

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, April 15, 2008 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, CARMEN CHU, CHRIS DALY,
BEVAN DUFTY, SEAN ELSBERND, SOPHIE MAXWELL, JAKE MCGOLDRICK,
ROSS MIRKARIMI, GERARDO SANDOVAL*

Angela Calvillo, Clerk of the Board

BOARD COMMITTEES

Committee Membership

Budget and Finance Committee

Supervisors McGoldrick, Elsbernd, Mirkarimi, Daly, Chu

City and School District Select Committee

Supervisors Dufty, Mirkarimi, Alioto-Pier, Commissioners Kim, Mendoza, Mar

City Operations and Neighborhood Services Committee

Supervisors Chu, McGoldrick, Elsbernd

Government Audit and Oversight Committee

Supervisors Peskin, Ammiano, Maxwell

Land Use and Economic Development Committee

Supervisors Maxwell, Sandoval, Peskin

Public Safety Committee

Supervisors Mirkarimi, Maxwell, Dufty

Rules Committee

Supervisors Daly, Dufty, Ammiano

Meeting Days

Wednesday
1:00 PM

1st and 3rd Thursday
3:30 PM

1st and 3rd 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.

Volume 103 Number 13

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

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:04 p.m.

On the call of the roll all members were present.

APPROVAL OF MEETING MINUTES

Supervisor Maxwell, seconded by Supervisor Mirkarimi, moved to approve the minutes of March 25, 2008. The motion carried by the following vote:

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

CONSENT AGENDA

Recommendation of the City Operations and Neighborhood Services Committee

080337 [Authorizing the Sheriff to execute contracts with the State]

Resolution authorizing the Sheriff's Department to execute contracts with the California Department of Corrections and Rehabilitation (CDCR) for the care and confinement of inmates/parolees while pending probable cause determination, revocation of parole or being returned to custody. (Sheriff)

Resolution No. 180-08

ADOPTED

Recommendations of the Land Use and Economic Development Committee

**071464 [Zoning - Ordinance creating the Excelsior Alcohol Restricted Use District]
Supervisors Sandoval, Peskin**

Ordinance amending the San Francisco Planning Code by adding Section 785 to create an Excelsior Alcohol Restricted Use District prohibiting new off-sale liquor establishments and providing for a five-year sunset provision; amending Sectional Maps SU 11 and SU 12 of the Zoning Map of the City and County of San Francisco to establish the boundaries of the Excelsior Alcohol Restricted Use District, which generally consist of the blocks and lots fronting both sides of Mission Street from Silver Avenue to the Daly City border; adopting findings, including environmental findings and findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan.

**Ordinance No. 70-08
FINALLY PASSED**

080210 [Stipulation of Conditional Use authorization or Mandatory Discretionary Review of any permit application to remove dwelling units, where the Planning Code does not already require Conditional Use authorization]

Ordinance amending the Planning Code by adding Section 317 to stipulate Conditional Use or Mandatory Discretionary Review of any Building Permit applications that would eliminate existing dwelling units through mergers, conversions, or demolitions of residential units, and requiring certain affordability and soundness findings, with certain administrative exceptions allowed; making findings as to the need to preserve affordable housing in San Francisco, environmental findings and findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan. (Planning Department)

**Ordinance No. 69-08
FINALLY PASSED**

Recommendations of the Rules Committee

080370 [Appointment - Shelter Monitoring Committee - Chris Callandrillo]

Motion appointing Chris Callandrillo, term ending November 23, 2008, to the Shelter Monitoring Committee.

Chris Callandrillo, succeeding Diana Valentine, resigned, seat 3, must have experience providing direct services to the homeless through a community setting, for the unexpired portion of a two-year term ending November 23, 2008.

**Motion No. M08-68
APPROVED**

080373 [Appointment - San Francisco Fair Lending Working Group]

Motion appointing Jan Lynn Owgn, Leon Huntting, Heidi Mueller, Maeve Elise Brown, Kevin Stein, Ed Donaldson, Amanda Feinstein, Jon Ballesteros, Grace Mejia, Jane Duong, and Chris Oldag, terms ending July 1, 2009, to the San Francisco Fair Lending Working Group, residency requirement waived.

Jan Lynn Owgn, new appointment, seat 1, must be a representative of a financial institution/lending agency, for a term ending on July 1, 2009 (residency requirement waived).

Leon Huntting, new appointment, seat 2, must be a representative of the mortgage broker industry, for a term ending on July 1, 2009 (residency requirement waived).

Heidi Mueller, new appointment, seat 3, must be a representative of the real estate profession, for a term ending on July 1, 2009.

Maeve Elise Brown, new appointment, seat 4, must be a representative of a community-based organization focusing on foreclosure counseling and legal assistance, for a term ending on July 1, 2009 (residency requirement waived).

Kevin Stein, new appointment, seat 5, must be a representative of an advocacy organization, for a term ending on July 1, 2009.

Ed Donaldson, new appointment, seat 6, must be a representative of any of the following categories: a financial institution/lending agency, the mortgage broker industry, the real estate profession, a community-based organization focusing on foreclosure counseling and legal assistance, or other advocacy organization, for a term ending on July 1, 2009.

Amanda Feinstein, new appointment, seat 7, must be a representative of any of the following categories: a financial institution/lending agency, the mortgage broker industry, the real estate profession, a community-based organization focusing on foreclosure counseling and legal assistance, or other advocacy organization, for a term ending on July 1, 2009 (residency requirement waived).

Jon Ballesteros, new appointment, seat 8, must be a representative of any of the following categories: a financial institution/lending agency, the mortgage broker industry, the real estate profession, a community-based organization focusing on foreclosure counseling and legal assistance, or other advocacy organization, for a term ending on July 1, 2009.

Grace Mejia, new appointment, seat 9, must be a representative of any of the following categories: a financial institution/lending agency, the mortgage broker industry, the real estate profession, a community-based organization focusing on foreclosure counseling and legal assistance, or other advocacy organization, for a term ending on July 1, 2009 (residency requirement waived).

Jane Duong, new appointment, seat 10, must be a representative of any of the following categories: a financial institution/lending agency, the mortgage broker industry, the real estate profession, a community-based organization focusing on foreclosure counseling and legal assistance, or other advocacy organization, for a term ending on July 1, 2009.

Chris Oldag, new appointment, seat 11, must be a representative of any of the following categories: a financial institution/lending agency, the mortgage broker industry, the real estate profession, a community-based organization focusing on foreclosure counseling and legal assistance, or other advocacy organization, for a term ending on July 1, 2009 (residency requirement waived).

Motion No. M08-67

APPROVED

The foregoing items were acted upon by the following vote:

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

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendations of the Land Use and Economic Development Committee

Supervisor Dufty Excused From Voting

Supervisor Dufty previously excused from voting on File Nos. 071001, 071002, and 080319 at the Board meeting of 4/8/08

071001 [Zoning Map Amendments Associated with the Laguna, Haight, Buchanan and Hermann Streets Special Use District]

Supervisor Ammiano

Ordinance amending Section Maps 7, 7H and 7SU of the Zoning Map of the City and County of San Francisco for the property described as Assessor's Block 857 and portions of Assessor's Block 870, bounded by Laguna, Buchanan, Haight and Hermann Streets, from P (Public) to either NC-3 (Moderate-Scale Neighborhood Commercial District) or RM-3 (Residential, Mixed Districts, Medium Density) and mapping the Laguna, Haight, Buchanan and Hermann Streets Special Use District; adopting findings, including findings under the California Environmental Quality Act.

(No Economic Impact)

Ordinance No. 67-08

FINALLY PASSED by the following vote:

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

071002 [Laguna, Haight, Buchanan and Hermann Streets Special Use District]

Supervisors Mirkarimi, Ammiano

Ordinance approving the Laguna, Haight, Buchanan, and Hermann Streets Special Use District (SUD) by amending the San Francisco Planning Code by adding Section 249.32 to create a new SUD bounded by Laguna, Haight, Buchanan and Hermann Streets (Assessor's Block 857 and portions of Assessor's Block 870) to permit a mixed-use project at the former UC Berkeley Extension property; and adopting findings, including findings under the California Environmental Quality Act.

(No Economic Impact)

Ordinance No. 68-08

FINALLY PASSED by the following vote:

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

080319 [General Plan Amendments for Assessors Block 857 and portions of Assessors Block 870 bound by Laguna, Haight, Buchanan and Hermann Streets]
Supervisors Mirkarimi, Ammiano

Ordinance amending the Market and Octavia Area Plan of the San Francisco General Plan to (1) reclassify the Use District on Block 857 from Public to Moderate Density Residential and reclassify the Use District on Block 870, Lots 1, 2 and the northern portion of Lot 3 from Public to Moderate Density Neighborhood Commercial; (2) amending the Market and Octavia Area Plan of the San Francisco General Plan to reclassify the Height District for Block 857, Lot 1A from 40 feet to 50 feet and to reclassify the Height District for Block 870, Lots and 1 and 2 from 80 feet to 85 feet and Block 870, Lot 3 from 40 feet to 50 feet; (3) amending the Generalized Residential Land Use Plan of the 1990 Residence Element, the 2004 Housing Element, and of the Land Use Index to reclassify the generalized land use of Block 857 from Public/Open Space to Residential and of Block 870 from Public/Open Space to Mixed Use, predominantly Commercial/Industrial; (4) amending the Residential Density Plan of the 1990 Residence Element, the 2004 Housing Element, and of the Land Use Index to reclassify the residential density of Blocks 857 and 870 from Public and Heavy Industrial Areas to Moderately High Density; (5) adopting findings pursuant to the California Environmental Quality Act; and (6) adopting findings that the General Plan amendments are consistent with the eight priority policies of Planning Code Section 101.1.

Ordinance No. 66-08

FINALLY PASSED by the following vote:

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

Supervisors Daly and Duffy Excused From Voting

Supervisors Daly and Duffy previously excused from voting on File Nos. 071157 and 071159 at the Board meeting of 4/8/08

**071157 [Planning Code Amendments to implement the Market and Octavia Area Plan]
Supervisors Mirkarimi, McGoldrick**

Ordinance amending the San Francisco Planning Code to implement the Market and Octavia Area Plan of the General Plan by amending Section 102.5 (District); Section 121.1 (Development on Large Lots, Neighborhood Commercial Districts); Section 121.2 (Use Size Limits (Non-Residential), Neighborhood Commercial Districts); Section 124 (Basic Floor Area Ratio); Section 132 (Front Setback); Section 134 (Rear Yards); Section 135 (Usable Open Space For Dwelling Units and Group Housing); Section 144 (Treatment of Ground Story On Street Frontages); Section 145.1 (Street Frontages, Neighborhood Commercial Districts); Section 145.4 (Street Frontages Downtown and Mixed-Use Districts); Section 151.1 (Schedule of Required Off-Street Parking Spaces); Section 152. (Schedule of Required Off-Street Freight Loading Spaces in Districts Other Than C-3 or South of Market); Section 153 (Rules for Calculation of Required Spaces); Section 154 (Minimum dimensions for required off-street parking, freight loading and service vehicle spaces); Section 155 (General Standards as to Location and Arrangement of Off-Street Parking, Freight Loading and Service Vehicle Facilities); Section 156 (Parking Lots); Section 166 (Requirements for Provision of Car-Share Parking Spaces); Section 167 (Parking Costs Separated from Housing Costs in New Residential Buildings); Section 201 (Classes of Use Districts); Section 207.1. (Rules For Calculation Of Dwelling Unit Densities); Section 207.4 (Density of Dwelling Units in Neighborhood Commercial Districts); Section 208 (Density Limitations for Group Housing); Section 209.1-209.9 (Uses Permitted in RTO Districts); Section 234.2 (Requiring CU Authorization for specified uses in P Districts within the Market and Octavia Neighborhood Area); Section 253 (Review of Proposed Buildings and Structures Exceeding a Height of 40 Feet in R Districts); Section 270 (Bulk Limits: Measurement); Section 303 (Conditional Uses: Determination); Section 304 (Planned Unit Developments: Criteria and Limitations); Section 311 (Residential Permit Review Procedures for RH and RM Districts: Applicability); Section 315 (Inclusionary Housing requirements) including adding a fee on new residential development in the Plan Area in addition to the existing inclusionary housing requirements in a per square foot amount of \$8 in the Van Ness Market Special Use District, \$4 in the Neighborhood Commercial Transit (NCT) district, and \$0 in the Transit-Oriented Residential (RTO) district; Section 316 (Procedures for Conditional Use Authorization in Neighborhood Commercial and South of Market Districts and for Live/Work Units in RH, RM, and RTO Districts); Section 603 (Exempted Signs); Section 606 (Residential Districts); Section 702.1 (Neighborhood Commercial Use Districts); Section 720.1 (Hayes-Gough Neighborhood Commercial Transit District) to conform these sections with the new VNMDR-SUD, NCT and RTO district controls; and adding new zoning districts and a new special use district including Section 121.5 to establish controls for Development on Large Lots in Residential Districts; Section 121.6 to restrict lot mergers in residential districts and on pedestrian-oriented streets; Section 158.1 related to Non-accessory Parking Garages in NCT and RTO Districts and the Van Ness and Market Downtown Residential Special Use District; Section 206.4 to establish the Transit-Oriented Residential District (RTO); Section 207.6 related to Required Minimum Dwelling Unit Mix and Unit Subdivision Restrictions in RTO and NCT Districts; Section 207.7 relating to Restrictions on Demolition, Conversion, and Merger of Existing Dwelling Units in RTO and NCT Districts; Section 230 establishing Limited Corner Commercial Uses in RTO Districts; Section 249.33 to establish the Van Ness and Market Downtown Residential Special Use District (VNMDR-SUD) including providing that projects in the VNMDR-SUD may exceed allowable Floor Area Ratio (FAR) up to a certain ratio by paying \$30 per gross square foot into the Citywide Affordable Housing Fund but not by acquiring Transferable Development Rights (TDRs); and providing that projects may further exceed FAR limits above a site FAR of 9:1 by paying \$15 per additional gross square foot into the Van Ness and Market Neighborhood Infrastructure Fund; Section 249.34 to establish the Fulton Street Grocery Store Special Use District; Section 261.1 related to Additional Height Limits for Narrow Streets and Alleys in RTO and NCT Districts; Section 263.18 creating a Special Height Exception: Additional Five Feet Height for Ground Floor uses in NCT 40-X and 50-X Height and Bulk Districts; Section 263.20 Special Height Exceptions: Fulton Street Grocery Store Special Use District 40-X/50-X Height District; Sections 326-326.8 establishing the Market and Octavia Community Improvements Fee and Fund including community improvement fees of \$10 per square foot for certain new residential and \$4 per square foot for certain new commercial developments, and a springing fee for transit and parking impacts with a maximum fee of \$9 per square foot for transit impacts from residential development and \$5 per square foot for impacts from new parking spaces; Sections 341-341.4 establishing a Better Neighborhoods Area Plan Monitoring Program; Sections 731 and 731.1 creating an NCT-3 Moderate-Scale Neighborhood Commercial Transit District; Sections 732 and 732.1 creating the Upper Market Street Neighborhood Commercial Transit District; adding an uncodified Section 4 adopting procedures for treatment of historic resources in the Plan

Area; and adopting environmental findings and findings of consistency with the General Plan and the eight priority policies of Planning Code Section 101.1.

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

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

PASSED ON FIRST READING AS AMENDED by the following vote:

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

This page intentionally blank.

**071159 [Zoning Map Amendment in connection with the Market and Octavia Area Plan]
Supervisor Mirkarimi**

Ordinance amending Zoning Map Sheets 2, 2H, 2SU and 7, 7H, and 7SU of the City and County of San Francisco Planning Code to eliminate use districts and height and bulk districts within the Market and Octavia Plan Area; replacing them with revised use districts, height and bulk districts, and special use districts, consistent with those proposed in the Market and Octavia Area Plan; and making various findings, including CEQA findings and findings of consistency with the General Plan and Planning Code Section 101.1.

(Economic Impact)

Ordinance No. 71-08

FINALLY PASSED by the following vote:

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

NEW BUSINESS

Recommendations of the Budget and Finance Committee

080219 [2008 Annual Fundraising Drive]

Resolution designating those agencies qualified to participate in the 2008 Annual Joint Fundraising Drive for officers and employees of the City and County of San Francisco.

Resolution No. 181-08

ADOPTED by the following vote:

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

**080333 [Ten Year Capital Expenditure Plan 2009-2018]
Supervisor Elsbernd**

Resolution adopting the City's ten year capital expenditure plan for fiscal years 2009-2018. (City Administrator)

Resolution No. 171-08

ADOPTED by the following vote:

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

080362 [Amending a contract with anticipated expenditures in excess of \$10 million]

Resolution approving the Eleventh Amendment to the Agreement between the City and County of San Francisco (Purchaser) and Sunset Scavenger Company (Contractor) for sludge hauling, extending the term of the contract by 11 months to April 30, 2009 and increasing the total compensation to the Contractor by \$3 million, pursuant to San Francisco Charter Section 9.118(b). (Office of Contract Administration)

(Fiscal Impact.)

Resolution No. 175-08

ADOPTED by the following vote:

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

080363 [Professional services agreement to provide professional engineering services]

Resolution authorizing the General Manager of the San Francisco Public Utilities Commission to execute an amendment to increase the amount of a professional services agreement with URS Corporation by \$1,900,000, for a total revised agreement amount of \$13,900,000. (Public Utilities Commission)

(Fiscal Impact.)

Resolution No. 182-08

ADOPTED by the following vote:

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

Recommendation of the City Operations and Neighborhood Services Committee**080025 [Liquor license transfer - 1237 Polk Street]**

Resolution determining that the transfer of a Type 48 on-sale general public premises liquor license from 1415 Larkin Street to 1237 Polk Street (District 3), to Myles O'Reilly for McTeague's Saloon 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. 176-08

ADOPTED by the following vote:

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

Recommendations of the Government Audit and Oversight Committee

**080405 [Aerial spraying of pesticides to eradicate the Light Brown Apple Moth]
Supervisors Mirkarimi, Ammiano, Daly**

Resolution opposing aerial spraying over the City and County of San Francisco of pesticides designed to eradicate the Light Brown Apple Moth; urging the City Attorney to pursue legal strategies to oppose aerial spraying in San Francisco.

Supervisor Daly requested to be added as a co-sponsor

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

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

Resolution No. 174-08

ADOPTED AS AMENDED by the following vote:

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

**080409 [Urging safe approach to controlling Light Brown Apple Moth]
Mayor, Supervisors Dufty, Ammiano**

Resolution urging the State of California to make maximum use of safe and tested ground-based approaches to control the Light Brown Apple Moth; complete an environmental impact report prior to the inception of any aerial spray program; and ensure that the California EPA Office of Environmental Health Hazard Assessment conducts an independent human health risk assessment of any LBAM aerial spray program prior to its inception.

Resolution No. 173-08

ADOPTED by the following vote:

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

Recommendations of the Rules Committee

**071596 [Audio or video recording of public meetings held in City Hall hearing rooms]
Supervisors Mirkarimi, Ammiano, Daly**

Ordinance amending Section 67.14 of the Administrative Code to require that any public meeting held in a City Hall hearing room that is equipped with audio or video recording facilities be audio or video recorded and to further require that such audio or video recording be made available for review on the City's web site.

Supervisor Elsbernd, seconded by Supervisor Alioto-Pier, moved to refer File No. 071596 to committee.

The motion failed by the following vote:

Ayes - 5: Alioto-Pier, Chu, Dufty, Elsbernd, McGoldrick

Noes - 6: Ammiano, Daly, Maxwell, Mirkarimi, Peskin, Sandoval

PASSED ON FIRST READING by the following vote:

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

Noes: 5 - Alioto-Pier, Chu, Elsbernd, Maxwell, McGoldrick

- 080278 [Clarifying when the Ethics Commission must raise the individual expenditure ceiling in the partial public financing program for candidates for Mayor and the Board of Supervisors, and correcting minor drafting errors]
Supervisor Daly

Ordinance amending Sections 1.108, 1.134.5, and 1.144 of the Campaign and Governmental Conduct Code, to clarify when the Executive Director of the Ethics Commission shall raise the Individual Expenditure Ceiling for a candidate for Mayor or the Board of Supervisors and to make technical corrections.

PASSED ON FIRST READING by the following vote:

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

From the Rules Committee With Recommendation "Do Not Pass"

Supervisor Ammiano Excused From Voting

Supervisor McGoldrick, seconded by Supervisor Alioto-Pier, moved to excuse Supervisor Ammiano from voting on File No. 071659. The motion carried by the following vote:

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

- 071659 [Deletes the cap on the amount that an individual production can receive under the Rebate Program]
Supervisor Alioto-Pier

Ordinance amending Administrative Code Section 57.8 by repealing the provision that limits individual rebates under the Rebate Program to the amount of tax that the film production paid to the City.

(Economic Impact)

PASSED ON FIRST READING by the following vote:

Ayes: 6 - Alioto-Pier, Chu, Dufty, Elsbernd, Maxwell, Mirkarimi
Noes: 4 - Daly, McGoldrick, Peskin, Sandoval
Excused: 1 - Ammiano

Supervisor Maxwell, seconded by Supervisor McGoldrick, moved to rescind the vote on File No. 071659.

The motion passed by the following vote:

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

NOT PASSED ON FIRST READING by the following vote:

Ayes: 4 - Alioto-Pier, Chu, Dufty, Elsbernd
Noes: 6 - Daly, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Ammiano

From the Rules Committee Without Recommendation

**071670 [Administrative fines for violation of City ordinances]
Supervisor Mirkarimi**

Ordinance amending the San Francisco Administrative Code by adding Chapter 100, entitled "Procedures Governing the Imposition of Administrative Fines" and encompassing Section 100.1 through 100.16, to establish a procedure for the enforcement, collection, and administrative review administrative fines imposed for violation of City ordinances.

PASSED ON FIRST READING by the following vote:

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

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

Supervisor Dufty introduced, welcomed and presented Certificates of Honor to the Staff of Congressman Lantos' District Office.

Supervisor Chu introduced, welcomed and presented Certificates of Honor to Ulloa Elementary School and its staff for receiving the California 2008 Distinguished School of the Year Award.

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 homeless and public health

James Chaffee; expressed concern with issues relating to the SF Public Library

Eugene Gordon Jr.; expressed concern with various issues

Joseph Ryan; expressed concern with the Turbine Peaker Project

Serine; expressed concern with the Turbine Peaker Project

Romona Coline; expressed concern with the Turbine Peaker Project

Adrine; expressed concern with the Turbine Peaker Project

Ms. Judson; expressed concern with the Turbine Peaker Project

Robin Loberton; expressed concern with the Turbine Peaker Project

Allen Grant; expressed concern with the Turbine Peaker Project

Female speaker; expressed concern with the Turbine Peaker Project

John Di Donna; expressed concern with the Olympic Torch Run

Josh Varsa; expressed concern with the Turbine Peaker Project

Richard Decree; expressed concern with various issues

Mark Konic; expressed concern with the Turbine Peaker Project

Ms. Wilson; expressed concern with issues related to workers rights

Cecil Gills; expressed concern with issues related to global warming

Espanola Jackson; expressed concern with the Turbine Peaker Project

Eric Burns; expressed concern with the Turbine Peaker Project

Diane Wesley Smith; expressed concern with issues related to housing retention

Joseph Litner; expressed concern with the Turbine Peaker Project

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures were introduced for adoption without committee reference. A unanimous vote is required for adoption of these resolutions today. Any Supervisor may require any resolution to go to committee.

**080486 [Recognizing San Jose State University for bringing awareness to the United States Food and Drug Administration's discriminatory policy on blood donations which singles out gay men]
Supervisors Sandoval, Ammiano, Duffy**

Resolution recognizing San Jose State University for bringing awareness to the United States Food and Drug Administration's discriminatory policy on blood donations which singles out gay men.

Resolution No. 183-08

ADOPTED

- 080487** [Urging the United States Congress to save the Commodity Supplemental Food Program (CSFP), restore the thousands of people cut from the program since 2003, and expand the program to meet the increasing need]

Supervisor Dufty

Resolution urging the United States Congress to save the Commodity Supplemental Food Program (CSFP), restore the thousands of people cut from CSFP since 2003, and expand the program to meet the increasing need.

Resolution No. 184-08

ADOPTED

- 080489** [Grant funds to support HIV prevention activities]

Supervisor Dufty

Resolution authorizing the San Francisco Department of Public Health (DPH), to enter retroactively into an agreement in the amount of \$44,408 with the Public Health Foundation Enterprises (PHFE), the primary contractor, to fund a project entitled "Reducing Sexual Risk among Episodic Substance Using MSM;" for the period of September 30, 2007 through September 29, 2008.

Resolution No. 177-08

ADOPTED

- 080490** [Urging the California Legislature to pass Senate Bill 1066]

Supervisors Ammiano, Dufty

Resolution urging the California Legislature to pass Senate Bill 1066 and instructing the City's lobbyist to work toward this goal. This Bill eliminates discrimination based on age and sexual orientation, increases access to employer-provided health insurance for opposite-sex couples, and brings uniformity to domestic partner laws in California.

Resolution No. 172-08

ADOPTED

- 080492** [Accept-Expend State Grant - Chief of Police - \$65,000]

Supervisor Elsbernd

Resolution authorizing the Chief of Police for the City and County of San Francisco to retroactively accept and expend a grant in the amount of \$65,000.00 (Sixty-Five Thousand dollars) from the California Department of Boating and Waterways to purchase miscellaneous boating equipment for use in boating safety and law enforcement activities.

Resolution No. 178-08

ADOPTED

- 080493** [National Crime Victims' Rights Week - April 13-19, 2008]

Supervisor Maxwell

Resolution proclaiming the week of April 13-19, 2008, as National Crime Victims' Rights Week.

Resolution No. 185-08

ADOPTED

**080494 [1858 Black Exodus to Victoria, British Columbia]
Supervisor Maxwell**

Resolution expressing profound regret for the 1858 exodus of hundreds of Black residents of San Francisco to Victoria, British Columbia because of the legalized brutality and injustices that were visited upon them based upon such legislation as the 1850 Civil Practices Act, that disqualified Blacks from testifying against whites, the Fugitive Slave Act of 1852 and the proposed Assembly Bill 339 in 1858 that was "An Act to restrict and prevent the immigration to and residence in the State of Negroes and mulattos."

Resolution No. 179-08

ADOPTED

**080495 [Extending the Asthma Task Force Membership to June 30, 2011]
Supervisor Maxwell**

Resolution extending the Asthma Task Force Membership to June 30, 2011.

Resolution No. 186-08

ADOPTED

The foregoing items were acted upon by the following vote:

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

Severed from the Without Reference to Committee Agenda

**080491 [Supporting an independent analysis of the SFPUC's proposed "Combustion Turbine Peaker Project"]
Supervisor Alioto-Pier**

Resolution supporting a request for an independent analysis of the SFPUC's proposed "Combustion Turbine Peaker Project" to update the Cal-ISO/SFPUC 2004 Action Plan for San Francisco to a 2008 Action Plan that will include the 400 Megawatts provided by Transbay Cable, improvements in renewable energy technologies, municipal solar projects, transmission and reconductering upgrades and demand response.

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

REFERRED to the Land Use and Economic Development Committee.

**080496 [Supporting a fiscal feasibility study of the SFPUC's proposed "Combustion Turbine Peaker Project"]
Supervisor Alioto-Pier**

Resolution supporting a fiscal feasibility study of the SFPUC's proposed "Combustion Turbine Peaker Project" as required under Section 29.1(c)(4) of the Administrative Code.

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

REFERRED to the Land Use and Economic Development Committee.

OFF-AGENDA LEGISLATION

Introduced by Supervisors or Mayor**Ordinances**

- 080519** [Accept-Expend Sidney E. Frank Foundation Grant and Amendment to the Annual Salary Ordinance, FY 2007-2008 - \$200,000]
Supervisor Alioto-Pier

Ordinance authorizing the Department of the Environment to accept and expend a grant in the amount of \$200,000 from the Sidney E. Frank Foundation to carry out the critical task of engaging key stakeholders and interest groups to solicit input for a wave energy project and amending Ordinance Number 175-07 to reflect the addition of one (1) grant-funded position at the Department of the Environment.

4/15/08, RECEIVED AND ASSIGNED to Budget and Finance Committee.

- 080520** [Below Market Rate Condominium Conversion Program]
Supervisor McGoldrick

Ordinance amending the San Francisco Subdivision Code by adding Section 1344 to update and clarify the provisions relating to Below Market Rate Units under the Condominium Conversion Program including provisions related to the calculation of sales price, renting, capital improvements, duration and monitoring of affordability, marketing, and ongoing regulations; and amending Sections 1308, 1309, 1341, 1341B, 1343, 1359, and 1385 to make conforming changes, and making findings including findings under the California Environmental Quality Act (CEQA).

4/15/08, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 5/15/2008.

- 080521** [Citywide Affordable Housing Preference for Certificate of Preference Holders]
Supervisor Mirkarimi

Ordinance providing that all City affordable housing programs give preference in those programs to Certificate of Preference Holders under the San Francisco Redevelopment Agency's Property Owner and Occupant Preference Program by adding Administrative Code Section 24.8 to provide that all City affordable housing programs administered by the Mayor's Office of Housing or other City Department give preference in those programs to Certificate of Preference holders; and amending Administrative Code Sections 43.3.4 to provide for preference in the affordable housing and home ownership bond program; Section 10.100-110 to provide for preference in the expenditure of funds from the Mayor's Housing Affordability Fund; 10-100-370 to provide for preference in the use of HOPE SF funds; and amending Planning Code Sections 313.12, 315.4, 315.5, and 315.6 to provide for preference in the Citywide Affordable Housing funds generated by the Jobs-Housing Linkage Program and the Residential Inclusionary Affordable Housing program and in the allocation of all on- and off-site inclusionary housing units in those programs.

4/15/08, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 5/15/2008.

080523 [Approving agreements for the development of the City Combustion Turbine Projects at San Francisco International Airport and at 25th and Maryland Streets]
Supervisors Maxwell, Duffy, McGoldrick, Peskin

Ordinance approving agreements necessary for the development of the City Combustion Turbine Projects to be located at North Access Road and Clearwater Drive, San Francisco International Airport, and at Property Adjacent to the MTA Metro East Facility at 25th and Maryland Streets in San Francisco, including a design-build agreement, a power purchase agreement, a turbine upgrade agreement, electric and gas interconnection agreements and granting specified waivers; and approving a jurisdictional transfer of property and a lease modification to accommodate the proposed projects, subject to further agreements among the affected City departments; and making environmental findings and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1.

(Fiscal Impact.)

4/15/08, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee. April 18, 2008 - Sent to Planning for environmental review.

080525 [Planning Code Enforcement]
Supervisor Peskin

Ordinance amending the San Francisco Administrative Code by amending Section 10.100-166 to expand the Planning Department's Code Enforcement Fund beyond general advertising signs and authorize the Fund to receive revenues from all types of code enforcement activities, including monetary judgments, and authorize expenditure of the funds for administration and enforcement of all Planning Code violations; amending the San Francisco Planning Code by amending Section 303(I) concerning relocation of general advertising signs to delete the requirement to submit a site map, clarify that wall signs are included in the requirements and make technical changes to the language of the section, by amending Section 358 to increase the annual inventory maintenance fee from \$48 to \$75 and to clarify use of the general advertising sign inventory fees and that wall signs are included in the requirements, by amending Section 604.2 to provide that violation of the Code's general advertising sign inventory requirements is a public nuisance, to clarify that the definition of the term "general advertising sign company" includes the operator of the sign and that wall signs are included in the requirements, to modify language required to be in the affidavit submitted with the sign inventory, to delete the requirement to submit a site map, to conform the penalty and appeal procedure with Section 610, and to make other clarifying and technical changes to the language of the section; adopting CEQA and Planning Code Section 302 findings.

4/15/08, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 5/15/2008.

080526 [Public Employment - Police Department]
Supervisor Peskin

Draft ordinance amending Ordinance No. 175-07 (Annual Salary Ordinance FY 2007-2008) to reflect the deletion of three Command Staff positions at the Police Department for FY 2007-08.

4/15/08, RECEIVED AND ASSIGNED to Budget and Finance Committee. 04/18/08 - Referred to the City Attorney for approval as to form.

**080527 [Requiring Assessor to report reductions of real property assessments]
Supervisors Sandoval, Peskin, Daly**

Ordinance amending the San Francisco Administrative Code by adding Section 10.2-9, to require the Assessor to post monthly reports of any reductions of assessed values of real properties.

4/15/08, RECEIVED AND ASSIGNED to Rules Committee.

**080529 [Requiring Activation of Closed Captions on Television Receivers]
Supervisor Alioto-Pier**

Ordinance amending the San Francisco Police Code by adding Article 44, Sections 4400 to 4407 to require the activation of closed captioning on television receivers intended for use by the general public and authorizing the imposition of civil penalties and/or criminal fines for violations of this requirement.

4/15/08, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 5/15/2008.

Resolutions

**080524 [Authorizing the execution and delivery of certificates of participation to finance the San Francisco Combustion Turbine Projects and approving property leases, project leases and a trust agreement in connection therewith]
Supervisors Maxwell, Dufty, McGoldrick, Peskin**

Resolution authorizing the execution and delivery of certificates of participation to finance the acquisition, construction, installation and equipping of natural gas-fired combustion turbine generation facilities on City-owned property located at 25th and Maryland Street in the Potrero neighborhood and at the San Francisco International Airport at the corner of North Access Road and Clearwater Drive; approving the form of a trust agreement between the City and County of San Francisco and a trustee (including certain indemnities contained therein); authorizing the selection of a trustee; approving the forms of property leases between the City and the trustee relating to the Potrero site and to the San Francisco International Airport site; approving the forms of project leases between the trustee and the City (including certain indemnities contained therein) relating to each of the two Projects; approving the form of a Memorandum of Understanding between the San Francisco Public Utilities Commission and the City; approving the form of an official notice of sale and notice of intention to sell for the certificates of participation; approving the form of an official statement in preliminary and final form; approving the form of a continuing disclosure certificate; and ratifying previous actions taken in connection therewith.

(Supervisor Alioto-Pier dissented in committee.)

4/15/08, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

**080528 [Official City policy that no new set-asides be added to the City Charter without a funding source]
Mayor**

Resolution declaring it to be official City policy that no new set-asides or other mandatory appropriations be added to the City Charter unless the measure also identifies or provides a specific, adequate new source of funds.

4/15/08, RECEIVED AND ASSIGNED to Rules Committee.

080530 [Commending the Neighborhood Arts Program and proclaiming May 3, 2008 Neighborhood Arts Day in San Francisco]

Supervisors Mirkarimi, Dufty

Resolution commending the Neighborhood Arts Program on the occasion of its 40th anniversary and proclaiming May 3, 2008 Neighborhood Arts Day in San Francisco.

4/15/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

080531 [Supporting the Arts in California State Assembly Bill AB 2728]

Supervisor Ammiano

Resolution supporting the Arts in California State Assembly Bill AB 2728 to fully fund the California Arts Council.

4/15/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

080532 [Proclaiming May 1, 2008 to be International Workers' Day, affirming San Francisco as a Sanctuary City, and urging the Congress of the United States to repeal the REAL ID Act of 2005]

Supervisors Sandoval, Ammiano

Resolution proclaiming May 1, 2008 to be International Workers' Day, affirming San Francisco as a Sanctuary City, and urging the Congress of the United States to repeal the REAL ID Act of 2005.

4/15/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

080533 [Requesting the Mayor, Chief of Police and the Mayor's Office of Criminal Justice to offer a reward for information leading to the arrest and conviction of the person(s) responsible for the homicide of Luis Salari on April 9, 2008]

Supervisors Sandoval, Dufty

Resolution requesting the Mayor, Chief of Police and the Mayor's Office of Criminal Justice to offer a reward for information leading to the arrest and conviction of the person(s) responsible for the homicide of Luis Solari on April 9, 2008.

4/15/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

080534 [Armenian Genocide Commemoration Day - April 24, 2008]

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

Resolution declaring April 24, 2008 as Armenian Genocide Commemoration Day in San Francisco.

4/15/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**080535 [San Francisco Symphony "Adventures in Music Day" - April 18, 2008]
Supervisors Duffy, Peskin**

Resolution declaring April 18, 2008 "Adventures in Music Day" in San Francisco.
4/15/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**080536 [Authorizing application to State Infill Infrastructure Grant Program]
Supervisor McGoldrick**

Resolution authorizing the submittal of an application to the California State Department of Housing and Community Development for funding under the Infill Infrastructure Grant Program; the execution of a Standard Agreement if selected for such funding and any amendments thereto; and any related documents necessary to participate in the Infill Infrastructure Grant Program.
4/15/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**080537 [Declaring May 4, 2008 "People Paddle for AIDS Day"]
Supervisor Daly**

Resolution commending People Paddle for their efforts in raising awareness, funding, and offering services to those with AIDS and hereby declare May 4, 2008, "People Paddle for AIDS Day."
4/15/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**080538 [Opposition to California State Initiative 07-0094, the Runner Initiative]
Supervisors Daly, Peskin, Ammiano, Mirkarimi**

Resolution expressing opposition to Initiative 07-0094, the Runner Initiative, a proposed ballot measure that would shift state resources from education, crime and violence prevention toward increased incarceration of youth and young adults from low income communities of color with limited opportunities for education, employment and rehabilitation.
4/15/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**080539 [Approval of a second 120-day extension for Planning Commission review]
Supervisor Daly**

Resolution extending by an additional 120 days the prescribed time within which the Planning Commission may render its decision on a proposed Ordinance that would amend the Planning Code by repealing Section 825.1 and amend Planning Code Sections 135, 309.1, 318.3, 809, 825 and 827 to apply many of the provisions of Rincon Hill Downtown Mixed Use Zoning District to all Downtown Residential Districts and to add design requirements to enhance the pedestrian environment.
4/15/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Motions

- 080522** [Authorizing the Office of the Clerk of the Board of Supervisors to provide clerical, administrative, and logistical assistance to the San Francisco Local Agency Formation Commission]
Supervisor Mirkarimi

Motion authorizing the Office of the Clerk of the Board of Supervisors, consistent with past practice, to provide clerical, administrative, and logistical assistance to the San Francisco Local Agency Formation Commission for the purpose of instituting its Advice and Monitoring Project with respect to CCA Program Implementation as requested by the San Francisco Board of Supervisors and for the Clerk of the Board of Supervisors to seek reimbursement from San Francisco Local Agency Formation Commission.

4/15/08, RECEIVED AND ASSIGNED to Budget and Finance Committee.

Hearings

- 080516** [Status of School District Eligibility to access Rainy Day Reserves]
Supervisor Dufty

Hearing to receive an update from the Controller and San Francisco Unified School District (SFUSD) on School District's eligibility to access Rainy Day Reserve funds.

4/15/08, RECEIVED AND ASSIGNED to City and School District Select Committee.

- 080517** [Status of Public Education Enrichment Fund (PEEF) Plan]
Supervisor Dufty

Hearing to consider the Public Education Enrichment Fund Expenditure Plan for Fiscal Year 2008-2009.

4/15/08, RECEIVED AND ASSIGNED to City and School District Select Committee.

- 080518** [Municipal Transportation Agency Quality Review]
Supervisor Peskin

Hearing to consider the recently completed biennial review of the Municipal Transportation Agency's progress toward its adopted goals, objectives, and performance standards as required under Charter Section 8A.107.

4/15/08, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

PROPOSED ORDINANCES

- 080453** [Amending San Francisco Fire Code to add Express Plan Review service and fee]

Ordinance making environmental findings and amending Appendix Chapter 1, Section 112.9 of the San Francisco Fire Code to add an Express Plan Review service at the Fire Department and to establish a fee for that service. (Fire Department)

4/1/08, ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 5/15/2008.

04/15/08 - Referred to Planning for dermination of environmental impact. 04/25/08 - Response received from Planning, exempt from CEQA.

080454 [Settlement of Lawsuit - John Weatherspoon III- \$5,150,000.00]

Ordinance authorizing settlement of the lawsuit filed by John Weatherspoon III, by and through his Guardian Ad Litem, Barbara Weatherspoon against the City and County of San Francisco for \$5,150,000.00; the lawsuit was filed on May 9, 2006 in San Francisco Superior Court, Case No. 452-083; entitled John Weatherspoon III, by and through his Guardian Ad Litem, Barbara Weatherspoon v. City and County of San Francisco, et al. (City Attorney)

4/2/08, RECEIVED AND ASSIGNED to Rules Committee.

080455 [Settlement of Lawsuit - Marnix Van Ammers and Jean Walker- \$70,000.00]

Ordinance authorizing settlement of the lawsuit filed by Marnix Van Ammers and Jean Walker against the City and County of San Francisco for \$70,000.00; the lawsuit was filed on April 9, 2007 in the San Francisco Superior Court, Case No. 462-146; entitled Van Ammers, et al., v. City and County of San Francisco, et al. (City Attorney)

4/2/08, RECEIVED AND ASSIGNED to Rules Committee.

080456 [Settlement of Lawsuit - Jane Martin- \$75,000]

Ordinance authorizing settlement of the portion of the lawsuit filed by Aristides Cisneros and Shirley Kollman against the City and County of San Francisco for \$75,000; the lawsuit was filed on January 31, 2005 in San Francisco Superior Court, Case No. 436930; entitled Jane Martin, et al. v. City and County of San Francisco, et al. (City Attorney)

4/2/08, RECEIVED AND ASSIGNED to Rules Committee.

080457 [Settlement of Lawsuit - Margarita Hill- \$55,000]

Ordinance authorizing settlement of the lawsuit filed by Margarita Hill against the City and County of San Francisco for \$55,000; the lawsuit was filed on December 12, 2006 in San Francisco Superior Court, Case No. 458664; entitled Margarita Hill v. City and County of San Francisco, et al. (City Attorney)

4/2/08, RECEIVED AND ASSIGNED to Rules Committee.

080464 [Implementing a Deferred Retirement Option Program for certain members of the Police Department]

Ordinance adding Sections 16.63 through 16.63-10 to the Administrative Code to implement the Deferred Retirement Option Program approved by the San Francisco voters. (Retirement System)

4/7/08, RECEIVED AND ASSIGNED to Budget and Finance Committee.

PROPOSED RESOLUTIONS

080452 [Gift of up to \$300,000 - private, Department of Public Health]

Resolution authorizing the Department of Public Health, Community Behavioral Health Services to retroactively accept a gift of Buprenorphine medication from Reckitt Benkiser Pharmaceuticals with a monetary value of up to \$300,000 for the period of March 1, 2008 through August 31, 2008 for ongoing and new patients receiving Opiate Replacement Treatment in San Francisco. (Public Health Department)

4/2/08, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

080458 [Settlement of Claim - Christopher L. Blackstock- \$40,000]

Resolution approving the settlement of the unlitigated claim filed by Christopher L. Blackstock against San Francisco for \$40,000; claim was filed on September 13, 2007. (City Attorney)

4/2/08, RECEIVED AND ASSIGNED to Rules Committee.

080467 [Lease of Real Property at 68 12th Street, Suite 200B]

Resolution authorizing the Director of Property to exercise a three-year extension option for a lease of real property located at 68 12th Street, Suite 200B, for the Department of Public Health, Emergency Medical Services, effective retroactively to July 1, 2007. (Real Estate Department)

4/7/08, RECEIVED AND ASSIGNED to Budget and Finance Committee.

080468 [Lease of Real Property at 1360 Mission Street, Suite 401]

Resolution authorizing the Director of Property to exercise an extension option for a three-year term for the lease of real property located at 1360 Mission Street, Suite 401, for the Department of Public Health retroactively to January 1, 2008. (Real Estate Department)

4/7/08, RECEIVED AND ASSIGNED to Budget and Finance Committee.

Requests Granted

From: Supervisor McGoldrick

To: Controller

Requesting/Inquiring: Submitting a request that the Controller's office surveys the salaries of non-profit organizations executive director salaries, in cases where more than fifty percent of the organizations' budget is funded through city funds.

From: Supervisor Elsbernd

To: Director, Municipal Transportation Agency

Requesting/Inquiring: Please study the feasibility of reducing the speed limit on Lake Merced Blvd. between Winston Avenue and Higuera Street from 45 mph to 35 mph.

From: Supervisor Elsbernd

To: Director, Municipal Transportation Agency

Requesting/Inquiring: Please study the feasibility of making 16th Avenue a one-way street between Funston and Noriega Streets.

From: Supervisor Mirkarimi

To: Director, Department of Public Works

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

333 Haight

406-408 Buchanan

536 Fell

406 Buchanan

400 Haight

Haight and Scott (the Vanguard Real Estate Business)

546 Haight

799 Haight

498 Haight

428 Haight

226 Haight

104 Haight

696 Haight

839 Haight

425-431 Buchanan

383 Grove

385 Grove

432 Grove

200 Octavia

626 Fell

Geary and Steiner (the wall on the southwest corner of the walking bride)

451 Hayes

525 Gough

355 Laguna

425-427 Laguna

600 Fell

636 Laguna

363-365 Grove

From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting that the Department of Public Works report on the status of repairing potholes at the following locations:
Crosswalk collapsing on Fillmore and Waller (south side of Fillmore Street)

From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting that the Department of Public Works report on the status of removing graffiti from the public property located at the following locations:
Emergency Boxes:
Northeast corner of Page and Buchanan
Southeast corner of Page and Fillmore
Southeast corner of Page and Steiner
Southwest corner of Steiner and Hayes
Southwest corner of Divisadero and Oak

From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting that the Department of Public Works report on the status of removing graffiti from the following locations:
Phone Switch Boxes:
Northwest corner of Haight and Steiner
Northeast corner of Octavia and Ivy
Southeast corner of Scott and Haight
Southeast corner of Buchanan and Fell
City Trash Cans:
Southwest corner of Buchanan and Hayes
Buchanan and Haight
Mailboxes:
Hayes and Laguna
Eddy and Steiner
Haight and Octavia
Southwest corner of Fell and Buchanan

From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting that the Department of Public Works report on the status of removing graffiti from newsstands at the following locations:
San Francisco Bay Guardian:
Southeast corner of Laguna and Page
9th Avenue and Judah (near bus stops)
7th Avenue and Irving (near bus stops)
Northwest corner of Fillmore and Geary
Southeast corner of Fillmore and Haight
In front of 497 Oak Street
San Francisco Chronicle:
Southeast corner of Laguna and Page
Northwest corner of Fillmore and Hayes
Southeast corner of Haight and Fillmore
Irving and 9th Avenue
Irving and 7th Avenue
Examiner:
Northwest corner of Fillmore and Hayes
Northwest corner of Hayes and Gough

Southeast corner of Haight and Fillmore

SF Daily:

Northwest corner of Hayes and Gough

City Star:

Northwest corner of Hayes and Gough

Onion:

Northeast corner of Fillmore and Waller

Northwest corner of Hayes and Gough

Southeast corner of Divisadero and Page

SF Weekly:

Southwest corner of Hayes and Webster

Southeast corner of Masonic and Haight

Southeast corner of Haight and Fillmore

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting that the Department of Public Works report on the status of removing graffiti from utility poles at the following locations:

Wood:

Northwest corner of Oak and Buchanan

432 Buchanan

Southwest corner of Ivy and Gough

Southeast corner of Octavia and Gough

Southeast corner of Fell and Buchanan

Northeast corner of Laguna and Lily

Tree on corner of Fell and Grove

490 Hayes

8th and Irving

Metal:

406 Buchanan

300 Buchanan

Southeast corner of Linden and Buchanan

Southeast corner of Fell and Buchanan

Bus Shelters:

Northeast corner of Buena Vista and Haight

Haight and Divisadero, two shelters

Stanyan and Oak

One-way signs at Lily and Buchanan

Fillmore and McAllister

Oak and Hayes

Haight and Fillmore

Haight and Buchanan

Crosswalks and Stop Signs:

Fillmore and Waller (crosswalk and stop signs)

Southeast and Southwest corners of Fillmore and Haight (stop signs)

From: Supervisor Dufty

To: Director, Department of Planning

Requesting/Inquiring: Inquiring about the feasibility of creating an "Upper Noe Valley Residential Character District" with its unique design guidelines based on the "Westwood Park Residential Character District," section 224.1 of the planning code.

From: Supervisor Dufty

To: Controller

To: Purchaser

Requesting/Inquiring: Requesting that the City Controller and City Purchaser assess the potential benefit of

the California Strategic Sourcing Initiative (CSSI) as a mechanism to reduce contracting costs and this and other means to improve and streamline our purchasing process while adhering to important social policies such as Equal Benefits and Local Business Enterprise and Environmentally (Green) Preferred Purchasing, among others. (Attachment will be sent in separate cover)

In Memoriams:

*Kathleen Bolton - Supervisors Dufty, Ammiano, Chu
Ken Emery - Supervisor Dufty
Luis "Al" Solari - Entire Board*


ADJOURNMENT

There being no further business the Board adjourned at the hour of 3:53 p.m.

Angela Calvillo, 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 May 13, 2008.



Angela Calvillo
Clerk of the Board