

BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

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

MEETING MINUTES

Tuesday, September 9, 2008 2:00 PM

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

Regular Meeting

AARON PESKIN, PRESIDENT

*MICHELA ALIOTO-PIER, TOM AMMIANO, CARMEN CHU, CHRIS DALY,
BEVAN DUFTY, SEAN ELSBERND, SOPHIE MAXWELL, JAKE MCGOLDRICK,
ROSS MIRKARIMI, GERARDO SANDOVAL*

Angela Calvillo, Clerk of the Board

BOARD COMMITTEES

Committee Membership

Budget and Finance Committee

Supervisors McGoldrick, Elsbernd, Mirkarimi

City and School District Select Committee

Supervisors Dufty, Mirkarimi, Alioto-Pier, Commissioners Kim, Mendoza, Mar

City Operations and Neighborhood Services Committee

Supervisors Chu, McGoldrick, Elsbernd

Government Audit and Oversight Committee

Supervisors Peskin, Ammiano, Maxwell

Land Use and Economic Development Committee

Supervisors Maxwell, Sandoval, Peskin

Public Safety Committee

Supervisors Mirkarimi, Maxwell, Dufty

Rules Committee

Supervisors Daly, Dufty, Ammiano

Meeting Days

Wednesday

1:00 PM

1st and 3rd Thursday

3:30 PM

1st and 3rd Thursday

1:00 PM

1st and 3rd Monday

10:00 AM

Monday

1:00 PM

2nd and 4th Monday

10:00 AM

1st and 3rd Thursday

10:00 AM

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

Volume 103 Number 30

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

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:06 p.m. On the call of the roll Supervisors Alioto-Pier and McGoldrick were noted absent.

There was a quorum present.

Supervisors Alioto-Pier and McGoldrick were noted present at 2:07 p.m.

APPROVAL OF MEETING MINUTES

Supervisor Mirkarimi, seconded by Supervisor Maxwell, moved to approve the Board Meeting Minutes of July 29, 2008 and August 5, 2008. The motion carried by the following vote:

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

COMMUNICATIONS

CONSENT AGENDA

Recommendation of the Budget and Finance Committee

- 080656 [Public Employment and Accept-Expend Federal Grant - Amendment to the Annual Salary Ordinance, FY 2008-2009. Mayor's Summer Food Service Program and After School Snack Program - 2008 - \$950,710]
Supervisor Maxwell

Ordinance amending Ordinance No. 141-08 (Annual Salary Ordinance 2008-2009) to reflect the addition of one position (0.40 FTE) 9774 Sr. Community Development Specialist, one position (0.40 FTE) 1840 Jr. Management Assistant, and thirteen positions (1.04 FTE) 9910 Public Service Trainee in the Department of Children, Youth and Families (CHF), and authorizing the department to accept and expend a grant in the amount of \$950,710, currently and retroactively, if necessary, from the United States Department of Agriculture to sponsor the 2008 Mayor's Summer Food Program and the After School Snack Program.

Ordinance No. 208-08
FINALLY PASSED

Recommendations of the Land Use and Economic Development Committee

- 080856 [Mission Bay South-Acceptance of Land and Improvements on Third Street for Blocks 17, 20 and 23]
Ordinance accepting the Mission Bay Blocks 17, 20, 23 Public Improvements-Phase 1; approving the dedication of the strip of land 5.00 feet in width, along the west side of Third Street for right-of-way purposes; designating street grades and sidewalk widths; accepting the irrevocable offer for the acquisition facilities for public use and maintenance purposes; adopting environmental findings and findings that such actions are consistent with the City's General Plan, eight priority policy findings of City's Planning Code Section 101.1, and the Mission Bay South Redevelopment Plan; accepting Department of Public Works Order No. 177,603; and authorizing official acts in connection with this ordinance. (Public Works Department)

Ordinance No. 207-08
FINALLY PASSED

- 080857 [Mission Bay South-Acceptance of Land and Improvements for the 7th and 16th Street Intersection]
Ordinance accepting the dedication for public street and roadway purposes of the two (2) portions of properties adjacent to 16th Street and accepting the irrevocable offer for the 7th and 16th Street Intersection Infrastructure Improvements; designating street grades and accepting the irrevocable offer for the acquisition facilities for public use and maintenance purposes; adopting environmental findings and findings that such actions are consistent with the City's General Plan, eight priority policy findings of City's Planning Code Section 101.1, and the Mission Bay South Redevelopment Plan; accepting Department of Public Works Order No. 177,604; and authorizing official acts in connection with this ordinance. (Public Works Department)

Ordinance No. 206-08
FINALLY PASSED

Recommendations of the Rules Committee

- 080886 [Changing the name of the Department of Telecommunications and Information Services to the Department of Technology]
Mayor

Ordinance changing the name of the Department of Telecommunications and Information Services to the Department of Technology, and amending San Francisco Administrative Code Sections 11.84, 11.85, 11.86, and 11.88, to implement the name change.

Ordinance No. 209-08
FINALLY PASSED

**080019 [Implementing the Controller's Whistleblower Program]
Supervisors Mirkarimi, Dufty**

Ordinance amending the Campaign and Governmental Conduct Code by amending Sections 4.100 and 4.115 and adding Sections 4.107 and 4.123 to implement the provisions of Charter Appendix F1.107 for the operation of the Controller's Whistleblower Program, to protect the confidentiality of whistleblowers and the investigation of complaints, and to provide protection from retaliation, and repealing Section 4.125 and adding a new Section 4.125 to prohibit the furnishing of false information in, and require cooperation with, whistleblower investigations conducted by the Controller or any other officer or department. (Controller)

Ordinance No. 205-08
FINALLY PASSED

The foregoing items were acted upon by the following vote:

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

Severed from the Consent Agenda

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

**080564 [Establishing a Reentry Council]
Supervisor Mirkarimi**

Ordinance amending the San Francisco Administrative Code by adding Sections 5.1-1 through 5.1-6 to: establish a Reentry Council; set forth the Council's purpose, powers and duties; and establish membership criteria.

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

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

PASSED ON FIRST READING AS AMENDED by the following vote:

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

REGULAR AGENDA

UNFINISHED BUSINESS

From the Clerk

- 081146 [Findings - Disapproval of the Tentative Map for 1345 Fillmore Street]**
Motion adopting findings concerning the disapproval of a Tentative Map for a 330-unit condominium subdivision located at 1345 Fillmore Street, Assessor's Block 0731, Lots 018 and 20 through 67.
Motion No. M08-142
APPROVED by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
- 081147 [Findings - Disapproval of the Tentative Map for 1420 Turk Street and 1535 Eddy Street]**
Motion adopting findings concerning the disapproval of a Tentative Map for a 325-unit condominium subdivision located at 1420 Turk Street and 1535 Eddy Street, Assessor's Block 0750, Lot 019.
Motion No. M08-141
APPROVED by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
- 081148 [Findings - Approval of the Tentative Parcel Map for 628-632 Steiner Street]**
Motion adopting findings concerning the approval with conditions of a Tentative Parcel Map for a 3-unit condominium conversion subdivision located at 628-632 Steiner Street, Assessor's Block 0822, Lot 024.
Motion No. M08-140
APPROVED by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

NEW BUSINESS

Recommendations of the City Operations and Neighborhood Services Committee

- 080686 [Landmark tree designation of Monterey Cypress at 2626 Vallejo Street]**
Supervisor Alioto-Pier
- Ordinance designating the Monterey Cypress at 2626 Vallejo Street (Assessor's Block 0953, Lot 006) as a landmark tree pursuant to Public Works Code Section 810, making findings supporting the designation, and requesting official acts in furtherance of the landmark tree designation.
- PASSED ON FIRST READING by the following vote:**
Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

**080687 [Landmark designation of Manzanita at 115 Parker Avenue]
Supervisor Alioto-Pier**

Ordinance designating the Manzanita at 115 Parker Avenue (Assessor's Block 1064, Lot 002) as a landmark notwithstanding the provisions contained in the Public Works Code Section 810, making findings supporting the designation, and requesting official acts in furtherance of the landmark designation.

PASSED ON FIRST READING by the following vote:

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

**080935 [Urging SFUSD to reconsider current school assignment system]
Supervisors Chu, Alioto-Pier**

Resolution urging the San Francisco Unified School District (SFUSD) to reconsider the current school assignment system for K-12 admissions and place greater emphasis on geographic considerations for school assignments.

(Supervisor McGoldrick dissenting in Committee.)

Supervisor Alioto-Pier requested to be added as a co-sponsor.

Supervisor McGoldrick, seconded by Supervisor Mirkarimi, moved that this Resolution be REFERRED to the City and School District Select Committee. The motion carried by the following vote:

Ayes: 7 - Ammiano, Daly, Dufty, Maxwell, McGoldrick, Mirkarimi, Peskin
Noes: 4 - Alioto-Pier, Chu, Elsbernd, Sandoval

Recommendations of the Government Audit and Oversight Committee

**080233 [Urban Forestry Council - Membership]
Supervisor McGoldrick**

Ordinance amending the San Francisco Environment Code by amending Section 1202 to reconstitute the membership of the Urban Forestry Council to eleven members.

PASSED ON FIRST READING by the following vote:

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

**081014 [In-Home Supportive Services - Public Authority]
Supervisor Peskin**

Ordinance amending Administrative Code Chapter 70, regarding the In-Home Supportive Services Public Authority, to eliminate obsolete terms and amending Section 70.2 to provide compensation for members of the governing body for attending meetings.

Supervisor Mirkarimi, seconded by Supervisor Elsbernd, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. The motion carried by the following vote:

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

PASSED ON FIRST READING AS AMENDED by the following vote:

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

Supervisor Alioto-Pier Was Excused from Voting

Supervisor Duffy, seconded by Supervisor Chu, moved to excuse Supervisor Alioto-Pier, at her request, because of a possible conflict of interest, from voting. The motion carried by the following vote:

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

**081056 [Issuance and Sale of Revenue Bonds - Schools of the Sacred Heart - Not to exceed \$35,000,000]
Supervisor Duffy**

Resolution approving in accordance with Section 147(f) of the Internal Revenue Code and requirements of Section 91530(f) of the Government Code the issuance and sale of revenue bonds by the ABAG Finance Authority for Nonprofit Corporations in an aggregate principal amount not to exceed \$35,000,000 to finance educational projects owned and operated by the Schools of Sacred Heart - San Francisco.

Resolution No. 386-08

ADOPTED by the following vote:

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

Recommendations of the Land Use and Economic Development Committee**Supervisors Daly and Duffy Were Excused From Voting**

Supervisor Mirkarimi, seconded by Supervisor Ammiano, moved to excuse Supervisors Daly and Duffy, at their request, because of a possible conflict of interest, from voting. The motion carried by the following vote:

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

**080235 [First Source Hiring Ordinance - expanding scope of covered permits in Market and Octavia Plan]
Supervisor Mirkarimi**

Ordinance amending the San Francisco Administrative Code by amending Sections 83.2, 83.4, and 83.6 to: (1) expand the scope of permits that the ordinance applies to in the Market and Octavia Area Plan; (2) place new reporting requirements on the First Source Hiring Administration that include reporting first source statistics on permittees, as defined under the ordinance, and (3) require contractors and permittees to cooperate with reasonable requests for information from the First Source Hiring Administration.

PASSED ON FIRST READING by the following vote:

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

**080521 [Citywide Affordable Housing Preference for Certificate of Preference Holders]
Supervisors Mirkarimi, Dufty, Maxwell**

Ordinance providing that all City affordable housing programs give preference in those programs to Certificate of Preference Holders under the San Francisco Redevelopment Agency's Property Owner and Occupant Preference Program by adding Administrative Code Section 24.8 to provide that all City affordable housing programs administered by the Mayor's Office of Housing or other City Department give preference in those programs to Certificate of Preference holders; and amending Administrative Code Sections 43.3.4 to provide for preference in the affordable housing and home ownership bond program; Section 10.100-110 to provide for preference in the expenditure of funds from the Mayor's Housing Affordability Fund; 10-100-370 to provide for preference in the use of HOPE SF funds; and amending Planning Code Sections 313.12, 315.4, 315.5, and 315.6 to provide for preference in the Citywide Affordable Housing funds generated by the Jobs-Housing Linkage Program and the Residential Inclusionary Affordable Housing program and in the allocation of all on- and off-site inclusionary housing units in those programs.

Continued to September 23, 2008

Supervisor Mirkarimi, seconded by Supervisor Ammiano, moved that this Ordinance be CONTINUED. The motion carried by the following vote:

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

From the Rules Committee Without Recommendation

**080818 [Recreation and Park - San Francisco Zoo Policies and Oversight]
Supervisor Daly**

Ordinance adding Section 5.10 to the San Francisco Park Code to establish the San Francisco Zoo as a facility that primarily houses wildlife, domestic and exotic animals acquired from rescue situations, donations, and/or confiscations by law enforcement authorities; is committed to education and conservation, and makes animal welfare a priority; and to establish a Zoo Animal Welfare Oversight Advisory Committee appointed by the Board of Supervisors to advise the Board on policy priorities for ensuring that the needs of the animals are met.

(Supervisor Dufty dissented in committee.)

Continued to September 16, 2008

Supervisor Elsbernd, seconded by Supervisor Dufty, moved that this Ordinance be CONTINUED. The motion carried by the following vote:

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

Called from the City Operations and Neighborhood Services Committee

080438 [Prohibiting smoking in enclosed areas, certain unenclosed areas, and sports stadiums]
Supervisor Daly

Ordinance updating findings based on recent studies; amending San Francisco Health Code Sections 1009.20, 1009.21, 1009.22, 1009.23, 1009.25, and 1009.81, and adding Sections 1009.26, 1009.27, 1009.28, and 1009.29, to prohibit smoking in 1) business establishments and bars regardless of whether owner-operated, 2) common areas of multi-unit housing complexes, 3) tourist lodging facilities, 4) tobacco shops, 5) charity bingo games, 6) taxicabs and other motor vehicles for hire, 7) unenclosed dining areas of restaurants, 8) service waiting areas, 9) areas within twenty feet of entrances to private, nonresidential buildings, 10) farmers markets, and 11) vehicles owned by the City and County of San Francisco; establishing obligations for property owners and managers to prevent smoking in prohibited areas, defining secondhand smoke from a business establishment located in a mixed-use residential and commercial building as a nuisance; adding administrative procedures and penalties; deleting criminal penalties; adding provisions for cost recovery and liens; adding provisions for private enforcement of the ordinance, and making conforming changes in the Police Code by repealing Sections 53, 53.1, and 1098, and in the Health Code by repealing Section 1009.24.

Supervisor Daly, seconded by Supervisor Ammiano, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. The motion carried by the following vote:

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

Supervisor McGoldrick, seconded by Supervisor Daly, moved to continue this matter to September 16, 2008. Motion to continue this matter to September 16, 2008 failed by the following vote:

Ayes: 5 - Ammiano, Daly, McGoldrick, Mirkarimi, Peskin

Noes: 6 - Alioto-Pier, Chu, Dufty, Elsbernd, Maxwell, Sandoval

Supervisor Elsbernd, seconded by Supervisor Alioto-Pier, moved that this Ordinance be RE-REFERRED to the Rules Committee. The motion carried by the following vote:

Ayes: 6 - Alioto-Pier, Chu, Dufty, Elsbernd, Maxwell, Sandoval

Noes: 5 - Ammiano, Daly, McGoldrick, Mirkarimi, Peskin

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

Privilege of the Floor

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

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

Supervisor Alioto-Pier welcomed, introduced and presented Certificates of Honor to Sergeant Dan Linehan and Officer Ricky Terrell, from Northern Station, in recognition of their retirement from the San Francisco Police Department.

SPECIAL ORDER 4:00 P.M.

081133 [Public Hearing - Appeal of Final Environmental Impact Report for the Eastern Neighborhoods Rezoning and Area Plans Project]

Hearing of persons interested in or objecting to the Planning Commission's August 7, 2008, certification of a Final Environmental Impact Report identified as Planning No. 2004.0160E, through its Motion No. 17659, for a proposed Eastern Neighborhoods Rezoning and Area Plans project, amendments to the San Francisco Planning Code and Zoning Maps, amendments to the San Francisco General Plan, and adoption of interim historic preservation procedures. The Plan Area generally includes the eastern portion of the South of Market Area ("East SOMA"), The Mission, Showplace Square/Potrero Hill, and the Central Waterfront Neighborhoods of San Francisco and making other related findings. (Appellants: Chris Durazo, Filed 8/8/08; and Gary Noguera, Filed 8/27/08)

(Filed 8/8/08 and 8/27/08; companion measure to Files 081134, 081135, 081136.)

The President inquired as to whether any member of the public wished to address the Board members.

Continued to September 23, 2008

Supervisor Maxwell, seconded by Supervisor Sandoval, moved that this Hearing be CONTINUED. The motion carried by the following vote:

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

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the Final Environmental Impact Report 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.)**081134 [Affirming certification of the Eastern Neighborhoods Rezoning and Area Plans FEIR]**

Motion affirming the certification by the Planning Commission of the Final Environmental Impact Report for the Eastern Neighborhoods Rezoning and Area Plans Project. (Clerk of the Board)

Continued to September 23, 2008

Supervisor Maxwell, seconded by Supervisor Sandoval, moved that this Motion be CONTINUED. The motion carried by the following vote:

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

081135 [Disapproving certification of the Eastern Neighborhoods Rezoning and Area Plans FEIR]

Motion disapproving the certification by the Planning Commission of the Final Environmental Impact Report for the Eastern Neighborhoods Rezoning and Area Plans Project. (Clerk of the Board)

Continued to September 23, 2008

Supervisor Maxwell, seconded by Supervisor Sandoval, moved that this Motion be CONTINUED. The motion carried by the following vote:

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

081136 [Preparation of findings to disapprove certification of the Eastern Neighborhoods Rezoning and Area Plans FEIR]

Motion directing the Clerk of the Board to prepare findings disapproving the certification by the Planning Commission of the Final Environmental Impact Report for the Eastern Neighborhoods Rezoning and Area Plans FEIR. (Clerk of the Board)

Continued to September 23, 2008

Supervisor Maxwell, seconded by Supervisor Sandoval, moved that this Motion be CONTINUED. The motion carried by the following vote:

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

ROLL CALL FOR INTRODUCTIONS**PUBLIC COMMENT**

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

James Chaffee; expressed concern with issues relating to the SF Public Library

Walter; shared with the Board certain SF memorabilia

Richard McRee; expressed concern with issues relating to his patent for the design of Sigmund Stern Grove

Female speaker; expressed concern with issues relating to the Housing Authority

Pebbles Stoned; expressed concern with issues relating to medical marijuana

Commander of the Highway Patrol; shared with the Board the duties of the California Highway Patrol

Male speaker; expressed concern with issues relating to violence in SF

Ace Washington; expressed concern with issues relating to Channel 29

Male speaker; expressed concern with issues relating to violence

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.

- 081129 [90 day extension for Planning Commission review - Mission/Bernal Formula Retail Restricted Use Subdistrict]
Supervisor Ammiano**

Resolution extending by 90 days the prescribed time within which the Planning Commission may render its decision on a proposed Ordinance amending the San Francisco Planning Code by adding Section 785 to establish the Mission/Bernal Formula Retail Restricted Use Subdistrict and to amend Section 703.3 to prohibit formula retail uses in the Mission/Bernal Formula Retail Restricted Use Subdistrict; amending Sectional Maps SU 07 and SU 11 of the Zoning Map of the City and County of San Francisco to establish the boundaries of the Mission/Bernal Formula Retail Restricted Use Subdistrict; adopting findings, including environmental findings and findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan.

Resolution No. 384-08

ADOPTED

- 081130 [Accept-Expend Federal/State Pass Through Grant - \$11,828]
Supervisors Chu, Dufty**

Resolution authorizing the Department of Public Library to accept and expend a grant in the amount of \$11,828 from the California State Library as part of the Federal Library Services and Technology Act (LSTA) for reimbursing tuition expenses of library employees pursuing a degree or certificate in library science at an institution of higher education.

Resolution No. 383-08

ADOPTED

- 081131 [Commending Breakthrough Collaborative]
Supervisor Daly**

Resolution commending Breakthrough Collaborative for their work to increase educational opportunities for high-potential, disadvantaged middle school students and inspired gifted college and high school students to pursue careers in education.

Resolution No. 382-08

ADOPTED

- 081132 [Accept-Expend State grants for food and agricultural projects - \$6,808.90]
Supervisor Alioto-Pier**

Resolution authorizing the San Francisco Department of Public Health (DPH) to retroactively accept and expend three grants totaling \$6,808.90, two from the California Department of Food and Agriculture (CDFA) and one from the California Department of Pesticide Regulation (CDPR); for the period of July 1, 2008 through June 30, 2009.

Resolution No. 381-08

ADOPTED

081126 [Final Map - 146-148 South Van Ness Avenue]

Motion approving Final Map 2781, a 2 Lot Airspace Project, located at 146 – 148 South Van Ness Avenue being a subdivision of Lot 046 in Assessors Block No. 3514 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1. (Public Works Department)

(DPW Order 177,718; District 6.)

Motion No. M08-139

APPROVED by the following vote:

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

The foregoing items were acted upon by the following vote:

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

IMPERATIVE AGENDA

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

[Purely Commendatory Finding]

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

Supervisor Mirkarimi, seconded by Supervisor Dufty, moved ADOPTION of the purely Commendatory finding.

The motion carried by the following vote:

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

[Brown Act Finding]

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

Supervisor Mirkarimi, seconded by Supervisor Dufty, moved ADOPTION of the Brown Act Finding finding. The motion carried by the following vote:

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

**081178 [Declaring September 2008 as Reentry Month]
Supervisor Mirkarimi**

Resolution Declaring the Month of September 2008 as Reentry Month in the City and County of San Francisco.

Resolution No. 385-08

ADOPTED by the following vote:

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

OFF-AGENDA LEGISLATION

Introduced by Supervisors or Mayor

Ordinances

**071649 [Zoning - Entertainment Uses]
Supervisor Peskin**

Ordinance amending Sections Tables 810, 811 and 812 102.17, 790.38, and Section 890.37 of the San Francisco Planning Code to define three types of entertainment use based upon size and other factors; amending Sections 1060, 1060.1, 1060.3, 1070, 1070.1 and 1070.3 of the San Francisco Police Code to define the three types of entertainment use authorized by the Planning Code and to require an application and the permit for a place of entertainment or extended-hours activity to specify one of the three types of entertainment use; adopting findings, including environmental findings and findings required by Section 302 of the Planning Code.

(9/09/08 - Supervisor Peskin submitted a substitute ordinance bearing new title.)

12/4/07, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 1/4/2008.

12/12/07, REFERRED TO DEPARTMENT. Referred to Planning Commission for review and comments.

3/11/08, Board adopted 30-day extension for Planning Commission review; see File 080330.

12/14/07, REFERRED TO DEPARTMENT. Referred to Small Business Commission and Entertainment Commission.

1/11/08, RESPONSE RECEIVED. Planning Department non-physical exemption.

4/28/08, RESPONSE RECEIVED. Planning Commission Resolution No. 17580 with recommendation to adopt with modifications.

9/9/08, SUBSTITUTED. Supervisor Peskin submitted a substitute ordinance bearing new title.

**081190 [Elections for the Retiree Health Trust Fund Board, San Francisco Employee Retirement System Board and Health Service System Board]
Supervisor Elsbernd**

Ordinance amending the San Francisco Administrative Code by amending sections 16.550-16.561 and 16.563-16.564, and adding Sections 16.553-1, 16.553-2 and 16.565, and amending San Francisco Campaign and Governmental Conduct Code by adding section 3.1-268, to allow for Retiree Health Trust Fund Board elections and making minor revisions to existing San Francisco Retirement System and Health Service System election procedures.

9/9/08, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 10/9/2008.

**081193 [Prohibiting sale of tobacco products on property owned by or under the control of the City and County of San Francisco]
Supervisor McGoldrick**

Ordinance amending the San Francisco Health Code by adding Article 19K, Sections 1010 through 1010.4, to prohibit sales of tobacco products on property owned by or under the control of the City and County of San Francisco.

9/9/08, ASSIGNED UNDER 30 DAY RULE to City Operations and Neighborhood Services Committee, expires on 10/9/2008.

**081196 [Appropriating \$40,520,000 of 2008 Clean and Safe Park Bond proceeds for capital improvements for the Recreation and Park Department and Port Commission in Fiscal Year 2008-2009]
Supervisors Peskin, Elsbernd, Chu**

Ordinance appropriating \$40,520,000 of 2008 Clean and Safe Park Bond sale proceeds fund the improvement and construction at various recreation and park facilities, including \$36,875,562 in the Recreation and Park Department and \$3,644,438 in the Port Commission for Fiscal Year 2008-2009.

(Fiscal Impact.)

9/9/08, RECEIVED AND ASSIGNED to Budget and Finance Committee.

**081197 [Transfer of Real Property - 575 Polk Street]
Mayor**

Ordinance authorizing the transfer of responsibilities for the court facilities at 575 Polk Street and the agreement to make ongoing payments of fixed court facility payments equal to \$323,132.00 per year, adjusted by an inflation index, to the State of California pursuant to such transfer.

9/9/08, RECEIVED AND ASSIGNED to Budget and Finance Committee. 9/17/08 - Referred to Planning for determination of environmental impact. 09/23/08 - Response Received, Non-physical exemption per section 15060(c)(2) of the CEAQ guidelines.

**081198 [Transfer of Real Property - 400 McAllister Street]
Mayor**

Ordinance authorizing the transfer of responsibilities and the future transfer of fee interest in the court facility located at 400 McAllister Street and the agreement to make ongoing payments of fixed court facility payments equal to \$955,022.00 per year, adjusted by an inflation index, to the State of California pursuant to such transfer.

9/9/08, RECEIVED AND ASSIGNED to Budget and Finance Committee. 9/17/08 - Referred to Planning for determination of environmental impact. 09/23/08 - Response Received, Non-physical exemption per section 15060(c)(2) of the CEQA guidelines.

**081199 [Medical Cannabis Act Revisions]
Mayor**

Ordinance approving amendments to the Medical Cannabis Act to clarify that a medical cannabis dispensary shall be a cooperative or collective and shall operate as a non-profit.

9/9/08, RECEIVED AND ASSIGNED to Rules Committee.

**081200 [Appropriating \$51,336,923 of revenue for the Laguna Honda Hospital Replacement Project in the Department of Public Works for Fiscal Year 2008-09]
Mayor**

Ordinance appropriating \$25,611,567 of Tobacco Settlement Revenues and \$25,725,356 of the 1999 Laguna Honda Hospital General Obligation Bond Proceeds Interest Earnings from the 2005A, 2005B, 2005C, 2005D, and 2005I Series for the Laguna Honda Hospital Replacement Project in the Department of Public Works for Fiscal Year 2008-2009.

(Fiscal Impact.)

9/9/08, RECEIVED AND ASSIGNED to Budget and Finance Committee.

**081203 [Appropriating \$13,022,292 of State Proposition 42 and Proposition 1B revenue for road maintenance projects in the Department of Public Works for Fiscal Year 2008-2009]
Supervisors Elsbernd, Chu**

Ordinance appropriating \$11,756,665 of FY 2008-09 Proposition 42 State Funds and \$1,265,627 of additional FY 2007-08 Proposition 1B State Funds for road maintenance and resurfacing projects in the Department of Public Works for Fiscal Year 2008-2009. The department will use the bond funds from the State to implement Bureau of Street and Sewer Repair road maintenance and resurfacing projects at various locations.

(Fiscal Impact.)

9/9/08, RECEIVED AND ASSIGNED to Budget and Finance Committee.

Resolutions

**081178 [Declaring September 2008 as Reentry Month]
Supervisor Mirkarimi**

Resolution Declaring the Month of September 2008 as Reentry Month in the City and County of San Francisco.
9/9/08, ADOPTED.

**081184 [Urging the State of California to amend the Vehicle Code regarding disabled parking placards]
Supervisor Alioto-Pier**

Resolution urging the State of California to amend the Vehicle Code to raise fines for counterfeit or misuse of disabled parking placards, strengthen criteria for disabled parking placards eligibility, and requiring photo identification of disabled placard user on placard.

8/9/08, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

**081185 [Renewing commitment against litter in San Francisco]
Supervisor Alioto-Pier**

Resolution urging the Department of Public Works to evaluate current street conditions and investigate why, with all the ordinances that prohibit litter and reward whistleblowers, with all the trash receptacles available, and with all the previous "Clean Streets" campaigns, the streets of San Francisco are still filthy in many areas throughout our City.

9/9/08, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

**081186 [Accept-Expend Regional Grant, Airport Commission - \$1,399,709.57]
Supervisor Alioto-Pier**

Resolution authorizing the Airport Commission to accept and expend three (3) grants totaling \$1,399,709.57 from the Bay Area Air Quality Management District (Air District) for acquisition of clean air vehicles and emissions control equipment by Airport transportation operators.

9/9/08, RECEIVED AND ASSIGNED to Budget and Finance Committee.

**081187 [Accept-Expend Federal grant for emergency planning - \$175,783]
Supervisor Alioto-Pier**

Resolution authorizing the Department of Emergency Management (DEM) to accept and expend retroactively a grant in the amount of \$175,783 from the Federal Emergency Management Agency (FEMA), through the California Governor's Office of Emergency Services (State OES), for emergency planning for at-risk and vulnerable populations, for the period of July 1, 2008 through June 30, 2009.

9/9/08, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

**081188 [Approval of Port Lease for Portco, Inc. at 360 Jefferson Street, Fisherman's Wharf]
Mayor**

Resolution approving Port Commission Lease No. L-14564 with Portco, Inc, for a ten (10) year term and one five (5) year extension option for certain real property located at 360 Jefferson in the Fisherman's Wharf area of the City and County of San Francisco.

9/9/08, RECEIVED AND ASSIGNED to Budget and Finance Committee.

**081189 [Accept and Expend grant - to support the STD Surveillance Network - \$225,000]
Supervisor Dufty**

Resolution authorizing the San Francisco Department of Public Health (DPH) to retroactively accept and expend funds from the Centers for Disease Control and Prevention (CDCP), in the amount of \$225,000, to support the STD Surveillance Network; for the period of September 30, 2008 through September 29, 2009.

9/9/08, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

**081191 [Opposing renewal of wastewater discharge permit for Potrero Power Plant Unit 3]
Supervisors Maxwell, Dufty, Peskin, Daly**

Resolution establishing City policy opposing renewal of the wastewater discharge permit for Mirant's Potrero Power Plant Unit 3 and urging the San Francisco Bay Regional Water Quality Control Board to decline to issue a permit extension.

9/9/08, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

**081192 [Accept-Expend Federal Grant - \$2,280,000]
Supervisor Maxwell**

Resolution authorizing the Port of San Francisco to accept and expend a grant in the amount of \$2,280,000 from the United States Department of Commerce, Economic Development Administration, for environmental investigation and hazardous materials abatement at the Port of San Francisco, Pier 70.

9/9/08, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

**081194 [Supporting Goals for Federal Funding-Community Development Block Grant]
Supervisor McGoldrick**

Resolution supporting Fiscal Year 2009-2010 Community Development Block Grant (CDBG) Action Plan Goals.

9/9/08, RECEIVED AND ASSIGNED to Budget and Finance Committee.

**081201 [Contract between the Department of Public Health and SF Community Health Authority to provide universal health insurance services for SF children and young adults - \$19,486,273]
Mayor**

Resolution authorizing the Director of Public Health and the Director of the Office of Contract Administration/Purchaser to enter into a contract amendment between the City and County of San Francisco and the San Francisco Community Health Authority to provide universal health insurance services for San Francisco children and young adults aged 0 through 18 and young parents aged 19 through 24 for the new period of July 1, 2007 through June 30, 2009 in the amount of \$19,486,273.

(Fiscal Impact.)

9/9/08, RECEIVED AND ASSIGNED to Budget and Finance Committee.

**081202 [Interim Zoning Requiring Conditional Use Authorization for Change in Use or Reduction of 15,000 square feet or more of Recreational Space]
Supervisor Daly**

Resolution imposing interim zoning controls establishing a requirement for conditional use authorization for a change in use or reduction in size of any recreational space of 15,000 square feet or more including indoor or outdoor facilities for a six (6) month period and making a determination of consistency with the priority policies of Planning Code Section 101.1.

9/9/08, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

**081206 [90 day extension for Planning Commission review - The Metro Theatre]
Supervisor Alioto-Pier**

Resolution extending by 90 days the prescribed time within which the Planning Commission may render its decision on a proposed Resolution that would initiate the designation of The Metro Theatre, 2055 Union Street, Lot 018 in Assessor's Block 0541, as a landmark pursuant to Section 1004.1 of the Planning Code.
9/9/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**081207 [Accept and Expend State Grant - Funding two Environmental Health programs - \$8,250]
Supervisor Alioto-Pier**

Resolution authorizing the San Francisco Department of Public Health (DPH) to accept and expend retroactively a new grant in the amount of \$8,250 from the California Department of Food and Agriculture (CDFA) funding two programs, the Petroleum Products Compliance program and the Weighmaster Enforcement Program; for the period of July 1, 2008 through June 30, 2009.
9/9/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**081208 [Sea Otter Awareness Week - September 21-27, 2008]
Supervisor Peskin**

Resolution declaring September 21-27, 2008 Sea Otter Awareness Week in San Francisco.
9/9/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**081209 [Accept and Expend State Grant - To support pest exclusion activities - \$47,731.06]
Supervisor Dufty**

Resolution authorizing the San Francisco Department of Public Health (DPH) to retroactively accept and expend a grant in the amount of \$47,731.06 from the California Department of Food and Agriculture (CDFA) to support the Light Brown Apple Moth Program; for the period of July 1, 2008 through June 30, 2009.
9/9/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**081210 [Grant to fund a study through the HIV Prevention Section, Department of Public Health - \$13,242]
Supervisor Dufty**

Resolution authorizing the San Francisco Department of Public Health (DPH), to accept and expend retroactively a grant in the amount of \$13,242 from the Public Health Foundation Enterprises (PHFE), the primary contractor, with funds from the National Institutes of Health, to support a study entitled "Aripiprazole Treatment for Methamphetamine Using MSM;" for the period of August 1, 2008 through July 31, 2009.
9/9/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**081211 [Grant funds to support worker health and safety - \$7,580]
Supervisor Chu**

Resolution authorizing the San Francisco Department of Public Health (DPH) to accept and expend retroactively a grant in the amount of \$7,580 from the University of California, Berkeley for year two of a project entitled "Worker Health and Safety in Chinatown Restaurants," for the period of September 1, 2008 through August 31, 2009.

9/9/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**081212 [Extended Producer Responsibility Framework]
Supervisor McGoldrick**

Resolution urging the California State Legislature to enact legislation based on the Extended Producer Responsibility Framework policy adopted by the California Integrated Waste Management Board that will shift costs and responsibilities for waste management from local governments to the producers of products and incentivize product redesign.

9/9/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**081213 [Celebrating the success of the Outside Lands Music and Arts Festival]
Supervisor Mirkarimi**

Resolution commending Another Planet Entertainment, Superfly Presents, Starr Hill Presents, the Recreation and Park Department, the Mayor's Office, the San Francisco Bicycle Coalition, the San Francisco Police Department, the Municipal Transportation Agency, the Department of Public Works, and the Department of Parking and Traffic for the outstanding success of the Outside Lands Music and Arts Festival.

9/9/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**081214 [Health plans that provide health insurance coverage to San Francisco employees to provide comprehensive smoking cessation benefits]
Supervisor Daly**

Resolution urging all health plans that provide health insurance coverage to employees in the City and County of San Francisco to offer comprehensive smoking cessation benefits.

9/9/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**081004 [Interim Controls On Major Rights of Way Along and Near the Southern 19th Avenue Corridor]
Supervisor Elsbernd**

Resolution adopting more restrictive interim controls for a period of eighteen months that would require conditional use authorization for new residential developments over 20 units or for new commercial or retail developments over 50,000 square feet on both sides of the following rights of way along and near the Southern 19th Avenue Corridor: commencing at Lake Merced Boulevard where it begins at the County line, north along Lake Merced Boulevard to Sloat Boulevard, east along Sloat Boulevard to 19th Avenue, north along 19th Avenue to Taraval Street, east on Taraval Street to Claremont, south on Claremont to Portola, southwest on Portola to Junipero Serra Boulevard, and south on Junipero Serra Boulevard to the County line; adopting environmental findings and a determination of consistency with the priority policies of Planning Code Section 101.1.

7/16/08, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

7/22/08, ASSIGNED to Land Use and Economic Development Committee.

7/22/08, SUBSTITUTED. Supervisor Elsbernd submitted a substitute resolution bearing same title.

7/24/08, REFERRED TO DEPARTMENT. Referred to Planning Commission for review and comment and Planning Department for environmental review.

9/4/08, RESPONSE RECEIVED. Planning Department - Not a project per Section 15378 of the CEQA Guidelines.

9/9/08, SUBSTITUTED. Supervisor Elsbernd submitted a substitute resolution bearing same title.

9/9/08, ASSIGNED to Land Use and Economic Development Committee.

**081005 [19th Avenue Cumulative Impact Study]
Supervisors Elsbernd, Chu**

Resolution urging the Planning Department and Municipal Transportation Authority to conduct, and continually update, a comprehensive cumulative transportation impact study encompassing all the reasonably foreseeable developments along the 19th Avenue corridor from 19th Avenue and Vicente south to the county line, and expressing the Board of Supervisors' intent that individual environmental reviews of any projects along this corridor must incorporate this on-going and comprehensive cumulative impacts analysis to be considered adequate.

(9/09/08 - Supervisor Elsbernd submitted a substitute resolution bearing same title.)

7/16/08, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

9/9/08, ASSIGNED to Land Use and Economic Development Committee.

9/9/08, SUBSTITUTED. Supervisor Elsbernd submitted a substitute resolution bearing same title.

Requests for Hearing

**081179 [Report of the Blue Ribbon Panel on the Future of St. Luke's Hospital]
Supervisors Alioto-Pier, Ammiano**

Hearing on the report of the Blue Ribbon Panel on the Future of St. Luke's Hospital.

9/9/08, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

**081180 [Violence in the Mission]
Supervisor Ammiano**

Hearing to get an update from relevant city departments on the progress being made or lack thereof in our efforts to address the epidemic of violence in the Mission.

9/9/08, RECEIVED AND ASSIGNED to Public Safety Committee.

**081182 [Procedure in place to track leases and/or permits between the City and County of San Francisco and third parties for use of city property]
Supervisor McGoldrick**

Hearing on the procedure in place to track leases and/or permits between the City and County of San Francisco and third parties for use of city property, and to explore best practices for tracking permits, payments, negotiations and other pertinent details. This would include not only covering the responsibilities of the Department of Real Estate, but also the actions of Enterprise Departments who enter into such agreements independently of the City, and the subsequent centralized reporting requirements of the Enterprise Departments.

9/9/08, RECEIVED AND ASSIGNED to Budget and Finance Committee.

**081183 [Long-term care in the City and County of San Francisco]
Supervisor Peskin**

Hearing to investigate the state of long-term care in the City and County of San Francisco, with a dedicated presentation from the Long Term Care Coordinating Council, and discussion of the allocation of the City's resources, including the operational savings produced by the down-sizing of Laguna Honda Hospital.

9/9/08, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

Motion

**081195 [Directing the Budget Analyst to evaluate capital projects]
Supervisor McGoldrick**

Motion directing the Budget Analyst to conduct an evaluation of capital projects in San Francisco, specifically focusing on fiscal and timing issues, including identification of unencumbered or unexpended funds, over expenditures of funds, including an analysis of change orders, required extensions of projects and other related issues.

9/9/08, RECEIVED AND ASSIGNED to Budget and Finance Committee.

PROPOSED ORDINANCES

- 081152 [Approving General Plan Amendments Related to the Eastern Neighborhoods Area Plans - the Mission, East SoMa, Showplace Square/Potrero Hill and Central Waterfront Area Plans]**
Ordinance amending the San Francisco General Plan by adding four new area plans, entitled the Mission Area Plan, the East South of Market (East SoMa) Area Plan, the Showplace Square/Potrero Hill Area Plan and the Central Waterfront Area Plan and approving General Plan amendments to implement the four aforementioned Eastern Neighborhoods Area Plans by amending the Commerce and Industry and Recreation and Open Space Elements, the Land Use Index, and the South of Market, Northeastern Waterfront, and Central Waterfront Area Plans; making environmental findings and findings that the proposed amendments are consistent with the General Plan and the eight priority policies of the Planning Code Section 101.1. (Planning Department)
8/22/08, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.
- 081153 [Planning Code amendments for the Eastern Neighborhoods Area Plans]**
Ordinance amending the San Francisco Planning Code by adding and amending various sections to implement the four Eastern Neighborhood Area Plans comprised of the East SoMa, the Mission, the Showplace Square/Potrero Hill, and the Central Waterfront Area Plans; adopting in-lieu fees for on-site open space, trees, and affordable housing; adopting the Eastern Neighborhoods impact fee subject to certain restrictions; 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)
8/22/08, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee. 9/11/08 - Submitted fee ad for publication on 9/13 and 9/20/08.
- 081154 [Zoning Map Amendments in connection with the Eastern Neighborhoods Area Plans]**
Ordinance amending Zoning Map Sheets ZN01, ZN07, ZN08, HT01, HT07, HT08 and SU08 of the City and County of San Francisco Planning Code with revised use districts and height and bulk districts within the four Eastern Neighborhoods Planning Areas comprised of the East South of Market, Mission, Showplace Square/Potrero Hill and Central Waterfront Area Plans; and creating three special use districts for Life Science and Medical Special Use District bounded generally by Mariposa Street to the north, Illinois Street to the West, Iowa Street to the East, and 23rd Street to the South, for Innovative Industries Incubator Special Use District bounded generally by 3rd Street to the West, Illinois Street to the east, 20th Street to the north and 23rd Street to the South, for 16th Street Retail Special Use District bounded generally by Capp Street to the East, San Bruno Avenue to the West, 15th Street to the North and 17th Street to the South; and making various findings, including CEQA findings and findings of consistency with the General Plan and Planning Code Section 101.1. (Planning Department)
8/22/08, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.
- 081155 [Eastern Neighborhoods Area Plans - monitoring program]**
Ordinance amending the Administrative Code Chapter 10E to establish the Eastern Neighborhoods Monitoring Program for purposes of reviewing the effectiveness of the Eastern Neighborhoods Area Plans and implementation of specified improvements; and adopting environmental findings. (Planning Department)
8/22/08, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.
- 081160 [Appropriating \$86,367,000 of Bond revenue and adopting environmental findings for Crystal Springs Bypass Tunnel at the Public Utilities Commission for Fiscal Year 2008-2009]**
Ordinance appropriating \$86,367,000 of Proceeds from Sale of Bonds for the Water System Improvement Program's (WSIP) construction of the Crystal Springs Bypass Tunnel Project at the San Francisco Public Utilities Commission for Fiscal Year 2008-2009, placing the entire appropriation on Controller's reserve pending the sale of bonds, and adopting environmental findings and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1. (Mayor)

(Fiscal Impact.)
8/28/08, RECEIVED AND ASSIGNED to Budget and Finance Committee.

- 081161 **[Mission Bay North-Acceptance of Land and Improvements for Block N2]**
Ordinance accepting the Mission Bay Block N2 Public Improvements on Third, Fourth, Berry, and King Streets; approving the dedication of the strips of land along the west side of Third Street, East Side of Fourth Street, North side of Berry Street and South Side of King Street for right-of-way purposes; designating street grades and sidewalk widths; accepting the irrevocable offer for the acquisition facilities for public use and maintenance purposes; adopting environmental findings and findings that such actions are consistent with the City's General Plan, eight priority policy findings of City's Planning Code Section 101.1, and the Mission Bay North Redevelopment Plan; accepting Department of Public Works Order No. 177,778; and authorizing official acts in connection with this ordinance. (Public Works Department)
8/28/08, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

PROPOSED RESOLUTIONS

- 081109 **[Emergency contract to design, furnish, and install microwave system communication equipment along Hetch Hetchy]**
Resolution approving an emergency public work contract under San Francisco Administrative Code Section 6.60, to design, furnish, and install a new microwave radio system for Hetch Hetchy. (Public Utilities Commission)

(Fiscal Impact.)
8/8/08, RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 081110 **[Authorizing the Sheriff's Department to amend its contract with ARAMARK Correctional Services, LLC, for Jail Food Services]**
Resolution authorizing the Sheriff's Department to enter into a second amendment to the agreement between the City and County and ARAMARK Correctional Services, LLC, to increase the contract amount from \$15.2 million to an amount not to exceed \$27.0 million and to extend the contract term to June 30, 2010. (Sheriff)

(Fiscal Impact.)
8/5/08, RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 081111 **[Approval of the Ryan White HIV/AIDS Treatment Modernization Act grant application - \$36,118,233] Supervisor Dufty**

Resolution authorizing the San Francisco Department of Public Health (DPH) to submit an application for the San Francisco Eligible Metropolitan Area (EMA) by the deadline of September 29, 2008, requesting a total amount of \$36,118,233, to the Health Resources Services Administration (HRSA) to continue to receive funding for the Ryan White HIV/AIDS Treatment Modernization Act Grant (Ryan White Programs, Part A); for the next grant year, March 1, 2009 through February 28, 2010. (Public Health Department)
8/8/08, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.
Supervisor Dufty requested to be added as a sponsor.
- 081141 **[Contract between the Department of Public Health and Accordis, Inc. to provide retroactive claiming of aged accounts services]**
Resolution authorizing the Director of Public Health and the Director of the Office of Contract Administration/Purchaser to execute a contract between the City and County of San Francisco and Accordis, Inc. to provide retroactive claiming of aged accounts services for the period of July 1, 2008 through June 30, 2012.
8/6/08, RECEIVED AND ASSIGNED to Budget and Finance Committee.

081142 [Contract between the Department of Public Health and Triage Consulting Group to provide retroactive claiming of aged accounts services]
Resolution authorizing the Director of Public Health and the Director of the Office of Contract Administration/Purchaser to execute a contract between the City and County of San Francisco and Triage Consulting Group to provide retroactive claiming of aged accounts services for the period of July 1, 2008 through June 30, 2012.
8/15/08, RECEIVED AND ASSIGNED to Budget and Finance Committee.

081151 [Easement Deed and findings related to the SFPUC's New Crystal Springs Bypass Tunnel water infrastructure project]
Resolution adopting findings under the California Environmental Quality Act ("CEQA"), CEQA Guidelines and San Francisco Administrative Code Chapter 31, including the adoption of a mitigation monitoring and reporting program and a statement of overriding considerations related to the New Crystal Springs Bypass Tunnel Project; making findings of consistency with the General Plan and priority policies of Planning Code Section 101.1; and authorizing and approving the execution, delivery and acceptance of an Easement Deed from the County of San Mateo granting to City certain easement rights in real property located beneath and adjacent to portions of Polhemus Road in San Mateo County. (Public Utilities Commission)

(Fiscal Impact.)
8/22/08, RECEIVED AND ASSIGNED to Budget and Finance Committee.

Requests Granted

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from the following locations:

Phone Switch Boxes

- Southwest corner Fell near Divisadero*
- Southeast corner of Broderick and McAllister*
- Northeast corner of Oak and Broderick*

From: Supervisor Mirkarimi

To: Director, Department of Public Works

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

Potholes

- Sinkhole on Waller and Fillmore (on the Westside of Waller Street near crosswalk) This has been fix two times and the problem is getting worse*
- 484 Waller*

Garbage Cans

- Northeast corner Grove Buchanan*
- Northeast corner Scott and Waller*
- Northeast corner of Haight and Fillmore*
- Northeast corner of Haight and Buchanan*

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti at the following private property locations:

- 495 Scott*
- 295 Buchanan*
- 1213 Fell*
- 1116 Fell*
- 1052 Fell*
- 51 Laguna (Haight Street side)*
- 485 Scott*
- 421 Scott*
- 227 Buchanan*
- 445 Haight*
- 563 Haight*
- 501 Haight*
- 1108 Haight*
- 1419 Fulton*
- 841 Scott*
- 630 Haight*
- 999 Oak*

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from utility poles at the following locations:

Wood

- Southeast corner Grove and Laguna*
- 1305 Fulton*

Metal Pole

- Northeast corner Divisadero and Hayes
- Southeast corner McAllister and Pierce
- Northeast corner Grove and Fulton
- Southwest corner of Fulton and Fillmore

Mailboxes

- Northwest Octavia and Haight
- Southwest McAllister and Broderick
- Northeast Haight and Fillmore

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from newsstands at the following locations:

San Francisco Bay Guardian

- Southeast corner of Fillmore and Post
- Southwest corner of Divisadero and Sutter
- 9th Avenue and Judah (near bus stops)
- 7th Avenue and Irving (near bus stops)
- Northwest corner of Hayes and Fillmore
- Southeast corner of Fillmore and Haight

San Francisco Chronicle

- Northwest corner of Fillmore and Hayes
- Southeast corner of Haight and Fillmore
- Irving and 9th Avenue
- Irving and 7th Avenue
- Southwest corner of Haight and Clayton
- Southeast corner of Haight and Masonic

Examiner

- Northwest corner of Fillmore and Hayes
- Southeast corner of Haight and Fillmore

SF Daily

- Northwest corner of Hayes and Gough

City Star

- Northwest corner of Hayes and Gough
- Southeast corner of Fillmore and Haight

SF Weekly

- Southeast corner of Masonic and Haight
- Southeast corner of Haight and Fillmore

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from the public property located at the following locations:

Fire Hydrants

- Northeast corner of Pierce and Haight

Emergency Box

- Northeast corner of Grove and Octavia

Utility Boxes

- Northeast corner Pierce and Waller
- Southwest corner Broderick and Fulton
- Northwest corner Golden Gate and Pierce
- Southwest corner Page and Steiner
- Southwest corner Steiner and Haight
- 1105 Oak (across the street from this address on the North side)

From: Supervisor Chu

To: Director, Public Utilities Commission
Requesting/Inquiring: Inquiring to the Public Utilities Commission as to notification procedure and timeline when water pipes break or during emergency situations resulting in water stoppage or brown water for residents and businesses.

Please report on feasibility of timely automated telephone calls to residents and businesses impacted by water disruptions, and also frequency of water disruptions and the number of residents/businesses affected by these disruptions in the past year.

From: Supervisor Chu

To: Director, Recreation & Parks Department

To: Director, Department of Public Works

To: Chief, Police Department

To: Director, Municipal Transportation Agency

To: Director, 311

To: Director, Office of Economic and Workforce Development

Requesting/Inquiring: Requesting the Recreation & Parks Department, Department of Public Works, Police Department, Municipal Transportation Agency, 311, and the Office of Economic and Workforce Development as to impacts of the Outside Lands Music Festival that took place in Golden Gate Park from August 22 - 24.

Report should include information on total revenue generated from event and what the City will be receiving, number of participants, cost recovery, number complaints made by neighbors, number of traffic or vehicular problems, and impact on Golden Gate Park and surrounding neighborhoods in terms of cleanliness and traffic flow.

Request also includes inquiry as to feasibility of holding Recreation & Parks Commission meetings in neighborhood(s) that may be impacted by future events.

From: Supervisor Ammiano

To: City Administrator

Requesting/Inquiring: Requesting the City Administrator to report on the start date for the Municipal ID Card.

From: Supervisor Alioto-Pier

To: Director, Department of Public Works

Requesting/Inquiring: Requesting DPW to postpone new mechanical street sweeping schedule for 90 days to allow for public comment and analysis.

While it is understood that the Board of Supervisor did approve the reduction of mechanical street sweeping service in residential neighborhoods, there was no indication at that time of the magnitude of negative response from the residents of the affected areas. I request that DPW postpone the new schedule for 90 days to allow the public to fully review and discuss these changes and evaluate the impact on their neighborhoods, and give DPW time to study other alternatives.

From: Supervisor Alioto-Pier

To: Director, Municipal Transportation Agency

Requesting/Inquiring: Requesting follow-up on recommendations made by the 2007 Civil Grand Jury Report on Abuse of Disabled Parking Placards.

Five of the seven recommendations made by the Civil Grand Jury in the 2007 report, five were addressed to the Municipal Transportation Agency. How many of those recommendations have been implemented, and what has been the result?

From: Supervisor Ammiano

To: District Attorney

To: City Attorney

To: Mayor's Office

To: All City Departments

Requesting/Inquiring: Inquiring to the District Attorney, City Attorney, Mayor's Office, and All City Departments.

I had a very constructive meeting yesterday with Chief and her Command Staff, together with the Mission Community Response network. We discussed how the SFPD and the CBOs would need to coordinate and share information in the future. My office will continue to facilitate this dialogue until an appropriate level of coordination has become institutionalized the norm amongst all sides of the violence prevention community, community and law enforcement.

In the last few days, we have heard from an alarming number of constituents that the extra officers deployed to patrol the Mission have been on Mission Street, posted in front of locales like the "Foreign Cinema", and Valencia Street bars where little gang violence is known to occur.

Perceptions like these do not help the department's image or efforts to build the prerequisite trust with the community necessary in order to prevent violence and pursue investigations to a fruitful conclusion. Whats more, many officers were assumed to be newer recruits, if for no other reason than who they decided to stop, question, and search. This judgement may have been made in error, but I would like to know who, demographically speaking, from the department has been deployed.

In less turbulent times, Mission station, which has the highest volume of calls of any precinct in the City, has had a staff of 160 officers. Now it has only between 105-110 at any given time. This level of staffing is plainly inadequate. Some precincts without doubt require more staffing than others. We need 50-60 more officers now. There is uniform agreement amongst my constituents that a redeployment of the SFPD's forces to the Mission must happen, and must be sustained for the foreseeable future.

I will not tolerate an abandonment of the Mission after a few days or weeks of what may be relative calm. The current levels of staffing simply do not insure an acceptable level of safety in the Mission. What sort of redeployment does the Chief envision going forward?

The original promise from the Mayor's office with regard to the installation of a Shotspotter gunfire detection system in the Mission was that one would be deployed within 60 days of a efficacy test of existing systems. We are now very long overdue. When exactly will the system be installed and what area exactly will it cover?

To the Office of the District Attorney and the SFPD, please explain the disturbing lack of suspects, arrests, and thus successful prosecutions with respect to violence in the Mission.

To the City Attorney, I have been supportive of the gang injunction because it seemed to hold the potential to reduce violence in the Mission. This has not happened yet. Please explain how the injunction has positively impacted the plague of violence in the Mission, and what its future prospects are.

Over the next week, I will be working with the Controller's Office, our Budget Analyst, violence prevention advocates in the community, and the law enforcement to secure any and all necessary funding to ensure that City government and its community partners are appropriately equipped to address the ongoing violence in the Mission.

Additionally, I will be looking for

- money for neighborhood Rec Centers to be open at night*
- for more access to vans used by CBOs to provide safe passage out of harm's way to the youth of the Mission*
- and a progress report on what drastic and needed changes have been made, since the audit I commissioned, to the City's previously lackluster Workforce development programs, and how workforce development will be retooling its efforts to train the Mission's young people for jobs.*

This City has a 6.2 billion dollar budget, and the matter securing money to address violence in the Mission is one of priorities, not of available funds.

There are a wide array of things the City currently spends money on which, under the circumstances, should obviously be prioritized as less urgent than the dedication of any and all resources to confronting the tide of violence in the Mission

From: Supervisor Chu

To: Office of the Legislative Analyst

Requesting/Inquiring: Requesting to Legislative Analyst to report on impact of Department of Public Works decision to cut street sweeping from once a week to twice a month in many residential neighborhoods, affecting about 8,500 City blocks. Analysis of impacts should address potential loss in revenue generated from parking fines for street cleaning days, impact of abandoned vehicles left on streets for longer periods, and overall loss of revenue versus anticipated savings from reduction in street sweeping services. Requesting a in-depth analysis by scheduled hearing on changes for street sweeping in residential neighborhood.

In Memoriams

Matt Garcia - Entire Board

Joshua Cameron - Supervisor Mirkarimi

Samuel Mitchell - Supervisor Ammiano

Jorge Hurtado - Supervisor Ammiano

Marcelino Canul-Castro - Supervisor Ammiano

Mark Guardado - Supervisor Ammiano

Giovanni Lechado - Supervisor Ammiano

Noel Espinoza - Supervisor Ammiano

Matthew Solomon - Supervisor Ammiano

Nora K. Leishman - Supervisor Elsbernd

Jayne S. Veld - Supervisor Alioto-Pier

B.J. Papa - Supervisor Peskin

John K. "Jack" Smith - Supervisor Peskin

James Lam - Supervisor Peskin

Reuben Medina - Supervisor Peskin

Angela La Ferrera Olson - Supervisor Sandoval

Willa Dellums - Supervisor Duffy

Craig Alan Belluomini - Supervisor Duffy

ADJOURNMENT

There being no further business the Board adjourned at the hour of 4:04 p.m.

Angela Calvillo, Clerk of the Board

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

Approved by the Board of Supervisors on October 21, 2008.



Angela Calvillo
Clerk of the Board