

# 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 23, 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

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

**Volume 101 Number 19**

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

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## ROLL CALL AND PLEDGE OF ALLEGIANCE

*The meeting was called to order at 2:05 p.m. On the call of the roll Supervisors Alioto-Pier, McGoldrick and Sandoval were noted absent.*

*There was a quorum.*

*Supervisors Sandoval and Alioto-Pier were noted present at 2:06 p.m*

## CONSENT AGENDA

### Recommendations of the Budget and Finance Committee

**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)

**Ordinance No. 117-06**

**FINALLY PASSED**

**060497 [Accept-Expend Bequest of Harvey V. Berneking Living Trust]**

**Supervisor Elsbernd**

Resolution authorizing the San Francisco Public Library to accept and expend a bequest in the amount of up to \$500,000 from the Harvey V. Berneking Living Trust for public service improvements at the Main Library.

**Resolution No. 314-06**

**ADOPTED**

### Recommendation of the Government Audit and Oversight Committee

**051519 [Grants for the Arts in charge of administration of Nonprofit Performing Arts Loan Program]  
Mayor**

Ordinance amending Sections 50.2, 50.10, 50.11 and 50.21 of the San Francisco Administrative Code concerning the Nonprofit Performing Arts Loan Program to transfer administration of the program from the Mayor's Office of Housing to the Grants for the Arts and allowing Grants for the Arts to establish criteria for loan forgiveness and issue other related regulations and agreements and amending Section 10.100-119 of the San Francisco Administrative Code to clarify that the Fund shall be used for construction project management, capital improvement and acquisition loans to nonprofit performing arts organizations under Chapter 50 of the Administrative Code.

(Fiscal impact.)

**Ordinance No. 114-06  
FINALLY PASSED**

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

**060499 [Stop signs - Chenery Street at Fairmount Street]  
Supervisor Dufty**

Resolution designating the intersection of Chenery Street at Fairmount Street as a "STOP" intersection.

(4/24/06: 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.)

**Resolution No. 317-06  
ADOPTED**

**060540 [STOP Intersections]  
Supervisor Dufty**

Resolution designating certain intersections as "STOP" intersections.

**STOP SIGNS – ESTABLISH**

Elizabeth and Noe Streets, stopping Noe Street at Elizabeth Street, making this intersection an All-Way STOP.

(4/26/06: 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.)

**Resolution No. 320-06  
ADOPTED**

**060541 [Parking Regulations]  
Supervisor Dufty**

Resolution enacting and rescinding parking regulations at various locations.

GREEN ZONE (10 MINUTE TIME LIMIT), 6 AM TO 10 AM, DAILY – ESTABLISH  
“297” Duncan Street, south side, from 18 feet to 57 feet, east of Church Street (39-foot zone)

GREEN ZONE (10 MINUTE TIME LIMIT), 9 AM TO 6 PM, MONDAY THROUGH SATURDAY –  
RESCIND

GREEN ZONE (10 MINUTE TIME LIMIT), 6 AM TO 7 PM, DAILY – ESTABLISH  
“299” Duncan Street, south side, from Church Street to 18 feet easterly (18-foot zone)

(4/26/06: 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.)

**Resolution No. 321-06  
ADOPTED**

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

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.

**Resolution No. 312-06  
ADOPTED**

**Recommendations of the Rules Committee**

**060224 [Requirement to provide minimum information for environmental evaluation application and initial study]  
Supervisor Peskin**

Ordinance amending the San Francisco Administrative Code by amending Section 31.10 to require certain minimum information to be provided in an environmental evaluation application and an initial study under the California Environmental Quality Act.

**Ordinance No. 116-06  
FINALLY PASSED**

**060407 [Appointment - Western SoMa Citizens' Planning Task Force]**

Resolution appointing Bonnie D'Amico, term ending November 23, 2007, to the Western SoMa Citizens' Planning Task Force.

Bonnie D'Amico, succeeding Frank McGrath, resigned, seat 7, must operate a local business in western SoMa, for the unexpired portion of a three-year term ending November 23, 2007.

**Resolution No. 315-06  
ADOPTED**

**060636 [Appointment - Power Plant Task Force]**

Resolution appointing Philip De Andrade, Karen Pierce, Richard Millet, L. Joseph Boss, Steven Moss, and Al Collins, terms ending November 1, 2006, to the Power Plant Task Force.

Philip De Andrade, succeeding himself, term expired, seat 1, must be a resident of the Mission Bay area, for the unexpired portion of a one-year term ending November 1, 2006.

Karen Pierce, succeeding herself, term expired, seat 2, must be a resident of the Bayview Hunters Point area, for the unexpired portion of a one-year term ending November 1, 2006.

Richard Millet, succeeding himself, term expired, seat 3, must be a resident of the Potrero Hill area, for the unexpired portion of a one-year term ending November 1, 2006.

L. Joseph Boss, succeeding himself, term expired, seat 4, must be a resident of the Central Waterfront area, for the unexpired portion of a one-year term ending November 1, 2006.

Steven Moss, succeeding himself, term expired, seat 7, must be the executive director of the San Francisco Community Power Coop or his/her designee, for the unexpired portion of a one-year term ending November 1, 2006.

Al Collins, succeeding Dana Lanza, term expired, seat 9, must be the executive director of Literacy for Environmental Justice or his/her designee, for the unexpired portion of a one-year term ending November 1, 2006.

**Resolution No. 313-06**

**ADOPTED**

**The foregoing items were acted upon by the following vote:**

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

Absent: 3 - Alioto-Pier, McGoldrick, Sandoval

## REGULAR AGENDA

## UNFINISHED BUSINESS

### Vetoed by the Mayor

**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.

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 May 15, 2006. Therefore, the Board will lose the ability to override the veto unless it votes on the veto override on or before June 14, 2006.

*Consideration of the Mayor's Veto.*

*Motion to override the Mayor's veto failed by the following vote:*

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

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

### From the Board

**060684 [Adopting findings related to the Bayview Hunters Point Redevelopment Plan]**

**Supervisor Maxwell**

Motion adopting findings in response to written objections to adoption of the Bayview Hunters Point Redevelopment Plan delivered to the Clerk of the Board of Supervisors before or at the public hearing on adoption of the Plan, pursuant to the requirements of redevelopment law.

**Motion No. M06-51**

**APPROVED by the following vote:**

**Ayes: 7 - Alioto-Pier, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Peskin**

**Noes: 4 - Ammiano, Daly, Mirkarimi, Sandoval**

**060343    [Adopting the Redevelopment Plan for the Bayview Hunters Point Redevelopment Project]  
Supervisor Maxwell**

Ordinance approving and adopting the Redevelopment Plan for the Bayview Hunters Point Redevelopment Project area; adopting findings pursuant to the California Environmental Quality Act; adopting findings that the Redevelopment Plan is consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; adopting other findings pursuant to the California Community Redevelopment Law.

(Fiscal impact.)

(4/26/06 - Recommended subject to the following issues being resolved: periodic audit, timing of funding, historic resource survey issue, delegation agreement, longevity of the project area committee, appealing decisions from the Commission related to land use entitlement to the Board of Supervisors.)

**Ordinance No.        113-06**

**FINALLY PASSED** by the following vote:

Ayes: 7 - Alioto-Pier, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Peskin

Noes: 4 - Ammiano, Daly, Mirkarimi, Sandoval

## NEW BUSINESS

### Recommendations of the Budget and Finance Committee

**060475 [Public Employment - Mayor's Office of Economic and Workforce Development]  
Mayor**

Ordinance amending Ordinance No. 204-05 (Annual Salary Ordinance No. 204-05 (Annual Salary Ordinance 2005/2006) to reflect the creation of three (3) positions in the Mayor's Office of Economic and Workforce Development.

(Fiscal impact.)

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

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

**060495 [Grant of Federal Funds - Municipal Transportation Authority]  
Supervisor Ma**

Resolution authorizing the Municipal Transportation Agency to accept and expend \$2,851,800 of Transit Security Grant Program funds to create a sustainable effort for the protection of regional transit systems critical infrastructure from terrorism, excluding administrative overhead costs.

**Resolution No. 316-06**

**ADOPTED by the following vote:**

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

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

**060708 [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 June 30, 2006.

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

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

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



**060479 [Zoning Map Amendment, 645 Howard Street]  
Supervisor Daly**

Ordinance amending Zoning Map Sheet IH of the City and County of San Francisco for property located at Block 3735, Lot 047, to change the height and bulk district classification from 150-S to 250-S; adopting findings pursuant to the California Environmental Quality Act; and adopting findings of consistency with the General Plan and the priority policies of Planning Code Section 101.1.

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

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

**060480 [General Plan Amendment, 645 Howard Street]  
Supervisor Daly**

Ordinance amending Map 5 (Proposed Height and Bulk Districts) of the Downtown Area Plan of the General Plan of the City and County of San Francisco to change the height and bulk district classification of the property located at Block 3735, Lot 047 from 150-S to 250-S; adopting findings pursuant to the California Environmental Quality Act; and adopting findings of consistency with the Priority Policies of Planning Code Section 101.1.

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

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

**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.

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

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

**051521 [Designate 150 Otis Street, the Juvenile Court and Detention Home, as Landmark No. 248]  
Supervisor Peskin**

Ordinance designating 150 Otis Street, the Juvenile Court and Detention Home, as Landmark No. 248 pursuant to Article 10, Sections 1004 and 1004.4 of the Planning Code. (Planning Department)

*Supervisor Daly was previously excused from voting on this matter.*

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

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

**Recommendation of the Select Committee on Ending Gun and Gang Violence**

**060086 [Providing for public notice of installation of community safety cameras.]**  
**Supervisors Mirkarimi, Ammiano, Maxwell, Elsbernd**

Ordinance amending the San Francisco Administrative Code by adding Chapter 19, Sections 19.1 through 19.8, to regulate the installation of community safety cameras, prescribe a notification and approval process for the installation of cameras, and establish protocols for oversight and access to video recordings.

*Amended on page 1, line 23 after "monitoring systems" by inserting "traffic reporting cameras".*

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

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

*Continued to June 6, 2006*

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

**CONTINUED AS AMENDED by the following vote:**

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

**Recommendation of the Rules Committee**

**060386 [55-year Seismic Safety Retrofit Loan Program Loans]**  
**Supervisors Dufty, Mirkarimi, Ammiano**

Ordinance amending San Francisco Administrative Code Sections 66.1, 66.3, 66.4, 66.5, 66A.2, 66A.4, 66A.13, 66A.24, 66A.25, and 66A.26 to allow for 55-year term Seismic Safety Retrofit Loan Program loans, to name the Mayor's Office of Housing as the Seismic Safety Retrofit Loan Program Administrator, and to make certain administrative clarifications.

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

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

*Recess*

*The Board recessed at the hour of 2:59 p.m.*

*Reconvening of the Board*

*The Board reconvened at the hour of 3:35 p.m.*

*Calling the Roll*

*The following Supervisors were noted present: Alioto-Pier, Ammiano, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Sandoval - 8*

*Supervisors McGoldrick and Dufty were noted present at 3:38 p.m.*

*Supervisor Daly was noted present at 3:40 p.m.*

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

### Privilege of the Floor

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

*Supervisor Peskin welcomed, introduced and presented a Certificate of Honor to the Director, Department of Public Works in recognition of Department of Public Works Week.*

*Supervisors Dufty, Ma, Mirkarimi, Ammiano, McGoldrick, Alioto-Pier expressed gratitude to the staff of Department of Public Works.*

*Supervisor Maxwell welcomed, introduced and presented a Certificate of Honor to Gwynn Strain, founder of Families in Need.*

*Supervisor Alioto-Pier welcomed, introduced and presented a Certificate of Honor to the Director of the Exploratorium.*

**SPECIAL ORDER 3:30 P.M.****Board of Supervisors Sitting as a Committee of the Whole**

*Supervisor McGoldrick noted absent at 3:55 p.m.*

- 060651 [Hearing - Interim zoning moratorium for three months on new check cashing and payday lender uses]**  
Hearing to consider the possible adoption of an urgency ordinance extending the interim zoning moratorium for three months on new check cashing and payday lender uses and making required findings, including findings related to the imposition of an interim zoning moratorium, findings of consistency with the priority planning policies of Planning Code Section 101.1, and environmental findings. (Clerk of the Board)

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

*Female speaker*

*The President declared the public hearing closed.*

**HEARD AT PUBLIC HEARING.**

- 060641 [Zoning -Three-Month Extension of Interim Moratorium on New Check Cashing and Pay Day Lender Uses]**

**Supervisor Ammiano**

Urgency Ordinance approving a three-month extension of the interim zoning moratorium on new check cashing and pay day lender uses 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.

**Ordinance No. 115-06**

**FINALLY PASSED** by the following vote:

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

Absent: 1 - McGoldrick

**SPECIAL ORDER 4:00 P.M.****CALLED FROM COMMITTEE**

*Supervisor Sandoval noted absent at 4:03 p.m.*

**060652 [Hearing - Child Product Safety]**

Hearing to consider the possible adoption of an 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. (Clerk of the Board)

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

*There were none.*

*The President declared the public hearing closed.*

**HEARD AT PUBLIC HEARING.**

**060107 [Child product safety]**

**Supervisors Ma, Maxwell, Alioto-Pier, McGoldrick, Sandoval, Daly**

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.

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

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

Absent: 1 - Sandoval

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

**060490 [Public Hearing - Appeal of Categorical Exemption from Environmental Review for 2477-2479 Sutter Street]**

Hearing of persons interested in or objecting to the decision of the Planning Department dated February 6, 2006 (Case No. 2005.0402E), exempting from environmental review under Categorical Exemption [State CEQA Guidelines, Sections 15301 and 15331], the proposed project at 2477-2479 Sutter Street. The proposal would convert an existing two-unit residential structure with ground-floor retail into a three-unit structure with three parking spaces by adding a 2,590-square foot horizontal and vertical addition and converting the retail space into a garage.

The project site is located at 2477-2479 Sutter Street (Assessor's Block 1076, Lot 022). The project is within the RM-1 (Mixed, Low Density) zoning district and within a 40-X height and bulk district. (Appellant: Stephen M. Williams.)

(Companion measure to Files 060491, 060492, 060493; District 5.)

*The President inquired as to whether or not any member of the public wished to address the Board members. There were none.*

*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.)****060491 [Affirming the categorical exemption issued for the 2477-2479 Sutter Street project]**

Motion affirming the determination by the Planning Department that the project at 2477-2479 Sutter Street is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

**Motion No.** M06-50

**APPROVED by the following vote:**

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

**060492 [Disapproving the categorical exemption issued for 2477-2479 Sutter Street]**

Motion disapproving the determination by the Planning Department that the project at 2477-2479 Sutter Street is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

**TABLED by the following vote:**

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

**060493 [Preparation of findings related to the 2477-2479 Sutter Street 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 2477-2479 Sutter Street is exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

**TABLED by the following vote:**

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

*Recess*

*The Board recessed at the hour of 4:10 p.m.*

*Reconvening of the Board*

*The Board reconvened at the hour of 5:31p.m.*

*Calling the Roll*

*The following Supervisors were noted present: Ammiano, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin - 6*

*Supervisors Dufty and McGoldrick were noted present at 5:32 p.m.*

*Supervisor Daly was noted present at 5:34 p.m.*

*Supervisor Alioto-Pier was noted present at 6:00 p.m.*

**SPECIAL ORDER 4:30 P.M.**

*Supervisor Alioto-Pier was noted absent at 5:31 p.m.*

**060570 [Public Hearing - Appeal of Categorical Exemption from Environmental Review for 828 Francisco Street, Planning Case No. 2005.0493E]**

Hearing of persons interested in or objecting to the decision of the Planning Department dated April 6, 2006, exempting from environmental review under Categorical Exemption: State CEQA Guidelines, Section(s) 15301(e)(1), the proposed project involving alterations to an existing, three-story-over basement, 6,923-square foot residence. The proposed alterations would: 1) add a dormer window on the eastern portion of the front façade (south side) at the third floor (attic level); 2) raise the height of, and enlarge, the existing dormer at the rear of the property (north side), so as to be habitable space as defined by the Building Code; 3) add new stairs from the existing first-story deck to the back yard; 4) add penetrations to the existing wall to add new windows at the second story at the rear; 5) add four new penetrations for four new windows and close up an existing window on the east façade; and 6) add three new penetrations for three new windows and close up three existing windows on the west façade. As considered by the Planning Department, the proposed alterations constitute alteration, façade alterations and horizontal extensions at the front, side and rear of the structure. The project would also resurface the roof at the second floor northeast corner for use as a deck and re-roof the existing asbestos shingle roof.

The proposed addition and construction would be minor additions to the existing building envelope. They would result in no net change in the square footage of the existing structure, as measured by the Planning Code. The approximately 18,734-square foot project site is located at 828 Francisco Street (Assessor's Block 0045, Lot 003), about 40 feet west of Leavenworth Street, in the block bounded by Leavenworth, Francisco, Hyde and Bay Streets, in the City's Russian Hill Neighborhood. The site has an approximately 136.5-foot lot dimension on Francisco Street, the only street frontage. The site is within an RH-1 (D) Residential, One-Family (Detached Dwellings) Use District and a 40-X Height and Bulk District. (Appellant: Angela Schroeder).

(Filed April 19, 2006; Companion measure to Files 060570, 060571, 060572, 060573; District 2.)

*The President inquired as to whether or not any member of the public wished to address the Board.  
There were none.*

*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.)**

**060571 [Affirming the categorical exemption issued for the project at 828 Francisco Street]**

Motion affirming the determination by the Planning Department that the 828 Francisco Street project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Motion No. M06-53

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

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

**060572 [Disapproving the categorical exemption issued for the project at 828 Francisco Street]**

Motion disapproving the determination by the Planning Department that the 828 Francisco Street project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

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

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

**060573 [Preparation of findings related to the project at 828 Francisco Street]**

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 828 Francisco Street is exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

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

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

**SPECIAL ORDER 5:00 P.M.**



**060560 [Public Hearing - Appeal of Final Environmental Review for 3575 Geary Boulevard Project, Planning File No. 2003.0410E]**

Hearing of persons interested in or objecting to the Planning Commission's April 6, 2006, certification of a Final Environmental Impact Report identified as Planning File No. 2003.0410E, through its Motion 17218, the proposed project located at 3575 Geary Boulevard, Assessor's Block 1083, Lot 2, and Assessor's Block 1084, Lot 4. (Appellant: Brian Gaffney, Law Offices of Brian Gaffney).

(Filed April 26, 2006; companion measure to Files 060561, 060562, 060563; District 1.)

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

*Brian Gaffney, Attorney for the appellant  
Harry Benke; support of appellant  
William Goodson; support of appellant  
Zack Tolson; support of appellant  
Gabie Berliner; support of appellant  
Greg Hylton; support of appellant  
Mark Fighgra; support of appellant  
Rocky Papale; support of appellant  
G. Yang; support of appellant  
Laura Rosenthal; support of appellant  
Wendy Miller; support of appellant  
Female speaker; support of appellant  
Amanda Soo; support of appellant  
Tom Ross; support of appellant  
Bob Lee; support of appellant  
Bradley Wiedmaier; support of appellant  
Trey MacPhee; support of appellant  
Female speaker; support of appellant  
Kurt; support of appellant  
Rozanne Junker; support of appellant  
Ruth Tepper; support of appellant  
Paula Romanovsky; support of appellant  
Reth Warner; support of appellant  
Libby Benedict; support of appellant  
Vera Poon; support of appellant*

*Larry Badiner, Zoning Administrator and Bill Wycko, Planning Department Representative, reviewed with the Board the Planning Department's recommendation.*

*Institution on Aging, project sponsor  
Bridge Point Housing; project sponsor  
Architect; support of project sponsor  
Ms. Einstein; support of project sponsor  
Geraldine Gillette Earp; support of project sponsor  
Marianne Duke; support of project sponsor  
Ron Miguel; support of project sponsor  
Peter Winkelstein; support of project sponsor  
Virginia Jordan; support of project sponsor  
Erwin Gibbs; support of project sponsor  
Betty Anginvine; support of project sponsor  
Jean Lynch; support of project sponsor  
Female speaker; support of project sponsor  
Chuck Lemere; support of project sponsor  
Flora Tanta; support of project sponsor  
Ken Donnolly, IOA; support of project sponsor  
Patty Clement; support of project sponsor*

*Slyvia Malikian; support of project sponsor*

*Rebuttal Period:*

*Brian Gaffney; Attorney for 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 Final Environmental Impact Report 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.)**

**060561 [Affirm certification of 3575 Geary Boulevard Project FEIR]**

Motion affirming the certification by the Planning Commission of the Final Environmental Impact Report for the 3575 Geary Boulevard Project. (Clerk of the Board)

**Motion No.** M06-54

**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, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin

Noes: 1 - Alioto-Pier

Absent: 1 - Sandoval

**060562 [Disapprove certification of 3575 Geary Boulevard Project FEIR]**

Motion disapproving the certification by the Planning Commission of the Final Environmental Impact Report for 3575 Geary Boulevard Project. (Clerk of the Board)

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

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

Noes: 1 - Alioto-Pier

Absent: 1 - Sandoval

**060563 [Preparation of findings to disapprove certification of 3575 Geary Boulevard Project FEIR]**

Motion directing the Clerk of the Board to prepare findings disapproving the certification by the Planning Commission of the Final Environmental Impact Report for the 3575 Geary Boulevard Project FEIR. (Clerk of the Board)

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

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

Noes: 1 - Alioto-Pier

Absent: 1 - Sandoval

**SPECIAL ORDER 5:30 P.M.**

**060620 [Public Hearing - Conditional Use Appeal for 3575 Geary Boulevard Project, Planning File No. 2003.0410CEK!]**

Hearing of persons interested in or objecting to the decision of the Planning Commission by its Motion No. 17219 dated April 6, 2006, approving Conditional Use Application No. 2003.0410CEK!. The approval relates to a conditional use authorization under Planning Code Sections 121.1 and 712.11 to allow lot size in excess of 9,999 square feet, Sections 121.2 and 712.21 to allow non-residential use size in excess of 5,999 square feet, Section 271 to allow exception from the "A" Bulk Controls in an 80-A Height and Bulk District, and Sections 303 and 304 to allow a Planned Unit Development that would include modifications to the rear yard requirement (Planning Code Section 134), the Open space requirement for senior dwelling units (Planning Code Section 135(d)(3)), the dwelling unit exposure requirement (Planning Code Section 140), and the off-street parking and loading requirements (Planning Code Section 151 and 152).

The site is currently occupied by the now closed single-screen Coronet Theater in an NC-3 (Moderate-scale Neighborhood Commercial) District, and an 80-A Height and Bulk District, located at 3575 Geary Boulevard; Lot 2 in Assessor's Block 1083, and Lot 4 in Assessor's Block 1084. (Appellant: Libby Benedict, on behalf of Jordan Park Improvement Association and Francisco Heights Neighborhood Association).

(Filed May 4, 2006; companion measure to Files 060621, 060622, 060623; District 1.)

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

*Brian Gaffney, Attorney for the appellant  
Harry Benke; support of appellant  
William Goodson; support of appellant  
Zack Tolson; support of appellant  
Gabe Berliner; support of appellant  
Greg Hylton; support of appellant  
Mark Fighgra; support of appellant  
Rocky Papale; support of appellant  
G. Yang; support of appellant  
Lauara Rosenthal; support of appellant  
Wendy Miller; support of appellant  
Female speaker; support of appellant  
Amanda Soo; support of appellant  
Tom Ross; support of appellant  
Bob Lee; support of appellant  
Bradley Wiedmaier; support of appellant  
Trey MacPhee; support of appellant  
Female speaker; support of appellant  
Kurt; support of appellant  
Rozanne Junker; support of appellant  
Ruth Tepper; support of appellant  
Paula Romanovsky; support of appellant  
Reth Warner; support of appellant  
Libby Benedict; support of appellant  
Vera Poon; support of appellant*

*Larry Badiner, Zoning Administrator and Bill Wycko, Planning Department Representative, reviewed with the Board the Planning Department's recommendation.*

*Institution on Aging, project sponsor  
Bridge Point Housing; support of project sponsor  
Architect; support of project sponsor  
Ms. Einstein; support of project sponsor  
Geraldine Gillette Earp; support of project sponsor  
Marianne Duke; support of project sponsor  
Ron Miguel; support of project sponsor*

*Peter Winkelstein; support of project sponsor  
Virginia Jordan; support of project sponsor  
Erwin Gibbs; support of project sponsor  
Betty Anginvine; support of project sponsor  
Jean Lynch; support of project sponsor  
Female speaker; support of project sponsor  
Chuck Lemere; support of project sponsor  
Flora Tanta; support of project sponsor  
Ken Donnolly, IOA; support of project sponsor  
Patty Clement; support of project sponsor  
Sylvia Malikian; support of project sponsor*

*Rebuttal Period:*

*Brian Gaffney; Attorney for 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 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.)**

**060621 [Approving Planning Commission decision related to Conditional Use Appeal for 3575 Geary Boulevard]**

Motion approving decision of the Planning Commission by its Motion No. 17219, approving Conditional Use Application No. 2003.0410CEK!, located at 3575 Geary Boulevard currently occupied by the now closed single-screen Coronet Theater, and adopting findings pursuant to Planning Code Section 101.1. (Clerk of the Board)

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

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

**060622 [Zoning Appeal - 3575 Geary Boulevard.]**

Motion disapproving decision of the Planning Commission by its Motion No. 17219, approving Conditional Use Application No. 2003.0410CEK!, located at 3575 Geary Boulevard currently occupied by the now closed single-screen Coronet Theater. (Clerk of the Board)

**Motion No. M06-55**

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

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

**060623 [Preparation of findings related to the Conditional Use Appeal for 3575 Geary Boulevard]**

Motion directing the Clerk of the Board to prepare findings relating to proposed Conditional Use Application No. 2003.0410CEK!, located at 3575 Geary Boulevard currently occupied by the now closed single-screen Coronet Theater, for action by the Board at its next meeting. (Clerk of the Board)

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

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

## COMMITTEE REPORTS

**060649 [Motion setting special off site meeting of the Select Committee on Ending Gun & Gang Violence]  
Supervisors Maxwell, Mirkarimi**

Motion scheduling an off-site meeting of the Select Committee on Ending Gun & Gang Violence on Wednesday, June 7, 2006, 6:00 p.m., at the Ella Hill Hutch Community Center, 1050 McAllister Street, for the purpose of conducting a joint meeting session with San Francisco Police Commission in receiving community input regarding gun & gang violence in the City of San Francisco.

**Motion No.** M06-52

**APPROVED by the following vote:**

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

## ROLL CALL FOR INTRODUCTIONS

## 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.*

*Walter: expressed in song welcoming Walter Winchell in the past  
Eugene Gordon Jr. expressed concern with issues relating to human rights  
Female speaker; expressed concern with the SF Redevelopment Plan  
Dr. Porter; showed interest with federal helicopter and a disaster plan and helicopters air pad locations in SF  
Abdullah Megaheed; requested the Board to present a commendation to the young man who swam from Alcatraz  
Louis Dillon; expressed concern with a Sunshine Ordinance violation relating to the Recreation and Parks Commission*

## 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.*

## 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.*

*Supervisors Alioto-Pier and McGoldrick were noted absent at 2:57 p.m.*

060685 [Declaring May 16, 2006 Lonnie Butler Day]  
Supervisor Maxwell

Resolution declaring that Lonnie Butler is an honorary citizen and that May 16, 2006 is Lonnie Butler Day in the City and County of San Francisco.

Resolution No. 318-06  
ADOPTED

**060686 [Public Works Week - May 22 - 26, 2006]  
Supervisors Peskin, Dufty**

Resolution proclaiming May 22 through May 26, 2006 as Public Works Week in San Francisco.

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

**Resolution No. 325-06**

**ADOPTED**

**060687 [Supporting Proposition 82, the Preschool for All Initiative]  
Supervisor Peskin**

Resolution expressing support for California State Proposition 82, the Preschool for All Initiative.

**Resolution No. 322-06**

**ADOPTED**

**060688 [Urging President George W. Bush not to deploy the National Guard along the United States-Mexico border]  
Supervisors Sandoval, Mirkarimi, Ammiano**

Resolution urging President George W. Bush not to deploy the National Guard along the United States—Mexico border.

**Resolution No. 323-06**

**ADOPTED**

**The foregoing items were acted upon by the following vote:**

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

Absent: 2 - Alioto-Pier, McGoldrick

## **IMPERATIVE AGENDA**

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

*[Serious Injury Finding]*

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



*[Purely Commendatory Finding]**Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.*

Supervisor Daly, seconded by Supervisor Dufty, moved moved the Purely Commendatory Finding. The motion carried by the following vote:

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

Absent: 2 - Alioto-Pier, McGoldrick

*[Brown Act Finding]**Motion that the Board find by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.*

Supervisor Daly, seconded by Supervisor Dufty, moved moved the Brown Act Finding. The motion carried by the following vote:

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

Absent: 2 - Alioto-Pier, McGoldrick

**060691 [Commending Supervisor Tom Ammiano]**

Supervisors Dufty, Alioto-Pier, Daly, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Resolution commending Supervisor Tom Ammiano on his enshrinement to the San Francisco State's Alumni Wall of Fame.

**Resolution No. 319-06**

**ADOPTED by the following vote:**

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

Absent: 2 - Alioto-Pier, McGoldrick

**060692 [S.F. Child Care Planning and Advisory Council Priorities for General Child Care and Development Expansion]**

Supervisor Daly

Resolution approving the San Francisco Child Care Planning and Advisory Council Priorities for General Child Care and Development Expansion.

**Resolution No. 324-06**

**ADOPTED by the following vote:**

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

Absent: 2 - Alioto-Pier, McGoldrick

## **OFF-AGENDA LEGISLATION**

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

**Ordinances**

- 060668 [Landmark Designation of 557 Ashbury Street/1500-1512 Haight Street (the Richard P. Doolan/Norman T. Larson Residence and Storefronts)]**  
**Supervisors Mirkarimi, Peskin, Elsbernd**

Ordinance Designating 557 Ashbury Street/1500-1512 Haight Street, the Richard P. Doolan/Norman T. Larson Residence and Storefronts, as a Landmark under Planning Code Article 10; and adopting General Plan, Planning Code Section 101.1(b) and environmental findings (Planning Department)

5/23/06, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee. SUPPORTING DOCUMENTS: Planning Commission Resolution 17241, Landmark Board Resolution 600 and Landmark Designation Report.

- 060697 [Fee Adjustments for Planning Department Services]**  
**Supervisor Peskin**

Ordinance amending the San Francisco Administrative Code by amending Sections 31.22 and 31.23 to adjust fees for Planning Department services; and making environmental findings.

5/23/06, RECEIVED AND ASSIGNED to Budget and Finance Committee. 5/25/06 - Referred to Planning for determination of environmental impact and review. Referred to the Small Business Commission.

06/01/06 - Response received from Planning. Exempt from CEQA.

06/14/06 - Response received from Planning, Planning Commission recommended the proposed ordinance with amendments.

06/20/06 - Response received from the Small Business Commission.

- 060698 [Downtown Plan Monitoring]**  
**Supervisor Peskin**

Ordinance amending the San Francisco Administrative Code by amending Chapter 10E to delete some of the data currently required in the Planning Department's annual Downtown Plan Monitoring report that details the effects of downtown growth, to change the date for submittal of the annual report to the Board of Supervisors, and to include additional data in the required five-year report.

5/23/06, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 6/22/2006.

- 060699 [Fee Adjustments for Planning Department Services]**  
**Supervisor Peskin**

Ordinance amending the San Francisco Planning Code by amending Article 3.5 to adjust fees for Planning Department services; and making environmental findings.

5/23/06, RECEIVED AND ASSIGNED to Budget and Finance Committee. 5/25/06 - Referred to Planning for determination of environmental impact and Planning Commission review. Referred to the Small Business Commission.

06/01/06 - Response received from Planning. Exempt from CEQA.

06/14/06 - Response received from Planning, Planning Commission recommended the proposed ordinance with amendments.

06/20/06 - Response received from the Small Business Commission.

**060700 [Police Foot Patrols]  
Supervisor Mirkarimi**

Ordinance adopting Section 10A.1 of the San Francisco Administrative Code to establish a one-year pilot program requiring foot patrols in crime-impacted areas within the boundaries of Northern and Park Police District Stations, and require reporting and review on the effectiveness of the foot patrols.

5/23/06, ASSIGNED UNDER 30 DAY RULE to City Operations and Neighborhood Services Committee, expires on 6/22/2006.

**060701 [Adopting disability access standards for the Sunday closure of JFK Drive]  
Supervisor McGoldrick**

Ordinance amending the Park Code by adding Section 6.12 to adopt disability access standards and authorized vehicular traffic use for the Sunday closure of John F. Kennedy Drive and related roads in Golden Gate Park and making environmental findings.

5/23/06, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

**060702 [Written Informed Consent and Pre-Test Counseling for HIV Testing]  
Supervisors Ma, Dufty**

Draft Ordinance amending the Health Code to require written informed consent and pre-test counseling before an individual receives an HIV antibody test.

5/23/06, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

## **Resolutions**

**060690 [Grant to supplement on-call physician coverage for trauma services at San Francisco General Hospital Trauma Center and add one new position]**

Resolution authorizing the San Francisco Department of Public Health (SFPDH), to accept retroactively and expend a new grant in the amount of \$240,860 from the California Emergency Medical Services Authority (CEMSA) to supplement on-call physician coverage at San Francisco General Hospital Trauma Center, to enter into an agreement for the use of these funds, and to add one (1.0) new position funded through this grant agreement; for the period of July 1, 2005 to June 30, 2006.

5/23/06, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee. Sponsor requests this item be calendared as soon as possible.

**060711 [Encouraging churches, synagogues and temples in San Francisco to engage in a coordinated tolling of bells to call attention to the need for an effective suicide barrier on the Golden Gate Bridge.]  
Supervisor Ammiano**

Resolution encouraging churches, synagogues and temples in San Francisco to engage in a coordinated tolling of bells to call attention to the need for an effective suicide barrier on the Golden Gate Bridge.

5/23/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

- 060712 [Commending the heroism of Marlin Coats and urging the US Government to grant permanent residence to Jacqueline Coats]**  
**Supervisor Ammiano**

Resolution commending the heroism of Marlin Coats and urging the US Government to grant permanent residence to Jacqueline Coats.

5/23/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

- 060713 [California Global Warming Solutions Act of 2006]**  
**Supervisor Daly**

Resolution urging the California Legislature to adopt Assembly Bill 32-The California Global Warming Solutions Act of 2006.

5/23/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

- 060714 [South of Market Project Area Committee]**  
**Supervisor Daly**

Resolution confirming the election results of members to the Project Area Committee for the South of Market Redevelopment Project Area and finding that the Procedures for the Election of Members to Redevelopment Project Area Committees were followed.

5/23/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

- 060715 [National Hunger Awareness Day in San Francisco]**  
**Supervisor Daly**

Resolution commending the San Francisco Food Bank, St. Anthony Foundation and Project Open Hand as well as more than 500 programs citywide that distribute food in recognizing June 6, 2006 as National Hunger Awareness Day in San Francisco.

5/23/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

- 060716 [Declaring June 1, 2006 as Silence the Violence Day]**  
**Supervisors Daly, Mirkarimi**

Resolution declaring June 1, 2006 as Silence the Violence Day in commemoration of those who have died or have been victimized by violence in San Francisco.

5/23/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

- 060717 [Acknowledging the leadership and social services provided by Project Families In Need to the people of the City and County of San Francisco]**  
**Supervisor Maxwell**

Resolution acknowledging Project Families In Need this 23rd day of May 2006 and thank Project F.I.N. for providing social services to create a better quality of life for the community of San Francisco.

5/23/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

- 060718 [Honoring the memory of Deborah Gibbon]**  
**Supervisor Mirkarimi**

Resolution honoring the life, spirit, community activism and contributions to the local artistic community of Deborah Gibbon.

5/23/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

- 060719 [Honoring the Joe Goode Performance Group]**  
**Supervisor Mirkarimi**

Resolution honoring the Joe Goode Performance Group on the occasion of their twentieth anniversary.

5/23/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

- 060720 [Expansion of community policing in San Francisco Housing Authority-owned developments]**  
**Supervisor Mirkarimi**

Resolution urging the San Francisco Housing Authority to renew beyond June 30, 2006, and expand the size and geographical scope of its MOU with the San Francisco Police Department for supplemental law enforcement services dedicated to community policing in Housing Authority-owned developments.

5/23/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

### **Requests for Hearing**

- 060704 [Office of Citizen Complaints]**  
**Supervisor Ammiano**

Hearing on the status of the Office of Citizen Complaints.

5/23/06, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee. Sponsor requests this matter be heard before the Government Audit and Oversight Committee.

- 060705 [Status of labor affairs at San Francisco's Sutter/CPMC]**  
**Supervisor Peskin**

Hearing to be updated on the status of labor affairs at San Francisco's Sutter/CPMC, including the impact, if any, of the situation on the City's health care system, economy and City budget.

5/23/06, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee. Sponsor requests this matter be heard before the Government Audit and Oversight Committee.

**060706 [Landmark Tree Implementation and Removal Criteria]  
Supervisor McGoldrick**

Hearing to adopt the Landmark Tree Implementation and Removal Criteria prepared by the Urban Forest Council. This criteria has been created by the Urban Forest Council in accordance with File No. 051458, Ordinance No. 17-06.

5/23/06, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

**Motions**

**060693 [Appointment, Planning Commission - Kathrin Moore]  
Supervisor Peskin**

Motion approving the Board of Supervisors President Peskin's nomination of Kathrin Moore to the Planning Commission, term ending July 1, 2010.

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

Transmittal date - (May 23, 2006.)

**060694 [Appointment, Planning Commission - Kathrin Moore]  
Supervisor Peskin**

Motion rejecting the Board of Supervisors President's appointment of Kathrin Moore to the Planning Commission, term ending July 1, 2010.

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

Transmittal date - (May 23, 2006.)

**060703 [Rules of Order – Establishing Select Committee on Disaster Preparedness]  
Supervisor Peskin**

Motion establishing a Select Committee on Disaster Preparedness, pursuant to Board Rule 5.26.

5/23/06, RECEIVED AND ASSIGNED to Rules Committee. Sponsor requested verbally to calendar this item at the June 8, 2006 meeting.

**060721 [Waiver permitting City employees to assist the Department of Elections with the June 6, 2006 election]  
Supervisor Peskin**

Motion granting a waiver from the prohibition imposed by Charter section 13.104.5, to permit City employees to assist the Department of Elections with the June 6, 2006 election.

5/23/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**Charter Amendments****060695 [Charter Amendment - Setting minimum qualifications for City officer or employee designated to manage the City's emergency planning and response]****Supervisors Alioto-Pier, Peskin, Mirkarimi**

Charter amendment (First Draft) to add Section 3.106 to set minimum qualifications for the City officer or employee designated to manage the City's emergency planning and response.

5/23/06, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 6/22/2006. 5/31/06 - Referred to Controller; Mayor; City Attorney; Ethics Commission; City Administrator; Director, Administrative Services; Planning, Environmental Review Officer; Budget Analyst; Civil Service Commission; Human Resources; Employee Relations Division.

**060696 [Charter Amendment - Setting the salary of the Mayor, City Attorney, District Attorney, Public Defender, Assessor-Recorder, Treasurer, and Sheriff]****Supervisors Peskin, Alioto-Pier, Mirkarimi, Dufty**

Charter amendment (First Draft) to amend Section A8.409-1 to provide that the Civil Service Commission shall set the salary of the Mayor, City Attorney, District Attorney, Public Defender, Assessor-Recorder, Treasurer, and Sheriff every five years, with annual cost-of-living adjustments during the five-year salary cycle.

5/23/06, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 6/22/2006. 5/31/06 - Referred to Controller; Mayor; City Attorney; Ethics Commission; City Administrator; Director, Administrative Services; Planning, Environmental Review Officer; Budget Analyst; Civil Service Commission; Human Resources; Employee Relations Division; City Attorney; District Attorney; Public Defender; Assessor-Recorder; Treasurer; Sheriff; Retirement.

**060707 [Charter Amendment - City Elections In Even-Numbered Years]****Supervisor McGoldrick**

Charter amendment (First Draft) to amend Section 13.101 and Article XVII to change the election cycle for the offices of Mayor, Sheriff and District Attorney so that these offices will be elected in even-numbered years; and to amend the definition of general municipal election so that such elections occur only in even-numbered years.

5/23/06, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 6/22/2006. 5/31/06 - Referred to Controller; Mayor; City Attorney; Ethics Commission; City Administrator; Director, Administrative Services; Planning, Environmental Review Officer; Budget Analyst; Department of Elections; Sheriff; District Attorney; Board of Education; Community College District; City Attorney; Treasurer; Public Defender; Assessor-Recorder.

**060710 [Charter Amendment - Creating an Open Space Acquisitions and Park Renovation Fund and to fix a base annual level of funding for the Recreation and Park Department]****Supervisor Maxwell**

Charter amendment (First Draft) to repeal and adopt a new Section 16.107, to create an Open Space Acquisitions and Park Renovation Fund and to fix a base annual level of funding for the Recreation and Park Department.

5/23/06, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 6/22/2006. 5/31/06 - Referred to Controller; Mayor; City Attorney; Ethics Commission; City Administrator; Director, Administrative Services; Planning, Environmental Review Officer; Budget Analyst; Recreation and Parks Department; Port; Department of Public Works; Public Utilities Commission; Department of the Environment. Referred to City Attorney for approval as to form and preparation of a legislative digest.

## **PROPOSED ORDINANCES**

**060670 [Settlement of Lawsuit - Fire & Casualty Insurance Company]**

Ordinance authorizing settlement of the lawsuit filed by The Fire & Casualty Insurance Company against the City and County of San Francisco for \$700,000; the lawsuit was filed on August 14, 2002 in San Francisco Superior Court, Case No. 411-478; entitled The Fire & Casualty Insurance Company v. City and County of San Francisco. (City Attorney)

5/15/06, RECEIVED AND ASSIGNED to Rules Committee.

**060671 [Settlement of Lawsuit - Yekaterina Ramirez]**

Ordinance authorizing settlement of the matter of Yekaterina Ramirez v. City and County of San Francisco for \$140,000. The lawsuit was filed on August 26, 2004, in San Francisco Superior Court, Case No. 434181; entitled Yekaterina Ramirez v. City and County of San Francisco, Public Utilities Commission, and Does 1 through 25. (City Attorney)

5/15/06, RECEIVED AND ASSIGNED to Rules Committee.

## **PROPOSED RESOLUTIONS**

**060634 [Authorize payment of performance fees for Year 5 of the Water Infrastructure Partners contract for an amount not to exceed \$230,000]**

Resolution authorizing the General Manager of the San Francisco Public Utilities Commission to pay performance fees for Contract Year No. 5 of the Agreement with the Water Infrastructure Partners for an amount not to exceed \$246,944. (Public Utilities Commission)

(Fiscal impact.)

5/15/06, RECEIVED AND ASSIGNED to Budget and Finance Committee.



**Requests Granted**

*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 the following locations: Street sign - Grove and Divisadero.*

*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 the Department of Motor Vehicles building and sign at the intersection of Fell Street and Baker Street.*

*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 the following locations: Light Box - Baker and Fulton and Light Box - Gough and Fulton.*

*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 newspaper vending boxes at the following locations: Baker and Hayes, Haight and Pierce, Haight and Steiner, Haight and Fillmore, and Haight and Divisadero.*

*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 the following locations: Phone Box - Broderick and Golden Gate, Mail Box - Haight and Baker, and Emergency Box - Broderick and Golden Gate.*

*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 the following locations: Muir School - Corner Webster and Page, Sidewalk along Page, Painted tree boxes, New Traditions School - Ashbury and Hayes, Property located at 773 to 873 Divisadero.*

*From: Supervisor Mirkarimi*

*To: Director, Department of Public Works*

*Requesting/Inquiring: Requesting the Department of Public Works to report on the status of repairing the potholes at the following locations: Street - 132 Baker St. and Sidewalk - Pierce and Fulton.*

*From: Supervisor Elsbernd*

*To: Director, Municipal Transportation Agency*

*Requesting/Inquiring: Inquiring into an alternative location for the bus stop at the foot of the Bengal Alley staircase, on Miraloma Street. Access to bus stop is limited by the closure of the Bengal Alley staircase.*

From: Supervisor Elsbernd

To: Director, Department of Public Works

To: Director, Municipal Transportation Agency

Requesting/Inquiring: Please investigate the following concerns related to bicyclist safety throughout the City:

1. Will the department include bicycle planning in the design phase process of the Portola Drive street resurfacing project?
2. Can the dept stencil more sharrows and repair existing surface defects that could trap a bike wheel on Market from Portola to Castro?
3. Can sharrows be installed on Ocean Avenue between Alemany and I-280?
4. Can existing rail grooves be covered on Illinois from 16th to Cesar Chavez?
5. Can the department reevaluate safety at Cesar Chavez, Illinois and the I-280 interchange?
6. Please check the pedestrian/cyclist crosswalk northbound from Bayshore to Potrero which does not appear to work.

To: Chief, Police Department

From: Supervisor Daly

Requesting/Inquiring: Police Overtime - Please provide the Budget Committee by June 14, 2006 details on all overtime within the San Francisco Police Department for each employee as follows: How much was paid to each officer (by name or unique identifier)? How much overtime was paid to each employee according to the following 6 categories: court, investigations, arrests, miscellaneous, extended work week and holiday as well as any subcategories within these categories (e.g. both regular and standby for court OT)? How much OT has been incurred by each district station? How much OT each bureau within the department (e.g. field operations) has incurred? How much OT each section within a bureau (e.g. robbery and homicide within the investigation bureau has incurred)?

Patrol Staffing Levels - Please provide a breakdown to the Budget Committee members by June 14, 2006 of the current staffing levels and current assignments at each of the ten district stations and at each bureau within the department and each section of each bureau including: How many officers are currently assigned to patrol per district station? How many officers are currently assigned to the administration bureau? How many officers are currently assigned to investigations bureau? How many officers have reassigned this fiscal year from patrol to other duties and from what stations they came and what duties they are fulfilling?

To: Director, Mayor's Office of Neighborhood Services

From: Supervisor Daly

Requesting/Inquiring: Requesting information within 30 days from the Mayor's Office of Neighborhood Services regarding:

- How many constituent issues were received in MONS during 2005-2006?
- How many constituent issues were resolved in MONS during 2005-2006?
- What was the length of time each issue took to resolve?
- What type of outreach services are constituents referred to from MONS?
- What are MONS policies for coordinated efforts to assist constituent issues between City and County departments.
- MONS policies on "follow-up" on constituent issues and information on all follow-up constituent issues from MONS.
- How many events have been planned through MONS into City Hall from 2005-2006?
- What type of events were brought into City all through MONS from 2005-2006
- What City and County resources, i.e. City Departments, personnel, and city equipment was used to set-up or execute these events from MONS from 2005-2006.
- Please provide a list of common MONS referrals.
- Please provide a budget for MONS.
- What referrals did MONS make to members of the Board of Supervisors?

*To: City Attorney*

*From: Supervisor Ma*

*Requesting/Inquiring: Please draft legislation to establish a Grandparent Caregiver Pilot Program in line with the efforts of the District of Columbia AARP (see attached).*

*To: Director, Human Services Agency*

*From: Supervisor Ma*

*Requesting/Inquiring: Please comment on the feasibility of establishing a Grandparent Caregiver Pilot Program in line with the efforts of the District of Columbia AARP (see attached).*

*To: Director, Rent Board*

*From: Supervisor Ma*

*Requesting/Inquiring: Please comment on language access at the Rent Board in light of last year's funding for translation of materials and additional services. Specifically, requesting whether the services continue in the 2006-2007 Fiscal Year.*

### **In Memoriams**

*Frederic Lee Carver - Entire Board*

*Lawrence "Ramrod" Shurtliff - Supervisor Mirkarimi*

*Andrew Martinez - Supervisor Mirkarimi*

*Katherine Dunham - Supervisor Mirkarimi*

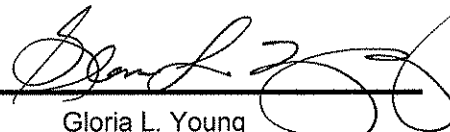
*Deborah Gibbon - Supervisor Mirkarimi*

## ADJOURNMENT

*There being no further business, the Board adjourned at the hour of 8:40 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 20, 2006.*

  
\_\_\_\_\_  
Gloria L. Young  
Clerk of the Board