was previously excused from voting on this matter. Supervisor Peskin requested to be added as a co-sponsor.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the Government Audit and Oversight Committee

Present: Supervisors Peskin, Maxwell, Campos

22. **081450** **[Real Property Transfer Tax - Change of delinquency date; substitution of references to current laws; conform partnership rule to state law changes; elimination of tax stamp provision and Transfer Tax Review Board]** **Supervisor Peskin**
- Ordinance amending Sections 1106, 1108, 1108.4, 1115, 1115.1 and 1115.3 and deleting Sections 1109, and 1115.2 of Article 12-C of the Business and Tax Regulations Code to (1) change delinquency date; (2) replace references to prior bankruptcy, income tax, and local laws with references to current laws; (3) conform rule for partnership interest transfers to state law changes; (4) eliminate obsolete provision regarding documentary tax stamps; and (5) eliminate Transfer Tax Board of Review and references to that Board.
- 12/9/2008, CONTINUED ON FIRST READING. Continued to December 16, 2008
- 12/16/2008, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

23. **081451** **[Property Tax Refund Claim Processing]** **Supervisor Peskin**
- Ordinance to amend Administrative Code Section 10.2 to delegate to City Attorney the authority to grant or deny property tax refund claims and to establish administrative rules and procedures for City Attorney to follow.
- 12/9/2008, CONTINUED ON FIRST READING. Continued to December 16, 2008
- 12/16/2008, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendation of the Land Use and Economic Development Committee

Present: Supervisors Maxwell, Sandoval, Peskin

24. 081125 [Promoting and Sustaining Music and Culture in San Francisco] Supervisors Mirkarimi, Maxwell
Ordinance adding Chapter 90A to the San Francisco Administrative Code to establish a music and culture sustainability policy for City government; provide for development by the Entertainment Commission of a proposal for an on-line permitting system for entertainment-related permits, licenses, and determinations; provide for review by the Entertainment Commission of new criteria for entertainment related permits, licenses, and determinations; establish a process coordinated by the Entertainment Commission for reviewing and possibly revising City Codes to conform to and implement the music and culture sustainability policy; urge the Planning Commission to consider amending the General Plan to conform to and implement that policy; and provide for an annual hearing by the Entertainment Commission to review and make recommendations relating to implementation of that policy.

12/16/2008, PASSED ON FIRST READING AS DIVIDED.

Question: Shall this Ordinance be FINALLY PASSED?

NEW BUSINESS

Recommendations of the Budget and Finance Committee

Present: Supervisors Elsbernd, Mirkarimi

25. 081442 [Appropriating \$500,000 of Revenue from PGA Tournament Agreement for Harding Park PGA Related Improvements for the Recreation and Park Department in Fiscal Year 2008-2009] Supervisor Elsbernd

Ordinance appropriating \$500,000 of Revenue from the Professional Golf Association (PGA) Tournament Agreement for staffing and improvements to the Harding Park Golf Course per the PGA Tournament Agreement at the Recreation and Park Department for Fiscal Year 2008-2009.

(Fiscal Impact.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

26. 081388 [Emergency contract to replace the stator core in Kirkwood Powerhouse generator number 1, designated "KPH1" - Not to Exceed \$1,327,531]
Resolution approving an emergency public work contract under San Francisco Administrative Code Section 6.60 to replace the stator core in the Kirkwood Powerhouse generator number 1, designated "KPH1." (Public Utilities Commission)

Question: Shall this Resolution be ADOPTED?

27. 081454 [Approving Central Subway Partnership Contract - Not to Exceed \$147,375,171]
Resolution approving Municipal Transportation Agency Contract No. CS-149, Program Management and Construction Management Services for the Central Subway Project with Central Subway Partnership, A Joint Venture of AECOM USA, Inc. and EPC Consultants in an amount not to exceed \$147,375,171 for a term not to exceed five years with an option to extend the term an additional five years. (Municipal Transportation Agency)

(Fiscal Impact.)

Question: Shall this Resolution be ADOPTED?

28. 081485 [WSIP Agreement No. CS-765, Parsons Water and Infrastructure]
Resolution approving Amendment No. 2 to Agreement No. CS-765, San Francisco Water System Improvement Program - Program/Project/Pre-Construction Management Services with Parsons Water and Infrastructure. (Public Utilities Commission)

Question: Shall this Resolution be ADOPTED?

Recommendations of the City Operations and Neighborhood Services Committee

Present: Supervisors Chu, McGoldrick, Elsbernd

29. 081357 [Liquor license transfer - 2200 Mission Street]
Resolution determining that the transfer of a Type 21 off-sale general license from 2767 Lombard Street to 2200 Mission Street (District 9), to Howard Ngo for Duc Loi Supermarket, 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?

30. 081378 [Liquor license transfer - 201 Harrison Street, Suite C]
Resolution determining that the transfer of a Type 21 off-sale general license from 433 Precita Avenue to 201 Harrison Street, Suite C (District 6), to Najwa Osama Habash and Osama Khalil Habash for Main Market Liquor & Deli, 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?

31. 081455 [Liquor license transfer - 2200 Jerrold Avenue]
Resolution determining that the transfer of a Type 20 off-sale beer and wine license from 236 8th Street to 2200 Jerrold Avenue (District 10), to Nelly Ghassan for The Gifted Basket, 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?

From the City Operations and Neighborhood Services Committee Without Recommendation

Present: Supervisors Chu, McGoldrick, Elsbernd

32. 081358 [Liquor license transfer, 115 Mason Street]
Resolution determining that the transfer of a Type 48 on-sale general public premises liquor license from 232 O'Farrell Street to 115 Mason Street (District 6), to John D. Smith for Union Square Sports Bar 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.

Question: Shall this Resolution be ADOPTED?

Recommendations of the Land Use and Economic Development Committee

Present: Supervisors Maxwell, Peskin

33. 070546 [Zoning Map Amendment - Northwest corner of Divisadero and O'Farrell Streets, Block 1098, Lot 9] Supervisor Mirkarimi
Ordinance amending the San Francisco Planning Code by amending Sectional Map 2 of the Zoning Map of the City and County of San Francisco to change the use classification of Block 1098, Lot 9, located at the northwest corner of Divisadero and O'Farrell Streets, from Small-scale Neighborhood Commercial (NC-2) District to Moderate-scale Neighborhood Commercial (NC-3) District; adopting findings, including environmental findings and findings of consistency the General Plan and the Priority Policies of Planning Code Section 101.1.

Question: Shall this Ordinance be PASSED ON FIRST READING?

34. 080126 [Planning Code-Amending Article 11 Designation of 545-547 Mission Street] Supervisors Peskin, Maxwell
Ordinance amending the designation of 545-547 Mission Street (Assessor's Block 3721, Lot 082) from Category V (Unrated) to Category III (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?

35. 081275 [Summary Vacation of Stevenson Street east of 10th Street]
Ordinance ordering the summary vacation of a portion of Stevenson Street east of 10th Street; adopting findings pursuant to the California Streets and Highways Code Sections 8330 et seq.; adopting findings pursuant to the California Environmental Quality Act; adopting findings that the vacation and sale are in conformity with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; and authorizing official acts in furtherance of this Ordinance. (Real Estate Department)

Question: Shall this Ordinance be PASSED ON FIRST READING?

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.

36. 081420 [Public Hearing - Conditional Use Appeal for 299 Valencia Street]

Hearing of persons interested in or objecting to the decision of the Planning Commission by its Motion No. 17739 dated November 6, 2008, relating to the approval of a Conditional Use Authorization (Case No. 2006.0432CV), under Planning Code Sections 121.1, 151.1 and 303 to allow a large-lot mixed-use development providing up to 25 off-street residential parking spaces and 2 car share spaces in an NCT-3 (Moderate-Scale Neighborhood Commercial Transit District) Zoning District and a 50-X Height and Bulk District on property located at 299 Valencia Street, Lot 014 in Assessor's Block No. 3532. (Filed by Jason Henderson on behalf of the Hayes Valley Neighborhood Association and subscribed by Supervisors Peskin, Ammiano, Maxwell, Daly and Mirkarimi; District 6.)

12/9/2008, CONTINUED. The President inquired as to whether any member of the public wished to address the Board. Continued January 6, 2009.

Action: _____

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the conditional use application decision 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.)

37. 081421 [Approving Planning Commission decision related to Conditional Use Appeal for 299 Valencia Street]

Motion approving decision of the Planning Commission by its Motion No. 17739, approving Conditional Use Application 2006.0432CV on property located at 299 Valencia Street, and adopting findings pursuant to Planning Code Section 101.1. (Clerk of the Board)

12/9/2008, CONTINUED. Continued to January 6, 2009

Question: Shall this Motion be APPROVED?

38. 081422 [Disapproving Planning Commission decision related to Conditional Use Appeal for 299 Valencia Street]

Motion disapproving decision of the Planning Commission by its Motion No. 17739, approving Conditional Use Application 2006.0432CV on property located at 299 Valencia Street. (Clerk of the Board)

12/9/2008, CONTINUED. Continued to January 6, 2009

Question: Shall this Motion be APPROVED?

39. 081423 [Preparation of findings related to the Conditional Use Appeal for 299 Valencia Street]

Motion directing the Clerk of the Board to prepare findings relating to proposed Conditional Use Application No. 2006.0432CV on property located at 299 Valencia Street, for action by the Board at its next meeting. (Clerk of the Board)

12/9/2008, CONTINUED. Continued to January 6, 2009

Question: Shall this Motion be APPROVED?

COMMITTEE REPORTS

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

The following items will be considered by the Rules Committee at a Special Meeting on Tuesday, December 30, 2008 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, January 6, 2009.

40. 081505 [Continuation of existing taxi fares and gate fee cap]

Supervisors Daly, Peskin, Mirkarimi

Ordinance amending Section 1137 of the Police Code to maintain current taxi fares and gate fee cap.

Question: Shall this Ordinance be PASSED ON FIRST READING?

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

41. **081541** **[Appointment, Historical Preservation Commission - Karl Hasz]**
Motion approving the Mayor's nomination for appointment of Karl Hasz to the Historical Preservation Commission, Seat No. 6, for a two-year term ending date to be determined. (Clerk of the Board)

(Section 4.135 of the City Charter provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days of the date the nomination is transmitted to the Clerk then the nominee shall be deemed approved; companion measure to File 081542. Transmittal date - December 4, 2008.)

Question: Shall this Motion be APPROVED?

42. **081542** **[Appointment, Historical Preservation Commission - Karl Hasz]**
Motion rejecting the Mayor's nomination for appointment of Karl Hasz to the Historical Preservation Commission, Seat No. 6, for a two-year term ending date to be determined. (Clerk of the Board)

(Section 4.135 of the City Charter provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days of the date the nomination is transmitted to the Clerk then the nominee shall be deemed approved; companion measure to File 081541. Transmittal date - December 4, 2008.)

Question: Shall this Motion be APPROVED?

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

43. **081609** **[Appointment, Historical Preservation Commission - Alan Martinez]**
Motion approving the Mayor's nomination for appointment of Alan Martinez to the Historical Preservation Commission, Seat No. 1, for a four-year term ending date to be determined. (Clerk of the Board)

(Section 4.135 of the City Charter provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days of the date the nomination is transmitted to the Clerk then the nominee shall be deemed approved; companion measure to File 081610. Transmittal date - December 4, 2008.)

Question: Shall this Motion be APPROVED?

44. **081610** **[Appointment, Historical Preservation Commission - Alan Martinez]**
Motion rejecting the Mayor's nomination for appointment of Alan Martinez to the Historical Preservation Commission, Seat No. 1, for a four-year term ending date to be determined. (Clerk of the Board)

(Section 4.135 of the City Charter provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days of the date the nomination is transmitted to the Clerk then the nominee shall be deemed approved; companion measure to File 081609. Transmittal date - December 4, 2008.)

Question: Shall this Motion be APPROVED?

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

45. **081615** **[Appointment, Small Business Commission - Kathleen Dooley]**
Motion appointing Kathleen Dooley, term ending January 6, 2010, to the Small Business Commission.

Vacant seat, succeeding David Chiu, seat 2, resigned, must be appointed by the Board of Supervisors and be an owner, operator, or officer of a San Francisco small business, for the unexpired portion of a four-year term ending January 6, 2010.

Question: Shall this Motion be APPROVED?

46. **081616** **[Appointment, Small Business Commission - Nicholas Goldman]**
Motion appointing Nicholas Goldman, term ending January 6, 2010, to the Small Business Commission.

Vacant seat, succeeding David Chiu, seat 2, resigned, must be appointed by the Board of Supervisors and be an owner, operator, or officer of a San Francisco small business, for the unexpired portion of a four-year term ending January 6, 2010.

Question: Shall this Motion be APPROVED?

The following items will be considered by the Rules Committee at a Special Meeting on Tuesday, January 6, 2009 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, January 6, 2009.

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

47. **081543** **[Appointment, Historical Preservation Commission - Sue Lee]**
Motion approving the Mayor's nomination for appointment of Sue Lee to the Historical Preservation Commission, Seat No. 4, for a two-year term ending date to be determined. (Clerk of the Board)

(Section 4.135 of the City Charter provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days of the date the nomination is transmitted to the Clerk then the nominee shall be deemed approved; companion measure to File 081544. Transmittal date - December 4, 2008.)

Question: Shall this Motion be APPROVED?

48. **081544** **[Appointment, Historical Preservation Commission - Sue Lee]**
Motion rejecting the Mayor's nomination for appointment of Sue Lee to the Historical Preservation Commission, Seat No. 4, for a two-year term ending date to be determined.

(Section 4.135 of the City Charter provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days of the date the nomination is transmitted to the Clerk then the nominee shall be deemed approved; companion measure to File 081543. Transmittal date - December 4, 2008.)

Question: Shall this Motion be APPROVED?

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

49. **081611** **[Appointment, Historical Preservation Commission - Tammy Chan]**
Motion approving the Mayor's nomination for appointment of Tammy Chan to the Historical Preservation Commission, Seat No. 7, for a four-year term ending date to be determined. (Clerk of the Board)

(Section 4.135 of the City Charter provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days of the date the nomination is transmitted to the Clerk then the nominee shall be deemed approved; companion measure to File 081612. Transmittal date - December 4, 2008.)

Question: Shall this Motion be APPROVED?

50. **081612** **[Appointment, Historical Preservation Commission - Tammy Chan]**
Motion rejecting the Mayor's nomination for appointment of Tammy Chan to the Historical Preservation Commission, Seat No. 7, for a four-year term ending date to be determined. (Clerk of the Board)

(Section 4.135 of the City Charter provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days of the date the nomination is transmitted to the Clerk then the nominee shall be deemed approved; companion measure to File 081611. Transmittal date - December 4, 2008.)

Question: Shall this Motion be APPROVED?

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

51. **081545** **[Appointment, Historical Preservation Commission - Jonathan Pearlman]**
Motion approving the Mayor's nomination for appointment of Jonathan Pearlman to the Historical Preservation Commission, Seat No. 2, for a two-year term ending date to be determined. (Clerk of the Board)

(Section 4.135 of the City Charter provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days of the date the nomination is transmitted to the Clerk then the nominee shall be deemed approved; companion measure to File 081546. Transmittal date - December 4, 2008.)

Question: Shall this Motion be APPROVED?

52. 081546 **[Appointment, Historical Preservation Commission - Jonathan Pearlman]**

Motion rejecting the Mayor's nomination for appointment of Jonathan Pearlman to the Historical Preservation Commission, Seat No. 2, for a two-year term ending date to be determined. (Clerk of the Board)

(Section 4.135 of the City Charter provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days of the date the nomination is transmitted to the Clerk then the nominee shall be deemed approved; companion measure to File 081545. Transmittal date - December 4, 2008.)

Question: Shall this Motion be APPROVED?

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

53. 081549 **[Appointment, Historical Preservation Commission - Charles Chase]**

Motion approving the Mayor's nomination for appointment of Charles Chase to the Historical Preservation Commission, Seat No. 3, for a four-year term ending date to be determined. (Clerk of the Board)

(Section 4.135 of the City Charter provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days of the date the nomination is transmitted to the Clerk then the nominee shall be deemed approved; companion measure to File 081550. Transmittal date - December 4, 2008.)

Question: Shall this Motion be APPROVED?

54. 081550 **[Appointment, Historical Preservation Commission - Charles Chase]**

Motion rejecting the Mayor's nomination for appointment of Charles Chase to the Historical Preservation Commission, Seat No. 3, for a four-year term ending date to be determined. (Clerk of the Board)

(Section 4.135 of the City Charter provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days of the date the nomination is transmitted to the Clerk then the nominee shall be deemed approved; companion measure to File 081549. Transmittal date - December 4, 2008.)

Question: Shall this Motion be APPROVED?

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

55. 090001 **[Appointment, Historical Preservation Commission - Courtney Damkroger]**

Motion approving the Mayor's nomination for appointment of Courtney Damkroger to the Historical Preservation Commission, Seat No. 5, for a four-year term ending date to be determined. (Clerk of the Board)

(Section 4.135 of the City Charter provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days of the date the nomination is transmitted to the Clerk then the nominee shall be deemed approved; companion measure to File 090004. Transmittal date - December 24, 2008.)

Question: Shall this Motion be APPROVED?

56. 090004 **[Appointment, Historical Preservation Commission - Courtney Damkroger]**

Motion rejecting the Mayor's nomination for appointment of Courtney Damkroger to the Historical Preservation Commission, Seat No. 5, for a four-year term ending date to be determined. (Clerk of the Board)

(Section 4.135 of the City Charter provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days of the date the nomination is transmitted to the Clerk then the nominee shall be deemed approved; companion measure to File 090001. Transmittal date - December 24, 2008.)

Question: Shall this Motion be APPROVED?

57. **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.

58. 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.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

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

Items 59 through 66

59. **081606** **[Accept-Expend Federal Grant for Oil Spill Response Planning - \$30,965]** **Supervisor Chu**
Resolution authorizing the Department of Emergency Management (DEM) to accept and expend retroactively a grant in the amount of \$30,965 from the California Department of Fish and Game for oil spill response planning, for the period July 1, 2008 through June 30, 2009.

12/16/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?
60. **081607** **[Accept and Expend State Grant - Port of San Francisco - \$15,000]** **Supervisor Maxwell**
Resolution authorizing the Port of San Francisco to accept and expend a grant in the amount of \$15,000 from the California Department of Boating and Waterways, Abandoned Watercraft Abatement Fund for removal and demolition of abandoned recreational watercraft on the Port's waterfront.

12/16/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?
61. **081580** **[Commending San Francisco State University President Robert A. Corrigan]** **Supervisor Peskin**
Resolution commending Robert A. Corrigan for twenty years of remarkable service as President of San Francisco State University.

12/19/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?
62. **081582** **[Adopting findings related to San Francisco Public Utilities Commission Water Treatment Facility and Water Quality Improvements projects in San Joaquin County]** **Supervisor Elsbernd**
Resolution adopting findings under the California Environmental Quality Act ("CEQA"), CEQA Guidelines and San Francisco Administrative Code Chapter 31, including the adoption of mitigation monitoring and reporting program and a statement of overriding considerations related to the funding of the San Joaquin Regional Water Quality Improvement Project at two sites in San Joaquin County, and directing the Clerk of the Board of Supervisors to notify the Controller of this action.

12/24/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?
63. **081613** **[City actions on expiration of Western Addition A-2 Redevelopment Plan]** **Supervisor Mirkarimi**
Resolution urging various City actions upon the expiration of the Western Addition A-2 Redevelopment Plan to insure a

smooth transition from the Redevelopment Agency to the City's jurisdiction.

12/16/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

64. 081608 [Appointment to San Francisco Local Agency Formation Commission - Supervisor Mirkarimi
Supervisor David Campos]

Motion appointing Supervisor Campos for the unexpired portion of a four-year term ending February 20, 2011, to the San Francisco Local Agency Formation Commission.

12/16/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

65. 081539 [Final Map - 1536 Pacific Avenue]

Motion approving Final Map 4748, a 6 Unit Residential and 1 Unit Commercial Mixed-Use Condominium Project, located at 1536 Pacific Avenue being a subdivision of Lot 006 in Assessors Block No. 0573 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1. (Public Works Department)

(DPW Order 177,972; District 3.)

12/16/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

66. 081579 [Final Map - 77 Van Ness Avenue]

Motion approving Final Map 4182, a subdivision of 4 Airspace Parcels, Parcel "A" being a one lot subdivision for residential condominium purposes (50 units), Parcel "B" being a common area airspace parcel, Parcel "C" being a one lot subdivision for commercial condominium purposes (14 units), and Parcel "D" being a one lot subdivision for parking condominium purposes (58 parking spaces) Project, located at 77 Van Ness Avenue being a subdivision of Lot 022 in Assessors Block No. 0834 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1. (Public Works Department)

(DPW Order 177,969; District 6.)

12/16/2008, 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: _____

67. **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 resolution(s) being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

OFF-AGENDA LEGISLATION

PROPOSED ORDINANCES

Proposed ordinances received from December 9, 2008 to December 29, 2008, for reference by President to appropriate committee on January 6, 2009.

- 081618** **[Settlement Of Lawsuit - Xiaomei Ma v. CCSF - \$115,000]**
Ordinance authorizing settlement of Xiaomei Ma's claims in the lawsuit filed by Xiaomei Ma against the City and County of San Francisco for \$115,000.00; the lawsuit was filed on April 6, 2007, in the San Francisco Superior Court, Case No. 07-462106, entitled Ma v. City and County of San Francisco. (City Attorney)

12/29/2008, RECEIVED AND ASSIGNED to Rules Committee.
- 081620** **[Zoning - Ordinance relating to the repair of inadvertent errors and omissions discovered in 2008]**
Ordinance amending the Planning Code to correct errors including: 1) amend Section 140(a) to properly reference Section 504 and 503 of the Housing code instead of 501.4 and 501.1, respectively; 2) amend 151 to specify the number of required parking spaces per beds in hospital uses; 3) amend Section 209.8 to link exceptions to "if permitted in the nearest NC District" instead of C-1 and C-2; 4) amend Section 263.9 to properly reference Chart C instead of Charts B and to reference Section 271 instead of Section 270(4) which does not exist; 5) amend Sections 816.67 (SLR District), 817.67 (SLI District), and 818.67 (SSO District) to properly reference Section 225 Wholesaling, Storage, Distribution and Open-Air Handling of Materials and Equipment instead of Section 255 which does not exist; 6) amend Appendix A to Article 10, List of Designated Landmarks to correct the number for certain Landmarks; and 7) amend each neighborhood commercial district and neighborhood commercial transit district to explicitly prohibit Amusement Enterprises as currently defined by Section 790.04, except NC-3 and NCT-3 where Amusement Enterprises would be reviewed as Conditional Use authorization per Section 303; making environmental findings; and findings of consistency with the City's General Plan and Planning Code Section 101.1. (Planning Department)

12/19/2008, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

PROPOSED RESOLUTIONS

Proposed resolutions received from December 9, 2008 to December 29, 2008, for reference by President to appropriate committee on January 6, 2009.

- 081581** **[Approval of Port Lease to Pilara Family Foundation Lease No. L14144 at Pier 24 Annex]**
Resolution approving Port Commission Lease No. L-14144 with the Pilara Family Foundation, a Nevada Non-Profit Corporation ("Pilara") for certain real property located at Pier 24 Annex in the City and County of San Francisco. (Port)

12/17/2008, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.
- 081586** **[Adopting Findings related to San Francisco Public Utilities Commission Water System Improvement Program (WSIP)-funded Project No. CUW39101, Baden and San Pedro Valve Lots Improvements Project]**
Resolution adopting findings under the California Environmental Quality Act ("CEQA"), CEQA Guidelines and San Francisco Administrative Code Chapter 31, including the adoption of mitigation monitoring and reporting program related to the funding of the Baden and San Pedro Valve Lots Improvements Project, CUW39101 and directing the Clerk of the Board of Supervisors to notify the Controller of this action. (Public Utilities Commission)

12/24/2008, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.
- 081587** **[Adopting Findings related to San Francisco Public Utilities Commission Water System Improvement Program (WSIP) Pulgas Balancing - Discharge Channel Modifications Project]**
Resolution adopting findings under the California Environmental Quality Act ("CEQA"), CEQA Guidelines and San Francisco Administrative Code Chapter 31, including the adoption of mitigation monitoring and reporting program related to the funding of the Pulgas Balancing - Discharge Channel Modifications Project, and directing the Clerk of the Board of Supervisors to notify the Controller of this action. (Public Utilities Commission)

12/24/2008, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.
- 081617** **[Adopting Findings related to San Francisco Public Utilities Commission Bay Division Pipelines Crossover Facilities Project in San Mateo and Santa Clara Counties]**
Resolution adopting findings under the California Environmental Quality Act ("CEQA"), CEQA Guidelines and San Francisco Administrative Code Chapter 31, including the adoption of mitigation monitoring and reporting program related to the funding of the Bay Division Pipelines 3 and 4 Crossover Facilities Project - CUW38001 at three sites in San Mateo and Santa Clara County, and directing the Clerk of the Board of Supervisors to notify the Controller of this action. (Public

Utilities Commission)

12/24/2008, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

081619 [Airport Lease and Operating Agreement]

Resolution approving the exercise of the third of five one-year options to extend the term of Smarte Carte, Inc.'s Luggage Cart Lease and Operating Agreement
No. 01-0343. (Airport Commission)

12/24/2008, RECEIVED AND ASSIGNED to Budget and Finance Committee.

090002 [Petitions and Communications, Part 1]

Petitions and Communications received from December 9, 2008 through December 29, 2008 for reference by the President to Committee considering related matters or to be ordered filed by the Clerk on January 6, 2009.

From James Chaffee, regarding contributions made by the organization "Friends of the S.F. Public Library" from 2001 through 2008.(1)

From Human Services Agency, submitting year-end report from the Department of Aging and Adult Services. Copy: Each Supervisor(2)

From concerned citizens, submitting opposition to proposal that cuts the funding for the arts by 50%. Approximately 12 letters(3)

From MJM Management Group for the Union Square Business Improvement Division, urging the Board not to reduce the funding for the Mayor's Office of Economic Development's budget by \$500,000. Copy: Each Supervisor(4)

From the Bohemian Club, submitting request to be excluded from the assessment of the Tourism Improvement District. File 081517, Copy: Each Supervisor (5)

From Office of the Mayor, withdrawing Susan Sun's nomination to the Historic Preservation Commission. File 081554, Rules Clerk(6)

From Office of the Mayor, withdrawing Allison Williams nomination to the Historic Preservation Commission. File 081548, Rules Committee(7)

From Patrick Monette-Shaw, submitting ideas on how to fully fund the Laguna Honda Hospital's Adult Day Health Care program.(8)

From concerned citizens, urging the City and County of San Francisco to restore Sharp Park Golf Course. Approximately 20 letters(9)

From Dee Modglin, submitting opposition to proposed legislation regarding the "Below Market Rate Condominium Conversion Program" that is up for final passage on the December 16, 2008. File 080520, 081088, 2 letters, Copy: Each Supervisor(10)

From Pat Missud, regarding another car accident on Alemany Boulevard and San Juan Avenue.(11)

From concerned citizens, regarding request for all email sent to Supervisor Ammiano's City Hall Office in the last several months.3 letters(12)

From Office of the City Attorney, submitting notice that the appeal filed regarding concerns of the Eastern Neighborhoods Rezoning and Area Plans Project was not filed in a timely manner. File 081538(13)

From Brad Paul, submitting support to fully fund the Mayor's Office of Economic Development and Workforce Development Program. Copy: Government Audit and Oversight Committee(14)

From Clerk of the Board, submitting names of the City departments and agencies that have submitted their conflict of interest code notice: SF Local Agency Formation Commission, Department of Aging and Adult Services, Workforce Investment-San Francisco, Department of Human Resources, SF Community Health Authority, SF Parking Authority Commission, SF Housing Authority, CCSF Finance Corporation.(15)

From State Department of Transportation, submitting a copy of their new awareness video titled California's General Aviation Airports: Links to Vitality. Copy: Lafco, Supervisors Peskin, Maxwell, Sandoval(16)

From Airport Commission, submitting a compliance audit of British Airways.(17)

From Municipal Transportation Agency, submitting request for waiver of Administrative Code Chapter 12B for Transtech of SC, LP.(18)

From Office of City Administrator, submitting request for continued funding of the Emergency Management Coordinator position. Copy: Government Audit and Oversight Committee Clerk(19)

From Fire Department, submitting request for waiver of Administrative Code Chapter 12B for testing at the Cow Palace in March 2009 for the administration of the H-2 Firefighter written examination.(20)

From Office of the Controller, submitting the final report of the SF Police Department Organizational Assessment conducted by the Police Executive Research Forum (PERF). File 081558, Copy: Each Supervisor(21)

From Capital Planning Committee, submitting recommendations on the General Hospital Rebuild General Obligation Bonds, General Hospital Emergency Generator Replacement and the Moscone Center Improvement Project. Copy: Each Supervisor, Budget & Finance Committee Clerk(22)

From Mayor's Office of Housing, submitting an additional emergency work notification letter of added work that must be completed at the Midtown Park Apartments.(23)

From Supervisor Peskin, submitting appointment of Supervisor David Campos to serve as Vice Chair of the Government Audit and Oversight Committee to fill the seat vacated by Supervisor Ammiano. Copy: Rules Committee(24)

From Clerk of the Board, submitting notice that the following individual has submitted a Form 700 Statement of Economic Interests: Supervisor David Campos.(25)

From Assessor-Recorder, submitting support for proposed ordinance to expand San Francisco's Clean Technology Payroll Tax Exclusion. File 081449, Copy: Each Supervisor(26)

From Office of the Mayor, submitting appointment of Tammy Chan as member of the Historical Preservation Commission to fill seat 7, term to expire four years after the Board approves this nomination. Copy: Rules Committee(27)

From Office of the Mayor, submitting appointment of Alan Martinez as member of the Historical Preservation Commission to fill seat 1, term to expire four years after the Board approves this nomination. Copy: Rules Committee(28)

From Kimo Crossman, requesting the unlitigated IRS matter for closed session that was continued from the December 4, 2008 Rules Committee. Copy: Supervisor Daly(29)

From Municipal Transportation Agency, responding to inquiry requesting the feasibility of establishing various stop signs within the Sunset District. (Reference No. 20081118-001) Copy: Supervisor Chu(30)

From Saveri & Saveri, Inc., submitting opposition to granting an exemption from environmental review of proposed project at 2655 Scott Street. File 081432, Copy: Each Supervisor(31)

From Rev. Vernon Link, submitting support for a new mall that includes a Safeway on Market Street between 5th and 6th Streets. Copy: Each Supervisor(32)

From Department of Public Works, regarding removing graffiti from various locations in District 5. (Reference No. 20081028-002)(33)

From Department of Public Works, regarding removing graffiti from various locations in District 5. (Reference No. 20081021-008)(34)

From Department of Public Works, regarding removing graffiti from various locations in District 5. (Reference No. 20081028-006)(35)

From Department of Public Works, regarding removing graffiti from various locations in District 5. (Reference No. 20081104-004)(36)

From Department of Public Works, regarding removing graffiti from various locations in District 5. (Reference No. 20081104-005)(37)

From Department of Public Works, regarding removing graffiti from various locations in District 5. (Reference No. 20081209-004)(38)

From Department of Public Works, regarding removing graffiti from various locations in District 5. (Reference No. 20081209-005)(39)

From Department of Public Works, regarding removing graffiti from various locations in District 5. (Reference No. 20081209-003)(40)

From Department of Public Works, regarding removing graffiti from various locations in District 5. (Reference No. 20081216-004)(41)

From Sunset Parkside Education and Action Committee, submitting amendments to the creation and funding of a Tourism Improvement District. File 081517(42)

From B & Z Gabriel, submitting petition opposing the size and magnitude of the proposed building at 2800 Sloat Boulevard.(43)

From concerned citizens, submitting opposition to proposed sidewalk encroachment for 1335 Stanyan Street. File 081463, 8 letters(44)

From Claire Barnum, submitting support for continued funding of Neighborhood Emergency Response Training (N.E.R.T.).(45)

From Teresa Welborn, submitting opposition to five of the six members recommended by the Rules Committee for the Market-Octavia Citizens Advisory Committee. Copy: Rules Clerk(46)

From Richard McRee, requesting correction of numerous misspellings in past official minutes.(47)

From Francisco Da Costa, submitting support to keep the leadership in the Department of Children, Youth and Their Families intact.(48)

From MK Hickox, regarding the lack of parking on Jackson Street between Franklin and Gough.(49)

From Kimo Crossman, regarding cost breakdown to post recordings of the Sunshine Ordinance Task Force meetings in City Hall. 2 letters(50)

From Christian Holmer, regarding request for all email sent to Supervisor Peskin's City Hall Office in the last several months.(51)

From Christian Holmer, regarding request for all email sent to Supervisor McGoldrick's City Hall Office in the last several months.(52)

From Christian Holmer, regarding public records request for all department heads and the mayor's calendar for the period of 12/13/08 - 12/19/08.(53)

From Secretary of State, submitting notice that amendments to the Charter of the City and County of San Francisco, ratified by the voters at the election on November 4, 2008, were filed on December 15, 2008 and assigned Charter Chapter Number 14 for publication in the Statutes of 2008. Copy: Clerk of the Board(54)

From Office of the Mayor, submitting letter vetoing File 081088, which would require Conditional Use authorization for any elimination of dwelling units through mergers, conversions or demolition of existing dwelling units. Copy: Each Supervisor, Clerk of the Board(55)

From Richard McRee, submitting communication entitled "Your failure as President to uphold and defend Constitutional Rights" dated December 15, 2008.(56)

From Office of the Mayor, submitting notice that he will be out of the State of California from 9:00 a.m., December 27, 2008 until 9:00 p.m., January 4, 2009, Supervisor Dufty and Supervisor Elsbernd are designated as Acting Mayors. Copy: Each Supervisor, Clerk of the Board(57)

From Office of the City Attorney, submitting his commitment to furthering the City's interest in closing the Potrero Power Plant at the earliest possible date. File 081191(58)

From Roberto Hernandez, submitting his resignation from his seat on P.R.O.S.A.C. as one of two District 9 representatives. Copy: Rules Clerk(59)

From concerned citizens, commenting on the Below Market Rate Condominium Conversion Program. File 080520, 3 letters(60)

From State Senate Rules Committee, submitting the reappointment of Pamela Giacomini to the State Board of Forestry and Fire Protection. Copy: Each Supervisor, Clerk of the Board(61)

From concerned citizens, submitting petition in-support of appeal of the conditional use permit for parking at 299 Valencia. File 081420(62)

[090003](#)

[Petitions and Communications, Part 2]

Petitions and Communications received from December 9, 2008 through December 29, 2008 for reference by the President to Committee considering related matters or to be ordered filed by the Clerk on January 6, 2009.

From Richard Skaff, urging removal of the SF Department of Building Inspection policy titled "Dimensional Tolerances for New and Existing Construction".(63)

From Jim Meko, thanking Supervisor Dufty for introducing the Youth and Family Zone legislation, which asked that the Board amend the boundaries of the Youth and Family Zone to confine it to the Eastern Neighborhoods and allow the Western SoMa process a chance to complete its work.(64)

From Office of the Controller, submitting report from the Office of Economic Analysis regarding resolution to establish the "Tourism Improvement District" in San Francisco. File 081517(65)

From Communities in Harmony Advocating for Learning and Kids, submitting newsletter concerning funding for the youth ideas program.(66)

From Department of Public Works, regarding removing graffiti from various locations in District 5. (Reference No. 20081021-001)(67)

From Department of Public Works, regarding removing graffiti from various locations in District 5. (Reference No. 20081209-001)(68)

From Department of Public Works, regarding removing graffiti from various locations in District 5. (Reference No. 20081209-003)(69)

From Department of Public Works, regarding removing graffiti from various locations in District 5. (Reference No. 20081216-001)(70)

From Department of Public Works, regarding removing graffiti from various locations in District 5. (Reference No. 20081209-02)(71)

From Department of Public Works, regarding removing graffiti from various locations in District 5. (Reference No. 20081216-003)(72)

From Law Offices of Stephen Williams, requesting the appeal of proposed project at 1864-1868 Green Street is withdrawn. File 081486, Copy: Each Supervisor, Clerk(73)

From Francisco Da Costa, regarding the \$1.9 billion to revamp the Hetch Hetchy Water System.(74)

From concerned citizens, submitting opposition to various budget cuts in city funded programs.13 letters(75)

From Francisco Da Costa, regarding the agreement between the Lennar Corporation and the City and County of San Francisco.2 letters(76)

From concerned citizens, urging a no vote on any combustion turbine peaker projects, and call for a 2009 Energy Action Plan to close the existing Mirant power plant by 2010. 3 letters(77)

From Joan Wood, commenting on the North Beach Community Court.(78)

From Romano Gatto, regarding the December 8, 2008 NAACP & Team Gatto Boxing club press conference.(79)

From Pam & Terry Elliott, submitting opposition to the proposed project at 2655 Scott Street. File 081432, Copy: Supervisors Peskin, Maxwell, Campos(80)

From Office of the Treasurer, submitting investment activity (for fiscal year to date) of the portfolios under the Treasurer's management. Copy: Each Supervisor, Clerk of the Board(81)

From Andrea O"Leary, urging all public parks and businesses to comply with the law by removing their garbage bins out of public sight.(82)

From Bill Sargeant, requesting something be done to suppress all the pilfering and rummaging through the blue recycling cans.(83)

From Monty Morris, regarding the dumping of phone books in front of apartment buildings.(84)

From State of California Fish and Game Commission, submitting notice of proposed changes in regulations. Copy: Each Supervisor(85)

From Timothy Harding, commenting that he will not visit San Francisco anymore due to its' status as a "Sanctuary City."(86)

From the Pugliese Family, thanking the Board for the tribute in memory of Susan Pugliese.(87)

From Mike McKinley, commenting on the disorganization on the opening day of the new Academy of Sciences.(88)

From Elise Pundt, commenting on the passage of Proposition 8.(89)

From SF Public Utilities Commission, submitting list and maps of all developed and underdeveloped land under the SF Public Utilities Commission's jurisdiction within the City and County of San Francisco. (Reference No. 20081125-001)(90)

From SF Public Utilities Commission, submitting request for release of reserved funds (\$136,622,239) for the Water System Improvement Program. (91)

From Tina Seastrom, regarding evaluating the purpose and practices at the San Francisco Zoo.(92)

From Ahimsa Sumchai, submitting correspondence regarding "demand for materials and communications: SOFT representative and BOS Peskin and Maxwell 10/9/07."(93)

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 and legislative files (which contain documents submitted after the distribution of the agenda packet) are available at the Board of Supervisors, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102. Agendas are available on the Internet at www.sfgov.org/site/bos_meetings For information, call (415) 554-5184.

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

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