

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, November 1, 2005 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, CHRIS DALY,
BEVAN DUFTY, SEAN ELSBERND, FIONA MA, SOPHIE MAXWELL,
JAKE MCGOLDRICK, ROSS MIRKARIMI, GERARDO SANDOVAL
Gloria L. Young, Clerk of the Board

BOARD COMMITTEES

Committee Membership

Budget and Finance Committee

Supervisors Ammiano, Mirkarimi, Elsbernd

City and School District Select Committee

Supervisors Ammiano, Maxwell, Ma, Commissioners Chin, Kelly, Wynns

City Operations and Neighborhood Services Committee

Supervisors McGoldrick, Dufty, Ma

Government Audit and Oversight Committee

Supervisors Peskin, Elsbernd, Daly

Land Use Committee

Supervisors Maxwell, Sandoval, McGoldrick

Rules Committee

Supervisors Alioto-Pier, Mirkarimi, Peskin

Meeting Days

Thursday
1:00 PM

2nd Monday (Bi-monthly)
4:00 PM

1st and 3rd Monday
1:00 PM

2nd and 4th Monday
1:00 PM

Wednesday
1:00 PM

Wednesday
10:00 AM

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

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:05 p.m. On the call of the roll all Supervisors were noted present.

There was a quorum.

CONSENT AGENDA

Recommendations of the Rules Committee

051354 [Settlement of Lawsuit - George Q. Chen]

Ordinance authorizing settlement of the lawsuit filed by the City and County of San Francisco against George Q. Chen, for a payment to the Airport in the amount of \$113,800.00, and on certain other terms; the lawsuit was filed on December 1, 2003, in United States Bankruptcy Court for the Northern District of California, Adversary Case No. 03-3713 DM and entitled City and County of San Francisco v. George Q. Chen. (City Attorney)

PASSED, ON FIRST READING

051583 [Settlement of Lawsuit - Frederick Meiswinkel, Inc. v. Hunt Construction Group, et. al]

Ordinance authorizing settlement of the lawsuit filed by Frederick Meiswinkel, Inc. for \$1,800,000 against the Hunt Construction Group, Inc. and Hunt cross-complaint against the City and County of San Francisco seeking indemnity from the claims brought by Meiswinkel; the lawsuit was filed on March 2, 2004 in San Francisco Superior Court, Case No. CGC-04-429249; entitled, Frederick Meiswinkel, Inc. v. Hunt Construction Group, et. al; other material terms of said settlement are nonmaterial terms. (City Attorney)

PASSED, ON FIRST READING

051584 [Settlement of Lawsuit - Kaiser Foundation Hospitals]

Ordinance authorizing settlement of the lawsuit filed by Kaiser Foundation Hospitals against the City and County of San Francisco for \$67,500.00; the lawsuit was filed on May 4, 2005 in San Francisco Superior Court, Case No. 429-909; entitled Kaiser Foundation Hospitals v. City and County of San Francisco. (City Attorney)

PASSED, ON FIRST READING

051598 [Settlement of Lawsuit - King C. Electric, Inc.]

Ordinance authorizing settlement of the lawsuit filed by King C. Electric, Inc. against the City and County of San Francisco according to the following terms: a) King C. Electric, Inc. ("KCE") pays one hundred nine thousand one hundred eighty-five dollars and ninety-three cents (\$109,185.93) to the City; b) the City pays seventy-eight thousand nine hundred eighty-three dollars and twenty-one cents (\$78,983.21) to KCE; and c) KCE is debarred from performing construction contracts on City-owned projects for two and a half years. The lawsuit was filed on April 14, 2004 in the Superior Court of the City and County of San Francisco, Case No. CGC-o4-430671; entitled King C. Electric, Inc. v. City and County of San Francisco et al. and related cross-action. (City Attorney)

PASSED, ON FIRST READING

051654 [Settlement of Lawsuit - Deaf Counseling Advocacy and Referral Agency, et al.]

Ordinance authorizing settlement of the lawsuit filed by Deaf Counseling Advocacy and Referral Agency, et al., against the City and County of San Francisco, et al. for an agreement to make certain disability access improvements at the San Francisco International Airport, and by the payment of \$40,000 in damages, \$235,000 in attorney's fees, and \$14,500 in costs; the lawsuit was filed on April 17, 2002, in US District Court (Case No C02-1844 MEJ). (City Attorney)

PASSED, ON FIRST READING

051661 [Settlement of Lawsuit - Walter Reed]

Ordinance authorizing the settlement of a lawsuit filed by Walter Reed against the City and County of San Francisco for \$36,000.00; the lawsuit was filed on December 15, 2003, in San Francisco Superior Court, Case No. 414322, entitled Walter Reed v. City and County of San Francisco, et al. (City Attorney)

PASSED, ON FIRST READING

051660 [Settlement of Claim - Louis Vuitton, Inc.]

Resolution approving the settlement of the unlitigated claim filed by Louis Vuitton, Inc., against City and County of San Francisco for \$93,000.00. (City Attorney)

Resolution No. 791-05

ADOPTED

- 051749 [Appointment - San Francisco Museum and Historical Society Advisory Committee]**
Resolution appointing Susan Stryker and Philip Choy, terms ending December 16, 2005 and Charles Striplen, term ending April 21, 2006, to the San Francisco Museum and Historical Society Advisory Committee, residency requirement waived.

Susan Stryker, succeeding herself, term expired, seat 1, must be a member of the public from historical organizations including, but not limited to, organizations focused on the history of ethnic or racial minorities, sexual orientations, gender or any of the various other cultural communities within San Francisco, for the unexpired portion of a one-year term ending December 16, 2005.

Philip Choy, succeeding himself, term expired, seat 2, must be a member of the public from historical organizations including, but not limited to, organizations focused on the history of ethnic or racial minorities, sexual orientations, gender or any of the various other cultural communities within San Francisco, for the unexpired portion of a one-year term ending December 16, 2005.

Charles Striplen (residency requirement waived), succeeding himself, term expired, seat 3, must be a member from organizations or communities with extensive knowledge of the history or cultural traditions of an ethnic minority community within San Francisco with a focus on ancestral lineage or other historical and cultural links to the San Francisco Bay Area, for the unexpired portion of a one-year term ending April 21, 2006.

Resolution No. 790-05

ADOPTED

The foregoing items were acted upon by the following vote:

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

Severed from the Consent Agenda

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

- 051716 [Settlement of Unlitigated Claim - The Hertz Corporation]**
Supervisor Ammiano

Resolution authorizing settlement of an unlitigated claim with The Hertz Corporation, for a payment to the City in the amount of \$250,000.00, and on certain other terms.

Continued to November 8, 2005

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

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

REGULAR AGENDA

UNFINISHED BUSINESS

From the Clerk

- 051744 [Adopting findings related to affirming the categorical exemption for 1070 Sanchez Street]**
Motion adopting findings affirming the determination by the Planning Department that the 1070 Sanchez Street project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)
- Continued to November 8, 2005*
- Supervisor Elsbernd, seconded by Supervisor McGoldrick, moved that this Motion be CONTINUED. The motion carried by the following vote:
- Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

From the Board**(Only one of the following two motions should be adopted.)**

- 051446 [Affirm certification of 491 Bayshore Boulevard (Home Depot) FEIR]**
Motion affirming the certification by the Planning Commission of the Final Environmental Impact Report for the 491 Bayshore Boulevard (Home Depot) Project. (Clerk of the Board)
- Continued to November 8, 2005*
- Supervisor Maxwell, seconded by Supervisor Dufty, moved that this Motion be CONTINUED. The motion carried by the following vote:
- Ayes: 6 - Alioto-Pier, Dufty, Elsbernd, Ma, Maxwell, Peskin
Noes: 5 - Ammiano, Daly, McGoldrick, Mirkarimi, Sandoval
- 051447 [Disapprove certification of 491 Bayshore Boulevard (Home Depot) FEIR]**
Motion disapproving the certification by the Planning Commission of the Final Environmental Impact Report for the 491 Bayshore Boulevard (Home Depot) Project. (Clerk of the Board)
- Continued to November 8, 2005*
- Supervisor Maxwell, seconded by Supervisor Dufty, moved that this Motion be CONTINUED. The motion carried by the following vote:
- Ayes: 6 - Alioto-Pier, Dufty, Elsbernd, Ma, Maxwell, Peskin
Noes: 5 - Ammiano, Daly, McGoldrick, Mirkarimi, Sandoval
- 051448 [Preparation of findings to disapprove certification of 491 Bayshore Boulevard (Home Depot) 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 491 Bayshore Boulevard (Home Depot) Project. (Clerk of the Board)
- Continued to November 8, 2005*
- Supervisor Maxwell, seconded by Supervisor Dufty, moved that this Motion be CONTINUED. The motion carried by the following vote:
- Ayes: 6 - Alioto-Pier, Dufty, Elsbernd, Ma, Maxwell, Peskin
Noes: 5 - Ammiano, Daly, McGoldrick, Mirkarimi, Sandoval

Recommendation of the Budget and Finance Committee

**050922 [Payroll Expense Tax Exclusion for qualified clean energy technology businesses]
Supervisors McGoldrick, Alioto-Pier, Mirkarimi, Elsbernd, Ma, Sandoval**

Ordinance amending the Payroll Expense Tax Ordinance to establish a tax exclusion for qualified clean energy technology businesses, as specified.

Ordinance No. 249-05

FINALLY PASSED by the following vote:

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

From the Budget and Finance Committee Without Recommendation

051599 [Official Advertising - Type 1 for Consecutive Day Publication and Type 2 for Non-Consecutive Day Publication]

Resolution designating the San Francisco Chronicle and Examiner to be the official newspapers of the City and County of San Francisco for the category of Type 1 consecutive day, and Type 2 non consecutive day official advertising services for the fiscal year commencing upon Board of Supervisors and Mayoral approval and ending June 30, 2006. (Office of Contract Administration)

Resolution No. 793-05

ADOPTED by the following vote:

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

Recommendations of the City Operations and Neighborhood Services Committee

**050253 [Proposition 65 Ordinance - Safe Drinking Water and Toxic Enforcement Act of 1986]
Supervisor Mirkarimi**

Ordinance amending the San Francisco Health Code by adding Section 456.6, to require the Department of Public Health to Enforce the Safe Drinking Water and Toxic Enforcement Act of 1986 (Proposition 65) and its implementing regulations and to require certain food establishments to provide Proposition 65 warnings in English, Spanish, and Chinese.

Ordinance No. 250-05

FINALLY PASSED by the following vote:

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

**051458 [Public Works Code - landmark trees and penalties for violations]
Supervisor McGoldrick**

Ordinance amending the Public Works Code by amending Section 802 to modify various definitions; amending Sections 802, 806, and 809 to redefine nuisance trees as hazard trees; amending Sections 802 and 803 authorizing the Urban Forestry Council to succeed to the powers and duties of the Tree Advisory Board; amending Sections 804, 807, 808, and 810 concerning landmark trees and procedures to designate, nominate, and remove landmark trees; amending Section 811 to create civil penalties and fines and to modify provisions on administrative penalties; and making environmental findings.

Supervisor McGoldrick, seconded by Supervisor Maxwell, 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, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Supervisor McGoldrick, seconded by Supervisor Maxwell, moved that this Ordinance be RE-REFERRED to the City Operations and Neighborhood Services Committee. The motion carried by the following vote:

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

NEW BUSINESS

Recommendations of the Budget and Finance Committee

**051460 [Subdivision Code fees]
Supervisor Dufty**

Ordinance amending the Subdivision Code section 1315 to adopt new fees for air space maps, lot subdivisions, condominium conversions, parcel maps, lot merger and resubdivision maps, amended maps, lot line adjustments, lot mergers, certificates of compliance, certificates of correction, records of survey, and other mapping actions and to provide for an annual adjustment of such fees based on the relevant consumer price index; and making environmental findings.

PASSED ON FIRST READING by the following vote:

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

**051461 [Survey Monument Preservation Fee and Fund]
Supervisor Dufty**

Ordinance amending the San Francisco Administrative Code by adding Section 8.24-6, to authorize the imposition of a \$10 grant deed recordation user fee and by adding Section 10.100-50, to create the County Surveyor's Survey Monument Preservation Fund for the deposit and collection of the fee for use by the County Surveyor for the retracement or remonument survey of major historical vertical or horizontal land division lines; amending the San Francisco Subdivision Code by adding Section 1340.1, to authorize the County Surveyor to use the proceeds collected from imposition of the fee to pay for the retracement or remonument survey of major historical vertical or horizontal land division lines; and making environmental findings.

PASSED ON FIRST READING by the following vote:

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

051585 [Acceptance of Subsurface Easement at 2-4 Winfield Street]

Resolution authorizing the acceptance of a permanent subsurface easement at 2-4 Winfield Street, Assessor's Block 5611, Lot 001 for tie-back rods connected to a City-constructed retaining wall. (Real Estate Department)

Resolution No. 792-05

ADOPTED by the following vote:

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

Recommendation of the Government Audit and Oversight Committee

**051414 [Board review required for annual or otherwise recurring grant applications of \$5,000,000 or more]
Supervisor Maxwell**

Ordinance amending Section 10.170 of the Administrative Code to require Board review of proposed annual or otherwise recurring grant applications of \$5,000,000 or more prior to their submission.

Continued to November 8, 2005

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

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

Recommendations of the Land Use Committee

**051508 [Establishing a Visitacion Valley Community Facilities and Infrastructure Fee and Fund]
Supervisor Maxwell**

Ordinance adding Planning Code Sections 319 through 319.7 to impose a \$4.58 per square foot fee on new residential development in the Visitacion Valley area, to establish a Visitacion Valley Community Facilities and Infrastructure Fund to mitigate impacts from residential development on public infrastructure in Visitacion Valley including libraries, streets, playgrounds, recreational facilities, and community centers, and making findings including findings under the California Environmental Quality Act.

PASSED ON FIRST READING by the following vote:

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

**051509 [General Plan Amendment in connection with the Executive Park -- Candlestick Cove Project]
Supervisor Maxwell**

Ordinance amending the San Francisco General Plan in connection with approvals for the proposed Executive Park -- Candlestick Cove Project; adopting findings pursuant to the California Environmental Quality Act; and adopting findings that the General Plan amendment is consistent with the General Plan and the eight Priority Policies of Planning Code Section 101.1.

PASSED ON FIRST READING by the following vote:

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

Recommendation of the Rules Committee

**051357 [Requiring the Office of Emergency Services to submit a written report following any declared emergency, activation of the City's Emergency Operations Center, or credible disaster warning]
Supervisor Mirkarimi**

Ordinance amending the San Francisco Administrative Code by adding Section 7.4-1, to require the Office of Emergency Services to submit a written report to the Disaster Council and the Board of Supervisors following any declared emergency, activation of the City's Emergency Operations Center, or credible disaster warning.

PASSED ON FIRST READING by the following vote:

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

SPECIAL ORDER 3:00 P.M**051399 [Public Hearing - Street Vacation Order, Portions of Fourth Street]**

Hearing of persons interested in or objecting to proposed ordinance ordering the vacation of two (2) portions of Fourth Street from Third Street north to Channel Street; authorizing a grant in fee title of the City and County of San Francisco's rights and interest in the vacated areas to FOCIL; authorizing reservations of certain utility easements in the vacated areas; adopting findings that such vacation of Fourth Street is consistent with the City General Plan and eight policies of City Planning Code Section 101.1 and the Mission Bay South Redevelopment Plan; adopting findings pursuant to the California Environmental Quality Act (CEQA); accepting Department of Public Works Order No. 175,536; and authorizing official acts in connection with this Ordinance. (Clerk of the Board)

Department of Public Works representative reviewed this matter with the Board members.

*The President inquired as to whether or not any member of the public wished to address the Board members
There were none.*

The President declared the public hearing closed.

HEARD AT PUBLIC HEARING.

From the Land Use Committee Without Recommendation

Supervisor Sandoval noted absent at 3:20 p.m.

051398 [Mission Bay South – Ordering Street Vacation of portions of Fourth Street]

Ordinance ordering the vacation of two (2) portions of Fourth Street from Third Street north to Channel Street; authorizing a grant in fee title of the City and County of San Francisco's rights and interest in the vacated areas to FOCIL; authorizing reservations of certain utility easements in the vacated areas; adopting findings that such vacation of Fourth Street is consistent with the City General Plan and eight policies of City Planning Code Section 101.1 and the Mission Bay South Redevelopment Plan; adopting findings pursuant to the California Environmental Quality Act (CEQA); accepting Department of Public Works Order No. 175,536; and authorizing official acts in connection with this Ordinance. (Public Works Department)

PASSED ON FIRST READING by the following vote:

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

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

Supervisor Sandoval noted present at 3:39 p.m.

Privilege of the Floor

Supervisor Elsbernd, seconded by Supervisor Ma, moved to suspend Rule 4.28 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, Daly, Duffy, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin,
Sandoval

Supervisor Elsbernd introduced, welcomed and presented a Certificate of Honor to the staff of the Harding Golf Course grounds maintenance in recognition of their diligent work before and during the American Express Golf Championship Tournament held at Harding Golf Course.

Recess

The Board recessed at the hour of 3:47 p.m.

Reconvening of the Board

The Board reconvened at the hour of 4:06 p.m.

Calling the Roll

The following Supervisors were noted present: Alioto-Pier, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin - 9

Supervisor Ammiano was noted present at 4:17 p.m.

Supervisor Sandoval was noted present at 4:22 p.m.

SPECIAL ORDER 4:00 P.M.

051751 [Public Hearing - Appeal of Tentative Parcel Map for 901 Bush Street]

Hearing of persons interested in or objecting to the decision of the Department of Public Works dated October 6, 2005 (Condominium Application No. 2005.0333Q), disapproving a proposed Tentative Parcel Map to legalize the construction of a 38-unit new condominium at 901 Bush Street, Southwest corner at Taylor Street, San Francisco, Lot 001 in Assessor's Block 0282. (Appellant: Matthew A. Brennan, Esq., on behalf of property owners (M-J SF Investments, LLC).

(Filed 10/13/04; companion measure to Files 051752, 051753, 051754; District 3.)

Barbara Moy, Department of Public Works reviewed the recommendation for denial of the tentative parcel map.

Larry Badiner, Planning Department representative reviewed with the Board the Planning Department's involvement with this project.

Tim Lee, Rent Board representative reviewed with the Board members issues relating to the Rent Ordinance pertaining to this matter.

The President inquired as to whether or not any member of the public wished to address the Board members.

Mathew Brennan, Attorney for appellant (Project Sponsor)

Requested a continuance for 3 weeks

Marge Vincent; support of appellant

Steve Collier, Tenderloin Housing; support of denial of approval of the tentative parcel map

Ted Gullickson; SF Tenants; support of denial of approval of the tentative parcel map

Charles Ratbaun; support of denial of approval of the tentative parcel map

Mrs. MacArthur; support of denial of approval of the tentative parcel map

Francisco di Costa; support of denial of approval of the tentative parcel map

Allison Dixon; support of denial of approval of the tentative parcel map

Continued to January 10, 2006

CONTINUED.

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the Tentative Parcel Map 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 adopted.)**051752 [Approving decision of the Director of Public Works and disapproving Tentative Parcel Map for 901 Bush Street]**

Motion approving decision of the Director of Public Works, and disapproving Tentative Parcel Map to legalize the proposed construction of a 38-unit condominium located at 901 Bush Street, Lot 001 in Assessor's Block 0282. (Clerk of the Board)

Continued to January 10, 2006

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

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

Noes: 1 - Peskin

051753 [Disapproving decision of the Director of Public Works and approving Tentative Parcel Map for 901 Bush Street]

Motion disapproving decision of the Director of Public Works, and approving Tentative Parcel Map to legalize the proposed construction of a 38-unit new condominium located at 901 Bush Street, Lot 001 in Assessor's Block 0282. (Clerk of the Board)

Continued to January 10, 2006

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

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

051754 [Findings - 901 Bush Street]

Motion directing the Clerk of the Board to prepare findings relating to Tentative Parcel Map to legalize the proposed construction of a 38-unit condominium located at 901 Bush Street, Lot 001 in Assessor's Block 0282. (Clerk of the Board)

Continued to January 10, 2006

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

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

Recess

The Board recessed at the hour of 4:57 p.m.

Reconvening of the Board

The Board reconvened at the hour of 5:45 p.m.

Calling the Roll

The following Supervisors were noted present: Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin - 8

Supervisor Sandoval was noted present at 5:46 p.m.

Supervisor Alioto-Pier noted present at 5:55 p.m.

Supervisor McGoldrick noted present at 6:05 p.m.

SPECIAL ORDER 5:30 P.M.

Board of Supervisors Sitting as a Committee of the Whole

Supervisor Ma was noted absent at 5:50 p.m.
Supervisor Mirkarimi was noted absent at 6:55 p.m.
Supervisor McGoldrick was noted absent at 7:00 p.m.
Supervisor Dufty noted was noted absent at 7:00 p.m.
Supervisor Sandoval was noted absent at 7:00 p.m.
Supervisor Mirkarimi was noted present at 7:12 p.m.
Supervisor Peskin was noted absent at 7:15 p.m.
Supervisor Dufty was noted present at 7:16 p.m.
Supervisor Sandoval was noted present at 7:20 p.m.
Supervisor McGoldrick was noted present at 7:24 p.m.
Supervisor Peskin was noted present at 7:25 p.m.
Supervisor Ma was noted present at 7:29 p.m.
Supervisor Sandoval was noted absent at 7:44 p.m.
Supervisor Dufty was noted absent at 7:50 p.m.
Supervisor Daly was noted absent at 7:55 p.m.

**051739 [Committee of the Whole - City's plan to end gun and gang violence in San Francisco]
Supervisors Maxwell, Mirkarimi, Alioto-Pier**

Hearing to consider the City's plan to end gun and gang violence in San Francisco.

The President inquired as to whether or not any member of the public wished to address the Board members. The following speakers expressed concern with the gun and gang violence in San Francisco:

Espanola Jackson, Male speaker gun shot victim, Gerald Bloom, Sharon Hewitt, Ray Balberan, Meshamonge Irizarry, Kathy Perry, Erris Edgarly, Daniel Landry, Judy Jacobs, Tracy, Jessica Hazard, Marche, Mitchell Salazar, Eddie Coleman, (Acorn), Female speaker for Seniors, Male speaker, Jeremiah; John Maldonado, Darrell Rothman, Francisco di Costa, Female speaker; Helena Brook, Duran Clinton, John Candido, Kelly, Pam, Donna, Laconte Gil; Coleman Advocates, Male teacher, from Ida B. Wells School, Jessica Huerta, Holly Crell, teacher from Ida B. Wells School, Dr. Abner Boles, Bared Fong, Male speaker, Archbishop King, Male speaker, Ace Washington, Female Speaker, Marilyn Boyd, Ted Brunfield, Kevin Jefferson, Executive Director of the Ella Hill Hutch Center, C. Hawkins, Shawn Richards, John, Linda Brea, Commissioner Jim Queen, Juvenile Probation, Christopher Muhammad
The President declared the public hearing closed.

San Francisco Police Chief Heather Fong, Gregg Fortner, Executive Director, Housing Authority, and Barbara Garcia, Deputy Director, Department of Public Health reviewed with the Board members steps taken to end gun and gang violence in San Francisco.

HEARD AT PUBLIC HEARING.

ROLL CALL FOR INTRODUCTIONS

Pursuant to the Board of Supervisors Rule No. 3.9

Supervisor McGoldrick provided the Board with an update on the Bay Area Air Quality Board on which he represents the Board of Supervisors.

Supervisor Mirkarimi provided the Board with an update on the Local Agency Formation and on the Disaster Council and Children and Families Come First on which he represents the Board of Supervisors.

Supervisor Elsbernd provided the Board with an update on the Health Service System and Airport Planning on which he represents the Board of Supervisors.

Supervisor Ammiano provided the Board with an update on the Municipal Transportation Commission and Golden Gate Bridge District on which he represents the Board of Supervisors.

PUBLIC COMMENT

Keno Grossman; expressed concern with issues relating to streetcars and to internet problems after an earthquake

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

Eugene Gordon, Jr.; showed interest in issues relating to international basic needs

John Galletto; expressed concern with the three strike law and the implementation of the three strike law

Male speaker; showed interest in legislation to benefit constituents and not power

Lavora Semore; showed concern with issues related to police brutality and requested to assist the Alice Griffith community in finding jobs

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

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

051774 [Gift to the Recreation and Park Department]

Supervisor Alioto-Pier

Resolution accepting and expending a gift valued at up to \$16,000,000 from the Maybeck Foundation to the Recreation and Park Department for capital improvements to the Palace of Fine Arts.

Resolution No. 789-05

ADOPTED

051775 ["Dr. Cynthia Maung Day" on November 6, 2005]
Supervisor Ammiano

Resolution declaring "Dr. Cynthia Maung Day" on her visit to the City and County of San Francisco on November 6, 2005.

Resolution No. 787-05

ADOPTED

051776 [Declaring October 25, 2005 as "Alan Heineman Day" in the City and County of San Francisco]
Supervisor McGoldrick

Resolution honoring Alan Heineman and declaring October 25, 2005 as "Alan Heineman Day" in the City and County of San Francisco.

Resolution No. 788-05

ADOPTED

051777 [Delay local implementation of the State's cannabis identification card system]
Supervisor Mirkarimi

Resolution urging the Director of Health to delay local implementation of the State's cannabis identification card program until patients, advocates and City and State Legislators have sufficient time to petition the State Health Department to modify its card program protocols to better protect the anonymity of patients and caregivers, and physicians can be informed of their new obligations under the State card program.

Resolution No. 794-05

ADOPTED

051746 [Final Map, Planned Development, Mission Bay (200-400 Berry Street)]

Motion approving Final Map, Planned Development, Mission Bay (Block N4), a five (5) lot subdivision, being a Planned Development of Assessor's Block 8704, Lots 1 and 2; approving a public improvement agreement related to the final map; and adopting findings pursuant to the General Plan and City Planning Code Section 101.1 and the Mission Bay North Redevelopment Plan and Plan Documents. (Public Works Department)

(DPW Order No. 175,686; District 6.)

Motion No. M05-131

APPROVED

The foregoing items were acted upon by the following vote:

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

OFF-AGENDA LEGISLATION

Introduced by Supervisors or Mayor

Ordinances**051818 [Green Business Program]
Supervisor Maxwell**

Ordinance amending the Environment Code by adding Chapter 15 to authorize a City-wide Green Business Program.

11/1/05, ASSIGNED UNDER 30 DAY RULE to Land Use Committee, expires on 12/1/2005.

**051819 [Zoning Map Amendment for Blocks 0847 and 0861 of Haight Street]
Supervisor Mirkarimi**

Ordinance amending the San Francisco Planning Code by amending Sectional Map 7 of the Zoning Map of the City and County of San Francisco to change the use classification of certain property located within Assessor's Block No. 0847 of Haight Street and identified as Lots Nos. 008, 009, 044 and 045 (formerly Lot No. 10), 011, 012, 013, 54 and 55 (formerly Lot No. 14), 015, and 016 from a zoning designation of RH-3 (Residential, House Districts, Three-Family) to NC-2 (Small Scale Neighborhood Commercial District) and Lots Nos. 017, 018, 019, 020, and 021 from a zoning designation of NC-1 (Neighborhood Commercial Cluster District) to NC-2 (Small Scale Neighborhood Commercial District), and to change the use classification of certain property located within Assessor's Block No. 0861 of Haight Street and identified as Lots Nos. 031, 032, 033, and 034 from a zoning designation of RH-3 (Residential, House Districts, Three-Family) to NC-2 (Small Scale Neighborhood Commercial District) and Lots Nos. 022, 023, 025, 026, 027, 028, and 046 through 065 (formerly Lot No. 29) from a zoning designation of NC-1 (Neighborhood Commercial Cluster District) to NC-2 (Small Scale Neighborhood Commercial District); and adopting General Plan, Planning Code Section 101.1(b) and environmental findings.

11/1/05, ASSIGNED UNDER 30 DAY RULE to Land Use Committee, expires on 12/1/2005.

**051820 [Settlement of proceeding before the California Public Utilities Commission regarding the December 2003 fire at PG&E's Mission Substation and the subsequent outage]
Supervisors McGoldrick, Maxwell**

Ordinance authorizing settlement of the proceeding before the California Public Utilities Commission, Investigation 05-03-011, to determine whether PG&E should be found in violation of state law and fined in connection with the December 2003 fire at the Mission Substation and the subsequent outage affecting 100,000 customers in San Francisco.

11/1/05, RECEIVED AND ASSIGNED to Rules Committee.

**051821 [Reenacting a Disadvantaged Business Enterprise Program]
Supervisor Ma**

Emergency ordinance reenacting a Disadvantaged Business Enterprise Program set forth in Chapter 14A of the San Francisco Administrative Code; suspending Chapter 12D.A; providing for data collection to ensure nondiscrimination in City contracting; and adopting a declaration of emergency.

11/1/05, ASSIGNED to Board of Supervisors.

**051822 [Residential Housing Purchaser Protection Ordinance]
Supervisor Daly**

Draft ordinance amending Administrative Code Section 3710A(h) to require property owners and realtors to disclose to prospective buyers of residential property consisting of two or more units the legal ground(s) for the termination of tenancy and whether any units were occupied by elderly and or disabled tenants at the time of termination of tenancy.

11/1/05, RECEIVED AND ASSIGNED to Land Use Committee.

**051827 [Exempting pushcart peddlers with BART permits at 16th and 24th Street Stations from Police permit requirements]
Supervisor Ammiano**

Ordinance amending Article 17.3 of the Police Code by amending Section 1330 to define BART; adding Section 1330.2 to exempt pushcarts who obtain permits from BART for the 16th St. and 24th St. BART stations or adjacent plaza from obtaining a police permit; amending Section 1330.5 to require the Health Department Director to make a recommendation to BART within 30 days after the filing of such application with BART; amending Section 1330.14 to require the Health Department Director to forward the Certificate of Sanitation decal number assigned to each pushcart under the jurisdiction of BART to BART; and by renumbering Sections 1330.2 through 1330.6.

11/1/05, ASSIGNED UNDER 30 DAY RULE to City Operations and Neighborhood Services Committee, expires on 12/1/2005. 11/09/05 - Referred to the Small Business Commission for comment.

Resolutions

**051823 [Multifamily Housing Revenue Bonds – Alabama Street Family/Senior Housing]
Supervisor Daly**

Resolution declaring the intent of the City and County of San Francisco (the "City") to reimburse certain expenditures from proceeds of future bonded indebtedness; authorizing the Director of the Mayor's Office of Housing (the "Director") to submit an application and related documents to the California Debt Limit Allocations Committee ("CDLAC") to permit the issuance of qualified mortgage revenue bonds in an aggregate principal amount not to exceed \$33,000,000 for Alabama Street Family/Senior Housing; authorizing and directing the Director to direct the Controller's Office to hold in trust an amount not to exceed \$100,000 in accordance with CDLAC procedures; authorizing the Director to certify to CDLAC that the City has on deposit the required amount; authorizing the Director to pay an amount equal to such deposit to the State of California if the City fails to issue the qualified mortgage revenue bonds; approving, for purposes of the Internal Revenue Code of 1986, as amended, the issuance and sale of mortgage revenue bonds by the City in an aggregate principal amount not to exceed \$33,000,000; authorizing and directing the execution of any documents necessary to implement this Resolution; and ratifying and approving any action heretofore taken in connection with the Project (as defined herein) and the Application (as defined herein).

11/1/05, RECEIVED AND ASSIGNED to Budget and Finance Committee. Sponsor requests this item be heard at the November 17, 2005 meeting.

**051828 [Extension of Arts Task Force through January 31, 2006]
Supervisor Ammiano**

Resolution extending the operations of the Arts Task Force through January 31, 2006.

11/1/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**051830 [International Education Week]
Supervisor Ma**

Resolution declaring the week of November 14-18, 2005 as "International Education Week" in the City and County of San Francisco.

11/1/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**051831 [Accept and Expend Grant - Sheriff's Department program providing employment and education services for young offenders in the county jail and after their release]
Supervisor Ma**

Resolution authorizing the Sheriff's Department to accept and expend a grant in the amount of \$311,603 from the Substance Abuse & Mental Health Services Administration for providing jail diversion opportunities involving integrated mental health and substance abuse treatment for incarcerated women.

11/1/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**051832 [Designating November 13, 2005 as Sisters of the Presentation Day]
Supervisors McGoldrick, Elsbernd**

Resolution designating November 13, 2005 as Sisters of the Presentation Day.

11/1/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**051833 [Commending Hayes Valley Community Partners]
Supervisor Mirkarimi**

Resolution commending the Hayes Valley Community Partners for organizing four neighborhood Halloween celebrations.

11/1/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**051834 [Urging Governor Schwarzenegger to grant Stanley Tookie Williams' request for clemency]
Supervisor Mirkarimi**

Resolution urging Governor Schwarzenegger to grant Stanley Tookie Williams' request for clemency and to support AB-1121, the "California Moratorium on Executions Act."

11/1/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**051835 [Accept-expend State Grant Funds available under the California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Act of 2002]
Mayor, Supervisor Daly**

Resolution authorizing the San Francisco Recreation and Park Department to accept and expend a local assistance grant in the amount of \$1,049,000 available under the Urban Park Act of 2001 Program under the California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Act of 2002 for the development of the South of Market Area Park.

(Fiscal impact.)

11/1/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Request for Hearing

**051824 [City of San Francisco Overall Emergency Shelter System Resources]
Supervisor Daly**

Hearing on the City of San Francisco Overall Emergency Shelter System Resources and their Usage by Homeless Residents. The purpose of this hearing will be: (1) To explore how the number of shelter beds have fluctuated over the past 10 years and how such fluctuations have impacted existing homeless populations such as immigrants, senior citizens, people with disabilities and families; (2) What is the list of closures and openings of shelter sites and corresponding number of beds over the past ten years; (3) With many shelter sites facing problems with rent increases and substandard buildings, what is the outlook for emergency shelters and beds for the next two years; (4) What is the impact of Care Not Cash on the use and availability of shelter beds; (5) How has reserving shelter beds for CAAP recipients impacting non CAAP homeless residents; (6) How are different populations, such as immigrant, senior citizens, people with disabilities and families, within the homeless community impacted by Care Not Cash policies.

11/1/05, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

**051825 [Health Management Associates Report]
Supervisor Peskin**

Hearing to discuss the recent Health Management Associates report on the effectiveness of the Department of Public Health in providing a continuum of acute and long term health care services.

11/1/05, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

**051826 [Long-term healthcare infrastructure and acute care needs in San Francisco]
Supervisor Peskin**

Hearing to examine the long-term healthcare infrastructure and acute care needs in San Francisco.

11/1/05, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

**051836 [Hearing - Emergency ordinance reenacting a Disadvantaged Business Enterprise Program]
Hearing to consider the possible adoption of an emergency ordinance reenacting a Disadvantaged Business Enterprise Program set forth in Chapter 14A of the San Francisco Administrative Code; suspending Chapter 12D.A; providing for data collection to ensure nondiscrimination in City contracting; and adopting a declaration of emergency. (Clerk of the Board)
11/1/05, ASSIGNED to Board of Supervisors. Board to sit as a Committee of the Whole on November 15, 2005, at 4:00 p.m.**

Motions**051817 [Needle Exchange Emergency]**

Supervisors Ammiano, Daly, Peskin, McGoldrick, Maxwell, Dufty, Mirkarimi

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.

11/1/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

051829 [Emergency Disadvantaged Business Enterprise Program - November 15, 2005 - 4 p.m. Committee of the Whole]

Supervisor Ma

Motion for the Board of Supervisors to convene as a committee of the whole on November 15, 2005, at 4:00 p.m. to accept public testimony concerning the possible adoption of an emergency ordinance reenacting a Disadvantaged Business Enterprise Program set forth in Chapter 14A of the San Francisco Administrative Code; suspending Chapter 12D.A; providing for data collection to ensure nondiscrimination in City contracting; and adopting a declaration of emergency.

11/1/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

PROPOSED ORDINANCES**051745 [Settlement of Lawsuit - Dazell Mallory]**

Ordinance authorizing settlement of the lawsuit filed by plaintiff Dazell Mallory against the City and County of San Francisco for payment of \$53,150, including all damages, attorneys' fees and costs; the lawsuit was filed on February 24, 2005, in San Francisco Superior Court, Case No. 438-930, entitled Dazell Mallory v. San Francisco Public Library, the City and County of San Francisco, and Does 1-100. (City Attorney)

10/18/05, RECEIVED AND ASSIGNED to Rules Committee.

051811 [Settlement of Lawsuit - Lucia Wong]

Ordinance authorizing settlement of the lawsuit filed by Lucia Wong against the City and County of San Francisco for \$440,000; the lawsuit was filed on May 5, 2004 in San Francisco Superior Court, Case No. 431-126 and waiver of San Francisco General Hospital lien. (City Attorney)

10/24/05, RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED RESOLUTIONS

051805 [STOP and YIELD Intersections]

Resolution designating certain intersections as "STOP" or "YIELD" intersections.

STOP SIGNS - ESTABLISH

19th Street and Rhode Island Street, stopping 19th Street at Rhode Island Street, making this uncontrolled T-intersection a One-Way STOP.

Leese Street and Richland Avenue, stopping Richard Avenue at Lesse Street, making this an All-Way STOP.
28th Avenue and Lake Street, stopping the northern intersection of 28th Avenue at Lake Street, making this intersection an All-Way STOP.

YIELD SIGN - ESTABLISH

San Bruno Avenue, southbound, merging onto Bayshore Boulevard, south of Arleta Avenue. (Parking and Traffic Department)

(10/19/05: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 3078.)

10/19/05, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

11/15/05 - Parking and Traffic notified to post required notices and placed in the 11/19/05 edition of the SF Chronicle.

051806 [Parking Regulations]

Resolution enacting and rescinding parking regulations at various locations.

RESIDENTIAL PERMIT PARKING AREA "J" (2-HOUR TIME LIMIT, 8 AM - 5 PM, MONDAY THROUGH FRIDAY) - ESTABLISH

Hillway Avenue, east side, from Carl Street to the north property line of #40 Hillway Avenue.

PERPENDICULAR (90-DEGREE ANGLE) PARKING - ESTABLISH

Hillway Avenue, east side, between Carl Street and Parnassus Avenue.

PARKING METERS, 1-HR. TIME LIMIT - RESCIND**PARKING METERS, 2-HR. TIME LIMIT - ESTABLISH**

20th Avenue, parking lot on west side, between Irving Street and Lincoln Way. (Parking and Traffic Department)

(10/19/05: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 3078.)

10/19/05, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

11/15/05 - Parking and Traffic notified to post required notices and placed in the 11/19/05 edition of the SF Chronicle.

051807 [Traffic Regulations]

Resolution enacting and rescinding traffic regulations on various streets.

NO TURN ON RED - ESTABLISH

Franklin Street, northbound, at Fell Street. (Parking and Traffic Department)

(10/19/05: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 3078.)

10/19/05, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

11/15/05 - Parking and Traffic notified to post required notices and placed in the 11/19/05 edition of the SF Chronicle.

051810 [Lease of Real Property at 1390 Market Street]

Resolution authorizing the renewal and expansion of a lease at 1390 Market Street for the Department of Children, Youth and their Families. (Real Estate Department)

10/24/05, RECEIVED AND ASSIGNED to Budget and Finance Committee.

Requests Granted

From: Supervisor McGoldrick

To: City Attorney

Requesting/Inquiring: Requesting the City Attorney to prepare legislation establishing a biodiesel access taskforce to improve access to biodiesel in San Francisco and to create incentives to establish a biodiesel fueling infrastructure.

Text: See suggested language attached.

From: Supervisor Sandoval

To: City Attorney

Requesting/Inquiring: Requesting the City Attorney to draft a Charter Amendment to prohibit severance packages for City employees.

From: Supervisor Ma

To: Director, Planning Department

Requesting/Inquiring: Requesting the Planning Department to report on their procedures for reviewing on-site parking requirements of businesses.

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 electric box and lamp post at the northeast intersection of Oak Street and Steiner Street.

From: Supervisor Mirkarimi

To: Director, Department of Parking and Traffic

Requesting/Inquiring: Supervisor Mirkarimi requests that the Department of Parking and Traffic report on the status of removing graffiti from street signs at the intersection of Oak Street and Baker.

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Supervisor Mirkarimi requests that the Department of Public Works report on the status of removing graffiti from the:

- Parking meters on the north and south sides of Haight Street between Masonic Avenue and Stanyan Street.*
- Public garbage cans at the corners of Haight and Ashbury.*
- Public garbage cans on Haight Street between Masonic Avenue and Central.*
- Public garbage can on the Northeast corner of Cole Street and Carl Street.*
- Phone booth on Southwest corner of Haight and Masonic.*
- Green Utility Box at the intersection of Kezar and Lincoln.*

From: Supervisor Mirkarimi

To: Director, Department of Parking and Traffic

Requesting/Inquiring: Supervisor Mirkarimi requests that the Department of Parking and Traffic report on the status of removing graffiti from the:

- Street signs regarding parking at the northwest and southwest corners of Clayton Street and Carl Street.*
- Street signs regarding parking on Clayton Street between Frederick and Waller Street.*
- Stop sign on the Northeast corner of Haight Street and Clayton Street.*
- Handicap Parking sign on the Southeast corner of Haight Street and Clayton Street.*

From: Supervisors McGoldrick and Peskin

To: City Attorney

Requesting/Inquiring: Supervisors McGoldrick and Peskin requests the City Attorney to prepare legislation that incorporates 16ft. elevator penthouses into 40ft. height districts under two conditions: (1) where there is no other option but to use roof top areas to fulfill the open space requirement of floor heights automatically at

a maximum of 9ft. rather than 10ft., and (2) to allow excavations of up to 2 ft. in order to enter into the ground level and to fulfill other requirements.

In Memoriams

*David Gong - Supervisors Peskin and Maxwell
Giles Leong - Supervisor Peskin
Jane Weirick - Supervisor Mirkarimi
Barry Nielsen - Supervisors Dufty and Ammiano
Grimes Poznikov - Supervisor Ammiano*

ADJOURNMENT


There being no further business the Board adjourned at the hour of 10:10 p.m.

Gloria L. Young, 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 December 6, 2005.

I, Gloria L. Young, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Minutes of said Board on the date stated and was approved as recited.


Gloria L. Young
Clerk of the Board