

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, September 23, 2003
2:00 PM**

Regular Meeting

**MATT GONZALEZ, PRESIDENT
TOM AMMIANO, CHRIS DALY, BEVAN DUFTY, TONY HALL,
FIONA MA, SOPHIE MAXWELL, JAKE McGOLDRICK,
GAVIN NEWSOM, AARON PESKIN, GERARDO SANDOVAL**

Gloria L. Young, Clerk of the Board

ROLL CALL AND PLEDGE OF ALLEGIANCE

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 9

Recommendations of the Finance and Audits Committee

Present: Supervisors Peskin, McGoldrick

1. **031390 [Lease of Real Property]**
Resolution authorizing renewal of a lease of real property at 1372 Mission Street, for continued use by the Department of Public Health's Saint James Infirmary and STD Program Research Offices (Real Estate Department)
(Public Benefit Recipient.)

Question: Shall this Resolution be ADOPTED?

2. **031394 [Lease of Real Property]** **Supervisor Maxwell**
Resolution authorizing renewal of a lease of real property at 1360 Mission Street, Suite 400, for continued use by the Department of Public Health, Employee Assistance Program. (Real Estate Department)
(Public Benefit Recipient.)

Question: Shall this Resolution be ADOPTED?

3. **031403 [Lease of Real Property]** **Supervisors Ammiano, Dufty**
Resolution authorizing renewal of a lease of real property at 1360 Mission Street, Suite 401, for continued use by the Department of Public Health, STD Program Administrative Headquarters. (Real Estate Department)
(Public Benefit Recipient.)

Question: Shall this Resolution be ADOPTED?

4. **031435 [Contracting Out City Services]**
Resolution retroactively concurring with the Controller's certification that assistance to certain victims of crime and education in community anti-street violence can be practically performed for the District Attorney's Victim Witness Assistance Program by a private contract at a lower cost than similar work services performed by City and County employees. (District Attorney)
(Public Benefit Recipient.)

Question: Shall this Resolution be ADOPTED?

Recommendations of the Land Use Committee

Present: Supervisors McGoldrick, Maxwell, Ammiano

5. **031436 [STOP Intersections]**
Resolution designating certain intersections as "STOP" intersections.
- STOP SIGNS - ESTABLISH
26th and Diamond Streets, stopping Diamond Street, making this intersection an all-way STOP;
Montecito Avenue and Northwood Drive, stopping Northwood Drive, making this uncontrolled intersection a two-way STOP; and
15th Avenue and Noriega Street, south intersection, stopping southbound 15th Avenue at Noriega Street, making this uncontrolled Y-intersection a one-way STOP. (Parking and Traffic Department)
- (8/6/03: 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; DPT Order No. 2671; No Public Benefit Recipient.)
- Question: Shall this Resolution be ADOPTED?**
6. **031438 [Traffic Regulations]**
Resolution enacting and rescinding traffic regulations on various streets.
- NO U-TURNS - ESTABLISH
Treasure Island Road, both directions, at McCalla Road.
- LEFT LANE MUST TURN LEFT - ESTABLISH
Grant Avenue, northbound, at Pine Street.
- NO LEFT TURN, 4 PM TO 6 PM, EXCEPT SUNDAY - RESCIND
Montgomery Street, northbound, at Broadway. (Parking and Traffic Department)
- (8/6/03: 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; DPT Order No. 2671; No Public Benefit Recipient.)
- Question: Shall this Resolution be ADOPTED?**
- Present: Supervisors McGoldrick, Maxwell*
7. **031465 [Grant of Federal Funds]** **Mayor**
Resolution authorizing the Municipal Transportation Agency Board to accept and expend \$48,094,526 of Federal Formula Section 5307 and Surface Transportation Program (STP) Capital Assistance for San Francisco Capital Projects and activities, excluding Administrative Overhead Costs.
(No Public Benefit Recipient.)
- Question: Shall this Resolution be ADOPTED?**
8. **031437 [Parking Regulations]**
Resolution enacting and rescinding parking regulations at various locations.

PERPENDICULAR (90-DEGREE ANGLE) PARKING - ESTABLISH

9th Avenue, east side, from Lake Street to the north terminus (legislates existing street conditions);

Diamond Street, west side, from 22nd to 23rd Streets (legislates existing street conditions);

Wisconsin Street, both sides, from 19th to 20th Streets (legislates existing street conditions);

Wisconsin Street, west side, from 20th to 22nd Streets (legislates existing street conditions);

Duboce Avenue, north side, from Castro to Divisadero Streets (legislates existing street conditions);

Arkansas Street, west side, from 16th to Mariposa Streets (legislates existing street conditions);

Arkansas Street, east side, from Mariposa to 18th Streets (legislates existing street conditions);

Arkansas Street, both sides, from 18th to 19th Streets (legislates existing street conditions);

Arkansas Street, west side, from 19th to 20th Streets (legislates existing street conditions);

Rhode Island Street, east side, from 20th Street to Mariposa Street (legislates existing street conditions); and

Rhode Island Street, west side, from 19th Street to Mariposa Street (legislates existing street conditions).

TOW-AWAY, NO STOPPING, 4 PM TO 6 PM, MONDAY THROUGH FRIDAY - RESCIND

Castro Street, east side, from 100 to 230 feet south of Duboce Avenue.

TOW-AWAY, NO PARKING ANYTIME - ESTABLISH

Melrose Avenue, along east terminus, east of Foerster Street (adjacent to Sunnyside Playground).

1-HOUR PARKING METERS, 7 AM TO 6 PM, MONDAY THROUGH SATURDAY - ESTABLISH

California Street, north side, from Locust Street to 231 feet easterly (commercial frontage only, up to 3440 California Street)

TOW-AWAY, NO PARKING ANYTIME - ESTABLISH

Farrugut Avenue, north side, from Alemany Boulevard to the western terminus.

RESIDENTIAL PERMIT PARKING AREA "S" (2-HOUR TIME LIMIT, 8 AM - 9 PM, MONDAY THROUGH FRIDAY) - ESTABLISH

18th Street, both sides, between Clover and Douglass Streets (4500 block).

NO PARKING ANYTIME - RESCIND

TOW-AWAY, NO PARKING ANYTIME - ESTABLISH

Langton Street, east side, between Folsom and Harrison Streets.

1-HOUR PARKING, 7 AM TO 6 PM, EXCEPT SUNDAY - RESCIND

RESIDENTIAL PERMIT PARKING AREA "I" (2-HOUR TIME LIMIT, 9 AM - 6 PM, MONDAY THROUGH SATURDAY) - ESTABLISH

Julian Avenue, both sides, between 15th and 16th Streets.

RESIDENTIAL PERMIT PARKING AREA "I" (2-HOUR TIME LIMIT, 9 AM - 6 PM, MONDAY THROUGH SATURDAY) - ESTABLISH

Rondel Place, both sides, between 16th Street and south terminus. (Parking and Traffic Department)

(8/6/03: 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; DPT Order No. 2671; No Public Benefit Recipient.)

Question: Shall this Resolution be ADOPTED?

Recommendation of the Rules Committee

Present: Supervisors Hall, Dufy

9. 031432 [Settlement of Lawsuit - Arcadia Machine & Tool Inc. et al.]

Ordinance authorizing the partial settlement of the lawsuit filed by the San Francisco City Attorney against certain manufactures, distributors and dealers of firearms, and their trade associations; the settling defendants are Traders Sports, Inc., Southern Ohio Gun Distributors, Ellett Brothers Inc., and MKS Supply Inc.; these settling defendants agree to the entry of stipulated judgments that will reform their firearm distribution practices, and to pay \$70,000; the lawsuit was filed on May 25, 1999 in San Francisco Superior Court, Case No. 303-753, and later coordinated with similar actions in the San Diego Superior Court as part of J.C.C.P. 4095; entitled People of the State of California ex rel Herrera et al. v. Arcadia Machine & Tool Inc. et al. (City Attorney)

(No Public Benefit Recipient.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

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

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of the Finance and Audits Committee

Present: Supervisors Peskin, Sandoval, McGoldrick

10. 031238 [Establishing a Department of Human Services Care Fund] Supervisors Hall, Newsom, Peskin

Ordinance amending the San Francisco Administrative Code by adding Section 10.100-77, to establish a Department of Human Services Care Fund, defining terms, identifying revenues, restricting permissible uses, providing for verification and adjustment of appropriations, and limiting expenditures in excess of the fund cap.

(Fiscal impact.)

8/12/2003, CONTINUED. Continued to September 16, 2003.

9/16/2003, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

NEW BUSINESS

Recommendations of the Finance and Audits Committee

Present: Supervisors Peskin, McGoldrick

11. 031333 **[Making Environmental Findings and Increasing Street Artist Certificate Fee]**
Ordinance making required environmental findings and amending Article 24 of the San Francisco Police Code by amending Section 2404.1 to increase the fee for a Street Artist Certificate and amending Section 2404.2 to clarify the fee setting procedure. (Arts Commission)

Question: Shall this Ordinance be PASSED ON FIRST READING?

Present: Supervisors Peskin, Sandoval, McGoldrick

12. 031396 **[Appropriate funding to offset the loss of parking revenue for not charging parking in Golden Gate Park]** **Supervisors Daly, Sandoval**
Ordinance appropriating \$500,000 from the General Fund Reserve and rescinding \$700,000 in parking revenues and \$200,000 of professional services to offset the loss of parking revenue for not charging for parking in Golden Gate Park for Recreation and Parks Department for fiscal year 2003-2004.

Question: Shall this Ordinance be PASSED ON FIRST READING?

13. 031317 **[MOU - Police Officers' Association (SFPOA)]** **Mayor, Supervisor Dufty**
Ordinance adopting and implementing the Memorandum of Understanding between the City and County of San Francisco and the San Francisco Police Officers' Association (SFPOA), to be effective July 30, 2003 through June 30, 2007.
(Fiscal impact.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

14. 031383 **[Setting San Francisco's fiscal year 2003-2004 property tax rate and establishing pass-through rate for residential tenants]**
Ordinance providing revenue and levying property taxes for City and County purposes and establishing pass-through rate for residential tenants pursuant to Chapter 37 of the Administrative Code for the fiscal year ending June 30, 2004. (Controller)

Question: Shall this Ordinance be PASSED ON FIRST READING?

15. 031388 **[Setting San Francisco's Unified School District's FY 2003-2004 property tax rate to be included in the City's overall property tax rate]**
Ordinance providing revenue and levying property taxes for San Francisco Unified School

21. **031389** **[Amending the Redevelopment Agency Budget for Tax Increments in Mission Bay North and South]**
Resolution amending the budget of the Redevelopment Agency of the City and County of San Francisco for fiscal year 2003-2004 to allow the Controller to increase the tax increments distributed to the Redevelopment Agency in accordance with the Tax Increment Allocation Pledge Agreements for Mission Bay North and Mission Bay South. (Controller)
(Fiscal impact.)

Question: Shall this Resolution be ADOPTED?

Present: Supervisors Peskin, McGoldrick, Gonzalez
22. **031404** **[Development of Property Located at Broadway and Battery Streets For Affordable Housing]** **Mayor, Supervisors Peskin, Dufty**
Resolution authorizing the Mayor's Office of Housing to enter into a lease disposition and development agreement and below market long-term ground lease with Chinatown Community Development Center, a nonprofit public benefit corporation, for the development of affordable housing, together with a child care center, neighborhood-serving commercial space, and associated parking on real property located on the south side of Broadway between Battery and Front streets; affirming the Planning Commission's adoption of the mitigated negative declaration for the project; adopting environmental findings under the California Environmental Quality Act; and adopting findings that the project is consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1.
(Fiscal impact; Public Benefit Recipient.)

8/19/2003, SUBSTITUTED.

Question: Shall this Resolution be ADOPTED?

Present: Supervisors Peskin, Sandoval, McGoldrick
23. **031426** **[FY 2003-04 California Constitution Appropriations Limit]**
Resolution establishing the appropriations limit for Fiscal Year 2003-04 pursuant to California Constitution Article XIII B. (Controller)
(Fiscal impact; No Public Benefit Recipient.)

Question: Shall this Resolution be ADOPTED?

Present: Supervisors Peskin, McGoldrick
24. **031428** **[Federal Grant Amendments for Airport Improvement Program]**
Resolution authorizing the Airport Commission to accept amendment to grant agreements offered by the Federal Aviation Administration ("FAA") for AIP 16, AIP 17, and AIP 19; and to release grant fund from reserve, in the amount of \$1,202,977 under AIP 17. (Airport Commission)
(Public Benefit Recipient.)

Question: Shall this Resolution be ADOPTED?

Present: Supervisors Peskin, McGoldrick, Gonzalez

25. 031464 [Jurisdictional Transfer] Mayor, Supervisors Peskin, Dufty

Resolution transferring jurisdiction from the Department of Public Works to the Mayor's Office of Housing Real Property Identified as Assessor's Block 141, Lot 11 for the development of affordable housing; and adopting findings pursuant to City Planning Code Section 101.1.

(Companion measure to File 031404.)

Question: Shall this Resolution be ADOPTED?

Present: Supervisors Peskin, McGoldrick

26. 031468 [Lease of Real Property] Supervisors Hall, Sandoval

Resolution approving and authorizing a new lease between the City and County of San Francisco, as tenant, and the Regents of the University of California, a California corporation, as landlord, of warehouse space at 626 Forbes Boulevard, South San Francisco.

(Fiscal impact; Public Benefit Recipient.)

Question: Shall this Resolution be ADOPTED?

Present: Supervisors Peskin, Sandoval, McGoldrick

27. 031499 [Municipal Transportation Agency Leverage Lease Financing] Mayor

Resolution authorizing one or more lease-to-service contract transactions with respect to up to 21 Breda light rail cars; approving the form of and authorizing the execution and delivery of a Participation Agreement setting forth the terms and conditions of the lease-to-service contract transaction relating to the rail cars; approving the form of and authorizing the execution and delivery of a Head Lease Agreement providing the terms and conditions pursuant to which the rail cars will be leased to a trust; approving the form of and authorizing the execution and delivery of a Head Lease Supplement supplementing the terms and conditions pursuant to which specific rail cars will be leased to the trust; approving the form of and authorizing the execution and delivery of a Sublease Agreement providing the terms and conditions pursuant to which the trust will lease the rail cars back to the City to be operated and maintained by the City; approving the form of and authorizing the execution and delivery of a Sublease Supplement supplementing the terms and conditions pursuant to which the City will lease back the rail cars from the trust; approving the form of and authorizing the execution and delivery of a Payment Agreement providing the terms and conditions pursuant to which the City will provide for the payment of a portion of the sublease rent; approving the form of and authorizing the execution and delivery of an Equity Collateral Security Agreement and a Custody Agreement providing the terms and conditions pursuant to which the City will provide for a custody account to hold, and a security interest in, certain securities for the payment of a portion of the sublease rent and the purchase option purchase price if the purchase option is or is deemed exercised; approving the form of and

authorizing the execution and delivery of a Support and Access Agreement providing the terms and conditions pursuant to which the City will provide the trust support and access to certain property if the City chooses not to exercise the purchase option; approving the form of and authorizing the execution and delivery of an Agreement for Assignment on Default which will provide the lender to the trust with an option to purchase, and take an assignment of the equity investor's beneficial interest in the trust estate upon the occurrence of certain events ; approving the form of and authorizing the execution and delivery of a Tax Indemnification Agreement providing the terms and conditions under which the City will indemnify under certain circumstances the equity investor for income inclusions or losses of tax benefits; approving the form of and authorizing the execution and delivery of an Insurance and Indemnity Agreement providing the terms and conditions under which the City will indemnify the strip surety provider; approving indemnification of various parties; acknowledging the waiver of the City's right to jury trial under certain circumstances; acknowledging proposed waiver requests pursuant to Sections 12B.5-1(d) and 12C.5-1(d) of the San Francisco Administrative Code; finding that the lease-to-service contract transaction is designed to reduce the amount or duration of payment or similar risk to the City or enhance the relationship between risk and return with respect to investments made pursuant to or in connection with such transaction; approving and authorizing the execution and delivery of any document necessary to implement this Resolution; authorizing the execution and delivery of documents in conforming sets for the equity investor; ratifying and approving any action heretofore taken in connection with the transaction contemplated by this Resolution; and related matters.

Supervisor Sandoval dissenting.

Question: Shall this Resolution be ADOPTED?

Recommendation of the Land Use Committee

Present: Supervisors McGoldrick, Maxwell

28. 031439 [Speed Limit - Potrero Avenue between Brannan and Cesar Chavez Streets]

Ordinance adding Section 174.13 and removing Section 175.07 of the San Francisco Traffic Code to reduce the speed limit from 30-mph to 25-mph on Potrero Avenue between Brannan and Cesar Chavez Streets. (Parking and Traffic Department)

(No Public Benefit Recipient.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

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

29. 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.

30. 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 31 through 56

- 31. 031570 [Walk to School Day] Supervisors Ma, Dufty**
Resolution declaring October 8, 2003 as "Walk Our Children to School Day" in the City and County of San Francisco.

9/16/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?
- 32. 031571 [Commending the Sunset District Neighborhood Coalition and the Sunset Artists' Society] Supervisor Ma**
Resolution commending the Sunset District Neighborhood Coalition and the Sunset Artists' Society for their work organizing the 9th Annual Sunset Community Festival.

9/16/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?
- 33. 031572 [Latino Heritage Month] Supervisors Ma, Dufty**
Resolution declaring September 2003 as "Latino Heritage Month" in the City and County of San Francisco.

9/16/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?
- 34. 031579 [Mental Health Services Act] Supervisor Ammiano**
Resolution endorsing the California Mental Health Services Act Initiative for the November 2004 statewide ballot.

9/16/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?
- 35. 031580 [UC Berkeley Extension Photography Program] Supervisor Ammiano**

Resolution urging the UC Berkeley Extension to maintain a Photography Program and darkroom in San Francisco.

9/16/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

36. 031581 [Supporting International Arts Festival 2005] Supervisor Ammiano

Resolution supporting International Arts Festival 2005 in San Francisco, strategically promoting this important resource to potential partner governments from around the world to help stimulate economic activity, foster meaningful cultural exchange and develop more earned income opportunities for our artists.

9/16/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

37. 031582 [Commending the 120th Anniversary of Immaculate Conception Academy] Supervisor Dufty

Resolution commending the 120th Anniversary of Immaculate Conception Academy for its dedicated mission of educating young San Franciscans and its contributions to the Mission District and greater City community.

9/16/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

38. 031583 [Commending SFPD Captain Michael Yalon] Supervisors Dufty, Ammiano, Daly, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

Resolution commending San Francisco Police Department Captain Michael Yalon.

9/16/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

39. 031584 [Commending SFPD Captain Dan Lawson] Supervisors Dufty, Ammiano, Daly, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

Resolution commending San Francisco Police Department Captain Dan Lawson.

9/16/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

40. 031585 [Establishment of Little Saigon in the Tenderloin] Supervisor Daly

Resolution supporting the establishment of Little Saigon as a Vietnamese cultural and commercial center in the Tenderloin.

9/16/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

- 41. 031586 [Mental Health Services Act] Supervisor Newsom**
Resolution urging the voters of the State of California to pass the Mental Health Services Act.

9/16/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

- 42. 031587 [Clay and Arguello Streets] Supervisor Newsom**
Resolution urging the Department of Parking and Traffic to paint the crosswalk running North to South on Arguello and place intersections at Clay crossing Arguello on the North side.

9/16/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

- 43. 031588 [Changing the name of Pardee Alley in North Beach to "Jack Micheline Place"] Supervisors Peskin, Gonzalez**
Resolution changing the name of Pardee Alley in North Beach to "Jack Micheline Place", in recognition of the late Jack Micheline's artistic contributions to the community of North Beach and the City of San Francisco.

9/16/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

- 44. 031589 [Stop Sign Designation - Greenwich and Powell Streets] Supervisor Peskin**
Resolution urging the installation of four-way Stop signs at the intersection of Greenwich and Powell Streets.

9/16/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

- 45. 031590 [Extension of Planning Commission Review Period] Supervisor Peskin**
Resolution extending for an additional 30 days the prescribed time within which the Planning Commission may render its decision on a proposed ordinance to amend the San Francisco Planning Code by creating section 608.15 to establish the Northeast Waterfront Special Sign District, creating Section 609.14 to address amortization of nonconforming signs in this District, amending Section 608 and Article 10, Appendix D, section 7 to be consistent with the Ordinance, amending the Zoning Map Section Map SSD-1 to show the boundaries of this District, and making findings of consistency with the General Plan and priority policies of Planning Code section 101.1.

9/16/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT

BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

- 46. 031591 [Opposing the Declawing of Cats] Supervisor Sandoval**
Resolution urging pet guardians and veterinarians to discontinue the practice of declawing cats in the City and County of San Francisco.
9/16/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
- 47. 031592 [Commending San Francisco Conservation Corp] Supervisor Sandoval**
Resolution commending the San Francisco Conversation Corp for its 20 years of outstanding service to San Francisco.
9/16/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
- 48. 031593 [Commending Richard Ironcloud and Armando Blackbear] Supervisor Sandoval**
Resolution commending Richard Ironcloud and Armando Blackbear for their swim across San Francisco Bay, highlighting the importance of healthy living.
9/16/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
- 49. 031594 [Accept Federal Grant - fiscal year 2003 lead hazard reduction demonstration grant program] Mayor**
Resolution authorizing the Mayor of the City and County of San Francisco to accept a grant from the U.S. Department of Housing and Urban Development for lead-based paint hazard reduction in a total amount not to exceed \$4,000,000.
(No Public Benefit Recipient.)
9/16/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
- 50. 031573 [Extending the San Francisco Zoo Audit Select Committee] Supervisor Ma**
Motion extending the San Francisco Zoo Audit Select Committee.
9/16/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Motion be ADOPTED?
- 51. 031540 [Needle Exchange Emergency] Supervisors Ammiano, Newsom, Daly, Peskin, McGoldrick,**

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

9/16/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be ADOPTED?

52. 031550 [Public Hearing - Eminent Domain] Supervisor Peskin

Motion directing the Board of Supervisors to hold a public hearing on October 7, 2003, at 4:00 p.m. to consider adopting a resolution of necessity for the City's proposed acquisition by eminent domain for open space of Lot 001 in Assessor's Block 0074, in San Francisco.

9/16/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING. Board to sit as a Committee of the Whole, to hold a public hearing on October 7, 2003, at 4:00 p.m.

Question: Shall this Motion be ADOPTED?

53. 031568 [Calling from the Table Legislative Item 031361 (General Assistance - In-Kind Assistance; Department of Human Services Care Fund)] Supervisor Newsom

Motion calling from the table legislative item 031361 (General Assistance - In-Kind Assistance; Department of Human Services Care Fund) and directing the Clerk of the Board of Supervisors to place item 031361 (General Assistance - In-Kind Assistance; Department of Human Services Care Fund) on the calendar for the September 30th, 2003 meeting.

9/16/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be ADOPTED?

54. 031529 [Final Map for a 9 Unit Mixed Use Condominium Project]

Motion approving Final Map of 581 Hayes Street, A Mixed Use Condominium Project, being a subdivision of Lot 54, Assessor's Block No. 818, and adopting findings pursuant to Planning Code Section 101.1. (Public Works Department)

(No Public Benefit Recipient; DPW Order No. 174,381; District 6.)

9/15/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be ADOPTED?

55. 031536 [Final Map for a 50 Unit Residential Condominium Project]

Motion approving Final Map of 1 Federal Street, a Residential Condominium Project, being a subdivision of Lot 189 in Assessor's Block No. 3774, and adopting findings pursuant to Planning Code Section 101.1. (Public Works Department)

(No Public Benefit Recipient; DPW Order No. 174,383; District 6.)

9/15/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be ADOPTED?

56. 031537 [Final Map for a 192 Unit Residential/Commercial Condominium Project]

Motion approving Final Map of 200 Brannan Street a Residential/Commercial Condominium Project, being a subdivision of Lot 190 in Assessor's Block No. 3774, and adopting findings pursuant to Planning Code Section 101.1. (Public Works Department)

(No Public Benefit Recipient; DPW Order No. 174,384; District 6.)

9/15/2003, 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:_____

57. IMPERATIVE AGENDA

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

[Serious Injury Finding]

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

[Purely Commendatory Finding]

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

[Brown Act Finding]

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

[Imperative Resolutions, if any]

OFF-AGENDA LEGISLATION

PROPOSED ORDINANCES

Proposed ordinances received from September 9, 2003 to September 15, 2003, for reference by President to appropriate committee on September 23, 2003. None.

PROPOSED RESOLUTIONS

Proposed resolutions received from September 9, 2003 through September 15, 2003, for reference by President to appropriate committee on September 23, 2003.

031526 [Airport Concession Lease]

Resolution approving Amendment No. 3 to the Post-Security Master Retail/Duty Free Concession in the New International Terminal Building Lease No. 99-0035 between DFS Group, L.P. and the City and County of San Francisco, acting by and through its Airport Commission. (Airport Commission)

(No Public Benefit Recipient.)

9/12/2003, RECEIVED AND ASSIGNED to Finance and Audits Committee.

031527 [Accept-Expend Regional Grant]

Resolution authorizing the Director of Transportation or his designee to accept and expend \$157,000 in FY 03/04 Transportation Fund for Clean Air (TFCA) from the Bay Area Air Quality Management District (Air District) to stripe and sign bike lanes and purchase and install bicycle racks and to execute any and all associated documents. (Parking and Traffic Department)

(No Public Benefit Recipient.)

9/12/2003, RECEIVED AND ASSIGNED to Land Use Committee.

031528 [Street Artist Hyde Street Spaces]

Resolution re-designating seven (7) permanent selling spaces on Hyde Street, west side, Beach to Jefferson Streets; deleting seven (7) permanent selling spaces on Hyde Street, east side, Beach to Jefferson Streets; re-designating fourteen (14) selling spaces on Hyde Street, east side, Beach to Jefferson Streets; designating two (2) additional selling spaces on Hyde Street, east side, Beach to Jefferson Streets, for street artists certified by the Arts Commission, City and County of San Francisco; and exempting said seven spaces on Hyde Street, west side, Beach to Jefferson Streets, from Police Code Section 2405(c)(16) requiring street artists to maintain a minimum of eight feet of passageway for pedestrians. (Arts Commission)

(No Public Benefit Recipient.)

9/10/2003, RECEIVED AND ASSIGNED to Land Use Committee.

031530 [Grant to improve traffic and pedestrian safety in San Francisco]

Resolution authorizing the San Francisco Department of Public Health (SFDPH) to accept and expend retroactively a grant in the amount of \$439,455 from the California Business, Transportation & Housing Agency Office of Traffic Safety (CBTHAOTS) to prevent DUI and resultant traffic injuries and to enter into an agreement for the use of these funds; for the period of October 1, 2003 to December 31, 2005. (Public Health Department)

(No Public Benefit Recipient.)

9/9/2003, RECEIVED AND ASSIGNED to City Services Committee.

031538 [Contracting out Airport Employee Parking Services]

Resolution approving the Controller's certification that Employee Parking Management Services 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)

(Public Benefit Recipient.)

9/15/2003, RECEIVED AND ASSIGNED to Finance and Audits Committee.

031539 [Contracting out Airport Public Parking Management Services]

Resolution approving the Controller's certification that Airport Public Parking Management Services 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)

(Public Benefit Recipient.)

9/15/2003, RECEIVED AND ASSIGNED to Finance and Audits Committee.

031597 [Petitions and Communications]

Petitions and Communications received from September 3, 2003 through September 15, 2003, for reference by the President to Committee considering related matters or to be ordered filed by the Clerk on September 22, 2003.

From Municipal Transportation Agency, submitting annual report for the Municipal Railway and the Municipal Transportation Agency, fiscal year 2002-03.(1)

From Municipal Transportation Agency, submitting request for waiver of Chapters 12B and 12C of the Administrative Code for Westin St. Frances.(2)

From Police Department, submitting request for waiver of Chapters 12B and 12C of the Administrative Code for Chevron USA Inc.(3)

From various signators, submitting Form 700 Statement of Economic Interests: Jim Dorenkott(4)

From Planning Department, submitting notice of environmental review for proposed ordinance amending rules and regulations governing the posting of signs and handbill distribution. Copy: Each Supervisor(5)

From Office of the Treasurer, submitting correspondence regarding investment activity (for fiscal year to date) of the portfolios under management.(6)

From Office of the Treasurer, submitting report on the Cash Differences and Overages Fund for the period ending June 30, 2003.(7)

From Liliane & Mark Borsuk, submitting opposition to proposed legislation regarding the Housing Element and Secondary Units. File 030896, Copy: Each Supervisor(8)

From Office of the Legislative Analyst, submitting report regarding the Department of Human Resources in other cities and counties which use "position control" systems to track the number of vacant positions and the duration of vacancies. Copy: Each Supervisor(9)

From Department of Human Services, submitting information regarding any changes to the Medi-Cal Eligibility rules pursuant to state regulation. Copy: Supervisor Daly(10)

From Bay Area Air Quality Management District, regarding pedestrian safety and financial support the Bay Area Air Quality Management District can provide through the Transportation Fund for Clean Air for selected projects that will reduce emissions from motor vehicles. (11)

From David Mitchell, submitting his concern with the drug dealing that goes on 365 days a year around the BART station at 24th and Mission Streets. Copy: Each Supervisor(12)

From Harry Haladjian, urging the Board to pass a resolution asking Congress to look into impeaching the President of the United States.(13)

From Linda McElver, submitting notice of meeting on September 11, 2003 at the Hall of Flowers in Golden Gate Park concerning access to, through and within the Music Concourse. Files 031481, 031482, 031483, 031484, Copy: Each Supervisor(14)

From Alex Lantsberg, regarding the expansion and extension of Specialty Crushing's lease in the Pier 94/96 backlands.(15)

From Myrna Escobar, regarding several issues with the San Francisco Housing Authority.(16)

From concerned citizens, submitting opposition to the Planning Commission's decision, approving a conditional use permit for AT&T to mount a total of six panel antennas and related equipment at 389 - 9th Avenue. Files 031440, 031442(17)

From Department of Public Works, submitting letter regarding tentative subdivision map to legalize the construction of a 18 unit new condominium mixed-use project at 600 Portola Drive. File 031384, Copy: Each Supervisor (18)

From concerned citizens, disapproving the Planning Commission's decision approving a Conditional Use permit for property located at 2026 Lombard Street. File 031234(19)

From Law Offices of Stephen Williams, submitting several reports received from experts retained by the appellants of Condition Use permit for property located at 2026 Lombard Street, including a valuation analysis of the proposed hotel project.File 031265, Copy: Each Supervisor(20)

From Department of Aging and Adult Services, submitting notice that the adopted budget for fiscal year 2003-04 is adequate for the department to meet service levels as proposed by the Board of Supervisors.(21)

From Dianne Feinstein, United States Senator, submitting copy of letter sent to constituent regarding her pending worker's compensation claim.(22)

From Comcast Cable Communications, Inc., submitting notice regarding postponement to the launch of the "Dragon TV" package.(23)

From Office of the Controller, submitting notice that the Controller's Office has corrected an

error in the Department of Building Inspection's fiscal year 2003-04 equipment budget in the additional amount of \$241,000.(24)

From members of the San Francisco Green Party Transportation Working Group, submitting opposition to the proposed Golden Gate Park Concourse Authority Project and supporting the appeal of the Environmental Impact Report by the Alliance for Golden Gate Park. Files 031481, 031482, 031483, 031484, Copy: Each Supervisor(25)

From the Taxi Commission, submitting notice that the adopted budget for fiscal year 2003-04 is adequate for the department to meet service levels as proposed by the Board of Supervisors.(26)

From Tom Torlakson, urging the Board of Supervisors to support SB 407, which will bring about a greater equity among enterprise districts and represents an overdue structural reform in the State Budget. Copy: Each Supervisor(27)

From Robert Lehman, submitting invitation to the opening of the Visitacion Valley ClubHouse and Neighborhood Celebration.Copy: Each Supervisor(28)

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

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

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

Lobbyist Registration and Reporting Requirements

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

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