

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, July 8, 2008 2:00 PM

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

Regular Meeting

AARON PESKIN, PRESIDENT

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

Angela Calvillo, Clerk of the Board

BOARD COMMITTEES

Committee Membership

Budget and Finance Committee

Supervisors McGoldrick, Elsbernd, Mirkarimi, Daly, Chu

City and School District Select Committee

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

City Operations and Neighborhood Services Committee

Supervisors Chu, McGoldrick, Elsbernd

Government Audit and Oversight Committee

Supervisors Peskin, Ammiano, Maxwell

Land Use and Economic Development Committee

Supervisors Maxwell, Sandoval, Peskin

Public Safety Committee

Supervisors Mirkarimi, Maxwell, Dufty

Rules Committee

Supervisors Daly, Dufty, Ammiano

Meeting Days

Wednesday
1:00 PM

1st and 3rd Thursday
3:30 PM

1st and 3rd Thursday
1:00 PM

1st and 3rd Monday
10:00 AM

Monday
1:00 PM

2nd and 4th Monday
10:00 AM

1st and 3rd Thursday
10:00 AM

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

Volume 103 Number 23

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

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:03 p.m. On the call of the roll Supervisors Alioto-Pier, Ammiano and McGoldrick were noted absent.

There was a quorum present.

Supervisors Alioto-Pier and McGoldrick were noted present at 2:04 p.m.

Supervisor Ammiano was excused from attending today's meeting.

Supervisor Ammiano Excused From Attendance

Supervisor Dufty, seconded by Supervisor Maxwell, moved to excuse Supervisor Ammiano from attending today's meeting. The motion carried by the following vote:

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

APPROVAL OF MEETING MINUTES

Supervisor Dufty, seconded by Supervisor Maxwell, moved to approve the Board Meeting Minutes of May 20, 2008 and June 3, 2008. The motion carried by the following vote:

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

CONSENT AGENDA

Recommendation of the Budget and Finance Committee

- 080662 [Fees for Processing a Redemption of Tax Defaulted Property or a Secured Property Tax Second Installment Delinquency Notice]
Mayor, Supervisor McGoldrick**

Ordinance amending the San Francisco Administrative Code by amending Section 8.34.1, to authorize the Tax Collector to charge a fee of \$55.00 to cover the cost of processing a redemption of property that is in default due to the failure to pay property tax and a fee of \$45.00 to cover the cost of processing a delinquency notice on the second installment of each separate valuation on the secured property tax roll, and to provide for an automatic adjustment of the fees for inflation.

**Ordinance No. 121-08
FINALLY PASSED**

Recommendations of the Government Audit and Oversight Committee

- 080277 [Administrative Code Chapter 6 - technical amendments and amendments to contracting procedures]
Supervisor Chu**

Ordinance amending San Francisco Administrative Code Chapter 6 to correct typographical errors in Subsections 6.22(B) and 6.22(H)(2)(d), to clarify and revise Subsection 6.22(J) concerning retention of progressive payments, to clarify and revise Subsection 6.23(C) concerning the rejection or failure of bids, to revise Section 6.61 concerning design-build contracting procedures, and to add a new Section 6.28 authorizing the use of integrated project delivery.

**Ordinance No. 119-08
FINALLY PASSED**

- 080697 [Unrepresented Employees]
Mayor**

Ordinance fixing compensation for persons employed by the City and County of San Francisco whose compensations are subject to the provisions of Section A8.409 of the Charter, in job codes not represented by an employee organization, and establishing working schedules and conditions of employment and, methods of payment, effective July 1, 2008.

**Ordinance No. 120-08
FINALLY PASSED**

Recommendation of the Rules Committee

- 080613 [Local Business Enterprise and Non-Discrimination in Contracting Ordinance shall terminate 120 days after the injunction in Coral v. Construction, Inc. (S.F. Sup. Ct. No. 421249) is lifted or stayed]
Mayor, Supervisor Alioto-Pier**

Ordinance amending the Administrative Code 14B.18 to suspend enforcement of 14.B and reinstate Chapter 12D.A. 120 days after the injunction in Coral Construction, Inc. v. City and County of San Francisco (S.F. Sup. Ct. No. 421249) is lifted or stayed.

**Ordinance No. 116-08
FINALLY PASSED**

The foregoing items were acted upon by the following vote:

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

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendations of the Rules Committee

080614 [Extending the Expiration date of the MBE/WBE/LBE Ordinance]
Mayor, Supervisor Alioto-Pier

Ordinance extending the expiration date of Chapter 12D.A, the City's Minority/Women/Local Business Utilization program until one year after the injunction in Coral Construction, Inc. v. City and County of San Francisco (S.F. Sup. Ct. No. 421249) is lifted or stayed.

Ordinance No. 117-08

FINALLY PASSED by the following vote:

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

*Supervisor McGoldrick, seconded by Supervisor Dufty, moved to rescind the previous vote.
Motion to rescind the previous vote passed without objection.*

080643 [City Elections In Even-Numbered Years]
Supervisor McGoldrick

Charter Amendment (First Draft) to amend the Charter of the City and County of San Francisco by amending Sections 2.101 and 13.101 and Article XVII to change the election cycle for the offices of Mayor, Sheriff, District Attorney, City Attorney and Treasurer so that these offices will be elected in even-numbered years; and to amend the definition of general municipal election so that such elections occur only in even-numbered years.

Continued to July 15, 2008

Supervisor McGoldrick, seconded by Supervisor Daly, moved that this Charter Amendment be CONTINUED. The motion carried by the following vote:

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

From the Rules Committee Without Recommendation

**080619 [Providing for appointment rather than election of the City Treasurer]
Supervisor McGoldrick**

Charter Amendment (First Draft) to amend the Charter of the City and County of San Francisco by adding Section 3.106, amending Sections 6.100, 13.101, 13.101.5, 13.102, and 14.103, and repealing Section 6.106, to provide for appointment rather than election of the City Treasurer, and set qualifications for the office of Treasurer.

Continued to July 15, 2008

Supervisor McGoldrick, seconded by Supervisor Maxwell, moved that this Charter Amendment be CONTINUED. The motion carried by the following vote:

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

**080620 [Creating a Public Works Commission, setting its powers and duties; authorizing the Mayor to appoint the Director of Public Works]
Supervisor McGoldrick**

Charter Amendment (First Draft) to amend the Charter of the City and County of San Francisco by adding a new Section 4.121.5 and amending Sections 3.104, 4.130 and D3.750-4, to create a Public Works Commission and establish its powers and duties, and authorize the Mayor to appoint the Director of Public Works.

Continued to July 15, 2008

Supervisor McGoldrick, seconded by Supervisor Maxwell, moved that this Charter Amendment be CONTINUED. The motion carried by the following vote:

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

NEW BUSINESS

Recommendations of the Budget and Finance Committee

080718 [Approval of FY08-09 Expenditure Plan for the Human Services Care Fund]
Resolution approving the FY08-09 Expenditure Plan for the Human Services Care Fund. (Human Services Department)

Resolution No. 304-08

ADOPTED by the following vote:

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

080764 [Ratification of increases to prior professional service contracts for health and behavioral health services]

Resolution approving amendment to Resolution No. 702-06, which ratified prior professional service contracts for the San Francisco Department of Public Health for health and behavioral health services and approved three year extensions, to increase the amounts of five of those contracts. (Public Health Department)

(Fiscal Impact.)

Resolution No. 303-08

ADOPTED by the following vote:

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

**080768 [Proposition J Contract/Certification of Specified Contracted-Out Services Previously Approved]
Mayor**

Resolution concurring with the Controller's certification that services previously approved can be performed by private contractor for a lower cost than similar work performed by City and County employees, for the following services: convention facilities management, central shops security, janitorial and security services (Administrative Services); body removal services (Medical Examiner); budget analyst (Board of Supervisors); security services (Public Works); community services (District Attorney); absentee voter ballot distribution (Department of Elections); security services (Human Services Agency); shelter and intake for status offenders (Juvenile Probation); Project S.A.F.E. (Police); jail food services (Sheriff); and mainframe system support (Telecommunications and Information Services).

Resolution No. 301-08

ADOPTED by the following vote:

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

**080736 [Planning Code- Modifying the fee refund provisions for inclusionary housing projects]
Mayor**

Ordinance amending Planning Code Section 315.4 to limit refunds for environmental review, conditional use applications and fees covered in Planning Code Section 352 to only that portion of the housing project which is affordable and to clarify that the refund provision is only available to projects that filed on or after June 18, 2001; and making environmental findings and findings of consistency with the General Plan and priority policies of Planning Code Section 101.1.

PASSED ON FIRST READING by the following vote:

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

**080828 [Public Education Enrichment Fund - First Five Commission]
Supervisors McGoldrick, Ammiano**

Resolution approving the San Francisco First Five Commission expenditure plan for the Public Education Enrichment Fund for Fiscal Year 2008-09.

Continued to July 22, 2008

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

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

080719 [Building Code - fee adjustment]

Ordinance amending the Building Code to amend various sections and fee schedule tables to adjust fees or permits, inspections, and other actions. (Building Inspection Department)

PASSED ON FIRST READING by the following vote:

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

**080653 [Accept-Expend Ryan White HIV/AIDS Treatment Modernization Act Grant - \$4,758,228]
Supervisor Dufty**

Resolution authorizing the San Francisco Department of Public Health (DPH) to accept and expend retroactively a one-time funding award of Ryan White Part A (RWPA) funds for the San Francisco Eligible Metropolitan Area (SF EMA) in the amount of \$4,758,228 from the Health Resources and Services Administration (HRSA) to support HIV Health Services; for the period of July 1, 2007 through February 29, 2008.

Resolution No. 302-08

ADOPTED by the following vote:

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

080674 [IHSS Contract Approval - \$51,433,291]

Resolution to amend Resolution # 644-05 approved on August 18, 2005 approving the contract between the City and County of San Francisco and the IHSS Consortium of San Francisco for the provision of In-Home Supportive Services for the period from July 1, 2005 to June 30, 2008, in the amount of \$51,433,291. (Human Services Department)

(Fiscal Impact.)

Resolution No. 300-08

ADOPTED by the following vote:

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

**080734 [Proposition J Contract/Janitorial Services for 875 Stevenson Street]
Mayor**

Resolution concurring with the Controller's certification that the janitorial services at 875 Stevenson Street can be performed by private contractor for a lower cost than similar work performed by City and County employees.

(Supervisors Daly and Mirkarimi dissented in committee.)

Continued to July 15, 2008

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

Ayes: 9 - Alioto-Pier, Chu, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 1 - Daly
Excused: 1 - Ammiano

**080762 [Proposition J Contract/Security Services for San Francisco General Hospital, Laguna Honda Hospital and Various Clinics]
Mayor**

Resolution concurring with the Controller's certification that security services for San Francisco General Hospital, Laguna Honda Hospital and various clinics can be performed by private contractor for a lower cost than similar work performed by City and County employees.

(Supervisors Daly and Mirkarimi dissented in committee.)

Continued to July 15, 2008

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

Ayes: 9 - Alioto-Pier, Chu, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 1 - Daly
Excused: 1 - Ammiano

**080829 [Public Education Enrichment Fund - Unified School District Fiscal Year 2008-2009]
Supervisors McGoldrick, Ammiano**

Resolution approving the San Francisco Unified School District expenditure plan for the Public Education Enrichment Fund for Fiscal Year 2008-2009.

Continued to July 22, 2008

Supervisor Mirkarimi, seconded by Supervisor Alioto-Pier, moved that this Resolution be CONTINUED. The motion carried by the following vote:

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

**080522 [Authorizing the Office of the Clerk of the Board of Supervisors to provide clerical, administrative, and logistical assistance to the San Francisco Local Agency Formation Commission]
Supervisor Mirkarimi**

Motion authorizing the Office of the Clerk of the Board of Supervisors, consistent with past practice, to provide clerical, administrative, and logistical assistance to the San Francisco Local Agency Formation Commission for the purpose of instituting its Advice and Monitoring Project with respect to CCA Program Implementation as requested by the San Francisco Board of Supervisors and for the Clerk of the Board of Supervisors to seek reimbursement from San Francisco Local Agency Formation Commission.

Motion No. M08-111

APPROVED by the following vote:

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

**080728 [Redevelopment Agency Budget 2008-2009]
Mayor**

Resolution approving the Budget of the Redevelopment Agency of the City and County of San Francisco for fiscal year 2008-2009.

(Fiscal Impact.)

Continued to July 22, 2008

Supervisor Mirkarimi, seconded by Supervisor Alioto-Pier, moved that this Resolution be CONTINUED. The motion carried by the following vote:

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

**080730 [Treasure Island Development Authority Budget 2008-2009]
Mayor**

Resolution approving the Budget of the Treasure Island Development Authority for fiscal year 2008-2009.

(Fiscal Impact.)

Continued to July 22, 2008

Supervisor Mirkarimi, seconded by Supervisor Alioto-Pier, moved that this Resolution be CONTINUED. The motion carried by the following vote:

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

Recommendation of the Land Use and Economic Development Committee

**080660 [Zoning - Urgency Ordinance Extending An Interim Zoning Moratorium On Enterprises That Sell Tobacco Paraphernalia]
Supervisor Sandoval**

Urgency Ordinance extending an interim zoning moratorium for six (6) months, to temporarily prohibit the establishment of new enterprises, subject to specified exceptions, that sell Tobacco Paraphernalia, as defined, in all Commercial, Mixed Use and Industrial districts, and making findings, including findings of consistency with the Priority Policies of Planning Code Section 101.1 and environmental findings.

Ordinance No. 118-08

FINALLY PASSED by the following vote:

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

Recommendations of the Rules Committee

- 080782 [Appointment, Commission of Animal Control and Welfare - Laurie Kennedy-Routhie]**
Motion appointing Laurie Kennedy-Routhie, term ending April 30, 2010 to the Commission of Animal Control and Welfare.

Laurie Kennedy-Routhie succeeding herself, term expired, seat 1, must be a member representing the general public having interest and experience in animal matters, for a two-year term ending April 30, 2010.

Motion No. M08-110

APPROVED by the following vote:

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

- 080852 [Appointment, Police Commission - David Onek]**
Motion confirming the Mayor's nomination of, and appointing, David Onek to the San Francisco Police Commission for the unexpired portion of a four-year term ending April 30, 2012. (Mayor)

(Section 4.109 of the City Charter provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days of the date the nomination is transmitted to the Clerk then the nominee shall be deemed approved. Transmittal date - June 12, 2008.)

Motion No. M08-109

APPROVED by the following vote:

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

- 080638 [Creating an Independent Ratepayer Advocate to review and recommend utility service rates proposed by the San Francisco Public Utilities Commission]**
Supervisors Alioto-Pier, Ammiano, Dufty, Chu, Elsbernd, Sandoval

Charter Amendment (Second Draft) to amend the Charter of the City and County of San Francisco by adding Section 8B.128, to create an Office of the Independent Ratepayer Advocate to evaluate, analyze, provide comments and make recommendations on the efficiency, equity, and fiscal feasibility, from the ratepayers' perspective, of utility rate proposals prepared by the San Francisco Public Utilities Commission under Charter section 8B.125; to require the City Administrator to appoint an Independent Ratepayer Advocate; and prescribing the duties and responsibilities of the Office of the Independent Ratepayer Advocate.

(Supervisor Daly dissented in committee.)

Continued to July 15, 2008

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

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

- 080641 [Pier 70 plan and lease approvals; General Fund financing for Pier 70 waterfront improvements; transfer of funds according to agreements between the Port Commission and other departments; priorities for use of Port funds]**
Supervisors Maxwell, Alioto-Pier, Ammiano, Dufty

Charter Amendment (Third Draft) to amend the Charter of the City and County of San Francisco by adding Sections B7.310 and B7.320, and amending Section B6.406, to: authorize the Board of Supervisors to approve a Pier 70 financial and land use plan; authorize a mechanism for the City to appropriate General Fund revenues in an amount up to 75% of the projected hotel and payroll taxes attributable to new development at Pier 70 to finance waterfront improvements; waive Board approval of leases consistent with the approved Pier 70 plan; require the City to appropriate funds for certain Board-approved agreements between City departments and the Port Commission; and, updating the priorities for use of Port revenues.

Continued to July 15, 2008

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

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

- 080642 [Number of signatures required to qualify a recall petition]**
Supervisor McGoldrick

Charter Amendment (Second Draft) to amend the Charter of the City and County of San Francisco by amending Section 14.103, to adopt State law regarding the number of signatures required to qualify a recall petition for local officers.

Continued to July 15, 2008

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

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

- 080645 [Prohibition on City employees serving as members of Charter boards and commissions]**
Supervisor McGoldrick

Charter Amendment (First Draft) to amend the Charter of the City and County of San Francisco by amending Section 4.101, to prohibit City employees from serving as members of boards and commissions created in the Charter.

Continued to July 15, 2008

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

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

From the Rules Committee Without Recommendation

**080851 [Appointment of the City Treasurer; City Elections in Even-numbered Years]
Supervisor McGoldrick**

Charter Amendment (First Draft) to amend the Charter of the City and County of San Francisco by (1) adding Section 3.106, amending Sections 6.100, 13.101, 13.101.5, 13.102, and 14.103, and repealing Section 6.106, to provide for appointment rather than election of the City Treasurer, set qualifications for the Office of Treasurer, and setting an operative date; and, (2) amending Sections 2.101, 13.101 and Article XVII to: change the election cycle for the offices of Mayor, Sheriff, District Attorney, and City Attorney so that these offices will be elected in even-numbered years; amend the definition of general municipal election so that such elections occur only in even-numbered years; and, clarify the operation of term limits for members of the Board of Supervisors.

Continued to July 15, 2008

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

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

Recess

The Board recessed at the hour of 3:10 p.m.

Reconvening of the Board

The Board, at the hour of 3:35 p.m., reconvened.

Calling the Roll

On call of the roll, the following Supervisors were noted present: Supervisors Alioto-Pier, Chu, Daly, Dufty, Elsbernd, Maxwell, Mirkarimi, Peskin, Sandoval - 9

Quorum present.

*Noted Absent: Supervisor McGoldrick - 1
Supervisor Ammiano was previously excused from today's meeting.*

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

Privilege of the Floor

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

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

Supervisor Chu introduced, welcomed and presented a Certificate of Honor to Sergeant Bohanan in recognition of his work in the Ambassador program in the San Francisco Police Department. Captain Chignell and Past President of the local merchants spoke in recognition of Sergeant Bohanan's efforts.

Supervisor Peskin introduced, welcomed and presented a Certificate of Honor to John Avalos in recognition of his service as a Legislative Aide.

Supervisor Alioto-Pier introduced, welcomed and presented a Certificate of Honor to Mary O'Reardon in recognition of her retirement. Chief Joanne Hayes White, Chief of the San Francisco Fire Department, acknowledged Mary O'Reardon's service and her retirement.

SPECIAL ORDER 4:00 P.M.

080513 [Hearing - Street Vacation Order of Hunters Point Shipyard]

Hearing of persons interested in or objecting to proposed ordinance ordering the vacation of portions of Innes Avenue, Galvez Avenue and Donahue Street in Hunters Point Shipyard Parcel "A1" and all of Navy Road in Hunters Point Shipyard Parcel "A2" along with public service easements that may exist in Parcels A1 and A2; making environmental findings and findings of consistency with the City's General Plan, Planning Code Section 101.1, and the Hunters Point Redevelopment Plan; quitclaiming the City's interest in the vacation areas; reserving easement rights for a City combined sewer line and facilities; accepting Department of Public Works Order No. 177,478; and authorizing official acts in connection with this Ordinance.

The President inquired as to whether any member of the public wished to address the Board members. There were none.

The President declared the public hearing closed.

FILED.

From the Land Use and Economic Development Committee Without Recommendation

080512 [Hunters Point Shipyard - Street Vacation Order]

Ordinance ordering the vacation of portions of Innes Avenue, Galvez Avenue and Donahue Street in Hunters Point Shipyard Parcel "A1" and all of Navy Road in Hunters Point Shipyard Parcel "A2" along with public service easements that may exist in Parcels A1 and A2; making environmental findings and findings of consistency with the City's General Plan, Planning Code Section 101.1, and the Hunters Point Redevelopment Plan; quitclaiming the City's interest in the vacation areas; reserving easement rights for a City combined sewer line and facilities; accepting Department of Public Works Order No. 177,478; and authorizing official acts in connection with this Ordinance. (Public Works Department)

PASSED ON FIRST READING by the following vote:

Ayes: 9 - Alioto-Pier, Chu, Duffy, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Noes: 1 - Daly

Excused: 1 - Ammiano

COMMITTEE REPORTS

080566 [Approving an agreement with Cochran, Inc. to install shoreside power equipment at Piers 27 and 29 of the Port of San Francisco and waiving the contracting requirements of the Administrative Code and Environment Code]

Supervisors Peskin, Duffy, Alioto-Pier

Ordinance authorizing the Executive Director of the Port to execute an agreement with Cochran, Inc. to install shoreside power equipment at Piers 27 and 29 of the Port of San Francisco for an amount not to exceed \$1,700,000 from the City and an additional \$1,900,000 to be separately provided by Princess Cruise Lines from the Bay Area Air Management District Carl Moyer Program grant and exempting the agreement from the contracting requirements of the Administrative Code and Environment Code.

(Fiscal Impact.)

PASSED ON FIRST READING by the following vote:

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

Supervisor Chu Excused From Voting

Supervisor Duffy, seconded by Supervisor Elsbernd, moved to excuse Supervisor Chu from voting on File Nos. 080800 and 080801 due to possible conflict of interest. The motion carried by the following vote:

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

**080800 [MOU, Amendment No. 1 - San Francisco Fire Fighters Union, Local 798 (Unit 1)]
Mayor**

Ordinance adopting and implementing Amendment #1 to the 2007-2011 Memorandum of Understanding between the City and County of San Francisco and the San Francisco Fire Fighters Union, Local 798, IAFF, AFL-CIO (Unit 1) by implementing specified terms and conditions of employment for fiscal years 2008-2009, 2009-2010 and 2010-2011.

Continued to July 22, 2008

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

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

**080801 [MOU, Amendment No. 1 - San Francisco Fire Fighters Union, Local 798 (Unit 2)]
Mayor**

Ordinance adopting and implementing Amendment #1 to the 2007-2011 Memorandum of Understanding between the City and County of San Francisco and the San Francisco Fire Fighters Union, Local 798, IAFF, AFL-CIO (Unit 2) by implementing specified terms and conditions of employment for fiscal years 2008-2009, 2009-2010 and 2010-2011.

Continued to July 22, 2008

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

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

**080802 [MOU, Amendment No. 2 - Service Employees International Union, Local 1021]
Mayor, Supervisor Elsbernd**

Ordinance adopting and implementing Amendment #2 to the 2006-2009 Memorandum of Understanding between the City and County of San Francisco and the Service Employees International Union, Local 1021 by extending the terms of the parties' Agreement through June 30, 2010.

Supervisor Elsbernd requested to be added as a co-sponsor.

PASSED ON FIRST READING by the following vote:

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

**080803 [MOU, Amendment No. 1 - Automotive Machinists Union, Local 1414]
Mayor, Supervisor Elsbernd**

Ordinance adopting and implementing Amendment #1 to the 2006-2009 Memorandum of Understanding between the City and County of San Francisco and the Automotive Machinists Union, Local 1414, Machinists Automotive Trades District 190, International Association of Machinists and Aerospace Workers by extending the terms of the parties' Agreement through June 30, 2010.

Supervisor Elsbernd requested to be added as a co-sponsor.

PASSED ON FIRST READING by the following vote:

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

**080804 [MOU, Amendment No. 1 - International Federation of Professional and Technical Engineers, Local 21]
Mayor, Supervisor Elsbernd**

Ordinance adopting and implementing Amendment #1 to the 2006-2009 Memorandum of Understanding between the City and County of San Francisco and the International Federation of Professional and Technical Engineers, Local 21, AFL-CIO by extending the terms of the parties' Agreement through June 30, 2010.

Supervisor Elsbernd requested to be added as a co-sponsor.

PASSED ON FIRST READING by the following vote:

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

**080805 [MOU, Amendment No. 1 - Municipal Attorneys' Association]
Mayor, Supervisor Elsbernd**

Ordinance adopting and implementing Amendment #1 to the 2006-2009 Memorandum of Understanding between the City and County of San Francisco and the Municipal Attorneys' Association by extending the terms of the parties' Agreement through June 30, 2010.

Supervisor Elsbernd requested to be added as a co-sponsor.

PASSED ON FIRST READING by the following vote:

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

**080806 [MOU, Amendment No. 1 - Operating Engineers Local Union No. 3]
Mayor, Supervisor Elsbernd**

Ordinance adopting and implementing Amendment #1 to the 2006-2009 Memorandum of Understanding between the City and County of San Francisco and the Operating Engineers Local Union No. 3 of the International Union of Operating Engineers, AFL-CIO by extending the terms of the parties' Agreement through June 30, 2010.

Supervisor Elsbernd requested to be added as a co-sponsor.

PASSED ON FIRST READING by the following vote:

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

**080807 [MOU, Amendment No. 1 - United Association of Journeymen and Apprentices of the Plumbing and Pipe Fitting Industry, Local 38]
Mayor, Supervisor Elsbernd**

Ordinance adopting and implementing Amendment #1 to the 2006-2009 Memorandum of Understanding between the City and County of San Francisco and the United Association of Journeymen and Apprentices of the Plumbing and Pipe Fitting Industry, Local 38 by extending the terms of the parties' Agreement through June 30, 2010.

Supervisor Elsbernd requested to be added as a co-sponsor.

PASSED ON FIRST READING by the following vote:

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

**080808 [MOU, Amendment No. 1 - Teamsters, Local 350]
Mayor, Supervisor Elsbernd**

Ordinance adopting and implementing Amendment #1 to the 2006-2009 Memorandum of Understanding between the City and County of San Francisco and the Teamsters, Local 350 by extending the terms of the parties' Agreement through June 30, 2010.

Supervisor Elsbernd requested to be added as a co-sponsor.

PASSED ON FIRST READING by the following vote:

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

**080809 [MOU, Amendment No. 1 - Teamsters, Local 856 (Multi-Unit)]
Mayor, Supervisor Elsbernd**

Ordinance adopting and implementing Amendment #1 to the 2006-2009 Memorandum of Understanding between the City and County of San Francisco and the Teamsters, Local 856 (Multi-Unit) by extending the terms of the parties' Agreement through June 30, 2010.

Supervisor Elsbernd requested to be added as a co-sponsor.

PASSED ON FIRST READING by the following vote:

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

**080810 [MOU, Amendment No. 2 - Union of American Physicians and Dentists (Unit 8CC)]
Mayor, Supervisor Elsbernd**

Ordinance adopting and implementing Amendment #2 to the 2006-2009 Memorandum of Understanding between the City and County of San Francisco and the Union of American Physicians and Dentists (Unit 8CC) by extending the terms of the parties' Agreement through June 30, 2010 and by implementing specified terms and conditions of employment for fiscal years 2008-2009 and 2009-2010.

Supervisor Elsbernd requested to be added as a co-sponsor.

PASSED ON FIRST READING by the following vote:

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

**080811 [MOU, Amendment No. 1 - Union of American Physicians and Dentists (Unit 11AA)]
Mayor, Supervisor Elsbernd**

Ordinance adopting and implementing Amendment #1 to the 2006-2009 Memorandum of Understanding between the City and County of San Francisco and the Union of American Physicians and Dentists (Unit 11AA) by extending the terms of the parties' Agreement through June 30, 2010 and by implementing specified terms and conditions of employment for fiscal years 2008-2009 and 2009-2010.

Supervisor Elsbernd requested to be added as a co-sponsor.

PASSED ON FIRST READING by the following vote:

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

**080812 [MOU, Amendment No. 2 - Municipal Executives' Association]
Mayor, Supervisor Elsbernd**

Ordinance adopting and implementing Amendment #2 to the 2006-2009 Memorandum of Understanding between the City and County of San Francisco and the Municipal Executives' Association by extending the terms of the parties' Agreement through June 30, 2010 and by implementing specified terms and conditions of employment for fiscal years 2008-2009 and 2009-2010.

Supervisor Elsbernd requested to be added as a co-sponsor.

PASSED ON FIRST READING by the following vote:

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

**080813 [MOU, Municipal Executives' Association - Fire]
Mayor, Supervisor Elsbernd**

Ordinance adopting and implementing the Memorandum of Understanding between the City and County of San Francisco and the Municipal Executives' Association Fire, to be effective July 1, 2007 through June 30, 2011.

Supervisor Elsbernd requested to be added as a co-sponsor.

PASSED ON FIRST READING by the following vote:

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

080814 [MOU, Municipal Executives' Association - Police]
Mayor, Supervisor Elsbernd

Ordinance adopting and implementing the Memorandum of Understanding between the City and County of San Francisco and the Municipal Executives' Association Police, to be effective July 1, 2007 through June 30, 2011.

Supervisor Elsbernd requested to be added as a co-sponsor.

PASSED ON FIRST READING by the following vote:

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

ROLL CALL FOR INTRODUCTIONS

PUBLIC COMMENT

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

*James Chaffee; expressed concern with issues relating to the SF Public Library
Walter; shared in song certain SF memorabilia
Male speaker; expressed concern with saving the Harding Theatre
Lionel Sanford; expressed concern with the City and County budget process
Douglas Yep; showed interest with issues relating to whistle blowers
Male speaker; expressed concern with issues relating to federal government and terrorism
John Di Donna; expressed concern with issues relating to Alcatraz
Francisco da Costa; expressed concern with issues relating to the Redevelopment Agency
John Calderra; request to receive socks for veterans operation single sock
Peter Warfield; expressed concern with issues relating to the SF Public Library
Male speaker; expressed concern with issues relating the SF Police Department
Cecil Mills; expressed concern with issues relating to the environment and the need to use water based fuel
Jose Morales; expressed concern with issues relating to senior housing and evictions
Beverly Upton; expressed appreciation for the funding of domestic violence programs*

Supervisors Daly, McGoldrick and Sandoval were noted absent at 3:09 p.m.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

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

**080911 [Grant to support HIV research study - \$31,724]
Supervisor Dufty**

Resolution authorizing the San Francisco Department of Public Health (DPH) to accept and expend retroactively a grant in the amount of \$31,724 from the Public Health Foundation Enterprises (PHFE), to support a research project entitled "Chemoprophylaxis for HIV Prevention in Men;" for the period of February 1, 2008 through January 31, 2009.

Resolution No. 305-08

ADOPTED by the following vote:

Ayes: 7 - Alioto-Pier, Chu, Dufty, Elsbernd, Maxwell, Mirkarimi, Peskin

Absent: 3 - Daly, McGoldrick, Sandoval

Excused: 1 - Ammiano

**080912 [Urging a Federal Employment Non-Discrimination Act that includes gender identity protections]
Supervisors Dufty, Ammiano, Daly, Mirkarimi**

Resolution urging a Federal Employment Non-Discrimination Act that includes gender identity protections.

Supervisors Daly and Mirkarimi requested to be added as co-sponsors.

Resolution No. 306-08

ADOPTED

The foregoing items were acted upon by the following vote:

Ayes: 7 - Alioto-Pier, Chu, Dufty, Elsbernd, Maxwell, Mirkarimi, Peskin

Absent: 3 - Daly, McGoldrick, Sandoval

Excused: 1 - Ammiano

Severed From the Without Reference to Committee Agenda

Supervisor Alioto-Pier requested that this matter be severed so that it might be considered separately.

**080910 [State grant to support environmental health pest exclusion activities - \$47,694.36]
Supervisor Dufty**

Resolution authorizing the San Francisco Department of Public Health (DPH) to retroactively accept and expend a grant in the amount of \$47,694.36 from the California Department of Food and Agriculture (CDFA) to support the Light Brown Apple Moth Program; for the period of July 1, 2007 through June 30, 2008.

REFERRED to the City Operations and Neighborhood Services Committee

Ordinances

OFF-AGENDA LEGISLATION

Introduced by Supervisors or Mayor**080849 [PG&E SmartMeter Upgrade Proposal]****Supervisors Peskin, Dufty, Ammiano, Maxwell, Mirkarimi, Daly, McGoldrick, Sandoval**

Ordinance directing the Department of the Environment to conduct a Cost and Climate Review of PG&E's request to the California Public Utilities Commission to spend \$877 million on a SmartMeter upgrade program; and directing the City Attorney, in consultation with the Department of the Environment and Public Utilities Commission, to participate in the CPUC review of PG&E's request; and establishing the City's policy to oppose PG&E's request if the Cost and Climate Review concludes that PG&E's SmartMeter upgrade proposal is not cost effective or that alternative technologies that offer greater benefits should be investigated.

(Fiscal Impact.)

6/24/08, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

7/8/08, SUBSTITUTED. Supervisor Peskin submitted a substitute ordinance bearing new title.

7/8/08, ASSIGNED to Government Audit and Oversight Committee.

080934 [Requiring Air Quality Assessment and Ventilation for Certain Urban Infill Residential Developments]**Supervisor Ammiano**

Ordinance amending the San Francisco Health Code by adding new Article 38 to require air quality assessment and ventilation for certain urban infill residential developments; amending the San Francisco Building Code by adding a third paragraph to Section 1203.5 and amending the San Francisco Mechanical Code by adding new Section 419 to require special ventilation systems for certain urban infill residential developments; making environmental findings; adopting findings of local conditions pursuant to California Health and Safety Code Section 17958.7, and directing the Clerk of the Board of Supervisors to forward this Ordinance to the California Building Standards Commission.

7/8/08, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 8/7/2008.

080947 [Changing the official sidewalk width - Jessie Street east of 10th Street]**Supervisor Daly**

Ordinance amending Ordinance No. 1061 entitled "Regulating the Width of Sidewalks" by adding thereto Section 1579 to change the official sidewalk width on Jessie Street east of 10th Street; making environmental findings and findings pursuant to the General Plan and Planning Code Section 101.1; requiring relocation, modification, or both of facilities affected by the sidewalk width change; and approving public sidewalk easements along the southerly side of Jessie Street.

7/8/08, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

080952 [City Hall Rental Rate Change]**Supervisor Peskin**

Ordinance making environmental findings and amending Administrative Code Section 4.1-2 to increase the maximum City Hall Building rental fee to \$40,000.

(Fiscal Impact.)

7/8/08, ASSIGNED UNDER 30 DAY RULE to Government Audit and Oversight Committee, expires on 8/7/2008.

**080954 [Planning Code-Amending Article 11 Designation of 690 Market Street]
Supervisor Peskin**

Ordinance amending the designation of 690 Market Street from "Unrated—Category V" to "Significant—Category II" under Planning Code Article 11; and adopting General Plan, Planning Code Section 101.1(b) and environmental findings.

7/8/08, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

**080956 [Seismic strengthening of soft-story, wood-frame buildings]
Mayor, Supervisors Alioto-Pier, Chu**

Ordinance finding a compelling public policy basis for expediting the processing and review of permits for seismic retrofit upgrades of soft-story, wood-frame buildings and amending the Planning Code, Building Code, Fire Code, and Public Works Code to waive permit processing fees for the proportionate share of work related to such seismic retrofit upgrades; making environmental findings and findings of consistency with the City's General Plan and Planning Code Section 101.1.

(Fiscal Impact.)

7/8/08, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

Resolutions

**080935 [Urging SFUSD to reconsider current school assignment system]
Supervisor Chu**

Resolution urging the San Francisco Unified School District (SFUSD) to reconsider the current school assignment system for K-12 admissions and incorporate geographic considerations for school placement.

7/8/08, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

**080948 [Amendment to Real Property Ownership Agreement]
Supervisor Elsbernd**

Resolution approving an amendment to the Real Property Ownership Agreement between the Peninsula Corridor Joint Powers Board, San Mateo County Transit District, the City and County of San Francisco and the Santa Clara Valley Transportation Authority to fully resolve all outstanding financial issues related to repayment of SamTrans for its additional contribution for the acquisition of the Caltrain right-of-way, and to designate SamTrans as the managing agency of the Joint Powers Board.

(Fiscal Impact.)

7/8/08, RECEIVED AND ASSIGNED to Budget and Finance Committee.

**080949 [Approval of Amendment to the Construction Management Services Agreement for the Laguna Honda Hospital Replacement Program]
Supervisor Elsbernd**

Resolution authorizing the Director of Public Works to execute an amendment to the construction management services agreement for the Laguna Honda Hospital Replacement Program from \$9,995,383 to \$14,784,481.

(Fiscal Impact.)

7/8/08, RECEIVED AND ASSIGNED to Budget and Finance Committee.

**080950 [Approval of Amendment to Design Agreement for the Laguna Honda Hospital Replacement Program]
Supervisor Elsbernd**

Resolution authorizing the Director of Public Works to execute amendment to a design agreement for the Laguna Honda Hospital Replacement Program from \$39,155,175 to \$44,633,529.

(Fiscal Impact.)

7/8/08, RECEIVED AND ASSIGNED to Budget and Finance Committee.

**080951 [Approving Tefra Hearing for The Institute on Aging Project]
Supervisor McGoldrick**

Resolution approving the issuance and sale of revenue bonds by the ABAG Finance Authority for Nonprofit Corporations in an aggregate principal amount not to exceed \$50,000,000 to finance the construction, equipping and furnishing of facilities that will provide access to affordable health care and other support services for low income, frail older adults by The Institute on Aging.

(Fiscal Impact.)

7/8/08, RECEIVED AND ASSIGNED to Budget and Finance Committee.

**080953 [Approval of an historical property contract for 690 Market Street ("Chronicle Building")]
Supervisor Peskin**

Resolution under Chapter 71 of the San Francisco Administrative Code, approving an historical property contract between RC Chronicle Building LP and 690 Market Master Association, the owners of 690 Market Street ("Chronicle Building"), and the City and County of San Francisco; authorizing the Director of Planning and the Assessor to execute the historical property contract.

(Fiscal Impact.)

7/8/08, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

**080955 [2007-2010 Children's Services Allocation Plan]
Mayor**

Resolution approving an amendment to the Children's Services Allocation Plan for the Children's Fund in accordance with Section 16.108 of the San Francisco Charter.

7/8/08, RECEIVED AND ASSIGNED to Budget and Finance Committee.

**080958 [Commending Kamala Harris on the Bay Area Union Labor Party's 2008 Public Service Award]
Supervisor Duffy**

Resolution commending Kamala Harris on the Bay Area Union Labor Party's 2008 Public Service Award.

7/8/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**080959 [Commending Angelo Quaranta on the Bay Area Union Labor Party's 2008 Community Leadership Award]
Supervisor Dufty**

Resolution commending Angelo Quaranta on the Bay Area Union Labor Party's 2008 Community Leadership Award.

7/8/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**080960 [Commending Tim Paulson on the Bay Area Union Labor Party's 2008 Community Leadership Award]
Supervisor Dufty**

Resolution commending Tim Paulson on the Bay Area Union Labor Party's 2008 Community Leadership Award.

7/8/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**080961 [Commending Cheryl Johnson on the Bay Area Union Labor Party's 2008 Labor Leader of the Year Award]
Supervisor Dufty**

Resolution commending Cheryl Johnson on the Bay Area Union Labor Party's 2008 Labor Leader of the Year Award.

7/8/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**080962 [Accept and Expend State Grant - \$47,773]
Supervisor Dufty**

Resolution authorizing the Department of the Environment (SF Environment) to accept and expend grant funds in the amount of \$47,773.00 from the California Department of Food and Agriculture to eliminate a major infestation of invasive weeds in the Twin Peaks Natural Area of San Francisco.

7/8/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**080963 [Grant to support a drug research study - \$63,210]
Supervisor Dufty**

Resolution authorizing the San Francisco Department of Public Health (DPH) to retroactively accept and expend a grant in the amount of \$63,210 from the Public Health Foundation Enterprises (PHFE) to support the study entitled "Mirtazapine to reduce methamphetamine use among MSM with high-risk HIV behaviors project;" for the period of June 1, 2008 through May 31, 2009.

7/8/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**080964 [Declaration of Election Results]
Supervisor Peskin**

Resolution declaring the results of the June 3, 2008 Consolidated Statewide Direct Primary Election.
7/8/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**080965 [40 day extension for Planning Commission review - Planning Code Enforcement Fund]
Supervisor Peskin**

Resolution extending by 40 days the prescribed time within which the Planning Commission may render its decision on a proposed ordinance that would amend Section 10.100-166 of the Administrative Code and Section 303(I) to update enforcement provisions of the Planning Code, including fees, and making environmental findings, General Plan findings, and other required findings.
7/8/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**080966 [Approving Tefra Hearing for On Lok Community Housing Project]
Supervisor Peskin**

Resolution approving the issuance and sale of revenue bonds by the ABAG Finance Authority for Nonprofit Corporations in an aggregate principal amount not to exceed \$30,000,000 to finance and refinance the acquisition, construction, equipping and furnishing of facilities that will provide access to affordable health care and other support services for low income, frail older adults by On Lok Senior Health Services and On Lok Community Housing, Inc.
7/8/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**080967 [Commending Maurice Mabutas on the occasion of his 102nd birthday]
Supervisor Sandoval**

Resolution commending Maurice Mabutas on the occasion of his 102nd birthday.
7/8/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**080968 [60 day extension for Planning Commission review - The Metro Theatre]
Supervisor Alioto-Pier**

Resolution extending by 60 days the prescribed time within which the Planning Commission may render its decision on a proposed Resolution that would initiate the designation of The Metro Theatre, 2055 Union Street, Lot 018 in Assessor's Block 0541, as a landmark pursuant to Section 1004.1 of the Planning Code.
7/8/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**080969 [Creation of transgender health benefits for CalPers]
Supervisors Ammiano, Daly**

Resolution endorsing the creation of transgender health benefits for CalPers.

7/8/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**080970 [Burma Day - August 8, 2008]
Supervisor Ammiano**

Resolution declaring August 8th "Burma Day" in San Francisco in honor of the 20th anniversary of the people of Burma's 1988 popular uprising against Burma's military regime.

7/8/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Requests for Hearing

080924 [2007-2008 Civil Grand Jury Report - Fits and Starts]

Hearing on the recently published 2007-2008 Civil Grand Jury report regarding Fits and Starts: The Response of San Francisco Government to Past Civil Grand Jury Recommendations. (Clerk of the Board)

6/23/08, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

080925 [2007-2008 Civil Grand Jury Report - Accountability in San Francisco Government]

Hearing on the recently published 2007-2008 Civil Grand Jury report regarding Accountability in San Francisco Government. (Clerk of the Board)

6/24/08, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

080926 [2007-2008 Civil Grand Jury Report - San Francisco Kindergarten Admissions]

Hearing on the recently published 2007-2008 Civil Grand Jury report regarding San Francisco Kindergarten Admissions: Back to the Drawing Board. (Clerk of the Board)

6/24/08, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

080931 [2007-2008 Civil Grand Jury Report - A Year of Five Elections for the City and County of San Francisco]

Hearing on the recently published 2007-2008 Civil Grand Jury report regarding A Year of Five Elections for the City and County of San Francisco. (Clerk of the Board)

7/1/08, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

**080932 [Debt level of the City and County of San Francisco]
Supervisor Chu**

Hearing regarding the City's level of debt, including general obligation bonds, revenue bonds, and other overlapping debt such as the parcel tax for the School District. The hearing will also cover projected debt which may be incurred if bond measures currently pending submission to and passage by San Francisco voters.

7/8/08, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

**080933 [SFPUC Water System Improvement Program, Local San Francisco Program]
Supervisor Chu**

Hearing to review the Local San Francisco Program component of the Water System Improvement Program, with particular attention paid to aging pipes and timelines for replacing them, particularly in light of the July 7th 100-year-old pipe burst on Taraval Street. The breakage created a major disruption along a major neighborhood commercial corridor. The hearing will also cover the PUC's policy for addressing merchant losses as a result of the disruption.

7/8/08, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

PROPOSED ORDINANCES

080796 [Amending Ordinance 202-07, authorizing award of contract for CM/GC services for the San Francisco General Hospital Rebuild Program, and making findings under CEQA]

Ordinance amending Ordinance 202-07 to add Drywall Subcontractor to the list of authorized Core Subcontractors for the San Francisco General Hospital Rebuild Program; authorizing the award of a contract for Construction Manager/General Contractor services for the San Francisco Hospital Rebuild Program; adopting findings under the California environmental Quality Act ("CEQA"), CEQA Guidelines and San Francisco administrative Code Chapter 31, including the adoption of a mitigation monitoring and reporting program and a statement of overriding considerations; and finding that the proposed project is in conformity with the priority policies of Planning Code Section 101.1(b) and with the General Plan consistency requirement of Charter Section 4.105 and Administrative Code Section 2A.53. (Public Works Department)

(Fiscal Impact.)

6/2/08, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

6/24/08, SUBSTITUTED. Public Works Department submitted a substitute ordinance bearing new title.

6/24/08, ASSIGNED to Government Audit and Oversight Committee.

080845 [Changing the official sidewalk width - Golden Gate Avenue]

Ordinance amending Ordinance No. 1061 entitled "Regulating the Width of Sidewalks" by adding thereto Section 1580 to change the official sidewalk width on the southerly side of Golden Gate Avenue between Larkin and Hyde Streets; making environmental findings and findings pursuant to the General Plan and Planning Code Section 101.1; requiring relocation, modification, or both of facilities affected by the sidewalk width change. (Public Works Department)

6/23/08, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

080896 [Settlement of Lawsuit - City and County of San Francisco, et al., v. Pravin Dahy Abhai Patel, et al.]

Ordinance authorizing settlement of a lawsuit filed by the City and County of San Francisco and the People of the State of California, by and through Dennis J. Herrera, City Attorney for the City and County of San Francisco, against Pravin Dahy Abhai Patel, George Patel, and Sanjay Patel in exchange for an agreement to rescind the notice of withdrawal submitted pursuant to Government Code section 7060(a); the lawsuit was filed on July 12, 2006, in San Francisco Superior Court, Case No. CGC- 06-454092; entitled City and County of San Francisco, et al., v. Pravin Dahy Abhai Patel, et al; other material terms of said settlement are set forth in the Settlement Agreement contained in Board of Supervisors File No. 080896. (City Attorney)

6/20/08, RECEIVED AND ASSIGNED to Rules Committee.

080897 [Settlement of Lawsuit - Schram Construction, Inc. - \$722,104.09]

Ordinance authorizing settlement of the lawsuit filed by Schram Construction, Inc. ("Schram") against the City and County of San Francisco (the "City") seeking \$1,000,000; the lawsuit was filed on June 23, 2006 in the Superior Court of the City and County of San Francisco, Case No.CGC-06-453479, entitled Schram Construction, Inc., v. City and County of San Francisco; other material terms of said settlement are: 1) The City will pay a total of \$722,104.09 to Schram; 2) Schram will indemnify the City against potential legal claims and/or lawsuits from subcontractors and suppliers; 3) All warranties not yet expired will remain in full force and effect; and 4) The City reserves all rights relating to latent defects. (City Attorney)
6/25/08, RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED RESOLUTIONS

080797 [Authorizing award of architectural and engineering design services contract for the San Francisco General Hospital Replacement Program and adopting findings under CEQA]

Resolution authorizing the award of an architectural and engineering design services contract for the San Francisco General Hospital Seismic Compliance Hospital Replacement Program; adopting findings under the California Environmental Quality Act ("CEQA"), CEQA Guidelines and San Francisco Administrative Code Chapter 31, including the adoption of a mitigation monitoring and reporting program and a statement of overriding considerations; and finding that the proposed project is in conformity with the priority policies of Planning Code Section 101.1(b) and with the General Plan consistency requirement of Charter Section 4.105 and Administrative Code Section 2A.53. (Public Works Department)

(Fiscal Impact.)

6/2/08, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

6/24/08, ASSIGNED to Government Audit and Oversight Committee.

6/24/08, SUBSTITUTED. Department of Public Works submitted a substitute resolution bearing new title.

Requests Granted

From: Supervisor Sandoval

To: Director, Municipal Transportation Agency

Requesting/Inquiring: Requesting that the Municipal Transportation Agency study the feasibility of installing a 4-way stop sign at the intersection of Ottawa Avenue and Ellington Avenue.

From: Supervisor Mirkarimi

To: Director, Department of Public Works

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

Wood Utility Poles

Southeast corner of Waller and Buchanan

Metal Utility Poles

West side of Stanyan and Waller

1756 Waller

Southeast corner of Laussat and Buchanan

Southeast corner of Shrader and Haight

Bus Shelters

Southeast corner of Haight near Divisadero

From: Supervisor Mirkarimi

To: Director, Department of Public Works

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

546 Haight

146 Webster

799 Haight

1115 Fell

2001 Grove

600 Stanyan

670 Stanyan

1762 Waller

1756 Waller

1734 Waller

583 Haight

1101 Oak

537 Shrader

701 Shrader

759 Shrader

1708 Waller

903 Stanyan

364 Divisadero

From: Supervisor Mirkarimi

To: Director, Department of Public Works

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

San Francisco Bay Guardian

Southeast corner of Fillmore and Post

Southwest corner of Divisadero and Sutter

9th Avenue and Judah (near bus stops)

7th Avenue and Irving (near bus stops)

Northwest corner of Hayes and Fillmore

*Southeast corner of Fillmore and Haight
San Francisco Chronicle
Northwest corner of Fillmore and Hayes
Southeast corner of Haight and Fillmore
Irving and 9th Avenue
Irving and 7th Avenue
Southwest corner of Haight and Clayton
Southeast corner of Haight and Masonic
Examiner
Northwest corner of Fillmore and Hayes
Southeast corner of Haight and Fillmore
SF Daily
Northwest corner of Hayes and Gough
City Star
Northwest corner of Hayes and Gough
Southeast corner of Fillmore and Haight
SF Weekly
Southeast corner of Masonic and Haight
Southeast corner of Haight and Fillmore*

From: Supervisor Mirkarimi

To: Director, Department of Public Works

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

Phone Switch Boxes

Southeast corner of Fillmore and Oak

Northwest corner of Hermann and Fillmore

Northwest corner of Frederick and Schrader

In Memoriams

Henry Morris - Supervisor Peskin

ADJOURNMENT

There being no further business the Board adjourned at the hour of 5:34 p.m.

Angela Calvillo, Clerk of the Board

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

Approved by the Board of Supervisors on August 12, 2008.



Angela Calvillo
Clerk of the Board