

# 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, March 22, 2005  
2:00 PM**

#### **Regular Meeting**

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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**

*Motion to approve the February 22, 2005 Board Meeting Minutes.*

## **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, Daly, Elsbernd*

1.       **050213**       **[To appropriate supplemental funds to fund the SFPUC Water Capital Improvement Program (CIP) for the remainder of fiscal year 2004-2005]**       **Mayor**  
Ordinance appropriating \$21,963,000 of bond sales proceeds from the Water Department to fund the San Francisco Public Utilities Commission's (SFPUC) Capital Improvements Program for fiscal year 2004-05.  
(Fiscal impact.)  
  
3/15/2005, PASSED ON FIRST READING.  
  
**Question: Shall this Ordinance be FINALLY PASSED?**
  
2.       **050189**       **[Camp Mather - Fees Increase]**  
Ordinance amending S.F. Park Code Section 12.01 to increase the Camp Mather cabin and tent site usage fees, amending Park Code Section 12.02 to increase the Camp Mather day use fees, and amending Park Code Section 12.03 to increase the Camp Mather meal fees and making environmental findings. (Recreation and Park Department)  
  
3/15/2005, PASSED ON FIRST READING.  
  
**Question: Shall this Ordinance be FINALLY PASSED?**

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

*Present: Supervisors Ammiano, Daly, Elsbernd*

3. **050165** **[Airport Concession Lease]**  
Resolution approving the Remote Terminal Food and Beverage Lease between Bassam & Nancy Shihadeh dba Deli Up Café, and the City and County of San Francisco, acting by and through its Airport Commission. (Airport Commission)

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

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

*Present: Supervisors McGoldrick, Dufty, Ma*

4. **041308** **[Regulating the Distribution of Handbills]** **Supervisor Ma**  
Ordinance amending Article 5.7 of the Public Works Code by repealing section 184.71, which required persons distributing handbills to register and pay fees, amending section 184.73 to make violation of the ordinance an infraction instead of a misdemeanor, and by renumbering sections 184.71 through 184.77.

11/16/2004, CONTINUED. Continued to November 23, 2004

11/23/2004, PASSED ON FIRST READING.

12/7/2004, RE-REFERRED to City Services Committee.

3/15/2005, PASSED ON FIRST READING.

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

5. **050016** **[Safety Measures -- Hyde Street and Vallejo Streets]** **Supervisor Peskin**  
Resolution urging the Department of Parking and Traffic to install a traffic signal at the intersection of Vallejo and Hyde Streets, urging the painting of crosswalks crossing Hyde Street at Vallejo Street, and designating the intersections of Hyde at Green Streets and Hyde at Broadway Streets all-way STOPS.

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

6. **050102** **[Parking Regulation]**  
Resolution enacting parking regulation on Hill Street.  
  
RESIDENTIAL PERMIT PARKING AREA "S" (4-HOUR TIME LIMIT, 8 AM - 9 PM, MONDAY THROUGH FRIDAY) - ESTABLISH  
Hill Street, both sides, between Noe and Sanchez Streets (400 block).

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

7. **050237** **[Accept-Expend Grant]**  
Resolution authorizing the Public Library to retroactively accept and expend a grant in the amount of \$23,400 from the Friends of the San Francisco Public Library for a part-time, as needed, editor for the publication, At the Public Library. (Public Library)

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

## **Recommendations of the Rules Committee**

*Present: Supervisors Alioto-Pier, Mirkarimi, Peskin*

- 8. 041138 [Board of Supervisors to respond on behalf of City departments to orders for the production of City records made under designated state and federal laws] Supervisors McGoldrick, Mirkarimi, Peskin, Ammiano**
- Ordinance amending the San Francisco Administrative Code, by adding Section 2.20, to authorize the Board of Supervisors to identify as "watch laws" those state or federal laws calling for the disclosure of information or records held by the City, where disclosure could violate of the rights of individuals under the State or Federal Constitutions, and to authorize the Board to respond on behalf of City departments to orders for the production of City information or records made under such watch laws.
- 3/15/2005, PASSED ON FIRST READING. Supervisor Ammiano requested to be added as a co-sponsor.
- Question: Shall this Ordinance be FINALLY PASSED?**
- 9. 050120 [Appointing members to the IHSS Governing Body] Supervisor Maxwell**
- Ordinance clarifying the process for appointing members to the In-Home Supportive Services Public Authority (IHSS) Governing Body, and adding two additional members (representing the bargaining unit of the union that represents IHSS independent providers, and a consumer at-large who is eighteen years of age or older).
- 3/15/2005, PASSED ON FIRST READING.
- Question: Shall this Ordinance be FINALLY PASSED?**
- 10. 050295 [Appointment - Shelter Monitoring Committee]**
- Resolution appointing Bianca Henry, Delbert Scott and Jesus Medellin, terms ending November 23, 2006, to the Shelter Monitoring Committee.
- Bianca Henry, new appointment, seat 4, must be selected from a list of candidates that are nominated by community agencies that provide behavioral health, housing placement, or other services to the homeless, for the unexpired portion of a two-year term ending November 23, 2006.
- Delbert Scott, new appointment, seat 5, must be selected from a list of candidates that are nominated by non-profit agencies that provide advocacy or organizing services to homeless people and be homeless or formerly homeless, for the unexpired portion of a two-year term ending November 23, 2006.
- Jesus Medellin, new appointment, seat 6, must be selected from a list of candidates that are nominated by non-profit agencies that provide advocacy or organizing services to homeless people, for the unexpired portion of a two-year term ending November 23, 2006.
- Question: Shall this Resolution be ADOPTED?**
- 11. 050384 [Appointment - Bicycle Advisory Committee]**
- Resolution appointing Andrew Thornley and Francisco Hernandez, terms ending November 19, 2006, to the Bicycle Advisory Committee.

Andrew Thornley, succeeding Andrew Thornley, term expired, seat 1, must be a nominee of District 1 Supervisor, for the unexpired portion of a two-year term ending November 19, 2006.

Francisco Hernandez, succeeding Francisco Hernandez, term expired, seat 9, must be a nominee of District 9 Supervisor, for the unexpired portion of a two-year term ending November 19, 2006.

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

**12. 050411 [Appointment - Commission on the Aging Advisory Council]**

Resolution appointing Vera Haile, term ending March 31, 2007, to the Commission on the Aging Advisory Council.

Vera Haile, succeeding Marie Conroy-Salbi, term expiring March 31, 2005, seat 2, must be nominee of District 1 Supervisor, for a two-year term ending March 31, 2007.

**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**

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

*Present: Supervisors McGoldrick, Dufty, Ma*

**13. 050071 [Shopping Cart Signage and Security Requirements] Supervisor Ma**

Ordinance amending Part II, Chapter X, of the San Francisco Municipal (Public Works) Code by adding Sections 1410-1414, requiring permanently affixed signs on shopping carts, requiring businesses with carts to post signs prohibiting removal from premises and to secure all carts during hours business is closed.

3/15/2005, CONTINUED. Continued to March 22, 2005

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

### **Recommendation of the Land Use Committee**

*Present: Supervisors Maxwell, Sandoval, McGoldrick*

- 14. 041745 [Regulating Skateboard Riding] Supervisor Ma**  
Ordinance amending the San Francisco Traffic Code by amending section 100 (Ord. No. 300-98) so that it no longer applies to skateboard riders; repealing a second section 100 (Ord. No. 385-98); repealing sections 100.1 through 100.6, which established a pilot program regulating roller and in-line skaters that has now expired; and adding a new section 100.1, regulating the riding of skateboards in San Francisco.

3/15/2005, CONTINUED. Continued to March 22, 2005

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

### **Recommendation of the Rules Committee**

*Present: Supervisors Mirkarimi, Peskin*

- 15. 050247 [Settlement of Lawsuit - 18th and Arkansas Homeowners Association, et al., v. CCSF, et al.]**  
Ordinance authorizing settlement of the lawsuit filed by 18th and Arkansas Homeowners Association, 1220 Folsom Street Owners' Association, 2412 Harrison Street Owners' Association, India Cove Homeowners Association, 700 Illinois Street Owners' Association, 1415 Indiana Street Owners' Association, Penn Station Lofts Owners' Association, 226 Ritch Street Owners Association, 650 Second Street Owners' Association, San Francisco Flower Growers Association, 2030 Third Street Homeowners' Association, Tehama Lofts Condominium Owners' Association, 1011 23rd Street Owners' Association, and 239 8th Street Homeowners' Association against the City and County of San Francisco for \$65,424.81; the lawsuit was filed on September 27, 2003 in the San Francisco Superior Court, Case No. 424-484; entitled 18th and Arkansas Homeowners Association, et al., v. City and County of San Francisco, et al.

3/1/2005, PASSED, ON FIRST READING.

3/15/2005, CONTINUED. Continued to March 22, 2005

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

## **NEW BUSINESS**

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

*Present: Supervisors Ammiano, Daly, Elsbernd*

- 16. 041272 [To appropriate funding from the General Reserve to increase available funding in the Election Fund for public financing] Supervisor Daly**  
Ordinance appropriating, retroactively, \$87,678 from the General Fund Reserve to increase funds in the Election Campaign Fund for the purpose of public financing of all eligible candidates for the Ethics Commission for fiscal year 2004-2005.

(Fiscal impact.)

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

17. 050117 [Re-appropriate funding from Earthquake Safety Bond Phases 1 & 2 proceeds; re-appropriate funding from the Fire Bond proceeds and appropriate interest] Mayor

Ordinance re-appropriating \$5,769,221 from the Earthquake Safety Bond Phases 1 & 2 proceeds to fund \$2,724,875 on San Bruno Jail construction, \$2,746,336 on San Francisco Juvenile Hall Guidance Center Project construction, and \$298,010 for 4th Street Bridge construction for fiscal year 2004-05 and backfilling \$326,000 of lower COP interest earnings with Earthquake Safety Bond interest earnings for San Bruno Jail construction. Additionally, to re-appropriate \$487,610 from the sale of Fire Bond proceeds and to appropriate \$1,993,370 from Fire Bond interest earnings to fund construction expenses for Fire Station 2 for the Department of Public Works for fiscal year 2004-2005.

(Fiscal impact.)

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

18. 050137 [Public Employment - Various Departments] Supervisor McGoldrick

Ordinance amending Ordinance No. 198-04 (Annual Salary Ordinance 2004/2005) reflecting the deletion of 7.4 positions at Airport Commission, Department of Human Resources, Human Services Agency, Public Health, Public Works, Recreation and Park, Human Rights Commission, and the Department on the Status of Women.

(Fiscal impact.)

3/1/2005, SUBSTITUTED. Supervisor McGoldrick submitted a substitute ordinance bearing new title.

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

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

*Present: Supervisors McGoldrick, Dufty, Ma*

19. 050099 [Cesar Chavez Bike Bridge and at-grade pedestrian/bike path on State Route 101 at Cesar Chavez Street]

Resolution approving a maintenance agreement with the State of California, Department of Transportation (Caltrans) for the newly constructed Cesar Chavez Bike Bridge and at-grade pedestrian/bike path on State Route 101 at Cesar Chavez Street and authorizing official acts in furtherance thereof. (Public Works Department)

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

20. 050163 [Liquor License, 1760-1772 Market Street]

Resolution determining that the issuance of a Type 48 on-sale general public premises liquor license in exchange for a Type 47 on-sale general eating place license to Michael Harrity, for Octavia Lounge located at 1760-1772 Market Street, will serve the public convenience and

necessity of the people of the City and County of San Francisco, in accordance with section 23958.4 of the California Business and Professions Code with conditions.

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

### **Recommendation of the Land Use Committee**

*Present: Supervisors Maxwell, Sandoval*

- 21. 041071 [Amending Planning Code Section 703.3 to prohibit formula retail uses in the North Beach Neighborhood Commercial District] Supervisor Peskin**

Ordinance to amend the Planning Code by amending section 703.3 to prohibit formula retail uses in the North Beach Neighborhood Commercial District and making findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan.

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

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

*Present: Supervisors Alioto-Pier, Mirkarimi, Peskin*

- 22. 041571 [Chapter 6 Technical Amendments] Supervisors Ma, Peskin**

Ordinance amending San Francisco Administrative Code Chapter 6 to update section 6.2, to add new section 6.9 concerning subcontractor limitation of rights, to add new subsection 6.20(F) for a bidder prequalification process, to add new subsection 6.21(A)(10) to allow a specification requirement for contractor work with its own forces, to revise subsection 6.21(C) to allow a department head to reject all bids, to revise subsection 6.22(J) concerning retention of progressive payments, to add a new subsection 6.22(Q) concerning public work contract claims, to revise section 6.41 concerning subsequent phase competition for design services, to revise section 6.60 emergency contracting procedures, to revise section 6.61 design-build contracting procedures, to revise section 6.62 job order contracting procedures, to revise 6.64 as-needed contracting procedures, and to revise section 6.65 special service contracting procedures.

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

- 23. 050061 [Real Property Reporting and Planning] Supervisors Elsbernd, Alioto-Pier, Mirkarimi, Peskin**

Ordinance adding Section 23.8 to the San Francisco Administrative Code to establish a City policy that all City departments report annually to the Real Estate Division certain real property information, that relevant property information be recorded and geographically displayed in the Real Estate Information System (REIS), and the Director of Property prepare an annual report to the Board of Supervisors with real property asset management recommendations.

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

- 24. 041582 [Continuum of Care Plan - Homeless Board Membership] Supervisors Elsbernd, Alioto-Pier**



Resolution amending the Continuum of Care Plan to dissolve the current Local Homeless Coordinating Board and to restructure it to reflect the recently adopted Ten Year Plan to End Chronic Homelessness reducing its membership to nine: four appointed by the Mayor; four appointed by the Board of Supervisors; and one appointed by the Controller.

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

**25. 050316 [Appointment - Board of Appeals] Mayor**

Motion approving the Mayor's appointment of Michael Garcia to the Board of Appeals for the term ending July 1, 2006.

(Section 4.106 of the City Charter provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days of the date the nomination is transmitted to the Clerk then the nominee shall be deemed approved; companion measure to File 050317.)

Transmittal date - February 18, 2005.

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

**From the Rules Committee Without Recommendation**

*Present: Supervisors Alioto-Pier, Mirkarimi, Peskin*

**26. 050136 [Requiring departments to use interdepartmental mail] Supervisor Ma**

Ordinance amending Chapter 8 of the Administrative Code by adding a new section 8.17 to require departments to use interdepartmental mail subject to certain limited exceptions.

**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.*

**27. 050274 [Public Hearing - Appeal of Categorical Exemption for 981 Washington Street (Chinese Independent Baptist Church Expansion)]**

Hearing of persons interested in or objecting to the decision of the Planning Department dated November 8, 2004, Case No. 2004.0906E, approving the expansion of the existing building to the rear of the structure for an addition of approximately 4,600 square feet (sq. ft.) for a total area of about 11,720 sq. ft. The new area would be used for Sunday School classrooms, a renovated kitchen, stairs and toilet facilities. In addition, the interior of the building would be renovated by increasing the width of corridors, adding a chair lift, an elevator and toilet facilities that would meet the requirements of the Americans with Disabilities Act. The present sanctuary which seats 120 persons would not be expanded. The project site is located at 981 Washington Street between Powell and Stockton Streets, Lot 24 in Assessor's Block 0211, within an RC-4 District and a 65-A Height and Bulk District. (Appellants: Anne Leong, Dennis Leong, Walter and Jane Leong, Dr. Guston Ho, Dolly Lee, Victor Leong, Woy Kit Leong, et al.)

(Filed January February 16, 2005; companion measure to Files 050275, 050276, 050277; District 3.)

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

*Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the categorical exemption 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 adopted.)**

28.           **050275**       **[Affirming the categorical exemption issued for 981 Washington Street]**  
Motion affirming the determination by the Planning Department that the 981 Washington Street project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)  
**Question: Shall this Motion be ADOPTED?**
29.           **050276**       **[Disapproving the categorical exemption issued for 981 Washington Street]**  
Motion disapproving the determination by the Planning Department that the 981 Washington Street project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)  
**Question: Shall this Motion be ADOPTED?**
30.           **050277**       **[Preparation of findings related to the categorical exemption issued for 981 Washington Street]**  
Motion directing the Clerk of the Board to prepare findings related to the appeal of the determination by the Planning Department that the 981 Washington Street project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Question: Shall this Motion be ADOPTED?

## **SPECIAL ORDER 4:30 P.M.**

**31. 050374 [Public Hearing - Appeal of Tentative Subdivision Map for 4005 Mission Street]**

Hearing of persons interested in or objecting to the decision of the Department of Public Works dated February 16, 2005, approving Tentative/Parcel Map to legalize the proposed construction of a 3 unit new condominium project in Assessor's Block 5835, Lot 75, at 4005 Mission Street, San Francisco. (Appellant: Otto Wiegand)

(Companion Measure to Files 050375, 050376, 040377; District 11.)

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

*Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the Tentative Subdivision Map 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 adopted.)**

**32. 050375 [Tentative Subdivision Map for 4005 Mission Street]**

Motion approving decision of the Director of Public Works, approving Tentative Subdivision Map to legalize the construction of a 3 unit new condominium project in Assessor's Block 5835, Lot 75, at 4005 Mission Street. (Clerk of the Board)

Question: Shall this Motion be ADOPTED?

**33. 050376 [Tentative Subdivision Map for 4005 Mission Street]**

Motion disapproving decision of the Director of Public Works, approving Tentative Subdivision Map to legalize the construction of a 3 unit new condominium project in Assessor's Block 5835, Lot 75, at 4005 Mission Street. (Clerk of the Board)

Question: Shall this Motion be ADOPTED?

**34. 050377 [Findings - 4005 Mission Street]**

Motion directing the Clerk of the Board to prepare findings relating to Tentative Subdivision Map to legalize the construction of a 3 unit new condominium project in Assessor's Block 5835, Lot 75 at 4005 Mission Street. (Clerk of the Board)

Question: Shall this Motion be ADOPTED?

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

35.       **050486**       **[Affirming the categorical exemption issued for 4005 Mission Street]**  
Motion affirming the determination by the Planning Department that the 4005 Mission Street project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

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

36.       **050487**       **[Disapproving the categorical exemption issued for 4005 Mission Street]**  
Motion disapproving the determination by the Planning Department that the 4005 Mission Street project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

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

37.       **050488**       **[Preparation of findings related to the categorical exemption issued for 4005 Mission Street]**  
Motion directing the Clerk of the Board to prepare findings related to the appeal of the determination by the Planning Department that the 4005 Mission Street project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

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

38.       **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.*

39.       **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*

**APPROVAL OF REQUESTS TO THE LEGISLATIVE ANALYST**

*These items may be introduced by any Supervisor seeking analysis from the Office of the Legislative*

Analyst on introduced legislation and for the purpose of providing assistance to Board of Supervisors' task forces and advisory committees. Requests to the Legislative Analyst shall require the affirmative vote of a majority of the members of the Board.

40.        **050455**        **[Legislative Analyst Request - Report on Current Restorative Justice Practices]**        **Supervisor Dufty**
- Motion requesting the Legislative Analyst to research and prepare an in-depth report on current restorative justice practices within the City and County of San Francisco and identifying best practices from other municipalities.

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

## **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 41 through 58**

41.        **050362**        **[Supporting Golden Gate Bridge Suicide Barrier]**        **Supervisors Ammiano, Maxwell, Mirkarimi, Alioto-Pier, Daly, Dufty, McGoldrick, Peskin**
- Resolution supporting the need for a suicide barrier on the Golden Gate Bridge to protect the public's health and safety and further urging the Golden Gate Bridge Board Directors to proceed with the design and consultation of a suicide barrier.
- 3/1/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 3/15/2005, CONTINUED. Continued to March 22, 2005
- Question: Shall this Resolution be ADOPTED?**
42.        **050464**        **[Accessible Web Sites]**        **Supervisor Alioto-Pier**
- Resolution adopting the Mayor's Office on Disability and DTIS Web Site Accessibility Initiatives.
- 3/15/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?**
43.        **050465**        **[Initiate the Designation of 2151 Van Ness Avenue, St. Brigid Church, as a Landmark]**        **Supervisors Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Ma**
- Resolution initiating the designation of 2151 Van Ness Avenue, St. Brigid Church, Block 0575, Lot 015, as a landmark pursuant to Section 1004.1 of the Planning Code.
- 3/15/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT





Southeast Community Facility Commission.

3/15/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

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

55. 050422 [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.

3/15/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

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

56. 050424 [Extending Time for Labor Negotiations to June 30, 2005] **Supervisor Elsbernd**

Motion extending time for labor negotiations to June 30, 2005, pursuant to Charter Section 11.100.

3/15/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

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

57. 050428 [Emergency Disadvantaged Business Enterprise Program - March 29, 2005, Committee of the Whole] **Supervisor Ammiano**

Motion for the Board of Supervisors to convene as a committee of the whole on March 29, 2005, at 4:00 p.m. to accept public testimony concerning the possible adoption of an emergency ordinance reenacting a Disadvantaged Business Enterprise Program set forth in Chapter 14A of the San Francisco Administrative Code; suspending Chapter 12D.A; providing for data collection to ensure nondiscrimination in City contracting; and adopting a declaration of emergency.

3/15/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

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

58. 050475 [Rescheduling the April 5, 2005 Board meeting to 10:00 am] **Supervisor Peskin**

Motion rescheduling the April 5, 2005 regular meeting of the Board of Supervisors to begin at 10:00 a.m. in the Board Chamber in City Hall on that day.

3/15/2005, 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*



## 59. 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 March 8, 2005 through March 14, 2005, for reference by President to appropriate committee on March 22, 2005.*

#### **050416 [Health Service System Plans]**

Ordinance approving the 2005-2006 health, vision and dental plans of the Health Service System, and the rates applicable to those plans. (Human Resources Department)

3/8/2005, RECEIVED AND ASSIGNED to Budget and Finance Committee.

**050418 [Settlement of Lawsuit - James Tucker]**

Ordinance authorizing settlement of the lawsuit filed by James Tucker against the City and County of San Francisco for \$60,000; the lawsuit was filed on September 9, 2003 in San Francisco Superior Court, Case No. 424-256; entitled James Tucker, et al. v. City and County of San Francisco, et al. (City Attorney)

3/14/2005, RECEIVED AND ASSIGNED to Rules Committee.

## **PROPOSED RESOLUTIONS**

*Proposed resolutions received from March 8, 2005 to March 14, 2005, for reference by President to appropriate committee on March 22, 2005.*

**050389 [Settlement of Claim - Beatrice Mouser]**

Resolution approving the settlement of the unlitigated claim filed by Beatrice Mouser against San Francisco for \$125,000; claim was filed on October 21, 2004. (City Attorney)

3/14/2005, RECEIVED AND ASSIGNED to Rules Committee.

**050419 [PUC Commercial Paper Issuance]**

Resolution approving the substitution of the letter of credit with respect to the San Francisco Public Utilities Commission's Commercial Paper Notes (Water Series) and related matters. (Public Utilities Commission)

3/14/2005, RECEIVED AND ASSIGNED to Budget and Finance Committee.

**050485 [Petitions and Communications]**

Petitions and Communications received from March 8, 2005 through March 14, 2005, for reference by the President to Committee considering related matters or to be ordered filed by the Clerk on March 22, 2005.

From concerned citizens, urging the Board to reject Public Utilities Commission's request for \$300,000 to study the feasibility of a publicly owned and operated Internet Service Provider (ISP) infrastructure and service. Approximately 150 letters(1)

From Department on the Status of Women, submitting "Strategic Plan" for the Commission on the Status of Women, for fiscal year 2004-05.(2)

From June Gaunger, submitting opposition to the current practice of the Department of Public Health regarding moving psychiatric patients from S.F. General Hospital to Laguna Honda Hospital. File 041401(3)

From Matt Chambers, submitting support for the municipal broadband study as long as Muni does not manage it.(4)

From Betty Magovern, submitting opposition to proposed legislation regulating the riding of skateboards in San Francisco. File 041745, Copy: Each Supervisor(5)

From D. Miles Jr., regarding his first Skateboard Task Force meeting. File 041745, Copy:

Each Supervisor(6)

From the Greater West Portal Neighborhood Association, submitting support to delay the design of the garage access route (Golden Gate Music Concourse) until it can be integrated into a more comprehensive plan for traffic flow within and across Golden Gate Park. Copy: Each Supervisor(7)

From Law Offices of Stephen M. Williams, submitting request for continuance of appeal of revised Certificate of Exemption from Environmental Review for property located at 1739-1750 Van Ness Avenue until April 19 or 26, 2005. File 041275, Copy: Each Supervisor(8)

From De Anza Properties, regarding proposed condos at 310 Townsend Street.(9)

From State Department of Youth Authority, submitting notice of public hearing on April 25, 2005 in Sacramento on the proposed regulatory action on the collection of DNA specimens. Copy: Each Supervisor(10)

From Office of the Mayor, submitting notice that the Mayor's Office has offered a conditional waiver to San Francisco Cycling, LLC for the cost of police services provided to the 2004, 2005, 2006 and 2007 T-Mobil International Bike Races.(11)

From Chuck Huntington, urging Supervisor Ammiano to continue to look at the practices of news media helicopters which fly around residential areas in the early morning hours. Copy: Supervisor Ammiano(12)

From Human Services Agency, submitting notice that the Department will need additional time to collect more information on client demographics. (Reference No. 20050208-001) (13)

From Ethics Commission, submitting notice that Matt Gonzalez is requesting a waiver of San Francisco Campaign and Government Conduct Code Sections 3.234(a)(1)(D) and 3.234(b)(1) to allow himself to communicate with attorneys in the City Attorney's and District Attorney's offices. Copy: Each Supervisor(14)

From State Rules Committee, submitting appointment of Nancy S. Drinkard of Santa Cruz as a member of the State Board of Forestry and Fire Protection, for term ending January 15, 2008.(15)

From Public Utilities Commission, submitting work plan on creating a public power utility for Treasure Island and Yerba Buena Island. (Reference No. 20050201-011) Copy: Supervisor Mirkarimi(16)

From Department of Public Works, regarding status of clearing the gutter of debris and asphalt at 1800 Laguna Street. (Reference No. 20050222-002) Copy: Supervisor Mirkarimi(17)

From Department of Public Works, regarding status of a sinkhole in the eastbound lane of Golden Gate Avenue, between Laguna and Buchanan Streets. (Reference No. 20050301-003) Copy: Supervisor Mirkarimi(18)

From Department of Public Works, regarding status of pruning a tree that obscures the stop sign at Grattan and Cole Streets. (Reference No. 20050125-006) Copy: Supervisor Mirkarimi(19)

From Human Services Agency, responding to inquiry as to whether the Human Services Agency plans to apply for Transitional Jobs Program funding from the Institute for Youth, Education and Families of the National League of Cities. (Reference No. 20050201-007) Copy: Supervisor Sandoval(20)

From Office of the Controller, submitting the Biannual Overtime Report, covering the period from July 1, 2004 through January 28, 2005; and including both overtime and holiday pay compensation.(21)

From Shute, Mihaly & Weinberger LLP, regarding the City and County of San Francisco v. Myers Natoma Venture LLC et al, San Francisco Superior Court, Case No. 435-334. Copy: Each Supervisor(22)

From Department of Public Health, submitting an electronic signed copy of Article 31, regulations that were approved by the Health Commission as authorized by Board Ordinance No. 303-04. File 041541(23)

From concerned citizens, submitting copy of letter sent to the Public Utilities Commission regarding their initial comments on revision of the Water System Improvement Program. File 050313, copy: Each Supervisor(24)

From Pat Ackerman, commenting on various aspects of the Transbay Terminal Project.(25)

From Office of the Treasurer, submitting correspondence and its attachments that show the investment activity (for fiscal year to date) of portfolios under management.(26)

From concerned citizens, urging the Board to uphold the appeal of Conditional Use issued for the Harding Theater at 604-624 Divisadero Street. File 050087, Copy: Each Supervisor(27)

From Melissa Kite, submitting opposition for placing a suicide barrier on the Golden Gate Bridge. File 050362, Copy: Each Supervisor(28)

From United Animal Nations, submitting copy of the "United Animal Nations Journal" which acknowledges the passage of the Humane Dog Ordinance.(29)

From Trent Lethco, regarding the recruitment process for the new Planning Director.Copy: Supervisor Dufty(30)

From Russell Lewis, commending Supervisor Daly for the creation of his website. Copy: Supervisor Daly(31)

From Marvin Pettey, submitting opposition to posting firefighters in "dangerous neighborhoods". Copy: Each Supervisor(32)

From Maurice Matamoros Casals, regarding denial of his construction permit. (33)

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

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