

# BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

*City Hall, 1 Dr. Carlton B.  
Goodlett Place  
San Francisco, CA 94102-4689*

## MEETING MINUTES

**Tuesday, July 12, 2005 2:00 PM**

**Legislative Chamber - Second Floor  
City Hall, 1 Dr. Carlton B. Goodlett Place  
San Francisco, CA 94102-4689**

### **Regular Meeting**

***AARON PESKIN, PRESIDENT***

***MICHELA ALIOTO-PIER, TOM AMMIANO, CHRIS DALY,  
BEVAN DUFTY, SEAN ELSBERND, FIONA MA, SOPHIE MAXWELL,  
JAKE MCGOLDRICK, ROSS MIRKARIMI, GERARDO SANDOVAL***

***Gloria L. Young, Clerk of the Board***

### BOARD COMMITTEES

#### **Committee Membership**

##### **Budget and Finance Committee**

Supervisors Ammiano, Mirkarimi, Elsbernd, Ma, McGoldrick

##### **Budget and Finance Subcommittee**

Supervisors Ammiano, Mirkarimi, Elsbernd

##### **City and School District Select Committee**

Supervisors Ammiano, Maxwell, Ma, Commissioners Chin, Kelly, Wynns, Delegate Wong

##### **City Operations and Neighborhood Services Committee**

Supervisors McGoldrick, Dufty, Ma

##### **Government Audit and Oversight Committee**

Supervisors Peskin, Elsbernd, Daly

##### **Land Use Committee**

Supervisors Maxwell, Sandoval, McGoldrick

##### **Rules Committee**

Supervisors Alioto-Pier, Mirkarimi, Peskin

#### **Meeting Days**

Thursday

1:00 PM

Thursday

11:00 AM

2nd Monday (Bi-Monthly)

4:00 PM

1st and 3rd Monday

1:00 PM

2nd and 4th Monday

1:00 PM

Wednesday

1:00 PM

Wednesday

10:00 AM

First-named Supervisor/Commissioner is Chair, Second-named Supervisor/Commissioner is Vice-Chair, of the Committee.

**Volume 100 Number 25**

**Members Present:** Michela Alioto-Pier, Tom Ammiano, Chris Daly, Bevan Dufty, Sean Elsbernd, Fiona Ma, Sophie Maxwell, Jake McGoldrick, Ross Mirkarimi, Aaron Peskin, Gerardo Sandoval.

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## ROLL CALL AND PLEDGE OF ALLEGIANCE

*The meeting was called to order at 2:03 p.m. On the call of the roll Supervisors Alioto-Pier and McGoldrick were noted absent.*

*Supervisor McGoldrick was noted present at 2:07 p.m.  
Supervisor Alioto-Pier was noted present at 2:09 p.m.*

*Quorum present.*

## APPROVAL OF MEETING MINUTES

Supervisor Elsbernd, seconded by Supervisor Mirkarimi, moved to approve June 7, 2005 and June 14, 2005 Meeting Minutes. The motion carried by the following vote:

Ayes: 9 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin, Sandoval  
Absent: 2 - Alioto-Pier, McGoldrick

## COMMUNICATIONS

## CONSENT AGENDA

## Recommendations of the Budget and Finance Committee

**051145 [Proposition J Contract/Certification of Specified Contracted-Out Services Previously Approved]  
Mayor**

Resolution concurring with the Controller's certification that services previously approved under Proposition J can be performed by private contractor for a lower cost than similar work performed by City and County employees, for the following services: central shops security and convention facilities management services (Admin Services); shuttle bus and information booth services (Airport); budget analyst (Board of Supervisors); paratransit services (Municipal Railway); citation information, coin counting and collection, janitorial and landscaping, security, and towing services (Parking & Traffic); security services (Public Works); Project S.A.F.E. (Police); janitorial and security services (Port); and jail food services (Sheriff).

**Resolution No. 523-05**

**ADOPTED**

**Recommendation of the Government Audit and Oversight Committee****051096 [Extension of as-needed architectural services agreements for various public work projects]**

Ordinance approving extension of As-Needed Architectural Services agreements with (1) Joe Chow & Associates for completion of the San Francisco General Hospital SwissRay Digital Chest Installation Project (Specification No. 6299A), the San Francisco General Hospital Orthopedic Room Renovation 3M (Specification No. 6288A), the San Francisco General Hospital 1x65 Radiology Department Remodel (Specification No. 6377A), the San Francisco General Hospital TBI Bathroom Remodel 4B (Specification No. 6246A), (2) Carey & Co., for completion of the Tom Waddell Health Center Elevator Replacement (Specification No. 6126A), and (3) Levy Design for the completion of the Coffman Pool Reconstruction Project (Specification No. 6214A), under Administrative Code Chapter 6, section 6.64. (Public Works Department)

**Ordinance No. 164-05**

**FINALLY PASSED**

**Recommendations of the Rules Committee****051094 [Settlement of Lawsuit- Larry Saxxon]**

Ordinance authorizing settlement of the lawsuit filed by Larry Saxxon against the City and County of San Francisco for \$500,000.00; the lawsuit was filed on December 5, 2003 in the San Francisco Superior Court, Case No. 427029; entitled Larry Saxxon v. City and County of San Francisco, et al. (City Attorney)

**Ordinance No. 163-05**

**FINALLY PASSED**

**051099 [Authorizing Payment of Attorney's Fees and Costs After Appeal]**

Ordinance authorizing the payment of \$37,240.25 in attorney's fees and costs after the appeal in the lawsuit filed by John Baba, Philip Brady, Sergio Iantorno, John Zanghi, and Arnold W. Evje, II, against the Board of Supervisors of the City and County of San Francisco, the Residential Rent Stabilization and Arbitration Board of the City of the City and County of San Francisco, and the City and County of San Francisco. The lawsuit was filed on August 30, 2002, and the motion for attorney's fees and costs on appeal was filed on May 9, 2005, in San Francisco Superior Court (Case No. CPF-02-501589). (City Attorney)

**Ordinance No. 165-05**

**FINALLY PASSED**

**051100 [Settlement of Lawsuit - Francine Davis]**

Ordinance authorizing settlement of the lawsuit filed by Francine Davis against the City and County of San Francisco for \$170,000; the lawsuit was filed on May 28, 2004 in San Francisco Superior Court, Case No. 431-854; entitled Francine Davis, et al., v. City and County of San Francisco, et al. (City Attorney)

Ordinance No. 166-05

**FINALLY PASSED**

**051101 [Settlement of Lawsuit - San Francisco Unified School District]**

Ordinance authorizing settlement of the lawsuit filed by the San Francisco Unified School District against the City and County of San Francisco by provision of credits and rate reductions not to exceed \$225,000 on past sewer service and future sewer and water service, for FY 2004-06; the lawsuit was filed on November 12, 2004 in San Francisco Superior Court, Case No. 436-240; entitled San Francisco Unified School District, et al., v. City and County of San Francisco, et al. (City Attorney)

Ordinance No. 167-05

**FINALLY PASSED**

**051102 [Settlement of Lawsuit - Linda Alband]**

Ordinance authorizing settlement of the lawsuit filed by Linda Alband against the City and County of San Francisco for \$35,000; the lawsuit was filed on May 11, 2004 in San Francisco Superior, Case No. 431-258; entitled Linda Alband, et al., v. City and County of San Francisco, et al. (City Attorney)

Ordinance No. 168-05

**FINALLY PASSED**

**051103 [Settlement of Lawsuit - Transamerica Life Insurance Company, Transamerica Insurance Company of California, and Aegon U.S.A. Realty Advisors, Inc.]**

Ordinance authorizing settlement of the lawsuit filed by the City and County of San Francisco against Transamerica Life Insurance Company, Transamerica Insurance Company of California, and Aegon U.S.A. Realty Advisors, Inc. for \$121,957.36; the lawsuit was filed on March 11, 2005 in the Superior Court of the State of California, County of San Francisco, Case No. 439452; entitled City and County of San Francisco, et al., v. Transamerica Life Insurance Company, et al. (City Attorney)

Ordinance No. 169-05

**FINALLY PASSED**

The foregoing items were acted upon by the following vote:

Ayes: 9 - Ammiano, Daly, Duffy, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin, Sandoval

Absent: 2 - Alioto-Pier, McGoldrick

**Severed From the Consent Agenda**

*Supervisor Daly requested that File Nos. 051144 and File 051147 be severed so that they might be considered separately.*

**051144 [Proposition J Contract/Sign Posting for Events for Police Department/Fiscal Emergency]**  
**Mayor**

Resolution concurring with the Controller's certification that sign posting for various events for the Police Department can be performed by private contractor for a lower cost than similar work performed by City and County employees.

**Resolution No. 522-05**

**NOT ADOPTED** by the following vote:

Ayes: 3 - Elsbernd, Ma, Peskin

Noes: 6 - Ammiano, Daly, Dufty, Maxwell, Mirkarimi, Sandoval

Absent: 2 - Alioto-Pier, McGoldrick

*Supervisor Elsbernd, seconded by Supervisor Ammiano, moved to rescind the previous vote.  
Motion to rescind the previous vote was carried without objection.*

*Supervisor McGoldrick was noted present at 2:07 p.m.*

*Supervisor Alioto-Pier was noted present at 2:09 p.m.*

**Resolution No. 522-05**

**ADOPTED** by the following vote:

Ayes: 8 - Alioto-Pier, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Peskin, Sandoval

Noes: 3 - Ammiano, Daly, Mirkarimi

**051147 [Proposition J Contract/Body Removal Services For Medical Examiner's Office/Fiscal Emergency]**  
**Mayor**

Resolution concurring with the Controller's certification that body removal services for the Medical Examiner's Office, Department of Administrative Services can be performed by private contractor for a lower cost than similar work performed by City and County employees.

**Resolution No. 524-05**

**ADOPTED** by the following vote:

Ayes: 9 - Alioto-Pier, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Noes: 2 - Ammiano, Daly

## **REGULAR AGENDA**

## **UNFINISHED BUSINESS**

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

**050602 [Recreation and Park - S.F. Small Craft Harbor Fees]  
Supervisor Alioto-Pier**

Ordinance making environmental findings and amending the San Francisco Park Code by repealing Section 12.11 and adopting a new Section 12.11 to increase current fees and add additional rental and services fees at the San Francisco Small Craft Harbor.

Ordinance No. 162-05

FINALLY PASSED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval  
Noes: 1 - Daly

## **NEW BUSINESS**

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

**050968 [Annual Budget, FY 2005-06]**

Motion approving Annual Budget for the City and County of San Francisco for Fiscal Year 2005-2006. (Clerk of the Board)

(Supervisors Mirkarimi and McGoldrick Dissenting in Committee)

*Continued to July 19, 2005*

Supervisor Ammiano, seconded by Supervisor Mirkarimi, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

**051130 [Government Funding, Fiscal Year 2005-2006]  
Mayor**

Consolidated Budget and Annual Appropriation Ordinance appropriating all estimated receipts and all estimated expenditures for the City and County of San Francisco for fiscal year ending June 30, 2006.

(Fiscal impact.)

(Supervisor McGoldrick Dissenting in Committee)

(Supervisor Mirkarimi Dissenting in Committee on the Annual Appropriation Ordinance for Selected Departments)

*Continued to July 19, 2005*

Supervisor Ammiano, seconded by Supervisor Mirkarimi, moved that this Ordinance be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

**051131 [Public Employment, Fiscal Year 2005-2006]**  
**Mayor**

Consolidated Annual Salary Ordinance enumerating positions in the Annual Budget and Appropriation Ordinance for the Fiscal Year ending June 30, 2006, continuing, creating or establishing these positions; enumerating and including therein all positions created by Charter or State law for which compensations are paid from City and County funds and appropriated in the Annual Appropriation Ordinance; authorizing appointments or continuation of appointments thereto; specifying and fixing the compensations and work schedules thereof; and authorizing appointments to temporary positions and fixing compensations therefor.

(Fiscal impact.)

*Continued to July 19, 2005*

Supervisor Ammiano, seconded by Supervisor Mirkarimi, moved that this Ordinance be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

**050995 [Redevelopment Agency Budget and Bonds]**  
**Mayor**

Resolution approving the Budget of the Redevelopment Agency of the City and County of San Francisco for fiscal year 2005-2006; and approving the Issuance by the Agency of Bonds in an aggregate principal amount not to exceed \$118,000,000 for the purpose of financing a portion of Redevelopment activities as described in such approved Budget for fiscal year 2005-2006.

(Fiscal impact.)

*Continued to July 19, 2005*

Supervisor Ammiano, seconded by Supervisor Mirkarimi, moved that this Resolution be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

**050997 [Treasure Island Development Authority Budget]**  
**Mayor**

Resolution approving the Budget of the Treasure Island Development Authority for fiscal year 2005-2006.

(Fiscal impact.)

*Continued to July 19, 2005*

Supervisor Ammiano, seconded by Supervisor Mirkarimi, moved that this Resolution be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

- 050983 [Clarifying that the Bureau of Delinquent Revenue is authorized to add costs incurred in collecting money owed to the city to the original charge and to collect those costs from the debtor]**  
**Mayor**

Ordinance amending Chapter 10, Article V of the San Francisco Administrative Code by amending Section 10.41-1 to authorize the Bureau of Delinquent Revenue Collection to collect costs incurred in collecting claims for money owed to the City, to add those costs to the original charge and to collect those costs from the debtor.

*Continued to July 19, 2005*

Supervisor Ammiano, seconded by Supervisor Mirkarimi, moved that this Ordinance be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

- 050984 [Increasing fees for certain services provided by the Medical Examiner]**  
**Mayor**

Ordinance making environmental findings, and amending San Francisco Administrative Code Section 8.14, to increase the fees for forensic non-medical examiner or outside county autopsy, disaster bags, removal of remains, and storage of remains.

*Continued to July 19, 2005*

Supervisor Ammiano, seconded by Supervisor Mirkarimi, moved that this Ordinance be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

- 050985 [Patient Rates]**  
**Mayor**

Ordinance amending Section 128 of the San Francisco Health Code to set patient rates and other services provided by the Department of Public Health, effective July 1, 2005.

*Continued to July 19, 2005*

Supervisor Ammiano, seconded by Supervisor Mirkarimi, moved that this Ordinance be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

- 050986 [Public Works Code occupancy assessment fees for various encroachments]**  
**Mayor**

Ordinance amending the Public Works Code to amend Section 723.2 to adopt a public right-of-way occupancy assessment fee for minor sidewalk encroachments, to amend Section 724.1 to modify the public right-of-way occupancy assessment fee for temporary street occupancy permits; and to add Section 786.7 to adopt a public right-of-way occupancy assessment fee for street encroachments; and making environmental findings.

*Continued to July 19, 2005*

Supervisor Ammiano, seconded by Supervisor Mirkarimi, moved that this Ordinance be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval



**050987 [Golf Fees - Harding Park, Golden Gate Park, McLaren Park]  
Mayor**

Ordinance making environmental findings and amending the San Francisco Park Code, Article 12, by amending Sec. 12.12 to increase the fees at Harding Park and Fleming Golf Courses; amending Sec. 12.16 to increase the fees at Golden Gate Park Golf Course; amending Sec. 12.20 to authorize an annual cost of living increase in golf fees; and amending Sec. 12.33 to set a maximum fee for golf cart rentals.

*Continued to July 19, 2005*

Supervisor Ammiano, seconded by Supervisor Mirkarimi, moved that this Ordinance be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

**050989 [Recreation and Park – Tiny Tots Fees]  
Mayor**

Ordinance making environmental findings and amending the San Francisco Park Code, Article 12, by adding Section 12.35 to standardize the Department's Tiny Tot/Child Development Program's curriculum and associated fee schedule.

*Continued to July 19, 2005*

Supervisor Ammiano, seconded by Supervisor Mirkarimi, moved that this Ordinance be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

**050990 [Recreation and Park Department – Athletic Field Permit Fees for Adults]  
Mayor**

Ordinance making environmental findings and amending the San Francisco Park Code, Article 12, by adding Section 12.36 to increase the fees for use of the athletic fields by adults.

*Continued to July 19, 2005*

Supervisor Ammiano, seconded by Supervisor Mirkarimi, moved that this Ordinance be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

**050991 [Recreation and Park – Aquatic Fees]  
Mayor**

Ordinance making environmental findings and amending the San Francisco Park Code, Article 12, by adding Section 12.34 establishing the fee structure for use of aquatic facilities and for related aquatic activities.

*Continued to July 19, 2005*

Supervisor Ammiano, seconded by Supervisor Mirkarimi, moved that this Ordinance be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

**050992 [Lake Merced Fees – Boat Storage]**  
**Mayor**

Ordinance making environmental findings and amending the San Francisco Park Code, Article 12, by adding San Francisco Park Code Section 12.38 to establish boat storage fees.

*Continued to July 19, 2005*

Supervisor Ammiano, seconded by Supervisor Mirkarimi, moved that this Ordinance be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

**050999 [Arts Commission Special Funds]**  
**Mayor**

Ordinance amending Article XIII of the San Francisco Administrative Code by amending Sections 10.100-28, 10.100-30 and 10.100-34 to redesignate the Arts Commission Market Street Art Maintenance Fund and the Arts Commission Youth Arts Fund as sub-accounts of the Arts Commission Public Arts Fund.

*Continued to July 19, 2005*

Supervisor Ammiano, seconded by Supervisor Mirkarimi, moved that this Ordinance be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

**051000 [Board of Appeals Surcharge]**  
**Mayor**

Ordinance (1) amending Section 10G.1 of the San Francisco Administrative Code to add a Board of Appeals surcharge for tobacco retailer's permits issued pursuant to San Francisco Health Code Section 1009.53, (2) amending Section 10G.1 to adjust the surcharges for permits and annual license renewals issued pursuant to San Francisco Police Code Sections 2.26, 2.27 and 2.27.1, and (3) making findings pursuant to the California Environmental Quality Act, Public Resources Code Section 21080(b)(8)(A), that the new Board of Appeals Surcharge and adjustments to existing Board of Appeals surcharges are not a "project" and that such surcharges are imposed for the purpose of meeting operating expenses of the Board of Appeals, including employee wage rates, fringe benefits and other direct and indirect overhead charges attributable to administrative appeals to the Board of Appeals pursuant to Charter Section 4.106.

*Continued to July 19, 2005*

Supervisor Ammiano, seconded by Supervisor Mirkarimi, moved that this Ordinance be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

**050993 [Providing for waiver of fees and changing fees for Emergency Medical Services and making environmental findings]****Mayor**

Ordinance amending Article 3 of the Health Code by adding Section 120.1 to require the San Francisco Fire Department to waive fees for Emergency Medical Services upon a showing that all persons legally obligated to pay have insufficient income to pay the bill without undue hardship and the patient is not covered by insurance; and amending Section 128.1, to create a fee for providing service to a patient without transporting the patient, to increase the base rate fees for both Basic Life Service and Advanced Life Service, to increase the fee for mileage, to eliminate the fee for night service, to substitute a flat fee for supplemental supplies in place of fees for individual supplies used to treat each patient, to amend the language regarding changes in fees in subsequent years to fix typographical errors, to eliminate the provision by which the San Francisco Fire Department could add charges for additional supplies, and to make environmental findings.

*Continued to July 19, 2005*

Supervisor Ammiano, seconded by Supervisor Mirkarimi, moved that this Ordinance be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

**050994 [Increasing Fire Department Fees For Service]****Mayor**

Ordinance amending Sections 106.8, 106.9, 106.11, 106.15, 106.17, and Table 106B of the San Francisco Fire Code to increase the San Francisco Fire Department's fees for high rise inspection, plan review, pre-application plan review, overtime, and water flow requests, to become operative on its effective date or on July 1, 2005 whichever is later, and making environmental findings.

*Continued to July 19, 2005*

Supervisor Ammiano, seconded by Supervisor Mirkarimi, moved that this Ordinance be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

**051001 [Making Environmental Findings and Establishing the Community Courts Program and Administrative Fee]****Mayor**

Ordinance making required environmental findings; amending section 10.100-95 of the Administrative Code to provide that monies collected from participants in the Community Court Program to settle disputes or dismiss charges be deposited in the Mayor's Community Support Fund and make other technical amendments; amending section 10.100-295 of the Administrative Code to designate the Mayor's Office of Criminal Justice as administrator of the Dispute Resolution Program and Fund and to designate the Mayor's Office of Criminal Justice and the District Attorney's Office as administrators of the Community Courts Program; and to add section 10.183 to the Administrative Code to establish and authorize the District Attorney to collect a Community Court Program Administrative Fee to recover the City's costs for the District Attorney to participate in the operation of the Community Courts Program.

*Continued to July 19, 2005*

Supervisor Ammiano, seconded by Supervisor Mirkarimi, moved that this Ordinance be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

**051002 [Establishing Mayor's Office on Disability administrative fees for plan reviews and site inspections]  
Mayor**

Ordinance making environmental findings and amending the San Francisco Administrative Code by adding a new section 2A.22.1 establishing Mayor's Office on Disability administrative fees for plan reviews and site inspections.

*Continued to July 19, 2005*

**CONTINUED by the following vote:**

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

**051003 [Repeal of exemption from paying tow and storage fees on stolen vehicles, and waiver of an administrative fee for recovered stolen vehicles owned by residents]  
Mayor**

Ordinance repealing San Francisco Administrative Code Section 10C.8-1, which exempts residents of San Francisco from paying tow and storage fees on stolen vehicles, and amending San Francisco Administrative Code Section 10C.1 and San Francisco Traffic Code Section 170.1 to exempt City residents from payment of an administrative fee in connection with the towing and storage of stolen vehicles.

*Continued to July 19, 2005*

**Supervisor Ammiano, seconded by Supervisor Mirkarimi, moved that this Ordinance be CONTINUED. The motion carried by the following vote:**

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

**051004 [Recovery of the City's costs of emergency response to incidents resulting from the negligent operation of a motor vehicle, boat or vessel by a person under the influence of alcohol or drugs]  
Mayor, Supervisors Ma, Mirkarimi**

Ordinance adding Chapter 10H to the San Francisco Administrative Code authorizing the City to recover the costs of emergency response to incidents resulting from negligent operation of motor vehicles, boats or vessels by persons under the influence of alcohol or drugs, and the costs of emergency response to incidents caused by individuals' intentionally wrongful conduct; defining emergency response for the purpose of this chapter; providing for the establishment by ordinance of the standard, hourly charges for personnel and equipment used in emergency response to such incidents; and directing the Police Department, Fire Department and the Health Department to coordinate with designated City officials to prepare and deliver invoices to the persons responsible for the costs of the City's emergency response to such incidents.

*Continued to July 19, 2005*

**Supervisor Ammiano, seconded by Supervisor Mirkarimi, moved that this Ordinance be CONTINUED. The motion carried by the following vote:**

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

**050917 [Planning Department fee increases and permit surcharge to cover costs of appeals to the Board of Supervisors]  
Supervisor Peskin**

Ordinance amending the San Francisco Planning Code by amending Sections 352 and 355 and by amending the San Francisco Administrative Code by amending Section 31.22 to increase planning fees and add a surcharge to compensate the City for the costs of appeals to the Board of Supervisors; making environmental findings.

*Continued to July 19, 2005*

Supervisor Ammiano, seconded by Supervisor Mirkarimi, moved that this Ordinance be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

**051027 [Entertainment Commission Permits, Licenses and Fees]  
Mayor**

Ordinance (1) amending the San Francisco Police Code by amending Sections 2.2, 2.9, 2.25, 2.26, 2.27, 2.31, 43, 43.2, 48 1037.2, and adding Sections 1060.1-1 and 1070.1-1, to (i) increase the application fees for Place of Entertainment permits and permits for Extended Hours Premises, and the annual license fees for Places of Entertainment and Mechanical Amusement Devices, to defray the City's annual costs of Entertainment Commission operations attributable to such permitted businesses, (ii) eliminate distinctions between commercial and non-commercial uses for purposes of loudspeaker permits (iii) and to make technical amendments and corrections, as specified; (2) amending the San Francisco Business and Tax Regulations Code by amending Sections 1.1, 1.2, 1.3, 1.51, 8, and 23, and adding Sections 249.17, 249.18, and 249.19, to make technical amendments and corrections in conformity with the amendments to the Police Code; and (3) making findings pursuant to the California Environmental Quality Act, Public Resources Code Section 21080(b)(8)(A), that the adjustments to the fees are not a "project" and that such fees are imposed for the purpose of meeting operating expenses of the Entertainment Commission and Police Department, including employee wage rates, fringe benefits and other direct and indirect overhead charges attributable to such entertainment-related permits and annual licenses.

*Continued to July 19, 2005*

Supervisor Ammiano, seconded by Supervisor Mirkarimi, moved that this Ordinance be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

**051133 [Repealing Revolving Fund for Commission on the Status of Women]  
Mayor**

Ordinance amending the Administrative Code by repealing section 10.169-11 to eliminate the Commission on the Status of Women's revolving fund.

*Continued to July 19, 2005*

Supervisor Ammiano, seconded by Supervisor Mirkarimi, moved that this Ordinance be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

- 051135** [Requiring City departments to report to the Board of Supervisors each quarter on those appropriations items where the department is spending at a rate that would exhaust the appropriation before the end of the fiscal year]

Mayor

Ordinance amending the San Francisco Administrative Code by adding Section 10.19-5, to require City departments to report to the Board of Supervisors each quarter on those appropriations items where the department is spending at a rate that would exhaust the appropriation before the end of the fiscal year.

*Continued to July 19, 2005*

Supervisor Ammiano, seconded by Supervisor Mirkarimi, moved that this Ordinance be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

- 051136** [Establishing the San Francisco City Services Preservation Fund to receive donations from employees and private donors in order to offset the City's deficit and preserve City services]

Mayor

Ordinance amending the San Francisco Administrative Code by adding Section 10.100-290, to establish the San Francisco City Services Preservation Fund to receive donations from employees and private donors in order to offset the City's deficit and preserve City services.

*Continued to July 19, 2005*

Supervisor Ammiano, seconded by Supervisor Mirkarimi, moved that this Ordinance be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

- 051137** [Prohibiting the Department of Human Services from requiring fingerprint imaging of clients, unless required by grant programs, by state or federal law, by voter initiative, or by the County Adult Assistance Programs]

Mayor, Supervisor Daly

Ordinance amending the San Francisco Administrative Code by adding Section 20.30, to prohibit the Department of Human Services from requiring fingerprint imaging of clients, unless required by grant programs, by state or federal law, by voter initiative, or by the County Adult Assistance Programs.

*Continued to July 19, 2005*

Supervisor Ammiano, seconded by Supervisor Mirkarimi, moved that this Ordinance be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

- 051138** [Authorizing department heads to accept and expend donations from recognized non-profit organizations for specified improvements to City-owned recreation, library, cultural or health facilities]  
Mayor

Ordinance amending the San Francisco Administrative Code by adding Section 10.88, to authorize department heads to accept and expend donations from recognized non-profit organizations to augment approved seismic upgrading, provide equipment, facility improvements or expansion and/or modification of City-owned recreation, library, cultural or health facilities.

*Continued to July 19, 2005*

Supervisor Ammiano, seconded by Supervisor Mirkarimi, moved that this Ordinance be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

- 051139** [Authorizing the Sheriff and Police Departments to implement a booking fee and seek State reimbursement; providing for cost recovery]  
Mayor

Ordinance amending the San Francisco Administrative Code by adding Section 8.27-1, to authorize the Sheriff and Police Departments to implement a booking fee and seek State reimbursement and to direct the Controller to provide for full cost recovery between the departments.

*Continued to July 19, 2005*

Supervisor Ammiano, seconded by Supervisor Mirkarimi, moved that this Ordinance be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

- 051148** [Public Education Enrichment Fund]  
Supervisors Ammiano, Mirkarimi

Resolution approving the San Francisco Unified School District and the First Five Commission's expenditure plans for the Public Education Enrichment Fund.

*Continued to July 19, 2005*

*Supervisor Mirkarimi requested to be added as a co-sponsor.*

Supervisor Ammiano, seconded by Supervisor Mirkarimi, moved that this Resolution be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

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

**051030 [Single Standard of Mental Health Access and Care]**  
**Supervisors Daly, Peskin, Mirkarimi**

Ordinance adding Section 15.23 to the Administrative Code to provide for single standard of mental health services access and care for indigent and uninsured San Francisco residents and residents who are Medi-Cal beneficiaries.

(Fiscal impact.)

*Supervisor Mirkarimi requested to be added as a co-sponsor.*

**PASSED ON FIRST READING by the following vote:**

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

**Recommendation of the Rules Committee**

**050918 [Charter Amendment - Requiring that one-time revenues be spent only for one-time uses, unless otherwise authorized by the Board of Supervisors]**  
**Supervisor Elsbernd**

Charter Amendment (Second Draft) to add Section 9.120 to require that one-time revenues be spent only for one-time uses, unless the Board of Supervisors appropriates the revenues for another purpose by a two-thirds' vote.

*Continued to July 19, 2005*

Supervisor Elsbernd, seconded by Supervisor Maxwell, moved that this Charter Amendment be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

**Recommendations of the Land Use Committee**

**050830 [Zoning – Allow Tourist Hotels of 75 Rooms or Less in the SSO District as conditional uses]**  
**Supervisor Daly**

Ordinance amending the San Francisco Planning Code by amending Sections 803.4 and 818, and adding Section 818.78 to Table 818 to allow a tourist hotel of 75 rooms or less as a conditional use in the SSO (Service/Secondary Office District); adopting findings.

**PASSED ON FIRST READING by the following vote:**

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval



- 050254** [Amending Planning Code Sec 703.3 to designate formula retail uses as a conditional use in the Small-Scale NCD along Divisadero from Haight to Turk Streets]  
Supervisor Mirkarimi

Ordinance to amend the Planning Code by amending section 703.3 to designate formula retail uses as a conditional use in the Small-Scale Neighborhood Commercial District along Divisadero Street from Haight to Turk Streets and making findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan.

**PASSED ON FIRST READING** by the following vote:

Ayes: 8 - Ammiano, Daly, Dufty, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Noes: 3 - Alioto-Pier, Elsbernd, Ma

- 051031** [Requiring additional reporting and recordkeeping by residential hotels and authorizing additional inspections]  
Supervisors Daly, Mirkarimi

Ordinance amending the San Francisco Administrative Code by amending Section 41.9, to require additional reporting and recordkeeping by residential hotels and establishing additional inspection authority to ensure compliance with California Civil Code Section 1940.1.

*Supervisor Mirkarimi requested to be added as a co-sponsor.*

**PASSED ON FIRST READING** by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

- 050936** [Interdepartmental jurisdictional transfer of Hayes Green Park]  
Mayor, Supervisor Mirkarimi

Resolution transferring jurisdiction over Hayes Green Park, located on Octavia Boulevard, between Hayes Street and Fell Street, from the Department of Public Works to the Recreation and Park Department for park and open space uses; adopting Findings pursuant to California Environmental Quality Act; and adopting Findings that the transfer of jurisdiction is consistent with the City's General Plan and the Eight Priority Policies of Planning Code Section 101.1.

**Resolution No.** 521-05

**ADOPTED** by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

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

**051113 [Urging Support of the Permanent Berthing of the U.S.S. Iowa as a Museum at the Port of San Francisco]**  
**Supervisors Ma, Elsbernd, Alioto-Pier**

Resolution urging the San Francisco Congressional delegation to support the permanent berthing of the U.S.S. Iowa as a Museum at the Port of San Francisco.

(Supervisor McGoldrick Dissenting in Committee)

*Supervisor Alioto-Pier, seconded by Supervisor Maxwell, moved to re-refer this matter to Committee.*

*Motion to refer this matter to Committee failed by the following vote:*

*Ayes: 5 - Alioto-Pier, Elsbernd, Ma, Maxwell, Sandoval,*

*Noes: 6 - Ammiano, Daly, Dufty, McGoldrick, Mirkarimi, Peskin*

*Supervisor Alioto-Pier, seconded by Supervisor Elsbernd, moved to continue this matter to July 19, 2005.*

*Motion to continue this matter to July 19, 2005 failed by the following vote:*

*Ayes: 5 - Alioto-Pier, Elsbernd, Ma, Maxwell, Sandoval,*

*Noes: 6 - Ammiano, Daly, Dufty, McGoldrick, Mirkarimi, Peskin*

*Supervisor Sandoval, seconded by Supervisor Elsbernd, moved to amend this matter.*

*Motion to amend this matter failed by the following vote:*

*Ayes: 5 - Alioto-Pier, Elsbernd, Ma, Maxwell, Sandoval,*

*Noes: 6 - Ammiano, Daly, Dufty, McGoldrick, Mirkarimi, Peskin*

**NOT ADOPTED by the following vote:**

**Ayes: 3 - Alioto-Pier, Elsbernd, Ma**

**Noes: 8 - Ammiano, Daly, Dufty, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval**

## **SPECIAL ORDER 3:00 P.M.**

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

**051277 [Hearing - Designating rent credits as "public monies" for purposes of Fiscal Feasibility Ordinance]**  
**Supervisor Peskin**

Hearing of persons interested in or objecting to proposed ordinance amending the San Francisco Administrative Code by amending Sections 29.1, 29.3, and 29.7, to: include rent credits as "public monies" for purposes of the Fiscal Feasibility Ordinance; require additional information from applicants for environmental review; suspend application to certain projects undergoing environmental review, and, bar City departments from extending current Exclusive Right to Negotiate agreements until fiscal feasibility review has been successfully completed. (Clerk of the Board)

*The President inquired as to whether or not any member of the public wished to address the Board.*

*The President of the Board declared the public hearing closed.*

**HEARD AT PUBLIC HEARING.**

### **Committee of the Whole Adjourn and Report Without Recommendation**

**Supervisor McGoldrick Excused from Voting**

Supervisor Mirkarimi, seconded by Supervisor Alioto-Pier, moved to excuse Supervisor McGoldrick from voting on this matter. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin, Sandoval  
Excused: 1 - McGoldrick

**050817 [Designating rent credits as "public monies" for purposes of Fiscal Feasibility Ordinance.]**  
**Supervisors Peskin, Maxwell, Alioto-Pier, Mirkarimi**

Ordinance amending the San Francisco Administrative Code by amending Sections 29.1, 29.3, and 29.7, to include rent credits as "public monies" for purposes of the Fiscal Feasibility Ordinance; require additional information from applicants for environmental review; suspend application to certain projects undergoing environmental review, and, bar City departments from extending current Exclusive Right to Negotiate agreements until fiscal feasibility review has been successfully completed.

Supervisor Ammiano, seconded by Supervisor Alioto-Pier, moved that this Ordinance be AMENDED. The motion carried by the following vote:

Ayes: 7 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Mirkarimi, Peskin  
Absent: 3 - Ma, Maxwell, Sandoval  
Excused: 1 - McGoldrick

**PASSED ON FIRST READING AS AMENDED by the following vote:**

Ayes: 6 - Alioto-Pier, Ammiano, Daly, Dufty, Mirkarimi, Peskin  
Noes: 1 - Elsbernd  
Absent: 3 - Ma, Maxwell, Sandoval  
Excused: 1 - McGoldrick

**SPECIAL ORDER 3:00 P.M**

**051230 [Hearing - Ground Lease of Redevelopment Agency Land for Parkview Terraces Senior Housing (871-881 Turk Street)]**  
**Supervisor Peskin**

Hearing of persons interested in or objecting to proposed resolution approving the Redevelopment Agency of the City and County of San Francisco's lease of land at Assessor's Block 761, Lot 29, commonly known as 871-881 Turk Street, southeast corner of Turk and Gough Streets, San Francisco, California (the "Site") in the Western Addition A-2 Redevelopment Project Area, to PARKVIEW TERRACE PARTNERS, L.P., a California limited partnership, for 60 years for the purpose of developing housing for very low-income senior households. (Clerk of the Board)

*The President inquired as to whether or not any member of the public wished to address the Board.*

*Male Speaker. expressed concern that project be for low income seniors*

*Olsen Lee, Executive Director, Redevelopment Agency*

*The President of the Board declared the public hearing closed.*

**HEARD AT PUBLIC HEARING.**

- 051164 [Ground Lease of Redevelopment Agency Land for Parkview Terraces Senior Housing (871-881 Turk Street)]  
Supervisors Daly, Mirkarimi

Resolution approving the Redevelopment Agency of the City and County of San Francisco's lease of land at Assessor's Block 761, Lot 29, commonly known as 871-881 Turk Street, southeast corner of Turk and Gough Streets, San Francisco, California (the "Site") in the Western Addition A-2 Redevelopment Project Area, to PARKVIEW TERRACE PARTNERS, L.P., a California limited partnership, for 60 years for the purpose of developing housing for very low-income senior households.

Resolution No. 519-05

ADOPTED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, McGoldrick, Mirkarimi, Peskin, Sandoval  
Absent: 1 - Maxwell

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

### **Privilege of the Floor**

Supervisor Alioto-Pier, seconded by Supervisor Dufty, moved. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

*Supervisor Alioto-Pier introduced and congratulated Deanne Fitzmaurice in recognition of winning of the Pulitzer Prize.*

## **SPECIAL ORDER 4:00 P.M.**

**050956 [Public Hearing - Appeal of Categorical Exemption from Environmental Review for 1740 20th Street]**  
Hearing of persons interested in or objecting to the decision of the Planning Department dated April 22, 2005 (Case No. 2003.0960E), exempting from environmental review under State CEQA Guidelines, Sections 15301(a), 15301(e)(2), and 4(b), Class Numbers 1(a), 1(e)(2), and 4(b). The proposed project includes a vertical L-shaped addition, and a horizontal addition to a single-family residence. The new addition would add 1,346-gross-square-feet to an existing 2,202-gsf, approximately 12-foot tall single-family residence. There is currently one off-street parking space on the project site. The proposed project would add one additional off-street parking space. The addition would be 23-feet tall at its highest point. The 5,000-square-foot project site is located at 1740 20th Street, northeast corner of 20th and Wisconsin Streets on Assessor's Block 4069, Lot 018. The project site is within an RH-2 (Residential, House, Two-Family) zoning district and a 40-X height and bulk district. (Appellant: Vincent Marsh on behalf of Bob Siska, property owner.)

(Filed May 20, 2005; companion measure to Files 050957, 050958, 050959; District 10.)

*The President inquired as to whether or not any member of the public wished to address the Board.*

*Vincent Marsh, Representative for Appellant Bob Siska*

*Lisa Gibson and Larry Badiner, Planning Department representatives reviewed with the Board the Planning Department's recommendation.*

*David Cincotta, representing the Project sponsor, Susan Schindler*

*Susan Schindler, Project sponsor*

*Vincent Marsh, Appellant - Rebuttal Period*

*The President of the Board declared the public hearing closed.*

**HEARD AT PUBLIC HEARING.**

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

**050957 [Affirming the categorical exemption issued for 1740 20th Street]**  
Motion affirming the determination by the Planning Department that the 1740 20th Street project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

**Motion No. M05-95**

**Supervisor Maxwell, seconded by Supervisor Elsbernd, moved that this Motion be APPROVED. The motion carried by the following vote:**

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

**050958 [Disapproving the categorical exemption issued for 1740 20th Street]**  
Motion disapproving the determination by the Planning Department that the 1740 20th Street project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

**Supervisor Maxwell, seconded by Supervisor Elsbernd, moved that this Motion be TABLED. The motion carried by the following vote:**

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

**050959 [Preparation of findings related to the categorical exemption issued for 1740 20th Street]**

Motion directing the Clerk of the Board to prepare findings related to the appeal of the determination by the Planning Department that the 1740 20th Street Project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

**Motion No.** M05-96

Supervisor Maxwell, seconded by Supervisor Elsbernd, moved that this Motion be **APPROVED**. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

**SPECIAL ORDER 4:30 PM.****051053 [Public Hearing - Appeal of Minor Sidewalk Encroachment Permit for 149 Fair Oaks Street]**

Hearing of persons interested in or objecting to the decision of the Department of Public Works by its decision dated May 25, 2005, denying a Minor Sidewalk Encroachment Permit No. O5MSE-261 for the construction of 15'-0" long x 3'-0" wide planter box and enclosure, leaving an 8'-8" clear pathway along the public sidewalk right-of-way fronting the property at 149 Fair Oaks Street. (Sherri Maurin.)

(Filed June 7, 2005; companion measure to Files 051063, 051063, District 8.)

*The President inquired as to whether or not any member of the public wished to address the Board.*

*Sherri Maurin, Appellant*

*Nick Elsner, Department of Public Works representative reviewed with the Board DPW's recommendation.*

*The President of the Board declared the public hearing closed.*

**HEARD AT PUBLIC HEARING.**

**(Only one of the following two motions should be adopted.)****051055 [Affirming Minor Sidewalk Encroachment Appeal - 149 Fair Oaks Street]**

Motion affirming the Department of Public Works' denial of an Encroachment Permit for 149 Fair Oaks Street and denying an Encroachment Permit. (Clerk of the Board)

Supervisor Dufty, seconded by Supervisor Alioto-Pier, moved that this Motion be **TABLED**. The motion carried by the following vote:

Ayes: 8 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Sandoval

Noes: 3 - Daly, McGoldrick, Peskin

**051054 [Disapproving Minor Sidewalk Encroachment Appeal - 149 Fair Oaks Street]**

Motion disapproving the decision of the Department of Public Works' denial of an Encroachment Permit for 149 Fair Oaks Street and granting an Encroachment Permit. (Clerk of the Board)

**Motion No.** M05-97

Supervisor Dufty, seconded by Supervisor Alioto-Pier, moved that this Motion be **APPROVED**. The motion carried by the following vote:

Ayes: 8 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Sandoval

Noes: 3 - Daly, McGoldrick, Peskin

## COMMITTEE REPORTS

**050932 [Street Resurfacing, Pedestrian Safety and Access Improvement Bond Special Election]**  
**Supervisors Ammiano, Peskin**

Ordinance calling and providing for a special election to be held in the City and County of San Francisco (the "City") on Tuesday, November 8, 2005, for the purpose of submitting to the voters of the City a proposition to incur the following bonded debt of the City: Two Hundred and Eight Million Dollars (\$208,000,000) to finance street reconstruction, pavement renovation, disabled access curb ramp construction, sidewalk and street improvements, street structure rehabilitation and improvements, pedestrian safety street and signal improvements, street improvements for bicycle use and all other structures and improvements necessary or convenient for the foregoing purposes; finding that the estimated costs of such proposed projects are and will be too great to be paid out of the ordinary annual income and revenue of the City and will require expenditures greater than the amount allowed therefor by the annual tax levy; reciting the estimated cost of such proposed project; fixing the date of election and the manner of holding such election and the procedure for voting for or against the proposition; fixing the maximum rate of interest on such bonds and providing for the levy and collection of taxes to pay both principal and interest thereof; prescribing notice to be given of such election; finding the proposed project is in conformity with the priority policies of Planning Code Section 101.1(b) and with the General Plan consistency requirement of Administrative Code Section 2A.53; consolidating the special election with the general election; establishing the election precincts, voting places and officers for the election; waiving the word limitation on ballot questions imposed by San Francisco Municipal Elections Code Section 510; complying with Section 53410 of the California Government Code; and incorporating the provisions of Article V of Chapter V of the San Francisco Administrative Code.

(Fiscal impact.)

*Supervisor Elsbernd, seconded by Supervisor Alioto-Pier, moved an amendment of the whole.*

*Motion to amend this matter failed by the following vote:*

*Ayes: 4 - Alioto-Pier, Dufty, Elsbernd, Ma*

*Noes: 7 - Ammiano, Daly, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval*

**PASSED ON FIRST READING by the following vote:**

**Ayes: 9 - Alioto-Pier, Ammiano, Daly, Dufty, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval**

**Noes: 2 - Elsbernd, Ma**

**031567 [Charter Amendment - Establishing an Emergency Health Care Services Fund and baseline funding for the Fund]**  
**Supervisors Daly, Sandoval**

Charter Amendment (Fourth Draft) to add Section 16.126 to increase the fiscal authority of the Health Commission and establish a stable baseline funding level for the Department of Public Health to ensure the continued operation of San Francisco public health services.

*Continued to July 19, 2005*

**Supervisor Alioto-Pier, seconded by Supervisor Ammiano, moved that this Charter Amendment be CONTINUED.**

**The motion carried by the following vote:**

**Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval**

- 050492 [Charter Amendment - Authorizing Board of Supervisors to meet by teleconferencing during state of emergency; requiring Board to post various notices on its website and eliminating requirement that the Board publish those notices in the newspaper]**

**Supervisors Ma, McGoldrick**

Charter Amendment (Third Draft) to amend Section 2.103 to allow the Board of Supervisors to meet by teleconferencing or other electronic means during a state of emergency, and by amending Sections 2.103, 2.108, 2.117, 16.112, and Article XVII, to: (1) require that City departments, including the Board of Supervisors, to post various notices on the departments' websites and eliminate the requirement that the departments publish such notices in the City's official newspaper; and (2) assign individual section numbers to the definitions contained in Article XVII.

*Continued to July 19, 2005*

Supervisor Alioto-Pier, seconded by Supervisor Ammiano, moved that this Charter Amendment be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Duffy, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

- 050818 [Charter Amendment - Dividing appointments to the Municipal Transportation Agency's Board of Directors between the Mayor and the Board of Supervisors]**

**Supervisors Ammiano, Daly**

Charter amendment (Third Draft) to amend Section 8A.102, to divide appointments to the Municipal Transportation Agency's Board of Directors between the Mayor and the Board of Supervisors.

Supervisor Alioto-Pier dissented in Committee.

*Continued to July 19, 2005*

Supervisor Alioto-Pier, seconded by Supervisor Ammiano, moved that this Charter Amendment be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Duffy, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

- 050925 [Charter Amendment - Minimum qualifications for members of City bodies that oversee and administer election, campaign finance, lobbying, conflict of interest, open meeting and public records laws]**

**Supervisors Alioto-Pier, Elsbernd**

Charter Amendment (Second Draft) to add Section 15.104 to create minimum qualifications for members of City bodies that oversee and administer election, campaign finance, lobbying, conflict of interest, open meeting and public records laws.

*Continued to July 19, 2005*

Supervisor Alioto-Pier, seconded by Supervisor Ammiano, moved that this Charter Amendment be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Duffy, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval



**050926 [Charter Amendment - Neighborhood Beautification Initiative]  
Supervisor Alioto-Pier**

Charter Amendment (Third Draft) to add Section 8A.114 to provide that the Board of Supervisors may create "Neighborhood Beautification Districts" by ordinance, require the operation of parking meters on Sundays in specified Neighborhood Beautification Districts, and require that all revenue raised from the Sunday operation and enforcement of parking meters in a Neighborhood Beautification District, less any operational costs for enforcement, be used for pedestrian, street, and neighborhood improvements related to traffic regulation, safety and control in that district.

(Fiscal impact.)

*Continued to July 19, 2005*

Supervisor Alioto-Pier, seconded by Supervisor Ammiano, moved that this Charter Amendment be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

**050927 [Charter Amendment - Imposing term limits for members of City boards and commissions; limiting hold-over appointments]  
Supervisors Peskin, Elsbernd**

Charter Amendment (Third Draft) to add Section 4.101.5 to impose term limits for members of City boards and commissions and to limit hold-over appointments.

*Continued to July 19, 2005*

Supervisor Alioto-Pier, seconded by Supervisor Ammiano, moved that this Charter Amendment be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

**050928 [Charter Amendment - Ethics Commission Charter Amendment]  
Supervisor Mirkarimi**

Charter Amendment (Second Draft) to amend Section C3.699-14 to establish a budget process for the Ethics Commission and add Section C3.99.15 to authorize the hiring of outside counsel for specified conflicts.

(Fiscal impact.)

*Continued to July 19, 2005*

Supervisor Alioto-Pier, seconded by Supervisor Ammiano, moved that this Charter Amendment be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

050929 [Charter Amendment - MTA budget to be accountable to Mayor and Board of Supervisors; shared jurisdiction; compliance with voter-approved ordinances; Controller to administer MTA quality review]  
Supervisor Sandoval

Charter Amendment (Second Draft) to amend Sections 8A.102, 8A.106, and 8A.107, to provide that: the Municipal Transportation Agency's budget shall be subject to the City's normal budget process; the Municipal Transportation Agency shall be subject to regulation by the Board of Supervisors; the Municipal Transportation Agency must comply with voter-approved ordinances; and, the Controller, rather than the Agency, shall administer the biennial municipal transportation quality review survey and study.

*Continued to July 19, 2005*

Supervisor Alioto-Pier, seconded by Supervisor Ammiano, moved that this Charter Amendment be CONTINUED.

The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

## ROLL CALL FOR INTRODUCTIONS

*Supervisor Ammiano, seconded by Supervisor Alioto-Pier, moved to change the starting time of the July 19, 2005 Board of Supervisors meeting from 2:00 p.m. to 1:00 p.m.*

*Motion to change the starting time for the July 19, 2005 Board of Supervisors meeting from 2:00 p.m. to 1:00 p.m. carried without objection.*

*Supervisor Ammiano noted absent at 5:15 p.m.  
Supervisor Alioto-Pier noted absent at 5:20 p.m.*

## PUBLIC COMMENT

*James Chaffe; expressed concern with the Library budget  
Tom McDonagh; showed interest with Laguan Honda Hospital  
Shauna, Safe Actions for San Francisco; expressed concern regarding medical marijuana issues  
Male speaker; expressed concern relating to medical marijuana issues  
Mr. Green; expressed concern over SF Police Officers actions during recent protest  
Michael O'Connor, Small Business Commission; expressed concern regarding a Charter Amendment  
Male speaker; expressed concern regarding no funding for horse trails in Golden Gate Park*

## APPROVAL OF REQUESTS TO THE LEGISLATIVE ANALYST

*These items may be introduced by any Supervisor seeking analysis from the Office of the Legislative Analyst on introduced legislation and for the purpose of providing assistance to Board of Supervisors' task forces and advisory committees. Requests to the Legislative Analyst shall require the affirmative vote of a majority of the members of the Board.*

**051259 [Legislative Analyst Request - Rent Boards]  
Supervisor Sandoval**

Motion requesting the Legislative Analyst to survey other major cities such as Berkeley to find out details about their Rent Boards or equivalent agencies. Among other issues, the report should detail who has appointing authority for board members and what the ratios between tenant and landlord representatives are on the boards.

**APPROVED** by the following vote:

Ayes: 8 - Daly, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin, Sandoval  
Absent: 3 - Alioto-Pier, Ammiano, McGoldrick

## **FOR ADOPTION WITHOUT COMMITTEE REFERENCE**

*These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.*

**051249 [Request Full Reimbursement by the State for Statewide Special Election]  
Supervisors Elsbernd, Ammiano, Dufty, Peskin**

Resolution urging the State of California to fully reimburse all California counties for the associated costs of the special election in November 2005.

*Supervisor Peskin requested to be added as a co-sponsor.*

**Resolution No. 525-05**

**ADOPTED**

**051252 [Recognizing July 2005 as Recreation and Parks Month]  
Supervisor Ma**

Resolution recognizing July 2005 as "Recreation and Parks Month" in the City and County of San Francisco.

**Resolution No. 526-05**

**ADOPTED**

**051253 [Recognizing the 8th Anniversary of the San Francisco Immigrant Rights Commission]  
Supervisors Ma, Dufty**

Resolution recognizing the 8th anniversary of the San Francisco Immigrant Rights Commission.

**Resolution No. 527-05**

**ADOPTED**

**051261 [Zoning - Extension of Planning Commission Review Period]  
Supervisor Alioto-Pier**

Resolution extending the prescribed time within which the Planning Commission may render its decision on a proposed ordinance to amend the Planning Code section 260 to increase the height exemption for elevator penthouses from 10 to 16 feet.

**Resolution No. 528-05**

**ADOPTED**

**051262 [Arts Task Force Recommendations]  
Supervisor Ammiano**

Resolution adopting a policy that no action shall be taken to change the City's Hotel Tax allocation language regarding the process by which hotel tax revenues are distributed to City agencies that support and serve arts organizations and artists in San Francisco until the Arts Advisory Task Force has undertaken and completed the purposes and duties as set forth in Board of Supervisors resolution No. 781-04 and has submitted its final written recommendations to the Mayor and Board of Supervisors.

**Resolution No. 537-05**

**ADOPTED**

**051263 [Planning grant for the use of Prop 63, Mental Health Services Act, funding]  
Supervisor Dufty**

Resolution authorizing the San Francisco Department of Public Health (SFPDH) to accept retroactively and expend a new grant in the amount of \$207,487 from the California Department of Mental Health (CDMH) for community program planning as part of the Prop 63, Mental Health Services Act funding, and to enter into an agreement for the use of these funds; for the period of January 1, 2005, through September 30, 2005.

**Resolution No. 529-05**

**ADOPTED**

**051264 [Senate Bill 861 - Dangerous and vicious dogs]  
Supervisor Dufty**

Resolution endorsing Senate Bill 861, introduced by Senator Jackie Speier, and urging the California State Legislature and the Governor of California to support this bill.

**Resolution No. 530-05**

**ADOPTED**

**051266 [Training grant to promote and advance cultural competency in Departmental programs]  
Supervisors Ma, Dufty**

Resolution authorizing the San Francisco Department of Public Health (SFPDH) to accept retroactively and expend a new grant in the amount of \$121,047 from The California Endowment for training to advance cultural competency, and to enter into an agreement for the use of these funds; for the period of April 1, 2005, to March 31, 2006.

**Resolution No. 531-05**

**ADOPTED**

**051267 [Organic Certified Goods]  
Mayor, Supervisors Ammiano, Mirkarimi**

Resolution establishing City policy of maximizing purchase of Organic Certified materials when procuring necessary goods for the city.

**Resolution No. 532-05**

**ADOPTED**

**051268 [Fair Trade Certified Goods]**  
**Mayor, Supervisors Ammiano, Mirkarimi**

Resolution establishing City policy of maximizing purchase of Fair Trade Certified materials when procuring necessary goods for the City.

Resolution No. 533-05

**ADOPTED**

**051217 [Final Map of 1001 Mariposa Street]**

Motion approving Final Map of 1001 Mariposa Street, A Live/Work Condominium Project, being a subdivision of Lot 26 in Assessor's Block No. 4000, and adopting findings pursuant to Planning Code Section 101.1. (Public Works Department)

(DPW Order No. 175,478; District 10.)

Motion No. M05-94

**APPROVED**

**051251 [Needle Exchange Emergency]**

**Supervisors Ammiano, Daly, Peskin, McGoldrick, Maxwell, Duffy, Mirkarimi**

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.

Motion No. M05-98

**APPROVED**

The foregoing items were acted upon by the following vote:

Ayes: 10 - Alioto-Pier, Daly, Duffy, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Absent: 1 - Ammiano

**Severed From the Without Reference to Committee**

*Supervisor Elsbernd requested that this matter be severed so that it might be considered separately.*

**051215 [Urging State Legislators to Permit Person 16 Years of Age or Older to Vote in City or County Elections]**  
**Supervisors Mirkarimi, McGoldrick, Ammiano, Daly**

Resolution urging the California Legislature to pass a bill that will allow local choice legislation, for which any city or county could permit persons 16 years or older to vote in city or county elections.

Resolution No. 538-05

**ADOPTED by the following vote:**

Ayes: 8 - Alioto-Pier, Daly, Duffy, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Noes: 2 - Elsbernd, Ma

Absent: 1 - Ammiano

*Supervisor Daly requested that this matter be severed so that it might be considered separately.*

**051221 [Community Benefit Districts]  
Supervisor Peskin**

Resolution authorizing the Mayor to cast assessment ballots on behalf of the City and County of San Francisco as the owner of parcels of real property that are subject to assessment, except for parcels under the exclusive jurisdiction of the Port Commission or Municipal Transportation Agency, in the following proposed property and business improvement districts: Fisherman's Wharf Community Benefit District, North of Market/Tenderloin Community Benefit District, Noe Valley Community Benefit District and Castro/Upper Market Community Benefit District.

**REFERRED to the City Operations and Neighborhood Services Committee.**

*Supervisor Ma requested that this matter be severed so that it might be considered separately.*

**051265 [Urging the CPUC and the State Legislature to take steps to prevent the PG&E Company from engaging in competitive practices as the CCSF moves to implement Community Choice Aggregation]  
Supervisor Sandoval**

Resolution urging the California Public Utilities Commission and the State Legislature to take steps to prevent the Pacific Gas & Electric Company from engaging in competitive practices as the City and County of San Francisco moves to implement Community Choice Aggregation.

**REFERRED to the Rules Committee.**

## **OFF-AGENDA LEGISLATION**

### **Introduced by Supervisors or Mayor**

#### **Ordinances**

**051285 [Report of Revenue Recovery for Damage to City Property]  
Supervisor Ma**

Ordinance amending the San Francisco Administrative Code by adding Section 4.26 to require each department to report annually on the value of damage sustained to City real and personal property under its control and the amount of revenue recovered from those responsible for damaging the property.

7/12/05, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 8/11/2005.

**051286 [Reenacting a Disadvantaged Business Enterprise Program]  
Supervisor Ma**

Emergency ordinance reenacting a Disadvantaged Business Enterprise Program set forth in Chapter 14A of the San Francisco Administrative Code; suspending Chapter 12D.A; providing for data collection to ensure nondiscrimination in City contracting; and adopting a declaration of emergency.

7/12/05, ASSIGNED to Board of Supervisors.

**Resolutions****051221 [Community Benefit Districts]  
Supervisor Peskin**

Resolution authorizing the Mayor to cast assessment ballots on behalf of the City and County of San Francisco as the owner of parcels of real property that are subject to assessment, except for parcels under the exclusive jurisdiction of the Port Commission or Municipal Transportation Agency, in the following proposed property and business improvement districts: Fisherman's Wharf Community Benefit District, North of Market/Tenderloin Community Benefit District, Noe Valley Community Benefit District and Castro/Upper Market Community Benefit District.

7/6/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING. 07/15/05 - Referred to Small Business Commission

7/12/05, REFERRED to City Operations and Neighborhood Services Committee.

**051265 [Urging the CPUC and the State Legislature to take steps to prevent the PG&E Company from engaging in competitive practices as the CCSF moves to implement Community Choice Aggregation]  
Supervisor Sandoval**

Resolution urging the California Public Utilities Commission and the State Legislature to take steps to prevent the Pacific Gas & Electric Company from engaging in competitive practices as the City and County of San Francisco moves to implement Community Choice Aggregation.

6/28/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

7/12/05, REFERRED to Rules Committee.

**051284 [Confirming the Appointment of Kimberly Brandon to the San Francisco Port Commission]  
Mayor**

Resolution confirming the appointment of Kimberly Brandon to the San Francisco Port Commission, term ending May 1, 2009.

7/12/05, RECEIVED AND ASSIGNED to Rules Committee.

**051289 [Accept-Expend Regional Grant - Department of the Environment]  
Supervisor Maxwell**

Resolution authorizing the Department of the Environment to accept and expend a grant in the amount of \$15,400.00 from Altamont Education Advisory Board to expand recycling and lunchroom composting programs at schools in San Francisco.

7/12/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**051290 [Commending Julia Kavanagh]  
Supervisor Maxwell**

Resolution commending Julia Kavanagh for her dedication and exemplary service to the community and proclaiming July 13, 2005 as Julia Kavanagh Day in San Francisco.

7/12/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**051291 [Promoting African-American Tourism]  
Supervisor Maxwell**

Resolution promoting African-American tourism into San Francisco and encourages tourism as a development tool for targeted neighborhoods.

7/12/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**051294 [Fillmore and Grove "STOP" Intersection]  
Supervisor Mirkarimi**

Resolution designating Fillmore and Grove as a "STOP" intersection.

STOP SIGNS - ESTABLISH

Fillmore and Grove, stopping northbound and southbound Fillmore, making this intersection an All-Way STOP.

(7/11/05: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street.)

7/12/05, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

07/26/05 - Parking and Traffic notified to post notices and ad placed the the 8/4/05 edition of the SF Chronicle.

**051296 [New grant from the California Department of Health Services, TB Control, for bioterrorism preparedness and regional civil detention of persistently non-adherent tuberculosis patients]  
Supervisor Dufty**

Resolution authorizing the San Francisco Department of Public Health (SFPDH) to accept retroactively and expend a new grant in the amount of \$995,759 from the California Department of Health Services, TB Control Unit (CDHSTB) for the bioterrorism preparedness and dual use project for regional civil detention of persistently non-adherent tuberculosis patients, and to enter into an agreement for the use of these funds; for the period of April 27, 2005, to January 1, 2013.

7/12/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**051297 [Accept-Expend Corporate Grant - Department of the Environment]  
Supervisor Ma**

Resolution authorizing the Department of the Environment to accept and expend a grant in the amount of \$61,223.20 from Air Products and Chemicals, Incorporated (Inc.) for completion of site work for a hydrogen fueling station.

7/12/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.



**051298 [Accept-Expend Regional Grant - Department of the Environment]  
Supervisor Maxwell**

Resolution authorizing the Department of the Environment to accept and expend a grant in the amount of \$20,000 from the Environmental Protection Agency for its Bayview Hunters Point Community Air Monitoring Project (Bay-CAMP) in San Francisco's Bayview Hunters Point community.

7/12/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**051299 [Redevelopment Agency - Public Records Policy, Control of New Off-Sale Liquor Establishments, Control of Formula Retail Uses]  
Supervisor Mirkarimi**

Resolution urging the Redevelopment Agency to establish a public records policy based on the San Francisco Sunshine Ordinance, to take appropriate steps to control new off-sale liquor establishments along Fillmore Street, and to control formula retail uses in the Western Addition Redevelopment Project Area A-2.

7/12/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**051300 [Commending Le Video on their 25th Anniversary]  
Supervisors Mirkarimi, Elsbernd**

Resolution commending Le Video on the occasion of their 25th anniversary of providing San Francisco with an unparalleled selection of the world's cinema.

7/12/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**051301 [Commending Nihonmachi Little Friends]  
Supervisor Mirkarimi**

Resolution commending Nihonmachi Little Friends on the occasion of the unveiling of their 30th Anniversary Mural.

7/12/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**051302 [State Bar of California 78th Annual Meeting]  
Supervisor Sandoval**

Resolution urging the State Bar of California to reconsider its decision to have Kenneth Starr as a featured speaker at its 78th Annual Meeting in San Diego.

7/12/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

- 051303** [Recognizing the rededication of the Excelsior Branch of the San Francisco Public Library and commending the friends of the San Francisco Public Library for their commitment and efforts]  
Supervisor Sandoval

Resolution recognizing the rededication of the Excelsior Branch of the San Francisco Public Library and commending the Friends of the San Francisco Public Library for their commitment and efforts.

7/12/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

- 051304** [Apply for Regional/State Grant - Department of the Environment]  
Mayor

Resolution authorizing the Department of the Environment to apply for grant funds in the amount of \$726,400 from the Bay Air Quality Management District for the purpose of implementing programs to improve air quality.

7/12/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

### Requests for Hearing

- 051287** [Hearing - Emergency ordinance reenacting a Disadvantaged Business Enterprise Program]

Hearing to consider the possible adoption of an Emergency ordinance reenacting a Disadvantaged Business Enterprise Program set forth in Chapter 14A of the San Francisco Administrative Code; suspending Chapter 12D.A; providing for data collection to ensure nondiscrimination in City contracting; and adopting a declaration of emergency. (Clerk of the Board)

7/12/05, ASSIGNED to Board of Supervisors. Board to sit as a Committee of the Whole on July 26, 2005, at 4:00 p.m.

- 051292** [Transit Impact Development Fee]  
Supervisor McGoldrick

Hearing to review the implementation of the Transit Impact Development Fee (TIDF) including: (1) its application to the types of development and geographic area subject to the fee, (2) the status of TIDF collections, (3) an assessment of the transit impact calculations, and (4) an update of the fee calculation and fee schedule.

7/12/05, RECEIVED AND ASSIGNED to Budget and Finance Committee.

- 051293** [Closed Session - Comcast tentative settlement and franchise extension with CCSF]  
Supervisor McGoldrick

Request for a closed session hearing at the July 26, 2005 Board of Supervisors meeting regarding Comcast's negotiated tentative settlement and Comcast's extension of their franchise with the City and County of San Francisco.

7/12/05, ASSIGNED to Board of Supervisors. Scheduled for consideration July 26, 2005.

**051295 [2004-2005 Civil Grand Jury Continuity Report]  
Supervisor Peskin**

Hearing on the recently published 2004-2005 Civil Grand Jury report regarding Continuity Report.  
7/12/05, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

**Motions**

**051283 [Needle Exchange Emergency]  
Supervisors Ammiano, Daly, Peskin, McGoldrick, Maxwell, Dufty, Mirkarimi**

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.  
7/12/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**051288 [Emergency Disadvantaged Business Enterprise Program - July 26, 2005, Committee of the Whole]  
Supervisor Ma**

Motion for the Board of Supervisors to convene as a committee of the whole on July 26, 2005, at 4:00 p.m. to accept public testimony concerning the possible adoption of an emergency ordinance reenacting a Disadvantaged Business Enterprise Program set forth in Chapter 14A of the San Francisco Administrative Code; suspending Chapter 12D.A; providing for data collection to ensure nondiscrimination in City contracting; and adopting a declaration of emergency.  
7/12/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**051306 [Restoring HIV/AIDS funding to the FY 03-04 spending level; authorizing the backfill of Ryan White CARE Act reductions for federal FY 06-07; requiring the development of an expenditure plan; reserving nine months of funding pending Board approval]  
Supervisor Daly**

Motion amending the motion to approve the budget to restore HIV/AIDS services funding to the FY 03-04 actual expenditure level by adding up to \$6.2 million from any lawful source, authorizing the backfill of potential Ryan White CARE Act reductions in FY 06-07, requiring an expenditure plan; placing nine months on reserve.

(Fiscal impact.)

7/12/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**PROPOSED ORDINANCES**

**051220 [Parking Fine Penalty Schedule]**

Ordinance amending San Francisco Traffic Code Section 132 to reference the correct California Vehicle Code subsection for covering a license plate. (Parking and Traffic Department)  
6/27/05, RECEIVED AND ASSIGNED to Budget and Finance Committee.

## PROPOSED RESOLUTIONS

### 051186 [STOP Intersections]

Resolution designating certain intersections as "STOP" intersections.

#### STOP SIGNS - ESTABLISH

Bocana Street, Wool Street and Powhattan Avenue, installing STOP signs at the Bocana Street, Wool Street and Powhattan Avenue approaches, making this a Three-Way STOP;

Peter Yorke Way and Post Street, stopping Peter Yorke Way at Post Street;

21st and Hampshire Streets, stopping 21st Street at Hampshire Street, making this intersection an All-Way STOP;

Boylston and Sweeny Streets, stopping Boylston Street at Sweeny Street, making this intersection an All-Way STOP;

Barneveld and Sweeny Streets, stopping Sweeny Street at Barneveld Street, making this intersection an All-Way STOP; and,

44th Avenue and Santiago Street, stopping 44th Avenue at Santiago Street, making this intersection an All-Way STOP. (Parking and Traffic Department)

(6/24/05: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 3023.)

6/24/05, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee. 06/27/05 - Parking and Traffic notified to post notices and ad place in the 07/2/05 edition of the SF Chronicle.

### 051188 [Traffic Regulations]

Resolution enacting and rescinding traffic regulations on various streets.

STREET CLOSURE, 10 AM TO 10 PM, EVERYDAY - RESCIND

STREET CLOSURE, 10 AM TO 2 AM, EVERYDAY - ESTABLISH

Claude Lane, between Bush and Sutter Streets (Parking and Traffic Department)

(6/24/05: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 3023.)

6/24/05, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee. 06/27/05 - Parking and Traffic notified to post notices and ad place in the 07/2/05 edition of the SF Chronicle.

**051190 [Parking Regulations]**

Resolution enacting and rescinding parking regulations at various locations.

RESIDENTIAL PERMIT PARKING AREA "Z" (2-HOUR TIME LIMIT, 8 AM - 6 PM, MONDAY THROUGH FRIDAY) - ESTABLISH

26th Street, both sides, between Church and Dolores Streets (3800 Block).

NO PARKING ANYTIME - RESCIND

TOW-AWAY, NO PARKING ANYTIME - ESTABLISH

Kimball Street east side, south of Sacramento Street.

UNMETERED MOTORCYCLE PARKING - RESCIND

32nd Avenue, east side, from 215 feet north of Anza Street to 25 feet northerly (leaving 4 motorcycle parking spaces).

NO PARKING ANYTIME - ESTABLISH

Le Conte Circle, both sides, at Le Conte Avenue; and,

Stanyan Street, west side, within the intersection of Hayes Street.

TOW-AWAY, NO PARKING ANYTIME - ESTABLISH

4th Street, east side, from 42 to 82 feet south of Market Street; and,

Paulding Street, south side, from the Arago Street intersection to 115 feet westerly.

RESIDENTIAL PERMIT PARKING AREA "N" (2-HOUR TIME LIMIT, 9 AM - 6 PM, MONDAY THROUGH FRIDAY) - ESTABLISH

Fulton Street, north side, between Funston and 10th Avenue (3400, 3500, 3600 blocks). (Parking and Traffic Department)

(6/24/05: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 3023.)

6/24/05, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee. 06/27/05 - Parking and Traffic notified to post notices and ad place in the 07/2/05 edition of the SF Chronicle.

**051191 [Airport Food and Beverage Lease]**

Resolution approving the Terminal 1 Casual Dining & Bar Lease between WSE Group, Inc., and the City and County of San Francisco, acting by and through its Airport Commission.

6/22/05, RECEIVED AND ASSIGNED to Budget and Finance Committee.

**051218 [Public Works Landmark Trees]**

Resolution approving designation of four (4) tree locations for Landmark Status because of their historical significance, aesthetic qualities, or contribution to the City's overall character. (Public Works Department)

6/24/05, RECEIVED AND ASSIGNED to Land Use Committee.

**051219 [Freeway Maintenance Agreement for Central Freeway Replacement Project]**

Resolution authorizing the City and County of San Francisco's Director of Public Works to execute a Freeway Maintenance Agreement with the State of California, acting by and through its Department of Transportation apportioning maintenance responsibilities for the Central Freeway Replacement Project. (Public Works Department)

6/24/05, RECEIVED AND ASSIGNED to Land Use Committee.

**Requests Granted**

*From: Supervisor Daly*

*To: Director, San Francisco Public Utilities Commission*

*Requesting/Inquiring: Inquiring about PUC's watershed environmental policy. Requesting the PUC to account for the huge environmental impacts from City-owned parcels in Alameda County that are being used for rock quarries, composting, cattle grazing and agriculture (including gardening nurseries) and recreation (including the Sunol Golf Course). What will the PUC do to mitigate and eliminate the adverse environmental impacts from activities on these parcels?*

*From: Supervisor Mirkarimi*

*To: City Attorney*

*Requesting/Inquiring: To draft an ordinance transferring the City's Streetlight Management Program from the Public Utilities Commission to the Department of Public Works.*

*From: Supervisor Mirkarimi*

*To: Director, Recreation and Park Department*

*Requesting/Inquiring: Requesting that the Recreation and Park Department clean the Mini-Park near 1111 Buchanan, and to give a report on the cleaning schedule of the park.*

*From: Supervisor Mirkarimi*

*To: Director, Recreation and Park Department*

*Requesting/Inquiring: Requesting that the Recreation and Park Department repair and report on a broken water pipe at the uphill portion of the center of the park just off Pierce Street entrance of Alamo Square Park.*

*From: Supervisor McGoldrick*

*To: City Attorney*

*Requesting/Inquiring: To prepare legislation that amends Section 3.20 and 3.21 of the Administrative Code to require the Capital Improvement Advisory Committee (CIAC) to review and report to the Board of Supervisors on a quarterly basis regarding all capital improvement projects and long-term financing proposals and to require the CIAC to submit to the Board of Supervisors its capital improvement projects proposals and recommendations at the same time that the CIAC submits such proposals and recommendations to the Mayor's Office.*

*From: Supervisor Sandoval*

*To: Director, Department of Parking and Traffic*

*Requesting/Inquiring: Requesting the Department of Parking and Traffic to inquire about a possible solution to increase the visibility of the pedestrian crosswalk at Sagamore and Alemany.*

*From: Supervisor Sandoval*

*To: Director, Department of Parking and Traffic*

*Requesting/Inquiring: Requesting the Department of Parking and Traffic to inquire about the feasibility of installing of mirrors on Moscow Street between Excelsior and Avalon so that drivers exiting their garages can avoid getting hit by vehicles speeding up and down Moscow Street.*

*From: Supervisor Duffy*

*To: Controller's Office*

*Requesting/Inquiring: Requesting the Controller's Office to review the operations of the Residential Parking Program within the Department of Parking and Traffic, particularly with regards to how they staff their customer service centers and respond to phone inquiries.*

*From: Supervisor Duffy*

*To: Controller's Office*

*Requesting/Inquiring: Requesting the Controller to identify funding and type of sources that are available in the budget to support the planting and /or maintenance of street trees.*

*Such report shall specifically consider the funding history and sources provided to Friends of the Urban Forest.*

*Furthermore the report should identify options for dedicating revenues or other funding sources to establish a dedicated, steady source of support for street trees and Friends of the Urban Forest.*

*This request is time sensitive in light of upcoming consideration of the 2005-2006 City budget.*

*From: Supervisor Elsbernd*

*To: Director, Recreation and Park Department*

*Requesting/Inquiring: Requesting the Department of Recreation and Park; to inspect and assess who is responsible for repairing a sinkhole 50 ft. north of the Harding Rd. entrance on the footpath on the east side of Skyline Blvd.*

*Text as Follows:*

*Can Rec. & Park inspect and assess who is responsible for the repairing of a sinkhole 50 ft. north of the Harding Rd. entrance on the footpath on the east side of Skyline Blvd?*

### **In Memoriams**

*John Cailleau - Supervisors Dufty & Ammiano*

*Pat Durham - Supervisors Dufty & Ammiano*

*David Hart - Supervisor Daly*

*Lolita Lee Baclay - Supervisor Daly*

*Miriam Blaustein - Entire Board*

*Tess Ventresca - Entire Board*

*Deanne Bradford - Supervisors Mirkarimi & Maxwell*

*Justin Hardeman - Supervisor Dufty*

## ADJOURNMENT

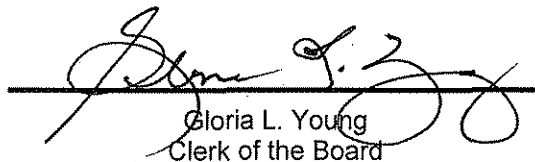
*There being no further business, the Board adjourned at the hour of 6:00 p.m.*

*Gloria L. Young, Clerk of the Board*

*N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.*

*Approved by the Board of Supervisors on August 9, 2005.*

*I, Gloria L. Young, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Minutes of said Board on the date stated and was approved as recited.*

  
Gloria L. Young  
Clerk of the Board