

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, May 2, 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, Mirkarimi, Elsbernd

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 and Economic Development Committee

Supervisors Maxwell, Sandoval, McGoldrick

Rules Committee

Supervisors Mirkarimi, Elsbernd, Ammiano

Select Committee on Ending Gun and Gang Violence

Supervisors Maxwell, Mirkarimi, 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

1st and 3rd Monday

10:00 AM

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

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:06 p.m. On the call of the roll Supervisor Maxwell was noted absent.

There was a quorum.

Supervisor Maxwell was excused from attending today's meeting.

Supervisor Maxwell Excused from Attendance

Supervisor Elsbernd, seconded by Supervisor McGoldrick, moved to excuse Supervisor Maxwell from attending today's meeting. The motion carried by the following vote:

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

CONSENT AGENDA

Recommendation of the City Operations and Neighborhood Services Committee

**060395 [Retention of Grocery Workers Upon Change In Control of Grocery Store]
Supervisors Ma, Alioto-Pier, Ammiano, Daly, Dufty, Maxwell, Mirkarimi, Sandoval, Elsbernd**

Ordinance amending the San Francisco Police Code by adding a new Article 33D to require grocery employers to retain employees for 90 days upon change in control of the grocery store; to prohibit grocery employers from terminating the employees during those 90 days without cause; to require grocery employers to conduct a performance evaluation of the employees at the conclusion of the 90 days and consider for continued employment those employees with satisfactory performance; to require public notice of a change in control of the grocery store; and to provide judicial remedies, including hiring and reinstatement rights, front and back pay, and the value of benefits lost, for violation of the ordinance, along with an award of reasonable attorneys' fees to a successful plaintiff.

**Ordinance No. 90-06
FINALLY PASSED**

- 050784 [Establishing a Small Local Business Enterprise Program; Prohibiting Discrimination in Contracting and Subcontracting]**
Supervisors Ma, Mirkarimi, Ammiano

Ordinance amending the San Francisco Administrative Code by adding Chapter 14B to establish a Small and Micro Local Business Enterprise Program, prohibit discrimination in City contracting, and suspend Chapter 12D.A.

Ordinance No. 92-06
FINALLY PASSED

- 060432 [Adding qualified non-profit enterprises to Small Local Business Enterprise Program]**
Supervisor Ammiano

Ordinance amending the San Francisco Administrative Code by adding Section 14B.6 to add qualified non-profit enterprises to Small and Micro Local Business Enterprise Program.

Ordinance No. 91-06
FINALLY PASSED

- 060463 [Settlement of Lawsuits - Pacific Gas and Electric Company and Television Signal Corp.]**

Ordinance authorizing settlement of three lawsuits filed by Pacific Gas and Electric Company and Television Signal Corp. against the City and County of San Francisco for a total of \$1,156,164.00. Pacific Gas and Electric Co v. City and County of San Francisco was filed April 30, 1999, in the United States District Court, Case No. C99-2071 VRW. Television Signal Corp. v. City and County of San Francisco was filed June 29, 2000, in United States District Court, Case No. C00-2311 VRW. Pacific Gas and Electric Co. v. City and County of San Francisco was filed July 21, 2005 in San Francisco Superior Court, Case No. 443-277. The lawsuit entitled Television Signal Corp v. City and County, Case No. C00-2311 VRW, is settled without any payment. (City Attorney)

PASSED, ON FIRST READING

- 060506 [Appointment - Urban Forestry Council]**

Resolution appointing Milton Marks, term ending April 5, 2007, to the Urban Forestry Council.

Milton Marks, succeeding Michael Sullivan, resigned, seat 6, must be a representative of the community, for a two year-term ending April 5, 2007.

Resolution No. 271-06
ADOPTED

The foregoing items were acted upon by the following vote:

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

Severed From the Consent Agenda

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

060405 [Appointment - Biodiesel Access Task Force]

Resolution appointing Adam Hagen, Eric Bowen, Melissa Hardy, Benjamin P. Jordan and Karri Ving, terms ending December 31, 2007, to the Biodiesel Access Task Force.

Adam Hagen, new appointment, seat 1, must be member of the public who represents the biodiesel community, such as a gas station owner, fleet operator and consumer, for a term ending December 31, 2007.
Eric Bowen, new appointment, seat 2, must be member of the public who represents the biodiesel community, such as a gas station owner, fleet operator and consumer, for a term ending December 31, 2007.
Melissa Hardy, new appointment, seat 3, must be member of the public who represents the biodiesel community, such as a gas station owner, fleet operator and consumer, for a term ending December 31, 2007.
Benjamin P. Jordan, new appointment, seat 4, must be member of the public who represents the biodiesel community, such as a gas station owner, fleet operator and consumer, for a term ending December 31, 2007.
Karri Ving, new appointment, seat 5, must be member of the public who represents the biodiesel community, such as a gas station owner, fleet operator and consumer, for a term ending December 31, 2007.

Community members may include organizations. No organization may have more than one representative on the Task Force.

Resolution No. 286-06

ADOPTED by the following vote:

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

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of the Land Use and Economic Development Committee

060250 [Closing specified streets in Golden Gate Park on Saturdays on a trial basis for six months beginning approximately on Memorial Day Weekend 2006]

Supervisors McGoldrick, Mirkarimi, Peskin, Sandoval, Ammiano

Ordinance adding Section 6.12 to the San Francisco Park Code to prohibit, on a trial basis for six months, motor vehicle traffic on Saturdays in Golden Gate Park on John F. Kennedy Drive between Kezar Drive and Transverse Drive; Arguello Boulevard; Conservatory Drive East and Conservatory Drive West; 8th Avenue; Bowling Green Drive between John F. Kennedy Drive and Middle Drive East; and Stow Lake Drive between Stow Lake Drive East and John F. Kennedy Drive; to require reports from the Recreation and Park Department and Department of Parking and Traffic pertaining to the Saturday road closures; to require the Golden Gate Park Concourse Authority to share its own data and reports that are relevant to the Saturday road closures with the aforementioned departments; to require a hearing on the Saturday road closures before the Board of Supervisors or a Board committee; and making environmental findings.

Supervisor Alioto-Pier, seconded by Supervisor Elsbernd, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. The motion carried by the following vote:

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

PASSED ON FIRST READING AS AMENDED by the following vote:

Ayes: 6 - Ammiano, Daly, McGoldrick, Mirkarimi, Peskin, Sandoval

Noes: 4 - Alioto-Pier, Dufty, Elsbernd, Ma

Excused: 1 - Maxwell

NEW BUSINESS

Recommendations of the Budget and Finance Committee

**060393 [Prohibiting Smoking on Golf Courses]
Supervisors McGoldrick, Ammiano**

Ordinance amending Section 1009.81 of the Health Code to prohibit smoking on golf courses.

(Fiscal impact.)

(Supervisors Peskin and Elsbernd dissented in Committee.)

Continued to May 9, 2006.

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

Ayes: 6 - Alioto-Pier, Ammiano, Daly, Dufty, McGoldrick, Mirkarimi

Noes: 4 - Elsbernd, Ma, Peskin, Sandoval

Excused: 1 - Maxwell

**060473 [Appropriating \$148,713,421 of bond proceeds to fund the Water System Improvement Program at San Francisco Public Utilities Commission]
Mayor**

Ordinance appropriating \$148,713,421 of bond proceeds to support the Water System Improvement Program (WSIP) in the San Francisco Public Utilities Commission (SFPUC) for Fiscal Year 2005-06.

(Fiscal impact.)

PASSED ON FIRST READING by the following vote:

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

Excused: 1 - Maxwell

060256 [Sale of real property located at Broadway and Sansome Streets (235-295 Broadway) (Assessor's Block 165 Lot 21) to Redevelopment Agency for \$1,500,000.00 and appropriating the sales proceeds for roadway maintenance of the Embarcadero.]

Supervisor Peskin

Ordinance approving the sale of real property located at Broadway and Sansome Streets (235-295 Broadway) (Assessor's Block 165 Lot 21) to the Redevelopment Agency of the City and County of San Francisco (the "Agency") for \$1,500,000.00; authorizing the Director of Property to enter into an Agreement for the Sale of Real Property with the Agency for the sale of such real property for the development of affordable housing and appropriating \$1,500,000.00 of the sales proceeds to the Department of Public Works for roadway maintenance of the Embarcadero.

(Fiscal impact.)

PASSED, ON FIRST READING by the following vote:

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

060338 [Sale of Surplus Property -107 24th Ave.]

Resolution confirming the sale of surplus City-owned property located at 107 24th Avenue (Lots 39 and 40 in Assessor's Block 1334) at public auction and authorizing the Director of Property to execute deeds to the successful bidders. (Real Estate Department)

Resolution No. 287-06

ADOPTED by the following vote:

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

060409 [Apply For-Accept-Expend Federal Funding - Community Development Block Grant]

Mayor

Resolution approving the 2006/07 Community Development Block Grant (CDBG) Program; authorizing the Mayor, on behalf of the City and County of San Francisco, to apply for, accept, and expend the City's 2006/07 Community Development Block Grant from the U.S. Department of Housing and Urban Development (HUD) together with Program Income, totaling \$25,151,655; and approving an Expenditure Schedule.

Resolution No. 277-06

ADOPTED by the following vote:

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

**060413 [Apply For-Accept-Expend Federal Funding - Emergency Shelter Grants Program]
Mayor**

Resolution approving the 2006/07 Emergency Shelter Grant (ESG) Program; and authorizing the Mayor, on behalf of the City and County of San Francisco, to apply for, accept, and expend the City's 2006/07 Emergency Shelter Grant entitlement from the U.S. Department of Housing and Urban Development (HUD) in the amount of \$928,391; and approving the expenditure schedule for recipient agencies.

(Fiscal impact.)

Resolution No. 276-06

ADOPTED by the following vote:

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

**060419 [Apply For-Accept-Expend Federal Funding - HOME Program]
Mayor**

Resolution approving the 2006/07 HOME Investment Partnership (HOME) Program; and authorizing the Mayor, on behalf of the City and County of San Francisco, to apply for, accept, and expend the City's 2006/07 HOME Program entitlement from the U.S. Department of Housing and Urban Development (HUD) and Reprogrammed Funds, totaling \$15,016,330, and placing \$5,000,000 on reserve for new family rental housing; and approving an Expenditure Schedule.

(Fiscal impact.)

Resolution No. 275-06

ADOPTED by the following vote:

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

Recommendation of the Government Audit and Oversight Committee**060368 [Fixing Compensation - Unrepresented Employees]
Mayor**

Ordinance Fixing Compensation for persons employed by the City and County of San Francisco whose compensations are subject to the provisions of Section A8.409 of the Charter, in jobcodes not represented by an employee organization, and establishing working schedules and conditions of employment and, methods of payment, effective July 1, 2006.

(Fiscal impact.)

PASSED ON FIRST READING by the following vote:

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

Recommendations of the Land Use and Economic Development Committee

051065 [Zoning Map Amendment for 425 Mason Street]

Ordinance amending the San Francisco Planning Code by amending Sectional Map 1 of the Zoning Map of the City and County of San Francisco to change the use classification of the property located at 425 Mason Street, and identified as Assessor's Block No. 0306, Lot No. 002, from a zoning designation of P (Public) to C-3-G (Downtown General Commercial); and adopting General Plan, Planning Code Section 101.1(b) and environmental findings. (Planning Department)

PASSED ON FIRST READING by the following vote:

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

Supervisor Mirkarimi Excused From Voting

Supervisor Ammiano, seconded by Supervisor Daly, moved to excuse Supervisor Mirkarimi, at his request, because of possible conflict of interest, from voting. The motion carried by the following vote:

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

060443 [Prohibition on condominium conversion for buildings where specified evictions occurred]

Supervisors Peskin, Ammiano, Daly, Maxwell

Ordinance amending the Subdivision Code to add Section 1396.2 to prohibit condominium conversion for a building where specified evictions occurred and making findings, including environmental findings.

Continued to May 9, 2006.

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

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

Recommendations of the Rules Committee**051837 [Exceptions to the Ban on Compensated Advocacy]**

Supervisors Mirkarimi, Ammiano

Ordinance amending Section 3.224 of the Campaign and Governmental Conduct Code to clarify that the exception to the ban on compensated advocacy for City officers who are licensed attorneys applies to City officers who are licensed attorneys engaged in the practice of law, which includes representing clients in communications with the City Attorney's Office, District Attorney's Office, the Public Defender's Office, attorneys in the Tax Collector's Office or Sheriff's Department, outside legal counsel hired by the City, and City officers and employees who are named in a pending litigation matter or are witnesses or potential witnesses in a pending litigation matter. (Ethics Commission)

PASSED ON FIRST READING by the following vote:

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

**051876 [Statements of Economic Interests for Candidates for City Elective Office]
Supervisors Mirkarimi, Ammiano**

Ordinance amending section 3.1-102 of the Campaign and Governmental Conduct Code to require all candidates for City elective office to file statements of economic interests with the Department of Elections no later than the final filing date for a declaration of candidacy. (Ethics Commission)

PASSED ON FIRST READING by the following vote:

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

**060421 [Confirming the reappointment of Reverend James McCray to the Municipal Transportation Agency Board of Directors, term ending March 1, 2010]
Mayor**

Resolution confirming the reappointment of James McCray to the Board of Directors of the Municipal Transportation Agency, term ending March 1, 2010.

Resolution No. 288-06

ADOPTED by the following vote:

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

**060422 [Confirming the reappointment of Shirley Breyer Black to the Municipal Transportation Agency Board of Directors, term ending March 1, 2010]
Mayor**

Resolution confirming the reappointment of Shirley Breyer Black to the Board of Directors of the Municipal Transportation Agency, term ending March 1, 2010.

Resolution No. 285-06

ADOPTED by the following vote:

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

**060423 [Confirming the appointment of Mr. Tom Nolan to the Municipal Transportation Agency Board of Directors, term ending March 1, 2009]
Mayor**

Resolution confirming the appointment of Tom Nolan to the Board of Directors of the Municipal Transportation Agency, term ending March 1, 2009.

Resolution No. 284-06

ADOPTED by the following vote:

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

060424 [Confirming the appointment of Leah Shahum to the Municipal Transportation Agency Board of Directors, term ending March 1, 2008]**Mayor**

Resolution confirming the appointment of Leah Shahum to the Board of Directors of the Municipal Transportation Agency, term ending March 1, 2008.

Resolution No. 283-06**ADOPTED by the following vote:**

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

From the Rules Committee Without Recommendation**060460 [John Elberling Reappointment to the Treasure Island Development Authority Board of Directors]****Mayor**

Resolution confirming the reappointment of John Elberling to the Treasure Island Development Authority Board of Directors, term ending February 26, 2010.

Resolution No. 282-06**ADOPTED by the following vote:**

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

SPECIAL ORDER 3:00 P.M.**Board of Supervisors Sitting as a Committee of the Whole****060556 [Hearing - Transbay Redevelopment Project, Tax Increment Allocation and Sales Proceeds Pledge Agreement and an Option Agreement]**

Hearing of persons interested in or objecting to proposed Ordinance approving a Tax Increment Allocation and Sales Proceeds Pledge Agreement and an Option Agreement for the Transbay Redevelopment Project Area between the City and County of San Francisco, the Transbay Joint Powers Authority and the Redevelopment Agency of the City and County of San Francisco; making environmental findings and findings of consistency with the City's General Plan and the Eight Priority Policies of City Planning Code Section 101.1; authorizing other steps to implement the Transbay Redevelopment Plan; and adopting other findings pursuant to the California Community Redevelopment Law, including findings pursuant to Sections 33445 and 33679. (Clerk of the Board)

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

Speakers: Mike Grisso, Redevelopment Agency; Joshua S., Planning Department; Male speaker.

The President declared the public meeting closed.

HEARD AT PUBLIC HEARING by the following vote:

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

Committee of the Whole Adjourn and Report Without Recommendation

060347 [Transbay Redevelopment Project -Tax Increment Allocation and Sales Proceeds Pledge Agreement and an Option Agreement]
Supervisor Daly

Ordinance approving a Tax Increment Allocation and Sales Proceeds Pledge Agreement and an Option Agreement for the Transbay Redevelopment Project Area between the City and County of San Francisco, the Transbay Joint Powers Authority and the Redevelopment Agency of the City and County of San Francisco; making environmental findings and findings of consistency with the City's General Plan and the Eight Priority Policies of City Planning Code Section 101.1; authorizing other steps to implement the Transbay Redevelopment Plan; and adopting other findings pursuant to the California Community Redevelopment Law, including findings pursuant to Sections 33445 and 33679.

(Fiscal impact.)

Amendments were made to the Option Agreement only.

PASSED ON FIRST READING by the following vote:

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

Called from the Land Use and Economic Development Committee

050182 [Zoning – Planning Code amendments in connection with the Transbay Redevelopment Plan]
Mayor, Supervisor Daly

Ordinance amending the Planning Code to add Sections 249.27, 263.18, 825, and 825.1 to establish special zoning controls in connection with the Transbay Redevelopment Plan; amending Planning Code Section 270 to reflect the new zoning changes to bulk controls set forth in Section 263.18; adopting environmental findings and findings that the amendments are consistent with the General Plan and eight priority policies of Planning Code Section 101.1.

PASSED ON FIRST READING by the following vote:

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

**050183 [Zoning Map amendments in connection with the Transbay Redevelopment Plan]
Mayor, Supervisor Daly**

Ordinance amending the San Francisco Planning Code by amending Sectional Map 1, 1H, and 1SU of the Zoning Map of the City and County of San Francisco in connection with the Transbay Redevelopment Plan and an associated special use district with the Redevelopment Plan Area and adopting environmental findings and findings that the amendments are consistent with the General Plan and eight priority policies of Planning Code Section 101.1.

Amendment of the Whole.

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

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

Ordinance amending the San Francisco Planning Code by amending Sectional Maps 1, 1H, and 1SU of the Zoning Map of the City and County of San Francisco in connection with the Transbay Redevelopment Plan and an associated special use district with the Redevelopment Plan area and adopting environmental findings and findings that the amendments are consistent with the General Plan and eight Priority Policies of Planning Code Section 101.1.

PASSED ON FIRST READING AS AMENDED by the following vote:

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

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

Privilege of the Floor

Supervisor Daly, seconded by Supervisor Ammiano, moved to suspend Rule 4.37 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests. The motion carried by the following vote:

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

Supervisor Peskin welcomed, introduced and presented a commendation to Mario Avendano on the occasion of his retirement after serving 26 yrs. with S. F. Recreation and Park Department as Superintendent of Structural Maintenance and Assistant Superintendent of Parks.

SPECIAL ORDER 4:00 P.M.

060240 [Public Hearing - Appeal of Categorical Exemption from Environmental Review for 229 32nd Avenue (aka 7070 California), Katherine Delmar Burke School Project]

Hearing of persons interested in or objecting to the decision of the Planning Department dated October 31, 2005 (Case No. 2005.0275E), exempting from environmental review under Categorical Exemption Class 14, [State Guidelines Section 15314] and Class 32, [State Guidelines, Section 15332 (a) through (e)], the Katherine Delmar Burke School Addition, located at 229-32nd Avenue (aka 7070 California), Block 1392, Lot 037. The proposed project entails construction of a two-story, 26.5-foot tall arts and science building containing six classrooms, and removal of a paved tennis court presently occupying the site. The new 9,569 sq. ft. infill academic building would add 16 percent capacity in the 3.32-acre campus' existing 60,407 sq. ft. of built space. The project site is rectangular in shape, consisting of approximately 7,200 sq. ft. or 0.165 acre in size. The project site, within the Katherine Delmar Burke School campus, is set back from El Camino del Mar to the north and is also bounded by Lincoln Park to the west and 32nd Avenue to the east. Located in the Sea Cliff neighborhood, the project site is within the RH-1 (D) Residential, House, One-Family (Detached Dwellings) District and a 40-X Height and Bulk District. The Project would require conditional Use authorization for modification to an existing Planned Unit Development (PUD) and authorization for expansion of an educational use. (Appellant: Lincoln Park Homeowners Association, represented by Diane K. Hanna, Attorney, Ellman Burke Hoffman & Johnson, a Professional Corporation.)

(Filed February 15, 2006; companion measure to Files 060241, 060242, 060243; District 1.)

Continued to May 9, 2006.

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

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

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.)**060241 [Affirming the categorical exemption issued for 229 32nd Avenue (Katherine Delmar Burke School) project]**

Motion affirming the determination by the Planning Department that the 229 32nd Avenue (Katherine Delmar Burke School) project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Continued to May 9, 2006.

CONTINUED by the following vote:

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

060242 [Disapproving the categorical exemption issued for 229 32nd Avenue (Katherine Delmar Burke School) project]

Motion disapproving the determination by the Planning Department that the 229 32nd Avenue (Katherine Delmar Burke School) project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Continued to May 9, 2006.

CONTINUED by the following vote:

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

060243 [Preparation of findings related to the 229 32nd Avenue (Katherine Delmar Burke School) project]

Motion directing the Clerk of the Board to prepare findings related to the appeal of the determination by the Planning Department that the project at 229 32nd Avenue (Katherine Delmar Burke School) is exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Continued to May 9, 2006.

CONTINUED by the following vote:

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

PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes. Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.

James Chaffee; expressed views relating to Friends of the Library

Andy Williams; congratulated Supervisor Alioto-Pier on her new baby with song, "Born Free"

Eugene Gordon, Jr.; expressed concerns relating to money exchange and the environment

Female speaker; extended invitation to Supervisors to see documentary regarding September 11 tragedy

Jason; expressed concerns regarding information given to public on September 11

Lauren, Environmental Commissioner; expressed concerns regarding results of radiation issues created by twin tower destruction on September 11

Christian Peaco; expressed concerns over information given to public as to who planned September 11 tragedy

Peter; expressed concerns regarding information given to public about Flight 93

Male speaker; extended invitation to Supervisors to see documentary at Grand Lake Theater

Male speaker; commending the making of the documentary to inform the public regarding September 11 tragedy

Female speaker; expressed concerns regarding MUNI service

Sylvia Johnson; expressed concerns regarding various issues

Christian Short; expressed concerns that September 11 was planned by our government

Cory; comments regarding his tour in Iraq and concerns regarding our government

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.

**060544 [Legislative Analyst Request - Allocated appropriated funds for violence prevention]
Supervisor Ma**

Motion requesting the Legislative Analyst to prepare a report (File No. 060412) on how funds are appropriated for violence prevention will be allocated by the various departments.

APPROVED by the following vote:

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

CLOSED SESSION

CONFERENCE WITH CITY LABOR NEGOTIATORS

060288 [Closed Session - Conference with City's Labor Negotiators (Collective Bargaining)]

Motion that the Board of Supervisors convene in closed session with the City's Labor Relations Negotiators, the Mayor and the Director of Human Resources, for the purpose of reviewing the City's positions in the pending labor negotiations with organizations representing the City employee groups.

This closed session is permitted by Government Code Section 54957.6, and San Francisco Administrative Code Section 67.8.

CLOSED SESSION

The Board recessed at the hour of 4:42 p.m. to convene in closed session pursuant to the above motion.

Reconvening of the Board

The Board at the hour of 5:02 p.m. reconvened.

Calling the Roll

The following Supervisors were noted present: Ammiano, Daly, Elsbernd, Ma, McGoldrick, Mirkarimi, Peskin, - 7

Supervisors Alioto-Pier, Dufty, Maxwell and Sandoval were excused.

Persons in attendance: Supervisors Ammiano, Daly, Elsbernd, Ma, McGoldrick, Mirkarimi, Peskin

*Buck Delventhal, Deputy City Attorney
Monique Zmuda, Controller's Office
Phil Ginsburg, Director, Human Resources Department
Micki Callahan, Department of Human Resources
Gloria L. Young, Clerk of the Board*

Continued to May 16, 2006

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

**Ayes: 7 - Ammiano, Daly, Elsbernd, Ma, McGoldrick, Mirkarimi, Peskin
Excused: 4 - Alioto-Pier, Dufty, Maxwell, Sandoval**

[Elect Not to Disclose]

Motion that the Board finds that it is in the best interest of the public that the Board elect at this time not to disclose its closed session deliberations concerning the pending City Labor Negotiations. (Collective Bargaining)

Supervisor Elsbernd, seconded by Supervisor Mirkarimi, moved not to disclose. The motion carried by the following vote:

**Ayes: 7 - Ammiano, Daly, Elsbernd, Ma, McGoldrick, Mirkarimi, Peskin
Excused: 4 - Alioto-Pier, Dufty, Maxwell, Sandoval**

CLOSED SESSION

CONFERENCE WITH CITY ATTORNEY

060555 [Closed Session - Existing Litigation]

Motion that the Board of Supervisors convene in closed session with the City Attorney for the purpose of conferring with, or receiving advice from, the City Attorney regarding the following bankruptcy matter (Chapter 11) in which the City and County of San Francisco is an active participant, and the following regulatory matters in which the City and County of San Francisco is an active participant:

Government Code Section 54956.9(a) and San Francisco Administrative Code Section 67.10(d)(1) permit this closed session. Discussion in open session concerning these matters would likely and unavoidably prejudice the position of the City in the pending lawsuits listed below.

Pacific Gas and Electric Company v. City and County of San Francisco; U.S. Bankruptcy Court, Northern District of California, Case No. 01-30923-DM; Adv. Proc. No. 04-3071, filed April 30, 2004;

City and County of San Francisco v. Pacific Gas and Electric Company, Federal Energy Regulatory Commission, Docket No. EL05-133-000, filed June 29, 2005;

Pacific Gas & Electric Company, Docket No. ER05-1190-000, Federal Energy Regulatory Commission, filed July 1, 2005. (City Attorney)

Continued to May 9, 2006.

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

Ayes: 7 - Ammiano, Daly, Elsbernd, Ma, McGoldrick, Mirkarimi, Peskin
Excused: 4 - Alioto-Pier, Duffy, Maxwell, Sandoval

CLOSED SESSION

The Board recessed at the hour of 4:08 p.m. to convene in closed session pursuant to the above motion.

Reconvening of the Board

The Board at the hour of 4:41 p.m. reconvened.

Calling the Roll

The following Supervisors were noted present: Ammiano, Daly, Elsbernd, Ma, McGoldrick, Mirkarimi, Peskin - 7

Supervisors Alioto-Pier, Dufty, Maxwell and Sandoval were excused.

Persons in attendance: Supervisors Ammiano, Daly, Elsbernd, Ma, McGoldrick, Mirkarimi, Peskin

Buck Delventhal, Deputy City Attorney

Ken Bruce, Budget Analyst Office

Monique Zmuda, Controller's Office

Susan Leal, SFPUC

Barbara Hale, SFPUC

Theresa Mueller, Deputy City Attorney

Laura Spanjian, SFPUC

Gloria L. Young, Clerk of the Board

[Elect Not to Disclose]

Motion that the Board finds that it is in the best interest of the public that the Board elect at this time not to disclose its closed session deliberations concerning the pending City Labor Negotiations. (Collective Bargaining)

Supervisor Elsbernd, seconded by Supervisor Mirkarimi, moved not to disclose. The motion carried by the following vote:

Ayes: 7 - Ammiano, Daly, Elsbernd, Ma, McGoldrick, Mirkarimi, Peskin

Excused: 4 - Alioto-Pier, Dufty, Maxwell, Sandoval

From the Budget and Finance Committee Without Recommendation

060474 [Appropriating \$3,187,130 of Hetch Hetchy Unappropriated Fund Balance to defend the City and County of San Francisco's rights for services it receives from PG&E]
Mayor

Ordinance appropriating \$4,100,000 of Unappropriated Fund Balance to support Legal Services in Hetch Hetchy Water & Power Department for Fiscal Year 2005-06.

(Fiscal impact.)

Continued to May 9, 2006.

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

Ayes: 7 - Ammiano, Daly, Elsbernd, Ma, McGoldrick, Mirkarimi, Peskin

Excused: 4 - Alioto-Pier, Dufty, Maxwell, Sandoval

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.

**060520 [Accept-Expend Bequest of Marge Falk Trust]
Supervisor Elsbernd**

Resolution authorizing the San Francisco Public Library to accept and expend a bequest in the amount of \$19,077 from the MARGE FALK Revocable Trust for public service improvements at the Library for the Blind located within the Main Library.

Resolution No. 281-06

ADOPTED

**060546 [Asian Pacific Islander Family Resources Network Day]
Supervisor Ma**

Resolution recognizing May 5, 2006 as "Asian Pacific Islander Family Resources Network (APIFRN) Day."

Resolution No. 280-06

ADOPTED

**060547 [Accept-Expend Federal and State Grants for Voting Equipment]
Supervisor Mirkarimi**

Resolution authorizing the San Francisco Department of Elections to accept and expend additional grants under the federal Help America Vote Act of 2002 ("HAVA"), Section 301, and Proposition 41 in an amount not to exceed \$400,000 for voting equipment for the June 6, 2006 election.

Resolution No. 279-06

ADOPTED

**060549 [Gift to City of Travel from Chamber of Commerce for 2006 CityTrip]
Supervisor Peskin**

Resolution accepting a gift of airfare, accommodations and conference fees valued in an amount of \$16,800 from the San Francisco Chamber of Commerce for four City official's or employees to join the Chamber on its 2006 CityTrip to New York City.

Resolution No. 278-06

ADOPTED

**060554 [Commending Cleopatra Vaughns]
Supervisor Ma**

Resolution commending Cleopatra Vaughns and acknowledging her tremendous contributions to the San Francisco Municipal Transportation Agency.

Resolution No. 274-06

ADOPTED

- 060577 [Final Map for a 48 Unit Commercial/Residential Condominium Project - 201 Sansome Street]**
Motion approving Final Map of 201 Sansome Street, A Commercial/Residential Condominium Project, being a subdivision of Lot 005 in Assessor's Block No. 0260, and adopting findings pursuant to Planning Code Section 101.1. (Public Works Department)

(DPW Order No. 175,972; District 3.)

Motion No. M06-43

APPROVED

- 060579 [Final Map for a 9 Unit Commercial/Residential Condominium Project - 334 6th Street]**
Motion approving Final Map of 334 6th Street, A Commercial/Residential Condominium Project, being a subdivision of Lot 005 in Assessor's Block No. 3754, and adopting findings pursuant to the City's General Plan and priority policies of Planning Code Section 101.1. (Public Works Department)

(DPW Order No. 175,985; District 6.)

Motion No. M06-41

APPROVED

The foregoing items were acted upon by the following vote:

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

Severed From the Without Reference to Committee Agenda

- 060121 [Incorporating Street Performers into the Street Artist Program and designating sound appropriate sales areas for certified Street Artists]**
Supervisor McGoldrick

Resolution recognizing that qualified Street Performers are eligible to participate in the Street Artist Program and urging the designation of sales areas within the Program that are appropriate for amplified sound.

ADOPTED by the following vote:

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

Supervisor McGoldrick moved, seconded by Supervisor Ammiano to rescind the previous vote.

Motion to rescind the previous vote carried without objection.

Supervisors Maxwell, Dufty, Sandoval and Alioto-Pier were excused.

REFERRED to the City Operations and Neighborhood Services Committee by the following vote:

Ayes: 7 - Ammiano, Daly, Elsbernd, Ma, McGoldrick, Mirkarimi, Peskin
Excused: 4 - Alioto-Pier, Dufty, Maxwell, Sandoval

060545 [Urging the San Francisco Police Commission ensure the new reform policy includes rigorous oversight to prevent misconduct of its police officers]**Supervisor Ammiano**

Resolution urging the San Francisco Police Commission ensure thorough methods of oversight of misconduct issues in the new reform policy submitted by the San Francisco Police Department.

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

Amendment of the Whole

AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.

Resolution urging the San Francisco Police Commission to ensure thorough methods of oversight of performance issues, along with adequate technological and personnel support, in the implementation of an Early Intervention System, by the San Francisco Police Department.

Resolution No. 273-06

Supervisor Ammiano, seconded by Supervisor Elsbernd, moved that this Resolution be ADOPTED AS AMENDED.

The motion carried by the following vote:

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

060548 [Phillip and Sala Burton Human Rights Center]**Supervisors Peskin, Dufty, Daly, McGoldrick, Mirkarimi, Ma**

Resolution supporting the two-year development plan for the Phillip and Sala Burton Human Rights Center and declaring June 1st, 2006 Phillip and Sala Burton Day in San Francisco.

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

Supervisors McGoldrick, Mirkarimi and Ma requested to be added as cosponsors

Resolution No. 272-06

ADOPTED by the following vote:

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

060578 [Final Map for a 104 Unit Commercial/Residential Condominium Project - 690 Market Street]

Motion approving Final Map of 690 Market Street, a Commercial / Residential Condominium Project, being a subdivision of Lot 006 in Assessor's Block No. 0311, and adopting findings pursuant to the City's General Plan and priority policies of Planning Code Section 101.1. (Public Works Department)

(DPW Order No. 175,993; District 3.)

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

Supervisor Peskin severed this item to make a clerical correction on agenda, "District 6" should be "District 3"

Motion No. M06-42

APPROVED by the following vote:

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

- 060593 [Waiving fees for banners to be placed by the Mayor's Memorial Day Citizens Committee to publicize an event or events to commemorate Memorial Day 2006 in San Francisco]
Supervisor Peskin**

Ordinance waiving banner fees under San Francisco Public Works Code Section 184.78 for up to 60 banners to be placed by the Mayor's Memorial Day Citizens Committee to publicize an event or events commemorating Memorial Day 2006 in San Francisco.

5/2/06, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee. Sponsor requests this item be scheduled for GAO meeting on Monday, May 8, 2006, as a committee report for May 9, 2006.

- 060595 [First Source Hiring Program -- expand definitions of "entry level position" and "economically disadvantaged individual."]
Supervisor Mirkarimi**

Ordinance amending section 83.4 of the San Francisco Administrative Code by expanding the definitions of "economically disadvantaged individual" and "entry level position."

5/2/06, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 6/1/2006.

- 060598 [Amending the Traffic Code to authorize establishing back-in only angled parking spaces]
Supervisor Maxwell**

Ordinance amending the San Francisco Traffic Code by amending Section 55 to authorize the Municipal Transportation Agency, with the approval of the Board of Supervisors, to establish back-in only angled parking spaces.

5/2/06, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee. Sponsor requests this item be referred to Land Use and Economic Development Committee.

- 060599 [Allowing commercial vehicles that are actively loading or unloading during rush hour to block bike lanes on Illinois Street between 16th Street and Cargo Way]
Supervisor Maxwell**

Ordinance amending the Traffic Code by amending Section 38.N to exempt from the prohibition on blocking bike lanes from 7:00 to 9:00 a.m. and 4:00 to 6:00 p.m., commercial vehicles that are actively loading or unloading on Illinois Street between 16th Street and Cargo Way.

5/2/06, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee. Sponsor requests this item be referred to Land Use and Economic Development Committee.

Resolutions

OFF-AGENDA LEGISLATION

Intorduced by Supervisors or the Mayor

Ordinances

**060107 [Child product safety]
Supervisors Ma, Maxwell, Alioto-Pier**

Ordinance amending the San Francisco Health Code by adding Chapter 34, Sections 34.1 through 34.3, to prohibit the manufacture, sale, or distribution in commerce of any toy or child care article that is intended for use by a child under three years of age if it contains bisphenol-A or other specified chemicals, and to require manufacturers to use the least toxic alternative to those substances, and setting an operative date.

1/24/06, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

2/6/06, REFERRED TO DEPARTMENT. Referred to Youth Commission for review and recommendation.

3/7/06, RESPONSE RECEIVED. Voted unanimously to support draft ordinance.

5/2/06, SUBSTITUTED. Supervisor Ma submitted a substitute ordinance bearing new title, and approved as to form.

5/2/06, ASSIGNED to City Operations and Neighborhood Services Committee.

**060142 [Public Works Code -- sidewalk landscape permits]
Mayor, Supervisor Alioto-Pier**

Ordinance amending the Public Works Code by amending Sections 801, 811, and 812 to recognize sidewalk landscaping as an important contributor to the City's quality of life, to provide for fines and penalties for violating this Ordinance, and to include Arborist Technician in the list of designated employees that can enforce the Urban Forestry Ordinance, respectively; by adding Section 810B to establish a permit process for sidewalk landscape installation and removal, including permit fees and procedures to adjust fees on an annual basis; and making environmental findings.

1/31/06, ASSIGNED UNDER 30 DAY RULE to Land Use Committee, expires on 3/2/2006.

2/7/06, TRANSFERRED to Land Use and Economic Development Committee.

2/14/06, REFERRED TO DEPARTMENT. Small Business for review and comments.

2/23/06, REFERRED TO DEPARTMENT. Planning Department for environmental review.

3/10/06, RESPONSE RECEIVED. Exempt from CEQA, non-physical exemption.

5/2/06, SUBSTITUTED. Supervisor Alioto-Pier submitted a substitute ordinance bearing new title.

5/2/06, ASSIGNED to Land Use and Economic Development Committee.

**060121 [Incorporating Street Performers into the Street Artist Program and designating sound appropriate sales areas for certified Street Artists]
Supervisor McGoldrick**

Resolution recognizing that qualified Street Performers are eligible to participate in the Street Artist Program and urging the designation of sales areas within the Program that are appropriate for amplified sound.

1/24/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

1/31/06, CONTINUED. Continued to February 7, 2006

2/7/06, CONTINUED. Continued to February 28, 2006

2/28/06, CONTINUED. Continued to March 28, 2006

3/28/06, CONTINUED. Continued to May 2, 2006

5/2/06, ADOPTED.

5/2/06, REFERRED to City Operations and Neighborhood Services Committee.

**060600 [Traffic Regulations]
Supervisor Maxwell**

Resolution enacting and rescinding traffic regulations on various streets.

BICYCLE LANES - ESTABLISH (18 month trial)

Illinois Street, both directions, between 16th Street and Cargo Way;
Sixteenth Street, both directions, between 3rd Street and Illinois Street; and,
Cargo Way, both directions, between Illinois Street and Jennings Street

(4/25/06: 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.

5/2/06, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee. Sponsor requests this item be referred to Land Use and Economic Development Committee.

**060601 [Parking Regulations]
Supervisor Maxwell**

Resolution enacting and rescinding parking regulations at various locations.

PERPENDICULAR PARKING – RESCIND (18 month trial)
Illinois Street, east side, between 19th and 22nd Streets

BACK-IN ANGLED PARKING, 60 DEGRESS – ESTABLISH (18 month trial)
Illinois Street, east side, between 18th Street and 132 feet south of Mariposa Street

BACK-IN ANGLED PARKING, 45 DEGRESS – ESTABLISH (18 month trial)
Illinois Street, east side, between 20th and 22nd Streets

TOW-AWAY, NO PARKING ANYTIME – RESCIND
Illinois Street, east side, between 25th and Marin Streets

PERPENDICULAR PARKING – ESTABLISH
22nd Street, both sides, between Illinois Street and 480 feet easterly;
Tennessee Street, east side, between 18th and 175 feet south of 22nd Street; and
24th Street, both sides, between 100 feet east and 450 feet east of Michigan Street.

(4/25/06: 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.)

5/2/06, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee. Sponsor requests this item be referred to Land Use and Economic Development Committee.

**060602 [Reauthorization of the Ryan White CARE Act]
Supervisors Ammiano, Dufty**

Resolution affirming that the San Francisco Board of Supervisors endorses "The Consolidated Statement on Key Principles for Reauthorization of the Ryan White CARE Act as proposed by Health and Human Services (HHS)."

5/2/06, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

**060603 [Authorizing Application for BEGIN Funds]
Supervisors Daly, Maxwell**

Resolution authorizing the submittal of applications to the California State Department of Housing and Community Development for funding under the BEGIN Program; the execution of one or more standard agreements if selected for such funding and any amendments thereto; the execution of one or more designation agreements if selected for such funding and any amendments thereto; the execution of any related documents necessary to participate in the BEGIN Program.

5/2/06, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

**060604 [Accept-Expend State Grant - Municipal Transportation/Department of Public Works]
Supervisor Duffy**

Resolution authorizing the Director of Transportation of the Municipal Transportation Agency (or his designee) and the Director of the Department of Public Works to accept and expend state Transportation Act (TDA) Article 3 funds totaling \$907,651 for FY 2006-07 for various pedestrian and bicycle projects in the City and County of San Francisco.

5/2/06, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

**060605 [Supporting Proposition 81, the California Reading and Literacy Improvement and Public Library Construction and Renovation Bond Act of 2006]
Supervisors Ma, Peskin**

Resolution supporting Proposition 81, the California Reading and Literacy Improvement and Public Library Construction and Renovation Bond Act of 2006.

5/2/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**060606 [Commending Northern California Public Broadcasting]
Supervisor Ma**

Resolution commending Northern California Public Broadcasting for its contributions to strengthen public broadcasting in the region.

5/2/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**060607 [Skin Cancer Screening]
Supervisor Mirkarimi**

Resolution commending University of California San Francisco Department of Dermatology and the American Academy of Dermatology for sponsoring May 6, 2006 free skin cancer screening at the U.C.S.F. Mount Zion campus.

5/2/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**060608 [Supporting H.R. 5161, the "Commission on Mexican-American Removal during 1929-1941 Act"]
Supervisor Sandoval**

Resolution supporting H.R. 5161, the "Commission on Mexican-American Removal during 1929-1941 Act."

5/2/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**060609 [Preserve Civic Center Hotel]
Supervisor Daly**

Resolution urging the United Association of Journeymen and Apprentices of the Plumbing and Pipefitting Industry Local 38 Pension Trust Fund to seismically retrofit and preserve the Civic Center Hotel.

5/2/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Hearings**060596 [Budget Analyst Audit of the Office of Emergency Services]
Supervisor Peskin**

Hearing to discuss the Budget Analyst Audit of the Office of Emergency Services.
5/2/06, RECEIVED AND ASSIGNED to Budget and Finance Committee. Sponsor requests this item be calendared at the Budget and Finance meeting of 5/17/06.

**060597 [Controller's Nine Month Report]
Supervisor Daly**

Hearing to consider the Controller's Nine Month Report.
5/2/06, RECEIVED AND ASSIGNED to Budget and Finance Committee.

PROPOSED ORDINANCES**060566 [Eliminating the Trial Courts Cash Revolving Fund]**

Ordinance amending the San Francisco Administrative Code by repealing Section 10.140, to eliminate the Trial Court Cash Revolving Fund. (Controller)
4/19/06, RECEIVED AND ASSIGNED to Budget and Finance Committee.

060567 [Settlement of Lawsuit - Eliana Martella]

Ordinance authorizing settlement of the lawsuit filed by Eliana Martella against the City and County of San Francisco for \$175,000; the lawsuit was filed on July 22, 2004 in Superior Court, Case No. CGC-04433236; entitled Eliana Martella, et al., v. City and County of San Francisco, et al; other material terms of said settlement are the reduction of the San Francisco General Hospital lien from \$17,829.64 to \$12,829.64. (City Attorney)
4/18/06, RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED RESOLUTIONS**060568 [Extension of One Year Tolling Agreement between Daly City and San Francisco]
Supervisor Elsbernd**

Resolution approving one year extension of mutual tolling agreement between the City of Daly City ("Daly City") and the City and County of San Francisco ("San Francisco"). (City Attorney)
4/19/06, RECEIVED AND ASSIGNED to Rules Committee.

**060569 [Settlement of Claim - Daly City]
Supervisor Elsbernd**

Resolution approving Settlement of Claim by City and County of San Francisco ("San Francisco") against the City of Daly City ("Daly City" (City Attorney)
4/19/06, RECEIVED AND ASSIGNED to Rules Committee.

060574 [Lease of Real Property at 1380 Howard Street]

Resolution authorizing the renewal and expansion of a lease of 79,950 sq. ft. of space at 1380 Howard Street for the Department of Public Health. (Real Estate Department)

(Fiscal impact.)

4/24/06, RECEIVED AND ASSIGNED to Budget and Finance Committee.

Requests Granted

From: Supervisor Mirkarimi

To: City Attorney

Requesting/Inquiring: Requesting the City Attorney to draft legislation that directs the appropriate agencies to conduct a public safety and security audit of "safe haven" facilities that include, but not limited to City operated or contracted recreation and senior centers --audit survey could be determined by need as it pertains to communities impacted by crime.

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from property at the following locations: 1213 Fillmore, 539-541 Waller, 600 Buchannan, and 554-560 Octavia.

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 removing graffiti from DPT signage at the following location: 722 Waller, Waller/Scott NW corner, 635 Waller, 630 Waller, 100 Pierce, and 539 Waller.

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 removing graffiti from DPT signage at the following locations: Steiner between Duboce and Waller, Fillmore between Waller/Germania, 878 Grove, 820 Fillmore, 835 McAllister, 821 Grove, Haight/Buchannan NE corner, 535 Buchannan, 694 Grove, and 644 Laguna.

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 replacing DPT parking signs at the following locations: 486 Waller, 639 Grove, 620 Grove, and 801 Grove.

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 removing graffiti at Signal Boxes at the following locations: 200 Buchannan, 550 Buchannan, and Octavia/Ivy NE corner.

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 removing graffiti at Stop Signs at the following locations: Waller/Steiner NE corner, Buchannan/Page NE corner, and 694 Grove.

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 repairing, replacing, and removing graffiti from all DPT signage along both sides of the 800 block of Hayes Street.

From: Supervisor Mirkarimi

To: Director, Department of Public Work

Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti at the following locations: Mail boxes - Hayes/Buchannan, trash can - Grove/Fillmore NE corner, and green

box - 940 Fillmore.

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from electrical and call boxes at the following locations: 100 Pierce, Buchanan/Fell, 629 Buchanan, and Hayes Valley Playground.

From: Supervisor Mirkarimi

To: Director, Public Utilities Commission

Requesting/Inquiring: Requesting the Public Utilities Commission to report on the status of removing graffiti from utility poles at the following location: Fillmore/Grove NE corner.

From: Supervisor Mirkarimi

To: Director, Department of Parking and Traffic

Requesting/Inquiring: Requesting the Department of Parking and Traffic to report on the feasibility of establishing Stop Signs east and west bound on Parnassus at the intersection of Willard Street.

From: Supervisor Mirkarimi

To: Director, Department of Parking and Traffic

Requesting/Inquiring: Requesting the Department of Parking and Traffic to report on the feasibility of establishing a white ladder crosswalk at the intersection of Stanyan and Beulah.

From: Supervisor Elsbernd

To: Director, Department of Parking and Traffic

Requesting/Inquiring: Inquiring into the feasibility of increasing the number of hours allowed for parking on Arlington Street from 2 to 4 and for allowing parking at the BART parking lot before 9am.

In Memoriams

Margaret L. Johnson - Supervisor Sandoval

Sergeant Darryl Tsujimoto - Entire Board

Dante White - Supervisor Mirkarimi

Fuad Kawas - Supervisor Dufty

Manuel George Dudum - Supervisor Ma


ADJOURNMENT

There being no further business, the Board adjourned at the hour of 5:15 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 June 6, 2006.


Gloria L. Young
Clerk of the Board