

# 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 28, 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, Mendoza, Mar

##### **City Operations and Neighborhood Services Committee**

Supervisors Chu, McGoldrick, Elsbernd

##### **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

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 35

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

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## ROLL CALL AND PLEDGE OF ALLEGIANCE

*The meeting was called to order at 2:05 p.m. On the call of the roll all Supervisors were noted present.*

*There was a quorum present.*

## ROLL CALL AND PLEDGE OF ALLEGIANCE

## CONSENT AGENDA

### Recommendations of the Budget and Finance Committee

**081160 [Appropriating \$86,367,000 of Bond revenue and adopting environmental findings for Crystal Springs Bypass Tunnel at the Public Utilities Commission for Fiscal Year 2008-2009]  
Supervisor McGoldrick**

Ordinance appropriating \$86,367,000 of Proceeds from Sale of Bonds for the Water System Improvement Program's (WSIP) construction of the Crystal Springs Bypass Tunnel Project at the San Francisco Public Utilities Commission for Fiscal Year 2008-2009, placing the entire appropriation on Controller's reserve pending the proceeds of indebtedness, and adopting environmental findings and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1. (Mayor)

(Fiscal Impact.)

**Ordinance No. 247-08  
FINALLY PASSED**

- 081226 [Accept-Expend Metropolitan Transportation Commission Grant and Amendment to the Annual Salary Ordinance, FY 2008-2009]  
Supervisor Alioto-Pier

Ordinance authorizing the Department of the Environment to accept and expend a grant up to the amount of \$210,000 over the next three fiscal years from the Metropolitan Transportation Commission to provide Transportation Demand Management services to employers on behalf of the 511 Regional Rideshare Program, with the City providing 11.47% of the project costs, and amending Annual Salary Ordinance Number 141-08 to reflect the addition of one (1) grant funded position at the Department of the Environment.

Ordinance No. 252-08  
FINALLY PASSED

- 081197 [Transfer of Real Property - 575 Polk Street]  
Mayor

Ordinance authorizing the transfer of responsibilities for the court facilities at 575 Polk Street and the agreement to make ongoing payments of fixed court facility payments equal to \$323,132.00 per year, adjusted by an inflation index, to the State of California pursuant to such transfer.

Ordinance No. 249-08  
FINALLY PASSED

- 081198 [Transfer of Real Property - 400 McAllister Street]  
Mayor

Ordinance authorizing the transfer of responsibilities and the future transfer of fee interest in the court facility located at 400 McAllister Street and the agreement to make ongoing payments of fixed court facility payments equal to \$955,022.00 per year, adjusted by an inflation index, to the State of California pursuant to such transfer.

Ordinance No. 250-08  
FINALLY PASSED

### **Recommendation of the Government Audit and Oversight 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.

Ordinance No. 251-08  
FINALLY PASSED

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

**080883 [Zoning Map - Creating the New Mission-Harrington Special Use District]  
Supervisor Sandoval**

Ordinance amending the San Francisco Planning Code by adding new Section 780.3, creating the Mission-Harrington Special Use District, located at 4550 Mission Street at the intersection with Harrington Street; amending the Table at Section 712, to refer to this new Special Use District; amending the Zoning Maps Special Use District Map SU11, Zoning Map ZN11 and Height and Bulk Map HT11 of the Zoning Map of the City and County of San Francisco, to refer to this new Special Use District; adopting findings, including environmental findings and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1.

**Ordinance No. 253-08  
FINALLY PASSED**

**081161 [Mission Bay North-Acceptance of Land and Improvements for Block N2]**

Ordinance accepting the Mission Bay Block N2 Public Improvements on Third, Fourth, Berry, and King Streets; approving the dedication of the strips of land along the west side of Third Street, East Side of Fourth Street, North side of Berry Street and South Side of King Street for right-of-way purposes; designating street grades and sidewalk widths; accepting the irrevocable offer for the acquisition facilities for public use and maintenance purposes; adopting environmental findings and findings that such actions are consistent with the City's General Plan, eight priority policy findings of City's Planning Code Section 101.1, and the Mission Bay North Redevelopment Plan; accepting Department of Public Works Order No. 177,778; and authorizing official acts in connection with this ordinance. (Public Works Department)

**Ordinance No. 248-08  
FINALLY PASSED**

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

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

## **REGULAR AGENDA**

## **UNFINISHED BUSINESS**

### **Recommendation of the Budget and Finance Committee**

**081085 [Public Employment - Office of the Public Defender]  
Supervisor McGoldrick**

Ordinance amending Ordinance No. 141-08 (Annual Salary Ordinance FY 2008-2009) to reflect the addition of two positions (2.0 FTE) Class 8177 Attorneys (Civil/Criminal) in the Office of the Public Defender (PDR).

(Supervisor Elsbernd dissented in committee.)  
(Fiscal Impact.)

**Ordinance No.** 246-08

**FINALLY PASSED by the following vote:**

Ayes: 7 - Ammiano, Daly, Dufty, Maxwell, McGoldrick, Mirkarimi, Sandoval  
Noes: 4 - Alioto-Pier, Chu, Elsbernd, Peskin

**Recommendation of the Government Audit and Oversight Committee**

**080954 [Planning Code - Amending Article 11 Designation of 690 Market Street]  
Supervisor Peskin**

Ordinance amending the designation of 690 Market Street from "Unrated—Category V" to "Significant—Category II" under Planning Code Article 11; and adopting General Plan, Planning Code Section 101.1(b) and environmental findings.

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

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

**From the Land Use Committee Without Recommendation**

**080436 [Authorizing the passthrough from landlord to residential tenant of fifty percent of water and sewer services cost increases imposed through adoption of water and sewer rates after July 1, 2002, to provide incentives for the conservation of water]  
Supervisors Alioto-Pier, Chu, Elsbernd**

Ordinance amending the San Francisco Administrative Code to encourage water conservation by authorizing landlords to pass through to tenants fifty percent of increased water and sewer bill charges resulting from the adoption of water and sewer rates after July 1, 2002, where specified water conservation devices have been installed in all rental units and common areas of a building and no plumbing leaks exist in the building; and providing for passthrough administration, noticing and enforcement procedures.

*Continued to November 18, 2008*

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

Ayes: 6 - Alioto-Pier, Chu, Dufty, Elsbernd, Maxwell, Mirkarimi  
Noes: 5 - Ammiano, Daly, McGoldrick, Peskin, Sandoval

**NEW BUSINESS**

**Recommendations of the Budget and Finance Committee****081217 [Approval of three contracts for the Department of Public Health]**

Resolution retroactively authorizing the San Francisco Department of Public Health to enter into three contracts providing mental health services for clients in long term care in locked facilities, for pharmacy management services and for fiscal intermediary services related to the San Francisco Mental Health Plan's for Private Provider Network, residential care facilities, and for mental health wraparound services, for the term of October 1, 2008 through June 30, 2013. (Public Health Department)

(Fiscal Impact.)

**Resolution No.** 460-08

**ADOPTED by the following vote:**

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

**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)

**Resolution No.** 454-08

**ADOPTED by the following vote:**

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

**Recommendations of the City Operations and Neighborhood Services Committee****081193 [Prohibiting sale of tobacco products on property owned by or under the control of the City and County of San Francisco]**

**Supervisor McGoldrick**

Ordinance amending the San Francisco Health Code by adding Article 19K, Sections 1010 through 1010.4, to prohibit sales of tobacco products on property owned by or under the control of the City and County of San Francisco.

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

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

**081184 [Urging the State of California to amend the Vehicle Code regarding disabled parking placards]  
Supervisor Alioto-Pier**

Resolution urging the State of California to amend the Vehicle Code to raise fines for counterfeit or misuse of disabled parking placards, strengthen criteria for disabled parking placards eligibility, and requiring photo identification of disabled placard user on placard.

**Resolution No.** 459-08

**ADOPTED by the following vote:**

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

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

**080349 [Zoning Map Amendment - 5050 Mission Street, corner of Seneca Ave]  
Supervisor Sandoval**

Ordinance amending the San Francisco Planning Code by amending Zoning Map ZN 12 of the Zoning Map of the City and County of San Francisco to change the use classification of Block 6969, Lot 11, located at the southwest corner of Mission and Seneca Streets, from RH-1 (Residential, House, One Family) District to NC-3 (Moderate-scale Neighborhood Commercial) District; adopting findings, including environmental findings and findings of consistency the General Plan and the Priority Policies of Planning Code Section 101.1.

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

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

**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)

**Resolution No.** 456-08

**ADOPTED by the following vote:**

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

**081004 [Interim Controls On Major Rights of Way along and near the Southern 19th Avenue Corridor]  
Supervisor Elsbernd**

Resolution adopting more restrictive interim controls for a period of eighteen months that would require conditional use authorization for new residential developments over 20 units or for new commercial or retail developments over 50,000 square feet on both sides of the following rights of way along and near the Southern 19th Avenue Corridor: commencing at Lake Merced Boulevard where it begins at the County line, north along Lake Merced Boulevard to Sloat Boulevard, east along Sloat Boulevard to 19th Avenue, north along 19th Avenue to Taraval Street, east on Taraval Street to Claremont, south on Claremont to Portola, southwest on Portola to Junipero Serra Boulevard, and south on Junipero Serra Boulevard to the County line; adopting environmental findings and a determination of consistency with the priority policies of Planning Code Section 101.1.

**Resolution No.** 457-08

**ADOPTED by the following vote:**

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

**081005 [19th Avenue Cumulative Impact Study]  
Supervisors Elsbernd, Chu**

Resolution urging the Planning Department and Municipal Transportation Authority to conduct, and continually update, a comprehensive cumulative transportation impact study encompassing all the reasonably foreseeable developments along the 19th Avenue corridor from 19th Avenue and Vicente south to the county line, and expressing the Board of Supervisors' intent that individual environmental reviews of any projects along this corridor must incorporate this on-going and comprehensive cumulative impacts analysis to be considered adequate.

**Resolution No.** 458-08

**ADOPTED by the following vote:**

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

**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.

**Resolution No.** 455-08

**ADOPTED by the following vote:**

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

**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.

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

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

*Supervisor Ammiano was noted absent at 2:25 p.m.*



**081191 [Opposing renewal of wastewater discharge permit for Potrero Power Plant Unit 3]  
Supervisors Maxwell, Dufty, Peskin, Daly, McGoldrick**

Resolution establishing City policy opposing renewal of the wastewater discharge permit for Mirant's Potrero Power Plant Unit 3 and urging the San Francisco Bay Regional Water Quality Control Board to decline to issue a permit extension.

**Resolution No.** 465-08

**ADOPTED by the following vote:**

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

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

**070967 [Public Hearing - Appeal of Minor Sidewalk Encroachment for 1166 Haight Street]**

Hearing of persons interested in or objecting to the decision of the Department of Public Works, by its letter dated June 13, 2007, approving a request of Minor Sidewalk Encroachment Permit to construct a warped driveway ramp and two (2) planter boxes to encroach 3'-0" into the public sidewalk right-of-way (25% of the sidewalk width as allowed by Article 15, Section 723.2 of the Public Works Code) fronting the property at 1166 Haight Street to provide access to a proposed garage below grade. (Appellant: Raquel Fox.)

(Filed June 28, 2007; companion measure to Files 070968, 070969; District 5.)

*The President informed the Board members that the property owner had withdrawn the permit application for a sidewalk encroachment.*

*File Nos. 070967, 070968, 070969 were removed from the Board agenda.*

**FILED.**

## **COMMITTEE REPORTS**

**081338 [Declaration of Intention to form the Tourism Improvement District]  
Mayor, Supervisors Peskin, Maxwell**

Resolution (1) declaring the intention of the Board of Supervisors to establish a business-based business improvement district to be known as the "Tourism Improvement District" and levy a multi-year assessment on identified hotel businesses in the district, (2) approving the management district plan for the district, (3) ordering and setting a time and place for a public meeting and a public hearing thereon, (4) approving the form of the Notice of Public Meeting and Public Hearing and Assessment Ballots, and (5) directing the Clerk of the Board of Supervisors to give notice of the public meeting and public hearing as required by law.

**Resolution No.** 430-08

**ADOPTED by the following vote:**

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

**081010 [Building - Ban on Wooden Fixed Utility Ladder]  
Supervisor McGoldrick**

Ordinance amending the San Francisco Housing Code to add Section 605 prohibiting wooden fixed utility ladders in R-1, R-2, and R-3 Occupancies, and making findings under the California Environmental Quality Act.

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

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

**080281 [Building Code - Slope Protection Act]  
Supervisor Peskin**

Ordinance amending the San Francisco Building Code by adding Sections 106A.4.1.4 et seq. to establish the Slope Protection Act and create procedures to review and make recommendations on specified permit applications for all property that fall within certain mapped areas of the City, and to require mandatory denial of the permit by the Building Official under specified circumstances; amending Section 105A.6.2 to specify the composition of the Structural Advisory Committee for permit applications within the Slope Protection Act area when the Building Official authorizes establishment of such a Committee; amending Building Code Section 106A.3.2 to require that the applicant for certain permit applications subject to the Slope Protection Act 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; amending Building Code Section 1701A.5 to require special inspections throughout the construction process for sites subject to the Slope Protection Act.

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

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

**081309 [Appointment, Taxi Commission - Arthur Tom]**

Motion approving the Mayor's appointment of Arthur Tom to the Taxi Commission, for the term ending June 28, 2012.

(Charter Section 3.100-17 provides that the Board of Supervisors has the authority to reject the appointment by two-thirds vote of the Board (eight votes) within 30 days following transmittal of the Mayor's Notice of Appointment, and that failure of the Board to reject the appointment by two-thirds vote within the thirty day period shall result in the appointee continuing to serve as appointed. Transmittal date – October 8, 2008.)

**Motion No.** M08-160

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

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

**081310 [Appointment, Taxi Commission - Arthur Tom]**

Motion rejecting the Mayor's appointment of Arthur Tom to the Taxi Commission for the term ending June 28, 2012.

(Charter Section 3.100-17 provides that the Board of Supervisors has the authority to reject the appointment by two-thirds vote of the Board (eight votes) within 30 days following transmittal of the Mayor's Notice of Appointment, and that failure of the Board to reject the appointment by two-thirds vote within the thirty day period shall result in the appointee continuing to serve as appointed. Transmittal date – October 8, 2008.)

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

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

Noes: 1 - Daly

Absent: 1 - Ammiano

**081311 [Appointment, Taxi Commission - Arthur Tom]**

Motion taking no position concerning the Mayor's appointment of Arthur Tom to the Taxi Commission, for the term ending June 28, 2012.

(Charter Section 3.100-17 provides that the Board of Supervisors has the authority to reject the appointment by two-thirds vote of the Board (eight votes) within 30 days following transmittal of the Mayor's Notice of Appointment, and that failure of the Board to reject the appointment by two-thirds vote within the thirty day period shall result in the appointee continuing to serve as appointed. Transmittal date – October 8, 2008.)

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

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

Noes: 1 - Daly

Absent: 1 - Ammiano

**080935 [Urging SFUSD to reconsider current school assignment system]**

**Supervisors Chu, Alioto-Pier**

Resolution urging the San Francisco Unified School District (SFUSD) to reconsider the current school assignment system for K-12 admissions and place greater emphasis on geographic considerations for school assignments.

(Supervisor McGoldrick dissenting in Committee.)

**NOT ADOPTED by the following vote:**

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

Noes: 5 - Daly, Maxwell, McGoldrick, Mirkarimi, Peskin

Absent: 1 - Ammiano

**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.*

*Supervisor McGoldrick was noted absent at 2:50 p.m.*

*Abdullah Megaheed; expressed concern with issues relating to President Bush  
James Chaffee; expressed concern with issues relating to the SF Public Library  
Richard McRee; expressed concern with issues relating to his name on the Board minutes and the timing for public comment and his patent design for Sigmund Stern Grove  
Walter; shared in song certain memorabilia with the Board members*

## 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.*

**081347 [Commending Doctors Without Borders for "A Refugee Camp in the Heart of the City"]  
Supervisor Mirkarimi**

Resolution commending Doctors Without Borders/Médecins Sans Frontières for producing the interactive exhibit "A Refugee Camp in the Heart of the City."

**Resolution No. 461-08**

**ADOPTED**

**081348 [Urging reducing exposure to Bisphenol A]  
Supervisors Alioto-Pier, Dufty, Chu**

Resolution calling upon San Francisco hospitals and retailers to help reduce infant exposure to Bisphenol A (BPA) by discontinuing the sale and distribution of baby bottles containing BPA.

**Resolution No. 462-08**

**ADOPTED**

**081350 [Hostelling International Day - October 26, 2008]  
Supervisor Peskin**

Resolution declaring October 26, 2008 as Hostelling International Day in San Francisco.

**Resolution No.** 463-08

**ADOPTED**

**081351 [Small Business Fee Survey and Freeze - Feasibility Study]  
Supervisors Peskin, Maxwell, Chu**

Resolution urging the Controller's Office, Mayor's Office and relevant City agencies to conduct a survey of all fees paid by small business and investigating the feasibility of freezing or reducing these fees for a one-year period to assist small businesses in responding to the current economic crisis.

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

**Resolution No.** 464-08

**ADOPTED**

**081352 [Waiver permitting City employees to assist the Department of Elections with the November 4, 2008 election]  
Supervisor Peskin**

Motion granting a waiver from the prohibition imposed by Charter Section 13.104.5, to permit City employees to assist the Department of Elections with the November 4, 2008 election.

**Motion No.** M08-161

**APPROVED**

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

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

Absent: 2 - Ammiano, McGoldrick

**Severed from the Adoption Without Reference Committee Agenda**

*Supervisor Alioto-Pier requested that this matter be severed so that it might be considered separately.*

**081349 [Commending the Blue Ribbon Panel and prioritizing California Pacific Medical Center's Long Range Development Plan]  
Supervisor Alioto-Pier**

Resolution commending the work of the Blue Ribbon Panel and urging all City Departments to prioritize the California Pacific Medical Center Long Range Development Plan ("LRDP").

*Continued to November 4, 2008*

**Supervisor Alioto-Pier, seconded by Supervisor Elsbernd, moved that this Resolution be CONTINUED. The motion carried by the following vote:**

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

Absent: 2 - Ammiano, McGoldrick

## OFF-AGENDA LEGISLATION

### Introduced by Supervisors or Mayor

#### Ordinances

**081376 [Municipal Identification Cards]  
Supervisor Ammiano**

Ordinance amending Section 95.2 of the Administrative Code to revise the documentation requirements for proof of identity and proof of residency for municipal identification card applicants.

10/28/08, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

**081377 [Suspending Sections 468.3 through 468.8 of the Menu Labeling Ordinance]  
Supervisor Ammiano**

Ordinance amending the San Francisco Health Code by adding Section 468.9, to suspend Sections 468.3 through 468.8 of the Menu Labeling Ordinance.

10/28/08, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

**081380 [Zoning -Urgency Ordinance Imposing an Interim Zoning Moratorium on Tobacco Paraphernalia Establishments in the Haight Street Neighborhood Commercial District]  
Supervisor Mirkarimi**

Urgency Ordinance imposing an interim zoning moratorium to temporarily prohibit new Tobacco Paraphernalia Establishments, as defined, subject to specified exceptions, in the Haight Street Neighborhood Commercial District and in all properties zoned NC-1 (Neighborhood Commercial Cluster District) and NC-2 (Small-Scale Neighborhood Commercial District) along Haight Street, for 45 days, and making findings, including findings of consistency with the Priority Policies of Planning Code Section 101.1 and environmental findings.

10/28/08, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

**081383 [Transferring the powers and duties of the Taxi Commission to the Municipal Transportation Agency and setting operative date for transfer]  
Supervisor Peskin**

Ordinance amending the San Francisco Police Code by adding Section 1075.1, to transfer the powers and duties of the Taxi Commission to the Municipal Transportation Agency, and setting an operative date for the transfer.

10/28/08, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee. 11/4/08 Transmitted to Taxi Commission for review and comment.

**080323 [Place of Entertainment Permits and Board of Appeals procedures]  
Mayor, Supervisor Maxwell**

Ordinance amending the San Francisco Police Code by amending Sections 2.26, 1060, 1060.1, 1060.2, 1060.3, 1060.5, 1060.24, 1060.25 and 1060.29, by adding Sections 1060.20.1, 1060.20.2, 1060.20.3, 1060.20.4, 1060.24.1, 1060.24.2, 1060.30, 1060.31, 1060.32 and 1060.33, by repealing Sections 1060.4, 1060.20 and 1060.22, and by adding new Sections 1060.4 and 1060.20, relating to the application, approval, amendment, suspension, revocation, and transfer of Place of Entertainment Permits and One Night Event Permits (now called "One Time Event Permits"), including changes in penalties, and amending the San Francisco Business and Tax Regulations Code by amending Sections 8 and 26 to provide the time for appealing to the Board of Appeals, to provide an additional category of permit suspension and revocation actions that are not suspended pending a decision by the Board of Appeals, and to clarify the standards governing the review of permits. 3/4/08, ASSIGNED UNDER 30 DAY RULE to City Operations and Neighborhood Services Committee, expires on 4/7/2008. (Referred to Entertainment Commission for informational purposes.) (Referred to Small Business Commission for comment and recommendation.)

6/3/08, RESPONSE RECEIVED. The Small Business Commission unanimously approved the proposed ordinance.

10/28/08, SUBSTITUTED. Supervisor Maxwell submitted a substitute ordinance bearing new title.

10/28/08, ASSIGNED to City Operations and Neighborhood Services Committee.

**080324 [Entertainment Commission - Extended-Hours Premises Permits]  
Mayor, Supervisor Maxwell**

Ordinance amending the San Francisco Police Code by amending Sections 1070, 1070.1, 1070.2, 1070.3, 1070.5, 1070.7, 1070.8, 1070.19, 1070.22, and 1070.24, by adding Sections 1070.28, 1070.29, 1070.30, 1070.31 and 1070.32; by repealing Sections 1070.4, 1070.12, 1070.17, 1070.20, 1070.20-1, 1070.21, and 1070.26; and by adding new Sections 1070.4, 1070.17, and 1070.20, relating to the application, approval, amendment, suspension, revocation, and transfer of Extended-Hours Premises Permits, including changes in penalties.

3/4/08, ASSIGNED UNDER 30 DAY RULE to City Operations and Neighborhood Services Committee, expires on 4/7/2008. (Referred to Entertainment Commission for informational purposes.) (Referred to Small Business Commission for comment and recommendation.)

6/3/08, RESPONSE RECEIVED. The Small Business Commission unanimously approved the proposed ordinance.

10/28/08, SUBSTITUTED. Supervisor Maxwell submitted a substitute ordinance bearing new title.

10/28/08, ASSIGNED to City Operations and Neighborhood Services Committee.

## **Resolutions**

**081382 [Ground Lease of Redevelopment Agency Land for 365 Fulton Street Supportive Housing]  
Supervisors Mirkarimi, Daly**

Resolution approving the Redevelopment Agency of the City and County of San Francisco's Ground Lease (the "Ground Lease") for Block 792, Lot 28, commonly known as Central Freeway Parcel G Supportive Housing (the "Project") at 365 Fulton Street, southeast corner of Fulton and Gough Streets, San Francisco, California (the "Site") in the Western Addition A-2 Redevelopment Project Area, to 365 FULTON, L.P., a California limited partnership, for 65 years for the purpose of developing housing for very low-income formerly homeless residents.

10/28/08, RECEIVED AND ASSIGNED to Board of Supervisors.

**081384 [Transfer of Responsibilities for Court Facilities]  
Mayor**

Resolution authorizing the transfer of responsibilities for the court facilities at 375 Woodside Avenue and 850 Bryant Street and the agreement to make ongoing payments of fixed court facility payments following such transfers to the State of California equal to \$78,275 per year, adjusted by an inflation index, for 375 Woodside Avenue and \$888,331 per year, adjusted by an inflation index, for 850 Bryant Street.

(Fiscal Impact.)

10/28/08, RECEIVED AND ASSIGNED to Budget and Finance Committee.

**081385 [Authorizing the Director of Public Works or his or her designee to request Cooperative Work Agreements from the California Department of Finance to extend the expiration dates for Federal transportation grants expiring on June 30, 2009]  
Mayor**

Resolution authorizing the Director of Public Works or his or her designee to request Cooperative Work Agreements from the California Department of Finance to extend the expiration dates for Federal transportation grants expiring on June 30, 2009.

10/28/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**081386 [Accept and Expend Gift - Excelsior Youth Center - \$50,000]  
Supervisor McGoldrick**

Resolution authorizing the Mayor, on behalf of the City and County of San Francisco, to accept and expend a gift from Macy's West, Inc. in the amount of \$50,000 for operations and programming at the Youth Center in the Excelsior District.

10/28/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**081387 [Market and Octavia Community Advisory Committee]  
Supervisor Mirkarimi**

Resolution establishing the Market and Octavia Community Advisory Committee according to Planning Code Section 341.5.

10/28/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

### **Request for Hearing**

**081374 [Candlestick Point and Hunters Point Shipyard Phase 2 Revitalization Project]  
Supervisor Maxwell**

Hearing on the Candlestick Point and Hunters Point Shipyard Phase 2 Revitalization Project. Informational hearing, which will include presentations by the Office of Economic and Workforce Development staff and project sponsors, on the status of the joint development project including the draft financing plan for the Hunters Point Shipyard Phase 2 and Candlestick Point areas.

10/28/08, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.



**081375 [Tourism Improvement District]  
Supervisor Peskin**

Hearing to conduct a public meeting on the proposed establishment of the Tourism Improvement District and the levy and collection of assessments starting January 1, 2009 and continuing through December 31, 2023, to be held November 17, 2008.

(Economic Impact.)

10/28/08, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

**081381 [Hearing - Ground Lease of Redevelopment Agency Land for 365 Fulton Street Supportive Housing]**

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 792, Lot 28, commonly known as Central Freeway Parcel G Supportive Housing (the "Project") at 365 Fulton Street, southeast corner of Fulton and Gough Streets, San Francisco, California (the "Site") in the Western Addition A-2 Redevelopment Project Area, to 365 FULTON, L.P., a California limited partnership, for 65 years for the purpose of developing housing for very low-income formerly homeless residents.

10/28/08, SCHEDULED FOR PUBLIC HEARING. To Board as a Special Order on November 18, 2008 at 3:00 p.m.

## PROPOSED ORDINANCES

**081275 [Summary Vacation of Stevenson Street between 8th and 9th Streets]**

Ordinance ordering the summary vacation of Stevenson Street between 8th and 9th Streets; adopting findings pursuant to the California Streets and Highways Code Sections 8330 et seq.; adopting findings pursuant to the California Environmental Quality Act; adopting findings that the vacation and sale are in conformity with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; and authorizing official acts in furtherance of this Ordinance. (Real Estate Department)

10/20/08, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

**081346 [Approving Contract for Security Services - \$20,215,000]**

Ordinance approving the contract between Guardsmark GP and the City and County of San Francisco to provide security services to the Human Services Agency for a one year term with four automatic extensions of one year each for a total cost not to exceed \$20,215,000 and also providing that Guardsmark may terminate the contract at the end of any year by providing appropriate notice. (Human Services Department)

(Fiscal Impact.)

10/17/08, RECEIVED AND ASSIGNED to Budget and Finance Committee.

**081356 [Zoning Map Amendment - Assessor's Block 6753, Lot 063]**

Ordinance amending the San Francisco Planning Code by amending Sheet 11 of the Zoning Map of the City and County of San Francisco to change the zoning of the entire area of Assessor's Lot No. 063 in Block 6753 from P (Public) to RH-2 (Residential, House Districts, Two-Family); adopting findings, including environmental findings and findings of consistency with the General Plan and Priorities of Planning Code Section 101.1(b). (Planning Department)

9/30/08, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 11/28/2008.

## PROPOSED RESOLUTIONS

**081219 [Gift - private, Department of Public Health, Community Behavioral Health Services - \$800,000]**

Resolution authorizing the Department of Public Health, Community Behavioral Health Services to retroactively accept a gift of Buprenorphine medication from Reckitt Benckiser Pharmaceuticals with a monetary value of up to \$800,000 for the period of October 1, 2008 through September 30, 2009 for ongoing and new patients receiving Opiate Replacement Treatment in San Francisco. (Public Health Department)  
10/17/08, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

**081276 [Real Property Lease Amendment and Sale - 875 Stevenson Street]**

Resolution approving a third amendment to the City's lease at 875 Stevenson Street and approving the sale of a portion of Stevenson Street between 9th and 10th Streets to 1355 Market Street Associates, L.P. following the vacation of such portion of Stevenson Street; and finding the sale and improvement of the Stevenson Street Property is consistent with the City's General Plan and with the Eight Priority Policies of City Planning Code Section 101.1, and is categorically exempt from environmental review under the California Environmental Quality Act. (Real Estate Department)  
10/20/08, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

**Requests Granted**

*From: Supervisor McGoldrick*

*To: City Attorney*

*Requesting/Inquiring: Requesting the City Attorney to draft legislation to require low flush toilets and/or other water saving devices upon transfer of property.*

*From: Supervisor Mirkarimi*

*To: Director, Department of Public Works*

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

*55 Laguna (Haight Street side)*

*437 Webster*

*301 Webster*

*445 Webster*

*480 Grove*

*430 Baker*

*501 Fillmore*

*799 Haight*

*Korean Center @ Buchanan and Grove*

*From: Supervisor Mirkarimi*

*To: Director, Department of Public Works*

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

*Wood*

*Northeast corner of Baker and Hayes*

*Northwest corner of Pierce and Page*

*Northeast corner of Buchanan and Page*

*Metal Poles*

*Northeast corner of Laguna and Haight*

*136 Haight*

*Southwest corner of Buchanan and Haight*

*From: Supervisor Mirkarimi*

*To: Director, Department of Public Works*

*Requesting/Inquiring: Requesting the Department of Public Works report on the status of removing graffiti from the following locations:*

*Garbage Cans*

*Southeast & Northwest corner of Haight and Fillmore*

*Southwest corner of Grove and Buchanan*

*Southwest corner of Haight and Buchanan*

*Mailboxes*

*Southwest corner of Baker and Golden Gate*

*Fire Hydrant*

*In front of 597 Haight*

*Northwest corner of Hayes and Buchanan*

*From: Supervisor Mirkarimi*

*To: Director, Department of Public Works*

*Requesting/Inquiring: Requesting the Department of Public Works report on the status of removing graffiti from the public property located at the following locations:*

*Utility Boxes*

*Northeast corner of Buchanan and Oak*

*Southeast corner of Baker and Hayes*

Southeast corner of Haight and Octavia  
Northeast corner of Scott and Waller  
Southwest corner of Hermann and Octavia  
Bus Shelters  
Southside corner of Grove and Laguna  
Northwest corner of Haight and Fillmore  
All bus shelters on Haight and Fillmore need power washing  
Emergency Boxes  
Southeast corner of Grove and Baker

*From: Supervisor Mirkarimi*

*To: Director, Department of Public Works*

*Requesting/Inquiring: Requesting 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 Fillmore and Post*  
*Southwest corner of Divisadero and Sutter*  
*9th Avenue and Judah (near bus stops)*  
*7th Avenue and Irving (near bus stops)*  
*Northwest corner of Hayes and Fillmore*  
*Southeast corner of Fillmore and Haight*  
*San Francisco Chronicle*  
*Northwest corner of Fillmore and Hayes*  
*Southeast corner of Haight and Fillmore*  
*Irving and 9th Avenue*  
*Irving and 7th Avenue*  
*Southwest corner of Haight and Clayton*  
*Southeast corner of Haight and Masonic*  
*San Francisco Examiner*  
*Northwest corner of Fillmore and Hayes*  
*Southeast corner of Haight and Fillmore*  
*SF Daily*  
*Northwest corner of Hayes and Gough*  
*City Star*  
*Northwest corner of Hayes and Gough*  
*Southeast corner of Fillmore and Haight*  
*SF Weekly*  
*Southeast corner of Masonic and Haight*  
*Southeast corner of Haight and Fillmore*

*From: Supervisor Mirkarimi*

*To: City Attorney*

*Requesting/Inquiring: Requesting the City Attorney to draft an ordinance amending the San Francisco Park Code as follows:*

*Directs the Recreation and Park Department to maximize water efficiency and convert all irrigation systems to use Reclaimed Water by 2013.*

*Directs the City to ensure that all renovation of Park irrigation systems is compatible with the delivery of Reclaimed Water.*

*Directs the City to install water meters at all Park golf courses to ensure that the Department or course operator pay for all water used on the courses.*

*Directs Recreation and Park to ensure that all Park golf courses use Reclaimed Water as the PUC makes Reclaimed Water available.*

*Directs Recreation and Park to provide a schedule and budget for the conversion of irrigation systems to the Board of Supervisors by February 28, 2009.*

**In Memoriams**

*Jim Armstrong - Supervisor Duffy  
Harold "Bud" Moose - Supervisor Peskin  
Dorothy Miner - Supervisor Peskin*

**ADJOURNMENT**

*There being no further business the Board adjourned at the hour of 2:58 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 25, 2008.*



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Angela Calvillo  
Clerk of the Board