#### **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, December 11, 2007 2:00 PM

### **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

#### ROLL CALL AND PLEDGE OF ALLEGIANCE

#### **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.

#### 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 14**

### Recommendations of the City Operations and Neighborhood Services Committee

Present: Supervisors McGoldrick, Alioto-Pier, Chu

# 1. 071516 [Grant to support the Healthcare Facilities Partnership Program through the San Francisco Department of Public Health]

Supervisor Alioto-Pier

Resolution authorizing the San Francisco Department of Public Health (DPH), to retroactively accept and expend a grant in the amount of \$787,659 from the Department of Health and

Human Services, Public Health Service, for year 1 of the Healthcare Facilities Partnership Program, for the period of September 1, 2007, through August 8, 2008.

**Question: Shall this Resolution be ADOPTED?** 

### 2. 071517 [Grant to support the SF Child Injury Prevention Program]

**Supervisor Alioto-Pier** 

Resolution authorizing the San Francisco Department of Public Health (DPH), to retroactively accept and expend funds from the Kids' Plates Program, San Diego State University Research Foundation in the amount of \$54,000 in support of SF Child Injury Prevention Program, for the period of October 1, 2007 through June 30, 2008.

**Question: Shall this Resolution be ADOPTED?** 

### 3. 071524 [Retroactive Accept - Expend State Grant - Department of the Environment]

**Supervisor Maxwell** 

Resolution authorizing the Department of the Environment to retroactively accept and expend a grant in the amount of \$11,175 from the California Integrated Waste Management Board for the purpose of increasing proper disposal of Household Hazardous Waste and supporting San Francisco's involvement in the California Product Stewardship Council.

**Question: Shall this Resolution be ADOPTED?** 

### 4. 071525 [Accept-Expend State Grant - Department of the Environment]

**Supervisor Maxwell** 

Resolution authorizing the Department of the Environment to accept and expend a grant in the amount of \$11,002 from the California Integrated Waste Management Board for the purpose of increasing proper disposal of Household Hazardous Waste and supporting San Francisco's involvement in the California Product Stewardship Council.

**Question: Shall this Resolution be ADOPTED?** 

### 5. 071527 [Accept-Expend Federal Grants - Municipal Transportation Agency]

**Supervisor Mirkarimi** 

Resolution authorizing the Municipal Transportation Agency to accept and expend a grant in the amount of \$478,000 from 2006 Regional Transportation Improvement funds for the Transportation for Livable Communities - Inner Sunset Traffic Calming and Transit Enhancements Project.

**Question: Shall this Resolution be ADOPTED?** 

### **6.** 071537

### [Grant of Regional Funds.- San Francisco Municipal Transportation Agency]

**Supervisor Sandoval** 

Resolution authorizing the San Francisco Municipal Transportation Agency to accept and

expend \$200,000 of Regional Measure 2 - Safe Routes to Transit funding to conduct a study analyzing how to improve traffic patterns on the southern side of the Balboa Park BART station.

**Question: Shall this Resolution be ADOPTED?** 

### 7. 071562 [Accept-Expend California Department of Parks and Recreation Grant]

**Supervisor Chu** 

Resolution authorizing San Francisco Arts Commission (SFAC) to accept and expend a grant in the amount of \$36,000 from the California Department of Parks and Recreation for restoration of the Portals of the Past monument in Golden Gate Park.

**Question: Shall this Resolution be ADOPTED?** 

### 8. 071563 [Accept-Expend State Grant - Sheriff's Department]

**Supervisor Dufty** 

Resolution authorizing the Sheriff's Department of the City and County of San Francisco to apply for, accept and expend \$377,895 in funds from the Corrections Standards Authority for the standards and training of local corrections and probation officers programs; stipulating adherence to standards for recruitment and training established by the Corrections Standards Authority, waiving any indirect costs.

**Question: Shall this Resolution be ADOPTED?** 

### Recommendation of the Government Audit and Oversight Committee

Present: Supervisors Elsbernd, Alioto-Pier, Daly

# 9. 071541 [Appropriating \$8,890,628, of additional Proposition 1B State Funds revenue for street resurfacing projects in the Department of Public Works for Fiscal Year 2007-2008]

Mayor, Supervisor Elsbernd

Ordinance appropriating \$8,890,628 of additional Proposition 1B State Funds for street resurfacing projects in the Department of Public Works for Fiscal Year 2007-2008. The department will use the accelerated appropriations of bond funds from the state to fund projects for which design money has already been appropriated and were included in the City's FY 2008-09 capital program.

12/4/2007, PASSED ON FIRST READING. Supervisor Elsbernd requested to be added as a co-sponsor.

**Question: Shall this Ordinance be FINALLY PASSED?** 

#### **Recommendations of the Public Safety Committee**

Present: Supervisors Mirkarimi, Maxwell

### 10. 071597 [Accept-Expend FY 07 Community Oriented Policing Services Grant and Amend Annual Salary Ordinance,

FY 2007-2008]

**Supervisor Elsbernd** 

Ordinance authorizing the Department of Emergency Management, as fiscal agent for multiple local jurisdictions, to retroactively accept and expend a Community Oriented Policing Services (COPS) grant in the amount of \$5,733,986 from the United States

Department of Justice and to provide \$406,002 as San Francisco's portion of required matching funds; and amending Ordinance No. 175-07 (Annual Salary Ordinance, FY 2007-2008) to reflect the addition of one position (0.75 FTE) IS Project Director in the Department of Emergency Management (ECD).

12/4/2007, PASSED ON FIRST READING.

**Question: Shall this Ordinance be FINALLY PASSED?** 

### 11. 070678 [Planning - institutional master plan review for medical institutions]

Supervisors Maxwell, Ammiano, Alioto-Pier, Sandoval, McGoldrick

Ordinance amending Planning Code Section 304.5, Institutional Master Plans, to require a qualified health planner retained by the Department of Public Health to analyze the relationship between the City's long-term health care needs and facility planning for medical institutions as part of the Institutional Master Plan and revisions process; clarifying and updating the Institutional Master Plan process through minor changes to generally applicable institutional master plan requirements, making environmental findings, and making findings of consistency with the General Plan and priority policies of Planning Code Section 101.1.

12/4/2007, PASSED ON FIRST READING.

**Question: Shall this Ordinance be FINALLY PASSED?** 

#### **Recommendations of the Rules Committee**

Present: Supervisors Ammiano, Elsbernd

### 12. 071417 [Settlement of Lawsuit - CCSF v. Michael Levine and What Do We Do? Inc.]

Ordinance authorizing settlement of the lawsuit filed by the City and County of San Francisco against Michael Levine and What Do We Do? Inc. for \$30,000; the lawsuit was filed on May 26, 2006 in San Francisco Superior Court, Case No. 452-470; entitled City and County of San Francisco, et al., v. Michael Levine, et al.; other material terms of said settlement are that Judgment is to be entered against Michael Levine personally in the amount of \$30,000, that payment of \$15,000 is to be made at the time of finalization of the settlement of this matter, that the remaining payment of \$15,000 is to be in monthly installments over a period of 18 months, and if any payment is late, the entire amount is immediately due, payable and collectible. (City Attorney)

12/4/2007, PASSED, ON FIRST READING.

**Question: Shall this Ordinance be FINALLY PASSED?** 

### 13. 071459 [Settlement of Lawsuit - Pacific Gas and Electric Company]

Ordinance authorizing settlement of the lawsuit filed by Pacific Gas & Electric ("PG&E") against the City and County of San Francisco for \$10,000; the lawsuit entitled Pacific Gas and Electric Company v. City and County of San Francisco, et al., Case No. RG-05-246128, was filed on December 9, 2005 in Alameda County Superior Court; other material terms of said settlement are set forth in the Stipulated Judgment and Final Order of Condemnation (and exhibits thereto), contained in Board of Supervisors File No. 071459. (City Attorney)

12/4/2007, PASSED, ON FIRST READING.

#### **Question: Shall this Ordinance be FINALLY PASSED?**

# 14. 071513 [Settlement of City's Lawsuit Against Dynegy, Inc., Dynegy Marketing and Trade and West Coast Power LLC]

Ordinance authorizing partial settlement of the lawsuit filed by the City and County of San Francisco against defendant Sempra Energy and other companies; the lawsuit entitled City and County of San Francisco v. Sempra Energy, et al. (JCCP No. 4221-00023) was filed on June 8, 2004, and has been coordinated as Natural Gas Anti-Trust Cases I, II, III & IV in the Superior Court of the State of California for the County of San Diego (JCCP Nos. 4221, 4224, 4226, and 4228); the settlement provides approximately \$480,000 to the City from defendants Dynegy, Inc. and its affiliates Dynegy Marketing and Trade and West Coast Power LLC. (City Attorney)

12/4/2007, 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

# 15. 071574 [Adopting findings related to disapproving the Categorical Exemption issued for the 376 Eureka Street project]

Motion adopting findings related to disapproving the determination by the Planning Department that the 376 Eureka Street project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

11/26/2007, REFERRED to Board of Supervisors.

12/4/2007, CONTINUED. Continued to December 11, 2007

**Question: Shall this Motion be APPROVED?** 

### **Recommendation of the Budget and Finance Committee**

Present: Supervisors Peskin, Ammiano, Dufty

### 16. 071460 [Easement Modification and Relocation Agreement - University of California Parnassus Heights Campus]

Resolution approving and authorizing the execution and delivery of an Easement Modification and Relocation Agreement between The Regents of the University of California ("University") and the City and County of San Francisco, acting by and through its Public Utilities Commission (collectively referred to hereafter as the "City"), authorizing the City's acceptance of a Modified and Restated Grant of Easement and Agreement For Expanded

Storage Tank Easement, the City's quitclaim of the Existing Storage Tank Easement to the University, the City's acceptance of a Grant of Easement and Agreement For New Pump Station Easement and the City's quitclaim of the Existing Pump Station Easement to the University following completion of the Project; adopting findings of consistency with the General Plan and Eight Priority Policies of Planning Code Section 101.1; and adopting environmental findings. (Real Estate Department)

11/13/2007, CONTINUED. Continued to December 11, 2007

**Question: Shall this Resolution be ADOPTED?** 

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

### 17. 071218 [Charter Amendment - San Francisco Affordable Super Housing Fund and Public Accountability]

Supervisors Daly, Ammiano, Mirkarimi

Charter amendment (Third Draft) to add Section 16.127 to: establish a baseline appropriation and set aside the equivalent of the available annual tax of two and one-half cents (\$0.025) on each one hundred dollars (\$100) of assessed property tax valuation for the next fifteen (15) years to support affordable housing programs; require the Mayor's Office of Housing, in cooperation with the Department of Public Health and Department of Human Services, to prepare an affordable housing plan every three (3) years and an annual affordable housing budget; affirm City policy urging the Redevelopment Agency to use at least fifty percent (50%) of its tax increment funds for low and moderate income housing; and set an expiration date of July 1, 2024.

11/6/2007, SUBSTITUTED. Supervisor Daly submitted a substitute Charter Amendment bearing new title. (Referred to Departments)

11/20/2007, CONTINUED AS AMENDED. Continued as amended to December 4, 2007 with the Board Sitting as Committee of the Whole at 3:00 p.m.

12/4/2007, AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. The President inquired as to whether any member of the public wished to address the Board members. Continued as amended to December 11, 2007 with the Board Sitting as a Committee of the Whole.

12/4/2007, CONTINUED AS AMENDED. Supervisor Daly, seconded by Supervisor Mirkarimi, moved to continue this matter to December 11, 2007 with the Board Sitting as a Committee of the Whole. Motion passed without objection.

**Question: Shall this Charter Amendment be SUBMITTED?** 

#### **NEW BUSINESS**

### **Recommendations of the Budget and Finance Committee**

Present: Supervisors Peskin, Ammiano, Dufty

# 18. 071436 [Appropriating \$33,521,354 of land sales revenue for construction at 525 Golden Gate to the San Francisco Public Utilities Commission for Fiscal Year 2007-2008]

Mayor

Ordinance appropriating \$33,521,354 of San Francisco Water and Wastewater Enterprises estimated land sales revenues from properties including BART land, Petrocchi Brothers property, 425 Mason Street, Muni Transfer at Cesar Chavez, Peter Naughton Easement

Transfer, Sea Cliff Lot, Chestnut and El Camino property in South San Francisco, Manzano Way lots in Fremont, PG&E Jefferson Martin Line, and Martin Gaehwhiler property, for costs related to architectural, excavation design services, construction and construction management at 525 Golden Gate Avenue to the San Francisco Public Utilities Commission for Fiscal Year 2007-2008.

(Fiscal Impact.)

**Question: Shall this Ordinance be PASSED ON FIRST READING?** 

### 19. 071469 [Accept-Expend Federal Grant - Sheriff's Department] Supervisor Alioto-Pier

Ordinance amending Ordinance No. 175-07 (Annual Salary Ordinance 2007-2008) to reflect the addition of a .50 FTE 8420 Program Rehabilitation Services Coordinator in the Sheriff's Department, and a .50 FTE 2586 Health Worker II and .50 FTE 2803 Epidemiologist in the Department of Public Health, and authorizing the Sheriff's Department to accept and expend a 12-month grant in the amount of \$391,556 from the U.S. Department of Health and Human Services for the Women's Integrated Skills (WISH) Project and waiving indirect costs.

**Question: Shall this Ordinance be PASSED ON FIRST READING?** 

### 20. 071542 [Accept-Expend Federal Grants - Municipal Transportation Agency]

Mayor

Resolution authorizing the Municipal Transportation Agency to accept and expend a grant in the amount of \$2,740,000 from the Metropolitan Transportation Commission Regional Bicycle and Pedestrian Program for various transportation projects.

(Fiscal Impact.)

**Question: Shall this Resolution be ADOPTED?** 

### 21. 071514 [Prevailing wages for workers on public works/improvement projects; janitorial services;

public off-street parking lots, garages, or auto storage facilities; theatrical services; moving services; and hauling solid waste]

Resolution fixing prevailing wage rates for (1) workers performing work under City contracts for public work and improvement; (2) workers performing work under City contracts for janitorial services; (3) workers performing work in public off-street parking lots, garages, or storage facilities for automobiles on property owned or leased by the City; (4) workers engaged in theatrical or technical services for shows on property owned by the City; (5) workers performing moving services under City contracts at facilities owned or leased by the City; and (6) workers engaged in the hauling of solid waste generated by the City in the course of City operations, pursuant to a contract with the City. (Civil Service Commission)

**Question: Shall this Resolution be ADOPTED?** 

Present: Supervisors Peskin, Dufty

### 22. 071568 [Appropriating \$250,000 Unappropriated Port Operating Fund Balance for Fuel Spill Clean-up

Mayor

### Activities in the Port of San Francisco for Fiscal Year 2007-2008]

Ordinance appropriating \$250,000 of Unappropriated Fund Balance from the Port Operating Fund to fund fuel spill clean-up by commercial vessels under contract with the Port of San Francisco and under direction of the Cosco Busan Incident Command retroactive to November 10, 2007 in the Port of San Francisco Fiscal Year 2007-2008.

(Fiscal Impact.)

**Question: Shall this Ordinance be PASSED ON FIRST READING?** 

# 23. 071551 [Approving Agreement to Implement the Term Sheet between the San Francisco Public Utilities Commission and Modesto Irrigation District for a Long Term Power Sales Agreement pursuant to Charter Section 9.118(a) with a term through June 30, 2015]

Resolution approving Agreement to Implement the Term Sheet between the City and County of San Francisco, acting by and through its Public Utilities Commission, and the Modesto Irrigation District and authorizing the General Manager to implement the Term Sheet by incorporating the terms thereof into a new Long Term Power Sales Agreement and executing the same. (Public Utilities Commission)

**Question: Shall this Resolution be ADOPTED?** 

### From the Budget and Finance Committee Without Recommendation

### 24. 070040 [Department of Elections contract for new voting system]

Resolution approving the award and execution of a \$12.65 million four-year contract by the City and County of San Francisco, through its Department of Elections, to Sequoia Voting Systems, Inc., for the purchase of a new voting system and provision of associated voting services. (Elections Department)

(Fiscal impact.)

**Question: Shall this Resolution be ADOPTED?** 

### Recommendations of the City Operations and Neighborhood Services Committee

Present: Supervisors McGoldrick, Alioto-Pier, Chu

### 25. 070134 [Golden Gate Park-Authorization to Construct Skate Supervisors Mirkarimi, Alioto-Park] Pier

Ordinance making environmental findings and authorizing the creation of a skate park in the block of Waller Street in Golden Gate Park, between Stanyan Street and Kezar Drive, pursuant to Charter Section 4.113.

**Question: Shall this Ordinance be PASSED ON FIRST READING?** 

### 26. 070508 [Banning alcohol in children's play areas] Supervisors Alioto-Pier, Chu

Ordinance amending Section 4.10 of the Park Code to ban consumption of alcohol in

children's play areas.

10/23/2007, RE-REFERRED to City Operations and Neighborhood Services Committee.

**Question: Shall this Ordinance be PASSED ON FIRST READING?** 

### 27. 071089 [Warning on cough and cold medicine for infants and Supervisors Alioto-Pier, Dufty young children ordinance]

Ordinance amending the San Francisco Health Code by adding Article 36, Sections 3601 through 3609, to: (1) require businesses located in the City and County of San Francisco to post point-of-sale warnings on administering cough and cold medicine to infants and children younger than 6 years, and (2) provide penalties for violations.

10/23/2007, RE-REFERRED to City Operations and Neighborhood Services Committee.

**Question: Shall this Ordinance be PASSED ON FIRST READING?** 

### 28. 071482 [Liquor License - 1870 Fillmore Street]

Resolution determining that the isuance of a Type 42 on-sale beer and wine public premises license to Kamran Shirazi for Lot61, located at 1870 Fillmore Street (District 5), will serve the convenience of the people of the City and County of San Francisco, in accordance with Section 23958.4; with conditions.

**Question: Shall this Resolution be ADOPTED?** 

### Recommendation of the Land Use and Economic Development Committee

Present: Supervisors Maxwell, Sandoval

## 29. 071534 [Zoning - Interim Moratorium on institutional uses in the Western SoMa] Supervisors Peskin, Ammiano, Daly, Maxwell, McGoldrick,

Urgency Ordinance approving an interim zoning moratorium to prohibit the establishment of new institutional uses in the Western SoMa Planning Area Special Use District for 45 days and making required findings, including findings of consistency with the priority policies of Planning Code Section 101.1 and environmental findings.

**Question: Shall this Ordinance be FINALLY PASSED?** 

### From the Land Use and Economic Development Committee Without Recommendation

### 30. 071564 [Bayview Hunters Point Redevelopment Project Area Supervisor Maxwell C Interim Controls]

Resolution adopting interim zoning controls for a period of eighteen (18) months in the area designated as "Area C" in the Bayview Hunters Point Redevelopment Survey Area, an area generally bounded by Jennings Street, Hunters Point Boulevard, Innes Avenue, Earl Street and the San Francisco Bay to require a conditional use permit for all new construction, changes of use, alterations that expand the building envelop and demolitions, except for alterations of a lawfully existing use in the M-1, M-2 or NC-2 zones or the establishment of or a change of use on the ground floor of a principally permitted use in the NC-2 area; specifying criteria to be applied in the evaluation of a conditional use permit application, and adopting findings.

### **Question: Shall this Resolution be ADOPTED?**

#### **Recommendation of the Public Safety Committee**

Present: Supervisors Mirkarimi, Maxwell

## 31. 071572 [Urging the United States Senate to immediately ratify Annex VI of the International Convention for the Prevention of Pollution from Ships]

**Supervisor Sandoval** 

Resolution urging the United States Senate to immediately ratify Annex VI of the International Convention for the Prevention of Pollution from Ships.

11/20/2007, REFERRED to Public Safety Committee.

**Question: Shall this Resolution be ADOPTED?** 

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

#### **COMMITTEE REPORTS**

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

The following item will be considered by the Government Audit and Oversight Committee on Monday, December 10, 2007 at 10:00 a.m. The chair intends to request the Committee to send the following item to the Board as a committee report on Tuesday, December 11, 2007.

### 32. 071593 [Agreement with King Security Services Inc. for Armed and Unarmed Security Guard Services]

**Supervisor Elsbernd** 

Resolution authorizing a three year agreement, with option to renew for up to an additional two years, with King Security Services, Inc. for an amount not to exceed \$17,100,000. (Fiscal Impact.)

**Question: Shall this Resolution be ADOPTED?** 

The following item will be considered by the Land Use and Economic Development Committee on Monday, December 10, 2007 at 1:00 p.m. The chair intends to request the Committee to send the following item to the Board as a committee report on Tuesday, December 11, 2007.

# 33. 071567 [Urging the Recreation and Parks Commission to enter a grant agreement with the Friends of the Geneva Office Building for the rehabilitation of the Geneva Office Building]

**Supervisor Sandoval** 

Resolution urging the Recreation and Parks Commission to enter a grant agreement with the Friends of the Geneva Office Building for the rehabilitation of the Geneva Office Building.

**Question: Shall this Resolution be ADOPTED?** 

### 34. 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.

### 35. 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.

### **Items 36 through 48**

#### 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.

### 36. 071628 [Funds to support the HIV Prevention among High-Risk Men in South Africa study] Supervisor Dufty

Resolution authorizing the San Francisco Department of Public Health (DPH), to accept and expend retroactively a grant in the amount of \$9,429.04 from the University of California, San Francisco (UCSF), to provide technical assistance for the HIV Prevention among High-Risk Men in South Africa (Gauteng MSM Study) to measure the prevalence of HIV risk behaviors and HIV infection in Soweto, South Africa, for the period of November 5, 2007 through April 30, 2008.

12/4/2007, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**Question: Shall this Resolution be ADOPTED?** 

### 37. 071629 [Funds to support the Impact Evaluation in Malawi project] Supervisor Dufty

Resolution authorizing the San Francisco Department of Public Health (DPH), to accept and expend retroactively a grant in the amount of \$31,466 from the University of California, San Francisco (UCSF), the primary contractor, with funds from the World Health Organization, to provide technical assistance and consultation to create a resource manual documenting the triangulation methodology and will participate in the planning of a national Anti-Retroviral Therapy distribution evaluation, for the period of February 1, 2007 through May 31, 2007.

12/4/2007, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**Question: Shall this Resolution be ADOPTED?** 

### 38. 071631 [Accept-Expend Corporate Grant - Department of the Environment]

Supervisor Chu

Resolution authorizing the Department of the Environment to accept and expend grant funds in the amount of \$10,000 from the AAA Greenlight Initiative for the purpose of developing, producing and disseminating a brochure on clean air vehicles in English, Spanish and Chinese.

12/4/2007, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**Question: Shall this Resolution be ADOPTED?** 

### 39. 071632 [Accept-Expend Two Gifts from the Fidelity Charitable Gift Fund]

**Supervisor Elsbernd** 

Resolution authorizing the San Francisco Public Library to accept and expend two gifts in the amount of \$20,000 and \$12,000 respectively from the Fidelity Charitable Gift Fund for the enhancement of the Library's public website.

12/4/2007, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**Question: Shall this Resolution be ADOPTED?** 

#### 40. 071641

# [Condemning the Islamic Republic of Iran for its government-sanctioned policy of executing gay and lesbian Iranians]

**Supervisor Ammiano** 

Resolution urging the Congressional Human Rights Caucus to support legislation condemning the Islamic Republic of Iran for its government-sanctioned policy of executing gay and lesbian Iranians and calling on Tehran to adopt a more tolerant culture between gay and lesbian Iranians and greater Iranian society.

12/4/2007, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**Question: Shall this Resolution be ADOPTED?** 

#### 41. 071642

### [Commending the work of the US PROStitutes Collective to end violence and criminalization]

**Supervisor Ammiano** 

Resolution commending the US PROStitutes Collective for the protection of sex workers all over the nation and to end violence and criminalization through organizing.

12/4/2007, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**Question: Shall this Resolution be ADOPTED?** 

### 42. 071643

### [Reinstating 19 union janitors at the new Federal building]

Supervisors Daly, Ammiano, Mirkarimi, Sandoval

Resolution calling on Exemplar Enterprises to reinstate 19 union janitors at the new state of the art Federal building at 90 7th Street and urging Congresswoman and Speaker of the House of Representatives Nancy Pelosi to call upon the Government Services Agency and Exemplar Enterprises to work to reinstate the janitors at the new Federal building.

12/4/2007, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**Question: Shall this Resolution be ADOPTED?** 

#### 43. 071644 [Drug Conviction/Financial Aid]

**Supervisor Daly** 

Resolution urging San Francisco Congressional representatives to overturn the provision of the Higher Education Act of 1998 that denies or delays access to financial aid for persons convicted for drug-related offenses.

12/4/2007, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**Question: Shall this Resolution be ADOPTED?** 

#### 44. 071645

[Approving a 90 day extension for Planning **Commission review for Conditional Use Authorization** for new construction shading existing registered solar energy systems]

**Supervisor Mirkarimi** 

Resolution extending by 90 days the prescribed time within which the Planning Commission may render its decision on a proposed ordinance that would amend Section 303 to require a conditional use authorization for any new construction that would shade a registered solar energy system, as defined, and provide for the registration of existing and new solar energy systems, and making environmental findings, General Plan findings, and other required findings.

12/4/2007, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**Question: Shall this Resolution be ADOPTED?** 

#### 45. 071646

#### [Declaration of Election Results]

Resolution declaring the results of the November 6, 2007 Municipal Election. (Clerk of the Board)

12/4/2006, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**Question: Shall this Resolution be ADOPTED?** 

#### 46. 071647

### [Accept-Expend \$14,826 from the Friends of the San Francisco Public Library

**Supervisor Elsbernd** 

Resolution authorizing the San Francisco Public Library to accept and expend a gift in the amount of \$14,826 from the Friends of the San Francisco Public Library's Main Campaign Fund for public service improvements at the Main Library.

12/4/2007. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**Question: Shall this Resolution be ADOPTED?** 

#### 47. 071650

[Resolution in Support of the Pacheco Pass Alternative

**Supervisor Peskin** 

### for the High-Speed Train System]

Resolution urging the California High Speed Rail Authority to adopt the Preferred Network Alternative, Pacheco Pass to San Francisco (via San Jose), for the Central Valley to Bay Area portion of the High-Speed Train system including pursuit of Regional Rail commuter service via the Altamont Pass between Sacramento/Northern San Joaquin Valley and Oakland/San Jose in partnership with local and regional agencies and transit providers.

12/4/2007, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**Question: Shall this Resolution be ADOPTED?** 

### 48. 071653 [Accept- Expend State Grant - Department of Telecommunications and Information Services]

Mayor

Resolution authorizing the Department of Telecommunications and Information Services to accept and expend a grant in the amount of \$49,900.00 from the California Integrated Waste Management Board for the purpose of increasing the Re-Use of Computers and other Electronic equipment in the City and County of San Francisco.

12/4/2007, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**Question: Shall this Resolution be ADOPTED?** 

Questions	on the	For	Adoption	Without	Committee	Reference
Agenda:						

#### 49. 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 resolution(s) 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 November 27, 2007 through December 3, 2007 for reference by President to the appropriate committee on December 11, 2007.

### 071581 [Changing the official sidewalk width - Townsend Street]

Ordinance amending Ordinance No. 1061 entitled "Regulating the Width of Sidewalks" by adding thereto Section 1576 to change the official sidewalk width on the northerly side of Townsend Street between 6th and 7th Streets; making environmental findings and 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)

(DPW Order No. 177,191)

11/30/2007, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

### 071612 [Settlement of Eminent Domain Lawsuit Against the City and County of San Francisco]

Ordinance authorizing settlement of the lawsuit filed by Pacific Gas & Electric ("PG&E') against the City and County of San Francisco for \$1,088,000.00; the lawsuit was filed on June 6, 2006 in San Francisco Superior Court, Case No. CGC-06-452985; entitled Pacific Gas & Electric Company v. City and County of San Francisco; other material terms of said settlement are set forth in the Stipulation for Entry of Judgment in Condemnation and the Judgment in Condemnation, contained in Board of Supervisors File No. 071612. (City Attorney)

11/27/2007, RECEIVED AND ASSIGNED to Rules Committee.

### PROPOSED RESOLUTIONS

Proposed resolutions received from November 27, 2007 through December 3, 2007 for reference by President to the appropriate committee on December 11, 2007.

# 071579 [Approval of Modification No. 1 of Lease and Operating Agreement L-99-0321 with Cathay Pacific Airways, Ltd., at San Francisco International Airport]

Resolution approving and authorizing the execution of Modification No. 1 of Lease and Operating Agreement L-99-0321 with Cathay Pacific Airways, Ltd., for office space in the International Terminal of San Francisco International Airport. (Airport Commission)

11/29/2007, RECEIVED AND ASSIGNED to Budget and Finance Committee.

### 071580 [Approval of Lease Agreement L-07-0255 with Singapore Airlines Cargo Pte., Ltd. at San Francisco International Airport]

Resolution approving and authorizing the execution of Lease Agreement L-07-0255 with

Singapore Airlines Cargo Pte., Ltd. for cargo warehouse and office space in Building 710 on Plot 12 of San Francisco International Airport. (Airport Commission)

11/29/2007, RECEIVED AND ASSIGNED to Budget and Finance Committee.

#### 071655 [Petitions and Communications]

Petitions and Communications received from November 27, 2007 through December 3, 2007 for reference by the President to December 11, 2007

From Department of Building Inspection, submitting Request for Release of Reserves - Information Technology Equipment. (1)

From Delta Air Lines, Inc., regarding Application of Permanent Resident Exemption (Regulation No. 1.504-2) to Airline Crews. (2)

From SF City Clinic, submitting San Francisco Monthly STD Report for October 2007. (3)

From Human Rights Commission, submitting waiver request form for Hotel Whitcomb for Department of Children, Youth and Their Families. (4)

From Cow Palace, submitting a copy of letter sent to the Mayor of Daly City regarding Oracle Open World Festival Appreciation Event that was held on November 14, 2007. (5)

From Office of the Controller, submitting District Station Boundary Assessment - National Strategies and an Overview of the San Francisco Police Department Interim Report. (6)

From Department of Human Resources, submitting Request for Release of \$5,000,523 in Reserved Funding for Project eMerge. (7)

From Edwin E. Huddleson, Jr. Professor of Law, Director, Stanford Criminal Justice Center, submitting proposal to serve as outside counsel for the Board regarding Supervisor Jew. File No. 071488. (8)

From Supervisor Alioto-Pier, submitting a copy of letter sent to Martin Brotman M.D., President and CEO, California Pacific Medical Center, regarding closures at St. Luke's Hospital. File No. 071556 (9)

From San Francisco Arts Commission, submitting response regarding month to month leases. (Reference 20071016-007). (10)

From Department of Human Resources, submitting response regarding month to month leases. (Reference 20071016-035). (11)

From Department of Elections, submitting response regarding month to month leases. (Reference 20071016-030). (12)

From Office of the Controller, submitting response regarding month to month leases. (Reference 20071016-005). (13)

From San Francisco Housing Authority, submitting response regarding month to month leases. Copy: Supervisor Elsbernd, (Reference 20071016-013). (14)

From Department on the Status of Women, submitting response regarding month to month

leases. Copy: Supervisor Elsbernd, (Reference 20071016-020). (15)

From Real Estate Division, submitting response regarding month to month leases. (Reference 20071016-011) (16)

From Budget Analyst's Office, submitting response regarding exploring the possibilities of making prostitution a low priority offense in San Francisco. (Reference 20071120-004) (17)

From concerned citizens, submitting opposition to the ordinance which would issue Municipal Identification Cards in the City. File No. 071333 (18)

From Coalition for San Francisco Neighborhoods, regarding the Proposed Gift of a Chinese Walled Garden from the Shanghai Sister City Committee. File No. 071330 (19)

From San Francisco Housing Authority, submitting response regarding repairs at Robert B. Pitts. (Reference 20070710-009), Copy: Supervisor Mirkarimi. (20)

From Department of Children, Youth and Their Families, submitting response regarding month to month leases. (20071016-009). (21)

From Parkmerced Residents' Organization, regarding Case No. 2006.0680E - 77-111 Cambon Drive Mixed-Use Project Notice of Preparation of an EIR. Copies: Each Supervisor (22)

From Anne Murphy, submitting support for a ban on wood burning fireplaces. (23)

From James A. Ansbro, submitting support for the Landmarking of 900 Innes Avenue. (24)

From Human Services Agency, submitting Request for Release of Funding Reserved in the FY07/08 Budget for HAS Workforce Development salaries and benefits. File No. 071576 (25)

From Brisbane Baylands Community Advisory Group, submitting copy of letter to Regional Water Quality Control Board regarding BBCAG comments on Remedial Action Plan Dated 6/29/07 - Kinder Morgan, Operating Partner, SFPP, L.P. Brisbane Terminal. (26)

From Supervisor Alioto-Pier, submitting copy of letter to Supervisor Mirkarimi regarding the November 7, 2007 oil spill in the San Francisco Bay. (27)

From concerned citizens, submitting support for Michael Savage's right to freedom of speech. Received 4 Letters. (28)

From Dinda Evans, submitting opposition to the City giving sanctuary to illegal aliens. (29)

From Joyes Burris, expressing concerns regarding the 25% tax assessed to parking fees. Copy: Supervisor Alioto-Pier (30)

From Terry Diggs, expressing concerns regarding unopened/unread newspapers that accumulate on City streets. (31)

From concerned citizen, submitting opposition to the Monora that is placed at Union Square. Copy: Mayor (32)

From Abdalla Megahed, expressing concerns regarding the homeless in the City and requesting assistance regarding a supervisor at 150 Otis who was allegedly abusive. (33)

From Mirna Escobar, regarding alleged neglect and discrimination practices by the San Francisco Housing Authority. (34)

From Kimo Crossman, regarding how San Francisco will celebrate Sunshine Week. (35)

From Kimo Crossman, concerning Metadata exposure in regards to delivering documents in Word or Excel formats vs. PDF. Received 2 Letters (36)

From Stephen M. Williams, regarding adoption of findings related to the Disapproval of the Categorical Exemption issued for 376 Eureka Street. File No. 071574, Copies: Each Supervisor. (37)

From Rod Gilchrist, submitting a copy of a letter in support of Margaret Brodkin, Director, Department of Children, Youth and Their Families. (38)

From Francisco Da Costa, expressing concerns regarding the Mayoral election in San Francisco. (39)

From concerned citizens, submitting concerns regarding a police incident that occurred on Thanksgiving Day at Oakdale Public Housing. Received 3 Letters (40)

From Francisco Da Costa, submitting a link to an article regarding SFPUC. (41)

From Francisco Da Costa, regarding testing the City's elderly and children for toxic dust, heavy metals, radiological elements, and asbestos exposure. (42)

From Police Department, submitting response to Supervisor's Ammiano letter to Chief Heather Fong regarding gang violence in the Mission District. (Reference 20071016-046) (43)

From concerned citizens, expressing various concerns about San Francisco. (44)

From Dennis Shepit, submitting support for the City's ban on plastic bags. (45)

From concerned citizens, regarding the art piece "Crouching Spider" near Mission Street on the Embarcadero possibly being a ADA violation. Received 2 Letters (46)

From Public Utilities Commission, submitting response regarding graffiti removal from various locations in the City. (Reference 20071016-053) (47)

From Department of Aging and Adult Services, submitting response regarding month to month leases. (Reference 20071016-025) (48)

From Department on the Status of Women, submitting response regarding month to month leases. (Reference 20071016-020) (49)

From Chief Fong, submitting a copy of email in response to allegations of on-duty misconduct by SFPD. (50)

From William Foster, regarding a parking citation that was incorrectly filled out. (51)

### **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) 554-4188 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=4383

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 (Room 250) and the Committee Room (Room 263) 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