

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, January 10, 2006 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 Daly, Dufty, Peskin

City and School District Select Committee

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

City Operations and Neighborhood Services Committee

Supervisors McGoldrick, Dufty, Ma

Government Audit and Oversight Committee

Supervisors Ammiano, Alioto-Pier, Peskin

Land Use Committee

Supervisors Maxwell, Sandoval, McGoldrick

Rules Committee

Supervisors Mirkarimi, Elsbernd, Ammiano

Meeting Days

Wednesday
1:00 PM

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

Thursday
10:00 AM

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

Volume 101 Number 1

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

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:04 p.m. On the call of the roll Supervisor Alioto-Pier was noted absent.

There was a quorum.

Supervisor Alioto-Pier Excused from Attendance

Supervisor Dufty, seconded by Supervisor Maxwell, moved to excuse Supervisor Alioto-Pier from attending today's meeting. The motion carried by the following vote:

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

APPROVAL OF MEETING MINUTES

Supervisor Maxwell, seconded by Supervisor Mirkarimi, moved to approve the December 6, 2005 and December 13, 2005 Meeting Minutes. The motion carried by the following vote:

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

CONSENT AGENDA

Recommendations of the Budget and Finance Committee

051827 [Exempting pushcart peddlers with BART permits at 16th and 24th Street Stations from Police permit requirements]
Supervisor Ammiano

Ordinance amending Article 17.3 of the Police Code by amending Section 1330 to define BART; adding Section 1330.2 to exempt pushcarts who obtain permits from BART for the 16th St. and 24th St. BART stations or adjacent plaza from obtaining a police permit; amending Section 1330.5 to require the Health Department Director to make a recommendation to BART within 30 days after the filing of such application with BART; amending Section 1330.14 to require the Health Department Director to forward the Certificate of Sanitation decal number assigned to each pushcart under the jurisdiction of BART to BART; and by renumbering Sections 1330.2 through 1330.6.

Ordinance No. 2-06
FINALLY PASSED

- 051869 [Approval of Port Lease with Miller Kelly Architects, Inc. at the Roundhouse One Building located at 1500 Sansome Street]**
Resolution approving Lease between the San Francisco Port Commission and Miller Kelly Architects, Inc., a California corporation, dba MK Think for the lease of the Roundhouse One Building located at 1500 Sansome Street, for a term of ten (10) years and one hundred eighty (180) days with one (1) option to renew for an additional five (5) years. (Port)
- Resolution No. 19-06
ADOPTED

Recommendations of the Rules Committee

- 051745 [Settlement of Lawsuit - Dazell Mallory]**
Ordinance authorizing settlement of the lawsuit filed by plaintiff Dazell Mallory against the City and County of San Francisco for payment of \$53,150, including all damages, attorneys' fees and costs; the lawsuit was filed on February 24, 2005, in San Francisco Superior Court, Case No. 438-930, entitled Dazell Mallory v. San Francisco Public Library, the City and County of San Francisco, and Does 1-100. (City Attorney)
- PASSED, ON FIRST READING
- 051812 [Settlement of Lawsuit - Theresa Koenig]**
Ordinance authorizing settlement of the lawsuit filed by Theresa Koenig against the City and County of San Francisco for \$190,000; the lawsuit was filed on November 16, 2001 in San Francisco Superior Court, Case No. 401-374; entitled Theresa Koenig, et al., v. City and County of San Francisco, et al. (City Attorney)
- PASSED, ON FIRST READING
- 051813 [Settlement of Lawsuit - Tania Tavasieff Foley]**
Ordinance authorizing settlement of the lawsuit filed by Tania Tavasieff Foley against the City and County of San Francisco for \$75,000; the lawsuit was filed on September 7, 2004 in San Francisco Superior Court, Case No. 434-496; entitled Tania Tavasieff Foley v. City and County of San Francisco, Mortimer John Joyce, Jr., and Stephen Waichi Wong. (City Attorney)
- PASSED, ON FIRST READING
- 051814 [Settlement of Lawsuit - Aircraft Service International, DHL Express (USA) as successor in interest to Airborne Express ("Airborne"), Atlantic Richfield Co., ChevronTexaco, Shell, Signature Flight Support, and Unocal]**
Ordinance authorizing settlement of the lawsuit filed by the City and County of San Francisco, acting by and through its Airport Commission, against Aircraft Service International, DHL Express (USA) as successor in interest to Airborne Express ("Airborne"), Atlantic Richfield Co., ChevronTexaco, Shell, Signature Flight Support, and Unocal, for the payment to the Airport of environmental clean-up costs with regard to City and County of San Francisco v. ARCO et al., Case No. C-97-2965 MMC (N.D. Cal). (City Attorney)
- PASSED, ON FIRST READING

- 051820** [Settlement of proceeding before the California Public Utilities Commission regarding the December 2003 fire at PG&E's Mission Substation and the subsequent outage]
Supervisors McGoldrick, Maxwell

Ordinance authorizing settlement of the proceeding before the California Public Utilities Commission, Investigation 05-03-011, to determine whether PG&E should be found in violation of state law and fined in connection with the December 2003 fire at the Mission Substation and the subsequent outage affecting 100,000 customers in San Francisco.

PASSED, ON FIRST READING

- 051877** [Settlement of Lawsuit - Carol Renault v. CCSF, et al.]
Ordinance authorizing settlement of the lawsuit filed by Carol Renault against the City and County of San Francisco for \$900,000; the lawsuit was filed on July 20, 2004 in San Francisco Superior Court, Case No. 433-157; entitled Carol Renault v. City and County of San Francisco, et al. (City Attorney)

PASSED, ON FIRST READING

- 051878** [Settlement of Lawsuit - 1750 Connecticut Street, et al., v. CCSF, et al.]
Ordinance authorizing settlement of the lawsuit filed by 1750 Connecticut Street against the City and County of San Francisco for \$75,000; the lawsuit was filed on August 20, 2004 in San Francisco Superior Court, Case No. 433-992; entitled 1750 Connecticut Street, et al., v. City and County of San Francisco, et al. (City Attorney)

PASSED, ON FIRST READING

- 051896** [Settlement of Lawsuit - National Center for International Schools, et al., v. CCSF, et al.]
Ordinance authorizing settlement of the lawsuit filed by National Center for International Schools against the City and County of San Francisco for \$178,667.42; the lawsuit was filed on October 28, 2004 in San Francisco Superior Court, Case No. 435-875; entitled National Center for International Schools, et al., v. City and County of San Francisco, et al. (City Attorney)

PASSED, ON FIRST READING

- 051899** [Settlement of Lawsuit - Evan Weiss Arkush, et al., v. CCSF, et al.]
Ordinance authorizing settlement of the lawsuit filed by Evan Weiss Arkush against the City and County of San Francisco for \$125,000; the lawsuit was filed on July 26, 2004 in San Francisco Superior Court, Case No. 432-947; entitled Evan Weiss Arkush, et al., v. City and County of San Francisco, et al. (City Attorney)

PASSED, ON FIRST READING

- 051935** [Settlement of Claim - Yully Company]
Resolution approving the settlement of the unlitigated Claim No. 05-03042 filed by Yully Company on March 24, 2005, against the City and County of San Francisco for \$119,000. (City Attorney)

Resolution No. 20-06

ADOPTED

051976 [Appointment - Back Streets Business Advisory Board]

Resolution appointing Michael Potepan, term ending November 16, 2006, to the Back Streets Business Advisory Board.

Michael Potepan, succeeding My Do, resigned, seat 6, must be an officer or representative of an economic development or planning organization or association, or of an academic institution, for the unexpired portion of a two-year term ending November 16, 2006.

Resolution No. 7-06

ADOPTED

Recommendations of the City Operations and Neighborhood Services Committee**051808 [Liquor License Transfer, 4715 Geary Boulevard]**

Hearing to consider that the transfer of a Type 21 off-sale general alcoholic beverage control license from 308 Randolph Street to 4715 Geary Boulevard (District 1), to Wendy Ai-Phi Van dba D&M Liquor Mart, will serve the convenience of the people of the City and County of San Francisco.

Resolution No. 4-06

ADOPTED

**051913 [Grant of Regional Funds - Municipal Transportation Agency]
Supervisor Dufty**

Resolution authorizing the Municipal Transportation Agency to accept and expend \$11,283,000 of Regional Measure 2 funds for the Automatic Vehicle Location System project.

Resolution No. 5-06

ADOPTED

**051957 [Grant of Local Funds - Municipal Transportation Agency]
Supervisors Dufty, Ma**

Resolution authorizing the Municipal Transportation Agency to accept and expend \$876,050 of Transportation Fund for Clean Air Regional Funds from the Bay Area Air Quality Management District to implement projects that reduce air pollution from motor vehicles.

Resolution No. 21-06

ADOPTED

The foregoing items were acted upon by the following vote:

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

Severed from Consent Agenda

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

- 051763 [Appointment - Public Utilities Revenue Bond Oversight Committee]**
Resolution appointing David Sutter, term ending November 12, 2009, to the Public Utilities Revenue Bond Oversight Committee.

David Sutter, succeeding himself, term expired, seat 2, must have expertise, skills and experience in economics, the environment, construction or project management, for the unexpired portion of a four-year term ending November 12, 2009.

Resolution No. 3-06

ADOPTED by the following vote:

Ayes: 9 - Ammiano, Daly, Dufty, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Noes: 1 - Elsbernd

Excused: 1 - Alioto-Pier

REGULAR AGENDA

UNFINISHED BUSINESS

From the Clerk

- 052053 [Adopting findings related to the conditional use appeal on property located at 80 West Portal Avenue] Supervisor Elsbernd**

Motion adopting findings related to the appeal of the Planning Commission's approval of Conditional Use Application No. 2005.0698C (which allowed the establishment of a mortgage brokerage as a business or professional service (Guarantee Mortgage), in a vacant ground floor commercial space approximately 2,318 gross square feet in the West Portal Avenue Neighborhood Commercial District and 26-X Height an Bulk District) for property located at 80 West Portal (Lot 008, in Assessor's Block 2931). (Clerk of the Board)

(Companion measure to Files 051784, 051785, 051786, 051787.)

Supervisor Elsbernd requested to be added as a co-sponsor.

Motion No. M06-3

APPROVED by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Excused: 1 - Alioto-Pier

NEW BUSINESS

Recommendations of the Budget and Finance Committee

- 051559 [An ordinance conforming state law, provisions of the Administrative Code, which permit any person who is liable for tax on property that has been damaged or destroyed by misfortune or calamity, to apply to the Assessor for reassessment]
Supervisor Elsbernd

Ordinance amending Section 10.2-5 of the San Francisco Administrative Code to conform to Section 170 of Chapter 2.5, Part 1, Division 1 of the California Revenue and Taxation Code providing that every assessee of any taxable property, or any person liable for the taxes thereon, whose property was damaged or destroyed, without his or her fault, by a misfortune or calamity, may apply for reassessment of that property; specifying the nature of the damage or destruction required to be eligible for reassessment; and also specifying that the Assessor-Recorder may initiate the reassessment where the Assessor-Recorder determines that within the preceding 12 months taxable property located in the County was damaged or destroyed, for the purpose of providing property tax relief to residents of the City and County of San Francisco.

PASSED ON FIRST READING by the following vote:

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

- 051721 [Zoning - Interim Moratorium on New Check Cashing and Pay Day Lender Uses]
Supervisors Ammiano, Maxwell, Duffy, Daly, Mirkarimi

Urgency Ordinance approving an interim zoning moratorium on new check cashing and pay day lender uses for 45 days and making required findings, including findings related to the imposition of an interim moratorium, findings of consistency with the priority policies of Planning Code Section 101.1, and environmental findings.

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

Ordinance No. 1-06

FINALLY PASSED by the following vote:

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

- 051789 [Prevailing wages for workers on public works/improvement projects, workers doing janitorial services, workers in public off-street parking lots, garages, or auto storage facilities, workers in theatrical services; and workers performing moving services]

Resolution fixing prevailing wage rates for (1) workers performing work under City contracts for public work and improvement; (2) workers performing work under City contracts for janitorial services; (3) workers in public off-street parking lots, garages, or storage facilities for automobiles on property owned or leased by the City; (4) workers engaged in theatrical or technical services for shows on property owned by the City; and (5) workers performing moving services under City contracts at facilities owned or leased by the City. (Civil Service Commission)

(Fiscal impact.)

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

Resolution No. 10-06

ADOPTED by the following vote:

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

**051923 [Authorization for Loan from SFCTA]
Supervisor McGoldrick**

Resolution authorizing the City and County of San Francisco, through its Municipal Transportation Agency, to borrow \$22.57 million of Proposition K Sales Tax Funds from the San Francisco County Transportation Authority to allow the Third Street Light Rail Transit – Muni Metro East Maintenance and Operations Facility Project to proceed in advance of receiving anticipated state grant funds.

Resolution No. 6-06

ADOPTED by the following vote:

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

Recommendations of the Government Audit and Oversight Committee

051273 [Airport Environmental Review]

Resolution certifying the Determination of the Office of Environmental Review that no further environmental review document is necessary for the West Field Cargo Redevelopment Project at San Francisco International Airport. (Airport Commission)

Resolution No. 2-06

ADOPTED by the following vote:

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

**051149 [Webpage maintenance by individual members of the Board of Supervisors]
Supervisor Daly**

Motion amending the Rules of Order of the Board of Supervisors by amending Rule 6.22 to expressly permit individual members of the Board of Supervisors to maintain and update Webpages hosted on the Website of the Board of Supervisors.

Motion No. M06-4

APPROVED by the following vote:

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

Recommendations of the Land Use Committee

Supervisor Mirkarimi Excused from Voting

Supervisor Dufty, seconded by Supervisor Ammiano, moved to excuse Supervisor Mirkarimi at his request, because of possible conflict of interest, from voting on File No. 0516367. The motion carried by the following vote:

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

**051637 [Subdivision Code – Planning Commission hearings on condominium conversions]
Supervisor Daly**

Ordinance amending Subdivision Code Section 1332 to require Planning Commission hearings to address General Plan consistency for all condominium conversion applications subject to Subdivision Code Sections 1396 et seq., the condominium conversion lottery; and making environmental findings.

Supervisor Daly, seconded by Supervisor Ammiano, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. The motion carried by the following vote:

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

Ordinance amending Subdivision Code Sections 1332 and 1359 to require Planning Commission hearings to address General Plan consistency for all condominium conversion applications subject to Subdivision Code Sections 1396 et seq., the condominium conversion lottery; and making environmental findings.

NOTE: This action requires two-thirds vote. The Board may not amend the ordinance and may only vote in favor or in opposition to the veto override.

The Board of Supervisors must act on the veto override within 30 days of the date of the veto. The Mayor vetoed the Ordinance on February 3, 2006. Therefore, the Board will lose the ability to override the veto unless it votes on the veto override on or before March 3, 2006.

PASSED ON FIRST READING AS AMENDED by the following vote:

Ayes: 6 - Ammiano, Daly, Maxwell, McGoldrick, Peskin, Sandoval
Noes: 3 - Dufty, Elsbernd, Ma
Excused: 2 - Alioto-Pier, Mirkarimi

**051822 [Residential Housing Purchaser Protection Ordinance]
Supervisor Daly**

Ordinance amending Administrative Code Section 37.10A to require property owners and their agents to disclose to prospective buyers of residential property consisting of two or more units, the legal ground(s) for the termination of a tenancy and whether any units were occupied by elderly and or disabled tenants at the time of termination of tenancy.

Supervisor Daly, seconded by Supervisor McGoldrick, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. The motion carried by the following vote:

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

Ordinance amending Administrative Code Section 37.10A to require property owners to disclose to prospective buyers of residential property consisting of two or more units, the legal ground(s) for the termination of a tenancy and whether any units were occupied by elderly and or disabled tenants at the time of termination of tenancy.

NOTE: This action requires two-thirds vote. The Board may not amend the ordinance and may only vote in favor or in opposition to the veto override.

The Board of Supervisors must act on the veto override within 30 days of the date of the veto. The Mayor vetoed the Ordinance on January 20, 2006. Therefore, the Board will lose the ability to override the veto unless it votes on the veto override on or before February 19, 2006.)

PASSED ON FIRST READING AS AMENDED by the following vote:

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

Recommendations of the Rules Committee**051439 [Campaign Finance Reform Amendments of 2005]
Supervisor Mirkarimi**

Ordinance amending the Campaign and Governmental Conduct Code by adding a new Section 1.103, amending Sections 1.100, 1.104, 1.112, 1.114, 1.120, 1.128, 1.130, 1.134, 1.144, 1.152, 1.168, and 1.170, repealing Section 1.118, and repealing Chapter 3 of Article 1, Sections 1.300, 1.305, 1.310, 1.312, 1.315 and 1.320 to: (1) make technical changes including the correction of grammatical or reference errors and the reordering of Sections; (2) conform the Campaign Finance Reform Ordinance to the adoption of Ranked Choice Voting; (3) move the Electronic Filing Ordinance from Chapter 3 of Article 1 of the Campaign and Governmental Conduct Code to the Campaign Finance Reform Ordinance; and (4) expressly set forth a statute of limitations for criminal, civil, administrative and collection actions brought under the Campaign Finance Reform Ordinance. (Ethics Commission)

PASSED ON FIRST READING by the following vote:

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

**051652 [Office of Labor Standards Enforcement]
Supervisors Ammiano, Mirkarimi**

Ordinance adding Section 2A.23 to Chapter 2 of the San Francisco Administrative Code to establish the Office of Labor Standards Enforcement within the Department of Administrative Services to enforce the Minimum Wage Ordinance, Minimum Compensation Ordinance, Health Care Accountability Ordinance, Prevailing Wage Ordinances and carry out additional duties as established by Charter or ordinance; and amending Section 6.24 of the Administrative Code to delete language duplicative of Section 2A.23.

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

PASSED ON FIRST READING by the following vote:

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

**051845 [Confirmation: City Hall Preservation Advisory Commission]
Mayor**

Resolution confirming the appointment of James W. Haas, G. Bland Platt and Anne Cervantes for a two year term to the City Hall Preservation Advisory Commission.

Resolution No. 11-06

ADOPTED by the following vote:

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

**051846 [Confirmation: City Hall Preservation Advisory Commission]
Mayor**

Resolution confirming the appointment of Ellen Schumer and Mae Woo for a four year term to the City Hall Preservation Advisory Commission.

Resolution No. 12-06

ADOPTED by the following vote:

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

051871 [Settlement of Lawsuit - Kristen Odlaug v. City and County of San Francisco and Robert Palu]

Ordinance authorizing settlement of the lawsuit filed by plaintiff Kristen Odlaug against the City and County of San Francisco for payment of \$400,000, including all damages, attorneys' fees and costs; the lawsuit was filed on April 13, 2004, in San Francisco Superior Court, Case No. 430-509, entitled Kristen Odlaug v. City and County of San Francisco and Robert Palu.

Continued to January 17, 2006.

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

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

051952 [Board of Supervisors - Meeting Schedule]

Resolution revising the regular meeting schedule of the Board of Supervisors by canceling the February 21, 2006, May 30, 2006, October 10, 2006, November 28, 2006, December 19, 2006, December 26, 2006 and January 2, 2007 meetings and by canceling all Board and Committee meetings from August 16 through September 5, 2006 and re-instating the regularly scheduled Board of Supervisors meeting on January 17, 2006. (Clerk of the Board)

Resolution No. 1-06

ADOPTED by the following vote:

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

**051951 [Rules of Order - Select Committee on Ending Gun and Gang Violence Consists of Five Members]
Supervisor Maxwell**

Motion amending the Board of Supervisors Rules of Order by adding Rule 5.8 to provide that the Select Committee on Ending Gun and Gang Violence shall be comprised of five members of the Board of Supervisors.

Motion No. M06-5

APPROVED by the following vote:

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

Recommendations of the City Operations and Neighborhood Services Committee

**051903 [Paratransit Reimbursement – Taxi Meter Rates]
Supervisor Alioto-Pier**

Ordinance amending Article 16, Section 1137.5 of the San Francisco Police Code to extend the taxi meter rate offset for the paratransit program to December 31, 2006.

Continued to January 24, 2006

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

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

**051458 [Public Works Code - landmark trees, significant trees, and penalties for violations]
Supervisor McGoldrick**

Ordinance amending the Public Works Code by amending Section 801 to add to the purposes; by amending Section 802 to modify various definitions; amending Sections 802, 806, and 809 to redefine nuisance trees as hazard trees; amending Sections 802 and 803 authorizing the Urban Forestry Council to succeed to the powers and duties of the Tree Advisory Board and to assume new duties; amending Section 806 to allow for appeals of decisions concerning removal of street trees that are the responsibility of City departments and to extend the notice period to 30 days for removal of street trees that are the responsibility of private property owners; amending Sections 806 and 807 to require imposition of in lieu fees under specified circumstances; adding Section 810A to define significant trees and establish a regulatory program governing their removal; amending Sections 804, 807, and 808 to make conforming changes regarding significant trees; amending Sections 804, 807, 808, and 810 concerning landmark trees and procedures to designate, nominate, and remove landmark trees; amending Section 811 to create civil penalties and fines and to modify provisions on administrative penalties; requiring the Office of the Legislative Analyst to prepare a report concerning financial incentives related to landmark trees; and making environmental findings.

Supervisor Ma dissented in committee.

PASSED ON FIRST READING by the following vote:

Ayes: 8 - Ammiano, Daly, Dufty, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 2 - Elsbernd, Ma
Excused: 1 - Alioto-Pier

**051720 [Limousines operating as unlicensed taxicabs; inspection of limousine waybills; criminal and administrative penalties]
Supervisor Elsbernd**

Ordinance amending the San Francisco Police Code by: (1) repealing current Section 1165, dealing with local licensing of limousines; (2) amending Section 1078, to re-state the prohibition on limousines acting as unlicensed taxicabs within San Francisco; (3) adding a new Section 1165, pursuant to California Public Utilities Code Section 5371.4(i), to authorize police officers and the Taxi Commission Executive Director to inspect limousine waybills and make violation an infraction; (4) amending Section 1185, to correct certain misdemeanor penalties and increase infraction penalties for violation of Sections 1078 and 1165; and (5) adding Section 1187.1, to authorize imposition of administrative penalties against persons operating a motor vehicle as a taxicab without a permit.

PASSED, ON FIRST READING by the following vote:

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

SPECIAL ORDER 3:30 P.M - Recognition of Commendations**SPECIAL ORDER 4:00 P.M.****051751 [Public Hearing - Appeal of Tentative Parcel Map for 901 Bush Street]**

Hearing of persons interested in or objecting to the decision of the Department of Public Works dated October 6, 2005 (Condominium Application No. 2005.0333Q), disapproving a proposed Tentative Parcel Map to legalize the construction of a 38-unit new condominium at 901 Bush Street, Southwest corner at Taylor Street, San Francisco, Lot 001 in Assessor's Block 0282. (Appellant: Matthew A. Brennan, Esq., on behalf of property owners (M-J SF Investments, LLC).

(Filed 10/13/04; companion measure to Files 051752, 051753, 051754; District 3.)

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

Charles Rathbone, support of Department of Public Works decision
Francisco Da Costa, position undeclared
Steve Collier, support of project sponsor
Michael Voltstein, support of Department of Public Works decision
Male speaker, supporting Public Works disapproval of a proposed tentative parcel map
Brett Gladstone, Attorney representing the appellant. He requested a 3 week continuance
Ted Gullickson, support of appellant
James Netimocker, support of appellant
Male speaker, support of appellant
Marge Vincent, support of appellant
Richard Stipmann, support of Department of Public Works decision
Jose Morales, support of Department of Public Works decision
Daisy McArthur, support of Department of Public Works decision
Male speaker, support of Department of Public Works decision
Male speaker, support of Department of Public Works decision

The President declared the public hearing closed.

Supervisor Ma, seconded by Supervisor Sandoval, moved to continue the 901 Bush Street appeal to January 31, 2006

Motion to continued failed by the following vote:

Ayes: 3 - Elsbernd, Ma, Sandoval

Noes: 7 - Ammiano, Daly, Dufty, Maxwell, McGoldrick, Mirkarimi, Peskin

Excused: 1-Alioto-Pier

HEARD AT PUBLIC HEARING.

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the Tentative Parcel Map 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 adopted.)

051752 [Approving decision of the Director of Public Works and disapproving Tentative Parcel Map for 901 Bush Street]

Motion approving decision of the Director of Public Works, and disapproving Tentative Parcel Map to legalize the proposed construction of a 38-unit condominium located at 901 Bush Street, Lot 001 in Assessor's Block 0282. (Clerk of the Board)

Supervisor Peskin, seconded by Supervisor McGoldrick, moved that this Motion be **AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE**. The motion carried by the following vote:

Ayes: 8 - Ammiano, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin
Noes: 2 - Ma, Sandoval
Excused: 1 - Alioto-Pier

Motion approving decision of the Director of Public Works, and disapproving Tentative Parcel Map for a 38-unit condominium project located at 901 Bush Street, Lot 001 in Assessor's Block 0282. (Clerk of the Board)

Motion No. M06-2

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

Ayes: 8 - Ammiano, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin
Noes: 2 - Ma, Sandoval
Excused: 1 - Alioto-Pier

051753 [Disapproving decision of the Director of Public Works and approving Tentative Parcel Map for 901 Bush Street]

Motion disapproving decision of the Director of Public Works, and approving Tentative Parcel Map to legalize the proposed construction of a 38-unit new condominium located at 901 Bush Street, Lot 001 in Assessor's Block 0282. (Clerk of the Board)

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

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

051754 [Findings - 901 Bush Street]

Motion directing the Clerk of the Board to prepare findings relating to Tentative Parcel Map to legalize the proposed construction of a 38-unit condominium located at 901 Bush Street, Lot 001 in Assessor's Block 0282. (Clerk of the Board)

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

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

SPECIAL ORDER 4:00 P.M.

051755 [Public Hearing - Appeal of Categorical Exemption from Environmental Review for 733-27th Avenue]
 Hearing of persons interested in or objecting to the decision of the Planning Department dated August 24, 2005, exempting from environmental review under Categorical Exemption [State CEQA Guidelines, Section 15301 (Class 1)] the proposed interior renovations, façade alteration and horizontal and vertical extensions of the existing two-family residence. The existing two-story building is approximately 1,848 feet in size and has one off-street parking space. Upon completion of the proposed project, the building would have two residential units in a three-story, approximately 4,700 square-foot building with two off-street parking spaces in the ground floor garage. The proposed project would result in a horizontal addition that would extend the existing building about six feet to the north property line and 18 feet west into the rear yard and a vertical addition that would add a third floor to the existing building. The project would also include interior renovations and alteration of the façade.

The approximately 3,710 square-foot project site is located at 733-27th Avenue (Assessor's Block 1617, Lot 3), The project is within RH-2 (House, Two-Family) zoning district and within a 40X height and bulk district. (Appellant: Stephen M. Williams representing the neighbors of the above-referenced project.)

(Filed 10/13/05; companion measure to Files 051756, 051758, 051758; District 1.)

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

Stephen Williams, Representative for the appellant
Vincent Marsh, Historic Preservation Consultant support of the appellant
Joe Butler, architect, support of appellant
Ron Miguel, support of appellant
Male speaker, support of appellant
Doug Shultz, appellant
Valerie Lily, support of appellant
Male speaker, support of appellant
Cheryl Shultz, appellant
Cheryl Lejays, support of appellant
Jean Barrish, support of appellant
Gabe Laberquest support of appellant
Jen Colium, support of appellant

Paul Maltzer, Environmental Review Officer, and N. Mosses Corrette of the Planning Department, reviewed with the Board the Planning Department's recommendation.

David Cincotta, Attorney for the project sponsor
Female speaker, support of project sponsor
Mr. Quach, support of project sponsor
Male speaker, support of project sponsor
Illene Tran, support of project sponsor
Lisa Liou, support of project sponsor
Larry Sykes, support of project sponsor
Francisco Da Costa, support of project sponsor

Appellant rebuttal
Stephen Williams and Vincent Marsh, representatives of the appellant

The President declared the public hearing closed.

HEARD AT PUBLIC HEARING.

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

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

051756 [Affirming the categorical exemption issued for 733-27th Avenue]

Motion affirming the determination by the Planning Department that the 733-27th Avenue project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Supervisor McGoldrick moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 9 - Ammiano, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Noes: 1 - Ma

Excused: 1 - Alioto-Pier

051757 [Disapproving the categorical exemption issued for 733-27th Avenue]

Motion disapproving the determination by the Planning Department that the 733-27th Avenue project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Motion No. M06-6

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

Ayes: 9 - Ammiano, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Noes: 1 - Ma

Excused: 1 - Alioto-Pier

051758 [Preparation of findings related to the categorical exemption issued for 733-27th Avenue]

Motion directing the Clerk of the Board to prepare findings related to the appeal of the determination by the Planning Department that the 733-27th Avenue project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Motion No. M06-7

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

Ayes: 9 - Ammiano, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Noes: 1 - Ma

Excused: 1 - Alioto-Pier

SPECIAL ORDER 4:30 P.M.

051996 [Public Hearing - Appeal of Determination of Exemption from Environmental Review for Proposed Ordinance Regulating Off Street Parking in C-3 Zoning Districts]

Hearing of persons interested in or objecting to the decision of the Planning Department dated September 23, 2005, Case No. 2005.0796E, exempting from environmental review a Board of Supervisors proposed ordinance (Board File No. 051453) amending San Francisco Planning Code Sections 151, 151.1, 154, 155, 155.5, 166, and 167. The proposed legislation would amend Section 151 to set no minimum number of off-street parking spaces per dwelling unit and to provide that a maximum of one parking space per two dwelling units may be permitted by conditional use permit in C-3 zoning districts. Section 151.1, to require that, in C-3 zoning districts, the Planning Commission review any request for accessory parking in excess of what is permitted by right. Section 154, to provide that there are no minimum area or dimension requirements for off-street parking spaces in C-3 zoning districts, except for the off-street parking spaces designated for persons with disabilities. Section 155, to require below grade off-street parking in C-3 zoning district, set forth the width of openings in any single development for access to off-street parking, and prohibit sidewalk narrowings for porte cocheres to accommodate passenger loading and unloading. Section 155.5, to require a minimum number of bicycle parking spaces in dwelling units in C-3 zoning districts. Section 166, to require that, in C-3 zoning districts, newly constructed buildings that contain residential uses have a minimum number of off-street car-share parking spaces. Section 167, to provide that in C-3 zoning districts, the costs of off-street parking spaces accessory to residential uses in new structures of 10 dwelling units or more must be leased or sold separately from the rent or purchase fees for the dwelling units, subject to an exception by the Planning Commission for affordable housing projects where parking and housing costs must be bundled together. (Appellants: Wade Randlett on behalf of SFSOS, J. Timothy Falvey on behalf of Union Square Association and Katherine Mattes on behalf of BOMA-SF.)

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

Appellant

Make Speaker, support of appellant

Norman Rolfe, support of the Planning Department's decision

Lawrence Badiner, Planning Department

The President declared the public hearing closed.

HEARD AT PUBLIC HEARING.

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

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

051997 [Affirming the CEQA exemption determination issued for proposed ordinance regulating off-street parking in C-3 zoning districts]

Motion affirming the determination by the Planning Department that a proposed ordinance regulating off-street parking in C-3 zoning districts is exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Motion No. M06-8

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

Ayes: 9 - Ammiano, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Noes: 1 - Ma

Excused: 1 - Alioto-Pier

051998 [Disapproving the CEQA exemption determination issued for a proposed ordinance regulating off-street parking in C-3 zoning districts]

Motion disapproving the determination by the Planning Department that a proposed ordinance regulating off-street parking in C-3 zoning districts is exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

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

Ayes: 9 - Ammiano, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 1 - Ma
Excused: 1 - Alioto-Pier

051999 [Preparation of findings related to the CEQA exemption determination issued for a proposed ordinance regulating off-street parking in C-3 zoning districts]

Motion directing the Clerk of the Board to prepare findings related to the appeal of the determination by the Planning Department that a proposed ordinance regulating off-street parking in C-3 zoning districts is exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Motion No. M06-9

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

Ayes: 9 - Ammiano, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 1 - Ma
Excused: 1 - Alioto-Pier

SPECIAL ORDER 5:00 P.M.**051991 [Public Hearing - Conditional Use Appeal for 2660 Harrison Street]**

Hearing of persons interested in or objecting to the Planning Commission by its Motion No. 17139 dated November 3, 2005, approving Conditional Use Application No. 2004.0672ECV, subject to certain conditions, to allow the construction of dwelling units within a C-M (Heavy Commercial) zoning district pursuant to Planning Code Section 215(a) in order to demolish an existing vacant commercial building and construct two new four story over garage buildings containing a total of sixty-eight dwelling units and sixty-eight off-street parking spaces on a property within a C-M (Heavy Commercial) zoning district, the 'Housing/Mixed Use' sub-area of the Eastern Neighborhoods planning area as set forth in Planning Commission Resolution Number 16727, and a 40-X Height and Bulk District, located at 2660 Harrison Street, on the west side between 22nd and 23rd Streets. (Appellant: Sue Hestor, attorney for Nick Pagoulatos/Mission Anti-Displacement; subscribed by Supervisors Tom Ammiano, Chris Daly, Aaron Peskin, Sophie Maxwell and Jake McGoldrick.)

(Filed 12/5/05; companion measure to Files 051992, 051993, 051994; District 9.)

Continued to January 24, 2006

Supervisor Dufty, seconded by Supervisor Elsbernd, moved that this Hearing be **CONTINUED**. The motion carried by the following vote:

Ayes: 9 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin
Absent: 1 - Sandoval
Excused: 1 - Alioto-Pier

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the conditional use application decision 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 adopted.)

- 051992 [Approving Planning Commission decision related to Conditional Use Appeal for 2660 Harrison Street]**
Motion approving decision of the Planning Commission by its Motion No. 17139, approving Conditional Use Application No. 2004.0672ECV on a property located at 2660 Harrison Street, and adopting findings pursuant to Planning Code Section 101.1. (Clerk of the Board)

Continued to January 24, 2006

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

Ayes: 9 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin

Absent: 1 - Sandoval

Excused: 1 - Alioto-Pier

- 051993 [Disapproving Planning Commission decision related to Conditional Use Appeal for 2660 Harrison Street]**

Motion disapproving decision of the Planning Commission by its Motion No. 17139, approving Conditional Use Application No. 2004.0672ECV on a property located at 2660 Harrison Street. (Clerk of the Board)

Continued to January 24, 2006

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

Ayes: 9 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin

Absent: 1 - Sandoval

Excused: 1 - Alioto-Pier

- 051994 [Preparation of findings related to the Conditional Use Appeal for 2660 Harrison Street]**

Motion directing the Clerk of the Board to prepare findings relating to proposed Conditional Use Application No. 2004.0672ECV on a property located at 2660 Harrison Street, for action by the Board at its next meeting. (Clerk of the Board)

Continued to January 24, 2006

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

Ayes: 9 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin

Absent: 1 - Sandoval

Excused: 1 - Alioto-Pier

COMMITTEE REPORTS

- 052006 [Appropriation of Assessments Levied for Business Improvement Districts]**
Supervisor Peskin

Ordinance amending the Fiscal Year 2005-2006 Annual Appropriation Ordinance to appropriate revenues collected from special assessments for disbursement to the respective nonprofit Owners' Associations for administration of the property-based business improvement districts in San Francisco for authorized purposes.

PASSED, ON FIRST READING by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Excused: 1 - Alioto-Pier

**052018 [Contract with Owners' Association for administration of North of Market/Tenderloin Community Benefit District]
Supervisor Daly**

Resolution approving an agreement with the nonprofit Owners' Association for administration of the property-based business improvement district known as the "North of Market/Tenderloin Community Benefit District" pursuant to Section 36651 of the Streets and Highways Code.

Resolution No. 15-06

ADOPTED by the following vote:

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

**051967 [Contract with Owners' Association for administration of Noe Valley Community Benefit District]
Supervisor Dufty**

Resolution approving an agreement with the nonprofit Owners' Association for administration of the property-based business improvement district known as the "Noe Valley Community Benefit District" pursuant to Section 36651 of the Streets and Highways Code.

Resolution No. 13-06

ADOPTED by the following vote:

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

**051968 [Contract with Owners' Association for administration of Castro/Upper Market Community Benefit District]
Supervisor Dufty**

Resolution approving an agreement with the nonprofit Owners' Association for administration of the property-based business improvement district known as the "Castro/Upper Market Community Benefit District" pursuant to Section 36651 of the Streets and Highways Code.

Resolution No. 14-06

ADOPTED by the following vote:

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

**052026 [Contract with Owners' Association for administration of Fisherman's Wharf Community Benefit District]
Supervisor Peskin**

Resolution approving an agreement with the nonprofit Owners' Association for administration of the property-based business improvement district known as the "Fisherman's Wharf Community Benefit District" pursuant to Section 36651 of the Streets and Highways Code.

Resolution No. 16-06

ADOPTED by the following vote:

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

**052030 [Contract with Owners' Association for administration of 2500 Block of Mission Street Business Improvement District]
Supervisor Ammiano**

Resolution approving an agreement with the nonprofit Owners' Association for administration of the property-based business improvement district known as the "2500 Block of Mission Street Business Improvement District" pursuant to Section 36651 of the Streets and Highways Code.

Resolution No. 17-06

ADOPTED by the following vote:

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

ROLL CALL FOR INTRODUCTIONS

PUBLIC COMMENT

Cadisa Jacobs, expressed concern about the Tenderloin Neighborhood Development Corporation and their building maintenance

James Chaffe, expressed concern over public library issues and LAFCO's discussion of public wireless access

Mr. Lou, expressed Chinese New Years Parade organizers exemption of Falun Gong

Female speaker, expressed concern over the Chinese Chamber of Commerce discrimination of Falun Gong

Evan, expressed concern of the persecution of Falun Gong

Eva Chuck, expressed concern over the Chinese Chamber of Commerce handling of applications for inclusion in the Chinese New Years Parade

Michele, expressed concern over discrimination against Falun Gong practitioners

Richard Shipmann, expressed concern over the auto return theft and destruction of property

Ace Washington, express concern over police brutality and use of the City Hall pressroom

Female speaker, expressed concern over discrimination against Falun Gong

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.

**052014 [Declaration of Election Results]
Supervisor Peskin**

Resolution declaring the results of the November 8, 2005 Consolidated Special Statewide Election.

Resolution No. 8-06

ADOPTED

052031 [Supporting Assembly Bill 944 (Ridley Thomas)]
Supervisors Ammiano, Maxwell, McGoldrick, Daly

Resolution urging the Governor of California and the California Senate and Assembly to support the passage of Assembly Bill 944 (Ridley Thomas) which will require a warning label be conspicuously posted wherever firearms are sold and that the warning be included in firearms sales contracts and further that the warning be included in the Handgun Safety Certificate Study Guide published by the California Department of Justice.

Resolution No. 22-06

ADOPTED

052032 [Commending George Gulbengay upon his retirement from the San Francisco Police Department]
Supervisors Dufty, Elsbernd, Ma

Resolution commending George Gulbengay upon his retirement from the San Francisco Police Department.

Supervisors Elsbernd and Ma requested to be added as a co-sponsors.

Resolution No. 9-06

ADOPTED

052033 [Urging the renaming of Western Addition Branch Library]
Supervisors Mirkarimi, Dufty

Resolution urging the Library Commission to rename the Western Addition Branch Library as the Mary Helen Rogers Branch Library.

Supervisor Dufty requested to be added as a co-sponsor.

Resolution No. 18-06

ADOPTED

052034 [Final Map for a 33 Unit Commercial/Residential Condominium Project - 1728-1748 Haight Street]
Motion approving Final Map of 1728-1748 Haight Street, a Commercial / Residential Condominium Project, being a subdivision of Lot 035 in Assessor's Block No. 1229, and adopting findings pursuant to Planning Code Section 101.1.

(DPW Order No. 175774; District 5.)

Motion No. M06-1

APPROVED

The foregoing items were acted upon by the following vote:

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

Absent: 2 - Elsbernd, Sandoval

Excused: 1 - Alioto-Pier

OFF-AGENDA LEGISLATION

Introduced by Supervisors or Mayor

Ordinances

- 060013 [Amending the Police Code to allow pawnbrokers to operate on Sundays and on Mondays following a holiday]
Supervisor Ma

Ordinance amending Section 2809 of the San Francisco Police Code to allow pawnbrokers to operate on Sundays and on Mondays following a holiday, and to make clerical corrections.

1/10/06, ASSIGNED UNDER 30 DAY RULE to City Operations and Neighborhood Services Committee, expires on 2/9/2006.

- 060029 [Neighborhood Sanitation and Housing Habitability Ordinance]
Supervisors Mirkarimi, Peskin

Ordinance amending Article 11 of the San Francisco Health Code to change the title from "Nuisance" to "Neighborhood Sanitation and Housing Habitability," adding relevant definitions to Section 580, amending the definition of nuisance in Section 581 to include asbestos hazards and violations of Sections 582, 583 and 295, adding Section 582 to set forth specific requirements to prevent vermin and insect disease vector harborage and infestation in dwellings, commercial establishments, and vacant lots in order to improve the health, safety and general welfare of occupants, adding Section 583 to prohibit smoking in common areas of multiple unit residential facilities, adding Section 584 to give the Department of Public Health the discretion to require owners and managers of multiple dwellings with more than three dwelling units and a history of noncompliance to complete Department of Public Health-approved training sessions; adding potential attorneys' fees recovery for those cases in which the City elects to recover attorneys' fees to Sections 596 and 609, clarifying and making consistent with state law the Director's authority in Section 596 to issue orders to vacate a premises upon discovery of a nuisance that endangers the immediate health and safety of the residents, adding a requirement that the Director give notice to relocated tenants under this section that they may be eligible for assistance pursuant to California Health and Safety Code Sections 17975 et seq., adding lien recovery for attorneys' fees for Section 599 and 609, adding civil penalties of \$500 per violation per day to Section 600, authorizing recovery of all costs and fees, including attorneys' fees, incurred in enforcement under Section 609 and raising the existing inspection fees to \$150 for the first hour and \$75 for each additional half-hour or part thereof, extending the notice and hearing provisions for lien collections under Sections 609.1 and 609.2 to include the additional costs and fees that may be recovered under the amended Section 609, creating fees in Section 609 for routine and complaint-based inspections that reveal violations; adding Section 295 to require that in all multi-story residential facilities, refuse be collected from the ground level or below ground level garbage collection rooms, designated garbage areas or from the sidewalk and that refuse from upper floors may not be transferred to those designated areas between the hours of 11 p.m. and 7 a.m., expanding the definition of lead hazards in Sections 1603 and 581(b)(10) to include hazards to adults as well as children.

1/10/06, ASSIGNED UNDER 30 DAY RULE to City Operations and Neighborhood Services Committee, expires on 2/9/2006. Fee Ad required

**060030 [Weights and Measures—Registration and Inspection Fees]
Mayor**

Ordinance amending Section 1.13-5 of the San Francisco Administrative Code, to set new fees for the registration and inspection of weighing and measuring devices, based on each device and business location. 1/10/06, RECEIVED AND ASSIGNED to Budget and Finance Committee.

**060031 [Approving a contract between the City and County of San Francisco and the American Registry for Internet Numbers, LTD. (ARIN) for registration of Internet Protocol address space]
Supervisor Dufty**

Ordinance approving a contract between the City and County of San Francisco and the American Registry for Internet Numbers, LTD. (ARIN), for the registration of Internet Protocol address space, required to increase the City's bandwidth on the Internet and designating ARIN as the sole source contractor for the registration of Internet Addresses, and waiving the competitive procurement requirements of the San Francisco Administrative Code Chapter 21 for this service, and approving the City indemnifying and holding ARIN harmless against claims arising from the activities of the City under the contract, and waiving the requirement of Section 21.35 of the San Francisco Administrative Code that every contract contain a statement regarding liability of claimants for submitting false claims, and waiving the requirement of Section 21.19(d) of the San Francisco Administrative Code that a City contract not contain an automatic renewal provision. 1/10/06, ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 2/9/2006.

**060032 [Exempting certain medical cannabis dispensaries from the requirement that all new dispensaries be located not less than 1000 feet from a school, community facility, or recreation building]
Supervisor Mirkarimi**

Ordinance amending the San Francisco Planning Code by amending Sections 209.3, 217, 790.141, and 890.133 to exempt certain medical cannabis dispensaries from the requirement that all medical cannabis dispensaries that commenced operation after April 1, 2005 be located not less than 1000 feet from the parcel containing a school, community facility, or recreation building; amending the San Francisco Health Code by amending Section 3304 to conform to the San Francisco Fire Code and Section 3305 to provide for referral of permit applications to the Department of Building Inspection; and making environmental findings and findings of consistency with the priority planning policies of Planning Code Section 101.1 and the General Plan. 1/10/06, ASSIGNED UNDER 30 DAY RULE to Land Use Committee, expires on 2/9/2006.

**060033 [Prohibiting Political Contributions from Corporations to Candidates for City Elective Office]
Supervisor Peskin**

Ordinance amending section 1.114 of the San Francisco Campaign and Governmental Conduct Code to prohibit corporations from making campaign contributions to candidates for City elective office. 1/10/06, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 2/9/2006.

060036 [Requirements for residential off-street parking in C-3 districts and for bicycle and car share parking in all districts]**Supervisor Alioto-Pier**

Ordinance amending the San Francisco Planning Code by amending Section 123 to provide that residential parking does not apply to the maximum gross floor area in C-3 districts; amending Section 151.1 to establish a maximum of one parking space per residential unit in C-3 districts; adding Section 151.2 to create a FAR incentive program in C-3 Districts to encourage parking ratios of less than 0.75 spaces per unit; adding Section 154.1 to revise the minimum dimensions for off-street parking spaces in C-3 districts; amending Section 155 to allow parking accessed by automated garages or car elevators and valet parking in lieu of independently accessible spaces in C-3 Districts, to exclude car-share parking spaces from the parking pricing requirements of Section 155(h) and to add Section 155(s) to require compliance with specified urban design requirements for off-street parking and loading spaces on development lots larger than 5,000 square feet in C-3 Districts; amending Section 155.5 to require bicycle parking for residential uses in all districts in addition to the DTR districts; amending Section 157 to provide for a demonstration that car-share parking cannot satisfy the need for non-accessory parking as a conditional use; amending Section 166 to specify minimum requirements for car-share parking spaces and to authorize substitution of car-share parking spaces for certain required parking in all districts in addition to the DTR districts; amending Section 166 to establish a certification process for car-share organizations, to specify minimum requirements for car-share parking spaces and to authorize substitution of car-share parking spaces for certain required parking in all districts in addition to the DTR districts; amending Section 167 to require that parking spaces in new residential buildings of 10 units or more in C-3 districts be sold or leased separately from the units; amending Section 204.5 to exclude car-share parking spaces from the maximum number of spaces allowed as an accessory use; amending Section 303(c)(2)(B) to provide for consideration of whether a use seeking a conditional use permit is providing car-share parking; amending Section 309 to provide for review of C-3 projects seeking more than 0.375 parking space per dwelling unit and to allow exceptions from the requirements of Section 155(s); amending Section 790.10 to include a car-share parking as part of a community residential parking use; amending Section 890.10 to include a car-share parking as part of a community commercial parking garage use; and adopting findings.

1/10/06, ASSIGNED UNDER 30 DAY RULE to Land Use Committee, expires on 2/9/2006.

Resolutions**060014 [Regional Isolation Facility for TB Patients]
Supervisor Ma**

Resolution authorizing the San Francisco Department of Public Health (SFDPH) to accept and expend retroactively a new grant in the amount of \$50,000 from the State Department of Health Services TB Control Branch (SDHSTBCB), to enter into an agreement for the use of these funds, and to add one position at .33 FTE funded through this grant agreement; for the period of July 1, 2005, to June 30, 2006.

1/10/06, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee. Sponsor requests this item be heard at the January 23, 2006 meeting.

**060021 [Authorize grant funding for the YouthPOWER project from the Substance Abuse Mental Health Services Administration (SAMHSA)]
Supervisors Maxwell, Ma**

Resolution authorizing the San Francisco Department of Public Health (SFDPH) to accept and expend retroactively a continuation grant from the Substance Abuse Mental Health Services Administration (SAMHSA) in the amount of \$200,000 for the YouthPOWER Project; for the period of October 1, 2005, to September 30, 2007.

1/10/06, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee. Sponsor requests this item be calendared at the next available meeting.

**060022 [To provide five state funded food and agriculture and pesticide regulation programs in San Francisco]
Supervisor Maxwell**

Resolution authorizing the San Francisco Department of Public Health (SFDPH) to accept retroactively and expend five grants in the total amount of \$11,320 from the California Department of Food and Agriculture (CDFA) for the seed, nursery, and sudden oak death programs (\$2,608) and the petroleum products program (\$6,900); and from the California Department of Pesticide Regulation (CDPR) for the pesticide use reporting (\$1,812) program, and to enter into agreements for the use of these funds; for the period of July 1, 2005 through June 30, 2006.

1/10/06, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee. Sponsor requests this item be calendared at the next available meeting.

**060023 [Grant for supportive housing for chronically homeless exiting criminal justice institutions]
Supervisor Dufty**

Resolution authorizing the San Francisco Department of Public Health (SFDPH) to accept and expend retroactively a grant in the amount of \$739,982 from the Department of Justice (DOJ) for supportive housing for chronically homeless offenders, to enter into an agreement for the use of these funds, and to add 1.5 new positions funded under this agreement; for the period of July 1, 2005 to June 30, 2006.

1/10/06, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee. DPH requests this item be calendared at the next available meeting.

**060024 [Grant to enhance capacity of local minority HIV/AIDS organizations]
Supervisors Dufty, Ammiano**

Resolution authorizing the San Francisco Department of Public Health (SFDPH), to accept retroactively and expend a new federal grant in the amount of \$271,665 from the Office of Minority Health (OMH) to enhance the capacity of local minority-based HIV/AIDS organizations, and to enter into an agreement for the use of these funds; for the period of September 1, 2005, to August 31, 2006.

1/10/06, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee. DPH requests this item be calendared at the next available meeting.

**060025 [Accept-Expend Federal Grant – Spousal Abuser Prosecution Program]
Supervisor Ma**

Resolution authorizing the Department of the District Attorney of the City and County of San Francisco to retroactively accept and expend a grant in the amount of \$95,033 through the California Department of Justice for a program entitled “Spousal Abuser Prosecution Program” for fiscal year 2005/2006.

1/10/06, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee. Sponsor requests this item be heard at the January 23, 2006 meeting.

**060026 [Condemning the persecution of Falun Gong practitioners]
Supervisor Daly**

Resolution condemning the People’s Republic of China for its persecution of Falun Gong practitioners and expressing the position of the City and County of San Francisco to Federal Officials, the Mayor of Shanghai and the Chinese Consulate and urging federal officials and the State Department to follow United State Congress Resolution 304.

Supervisor McGoldrick dissenting in committee.

1/10/06, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

**060027 [Change the name of 16th Street between Pond Street and Prosper Street in the Castro to José Sarria Court]
Supervisors Dufty, Ammiano, Ma, Mirkarimi, Daly, McGoldrick**

Resolution changing the name of 16th Street between Pond Street and Prosper Street in the Castro to “José Sarria Court,” in recognition of José Sarria, who is one of the most heroic, courageous, and colorful and creative figures in San Francisco’s history.

1/10/06, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee. Sponsor requests this item be calendared at the 1/23/06 meeting

01/12/06 - Referred to Public Works, Parking and Traffic, Chief of Police, and Fire Dept. for review and comment.

01/12/06 - Public work to post notices at affected location.

**060028 [STOP Intersections]
Supervisor Mirkarimi**

Resolution designating certain intersections as "STOP" intersections.

STOP SIGNS - ESTABLISH

Haight Street and Cole Street: stopping eastbound at Haight Street.

Irving Street and 11th Avenue: stopping eastbound and westbound on Irving Street.

1/10/06, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee. 01/12/06- Referred to Parking and Traffic for CEQA review.

**060034 [Expanding the Western SoMa Citizens Planning Task Force]
Supervisor Daly**

Resolution expanding the Western SoMa Citizens Planning Task Force and re-defining the Task Force's quorum.

1/10/06, RECEIVED AND ASSIGNED to Rules Committee.

**060037 [Commending Christine Quinn]
Supervisors Ammiano, Dufty**

Resolution commending New York City Council member Christine Quinn for being selected as the new Speaker of the New York City Council and for being the first woman, openly gay and Irish Speaker of the City Council of New York City.

1/10/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**060038 [Extension of SRO Hotel Safety and Stabilization Task Force]
Supervisors Ammiano, Daly**

Resolution extending the operations of the Single Room Occupancy (SRO) Hotel Safety and Stabilization Task Force through December 31, 2006.

1/10/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**060039 [Accept-expend State Grant Funds available under the Land and Water Conservation Fund Program to fund the 24th Street York Mini Park Project]
Supervisor Ammiano**

Resolution authorizing the San Francisco Recreation and Park Department to accept and expend a grant in the amount of \$81,190 available under the Federal Land and Water Conservation Fund Program administered by the National Park Service under the provisions of the Land and Water Conservation Fund Act of 1965 for the development of the 24th Street York Mini Park.

1/10/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

- 060040 [Accept-expend State Grant Funds available under the Youth Soccer and Recreation Development Program to fund the South of Market Area (SOMA) Park]**
Supervisor Daly

Resolution authorizing the San Francisco Recreation and Park Department to accept and expend a grant in the amount of \$630,000 for the development of the South of Market Area (SOMA) Park, under the California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Act of 2002 administered by the California Department of Parks and Recreation, Office of Grants and Local Services.

1/10/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

- 060041 [75th Anniversary of the San Francisco Golden Gloves]**
Supervisor Ma

Resolution commending the 75th anniversary of the San Francisco Golden Gloves.

1/10/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

- 060042 [Accept-expend State Grant Funds available under the State Urban Parks and Healthy Communities Program to fund the Argonne Playground Project]**
Supervisor McGoldrick

Resolution authorizing the San Francisco Recreation and Park Department to accept and expend a grant in the amount of \$664,428 for the development of the Argonne Playground Project, under the California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Act of 2002 administered by the California Department of Parks and Recreation, Office of Grants and Local Services.

1/10/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

- 060043 [Adopting policies on the reimbursement of expenses and ethics training]**
Supervisor Peskin

Resolution adopting policies and procedures for the reimbursement of officers and employees for authorized expenses incurred in the performance of official duties and designating certain employees to receive ethics training specified in State law.

1/10/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

- 060044 [Lee Mallory Day]**
Supervisor Peskin

Resolution declaring January 10th, 2006, Lee Mallory Day in San Francisco.

1/10/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Requests for Hearing

- 060011 [SFUSD's process for determining proposed school mergers and closures]**
Supervisors Mirkarimi, Alioto-Pier, Maxwell
- Hearing regarding San Francisco Unified School District's process for determining proposed school mergers and closures.
1/10/06, RECEIVED AND ASSIGNED to Rules Committee.
- 060012 [24-hour Mobile Crisis Treatment]**
Supervisor Ma
- Hearing to discuss the possibility of expanding 24-hour mobile crisis treatment by reviewing the most recent statistics and data on 5150s and other related issues in San Francisco.
1/10/06, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.
- 060015 [City's enforcement of Subdivision Code Section 1386 - Tentative Map]**
Supervisor Daly
- Hearing on the City's enforcement of Section 1386 - Denial of Tentative Map of the Subdivision Code.
1/10/06, RECEIVED AND ASSIGNED to Land Use Committee.
- 060016 [Budget Analyst Audit of the SFPUC]**
Supervisor Ammiano
- Hearing on the Budget Analyst Phase-Four Management Audit of the San Francisco Public Utilities Commission.
1/10/06, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.
- 060017 [Budget Analyst Audit of the Dept. of Recreation & Parks]**
Supervisor Ammiano
- Hearing on the Budget Analyst Audit of the Department of Recreation and Parks.
1/10/06, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.
- 060018 [Annual review and approval of the Board of Supervisors/Clerk of the Board budget guidelines.]**
Supervisor Daly
- Hearing to consider the annual review and approval of the Board of Supervisors/Clerk of the Board Annual Budget Guidelines for Fiscal Year 2006-07.
1/10/06, RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 060019 [Falun Gong]**
Supervisor Daly
- Hearing on discrimination against practitioners of Falun Gong by the Chinese Chamber of Commerce in San Francisco.
1/10/06, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

**060020 [Reinstatement of DPW Workers]
Supervisor Mirkarimi**

Hearing on the status and future of the \$1.8 million that was allocated to reinstate DPW laborers, as well as the hiring process and the manner in which the hiring criteria was applied.

1/10/06, RECEIVED AND ASSIGNED to Budget and Finance Committee.

Motions

**060035 [Rules of Order of the Board - Land Use and Economic Development Committee]
Supervisor Peskin**

Motion amending the Rule of Order 5.5 renaming the Land Use Committee the "Land Use and Economic Development Committee".

1/10/06, RECEIVED AND ASSIGNED to Rules Committee.

**060045 [Rules of Order of the Board - Budget and Finance Committee]
Supervisor Peskin**

Motion amending the Rule of Order 5.1, establishing size, membership and jurisdiction of the Budget and Finance Committee.

1/10/06, RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED ORDINANCES

052043 [Settlement of Lawsuit -Frank Euphrate, et al.]

Ordinance authorizing settlement of the lawsuit filed by Frank Euphrate against the City and County of San Francisco for \$925,000; the lawsuit was filed on September 10, 2003 in San Francisco Superior Court, Case No. 424-288; entitled Frank Euphrate, et al., v. City and County of San Francisco, et al. (City Attorney)

12/19/05, RECEIVED AND ASSIGNED to Rules Committee.

052044 [Settlement of Lawsuit - Mary Williams]

Ordinance authorizing settlement of the matter of Mary Williams v. City and County of San Francisco for \$225,000. The lawsuit was filed on November 5, 2004 in San Francisco Superior Court, Case No. 436-121; entitled Mary Williams v. City and County of San Francisco, et al. (City Attorney)

12/19/05, RECEIVED AND ASSIGNED to Rules Committee.

**052052 [Permitting unattended vehicles in white zones in front of schools when the vehicle displays a special disabled license plate or placard, and in front of child care centers]
Supervisors Ma, McGoldrick**

Ordinance amending Traffic Code Section 38.C to permit vehicles to be left unattended in a white zone in front of schools when the vehicle displays a special disabled license plate or placard, and in front of child care centers. (Parking and Traffic Department)

12/29/05, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

01/06/06- Parking and Traffic notified to post notices in affected locations and ad place in the 1/11/06 edition of the SF Chronicle for the 1/23/06 meeting date.

PROPOSED RESOLUTIONS

- 052039 [Fuel Contract 70881 - Office of Contract Administration]**
Resolution authorizing the Purchaser to award contract for Fuel, Diesel, Bio-Diesel and Gasoline as the contract will exceed \$10,000,000.00. (Purchaser)

(Fiscal impact.)
12/9/05, RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 052042 [STOP Intersections]**
Supervisor Elsbernd

Resolution designating certain intersections as "STOP" intersections.
STOP SIGNS - ESTABLISH
Mangels at Colon Avenues, making this intersection an All-Way STOP. (Parking and Traffic Department)

(12/13/05: 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. 3111.)
12/14/05, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.
01/06/06- Parking and Traffic notified to post notices in affected locations and ad place in the 1/11/06 edition of the SF Chronicle for the 1/23/06 meeting date.
- 052045 [Proposition J Certification, Status Offender Shelter and Intake Services]**
Resolution concurring with the Controller's certification that Intake and Shelter Services to Status Offenders can be practically performed by a private contractor for a lower cost than similar services performed by city and county employees. (Juvenile Probation Department)
12/20/05, RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 052047 [Quitclaim of Water Pipeline Easement]**
Resolution approving the quitclaim of a water pipeline easement located at 1410 El Camino Real, South San Francisco, San Mateo County to the owner of the underlying fee interest in the property for a purchase price of \$30,000; adopting findings pursuant to the California Environmental Quality Act; adopting findings that the sale by quitclaim 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 and take certain actions in furtherance of this resolution. (Real Estate Department)
12/30/05, RECEIVED AND ASSIGNED to Land Use Committee.
- 052048 [Contract funds to participate in the traineeship for AIDS prevention studies at the University of California at San Francisco Center on AIDS Prevention]**
Resolution authorizing the San Francisco Department of Public Health (SFDPH) to enter retroactively into an agreement with the University of California San Francisco, Center on AIDS Prevention Studies (UCSFCAPS) the primary contractor, and expend funds in the amount of \$43,407 in order to participate in the traineeship for AIDS prevention studies (TAPS) at UCSFCAPS for the period of September 1, 2005, through August 31, 2006. (Public Health Department)
12/30/05, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

052049 [Parking Regulations]

Resolution enacting and rescinding parking regulations at various locations.

NO PARKING, 6 AM TO 9 AM, MONDAY THROUGH FRIDAY, EXCEPT VANPOOLS - RESCIND
Folsom Street, both sides, between First and Spear Streets

UNMETERED MOTORCYCLE PARKING - ESTABLISH

Hayes Street, south side, from the northbound Octavia Boulevard Frontage Road to 14.5 feet westerly. (Parking and Traffic Department)

(12/23/05: 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. 3113.)

12/29/05, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

01/06/06- Parking and Traffic notified to post notices in affected locations and ad place in the 1/11/06 edition of the SF Chronicle for the 1/23/06 meeting date.

052050 [STOP Intersections]

Resolution designating certain intersections as "STOP" intersections.

STOP SIGNS - ESTABLISH

Lakewood Way at Fairfield Way, stopping the northbound direction of Lakewood Way;

Amazon Avenue at Madrid Street, making this intersection an All-Way STOP;

Francisco Street and Laguna Street, stopping Francisco Street at Laguna Street, the stem of this T-intersection; and,

York Street at Peralta Avenue, stopping the stem of this T-intersection. (Parking and Traffic Department)

(12/23/05: 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. 3113.)

12/29/05, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

01/06/06- Parking and Traffic notified to post notices in affected locations and ad place in the 1/11/06 edition of the SF Chronicle for the 1/23/06 meeting date.

052051 [Traffic Regulations]

Resolution enacting and rescinding traffic regulations on various streets.

NO RIGHT TURN EXCEPT MUNI - ESTABLISH

Market Street, southbound, at Clayton Street.

NO LEFT TURN, 7AM TO 9AM AND 4PM TO 7PM, MONDAY THROUGH FRIDAY - ESTABLISH

Potrero Avenue, northbound, at 22nd Street. (Parking and Traffic Department)

(12/22/05: 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. 3113.)

12/29/05, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

01/06/06- Parking and Traffic notified to post notices in affected locations and ad place in the 1/11/06 edition of the SF Chronicle for the 1/23/06 meeting date.

Requests Granted

From: Supervisor Mirkarimi

To: Director, Planning Department

To: Director, Redevelopment Agency

To: Mayor's Office

Requesting/Inquiring: Requesting complete information from the Planning Department, Redevelopment Agency, and the Mayor's Office, regarding the unexpected and imminent closure of the AMC Kabuki Theater (resulting from the merger settlement affirmed by State Attorney General Bill Lockyer), and request any information that shall impede or support a community-driven process (Japantown and Western Addition) assigned to the re-use plan for said property.

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting the Department of Public Works to report on the status of repairing potholes at 248 Divisadero, 520 Divisadero, 656 Lyon, 141 Broderick, and 763 Broderick.

From: Supervisor Mirkarimi

To: Director, Department of Parking and Traffic

Requesting/Inquiring: Requesting the Department of Parking and Traffic to report on the status of installing signs prohibiting bicycles and skateboards from sidewalks along both sides of (1) Irving Street between 6th Avenue and Funston and (2) 9th Avenue between Lincoln to Judah.

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting the Department of Public Works to report on the status of re-striping the crosswalks at the intersection of 9th Avenue and Irving Street, at the intersection of 16th Avenue and Irving Street, and at the intersection of 17th Avenue and Irving Street.

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting the Department of Public Works to report on the status of repainting the crosswalks at the intersection of Fulton Street and Lyon Street and at the intersection of Fulton Street and Baker Street.

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting the Department of Public Works to report on the status of graffiti removal at 1596 Fulton Street, 901 Haight Street, and 100 Broderick Street.

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting the Department of Public Works to report on the status of repaving 9th Avenue between Lincoln and Judah.

From: Supervisor Elsbernd

To: Director, Department of Parking and Traffic

Requesting/Inquiring: Requesting the Department of Parking and Traffic to investigate the possibility of installing a caution wildlife sign along Laguna Honda Boulevard between Lawton and Clarendon Ave.

From: Supervisor Maxwell

To: Director, Department of Parking and Traffic

Requesting/Inquiring: Requesting the Department of Parking and Traffic to conduct traffic studies at the intersection of Dwight and Brussels and Goettingen and Woolsey and provide recommendations for slowing

down traffic in these areas.

1. Dwight and Brussels are situated at the bottom of a hill and cars speed past this intersection.
2. Cars park right up to the intersection of Goettingen and Woolsey. This creates blind spots at all four crossings, forcing cars to go into the intersection blindsighted.

From: Supervisor Mirkarimi

To: Director, Department of Elections: Requesting/Inquiring: Requesting a status report from the Department of Election on their ability to administer Ranked Choice Voting for near-term elections, and qualify any impediment or reason for any interruption of RCV, and attendant remedies for the contiguous use of RCV.

From: Supervisor Ammiano

To: Director, Metropolitan Transportation Agency

Requesting/Inquiring: Inquiring into the reason for the proposed closure of the MUNI Metro from the hours of 9:00 PM to Midnight and further requesting information about the provision of alternate transit routes for evening commuters.

From: Supervisor Ammiano

To: Director, Department of Human Resources:

Requesting/Inquiring: Inquiring into the status of the implementation of Resolution #764-05 which was adopted unanimously by the San Francisco Board of Supervisors on October 11, 2005, which "urges the Civil Service Commission and the Department of Human Resources to review and revise current policies and procedures where appropriate so that people who have been in prison or convicted of criminal activity are not unreasonably denied City employment" and further "supports eliminating the requirement that applicants disclose all past convictions on the preliminary application for public employment in the City and County of San Francisco in order to mitigate or eliminate discrimination against people who have been in prison or convicted of criminal activity in the past and to assist with their successful reintegration into the community after prison".

From: Supervisor Ammiano

To: Director, San Francisco Public Library

To: President, San Francisco Library Commission

Requesting/Inquiring: Requesting a letter encouraging the commissioners, at special Bernal Heights Community Library Commission to be convened on January 11, 2006 at 6:30 PM at the Bernal Heights Branch Library, to accommodate parent's request to hold public comment at the beginning of the meeting rather than towards the conclusion; and further encouraging the commission to provide Spanish language translation for monolingual and limited-English speaking attendees.

In Memoriams

*Thomas P. Anderson - Supervisor Alioto-Pier
Alva Martin Bennett - Supervisor Alioto-Pier
Jim Bennett - Supervisor Alioto-Pier
Jerry Groves - Supervisor Alioto-Pier
George Hamner, Jr. - Supervisor Alioto-Pier
Terry Helms - Supervisor Alioto-Pier
Jesse L. Jones - Supervisor Alioto-Pier
David Lewis - Supervisor Alioto-Pier
Martin Toler - Supervisor Alioto-Pier
Fred Ware, Jr. - Supervisor Alioto-Pier
Jack Weaver - Supervisor Alioto-Pier
Marshall Winans - Supervisor Alioto-Pier
Tsuyako "Sox" Kitashima - Entire Board
Sadock Feretzis - Supervisor Elsbernd
Anne McCrystle - Supervisor Dufty
Joyce Ko Jones - Supervisor Ammiano
Edward Badelalla - Supervisor Mirkarimi
Nita Currie - Supervisors Dufty and Elsbernd
Richard L. Welsh - Supervisor Dufty
George W. Mix, Jr. - Supervisor Maxwell
Victor Lee - Supervisor Peskin
Joe Yuey - Supervisor Peskin*

ADJOURNMENT

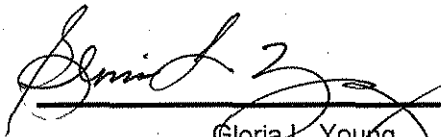
There being no further business the Board adjourned at the hour of 7:12 p.m.

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 February 28, 2006.

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