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, May 15, 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

Kay Gulbengay, Interim Clerk of the Board

ROLL CALL AND PLEDGE OF ALLEGIANCE

APPROVAL OF MEETING MINUTES

Motion to approve Board Meeting Minutes for April 17, 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 7

Recommendations of the Budget and Finance Committee

Present: Supervisors Daly, Ammiano, Dufty, Elsbernd

1. 070458 [Appropriating \$35,000,000 of San Francisco Taxable **General Obligation Bonds for the Seismic Safety Loan** Program in the Mayor's Office of Housing for Fiscal

Year 2006-2007]

Ordinance appropriating \$35,000,000 of City and County of San Francisco Taxable General Obligation Bonds (Seismic Safety Loan Program, 1992), Series 2007A, for the Seismic Safety Loan Program in the Mayor's Office of Housing for Fiscal Year 2006-2007.

5/8/2007, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Present: Supervisors Daly, Ammiano, Dufty, Mirkarimi, Elsbernd

2. 070325 [Authorizing the collection and use of an additional penalty assessment on criminal fines, penalties, and forfeitures to support emergency medical services]

Supervisor Daly

Supervisor Dufty

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)

5/8/2007, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the Rules Committee

Present: Supervisors Ammiano, Elsbernd, Peskin

3. 070482 [Settlement of Lawsuit - Carl Montgomery]

Ordinance authorizing settlement of the lawsuit filed by Carl Montgomery against the City and County of San Francisco for \$30,000; the lawsuit was filed on August 24, 2004 in San Francisco Superior Court, Case No. 434-032; entitled Carl Montgomery, et al., v. City and County of San Francisco, et al. (City Attorney)

Question: Shall this Ordinance be PASSED ON FIRST READING?

4. 070509 [Settlement of Government Claim - San Francisco Forty Niners, Ltd.]

Ordinance authorizing settlement of the government claim filed by the San Francisco Forty Niners, Ltd., against the City and County of San Francisco, on January 29, 2007, including the execution and delivery of a related rent credit agreement. (City Attorney)

Question: Shall this Ordinance be PASSED ON FIRST READING?

5. 070485 [Appointment - Pedestrian Safety Advisory Committee]

Resolution appointing Catherine Liddell and William Riggs, terms ending March 28, 2008, and Pi Ra, term ending March 28, 2009, to the Pedestrian Safety Advisory Committee.

Catherine Liddell, succeeding Cheryl Brinkman, term expired, seat 1, must be a representative from pedestrian safety organizations, for the unexpired portion of a two-year term ending March 28, 2008.

Pi Ra, succeeding Anna Zacher, term expired, seat 2, must be a representative from pedestrian safety organizations, for the unexpired portion of a two-year term ending March 28, 2009.

William Riggs, succeeding Brian Canevari, resigned, seat 11, must represent the public atlarge, for the unexpired portion of a two-year term ending March 28, 2008.

Question: Shall this Resolution be ADOPTED?

6. 070567 [Appointment - Commission of Animal Control and Welfare]

Resolution appointing Philip Gerrie, Dr. Pam Hemphill, Sally Stephens, and Andrea Brooks, terms ending April 30, 2009, to the Commission of Animal Control and Welfare.

Philip Gerrie, succeeding Gerald Yeager, term expired, seat 3, must be a member representing the general public having interest and experience in animal matters, for the unexpired portion of a two-year term ending April 30, 2009.

Dr. Pam Hemphill, succeeding William Hamilton, term expired, seat 4, must be a member representing the general public having interest and experience in animal matters, for the unexpired portion of a two-year term ending April 30, 2009.

Sally Stephens, succeeding Sherri Franklin, term expired, seat 5, must be a member representing the general public having interest and experience in animal matters, for the unexpired portion of a two-year term ending April 30, 2009.

Andrea Brooks, succeeding Richard Schulke, term expired, seat 6, must be a member representing the general public having interest and experience in animal matters, for the unexpired portion of a two-year term ending April 30, 2009.

7. 070568 [Appointment - Children and Families First Commission]

Resolution appointing Nancy Lim-Yee, Suzanne Giraudo, and Dr. Shannon Thyne, terms ending April 29, 2011, to the Children and Families First Commission; residency requirement waived.

Question: Shall this Resolution be ADOPTED?

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

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of the Budget and Finance Committee

Present: Supervisors Daly, Ammiano, Dufty, Mirkarimi, Elsbernd

8. 070451 [Public Employment - Department of Economic and Workforce Development]

Mayor

Ordinance amending Ordinance No. 203-06 (Annual Salary Ordinance 2006-2007) to reflect the creation of one (1) new position in the Department of Economic and Workforce Development.

(Supervisor Elsbernd dissented in committee.)

5/8/2007, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

NEW BUSINESS

Recommendations of the Budget and Finance Committee

Present: Supervisors Daly, Ammiano, Dufty, Mirkarimi, Elsbernd

9. 070456 [Public Employment and Accept-Expend Grant - Supervisors Dufty, Ammiano HIV/AIDS Statistics and Epidemiology]

Ordinance amending Ordinance No. 203-06 (Annual Salary Ordinance FY 2006-2007) to reflect the addition of 1 positions (.125 FTE) in the Department of Public Health (DPH) - AIDS Office, and authorizing DPH to retroactively accept and expend a grant in the amount of \$373,619 from the Department of Health and Human Services, National Institutes of Health and to approve three contracts with the following agencies: ISIS Inc., The University of Pittsburgh, and PHFE Management Solutions for the period of January 1, 2007 through December 31, 2007.

Question: Shall this Ordinance be PASSED ON FIRST READING?

10. 070346 [Use of Rincon Hill In Lieu Fees]

Supervisor Daly

Resolution approving a plan submitted by the Mayor's Office of Housing for the use of in lieu fee payments imposed on residential development in the Rincon Hill Area and approving the expenditure of those funds pursuant to Section 827(b)(5)(E) of the Planning Code.

(Fiscal Impact.)

Question: Shall this Resolution be ADOPTED?

11. 070385

[Approval of an historical property contract for 1080 Haight Street ("John C. Spencer House")]

Supervisor Peskin

Resolution under Chapter 71 of the San Francisco Administrative Code, approving an historical property contract between Fellmore Management LLC, the owner of 1080 Haight Street ("John C. Spencer House"), and the City and County of San Francisco; authorizing the Director of Planning and the Assessor to execute the historical property contract.

Question: Shall this Resolution be ADOPTED?

12. 070393

[Sale of Vacant Real Property Located at 849 Cesar Chavez Street, San Francisco, California (Lot 5 in Assessor's Block 4357]

Resolution authorizing the sale of vacant land, located at 849 Cesar Chavez Street, under the jurisdiction of the San Francisco Public Utilities Commission to Gaehwiler; adopting findings that the conveyance is in conformity with the City's General Plan and is consistent with the Eight Priority Policies of City Planning Code Section 101.1; adopting findings pursuant to the California Environmental Quality Act; ratifying acts and authorizing actions in furtherance of this resolution; and authorizing the Director of Property to execute documents, make certain modifications and take certain actions in furtherance of this resolution. (Real Estate Department)

Question: Shall this Resolution be ADOPTED?

13. 070503

[Issuance and Sale of Tax-Exempt Bonds - Pacific Institute]

Supervisor Mirkarimi

Resolution approving the issuance and sale of tax-exempt bonds by the ABAG Finance Authority for Nonprofit Corporations in an aggregate principal amount not to exceed \$32,000,000 to finance the acquisition and construction of improvements to and equipping of senior residential care facilities owned by Pacific Institute or an affiliate.

Question: Shall this Resolution be ADOPTED?

14. 070543

[Multifamily Housing Revenue Bonds - 275 10th Street Supportive Housing]

Supervisor Daly

Resolution declaring the intent of the City and County of San Francisco (the "City") to reimburse certain expenditures from proceeds of future bonded indebtedness; authorizing the Director of the Mayor's Office of Housing (the "Director") to submit an application and related documents to the California Debt Limit Allocations Committee ("CDLAC") to permit the issuance of qualified mortgage revenue bonds in an aggregate principal amount not to exceed \$25,000,000 for 275 10th Street Supportive Housing; authorizing and directing the Director to direct the Controller's Office to hold in trust an amount not to exceed \$100,000 in accordance with CDLAC procedures; authorizing the Director to certify to CDLAC that the City has on deposit the required amount; authorizing the Director to pay an amount equal to

such deposit to the State of California if the City fails to issue the qualified mortgage revenue bonds; approving, for purposes of the Internal Revenue Code of 1986, as amended, the issuance and sale of mortgage revenue bonds by the City in an aggregate principal amount not to exceed \$25,000,000; authorizing and directing the execution of any documents necessary to implement this Resolution; and ratifying and approving any action heretofore taken in connection with the Project (as defined herein) and the Application (as defined herein).

Question: Shall this Resolution be ADOPTED?

Present: Supervisors Daly, Dufty, Mirkarimi, Elsbernd

15. 070455 [Public Employment and Accept-Expend Grant - Improving Primary Care]

Supervisor Dufty

Ordinance amending Ordinance No. 203-06 (Annual Salary Ordinance FY 2006-2007) to reflect the addition of 4 positions (.72) FTE, in the Department of Public Health (DPH) - Primary Care, and authorizing DPH to retroactively accept and expend a grant in the amount of \$241,225 from the California HealthCare Foundation for the period of March 15, 2007 through December 14, 2007.

Question: Shall this Ordinance be PASSED ON FIRST READING?

Present: Supervisors Daly, Ammiano, Dufty, Elsbernd

16. 070457 [Public Employment and Accept-Expend Grant - DPH to Expand Oral Health Services]

Supervisor Dufty

Ordinance amending Ordinance No. 203-06 (Annual Salary Ordinance FY 2006-2007) to reflect the addition of 6 positions (1.05 FTEs) in the Department of Public Health - Tom Waddell Health Center (DPH - TWHC), and authorizing DPH to retroactively accept and expend a grant in the amount of \$1,841,000 from Tenderloin Health to participate in a project to expand oral health services for homeless individuals infected with HIV disease in San Francisco's Tenderloin district, for the period of April 1, 2007 through December 31, 2011.

Question: Shall this Ordinance be PASSED ON FIRST READING?

Present: Supervisors Daly, Ammiano, Dufty, Mirkarimi

17. 070394 [Agreement to Purchase 4-8 Guy Place]

Resolution approving and authorizing an agreement for the purchase of real property located on 4-8 Guy Place (Lot 005, Block 3749), for public open space for a purchase price of \$1,800,000; adopting findings that the conveyance is exempt from Environmental Review and is consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; and authorizing the Director of Property to execute documents, make certain modifications and take certain actions in furtherance of this resolution. (Real Estate Department)

(Fiscal Impact.)

Recommendation of the Land Use and Economic Development Committee

Present: Supervisors Maxwell, Sandoval, Dufty

18. 070544 [Endorsing a Conceptual Framework for the Redevelopment of Candlestick Point and the Hunters Point Shipyard, and Authorizing Environmental Review and Planning]

Supervisor Maxwell

Resolution endorsing a Conceptual Framework for the creation of a mixed-use development on Candlestick Point and Hunters Point Shipyard that includes the possibility of a new state-of-the art stadium for the San Francisco 49ers and that will provide parks and open space, jobs, affordable housing and other tangible economic and public benefits for the Bayview Hunters Point community as soon as possible; making a determination that the proposed mixed-use redevelopment project as described in the Conceptual Framework is feasible for purposes of commencing environmental review; and urging City staff and the Redevelopment Agency to proceed with environmental review and planning work, including significant community review and input, in conjunction with the Lennar Corporation, for the proposed redevelopment project.

Question: Shall this Resolution be ADOPTED?

Recommendations of the Rules Committee

Present: Supervisors Ammiano, Elsbernd, Peskin

19. 070082 [Pedestrian Safety Advisory Committee - Membership]

Supervisor Jew

Ordinance amending the San Francisco Administrative Code by amending Article IV, Sections 5.20 to reconstitute the membership of the Pedestrian Safety Advisory Board and making clerical, corrective changes.

Question: Shall this Ordinance be PASSED ON FIRST READING?

20. 061700 [Establishing the Peak Oil Awareness Task Force]

Supervisor Mirkarimi

Resolution establishing the Peak Oil Preparedness Task Force in order to coordinate the assessment of the City of San Francisco's vulnerability to energy price shocks and to determine appropriate measures to mitigate municipal vulnerability, and to draft a comprehensive response plan for recommendation to the Board of Supervisors.

Question: Shall this Resolution be ADOPTED?

CALLED FROM THE BUDGET & FINANCE COMMITTEE

(Pending Approval of File No. 070620)

21. 070526 [Public Employment - Administrative Services (ADM)]

Mayor

Ordinance amending Ordinance No. 203-06 (Annual Salary Ordinance FY 2006-2007) to reflect the proposed change to Administrative Services (ADM) staffing by decreasing total staffing by 1.00 FTE. (Mayor)

5/8/2007, CALLED FROM COMMITTEE. Pursuant to Rule 5.32, Supervisor Dufty called this measure from the Budget and Finance Committee.

Question: Shall this Ordinance be PASSED ON FIRST READING?

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

COMMITTEE REPORTS

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

The following items will be considered by the Budget and Finance Committee at a Special Meeting on Wednesday May 14, 2007 at 2:00 p.m. The Chair intends to request the Committee to send the following items to the Board as a committee report on Tuesday, May 15, 2007.

22. 070538 [Public Employment - Human Services Agency]

Supervisor Daly

Ordinance amending Ordinance No. 203-06 (Annual Salary Ordinance FY 2006-2007) to reflect the proposed changes to the Human Services Agency (DSS) and the Department of Public Healh (DPH) staffing by increasing total staffing by 9.00 positions (0.36 FTE). (Fiscal Impact.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

23. 070540

[Appropriating \$19,719,628, for Children, Senior and Disabled Programs for 2006-2007; Amending File Number 070407 to Deappropriate \$15,830,000 General Fund and Appropriate \$15,830,000

Supervisor Daly

Ordinance appropriating total sources of \$19,719,628, including \$17,646,834 of Unappropriated General Fund Balance, \$1,930,000 of Unappropriated Children's Fund Balance, \$125,000 of Food Stamps Employment and Training Funds and \$17,794 of SB 90 State Mandated Costs Fund; and appropriating total uses of \$19,719,628, including \$6,240,000 to the Department of Children, Youth and Their Families, \$7,280,628 to the Human Services Agency, \$705,000 to the Department of Public Health, \$350,000 to the Mayor's Office of Disability, \$1,900,000 to the Mayor's Office of Community Development, \$1,244,000 to the Mayor's Office of Housing and \$2,000,000 to the Department of Recreation and Park for various programs for Children, Youth, Families, Seniors and People with Disabilities for Fiscal Year 2006-2007, and Amending Ordinance _______, File Number 070407, to Deappropriate \$15,830,000 of General Fund Balance and Appropriate \$15,830,000 of Rainy Day Reserve--Capital and One-Time Spending. All funds appropriated below, excluding salaries and mandatory fringe benefits, are placed on reserve pending release by the Budget and Finance Committee.

(Fiscal Impact.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

24. 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.

25. 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.

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 26 through 39

26. 070620 [Calling File No. 070526 from the Budget and Finance Supervisor Dufty Committee]

Motion to call File No. #070526 - (Ordinance amending Ordinance No. 203-06, Annual Salary Ordinance FY 2006-2007, to reflect the proposed changes to Administrative Services staffing by decreasing total staffing by 1.00 FTE) - from the Budget and Finance Committee to be heard by the Full Board of Supervisors on May 15th, 2007.

5/8/2007, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

27. 070634 [Zoning-Extension of Planning Commission review period] Supervisor McGoldrick

Resolution extending by an additional 90 days the prescribed time within which the Planning Commission may render its decision on a proposed ordinance to amend Planning Code Sections 315.3 and 315.6 of the Residential Inclusionary Affordable Housing Program to extend the requirements of the Program from all housing projects of five (5) units or more to all housing projects of two (2) units or more.

5/8/2007, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

28. 070635 [Commending Scott Shaw]

Supervisor Peskin

Resolution commending Scott Shaw for 30 years of dedicated service in the Department of Public Works in the City and County of San Francisco.

5/8/2007, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

29. 070636 [Commending Richard Schulke]

Supervisor Peskin

Resolution commending Richard Schulke for his advocacy, leadership, and persistent efforts to improve the welfare of animals in the City and County of San Francisco.

5/8/2007, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

30. 070637

[Public Works Week - May 20 through May 26, 2007]

Supervisor Peskin

Resolution proclaiming May 20 through 26, 2007 as Public Works Week in San Francisco.

5/8/2007, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Ouestion: Shall this Resolution be ADOPTED?

31. 070638

[Commending Sherri Franklin]

Supervisor Peskin

Resolution commending Sherri Franklin for her inspiring leadership and devotion to improving the welfare of animals in the City and County of San Francisco.

5/8/2007, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

32. 070639

[School Patrol Day - May 17, 2007]

Supervisor Peskin

Resolution proclaiming May 17, 2007 as AAA School Safety Patrol Day in San Francisco.

5/8/2007, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

33. 070640

[Black Cat Caf Plaque for 710 Montgomery Street]

Supervisor Peskin

Resolution authorizing the placement of a plaque in the sidewalk in front of 710 Montgomery Street to honor the Black Cat Café.

5/8/2007, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

34. 070641

[Gift to City of travel from Chamber of Commerce for 2007 CityTrip]

Supervisor Peskin

Resolution accepting a gift of airfare, accommodations and conference fees valued in an amount of \$16,800 from the San Francisco Chamber of Commerce for four City officials or employees to join the Chamber on its 2007 CityTrip to Boston.

5/8/2007, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

35. 070642 [Urging swift passage of Assembly Bill 102]

Supervisor Ammiano

Resolution supporting and urging the swift passage of AB 102, the Name Equality Act.

5/8/2007, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

36. 070645

[Proclaiming May 16, 2007 as Livestrong Day]

Supervisor Mirkarimi

Resolution proclaiming May 16, 2007 as Livestrong Day in the City and County of San Francisco and commending the Lance Armstrong Foundation's annual grassroots initiatives to unite people affected by cancer.

5/8/2007, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

37. 070610

[Final Map - 2161 Sutter Street]

Motion approving Final Map 3866, a 116 Unit Residential Condominium Project, located at 2161 Sutter Street, being a merger and resubdivision of Lot 5 and those lots shown on "MAP OF 2000 POST STREET, PHASE 1" recorded in Book 26 of CONDOMINIUM MAPS, page 26 in Assessors Block No. 0682 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1. (Public Works Department)

5/7/2007, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

38. 070611

[Final Map - 1390 Market Street]

Motion approving Final Map 3859, a One Residential Unit and Four Commercial Unit Mixed-Use Condominium Project, located at 1390 Market Street being a subdivision of Lot 6 in Assessors Block No. 0813 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1. (Public Works Department)

5/7/2007, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

39. 070612

[Final Map - 4200 18th Street]

Motion approving Final Map 4037, a 15 Unit Commercial Condominium Project, located at 4200 18th Street being a subdivision of Lot 052 in Assessors Block No. 2648 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1. (Public Works Department)

5/7/2007, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

Questions on the For Adoption Without Committee Reference

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Agenda:			
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40. 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 May 1, 2007 through May 7, 2007, for reference by President to appropriate committee on May 15, 2007.

070598 [[Partial Settlement of Lawsuit - AON Risk Services of New York, Inc.]

Ordinance authorizing settlement of the lawsuit filed by the City and County of San Francisco against Aon Risk Services of New York, Inc. for \$220,000; San Francisco's causes of action against AON were filed on February 15, 2006, and constitute part of the coordinated proceeding entitled Jail No. 3 Replacement Project Cases, JCCP Case No: 4422, venued in San Mateo Superior Court; other material terms of said settlement are that San Francisco and AON will execute a mutual release, San Francisco will execute and file dismissals of all claims with prejudice, San Francisco and AON will each bear their own fees and costs of suit, AON will provide reasonable cooperation to San Francisco in regards to evidence that San Francisco may need for the case against ACMI and its related entities in the on-going litigation, and the settlement does not constitute an admission of liability regarding any claim. (City Attorney)

5/7/2007, RECEIVED AND ASSIGNED to Rules Committee.

070599 [Settlement of Lawsuit - Coast Marine Industrial Supply, Inc.]

Ordinance authorizing settlement of the lawsuit filed by the City and County of San

Francisco against Coast Marine Industrial Supply, Inc. for \$30,500; the lawsuit was filed on August 3, 2005 in San Francisco Superior Court, Case No. 443-691; entitled City and County of San Francisco, et al. v. Coast Marine Industrial Supply, Inc., et al. (City Attorney)

5/7/2007, RECEIVED AND ASSIGNED to Rules Committee.

070601 [Payment of Criminal Justice Reward]

Ordinance authorizing payment of a \$25,000 reward to John Doe for supplying information leading to the arrest and conviction of Joseph Stevens in the shooting deaths of Dernae Wysinger and Naemon Wysinger. (Mayor)

5/4/2007, RECEIVED AND ASSIGNED to Budget and Finance Committee.

PROPOSED RESOLUTIONS

Proposed resolutions received from May 1, 2007 through May 7, 2007, for reference by President to appropriate committee on May 15, 2007.

070600 [Settlement of Administrative Civil Liability Complaint - San Francisco Water Quality Control Board]

Resolution approving the settlement of the unlitigated administrative civil liability complaint filed by the San Francisco Bay Regional Water Quality Control Board against San Francisco imposing a penalty of \$626,000; and alternatively approving an environmental mitigation project, subject to approval of the Regional Water Quality Control Board, in the amount not to exceed \$582,000, plus payment of a \$44,000 penalty. (City Attorney)

5/7/2007, RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED MOTIONS

None

070646 [Petition and Communications]

Petitions and Communications received from May 1, 2007 through May 7, 2007 for reference by the President to May 15, 2007.

From Municipal Transportation Agency, submitting San Francisco Municipal Railway (MUNI) Overtime Justification report pursuant to Administrative Code Section 18.13-1 for the Municipal Transportation Agency.(1)

From Seligman Family, submitting appreciation to the Clerk of the Board for her expression of condolence for their mother Mary Katherine Seligman.(2)

From Department of Building Inspection, regarding status on the review of the building permit status of the list of Medical Cannabis Dispensaries provided by the Department of Public Health. (Reference 20070327-005) Copy: Supervisor Alioto-Pier(3)

From Recreation and Park Department, submitting 3rd quarter status report of Fiscal Year 2006-2007 in response to the requirements of Resolution 157-99 Lead Poisoning Prevention for the Recreation and Park Department.(4)

From Mayor's Office of Public Policy and Finance, submitting Mayor's proposed May budget

2007-2008 pursuant to San Francisco City Administrative Code 3.3c.(5)

From San Francisco Bicycle Coalition, submitting support for AB 1358, the California Complete Streets Act of 2007. File 070550, Copy: Each Supervisor(6)

From Rodrigo Venegas, submitting support for the proposed Wi-Fi agreement with Google and Earthlink. File 070077, 2 letters(7)

From Kimo Crossman, regarding an immediate disclosure request from the Clerk of the Board regarding Sunshine Ordinance Task Force office hours. 2 letters(8)

From Tom Cunha, commenting on an article published regarding Christian teenagers.(9)

From John Master, commenting on Supervisor Daly's recent comments regarding the Mayor's new Community Court idea. Copy: Supervisor Daly(10)

From John Boling, commenting on the AF Evans gay and lesbian senior housing project. Copy: Supervisor Mirkarimi(11)

From Department of Building Inspection, regarding status on review of the building permit status of the list of Medical Cannabis Dispensaries provided by the Department of Public Health. (Reference 20070327-005)(12)

From concerned citizens, submitting support for the implementation of Community Choice energy in San Francisco. 17 letters(13)

From Department of Public Health. submitting Quarterly AIDS Surveillance Report for AIDS cases reported through March 2007.(14)

From Office of the Controller/City Services Auditor, submitting report concerning the monitoring of non-profit organizations that received Federal funding through the Department of Public Health.(15)

From Michael Leslie, commenting on STOP (Stimulant Treatment Outpatient Program) possibly being cut due to budgeting issues.(16)

From Supervisor Daly, responding to constituent regarding the Mayor's press release on his new Community Court idea.(17)

From Tony Haze, commenting on the Conan O'Brien show being held in San Francisco. (18)

From James Chaffee, commenting on the Library Preservation Fund.(19)

From Frank Evansco, commenting on MUNI's failure to notify passengers of service problems on the T-Third line when they occur. Copy: Municipal Railway(20)

From Janette Barroca, regarding immigration issues.(21)

From Northern California Golf Association, submitting support for the continued operation of Sharp Park Golf Course. Copy: Each Supervisor(22)

From Art Olguin, Ph.D, commenting on why he is canceling his plans to visit San Francisco. 2 letters(23)

From Fire Department, submitting Fire/Life Safety Inspection Report, Adult/Juvenile Detention Facilities for the Tenderloin and Northern Police Stations.(24)

From Department of Public Health, submitting annual list of membership organizations for Fiscal Year 2007-2008 as required by the San Francisco Administrative Code Section 16.6 for the Department of Public Health.(25)

From Danielle and Patrick Collins, requesting response from Supervisor Dufty to provide details regarding the May 25, 2007 meeting. Copy: Supervisor Dufty(26)

From Juvenile Probation Department, requesting the release of two (2) reserves placed on the Juvenile Probation Department (JPD) salaries (\$24,000), related benefits (\$3,406), and overtime (\$49,523).(27)

From Francisco Da Costa, commenting on issues with Lennar BVHP LLC.(28)

From concerned citizens, submitting support for the implementation of Community Choice energy in San Francisco. 12 letters(29)

Ahimsa Porter Sumchai, commenting on the Restorative Advisory Board of the Hunters Point Shipyard.(30)

From Department of California Highway Patrol, submitting response to Board of Supervisors' Resolution No. 620-06, dated October 24, 2006 authorizing the San Francisco Fire Department ambulances to be exempt from requirement to carry spare tire and jack. Copy: Fire Department(31)

From Municipal Transportation Agency, regarding status on the feasibility of installing pedestrian signals at 9th Avenue and Judah and 9th Avenue and Irving; a crosswalk at the intersection of 12th Avenue and Judah and ADA cutouts at 9th Avenue and Irving. (Reference 20070417-003) Copy: Supervisor Mirkarimi(32)

From J & K Pillars, commenting on San Francisco becoming a sanctuary city for illegal immigrants. (33)

From Office of the Controller/City Services Auditor, submitting report concerning the review of U Threads, Inc. (tenant) which operates two collegiate apparel stores at the San Francisco International Airport.(34)

From Airport Commission, submitting request for waiver of Administrative Code 12B and 12C for Chevron USA, Inc. for the Auto Shop at the San Francisco International Airport for roadside repairs and for fueling City owned vehicles that have traveled out of the area on City business.(35)

From Escobar Advocate, submitting the settlement agreement between Asian Law Caucus and San Francisco Housing Authority pertaining to the discrimination against Asians in 1995.(36)

From Office of the Controller, submitting Fiscal Year 2007-2008 report on 911 Access Lines and fees pursuant to San Francisco Business and Tax Regulation Code 755.1.(37)

From Office of the Controller, submitting Fiscal Year 2006-2007 9-month budget status report based on sources of funds received and uses of funds expended from July 1, 2006 through March 31, 2007.(38)

From Francisco Da Costa, commenting on the Restoration Advisory Board to the Hunters Point Shipyard.(39)

From Francisco Da Costa, commenting on the Trans Bay Cable Project. (40)

From Francisco Da Costa, commenting on many issues regarding public safety in San Francisco.(41)

From Francisco Da Costa, submitting copy of email to Juvenile Probation requesting statistics of youth incarceration at the Youth Guidance Center during the prior 9 months.(42)

From Troy Nickol, commenting on his afternoon commute on May 3, 2007 which took him over 1 hour to reach his home after he left his office. Copy: Municipal Railway(43)

From Eric Brooks, submitting an article regarding Earthlink pulling back on its free WiFi roll out in many cities.(44)

From Lance Sultzbaugh, submitting opposition to the acquisition of 8 Guy Place as a park.(45)

From Dr. Ahimsa Porter Sumchai, commenting on a request for an investigation by the environmental division of the District Attorneys office of Lennar Corporation's construction activities on Parcel A of the Hunters Point Naval Shipyard. 2 letters(46)

From Dr. Ahimsa Porter Sumchai, commenting on issues with homes built by Lennar Corporation.(47)

From Christopher Greenspan, submitting opposition to the proposed construction of two 5-story buildings on Valencia Street between 18th and 19th Streets.(48)

From Municipal Transportation Agency, regarding status on the feasibility of a crosswalk at the intersection of Steiner Street and Laussat. (Reference 20070410-017) Copy: Supervisor Mirkarimi(49)

From Probation Department, submitting copy of response to constituent regarding a request for statistics of youth incarcerated at the Youth Guidance Center during the prior 9 months.(50)

From Dave Allen, commenting on several issues regarding San Francisco current policies.(51)

From concerned citizens, urging the Board to take action and readdress items in the Medical Cannabis Dispensary legislation and support the non-binding resolution for compassionate care for low income patients.(52)

From Joanne Cannell, urging the Board not to prohibit feeding the parakeets in Ferry Park.(53)

From Mike Lynch, submitting support for the proposed Wi-Fi agreement with Google and Earthlink. File 070077, Copy: Each Supervisor(54)

From concerned citizens, urging the Board to find a humane method of dealing with the African clawed frogs residing in Golden Gate Park's lily pond. 43 letters(55)

From concerned citizens, submitting support for the Plastic Bag Reduction Ordinance. File 070085, Over 100 letters(56)

APPOINTMENTS BY THE MAYOR

War Memorial Board of Trustees Belva Davis Major General James Michael Myatt, USMC (Ret.)

Commission on the Environment Jane Martin Darian Rodriquez Heyman

Human Services Commission Anita Martinez

Commission on Aging Lucy Fisher Edna James

Taxi Commission Tom Oneto

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)

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.



554-5555.

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