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, April 29, 2008 2:00 PM

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 15

Recommendations of the City Operations and Neighborhood Services Committee

Present: Supervisors Chu, Elsbernd

1. 080435 [Funds to support Department of Public Health

Supervisor Alioto-Pier

Emergency Preparedness - \$468,469]

Resolution authorizing the San Francisco Department of Public Health (DPH) to accept and expend retroactively a grant in the amount of \$468,469 from the California Department of Public Health (CDPH) Emergency Preparedness Office, to fund the Hospital Preparedness Program; for the period of September 1, 2007 through August 8, 2008.

Question: Shall this Resolution be ADOPTED?

2. 080439 [Grant to fund rapid HIV tests in San Francisco -\$781,839]

Resolution authorizing the San Francisco Department of Public Health (DPH), to accept and expend retroactively a new three-year grant from the California Department of Public Health (CDPH) in the amount of \$731,070, including a retroactive contract with University of California - San Francisco (UCSF) which includes a 12 percent contingency for a total of \$781,839 to support the project entitled "Expanded and Integrated Human Immunodeficiency Virus (HIV) Testing of Populations Disproportionately Affected by HIV (Primarily African Americans);" for the period of October 1, 2007 through September 30, 2010.

Supervisor Dufty

Question: Shall this Resolution be ADOPTED?

3.080440[Grant to support technical assistance for an
HIV/AIDS project - \$215,928]Supervisor Dufty

Resolution authorizing the San Francisco Department of Public Health (DPH), to accept and expend retroactively a new grant from the Bill and Melinda Gates Foundation in the amount of \$215,928, including a retroactive contract with Public Health Foundation Enterprises, Inc. (PHFE) in the amount of \$207,198, for the "China MSM: Technical Assistance" project; for the period of January 1, 2008 through December 31, 2008.

Question: Shall this Resolution be ADOPTED?

4. 080452 [Gift of up to \$300,000 - private, Department of Public Health]

Resolution authorizing the Department of Public Health, Community Behavioral Health Services to retroactively accept a gift of Buprenorphine medication from Reckitt Benkiser Pharmaceuticals with a monetary value of up to \$300,000 for the period of March 1, 2008 through August 31, 2008 for ongoing and new patients receiving Opiate Replacement Treatment in San Francisco. (Public Health Department)

Question: Shall this Resolution be ADOPTED?

5. 080476 [Grant funds to support nutrition services - \$343,000] Supervisor Alioto-Pier

Resolution authorizing the San Francisco Department of Public Health (DPH) to accept and expend a three-year grant in the amount of \$343,000 from the Vitamin Cases Consumer Settlement Fund to support the "Women's Nutritional Awareness Project," for the period of July 1, 2008 through June 30, 2011.

Question: Shall this Resolution be ADOPTED?

Recommendations of the Rules Committee

Present: Supervisors Daly, Dufty, Ammiano

080458 [Settlement of Claim - Christopher L. Blackstock-\$40,000]

6.

Resolution approving the settlement of the unlitigated claim filed by Christopher L. Blackstock against San Francisco for \$40,000; claim was filed on September 13, 2007. (City Attorney)

Question: Shall this Resolution be ADOPTED?

7. 080378 [Appointment - Sweatfree Procurement Advisory Group- Jaime Crook]

Motion appointing Jamie Crook, term ending December 17, 2009, to the Sweatfree Procurement Advisory Group.

Jamie Crook, succeeding Christina Martinez, term expired, seat 4, must be member of the public, for the unexpired portion of a two-year term ending December 17, 2009.

Question: Shall this Motion be APPROVED?

8. 080429 [Appointments - In-Home Supportive Services- Alice Wong, Sharon Brunn and Rosie Byers]

Motion appointing Alice Wong, Sharon Brunn and Rosie Byers, terms ending March 1, 2011, to the In-Home Supportive Services Public Authority.

Alice Wong, succeeding herself, term expired, seat 13, must be consumer at-large who is 18 years of age or older, for term ending March 1, 2011.

Sharon Brunn, succeeding herself, term expired, seat 3, must be consumer at-large over the age of 55, for term ending March 1, 2011.

Rosie Byers, succeeding herself, term expired, seat 12, must be member representating the bargaining unit of the union that represents IHSS independent providers, for term ending March 1, 2011.

Question: Shall this Motion be APPROVED?

9. 080432 [Appointments - Bicycle Advisory Committee- Mark Hostenpiller and Jake Wegmann]

Motion appointing Mark Hostenpiller and Jake Wegmann, terms ending November 19, 2008, to the Bicycle Advisory Committee.

Mark Hostenpiller, succeeding Francisco Hernandez, term expired, seat 9, must be a nominee of District 9 Supervisor. The member must serve a two-year term or for the tenure of the Supervisor who nominated the member, whichever is shorter in duration, for term ending November 19, 2008.

Jake Wegmann, succeeding Hitesh Soneji, term expired, seat 6, must be a nominee of District 6 Supervisor. The member must serve a two-year term or for the tenure of the Supervisor who nominated the member, whichever is shorter in duration, for term ending November 19, 2008.

Question: Shall this Motion be APPROVED?

10. 080433 [Appointments - Commission on the Aging Advisory

Council- Lila McCarthy and Anna Maria Pierini]

Motion appointing Lila McCarthy and Anna Maria Pierini, terms ending March 31, 2010, to the Commission on the Aging Advisory Council, residency requirement waived.

Lila McCarthy, succeeding herself, term expired, seat 1, must be nominee of District 2 Supervisor, for a two-year term ending March 31, 2010. Anna Maria Pierini, succeeding herself, term expired, seat 4, must be nominee of District 3 Supervisor, for a two-year term ending March 31, 2010 (residency requirement waived).

Question: Shall this Motion be APPROVED?

11.080454[Settlement of Lawsuit - John Weatherspoon III-
\$5,150,000.00]

Ordinance authorizing settlement of the lawsuit filed by John Weatherspoon III, by and through his Guardian Ad Litem, Barbara Weatherspoon against the City and County of San Francisco for \$5,150,000.00; the lawsuit was filed on May 9, 2006 in San Francisco Superior Court, Case No. 452-083; entitled John Weatherspoon III, by and through his Guardian Ad Litem, Barbara Weatherspoon v. City and County of San Francisco, et al. (City Attorney)

Question: Shall this Ordinance be PASSED ON FIRST READING?

12. 080455 [Settlement of Lawsuit - Marnix Van Ammers and Jean Walker- \$70,000.00]

Ordinance authorizing settlement of the lawsuit filed by Marnix Van Ammers and Jean Walker against the City and County of San Francisco for \$70,000.00; the lawsuit was filed on April 9, 2007 in the San Francisco Superior Court, Case No. 462-146; entitled Van Ammers, et al., v. City and County of San Francisco, et al. (City Attorney)

Question: Shall this Ordinance be PASSED ON FIRST READING?

13. 080456 [Settlement of Lawsuit - Jane Martin- \$75,000]

Ordinance authorizing settlement of the portion of the lawsuit filed by Aristides Cisneros and Shirley Kollman against the City and County of San Francisco for \$75,000; the lawsuit was filed on January 31, 2005 in San Francisco Superior Court, Case No. 436930; entitled Jane Martin, et al. v. City and County of San Francisco, et al. (City Attorney)

Question: Shall this Ordinance be PASSED ON FIRST READING?

14. 080457 [Settlement of Lawsuit - Margarita Hill- \$55,000]

Ordinance authorizing settlement of the lawsuit filed by Margarita Hill against the City and County of San Francisco for \$55,000; the lawsuit was filed on December 12, 2006 in San Francisco Superior Court, Case No. 458664; entitled Margarita Hill v. City and County of San Francisco, et al. (City Attorney)

Question: Shall this Ordinance be PASSED ON FIRST READING?

15. 080334 [Settlement of Lawsuit - CCSF v. Pacific Gas & Electric Company, et al.]

Ordinance authorizing settlement of the lawsuit filed by the City and County of San Francisco against Pacific Gas and Electric Co., et al. on June 20, 2005, in San Francisco

Superior Court, Case No. CGC-05-442416, entitled, City and County of San Francisco, a municipal corporation v. Pacific Gas and Electric Co., a corporation, Stacy and Witbeck/Esquivel, a joint venture, Stacy and Witbeck, Inc., a corporation, Esquivel Grading and Paving, Inc., a corporation, Bauman Landscape, Inc., a corporation, and DOES 1 to 25, inclusive. (City Attorney)

Question: Shall this Ordinance be PASSED ON FIRST READING?

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

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendations of the Budget and Finance Committee

Present: Supervisors McGoldrick, Elsbernd, Mirkarimi, Daly, Chu

16.080359[Appropriating \$6,593,103 for Officer Training,
Inmate Housing Cost Overruns, and Compensatory
Time Off for the Sheriff and Public Health
Departments for Fiscal Year 2007-2008]

Mayor

Ordinance de-appropriating \$323,886 of General Fund and appropriating \$600,000 of Sheriff Inmate Program Beginning Fund Balance, \$269,044 of Peace Officer Training funds, and \$5,400,173 of General Fund Reserve for peace officer training and cost overruns related to inmate housing and Compensatory Time Off in the Sheriff's Department, and jail health services in the Department of Public Health for a total appropriation of \$6,593,103 for Fiscal Year 2007-2008.

(Fiscal Impact.)

4/22/2008, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Present: Supervisors McGoldrick, Elsbernd, Daly, Chu

17. 080444 [Appropriating \$275,237 of Beginning Fund Balance for Grievance Arbitration Expenses and Workers' Compensation Settlement Costs in the War Memorial for Fiscal Year 2007-2008] Mayor

Ordinance appropriating \$275,237 of Beginning Fund Balance for Grievance Arbitration Expenses and Workers' Compensation Settlement Costs in the War Memorial for Fiscal Year 2007-2008.

(Fiscal Impact.)

4/22/2008, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendation of the Government Audit and Oversight Committee

Present: Supervisors Peskin, Maxwell

18. 080481 [Settlement of Lawsuits - M-J SF Investments, LLC - Supervisor Peskin \$5.163]

Ordinance authorizing settlement of two lawsuits filed by M-J SF Investments, LLC, against the City and County of San Francisco for \$5,163 in costs to the City and County of San Francisco; the first lawsuit was filed on April 6, 2006, in San Francisco Superior Court, Case No. CGC-06-451001; entitled M-J SF Investments, LLC, et al., v. City and County of San Francisco, et al; the second lawsuit was filed on September 21, 2007, in San Francisco Superior Court, Case No. CPF-07-507496; entitled M-J SF Investments, LLC, et al., v. City and County of San Francisco, et al; other material terms of said settlement are set forth in the Settlement Agreement and Release of Claims contained in Board of Supervisors File No. 080481.

4/22/2008, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the Land Use and Economic Development Committee

Present: Supervisors Maxwell, Sandoval, Peskin

19.071531[Amending the Planning Code to include properties in
the proposed Excelsior Alcohol Restricted Use District
in the Fringe Financial Service Restricted Use District
and making related Zoning Map Amendments]Supervisor Sandoval

Ordinance amending San Francisco Planning Code Sections 249.35, 711, and 712 to include properties in the proposed Excelsior Alcohol Restricted Use District in the Fringe Financial Service Restricted Use District prohibiting new fringe financial services, as defined, with certain exceptions, including properties in the Assessor's Blocks fronting on both sides of Mission Street from Silver Avenue to the Daly City border; amending Special Use District Maps Numbers SU11 and SU12 of the Zoning Map of the City and County of San Francisco to define the boundaries of the Fringe Financial Service Restricted Use District; and making findings, including environmental findings and findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan.

4/22/2008, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

20.080279[Landmark Designation of 900 Innes Avenue
(Shipwright's Cottage)]

Ordinance designating 900 Innes Avenue (Shipwright's Cottage) as a Landmark under Planning Code Article 10; and adopting General Plan, Planning Code Section 101.1(b) and environmental findings.

Supervisor Maxwell

4/22/2008, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

NEW BUSINESS

Recommendation of the City Operations and Neighborhood Services Committee

Present: Supervisors Chu, Elsbernd

21. 071294 [Climate change goals and action plan]

Ordinance amending the San Francisco Environment Code by adding Chapter 9, Sections 900 through 908, to establish City greenhouse gas emissions targets and departmental action plans, to authorize the Department of the Environment to coordinate efforts to meet these targets, and to make environmental findings.

Question: Shall this Ordinance be PASSED ON FIRST READING?

Recommendation of the Government Audit and Oversight Committee

Present: Supervisors Peskin, Maxwell

080485 22. [General Obligation Refunding Bonds]

Resolution approving the form of and authorizing the distribution of a preliminary official statement relating to the issuance of City and County of San Francisco General Obligation Refunding Bonds and authorizing the preparation, execution and delivery of a final official statement; acknowledging the receipt of certain information relating to such Refunding Bonds; ratifying the approvals and terms and conditions of a previous resolution; and related matters.

Question: Shall this Resolution be ADOPTED?

Recommendation of the Land Use and Economic Development Committee

Present: Supervisors Maxwell, Sandoval, Peskin

23. 071674 [Zoning - Amend Superseded Height and Bulk **Supervisor Peskin Provisions in the North Beach NCD**]

Ordinance amending the San Francisco Planning Code by amending Section 722.1 and the Zoning Control Table in Section 722 to delete building height and bulk provisions superseded by Ordinance No. 20-88 and adopting findings, including environmental findings, Section 302 findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1.

Question: Shall this Ordinance be PASSED ON FIRST READING?

Recommendations of the Rules Committee

Present: Supervisors Daly, Dufty, Ammiano

24. 080423 [Appointment, Planning Commission - Ron Miguel]

Motion approving the Mayor's appointment of Ron Miguel to the Planning Commission term ending June 30, 2008. (Mayor)

(Section 4.105 of the City Charter provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days of the date the nomination is transmitted to the Clerk then

Supervisor Mirkarimi

Mayor

Question: Shall this Motion be APPROVED?

25. 080430 [Confirming the reappointment of Thomas Mazzucco to the San Francisco Police Commission]

Mayor

Motion confirming the Mayor's nomination of, and reappointing, Thomas Mazzucco to the San Francisco Police Commission for a four-year term ending April 30, 2012.

(Section 4.109 of the City Charter provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days of the date the nomination is transmitted to the Clerk then the nominee shall be deemed approved. Transmittal date - March 28, 2008.)

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:

Appeals where all parties have agreed to request a continuance or a tabling of the appeal.
 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.

26. 070967 [Public Hearing - Appeal of Minor Sidewalk Encroachment for 1166 Haight Street]

Hearing of persons interested in or objecting to the decision of the Department of Public Works, by its letter dated June 13, 2007, approving a request of Minor Sidewalk Encroachment Permit to construct a warped driveway ramp and two (2) planter boxes to encroach 3'-0" into the public sidewalk right-of-way (25% of the sidewalk width as allowed by Article 15, Section 723.2 of the Public Works Code) fronting the property at 1166 Haight Street to provide access to a proposed garage below grade. (Appellant: Raquel Fox.)

(Filed June 28, 2007; companion measure to Files 070968, 070969; District 5.)

7/24/2007, CONTINUED. The President inquired as to whether any member of public

wished to address the Board Members. Continued to September 11, 2007

9/11/2007, CONTINUED. The President inquired as to whether any member of the public wished to address the Board members. Continued to October 16, 2007

10/16/2007, CONTINUED. The President of the Board 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 January 15, 2008

1/15/2008, CONTINUED. The President inquired as to whether any member of the public wished to address the Board members. Continued to March 18, 2008

3/18/2008, CONTINUED. Continued to April 29, 2008

Action:

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

27.	070968	[Minor Sidewalk Encroachment Permit Appeal for 1166 Haight Street] Motion disapproving the decision of the Director of Public Works' approval of a Minor Sidewalk Encroachment Permit at 1166 Haight Street and denying the Encroachment Permit.	
		7/24/2007, CONTINUED. Continued to September 11, 2007	
		9/11/2007, CONTINUED. Continued to October 16, 2007	
		10/16/2007, CONTINUED. Continued to October 30, 2007	
		10/30/2007, CONTINUED. Continued to January 15, 2008	
		1/15/2008, CONTINUED. Continued to March 18, 2008	
		3/18/2008, CONTINUED. Continued to April 29, 2008	
		Question: Shall this Motion be APPROVED?	
28.	070969	[Minor Sidewalk Encroachment Permit Appeal for 1166 Haight Street]	
		Motion approving the decision of the Director of Public Works' approval of a Minor Sidewalk Encroachment Permit at 1166 Haight Street and denying the appeal.	
		7/24/2007, CONTINUED. Continued to September 11, 2007	
		9/11/2007, CONTINUED. Continued to October 16, 2007	
		10/16/2007, CONTINUED. Continued to October 30, 2007	
		10/30/2007, CONTINUED. Continued to January 15, 2008	
		1/15/2008, CONTINUED. Continued to March 18, 2008	
		3/18/2008, CONTINUED. Continued to April 29, 2008	

page break

Question: Shall this Motion be APPROVED?

SPECIAL ORDER 4:00 P.M.

29. 080460 [Public Hearing - Conditional Use Appeal for 1575 South Van Ness Avenue]

Hearing of persons interested in or objecting to the decision of the Planning Commission dated March 13, 2008, relating to the disapproval of a Conditional Use Authorization (Case No. 2007.1456C), under Planning Code Sections 703.3 and 703.4 to allow a Formula Retail Use paint store (dba ICI Paints) within a Moderate Scale (NC-3) Neighborhood Commercial District on property located at 1575 South Van Ness Avenue; Lot 027 in Assessor's Block 6571.

The Commission could not affirmatively vote to either approve or disapprove the application due to a 3-3 split on the Commission. In the absence of an affirmative action, the project is considered disapproved by the Commission. (Appellant: Paul R. Johnson on behalf of The Glidden Company dba ICI Paints.)

(Filed April 4, 2008; companion measure to Files 080461, 080462, 080463; District 9.)

Action:_____

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

 30.
 080461 [Approving Conditional Use Application for property located at 1575 South Van Ness Avenue]

 Motion approving design of the Planning Commission disapproving Conditional Use

Motion approving decision of the Planning Commission disapproving Conditional Use Application 2007.1456C on property located at 1575 South Van Ness Avenue.

Question: Shall this Motion be APPROVED?

31.080462[Disapproving Conditional Use Application for
property located at 1575 South Van Ness Avenue]Motion disapproving decision of the Planning Commission disapproving Conditional Use
Application 2007.1456C on property located at 1575 South Van Ness Avenue.

Question: Shall this Motion be APPROVED?

 32.
 080463
 [Findings - 1575 South Van Ness Avenue Conditional Use Application Appeal]

 Motion directing the Clerk to prepare findings related to the proposed Conditional Use Application 2007.1456C on property located at 1575 South Van Ness Avenue.

Question: Shall this Motion be APPROVED?

Pursuant to Government Code Section 65009, notice is hereby given: If you challenge the above matter in court, you may be limited to raising only those issues you or someone else raised at the public hearing described above, or in written correspondence delivered to the Board of Supervisors, (1 Dr. Carlton B. Goodlett Place, Room 244; San Francisco, CA 94102-4689) at, or prior to, the public hearing.

33. ROLL CALL FOR INTRODUCTIONS

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

activities.

34. PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee 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 35 through 40

35.	080571	[Commendation of Lorraine Woodruff-Long]	Supervisor Elsbernd	
		Resolution commending Lorraine Woodruff-Long for her service to San Francisco parents through the organization Parents for Public Schools of San Francisco.		
		4/22/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING. Question: Shall this Resolution be ADOPTED?		
36.	080572	[Small Business Week - May 12 - 17, 2008]	Supervisors Dufty, Maxwell, Alioto-Pier	
		Resolution proclaiming May 12, 2008 to May 17, 2008 Small Business Week in San Francisco.		
		4/22/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.		
		Question: Shall this Resolution be ADOPTED?		
37.	080573	[Commending Officer Daryl Deen on 24 years of service to the San Francisco Police Department]	Supervisor Dufty	
		Resolution commending San Francisco Police Department Officer Daryl Deen for 24 years o service.		
		4/22/2008, REFERRED FOR ADOPTION WITHOUT C AGENDA AT THE NEXT BOARD MEETING.	OMMITTEE REFERENCE	
		Question: Shall this Resolution be ADOPTED?		

38. 080574 [Hepatitis B Free Week in San Francisco - May 10 -17, 2008]

Resolution declaring May 10 - 17, 2008 Hepatitis B Free Week in the City and County of San Francisco.

4/22/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

39.080575[State Grant to support the High Risk (Pest Exclusion)Supervisor Alioto-PierProgram - \$66,325]

Resolution authorizing the San Francisco Department of Public Health (DPH), to retroactively accept and expend funds from the California Department of Food and Agriculture (CDFA) in the amount of \$66,325 in support of the High Risk (Pest Exclusion) Program, for the period of July 1, 2007 through June 30, 2008.

4/22/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

40. 080532 [Proclaiming May 1, 2008 to be International Workers' Supervisors Sandoval, Ammiano Day, affirming San Francisco as a Sanctuary City, and urging the Congress of the United States to repeal the REAL ID Act of 2005]

Resolution proclaiming May 1, 2008 to be International Workers' Day, affirming San Francisco as a Sanctuary City, and urging the Congress of the United States to repeal the REAL ID Act of 2005.

4/15/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

4/22/2008, CONTINUED.

Question: Shall this Resolution be ADOPTED?

Questions on the For Adoption Without Committee Reference Agenda:_____

41. IMPERATIVE AGENDA

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

[Serious Injury Finding]

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

[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 April 15, 2008 to April 21, 2008, for reference by President to appropriate committee on April 29, 2008.

080514 [Increasing Street Artist Certificate Fee and Increasing Rate of Compensation of the Advisory Committee of Street Artists and Crafts Examiners]

Ordinance amending Article 24 of the San Francisco Police Code by amending Section 2404.1 to increase the fee for a Street Artist Certificate and amending Section 2402 to increase the rate of compensation for the Advisory Committee of Street Artists and Craftsmen Examiners, and making environmental findings. (Arts Commission)

4/15/2008, ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 5/22/2008.

PROPOSED RESOLUTIONS

Proposed resolutions received from April 15, 2008 to April 21, 2008, for reference by President to appropriate committee on April 29, 2008.

080515 [Lease of Real Property at 1 Dr. Carlton B. Goodlett Place, North Light Court]

Resolution authorizing the lease of 2,400 square feet of space to Juma Ventures, Inc., a California non-profit corporation, in City Hall located at 1 Dr. Carlton B. Goodlett Place. (Real Estate Department)

4/21/2008, RECEIVED AND ASSIGNED to Budget and Finance Committee.

080502 [Petitions and Communications]

Petitions and Communications received from April 15, 2008 through April 21, 2008 for reference by the President to April 29, 2008.

From concerned citizens, urging the Board to support the proposed amendment of the "Scene in San Francisco" Rebate Program. File 071659, Copy: Each Supervisor, 3 letters.(1)

From Department of Elections, submitting a copy of the Certification of Election Results and

the Statement Vote for the April 8, 2008 Special Congressional Open Primary Elections.(2)

From Rev. Paul Porter, commenting on the Olympic Torch Relay.(3)

From concerned citizens, urging the Board to support the safe approach to controlling the Little Brown Apple Moth. File 080409, Copy: Each Supervisor, 2 letters.(4)

From Save the Laguna Street Campus, submitting a request for continuance and public hearing regarding the 55 Laguna Mixed Use Project. File 080211, Copy: Each Supervisor, 2 letters.(5)

From concerned citizens, urging the Board to hold public hearings to review the purposes and practices of the San Francisco Zoo. File 080031, Copy: Each Supervisor, 37 letters.(6)

From concerned citizens, commenting on various issues and concerns. Copy: Each Supervisor.(7)

From Howard Chabner, J.D., commenting on the Chambers v. City and County of San Francisco lawsuit. File 080135, Copy: Each Supervisor.(8)

From Marsh and Associates, requesting the Board to consider amendments on the Market and Octavia Area Plan. File 071157 & 071159.(9)

From Office of the City Attorney, responding to an inquiry regarding an appeal of Planning Commission Resolution No. 17573 recommending adoption of the Market and Octavia Plan. File 071157, Copy: Each Supervisor.(10)

From Municipal Transportation Agency, submitting Tow Refund Report for the first quarter of calendar year 2008.(11)

From Secretary of State's Elections Division, submitting a cassette-recorded version of the Official California Voter Information Guide.(12)

From Christian Holmer, commenting on various issues and concerns, 4 letters.(13)

From concerned citizens, commenting on the Video on Demand System upgrade. 2 letters.(14)

From James Chaffee, commenting on media presentation at the Board of Supervisors Meeting.(15)

From Office of the Administrative Services, responding to an inquiry related to media presentation at the Board of Supervisors Meeting.(16)

From concerned citizens, commenting on Proposition G. 2 letters.(17)

From Francisco Da Costa, submitting various articles from various websites. 3 letters. (18)

From concerned citizens, submitting comments and concerns relating to the Planning Code Amendments to implement the Market and Octavia Area Plan. File 071157 & 071159, Copy: Each Supervisor, 2 letters.(19)

From Office of the Clerk of the Board, regarding the Mayor's appointments to various Commissions. 2 letters.(20)

From Office of Economic and Workforce Development, submitting an announcement of the Request for Proposals (RFP) #102 regarding the provision of Workforce Investment Act Services.(21)

From Gail Moore, submitting concerns regarding San Francisco waste management system.(22)

From Harris Bruce Taback, Esq., submitting notice of Save the Laguna Street Campus Association filing a petition regarding 55 Laguna Mixed Use Project. File 080211, Copy: Each Supervisor.(23)

From California Legislature Senate Rules Committee, regarding the Governor's appointment of Joseph K. Lyou, Ph.D., as a member of the South Coast Air Quality Management District Board. Copy: Each Supervisor.(24)

From Mayor Newsom, designating various Supervisors as Acting-Mayor from 9:00AM on April 18, 2008 until 5:00PM on April 21, 2008. Copy: Each Supervisor.(25)

From Fine Arts Museums, submitting a complaint letter to San Francisco Fire Department - Division of Fire Prevention and Investigation.(26)

From Office of the Controller, submitting a report to the Mayor's Office of Housing regarding the results of the City Services Auditor Division's follow-up review. (27)

From Paul Morningstar, commenting on Tibet.(28)

From Office of the Clerk of the Board, submitting a memorandum to the Board of Supervisors on Amendments to Regulation regarding Notice of Statement of Incompatible Activities. Copy: Each Supervisor.(29)

From Ann Garrison, submitting statistics on natural gas and liquefied natural gas. File 080524, Copy: Each Supervisor.(30)

From Municipal Transportation Agency, submitting a letter to Contract Compliance, Human Rights Commission regarding California Paratransit Buses and Minivans Procurement Contract.(31)

From Kimo Crossman, submitting a copy of the Sunshine Ordinance Task Force Complaint regarding violations to various sections of the California Public Records Act.(32)

From Kimo Crossman, submitting a request to Angela Calvillo, Clerk of the Board to be present at the April 22, 2008 Sunshine Ordinance Task Force Meeting.(33)

From State of California Fish and Game Commission, submitting a copy of the continuation notice of proposed regulatory action related to Big Horn Sheep.(34)

From James Reedy, submitting a letter to Mayor Newsom commenting on Recreation and Park Department.(35)

From Veterans Affairs Commission, urging the Board to assist and help the Posts of the American Legion during the retrofit exodus from Veterans Buildings.(36)

From Ethics Commission, submitting 2007 Mayoral Public Financing Program and a

Feasibility and Costs Study of a Full Public Financing Program Report. Copy: Each Supervisor.(37)

From Alvin Johnson, commenting on various issues and concerns.(38)

From concerned citizens, commenting on papers and plastic bags littering problems. 10 letters.(39)

From Municipal Transportation Agency, responding to Supervisor Elsbernd's request to investigate pedestrian safety at the westbound MUNI stop (N-Judah) at Judah Street and 16th Avenue. (40)

From Save the Laguna Street Campus, submitting a testimony on the approval of the 55 Laguna Mixed Use Project. File 080211, Copy: Each Supervisor.(41)

From concerned citizen, submitting a notification of PG&E application filing for approval for recovery in rates of costs previously deemed reasonable associated with the valuation of its hydroelectric generation assets.(42)

From Coalition for San Francisco Neighborhoods, urging the Board to support open government legislation. File 071596, Copy: Each Supervisor.(43)

From Patrick Missud, submitting a letter to San Francisco Redevelopment Agency regarding Certificates of Preference.(44)

From P. Gianni, commenting on various issues and concerns.(45)

From James Chaffee, commenting on various issues relating to the Board of Supervisors.(46)

From Andrea O'Leary, submitting a letter to Recreation & Park Commission commenting on funds and budgets.(47)

From Banker's Art Museum, recommending the artist, Sky Jones for a commendation or award.(48)

From Dr. Ahimsa Porter Sumchai, commenting on Congressional Investigation of the Centers for Disease Control and Prevention.(49)

APPOINTMENT BY THE MAYOR

Arts Commission Topher Delaney Rene Bihan

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

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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