Board of Supervisors

City and County of San Francisco

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

?

AGENDA Tuesday, March 20, 2007 2:00 PM

Regular Meeting

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

ROLL CALL AND PLEDGE OF ALLEGIANCE

APPROVAL OF MEETING MINUTES

Motion to approve Board Meeting Minutes for February 27, 2007.

AGENDA CHANGES

COMMUNICATIONS

Note: Each item on the Consent or Regular agenda may include the following documents:

- 1) Legislation
- 2) Budget Analyst report
- 3) Legislative Analyst report
- 4) Department or Agency cover letter and/or report
- 5) Public correspondence

These items will be available for review at City Hall, Room 244, Reception Desk.

SPECIAL ORDER 2:00 P.M. - Mayor's Appearance Before The Board

(This item will be read at the third regularly scheduled Board meeting of every month)

The following is a time dedicated for the Mayor to discuss with the Board of Supervisors issues pertaining to the governance of the City and County of San Francisco. The Board of Supervisors offers this time for dialogue on the third regularly scheduled Board meeting of every month pursuant to the will of the voters as expressed in Proposition I in November of 2006.

Should the Mayor fail to appear after five minutes of the item being called, the Clerk shall remove the item from the Board's agenda, and the item shall not be considered by the Board. Should the Mayor appear and the Board therefore consider this item, public comment

CONSENT AGENDA

All matters listed hereunder constitute a Consent Agenda, are considered to be routine by the Board of Supervisors and will be acted upon by a single roll call vote of the Board. There will be no separate discussion of these items unless a member of the Board so requests, in which event the matter shall be removed from the Consent Agenda and considered as a separate item.

Items 1 through 5

Recommendation of the Budget and Finance Committee

Present: Supervisors Daly, Ammiano, Dufty, Mirkarimi

1. 070209 [Public Employment and Accept-Expend State Grant - Sheriff's Department project to address the needs of mentally ill offenders in the jails]

Supervisor Dufty

Ordinance amending Ordinance No. 203-06 (Annual Salary Ordinance 2006-2007) to reflect the addition of a 2932 Senior Psychiatric Social Worker in the Department of Public Health and a 8444 Deputy Probation Officer in the Adult Probation Department, and authorizing the Sheriff's Department to accept and expend an 18-month grant in the amount of \$995,128 from the Corrections Standards Authority for the Mentally III Offenders Crime Reduction (MIOCR) Grant Program, and waiving indirect costs.

(Fiscal impact.)

3/13/2007, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendation of the City Operations and Neighborhood Services Committee

Present: Supervisors McGoldrick, Alioto-Pier, Jew

2. 070225 [Gift - Private, Department of Public Health, Community Behavioral Health Services]

Resolution authorizing the Department of Public Health, Community Behavioral Health Services to retroactively accept a gift of Buprenorphine medication from Reckitt Benckiser Pharmaceuticals with an estimated monetary value of up to \$300,000 for the period of

January 1, 2007 through December 31, 2009 to expand Opiate Replacement Therapy services in San Francisco. (Public Health Department)

Question: Shall this Resolution be ADOPTED?

Recommendations of the Land Use and Economic Development Committee

Present: Supervisors Maxwell, Sandoval, McGoldrick

3. 070223 [Changing the official sidewalk width - Folsom Street]

Ordinance amending Ordinance No. 1061 entitled "Regulating the Width of Sidewalks" by adding thereto Section 1573 to change the official sidewalk width on the northerly side of Folsom Street easterly of 8th Street; making findings pursuant to the General Plan and Planning Code Section 101.1; and requiring relocation, modification, or both of facilities affected by the sidewalk width change. (Public Works Department)

3/13/2007, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

4. 070224 [Changing the official sidewalk width - Stockton Street]

Ordinance amending Ordinance No. 1061 entitled "Regulating the Width of Sidewalks" by adding thereto Section 1571 to change the official sidewalk widths on the westerly side of Stockton Street between Geary and Ellis Streets; making findings pursuant to the General Plan and Planning Code Section 101.1; and requiring relocation, modification, or both of facilities affected by the sidewalk width change. (Public Works Department)

3/13/2007, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendation of the Rules Committee

Present: Supervisors Ammiano, Elsbernd, Peskin

5. 070076 [Appointing Road Commissioner - Fred V. Abadi, Ph.D]

Mayor

Ordinance appointing Fred V. Abadi, Ph.D., Director of Public Works, Road Commissioner for the City and County of San Francisco, and repealing Ordinance 18-02.

3/13/2007, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

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

REGULAR AGENDA

UNFINISHED BUSINESS

From the Clerk

6. 070152 [Affirming certification of San Francisco Marina Renovation FEIR]

Motion affirming the certification by the Planning Commission of the Final Environmental Impact Report for the San Francisco Marina Renovation Project. (Clerk of the Board)

2/27/2007, CONTINUED. Continued to March 13, 2007.

3/13/2007, CONTINUED. Continued to March 20, 2007.

Question: Shall this Motion be APPROVED?

7. 070153 [Disapproving certification of San Francisco Marina Renovation FEIR]

Motion disapproving the certification by the Planning Commission of the Final Environmental Impact Report for the San Francisco Marina Renovation Project.

2/27/2007, CONTINUED. Continued to March 13, 2007.

3/13/2007, CONTINUED. Continued to March 20, 2007.

Question: Shall this Motion be APPROVED?

8. 070154 [Preparation of findings to disapprove certification of San Francisco Marina Renovation FEIR]

Motion directing the Clerk of the Board to prepare findings disapproving the certification by the Planning Commission of the Final Environmental Impact Report for the San Francisco Marina Renovation Project FEIR. (Clerk of the Board)

2/27/2007, CONTINUED. Continued to March 13, 2007.

3/13/2007, CONTINUED. Continued to March 20, 2007.

Question: Shall this Motion be APPROVED?

Recommendations of the Budget and Finance Committee

Present: Supervisors Ammiano, Dufty, McGoldrick

9. 070022 [Municipal Broadband]

Supervisors McGoldrick, Mirkarimi, Ammiano, Daly

Resolution urging the City and County of San Francisco to weigh the costs and benefits of a Google/Earthlink provided wireless Internet, versus an autonomous Wireless connection created and maintained by the City and County of San Francisco itself.

(Supervisor Dufty dissented in Committee.)

2/13/2007, CONTINUED. Supervisor Daly added as a co-sponsor. Continued to March 20, 2007.

Question: Shall this Resolution be ADOPTED?

10. 061432 [Clean Construction Ordinance]

Supervisors Maxwell, Daly, Mirkarimi, Ammiano

Ordinance amending the Administrative Code to add Section 6.25 to require City Contractors to adopt clean construction practices including biodiesel fuel and emissions controls within eighteen months; amending the Administrative Code to add Section 6.67 to allow City departments that are authorized to award public works contracts to compare bids on the basis of clean construction practices; and amending the Environment Code to add Section 411 to authorize the Department of the Environment to assist local businesses with off-road construction equipment in applying for funding to retrofit or replace such equipment and to require annual reporting, and making findings, including environmental findings.

(Fiscal impact.)

12/12/2006, SUBSTITUTED. Supervisor Maxwell submitted a substiture ordinance bearing new title.

3/13/2007, CONTINUED. Supervisor Mirkarimi added as a co-sponsor. Continued to March 20, 2007.

Question: Shall this Ordinance be PASSED ON FIRST READING?

Recommendation of the Government Audit and Oversight Committee

Present: Supervisors Elsbernd, Alioto-Pier, Daly

11. 070080 [Prohibiting mobile catering trucks from operating Supervisors Elsbernd, Maxwell, near public schools]

Ordinance amending the San Francisco Police Code to prohibit operators of mobile catering vehicles from selling within 1500 feet of a public middle school, junior high school, or high school.

3/13/2007, AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. Supervisor Mirkarimi added as a co-sponsor. 3/13/07 - Amendment of the whole bearing the same title.

3/13/2007, PASSED ON FIRST READING AS AMENDED.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the Land Use and Economic Development Committee

Present: Supervisors Maxwell, Sandoval, McGoldrick

12. 070259 [2007 and 2008 condominium conversion lottery]

Supervisor McGoldrick

Dufty, Mirkarimi

Ordinance amending the Subdivision Code by authorizing conversion of three (3) additional units to account for all buildings selected as winners in the 2007 condominium conversion lottery and deleting three (3) units from the 2008 condominium conversion lottery so that the 2008 lottery consists of 197 total units; and making environmental findings.

3/6/2007, PASSED ON FIRST READING.

3/13/2007, CONTINUED. Supervisors Dufty and Mirkarimi previously excused on File No.

Question: Shall this Ordinance be FINALLY PASSED?

13. 070220 [Urging The Planning Commission to initiate and recommend an amendment to the Housing Element of the General Plan]

Supervisor McGoldrick

Resolution urging the Planning Department, Mayor's Office of Housing and relevant City Departments to initiate and recommend amendments to the Housing Element of the General Plan to evaluate the expansion of the Residential Inclusionary Affordable Housing Program to housing developments of all sizes.

2/27/2007, REFERRED to Land Use and Economic Development Committee. Supervisor Elsbernd requested that this matter be referred to committee.

3/13/2007, CONTINUED. Continued to March 20, 2007.

Question: Shall this Resolution be ADOPTED?

NEW BUSINESS

Recommendations of the Budget and Finance Committee

Present: Supervisors Ammiano, Dufty, Mirkarimi

14. 070255 [Health Care Security Ordinance Amendments]

Supervisors Ammiano, Dufty, Mirkarimi

Ordinance amending the San Francisco Administrative Code by amending Sections 14.1 through 14.4 to: (1) authorize the Department of Public Health to establish and maintain reimbursement accounts from which employees covered by the San Francisco Health Care Security Ordinance ("HCSO") may seek reimbursement for health care expenses; (2) clarify remedies for violations of the HCSO; and (3) make other technical changes and findings.

Question: Shall this Ordinance be PASSED ON FIRST READING?

15. 070354 [Healthcare Security Ordinance Amendment]

Supervisors Ammiano, Dufty

Ordinance amending Section 14.8 of the Administrative Code to extend to 2008 the operative date of the portion of the Health Care Security Ordinance requiring minimum employer health care expenditures.

Question: Shall this Ordinance be PASSED ON FIRST READING?

Present: Supervisors Daly, Dufty, Mirkarimi

16. 070210 [Public Employment]

Supervisors Dufty, Maxwell, Mirkarimi

Ordinance amending Ordinance No. 203-06 (Annual Salary Ordinance FY 2006-2007) to reflect the addition of 4 positions (2.25 0.68 FTEs) at Adult Probation (ADP).

(Fiscal impact.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

17. 070260 [De-Appropriating \$22,294,696 of parking tax revenue from the Municipal Transportation Agency and

Mayor

from the Municipal Transportation Agency and replacing it with a transfer from the General Fund for Fiscal Year 2006-2007

Ordinance de-appropriating \$22,294,696 of parking tax revenue from the Municipal Transportation Agency (MTA) and re-appropriating the revenue to the General Fund. Replace the revenue with a like transfer amount of \$22,294,696 from the General Fund in lieu of the parking tax allocation for Fiscal Year 2006-2007.

Question: Shall this Ordinance be PASSED ON FIRST READING?

18. 070279 [Issuance and Sale of Revenue Bonds - Catholic Healthcare West]

Supervisor Peskin

Resolution approving the issuance and sale of revenue bonds by the California Statewide Communities Development Authority in an aggregate principal amount not to exceed \$985,000,000 to finance certain medical facilities owned and operated by Catholic Healthcare West.

Question: Shall this Resolution be ADOPTED?

19. 070137 [Common use policy for cargo handling facilities]

Supervisor Peskin

Resolution urging the Airport Commission to institute a 'Common Use Policy' for cargo handling facilities with consideration of leasing cargo space to cargo handlers.

Question: Shall this Resolution be ADOPTED?

Recommendation of the City Operations and Neighborhood Services Committee

Present: Supervisors McGoldrick, Alioto-Pier, Jew

20. 070031 [Commercial Vehicle Parking on Post Street]

Supervisor Peskin

Resolution establishing temporary occupancy of a portion of the commercial vehicle parking meters on the north side of Post Street between Kearny and Montgomery from 8:30 am to 5:00 pm on every Thursday beginning January 1, 2007 through December 31, 2007.

Question: Shall this Resolution be ADOPTED?

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

SPECIAL ORDER 4:00 P.M.

APPEAL PROCEDURES

Board Rule 4.29 provides that public hearings on appeals shall be scheduled for 4pm. If more than one public hearing is scheduled, then the Clerk, in consultation with the President, may determine the order in which the appeals will be scheduled. Second and later appeals may be scheduled at specified times later than 4 pm. An appeal shall not be heard prior to its scheduled time on the calendar, and it may not be called until the Board's consideration of appeals scheduled earlier on the calendar is completed. It is the policy of the Clerk of the Board to schedule multiple appeals in the following order at 4pm:

- 1. Appeals where all parties have agreed to request a continuance or a tabling of the appeal.
- 2. Continued appeals from previous Board meetings (continued appeals will be listed in order of those closest to deadlines for Board decision).
- 3. Appeals appearing on the calendar for the first time, in chronological order of receipt by the Clerk.
- 4. Multiple appeals appearing on the calendar may be staggered at times specific, beginning at 4pm.
- 5. Appeals involving participants who have ADA considerations may be set for specific times beginning at 4pm.

21. 070054 [Public Hearing - Appeal of Determination of Exemption from Environmental Review for 350 Masonic Avenue/2130 Golden Gate Avenue]

Hearing of persons interested in or objecting to the decision of the Planning Department dated June 14, 2006 (Case No. 2005.0156E), exempting from environmental review under Categorical Exemption, [State CEQA Guidelines, Section 15332], Class 32. The proposal to remove an existing eight-car off-street surface parking lot and demolish a 1,550-gross-square-foot (gsf) single-family residence at 2130 Golden Gate Avenue and construct an approximately 15,200-gsf structure and a 2,500-gsf underground garage. The project site is within an RH-3 (Residential, House, Three-Family) zoning district, and a 40-X height and bulk district located at 350 Masonic/2130 Golden Gate Avenues, Lots 29 and 11 in Assessor's Block 1149. (Appellant: F. Joseph Butler)

(Filed January 5, 2007; Companion measure to Files 070054, 070055, 070056, 070057; District 5.)

2/13/2007, CONTINUED. The President inquired as to whether or not any member of the public wished to address the Board. Continued to March 20, 2007.

| Action: | _ |
|---------|---|
|---------|---|

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the categorical exemption from environmental review described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

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

22. 070055 [Affirming the categorical exemption issued for 350 Masonic/2130 Golden Gate Avenues]

Motion affirming the determination by the Planning Department that the 350 Masonic/2130 Golden Gate Avenues project is categorically exempt from environmental review under the California Environmental Quality Act.

2/13/2007, CONTINUED. Continued to March 20, 2007.

Question: Shall this Motion be APPROVED?

23. 070056 [Disapproving the categorical exemption issued for 350

Masonic/2130 Golden Gate Avenues]

Motion disapproving the determination by the Planning Department that the 350 Masonic/2130 Golden Gate Avenues project is categorically exempt from environmental review under the California Environmental Quality Act.

2/13/2007, CONTINUED. Continued to March 20, 2007.

Question: Shall this Motion be APPROVED?

24. 070057 [Preparation of findings related to the 350 Masonic/2130 Golden Gate Avenues project]

Motion directing the Clerk of the Board to prepare findings related to the appeal of the determination by the Planning Department that the project at 350 Masonic/2130 Golden Gate Avenues is exempt from environmental review under the California Environmental Quality Act.

2/13/2007, CONTINUED. Continued to March 20, 2007.

Question: Shall this Motion be APPROVED?

SPECIAL ORDER 4:00 P.M.

25. 070155 [Public Hearing - Appeal of Categorical Exemption from Environmental Review for 869 North Point Street]

Hearing of persons interested in or objecting to the decision of the Planning Department dated November 2, 2006(Case No. 2005.0399E), exempting from environmental review under Categorical Exemption, [State CEQA Guidelines, Section(s) 15301 and 15303; Class Number(s): 1 and 3]. The proposal would demolish a vacant two-story, single-family residential building and construct a three-story with mezzanine, three-family residential building measuring approximately 6,000 gross-square-feet (gsf), and three off-street parking spaces in a surface level garage, located at 869 North Point Street (Assessor's Block 0026/Lot 019B) is 3,437.5 square feet in size and located in the Russian Hill Neighborhood. The project site is zoned RH-3 (Residential House District, Three-Family) and within a 40-X Height and Bulk district. (Appellant: Roland Salvato on behalf of the Aquatic Park Neighbors)

(Filed January 31, 2007; companion measure to Files 070155, 070156, 070157, 070158, District 2.)

3/13/2007, CONTINUED. The President inquired as to whether or not the appellant or project sponsor wished to address the Board concerning continuing the hearing. Joe Butler, Little House Committee, representing the appellant David Cincotta, representing the project sponsor Continued to March 20, 2007 at 4:00 p.m.

| Action: | | |
|---------|--|--|
| ACHUII. | | |

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the categorical exemption from environmental review described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

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

26. 070156 [Affirming the categorical exemption issued for the 869 North Point project.]

Motion affirming the determination by the Planning Department that the 869 North Point project is categorically exempt from environmental review under the California Environmental Quality Act.

3/13/2007, CONTINUED. Continued to March 20, 2007 at 4:00 p.m.

Question: Shall this Motion be APPROVED?

27. [Disapproving the categorical exemption issued for the 869 North Point project]

Motion disapproving the determination by the Planning Department that the 869 North Point project is categorically exempt from environmental review under the California Environmental Quality Act.

3/13/2007, CONTINUED. Continued to March 20, 2007 at 4:00 p.m.

Question: Shall this Motion be APPROVED?

28. 070158 [Preparation of findings related to the 869 North Point project]

Motion directing the Clerk of the Board to prepare findings related to the appeal of the determination by the Planning Department that the project at 869 North Point Street is exempt from environmental review under the California Environmental Quality Act.

3/13/2007, CONTINUED. Continued to March 20, 2007 at 4:00 p.m.

Question: Shall this Motion be APPROVED?

COMMITTEE REPORTS

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

The following items will be considered by the Rules Committee at a Regular Meeting on Thursday, March 15, 2007 at 10:00 a.m. The Chair intends to request the Committee to send the following items to the Board as a committee report on Tuesday, March 20, 2007.

29. 070311 [Confirming the appointment of Linda Cheu to the Redevelopment Agency, term ending September 3, 2010.]

Mayor

Resolution confirming the appointment of Linda Cheu to the San Francisco Redevelopment Agency, term ending September 3, 2010.

Question: Shall this Resolution be ADOPTED?

30. 070280 [Mayor's Reappointment, Taxi Commission - Patricia Breslin]

Motion approving the Mayor's reappointment of Patricia Breslin to the Taxi Commission, term ending March 1, 2009. (Clerk of the Board)

Question: Shall this Motion be APPROVED?

31. 070281 [Mayor's Reappointment, Taxi Commission - Patricia Breslin]

Motion rejecting the Mayor's reappointment of Patricia Breslin to the Taxi Commission, term ending March 1, 2009. (Clerk of the Board)

Question: Shall this Motion be APPROVED?

32. 070282 [Mayor's Reappointment, Taxi Commission - Patricia Breslin]

Motion taking no position concerning the Mayor's reappointment of Patricia Breslin to the Taxi Commission, term ending March 1, 2009. (Clerk of the Board)

Question: Shall this Motion be APPROVED?

33. ROLL CALL FOR INTRODUCTIONS

Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, letters of request to the City Attorney and Board Members' reports on their regional body activities.

34. 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

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.

Items 35 through 40

35. 070350 [Urging Congress to fully restore funding for the Community Oriented Policing Services (COPS) Mirkarimi program in the Fiscal Year 2008 budget.]

Resolution urging Congress to fully restore funding for the Community Oriented Policing Services (COPS) program in the Fiscal Year 2008 budget.

3/13/2007, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

36. 070351 [Sunset Branch Library reopening]

Supervisors Mirkarimi, Elsbernd

Resolution recognizing the reopening of the Sunset Branch Library and commending the San Francisco Public Library and its team for their hard work and commitment to San Francisco and its residents.

3/13/2007, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

37. 070342 [Final Map - 170 King Street]

Motion approving Final Map 3375, a 202 Unit Mixed-Use Condominium Project, located at 170 King Street being a subdivision of Lot 75 in Assessors Block No. 3794 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1 (Public Works Department)

3/9/2007, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

38. 070343 [Final Map - 1555 Burke Avenue]

Motion approving Final Map 3069, a 16 Commercial Unit Condominium Project, located at 1555 Burke Avenue being a subdivision of Lot 45 in Assessors Block No. 5203 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1 (Public Works Department)

3/9/2007, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

39. 070344 [Final Map - 168 Bluxome Street]

Motion approving Final Map 3418, a 48 Unit Live-Work Condominium Project, located at 168 Bluxome Street being a subdivision of Lot 134 in Assessors Block No. 3785 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1 (Public Works Department)

3/9/2007, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

40. 070345 [Final Map - 673 Brannan Street]

Motion approving Final Map 3419, a 48 Unit Live-Work Condominium Project, located at 673 Brannan Street being a subdivision of Lot 133 in Assessors Block No. 3785 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1 (Public Works Department)

3/9/2007, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

| Questions on | the For Adoption | Without Commi | ttee Reference |
|--------------|------------------|---------------|----------------|
| Agenda: | | | |

41. IMPERATIVE AGENDA

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

[Serious Injury Finding]

Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

[Purely Commendatory Finding]

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

[Brown Act Finding]

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

OFF-AGENDA LEGISLATION

PROPOSED ORDINANCES

Proposed ordinances received from March 6, 2007 through March 12, 2007, for reference by President to appropriate committee on March 20, 2007.

070325 [Authorizing the collection and use of an additional penalty assessment on criminal fines, penalties, and forfeitures to support emergency medical services]

Ordinance amending the San Francisco Administrative Code by adding Section 8.42 and amending Section 10.100-195, to authorize the collection and use of an additional penalty assessment on criminal fines, penalties, and forfeitures to support emergency medical services pursuant to SB 1773, and setting an expiration date. (Public Health Department)

3/8/2007, RECEIVED AND ASSIGNED to Budget and Finance Committee.

070327 [Consent Calendar Procedures]

Ordinance amending Planning Code Sections 316.2, 316.3, 316.4, 316.5, 316.6, 316.7 and 316.8 to conform the procedures for consideration of Planning Commission consent calendar items in the Neighborhood-Commercial and South of Market districts and for live-work units in RH and RM districts. (Planning Department)

3/8/2007, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 4/9/2007.

PROPOSED RESOLUTIONS

Proposed resolutions received from March 6, 2007 through March 12, 2007, for reference by President to appropriate committee on March 20, 2007.

070322 [Settlement of Claim - Glorina Crisostomo]

Resolution approving the settlement of the unlitigated claim filed by Ms. Glorina Crisostomo against San Francisco for \$30,000; claim was filed on May 16, 2006. (City Attorney)

3/7/2006, RECEIVED AND ASSIGNED to Rules Committee.

070323 [Settlement of Claim - Eun Young Lee]

Resolution approving the settlement of the unlitigated claim filed by Eun Young Lee against the City and County of San Francisco for payment of \$88,493 and reinstatement of paid leave to vacation account; claim was filed on April 3, 2005. (City Attorney)

3/7/2007, RECEIVED AND ASSIGNED to Rules Committee.

070324 [Gift of Equipment to Fire Department]

Resolution authorizing the San Francisco Fire Department to accept a gift of a custom firefighter air system to be installed within the Folsom Street training tower valued at \$15,000 from Rescue Air Systems for training, emergency preparedness, high rise safety, and related purposes. (Fire Department)

3/8/2007, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

070326 [Reprogramming of \$789,715 from SFGH's equipment budget to purchase a Materials and Supplies Inventory and Purchasing System Upgrade]

Resolution authorizing the San Francisco Department of Public Health (DPH), to reprogram \$789,715 in funding budgeted at San Francisco General Hospital (SFGH) for medical equipment to purchase a Materials and Supplies Inventory and Purchasing System Upgrade in FY 2006-07. (Public Health Department)

3/8/2007, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

070328 [Board Review and Approval of 2007 U.S. Department of Housing and Urban Development Continuum of Care Programs Application]

Resolution approving the City and County of San Francisco 2007 grant application for the

United States Department of Housing and Urban Development Continuum of Care Programs and fulfilling the San Francisco Board of Supervisors review and approval process for all annual or otherwise recurring grants of \$5,000,000 or more. (Human Services Department)

3/12/2007, RECEIVED AND ASSIGNED to Budget and Finance Committee.

070353 [Petitions and Communications]

Petitions and Communications received from March 6, 2007 through March 12, 2007 for reference by the President to March 20, 2007.

From concerned citizens, submitting support of the motion by Supervisor Jew to return the proposal for a discounted adult MUNI FastPass for 18 to 24 year olds back to committee. File 061565, Copy: Each Supervisor, 10 letters(1)

From concerned citizens, urging the Board to support the Plastic Bag Reduction Ordinance. File 070085, Copy: Each Supervisor, 78 letters(2)

From Kim Malcheski, Attorney at Law, regarding exorbitant fees charged by the Planning Department to file a Discriminatory Review application.(3)

From Municipal Transportation Agency, regarding status on installing a left turn only lane on Winston Drive at Buckingham Way, eastbound from Lake Merced Boulevard. (Reference 20070109-013) Copy: Supervisor Elsbernd(4)

From Office of the City Attorney, responding to constituent regarding an immediate disclosure request.(5)

From European/American Issues Forum, submitting to the Board a resolution condemning the management of the San Francisco Chronicle for effectively censoring vital statistics regarding hate crimes in San Francisco. Copy: Each Supervisor(6)

From concerned citizens, submitting support for the implementation of Community Choice Aggregation. File 070112, 2 letters(7)

From Christian Holmer, regarding immediate disclosure requests from various departments. 4 letters(8)

From State of California Fish and Game submitting copy of continuance notice of proposed regulatory action relative to Sections 353 and 475, Title 14, California Code of Regulations, regarding mammal hunting-method of take regulations.(9)

From Luce Forward, Attorneys at Law, regarding Appeal of Determination of Exemption from Environmental Review for 120 Howard Street. File 070163(10)

From Christopher Smith, regarding crime and danger on Townsend Street. Copy: Supervisor Daly(11)

From Barrie Straenberg, commenting on universal health care for San Francisco.Copy: Supervisor Ammiano(12)

From Francisco Da Costa, regarding global warming and climate change in the Bay Area.(13)

From Cassie Brill, regarding off-leash dog policies in San Francisco.(14)

From Department of Public Health, reporting on the rate of salary and fringe benefit expenditures for the six months ending December 31, 2006 for San Francisco General Hospital, Laguna Honda Hospital and General Fund divisions of Public Health.(15)

From James Chaffee, regarding public library performance measures immediate disclosure request.(16)

From Robert Weber, submitting request for assistance to expedite tenancy at the Iroquoi Hotel. Copy: Supervisor Daly(17)

From concerned citizen, commenting on Ballot Measure J for the impeachment of President Bush where San Francisco voted in favor of impeachment by 20 percentage points.(18)

From Coalition on Economic Equity, submitting copy of letter to Mayor Newsom regarding his determination to move forward on the prompt payment plan required under the new 14(d) ordinance.(19)

From Park and Recreation Department, regarding San Francisco Marina Yacht Harbor Renovation EIR Appeal: Slip-mix and projected boat-type composition analysis.(20)

From Mayor Gavin Newsom, submitting notice of the reappointment of Richard Benjamin to the Taxi Commission.(21)

From Mayor Gavin Newsom, submitting notice of the designation of Supervisor Dufty as Acting-Mayor from 11:00am March 11 through 11:50pm March 13 and in addition the designation of Supervisor Alioto-Pier from 12:00am March 14 until 6:50pm March 15. Copy: Each Supervisor, City Attorney(22)

From Office of the Controller, submitting amendment to the audit report released on the Chinatown Neighborhood Association to include the Mayor's Office of Economic and WorkForce Development's response to the audit.(23)

From Kevin and Margot Morrison, submitting Section 311 Building Permit Notification.(24)

From Human Rights Commission, submitting copy of S.F. Administrative Code Chapters 12B, 12C and 14A Waiver Request Form (HRC Form 201).(25)

From Ed Harrison, submitting appreciation to Supervisor Ammiano for taking a stand against the BattleCry convention held in San Francisco. Copy: Supervisor Ammiano(26)

From Gary Laufman, commenting on the cost of gasoline in San Francisco.(27)

From Laura Koehler, submitting support for the trial closure of JFK Drive in Golden Gate Park. File 070269, Copy: Each Supervisor(28)

From Brother Jefferson, urging the Board to access SF surplus to create programs that address the problem of drugs and alcohol with solutions that work. File 061534, Copy: Each Supervisor(29)

From Larry Corash, M.D., urging the Board to support the inclusion of Small Boat Berthing Rate Availability in the proposed Marina Yacht Harbor Renovation Project. File 070272, Copy: Each Supervisor(30)

From California Poppy Project, submitting request to the Board to provide a Proclamation celebrating California Poppy Day, April 6, 2007 in recognition of the State Flower's 105th anniversary. Copy: Each Supervisor(31)

From San Francisco Redevelopment Agency, submitting Notice of Proposed Formula Retail Use - Western Addition Redevelopment Project Area A-2.(32)

From Jeffer, Mangels, Butler & Marmaro LLP, regarding Appeal of Categorical Exemption for 869 North Point Street. File 070155, Copy: Each Supervisor, City Attorney(33)

From Suzanne R. Howard, urging the Board to hold new hearings on UCSF Stephen Lisberger lab's failure to comply with objectives in a Resolution approved December 4, 1998 regarding animal testing at UCSF.(34)

From Southeast Community Facility Commission, submitting resolution supporting the proposed Wireless Broadband Internet Agreement with Earthlink. File 070022, Copy: Each Supervisor(35)

ADJOURNMENT

Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices, (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4)standing in the Legislative Chamber.

Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

USING LAPTOP COMPUTERS FOR PRESENTATIONS: Please contact City Hall Media Services at (415) 554-4933 to coordinate the use of laptop computers for presentations at the meeting. Computers to be used are required to be tested in advance. The presenter should arrive 30 minutes prior to the meeting to connect and test their computer. THE AGENDA PACKET IS AVAILABLE AT CITY HALL, ROOM 244, RECEPTION DESK. Agendas are available on the internet at www.sfgov.org/site/bdsupvrs_index.asp?id=4383For information, call (415) 554-5184. Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 557-4293.

Results of each Board meeting can be obtained about a half hour after the end of the meeting by telephoning (415) 554-5555.

Requests for language interpreters at a meeting must be received at least 48 hours in advance of the meeting to help ensure availability. Contact Madeleine Licavoli at (415) 554-7722.

AVISO EN ESPA¥OL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.



Disability access

The Legislative Chamber and the Committee Room in City Hall are wheelchair accessible.

Meetings are real-time captioned and are cablecast open-captioned on SF Cable 26. Assistive listening devices for the Legislative Chamber are available upon request at the Clerk of the Board's Office, Room 244. Assistive listening devices for the Committee Room are available upon request at the Clerk of the Board's Office, Room 244 or in the Committee Room. To request sign language interpreters, readers, large print agendas or other accommodations, please contact Madeleine Licavoli at (415) 554-7722 or (415) 554-5227 (TTY). Requests made at least 48 hours in advance of the meeting will help to ensure availability.

The nearest accessible BART station is Civic Center (Market/Grove/Hyde Streets). Accessible MUNI Metro lines are the J, K, L, M, and N (Civic Center or Van Ness Stations). MUNI bus lines serving the area are the 47 Van Ness, 9 San Bruno, and the 6, 7, 71 Haight/Noriega. For more information about MUNI accessible services, call (415) 923-6142.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex. Accessible curbside parking is available on Dr. Carlton B. Goodlett Place and Grove Street. In order to assist the City's efforts to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to perfumes and various other chemical-based scented products. Please help the City to accommodate these individuals.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review. For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Frank Darby by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at sotf@sfgov.org

Citizens may obtain a free copy of the Sunshine Ordinance by contacting Mr. Darby or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at http://www.sfgov.org/sunshine

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site www.sfgov.org/ethics