BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO City Hall, 1 Dr. Carlton B. Goodlett Place San Francisco, CA 94102-4689 MEETING MINUTES

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, ED JEW, SOPHIE MAXWELL, JAKE McGOLDRICK, ROSS MIRKARIMI, GERARDO SANDOVAL Kay Gulbengay, Interim Clerk of the Board

BOARD COMMITTEES

Committee Membership

Budget and Finance Committee

Supervisors Daly, Ammiano, Dufty, Mirkarimi, Elsbernd

City and School District Select Committee Supervisors Dufty, Mirkarimi, Maxwell, Commissioners Kim, Mendoza, Wynns

City Operations and Neighborhood Services Committee Supervisors McGoldrick, Alioto-Pier, Jew

Government Audit and Oversight Committee Supervisors Elsbernd, Alioto-Pier, Daly

Land Use and Economic Development Committee Supervisors Maxwell, Sandoval, McGoldrick

Public Safety Committee Supervisors Mirkarimi, Maxwell, Dufty

Rules Committee Supervisors Ammiano; Elsbernd, Peskin

Meeting Days

Wednesday 1:00 PM

1st and 3rd Thursday 3:30 PM

2nd and 4th Thursday 1:00 PM

1st and 3rd Monday 10:00 AM

> Monday 1:00 PM

2nd and 4th Monday 10:00 AM

1st and 3rd Thursday 10:00 AM

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

Members Present: Michela Alioto-Pier, Tom Ammiano, Chris Daly, Bevan Dufty, Sean Elsbernd, Ed Jew, Sophie Maxwell, Ross Mirkarimi, Aaron Peskin, Gerardo Sandoval.

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:05 p.m. On the call of the roll Supervisors Maxwell and McGoldrick were noted absent.

There was a quorum.

Supervisor Maxwell was noted present at 2:32 p.m. Supervisor McGoldrick was excused. (See Infra)

Supervisor McGoldrick Excused from Attendance

Supervisor Elsbernd, seconded by Supervisor Maxwell, moved to excuse Supervisor McGoldrick. The motion carried by the following vote:

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

APPROVAL OF MEETING MINUTES

Supervisor Jew, seconded by Supervisor Ammiano, moved to approve the Board Meeting Minutes of April 10, 2007 and the Special Board of Supervisors Meeting Minutes of April 11, 2007. The motion carried by the following vote: Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, Mirkarimi, Peskin, Sandoval Excused: 1 - McGoldrick

Privilege of the Floor

Supervisor Mirkarimi, seconded by Supervisor Elsbernd, moved to suspend Rule 4.37 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests. The motion carried by the following vote: Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, Mirkarimi, Peskin, Sandoval Excused: 1 - McGoldrick

Representatives from the New Tenderloin addressed the Board members and expressed concern with the increase of violence in the Tenderloin.

CONSENT AGENDA

Recommendation of the Budget and Finance Committee

070450 [Appropriating \$31,750,000 of Airport Operating Fund Balance for a potential interest rate swap termination payment for the San Francisco International Airport Fiscal Year 2006-2007] Mayor

Ordinance appropriating \$31,750,000 of San Francisco International Airport Operating Fund Balance to provide appropriations for a potential interest rate swap termination payment as part of the Airport's ongoing debt management program for Fiscal Year 2006-2007.

(Fiscal Impact.)

Ordinance No. 114-07 FINALLY PASSED

Recommendations of the City Operations and Neighborhood Services Committee

070462 [Waiver of temporary street space occupancy fee on May 5, 2007 for Small Business Week Sidewalk Sale]

Supervisor Elsbernd

Ordinance waiving the fee in Public Works Code Section 724.1(b) for temporary street space occupancy in certain sections of the City on Saturday, May 5, 2007 as part of Small Business Week.

Ordinance No. 111-07 FINALLY PASSED

061236 [Liquor License Transfer, 81 Langton Street]

Resolution determining that the transfer of a Type 20 off-sale beer and wine license from 145 Jackson Street to 81 Langton Street, Suite 2, and the issuance of a Type 42 on-sale beer and wine public premises license at the same location, to Luc Ertoran for Terroir SF, LLC dba Terroir, 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. 243-07 ADOPTED

Recommendations of the Land Use and Economic Development Committee

070390 [STOP Intersections]

Resolution designating certain intersections as "STOP" intersections.

STOP SIGNS - ESTABLISH

40th Avenue at Geary Boulevard, establishing an All-Way STOP control intersection; and, Anza Vista Avenue at Baker Street, stopping the stem of this T-intersection. (Parking and Traffic Department)

(3/15/07): 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. 3327.)

Resolution No. 242-07 ADOPTED

070391 [Traffic Regulations]

Resolution enacting and rescinding traffic regulations on various streets.

NO LEFT TURNS, 7 AM TO 7 PM EVERYDAY - ESTABLISH 5th Street, southbound, onto Mission Street.

CROSSWALK CLOSURE - ESTABLISH

Sagamore Street at San Jose Avenue (Closing the easternmost crosswalk as part of a plan to signalize the existing crosswalk crossing Sagamore Street at Plymouth Avenue. The westernmost crosswalk will remain). (Parking and Traffic Department)

(3/15/07 - 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. 3327.)

Resolution No. 244-07 ADOPTED

Recommendations of the Rules Committee

070418 [Settlement of Lawsuit - Andrew Marconi]

Ordinance authorizing settlement of the lawsuit filed by Andrew Marconi against the City and County of San Francisco for \$82,500; the lawsuit was filed on April 18, 2005 in United States District Court, Case No. C05-1978 CW; entitled Andrew Marconi, et al., v. City and County of San Francisco, et al. (City Attorney)

Ordinance No. 112-07 FINALLY PASSED

070420 [Settlement of Lawsuit - Javed Malik]

Ordinance authorizing settlement of the lawsuit filed by Javed Malik against the City and County of San Francisco for \$30,000; the lawsuit was filed on February 10, 2005 in San Francisco Superior Court, Case No. 438-564; entitled Javed Malik, et al., v. City and County of San Francisco, et al. (City Attorney)

Ordinance No. 113-07 FINALLY PASSED

The foregoing items were acted upon by the following vote:

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

REGULAR AGENDA

UNFINISHED BUSINESS

From the Committee of the Whole Adjourn and Report Without Recommendation

070555 [Appropriating \$5,000,000 of FY 2006-2007 General Fund Balance for a Down Payment Assistance Loan Program in the Mayor's Office of Housing for Fiscal Year 2007-2008] Supervisors Sandoval, Daly, Ammiano, Mirkarimi, Dufty, McGoldrick

Ordinance appropriating \$5,000,000 of General Fund Balance from Fiscal Year 2006-2007 for a Down Payment Assistance Loan Program to the Mayor's Office of Housing for Fiscal Year 2007-2008 and reserving the funds pending review of an expenditure plan by the Finance Committee.

Ordinance No. 118-07

FINALLY PASSED by the following vote:

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

Recommendation of the Budget and Finance Committee

070335 [Approving an Amendment to the Rincon Point-South Beach Redevelopment Plan to Extend the Redevelopment Agency's Time for Repaying Debt] Supervisor Daly

Ordinance approving an amendment to the Rincon Point-South Beach Redevelopment Plan to extend the time for the San Francisco Redevelopment Agency's receipt of tax increment and to suspend both the limit on the total indebtedness outstanding at any one time and the limit on the total number of dollars of tax increment revenue that may be received by the San Francisco Redevelopment Agency under the Plan in order to continue financing Low and Moderate Income Housing Fund activities under the Plan.

(Fiscal Impact.)

Ordinance No. 115-07

FINALLY PASSED by the following vote:

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

NEW BUSINESS

Recommendations of the Budget and Finance Committee

070458 [Appropriating \$35,000,000 of San Francisco Taxable General Obligation Bonds for the Seismic Safety Loan Program in the Mayor's Office of Housing for Fiscal Year 2006-2007] Supervisor Dufty

Ordinance appropriating \$35,000,000 of City and County of San Francisco Taxable General Obligation Bonds (Seismic Safety Loan Program, 1992), Series 2007A, for the Seismic Safety Loan Program in the Mayor's Office of Housing for Fiscal Year 2006-2007.

PASSED ON FIRST READING by the following vote:

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

070325 [Authorizing the collection and use of an additional penalty assessment on criminal fines, penalties, and forfeitures to support emergency medical services] Supervisor Daly

Ordinance amending the San Francisco Administrative Code by adding Section 8.42 and amending Section 10.100-195, to authorize the collection and use of an additional penalty assessment on criminal fines, penalties, and forfeitures to support emergency medical services pursuant to SB 1773, and setting an expiration date. (Public Health Department)

PASSED ON FIRST READING by the following vote:

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

070451 [Public Employment - Department of Economic and Workforce Development] Mayor

Ordinance amending Ordinance No. 203-06 (Annual Salary Ordinance 2006-2007) to reflect the creation of one (1) new position in the Department of Economic and Workforce Development.

(Supervisor Elsbernd dissented in committee.)

PASSED ON FIRST READING by the following vote:

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

City and County of San Francisco

070326 [Reprogramming of \$789,715 from SFGH's equipment budget to purchase a Materials and Supplies Inventory and Purchasing System Upgrade]

Resolution authorizing the San Francisco Department of Public Health (DPH), to reprogram \$789,715 in funding budgeted at San Francisco General Hospital (SFGH) for medical equipment to purchase a Materials and Supplies Inventory and Purchasing System Upgrade in FY 2006-07. (Public Health Department)

(Fiscal Impact.)

Resolution No. 240-07

ADOPTED by the following vote:

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

070358 [Extending to October 1, 2007 the Cooperative Agreement between the Treasure Island Development Authority and the U.S. Navy through which the Authority provides caretaker services at former Naval Station Treasure Island]

Resolution approving and authorizing the Treasure Island Development Authority to enter into a modification to the Cooperative Agreement with the Navy to extend the Cooperative Agreement retroactively from September 30, 2006 to October 1, 2007. (Treasure Island Development Authority)

Resolution No. 245-07

ADOPTED by the following vote:

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

070359 [Approving a Memorandum of Understanding between the Treasure Island Development Authority and the City and County of San Francisco relating to staffing and oversight of the Treasure Island Project Office]

Resolution approving and authorizing the Treasure Island Development Authority to enter into a Memorandum of Understanding appointing the City and County of San Francisco, acting by and through the Office of the City Administrator, as its agent to provide services to carry out the day-to-day operations of the Treasure Island Development Authority and to provide oversight to the Treasure Island Project Office for the term beginning retroactively on July 1, 2006. (Treasure Island Development Authority)

Resolution No. 241-07

ADOPTED by the following vote:

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

Recommendations of the Land Use and Economic Development Committee

City and County of San Francisco

070332 [Zoning - Interim Moratorium on Single Room Occupancy developments in Western SoMa Service/Light Industrial zones] Supervisor Daly

Urgency Ordinance approving an interim zoning moratorium on Single Room Occupancy (SRO) developments in Western South of Market (SoMa) Service/Light Industrial (SLI) zones for 45 days and making required findings, including environmental findings and a determination of consistency with the priority policies of Planning Code Section 101.1.

Ordinance No. 116-07

FINALLY PASSED by the following vote:

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

070333 [Interim Zoning Requiring Conditional Use on Single Room Occupancy developments in the Western South of Market Special Use District] Supervisor Daly

Resolution imposing interim zoning controls establishing a requirement for conditional use authorization for Single Room Occupancy (SRO) developments in the Western South of Market (SoMa) Special Use District (SUD) for an eighteen (18) month period and making required findings, including environmental findings, and a determination of consistency with the priority policies of Planning Code Section 101.1.

Resolution No. 250-07

ADOPTED by the following vote:

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

070392 [Parking Regulations]

Resolution enacting and rescinding parking regulations at various locations.

PARKING METER AREA NO. 3 (2-HOUR PARKING TIME LIMIT, 9 AM - 6 PM, MONDAY THROUGH SATURDAY) - ESTABLISH Geary Boulevard, north side, from Scott Street to 162 feet west of Divisadero Street.

UNMETERED MOTORCYCLE PARKING - ESTABLISH

2921 Washington Street, south side, between the driveways in front of the main entrance to create four motorcycle parking spaces.

PERPENDICULAR (90-DEGREE ANGLE) PARKING - ESTABLISH Dorado Terrace, west side, in front of #41 Dorado Terrace to #79 Dorado Terrace; and, Dorado Terrace, east side, from #312 to #224 Dorado Terrace (to legalize existing conditions)

TWO-HOUR PARKING TIME LIMIT, 9 AM - 6 PM, MONDAY THROUGH SATURDAY - ESTABLISH Indiana Street, both sides, between Cesar Chavez and Marin Streets (1600 block); and, Indiana Street, west side, between Marin and Tulare Streets (1700 block).

PARKING METERS (2-HOUR PARKING TIME LIMIT, 9 AM - 6 PM, MONDAY THROUGH SATURDAY) - ESTABLISH Castro Street, east side, from Jersey Street to 48 feet southerly (four parking spaces).

TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH Lisbon Street, west side, from Avalon Avenue to 20 feet northerly.

TOW-AWAY, NO STOPPING ANYTIME – ESTABLISH Lisbon Street, east side, from Avalon Avenue to 20 feet southerly.

TWO-HOUR PARKING TIME LIMIT, 9 AM - 6 PM, MONDAY THROUGH FRIDAY -ESTABLISH 115 Wisconsin Street, east side, from 16th Street to 44 feet southerly (44 foot space, approximately two parking spaces).

TOW-AWAY, NO STOPPING, 4 PM TO 6 PM, MONDAY THROUGH FRIDAY - RESCIND Sansome Street, west side, from Washington Street to Broadway.

TOW-AWAY, NO STOPPING ANYTIME - EXTEND

Junipero Serra Boulevard, east side, from 208 feet to 268 feet south of Monterey Boulevard at St. Francis Circle to facilitate an extension of the double northbound left turn lane (60-foot extension). (Parking and Traffic Department)

(3/15/07): 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. 3327.)

Resolution No. 239-07

ADOPTED by the following vote:

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

SPECIAL ORDER

Board of Supervisors Sitting as a Committee of the Whole

CALLED FROM COMMITTEE

070401 [San Francisco's Participation in the "Focusing Our Vision" Program of the Regional Agencies] Supervisor Daly

Hearing to explore San Francisco's Participation in the "Focusing Our Vision" Program of the Regional Agencies--Association of Bay Area Governments, Metropolitan Transportation Commission, Bay Conservation and Development Commission, and Bay Area Air Quality Management District.

Continued to May 15, 2007.

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

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

page break

RECESS

The Board recessed at the hour of 3:08 p.m.

Reconvening of the Board

The Board at the hour of 3:34 p.m. reconvened.

Calling the Roll

The following Supervisors were noted present: Alioto-Pier, Ammiano, Daly, Elsbernd, Jew, Maxwell, Mirkarimi, Peskin - 8

Supervisor McGoldrick was previously excused. Supervisor Dufty was noted present at 3:43 p.m.

There was a quorum.

Appointment of President Pro Tempore

At the request of the President, Supervisor Daly assumed the Chair.

The President resumed the Chair shortly thereafter.

SPECIAL ORDER 3:30 P.M.

City and County of San Francisco

Board of Supervisors Sitting as a Committee of the Whole

070554 [Status Report on Health Access Plan] Supervisor Ammiano

Hearing to consider a status report on the Health Access Plan from the Department of Public Health and the Office of Labor Standards Enforcement.

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

Department Representatives: Dr. Mitch Katz, Director, Department of Public Health Donna Levitt, Office of Labor Standards Enforcement Joanie Chan, Office of Labor Standards Enforcement Deputy Director, Department of Public Health

Public Comment. Speakers: Dr. Dick Hodson; Dr. Sim-Chi; Douglas Yip; Silvia Johnson

The President declared the public hearing closed. HEARD AT PUBLIC HEARING.

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

Supervisor Maxwell welcomed, introduced, and presented a Certificate of Honor to Chris Iglesias and other staff members of CitiBuild.

PUBLIC COMMENT

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

James Chaffee; expressed concern with issues relating to the SF Public Library Eric Olison; expressed concern with issues relating to MUNI Peter Warfield; expressed concern with issues relating to the SF Public Library Abdullah Megaheed; expressed concern with issues relating to the homeless Eugene Gordon Jr.; expressed concern with various issues Bruce Windrum; expressed concern with various issues John Di Donna; expressed concern with various issues Speaker; expressed concern with various issues Male speaker; expressed concern issues relating to Golden Gate Park Silvia Johnson; expressed concern with issues relating to water supplies Dr. Ahimsa Porter Sumchai; expressed concern with issues relating to Gay Games

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.

070592 [Urging Congress to Amend the Comprehensive Smoking Education Act of 1984] Supervisor Daly

Resolution urging U.S. Congressional Representatives to amend the Comprehensive Smoking Education Act of 1984 (Public Law 98-474) and require picture-based warning labels.

Resolution No. 246-07 ADOPTED

070594 [Commending California Victory] Supervisors Mirkarimi, Sandoval

Resolution commending California Victory for its community spirit and the formation of the new San Francisco United Soccer League's Division One Team.

Resolution No. 247-07 ADOPTED

City and County of San Francisco

070595 [State Budget Augmentation for Adult Protective Services Program] Mayor

Resolution urging the State Legislature to appropriate \$20 million in additional funding for the Adult Protective Services Program, on an annual basis, beginning in fiscal year 2007-2008.

Resolution No. 248-07 ADOPTED

070596 [Grant of Federal Funds - Municipal Transportation Agency] Supervisor Elsbernd

Resolution authorizing the Municipal Transportation Agency to accept and expend \$86,520 in federal Section 5303 Technical Study funding to develop and produce the FY 2008 Short Range Transit Plan.

Resolution No. 249-07

ADOPTED by the following vote:

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

The foregoing items were acted upon by the following vote:

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

Severed from For Adoption Without Committee Reference

Supervisor Alioto-Pier requested this item be severed so that it might be considered separately. Supervisor Alioto-Pier requested that this matter be referred to Committee.

070593 [SRO Voter Education and Registration] Supervisor Mirkarimi

Resolution urging increased voter education and registration outreach to SRO residents by the Department of Elections and urging SRO managers and owners to facilitate access for these purposes.

Supervisor Alioto-Pier requested that this matter be referred to Committee.

REFERRED to the Land Use and Economic Development Committee.

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.

[Purely Commendatory Finding]

Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

Supervisor Dufty, seconded by Supervisor Jew, moved to approve the Purely Commendatory Findings. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, Mirkarimi, Peskin, Sandoval Excused: 1 - 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 Dufty, seconded by Supervisor Jew, moved to approve the Brown Act Finding. The motion carried by the following vote:

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

070602 [High Speed Rail] Supervisors Ammiano, Jew

Resolution in support of a High Speed Rail Line between San Francisco and Los Angeles.

Resolution No. 263-07

ADOPTED by the following vote:

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

OFF-AGENDA LEGISLATION

Introduced by Supervisors or Mayor

<u>Ordinances</u>

070617 [Zoning - modifying the definition of liquor store to remove prohibitions on grocery stores and similar uses]

Supervisor Alioto-Pier

Ordinance amending Planning Code Sections 790.55, 249.5, 781.8, 781.9, 782, and 783 to remove grocery stores and other similar uses from prohibitions placed on the establishment of liquor stores in certain districts; and making environmental findings and findings of consistency with the General Plan and priority policies of Planning Code Section 101.1.

(5/23/07 - Economic Impact.)

5/8/07, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 6/7/2007.

070621 [Declaring a public nuisance] Supervisors Dufty, Alioto-Pier

Ordinance amending Article 18 of the San Francisco Public Works Code by adding Section 944 to declare a public nuisance any property located in a underground utility district in which the property owner has refused to comply with an order from the Director of Public Works to install conduits and associated equipment necessary to obtain utility service at a building or structure on the property; amending Section 926 of the Public Works Code to allow the City to recover all costs incurred by the City in connection with abating the public nuisance; amending Sections 900, 915, and 919 through 930 of the Public Works Code consistent with this legislation; and further amending Sections 900, 901, 906, 908 through 911, and 938 of the Public Works Code to make certain technical changes that are necessary to bring those sections up-to-date. 5/8/07, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

070623 [Inclusionary Housing Program - New Alternative to Meet Requirements] Supervisor Daly

Ordinance amending Section 315.4 to provide for a new alternative to meeting the requirements of the Residential Inclusionary Affordable Housing Ordinance; adding Section 315.6A. to provide that a project sponsor may pay the amount of the in lieu fee to a qualifying nonprofit entity to acquire and rehabilitate units as permanently affordable rental housing if the number of resulting units will be 25% higher than the amount provided under the existing off-site alternative; and making findings, including findings under the California Environmental Quality Act.

5/8/07, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 6/7/2007.

070627 [Public Employment]

Mayor

Ordinance amending Ordinance No. 203-06 (Annual Salary Ordinance FY 2006-2007) to reflect the proposed changes to the Municipal Transportation Agency (MTA-DPT) staffing by decreasing total staffing by 2.00 positions (0.08 FTE).

5/8/07, RECEIVED AND ASSIGNED to Budget and Finance Committee.

City and County of San Francisco

070628 [Describing the Limits on the Redevelopment Agency's Use of Eminent Domain to Acquire Real Property in Existing Redevelopment Plan Project Areas] Mayor, Supervisor Peskin

Ordinance describing the limits in existing redevelopment plans on acquisition of real property by the Redevelopment Agency of the City and County of San Francisco through the use of eminent domain, in compliance with a new requirement of the California Community Redevelopment Law. 5/8/07, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 6/7/2007.

Resolutions

070593 [SRO Voter Education and Registration] Supervisor Mirkarimi

Resolution urging increased voter education and registration outreach to SRO residents by the Department of Elections and urging SRO managers and owners to facilitate access for these purposes.

5/1/07, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

5/8/07, REFERRED to Land Use and Economic Development Committee. Supervisor Alioto-Pier requested that this matter be referred to Committee.

070602 [High Speed Rail] Supervisors Ammiano, Jew

Resolution in support of a High Speed Rail Line between San Francisco and Los Angeles. 5/8/07, ADOPTED.

070619 [Grant to undertake pandemic influenza planning and outreach] Supervisor Alioto-Pier

Resolution authorizing the San Francisco Department of Public Health (DPH), to accept and expend a new grant in the amount of \$299,750 from the Metta Fund to undertake pandemic influenza planning and outreach projects, which includes a new contract with Public Health Foundation Enterprises, for the period of July 1, 2007 through June 30, 2008.

5/8/07, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

070622 [Urging the Department of Parking and Traffic to install 4-way STOP signs at the intersection of Noe and Day Streets] Supervisor Dufty

Resolution urging the Department of Parking and Traffic to install 4-way STOP signs at the intersection of Noe and Day Streets.

5/8/07, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

070624 [Apply for, Accept and Expend State Grant - Department of the Environment] Supervisor Maxwell

Resolution authorizing the Department of the Environment to apply for, accept and expend grant funds, available only for public agencies in California, in the amount of \$361,553 from the California Air Resources Board (CARB) for the purpose of purchasing low-polluting construction equipment and retrofitting existing construction equipment with pollution control devices.

5/8/07, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

070625 [Resolution to Initiate the Designation of First St. John's Methodist Church, 1601 Larkin Street as a Landmark]

Supervisor Peskin

Resolution initiating designation of the First St. John's Methodist Church, 1601 Larkin Street, located at the Northwest corner of Larkin Street and Clay Street, encompassing all of Lot 006 in Block 620, as a Landmark pursuant to Section 1004.1 of the San Francisco Planning Code. 5/8/07, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

070626 [Grant to support the Public Health Laboratory Director Training Program] Supervisor Mirkarimi

Resolution authorizing the San Francisco Department of Public Health (DPH), to retroactively accept and expend funds from the California Department of Health Services, Division of Communicable Disease Control for the Public Health Laboratory Director Training Program, in the amount of \$300,655, for the period of April 1, 2007 through March 31, 2009.

5/8/07, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

070629 [Accept-Expend Federal Grant - Mayor's Office of Criminal Justice (MOCJ)] Mayor, Supervisor Ammiano

Resolution authorizing the Mayor's Office of Criminal Justice (MOCJ) to accept and expend funds in the amount of 2,550,932 from the State Corrections Standards Authority (CSA), from funds made available under Senate Bill 736 – known as the Juvenile Justice Crime Prevention Act (JJCPA) – for programs and approaches that have been demonstrated to be effective in reducing delinquency, for the period of July 1, 2007 to June 30, 2008.

5/8/07, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

070634 [Zoning-Extension of Planning Commission review period] Supervisor McGoldrick

Resolution extending by an additional 90 days the prescribed time within which the Planning Commission may render its decision on a proposed ordinance to amend Planning Code Sections 315.3 and 315.6 of the Residential Inclusionary Affordable Housing Program to extend the requirements of the Program from all housing projects of five (5) units or more to all housing projects of two (2) units or more. 5/8/07, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

070635 [Commending Scott Shaw] Supervisor Peskin

Resolution commending Scott Shaw for 30 years of dedicated service in the Department of Public Works in the City and County of San Francisco.

5/8/07, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

070636 [Commending Richard Schulke] Supervisor Peskin

Resolution commending Richard Schulke for his advocacy, leadership, and persistent efforts to improve the welfare of animals in the City and County of San Francisco.

5/8/07, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

070637 [Public Works Week - May 20 through May 26, 2007] Supervisors Peskin, Elsbernd

Resolution proclaiming May 20 through 26, 2007 as Public Works Week in San Francisco. 5/8/07, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

070638 [Commending Sherri Franklin] Supervisors Peskin, Elsbernd

Resolution commending Sherri Franklin for her inspiring leadership and devotion to improving the welfare of animals in the City and County of San Francisco.

5/8/07, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

070639 [School Patrol Day - May 17, 2007] Supervisors Peskin, Elsbernd

Resolution proclaiming May 17, 2007 as AAA School Safety Patrol Day in San Francisco. 5/8/07, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

070640 [Black Cat Café Plaque for 710 Montgomery Street] Supervisors Peskin, Elsbernd

Resolution authorizing the placement of a plaque in the sidewalk in front of 710 Montgomery Street to honor the Black Cat Café.

5/8/07, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

070641 [Gift to City of travel from Chamber of Commerce for 2007 CityTrip] Supervisor Peskin

Resolution accepting a gift of airfare, accommodations and conference fees valued in an amount of \$16,800 from the San Francisco Chamber of Commerce for four City officials or employees to join the Chamber on its 2007 CityTrip to Boston.

5/8/07, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

070642 [Urging swift passage of Assembly Bill 102] Supervisor Ammiano

Resolution supporting and urging the swift passage of AB 102, the Name Equality Act. 5/8/07, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

070645 [Proclaiming May 16, 2007 as Livestrong Day] Supervisors Mirkarimi, Elsbernd

Resolution proclaiming May 16, 2007 as Livestrong Day in the City and County of San Francisco and commending the Lance Armstrong Foundation's annual grassroots initiatives to unite people affected by cancer. 5/8/07, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Requests for Hearing

070603 [Juvenile Hall overcrowding] Supervisor Mirkarimi

Hearing before the Public Safety Committee of the Board of Supervisors to discuss conditions and issues of overcrowding at Juvenile Hall. 5/8/07, RECEIVED AND ASSIGNED to Public Safety Committee.

070604 [PUC's proposed Tiered Rate Structure for water rates] Supervisor Alioto-Pier

Hearing on the costs and benefits of the PUC's proposed Tiered Rate Structure for water rates, including the environmental benefits, the cost to consumers, the types of residences to which the Tiered Rate Structure will be applied, and the impact on families living in single-family residences relative to families living in other building types.

5/8/07, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

070605 [Taxi gate and meter increases related to the financing of a Health Care Plan for Taxi Drivers] Supervisor Ammiano

Hearing on Taxi gate and meter increases related to the financing of a Health Care Plan for Taxi Drivers. 5/8/07, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

070613 [SOMA Community Stabilization Fund] Supervisor Daly

Hearing on the progress of the SOMA Community Stabilization Fund. 5/8/07, RECEIVED AND ASSIGNED to Budget and Finance Committee. Tentatively scheduled for the Budget and Finance Committee meeting on May 23, 2007.

070614 [Budget for FY 2007-2008] Supervisor Daly

Hearing to consider the Budget for FY 2007-2008. 5/8/07, RECEIVED AND ASSIGNED to Budget and Finance Committee.

070615 [Findings and recommendations of the Utility Undergrounding Task Force] Supervisor Dufty

Hearing to consider the findings and recommendations of the Utility Undergrounding Task Force convened by Supervisor Bevan Dufty. The hearing will examine potential options to increase the oversight and breadth of the City's Undergrounding Program through the use of a Special Utility Fee. 5/8/07, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

070616 [Pine Lake Meadow] Supervisor Elsbernd

Hearing to discuss Pine Lake Meadow's recent renovation and the plan for parking measures during the Stern Grove Summer Festival.

5/8/07, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

<u>Motions</u>

070618 [Job-Share Program for Legislative Aides] Supervisor Alioto-Pier

Motion approving a job-share program for the Board of Supervisors' legislative aides and directing the Clerk of the Board to take the necessary steps to implement the job-share program. 5/8/07, RECEIVED AND ASSIGNED to Rules Committee.

070620 [Calling File No. 070526 from the Budget and Finance Committee] Supervisor Dufty

Motion to call File No. #070526 – (Ordinance amending Ordinance No. 203-06, Annual Salary Ordinance FY 2006-2007, to reflect the proposed changes to Administrative Services staffing by decreasing total staffing by 1.00 FTE) - from the Budget and Finance Committee to be heard by the Full Board of Supervisors on May 15th, 2007.

5/8/07, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

PROPOSED ORDINANCES

070558 [Settlement of Lawsuit - A. Ruiz Construction & Associates, Inc.]

Ordinance authorizing settlement of the lawsuit filed by the City and County of San Francisco against A. Ruiz Construction & Associates, Inc. for \$200,000; the lawsuit was filed on January 28, 2005 in San Francisco Superior Court, Case No. 438-235; entitled City and County of San Francisco, et al. v. A. Ruiz Construction & Associates, et al. (City Attorney)

4/24/07, RECEIVED AND ASSIGNED to Rules Committee.

070559 [Settlement of Lawsuit - Proven Management, Inc.]

Ordinance authorizing settlement of the lawsuits filed by: (1) the City and County of San Francisco ("the "City") against Proven Management, Inc. ("Proven") on August 01, 2005, in San Francisco Superior Court Case No. CGC 05-443632, entitled, City and County of San Francisco et. al. v. Proven Management, Inc. et. al., and (2) Proven against the City on December 15, 2005, in Tuolumne County Superior Court Case No. 51778, entitled, Proven Management, Inc. v. City and County of San Francisco et. al., with (a) Proven paying the City: \$250,000 in damages; reimbursing the City up to \$450,000 to administer corrective work; and Proven replacing valve assemblies and correcting numerous items of work on the Baden Pumps Station Project; and completing its contract; and (b) the City increasing Proven's contract amount on the Priest Bypass Project by \$700,000 and releasing all contract balances. (City Attorney) 4/24/07, RECEIVED AND ASSIGNED to Rules Committee.

 070606 [Appropriating \$213,000 of Juvenile Probation Title IV-E Funds for Overtime Related to Increased Juvenile Hall Population to the Juvenile Probation Department for Fiscal Year 2006-2007]
Ordinance appropriating \$213,000 of Juvenile Probation Title IV-E (Foster Care) funds for additional overtime costs related to an increase in the Juvenile Hall population to the Juvenile Probation Department for Fiscal Year 2006-2007. (Juvenile Probation Department)

(Fiscal Impact.) 5/8/07, RECEIVED AND ASSIGNED to Budget and Finance Committee.

PROPOSED RESOLUTIONS

070564 [Parking Regulations]

Resolution enacting and rescinding parking regulations at various locations.

NO PARKING ANYTIME – ESTABLISH Eucalyptus Drive, south side, from the Junipero Serra Boulevard Service Road to 33 feet westerly.

TOW-AWAY, NO PARKING ANYTIME – ESTABLISH

Vicente Street, south side, from Portola Drive to 49 feet westerly; and, Raccoon Drive, both sides, between Twin Peaks Boulevard and Crown Court. (Parking and Traffic Department)

(4/24/07 - 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. 3349)

4/26/07, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

070569 [STOP Intersections]

Resolution designating certain intersections as "STOP" intersections.

STOP SIGNS - ESTABLISH

18th Street at Illinois Street, stopping the stem of this T-intersection; Piedmont Street at Masonic Avenue, stopping Piedmont Street, making this T-intersection an All-Way STOP; Noriega and 21st Avenue, stopping Noriega Street, making this intersection an All-Way STOP; Detroit Street and Staples Avenue, stopping Detroit Street, making this intersection an All-Way STOP; and, Lisbon Street and Silver Avenue, making this T-intersection an All-Way STOP.

STOP SIGNS - RESCIND

Craut Street and Silver Avenue intersection (rescind the 3-Way Stop); Craut Street and Maynard Street (rescind the southbound Craut Street STOP); and, Craut Street and Ney Street (rescind the southbound Ney Street STOP). (Parking and Traffic Department)

(4/24/07 - 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. 3349)

4/26/07, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

070570 [Traffic Regulations]

Resolution enacting and rescinding traffic regulations on various streets.

ONE-WAY STREET (NORTHBOUND) - ESTABLISH Craut Street, between Silver Avenue and Trumbull Street (Parking and Traffic Department)

(4/24/07 - 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. 3349)

4/26/07, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

PROPOSED MOTIONS

Requests Granted

From: Supervisor Mirkarimi

To: Director, Recreation and Park Department

Requesting/Inquiring: Requesting the Recreation and Park Department to report on the status of removing graffiti at Golden Gate and Steiner Mini Park.

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 or repairing signs at the following locations:

· Yellow Diamond at south median of Webster and Bush (graffiti removal)

· No Trucks sign at the northeast corner of Scott and Bush (graffiti removal)

· Residential Permit Parking sign twisted back near 2454 California (repair)

· Residential Permit Parking sign falling at 2685 California (repair)

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting the Department of Public Works to report on the status or removing graffiti from mailboxes and garbage cans at the following locations:

· Southwest corner of Bush and Divisadero (mailbox)

· Northwest corner of Sutter and Steiner (mailbox)

· Northwest corner of Sutter and Steiner (garbage can)

· Northeast corner of Haight and Buchanan (garbage can)

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 light switch boxes and phone switch boxes at the following locations:

Light Switch Box

• Northeast corner of Divisadero and Golden Gate

· Northwest corner of Pine and Fillmore

· Northeast corner of Sutter and Buchanan

Phone Switch Box

- · Northeast corner of Bush and Buchanan
- · Northeast corner of Bush and Divisadero

· Northwest corner of Bush and Scott

· Northeast corner of Fillmore and Divisadero

· Northeast corner of Webster and Bush

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting the Department of Public Works to report on the status or removing graffiti at the following property locations:

· 1971 Fillmore

· 1853 Divisadero

· 2106 Bush

· 2142 Bush

· 2226 Bush (back side of property on Wilmont)

 \cdot Property between 19 $\frac{1}{2}$ Wilmont and 51 Wilmont is heavily graffitied but has no address. It is a brown concrete building.

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting the Department of Public Works to report on the status of repairing sidewalks at the following location: Laguna Street between Geary and Ellis.

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 news stands at the following locations:

· Northwest corner of Sutter and Scott (Examiner)

· Southwest corner of Geary and Divisadero (Guardian and Yahoo Jobs)

· In front of 1600 Divisadero (SF Weekly and SF Daily)

· Northwest corner of Eddy and Divisadero (Onion)

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 on the parking signs on both sides of the street (unless otherwise noted), at the following locations:

 \cdot Octavia between California and Pine

 \cdot California between Octavia and Gough

· Pine between Laguna and Masonic

· Bush between Divisadero and Gough

· Wilmont between Fillmore and Steiner

· Webster between Bush and Pine

· Steiner between Laguna and Buchanan

· Steiner between Haight and Oak

· Sutter between Pierce 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 public property at the following locations:

· Southwest corner of Pine and Pierce

· Southeast corner of Haight and Buchanan

· Southwest corner of Steiner and Oak

From: Supervisors Daly and Mirkarimi

To: Director, Arts Commission

Requesting/Inquiring: Requesting a summary of Arts Commission Allocations from FY 2006-2007 Budget Enhancements. Last year the Board of Supervisors approved \$1,000,000 to fulfill Art Task Force Recommendations proposals and another \$40,000 for the African American Arts and Culture Center. Please provide an accounting for how these funds were allocated. How much went out to community based arts programs and how much was allocated within the Arts Commission budget?

From: Supervisor Ammiano To: Board of Education To: Superintendent, SFUSD Requesting/Inquiring: Inquiring as to why a staff consolidation is being considered at Hilltop High School given the unique needs of the student body.

In Memoriams

Reverend Hamilton T. Boswell - Entire Board Edward Boyd - Supervisor Dufty Edmund Leland Allison - Supervisor Daly

ADJOURNMENT

There being no further business the Board adjourned at the hour of 4:35 p.m.

Kay Gulbengay, Interim 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 5, 2007.

Kay Gulbengay U Interim Clerk of the Board