

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, February 26, 2008
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

APPROVAL OF MEETING MINUTES

Approval of the January 29, 2008 and February 5, 2008 Board Meeting Minutes.

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, general public comment for this item will take place during 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 8

Recommendation of the City Operations and Neighborhood Services Committee

Present: Supervisors McGoldrick, Alioto-Pier, Chu

- | | | | |
|-----------|---------------|---|-------------------------------|
| 1. | 080158 | [Apply for Grants from a State Agency - Department of the Environment] | Supervisor Alioto-Pier |
|-----------|---------------|---|-------------------------------|

Resolution authorizing the Department of the Environment to apply for a grant of up to \$200,000 from the California Energy Commission for the purpose of studying the feasibility of the use of Geothermal Heat Pumps as a source of renewable energy for the City of San Francisco.

Question: Shall this Resolution be ADOPTED?

Recommendation of the Land Use and Economic Development Committee

Present: Supervisors Maxwell, Sandoval, McGoldrick

- 2. 080138 [Changing the official sidewalk width - Berry Street]**

Ordinance amending Ordinance No. 1061 entitled "Regulating the Width of Sidewalks" by adding thereto Section 1577 to change the official sidewalk width on the northerly side of Berry Street between 7th and DeHaro 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)

2/12/2008, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the Rules Committee

Present: Supervisors Ammiano, Elsbernd, Peskin

- 3. 080054 [Settlement of Lawsuits and Claims]**

Ordinance authorizing settlement of claims made by Plaintiffs Kurt Bruneman, Tom Feledy, Narda Gillespie, Michael Hughes, Gregory Mar, Donna Meixner, Mark Osuna, Frederick Schiff, Mark Sullivan, Dennis Quinn, Donald Woolard, Michael Zurcher in a multi-party

action against the City and County of San Francisco for \$1,600,000.00, and City to credit Mark Sullivan with 125.5 compensation time hours; the three lawsuits for the above-mentioned plaintiffs were all filed in the United States District Court, Northern District, Case No. C03-4345 (filed on January 16, 2003 and entitled Frederick Schiff v. City and County of San Francisco, et al.), Case No. C04-2261 (filed on June 8, 2004 and entitled Narda Gillespie, et al. v. City and County of San Francisco, et al.), Case No. C04-2262 (filed on June 8, 2004 and entitled Mark Osuna v. City and County of San Francisco, et al.). (City Attorney)

2/12/2008, PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

4. 080055 [Settlement of Lawsuit - Teresa Yeung]

Ordinance authorizing the settlement of a lawsuit filed by Teresa Yeung, against the City and County of San Francisco for \$87,500.00; the lawsuit was filed on July 23, 2007, in San Francisco Superior Court, Case No. 07-465400, entitled Teresa Yeung v. City and County of San Francisco.

2/12/2008, PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

5. 080120 [Settlement of City's Lawsuit Against Sempra Energy, Sempra Energy Trading Corp., Southern California Gas Co. and San Diego Gas and Electric Co.]

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 \$1,000,000 to the City from defendants Sempra Energy, Sempra Energy Trading Corp., Southern California Gas Co. and San Diego Gas and Electric Co. (City Attorney)

2/12/2008, PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Present: Supervisors Ammiano, Elsbernd

6. 080136 [Approving Settlement with the California Independent System Operator and adopting the First Amended and Restated Operating Agreement]

Ordinance authorizing settlement of proceedings initiated by the California Independent System Operator before the Federal Energy Regulatory Commission in Docket No. ER06-227-000 to establish operational, scheduling and settlement requirements for certain City electrical transmission transactions and adopting the First Amended and Restated Operating Agreement. (City Attorney)

Question: Shall this Ordinance be PASSED ON FIRST READING?

7. 080183 [Appointment - Biodiesel Access Task Force]

Motion appointing Eric Smith, Kevin Clark, Michele Swiggers and Joe Burgard, terms ending December 31, 2009, to the Biodiesel Access Task Force.

Eric Smith, succeeding Melissa Hardy, term expired, seat 3, must be member of the public who represents the biodiesel community, such as a gas station owner, fleet operator and consumer, for a term ending December 31, 2009.

Kevin Clark, succeeding Karri Ving, resigned, seat 5, must be member of the public who represents the biodiesel community, such as a gas station owner, fleet operator and consumer, for a term ending December 31, 2009.

Michele Swiggers, new appointment, seat 6, must be member of the public who represents the biodiesel community, such as a gas station owner, fleet operator and consumer, for a term ending December 31, 2009.

Joe Burgard, new appointment, seat 7, must be member of the public who represents the biodiesel community, such as a gas station owner, fleet operator and consumer, for a term ending December 31, 2009.

Question: Shall this Motion be APPROVED?

8. 080184 [Appointment - In-Home Supportive Services Public Authority]

Motion appointing Tatiana Kostanian, term ending March 1, 2010, to the In-Home Supportive Services Public Authority.

Tatiana Kostanian, succeeding Elizabeth Grigsby, resigned, seat 9, must be a member of the Mayor's Disability Council, recommended to the Board by the Council, for the unexpired portion of a three-year term ending March 1, 2010.

Question: Shall this Motion be APPROVED?

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

REGULAR AGENDA

UNFINISHED BUSINESS

From the Clerk

9. 080217 [Adopting findings related to affirming the categorical exemption issued for 652 Duncan Street]

Motion adopting findings related to affirming the determination by the Planning Department that the 652 Duncan Street Project is categorically exempt from environmental review under the California Environmental Quality Act.

2/12/2008, REFERRED to Board of Supervisors.

Question: Shall this Motion be APPROVED?

10. 080254 [Adopting findings related to the conditional use appeal on property located at 3571 Sacramento Street]

Motion adopting findings related to the appeal of the Planning Commission's approval of

2/12/2008, PASSED ON FIRST READING.

From the Rules Committee Without Recommendation

14.	071663	[Charter Amendment - New hire qualifications for retiree health care; improved retirement benefits for miscellaneous employees retiring on or after January 10, 2009]	Mayor, Supervisors Elsbernd, Alioto-Pier, Mirkarimi, Chu
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15.	071536	[Access to and retention of community safety camera recordings]	Supervisors Sandoval, Mirkarimi
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1/15/2008, CONTINUED. Continued to January 29, 2008

2/12/2008, CONTINUED AS AMENDED. Continued to February 26, 2008 with the Board Sitting as a Committee of the Whole.

Agreement and authorization to designate the Director of Community Behavioral Health Services (CBHS) to sign said agreement]

Resolution retroactively approving the Mental Health Services Act Contract No. 07-77338-000, incorporating Community Program Planning Funds in FY04-05 and Community Services and Supports Funds for Fiscal Years 05-08, with the Department of Mental Health for \$18,922,386 and authorizing the San Francisco Department of Public Health (SFDPH) - CBHS Director to sign said agreement and any and all amendments in the future, including increases to add other components of MHSA. (Public Health Department)

Question: Shall this Resolution be ADOPTED?

21. 080137 [Amending a contract with anticipated expenditures in excess of \$10 million]

Resolution approving the Tenth Amendment to the Agreement between the City and County of San Francisco (Purchaser) and Sunset Scavenger Company (Contractor) for sludge hauling, extending the term of the contract by three (3) months to May 31, 2008 and increasing the total compensation to the Contractor by seven hundred fifty thousand dollars (\$750,000) to thirteen million six hundred fifteen thousand dollars (\$13,615,000), pursuant to San Francisco Charter Section 9.118(b). (Office of Contract Administration)

(Fiscal Impact.)

Question: Shall this Resolution be ADOPTED?

22. 080166 [Authorizing the execution and delivery of certificates of participation to finance the acquisition, demolition, improvement, installation, equipping, rehabilitation, construction and/or reconstruction of an office building located at 525 Golden Gate Ave]

Mayor

Resolution authorizing the execution and delivery of certificates of participation to finance the acquisition, demolition, improvement, installation, equipping, rehabilitation, construction and/or reconstruction of an office building and related property located at 525 Golden Gate Avenue; approving the form of a trust agreement between the City and County of San Francisco (the "City") and a trustee (including certain indemnities contained therein); authorizing the selection of a trustee; approving the form of a property lease between the City and a trustee relating to 525 Golden Gate Avenue; approving the form of a project lease between the City and a trustee (including certain indemnities contained therein); approving the form of a Memorandum of Understanding between the San Francisco Public Utilities Commission and the City; approving the form of an official notice of sale and notice of intention to sell for the certificates of participation; approving the form of an official statement in preliminary and final form; approving the form of a continuing disclosure certificate; adopting environmental findings under the California Environmental Quality Act ("CEQA"), CEQA Guidelines, and Administrative Code Chapter 31 and findings pursuant to the City Planning Code Section 101.1; and ratifying previous actions taken in connection therewith.

(Fiscal Impact.)

Question: Shall this Resolution be ADOPTED?

23. 080167 [Approval of Amendment No. 4 to architectural design

Mayor

Resolution authorizing the General Manager of the San Francisco Public Utilities Commission to execute Amendment No. 4 to architectural design agreement for the new San Francisco Public Utilities Commission administration building project located at 525 Golden Gate Avenue to increase the contract value by \$7,090,000 to bring the total contract value to \$11,550,000, and extend the contract duration by 26 months for a total duration of 44 months.

(Fiscal Impact.)

Present: Supervisors Peskin, Ammiano

- Resolution authorizing the Airport Commission to accept and expend two (2) grants totaling \$298,000 from the Bay Area Air Quality Management District (Air District) for acquisition of clean air vehicles by Airport transportation operators.

Present: Supervisors McGoldrick, Alioto-Pier, Chu

- Question: Shall this Resolution be ADOPTED?**

- Resolution declaring the policy that the Five-Year Strategic Plan of the San Francisco Local Homeless Board titled "Toward Ending Homelessness in San Francisco: A Five Year Strategic Plan of the San Francisco Local Homeless Coordinating Board" is the City and County of San Francisco's official homeless policy document and governs the development of an integrated, effective and coordinated system of housing, health care, employment and support services to end homelessness.

Present: Supervisors Maxwell, Sandoval, McGoldrick

Question: Shall this Motion be APPROVED?

Question: Shall this Motion be APPROVED?

Question: Shall this Ordinance be PASSED ON FIRST READING?

Chamber]

Motion approving the Planning Commission's approval of Motion No. 17529 (Case No. 2007.1332A), Certificate of Appropriateness, in order to make the President's desk and the Clerk of the Board's desk in the Board of Supervisors' Chamber accessible to persons with disabilities; Lot 001 in Assessor's Block 0787 - 1 Dr. Carlton B. Goodlett Place.

Question: Shall this Motion be APPROVED?

37. 080258 [Disapproving Planning Commission's approval for Certificate of Appropriateness regarding the alterations of the Board of Supervisors' Legislative Chamber]

Motion disapproving the Planning Commission's approval of Motion No. 17529 (Case No. 2007.1332A), Certificate of Appropriateness, in order to make the President's desk and the Clerk of the Board's desk in the Board of Supervisors' Chamber accessible to persons with disabilities; Lot 001 in Assessor's Block 0787 - 1 Dr. Carlton B. Goodlett Place.

Question: Shall this Motion be APPROVED?

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

SPECIAL ORDER 4:00 P.M.

APPEAL PROCEDURES

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

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

38. 071265 [Public Hearing - Appeal of Categorical Exemption from Environmental Review for 2721 Pierce Street]

Hearing of persons interested in or objecting to the decision of the Planning Department dated April 19, 2007, Case No. 2006.1415D, (Building Permit Application No. 2006.07.03.5586) is exempt from environmental review under Categorical Exemption, [State CEQA Guidelines, Section 15301 Class 1]. The proposal consists of adding two windows on the facade, removing a rear sun porch and adding a two-story rear addition at 2721 Pierce Street, Lot 006 in Assessor's Block 0560. (Appellants: Susan Brandt-Hawley on behalf of

Judge Carlos Bea and Louise Bea)

(Filed August 31, 2007; Companion Files to 071266, 071267, 071268; District 2.)

10/2/2007, CONTINUED. The President inquired as to whether any member of the public wished to address the Board members. Continued to November 13, 2007

11/13/2007, CONTINUED. The President inquired as to whether any member of the public wished to address the Board members. Continued to December 4, 2007

12/4/2007, CONTINUED. The President inquired as to whether any member of the public wished to address the Board members. Continued to February 26, 2008

Action:_____

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

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

- 39. 071266 [Affirming the Categorical Exemption issued for 2721
Pierce Street]**
Motion affirming the determination by the Planning Department that the 2721 Pierce Street Project is categorically exempt from environmental review under the California Environmental Quality Act.

10/2/2007, CONTINUED. Continued to November 13, 2007
11/13/2007, CONTINUED. Continued to December 4, 2007
12/4/2007, CONTINUED. Continued to February 26, 2008

Question: Shall this Motion be APPROVED?
- 40. 071267 [Disapproving the Categorical Exemption issued for
2721 Pierce Street]**
Motion disapproving the determination by the Planning Department that the 2721 Pierce Street project is categorically exempt from environmental review under the California Environmental Quality Act.

10/2/2007, CONTINUED. Continued to November 13, 2007
11/13/2007, CONTINUED. Continued to December 4, 2007
12/4/2007, CONTINUED. Continued to February 26, 2008

Question: Shall this Motion be APPROVED?
- 41. 071268 [Preparation of findings related to the 2721 Pierce
Street Project]**
Motion directing the Clerk of the Board to prepare findings related to the appeal of the determination by the Planning Department that the project at 2721 Pierce Street is exempt from environmental review under the California Environmental Quality Act.

10/2/2007, CONTINUED. Continued to November 13, 2007

11/13/2007, CONTINUED. Continued to December 4, 2007

12/4/2007, CONTINUED. Continued to February 26, 2008

Question: Shall this Motion be APPROVED?

SPECIAL ORDER 4:00 P.M.

**42. 070910 [Public Hearing - Appeal of Determination of
Exemption from Environmental Review for 3424
Jackson Street]**

Hearing of persons interested in or objecting to the decision of the Planning Department dated May 31, 2007 (Case No. 2005.1134E), exempting from environmental review under Categorical Exemption Class 1, [State Guidelines, Section 15301(e)(1)]. The proposal would construct an addition of approximately 780 square feet (sq ft) of new space, room repartitions, removal of a rear fire escape, and addition of a new rear egress staircase and three decks to a 6,510-sq ft, 35-foot-high, four-story, single-family dwelling constructed circa 1921. The proposed alterations would result in a building approximately 7,289 sq ft and 35 feet high with enlarged ground, first, second, and third floors to the rear (about 487 sq ft of additional space), and enlarged fourth floor toward the front of the building (an expansion of 292 sq ft). The site is a rectangular 4,469-sq ft parcel (Assessor's Block 0971; Lot 003B). The project site, located in the Presidio Heights neighborhood is zoned RH-1 (Residential, House - One Family) and is within a 40-X height and bulk district.

(Appellant: Howard N. Ellman on behalf of Mr. and Mrs. Karkar)

(Filed June 14, 2007; companion measure to 070911, 070912, 070913; District 2.)

7/24/2007, CONTINUED. The President inquired as to whether any member of the public wished to address the Board Members. Continued to September 18, 2007

9/18/2007, CONTINUED. The President inquired as to whether any member of the public wished to address the Board members. Continued to October 2, 2007

10/2/2007, CONTINUED. The President inquired as to whether any member of the public wished to address the Board members. Continued to October 30, 2007

10/30/2007, CONTINUED. The President inquired as to whether any member of the public wished to address the Board members. Continued to November 13, 2007

11/13/2007, CONTINUED. The President inquired as to whether any member of the public wished to address the Board members. Continued to December 4, 2007

12/4/2007, CONTINUED. The President inquired as to whether any member of the public wished to address the Board members. Continued to January 8, 2008

1/8/2008, CONTINUED. Continued to January 29, 2008

1/29/2008, CONTINUED. The President inquired as to whether any member of the public wished to address the Board members. There were none. Continued to February 26, 2008

Action:_____

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

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

- 43. 070911 [Affirming the Categorical Exemption issued for the 3424 Jackson Street project]**
Motion affirming the determination by the Planning Department that the 3424 Jackson Street project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)
- 7/24/2007, CONTINUED. Continued to September 18, 2007
9/18/2007, CONTINUED. Continued to October 2, 2007
10/2/2007, CONTINUED. Continued to October 30, 2007
10/30/2007, CONTINUED. Continued to November 13, 2007
11/13/2007, CONTINUED. Continued to December 4, 2007
12/4/2007, CONTINUED. Continued to January 8, 2008
1/8/2008, CONTINUED. Continued to January 29, 2008
1/29/2008, CONTINUED. Continued to February 26, 2008
- Question: Shall this Motion be APPROVED?**
- 44. 070912 [Disapproving the Categorical Exemption issued for the 3424 Jackson Street project]**
Motion disapproving the determination by the Planning Department that the 3424 Jackson Street project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)
- 7/24/2007, CONTINUED. Continued to September 18, 2007
9/18/2007, CONTINUED. Continued to October 2, 2007
10/2/2007, CONTINUED. Continued to October 30, 2007
10/30/2007, CONTINUED. Continued to November 13, 2007
11/13/2007, CONTINUED. Continued to December 4, 2007
12/4/2007, CONTINUED. Continued to January 8, 2008
1/8/2008, CONTINUED. Continued to January 29, 2008
1/29/2008, CONTINUED. Continued to February 26, 2008
- Question: Shall this Motion be APPROVED?**
- 45. 070913 [Preparation of findings related to the 3424 Jackson Street project]**
Motion directing the Clerk of the Board to prepare findings related to the appeal of the determination by the Planning Department that the project at 3424 Jackson Street is exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)
- 7/24/2007, CONTINUED. Continued to September 18, 2007
9/18/2007, CONTINUED. Continued to October 2, 2007

1/29/2008, CONTINUED. Continued to February 26, 2008

Question: Shall this Resolution be ADOPTED?

- 26-2008.htm[11/19/2013 9:42:37 AM]

Question: Shall this Resolution be ADOPTED?

- Question: Shall this Resolution be ADOPTED?**

080179 [Settlement of Lawsuit - Susan Sponseller]

Ordinance authorizing settlement of the lawsuit filed by Susan Sponseller against the City and County of San Francisco for \$100,000; the lawsuit was filed on January 24, 2007 in San Francisco Superior Court, Case No. 459858; entitled Susan Sponseller v. City and County of San Francisco, et al. (City Attorney)

2/7/2008, RECEIVED AND ASSIGNED to Rules Committee.

080180 [Settlement of Lawsuit]

Ordinance authorizing settlement of the lawsuit filed by Kelly Medora against the City and County of San Francisco for \$235,000; the lawsuit was filed on January 27, 2006 in United States District Court, Northern District of California, Case No. C06-00558 EDL; entitled Kelly Medora, et al., v. City and County of San Francisco, et al. (City Attorney)

2/7/2008, RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED RESOLUTIONS

Proposed resolutions received from February 5, 2008 through February 15, 2008 for reference by President to the appropriate committee on February 26, 2008.

080181 [Gift - Private, Department of Public Health - \$104,538]

Resolution authorizing the Department of Public Health to retroactively accept a gift from the San Francisco General Hospital Foundation with a monetary value of \$104,538 to back fill-staff attending training designed to decrease the risk of cardiovascular events (heart attacks and strokes) for the period of January 1, 2008 though December 31, 2010. (Public Health Department)

2/6/2008, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

080222 [Gift - Private, Public Health Department - Data Center and Electronic Medication Administration Record System]

Resolution authorizing the Public Health Department to accept a gift of a Data Center and an Electronic Medication Administration Record System for the San Francisco General Hospital (SFGH) from the San Francisco Hospital Foundation (SFGH Foundation). (Public Health Department)

2/6/2008, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

080223 [Street Encroachments on Ocean Avenue at Granada Avenue]

Resolution granting revocable permission to San Francisco Arts Commission to occupy a portion of the public right-of-way to install and maintain two mosaic sun spheres, one three feet, and one four feet in diameter near the northeasterly and southwesterly corners of Ocean Avenue and Granada Avenue, and making environmental findings and findings of

consistency with the General Plan and the priority policies of Planning Code Section 101.1. (Public Works Department)

2/11/2008, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

080224 [Gift of Equipment to Fire Department]

Resolution authorizing the San Francisco Fire Department to accept a gift of a fifteen Porto2Vent Continuous Positive Air Pressure Devices and Backpacks valued at \$19,050 from Emergent Technologies for use by Fire Department employees who provide ambulance services in the City. (Fire Department)

2/11/2008, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

080262 [Approval of the Substance Abuse and Crime Prevention Act of 2000-Implementation Plan]

Resolution authorizing adoption of the San Francisco County Plan for the Substance Abuse and Crime Prevention Act of 2000 for Fiscal Year 2007-2008. (Public Health Department)

2/14/2008, RECEIVED AND ASSIGNED to Budget and Finance Committee. Department requests that the item be referred to Budget and Finance Committee.

080263 [Lease of Real Property at 1740 Cesar Chavez Street]

Resolution authorizing a new lease of approximately 7,680 square feet at 1740 Cesar Chavez Street for the Department of Human Resources (DHR) for a term of five years. (Real Estate Department)

2/15/2008, RECEIVED AND ASSIGNED to Budget and Finance Committee.

PROPOSED MOTIONS

080268 [Petitions and Communications, Part 1]

Petitions and Communications received from February 5, 2008 through February 15, 2008 for reference by the President to February 26, 2008.

Part 1

From Clerk of the Board, submitting a copy of the Mayor's appointments to various Boards and Commissions to the Board of Supervisors. Received 2 Letters. (1)

From Office of the Sheriff, submitting 2008-2009 Efficiency Plan. Copies: Each Supervisor (2)

From War Memorial and Performing Arts Center, submitting 2008-2009 Efficiency Plan. Copies: Each Supervisor (3)

From Ethics Commission, submitting Proposed Regulations to Implement Section 1.113 of the Campaign Finance Reform Ordinance. Copies: Each Supervisor (4)

From Small Business Commission, submitting a copy of Resolution No. 001-08-SBC, urging the Mayor and the Board of Supervisors to authorize a budget expenditure to evaluate

different Business Tax options. Copies: Each Supervisor (5)

From Ethics Commission, submitting Annual Report July 1, 2006 - June 30, 2007. (6)

From Department of Elections, submitting a copy of Governor's Special Election Proclamation and advising the special election for U.S. Congressional District 12 will be on June 3, 2008 - primary election will be on April 8, 2008. Copies: Each Supervisor (7)

From Office of the Sheriff, submitting response regarding services provided to mentally ill prisoners in the San Francisco jails (Reference No. 200808108-009). (8)

From Office of the Controller, submitting Biannual Overtime Report. Copies: Each Supervisor (9)

From Ethics Commission, submitting Proposed Amendments Regarding Controller's Whistleblower Program. File No. 080019, Copies: Rules Committee Members. (10)

From Ethics Commission, regarding Proposed Regulations to Implement Section 1.113 of Campaign Finance Reform Ordinance. Copies: Each Supervisor (11)

From Human Services Agency, submitting Request for Release of Funding Reserved in the FY07-08 Budget. (12)

From Municipal Transportation Agency, submitting response regarding repainting crosswalk at O'Farrell and Steiner (Reference No. 20070619-012). (13)

From Grants for the Arts/San Francisco Hotel Tax Fund, submitting Grants for the Arts 2007 Annual Report - 2007 Voluntary Arts Contribution Fund Report. (14)

From Public Utilities Commission Citizens Advisory Committee, submitting resolutions concerning the PUC's environmental justice obligations under the San Francisco Charter, and the Sewer System Master Plan that is currently under development. Copies: Each Supervisor (15)

From Clerk of the Board, advising the Board of the Amendments to CFRO Regulations Approved by the Ethics Commission. (16)

From Department of Elections, regarding Possible Special Election U.S. Congressional District 12 on April 8, 2008. Copies: Each Supervisor (17)

From Office of the City Attorney, submitting 2008-2009 Efficiency Plan. Copies: Each Supervisor (18)

From Employees' Retirement System, submitting 2008-2009 Efficiency Plan. Copies: Each Supervisor (19)

From Planning Department, submitting 2008-2009 Efficiency Plan. Copies: Each Supervisor (20)

From Office of Historic Preservation, regarding Colombo Building Listing on the National Register of Historic Places. Copies: Each Supervisor (21)

From Juvenile Probation Department, submitting 2008-2009 Efficiency Plan. Copies: Each Supervisor (22)

From Office of Assessor-Recorder, submitting 2008-2009 Efficiency Plan. Copies: Each Supervisor (23)

From SF Chamber of Commerce, submitting opposition to proposed Charter Amendment to amend Section 4.112 to require confirmation by the Board of Supervisors of the Mayor's appointments to the PUC, File No. 071667. Copies: Each Supervisor (24)

From Fish and Game Commission, submitting copy of the notice of proposed emergency regulatory action relating to incidental take on Longfin Smelt. (25)

From Capitol Corridor Joint Powers Authority, submitting draft Intercity Passenger Rail Service Business Plan Update FY 2008-09 - FY 2009-10. (26)

From Department of Aging and Adult Services, submitting Community Living Fund: Program for Case Management, and Purchase of Resources and Services - 6 month Report, July through December 2007. (27)

From Municipal Transportation Agency, submitting Overtime Justification Report - SFMTA-DPT. (28)

From Office of the Controller, submitting FY 2007-08 Six-Month Budget Status Report. (29)

From Department of Human Resources, submitting 2008-2009 Efficiency Plan. Copies: Each Supervisor (30)

From concerned citizens, submitting opposition to Dr. Katz's proposal to eliminate Dr. Melissa Bloom's Clinic Director position at the Center for Special Problems located at 1700 Jackson St. Received approximately 229 Letters. (31)

From Board of Appeal, submitting 2008-2009 Efficiency Plan. Copies: Each Supervisor (32)

From Department of Public Works, submitting 2008-2009 Efficiency Plan. Copies: Each Supervisor (33)

From San Francisco Arts Commission, submitting 2008-2009 Efficiency Plan. Copies: Each Supervisor (34)

From Department of Telecommunications and Information Services, submitting 2008-2009 Efficiency Plan. Copies: Each Supervisor (35)

From Office of the Treasurer and Tax Collector, submitting 2008-2009 Efficiency Plan. Copies: Each Supervisor (36)

From Police Department, submitting response to homeless issues in the Outer Sunset (Reference No. 20071204007) (37)

From Fire Department, submitting a copy of Chapter 12B Waiver Request to rent rooms at various Holiday Inns for the administration of the H-40 Battalion Chief examination. (38)

From Municipal Transportation Agency Board of Directors, submitting a copy of article entitled "Op Ed" written by Chairman McCray in support of the funding of transportation-related positions in the Mayor's office. Copies: Each Supervisor (39)

From Office of the Treasurer and Tax Collector, submitting Review Report of the Statement of Cash and Investments as of March 31, 2007. (40)

From Department of Public Health, submitting Quarterly AIDS Surveillance Report. (41)

From Municipal Transportation Agency, submitting response regarding Right Turn Only lane at Lake Merced and State Drive (Reference No. 20070925-002). (42)

From Fire Department, submitting response regarding the Cosco Busan oil spill (Reference No. 20071120-023). (43)

From Office of the Controller, submitting FY 2007-08 Six-Month Budget Status Report. Copies: Each Supervisor (44)

From Office of the District Attorney, submitting 2008-2009 Efficiency Plan. Copies: Each Supervisor (45)

From Arts Commission, submitting 2008-2009 Efficiency Plan. Copies: Each Supervisor (46)

From Children and Families Commission, submitting 2008-2009 Efficiency Plan. Copies: Each Supervisor (47)

From Police Department, submitting support for resolution #596-07, which seeks an opinion from the State Attorney General on the implementation of Proposition 83. File No. 071450, Copies: Each Supervisor. (48)

From Office of the Treasurer/Tax Collector, submitting the Cash difference and Overage Fund balance and activities for the month of January 2008. (49)

From Office of the Treasurer/Tax Collector, submitting the Cash difference and Overage Fund balance and activities for the month of November 2007. (50)

From Office of the Treasurer/Tax Collector, submitting the Cash difference and Overage Fund balance and activities for the month of December 2007. (51)

From Office of the Controller, submitting response regarding Public Employees Post-Employment Benefits Commission Report. (52)

From Department of Public Health, submitting copy of the no cost modification of the contract between Siemens Medical Solutions USA and the Department of Public Health. File No. 071164 (53)

From Visitation Valley Citizens Advisory Committee, submitting a copy of letter to Supervisor Maxwell in support of Caltrain's 2025 Plan. (54)

080269 [Petitions and Communications, Part 2]

Petitions and Communications received from February 5, 2008 through February 15, 2008 for reference by the President to February 26, 2008.

From Ethics Commission, submitting a copy of Thank You letter to Melinda Haag, Esq. and colleagues for providing outside counsel to the Ethics Commission regarding Edmund Jew. Copies: Each Supervisor (55)

From Christian Holmer, regarding various Immediate Disclosure Requests and Appeal to City Attorney Supervisor of Records. Received 6 Letters (56)

From Ross Newman, submitting suggestions regarding the Condo Conversion process in the City. (57)

From Jaffer Qamar, seeking support for legislation to stop people from leaving flyers on cars and front doors in the City. Copies: Each Supervisor (58)

From concerned citizens, submitting support for Medical Marijuana Dispensaries in the City. (59)

From Edith McMillan, regarding MUNI contracts. Copies: Each Supervisor (60)

From Branden Barber, concerning victims of stolen vehicles in the City being charged tow and storage fees. Copies: Each Supervisor (61)

From Isabel Wade, submitting suggestion that the City charge a tax on SUV's in the downtown area like was recently passed in London. Copies: Each Supervisor (62)

From Jay Mosesson, submitting support to keep the Occupational Health Service at SFGH. Copies: Each Supervisor (63)

From SF Chamber of Commerce, submitting support for the proposed Charter Amendment converting local elections to even-numbered years. (64)

From Denise D'Anne, submitting support for Menu Labeling in the City. (65)

From Office of the Controller, regarding Charter Amendment for retiree health and benefits (third draft). File No. 071663, Copies: Each Supervisor (66)

From concerned citizens, expressing concerns regarding Apple Moth spraying to start in the City this summer. Copies: Each Supervisor, Receiver 5 Letters (67)

From Eileen Morentz, expressing concerns regarding affordable parking for employees at the Poison Control Center in the City. Copy: Supervisor Ammiano (68)

From Nancy Esajian, submitting support for the City to provide parking for Teachers. (69)

From Dr. Ahimsa Sumchai, regarding request for formal response to SOTF Determinations. (70)

From Dr. Ahimsa Sumchai, regarding federal action to address environmental justice in minority population and low-income populations. (71)

From Dr. Ahimsa Sumchai, submitting copy of editorial regarding alleged racism against Blacks in San Francisco. (72)

From Francisco DaCosta, submitting link to article regarding Lennar. Received 4 Letters (73)

From Francisco DaCosta, submitting link to article regarding AIMCO. Received 3 Letters (74)

From Francisco DaCosta, submitting link to article regarding Affordable Housing in and around Candlestick Point. (75)

From Francisco DaCosta, submitting link to article regarding Caligula. (76)

From Francisco DaCosta, submitting link to article regarding Susan Leal and the SFPUC. (77)

From Francisco DaCosta, submitting link to article regarding Bayview Hunters Point Area. (78)

From Francisco DaCosta, submitting link to article regarding Mayor Newsom's visit to Sunnydale. (79)

From Francisco DaCosta, submitting link to article regarding Espanola Jackson's 75th Birthday. (80)

From Brandt-Hawley Law Group, regarding Appeal of Categorical Exemption for 2721 Pierce Street Case No. 2006.1415D. File No. 071265, Copies: Each Supervisor. (81)

From concerned citizens, submitting opposition for proposed Taxi cab gate increase. File No. 071371, Copies: Each Supervisor. Received 3 Letters (82)

From Police Department, submitting support for resolution urging the Attorney General to clarify how Penal Code 3003 and the transient provision of Penal Code 290 apply to Jessica's Law. File No. 071450, Copies Each Supervisor. (83)

From concerned citizens, submitting opposition to the proposed closures at St. Luke's Hospital. File No. 071556, Copies: City Operations and Neighborhood Services Committee Members. Received 2 Letters (84)

From concerned citizens, submitting opposition to proposed ordinance prohibiting formula retail in the Mission/Bernal Formula Retail Restricted Use Subdistrict. File No. 071561 (85)

From concerned citizens, submitting support for proposed ordinance prohibiting formula retail in the Mission/Bernal Formula Retail Restricted Use Subdistrict. File No. 071561, Received 6 Letters. (86)

From concerned citizens, submitting opposition to proposed ordinance which would require Menu Labeling at Chain Restaurants. File No. 071661, Received 8 Letters (87)

From Bay Area Water Supply & Conservation Agency, opposing proposed Charter Amendment which would require Board confirmation of appointments to the Public Utilities Commission. File No. 071667, Copies: Each Supervisor. (88)

From Law Offices of Stephen Williams, regarding Supplemental Letter Brief- 652 Duncan St. - Appeal of Categorical Exemption. File No. 080010 (89)

From Sue Hestor, regarding report on Academy of Art University relocation actions - SF Flower Market. File No. 080093 (90)

From concerned citizens, submitting support for the Mayor's reappointment of Ryan Brooks to the Public Utilities Commission. File No. 080115, Received 6 Letters (91)

From Engineering & Utility Contractors Association, submitting support for the Mayor's appointments of Ryan Brooks and Richard Sklar to the Public Utilities Commission. File No. 080115, Copies: Each Supervisor. (92)

From Bruce Brugmann, submitting opposition to the Mayor's reappointment of Ryan Brooks and Richard Sklar to the Public Utilities Commission. File No. 080115 (93)

From Bay Area Water Supply & Conservation Agency, submitting support for the Mayor's reappointment of Richard Sklar to the Public Utilities Commission. File No. 080119, Copies: Each Supervisor (94)

From Kimo Crossman, submitting opposition to Mayor's appointment of Richard Sklar to Public Utilities Commission. File No. 080119 (95)

From Stephen Williams, regarding 3569-3571 Sacramento Street Appeal of Conditional Use. File No. 080127 (96)

From concerned citizens, expressing concerns regarding Conditional Use Appeal for 3571 Sacramento Street. File No. 080127, Copies: Each Supervisor. Received 3 Letters(97)

From concerned citizens, submitting opposition to the ordinance authorizing the Chambers Settlement. File No. 080135, Received 11 Letters (98)

From Joe Mirabile, regarding emissions standards for the City's taxi fleet. File No. 080138, Copies: Each Supervisor (99)

From Ivan Pratt, expressing various concerns regarding Tom Waddell Clinic. (100)

From concerned citizens, expressing concerns regarding proposed cutbacks for Recreation Center Staff. File No. 080188, Copies: Each Supervisor (101)

From Harvey Milk LGBT Democratic Club, submitting support for Medical Cannabis Resolution. File No. 080192 (102)

From Mary Miles, regarding proposed resolution requesting traffic calming and pedestrian and bicyclist safety improvements on Masonic Ave. from Geary Ave. to Haight St. File No. 080200, Copies: Each Supervisor. (103)

From Thomas Flood, expressing concerns regarding cigarette smoking in apartment building in the City. Copy: Supervisor Peskin (104)

From Municipal Transportation Agency, submitting response regarding left turn signal improvement on Sloat Blvd. at 19th Ave. (Reference No. 20071023-019). (105)

From Department of Public Health, submitting a copy of Chapter 12B Waiver Request for California Pacific Medical Center, Mills Peninsula, Marin General, and Fremont Hospital to provide as needed hospitalized psychiatric services for San Francisco's uninsured Indigent mentally ill clients diverted from SFGH for immediate hospitalization. (106)

From California Water Boards, submitting Work Notice for Trans Bay Cable SF Converter Station Site at 525 23rd Street. (107)

From Chinese Hospital, expressing concerns regarding a recent Chronicle article regarding hospitals not meeting their charity care obligation. (108)

From Ben Lin, submitting support for the EarthLink Wi-Fi Agreement. (109)

From Employees Retirement System, submitting cost and effect report for proposed Charter Amendment - New hire qualifications for retiree health care, etc. Copies: Each Supervisor (110)

From Mark Murphy, expressing concerns regarding a bill for 4 years of Escape Property Taxes he received. Copies: Each Supervisor (111)

From Roland Garret, regarding San Francisco General Hospital - Rebuild versus Retrofit. (112)

From Kimo Crossman, regarding text messages about Oil Spill Emergency. (113)

From US Army Corps of Engineers, submitting San Francisco District Public Notice regarding Todd Village. (114)

From concerned citizens, submitting support to release money from "Rainy Day" fund for schools in the City. File No. 080142, Copies: Each Supervisor. Received 2 Letters (115)

From SF Arts Commission, submitting copy of response to constituent regarding alleged Disability Access Violation. (116)

From Clerk of the Board, submitting Board of Supervisors/Clerk of the Board's 2008-2009 Efficiency Plan. (117)

APPOINTMENTS BY THE MAYOR

Small Business Commission
Darlene Chiu

Commission on the Status of Women
Nicky Calma

Human Rights Commission
Khaldoun Baghdadi

Municipal Transportation Board of Directors
Bruce Oka
Malcolm Heinicke

Planning Commission
Ryan Brooks

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.

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 ESPAÑOL: 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