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, September 26, 2006 2:00 PM

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

Regular Meeting

AARON PESKIN, PRESIDENT MICHELA ALIOTO-PIER, TOM AMMIANO, CHRIS DALY, BEVAN DUFTY, SEAN ELSBERND, FIONA MA, SOPHIE MAXWELL, JAKE McGOLDRICK, ROSS MIRKARIMI, GERARDO SANDOVAL Gloria L. Young, Clerk of the Board

BOARD COMMITTEES

Committee Membership

Budget and Finance Committee Supervisors Daly, Dufty, Peskin

City and School District Select Committee Supervisors Ammiano, Maxwell, Ma, Commissioners Chin, Kelly, Wynns

City Operations and Neighborhood Services Committee Supervisors McGoldrick, Dufty, Ma

Government Audit and Oversight Committee Supervisors Ammiano, Alioto-Pier, Peskin

Land Use 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.

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

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:06 p.m. On the call of the roll Supervisors Alioto-Pier and Sandoval were noted absent.

Supervisor Sandoval was noted present at 2:08 p.m.

Supervisor Alioto-Pier was excused from attending today's meeting. (See Infra)

There was a quorum.

Supervisor Alioto-Pier Excused From Attendance

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

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

APPROVAL OF MEETING MINUTES

Supervisor Dufty, seconded by Supervisor Elsbernd, moved to approve the August 15, 2006 Meeting Minutes. The motion carried by the following vote:

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

CONSENT AGENDA

Recommendations of the Budget and Finance Committee

061156 [Setting San Francisco's fiscal year 2006-2007 property tax rate and establishing pass-through rate for residential tenants]

Ordinance providing revenue and levying property taxes for City and County purposes and establishing passthrough rate for residential tenants pursuant to Chapter 37 of the Administrative Code for the fiscal year ending June 30, 2007. (Controller)

Ordinance No. 239-06 FINALLY PASSED

061157 [Setting San Francisco Unified School District's fiscal year 2006-2007 property tax rate to be included in the City's overall property tax rate]

Ordinance providing revenue and levying property taxes for San Francisco Unified School District purposes for the fiscal year ending June 30, 2007. (Controller)

Ordinance No. 238-06 FINALLY PASSED

061158 [Setting San Francisco Community College District's fiscal year 2006-2007 property tax rate to be included in the City's overall property tax rate]

Ordinance providing revenue and levying property taxes for San Francisco Community College District purposes for the fiscal year ending June 30, 2007. (Controller)

Ordinance No. 237-06 FINALLY PASSED

061159 [Setting San Francisco Bay Area Rapid Transit District's fiscal year 2006-2007 property tax rate to be included in the City's overall property tax rate]

Ordinance providing revenue and levying property taxes for San Francisco Bay Area Rapid Transit District purposes for the fiscal year ending June 30, 2007. (Controller)

Ordinance No. 236-06 FINALLY PASSED

061207 [Appropriating \$4,295,259 in State Traffic Congestion Relief funds for road maintenance and reconstruction in the Department of Public Works for Fiscal Year 2006-2007] Supervisor Elsbernd

Ordinance appropriating \$4,295,259 of Fiscal Year 2005-2006 and Fiscal Year 2006-2007 State Traffic Congestion Relief funds for the maintenance and reconstruction of public street and roads in the Department of Public Works for Fiscal Year 2006-2007.

(Fiscal impact.)

Ordinance No. 240-06 FINALLY PASSED

061209 [Elimination of specified uses of the Tax on Occupancy of Parking Space in Parking Stations] Supervisor Daly

Ordinance amending Article 9 of the Business and Tax Regulations Code, the Tax on Occupancy of Parking Space in Parking Stations, to amend Section 615 to eliminate specified uses of collections of the Tax on Occupancy of Parking Space in Parking Stations.

Ordinance No. 241-06 FINALLY PASSED

Recommendations of the City Operations and Neighborhood Services Committee

060899 [Accept-Expend Federal Grant - Mayor's Office of Criminal Justice (MOCJ)] Supervisor Maxwell

Resolution authorizing the Mayor's Office of Criminal Justice (MOCJ) to accept and expend a grant in the amount of \$158,000 from the Project Safe Neighborhoods (PSN), Department of Justice (DOJ), Bureau of Justice Assistance (BJA), for the purpose of supporting activities to reduce the gun crime problem and violent activity associated with gun crime in San Francisco.

Resolution No. 555-06 ADOPTED

060970 [Liquor License, 244 Taylor Street]

Resolution determining that the issuance of a Type 40 (on-sale beer) alcoholic beverage license to Joel Martinez, for The Comedy Station located at 244 Taylor Street, will serve the public convenience and necessity of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code, with conditions.

Resolution No. 556-06 ADOPTED

061029 [Parking Regulations]

Resolution enacting and rescinding parking regulations at various locations.

TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH Charles J. Brenham Street, west side, between Market and McAllister Streets.

(7/13/06: 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; DPT Order No. 3215.)

Resolution No. 557-06 ADOPTED

061115 [Accept and Expend Grant - Sheriff's Department program providing jail diversion opportunities involving integrated mental health services to incarcerated women] Supervisor Ma

Resolution authorizing the Sheriff's Department to accept and expend a grant in the amount of \$397,934 from the Substance Abuse and Mental Health Services Administration for providing jail diversion opportunities involving integrated mental health and substance abuse treatment for incarcerated women.

Resolution No. 558-06 ADOPTED

061129 [Parking Regulations]

Resolution enacting and rescinding parking regulations at various locations.

RESIDENTIAL PERMIT PARKING AREA "W" (2-HOUR TIME LIMIT, 8 AM - 6 PM, MONDAY THROUGH FRIDAY) - ESTABLISH Rhode Island Street, both sides, between 25th and 26th Streets (1400).

TOW-AWAY, NO PARKING ANYTIME - ESTABLISH Marina Boulevard, north side, from Laguna Street to 20 feet westerly.

TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH Irving Street, north side, from 9th Avenue to 24 feet easterly (removes one parking meter space).

PARKING METER AREA NO. 3 (1-HOUR PARKING TIME LIMIT, 9 AM - 6 PM, MONDAY THROUGH SATURDAY) - RESCIND PARKING METER AREA NO. 3 (2-HOUR PARKING TIME LIMIT, 9 AM - 6 PM, MONDAY THROUGH SATURDAY) - ESTABLISH Eddy Street, both sides, between Franklin Street and Van Ness Avenue (800 block)

1-HOUR PARKING LIMIT, 7 AM TO 6 PM, MONDAY THROUGH SATURDAY - RESCIND 2-HOUR PARKING LIMIT, 7 AM TO 6 PM, MONDAY THROUGH SATURDAY - ESTABLISH Eddy Street, both sides, between Franklin and Gough Streets (900 block)

TOW-AWAY, NO PARKING ANYTIME - ESTABLISH Sickles Avenue, south side, from Alemany Boulevard to 120 feet westerly.

RESIDENTIAL PERMIT PARKING AREA "W" (2-HOUR TIME LIMIT, 8 AM - 6 PM, MONDAY THROUGH FRIDAY) - ESTABLISH Bryant Street, both sides, between 20th and 21st Streets (2200 block). (Parking and Traffic Department)

(6/28/06): 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; DPW Order No. 3222.)

Resolution No. 560-06 ADOPTED

061130 [Traffic Regulations]

Resolution enacting and rescinding traffic regulations at various streets.

NO TURN ON RED - ESTABLISH Jordan Avenue, northbound, at California Street and southbound Cherry Street at California Street.

RIGHT LANE MUST TURN RIGHT - RESCIND Pine Street, westbound, at Kearny Street.

NO LEFT TURN - ESTABLISH San Bruno Avenue, southbound, the intersection of Arleta Avenue and Bayshore Boulevard.

NO LEFT TURN - ESTABLISH San Bruno Avenue, northbound, at Silliman Street

BICYCLE LANES - ESTABLISH Mississippi Street, both sides, between Mariposa and 16th Streets. (Parking and Traffic Department)

(6/28/06: 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; DPW Order No. 3222.)

Resolution No. 561-06 ADOPTED

061219 [Residential Parking Area "J" on the 100 block of Irving Street, excluding 145 Irving Street] Supervisor Mirkarimi

Resolution establishing Residential Parking Area "J" on the 100 block of Irving Street, excluding 145 Irving Street.

Resolution No. 562-06 ADOPTED

061268 [Accept-Expend State Grant - Recreation and Parks Department] Supervisor Ma

> Resolution authorizing the Recreation and Parks Department to accept and expend a Recreational Trails Program grant in the total amount of \$220,000 from the State of California Parks and Recreation Department under the Transportation Equity Act for the 21st Century for the Pine Lake Trail Improvement Project.

Resolution No. 563-06 ADOPTED

Recommendations of the Rules Committee

060973 [Settlement of Lawsuit - Assessment Appeals Board]

Ordinance authorizing settlement of administrative writ petition filed by the City and County of San Francisco challenging the Assessment Appeals Board's Property Tax Assessment for the Giants' baseball park at China Basin for the 2001/02, 2002/03 and 2003/04 tax years contingent upon approval of roll values by the Assessment Appeals Board and payment of an amount that reflects the reduced roll values, including interest; City filed its writ petition on January 19, 2006 in San Francisco Superior Court, entitled City and County of San Francisco v. Assessment Appeals Board No. 1, Case No. 506010. (City Attorney)

PASSED, ON FIRST READING

061154 [Settlement of Lawsuit - Stephen N. Farac v. City and County of San Francisco, et al.]

Ordinance authorizing settlement of the matter of Stephen Farac v. City and County of San Francisco for \$50,000. The lawsuit was filed on April 28, 2005, in San Francisco Superior Court, Case No. 440-820; entitled Stephen N. Farac v. City and County of San Francisco, and Does 1 Through 20, Inclusive. (City Attorney)

PASSED, ON FIRST READING

061171 [Settlement of Lawsuit - Department of Fair Employment and Housing v. City and County of San Francisco, et al]

Ordinance authorizing settlement of the lawsuit filed by Department of Fair Employment and Housing on behalf of Real Party in Interest Angela Martin against the City and County of San Francisco for \$160,000.00; the lawsuit was filed on August 4, 2005, in San Francisco Superior Court, Case No. 443742; entitled Department of Fair Employment and Housing v. City and County of San Francisco, et al. (City Attorney)

PASSED, ON FIRST READING

061228 [Settlement of Lawsuit - John and Judith Bovio, et al., v. City and County of San Francisco, et al]
Ordinance authorizing settlement of the lawsuit filed by John and Judith Bovio against the City and County of San Francisco for \$85,000; the lawsuit was filed on December 8, 2004 in San Francisco Superior Court, Case No. 436-946; entitled John and Judith Bovio, et al., v. City and County of San Francisco, et al. (City Attorney)

PASSED, ON FIRST READING

061247 [Appointment - Pedestrian Safety Advisory Committee]

Resolution appointing Dan Brook, term ending March 28, 2007, and David Canevari, term ending March 28, 2008, to the Pedestrian Safety Advisory Committee.

Dan Brook, succeeding Aileen Carrigan, resigned, seat 10, must represent the public at-large, for the unexpired portion of a two-year term ending March 28, 2007. Brian Canevari, succeeding Anwar Mai, term expired, seat 11, must represent the public at-large, for the unexpired portion of a two-year term ending March 28, 2008.

Resolution No. 554-06 ADOPTED

061248 [Appointment - Veterans Affairs Commission]

Resolution appointing James Guglielmoni, term ending January 31, 2010, to the Veterans Affairs Commission.

James Guglielmoni, succeeding Brian Zweir, term expired, seat 10, must be an at-large appointment, for the unexpired portion of a four-year term ending January 31, 2010.

Resolution No. 552-06 ADOPTED

City and County of San Francisco

061249 [Appointment - San Francisco Health Authority]

Resolution appointing Gene Marie O'Connell, John Gressman, Randall Low, Dale Butler, Tracey Faulkner, Steve Fields, and Sharon Kotabe, terms ending January 15, 2009, to the San Francisco Health Authority; residency requirement waived.

Gene Marie O'Connell, succeeding herself, term expired, seat 3, must be senior manager of San Francisco General Hospital, for the unexpired portion of a three-year term ending January 15, 2009.

John Gressman, succeeding himself, term expired, seat 5, must be an employee in the senior management of either private nonprofit community clinics or a community clinic consortium, nominated by the SF Community Clinic Consortium, or any successor organization, for the unexpired portion of a three-year term ending January 15, 2009.

Randall Low, succeeding himself, term expired, seat 7, must be physician, and nominee of SF Medical Society, or any successor organization, for the unexpired portion of a three-year term ending January 15, 2009. Dale Butler, succeeding himself, term expired, seat 9, must be nominee of San Francisco Labor Council or any successor organization, for the unexpired portion of a three-year term ending January 15, 2009.

Tracey Faulkner, succeeding herself, term expired, seat 11, must be a nominee of Health Authority Beneficiary Advisory Committee, at least one of whom shall at the time of appointment and during the person's term be a Medi-Cal beneficiary, for the unexpired portion of a three-year term ending January 15, 2009.

Steve Fields, succeeding himself, term expired, seat 12, must be a person knowledgeable in matters relating to either traditional safety net providers, health care organizations, the Medi-Cal program, or the activities of the health authority, nominated by the program committee of the health committee, for the unexpired portion of a three-year term ending January 15, 2009.

Sharon Kotabe, succeeding Stuart Heard, term expired, seat 14, must be nominee of San Francisco Pharmacy Leadership Group, or any successor organization, for the unexpired portion of a three-year term ending January 15, 2009.

Resolution No. 551-06 ADOPTED

Recommendation of the Select Committee on Ending Gun and Gang Violence

060795 [Boundaries of Police Department District Stations] Supervisor Mirkarimi

Ordinance adopting Section 2A.90 of the San Francisco Administrative Code to require that the boundaries of Police Department district stations be reviewed at least every ten years, to set factors for consideration, and to establish a process for adjusting station boundaries.

Ordinance No. 243-06 FINALLY PASSED

The foregoing items were acted upon by the following vote:

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendations of the Budget and Finance Committee

061164 [Appropriating \$394,476 for four Public Health Nurses in the Department of Public Health for nine months of Fiscal Year 2006-2007] Supervisors Daly, Dufty, Ammiano, Mirkarimi

Ordinance appropriating \$276,476 in General Fund Reserve and \$118,000 in Medi-Cal Targeted Case Management/Medi-Cal Administration Act revenue to support four Public Health Nurses in the Maternity and Child Health Program at the Department of Public Health for nine months of Fiscal Year 2006-2007.

(Fiscal impact.)

Ordinance No. 245-06

FINALLY PASSED by the following vote: Ayes: 9 - Ammiano, Daly, Dufty, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval Noes: 1 - Elsbernd Excused: 1 - Alioto-Pier

061165 [Public Employment - Department of Public Health] Supervisors Daly, Dufty, Ammiano

Ordinance amending Ordinance No. 203-06 (Annual Salary Ordinance FY 2006-2007) reflecting the addition of 4.0 Public Health Nurse positions in the Department of Public Health.

(Fiscal impact.)

Ordinance No. 244-06

FINALLY PASSED by the following vote:

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

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061169 [Appropriating \$54,807 of General Fund Reserve for a Human Rights Commission Representative at the Human Rights Commission for Fiscal Year 2006-2007] Supervisors Ma, Sandoval, Dufty, Mirkarimi

Ordinance appropriating \$54,807 of General Fund Reserve Fund Balance to support a Human Rights Commission Representative position at the Human Rights Commission for Fiscal Year 2006-2007 to provide fair housing services to monolingual Spanish speaking clients.

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

Ordinance No. 242-06 FINALLY PASSED by the following vote: Ayes: 9 - Ammiano, Daly, Dufty, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval Noes: 1 - Elsbernd Excused: 1 - Alioto-Pier

NEW BUSINESS

Recommendations of the Budget and Finance Committee

061030 [Regulating Street Artists - Compensation of Advisory Committee]

Ordinance amending Article 24 of the San Francisco Police Code by amending Section 2402 to allow members of the Advisory Committee of Street Artists and Craftmen Examiners to be reimbursed for their reasonable travel expenses traveling to and from Committee meetings, Street Artist screenings, and other Advisory Committee activities. (Arts Commission)

(Supervisor Daly dissented in committee)

PASSED ON FIRST READING by the following vote:

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

061272 [Sale of City Property - 425 Mason Street] Supervisor Peskin

Ordinance ordering the sale at public auction of City-owned property located at 425 Mason Street; adopting findings pursuant to the California Environmental Quality Act; adopting findings that the sale is consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; and authorizing other actions in furtherance of this ordinance.

PASSED ON FIRST READING by the following vote:

061170 [Authorizing the Department of Telecommunications and Information Services to amend an agreement with International Business Machines Corporation to extend the term of the agreement to twelve years] Resolution authorizing the Department of Telecommunications and Information Services to retroactively enter into the Second Amendment of an agreement between the City and County of San Francisco ("City") and International Business Machines Corporation ("IBM") to extend the term of the agreement to twelve years. (Telecommunications and Information Services)

Resolution No. 564-06

ADOPTED by the following vote:

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

061225 [Disposition and Development Agreement and Ground Lease for the Old Mint] Supervisors Peskin, Dufty

Resolution approving and authorizing a disposition and development agreement and lease for the rehabilitation and use of the Old Mint by the San Francisco Museum and Historical Society; approving the Negative Declaration; adopting findings pursuant to the California Environmental Quality Act; adopting findings that the transactions contemplated are consistent with the City's General Plan and Eight Priority Policies of City's Planning Code; and authorizing the City Administrator, or designee, to execute documents, make certain modifications and take certain actions in furtherance of this resolution.

Resolution No. 547-06

ADOPTED by the following vote:

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

061264 [Multifamily Housing Revenue Bonds - 650 Eddy Street (Arnett Watson Apartments)] Mayor, Supervisor Daly

Resolution declaring the intent of the City and County of San Francisco (the "City") to reimburse certain expenditures from proceeds of future bonded indebtedness; authorizing the Director of the Mayor's Office of Housing (the "Director") to submit an application and related documents to the California Debt Limit Allocations Committee ("CDLAC") to permit the issuance of qualified mortgage revenue bonds in an aggregate principal amount not to exceed \$19,500,000 for 650 Eddy Street (Arnett Watson Apartments); authorizing and directing the Director to direct the Controller's Office to hold in trust an amount not to exceed \$97,500 in accordance with CDLAC procedures; authorizing the Director to certify to CDLAC that the City has on deposit the required amount; authorizing the Director to 'pay an amount equal to such deposit to the State of California if the City fails to issue the qualified mortgage revenue bonds; approving, for purposes of the Internal Revenue Code of 1986, as amended, the issuance and sale of mortgage revenue bonds by the City in an aggregate principal amount not to exceed \$19,500,000; authorizing and directing the execution of any documents necessary to implement this Resolution; and ratifying and approving any action heretofore taken in connection with the Project (as defined herein) and the Application (as defined herein).

Resolution No. 559-06

ADOPTED by the following vote:

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

061277 [Open Space Fund Lease Revenue Bond Disclosure]

Resolution approving the form and authorizing the distribution of preliminary official statements relating to the issuance of lease revenue bonds payable from the Park, Recreation and Open Space Fund and authorizing the preparation, execution and delivery of final official statements; ratifying the approvals and terms and conditions of a previous ordinance; and related matters.

Resolution No. 565-06

ADOPTED by the following vote:

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

Recommendation of the City Operations and Neighborhood Services Committee

061128 [Updating speed limit provisions on King Street and on the Embarcadero]

Ordinance amending Section 175.20 of the Traffic Code, governing the speed limit on a portion of The Embarcadero, to reflect that the Embarcadero terminates at King Street, and amending Section 176.39 of the Traffic Code to extend the speed limit change on King Street from 5th Street to The Embarcadero. (Municipal Transportation Agency)

PASSED ON FIRST READING by the following vote:

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

Recommendation of the Government Audit and Oversight Committee

061116 [Department of Emergency Management; Divisions of Emergency Communications and of Emergency Services; qualifications for Director and Deputy Directors] Supervisors Alioto-Pier, Peskin

Ordinance amending the San Francisco Administrative Code, by amending Section 2A.200, to re-name the "Department of Emergency Communications" as the "Department of Emergency Management," establish Divisions of Emergency Communications and of Emergency Services within the Department, and set qualifications for the Director and Deputy Directors, and by amending Section 7.7, to substitute the Director of the Department of Emergency Management for the Director of Emergency Services.

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

PASSED ON FIRST READING by the following vote:

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

Recommendations of the Land Use and Economic Development Committee

061032 [Mission Bay North Commons at Park P17 Improvements] Supervisor Daly

Ordinance designating a portion of State Trust Parcel adjacent to Park P17 for public right-of-way purposes; approving a map showing such areas and declaring such areas to be open public right-of-way; naming the new right-of-way Terry A. Francois Boulevard; designating street grades, sidewalk widths, and street parking restrictions; accepting the irrevocable offer for the acquisition facilities; designating said facilities to public use and accepting for maintenance and liability purposes, subject to specified limitations; adopting environmental findings and findings that such actions are consistent with the City's General Plan, eight priority policy findings of City Planning Code section 101.1, and the Mission Bay South Redevelopment Plan; accepting Department of Public Works Order No. 176,148 and authorizing official acts in connection with this Ordinance. (Public Works Department)

Supervisor Daly requested to be added as sponsor.

PASSED ON FIRST READING by the following vote:

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

061033 [Mission Bay - Parks NP1 & NP2 Improvements] Supervisor Daly

Ordinance designating a portion of State Trust Parcel 1 lying next to Channel for public open space and park purposes; naming the new park "Mission Creek Park"; accepting the irrevocable offer for the acquisition facilities; designating said facilities to public open space and park purposes and accepting for maintenance responsibilities and liability purposes; adopting findings that such actions are consistent with the City's General Plan, priority policy findings of City Planning Code section 101.1, and the Mission Bay North Redevelopment Plan; accepting Department of Public Works Order No. 176,149 and authorizing official acts in connection with this Ordinance. (Public Works Department)

Supervisor Daly requested to be added as sponsor.

PASSED ON FIRST READING by the following vote:

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

061183 [Landlord passthrough to residential tenants, 50% of property tax increase for general obligation bonds: Controller's explanation of proposed bonds; passthroughs authorized in CCSF bonds; passthroughs for School and Community College District bonds] Supervisors Ammiano, Alioto-Pier, Elsbernd, Dufty, McGoldrick, Ma, Maxwell, Mirkarimi

Ordinance: (1) amending the San Francisco Municipal Elections Code by amending Section 520, to require that the Controller's financial analysis for a general obligation bond proposal include an explanation of the 50percent passthrough of the change in a landlord's property tax under the proposed bond measure; (2) amending the San Francisco administrative Code by adding Section 2.40, to require that a proposal for bonded indebtedness of the City and county of San Francisco include a provision authorizing the 50-percent passthrough of the change in a landlord's property tax provided in Administrative Code Section 37.3(a)(6); and, (3) amending San Francisco Administrative Code Chapter 37 "Residential Rent Stabilization and Arbitration Ordinance" by amending Sections 37.2(q) and 37.3 (a)(6) to provide that landlords may pass through to tenants 50-percent of the change in the landlord's property tax resulting from the repayment of San Francisco Unified School District or San Francisco Community College District general obligation bonds approved by the voters after November 1, 2006.

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

PASSED ON FIRST READING by the following vote:

061069 [Planning Code----Use of Public Sidewalk Space by Nonconforming Uses] Supervisors Mirkarimi, Maxwell, Alioto-Pier

Ordinance amending the San Francisco Planning Code by amending Sections 186 and 186.1 to allow certain nonconforming uses to occupy public sidewalk space with tables and chairs, when otherwise permitted; and making findings, including environmental findings and findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan.

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

PASSED ON FIRST READING by the following vote:

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

061212 [Board of Appeals: Legal Representation for Planning and Building Departments] Supervisor McGoldrick

Ordinance amending the San Francisco Business and Tax Regulations Code by adding Section 11(a) to establish a procedure for the City Attorney to provide legal representation for staff of the Planning Department and Department of Building Inspection appearing at hearings of the Board of Appeals with respect to certain matters.

PASSED ON FIRST READING by the following vote:

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

061077 [Rent Ordinance: Evictions involving school-age children; Findings] Supervisors McGoldrick, Mirkarimi, Ammiano

Ordinance amending the Residential Rent Stabilization and Arbitration Ordinance (Administrative Code Chapter 37) by amending Section 37.6(j) to identify and report data on evictions involving school-age children, include data on evictions during the school term; Findings.

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

PASSED ON FIRST READING by the following vote:

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

061076 [Urging SFUSD to track student mobility caused by residential evictions and report its findings, in an effort to help ameliorate the potential negative effects on students' school performance.] Supervisors McGoldrick, Ammiano

Resolution urging the San Francisco Unified School District to track student mobility caused by residential evictions, and to report its findings to the Board of Supervisors so that the Board can consider possible legislative measures to help address the negative effects on students' school performance.

Resolution No. 546-06

ADOPTED by the following vote:

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

Recommendation of the Rules Committee

061246 [Appointment - Mental Health Board]

Resolution appointing Supervisor Fiona Ma, term ending January 31, 2007, to the Mental Health Board.

Fiona Ma, succeeding Bevan Dufty, resigned, seat 17, must be a member of the Board of Supervisors, for the unexpired portion of a two-year term ending January 31, 2007.

Resolution No. 550-06

ADOPTED by the following vote:

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

COMMITTEE REPORTS

061227 [Settlement of Lawsuit - CCSF, et al. v. Kam Kong Tang and Kai Yuen Ng]

Ordinance authorizing the settlement of a lawsuit filed by the City and County of San Francisco against Kam Kong Tang and Kai Yuen Ng, former part owners of the King Tin Restaurant, for \$85,000.00; the lawsuit was filed on August 3, 2005 for violation of the City's Minimum Wage Ordinance, in San Francisco Superior Court, Case No. 433685, entitled City and County of San Francisco, et al. v. Kam Kong Tang and Kai Yuen Ng. (City Attorney)

PASSED ON FIRST READING by the following vote:

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

061300[Settlement of Lawsuits - Tran, Mansour and Le, et al., v. City and County of San Francisco, et al.]Ordinance authorizing settlement of the lawsuits filed by Minh Tran, Thuba Tran, Thu Nguyen, Tarek

Mansour, Khaled Mansour, Quoc Le, and Cuong Le against the City and County of San Francisco for \$1,875,000.00; the lawsuits were filed on April 22, 2004 in San Francisco Superior Court, Case Nos. 430764, 430765 and 430766; entitled Tran, Mansour and Le, et al., v. City and County of San Francisco, et al; other material terms of settlement are Co-defendants to pay \$5,565,000.00 and Caltrans to install temporary barriers and permanently fix condition that caused accident. (City Attorney)

PASSED ON FIRST READING by the following vote:

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

ROLL CALL FOR INTRODUCTIONS

PUBLIC COMMENT

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.

Abdullah Megaheed; expressed concern with issues relating to the Middle East war Walter; shared memorabilia with Board members Eugene Gordon, Jr.; expressed concern with issues relating to the violation of human rights Eula Walters; expressed concern with issues relating to the naming of a Ferry Park to Sue Bierman John di Donna; congratulated Barbara Reilly on her retirement after 39 years of City and County of San Francisco public service James Chaffee; expressed concern with issues relating to the SF Public Library

Sylvia Johnson; expressed concern with general issues

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.

061310 [Committee of the Whole - October 3, 2006 at 3:00 p.m. - Formation of a community facilities district in connection with the Mint Plaza Area] Supervisor Daly

Motion to sit as a Committee of the Whole on October 3, 2006 at 3:00 p.m. to accept public testimony regarding the potential recommendation for approval of the formation of a community facilities district and the issuance of revenue bonds by the ABAG Finance Authority For Nonprofit Corporations related to the Mint Plaza Area.

Motion No. M06-105 APPROVED

061305 [Contract funds to support research on HIV/AIDS in under-researched populations] Supervisor Ammiano

Resolution authorizing the San Francisco Department of Public Health (SFDPH), to retroactively enter into a continuation agreement with the San Mateo Medical Center (SMMC), the primary contractor, and expend funds in the amount of \$110,374 to establish an HIV/AIDS Research Center in the Bay Area and approval of a sole source contract with the University of California, San Francisco (UCSF), Department of Infectious Diseases in the amount of \$53,760 for the period of July 1, 2006 to June 30, 2007.

Resolution No. 566-06 ADOPTED

061316 [Urging the restoration of cuts to the US Department of Housing and Urban Development] Mayor, Supervisors Ammiano, Peskin

Resolution urging the United States Congress to restore cuts in the budget of the United States Department of Housing and Urban Development.

Supervisor Peskin requested to be added as a co-sponsor. Resolution No. 549-06 ADOPTED

061317 [Supporting Proposition 1D] Supervisor Ammiano

Resolution supporting Proposition 1D on the November 7, 2006 ballot. Resolution No. 548-06 ADOPTED

061318 [Celebrating the 100th Anniversary of Japantown in the Western Addition] Supervisors Mirkarimi, Ma

Resolution celebrating the 100th Anniversary of Japantown in the Western Addition.

Supervisor Ma requested to be added as a co-sponsor. Resolution No. 567-06 ADOPTED

061319 [Commending the United Nations' Declaration of September 21st as the International Day of Peace] Supervisors Mirkarimi, Elsbernd

Resolution commending the United Nations' Declaration of September 21st International Day of Peace and calling for all San Franciscans to work for peace both at home and abroad.

Supervisor Elsbernd requested to be added as a co-sponsor. Resolution No. 568-06 ADOPTED

061321 [Support for efforts to launch private, nonprofit anonymous crime information program in San Francisco] Supervisor Alioto-Pier

Resolution supporting the efforts of the First Responder Foundation in its plans to develop and launch a private, nonprofit anonymous crime information program in San Francisco.

Resolution No. 545-06 ADOPTED

061322 [Commending Congregation Beth Sholom and declaring September 10, 2006 "Congregation Beth Sholom Day" in San Francisco] Supervisors McGoldrick, Ma

Resolution commending Congregation Beth Sholom and declaring September 10, 2006 "Congregation Beth Sholom Day" in San Francisco.

Supervisor Ma requested to be added as a co-sponsor. Resolution No. 570-06 ADOPTED

061323 [Supporting Lieutenant Ehren Watada's public statements expressing legal and moral objections to the war in Iraq and urging the end to court martial proceedings against him] Supervisor McGoldrick

Resolution supporting Lieutenant Ehren Watada's public statements expressing legal and moral objections to the war in Iraq and urging the end to court martial proceedings against him.

Resolution No. 572-06 ADOPTED

061325 [Accept-expend State Grant Funds available under the Department of Homeland Security, Federal Emergency Management Agency for Fiscal Year 2005 Pre-disaster Mitigation Grant Program to fund the Moscone Recreation Center Project] Supervisor Alioto-Pier

Resolution authorizing the San Francisco Recreation and Parks Department to accept and expend a grant in the amount of \$2,067,176 in FY 2005 Pre-Disaster Mitigation Funds from the Federal Emergency Management Agency, administered by the California Office of Emergency Services, for seismic improvements to the Moscone Recreation Center Pre-Disaster Mitigation Project.

(Fiscal impact.)

Resolution No. 571-06 ADOPTED

061291 [Final Map - 548 Brannan Street]

Motion approving Final Map 2575, a 34 Unit Live Work Condominium Project, located at 548 Brannan Street being a subdivision of Lot 41 in Assessors Block No. 3777 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1. (Public Works Department)

(DPW Order No. 176,308; District 6.)

Motion No. M06-104

APPROVED

The foregoing items were acted upon by the following vote:

Severed from the Without Reference to Committee Agenda

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

061324 [Commending Barbara Reilly]

Supervisors Peskin, Dufty, Elsbernd, Ma

Resolution commending Barbara Reilly on the occasion of her retirement from the Office of the Clerk of the Board of Supervisors after 39 years of service to the City and County of San Francisco.

Supervisors Dufty, Elsbernd, Ma requested to be added as co-sponsors.

Resolution No. 569-06

ADOPTED by the following vote:

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

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

061326 [Declaring September 2006 as Reentry Month] Supervisor Mirkarimi

Resolution declaring the month of September 2006 as Reentry month in the City and County of San Francisco.

Resolution No. 553-06

ADOPTED by the following vote:

OFF-AGENDA LEGISLATION

Introduced by Supervisors or Mayor

Resolutions

061342 [Establishing City and County of San Francisco Policy for the Eastern Neighborhoods Rezoning and Community Plans Area] Supervisors Maxwell, Ammiano, Peskin, McGoldrick

Resolution establishing City and County of San Francisco policy for the Eastern Neighborhoods Rezoning and Community Plans Area.

9/26/06, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee. Sponsor requests the item be placed before the Land Use and Economic Development Committee on October 11, 2006 agenda.

061351 [Lease of Property at S.F. Marina West Harbor, near the intersection of Marina Boulevard and Fillmore Street, to the St. Francis Yacht Club] Supervisor Alioto-Pier

Resolution authorizing and approving the execution, delivery and performance of a lease of real property at the S.F. Marina West Harbor near the intersection of Marina Boulevard and Fillmore Street (a portion of Block 0900, Lot 003) to the St. Francis Yacht Club for a term of forty (40) years plus the approximately seven (7) years remaining on the Club's existing lease; and adopting findings under the California Environmental Quality Act and findings pursuant to the City Planning Code Section 101.1.

9/26/06, RECEIVED AND ASSIGNED to Budget and Finance Committee. 10/3/06 - Referred to Planning for determination of environmental impact.

061352 [Mortgage Credit Certificates] Supervisor Elsbernd

Resolution authorizing an application to the California Debt Limit Allocation Committee to permit the issuance of Mortgage Credit Certificates.

9/26/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

061353 [Urging Governor Schwarzenegger to grant parole to Flozelle Woodmore] Supervisor Mirkarimi

Resolution urging Governor Schwarzenegger to follow the Parole Board's recommendation to grant parole to Flozelle Woodmore.

9/26/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

061354 [Commending Hala Hijazi] Supervisors Daly, Peskin, Ma, Dufty, Elsbernd

Resolution commending Hala Hijazi for her work on the Old Mint Project. 9/26/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

061355 [Supporting Proposition 89, the California Clean Money and Fair Elections Act of 2006] Supervisors Mirkarimi, Ma

Resolution in support of Proposition 89, the California Clean Money and Fair Elections Act of 2006 on November 7, 2006.

9/26/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Requests for Hearing

061337 [Hearing - Formation of a community facilities district in connection with the Mint Plaza Area]
Hearing to consider the approval to accept public testimony regarding the potential recommendation for approval of the formation of a community facilities district and the issuance of revenue bonds by the ABAG Finance Authority For Nonprofit Corporations related to the Mint Plaza Area. (Clerk of the Board)
9/26/06, ASSIGNED to Board of Supervisors. Board to sit as a Committee of the Whole on October 3, 2006 at 3:00 p.m.

9/28/06 - Published Notice of Public Hearing.

061339 [Gunshot Detection System] Supervisor Mirkarimi

Hearing to consider installing Gunshot Detection Systems, which can automatically triangulate the location of gunshots and alert the authorities - requests that staff from the Mayor's Office of Criminal Justice and the Department of Information and Telecommunications Services attend. 9/26/06, RECEIVED AND ASSIGNED to Select Committee on Ending Gun and Gang Violence.

061340 [Current Status of the City's Bicycle Program] Supervisor Mirkarimi

Hearing to consider the status of the City's Bicycle Program, including questions of staffing, funding, and overall work progress - requests that staff from Municipal Transportation Agency Bicycle Program and the Transportation Authority attend.

9/26/06, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

061341 [Procedure of Adult Probation and State Parole] Supervisor Maxwell

Hearing before the meeting of Select Committee on Ending Gun and Gang Violence on the following topics: 1) Procedure of Adult Probation Department (including the appointment of Director of Adult Probation); 2) Procedure of State Parole.

9/26/06, RECEIVED AND ASSIGNED to Select Committee on Ending Gun and Gang Violence. Sponsor requests this matter be heard at the October 2, 2006 meeting.

PROPOSED ORDINANCES

PROPOSED RESOLUTIONS

061289 [Gift - Private - Department of Public Health, Laguna Honda Hospital & Rehabilitation Center]

Resolution authorizing the San Francisco Department of Public Health (SFDPH), Laguna Honda Hospital & Rehabilitation Center (LHH) to accept and expend a monetary gift donation to Laguna Honda Hospital in the amount of \$50,000 from the Mildred Oliva Trust, through Shirley A. Reece, Trustee, for the exclusive benefit of the residents of the LHH Hospice Unit. (Public Health Department)

9/14/06, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

061290 [Gift of Equipment to Fire Department]

Resolution accepting a gift of equipment to the Fire Department from the Fireman's Fund Insurance Company as follows: (1) an ambulance simulator and a training mannequin, with a combined value of approximately \$37,200; and (2) equipment for the Fire Boat valued at approximately \$10,000. 9/13/06, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

061343 [Confirmation of Mayor's Appointment - Port Commission] Mayor

Resolution confirming the appointment of Rodney Fong to the San Francisco Port Commission, term ending May 1, 2010.

9/19/06, RECEIVED AND ASSIGNED to Rules Committee. Sponsor requests that the item be heard on October 5, 2006 meeting.

061344 [Confirmation of Mayor's Appointment - Treasure Island Development Authority] Mayor

Resolution confirming the appointment of Owen Stephens to the Treasure Island Development Authority Board of Directors, term ending April 28, 2010.

9/19/06, RECEIVED AND ASSIGNED to Rules Committee. Sponsor requests that the item be heard on September 28, 2006 meeting.

061345 [Confirmation of Mayor's Reappointment - Treasure Island Development Authority] Mayor

Resolution confirming the reappointment of Claudine Cheng to the Treasure Island Development Authority Board of Directors, term ending April 28, 2010.

9/19/06, RECEIVED AND ASSIGNED to Rules Committee. Sponsor requests that the item be heard on September 28, 2006 meeting.

Requests Granted

From: Supervisor Ammiano

To: Director, Department of Parking & Traffic

Requesting/Inquiring: Requesting the Department of Parking and Traffic to install stop signs at the intersection of 24th & Shotwell Streets, and report status updates to Supervisor Ammiano's office until it's completion.

From: Supervisor Mirkarimi To: Director, Department of Public Works Requesting/Inquiring: Requesting the Department of Public Works to report on the status of repairing numerous potholes between Frederick and Carl on Cole St.

In Memoriams

Thelma Page - Supervisor Mirkarimi Beverly Herbert Gallaread - Supervisor Mirkarimi Kean A. Brewer - Supervisor Dufty Suzanne Driver - Supervisor Dufty Michael John McCarthy - Supervisor Elsbernd Thomas Egan - Supervisor Elsbernd Maria Luisa Villa - Supervisor Elsbernd

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ADJOURNMENT

There being no further business the Board adjourned at the hour of 3:23 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 October 17, 2006.

Gloria L. Young

Clerk of the Board