

Board of Supervisors

City and County of San Francisco

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



AGENDA

**Tuesday, November 2, 2004
2:00 PM**

Regular Meeting

**MATT GONZALEZ, PRESIDENT
MICHELA ALIOTO-PIER, TOM AMMIANO, CHRIS DALY,
BEVAN DUFTY, SEAN ELSBERND, FIONA MA, SOPHIE MAXWELL,
JAKE MCGOLDRICK, AARON PESKIN, GERARDO SANDOVAL**

Gloria L. Young, Clerk of the Board

ROLL CALL AND PLEDGE OF ALLEGIANCE

APPROVAL OF MEETING MINUTES

Motion to approve Board Minutes for October 5, 2004.

AGENDA CHANGES

COMMUNICATIONS

Note: Each item on the Consent or Regular agenda may include the following documents:

- 1) *Legislation*
 - 2) *Budget Analyst report*
 - 3) *Legislative Analyst report*
 - 4) *Department or Agency cover letter and/or report*
 - 5) *Public correspondence*
- These items will be available for review at City Hall, Room 244, Reception Desk.*

CONSENT AGENDA

All matters listed hereunder constitute a Consent Agenda, are considered to be routine by the Board of Supervisors and will be acted upon by a single roll call vote of the Board. There will be no separate discussion of these items unless a member of the Board so requests, in which event the matter shall be removed from the Consent Agenda and considered as a separate item.

Items 1 through 13

Recommendations of the City Services Committee

Present: Supervisors Dufty, Ma, Elsbernd

- | | | | |
|----|---------------|---|----------------------------|
| 1. | 041341 | [Accept-Expend Federal Grant] | Supervisor Elsbernd |
| | | Resolution authorizing the Department of Child Support Services to accept and expend a grant in the amount of \$200,000 from the U.S. Department of Health and Human Services Office of Child Support Enforcement for the Enhanced Parent Involvement Collaboration. (Child Support Services) | |
| | | Question: Shall this Resolution be ADOPTED? | |
| 2. | 041344 | [Develop and implement an automated immunization and reminder system in San Francisco, as part of a statewide system] | Supervisor Dufty |
| | | Resolution authorizing the San Francisco Department of Public Health (SFDPH) to accept retroactively and expend grant funds in the amount of \$31,686 from the California Department of Health Services (CDHS) to enable San Francisco to participate in an automated statewide immunization information system and to enter into an agreement for the use of these funds; for the period of July 1, 2004, to June 30, 2005. (Public Health Department) | |
| | | Question: Shall this Resolution be ADOPTED? | |
| 3. | 041345 | [Expand treatment capacity for homeless addicts in San Francisco through residential treatment and service coordination and add two positions] | Supervisor Dufty |

Resolution authorizing the San Francisco Department of Public Health (SFDPH) to accept and expend retroactively a grant in the amount of \$499,999 for the third year of a three year grant from the Substance Abuse and Mental Health Services Administration (SAMHSA) for the homeless addict vocational and educational network (HAVEN), to enter into an agreement for the use of these funds, and to add two new positions not included in the original grant; for the period of September 30, 2004 to September 29, 2005. (Public Health Department)

Question: Shall this Resolution be ADOPTED?

4. 041346 [State grant to expand homeless services to the mentally ill] Supervisor Dufty

Resolution authorizing the San Francisco Department of Public Health, Community Behavioral Health Services (SFDPH, CBHS) to accept retroactively and expend a grant in the amount of \$423,964 from the California Department of Mental Health (CDMH) to expand homeless services to the mentally ill; for the period of July 1, 2004, to June 30, 2005.

Question: Shall this Resolution be ADOPTED?

Recommendation of the Finance and Audits Committee

Present: Supervisors Daly, Peskin, Ammiano

5. 041249 [Requiring Graffiti-Resistant Parking and Traffic Control Signs] Supervisors Dufty, Ma, Ammiano, Maxwell, Elsbernd, Alioto-Pier, Peskin, Gonzalez

Ordinance amending Article 3 of the San Francisco Traffic Code by adding Section 51 to require the Department of Parking and Traffic to (1) replace all existing parking and traffic control signs defaced by graffiti with new signs treated with graffiti-resistant sheeting, and (2) install only new parking and traffic control signs treated with graffiti-resistant sheeting. (Fiscal impact.)

10/26/2004, PASSED ON FIRST READING. Supervisor Gonzalez requested to be added as a co-sponsor.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the Land Use Committee

Present: Supervisors McGoldrick, Peskin, Maxwell

6. 040145 [Zoning Map Amendment - Second Street between South Park and Townsend Streets] Supervisor Daly

Ordinance amending the San Francisco Planning Code by amending the Zoning Map of the City and County of San Francisco, Section Map 1H, to change the height and bulk district designations of Assessor's Block 3775, Lots 007 and 008, on the western side of Second Street between South Park and Townsend Streets from 40-X to 65-X, and adopting findings.

10/26/2004, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

7. 041115 [Changing Official Width of Sidewalk - West side of Lyon Street at Chestnut Street]

Ordinance amending Ordinance No. 1061 entitled "Regulating the Width of Sidewalks" by adding thereto Section 1564 to change the official sidewalk width on the west side of Lyon Street at Chestnut Street; making findings pursuant to the General Plan and Planning Code Section 101.1; and requiring relocation, modification, or both of facilities affected by the sidewalk width changes.

10/26/2004, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the Rules Committee

Present: Supervisors Maxwell, Alioto-Pier, Gonzalez

8. 041242 [Adding the Department on the Status of Women to the Justice Tracking System (JUSTIS) Committee Governance Council] Supervisors Ma, Maxwell, Alioto-Pier, Dufty

Ordinance amending San Francisco Administrative Code Section 2A.85 by adding the Department on the Status of Women as a member of the Justice Tracking System (JUSTIS) Committee Governance Council and authorizing membership to agencies that operate programs integrally related to the criminal justice system.

10/26/2004, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Present: Supervisors Maxwell, Alioto-Pier

9. 041244 [Settlement of Lawsuit - Alema Hoskins, et al.]

Ordinance authorizing settlement of the lawsuit filed by Alema Hoskins, a minor, by and through her guardian, Susie McAllister and Jeanell Harris, a minor, by and through her guardian, Inell Manuel against the City and County of San Francisco for \$108,000; the lawsuit was filed on January 17, 2003 in San Francisco Superior Court, Case No 416-515; entitled Alema Hoskins, et al., v. City and County of San Francisco, et al. (City Attorney)

Question: Shall this Ordinance be PASSED ON FIRST READING?

10. 041250 [Settlement of Lawsuit - Mehran Esmaili, et al.]

Ordinance authorizing settlement of the lawsuit filed by Mehran Esmaili, et al., against the

City and County of San Francisco for \$49,500; the lawsuit was filed on September 23, 1999, in Santa Clara County Superior Court, Case No. 1-02-CV805070; entitled Mehran Esmaili, et al. v. City of Millbrae, et al.; other material terms of said settlement are: (1) Each party shall mutually release the other from all claims arising from the February/March 2000 landslide that forms the basis of the action; (2) Each party shall dismiss with prejudice all complaints and cross-complaints filed in the action; and (3) Each party shall bear its own legal costs and fees;

Question: Shall this Ordinance be PASSED ON FIRST READING?

11. 041340 [Settlement of Lawsuits - Kevin B. Williams]

Ordinance authorizing settlement of the following lawsuits filed by Kevin B. Williams against the City and County of San Francisco: (1) lawsuit filed on or about December 2000 in United States District Court for the Northern District of California, Case No. C00-4728 SI, entitled Kevin Williams v. City and County of San Francisco, et al.; (2) lawsuit filed on or about December 2003 in San Francisco Superior Court, Case No. 503990, entitled Kevin Williams v. City and County of San Francisco; (3) lawsuit filed on or about September 2002 in San Francisco Superior Court, Case No. 411914; entitled Kevin Williams, on behalf of the City and County of San Francisco and himself v. Tutor Saliba, Inc., et al.; material terms of the settlement are that plaintiff dismisses all lawsuits with prejudice, that plaintiff resigns from City employment and forgoes future City employment, that City pays to plaintiff the amount of \$120,000, of which approximately \$71,243.68 is intended to make up a retirement account shortfall, and that Federal Magistrate Judge is to decide amount of attorneys' fees and costs, based on motion by plaintiff's attorneys, in an amount not to exceed \$280,000. (City Attorney)

Question: Shall this Ordinance be PASSED ON FIRST READING?

12. 041338 [Settlement of Claim - Shon Escamillo]

Resolution approving the settlement of unlitigated claim of Shon Escamillo against San Francisco for \$29,000; claims was filed on June 24, 2003. (City Attorney)

Question: Shall this Resolution be ADOPTED?

13. 041339 [Settlement of Claim - Narvette Lewis Deshay]

Resolution approving the settlement of the unlitigated claim filed by Narvette Lewis Deshay against San Francisco for \$100,000; claim was filed on October 20, 2003. (City Attorney)

Question: Shall this Resolution be ADOPTED?

Questions on the Consent Agenda are on final passage, first reading, or adoption, as indicated: _____

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendations of the Land Use Committee

Present: Supervisors McGoldrick, Peskin, Maxwell

14. **041070** **[Zoning - Conditional Use for Change in Use or Demolition of a Movie Theater]**
- Supervisors Peskin,
McGoldrick, Maxwell, Alioto-
Pier, Ammiano, Elsbernd,
Gonzalez, Daly**

Ordinance amending the Planning Code to add Section 221.1 and to amend sections 703.2, 803.2, and 803.3 to require conditional use authorization for any project involving the change in use or demolition of a movie theater; amending Planning Code section 303 to require specific findings as part of a conditional use authorization for a change in use or demolition of a movie theater; making findings of consistency with the General Plan and priority policies of the Planning Code Section 101.1; making environmental findings; and making the Ordinance inapplicable to uses for which an environmental evaluation application was submitted on or before July 27, 2004.

10/26/2004, PASSED ON FIRST READING. Supervisors Maxwell, Alioto-Pier, Ammiano, Elsbernd, Gonzalez, and Daly requested to be added as co-sponsors.

Question: Shall this Ordinance be FINALLY PASSED?

15. **041385** **[Street Encroachment at 199 Geary Street - Security Pacific Place]**

Resolution granting revocable permission to CHH Realty, Inc. c/o Neiman Marcus to occupy a portion of the public right-of-way located on Security Pacific Place, off O'Farrell Street between Stockton Street and Grant Avenue, to construct and maintain a service ramp/driveway, to access and connect to a loading dock at the rear frontage of the Neiman Marcus store at 199 Geary Street (Block 0313, Lot 018) and making findings of consistency with the priority policies of Planning Code Section 101.1. (Public Works Department)

10/26/2004, AMENDED. Amended on page 2, line 22, by replacing "even" with "event."

10/26/2004, CONTINUED AS AMENDED. Continued to November 2, 2004

Question: Shall this Resolution be ADOPTED?

Recommendation of the Rules Committee

Present: Supervisors Maxwell, Alioto-Pier, Gonzalez

16. **040989** **[Granting a bid preference of twenty percent to each contractor who will perform all services to be required by a contract in the United States of America]** **Supervisors McGoldrick, Alioto-Pier, Daly**
- Ordinance amending the San Francisco Administrative Code by adding a new Chapter 12I to grant a bid preference of twenty percent to each contractor who will perform all services to be required by a contract in the United States of America.
- 10/19/2004, PASSED ON FIRST READING.
- 10/19/2004, CONTINUED. Continued to November 2, 2004
- Question: Shall this Ordinance be FINALLY PASSED?**

NEW BUSINESS

Recommendations of the Finance and Audits Committee

Present: Supervisors Daly, Peskin, Ammiano

17. **041352** **[Lease of City Property for Fair Market Value]** **Supervisors Daly, Gonzalez, Peskin, Ammiano**
- Ordinance amending San Francisco Administrative Code Sections 23.33 and 23.34 to establish a City policy that City-owned property be leased for fair market value, unless a finding of public policy supports a below-market rate, and requiring all below-market rate leases to be reported to the Board of Supervisors and posted on the City's website, and amending San Francisco Administrative Code Section 23.32 to make certain clarifications.
- Question: Shall this Ordinance be PASSED ON FIRST READING?**
18. **041315** **[Head Start Workers]** **Supervisors Ammiano, Maxwell, Sandoval, Daly**
- Resolution urging all employers of Head Start workers to respect workers' rights and to honor their workers' decision to join the union of their choice.
- Question: Shall this Resolution be ADOPTED?**

Recommendation of the Land Use Committee

Present: Supervisors McGoldrick, Peskin, Maxwell

19. **041273** **[School Children Crossing Warning Signs]** **Supervisors Ma, Maxwell, Dufty**
- Ordinance requiring all public and private parking lots and facilities, including parking lots maintained by commercial businesses, within 500 feet of Kindergarten through grade 12 school sites to post "Caution - School Children Crossing" signs at all parking lot exits.

Question: Shall this Ordinance be PASSED ON FIRST READING?

Recommendation of the Rules Committee

Present: Supervisors Maxwell, Alioto-Pier, Gonzalez

- 20. 041356 [Back Streets Business Advisory Board] Supervisors Maxwell, Dufty**
- Ordinance adding Sections 5.260 through 5.265 of the Administrative Code, to create a Back Streets Business Advisory Board, comprised of nine voting members, eight appointed by the Board of Supervisors and one appointed by the Small Business Commission, and non-voting members representing various organs of government; to require the advisory board within nine months of its initial meeting to submit a report to the Board of Supervisors on matters pertaining to Back Streets businesses; to require the Board of Supervisors or a Board committee to hold a hearing on the report; to authorize the advisory board to submit other reports to the Board of Supervisors and to communicate with the Board of Supervisors, the Small Business Commission, other governmental entities, the business community, and the public on matters pertaining to Back Streets businesses; and to provide for the sunset of the advisory board in two years.

Question: Shall this Ordinance be PASSED ON FIRST READING?

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

21. ROLL CALL FOR INTRODUCTIONS

Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, letters of request to the City Attorney and Board Members' reports on their regional body activities.

22. 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

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

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

Items 23 through 39

- 23. 041491 [Multifamily Housing Revenue Bonds] Supervisor Peskin**
Resolution authorizing the issuance and delivery of multifamily housing revenue bonds (as defined herein) in an aggregate principal amount not to exceed \$19,200,000 for the purpose of providing financing for a multifamily rental housing project; approving the form of and authorizing the execution of an indenture providing the terms and conditions of the bonds; approving the form of and authorizing the execution of a regulatory agreement and declaration of restrictive covenants; approving the form of and authorizing the execution of a loan agreement; ratifying and approving any action heretofore taken in connection with the bonds and the project; granting general authority to city officials to take actions necessary to implement this resolution; and related matters.
- 10/26/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?**
- 24. 041498 [Accept-Expend Grant funds for the 16th Street Pavement/Valencia Street Pavement Renovation Projects] Supervisors Ammiano, Dufty, Daly**
Resolution authorizing the Director of the Department of Public Works to accept and expend federal Surfacing Transportation Program funds totaling \$5,346,000 for the 16th Street Pavement Renovation Project and the Valencia Street Pavement Renovation Project.
- 10/26/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?**
- 25. 041499 [Commending St. Anne's Church on its 100th Birthday] Supervisors Elsbernd, Gonzalez, Ma, McGoldrick, Dufty**
Resolution commending St. Anne's Church on its 100th Birthday.
- 10/26/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?**
- 26. 041500 [Accept-Expend Federal Grant] Supervisors Alioto-Pier, Dufty**
Resolution authorizing the Mayor's Office of Criminal Justice (MOCJ) to retroactively accept and expend a grant in the amount of \$742,108 from the U.S. Department of Justice (DOJ), Office of Community Oriented Policing Services (COPS Office) for the purpose of

restructuring the existing JUSTIS architecture strategy and upgrading infrastructure components utilized for citywide criminal justice processes, that will provide criminal justice agencies and the public, with varying degrees of criminal justice information.

10/26/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

27. 041501 [Accept-Expend Federal Grant] Supervisors Ma, Dufty

Resolution authorizing the Mayor's Office of Criminal Justice (MOCJ) to retroactively accept and expend a grant in the amount of \$599,102 from the Office of Justice Programs (OJP), Office of Violence Against Women (OVW) for the purpose of encouraging policies that treat domestic violence and sexual assault as serious violations of criminal law.

10/26/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

28. 041502 [End Racial Profiling Act of 2004] Supervisor Ma

Resolution urging the San Francisco Congressional delegation to support H.R. 3847, prohibiting racial profiling.

10/26/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

29. 041503 [Raise Reward to \$50,000 for Tari Ramirez] Supervisor Ma

Resolution urging the Mayor to build a citywide response to end domestic violence by raising the reward for apprehending Tari Ramirez from \$35,000 to \$50,000.

10/26/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

30. 041504 [Commending the California Lawyers for the Arts] Supervisors Ma, Dufty

Resolution commending the 30th Anniversary of the California Lawyers for the Arts.

10/26/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

31. 041439 [Final Map for a 174 Unit Residential / Commercial Condominium Project - 199 New Montgomery Street]

Motion approving Final Map of 199 New Montgomery Street, A Residential / Commercial

Condominium Project, being a subdivision of Lot 21 in Assessor's Block No. 3722, and adopting findings pursuant to Planning Code Section 101.1.

(DPW Order No 175,052; District 6.)

10/25/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be ADOPTED?

32. 041440 [Final Map for a 114 Unit Mixed Use Condominium Project - 88 Townsend Street]

Motion approving Final Map of 88 Townsend Street, A Mixed Use Condominium Project, being a subdivision of Lot 857 in Assessor's Block No. 3789, and adopting findings pursuant to Planning Code Section 101.1. (Public Works Department)

(DPW Order No. 175,064; District 6.)

10/25/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be ADOPTED?

33. 041505 [Setting the policy of the Board to hold meetings in each district] Supervisor Sandoval

Motion setting the policy of the Board to convene one meeting in each of the eleven districts per month, annually.

10/26/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be ADOPTED?

34. 041506 [Commending Monroe Elementary School] Supervisor Sandoval

Resolution commending Monroe Elementary School for winning the San Francisco Beautiful 2004 Beautification Award.

10/26/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

35. 041507 [United Nations Millennium Development Goals] Supervisor Peskin

Resolution Supporting the United Nations Millennium Development Goals.

10/26/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

36. 041508 [Plan and community engagement for a possible co-located Eureka Valley Harvey Milk Memorial Branch Library and Museum and Archives of the GLBT Historical Society] Supervisors Dufty, Ammiano, Maxwell, Ma, Alioto-Pier, Gonzalez, Daly, Peskin, Elsbernd
- Resolution encouraging development of a plan and community engagement for a possible co-located Eureka Valley Harvey Milk Memorial Branch Library and Museum and Archives of the Gay, Lesbian, Bisexual, Transgender (GLBT) Historical Society.
- 10/26/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?**
37. 041509 [Zoning - Extension of Planning Commission Review Period] Supervisor Peskin
- Resolution extending the prescribed time within which the Planning Commission may render its decision on a proposed ordinance to amend the Planning Code to prohibit formula retail uses in the North Beach Neighborhood Commercial District.
- 10/26/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?**
38. 041485 [Needle Exchange Emergency] Supervisors Ammiano, Daly, Peskin, McGoldrick, Maxwell, Dufty
- Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.
- 10/26/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Motion be ADOPTED?**
39. 041486 [Emergency Declaration Concurrence - Influenza Vaccine] Mayor, Supervisor Dufty
- Motion concurring in the October 12, 2004 Declaration of the Existence of a Local Emergency for Limited Purposes by the Mayor, and in the actions taken to meet the emergency.
- 10/26/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Motion be ADOPTED?**

Questions on the For Adoption Without Committee Reference Agenda: _____

40. IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s).

[Serious Injury Finding]

Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

[Purely Commendatory Finding]

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

[Brown Act Finding]

Motion that the Board find by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

[Imperative Resolutions, if any]

OFF-AGENDA LEGISLATION

PROPOSED ORDINANCES

Proposed ordinance received from October 19, 2004 through October 25, 2004, for reference by President to appropriate committee on November 2, 2004.

041442 [Settlement of Lawsuit - Andrew King v. CCSF, et al.]

Ordinance authorizing settlement of the lawsuit filed by Andrew King against the City and County of San Francisco for \$60,000; the lawsuit was filed on 10/31/03 in United States District Court, Case No. C03-4879; entitled Andrew King v. City and County of San Francisco, et al. (City Attorney)

10/25/2004, RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED RESOLUTIONS

Proposed resolutions from October 19, 2004 through October 25, 2004, for reference by President to appropriate committee on November 2, 2004.

- 041431** **[Provide car seats and information to hard to reach and diverse communities]** **Supervisor Dufty**
Resolution authorizing the San Francisco Department of Public Health (SFDPH) to accept and expend retroactively a grant in the amount of \$2,000 from the California Department of Health Services (CDHS), to purchase car/booster seats; for the period of January 12, 2004 through June 4, 2004. (Public Health Department)
10/21/2004, RECEIVED AND ASSIGNED to City Services Committee.
- 041432** **[Accept-Expend Federal Grant]** **Supervisor Ma**
Resolution authorizing the San Francisco Fire Department (SFFD) to accept and expend a grant in the amount of \$398,548 from the Federal Emergency Management Agency (FEMA) to acquire wildland firefighting protective clothing and equipment. (Fire Department)
10/19/2004, RECEIVED AND ASSIGNED to City Services Committee. Grant expiration date: 7-29-05.
- 041441** **[Approval of the Substance Abuse and Crime Prevention Act of 2000 - Implementation Plan]**
Resolution authorizing adoption of the San Francisco County Plan for the Substance Abuse and Crime Prevention Act of 2000 for Fiscal Year 2004-2005. (Public Works Department)
10/22/2004, RECEIVED AND ASSIGNED to City Services Committee.
- 041443** **[Settlement of Claim - Barbara Miller]**
Resolution approving the settlement of the unlitigated claim filed by Barbara Miller against San Francisco for \$90,000; claim was filed on April 19, 2004. (City Attorney)
10/25/2004, RECEIVED AND ASSIGNED to Rules Committee.
- 041444** **[Settlement of Unlitigated Claim - Margaret Jhin-Walsh]**
Resolution approving the settlement of the unlitigated claim filed by Margaret Jhin-Walsh against San Francisco for \$120,000; claim was filed on February 17, 2004. (City Attorney)
10/25/2004, RECEIVED AND ASSIGNED to Rules Committee.

041480 [Settlement of Unlitigated Claim - D. W. Nicholson Corporation] Supervisor Daly

Resolution approving the settlement of the unlitigated claim filed by D. W. Nicholson Corporation against the City and County of San Francisco. (City Attorney)

10/25/2004, RECEIVED AND ASSIGNED to Rules Committee.

041525 [Settlement of Unlitigated Claim - Muzak LLC]

Resolution approving the settlement of the unlitigated claim filed by Muzak LLC against the City and County of San Francisco. (City Attorney)

10/25/2004, RECEIVED AND ASSIGNED to Rules Committee.

041526 [Settlement of Unlitigated Claim - Intel Corporation]

Resolution approving the settlement of the unlitigated claim filed by Intel Corporation against the City and County of San Francisco. (City Attorney)

10/25/2004, RECEIVED AND ASSIGNED to Rules Committee.

041528 [Petitions and Communications]

Petitions and Communications received from October 19, 2004 through October 25, 2004, for reference by the President to Committee considering related matters or to be ordered filed by the Clerk on November 2, 2004.

From Municipal Railway, submitting request for waiver of Chapters 12B and 12C of the Administrative Code for Chevron USA for fuel and gasoline.(1)

From Department of Public Works, concerning permit for the reconstruction of the sidewalk steps at 153 Bronte Street with the completion of proposed driveway.(2)

From concerned citizens, submitting opposition to proposed legislation that gives preference in the condominium lottery to buildings where certain evictions have not taken place. File 041353, approximately 100 letters (3)

From Terry Tamminen, regarding Governor Schwarznegger's new Ocean Action Plan.(4)

From Supervisor Alioto-Pier, submitting resignation as a member of the Golden Gate Bridge Highway and Transportation District.(5)

From Clerk of the Board, submitting quarterly report of the Annual Appropriation Ordinance as required by Section 24.(6)

From the Association of Asian American Attorneys and CPA Firms, submitting support for proposal by the Coalition for Economic Equity for the enactment of an ordinance to replace Article 14A of the Administrative Code. File 041112(7)

From Department of Parking and Traffic, concerning the feasibility of installing traffic

calming measures and/or installing additional Stop signs at the intersection of Persia and Ocean Avenues.(8)

From Department of Elections, submitting a list of parking areas that will be reserved for the Department of Elections on Election Day. Copy: Each Supervisor (9)

From Coalition for Economic Equity, submitting proposed legislation to replace Administrative Code Chapter 12D, the City's affirmative action program for contracting that was recently invalidated. Copy: Each Supervisor(10)

From Real Estate Division, submitting an appraisal for 220 Jones Street, as requested by the Board of Supervisors in Resolution No. 457-04. File 040889(11)

From the Immigrant Rights Commission, submitting resolution urging the Police Commission to take all appropriate measures to ensure the highest level of communication, understanding, and cooperation between the Police Department and the immigrant residents and communities in San Francisco. Copy: Each Supervisor(12)

From Lloyd Schloegel, submitting petition to place a child in a foster home.(13)

From Community United Against Violence, encouraging individuals and community groups to show their support for the survivors of a hate crime by attending the sentencing of Brian Kirchner at the Hall of Justice on October 25, 2004.(14)

From concerned citizens, submitting opposition to proposed legislation to have the city go into the Broadband, Cable and Internet business. 2 letters(15)

From Anne O'Leary, commenting how upset she is with the recent closure of Waller Street from Kezar to Stanyan that has had the affect of rerouting much of the through traffic to Frederick Street.(16)

From Lisa Ryers, regarding the spike in muggings in broad daylight around the area of Connecticut and 22nd Street. Copy: Supervisor Maxwell(17)

From Andy Moore, submitting his plan to create hundreds of new parking spaces in San Francisco by creating an on-line "private parking registry" whereby homes or businesses with extra parking spaces or driveways available at certain hours could register their availability on-line.Copy: Each Supervisor(18)

From the Chu Family, submitting opposition to allowing the Evergreen Lodge to take over the Camp Mather Corral.(19)

From Budget Analyst, submitting Management Audit of the Public Utilities Commission Clean Water Fund. File 041362(20)

From David Schneider, submitting support to acquire the 80 Natoma Street property to build a new Transbay Transit Terminal. File 041079(21)

From Youth Commission, submitting the Youth Commission's position on several pieces of proposed legislation by the Board of Supervisors.(22)

From Arlene Segraves, submitting her concern with the stance Recreation and Park is taking against the Men's and Women's Harding Park Golf Clubs.(23)

From San Francisco Beautiful, submitting newsletter for fall 2004.(24)

From Bill Fontana, submitting opposition to proposed closure of a portion of 14th Avenue and 15th Avenue at the intersection of the Presidio. File 041269, Copy: Land Use Committee(25)

From Joseph Morales & Patricia Blanchette, submitting complaint against the citation, hearing and residential permits staff of the Department of Parking and Traffic at 1380 Howard Street for alleged incompetence.(26)

From Office of the Controller, submitting audit report regarding the lease between Allright Cal. Inc. (now Central Parking System) and the Port of San Francisco.2 Reports(27)

From Redevelopment Agency, regarding preservation issues at the Emporium site project. (Reference No. 20040817-006) Copy: Supervisor Peskin(28)

From Department of Elections, submitting "Ranked-Choice Voting Update #11" reporting of election results for contests with ranked-choice voting, which will be used for the first time for the November 2, 2004 election. Copy: Each Supervisor(29)

From S.F. General Hospital, responding to inquiry regarding types of food or beverage products purchased by S.F. General Hospital.Copy: Supervisor Peskin(30)

From Recreation and Park Department, submitting their Efficiency Plan for fiscal year 2004/05.(31)

From Denise D'Anne, commenting on the proposed "pedestrian oasis" in the Golden Gate Park Concourse.(32)

From concerned citizens, urging the Board of Supervisors to provide San Franciscans the Laguna Honda Hospital they were promised. 2 letters (33)

From concerned citizens, regarding the traffic congestion impact of closing several streets in the Richmond District on October 24, 2004 for the Nike Marathon.2 letters(34)

From Glen Murry, commenting on the Board of Supervisors involvement with the current hotel strike.(35)

From State Integrated Waste Management Board, submitting notice of funds available through tire grant programs to provide opportunities to divert waste tires from landfill disposal, prevent illegal tire dumping and promote markets for recycled-content tire products.(36)

APPOINTMENTS BY THE MAYOR

Fire Commission

Steve Nakajo

Environment Commission

Alan Mok

Recreation and Park Commission
Tom Harrison
Megan Levitan

ADJOURNMENT

Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices, (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4) standing in the Legislative Chamber.

Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

USING LAPTOP COMPUTERS FOR PRESENTATIONS: Please contact City Hall Media Services at (415) 554-4933 to coordinate the use of laptop computers for presentations at the meeting. Computers to be used are required to be tested in advance. The presenter should arrive 30 minutes prior to the meeting to connect and test their computer. Agenda are available on the internet at www.sfgov.org/bdsupvrs.bos.htm.

THE AGENDA PACKET IS AVAILABLE AT CITY HALL, ROOM 244, RECEPTION DESK.

Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 557-4293.

Results of each Board meeting can be obtained about a half hour after the end of the meeting by telephoning (415) 554-5555.

Requests for language translation at a meeting must be received no later than noon the Friday before the meeting. Contact Ohn Myint at (415) 554-7704.

AVISO EN ESPAÑOL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.



Disability access

The Legislative Chamber of the Board of Supervisors is in Room 250 of City Hall, 1 Dr. Carlton B. Goodlett Place. The Chamber is wheelchair accessible.

The closest accessible BART Station is Civic Center, three blocks from City Hall. Accessible MUNI lines serving this location are: #47 Van Ness, and the #71 Haight/Noriega and the F Line to Market and Van Ness and the Metro stations at Van Ness and Market and at Civic Center. For more information about MUNI accessible services, call 923-6142.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex.

All meetings are real-time captioned and are cablecast open-captioned on SF Cable 26.

The following services are available when requests are made by 4:00 p.m. of the Friday before the Board meeting.

This advance notice will help ensure availability.

ú For American Sign Language interpreters or use of a reader during a meeting, contact Ohn Myint at (415) 554-7704.

ú For a large print copy of agenda or minutes in alternative formats, contact Annette Lonich at (415) 554-7706.

Assistive listening devices are available from the receptionist in the Clerk of the Board's Office, Room 244, prior to the meeting.

The Clerk of the Board's Office TTY number is (415) 554-5227.

In order to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Donna Hall by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at Donna.Hall@sfgov.org

Citizens may obtain a free copy of the Sunshine Ordinance by contacting Ms. Hall or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at <http://www.sfgov.org/sunshine.htm>

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site www.sfgov.org/ethics

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