

# 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, October 28, 2008  
2:00 PM**

### **Regular Meeting**

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**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**

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### **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.*

### **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 7

#### Recommendations of the Budget and Finance Committee

*Present: Supervisors McGoldrick, Elsbernd, Mirkarimi*

- 1. 081160 [Appropriating \$86,367,000 of Bond revenue and adopting environmental findings for Crystal Springs Bypass Tunnel at the Public Utilities Commission for Fiscal Year 2008-2009] Supervisor McGoldrick**

Ordinance appropriating \$86,367,000 of Proceeds from Sale of Bonds for the Water System Improvement Program's (WSIP) construction of the Crystal Springs Bypass Tunnel Project at the San Francisco Public Utilities Commission for Fiscal Year 2008-2009, placing the entire appropriation on Controller's reserve pending the proceeds of indebtedness, and adopting environmental findings and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1. (Mayor)

(Fiscal Impact.)

10/21/2008, PASSED ON FIRST READING. Supervisor McGoldrick requested to be added as sponsor.

**Question: Shall this Ordinance be FINALLY PASSED?**
- 2. 081226 [Accept-Expend Metropolitan Transportation Commission Grant and Amendment to the Annual Salary Ordinance, FY 2008-2009] Supervisor Alioto-Pier**

Ordinance authorizing the Department of the Environment to accept and expend a grant up to the amount of \$210,000 over the next three fiscal years from the Metropolitan Transportation Commission to provide Transportation Demand Management services to employers on behalf of the 511 Regional Rideshare Program, with the City providing 11.47% of the project costs, and amending Annual Salary Ordinance Number 141-08 to reflect the addition of one (1) grant funded position at the Department of the Environment.

10/21/2008, PASSED ON FIRST READING.

**Question: Shall this Ordinance be FINALLY PASSED?**
- 3. 081197 [Transfer of Real Property - 575 Polk Street] Mayor**

Ordinance authorizing the transfer of responsibilities for the court facilities at 575 Polk Street and the agreement to make ongoing payments of fixed court facility payments equal to \$323,132.00 per year, adjusted by an inflation index, to the State of California pursuant to such transfer.

10/21/2008, PASSED ON FIRST READING.

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

4. **081198** [Transfer of Real Property - 400 McAllister Street] **Mayor**

Ordinance authorizing the transfer of responsibilities and the future transfer of fee interest in the court facility located at 400 McAllister Street and the agreement to make ongoing payments of fixed court facility payments equal to \$955,022.00 per year, adjusted by an inflation index, to the State of California pursuant to such transfer.

10/21/2008, PASSED ON FIRST READING.

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

**Recommendation of the Government Audit and Oversight Committee**

*Present: Supervisors Peskin, Maxwell*

5. **081216** [Reward for Information about underpayment of property tax] **Supervisor McGoldrick**

Ordinance approving Assessor's recommended reward for information that led to detection of underpayment of property tax from unreported change of ownership.

10/21/2008, PASSED ON FIRST READING. Supervisor McGoldrick requested to be added as sponsor.

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

**Recommendations of the Land Use and Economic Development Committee**

*Present: Supervisors Maxwell, Sandoval, Peskin*

6. **080883** [Zoning Map - Creating the New Mission-Harrington Special Use District] **Supervisor Sandoval**

Ordinance amending the San Francisco Planning Code by adding new Section 780.3, creating the Mission-Harrington Special Use District, located at 4550 Mission Street at the intersection with Harrington Street; amending the Table at Section 712, to refer to this new Special Use District; amending the Zoning Maps Special Use District Map SU11, Zoning Map ZN11 and Height and Bulk Map HT11 of the Zoning Map of the City and County of San Francisco, to refer to this new Special Use District; adopting findings, including environmental findings and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1.

10/21/2008, PASSED ON FIRST READING.

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

*Present: Supervisors Maxwell, Peskin*

7. **081161** [Mission Bay North-Acceptance of Land and Improvements for Block N2]

Ordinance accepting the Mission Bay Block N2 Public Improvements on Third, Fourth, Berry, and King Streets; approving the dedication of the strips of land along the west side of Third Street, East Side of Fourth Street, North side of Berry Street and South Side of King

Street for right-of-way purposes; designating street grades and sidewalk widths; accepting the irrevocable offer for the acquisition facilities for public use and maintenance purposes; adopting environmental findings and findings that such actions are consistent with the City's General Plan, eight priority policy findings of City's Planning Code Section 101.1, and the Mission Bay North Redevelopment Plan; accepting Department of Public Works Order No. 177,778; and authorizing official acts in connection with this ordinance. (Public Works Department)

10/21/2008, PASSED ON FIRST READING.

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

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

## **REGULAR AGENDA**

### **UNFINISHED BUSINESS**

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

*Present: Supervisors McGoldrick, Elsbernd, Mirkarimi*

8.        **081085**        **[Public Employment - Office of the Public Defender]**        **Supervisor McGoldrick**  
Ordinance amending Ordinance No. 141-08 (Annual Salary Ordinance FY 2008-2009) to reflect the addition of two positions (2.0 FTE) Class 8177 Attorneys (Civil/Criminal) in the Office of the Public Defender (PDR).

(Supervisor Elsbernd dissented in committee.)  
(Fiscal Impact.)

10/21/2008, PASSED ON FIRST READING.

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

#### **Recommendation of the Government Audit and Oversight Committee**

*Present: Supervisors Peskin, Maxwell*

9.        **080954**        **[Planning Code-Amending Article 11 Designation of 690 Market Street]**        **Supervisor Peskin**

Ordinance amending the designation of 690 Market Street from "Unrated-Category V" to "Significant-Category II" under Planning Code Article 11; and adopting General Plan, Planning Code Section 101.1(b) and environmental findings.

7/22/2008, RE-REFERRED to Government Audit and Oversight Committee.

10/21/2008, CONTINUED. Continued to October 28, 2008

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

#### **From the Land Use Committee Without Recommendation**

*Present: Supervisors Maxwell, Sandoval, Peskin*

10. 080436 [Authorizing the passthrough from landlord to residential tenant of fifty percent of water and sewer services cost increases imposed through adoption of water and sewer rates after July 1, 2002, to provide incentives for the conservation of water] Supervisors Alioto-Pier, Chu, Elsbernd

Ordinance amending the San Francisco Administrative Code to encourage water conservation by authorizing landlords to pass through to tenants fifty percent of increased water and sewer bill charges resulting from the adoption of water and sewer rates after July 1, 2002, where specified water conservation devices have been installed in all rental units and common areas of a building and no plumbing leaks exist in the building; and providing for passthrough administration, noticing and enforcement procedures.

10/21/2008, CONTINUED. Continued to October 28, 2008

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

## NEW BUSINESS

### Recommendations of the Budget and Finance Committee

*Present: Supervisors McGoldrick, Elsbernd, Mirkarimi*

11. 081217 [Approval of three contracts for the Department of Public Health]

Resolution retroactively authorizing the San Francisco Department of Public Health to enter into three contracts providing mental health services for clients in long term care in locked facilities, for pharmacy management services and for fiscal intermediary services related to the San Francisco Mental Health Plan's for Private Provider Network, residential care facilities, and for mental health wraparound services, for the term of October 1, 2008 through June 30, 2013. (Public Health Department)

(Fiscal Impact.)

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

12. 081264 [Agreement to Purchase Property in Tuolumne County - \$70,000]

Resolution approving and authorizing an agreement for the purchase of approximately 5.61 acres of unimproved land near Moccasin in Tuolumne County, for the protection of water quality for a purchase price of \$70,000; adopting findings that the conveyance is exempt from Environmental Review and is consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; and authorizing the Director of Property to execute documents, make certain modifications and take certain actions in furtherance of this resolution. (Real Estate Department)

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

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

*Present: Supervisors McGoldrick, Elsbernd*

13. 081193 [Prohibiting sale of tobacco products on property] Supervisor McGoldrick

**owned by or under the control of the City and County of San Francisco]**

Ordinance amending the San Francisco Health Code by adding Article 19K, Sections 1010 through 1010.4, to prohibit sales of tobacco products on property owned by or under the control of the City and County of San Francisco.

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

- 14. 081184 [Urging the State of California to amend the Vehicle Code regarding disabled parking placards] Supervisor Alioto-Pier**

Resolution urging the State of California to amend the Vehicle Code to raise fines for counterfeit or misuse of disabled parking placards, strengthen criteria for disabled parking placards eligibility, and requiring photo identification of disabled placard user on placard.

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

**Recommendations of the Land Use and Economic Development Committee**

*Present: Supervisors Maxwell, Sandoval, Peskin*

- 15. 080349 [Zoning Map Amendment - 5050 Mission Street, corner of Seneca Ave] Supervisor Sandoval**

Ordinance amending the San Francisco Planning Code by amending Zoning Map ZN 12 of the Zoning Map of the City and County of San Francisco to change the use classification of Block 6969, Lot 11, located at the southwest corner of Mission and Seneca Streets, from RH-1 (Residential, House, One Family) District to NC-3 (Moderate-scale Neighborhood Commercial) District; adopting findings, including environmental findings and findings of consistency the General Plan and the Priority Policies of Planning Code Section 101.1.

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

- 16. 080840 [Designating and describing amended Treasure Island/Yerba Buena Island Survey Area]**

Resolution designating and describing the amended Treasure Island/Yerba Buena Island Survey Area in accordance with California Community Redevelopment Law. (Treasure Island Development Authority)

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

- 17. 081004 [Interim Controls On Major Rights of Way along and near the Southern 19th Avenue Corridor] Supervisor Elsbernd**

Resolution adopting more restrictive interim controls for a period of eighteen months that would require conditional use authorization for new residential developments over 20 units or for new commercial or retail developments over 50,000 square feet on both sides of the following rights of way along and near the Southern 19th Avenue Corridor: commencing at Lake Merced Boulevard where it begins at the County line, north along Lake Merced Boulevard to Sloat Boulevard, east along Sloat Boulevard to 19th Avenue, north along 19th Avenue to Taraval Street, east on Taraval Street to Claremont, south on Claremont to Portola, southwest on Portola to Junipero Serra Boulevard, and south on Junipero Serra Boulevard to the County line; adopting environmental findings and a determination of consistency with the priority policies of Planning Code Section 101.1.

7/22/2008, SUBSTITUTED. Supervisor Elsbernd submitted a substitute resolution bearing same title.

9/9/2008, SUBSTITUTED. Supervisor Elsbernd submitted a substitute resolution bearing same title.

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

**18. 081005 [19th Avenue Cumulative Impact Study] Supervisors Elsbernd, Chu**

Resolution urging the Planning Department and Municipal Transportation Authority to conduct, and continually update, a comprehensive cumulative transportation impact study encompassing all the reasonably foreseeable developments along the 19th Avenue corridor from 19th Avenue and Vicente south to the county line, and expressing the Board of Supervisors' intent that individual environmental reviews of any projects along this corridor must incorporate this on-going and comprehensive cumulative impacts analysis to be considered adequate.

9/9/2008, SUBSTITUTED. Supervisor Elsbernd submitted a substitute resolution bearing same title.

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

**19. 081281 [Application to Amend San Francisco's Priority Development Area Designation] Supervisors Elsbernd, Chu**

Resolution authorizing the San Francisco County Transportation Authority to apply on behalf of the City and County of San Francisco for amendments to the Priority Development Area Designation by the Association of Bay Area Governments.

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

**20. 081118 [Administrative Code - Community Preservation and Blight Reduction Act] Supervisor Sandoval**

Ordinance amending the San Francisco Administrative Code by adding Chapter 80, Sections 80.1 through 80.10, to establish a uniform procedure for enforcement of blight-related provisions of existing municipal code sections and to provide for additional definition of blight conditions subject to enforcement, administrative penalties for failure to abate blight, summary abatement for certain blighted conditions, an administrative process for contesting declaration of blight by the Director of the Department of Public Works, civil penalties and injunctive remedies for continuing violations, and making environmental findings.

10/7/2008, SUBSTITUTED. Supervisor Sandoval submitted a substitute Ordinance bearing new title.

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

*Present: Supervisors Maxwell, Peskin*

**21. 081191 [Opposing renewal of wastewater discharge permit for Potrero Power Plant Unit 3] Supervisors Maxwell, Dufty, Peskin, Daly**

Resolution establishing City policy opposing renewal of the wastewater discharge permit for Mirant's Potrero Power Plant Unit 3 and urging the San Francisco Bay Regional Water Quality Control Board to decline to issue a permit extension.

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

**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. 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

4/29/2008, CONTINUED. Continued to July 29, 2008

7/29/2008, CONTINUED. The President inquired as to whether any member of the public wished to address the Board members. Continued to October 28, 2008 at 4:00 p.m.



**Action:** \_\_\_\_\_

*Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the minor sidewalk encroachment permit appeal 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. 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  
4/29/2008, CONTINUED. Continued to July 29, 2008  
7/29/2008, CONTINUED. Continued to October 28, 2008 at 4:00 p.m.  
**Question: Shall this Motion be APPROVED?**
- 24. 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  
4/29/2008, CONTINUED. Continued to July 29, 2008  
7/29/2008, CONTINUED. Continued to October 28, 2008 at 4:00 p.m.  
**Question: Shall this Motion be APPROVED?**

## **COMMITTEE REPORTS**

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

*The following item will be considered by the Government Audit and Oversight Committee at*

*a Special Meeting on Monday, October 27, 2008 at 10:00 a.m. The Chair intends to request the Committee to send the following item to the Board as a committee report on Tuesday, October 28, 2008.*

**25. 081338 [Declaration of Intention to form the Tourism Improvement District] Supervisors Peskin, Maxwell**

Resolution (1) declaring the intention of the Board of Supervisors to establish a business-based business improvement district to be known as the "Tourism Improvement District" and levy a multi-year assessment on identified hotel businesses in the district, (2) approving the management district plan for the district, (3) ordering and setting a time and place for a public meeting and a public hearing thereon, (4) approving the form of the Notice of Public Meeting and Public Hearing and Assessment Ballots, and (5) directing the Clerk of the Board of Supervisors to give notice of the public meeting and public hearing as required by law.

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

*The following items will be considered by the Land Use and Economic Development Committee at a Regular Meeting on Monday, October 27, 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, October 28, 2008.*

**26. 081010 [Building - Ban on Wooden Fixed Utility Ladder] Supervisor McGoldrick**

Ordinance amending the San Francisco Housing Code to add Section 605 prohibiting wooden fixed utility ladders in R-1, R-2, and R-3 Occupancies, and making findings under the California Environmental Quality Act.

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

**27. 080281 [Building Code - Slope Protection Act] Supervisor Peskin**

Ordinance amending the San Francisco Building Code by adding Sections 106A.4.1.4 et seq. to establish the Slope Protection Act and create procedures to review and make recommendations on specified permit applications for all property that fall within certain mapped areas of the City, and to require mandatory denial of the permit by the Building Official under specified circumstances; amending Section 105A.6.2 to specify the composition of the Structural Advisory Committee for permit applications within the Slope Protection Act area when the Building Official authorizes establishment of such a Committee; amending Building Code Section 106A.3.2 to require that the applicant for certain permit applications subject to the Slope Protection Act provide substantial documentation that there exists sufficient infrastructure to support the proposed residential development and that the proposed emergency access routes meet standards in effect at the time of the application; amending Building Code Section 1701A.5 to require special inspections throughout the construction process for sites subject to the Slope Protection Act.

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

*The following items will be considered by the Rules Committee at a Special Meeting on Monday, October 27, 2008 at 12:00 Noon. The Chair intends to request the Committee to send the following items to the Board as a committee report on Tuesday, October 28, 2008. (Only one of the following three motions should be approved.)*

**28. 081309 [Appointment, Taxi Commission - Arthur Tom]**

Motion approving the Mayor's appointment of Arthur Tom to the Taxi Commission, for the term ending June 28, 2012.

(Charter Section 3.100-17 provides that the Board of Supervisors has the authority to reject the appointment by two-thirds vote of the Board (eight votes) within 30 days following transmittal of the Mayor's Notice of Appointment, and that failure of the Board to reject the appointment by two-thirds vote within the thirty day period shall result in the appointee continuing to serve as appointed. Transmittal date - October 8, 2008.)

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

**29. 081310 [Appointment, Taxi Commission - Arthur Tom]**

Motion rejecting the Mayor's appointment of Arthur Tom to the Taxi Commission for the term ending June 28, 2012.

(Charter Section 3.100-17 provides that the Board of Supervisors has the authority to reject the appointment by two-thirds vote of the Board (eight votes) within 30 days following transmittal of the Mayor's Notice of Appointment, and that failure of the Board to reject the appointment by two-thirds vote within the thirty day period shall result in the appointee continuing to serve as appointed. Transmittal date - October 8, 2008.)

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

**30. 081311 [Appointment, Taxi Commission - Arthur Tom]**

Motion taking no position concerning the Mayor's appointment of Arthur Tom to the Taxi Commission, for the term ending June 28, 2012.

(Charter Section 3.100-17 provides that the Board of Supervisors has the authority to reject the appointment by two-thirds vote of the Board (eight votes) within 30 days following transmittal of the Mayor's Notice of Appointment, and that failure of the Board to reject the appointment by two-thirds vote within the thirty day period shall result in the appointee continuing to serve as appointed. Transmittal date - October 8, 2008.)

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

*The following item will be considered by the City Operations and Neighborhood Services Committee at a Special Meeting on Tuesday, October 28, 2008 at 10:00 a.m. The Chair intends to request the Committee to send the following item to the Board as a committee report on Tuesday, October 28, 2008.*

**31. 080935 [Urging SFUSD to reconsider current school assignment system] Supervisors Chu, Alioto-Pier**

Resolution urging the San Francisco Unified School District (SFUSD) to reconsider the current school assignment system for K-12 admissions and place greater emphasis on geographic considerations for school assignments.

(Supervisor McGoldrick dissenting in Committee.)

9/9/2008, REFERRED to City and School District Select Committee. Supervisor Alioto-Pier requested to be added as a co-sponsor.

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

**32. 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.*

**33. 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 34 through 39**

- 34. 081347 [Commending Doctors Without Borders for "A Refugee Camp in the Heart of the City"] Supervisor Mirkarimi**  
Resolution commending Doctors Without Borders/Médecins Sans Frontières for producing the interactive exhibit "A Refugee Camp in the Heart of the City."  
10/21/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE  
AGENDA AT THE NEXT BOARD MEETING.  
**Question: Shall this Resolution be ADOPTED?**
- 35. 081348 [Urging reducing exposure to Bisphenol A] Supervisors Alioto-Pier, Dufty, Chu**  
Resolution calling upon San Francisco hospitals and retailers to help reduce infant exposure to Bisphenol A (BPA) by discontinuing the sale and distribution of baby bottles containing BPA.  
10/21/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE  
AGENDA AT THE NEXT BOARD MEETING.  
**Question: Shall this Resolution be ADOPTED?**
- 36. 081349 [Commending the Blue Ribbon Panel and prioritizing Supervisor Alioto-Pier**

**California Pacific Medical Center's Long Range Development Plan]**

Resolution commending the work of the Blue Ribbon Panel and urging all City Departments to prioritize the California Pacific Medical Center Long Range Development Plan ("LRDP").

10/21/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

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

**37. 081350 [Hostelling International Day - October 26, 2008] Supervisor Peskin**

Resolution declaring October 26, 2008 as Hostelling International Day in San Francisco.

10/21/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

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

**38. 081351 [Small Business Fee Survey and Freeze - Feasibility Study] Supervisors Peskin, Maxwell**

Resolution urging the Controller's Office, Mayor's Office and relevant City agencies to conduct a survey of all fees paid by small business and investigating the feasibility of freezing or reducing these fees for a one-year period to assist small businesses in responding to the current economic crisis.

10/21/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

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

**39. 081352 [Waiver permitting City employees to assist the Department of Elections with the November 4, 2008 election] Supervisor Peskin**

Motion granting a waiver from the prohibition imposed by Charter section 13.104.5, to permit City employees to assist the Department of Elections with the November 4, 2008 election.

10/21/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

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

*Questions on the For Adoption Without Committee Reference Agenda: \_\_\_\_\_*

**40. IMPERATIVE AGENDA**

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

*[Serious Injury Finding]*

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

*[Purely Commendatory Finding]*

*Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.*

*[Brown Act Finding]*

*Motion that the Board find by roll call vote that for the 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 October 14, 2008 to October 20, 2008, for reference by President to appropriate committee on October 28, 2008.*

**081275 [Summary Vacation of Stevenson Street between 8th and 9th Streets]**

Ordinance ordering the summary vacation of Stevenson Street between 8th and 9th Streets; adopting findings pursuant to the California Streets and Highways Code Sections 8330 et seq.; adopting findings pursuant to the California Environmental Quality Act; adopting findings that the vacation and sale are in conformity with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; and authorizing official acts in furtherance of this Ordinance. (Real Estate Department)

10/20/2008, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

**081346 [Approving Contract for Security Services - \$20,215,000]**

Ordinance approving the contract between Guardsmark GP and the City and County of San Francisco to provide security services to the Human Services Agency for a one year term with four automatic extensions of one year each for a total cost not to exceed \$20,215,000 and also providing that Guardsmark may terminate the contract at the end of any year by providing appropriate notice. (Human Services Department)

10/17/2008, RECEIVED AND ASSIGNED to Budget and Finance Committee.

**081356 [Zoning Map Amendment - Assessor's Block 6753, Lot 063]**

Ordinance amending the San Francisco Planning Code by amending Sheet 11 of the Zoning Map of the City and County of San Francisco to change the zoning of the entire area of Assessor's Lot No. 063 in Block 6753 from P (Public) to RH-2 (Residential, House Districts, Two-Family); adopting findings, including environmental findings and findings of consistency with the General Plan and Priorities of Planning Code Section 101.1(b). (Planning Department)

9/30/2008, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 11/28/2008.

## **PROPOSED RESOLUTIONS**

*Proposed resolutions received from October 14, 2008 to October 20, 2008, for reference by President to appropriate committee on October 28, 2008.*

### **081219 [Gift - Private, Department of Public Health, Community Behavioral Health Services - \$800,000]**

Resolution authorizing the Department of Public Health, Community Behavioral Health Services to retroactively accept a gift of Buprenorphine medication from Reckitt Benckiser Pharmaceuticals with a monetary value of up to \$800,000 for the period of October 1, 2008 through September 30, 2009 for ongoing and new patients receiving Opiate Replacement Treatment in San Francisco. (Public Health Department)

10/17/2008, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

### **081276 [Real Property Lease Amendment and Sale - 875 Stevenson Street]**

Resolution approving a third amendment to the City's lease at 875 Stevenson Street and approving the sale of a portion of Stevenson Street between 9th and 10th Streets to 1355 Market Street Associates, L.P. following the vacation of such portion of Stevenson Street; and finding the sale and improvement of the Stevenson Street Property is consistent with the City's General Plan and with the Eight Priority Policies of City Planning Code Section 101.1, and is categorically exempt from environmental review under the California Environmental Quality Act. (Real Estate Department)

10/20/2008, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

### **081355 [Petitions and Communications]**

Petitions and Communications received from October 11, 2008 through October 20, 2008 for reference by the President to Committee considering related matters or to be ordered filed by the Clerk on October 28, 2008 (Items 1 to 32).

From Verizon Wireless submitting notification for SF Noe Valley DAS 13.(1)

From San Francisco Public Utilities Commission responding to Supervisor Ammiano's inquiry. (Reference 20080909-052) Copy: Supervisor Ammiano.(2)

From San Francisco Asthma Task Force supporting the improvement of air quality. File 080934(3)

From Department of Elections submitting the preparations for the November 4, 2008 election.(4)

From Department of Elections submitting the Emergency Plan for the November 4, 2008 election.(5)

From San Francisco Health Commission submitting the findings of the St. Luke's Blue

Ribbon Panel.(6)

From Civil Service Commission submitting the annual report for FY 2006-07.(7)

From Office of the Controller submitting the Monthly Economic Barometer for August 2008.(8)

From Carrie Beard supporting the approval of a type 21 off sale license.(9)

From Planning Department regarding the Market & Octavia Area Plan. Copy: Each Supervisor.(10)

From Planning Department regarding the department's Outreach Plan.(11)

From Kim Malcheski regarding the Eastern Neighborhood Plan.(12)

From Phoebe Williams regarding claim against San Francisco Housing Authority.(13)

From Verizon Wireless submitting notification for SF Noe Valley DAS 4-11 and 15-18.(14)

From San Francisco Public Utilities Commission submitting notification of procedure and timeline when water pipes break. (Reference 20080909-007)(15)

From San Francisco Public Utilities Commission submitting a response to the Mirant Potrero Power Plant inquiry. (Reference 20080909-018)(16)

From Department of Elections submitting the Ranked-Choice Voting Update #4.(17)

From Office of Citizen Complaints submitting the FY2008 Third Quarter Report. Copy: Each Supervisor.(18)

From concerned citizens regarding restoring Sharp Park. File 081279, Copy: Each Supervisor, 27 letters.(19)

From Department of Public Health submitting the FY2008-09 Mental Health Services Act Annual Plan Update. File 081077.(20)

From San Francisco Public Utilities Commission submitting a response to Supervisor Ammiano's inquiry. (Reference 20080909-25) Copy: Supervisor Ammiano.(21)

From Department of Public Works submitting a response to a constituent regarding the Sunset Scavenger.(22)

From Dick Millet regarding the Police facility at 17th Street and De Haro Street.(23)

From Albert Del Rio supporting the historic designation of the Tenderloin.(24)

From Recreation and Park Commission submitting the impacts of the Outside Lands Music Festival. (Reference 20080909-008)(25)

From concerned citizens regarding the renaming of the San Francisco sewage plant. 2 letters.(26)

From Office of the Controller submitting a summary of the City's exposure to the global



downturn in Capital Markets. Copy: Each Supervisor.(27)

From Department of Aging and Adult Services submitting its Statement of Incompatible Activities.(28)

From Department of Public Works submitting notification on graffiti removal form various locations. (Reference 20080812-002) Copy: Supervisor Mirkarimi.(29)

From Ann Garrison regarding issues with the Department of Elections.(30)

From concerned citizens regarding the North Beach Commercial District. File 080696, Copy: Each Supervisor, 7 letters.(31)

From Maureen Edwards regarding the San Francisco Zoo. Copy: Each Supervisor.(32)

#### APPOINTMENT BY THE MAYOR

Treasure Island Development Authority  
Douglas Shoemaker

### ADJOURNMENT

#### Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices, (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4) standing in the Legislative Chamber.

Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

**USING LAPTOP COMPUTERS FOR PRESENTATIONS:** Please contact City Hall Media Services at (415) 554-4933 to coordinate the use of laptop computers for presentations at the meeting. Computers to be used are required to be tested in advance. The presenter should arrive 30 minutes prior to the meeting to connect and test their computer. The agenda packet and legislative files (which contain documents submitted after the distribution of the agenda packet) are available at the Board of Supervisors, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102. Agendas are available on the Internet at [www.sfgov.org/site/bos\\_meetings](http://www.sfgov.org/site/bos_meetings) For information, call (415) 554-5184.

Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 554-4188.

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 and the Committee Room in City Hall are wheelchair accessible.

Meetings are real-time captioned and are cablecast open-captioned on SF Cable 26. Assistive listening devices for the Legislative Chamber are available upon request at the Clerk of the Board's Office, Room 244. Assistive listening devices for the Committee Room are available upon request at the Clerk of the Board's Office, Room 244 or in the

Committee Room. To request sign language interpreters, readers, large print agendas or other accommodations, please contact Madeleine Licavoli at (415) 554-7722 or (415) 554-5227 (TTY). Requests made at least 48 hours in advance of the meeting will help to ensure availability.

The nearest accessible BART station is Civic Center (Market/Grove/Hyde Streets). Accessible MUNI Metro lines are the J, K, L, M, N and T (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 [sof@sfgov.org](mailto:sof@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](http://www.sfgov.org/ethics)