

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 11, 2005
2:00 PM**

Regular Meeting

**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

ROLL CALL AND PLEDGE OF ALLEGIANCE

APPROVAL OF MEETING MINUTES

Motion to approve the Board Meeting Minutes for September 13, 2005 and September 20, 2005.

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 12

Recommendations of the Budget and Finance Committee

Present: Supervisors Ammiano, Mirkarimi, Elsbernd

- 1. 051440 [Airport Equipment Maintenance and Operating Agreement]**
Resolution approving Equipment Maintenance and Operating Agreement between San Francisco Terminal Equipment Company, LLC and the City and County of San Francisco, acting through its Airport Commission. (Airport Commission)
Question: Shall this Resolution be ADOPTED?
- 2. 051530 [Airport Public Parking Services Proposition]**
Resolution approving the Controller's certification that Airport Public Automobile Parking Facilities for San Francisco International Airport can practically be performed by private contractor at a lower cost than if work were performed by city employees at budgeted levels. (Airport Commission)
(Fiscal impact.)
Question: Shall this Resolution be ADOPTED?
- 3. 051531 [Airport Employee Parking Services Proposition J]**
Resolution approving the Controller's certification that Airport Employee Parking Facilities for San Francisco International Airport can practically be performed by private contractor at a lower cost than if work were performed by city employees at budgeted levels. (Airport Commission)
(Fiscal impact.)
Question: Shall this Resolution be ADOPTED?
- 4. 051533 [Contract between the Department of Public Health and Accordis, Inc. to provide retroactive claiming of**

aged accounts services]

Resolution authorizing the Director of Public Health and the Director of the Office of Contract Administration/Purchaser to continue a contract between the City and County of San Francisco and Accordis, Inc. to provide retroactive claiming of aged accounts services for the period of July 1, 2004 through June 30, 2008. (Public Health Department)

(Fiscal impact.)

Question: Shall this Resolution be ADOPTED?

Recommendations of the City Operations and Neighborhood Services Committee

Present: Supervisors McGoldrick, Dufty

5. 051464 [Traffic Regulations] Supervisor Ammiano

Resolution enacting and rescinding traffic regulations on various streets

MID-BLOCK CROSSWALK - ESTABLISH

Alabama Street, between 24th and 25th Streets.

(8/15/05: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street.)

Question: Shall this Resolution be ADOPTED?

6. 051546 [Parking Regulations]

Resolution enacting and rescinding parking regulations at various locations.

TOW-AWAY NO STOPPING ANYTIME - ESTABLISH

Beacon Street, both sides, from the south end of the driveway of 383 Beacon Street to 120 feet southerly.

(8/30/05: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the stree; DPT Order No. 3056.)

Question: Shall this Resolution be ADOPTED?

7. 051547 [STOP Intersections] Supervisor Elsbernd

Resolution designating certain intersections as "STOP" intersections.

STOP SIGNS - ESTABLISH

Clement Street and 15th Avenue, stopping Clement Street at 15th Avenue, making this intersection an all-way STOP.

Flood Avenue at Congo Street, installing STOP signs on Flood Avenue at Congo Street, making this intersection an All-Way STOP.

Fairfield Way at Kenwood Way, installing a STOP sign on Fairfield Way at Kenwood Way. (Parking and Traffic Department)

(8/30/05: Categorically exempt from Environmental Review Class 1(c)(9) changes in the

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 Ammiano, Mirkarimi, Elsbernd

13. 051378 [Sale of City Property located at 425 Mason Street, San Francisco]

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. (Real Estate Department)

(Fiscal impact.)

9/20/2005, CONTINUED. Continued to October 11, 2005

Question: Shall this Ordinance be PASSED ON FIRST READING?

Recommendation of the City Operations and Neighborhood Services Committee

Present: Supervisors: McGoldrick, Dufty, Ma

14. 051458 [Public Works Code - landmark trees and penalties for violations] Supervisor McGoldrick

Ordinance amending the Public Works Code by amending Section 802 to modify various definitions; amending Sections 802, 806, and 809 to redefine nuisance trees as hazard trees; amending Sections 802 and 803 authorizing the Urban Forestry Council to succeed to the powers and duties of the Tree Advisory Board; amending Sections 804, 807, 808, and 810 concerning landmark trees and procedures to designate, nominate, and remove landmark trees; amending Section 811 to create civil penalties and fines and to modify provisions on administrative penalties; and making environmental findings.

9/27/2005, CONTINUED. Continued to October 11, 2005

Question: Shall this Ordinance be PASSED ON FIRST READING?

From the City Operations and Neighborhood Services Committee with Recommendation "Do Not Pass"

Present: Supervisors: McGoldrick, Dufty, Ma

15. **050689** **[Public Works Code - significant trees, landmark trees, and penalties for violations]** **Supervisor Daly**
- Ordinance amending the Public Works Code by amending Sections 802, 804, 807, and 808 and adding Section 810A to address removal, maintenance, and nomination of significant trees as defined herein; amending Sections 802, 806, and 809 to redefine nuisance trees as hazard trees; amending Sections 802 and 803 authorizing the Urban Forestry Council to succeed to the powers and duties of the Tree Advisory Board; amending Section 810 to allow the City to landmark any tree within its territorial limits; amending Section 811 to create civil penalties and fines and to modify provisions on administrative penalties; and making environmental findings.
- 9/27/2005, CONTINUED. Continued to October 11, 2005
- Question: Shall this Ordinance be PASSED ON FIRST READING?**

NEW BUSINESS

Recommendations of the Budget and Finance Committee

Present: Supervisors Ammiano, Mirkarimi, Elsbernd

16. **050922** **[Payroll Expense Tax Exclusion for qualified clean energy technology businesses]** **Supervisors McGoldrick, Alioto-Pier, Mirkarimi, Elsbernd**
- Ordinance amending the Payroll Expense Tax Ordinance to establish a tax exclusion for qualified clean energy technology businesses, as specified.
- Question: Shall this Ordinance be PASSED ON FIRST READING?**
17. **051512** **[Amendment to Budget Analyst contract to exercise two year option]** **Supervisor Peskin**
- Motion approving exercising the first option set forth in the agreement for Professional Budget Analyst Services between the City and County of San Francisco and Stanton W. Jones and Associates; Debra A. Newman; Rodriguez, Perez, Delgado & Company Certified Public Accountants; Harvey M. Rose Accountancy Corporation Certified Public Accountants; and Louie & Wong LLP Certified Public Accountants ("A Joint Venture") to extend the term of the Agreement from January 1, 2006 through December 31, 2007.
- (Fiscal impact.)
- Question: Shall this Motion be ADOPTED?**

Recommendations of the City Operations and Neighborhood Services Committee

Present: Supervisors: Supervisors McGoldrick, Dufty

18. **050253** **[Proposition 65 Ordinance - Safe Drinking Water and** **Supervisor Mirkarimi**

Ordinance amending the San Francisco Planning Code by abolishing the legislated front setback of the southeastern portion of the property located at 301-323 14th Avenue, identified as Assessor's Block No. 1446, Lot No. 054 (formerly Lots 001, 004, 006, 053), as shown on Block Book Map No. 1446 of the City and County of San Francisco, Volume 12; and adopting General Plan, Planning Code Section 101.1(b), and environmental findings. (Planning Department)

Question: Shall this Ordinance be PASSED ON FIRST READING?

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

SPECIAL ORDER 4:00 P.M.

APPEAL PROCEDURES

Board Rule 4.29 provides that public hearings on appeals shall be scheduled for 4pm. If more than one public hearing is scheduled, then the Clerk, in consultation with the President, may determine the order in which the appeals will be scheduled. Second and later appeals may be scheduled at specified times later than 4 pm. An appeal shall not be heard prior to its scheduled time on the calendar, and it may not be called until the Board's consideration of appeals scheduled earlier on the calendar is completed. It is the policy of the Clerk of the Board to schedule multiple appeals in the following order at 4pm:

- 1. Appeals where all parties have agreed to request a continuance or a tabling of the appeal.*
- 2.*

**25. 051222 [Public Hearing - Appeal of Categorical Exemption
from Environmental Review for 899 North Point
Street]**

Hearing of persons interested in or objecting to the decision of the Planning Department dated April 22, 2005, exempting from environmental review under Categorical Exemption, State CEQA Guidelines Sections 15303(b) and General Rule Exclusion, under CEQA Guidelines Section 15061(b)(3). The proposed project would involve the demolition of a vacant gas station building, approximately 1,650 square feet in size, and construction of a four-story, five-unit residential building. The proposed project would provide seven off-street parking spaces on the ground floor. Entrance and access to the residential units would be from Larkin Street and vehicular entrance and access would be from North Point Street. The project site at 899 North Point Street (Assessor's Block 0026, Lot 020) is approximately 5,469 square feet in size and located on the southeastern corner of North Point and Larkin Streets in the Russian Hill neighborhood on the block bounded by Larkin, North Point, Hyde and Bay Streets. The project site is zoned RH-3 (Residential, House, Three-Family) and is within a 40-X height and bulk district. The project site is also located in the Waterfront Special Use District No. 2, per Section 240.2 of the San Francisco Planning Code. (Appellant: Stephen M. Williams.)

(Filed June 17, 2005; companion measure to Files 051223, 051224, 051225; District 2.)

7/26/2005, CONTINUED. Continued to August 9, 2005

8/9/2005, CONTINUED. Continued to September 20, 2005

9/20/2005, CONTINUED. Continued to October 11, 2005

Action: _____

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

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

26. **051223 [Affirming the categorical exemption issued for 899 North Point Street]**
Motion affirming the determination by the Planning Department that the 899 North Point Street project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

7/26/2005, CONTINUED. Continued to August 9, 2005
8/9/2005, CONTINUED. Continued to September 20, 2005
9/20/2005, CONTINUED. Continued to October 11, 2005

Question: Shall this Motion be ADOPTED?
27. **051224 [Disapproving the categorical exemption issued for 899 North Point Street]**
Motion disapproving the determination by the Planning Department that the 899 North Point Street project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

7/26/2005, CONTINUED. Continued to August 9, 2005
8/9/2005, CONTINUED. Continued to September 20, 2005
9/20/2005, CONTINUED. Continued to October 11, 2005

Question: Shall this Motion be ADOPTED?
28. **051225 [Preparation of findings related to the categorical exemption issued for 899 North Point Street]**
Motion directing the Clerk of the Board to prepare findings related to the appeal of the determination by the Planning Department that the 899 North Point Street project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

7/26/2005, CONTINUED. Continued to August 9, 2005
8/9/2005, CONTINUED. Continued to September 20, 2005
9/20/2005, CONTINUED. Continued to October 11, 2005

Question: Shall this Motion be ADOPTED?

SPECIAL ORDER 4:00 P.M.

29. **051542 [Public Hearing - Appeal of Categorical Exemption from Environmental Review (Variance Decision) for**

2642 and 2644 Hyde Street]

Hearing of persons interested in or objecting to the variance decision of the Planning Department dated July 13, 2005 (Case No. 2004.1312V), exempting from environmental review the proposal to rebuild an existing second-floor balcony within the required rear yard of the existing two-family structure that was originally constructed without a permit. The balcony would be approximately 12 feet wide, 3 feet deep, and set back from each side property line by approximately 5 feet. The balcony would be cantilevered over the rear yard.

The project is located at 2642 and 2644 Hyde Street, east side between Bay and North Point Streets; Lot 017 in Assessor's Block 0027 in an RH-3 (House, Three-Family) District and 40-X Height and Bulk District. (Appellant: Stephen M. Williams.)

(Filed 8/31/05; companion measure to Files 051543, 051544, 051545; District 2.)

Action: _____

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the categorical exemption from environmental review (variance decision) described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

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

30. 051543 [Affirming the categorical exemption issued for 2642-2644 Hyde Street]

Motion affirming the determination by the Planning Department that the 2642-2644 Hyde Street project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Question: Shall this Motion be ADOPTED?

31. 051544 [Disapproving the categorical exemption issued for 2642-2644 Hyde Street]

Motion disapproving the determination by the Planning Department that the 2642-2644 Hyde Street project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Question: Shall this Motion be ADOPTED?

32. 051545 [Preparation of findings related to the categorical exemption issued for 2642-2644 Hyde Street]

Motion directing the Clerk of the Board to prepare findings related to the appeal of the determination by the Planning Department that the 2642-2644 Hyde Street Project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Question: Shall this Motion be ADOPTED?

COMMITTEE REPORTS

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

33. 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.

34. 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 35 through 43

35. 051632 [Walk to School Day] Supervisor Ma
Resolution declaring October 5, 2005 as "Walk Our Children to School Day" in the City and County of San Francisco.

9/27/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

36. 051634 [Microenterprise Development Month] Supervisor Ma
Resolution declaring October 2005 as "Microenterprise Development Month" in the City and County of San Francisco.

9/27/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

37. **051638** **[Employment Policies and Procedures Regarding Criminal History]** **Supervisors Ammiano, Maxwell, Daly, Mirkarimi, Dufty**
 Resolution urging the Civil Service Commission and the Department of Human Resources to review and revise current policies and procedures where appropriate so that people who have been in prison or convicted of criminal activity are not unreasonably denied City employment.
 9/27/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
38. **051655** **[Declaring October 1, 2005, to be Renewable Energy Day in San Francisco]** **Supervisor Elsbernd**
 Resolution declaring October 1, 2005, to be Renewable Energy Day in San Francisco.
 9/27/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
39. **051656** **[Proclaiming October 2005 as "San Francisco Disaster Preparedness Month"]** **Supervisors Ma, Dufty**
 Resolution proclaiming October 2005 as "San Francisco Disaster Preparedness Month".
 9/27/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
40. **051657** **[Commending the Second Annual Loveparade San Francisco]** **Supervisor Mirkarimi**
 Resolution commending the success of the 2005 Loveparade San Francisco.
 9/27/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
41. **051658** **[Shared Lane Markings on Seventh Avenue]** **Supervisor Mirkarimi**
 Resolution urging the Department of Parking and Traffic to complete stenciling Shared Lane Markings on Seventh Avenue between Kirkham Street and Lincoln Way.
 9/27/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
42. **051659** **[Supporting Federal Legislation H.R. 1492 - Preservation of Historic Confinement Sites]** **Supervisors Peskin, Mirkarimi**
 Resolution expressing support for House Resolution 1492, federal legislation to provide for the preservation of the historic confinement sites where Japanese Americans were detained during World War II.

9/27/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

43. 051631 [Needle Exchange Emergency]

**Supervisors Ammiano, Daly,
Peskin, McGoldrick, Maxwell,
Dufty, Mirkarimi**

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.

9/27/2005, 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: _____*

44. 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 from September 20, 2005 through October 3, 2005, for reference by President to appropriate committee on October 11, 2005.

051586 [Settlement of Lawsuit - Microsoft Corporation, et al.]

Ordinance authorizing settlement of the class-action lawsuit filed by the City and County of San Francisco against Microsoft Corporation for \$1,000,000; the lawsuit was filed on August 27, 2004 in San Francisco Superior Court; entitled City and County of San Francisco, et al., v. Microsoft Corporation, et al.; Microsoft removed the action to federal court and then transferred the action to the United States District Court for the District of Maryland. (City Attorney)

9/20/2005, RECEIVED AND ASSIGNED to Rules Committee.

051598 [Settlement of Lawsuit - King C. Electric, Inc.]

Ordinance authorizing settlement of the lawsuit filed by King C. Electric, Inc. against the City and County of San Francisco according to the following terms: a) King C. Electric, Inc. ("KCE") pays one hundred nine thousand one hundred eighty-five dollars and ninety-three cents (\$109,185.93) to the City; b) the City pays seventy-eight thousand nine hundred eighty-three dollars and twenty-one cents (\$78,983.21) to KCE; and c) KCE is debarred from performing construction contracts on City-owned projects for two and a half years. The lawsuit was filed on April 14, 2004 in the Superior Court of the City and County of San Francisco, Case No. CGC-o4-430671; entitled King C. Electric, Inc. v. City and County of San Francisco et al. and related cross-action. (City Attorney)

9/23/2005, RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED RESOLUTIONS

Proposed resolutions received from September 20, 2005 through October 3, 2005, for reference by President to appropriate committee on October 11, 2005.

051585 [Acceptance of Subsurface Easement at 2-4 Winfield Street]

Resolution authorizing the acceptance of a permanent subsurface easement at 2-4 Winfield Street, Assessor's Block 5661, Lot 001 for tie-back rods connected to a City-constructed retaining wall. (Real Estate Department)

9/22/2005, RECEIVED AND ASSIGNED to Budget and Finance Committee.

051587 [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 2005-2006. (Public Health Department)

9/20/2005, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee. Department requests this item be considered at the October 3, 2005 meeting.

051589 [Traffic Regulations]

Resolution enacting and rescinding traffic regulations on various streets.

RIGHT TURN ONLY - RESCIND
RIGHT TURN ONLY ONTO SAN JOSE AVENUE - ESTABLISH
Brook Street, westbound, at San Jose Avenue

NO TURN ON RED - ESTABLISH
Sacramento Street, westbound at Stockton Street; and,
Stockton Street, southbound, at Sacramento Street (to facilitate the installation of pedestrian scramble).

ONE-WAY STREET (NORTHBOUND) - RESCIND
ONE-WAY STREET (SOUTHBOUND) - ESTABLISH
Ritch Street, between Brannan and Bryant Streets (200 block). (Parking and Traffic Department)

9/23/2005, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

051597 [Parking Regulations]

Resolution enacting and rescinding parking regulations at various locations.

PARKING METER AREA NO. 3 (2-HOUR PARKING TIME LIMIT, 9 AM - 6 PM, MONDAY THROUGH SATURDAY) - ESTABLISH
Alameda Street, both sides, between Potrero Avenue and Utah Street; and,
Utah Street, west side, between Alameda and 15th Streets.

2-HOUR PARKING, 9 AM TO 6 PM, MONDAY THROUGH SATURDAY - ESTABLISH
Marin Street, both sides, from Evans Avenue easterly to the terminus.

RESIDENTIAL PERMIT PARKING AREA "U" (2-HOUR TIME LIMIT, 8 AM - 6 PM, MONDAY THROUGH FRIDAY) - ESTABLISH
Langton Street, both sides, from Bryant Street to 272 feet southerly (the end of the public right-of-way (300 block)).

SIDEWALK WIDTH - REDUCE
PERPENDICULAR (90-DEGREE ANGLE) PARKING - ESTABLISH
Ingerson Avenue, south side, from 40 feet to 100 feet east of 3rd Street (sidewalk would be reduced from being 25 feet to 15 feet wide).

DIAGONAL (45-DEGREE ANGLE) PARKING - ESTABLISH
Brannan Street, northeast side, from approximately 103 feet east of Colin P. Kelly, Jr. Street to approximately 36 feet west of Delancey Street.

TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH
Folsom Street, north side, from 1st Street to 140 feet westerly. (Parking and Traffic Department)

9/23/2005, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

051599 [Official Advertising - Type 1 for Consecutive Day Publication and Type 2 for Non-Consecutive Day Publication]

Resolution designating the San Francisco Chronicle and Examiner to be the official newspapers of the City and County of San Francisco for the category of Type 1 consecutive day, and Type 2 non consecutive day official advertising services for the fiscal year commencing upon Board of Supervisors and Mayoral approval and ending June 30, 2006. (Office of Contract Administration)

9/23/2005, RECEIVED AND ASSIGNED to Budget and Finance Committee.

051603 [Port of San Francisco - Proposed Piers 27-31 Mixed Use Recreation Project Fiscal Feasibility]

Resolution adopting findings that the proposed Piers 27-31 Mixed Use Recreation Project is fiscally feasible and responsible under Administrative Code Chapter 29. (Port)

10/3/2005, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

051660 [Settlement of Claim - Louis Vuitton, Inc.]

Resolution approving the settlement of the unlitigated claim filed by Louis Vuitton, Inc., against City and County of San Francisco for \$93,000.00. (City Attorney)

10/3/2005, RECEIVED AND ASSIGNED to Rules Committee.

051661 [Settlement of Lawsuit - Walter Reed]

Ordinance authorizing the settlement of a lawsuit filed by Walter Reed against the City and County of San Francisco for \$36,000.00; the lawsuit was filed on December 15, 2003, in San Francisco Superior Court, Case No. 414322, entitled Walter Reed v. City and County of San Francisco, et al. (City Attorney)

10/3/2005, RECEIVED AND ASSIGNED to Rules Committee.

051710 [Petitions and Communications (Part 1)]

Petitions and Communications received from September 20, 2005 through October 3, 2005, for reference by the President to Committee considering related matters or to be ordered filed by the Clerk on October 11, 2005. Part 1

From Janet Winderl, urging the Board to take action to insure that the new Laguna Honda Hospital will be for seniors and disabled residents.(1)

From Stephen Williams, requesting appeal of Categorical Exemption for project at 899 North Point Street be continued to October 11, 2005. (2)

From Department of Public Health, submitting fiscal year 2004-05 annual report of gifts received by the Department of Public Health.(3)

From SF Environment, submitting regulation adopting Public Participation Guidelines for Implementation of Precautionary Purchasing Ordinance, effective September 20, 2005.(4)

From Office of the Mayor, regarding the upcoming sale of San Francisco's Finance Corporation Lease Revenue Bonds, Series 2005A. Copy: Budget Analyst(5)

From Michael Dabit, submitting request for transfer of a type 21 liquor license from 627 Vallejo Street to 2222 Polk Street for the Polk and Green Produce Market.(6)

From Department of Elections, submitting press release regarding the November 8, 2005 Consolidated Special Statewide Election. Copy: Each Supervisor(7)

From Clerk of the Board, submitting the 2005-06 Board of Supervisors/Clerk of the Board Efficiency Plan. Copy: Each Supervisor(8)

From James Chaffee, regarding the Public Library's Friends and Foundation implementation plan for a new fundraising initiative.Copy: Each Supervisor(9)

From Planning Commission, submitting notice that on September 15, 2005 the Commission adopted Resolutions 17103, 17104, and 17105 adopting Supervisor Mirkarimi's proposed ordinance that creates a regulatory framework to guide the location and operation of medical cannabis dispensaries in San Francisco with modifications.(10)

From Planning Commission, submitting notice that proposed ordinance regarding Sacramento Street Neighborhood Commercial District Upper Floor Educational Service Use (File 051248) is exempt from CEQA under the General Rule Exclusion.(11)

From San Francisco 49ers, thanking the Board for their thoughtful appreciation of Thomas Herrion and his family.(12)

From Kevin Alves, regarding the techniques and treatment used by the Methamphetamine Task Force.(13)

From Public Utilities Commission, responding to inquiry about the PUC's watershed environmental policy. (Reference No. 20050712-001) Copy: Supervisor Daly(14)

From Office of the Controller, submitting report concerning the audit of the San Francisco International Airport.(15)

From Department of Parking and Traffic, regarding additional weekend enforcement for Residential Permit Parking Area "R". (Reference 20050816-002) Copy: Supervisor Mirkarimi(16)

From Department of Parking and Traffic, concerning crosswalk visibility at Alemany Boulevard and Sagamore Street. (Reference No. 20050712-006) Copy: Supervisor Sandoval(17)

From David Lawless, regarding alleged unfair Rent Board policies.(18)

From concerned citizens, submitting support for opening a Home Depot Store on Bayshore Boulevard.File 051445, Copy: Each Supervisor(19)

From concerned citizens, requesting continuance of File 051474 parking regulations (City Operations and Neighborhood Services Committee) so that the constituents in that neighborhood can review the proposed regulations.(20)

From concerned citizens, submitting support for proposed legislation regarding significant

trees, landmark trees and penalties for violations. File 050689, Copy: Each Supervisor(21)

From concerned citizens, submitting support for proposed legislation entitled: the "Better Neighborhoods Planning and Implementation Process" currently in the Land Use Committee. File 050601(22)

From concerned citizens, submitting support for the nomination of Hunter Stern to the Municipal Transportation Agency's Board of Directors.(23)

From Florence Fung, submitting copy of letter sent to the Department of Public Works requesting property line identification and survey reports for the West Portal Public Library Project, oreign object removal at/near property line and for dirt replacement, barrier installation at property line.(24)

From J. Angelo Chaddad, concerning the beeping device on the "walk/don't walk" traffic poles recently installed at 8th and Market Streets. Copy: Supervisor Daly(25)

From Morrison and Foerster LLP, concerning verified claim for refunds of property taxes. Copy: Assessment Appeals Board(26)

From Fair Districts Now, submitting support for the "Voter Empowerment Act" the redistricting initiative.(27)

From Miraloma Park Improvement Club, submitting support for proposal to place a 3-way stop sign on the corner of Stillings and Teresita Boulevard. File 051486, Copy: City Operations Committee members(28)

From Office of the Controller, requesting the Budget and Finance Committee consider releasing the reserve of 75 percent of West Bay's fiscal year 2005-06 funding.(29)

From Law Offices of Bonstein & Bornstein, submitting copy of letter sent to Julian Lastowski, Esq. regarding his client who continues to pay his rent late.(30)

From Citizens General Obligation Bond Oversight Committee, submitting copy of letter sent to President of the SF Unified School District Board of Education requesting that the Board of Education stop issuing bonds and undertaking new projects until it is able to accurately account for and report its bond activity.(31)

From Deputy Clerk of the Board, submitting notice that the Government Audits and Oversight Committee conducted a public hearing to discuss the findings and recommendations of the Civil Grand Jury and the Human Rights Commission's response to "City Contracting and Affirmative Action" on September 26, 2005.(32)

From Bill B., urging the Board of Supervisors to pass legislation that would fine individuals that have excessive noise coming from their car and/or home stereos "boom" cars and "boom" houses in the Excelsior District. Copy: Each Supervisor(33)

From Eric Bergman, urging the Board of Supervisors to do what it can to help Susan Cervantes from being evicted from her rented family home of 35 years, located at 398 Precita Avenue, by the new owners of that property.(34)

From PJ Dayacamos, urging the Board to put a cap on the amount of restaurants and bars in Hayes Valley and adopt zoning legislation to accommodate the residents need for more residential services.Copy: Supervisor Mirkarimi(35)

From Scott Kockos, urging the Board of Supervisors to stop the CPMC Strike and/or prevent Supervisor Daly and other Supervisors from participating in these rallies.(36)

From Thomas Pietrowsky, commenting that the Board's decision not to station the USS Iowa in San Francisco is disrespectful to all of those soldiers who gave their lives for this country.(37)

From SF AIDS Foundation, urging Congress to approve Medicaid legislation to assist people with HIV and AIDS impacted by Hurricane Katrina. Copy: Each Supervisor(38)

From Department of Parking and Traffic, regarding the feasibility of installing traffic signals at the intersection of Divisadero and Ellis Streets. (Reference No. 20050726-001) Copy: Supervisor Mirkarimi(39)

From Department of Parking and Traffic, regarding the feasibility of installing traffic signals at the intersection of Divisadero and California Streets. (Reference No. 20050816-004) Copy: Supervisor Mirkarimi(40)

From Municipal Transportation Agency, submitting report on the traffic signal timing at Geary Boulevard and Laguna Street, and what the Department of Parking and Traffic intends to do to improve safety at this location. (Reference No. 20050802-001) Copy: Supervisor Mirkarimi(41)

From Department of Parking and Traffic, concerning review of faded crosswalks at the intersection of Oak Street and Masonic Avenue. (Reference No. 20050913-004) Copy: Supervisor Mirkarimi(42)

From Department of Parking and Traffic, regarding the feasibility of installing traffic signals at the intersection of Baker and Turk Streets. (Reference No. 20050726-004) Copy: Supervisor Mirkarimi(43)

From concerned citizens, submitting opposition to proposed legislation that would eliminate the felony conviction disclosure requirement for prospective City employees. File 051698, Copy: Each Supervisor(44)

From Taxi Commission, submitting notice that the Taxi Commission unanimously approved a motion urging increasing the rate of taxi fare (as set in Police Code Section 1135) either through an advertised surcharge (add-on similar to the \$2.00 add-on taxi drivers may charge airport customers) or through the meter by an amount necessary to compensate for the high cost of gas.(45)

From Residential Rent Stabilization and Arbitration Board, submitting the annual statistical report for fiscal year 2004-05. Copy: Each Supervisor(46)

From SF Neighborhood Antenna-Free Union, submitting opposition to the SF TechConnect wireless fidelity broadband initiative.(47)

From the Port, submitting the Fiscal Responsibility and Feasibility Report for Piers 27-31 Mixed Use Recreation Project. Copy: Each Supervisor(48)

From Public Utilities Commission, submitting request for waiver of Administrative Code Chapters 12B and 12C for Chevron Texaco.(49)

From Department of Public Works, reporting that the graffiti along the walls of Koshland Park was removed by the Department of Recreation and Park's Paint Shop last week. (Reference No. 20050906-001) Copy: Supervisor Mirkarimi(50)

051711 [Petitions and Communications (Part 2)]

Petitions and Communications received from September 20, 2005 through October 3, 2005, for reference by the President to Committee considering related matters or to be ordered filed by the Clerk on October 11, 2005. (Part 2)

From Department of Public Works, reporting that the graffiti on the signal box at the northeast corner of the intersection of Sutter and Gough Streets was removed. (Reference No. 20050913-002) Copy: Supervisor Mirkarimi(51)

From Department of Public Works, reporting that the pothole at Linden and Buchanan Streets, behind the Hayes Valley Playground has been repaired. (Reference No. 20050802-002) Copy: Supervisor Mirkarimi(52)

From Department of Public Works, reporting that the large crack and raised area of the street at 739 Cole Street has been repaired. (Reference No. 20050906-009) Copy: Supervisor Mirkarimi(53)

From Office of the Controller, submitting notice that all departments have submitted budget certification letters (with the exception of the Assessor & Recorder and the Department of Elections) confirming that funding provided in the budget for fiscal year 2005-06 as adopted by the Board of Supervisors is adequate for their department to meet service levels as proposed to the Board.(54)

From Public Library, submitting the Branch Library Improvement Program Highlights for the summer of 2005.(55)

From the Risk Management Program, submitting the indemnification quarterly report for April through June 2005.(56)

From Daniel Kanights, concerning the Department of Parking and Traffic's ruling on two citations.(57)

From State Department of Veterans Affairs, submitting the legislative update for 2005.(58)

From concerned citizens, submitting support for keeping the offices and services of the West Bay Pilipino Multi-Service Center open and available to Filipino-Americans.(59)

From Director, Disaster Services, American Red Cross, regarding investigation of the September 15, 2005 fire at 359 Capp Street. (Reference No. 20050920-017) Copy: Supervisor Ammiano(60)

From Kenyon Potte, suggesting retrofitting as an alternative to replacement of SF fire hydrants would provide the same inter-operability of SF fire hydrants and equipment from

other municipalities, which would respond in emergencies and provide mutual aid at a much lower cost. Copy: Each Supervisor(61)

From concerned citizens, submitting support for proposed legislation that would require food establishments selling fresh and canned fish to provide Proposition 65 warning labels in English, Spanish and Chinese. File 050253(62)

From Recreation and Park Department, regarding repair of the restroom and port-a-let in the Panhandle near the Children's Playground (Ashbury/Oak/Fell Streets). (Reference No. 20050809-001) Copy: Supervisor Mirkarimi(63)

From Department of Building Inspection, concerning the safety record of the apartment building at 359 Capp Street. (Reference No. 20050920-013) Copy: Supervisor Ammiano(64)

From Urban Forest Council, submitting the Urban Forest Annual Report for 2005.(65)

From Redevelopment Agency, submitting the San Francisco Redevelopment Agency Draft Public Records Policy, dated September 21, 2005. File 051299(66)

From Department of Human Resources, submitting report regarding the classification audit process for the Management Classification and Compensation Plan Quarterly Report. Copy: Each Supervisor(67)

From Office of the Controller, submitting reports concerning six recently completed Port concession audits.(68)

From Office of the Clerk of the Board, submitting the revised 2005-06 Board of Supervisors/Clerk of the Board Efficiency Plan.(69)

From Residential Rent Stabilization and Arbitration Board, submitting the department's efficiency plan for 2005-06.(70)

From Department of Elections, submitting press release regarding early voting for the November 8, 2005 Consolidated Special Statewide Election beginning October 11, 2005. Copy: Each Supervisor(71)

From James Chaffee, suggesting that the gift to the Public Library for \$16 million dollars should have been sent to committee for a public hearing. File 051618, Copy: Each Supervisor(72)

From concerned citizens, submitting opposition to vacation of a portion of Bernal Heights Boulevard west of Moultrie Street for open space use. File 050852, Copy: Each Supervisor(73)

From Katrina King, notifying the County Clerk's Office that Cab College at 1095 Market Street is not registered, licensed or recognized in anyway by the California Department of Education.(74)

From Nick Feldman, offering to write a proposal for the City and County of San Francisco to have an on call disability assistance program to assist those with physical disabilities in activities of daily living. Copy: Each Supervisor(75)

From concerned citizens, regarding home ownership in San Francisco.(76)

From T. E. Houston, commenting on proposed legislation for mandatory spay/neutering of pit bulls. File 051607(77)

From Mara & Richard Recker, submitting opposition to resolution commending George Galloway. File 051612, Copy: Each Supervisor(78)

From Department of Public Health, submitting press release confirming the City's second case of West Nile Virus.(79)

From Department of Parking and Traffic, concerning repainting of faded stop lines at the intersection of Ashbury and Grove Streets. (Reference No. 20050913-001) Copy: Supervisor Mirkarimi(80)

From concerned citizens, submitting opposition to proposed opening of a Home Depot Store on Bayshore Boulevard. File 051445, Copy: Each Supervisor(81)

From concerned citizens, urging the Board of Supervisors to release the much needed \$1.1 million in Proposition H funds to the City schools to support athletics and to raise per-pupil spending.(82)

From concerned citizens, regarding Supervisor Daly alleging accusing Pat Murphy, the founder of the San Francisco Sentinel, of running an online political action committee.(83)

From Denise D'Anne, suggesting city employees pay for parking on city owned or leased property. Copy: Each Supervisor (84)

Number not used.(85)

From concerned citizens, submitting support for adopting Supervisor Mirkarimi's proposed ordinance that creates a regulatory framework to guide the location and operation of medical cannabis dispensaries in San Francisco with modifications. (86)

From concerned citizens, urging the Board of Supervisors to enact a Community Choice Energy plan that will bring San Francisco 360 megawatts of renewable energy generation in the next three years. File 051417, Copy: Each Supervisor(87)

From Planning Department, submitting report regarding Commerce and Industry Inventory for 2003, 2004 and 2005.(88)

From Youth Commission, submitting annual report for fiscal year 2004-05.(89)

From Office of the Controller, submitting report summarizing the findings and recommendations of the reports issued by the Civil Grand Jury, the responses to those recommendations by the various city departments when the reports were initially issued, and the current status of the implementation of those recommendations.(90)

From Redevelopment Agency, submitting the South of Market Redevelopment Plan Amendment, Volumes 1 and 2.(91)

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.

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 decisions in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. The Sunshine 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 Jr. 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

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

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