

# 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, October 3, 2006  
2:00 PM**

**Regular**

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

*Gloria L. Young, Clerk of the Board*

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## **ROLL CALL AND PLEDGE OF ALLEGIANCE**

## **APPROVAL OF MEETING MINUTES**

*Board to approve Board Meeting Minutes for September 12, 2006.*

## **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 17**

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

*Present: Supervisors Daly, Dufty, Peskin*

- 1. 061272 [Sale of City Property - 425 Mason Street] Supervisor Peskin**  
Ordinance ordering the sale at public auction of City-owned property located at 425 Mason Street; adopting findings pursuant to the California Environmental Quality Act; adopting findings that the sale is consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; and authorizing other actions in furtherance of this ordinance.  
9/26/2006, PASSED ON FIRST READING.  
**Question: Shall this Ordinance be FINALLY PASSED?**

#### **Recommendation of the City Operations and Neighborhood Services Committee**

*Present: Supervisors McGoldrick, Dufty, Ma*

- 2. 061128 [Updating speed limit provisions on King Street and on the Embarcadero]**  
Ordinance amending Section 175.20 of the Traffic Code, governing the speed limit on a portion of The Embarcadero, to reflect that the Embarcadero terminates at King Street, and amending Section 176.39 of the Traffic Code to extend the speed limit change on King Street from 5th Street to The Embarcadero. (Municipal Transportation Agency)  
9/26/2006, PASSED ON FIRST READING.  
**Question: Shall this Ordinance be FINALLY PASSED?**

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

*Present: Supervisors Ammiano, Peskin*



**Nonconforming Uses]**

Ordinance amending the San Francisco Planning Code by amending Sections 186 and 186.1 to allow certain nonconforming uses to occupy public sidewalk space with tables and chairs, when otherwise permitted; and making findings, including environmental findings and findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan.

9/26/2006, PASSED ON FIRST READING. Supervisor Maxwell requested to be added as a co-sponsor.

**Question: Shall this Ordinance be FINALLY PASSED?**

**7. 061077 [Rent Ordinance: Evictions involving school-age children; Findings] Supervisors McGoldrick, Mirkarimi, Ammiano**

Ordinance amending the Residential Rent Stabilization and Arbitration Ordinance (Administrative Code Chapter 37) by amending Section 37.6(j) to identify and report data on evictions involving school-age children, include data on evictions during the school term; Findings.

9/26/2006, PASSED ON FIRST READING. Supervisor Mirkarimi requested to be added as a co-sponsor.

**Question: Shall this Ordinance be FINALLY PASSED?**

**8. 061183 [Landlord passthrough to residential tenants, 50% of property tax increase for general obligation bonds: Controller's explanation of proposed bonds; passthroughs authorized in CCSF bonds; Supervisors Ammiano, Alioto-Pier, Elsbernd, Dufty, McGoldrick, Ma, Maxwell, Mirkarimi**

Ordinance: (1) amending the San Francisco Municipal Elections Code by amending Section 520, to require that the Controller's financial analysis for a general obligation bond proposal include an explanation of the 50-percent passthrough of the change in a landlord's property tax under the proposed bond measure; (2) amending the San Francisco administrative Code by adding Section 2.40, to require that a proposal for bonded indebtedness of the City and county of San Francisco include a provision authorizing the 50-percent passthrough of the change in a landlord's property tax provided in Administrative Code Section 37.3(a)(6); and, (3) amending San Francisco Administrative Code Chapter 37 "Residential Rent Stabilization and Arbitration Ordinance" by amending Sections 37.2(q) and 37.3 (a)(6) to provide that landlords may pass through to tenants 50-percent of the change in the landlord's property tax resulting from the repayment of San Francisco Unified School District or San Francisco Community College District general obligation bonds approved by the voters after November 1, 2006.

9/26/2006, PASSED ON FIRST READING. Supervisor Mirkarimi requested to be added as a co-sponsor.

**Question: Shall this Ordinance be FINALLY PASSED?**

**9. 061212 [Board of Appeals: Legal Representation for Planning and Building Departments] Supervisor McGoldrick**

Ordinance amending the San Francisco Business and Tax Regulations Code by adding Section 11(a) to establish a procedure for the City Attorney to provide legal representation for staff of the Planning Department and Department of Building Inspection appearing at hearings of the Board of Appeals with respect to certain matters.

9/26/2006, PASSED ON FIRST READING.

**Question: Shall this Ordinance be FINALLY PASSED?**

10. 061202 [Assignment of the Emporium Street Flower Market adjacent to 835 Market Street] Supervisor Peskin  
Resolution approving the assignment of the street flower market permit identified as "The Emporium Street Flower Market on the south sidewalk of Market Street facing the location of 835 Market Street" to a living member of the Permittee's family pursuant to Article 5 Section 161(I) of the Public Works Code.

Question: Shall this Resolution be ADOPTED?

11. 061204 [Assignment of Street Flower Market at Stockton and Geary Streets] Supervisor Peskin  
Resolution approving the assignment of the street flower market permit identified as "The East Sidewalk of Stockton Street within 100 feet south of the southerly of Geary Street to a living member of the Permittee 's family pursuant to Article 5 Section 161 (la) of the Public Works Code.

Question: Shall this Resolution be ADOPTED?

### **Recommendations of the Rules Committee**

*Present: Supervisors Mirkarimi, Elsbernd, Ammiano*

12. 060973 [Settlement of Lawsuit - Assessment Appeals Board]  
Ordinance authorizing settlement of administrative writ petition filed by the City and County of San Francisco challenging the Assessment Appeals Board's Property Tax Assessment for the Giants' baseball park at China Basin for the 2001/02, 2002/03 and 2003/04 tax years contingent upon approval of roll values by the Assessment Appeals Board and payment of an amount that reflects the reduced roll values, including interest; City filed its writ petition on January 19, 2006 in San Francisco Superior Court, entitled City and County of San Francisco v. Assessment Appeals Board No. 1, Case No. 506010. (City Attorney)

9/26/2006, PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

13. 061300 [Settlement of Lawsuits - Tran, Mansour and Le, et al., v. City and County of San Francisco, et al.]  
Ordinance authorizing settlement of the lawsuits filed by Minh Tran, Thuba Tran, Thu Nguyen, Tarek Mansour, Khaled Mansour, Quoc Le, and Cuong Le against the City and County of San Francisco for \$1,875,000.00; the lawsuits were filed on April 22, 2004 in San Francisco Superior Court, Case Nos. 430764, 430765 and 430766; entitled Tran, Mansour and Le, et al., v. City and County of San Francisco, et al; other material terms of settlement are Co-defendants to pay \$5,565,000.00 and Caltrans to install temporary barriers and permanently fix condition that caused accident. (City Attorney)

9/26/2006, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

14. 061302 [Appointment - Immigrant Rights Commission]

Resolution appointing Solomon Jones, term ending June 6, 2008, Angus McCarthy, term ending June 6, 2007, and Elahe Enssani, term ending June 6, 2008, to the Immigrant Rights Commission.

Solomon Jones, succeeding himself, term expired, seat 3, must have a demonstrated knowledge of and interest in the health, human service, educational, or employment issues that affect immigrants residing in San Francisco, for the unexpired portion of a two-year term ending June 6, 2008.

Angus McCarthy, succeeding Svetlana Kaff, seat 7, resigned, must be an immigrant to the United States who is appointed in accordance with Section 4.101 of the Charter. In addition, members shall have a demonstrated knowledge of and interest in the health, human service, educational, or employment issues that affect immigrants residing in San Francisco, for the unexpired portion of a two-year term ending June 6, 2007.

Elahe Enssani, succeeding herself, term expired, seat 9, must be an immigrant to the United States who is appointed in accordance with Section 4.101 of the Charter. In addition, members shall have a demonstrated knowledge of and interest in the health, human service, educational, or employment issues that affect immigrants residing in San Francisco, for the unexpired portion of a two-year term ending June 6, 2008.

**Question: Shall this Resolution be ADOPTED?**

*Present: Supervisors Mirkarimi, Elsbernd*

**15. 061154 [Settlement of Lawsuit - Stephen N. Farac v. City and County of San Francisco, et al.]**

Ordinance authorizing settlement of the matter of Stephen Farac v. City and County of San Francisco for \$50,000. The lawsuit was filed on April 28, 2005, in San Francisco Superior Court, Case No. 440-820; entitled Stephen N. Farac v. City and County of San Francisco, and Does 1 Through 20, Inclusive. (City Attorney)

9/26/2006, PASSED, ON FIRST READING.

**Question: Shall this Ordinance be FINALLY PASSED?**

**16. 061171 [Settlement of Lawsuit - Department of Fair Employment and Housing v. City and County of San Francisco, et al]**

Ordinance authorizing settlement of the lawsuit filed by Department of Fair Employment and Housing on behalf of Real Party in Interest Angela Martin against the City and County of San Francisco for \$160,000.00; the lawsuit was filed on August 4, 2005, in San Francisco Superior Court, Case No. 443742; entitled Department of Fair Employment and Housing v. City and County of San Francisco, et al. (City Attorney)

9/26/2006, PASSED, ON FIRST READING.

**Question: Shall this Ordinance be FINALLY PASSED?**

**17. 061228 [Settlement of Lawsuit - John and Judith Bovio, et al., v. City and County of San Francisco, et al]**

Ordinance authorizing settlement of the lawsuit filed by John and Judith Bovio against the City and County of San Francisco for \$85,000; the lawsuit was filed on December 8, 2004 in

San Francisco Superior Court, Case No. 436-946; entitled John and Judith Bovio, et al., v. City and County of San Francisco, et al. (City Attorney)

9/26/2006, PASSED, ON FIRST READING.

**Question: Shall this Ordinance be FINALLY PASSED?**

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

## **REGULAR AGENDA**

## **UNFINISHED BUSINESS**

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

*Present: Supervisors Daly, Dufty, Peskin*

**18. 061030 [Regulating Street Artists - Compensation of Advisory Committee]**

Ordinance amending Article 24 of the San Francisco Police Code by amending Section 2402 to allow members of the Advisory Committee of Street Artists and Craftmen Examiners to be reimbursed for their reasonable travel expenses traveling to and from Committee meetings, Street Artist screenings, and other Advisory Committee activities. (Arts Commission)

(Supervisor Daly dissented in committee)

9/26/2006, PASSED ON FIRST READING.

**Question: Shall this Ordinance be FINALLY PASSED?**

### **From the Rules Committee Without Recommendation**

*Present: Supervisors Mirkarimi, Elsbernd, Ammiano*

**19. 061227 [Settlement of Lawsuit - CCSF, et al. v. Kam Kong Tang and Kai Yuen Ng]**

Ordinance authorizing the settlement of a lawsuit filed by the City and County of San Francisco against Kam Kong Tang and Kai Yuen Ng, former part owners of the King Tin Restaurant, for \$85,000.00; the lawsuit was filed on August 3, 2005 for violation of the City's Minimum Wage Ordinance, in San Francisco Superior Court, Case No. 433685, entitled City and County of San Francisco, et al. v. Kam Kong Tang and Kai Yuen Ng. (City Attorney)

9/26/2006, PASSED ON FIRST READING.

**Question: Shall this Ordinance be FINALLY PASSED?**

# **NEW BUSINESS**

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

*Present: Supervisors Daly, Dufty, Peskin*

- 20. 061267 [Public Employment - Office of the Treasurer and Tax Collector] Supervisor McGoldrick**
- Ordinance amending Ordinance No. 203-06 (Annual Salary Ordinance FY 2006-2007) to reflect the addition of a 0.71 Principal Clerk position, a 0.58 Personal Property Auditor position, and a 0.63 Management Assistant position in the Office of the Treasurer and Tax Collector.
- Question: Shall this Ordinance be PASSED ON FIRST READING?**
- 21. 061240 [In-kind agreement and acceptance of easement relating to 333 Fremont Street]**
- Resolution approving an in-kind agreement for the provision of a mid-block pathway and streetscape improvements to satisfy a portion of the developer's impact fee obligation relating to the 333 Fremont Street project; authorizing the acceptance of an easement for such mid-block pathway under the terms of the in-kind agreement; authorizing the Director of Property to execute documents, make certain modifications and take certain actions in furtherance of this resolution; and ratifying previous actions taken in connection therewith. (Planning Department)
- Question: Shall this Resolution be ADOPTED?**
- 22. 061270 [Authorizing the Office of Contract Administration to amend its contract with Xtech to exceed \$19 million] Supervisor Daly**
- Resolution authorizing the Committee on Information Technology to enter into the Fourth Amendment between the City and Xtech (part of the Computer Store procurement vehicle), in which the amendment shall increase the contract amount of \$19,000,000 to \$25,000,000.
- Question: Shall this Resolution be ADOPTED?**
- 23. 061273 [Funding Agreement for 2006 Spare the Air Campaign] Supervisor Ammiano**
- Resolution approving the Funding Agreement between the Metropolitan Transportation Commission and the City and County of San Francisco for the 2006 Spare the Air/Free Transit campaign.
- Question: Shall this Resolution be ADOPTED?**

## **Recommendations of the Government Audit and Oversight Committee**

*Present: Supervisors Peskin, Ammiano*

- 24. 061303 [Public Employment - Department of Public Health] Supervisor Ammiano**



**and the General Service Agency]**

Ordinance amending Ordinance No. 203-06 (Annual Salary Ordinance FY 2006-2007) to reflect proposed changes to the Department of Public Health and the General Service Agency staffing for the Health Access Program, increasing total staffing by 0.48 FTE.

**Question: Shall this Ordinance be PASSED ON FIRST READING?**

*Present: Supervisors Ammiano, McGoldrick*

- 25. 061078 [Directing the Budget Analyst to conduct, on priority basis, a fiscal feasibility analysis of a City-owned Wireless Network] Supervisor McGoldrick**

Motion directing the Budget Analyst to conduct, on priority basis, a fiscal feasibility analysis of a City-owned Wireless Network to promote digital inclusion by ensuring affordable internet access, affordable hardware, community-sensitive training and support, and relevant content to all San Franciscans, especially low-income and disadvantaged residents.

**Question: Shall this Motion be ADOPTED?**

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

*Present: Supervisors Maxwell, Sandoval, McGoldrick*

- 26. 051772 [Designating 2151 Van Ness Avenue, St. Brigid Church, as a Landmark] Supervisor Alioto-Pier**

Ordinance Designating 2151 Van Ness Avenue, St. Brigid Church, As Landmark No. 252 Pursuant To Article 10, Sections 1004 And 1004.4 Of The Planning Code.

**Question: Shall this Ordinance be PASSED ON FIRST READING?**

*Present: Supervisors Maxwell, McGoldrick*

- 27. 061206 [Community Improvements and the Eastern Neighborhoods] Supervisors McGoldrick, Maxwell**

Ordinance amending the Administrative Code to add Chapter 36 to provide procedures and inter-agency cooperation in the preparation and implementation of community improvements plans and programs as part of the creation of new Area Plans of the General Plan in the Eastern Neighborhoods, defined as including the proposed Market and Octavia, East South of Market, West South of Market, Inner Mission, Lower Potrero/Showplace Square, and Central Waterfront plan areas.

**Question: Shall this Ordinance be PASSED ON FIRST READING?**

**SPECIAL ORDER 3:00 P.M.**

# Board of Supervisors Sitting as a Committee of the Whole

28. 061337 [Hearing - Formation of a community facilities district in connection with the Mint Plaza Area]

Hearing to consider the approval to accept public testimony regarding the potential recommendation for approval of the formation of a community facilities district and the issuance of revenue bonds by the ABAG Finance Authority For Nonprofit Corporations related to the Mint Plaza Area. (Clerk of the Board)

Action: \_\_\_\_\_

## Committee of the Whole Adjourn and Report Without Recommendation

29. 061309 [Recommending approval of Community Facilities District formation and financing by the ABAG Finance Authority For Nonprofit Corporations relating to Mint Plaza] Supervisor Daly

Resolution recommending approval of the formation of a community facilities district and the issuance of special tax bonds by the ABAG Finance Authority For Nonprofit Corporations related to the Mint Plaza; making findings; approving related joint community facilities agreement; and granting general authority to city officials to take actions necessary to implement this resolution.

Question: Shall this Resolution be ADOPTED?

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

### COMMITTEE REPORTS

*Reports from committees, if any, recommending emergency or urgent measures.*

*The following item will be considered by the City Operations and Neighborhood Services Committee at a Regular Meeting on Monday, October 2, 2006 at 1:00 p.m. The Chair intends to request the Committee to send the following item to the Board as a committee report on Tuesday, October 3, 2006.*

30. 061269 [Accept-Expend Federal Funding - Neighborhood Initiative Grant] Supervisor Daly

Resolution authorizing the Mayor, on behalf of the City and County of San Francisco, to accept and expend a Neighborhood Initiative Grant from the U.S. Department of Housing and Urban Development in an amount not to exceed Nine Hundred Ninety Thousand Dollars (\$990,000) for the rehabilitation and adaptive re-use of the Hotel Essex at 684 Ellis Street, San Francisco.

Question: Shall this Resolution be ADOPTED?

31. **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.*

## **32. 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.*

## **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 33 through 39**

- 33. 061352 [Mortgage Credit Certificates] Supervisor Elsbernd**  
Resolution authorizing an application to the California Debt Limit Allocation Committee to permit the issuance of Mortgage Credit Certificates.  
9/26/2006, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.  
**Question: Shall this Resolution be ADOPTED?**
- 34. 061353 [Urging Governor Schwarzenegger to grant parole to Flozelle Woodmore] Supervisor Mirkarimi**  
Resolution urging Governor Schwarzenegger to follow the Parole Board's recommendation to grant parole to Flozelle Woodmore.  
9/26/2006, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.  
**Question: Shall this Resolution be ADOPTED?**
- 35. 061354 [Commending Hala Hijazi] Supervisors Daly, Peskin, Ma**  
Resolution commending Hala Hijazi for her work on the Old Mint Project.  
9/26/2006, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**Question: Shall this Resolution be ADOPTED?**

- 36. 061355 [Supporting Proposition 89, the California Clean Money and Fair Elections Act of 2006] Supervisor Mirkarimi**

Resolution in support of Proposition 89, the California Clean Money and Fair Elections Act of 2006 on November 7, 2006.

9/26/2006, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**Question: Shall this Resolution be ADOPTED?**

- 37. 061334 [Final Map - 329 Bay Street]**

Motion approving Final Map 3432, a 23 Unit Mixed-Use Condominium Project, located at 329 Bay Street being a subdivision of Lot 36 in Assessors Block No. 0041 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1. (Public Works Department)

(DPW Order No. 176,348; District 3.)

9/21/2006, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**Question: Shall this Motion be ADOPTED?**

- 38. 061335 [Final Map - 638 19th Street]**

Motion approving Final Map 3001, a 21 Unit Mixed-Use Condominium Project, located at 638 19th Street being a subdivision of Lot 30 in Assessors Block No. 4044 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1. (Public Works Department)

(DPW Order No. 176,349; District 10.)

9/21/2006, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**Question: Shall this Motion be ADOPTED?**

- 39. 061336 [Final Map - 1843 - 1853 Filbert Street]**

Motion approving Final Map 2670, a 6 Unit Residential Condominium Project, located at 1843 - 1853 Filbert Street being a subdivision of Lot 26 in Assessors Block No. 0530 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1. (Public Works Department)

(DPW Order No. 176,291; District 2.)

9/21/2006, 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.*

## **OFF-AGENDA LEGISLATION**

### **PROPOSED ORDINANCES**

*Proposed ordinances received September 19, 2006 through September 25, 2006, for reference by President to appropriate committee on October 3, 2006.*

#### **061333 [Prohibiting Gifts From Restricted Sources]**

Ordinance amending section 3.216 of the Campaign and Governmental Conduct Code to prohibit City officers and employees from receiving any gifts from restricted sources other than nominal gifts exempted by the Ethics Commission and to clarify that exemptions to gift limits under state law also apply to limits imposed by local law. (Ethics Commission)

9/20/2006, RECEIVED AND ASSIGNED to Rules Committee.

### **PROPOSED RESOLUTIONS**

*Proposed resolutions received September 19, 2006 through September 25, 2006, for reference by President to appropriate committee on October 3, 2006.*

**061331 [Study of at-risk and HIV positive youth in San Francisco]**

Resolution authorizing the San Francisco Department of Public Health (DPH), to enter retroactively into an agreement in the amount of \$26,851 with the University of California (UCSF), the primary contractor, to participate in a study of at-risk and HIV positive youth in San Francisco, for the period of March 1, 2006 to February 28, 2007. (Public Health Department)

9/21/2006, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

**061332 [Study of HIV transmission behavior in HIV-positive men]**

Resolution authorizing the San Francisco Department of Public Health (DPH), to enter retroactively into an agreement in the amount of \$21,786 with the University of California, San Francisco (UCSF), the primary contractor, to participate in a study to examine decisions to have high transmission-risk sex; study the efficacy of a prevention counseling intervention; and determine whether future episodes of unprotected sex is reduced, for the period of September 1, 2005 to August 31, 2006. (Public Health Department)

9/21/2006, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

**061338 [Street Artist Winter Holiday Spaces]**

Resolution approving temporary selling spaces in the Downtown area and at Harvey Milk Plaza for street artists certified by the Arts Commission, City and County of San Francisco, for the winter holiday season, 2006, beginning on November 15, 2006 and ending on January 15, 2007. (Arts Commission)

9/26/2006, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

## **PROPOSED MOTIONS**

**061356 [Petition and Communications]**

Petitions and Communications received from September 19, 2006 through September 25, 2006 for reference by the President to Committee considering related matters or to be ordered filed by the Clerk on October 3, 2006.

From Municipal Transportation Agency, submitting Award of Purchase Order to Non-Compliant Vendor (Equal Benefits) made to Dellner Couplers, Inc. for Bellows.(1)

From Superior Court of California, County of San Francisco, certifying that the funding provided in the budget for fiscal year 2006-07 is adequate for the department to meet service levels as proposed to the Board. (2)

From Office of the Controller, submitting Fiscal Year 2005-2006 Surplus Transfers Report. (3)

From Office of the Controller, submitting Fiscal Year 2006-2007 Budget Certification. (4)

From The Police Commission, submitting a recent California Supreme Court decision that has implications for the Commission's current practices with respect to police disciplinary proceedings. (5)

From Office of the Mayor, submitting Acting Mayor designations for September 19, 2006 thru September 22, 2006. Copies: Each Supervisor and City Attorney. (6)

From Municipal Transportation Agency, submitting Award of Purchase Order to Non-Compliant Vendor (Equal Benefits) made to New Flyer Industries Canada for Hydraulic Cylinders. (7)

From San Francisco Tomorrow, submitting a request to postpone for 30 days the consideration of the proposed Ordinance which would amend the Administrative Code and add to Chapter 36 measures to implement community planning efforts and programs as a part of new Areas Plans. File No. 061206, Copy: Land Use and Economic Development Committee Members. (8)

From Taxi Commission, submitting a copy of Resolution No. 2006-94, urging the Board to amend the San Francisco Business and Tax Regulations Code by adding Section 76.5, to set a April 30 cutoff for annual renewal of a motor vehicle for hire drivers permit. Copy: Each Supervisor (9)

From Office of the Clerk of the Board, submitting copy of the City Attorney's opinion to the Referendum Petition Filed by Mr. O'Flynn Against the Bayview Hunters Point Redevelopment Plan, Ordinance No. 113-06. File No. 060343. (10)

From Board of Appeals, certifying that the funding provided in the budget for fiscal year 2006-07 is adequate for the department to meet service levels as proposed to the Board. (11)

From Department of Elections, submitting United States Department of Justice letter indicating concern for San Francisco successfully providing Language Assistance Programs to voters. (12)

From Human Rights Commission, regarding denial of entry to Iranian visitors. Copy: Each Supervisor. (13)

From San Francisco Unified School District, submitting Public Education Enrichment Fund Program and Expenditure Report. (14)

From Municipal Transportation Agency, submitting Award of Purchase Order to Non-Compliant Vendor (Equal Benefits) made to Dellner Cuplers, Inc, for Coupler Parts. (15)

From Aging and Adult Services Commission, submitting a copy of Resolution #2006-01, supporting the recommendations and resolution of the Latino Community Partnership. (16)

From Kimo Crossman, regarding inappropriate summaries of communications to the Board of Supervisors by the Clerk of the Board. (17)

From Office of the City Administrator, submitting letter of support for the City's Application for Certification (04-AFC-1) of the San Francisco Electric Reliability Project. (18)

From California Department of Health Services, regarding Medi-Cal program coverage for

digital mammography. (19)

From Recreation & Park Department, submitting Memorandum of Understanding between Recreation and Park Department and Department of Public Works. Copy: Budget and Finance Committee Members. (20)

From San Francisco Arts Commission, regarding graffiti removal from the William Mckinley Statue located in Golden Gate Park Panhandle. (Reference No. 20060808-009) Copy Supervisor Mirkarimi (21)

From Kevin Birchfield, concerning public urination, prostitution, and drug use in the Tenderloin District. (22)

From Municipal Transportation Agency, certifying that the funding provided in the budget for fiscal year 2006-07 is adequate for the department to meet service levels as proposed to the Board. (23)

From concerned citizens, submitting support for Ordinance which would allow certain nonconforming uses to occupy public sidewalk space with tables and chairs, etc. File No. 061069, Copy: Each Supervisor (24)

From concerned citizens, submitting opposition to the Buju Banton concert scheduled 9/30/06 at the Mezzanine. (25)

From Supervisor Dufty, advising that per the owner of the Mezzanine the Buju Banton concert has been cancelled. (26)

From concerned citizens, submitting support for the Police Foot Patrol Ordinance. File No. 060700, Copy: Each Supervisor. (27)

From Captain Dudley, submitting response to Ms. Weinstein regarding World Can't Wait Demonstration Permit.(28)

From Ahimsa Porter Sumchai, requesting a public hearing into the legal decision by the City Attorney regarding the referendum challenging the Bay View Hunters Point Redevelopment Project. (29)

From Ahimsa Porter Sumchai, submitting a copy of Revised Bayview Health Report. Copy: Supervisor Maxwell (30)

From Bonnie Weinstein, regarding denial of permit for rally on Saturday September 16, 2006. (31)

From Eula Walters, submitting opposition to the change of the name Ferry Park to Sue Bierman Park. File No. 061223, Copy: Each Supervisor (32)

From concerned citizens, protesting the denial of permit for march on Market Street on October 5, 2006. Copies: Police Department and Recreation and Park Department. (33)

From Miles Berger, expressing concerns regarding request for liquor license located at restaurant located at 1501 Howard St. (34)



From SF Police Department, submitting copy of response to Ms. Weinstein regarding the denial of Police Permit for rally. (35)

From John Melone, submitting support for the 24-Hour McMillan Resource Center open. File No. 061263, Copies: Budget and Finance Committee Members. (36)

From Christian Holmer, regarding format of documents provided when responding to Public Records Request. (37)

From concerned citizen, expressing concern regarding illegal aliens in the City.(38)

From Robert Planthold, expressing concerns regarding the MTA Transit Effectiveness Project. (39)

From Henri Belli, submitting suggestions to deal with crime in the community. (40)

From Department of Public Works, regarding street repair at 1821 Haight Street. (Reference No. 20060711-007), Copy: Supervisor Mirkarimi (41)

From Public Utilities Commission, regarding graffiti removal from 709 Webster. (Reference No. 20060912-010), Copy: Supervisor Mirkarimi (42)

From Megan Moore, regarding Universal Health Care in the City. (43)

From Ahimsa Sumchai, regarding the Examiner's reporting with regard to the opinions expressed by the writers and editors of the SF Bayview. (44)

## **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.

**THE AGENDA PACKET IS AVAILABLE AT CITY HALL, ROOM 244, RECEPTION DESK.** Agendas are available on the internet at [www.sfgov.org/site/bdsupvrs\\_index.asp?id=4383](http://www.sfgov.org/site/bdsupvrs_index.asp?id=4383)

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 interpreters at a meeting must be received at least 48 hours in advance of the meeting to help ensure availability. Contact Madeleine Licavoli at (415) 554-7722.

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 (Room 250) and the Committee Room (Room 263) in City Hall are wheelchair accessible. Meetings are real-time captioned and are cablecast open-captioned on SF Cable 26. Assistive listening devices for the Legislative Chamber are available upon request at the Clerk of the Board's Office, Room 244. Assistive listening devices for the Committee Room are available upon request at the Clerk of the Board's Office, Room 244 or in the Committee Room. To request sign language interpreters, readers, large print agendas or other accommodations, please contact Madeleine Licavoli at (415) 554-7722 or (415) 554-5227 (TTY). Requests made at least 48 hours in advance of the meeting will help to ensure availability.

The nearest accessible BART station is Civic Center (Market/Grove/Hyde Streets). Accessible MUNI Metro lines are the J, K, L, M, and N (Civic Center or Van Ness Stations). MUNI bus lines serving the area are the 47 Van Ness, 9 San Bruno, and the 6, 7, 71 Haight/Noriega. For more information about MUNI accessible services, call (415) 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. Accessible curbside parking is available on Dr. Carlton B. Goodlett Place and Grove Street. In order to assist the City's efforts 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 perfumes and various other chemical-based scented products. Please help the City to accommodate these individuals.

### **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 Frank Darby 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 [sotf@sfgov.org](mailto:sotf@sfgov.org)

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

### **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](http://www.sfgov.org/ethics)

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