

# 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, February 6, 2007 2:00 PM

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

Regular Meeting

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*AARON PESKIN, PRESIDENT*  
*MICHELA ALIOTO-PIER, TOM AMMIANO, CHRIS DALY,*  
*BEVAN DUFTY, SEAN ELSBERND, ED JEW, SOPHIE MAXWELL,*  
*JAKE MCGOLDRICK, ROSS MIRKARIMI, GERARDO SANDOVAL*  
*Gloria L. Young, Clerk of the Board*

### BOARD COMMITTEES

#### Committee Membership

**Budget and Finance Committee**

Supervisors Daly, Ammiano, Dufty

**City and School District Select Committee**

Supervisors Dufty, Mirkarimi, Maxwell, Commissioners Kim, Mendoza, Wynns

**City Operations and Neighborhood Services Committee**

Supervisors McGoldrick, Alioto-Pier, Jew

**Government Audit and Oversight Committee**

Supervisors Elsbernd, Alioto-Pier, Daly

**Land Use and Economic Development Committee**

Supervisors Maxwell, Sandoval, McGoldrick

**Public Safety Committee**

Supervisors Mirkarimi, Maxwell, Dufty

**Rules Committee**

Supervisors Ammiano, Elsbernd, Peskin

#### Meeting Days

Wednesday  
1:00 PM

1st and 3rd Thursday  
3:30 PM

2nd and 4th 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 102 Number 5

**Members Present:** Michela Alioto-Pier, Tom Ammiano, Chris Daly, Bevan Duffy, Sean Elsbernd, Ed Jew, Sophie Maxwell, Jake McGoldrick, Ross Mirkarimi, Aaron Peskin, Gerardo Sandoval.

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## ROLL CALL AND PLEDGE OF ALLEGIANCE

*The meeting was called to order at 2:04 p.m. On the call of the roll all Supervisors were noted present.*

*There was a quorum.*

## CONSENT AGENDA

### Recommendations of the Rules Committee

**061629 [Appointment - In-Home Supportive Services Public Authority]**  
Resolution appointing Mike Boyd, term ending March 1, 2009, to the In-Home Supportive Services Public Authority.

Mike Boyd, succeeding Michael Smith, resigned, seat 5, must be a consumer at-large between the ages of 18 and 60, for the unexpired portion of a three-year term ending March 1, 2009.

**Resolution No.** 61-07  
**ADOPTED**

**070053 [Appointment - Child Care Planning and Advisory Council]**  
Resolution appointing Candace Wong, term ending December 31, 2008, to the Child Care Planning and Advisory Council.

Candace Wong, succeeding herself, term expired, seat 3, must be a nominee of District 3 Supervisor selected from: parent advisory councils of public and private child care programs; associations of child care centers, family day care providers and Head Start; public interest organizations including but not limited to the Child Care Law Center; community organizations; the Bay Area Employer Work and Family Coalition; and members of labor organizations and local organizations that fall within the definition of "Community representative", for the unexpired portion of a three-year term ending December 31, 2008.

**Resolution No.** 62-07  
**ADOPTED**

**070059 [Appointment - Veterans Affairs Commission]**

Resolution appointing Robert Varni and John Caldera, terms ending January 21, 2011, to the Veterans Affairs Commission.

Robert Varni, succeeding Godofredo Gomez, deceased, seat 1, must be an at-large appointment, for a new four-year term ending January 31, 2011.

John Caldera, succeeding Charles Joseph Reed, deceased, seat 4, must be an at-large appointment, for a new four-year term ending January 31, 2011.

**Resolution No.** 63-07

**ADOPTED**

**070062 [Appointment - Golden Gate Bridge, Highway and Transportation District]**

Resolution retaining Janet Reilly, Sabrina Hernandez, Richard Grosboll and Lynne Newhouse Segal, for terms subject to review and affirmation by January 31, 2009, on the Board of Directors, Golden Gate Bridge, Highway and Transportation District.

Janet Reilly, succeeding herself, term expiring January 31, 2007, seat 1, represents public at large, subject to review and affirmation by the Board of Supervisors in January of each odd-numbered year, for a new two-year term ending January 31, 2009.

Sabrina Hernandez, succeeding herself, term expiring January 31, 2007, seat 2, represents public at large, subject to review and affirmation by the Board of Supervisors in January of each odd-numbered year, for a new two-year term ending January 31, 2009.

Richard Grosboll, succeeding himself, term expiring January 31, 2007, seat 3, represents public at large, subject to review and affirmation by the Board of Supervisors in January of each odd-numbered year, for a new two-year term ending January 31, 2009.

Lynne Newhouse Segal, succeeding herself, term expiring January 31, 2007, seat 4, represents public at large, subject to review and affirmation by the Board of Supervisors in January of each odd-numbered year, for a new two-year term ending January 31, 2009.

**Resolution No.** 60-07

**ADOPTED** by the following vote:

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

**The foregoing items were acted upon by the following vote:**

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

**REGULAR AGENDA****UNFINISHED BUSINESS**

**From the Clerk**

**070139 [Findings Disapproval of Tentative Subdivision Map - 455 Buena Vista East]**

Motion adopting findings related to the Board's disapproval on January 30, 2007, of the decision of the Director of Public Works to approve a Tentative Parcel Map for a 2-lot subdivision project at 455 Buena Vista East, Lot 270 in assessor's Block 2607. (Clerk of the Board)

**Motion No.** M07-17

**APPROVED by the following vote:**

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

**Recommendation of the Budget and Finance Committee**

**061540 [Designating a sole source design engineer for the Opera House chiller replacement project]  
Supervisor Peskin**

Ordinance authorizing the Director of Public Works to enter into a sole source agreement with SJ Engineers for professional design services relating to the Opera House chiller replacement project.

**Ordinance No.** 30-07

**FINALLY PASSED by the following vote:**

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

**Recommendation of the City Operations and Neighborhood Services Committee**

**061112 [Recreation and Park - Farmers' Markets]  
Supervisors Mirkarimi, Jew, Daly**

Ordinance amending the San Francisco Park Code by adding Section 7.21, to authorize Farmers' Markets, as certified by the Agricultural Commissioner, to be located on property under the jurisdiction of the Recreation and Park Commission upon the making of certain findings by the Commission; amending San Francisco Administrative Code Section 9A.3 to authorize the Agricultural Commissioner to work with the Recreation and Park Department to identify suitable sites on property under the jurisdiction of the Recreation and Park Commission upon which to locate Farmers' Markets; and amending San Francisco Administrative Code Section 9A.15 to require Farmers' Market vendors to accept forms of payment provided by participants of federal, state or local food assistance programs, and adding Section 9A.20 to require the Agriculture Commissioner to conduct a needs assessment of neighborhoods that can support farmers' markets.

**Ordinance No.** 29-07

**FINALLY PASSED by the following vote:**

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

**NEW BUSINESS**

**Recommendations of the Budget and Finance Committee****061621 [Reduction to the San Francisco Public Library Cash Revolving Fund]  
Supervisor Peskin**

Ordinance amending San Francisco Administrative Code Section 10.155 to decrease the Cash Revolving Fund of the San Francisco Public Library from \$5,000 to \$3,500. (Public Library)

**PASSED ON FIRST READING** by the following vote:

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

**061097 [Real Property Exchange Agreement]**

Resolution approving a real property exchange agreement between the City and County of San Francisco and the Petrocchi Family Trust and Bravo 5 Trust (the "Trust") pertaining to property located at Chestnut Avenue and El Camino Real in the City of South San Francisco; adopting findings that the transaction is categorically exempt from environmental review and is consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; and authorizing the Director of Property and/or the General Manager of the San Francisco Public Utilities Commission ("SFPUC") to execute documents, make certain modifications and take certain actions in furtherance of this Resolution. (Real Estate Department)

**Resolution No.** 64-07

**ADOPTED** by the following vote:

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

**061601 [Bond Sale for Seismic Safety Loan Program Bonds]  
Supervisor Dufty**

Resolution authorizing and directing the sale of not to exceed \$35,000,000 aggregate principal amount of City and County of San Francisco Taxable General Obligation Bonds (Seismic Safety Loan Program, 1992), Series 2006A; approving the form of a credit agreement pursuant to which such bonds will be issued and sold; prescribing the form and terms of said bonds; authorizing the execution, authentication and registration of said bonds; providing for the establishment of accounts related thereto; approving modifications to documents; ratifying certain actions previously taken; and granting general authority to City officials to take necessary actions in connection with the authorization, issuance, sale and delivery of said bonds.

**Resolution No.** 65-07

**ADOPTED** by the following vote:

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

**070075 [Multifamily Housing Revenue Bonds - Hotel Essex Apartments]  
Supervisor Daly**

Resolution authorizing the issuance and delivery of multifamily housing revenue bonds (as defined herein) in an aggregate principal amount not to exceed \$13,000,000 for the purpose of providing financing for a multifamily rental housing project; approving the form of and authorizing the execution of an indenture providing the terms and conditions of the bonds; approving the form of and authorizing the execution of a regulatory agreement and declaration of restrictive covenants; approving the form of and authorizing the execution of a financing agreement; approving the form of and authorizing the execution of a bond purchase agreement; ratifying and approving any action heretofore taken in connection with the bonds and the project; granting general authority to City officials to take actions necessary to implement this resolution; and related matters.

**Resolution No.** 73-07

**ADOPTED by the following vote:**

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

**061548 [Third Amendment to John Stewart Company Sublease of Housing Units on Treasure Island]**

Resolution approving and authorizing the Director of Island Operations for the Treasure Island Development Authority to execute a third amendment to the sublease with the John Stewart Company to extend the term.

**Resolution No.** 66-07

**ADOPTED by the following vote:**

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

**From the Budget and Finance Committee Without Recommendation**

**061549 [Fourth Amendment to John Stewart Company Sublease of Housing Units on Treasure Island]**

Resolution approving and authorizing the Director of Island Operations for the Treasure Island Development Authority to execute a fourth amendment to the sublease with the John Stewart Company to increase utility rates.

**Resolution No.** 67-07

**ADOPTED by the following vote:**

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

**Recommendations of the Land Use and Economic Development Committee**

**060537 [Zoning - Ordinance creating the Lower Haight Street Alcohol Restricted Use District]  
Supervisors Mirkarimi, Dufty**

Ordinance adding Section 784 to the Planning Code to create a Lower Haight Street Alcohol Restricted Use District prohibiting off-sale liquor establishments and providing for a three year sunset provision; amending Zoning Map Number 7SU of the City and County of San Francisco to indicate the boundaries of the Lower Haight Street Alcohol Restricted Use District, and making findings, including environmental findings and findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan.

**PASSED ON FIRST READING by the following vote:**

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

**061566 [Limited equity accumulation for membership shares of ROOTS Program Assisted Housing Cooperatives]**  
**Supervisors Mirkarimi, Maxwell**

Ordinance amending San Francisco Board of Supervisors Ordinance No. 71-06 appropriating \$20,000,000 from the General Fund for Affordable Housing projects, including \$1,000,000 to the Mayor's Office of Housing (MOH) for the Real Opportunities for Tenants (ROOTS) program, by amending the criteria for the ROOTS program to require that the Articles of Incorporation or the Bylaws of housing cooperatives assisted by ROOTS Program funds, and other applicable documents mandate that membership shares of members who cease to be permanent residents be sold at a price equaling no greater than a transfer value and clarify that resident housing organizations that are assisted by ROOTS must be structured in the form of a cooperative; and adopting regulations governing MOH's administration of the ROOTS program.

**PASSED ON FIRST READING by the following vote:**

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

**Recommendations of the Rules Committee**

**061641 [Barring the Police Department from inspecting telephone bills for Press Room telephones at the Hall of Justice, and requiring the Department of Administrative Services to pay any such telephone bills]**  
**Supervisors Sandoval, Mirkarimi, Ammiano, Peskin**

Ordinance amending the San Francisco Administrative Code by adding Section 2A.87 prohibiting the Police Department from inspecting or making use of records of City telephones provided for the use of the news media at the Hall of Justice, and requiring the Department of Administrative Services to pay any costs associated with the provision of such telephones.

*Supervisor Peskin added as a co-sponsor.*

**PASSED ON FIRST READING by the following vote:**

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

**Supervisors Ammiano, Dufty, McGoldrick and Sandoval Excused From Voting**

Supervisor Elsbernd, seconded by Supervisor Mirkarimi, moved to excuse Supervisors Ammiano, Dufty, McGoldrick, and Sandoval due to conflict of interest. The motion carried by the following vote:

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

**070063 [Appointment - Golden Gate Bridge, Highway and Transportation District]**  
 Resolution affirming retention of Supervisors Bevan Dufty, Tom Ammiano, Gerardo Sandoval and Jake McGoldrick, as members of the Board of Directors, Golden Gate Bridge, Highway and Transportation District, terms ending January 31, 2009.

Supervisor Ammiano excused from voting in Committee.

**Resolution No. 68-07**

**ADOPTED by the following vote:**

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

## SPECIAL ORDER 3:00 P.M

### Board of Supervisors Sitting as a Committee of the Whole

- 061379 [Hearing - Acquisition of Property By Eminent Domain-Islais Creek MUNI Maintenance Facility]**  
Hearing of persons interested in or objecting to proposed resolution authorizing the acquisition of 2.8 acres of property adjacent to City property at Indiana and Cesar Chavez Streets, consisting of portions of Assessor's Lots 2, 2A and 13 in Block 4349 and a portion of Assessor's Lot 3 in Block 4382, in the City and County of San Francisco, for construction of the Municipal Railway's new Islais Creek Motor Coach Operations and Maintenance Facility; adopting environmental findings under the California Environmental Quality Act ("CEQA"), CEQA Guidelines, and Administrative Code Chapter 31, and adopting findings under the General Plan and City Planning Code Section 101.1.

*Continued to September 11, 2007.*

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

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

### Committee of the Whole Adjourn and Report Without Recommendation

- 061377 [To acquire property by Eminent Domain-Islais Creek MUNI Maintenance Facility]**  
Supervisor Maxwell

Resolution authorizing acquisition of 2.8 acres of property adjacent to City property at Indiana and Cesar Chavez Streets, consisting of portions of Assessor's Lots 2, 2A and 13 in Block 4349 and a portion of Assessor's Lot 3 in Block 4382, in the City and County of San Francisco, for construction of the Municipal Railway's new Islais Creek Motor Coach Operations and Maintenance Facility; adopting environmental findings under the California Environmental Quality Act ("CEQA"), CEQA Guidelines, and Administrative Code Chapter 31, and adopting findings under the General Plan and City Planning Code Section 101.1.

(Fiscal impact.)

*Continued to September 11, 2007.*

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

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

## COMMITTEE REPORTS



- 070087 [Amending the Board's Rules to rename the Select Committee on Ending Gun and Gang Violence to the Public Safety Committee, and establishing it as a standing committee of the Board]  
Supervisor Peskin

Motion amending Rule 5.8 of the Board of Supervisors' Rules of Order to rename the Select Committee on Ending Gun and Gang Violence to the Public Safety Committee, and establishing it as a standing committee of the Board.

Motion No. M07-15

APPROVED by the following vote:

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

- 070088 [Extending the Joint City and School District Select Committee for one year]  
Supervisor Peskin

Motion amending Rule 5.7 of the Board of Supervisors' Rules of Order to extend the term of the Joint City and School District Select Committee for one year.

Motion No. M07-16

APPROVED by the following vote:

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

## 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.*

*Abdullah Megaheed; expressed concern with issues relating to the homeless  
James Chaffee; expressed concern with issues relating to the SF Public Library  
Eugene Gordon Jr.; expressed concern with international issues  
Jennifer; expressed concern over billboard messages  
Male speaker; expressed concern over Coit Tower usage  
Mr. Silva (translated from Spanish); expressed concern with housing shelters violence  
Espanola Jackson, expressed concern over Alice Griffin Housing project area  
Peter Warfield; expressed concern with issues related to the SF Library  
Male speaker; expressed concern with the performance of city officials  
Male speaker; expressed concern with city contracting  
Tom McDonnel; expressed concern with sick leave and the Mayor's performance  
Female speaker; expressed concern with the Mayor's economic interest filings  
Francisco da Costa; expressed concern over the committee comments and the stadium*

**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.*

**070142 [Resolution of Local Support]  
Supervisor Ammiano**

Resolution of Local Support of the Valencia Streetscape Improvements Project.

**Resolution No. 74-07  
ADOPTED**

**070143 [Resolution authorizing the use of the seal of the City and County of San Francisco for a music event.]  
Supervisor Dufty**

Resolution authorizing the use of the Official Seal of the City and County of San Francisco by Talking House Productions in the promotion of an event to be held on March 16, 2007 at the SXSW Music and Media Conference in Austin, Texas.

**Resolution No. 69-07  
ADOPTED**

**070144 [West Portal Branch Library reopening]  
Supervisor Elsbernd**

Resolution recognizing the re-dedication of the West Portal Branch Library and commending the San Francisco Public Library and its team for their hard work and commitment to San Francisco and its residents.

**Resolution No. 70-07  
ADOPTED**

**070145 [Congratulating Gateway High School on being selected as an exemplary charter school.]  
Supervisor Mirkarimi**

Resolution congratulating Gateway High School on being selected as an exemplary charter school.

**Resolution No. 71-07  
ADOPTED**

**070146 [Congressional Hearing on the Value of Safe and Legal Access to Medical Cannabis]  
Supervisor Daly**

Resolution condemning the Drug Enforcement Administration's actions to block safe access to medical cannabis patients and urging the Speaker of the House Nancy Pelosi to open a congressional hearing on the value of safe access to medical cannabis and respect for local jurisdiction's policy and regulation of medical cannabis dispensaries.

**Resolution No. 75-07  
ADOPTED**

- 070147 [Accept-Expend Grant - Mayor's Office of Criminal Justice (MOCJ)]  
Resolution authorizing the Mayor's Office of Criminal Justice (MOCJ) to retroactively accept and expend a grant in the amount of \$25,000 from the Open Society Institute of the Soros Foundation for the purpose of exploring potential alternatives to the California Youth Authority/Division of Juvenile Justice for San Francisco youth.
- Resolution No. 72-07  
**ADOPTED**

The foregoing items were acted upon by the following vote:

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

### Severed from For Adoption without Committee Reference

- 070148 [City and School District Special Meeting]  
Supervisor Dufty

Motion calling a special meeting of the City and School District Committee of the Board of Supervisors to be held on Monday, February 12, 2007 at 10:00 A.M.; and directing the Clerk of the Board to prepare the proper notices and postings.

*Supervisor Dufty requested that this item be severed from Adoption Without Committee Reference.*

*02/06/07-Amended to replace "Monday, February 12, 2007 at 10:00 A.M." with "Thursday, February 15, 2007 at 3:30 P.M."*

Supervisor Dufty, seconded by Supervisor Elsbernd, moved that this Motion be **AMENDED**. The motion carried by the following vote:

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

Motion calling a special meeting of the City and School District Committee of the Board of Supervisors to be held on Thursday, February 15, 2007 at 3:30 P.M.; and directing the Clerk of the Board to prepare the proper notices and postings.

Motion No. M07-18

**APPROVED AS AMENDED** by the following vote:

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

## OFF-AGENDA LEGISLATION

### Ordinances

- 070177 [Appropriating \$1,344,490 for Geneva Avenue Car Barn Repairs and Alemany Boulevard Greening Projects in Recreation and Park and Public Works for Fiscal Year 2006-2007]**  
**Supervisors Daly, Sandoval, Dufty, Ammiano, Mirkarimi**

Ordinance appropriating \$1,344,490 from the General Fund Reserve to support \$1,044,490 for repairs to the Geneva Avenue Car Barn in the Department of Recreation and Park and \$300,000 for Alemany Boulevard greening projects in the Department of Public Works for Fiscal Year 2006-2007.

(Fiscal Impact.)

2/6/07, RECEIVED AND ASSIGNED to Budget and Finance Committee.

- 070178 [Street encroachment for Little Saigon neighborhood entrance at Larkin and Eddy Streets]**  
**Supervisor Daly**

Ordinance granting revocable permission to the Vietnamese Elderly Mutual Assistance Association to occupy a portion of the public right-of-way to construct sidewalk bulb-outs with two (2) 24" x 31" concrete and granite pillars at the northeast and northwest corners of Larkin and Eddy Streets to mark the entry to the Little Saigon neighborhood; waiving permit and right-of-way occupancy assessment fees and General Plan Referral fees; deleting two parking meter zones on Larkin Street to accommodate the encroachment; and making environmental findings and findings of consistency with the General Plan and the priority policies of Planning Code Section 101.1.

2/6/07, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

- 070184 [Appropriating \$24,840 of General Fund Reserve to Purchase and Install Two Safety Cameras in the Department of Telecommunications and Information Services for Fiscal Year 2006-2007]**  
**Supervisors Mirkarimi, Dufty**

Ordinance appropriating \$24,840 of General Fund Reserve to purchase and install two community safety cameras at Haight and Webster Streets in the Department of Telecommunications and Information Services for Fiscal Year 2006-2007.

2/6/07, RECEIVED AND ASSIGNED to Budget and Finance Committee.

- 070185 [Public Employment - City Planning Commission (CPC)]**  
**Supervisor Peskin**

Ordinance amending Ordinance No. 203-06 (Annual Salary Ordinance FY 2006-2007) to reflect the amendment of the Administrative Provisions to add Section 2.5 and classification and salary for the Board/Commission Members for the City Planning Commission (CPC).

2/6/07, RECEIVED AND ASSIGNED to Budget and Finance Committee.

## Resolutions

- 070176 [Accept-Expend Foundation Grant - Department of the Environment]**  
**Mayor**

Resolution authorizing the Department of the Environment to accept and expend a grant in the amount of \$200,000 from the Sidney E. Frank Foundation to carry out the critical task of engaging key stakeholders and interest groups to solicit input and build support for a tidal energy project.

2/6/07, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

**070179 [Parking Regulations]  
Supervisor Dufty**

Resolution enacting and rescinding parking regulations at various locations.

RESIDENTIAL PERMIT PARKING AREA "D", 4-HOUR TIME LIMIT, 9 AM to 5 PM, MONDAY THROUGH FRIDAY - ESTABLISH  
Bosworth Street, north side, from Chilton Avenue to Elk Street.

2-HOUR TIME LIMIT, 9 AM TO 6 PM, MONDAY THROUGH FRIDAY - RESCIND  
Bosworth Street, north side, from Chilton Avenue to Elk Street.

(2/5/07 - Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street.)

2/6/07, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

**070180 [Urging the Department of Parking and Traffic to establish two speed humps on 21st Street between Noe and Sanchez Streets]  
Supervisor Dufty**

Resolution urging the Department of Parking and Traffic to establish two speed humps on 21st Street between Noe and Sanchez Streets.

2/6/07, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

**070182 [Accept-Expend Federal Grant - Department of the Environment]  
Supervisor Maxwell**

Resolution authorizing the Department of the Environment to accept and expend a grant in the amount of \$113,700 from the United States Department of Agriculture through GIRLS 2000 to operate a certified farmers' market in Bayview Hunters Point and provide nutrition education to community residents.

2/6/07, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

**070183 [Grant to increase outreach, enrollment, retention and utilization efforts for Medi-Cal and Healthy Families]  
Supervisor Maxwell**

Resolution authorizing the San Francisco Department of Children, Youth and their Families (DCYF), to retroactively accept and expend a grant in the amount of \$180,498 from the California Department of Health Services (DHS) to support the Outreach, Enrollment, Retention and Utilization (OERU) project and to enter into an agreement for the use of these funds; for the period of December 13, 2006 through June 30, 2007.

2/6/07, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

**070186 [Grant of Private Foundation Funds - Municipal Transportation Agency]  
Supervisor Dufty**

Resolution authorizing the Municipal Transportation Agency to accept and expend \$10,371 of Bland Family Foundation grant funds for restoration of Muni's Historic Photo Archive, excluding administrative overhead costs.

2/6/07, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**070187 [Commending the Transport Workers Union Local 250-A for their support of the Sweatfree Ordinance]  
Supervisor Ammiano**

Resolution commending the Transport Workers Union Local 250-A for their support of the Sweatfree Ordinance and solidarity with workers worldwide.

2/6/07, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**070188 [Urging Congress to Amend the Comprehensive Smoking Education Act of 1984]  
Supervisors Daly, Ammiano, Dufty, Maxwell, McGoldrick, Mirkarimi**

Resolution urging U.S. Congressional Representatives to amend the Comprehensive Smoking Education Act of 1984 (Public Law 98-474) and require picture-based warning labels

2/6/07, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**070189 [Honorary street name designation of Osaka Way]  
Supervisor Mirkarimi**

Resolution commemorating the 50th anniversary of the San Francisco-Osaka Sister City Association, and designating Osaka Way as an honorary street name to be located on Buchanan Street between Sutter and Post Streets.

2/6/07, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**070190 [Extending the Library Citizens Advisory Committee]  
Supervisor Daly**

Resolution extending the operation of the Library Citizens Advisory Committee to March 1, 2009.

2/6/07, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

## Hearings

**070167 [Homeless LGBT youth in San Francisco]  
Supervisors Ammiano, Dufty**

Hearing on Homeless LGBT youth in San Francisco.

2/6/07, RECEIVED AND ASSIGNED to Budget and Finance Committee. Sponsor requests that this item be referred to Budget & Finance Committee.

**070168 [FY 2006-2007 budget addback to the Arts Commission]  
Supervisors Ammiano, Daly**

Hearing on the FY 2006-2007 budget addback to the Arts Commission of \$1Million dollars, and requesting the Clerk of the Board to invite the Director of the Arts Commission to be present at this hearing.

2/6/07, RECEIVED AND ASSIGNED to Budget and Finance Committee.

**070169 [Office of Citizen Complaints' Mediation Program]  
Supervisor Dufty**

Hearing to consider possible changes to the Office of Citizen Complaints' Mediation Program based on recommendations of the Controller's office, of the Board of Supervisors' Legislative Analyst, and the success of mediation programs in other municipalities such as New York City.

Specific information should be provided on the benefits of mediation in resolving citizen complaints, strategies to enable the OCC's mediation program to successfully mediate more cases, and OCC staffing needs for the mediation program.

2/6/07, RECEIVED AND ASSIGNED to Public Safety Committee.

**070170 [Goals and Objectives of the City and School District Select Committee]  
Supervisor Dufty**

Hearing to discuss goals and objectives for the City and School District Select Committee, including discussion of the committee's jurisdiction. Existing partnerships between the City and School District will be discussed as well as possible areas where greater cooperation and coordination between SFUSD and the City and County of San Francisco can both improve City services and better meet the needs of SFUSD students, teachers, staff and parents.

2/6/07, RECEIVED AND ASSIGNED to City and School District Select Committee.

**070171 [Performance Audit on the Department of the Environment]  
Supervisor Elsbernd**

Hearing to consider the Controller's performance audit on the Department of the Environment.

2/6/07, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

**070172 [Municipal Transportation Quality Review]  
Supervisor Elsbernd**

Hearing to consider the recently completed biennial review of the Municipal Transportation Agency's progress toward its adopted goals, objectives, and performance standards as required under Charter Section 8A.103.

This is the second Municipal Transportation Quality Review conducted since Proposition E was enacted and covers FY 2002-03 and FY 2003-04. Transportation consulting firm Nelson/Nygaard conducted the review. 2/6/07, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee. Sponsor requests that this item be assigned to Government Audits & Oversight Committee.

**070173 [Small Business and City Procurement Practices]  
Supervisor Jew**

Hearing to clarify city purchasing requirements to determine why there are no discernable LBE goals; identify deficiencies, if any, in LBE purchasing requirements; and determine ways for our city to steer more of its purchasing to locally owned businesses that employ San Franciscans.

2/6/07, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

**070174 [Yellow Metered Zone Enforcement]  
Supervisor McGoldrick**

Hearing on the lack of enforcement of the yellow metered zone on the south east corner of 4th Avenue at Geary Boulevard.

2/6/07, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

**070175 [SFPD and Housing Authority Property]  
Supervisor Mirkarimi**

Hearing on the incongruent policy and procedure that prohibits SFPD from entering Housing Authority property as interpreted by the following agencies and administration: SFPD, SFPD Legal, the District Attorney's Office, the Office of the Mayor, and the Housing Authority, as it pertains to 602(o) Penal Code. All memorandum of understanding negotiated or proposed between the City and the Housing Authority allowing or disallowing SFPD entry is requested in advance of the hearing; All statistics that pertain to law enforcement action by the SFPD and processed by themselves or the District Attorney as it pertains to attempted arrests, arrests made, cases charged, filed, dropped and prosecuted between 2004 and 2006, is requested.

2/6/07, RECEIVED AND ASSIGNED to Public Safety Committee.

## **Motions**

**070181 [City and School District Select Committee Meetings]  
Supervisor Dufty**

Motion ordering the City and School District Select Committee meetings of the Board of Supervisors be held on first and third Thursdays of each month at 3:30 P.M. in the Chambers of the Board of Supervisors; and directing the Clerk of the Board to prepare the proper notices and postings.

2/6/07, RECEIVED AND ASSIGNED to Rules Committee.

## **PROPOSED ORDINANCES**

**070109 [Settlement of Lawsuit - Harvey John Merk]**

Ordinance authorizing settlement of the lawsuit filed by Harvey John Merk against the City and County of San Francisco for \$135,000; the lawsuit was filed on August 5, 2005 in San Francisco Superior Court, Case No. 443-654; entitled Harvey John Merk, et al., v. City and County of San Francisco, et al. (City Attorney)

1/26/07, RECEIVED AND ASSIGNED to Rules Committee.



## PROPOSED RESOLUTIONS

**070140 [Designation of MuniServices, LLC ("Contractor") as City's Authorized Representative in Sales and Use Tax Records Examination]**

Resolution Designating MuniServices, LLC ("Contractor") as the City and County of San Francisco's Authorized Representative in Sales and Use Tax Records Examination. (Controller)

1/29/07, RECEIVED AND ASSIGNED to Budget and Finance Committee.

**070141 [Three Month Extension of Tolling Agreement]**

Resolution approving one year extension of mutual tolling agreement between the City of Daly City ("Daly City") and the City and County of San Francisco ("San Francisco"). (City Attorney)

1/29/07, RECEIVED AND ASSIGNED to Rules Committee.

## Requests Granted

*From: Supervisor Ammiano*

*To: City Attorney*

*Requesting/Inquiring: Requesting the City Attorney's Office to draft an Ordinance establishing an Arts Planning Council to implement the Arts Task Force Recommendations to consist of, among other seats; representation from the neighborhood arts community, non-profit health and social sector, private foundations, arts community at large, and the hospitality industry.*

*From: Supervisor Ammiano*

*To: Director, Department of Public Works*

*Requesting/Inquiring: Inquiring into why was there so much confusion at the hearing held on January 31st to hear neighborhood feedback on the proposed Mechanical street sweeping increases in the Mission? The hearing was supposed to start at 9AM, but many people were told to come back later that morning, something that is very hard to do when you're missing work. Has Sunshine not been violated by not starting a hearing when its been noticed to start? Why are more hearings necessary given the fact that such overwhelming opposition to DPW's plan was voiced last Wednesday? Why were constituents told that the only way they could register their opinion was at a hearing during a workday when many couldn't make it, why couldn't emails suffice in that case?*

*From: Supervisor Elsbernd*

*To: Director, Department of Parking and Traffic*

*Requesting/Inquiring: Requesting the Department of Parking and Traffic to investigate the status of any plans to improve pedestrian safety along 18th Avenue between Quintara and Rivera.*

*From: Supervisor Mirkarimi*

*To: Director, Department of Parking and Traffic*

*Requesting/Inquiring: Requesting the Department of Parking and Traffic to report on the feasibility of changing the street cleaning on Downey and Ashbury between Waller and Frederick Streets from 8 AM to 10 AM to 10 AM to 12 PM. Currently the street cleaning time is the same time as the school drop off time for Lycee Francais La Perouse.*

*From: Supervisor Mirkarimi*

*To: Director, Department of Parking and Traffic*

*Requesting/Inquiring: Requesting the Department of Parking and Traffic to report on the status of repairing or replacing at the parking signs located on both sides of the street (unless otherwise noted), at the following locations:*

- 1850 Laguna (Falling Pole)*
- 1710 Octavia (missing Street Cleaning sign) between Shrader and Masonic*
- West side of Scott between Sutter and Post (2 hour parking signs missing)*
- 1053 Shrader (missing street cleaning sign)*
- Eddy Street between Fillmore and Webster*

*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: 2340 Sutter and Northwest corner of Eddy and Fillmore (garbage cans) and Northeast corner of Buchanan and Page (emergency box).*

*From: Supervisor Mirkarimi*

*To: Director, Department of Parking and Traffic*

*Requesting/Inquiring: Requesting the Department of Parking and Traffic to report on the status of removing graffiti on the STOP signs at the following locations:*

- Northeast corner of Steiner and Sutter (front and back)*
- Southwest corner of Waller and Pierce (front and back)*
- Northeast corner of Sutter and Scott*
- Northwest corner of Sutter and Scott*
- Southeast corner of Scott and Haight*
- Southeast corner of Scott and Page*
- All four corners of Haight and Buchanan (stickers on signs and pole)*

*From: Supervisor Mirkarimi*

*To: Director, Department of Public Works*

*Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing the graffiti from mailboxes at the following locations: Southeast corner of Fillmore and Oak and the Southwest corner of Gough and Page.*

*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 news stands at the following location: Northeast corner of Sutter and Divisadero (SF Weekly).*

*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 property locations:*

- 510 Steiner Street*
- 910 Fell Street*
- 509 Pierce Street*

*From: Supervisor Mirkarimi*

*To: Director, Department of Public Works*

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

- 591 Waller*
- 511 Scott Street*
- Pierce Street, between Hayes and Fell (multiple spots)*

*From: Supervisor Mirkarimi*

*To: Director, Department of Parking and Traffic*

*Requesting/Inquiring: Requesting the Department of Parking and Traffic to report on the status of removing graffiti on the parking signs located on both sides of the street (unless otherwise noted), at the following locations:*

- 1160 Eddy Street*
- Waller Street between Divisadero and Fillmore*
- Grove between Steiner and Gough*
- Laguna between Geary and Sutter*
- Octavia between California and Pine*
- Austin Street between Gough and Octavia*
- Sutter Street between Octavia and Webster*

- Sutter Street between Scott and Pierce
- Bush Street between Divisadero and Pierce
- Scott Street between Bush and Pine
- Scott Street between Geary and Eddy
- Scott Street between Grove and Hayes
- Fillmore between Oak and Golden Gate

*From: Supervisor Mirkarimi*

*To: Director, Department of Parking and Traffic*

*Requesting/Inquiring: Requesting the Department of Parking and Traffic to report on the status of removing graffiti on the parking signs located on both sides of the street (unless otherwise noted), at the following locations:*

- Ashbury between Frederick and Haight
- Frederick between Clayton and Cole
- Carl between Cole and Clayton
- Downey between Frederick and Waller
- Fell between Webster and Divisadero
- 1374 McAllister

*From: Supervisor Mirkarimi*

*To: Director, Public Utilities Commission*

*To: Director, Department of Public Works*

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

*Metal Poles:*

- 930 Scott
- Southwest corner of Bush and Steiner
- Southeast corner of Sutter and Steiner
- Northeast corner of Grove and Fillmore
- Multiple poles on Eddy between Fillmore and Webster

*Wooden Poles:*

- Eastside of Octavia between Pine and California

*From: Supervisor McGoldrick*

*To: Director, Planning Department*

*To: Director, Department of Public Works*

*Requesting/Inquiring: Requesting the Planning Department and the Department of Public Works to report on the status of removing the following general advertising signs from the following locations:*

- 290 Townsend St. (West facing wall of LIMN Building) - approximately 20 ft. height x 40 ft. width
- 410 Townsend St. (East facing wall) - West Coast Media sign, approx. 30 ft. x 30 ft.
- 465 10th St. (South facing wall) - Clear Channel Sign, approx. 20ft. H x 40ft. W
- 699 3rd St. Townsend St. (South facing wall) - have 2 large frames of wheatpasted posters.

**In Memoriams**

*Leo T. McCarthy - Entire Board*

*Molly Ivins - Entire Board*

*Jim Bair - Supervisors Elsbernd and Peskin*

*Father Robert F. Drinan, S.J. - Supervisor McGoldrick*

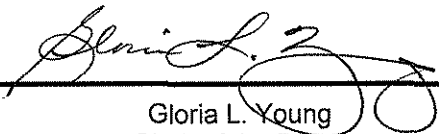
## ADJOURNMENT

*There being no further business the Board adjourned at the hour of 3:23 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 March 13, 2007.*

  
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Gloria L. Young  
Clerk of the Board