

**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
City Seal*



AGENDA

**Tuesday, March 4, 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

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 5

Recommendations of the Budget and Finance Committee

Present: Supervisors Peskin, Ammiano, Dufty

- | | | | |
|-----------|---------------|--|------------------------------|
| 1. | 071671 | [De-appropriating \$50,000 Golden Gate Park Stables General Fund project and Re-appropriating \$50,000 for Golf Course Recreational Study at Recreation and Park for Fiscal Year 2007-2008] | Supervisor McGoldrick |
|-----------|---------------|--|------------------------------|

Ordinance de-appropriating \$50,000 of General Fund from the Golden Gate Park Stables Project and re-appropriating \$50,000 of General Fund for a Recreational Opportunity Study at San Francisco Golf Courses in the Department of Recreation and Park for Fiscal Year 2007-2008.

2/26/2008, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

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| 2. | 080098 | [Appropriating \$55,000,000 of Commercial Paper revenue for Terminal Improvements T2 Boarding Area D renovations at the San Francisco Airport for Fiscal Year 2007-2008] | Mayor |
|----|--------|--|-------|

Ordinance appropriating \$55,000,000 of commercial paper revenues for Renovations to the terminal two boarding area D at the San Francisco Airport for Fiscal Year 2007-2008.

(Mayor)

(Fiscal Impact.)

2/26/2008, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendation of the Land Use and Economic Development Committee

Present: Supervisors Maxwell, Sandoval, McGoldrick

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| 3. | 080189 | [Landmark Designation of 451 Jersey Street (Carnegie Noe Valley/Sally Brunn Branch Library)] | Supervisor Dufty |
|----|--------|--|------------------|

Ordinance designating 451 Jersey Street, the Carnegie Noe Valley/Sally Brunn Branch Library, (Assessor's Block Number 6539, Lot Number 034), as a Landmark under Planning Code Article 10; and adopting General Plan, Planning Code Section 101.1(b) and environmental findings.

2/26/2008, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the Rules Committee

Present: Supervisors Ammiano, Elsbernd

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| 4. | 071299 | [Updating a statutory reference in provision regarding settlement of minors' claims] | Supervisor Peskin |
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Ordinance amending the San Francisco Administrative Code by amending Section 10.22-1, to update a statutory reference in a Code provision regarding the settlement of claims made against the City by minors.

Question: Shall this Ordinance be FINALLY PASSED?

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 FINALLY PASSED?

REGULAR AGENDA

UNFINISHED BUSINESS

Ordinance amending the San Francisco Administrative Code by amending Section 19.3 to allow the Public Defender and other criminal defense attorneys, investigators and the District Attorney to obtain community safety camera recordings for particular purposes; and amending Section 19.6 to specify the procedures for the Public Defender and other criminal defense attorneys and investigators to request community safety camera recordings and to require that the Department of Telecommunications and Information Services retain the recordings for at least 30 days but not more than 30 days.

Question: Shall this Ordinance be FINALLY PASSED?

03-04-2008.htm[11/19/2013 9:42:38 AM]

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

7. **080257** **[Approving Planning Commission's approval for Certificate of Appropriateness regarding the alterations of the Board of Supervisors' Legislative 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.

2/26/2008, CONTINUED. Continued to March 4, 2008

Question: Shall this Motion be APPROVED?

8. **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.

2/26/2008, CONTINUED. Continued to March 4, 2008

Question: Shall this Motion be APPROVED?

From the Rules Committee Without Recommendation

Present: Supervisors Ammiano, Elsbernd

9. **071679** **[Solar Energy Incentive Program]**

Ordinance amending the Environment Code by adding Chapter 18 creating a Solar Energy Incentive Program; establishing limits on the incentive payments; providing eligibility criteria for the incentive payments; establishing limits on the amount of assistance available; allocating program funding among types of buildings; and imposing duties and responsibilities on the program administrator. (Assessor-Recorder)

2/26/2008, AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.

2/26/2008, PASSED ON FIRST READING AS AMENDED.

Question: Shall this Ordinance be FINALLY PASSED?

NEW BUSINESS

Recommendations of the Budget and Finance Committee

Present: Supervisors Peskin, Ammiano

10. **080191** **[Mortgage Revenue Bonds]**

Supervisor Mirkarimi

Resolution declaring the intent of the City and County of San Francisco (the "City") to

reimburse certain expenditures from proceeds of future bonded indebtedness; authorizing the Director of the Mayor's Office of Housing (the "Director") to submit an application and related documents to the California Debt Limit Allocations Committee ("CDLAC") to permit the issuance of qualified mortgage revenue bonds in an aggregate principal amount not to exceed \$12,000,000 for 850 Broderick Street (Zygmunt Arendt House); authorizing and directing the Director to direct the Controller's Office to hold in trust an amount not to exceed \$60,000 in accordance with CDLAC procedures; authorizing the Director to certify to CDLAC that the City has on deposit the required amount; authorizing the Director to pay an amount equal to such deposit to the State of California if the City fails to issue the qualified mortgage revenue bonds; approving, for purposes of the Internal Revenue Code of 1986, as amended, the issuance and sale of mortgage revenue bonds by the City in an aggregate principal amount not to exceed \$12,000,000; authorizing and directing the execution of any documents necessary to implement this Resolution; and ratifying and approving any action heretofore taken in connection with the Project (as defined herein) and the Application (as defined herein).

Question: Shall this Resolution be ADOPTED?

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| 11. | 080099 | <p>[Appropriating \$34,896,162 of bond sale proceeds, interest and property rental revenues for improvements and construction of San Francisco Public Library Facilities Fiscal Year 2007-2008]</p> | Mayor |
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Ordinance appropriating \$31,065,000 of bond sale proceeds from the 2000 Branch Library Improvement Program Bond - 4th Series, \$3,679,362 in bond interest earned and \$151,800 in rent monies to fund the improvement and construction of the San Francisco Public Library Facilities for Fiscal year 2007-08. Place Controller's Reserve on \$31,065,000 of the bond sale proceeds pending sale of the bond.

Question: Shall this Ordinance be PASSED ON FIRST READING?

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| 12. | 080159 | <p>[Issuance and Sale of Tax-Exempt Bonds - Lycee Francais Laperouse]</p> | Supervisor Chu |
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Resolution approving the issuance and sale of tax-exempt bonds by the California Statewide Communities Development Authority in an aggregate principal amount not to exceed \$2,000,000 to finance the acquisition, construction, improvement and/or equipping of facilities owned by Lycée Français Lapérouse or an affiliate and certain other matters relating thereto.

Question: Shall this Resolution be ADOPTED?

From the Budget and Finance Committee Without Recommendation

Present: Supervisors Peskin, Ammiano

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| 13. | 080193 | <p>[Appropriating \$2,263,846 of General Fund Reserve for Indigent Defense Expenses in the Superior Court for Fiscal Year 2007-2008]</p> | Supervisor Maxwell |
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Ordinance appropriating \$2,263,846 of General Fund Reserve to fund unanticipated increased costs of indigent defense expenses associated with People v. Bell as well as adult criminal and juvenile delinquency cases in the Superior Court of California for Fiscal Year 2007-2008.

Question: Shall this Ordinance be PASSED ON FIRST READING?

Recommendation of the Government Audit and Oversight Committee

Present: Supervisors Elsbernd, Alioto-Pier, Daly

14. 080234 **[Directing the Budget Analyst to conduct a managerial audit of the First Offender Prostitution Program]** **Supervisor McGoldrick**
- Motion directing the Budget Analyst to conduct a managerial audit on the First Offender Prostitution Program (FOPP), a diversion program of Standing Against Global Exploitation (SAGE).
- (Supervisor Elsbernd dissented in committee.)

Question: Shall this Motion be APPROVED?

Recommendations of the Land Use and Economic Development Committee

Present: Supervisors Maxwell, Sandoval, McGoldrick

15. 071156 **[Planning Code Amendments to implement the Van Ness and Market Downtown Residential Special Use District]** **Supervisor Mirkarimi**
- Ordinance amending the San Francisco Planning Code to implement the Market and Octavia Area Plan of the General Plan by adding Section 249.33 to establish the Van Ness and Market Downtown Residential Special Use District (VNMDR-SUD); and adopting environmental findings and findings of consistency with the General Plan and the eight priority policies of Planning Code Section 101.1.
- 8/13/07 - Economic Impact.

Question: Shall this Ordinance be PASSED ON FIRST READING?

16. 071157 **[Planning Code Amendments to implement the Market and Octavia Area Plan]** **Supervisor Mirkarimi**
- Ordinance amending the San Francisco Planning Code to implement the Market and Octavia Area Plan of the General Plan by amending Section 102.5 (District); Section 121.1 (Development on Large Lots, Neighborhood Commercial Districts); Section 121.2 (Use Size Limits (Non-Residential), Neighborhood Commercial Districts); Section 124 (Basic Floor Area Ratio); Section 132 (Front Setback); Section 134 (Rear Yards); Section 135 (Usable Open Space For Dwelling Units and Group Housing); Section 144 (Treatment of Ground Story On Street Frontages); Section 145.1 (Street Frontages, Neighborhood Commercial Districts); Section 145.4 (Street Frontages Downtown and Mixed-Use Districts); Section 151.1 (Schedule of Required Off-Street Parking Spaces); Section 152. (Schedule of Required Off-Street Freight Loading Spaces in Districts Other Than C-3 or South of Market); Section 153 (Rules for Calculation of Required Spaces); Section 154 (Minimum dimensions for required off-street parking, freight loading and service vehicle spaces); Section 155 (General Standards as to Location and Arrangement of Off-Street Parking, Freight Loading and Service Vehicle Facilities); Section 156 (Parking Lots); Section 166 (Requirements for Provision of Car-Share Parking Spaces); Section 167 (Parking Costs Separated from Housing Costs in New Residential Buildings); Section 201 (Classes of Use Districts); Section 207.1. (Rules For Calculation Of Dwelling Unit Densities); Section 207.4 (Density of Dwelling

Units in Neighborhood Commercial Districts); Section 208 (Density Limitations for Group Housing); Section 209.1-209.9 (Uses Permitted in RTO Districts); Section 234.2 (Requiring CU Authorization for specified uses in P Districts within the Market and Octavia Neighborhood Area); Section 253 (Review of Proposed Buildings and Structures Exceeding a Height of 40 Feet in R Districts); Section 270 (Bulk Limits: Measurement); Section 303 (Conditional Uses: Determination); Section 304 (Planned Unit Developments: Criteria and Limitations); Section 311 (Residential Permit Review Procedures for RH and RM Districts: Applicability); Section 315 (Inclusionary Housing requirements) including adding a \$10 per square foot fee on new residential development in the Plan Area in addition to the existing inclusionary housing requirements; Section 316 (Procedures for Conditional Use Authorization in Neighborhood Commercial and South of Market Districts and for Live/Work Units in RH, RM, and RTO Districts); Section 603 (Exempted Signs); Section 606 (Residential Districts); Section 702.1 (Neighborhood Commercial Use Districts); Section 720.1 (Hayes-Gough Neighborhood Commercial Transit District) to conform these sections with the new VNMDR-SUD, NCT and RTO district controls; and adding new zoning districts and a new special use district including Section 121.5 to establish controls for Development on Large Lots in Residential Districts; Section 121.6 to restrict lot mergers in residential districts and on pedestrian-oriented streets; Section 158.1 related to Non-accessory Parking Garages in NCT and RTO Districts and the Van Ness and Market Downtown Residential Special Use District; Section 206.4 to establish the Transit-Oriented Residential District (RTO); Section 207.6 related to Required Minimum Dwelling Unit Mix and Unit Subdivision Restrictions in RTO and NCT Districts; Section 207.7 relating to Restrictions on Demolition, Conversion, and Merger of Existing Dwelling Units in RTO and NCT Districts; Section 230 establishing Limited Corner Commercial Uses in RTO Districts; Section 249.33 to establish the Van Ness and Market Downtown Residential Special Use District (VNMDR-SUD); Section 249.34 to establish the Fulton Street Grocery Store Special Use District; Section 249.35 to establish the Duboce Triangle Flexible Density Special Use District; Section 261.1 related to Additional Height Limits for Narrow Streets and Alleys in RTO and NCT Districts; Section 263.18 creating a Special Height Exception: Additional Five Feet Height for Ground Floor uses in NCT 40-X and 50-X Height and Bulk Districts; Section 263.20 Special Height Exceptions: Fulton Street Grocery Store Special Use District 40-X/50-X Height District; Sections 326-326.8 establishing the Market and Octavia Community Improvements Fee and Fund including community improvement fees of \$10 per square foot for certain new residential and \$4 per square foot for certain new commercial developments, and a springing fee for transit and parking impacts with a maximum fee of \$9 per square foot for transit impacts from residential development and \$5 per square foot for impacts from new parking spaces; Sections 341-341.4 establishing a Better Neighborhoods Area Plan Monitoring Program; Sections 731 and 731.1 creating an NCT-3 Moderate-Scale Neighborhood Commercial Transit District; Sections 732 and 732.1 creating the Upper Market Street Neighborhood Commercial Transit District; adding an uncoded Section 4 adopting procedures for treatment of historic resources in the Plan Area; and adopting environmental findings and findings of consistency with the General Plan and the eight priority policies of Planning Code Section 101.1.

(Economic Impact.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

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| 17. | 080255 | <p>[Planning Code Amendments to implement the Market and Octavia Area Plan]</p> <p>Ordinance amending the San Francisco Planning Code to implement the Market and Octavia Area Plan of the General Plan by amending Section 102.5 (District); Section 121.1 (Development on Large Lots, Neighborhood Commercial Districts); Section 121.2 (Use Size</p> | <p>Supervisor McGoldrick</p> |
|-----|--------|--|-------------------------------------|

Limits (Non-Residential), Neighborhood Commercial Districts); Section 124 (Basic Floor Area Ratio); Section 132 (Front Setback); Section 134 (Rear Yards); Section 135 (Usable Open Space For Dwelling Units and Group Housing); Section 144 (Treatment of Ground Story On Street Frontages); Section 145.1 (Street Frontages, Neighborhood Commercial Districts); Section 145.4 (Street Frontages Downtown and Mixed-Use Districts); Section 151.1 (Schedule of Required Off-Street Parking Spaces); Section 152. (Schedule of Required Off-Street Freight Loading Spaces in Districts Other Than C-3 or South of Market); Section 153 (Rules for Calculation of Required Spaces); Section 154 (Minimum dimensions for required off-street parking, freight loading and service vehicle spaces); Section 155 (General Standards as to Location and Arrangement of Off-Street Parking, Freight Loading and Service Vehicle Facilities); Section 156 (Parking Lots); Section 166 (Requirements for Provision of Car-Share Parking Spaces); Section 167 (Parking Costs Separated from Housing Costs in New Residential Buildings); Section 201 (Classes of Use Districts); Section 207.1. (Rules For Calculation Of Dwelling Unit Densities); Section 207.4 (Density of Dwelling Units in Neighborhood Commercial Districts); Section 208 (Density Limitations for Group Housing); Section 209.1-209.9 (Uses Permitted in RTO Districts); Section 234.2 (Requiring CU Authorization for specified uses in P Districts within the Market and Octavia Neighborhood Area); Section 253 (Review of Proposed Buildings and Structures Exceeding a Height of 40 Feet in R Districts); Section 270 (Bulk Limits: Measurement); Section 303 (Conditional Uses: Determination); Section 304 (Planned Unit Developments: Criteria and Limitations); Section 311 (Residential Permit Review Procedures for RH and RM Districts: Applicability); Section 315 (Inclusionary Housing requirements) including adding a \$10 per square foot fee on new residential development in the Plan Area in addition to the existing inclusionary housing requirements; Section 316 (Procedures for Conditional Use Authorization in Neighborhood Commercial and South of Market Districts and for Live/Work Units in RH, RM, and RTO Districts); Section 603 (Exempted Signs); Section 606 (Residential Districts); Section 702.1 (Neighborhood Commercial Use Districts); Section 720.1 (Hayes-Gough Neighborhood Commercial Transit District) to conform these sections with the new VNMDR-SUD, NCT and RTO district controls; and adding new zoning districts and a new special use district including Section 121.5 to establish controls for Development on Large Lots in Residential Districts; Section 121.6 to restrict lot mergers in residential districts and on pedestrian-oriented streets; Section 158.1 related to Non-accessory Parking Garages in NCT and RTO Districts and the Van Ness and Market Downtown Residential Special Use District; Section 206.4 to establish the Transit-Oriented Residential District (RTO); Section 207.6 related to Required Minimum Dwelling Unit Mix and Unit Subdivision Restrictions in RTO and NCT Districts; Section 207.7 relating to Restrictions on Demolition, Conversion, and Merger of Existing Dwelling Units in RTO and NCT Districts; Section 230 establishing Limited Corner Commercial Uses in RTO Districts; Section 249.33 to establish the Van Ness and Market Downtown Residential Special Use District (VNMDR-SUD); Section 249.34 Fulton Street Grocery Store Special Use District; Section 261.1 related to Additional Height Limits for Narrow Streets and Alleys in RTO and NCT Districts; Section 263.18 creating a Special Height Exception: Additional Five Feet Height for Ground Floor uses in NCT 40-X and 50-X Height and Bulk Districts; Section 263.20 Special Height Exceptions: Fulton Street Grocery Store Special Use District 40-X/50-X Height District; Sections 326-326.8 establishing the Market and Octavia Community Improvements Fee and Fund including community improvement fees of \$10 per square foot for certain new residential and \$4 per square foot for certain new commercial developments, and a springing fee for transit and parking impacts with a maximum fee of \$9 per square foot for transit impacts from residential development and \$4 per square foot for impacts from new parking spaces; Sections 341-341.4 establishing a Better Neighborhoods Area Plan Monitoring Program; Sections 731 and 731.1 creating an NCT-3 Moderate-Scale Neighborhood Commercial Transit District; Sections 732 and 732.1 creating the Upper Market Street Neighborhood Commercial Transit District; adding an uncodified Section 4 adopting procedures for treatment of historic resources in the Plan Area; and adopting environmental

Question: Shall this Ordinance be PASSED ON FIRST READING?

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

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

Present: Supervisors Ammiano, Elsbernd, Peskin

- Question: Shall this Resolution be ADOPTED?**

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.*

22. 080211 [Public Hearing - Appeal, Final Environmental Impact Report for 55 Laguna Street Mixed Use Project]

Hearing of persons interested in or objecting to the decision of the Planning Commission's January 17, 2008, certification of a Final Environmental Impact Report identified as Case No. 2004.0773E, through its Motion No. M-17532, for the proposed 55 Laguna Street Mixed Use Project, Lots 001, 002, and 003 in Assessor's Block 0870 and Lots 001, and 01A in Assessor's Block 0857. (Appellant: Cynthia Servetnick, Director, Save the Laguna Street Campus.)

(Filed February 6, 2008; companion measure to Files 080212, 080213, 080214; District 8.)

Action:_____

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the Final Environmental Impact Report 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.)

23. 080212 [Affirming certification of 55 Laguna Street Mixed Use Project FEIR]

Motion affirming the certification by the Planning Commission of the Final Environmental Impact Report for the 55 Laguna Street Mixed Use Project.

Question: Shall this Motion be APPROVED?

24. 080213 [Disapproving certification of 55 Laguna Street Mixed

Use Project FEIR]

Motion disapproving the certification by the Planning Commission of the Final Environmental Impact Report for 55 Laguna Street Mixed Use Project.

Question: Shall this Motion be APPROVED?

25. 080214 [Preparation of findings to disapprove certification of 55 Laguna Street Mixed Use Project FEIR]

Motion directing the Clerk of the Board to prepare findings disapproving the certification by the Planning Commission of the Final Environmental Impact Report for the 55 Laguna Street Mixed Use Project.

Question: Shall this Motion be APPROVED?

COMMITTEE REPORTS

The following items will be considered by the Land Use and Economic Development Committee at a Regular Meeting on Monday, March 3, 2008, at 1:00 p.m. The Chair intends to request the Committee to send the following items to the Board as a committee report on Tuesday, March 4, 2008.

26. 080157 [Zoning - Educational services and institutional uses, Mixed Use Districts and NCDs] Supervisor Peskin

Ordinance amending the Planning Code by amending Sections 102.2 to exclude specified accredited educational institutions from the definition of arts activities; amending Section 790.50 and 890.50 to clarify that certain institutions, including accredited educational institutions, in the Neighborhood Commercial Districts and Mixed Use Districts are required to comply with applicable provisions of the institutional master plans as set forth in Section 304.5; and making environmental findings and findings of consistency with the General Plan and priority policies of Planning Code Section 101.1.

Question: Shall this Ordinance be PASSED ON FIRST READING?

27. 080156 [Zoning - Prohibition on specified educational services in Western SoMa] Supervisor Peskin

Ordinance amending the Planning Code by amending Section 823 to prohibit educational institutions as defined in Section 890.50(c) in the Western SoMa Planning Area Special Use District; and making environmental findings and findings of consistency with the General Plan and priority policies of Planning Code Section 101.1.

(Economic Impact)

Question: Shall this Ordinance be PASSED ON FIRST READING?

28. 080280 [Zoning - Repeal of the interim moratorium on institutional uses in the Western SoMa] Supervisor Peskin

Ordinance repealing the interim zoning moratorium that prohibits the establishment of specified new institutional uses in the Western SoMa Planning Area Special Use District.

Question: Shall this Ordinance be PASSED ON FIRST READING?

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| 29. | 080192 | [Lease Disposition and Development Agreement and Lease for Property Located at 850 Broderick Street] | Supervisor Mirkarimi |
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Resolution approving and authorizing the Mayor's Office of Housing to enter into a lease disposition and development agreement for a long term ground lease with Arendt House, L.P., a California Limited Partnership, for the development and operation of affordable housing and associated uses on certain real property located at 850 Broderick Street and authorizing the Director of Property to enter into the lease.

Question: Shall this Resolution be ADOPTED?

30. 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.

31. PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes.

Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures 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.

Items 32 through 41

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| 32. | 080246 | [Lifting time limits in rental subsidy program for low income families] | Supervisors Daly, Ammiano, Mirkarimi |
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Resolution calling on the Human Services Agency (HSA) to remove the arbitrary time limit in its local housing subsidy for homeless families and to make the timeline for this subsidy need-based.

2/12/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE
AGENDA AT THE NEXT BOARD MEETING.

2/26/2008, CONTINUED. Continued to March 4, 2008

Question: Shall this Resolution be ADOPTED?

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| 33. | 080285 | [Noe Valley/Sally Brunn Branch Library re-opening] | Supervisor Dufty |
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2/26/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE
AGENDA AT THE NEXT BOARD MEETING.

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| 34. | 080286 | [Support of bill designating safety enhancement-double fine zones] | Supervisors Chu, Elsbernd, McGoldrick, Mirkarimi |
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2/26/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE
AGENDA AT THE NEXT BOARD MEETING.

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| 35. | 080287 | [Adopting the U.S. Cool Counties Climate Stabilization Declaration] | Supervisor Daly |
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2/26/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE
AGENDA AT THE NEXT BOARD MEETING.

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| 36. | 080288 | [Commending the American Academy of Orthopedic Surgeons, the Friends of Balboa Park Playground, KaBOOM! and the Neighborhood Parks Council] | Supervisor Sandoval |
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2/26/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE
AGENDA AT THE NEXT BOARD MEETING.

37. 080289 [Mountain Lake Park - Toxic Issues] Supervisor Alioto-Pier

2/26/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE
AGENDA AT THE NEXT BOARD MEETING.

38. **080292 [Grant funds to support HIV vaccine trials]** Supervisor Alioto-Pier

2/26/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE
AGENDA AT THE NEXT BOARD MEETING.

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| 39. | 080293 | [Accept-Expend Private Foundation Grant - Department of the District Attorney] | Supervisor Alioto-Pier |
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2/26/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE
AGENDA AT THE NEXT BOARD MEETING.

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| 40. | 080291 | [Amending the FY 2007-2008 schedule of audits to be conducted of programs of City and County departments by the Budget Analyst] | Supervisor Mirkarimi |
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2/26/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE
AGENDA AT THE NEXT BOARD MEETING.

41. 080296 [Authorizing preparation of Proponent/Opponent ballot arguments and rebuttal ballot arguments for submittal to the voters at the June 3, 2008 Election]

2/28/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE
AGENDA AT THE NEXT BOARD MEETING.

Questions on the For Adoption Without Committee Reference 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 February 19 through February 25, 2008, for reference by President to appropriate committee on March 4, 2008.
None.

PROPOSED RESOLUTIONS

Proposed resolutions received from February 19 through February 25, 2008, for reference by President to appropriate committee on March 4, 2008.
None.

080301 [Petitions and Communications]

Petitions and Communications received from February 19, 2008 through February 25, 2008 for reference by the President to March 4, 2008.

From Beverly Cannon, withdrawing permit for improvements on property located at 2721 Pierce Street. File 071265, Copy: Each Supervisor(1)

From Office of the Controller, submitting notice that as of 5:00 p.m., February 22, 2008, the Controller's Office has not received fiscal year budget submissions from the following departments: Academy of Sciences, Economic and Workforce Development, Treasurer/Tax Collector, Trial Courts. Copy: Each Supervisor(2)

From Department of Elections, regarding the Special Primary Election on April 8, 2008 for Congressional District 12. Copy: Each Supervisor(3)

From Francisco Da Costa, commenting on Lennar Corporation. 4 letters(4)

From Department of Telecommunications and Information Services, submitting request for waiver of Chapter 12B of the Administrative Code for GlobalScape Content Management to perform software maintenance.(5)

From Office of the Controller, submitting comment that the motion regulating the permitted locations of new liquor stores and their conditions of operation would be a minimal impact on the cost of government.File 080062, Copy: Rules Committee members(6)

From Capital Planning Committee, submitting recommendations for financing of and supplemental appropriation request for capital projects. File 0715520(7)

From Francisco Da Costa, submitting support for an investigation of the SF Department of Elections linked to the process of validating the petitions and the signatures regarding the affordable housing requirement for the Candlestick Point and Hunters Point Shipyard Mix-Use Development Project. 2 letters(8)

From Francisco Da Costa, commenting on the lack of good leaders in the Bayview/Hunters Point and understanding of planning issues.(9)

From Kimo Crossman, submitting letters entitled Is SF usual suspects.com an "Authoritative Source" for SF Political news? 3 letters(10)

From Dougcoms, commenting on letters entitled Is SF usual suspects.com an "Authoritative Source" for SF Political news?(11)

From Alex Clemens, submitting copy of letter sent to Kimo Crossman regarding Is SF usual suspects.com an "Authoritative Source" for SF Political news?(12)

From Christian Holmer, commenting on various issues concerning city government.4 letters(13)

From Department of Elections, submitting copy of letter sent to the proponent of the Initiative Ordinance concerning Mixed-Use Development Project for Candlestick Point and Hunters Point Shipyard.(14)

From Michael Nulty, regarding HUD low income maintenance prodigal problem.(15)

From concerned citizens, submitting opposition to the elimination of the Clinical Director position at the Center for Special Problems located at 1700 Jackson Street. Approximately 100 letters(16)

From Department of Elections, regarding the effects of Proposition C on submitting, withdrawing, and publishing ballot measures. Copy: Each Supervisor(17)

From Department of Elections, regarding review of the initiative petition submitted regarding "Affordable Housing Requirement for the Candlestick Point and Hunters Point Shipyard Mixed-Used Development Project."(18)

From Public Utilities Revenue Bond Oversight Committee, submitting the 2007 annual report of the Public Utilities Revenue Bond Oversight Committee.(19)

From Peter Witt, submitting the "SF Limousines Operating Illegally" report for January 2007 through January 9, 2008.(20)

From Office of the Treasurer, submitting portfolio statistics from July 1, 2007 to January 31, 2008.(21)

From Susan Vaughan, submitting support for the reappointment of Christina Olague to the Planning Commission. File 080240(22)

From State of California Fish and Game Commission, submitting notice of proposed changes in regulations relative to Klamath River Sport Fishing.(23)

From State of California Fish and Game Commission, submitting notice of proposed changes regulations relative to 2008-2009 mammal hunting.(24)

From Ivan E. Pratt, commenting on the HIV/AIDS Foundation.(25)

From Howard Chabner, commenting on the proposed Chambers settlement agreement. File 080125, Copy: Each Supervisor, 2 letters(26)

From Dr. Ahimsa Porter Sumchai, regarding the San Francisco General Hospital Seismic Hospital Replacement Project Environmental Impact Report.(27)

From Dr. Ahimsa Porter Sumchai, regarding several issues and concerns. 3 letters(28)

From Ann Garrison, commenting on being directed to the wrong polling place in her district.(29)

From Office of the Mayor, submitting correction regarding status on violence prevention and the ShotSpotters pilot project. (Reference 20080115-011)(30)

From Idriss Sterlley Foundation, urging the Board to allow the SF voters decide whether or not to allow the Blue Angels air show. Copy: Supervisor Sandoval(31)

From Jerry Landis, commenting on the proposal to make 10 percent of the Treasure Island units affordable.(32)

From Martin Guttman, regarding renaming the San Francisco International Airport to "Tom Lantos San Francisco International Airport".(33)

From Peggy Setiono, submitting opposition to the elimination of the Community Behavioral Health Services Program Director position at the Center for Special Problems. 2 letters(34)

From concerned citizen, commenting on St. Luke's Hospital's medical services being cut by Sutter Health. File 071489(35)

From Eileen Hessi, submitting support for the Mission/Bernal Formula Restricted Use District ordinance. File 071561,(36)

From Kevin Montreuil, commenting on minimum health and safety standards in the City's shelters. 2 letters(37)

From Small Business Commission, submitting a resolution urging the Mayor and the Board of Supervisors to authorize a budget expenditure to evaluate different business tax options.(38)

From Manish Champsee, regarding Mayor Office staff being paid by Municipal Transportation Agency funds.(39)

From Mr. and Mrs. George O'Connell, submitting opposition to the elimination of positions in the Health Service System. Copy: Each Supervisor(40)

From Christopher Calder, commenting on an article published regarding biofuel being worse for the environment than using oil. (41)

From Benjamin Disraeli, commenting on proposed budget cuts which will affect the California school system.(42)

From Alvin Johnson, regarding an appeal of termination filed on his behalf.(43)

From Cathie Quickert, regarding the proposed plan to close the clinic at San Francisco General Hospital.(44)

From Tim Brace, commenting on the proposed central subway project.(45)

APPOINTMENTS BY THE MAYOR

Retirement Board
Brenda Wright

Public Utilities Commission
Francis X. Crowley

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