

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, October 7, 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

City and School District Select Committee

Supervisors Dufty, Mirkarimi, Alioto-Pier, Maufas, 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.

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

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:09 p.m. On the call of the roll Supervisors McGoldrick and Sandoval were noted absent.

There was a quorum present.

Supervisor Sandoval was noted present at 2:10 p.m.

Supervisor McGoldrick was previously excused from attendance.

Supervisor McGoldrick Excused From Voting

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

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

CONSENT AGENDA

Recommendation of the Budget and Finance Committee

081084 [Authorizing the Department of Public Health to perform and award contracts for public work under a specified procedure]
Supervisor Elsbernd

Ordinance adding San Francisco Administrative Code Chapter 6, Section 6.69, to authorize the Department of Public Health to perform and award contracts for health facilities public work through competition among a pre-qualified pool of contractors.

Ordinance No. 224-08

FINALLY PASSED

Recommendations of the City Operations and Neighborhood Services Committee

**081101 [Accept-Expend two related HIV research grants - \$105,248]
Supervisors Dufty, Ammiano**

Resolution authorizing the San Francisco Department of Public Health (DPH) to retroactively accept and expend two related grants in the total amount of \$105,248 from the Public Health Foundation Enterprises (PHFE) to support the "HIV Vaccine Trials Network Study – Parts A and B"; for the periods of January 1, 2008 through June 30, 2008 (Part A) and July 1, 2008 through December 31, 2008 (Part B).

**Resolution No. 421-08
ADOPTED**

**081111 [Approval of the Ryan White HIV/AIDS Treatment Modernization Act grant application - \$36,118,233]
Supervisor Dufty**

Resolution authorizing the San Francisco Department of Public Health (DPH) to submit an application for the San Francisco Eligible Metropolitan Area (EMA) by the deadline of September 29, 2008, requesting a total amount of \$36,118,233, to the Health Resources Services Administration (HRSA) to continue to receive funding for the Ryan White HIV/AIDS Treatment Modernization Act Grant (Ryan White Programs, Part A); for the next grant year, March 1, 2009 through February 28, 2010. (Public Health Department)

**Resolution No. 418-08
ADOPTED**

**081187 [Accept-Expend Federal grant for emergency planning - \$175,783]
Supervisor Alioto-Pier**

Resolution authorizing the Department of Emergency Management (DEM) to accept and expend retroactively a grant in the amount of \$175,783 from the Federal Emergency Management Agency (FEMA), through the California Governor's Office of Emergency Services (State OES), for emergency planning for at-risk and vulnerable populations, for the period of July 1, 2008 through June 30, 2009.

**Resolution No. 410-08
ADOPTED**

**081189 [Accept and Expend grant - to support the STD Surveillance Network - \$225,000]
Supervisor Dufty**

Resolution authorizing the San Francisco Department of Public Health (DPH) to retroactively accept and expend funds from the Centers for Disease Control and Prevention (CDCP), in the amount of \$225,000, to support the STD Surveillance Network; for the period of September 30, 2008 through September 29, 2009.

**Resolution No. 422-08
ADOPTED**

Recommendations of the Government Audit and Oversight Committee

080796 [Amending Ordinance 202-07, authorizing award of contract for CM/GC services for the San Francisco General Hospital Rebuild Program, and making findings under CEQA]

Ordinance amending Ordinance 202-07 to add Drywall Subcontractor to the list of authorized Core Subcontractors for the San Francisco General Hospital Rebuild Program; authorizing the award of a contract for Construction Manager/General Contractor services for the San Francisco Hospital Rebuild Program; adopting findings under the California Environmental Quality Act (CEQA), CEQA Guidelines and San Francisco Administrative Code Chapter 31, including the adoption of a mitigation monitoring and reporting program and a statement of overriding considerations; and finding that the proposed project is in conformity with the priority policies of Planning Code Section 101.1(b) and with the General Plan consistency requirement of Charter Section 4.105 and Administrative Code Section 2A.53. (Public Works Department)

(Fiscal Impact.)

Ordinance No. 222-08

FINALLY PASSED

081102 [MOU, Amendment No. 2 - Municipal Attorneys' Association]

Mayor

Ordinance adopting and implementing Amendment #2 to the 2006-2010 Memorandum of Understanding between the City and County of San Francisco and the Municipal Attorneys' Association.

Ordinance No. 225-08

FINALLY PASSED

081103 [MOU - Service Employees International Union, Local 1021, H-1 Fire Rescue Paramedics]

Mayor

Ordinance adopting and implementing the Memorandum of Understanding between the City and County of San Francisco and the Service Employees International Union, Local 1021, H-1 Fire Rescue Paramedics, to be effective July 1, 2007 through June 30, 2011.

(Fiscal Impact.)

Ordinance No. 226-08

FINALLY PASSED

Recommendation of the Land Use and Economic Development Committee**081074 [Changing the official sidewalk width - Harrison Street]**

Ordinance amending Ordinance No. 1061 entitled "Regulating the Width of Sidewalks" by adding thereto Section 1581 to change the official sidewalk width on the north side of Harrison Street east of Fourth Street; making environmental findings and findings pursuant to the General Plan and Planning Code Section 101.1; requiring relocation, modification, or both of facilities affected by the sidewalk width change. (Public Works Department)

Ordinance No. 223-08

FINALLY PASSED

Recommendations of the Rules Committee

081143 [Appointment, Western SOMA Citizens Planning Task Force, John Rosenbaum]

Motion appointing John Rosenbaum, term ending June 30, 2010, to the Western SOMA Citizens Task Force, residency requirement waived.

John Rosenbaum, succeeding Catherine Ann Swineford, seat 23, term expired, must be a person representing the interests of homeless individuals, for term ending June 30, 2010 (residency requirement waived).

Motion No. M08-156

APPROVED

081144 [Appointments, SOMA Community Stabilization Fund Community Advisory Committee, Judith Barker and Steven Sarver]

Motion appointing Judith Baker and Steven Sarver, terms ending April 27, 2010, to the SOMA Community Stabilization Fund Community Advisory Committee, residency requirement waived.

Judith Baker, succeeding Kelly Wilkinson, seat 6, term expired, must provide direct services to SOMA families, for a two-year term ending April 27, 2010.

Steven Sarver, succeeding himself, seat 7, term expired, must have small business expertise and a familiarity with the SOMA neighborhood, for a two-year term ending April 27, 2010 (residency requirement waived).

Motion No. M08-155

APPROVED

080848 [Appointment, Community Oversight Committee Regarding Enforcement of Marijuana Offenses, Mesha Monge-Irizarry]

Motion appointing Mesha Monge-Irizarry, term ending January 1, 2009, to the Community Oversight Committee Regarding Enforcement of Marijuana Offenses.

Mesha Monge-Irizarry, succeeding Camilla Field, seat 6, resigned, must be a representative of a drug policy reform organization, for the unexpired portion of a two-year term ending January 1, 2009.

Motion No. M08-154

APPROVED

The foregoing items were acted upon by the following vote:

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

Excused: 1 - McGoldrick

Severed from the Consent Agenda

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

081062 [Appointment, Sunshine Ordinance Task Force, Doyle Johnson]

Motion appointing Doyle Johnson, term ending April 27, 2010, to the Sunshine Ordinance Task Force.

Doyle Johnson, new designation, seat 7, must be member of the public who is physically handicapped and who has demonstrated interest in citizen access and participation in local government, for a two-year term ending April 27, 2010.

Supervisor Elsbernd, seconded by Supervisor Chu, moved to rerefer this matter to the Rules Committee.

Motion to rerefer this matter failed by the following vote:

Ayes: 4 - Alioto-Pier, Chu, Elsbernd, Maxwell

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

Motion No. M08-153

APPROVED by the following vote:

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

Excused: 1 - McGoldrick

REGULAR AGENDA

UNFINISHED BUSINESS

From the Government Audit and Oversight Committee Without Recommendation

081107 [MOU - SF Police Officers' Association (SFPOA), P-2B]

Mayor

Ordinance adopting and implementing the Memorandum of Understanding between the City and County of San Francisco and the San Francisco Police Officers' Association (SFPOA), P-2B, to be effective July 1, 2007 through June 30, 2011.

(Fiscal Impact.)

Ordinance No. 227-08

FINALLY PASSED by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Chu, Dufty, Elsbernd, Maxwell, Mirkarimi, Peskin, Sandoval

Noes: 1 - Daly

Excused: 1 - McGoldrick

Recommendations of the Land Use and Economic Development Committee

**080521 [Citywide Affordable Housing Preference for Certificate of Preference Holders]
Supervisors Mirkarimi, Duffy, Maxwell**

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.

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

Supervisor Daly, seconded by Supervisor Ammiano, moved to further amend relating to a hard cap of 50% of affordable housing going to certificate holders:

Motion to further amend failed by the following vote:

Ayes: 4 - Ammiano, Daly, Peskin, Sandoval

Noes: 6 - Alioto-Pier, Chu, Duffy, Elsbernd, Maxwell, Mirkarimi

Excused: 1 - McGoldrick

PASSED ON FIRST READING AS AMENDED by the following vote:

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

**081087 [Condominium conversion lottery based on seniority of participation]
Supervisor McGoldrick**

Ordinance amending the Subdivision Code by amending Section 1396 to extend the annual 200-unit condominium conversion lottery; amending Section 1396.3 to continue the prioritization of the condominium conversion lottery based on seniority of participation in prior lotteries; and making environmental findings.

Supervisors Duffy and Mirkarimi were previously excused from voting on this matter.

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

Ayes: 8 - Alioto-Pier, Ammiano, Chu, Daly, Elsbernd, Maxwell, Peskin, Sandoval
Excused: 3 - Duffy, McGoldrick, Mirkarimi

PASSED ON FIRST READING AS AMENDED by the following vote:

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

NEW BUSINESS

Recommendations of the Budget and Finance Committee

- 081200 [Appropriating \$51,336,923 of revenue for the Laguna Honda Hospital Replacement Project in the Department of Public Works for Fiscal Year 2008-09]**
Mayor

Ordinance appropriating \$25,611,567 of Tobacco Settlement Revenues and \$25,725,356 of the 1999 Laguna Honda Hospital General Obligation Bond Proceeds Interest Earnings from the 2005A, 2005B, 2005C, 2005D, and 2005I Series for the Laguna Honda Hospital Replacement Project in the Department of Public Works for Fiscal Year 2008-2009.

(Fiscal Impact.)

PASSED ON FIRST READING by the following vote:

Ayes: 9 - Ammiano, Chu, Daly, Duffy, Elsbernd, Maxwell, Mirkarimi, Peskin, Sandoval

Noes: 1 - Alioto-Pier

Excused: 1 - McGoldrick

- 081203 [Appropriating \$13,022,292 of State Proposition 42 and Proposition 1B revenue for road maintenance projects in the Department of Public Works for Fiscal Year 2008-2009]**
Supervisors Elsbernd, Chu, Mirkarimi

Ordinance appropriating \$11,756,665 of FY 2008-09 Proposition 42 State Funds and \$1,265,627 of additional FY 2007-08 Proposition 1B State Funds for road maintenance and resurfacing projects in the Department of Public Works for Fiscal Year 2008-2009. The department will use the bond funds from the State to implement Bureau of Street and Sewer Repair road maintenance and resurfacing projects at various locations.

(Fiscal Impact.)

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

PASSED ON FIRST READING by the following vote:

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

Excused: 1 - McGoldrick

- 081027 [Clean Renewable Energy Bonds - \$6,325,000]**

Resolution approving the issuance of not to exceed \$6,325,000 aggregate principal amount of clean renewable energy bonds to be issued by the Public Utilities Commission of the City and County of San Francisco (the "Commission"); approving the execution and delivery by the Commission of a Master Equipment Lease/Purchase Agreement, an Acquisition Fund and Account Control Agreement, and a Bond Purchase Agreement; and authorizing the taking of appropriate actions in connection therewith; and related matters. (Public Utilities Commission)

(Fiscal Impact.)

Resolution No. 413-08

ADOPTED by the following vote:

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

Excused: 1 - McGoldrick

081109 [Emergency contract to design, furnish, and install microwave system communication equipment along Hetch Hetchy]

Resolution approving an emergency public work contract under San Francisco Administrative Code Section 6.60, to design, furnish, and install a new microwave radio system for Hetch Hetchy. (Public Utilities Commission)

(Fiscal Impact.)

Resolution No. 429-08

ADOPTED by the following vote:

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

081141 [Contract between the Department of Public Health and Accordis, Inc. to provide retroactive claiming of aged accounts services]

Resolution retroactively authorizing the Director of Public Health and the Director of the Office of Contract Administration/Purchaser to execute a contract between the City and County of San Francisco and Accordis, Inc. to provide retroactive claiming of aged accounts services for the period of July 1, 2008 through June 30, 2012.

Resolution No. 427-08

ADOPTED by the following vote:

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

081142 [Contract between the Department of Public Health and Triage Consulting Group to provide retroactive claiming of aged accounts services]

Resolution retroactively authorizing the Director of Public Health and the Director of the Office of Contract Administration/Purchaser to execute a contract between the City and County of San Francisco and Triage Consulting Group to provide retroactive claiming of aged accounts services for the period of July 1, 2008 through June 30, 2012.

Resolution No. 428-08

ADOPTED by the following vote:

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

081164 [Amending the agreement between the CCSF and Office Depot for office supplies to \$17,540,000]

Resolution approving the Fifth Amendment to the Agreement between the City and Office Depot (Contractor) for office supplies, increasing the contract's dollar amount to \$17,540,000, pursuant to Charter Section 9.118(b). (Office of Contract Administration)

(Fiscal Impact.)

Resolution No. 412-08

ADOPTED by the following vote:

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

Recommendations of the City Operations and Neighborhood Services Committee

**080621 [Amending Health Code Article 8 - Food Preparation and Service Establishment]
Mayor**

Ordinance amending San Francisco Health Code Sections 451, 452, 456.4, 456.5, deleting Health Code Section 455, and amending San Francisco Business and Tax Regulations Code Section 249.1 to include definition for licensed health care facilities, clarify the definition for hospital kitchen, update definitions to be consistent with the California Retail Food Code; add a fee for licensed health care facilities; and add lien procedures for enforcing monetary penalties.

PASSED ON FIRST READING by the following vote:

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

**081121 [Accept-Expend state grant and amend Annual Salary Ordinance, FY 2008-09 - \$400,000]
Supervisors Elsbernd, Dufty, Chu**

Ordinance authorizing the Mayor's Office of Criminal Justice to retroactively accept and expend a grant in the amount of \$400,000 from the California Governor's Office of Emergency Services (OES) for gang violence reduction activities, and amending the Annual Salary Ordinance (ASO) to provide for the creation of certain grant funded positions.

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

PASSED ON FIRST READING by the following vote:

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

080853 [Liquor license - 251 Rhode Island Street]

Resolution determining that the issuance of a Type 42 on-sale beer and wine public premises license to Joseph Latimore for Gallery Sensei, located at 251 Rhode Island Street (District 10), 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. 423-08

ADOPTED by the following vote:

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

081076 [Liquor license transfer - 1926 Lombard Street]

Resolution determining that the transfer of a Type 21 off-sale general license from 1600 Lombard Street to 1926 Lombard Street (District 2), to Luigi and Brixhilda Daberdaku and Cezar and Georgeta Popovici for Luigi's Delicatessen, 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. 426-08

ADOPTED by the following vote:

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

Recommendations of the Government Audit and Oversight Committee

- 081091 [Board of Supervisors response to the 2007-2008 Civil Grand Jury Report entitled "Fits and Starts: The Response of San Francisco Government to Past Civil Grand Jury Recommendations"]**
Supervisor Peskin

Resolution responding to the Presiding Judge of the Superior Court on the recommendations contained in the 2007-2008 Civil Grand Jury Report entitled "Fits and Starts: The Response of San Francisco Government to Past Civil Grand Jury Recommendations".

Resolution No. 414-08

ADOPTED by the following vote:

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

- 081092 [Board of Supervisors response to the 2007-2008 Civil Grand Jury Report entitled "Accountability in San Francisco Government"]**
Supervisor Peskin

Resolution responding to the Presiding Judge of the Superior Court on the recommendations contained in the 2007-2008 Civil Grand Jury Report entitled "Accountability in San Francisco Government".

Resolution No. 419-08

ADOPTED by the following vote:

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

- 081094 [Board of Supervisors response to the 2007-2008 Civil Grand Jury Report entitled "A Year of Five Elections for the City and County of San Francisco"]**
Supervisor Peskin

Resolution responding to the Presiding Judge of the Superior Court on the recommendations contained in the 2007-2008 Civil Grand Jury Report entitled "A Year of Five Elections for the City and County of San Francisco".

Resolution No. 420-08

ADOPTED by the following vote:

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

Recommendations of the Land Use and Economic Development Committee

- 081117 [Zoning - Interim Moratorium on Conversion of Residential Rental Units to Student Housing]**
Supervisors Daly, Peskin, Maxwell

Urgency Ordinance imposing an interim zoning moratorium on the conversion of residential rental units to student housing for 45 days and making required findings, including environmental findings and findings of consistency with the priority policies of Planning Code Section 101.1.

Ordinance No. 228-08

FINALLY PASSED by the following vote:

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

**071431 [Planning Code - Restoration of Movie Theater Projecting Signs and Marquees]
Supervisor Mirkarimi**

Ordinance amending the San Francisco Planning Code by amending Sections 188, 603, and 604 and by adding Sections 602.25 and 602.26 in order to allow for the preservation, rehabilitation, restoration or reconstruction of noncomplying Historic Movie Theater Projecting Signs and Marquees, as defined; and making findings, including environmental findings and findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan.

PASSED ON FIRST READING by the following vote:

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

**080845 [Changing the official sidewalk width - Golden Gate Avenue]
Supervisor McGoldrick**

Ordinance amending Ordinance No. 1061 entitled "Regulating the Width of Sidewalks" by adding thereto Section 1580 to change the official sidewalk width on the southerly side of Golden Gate Avenue between Larkin and Hyde Streets; making environmental findings and findings pursuant to the General Plan and Planning Code Section 101.1; requiring relocation, modification, or both of facilities affected by the sidewalk width change. (Public Works Department)

PASSED ON FIRST READING by the following vote:

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

**080873 [Naming the alleys behind the 2200 block of Fillmore Street Goldberg Lane]
Supervisor Alioto-Pier**

Resolution bestowing the new name of Goldberg Lane on the alleys behind the 2200 block of Fillmore Street, currently known as Unnamed Streets 110 and 111, in honor of the late Faye Goldberg.

Resolution No. 425-08

ADOPTED by the following vote:

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

**080778 [Initiating amendments to Appendix K of Article 10 of the Planning Code regarding the Bush Street-Cottage Row Historic District]
Supervisor Mirkarimi**

Resolution initiating amendments to Appendix K of Article 10 of the Planning Code regarding the Bush Street-Cottage Row Historic District.

Resolution No. 424-08

ADOPTED by the following vote:

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

**081192 [Accept-Expend Federal Grant - \$2,280,000]
Supervisor Maxwell**

Resolution authorizing the Port of San Francisco to accept and expend a grant in the amount of \$2,280,000 from the United States Department of Commerce, Economic Development Administration, for environmental investigation and hazardous materials abatement at the Port of San Francisco, Pier 70.

Resolution No. 411-08

ADOPTED by the following vote:

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

**080696 [Zoning - New Controls for the North Beach Neighborhood Commercial District, to Limit the Establishment of New Bars and Restaurants and Preserve Basic Neighborhood Services]
Supervisor Peskin**

Ordinance amending the San Francisco Planning Code by adding new Section 780.3, to create the North Beach Special Use District; amending Section 781.6, to include Limited Financial Services and Business or Professional Services in the North Beach Financial Subdistrict; amending Section 722.1 and the Zoning Control Table in Section 722 to reflect the new controls for the North Beach Neighborhood Commercial District, including limiting the establishment of new bars and restaurants in the North Beach Neighborhood Commercial District in locations occupied by basic neighborhood sales or services, allowing restaurants to obtain liquor licenses if they operate as bona-fide eating places, and prohibiting the establishment of new automated bank teller machines; adding new Section 790.93, to create the new zoning category of Specialty Food, Self-Service; adding new Section 790.142, to create a new definition of Bona Fide Eating Place; amending Section 790.102 to allow general grocery stores to occupy less than 5,000 gross square feet, to modify the definition of specialty grocery stores, and to clarify that off-sale beer, wine and liquor sales are allowed within accessory limits in general and specialty grocery stores; amending Sections 790.34, 790.55, 790.90, 790.91, 780.1, 312, 303, 218.2, 703.2, 803.2, 803.3, 121.2, and 186.1, to reflect the changes created by the new Sections 790.93, 790.102, and 790.142, and to make conforming amendments; amending Sections 703.3, 710.1, 711.1, 712.1, 713.1, 714.1, 715.1, 716.1, 717.1, 718.1, 719.1, 720.1, 721.1, 722.1, 723.1, 724.1, 725.1, 726.1, 727.1, 728.1, 729.1, 730.1, 731.1, 732.1, 733.1, to refer to new Section 790.93; amending the Special Use District Map SU1 of the Zoning Map of the City and County of San Francisco, to refer to the new North Beach Special Use District and to reflect the amendments and new boundaries of the North Beach Financial Service, Limited Financial Service, and Business or Professional Service Subdistrict; adopting findings, including environmental findings, Section 302 findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1.

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

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

PASSED ON FIRST READING AS AMENDED by the following vote:

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

**080567 [Zoning - Ordinance creating a Conditional Use requirement for establishments that sell Tobacco Paraphernalia]
Supervisor Sandoval**

Ordinance amending the Planning Code to add a new Section 227(v), to define Tobacco Paraphernalia Establishments, and to impose a conditional use requirement on the establishment of such new enterprises in all Commercial and Industrial districts; amending Section 303 of the Planning Code to refer to this requirement, and to require consideration of additional criteria when analyzing a Conditional Use application; adding a new Section 790.123, to define Tobacco Paraphernalia Establishments in the Neighborhood Commercial districts; amending sections 710.1, 711.1, 712.1, 713.1, 714.1, 715.1, 716.1, 717.1, 718.1, 719.1, 720.1, 721.1, 722.1, 723.1, 724.1, 725.1, 726.1, 727.1, 728.1, 729.1, 730.1, and 732.1, to refer to this definition and conditional use requirement; adding a new Section 890.89 to define Tobacco Paraphernalia Establishments in the Mixed Use districts; amending sections 803.1, 810.1, 811.1, 812.1, 814, 815, 816, 817, 818, and 827 to refer to this definition and Conditional Use requirement; and making findings, including findings of consistency with the Priority Policies of Planning Code Section 101.1 and environmental findings.

PASSED ON FIRST READING by the following vote:

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

**080720 [Landmark Designation of 1969 California Street (Tobin House)]
Supervisors Peskin, Sandoval**

Ordinance designating 1969 California Street, the Tobin House, (Assessor's Block Number 0649, Lot Number 016), as a Landmark under Planning Code Article 10; and adopting General Plan, Planning Code Section 101.1(b) and environmental findings. (Planning Department)

PASSED ON FIRST READING by the following vote:

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

**081122 [Vacation of the Ingleside Path]
Supervisor Elsbernd**

Resolution declaring the intention of the Board of Supervisors to vacate the Ingleside Path right-of-way between Ocean Avenue and Corona Street and Urbano and Head Streets; setting the hearing date for all persons interested in the proposed vacation of the street area; and adopting environmental findings and findings that the vacation is consistent with the City's General Plan and the eight priority policies of Planning Code Section 101.1.

Resolution No. 409-08

ADOPTED by the following vote:

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

From the Land Use and Economic Development Committee Without Recommendation

**081120 [Ordering vacation of the Ingleside Path]
Supervisor Elsbernd**

Ordinance ordering the vacation of the Ingleside Path right-of-way between Ocean Avenue and Corona Street and Urbano and Head Streets subject to reservations of certain utility easements in the vacated area; authorizing the quit claim of the City's interest in the vacated right-of-way pursuant to the terms of the conveyancing documents; declaring such paths abandoned; adopting environmental findings and findings that such actions are consistent with the City's General Plan and the priority policies of Planning Code Section 101.1; and authorizing official acts in connection with this Ordinance.

Continued to a public hearing on November 4, 2008 at 3:00 p.m.

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

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

**080652 [Rental Subsidy Program for Low-Income Families]
Supervisors Daly, Ammiano, Sandoval**

Ordinance adding Sections 48.1 through 48.7 to the San Francisco Administrative Code creating the Rental Subsidy Program for Low-Income Families that establishes a need-based local housing subsidy for homeless families subject to the fiscal and budgetary provisions of the Charter.

Continued to October 21, 2008

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

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

Recommendation of the Rules Committee

**080616 [Appointment of Independent Hearing Officer for Local Enforcement Agency]
Supervisor Duffy**

Ordinance amending the San Francisco Health Code by adding Sections 315, 318, 321, 323, 324, 327, 330, 333, 335, 337, 339, and 341 to authorize the appointment of an Independent Hearing Officer from the San Francisco Rent Board to conduct Local Enforcement Agency Hearings brought pursuant to the State Public Resources Code; establish procedures and qualifications for the appointment, and establish hearing procedures, cost recovery, and bases for hearing officer disqualification.

PASSED ON FIRST READING by the following vote:

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

From the Rules Committee Without Recommendation

081162 [Appointment, Veterans Affairs Commission, Wallace Levin]

Motion appointing Wallace Levin, term ending January 31, 2012, to the Veterans Affairs Commission.

Wallace Levin, succeeding himself, term expired, Seat 3, must be an at-large appointment, for four-year term ending January 31, 2012.

Motion No. M08-152

APPROVED by the following vote:

Ayes: 7 - Alioto-Pier, Chu, Duffy, Elsbernd, Maxwell, Peskin, Sandoval

Noes: 3 - Ammiano, Daly, Mirkarimi

Excused: 1 - McGoldrick

081243 [Appointment, Veterans Affairs Commission, Stephen Noetzel]

Motion appointing Stephen Noetzel, term ending January 31, 2012, to the Veterans Affairs Commission.

Stephen Noetzel, succeeding Wallace Levin, term expired, Seat 3, must be an at-large appointment, for four-year term ending January 31, 2012.

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

Ayes: 9 - Alioto-Pier, Ammiano, Chu, Duffy, Elsbernd, Maxwell, Mirkarimi, Peskin, Sandoval

Noes: 1 - Daly

Excused: 1 - McGoldrick

SPECIAL ORDER 3:30 P.M - Recognition of Commendations**Privilege of the Floor**

Supervisor Maxwell, 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, Chu, Daly, Duffy, Elsbernd, Maxwell, Mirkarimi, Peskin, Sandoval

Excused: 1 - McGoldrick

Supervisor Maxwell welcomed, introduced and presented a Certificate of Honor to John Greenberg in recognition of his dedicated service to the Potrero Hill Recreation Center.

Supervisor Maxwell welcomed, introduced and presented a Certificate of Honor to members of the Junior League of San Francisco in recognition of their upcoming 100 year celebration of service.

SPECIAL ORDER 4:00 P.M.

Supervisor Daly was noted present at 3:55 p.m.

Supervisor Ammiano was noted absent at 4:05 p.m.

081171 [Public Hearing - Appeal of Categorical Exemption from Environmental Review for 800-808 Lyon Street/1980-1998 Golden Gate Avenue]

Hearing of persons interested in or objecting to the decision of the Planning Department dated September 2, 2008, (Case No. 2008.1009E) (Building Permit Application No. 2008/01/28/3333) is exempt from environmental review under Categorical Exemption, [State CEQA Guidelines, Section 15301 Class 1]. The project involves the removal of a rear deck and stairs from the property at 1980-1998 Golden Gate Avenue that currently encroaches on the side yard of the property at 800-808 Lyon Street and includes the installation of a new fire escape at the front facade of 1980-1998 Golden Gate Avenue. (Appellants: Raquel Fox of the Tenderloin Housing Clinic, Inc. on behalf of the tenants at 800-808 Lyon Street, 1998 Golden Gate Avenue and 1960 Golden Gate Avenue.)

(Filed September 3, 2008; Companion to Files 081172, 081173, 081174; District 5.)

The President inquired as to whether any member of the public wished to address the Board members.

Raquel Fox, Attorney for the appellant, Tenderloin Housing Clinic

Joe O'Donoghue; support of the appellant

Marianne Beck; support of the appellant

John Tamin; support of the appellant

Male speaker; support of the appellant

Curt Mueller; support of the appellant

Male speaker; support of the appellant

Jason Thrupp; support of the appellant

Ryan Macauley; support of the appellant

Viktoriya Wise and Matt Winthrop, representatives of the Planning Department, reviewed with Board the Planning Department's recommendations.

Pat Bustavich; Representative for the project sponsor

Rebuttal Period:

Raquel Fox, Attorney for the appellant

Heard at a public hearing.

The President declared the public hearing closed.

FILED.

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the Categorical Exemption from Environmental Review described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be approved.)

081172 [Affirming the categorical exemption issued for the 800-808 Lyon Street/1980-1988 Golden Gate Avenue project]

Motion affirming the determination by the Planning Department that the 800-808 Lyon Street/1980-1988 Golden Gate Avenue project is categorically exempt from environmental review under the California Environmental Quality Act.

Supervisor Mirkarimi, seconded by Supervisor Sandoval, moved to table File No. 081172 and approve File Nos. 081173 and 081174.

The previous motion failed by the following vote:

Ayes: 3 - Daly, Mirkarimi, Sandoval

Noes: 6 - Alioto-Pier, Chu, Dufty, Elsbernd, Maxwell, Peskin

Absent: 1 - Ammiano

Excused: 1 - McGoldrick

Motion No. M08-151

APPROVED by the following vote:

Ayes: 6 - Alioto-Pier, Chu, Dufty, Elsbernd, Maxwell, Peskin

Noes: 3 - Daly, Mirkarimi, Sandoval

Absent: 1 - Ammiano

Excused: 1 - McGoldrick

081173 [Disapproving the categorical exemption issued for the 800-808 Lyon Street/1980-1988 Golden Gate Avenue project]

Motion disapproving the determination by the Planning Department that the 800-808 Lyon Street/1980-1988 Golden Gate Avenue project is categorically exempt from environmental review under the California Environmental Quality Act.

TABLED by the following vote:

Ayes: 6 - Alioto-Pier, Chu, Dufty, Elsbernd, Maxwell, Peskin

Noes: 3 - Daly, Mirkarimi, Sandoval

Absent: 1 - Ammiano

Excused: 1 - McGoldrick

081174 [Preparation of findings related to the 800-808 Lyon Street/1980-1988 Golden Gate Avenue project]

Motion directing the Clerk of the Board to prepare findings related to the appeal of the determination by the Planning Department that the project at 800-808 Lyon Street/1980-1988 Golden Gate Avenue is exempt from environmental review under the California Environmental Quality Act.

Motion No. M08-150

APPROVED by the following vote:

Ayes: 6 - Alioto-Pier, Chu, Dufty, Elsbernd, Maxwell, Peskin

Noes: 3 - Daly, Mirkarimi, Sandoval

Absent: 1 - Ammiano

Excused: 1 - McGoldrick

COMMITTEE REPORTS

**080162 [Disclosure of lobbying by campaign consultants]
Supervisors Peskin, Daly**

Ordinance amending Chapter 1 of Article II of the Campaign and Governmental Conduct Code by amending Section 2.117 to require campaign consultants to disclose lobbying contacts with any officer of the City and County.

PASSED ON FIRST READING by the following vote:

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

**081008 [Residential mental health treatment for youth in foster care]
Supervisors Maxwell, Duffy**

Ordinance amending the San Francisco Administrative Code by adding Sections 5.400 and 5.405 creating the San Francisco Task Force on Residential Treatment for Youth in Foster Care and providing for its expiration absent reauthorization by the Board of Supervisors.

PASSED ON FIRST READING by the following vote:

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

**081061 [Amending individual expenditure ceilings for partial public financing program]
Supervisor Daly**

Ordinance amending the Campaign and Governmental Conduct Code by amending Section 1.134.5 to modify the calculation governing when a publicly financed candidate may access additional public funds.

PASSED ON FIRST READING by the following vote:

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

**081237 [Appointments, Treasury Oversight Committee, Dr. Don Griffin, Ben Rosenfield, Todd Rydstrom]
Supervisor Peskin**

Resolution appointing Dr. Don Griffin, Ben Rosenfield, Todd Rydstrom, terms ending June 5, 2009, to the Treasury Oversight Committee.

Resolution No. 417-08

ADOPTED by the following vote:

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

- 081196 [Appropriating \$40,520,000 of 2008 Clean and Safe Park Bond proceeds for capital improvements for the Recreation and Park Department and Port Commission in Fiscal Year 2008-2009]**
Supervisors Peskin, Elsbernd, Chu, Mirkarimi

Ordinance appropriating \$40,520,000 of 2008 Clean and Safe Park Bond sale proceeds fund the improvement and construction at various recreation and park facilities, including \$36,875,562 in the Recreation and Park Department and \$3,644,438 in the Port Commission for Fiscal Year 2008-2009.

(Fiscal Impact.)

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

PASSED ON FIRST READING by the following vote:

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

- 081236 [Appropriating \$130,462.77 of unappropriated fund balance for the Pier 43 Bay Trail Link in the Port of San Francisco for Fiscal Year 2008-2009]**
Supervisors Peskin, Elsbernd

Ordinance appropriating \$130,462.77 of unappropriated fund balance for the construction of the Pier 43 Bay Trail Link public promenade from Powell to Taylor streets in the Port of San Francisco for Fiscal Year 2008-2009.

PASSED ON FIRST READING by the following vote:

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

- 081127 [PG&E rate increases]**
Supervisors Peskin, Dufty

Resolution establishing the City's support for affordable rates for PG&E customers and directing the City Attorney and the Public Utilities Commission to participate in PG&E rate proceedings to advocate for reasonable rates.

Resolution No. 415-08

ADOPTED by the following vote:

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

ROLL CALL FOR INTRODUCTIONS

PUBLIC COMMENT

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

*Abdullah Megahed; expressed concern with issues relating to war
James Chaffee; expressed concern with issues relating to the SF Public Library
Richard McRee; expressed concern with issues relating to his patent for the design for Sigmund Stern Grove and with the time allotted for public comment
Walter Paulson; expressed in song certain issues with the renovating of the Tenderloin
Cecil Mills; expressed concern with issues relating to the labeling of gasoline with the amount of profits made by oil corporations and issues relating to global warming*

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.

Supervisor Daly was noted absent at 3:45 p.m.

081255 [Conflict Resolution Day - October 16, 2008]

Supervisor Daly

Resolution declaring October 16th "Conflict Resolution Day", to be recognized in San Francisco for the purpose of fostering awareness and use of conflict resolution tools within our schools and communities.

Resolution No. 416-08

ADOPTED

080781 [Final Map - 580 Washington Street]

Motion approving Final Map 5025, a 9 Residential Unit and 3 Commercial Unit Mixed-Use Condominium Project, located at 580 Washington Street being a subdivision of Lot 029 in Assessors Block No. 0196 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1. (Public Works Department)

(DPW Order 177,782; District 3.)

Motion No. M08-149

APPROVED

The foregoing items were acted upon by the following vote:

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

OFF-AGENDA LEGISLATION

Ordinances

**080379 [Regulating the conditions for purchasing prior public service credit through the Retirement System]
Supervisor Elsbernd**

Ordinance amending Administrative Code Sections 16.55-1 through 16.55-4 to allow miscellaneous members of the San Francisco Employees' Retirement System to purchase credit for prior public service at any time before retirement, to require the Retirement System to calculate the cost to purchase that service credit based on the normal cost percentage for that service as determined by the actuary, to require the member to pay for all of the normal cost for the service credit, to allow eligible members to choose to receive prorated service credit if they terminate an installment agreement to purchase prior public service, and to conform to changes in the applicable law and Retirement System practices.

3/18/08, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee. 3/24/08 - Sent referral letter to the Retirement System.

8/22/08, FILED PURSUANT TO RULE 5.37.

10/7/08, REACTIVATED PURSUANT TO RULE 5.23. Supervisor Elsbernd requested this matter be reactivated.

10/14/08 - Transmitted to the Employees' Retirement System for review.

10/20/08 - Response received from Employees' Retirement System.

10/7/08, ASSIGNED to Government Audit and Oversight Committee.

**081118 [Administrative Code - Community Preservation and Blight Reduction Act]
Supervisor Sandoval**

Ordinance amending the San Francisco Administrative Code by adding Chapter 80, Sections 80.1 through 80.10, to establish a uniform procedure for enforcement of blight-related provisions of existing municipal code sections and to provide for: additional definition of blight conditions subject to enforcement, administrative penalties for failure to abate blight, summary abatement for certain blighted conditions, an administrative process for contesting the Director's declaration of blight, and civil penalties and injunctive remedies for continuing violations; and making environmental findings.

8/12/08, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 9/11/2008.

8/19/08, REFERRED TO DEPARTMENT. Referred to City Attorney to approve as to form.

10/7/08, SUBSTITUTED. Supervisor Sandoval submitted a substitute Ordinance bearing new title.

10/7/08, ASSIGNED to Land Use and Economic Development Committee.

10/8/08, REFERRED TO DEPARTMENT. Referred to Planning Department for environmental review and Department of Public Works for informational purposes.

**081270 [Accept and Expend Public Safety Interoperable Communications Grant and Amend Annual Salary Ordinance, FY 2008-2009 - \$14,941,976.82]
Supervisor Alioto-Pier**

Ordinance authorizing the Department of Emergency Management (DEM), as fiscal agent for multiple local jurisdictions, to retroactively accept and expend a Public Safety Interoperable Communications grant in the amount of \$14,941,976.82 from the United States Department of Commerce and to provide \$451,122 as San Francisco's portion of required matching funds; and amending Ordinance No. 141-08 (Annual Salary Ordinance, FY 2008-2009) to reflect the addition of two grant-funded positions (1.0 FTE - 0941 Manager VI and 1.0 FTE - 0931 Manager III) in the Department of Emergency Management.

(Fiscal Impact.)

10/7/08, RECEIVED AND ASSIGNED to Budget and Finance Committee.

**081272 [Building Code - Bernal Heights South Slope Protection Area]
Supervisor Ammiano**

Ordinance amending the San Francisco Building Code by adding Section 106A.4.1.3 to create a Bernal South Slope Protection Area and require the Structural Advisory Committee to review and make recommendations on specified permit applications within that area, which is generally bounded by the western side of Roscoe Street and the eastern side of Moultrie Street in Bernal Heights, including the undeveloped extensions of Roscoe Street, Porter Street, Bache Street, Andover Street, and Moultrie Street, and to require mandatory denial of the permit by the Director of Building Inspection under specified circumstances; amending Section 105A.6.2 to specify the composition of the Structural Advisory Committee for permit applications located within the Bernal South Slope Protection Area; amending Building Code Section 106A.3.2 to require that the applicant for certain permit applications located within the Bernal South Slope Protection Area provide substantial documentation that there exists sufficient infrastructure to support the proposed residential development and that the proposed emergency access routes meet standards in effect at the time of the application; and amending Building Code Section 1704.18 to require special inspections throughout the construction process for sites located within the Bernal South Slope Protection Area.

10/7/08, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 11/6/2008.

**081283 [Approving an Amendment to the Western Addition A-2 Redevelopment Plan to Extend the Redevelopment Agency's Time for Issuing and Repaying Debt and to Suspend the Limit on Total Tax Increment Revenue for Affordable Housing Development]
Supervisor Mirkarimi**

Ordinance approving an amendment to the Western Addition A-2 Redevelopment Plan to extend both the time for issuance of debt and the receipt of tax increment by the San Francisco Redevelopment Agency and to suspend 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.

10/7/08, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

**081285 [Lobbyist Ordinance amendments to regulate permit lobbying]
Supervisors Peskin, Daly**

Ordinance amending Chapter 1 of Article II of the Campaign and Governmental Conduct Code by amending section 2.105 to require registration and disclosure under the Lobbyist Ordinance by persons who lobby the Zoning Administrator, the City Engineer, the County Surveyor, the Bureau Chief of the Department of Public Works' Bureau of Street Use and Mapping, elected officials, or the Director, Assistant Director or Deputy Director of the Planning Department, Department of Building Inspection or Department of Public Works regarding permits, parcel maps or subdivision tract maps.

10/7/08, RECEIVED AND ASSIGNED to Rules Committee.

**081286 [Authorizing the Real Estate Division to perform and award contracts for public work under a specified procedure]
Supervisor Peskin**

Ordinance adding San Francisco Administrative Code Chapter 6, Section 6.70, to authorize the Real Estate Division to perform and award contracts for facilities public work through competition among a pre-qualified pool of contractors.

10/7/08, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

**081288 [Zoning - Providing for a Five Feet Special Height Exception for Active Ground Floor Uses in Neighborhood Commercial Districts]
Supervisor Sandoval**

Ordinance amending the San Francisco Planning Code by amending Section 263.20 to provide for a special height exception for ground floor uses in the Neighborhood Commercial Districts; amending Sections 703.1, 710.1, 711.1, 712.1, 713.1, 715.1, 716.1, 717.1, 718.1, 719.1, 720.1, 721.1, 723.1, 724.1, 725.1, 726.1, 727.1, 728.1, 729.1, 730.1, 731.1, 732.1, to refer to this special height exception; adopting findings, including environmental findings and findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan.

10/7/08, FILED. Duplicate of File No. 081100.

10/7/08, ASSIGNED UNDER 30 DAY RULE to Government Audit and Oversight Committee, expires on 11/6/2008. 10/14/08 - Referred to Planning for review.

**081289 [Public Employment - Port of San Francisco (PRT)]
Mayor**

Ordinance amending Ordinance No. 141-08 (Annual Salary Ordinance FY 2008-2009) to reflect the addition of one position (0.75 FTE) Class 5502, Project Manager 1 at the Port of San Francisco (PRT).

10/7/08, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

Resolutions

**081271 [Accept - Expend Federal grant, Port - \$1,522,536]
Supervisor Alioto-Pier**

Resolution authorizing the San Francisco Port Commission to accept and expend a grant in the amount of \$1,522,536 from the Department of Homeland Security, Infrastructure Protection Program for security enhancements at the Port of San Francisco.

10/7/08, RECEIVED AND ASSIGNED to Public Safety Committee.

**081273 [Lease of Real Property at 25 Van Ness, Lower Level, to New Conservatory Theatre Center]
Supervisors Ammiano, Duffy**

Resolution authorizing the lease of approximately 12,792 rentable square feet of space to New Conservatory Theatre Center, a California non-profit corporation, in the lower level of 25 Van Ness, San Francisco.

10/7/08, RECEIVED AND ASSIGNED to Budget and Finance Committee.

**081280 [Accept and Expend State Coastal Commission Grant Funds - \$185,000]
Supervisor Chu**

Resolution authorizing the San Francisco Public Utilities Commission to accept and expend a State Coastal Commission Grant in the amount of \$185,000.

10/7/08, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

**081281 [Application to Amend San Francisco's Priority Development Area Designation]
Supervisors Elsbernd, Chu**

Resolution authorizing the San Francisco County Transportation Authority to apply on behalf of the City and County of San Francisco for amendments to the Priority Development Area Designation by the Association of Bay Area Governments.

10/7/08, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

**081282 [Urging City Departments to develop a Home Improvement Plan for the Bayshore Corridor]
Supervisor Maxwell**

Resolution urging the Planning Department, Office of Economic and Workforce Development, and Redevelopment Agency to develop plans and programs to establish a Green and Sustainable Home Improvement District for the Bayshore Corridor area in Bayview Hunters Point.

10/7/08, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

**081284 [Intent to change the name of Avery Street between Post Street and Geary Boulevard to Boswell Way]
Supervisor Mirkarimi**

Resolution declaring the Board of Supervisors' intention to change the name of Avery Street between Geary Boulevard and Post Street to Boswell Way in recognition of Reverend Hamilton T. Boswell, the longtime pastor of the Jones Memorial United Methodist Church and advocate for San Francisco's African American community.

10/7/08, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

**081287 [Airport Refunding Bonds - \$2,540,000,000]
Supervisor Peskin**

Resolution approving the issuance of up to \$2,540,000,000 aggregate principal amount of San Francisco International Airport Second Series Revenue Refunding Bonds for the purpose of refinancing bonds and subordinate bonds of the Airport Commission; and approving certain related matters.

(Fiscal Impact.)

10/7/08, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

**081290 [Disposition and Development Agreement for the Old Mint]
Mayor**

Resolution approving and authorizing an amendment to the Old Mint Disposition and Development Agreement between the City and County of San Francisco and the San Francisco Museum and Historical Society to extend the dates for performance.

10/7/08, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

**081292 [Ground Lease of Redevelopment Agency Land to Mercy Housing California, XLI - 227-255 Seventh Street]
Supervisor Daly**

Resolution authorizing a ground lease with the Redevelopment Agency of the City and County of San Francisco to lease a portion of the Site located at 227-255 Seventh Street for the development commonly known as Westbrook Plaza Housing (the "Project"), with Mercy Housing California XLI, a California Limited Partnership, for 60 years for the purpose of developing and operation of housing for low income families, South of Market Redevelopment Project Area.

10/7/08, RECEIVED AND ASSIGNED to Board of Supervisors.

**081294 [Ground Lease of Redevelopment Agency Land to San Francisco Medical Center Outpatient Improvement Programs, Inc. - 227-255 Seventh Street]
Supervisor Daly**

Resolution authorizing a Ground Lease with the San Francisco Redevelopment Agency of the City and County of San Francisco to lease a portion of the site located at 227-255 Seventh Street, Assessor's Block 3731, Lots 126 and 154 for the development and operation of a health clinic, with San Francisco Medical Center Outpatient Improvement Programs, Inc., a California nonprofit public benefit corporation, d/b/a South of Market Health Center; South of Market Redevelopment Project Area.

10/7/08, RECEIVED AND ASSIGNED to Board of Supervisors.

**081296 [Ground Lease of Redevelopment Agency Land for Armstrong Place Senior Housing]
Supervisor Maxwell**

Resolution approving the Redevelopment Agency of the City and County of San Francisco's Ground Lease (the "Ground Lease") for Block 5421, Lot 13 commonly known as Armstrong Place Senior Housing (the "Project"), to Armstrong Place Associates, a California Limited Partnership, for 75 years for the purpose of developing housing for very low income senior households.

10/7/08, RECEIVED AND ASSIGNED to Board of Supervisors.

**081298 [Ground Lease of Redevelopment Agency Land for Octavia Court Rental Housing - 301 Oak Street/261 Octavia Boulevard]
Supervisor Mirkarimi**

Resolution approving the Redevelopment Agency of the City and County of San Francisco's lease of land at Assessor's Block 839, Lot 29, commonly known as 301 Oak Street/261 Octavia Boulevard, southwest corner of Oak Street and Octavia Boulevard, San Francisco, California (the "Site") in San Francisco's Central Freeway corridor, to OCTAVIA COURT, INC., a California nonprofit public benefit corporation, for 75 years for the purpose of developing housing for very low-income developmentally disabled adult households.
10/7/08, RECEIVED AND ASSIGNED to Board of Supervisors.

**081302 [International Credit Union Day - October 16, 2008]
Supervisor Peskin**

Resolution declaring October 16, 2008 International Credit Union Day in San Francisco.
10/7/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**081303 [Grant funds to support worker health and safety - \$32,249]
Supervisor Chu**

Resolution authorizing the San Francisco Department of Public Health (DPH) to accept and expend retroactively a grant in the amount of \$32,249 from the Chinese Progressive Association for a project entitled "Worker Health and Safety in Chinatown Restaurants," for the period of August 1, 2008 through July 31, 2010.
10/7/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**081304 [State grant to support the High Risk (Pest Exclusion) program - \$44,195]
Supervisor Alioto-Pier**

Resolution authorizing the San Francisco Department of Public Health (DPH), to retroactively accept and expend funds from the California Department of Food and Agriculture (CDFA) in the amount of \$44,195 in support of the High Risk (Pest Exclusion) Program, for the period of July 1, 2008 through June 30, 2009.
10/7/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**081305 [Landmark designation nomination for the California Buckeye tree located behind 757 Pennsylvania Street]
Supervisor Maxwell**

Resolution of intent initiating the nomination of the California Buckeye tree (Aesculus Californica) located behind 757 Pennsylvania Street, (Assessor's Block 416B, Lot 11) for landmark tree status pursuant to Public Works Code Section 810(b), acknowledging temporary designation pursuant to Public Works Section 810(d), and authorizing other official acts in furtherance of the Resolution.
10/7/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**081306 [Commending Jazzie Collins]
Supervisor Daly**

Resolution recognizing Jazzie Collins for her dedication and leadership in improving conditions for SoMa residents and those of San Francisco's diverse communities.

10/7/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Requests for Hearing

**081080 [Sexually Transmitted Disease morbidity and transmission rates update]
Supervisor Dufty**

Hearing to receive an update on the morbidity and transmission rates of sexually transmitted disease from Sexually Transmitted Disease Prevention and Control Services of the Department of Public Health.

10/7/08, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

**081267 [School of the Arts Civic Center Campus]
Supervisor Dufty**

Hearing on the report of the Office of the Legislative Analyst entitled School of the Arts Civic Center Campus OLA No. 012-07. The hearing will include discussion on the efforts to create a SFUSD School of the Arts campus in the Civic Center area.

10/7/08, RECEIVED AND ASSIGNED to City and School District Select Committee.

**081268 [Garbage Receptacles]
Supervisor Dufty**

Hearing on the report of the Office of the Legislative Analyst entitled Garbage Receptacles OLA No. 010-08. The hearing will include discussion on existing procedures, the feasibility of a waiver process and receptacle storage.

10/7/08, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

**081269 [San Francisco Unified School District (SFUSD) Strategic Plan]
Supervisor Dufty**

Hearing on the strategic plan for the San Francisco Unified School District (SFUSD).

10/7/08, RECEIVED AND ASSIGNED to City and School District Select Committee.

**081291 [Hearing - Ground Lease of Redevelopment Agency Land to Mercy Housing California, XLI - 227-255 Seventh Street]
Supervisor Daly**

Hearing of persons interested in or objecting to proposed resolution authorizing a ground lease with the Redevelopment Agency of the City and County of San Francisco to lease a portion of the Site located at 227-255 Seventh Street for the development commonly known as Westbrook Plaza Housing (the "Project"), with Mercy Housing California XLI, a California Limited Partnership, for 60 years for the purpose of developing and operation of housing for low income families, South of Market Redevelopment Project Area.

10/7/08, SCHEDULED FOR PUBLIC HEARING. To Board as a Special Order on October 21, 2008 at 3:00 p.m.

**081293 [Hearing - Ground Lease of Redevelopment Agency Land to San Francisco Medical Center Outpatient Improvement Programs, Inc. - 227-255 Seventh Street]
Supervisor Daly**

Hearing of persons interested in or objecting to proposed resolution authorizing a Ground Lease with the San Francisco Redevelopment Agency of the City and County of San Francisco to lease a portion of the site located at 227-255 Seventh Street, Assessor's Block 3731, Lots 126 and 154 for the development and operation of a health clinic, with San Francisco Medical Center Outpatient Improvement Programs, Inc., a California nonprofit public benefit corporation, d/b/a South of Market Health Center; South of Market Redevelopment Project Area.

10/7/08, SCHEDULED FOR PUBLIC HEARING. To Board as a Special Order on October 21, 2008 at 3:00 p.m..

**081295 [Hearing - Ground Lease of Redevelopment Agency Land for Armstrong Place Senior Housing]
Supervisor Maxwell**

Hearing of persons interested in or objecting to proposed resolution approving the Redevelopment Agency of the City and County of San Francisco's Ground Lease (the "Ground Lease") for Block 5421, Lot 13 commonly known as Armstrong Place Senior Housing (the "Project"), to Armstrong Place Associates, a California Limited Partnership, for 75 years for the purpose developing housing for very low income senior households.

10/7/08, SCHEDULED FOR PUBLIC HEARING. To Board as a Special Order on October 21, 2008 at 3:00 p.m..

**081297 [Hearing - Ground Lease of Redevelopment Agency Land for Octavia Court Rental Housing - 301 Oak Street/261 Octavia Boulevard]
Supervisor Mirkarimi**

Hearing of persons interested in or objecting to proposed resolution approving the Redevelopment Agency of the City and County of San Francisco's lease of land at Assessor's Block 839, Lot 29, commonly known as 301 Oak Street/261 Octavia Boulevard, southwest corner of Oak Street and Octavia Boulevard, San Francisco, California (the "Site") in San Francisco's Central Freeway corridor, to OCTAVIA COURT, INC., a California nonprofit public benefit corporation, for 75 years for the purpose of developing housing for very low-income developmentally disabled adult households.

10/7/08, SCHEDULED FOR PUBLIC HEARING. To Board as a Special Order on October 21, 2008 at 3:00 p.m.

- 081301** [Committee of the Whole - Hearing on the impacts of the economic crisis on San Francisco and the development of a blueprint for economic recovery]
Supervisors Peskin, Elsbernd, Maxwell, Chu, Mirkarimi, Daly, Dufty, Sandoval, Alioto-Pier, Ammiano

Hearing to consider the City's resources and plan to address the economic crisis, to be held on October 21, 2008.

10/7/08, SCHEDULED FOR PUBLIC HEARING. Board to sit as a Committee of the Whole on October 21, 2008.

Motion

- 081300** [Committee of the Whole - October 21, 2008 regarding the impacts of the economic crisis on San Francisco and the development of a blueprint for economic recovery]
Supervisors Peskin, Elsbernd, Maxwell, Chu, Mirkarimi, Daly, Dufty, Sandoval, Alioto-Pier, Ammiano

Motion scheduling the Board to sit as a Committee of the Whole to review the City's resources and plan to address the economic crisis, to be held on October 21, 2008.

10/7/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

PROPOSED ORDINANCES

- 080941** [Settlement of Lawsuit - CCSF, et al., v. Factory Mutual Insurance Company, et al. - \$2,750,000]
Ordinance authorizing settlement of the lawsuit filed by the City and County of San Francisco against Factory Mutual Insurance Company and Bombardier Transportation, Inc. for \$2,750,000 and other consideration; the lawsuit was filed on December 15, 2004, in The United States District Court, Northern District of California, Case No. C 04-5307 FMS; entitled City and County of San Francisco, et al., v. Factory Mutual Insurance Company, et al. (Airport Commission)
9/22/08, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

- 080942** [Approval of contract pursuant to settlement; Waiver of competitive bidding - \$56,500,000]
Ordinance waiving competitive bid requirements and approving the award of an Operations and Maintenance Contract ("O&M") with Bombardier Transportation (Holdings) USA, Inc. (Bombardier) to operate and maintain the San Francisco International Airport's AirTrain system for five years in the amount of \$56,500,000. (Airport Commission)

(Fiscal Impact.)

9/22/08, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

- 081068** [Settlement of City's Lawsuit Against Defendant EnCana Corp - \$265,695.80]
Ordinance authorizing partial settlement of the lawsuit entitled City and County of San Francisco v. Sempra Energy, et al. (JCCP No. 4221-00023), filed by the City and County of San Francisco on June 8, 2004, and coordinated as Natural Gas Anti-Trust Cases I, II, III & IV in the Superior Court of the State of California for the County of San Diego (JCCP Nos. 4221, 4224, 4226, and 4228); the settlement provides approximately \$265,695.80 to the City from defendant EnCana Corp. (City Attorney)
9/22/08, RECEIVED AND ASSIGNED to Rules Committee.

**081216 [Reward for Information about underpayment of property tax]
Supervisor McGoldrick**

Ordinance approving Assessor's recommended reward for information that led to detection of underpayment of property tax from unreported change of ownership.

9/22/08, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

081259 [Settlement of Lawsuit - Karen Douma - \$1,695,100.00]

Ordinance authorizing settlement of the lawsuit filed by Karen Douma, individually, Karen Douma, as Personal Representative of the Estate Of David Douma, deceased, Jason Douma, individually, Pamela Fay, individually, and David Douma, Jr., individually against SF American Taxicab, Inc., Autos For Hire Rpg, Inc., Alem Belai, City And County Of San Francisco, Regents of The University of California, DOES 1 to 100, jointly and severally for \$1,695,100.00; the lawsuit was filed on August 10, 2007 in San Francisco Superior Court, Case No. CGC-07-466068; entitled Karen Douma, et al., v. SF American Taxicab, Inc., et al. (City Attorney)

9/23/08, RECEIVED AND ASSIGNED to Rules Committee.

081260 [Settlement of Lawsuit - James R. Figueroa - \$65,000]

Ordinance authorizing settlement of James R. Figueroa's claims in the lawsuit filed by James R. Figueroa against the City and County of San Francisco for \$65,000; the lawsuit was filed on September 26, 2007, in the San Francisco Superior Court, Case No. 467599, entitled James Figueroa v. City and County of San Francisco dba Department of Public Works. (City Attorney)

9/23/08, RECEIVED AND ASSIGNED to Rules Committee.

081261 [Settlement of Lawsuit - Husam Sajjan - \$100,000.00]

Ordinance authorizing settlement of the lawsuit filed by Husam Sajjan against the City and County of San Francisco for \$100,000.00; the lawsuit was filed on December 12, 2006 in the San Francisco Superior Court, Case No. 458649; entitled Husam Sajjan v. City and County of San Francisco, et al. (City Attorney)

9/23/08, RECEIVED AND ASSIGNED to Rules Committee.

081262 [Settlement of Lawsuit - Estate of Nicholas Torrico, et al. - \$150,000.00]

Ordinance authorizing settlement of the lawsuit filed by the Estate of Nicholas Torrico, et al. against the City and County of San Francisco for \$150,000.00; the lawsuit was filed on July 13, 2007 in United States District Court, Case No. C07-3624 JCS; entitled Estate of Nicholas Torrico, et al., v. City and County of San Francisco, et al. (City Attorney)

9/29/08, RECEIVED AND ASSIGNED to Rules Committee.

081263 [Approval of Settlement Agreement before the Federal Energy Regulatory Commission]

Ordinance approving a settlement agreement related to the electricity crisis of 2000-2001 in proceedings before the Federal Energy Regulatory Commission and accepting distribution of settlement funds collected by FERC. (City Attorney)

9/29/08, RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED RESOLUTIONS

- 080840 [Designating and describing amended Treasure Island/Yerba Buena Island Survey Area]**
Resolution designating and describing the amended Treasure Island/Yerba Buena Island Survey Area in accordance with California Community Redevelopment Law. (Treasure Island Development Authority)
9/19/08, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.
- 080946 [Airport Concession Lease]**
Resolution approving the Lease Agreements for the Rental Car Center Operations between The Hertz Corporation; Avis Budget Car Rental, LLC; EAN, LLC; DTG Operations, Inc.; and Fox Rent a Car, Inc., and the City and County of San Francisco, acting by and through its Airport Commission. (Airport Commission)
9/23/08, RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 081264 [Agreement to Purchase Property in Tuolumne County - \$70,000]**
Resolution approving and authorizing an agreement for the purchase of approximately 5.61 acres of unimproved land near Moccasin in Tuolumne County, for the protection of water quality for a purchase price of \$70,000; adopting findings that the conveyance is exempt from Environmental Review and is consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; and authorizing the Director of Property to execute documents, make certain modifications and take certain actions in furtherance of this resolution. (Real Estate Department)
9/24/08, RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 081265 [Approval of the Substance Abuse and Crime Prevention Act of 2000 and the Substance Abuse Offender Treatment Program Implementation Plan]**
Resolution authorizing adoption of the San Francisco County Plan for the Substance Abuse and Crime Prevention Act of 2000 and the Substance Abuse Offender Treatment Program for Fiscal Year 2008-2009. (Public Health Department)
9/26/08, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.
- 081266 [WSIP Agreement No. CS-914, Bay Division Regional Construction Management Services]**
Resolution approving the selection of Jacobs Engineering; awards Water System Improvement Program-funded Agreement No. CS-914, Bay Division Regional Construction Management Services. (Public Utilities Commission)

(Fiscal Impact.)
9/26/08, RECEIVED AND ASSIGNED to Budget and Finance Committee.

Requests Granted

From: Supervisor Maxwell

To: Director, Department of the Environment

Requesting/Inquiring: Requesting the following information on its San Francisco Energy Watch Program:

- 1) By fiscal year, report the number of small businesses who have had free onsite assessments conducted by the program since its inception. Provide the addresses for these businesses.*
- 2) By fiscal year, report the number of small businesses who have taken advantage of the reduced-cost installation of energy-saving equipment through the program since its inception. Provide the addresses for these businesses.*
- 3) By fiscal year, report the number of multi-family residential properties who have had free onsite assessments conducted by the program since its inception. Provide the addresses for these multi-family residential properties.*
- 4) By fiscal year, report the number of multi-family residential properties who have taken advantage of the reduced-cost installation energy-saving equipment through the program since its inception. Provide the addresses for these multi-family residential properties.*

Supervisor Maxwell requests this information by Tuesday, November 4, 2008.

From: Supervisor Elsbernd

To: Controller

Requesting/Inquiring: Requesting the Controller's Office to provide the following information:

- 1) A Statement of Revenue and Expenditures for the Golf Fund - This statement should cover every fiscal year of the Golf Fund's existence, and detail at a line item level, the budgeted and actual revenues and expenditures of the fund, course by course.*
- 2) Budgeted Position Detail for the Golf Fund - For each year of the Golf Fund's existence, a list of the budgeted FTE by job classes for each course.*
- 3) Rounds Played - Final year-end rounds played at each course for each year those figures are available, up to 10 years retrospectively.*
- 4) Overhead - A description of how department overhead is charged to each golf course, and what department administrative expenditures are included in that overhead rate. Also, a description of COWCAP, how it is charged to each course and what types of city administrative expenditures are included in that overhead rate.*

From: Supervisor Chu

To: Director, Municipal Transportation Agency

Requesting/Inquiring: Requesting the Municipal Transportation Agency to study the feasibility of a 3-way stop at 32nd Avenue and Vicente Street, ad follow-up on previous STOP sign requests:

STOP signs:

Escolta / 33rd Avenue

Irving and La Playa

Irving and 35th Avenue

Irving / 28th Avenue

Judah / 20th Avenue

Kirkham / 38th Avenue

Kirkham / 39th Avenue

*Lincoln / 34th Avenue
Moraga / 31st Avenue
Moraga / 46th Avenue
Noriega / 20th Avenue
Noriega / 32nd Avenue
Noriega / 33rd Avenue
Noriega / 36th Avenue
Ortega / 28th Avenue
Ortega / 40th Avenue
Rivera / 22nd Avenue
Rivera / 44th Avenue
Ulloa / 26th Avenue
Ulloa / 46th Avenue
Yorba / 37th Avenue*

In Memoriams

*Chiyoe Taura - Supervisor Peskin
Admiral Thomas J. Patterson - Supervisor Peskin
Robert "Bob" William Melbourne IV - Supervisor Dufty
Kirsten Brydum - Supervisors Mirkarimi and Dufty
P.J. Corkery - Supervisor Dufty
Mary Josephine Lammers - Supervisor Alioto-Pier
Vera Whelan - Supervisor Elsbernd*

ADJOURNMENT

There being no further business the Board adjourned at the hour of 4:44 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 November 18, 2008.

A handwritten signature in black ink, appearing to read "Angela Calvillo", is written over a horizontal line.

Angela Calvillo
Clerk of the Board