

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, April 13, 2004

2:00 PM

Regular Meeting

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

Gloria L. Young, Clerk of the Board

ROLL CALL AND PLEDGE OF ALLEGIANCE

APPROVAL OF MEETING MINUTES

Motion to approve March 16, 2004 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 14

Recommendations of the City Services Committee

Present: Supervisors Ma, Hall

1. **031903** **[Liquor License Transfer, 55 Natoma Street]**
Resolution determining that transfer of Type 48 on-sale general public premises liquor license and Type 47 on-sale general eating place license to Lawrence P. Lin dba Loop Studio, Inc. from 2299 Van Ness Avenue to 55 Natoma Street (District 6), will serve the convenience 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?

2. **040018** **[Liquor License, 199 Eighth Street]**
Resolution determining that the issuance of a Type 20 off-sale beer and wine alcoholic beverage control license to Gilles W. Desaulniers for CA Harvest Healthy Foods Ranch Market Inc. located at 199 Eighth Street (District 6), will serve the convenience 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?

3. **040263** **[Liquor License, 70 Zoe Street]**
Resolution determining that the transfer of a Type 9 (beer and wine importer), Type 17 (wholesaler) and Type 20 (off-sale beer and wine), alcoholic beverage control licenses, from 735 - 10th Avenue to 70 Zoe Street (District 6), to Enovations Creative Wine Concepts, LLC, will serve the convenience of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code.

(Administrative) Code by amending Section 16.703 regarding Board approval of Health Service System Plans and Contribution Rates. (Human Resources Department)

(Fiscal impact.)

3/30/2004, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

8. 040321 [Settlement of Lawsuit - United Air Lines, Inc., et al.] Supervisor Daly

Ordinance authorizing settlement of the lawsuit filed by the City and County of San Francisco, acting by and through its Airport Commission against United Air Lines, Inc., for the payment to the Airport of environmental clean-up costs and agreement of a percentage allocation for future clean-up costs with regard to City and County of San Francisco v. ARCO et al., Case No. C-97-2965 MMC (N.D. Cal.); and for the settlement of an unlitigated claim between the Airport, on the one hand, and United Air Lines, Inc. and United Cogen, Inc., on the other hand regarding an early assumption by United of its Airport leases and other agreements with regard to re UAL Corporation, et al., Debtors, Case No. 02-4819, United States Bankruptcy Court for the Northern District of Illinois, Eastern Division.

3/30/2004, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the Land Use Committee

Present: Supervisors McGoldrick, Peskin, Maxwell

9. 040230 [Conforming with official street name change - Cesar Chavez Street]

Ordinance amending Sections 174.04 and 174.13 of the San Francisco Traffic Code, pertaining to speed limits on Cesar Chavez Street. (Parking and Traffic Department)

3/30/2004, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Present: Supervisors Peskin, Maxwell

10. 040306 [Grant of Regional Funds]

Resolution authorizing the Municipal Transportation Agency to accept and expend \$191,205 of State Traffic Systems Management funds for Municipal Railway Transit Signal System Preemption Projects, excluding Administrative Overhead costs. (Municipal Transportation Agency)

Question: Shall this Resolution be ADOPTED?

Recommendations of the Rules Committee

Present: Supervisors Maxwell, Alioto-Pier, Gonzalez

11. **040261** **[Settlement of Lawsuit - Laura Bianchi]**
Ordinance authorizing settlement of the lawsuit filed by Laura Bianchi against the City and County of San Francisco for \$70,000; the lawsuit was filed on August 14, 2003 in San Francisco Superior Court, Case No. 03-423459; entitled Laura Bianchi v. City and County of San Francisco, et al. (City Attorney)
- Question: Shall this Ordinance be PASSED ON FIRST READING?
12. **040259** **[Settlement of Claim - Weston Ngo]**
Resolution approving the settlement of the unlitigated claim filed on October 8, 2003 by Fire Insurance Exchange as subrogees for Weston Ngo against the City and County of San Francisco in the amount of \$50,000.00. (City Attorney)
- Question: Shall this Resolution be ADOPTED?
13. **040260** **[Settlement of Claim - Suzanna Hernandez]**
Resolution approving the settlement of the unlitigated claim filed on October 8, 2003 by Fire Insurance Exchange as subrogees for Suzanna Hernandez against the City and County of San Francisco in the amount of \$50,000.00. (City Attorney)
- Question: Shall this Resolution be ADOPTED?
14. **040397** **[Appointment - Sunshine Ordinance Task Force]**
Resolution appointing Nicole Dogwill, Richard Knee, Sue Cauthen, Heather Sterner, Doug Comstock, David Pilpel, Garrett Jenkins, Edgar Parker Jr, and Alexandra Nickliss terms ending April 27, 2006 to the Sunshine Ordinance Task Force.
- 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

From the Clerk

15. **040390** **[Findings for disapproval of decision of the mitigated negative declaration for 8 Washington Street]**
Motion setting forth findings to disapprove the decision by the Planning Commission to issue

a mitigated negative declaration for the proposed project located at 8 Washington Street.
(Clerk of the Board)

(Companion measure to Files 040310, 040331, 040332, 040333.)

4/6/2004, REFERRED to Board of Supervisors.

Question: Shall this Motion be ADOPTED?

NEW BUSINESS

Recommendations of the Budget Committee

Present: Supervisors Sandoval, Daly, McGoldrick

16. **040373** **[Public Defender Requisition Request]** **Supervisor Gonzalez**
Resolution granting the Office of the Public Defender's Requisition #PE4018/1074384.
Question: Shall this Resolution be ADOPTED?

17. **040438** **[Public Defender Requisition Request]** **Supervisor Gonzalez**
Motion granting the Office of the Public Defender's Requisition #PE4018/1074384.
Question: Shall this Motion be ADOPTED?

Recommendations of the City Services Committee

Present: Supervisors Ma, Hall

18. **030409** **[Grants Federal Funds - Municipal Railway]** **Supervisor Dufty**
Resolution authorizing the Municipal Transportation Agency to accept and expend \$3,960,116 of federal earmarked capital assistance for MUNI's Particulate Matter Traps Procurement and Natural Gas Facility Rehabilitation Project. (Municipal Transportation Agency)
Question: Shall this Resolution be ADOPTED?

19. **040022** **[Liquor License Transfer, 561 Geary Street]**
Resolution determining that the transfer of a Type 48 on-sale general public premises license from 622 Polk Street to 561 Geary Street (District 6), to Brian T. Sheehy for Electrocelt Promotions Inc. dba "Swig", will serve the convenience 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?

Recommendations of the Finance and Audits Committee

Present: Supervisors Peskin, Ammiano

20. **021505** **[Ordinance adding Section 21.25-3 to the Administrative Code]** **Supervisors Ammiano, Daly**
- Ordinance adding Section 21.25-3 to the Administrative Code to require that workers engaged in rigging, sound, projection, theatrical lighting, videos, computers, draping, carpentry, special effects, and motion picture services on property owned or leased by the City and County of San Francisco be paid the prevailing rate of wage and that such workers will have job protection with the successor contractor for a transition period after a lease, management agreement or other contractual arrangement is terminated.

Question: Shall this Ordinance be PASSED ON FIRST READING?

21. **040099** **[Dept. of Administrative Services to provide services to public entities]** **Supervisor Dufty**
- Ordinance authorizing the Department of Administrative Services to enter into written agreements with other public entities to provide the public entities with publishing, copying, printing and/or mail services, and ratifying and approving any actions heretofore taken by the Department of Administrative Services to provide such services to public entities.

Question: Shall this Ordinance be PASSED ON FIRST READING?

Present: Supervisors Daly, Peskin, Ammiano

22. **040100** **[Process for Sale of Real Property]** **Supervisor Peskin**
- Ordinance authorizing the Public Utilities Commission to solicit proposals and bids for the sale of certain real properties with development potential that are not needed for utility purposes, subject to the review and approval by the Board of Supervisors, by resolution, of any final sale of such properties.

Question: Shall this Ordinance be PASSED ON FIRST READING?

23. **040262** **[Mayor's Summer Food Service Program]**
- Resolution authorizing the Department of Children, Youth, and Their Families to accept and expend a grant in the amount of \$599,215 from the United States Department of Agriculture for the 2004 Mayor's Summer Food Service Program. (Mayor)

Question: Shall this Resolution be ADOPTED?

From the Finance and Audits Committee Without Recommendation

Present: Supervisors Daly, Peskin, Ammiano

24. **040272** **[Public Employment]** **Mayor**
- Ordinance amending Ordinance No. 195-03 (Annual Salary Ordinance 2003/04) reflecting the

31. 040311 [Public Hearing - Appeal of Categorical Exemption - 450 Frederick Street]

Hearing of persons interested in or objecting to the decision of the Planning Department dated November 10, 2003, Case No. 2003.1108E, approving a categorical exemption under the California Environmental Quality Act for the proposed demolition of a single-family residence and construction of a three-unit residence located at 450 Frederick Street, on Assessor's Block 1262, Lot 12. (Appellants: Lyall F. Harris, Francesco Ronchetti, Leslie Flores, Mark Ulriksen, Marjorie Beggs.)

(Appeal filed March 8, 2004; companion measure to Files 040312, 040313, 040314; District 5.)

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.)

32. 040312 [Affirming the categorical exemption issued for 450 Frederick Street]

Motion affirming the determination by the Planning Department that the 450 Frederick Street project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Question: Shall this Motion be ADOPTED?

33. 040313 [Disapproving the categorical exemption issued for 450 Frederick Street]

Motion disapproving the determination by the Planning Department that the 450 Frederick Street project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Question: Shall this Motion be ADOPTED?

34. 040314 [Preparation of findings related to the categorical exemption issued for 450 Frederick Street.]

Motion directing the Clerk of the Board to prepare findings related to the appeal of the determination by the Planning Department that the 450 Frederick Street project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Question: Shall this Motion be ADOPTED?

35. **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.

36. **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.

37. **040414 [Legislative Analyst Request - Selection of consultants for projects under environmental review by the Planning Department] Supervisor Maxwell**

Motion requesting the Office of the Legislative Analyst to provide research assistance to the Board of Supervisors regarding the selection of consultants for projects under environmental review by the Planning Department. Delineate the current selection process by the City and County of San Francisco and provide an analysis of alternative consultant selection processes utilized by other municipalities. Please include in this analysis the role of the department, the project sponsor, and interested members of the community.

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 38 through 46

38. **040417 [Declaration of Election Results] Supervisor Dufty**

Resolution declaring the results of the March 2, 2004 Consolidated Primary Election.

3/30/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

39. 040418 [Urging City Departments to investigate the viability of Jim Reid's Shelter-One house for use as a model homeless shelter] Supervisors Gonzalez, Dufty

Resolution urging the Mayor's Office of Homelessness, the Department of Building Inspection, and the Planning Department to investigate the viability of using Jim Reid's Shelter-One (the smallest house in San Francisco) as a potential homeless shelter in a test pilot project.

3/30/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

40. 040419 [Public Safety Telecommunicators Week] Supervisors Ma, Dufty

Resolution recognizing the hard work and dedication of our public safety professionals and declaring April 11, 2004 through April 17, 2004 as "Public Safety Telecommunicators Week" in the City and County of San Francisco.

3/30/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

41. 040420 [Supporting statewide ballot initiative] Supervisors Maxwell, Dufty

Resolution supporting a statewide ballot initiative to require voter approval before state government may take local tax funds.

3/30/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

42. 040421 [Supporting AB 2146] Supervisor Peskin

Resolution urging the California State Legislature to support AB 2146, legislation to extend the season for dungeness crab fishing in the San Francisco Bay, and limiting the number of traps allowed on each vessel.

3/30/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

43. 040422 [In Home Supportive Services (IHSS)] Supervisors Sandoval, Dufty

Resolution supporting In Home Supportive Services (IHSS) providers, seniors and people with disabilities and opposing proposed state funding reductions.

3/30/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

- 44. 040423 [Authorizing DHS to request an ABAWD Waiver from the State Department of Social Services] Supervisor Sandoval**

Resolution authorizing the Department of Human Services to request an ABAWD Waiver from the State Department of Social Services.

3/30/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

- 45. 040400 [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.

3/30/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be ADOPTED?

- 46. 040424 [Office of the Legislative Analyst; Budget Consideration] Supervisor Sandoval**

Motion directing the Office of the Legislative Analyst to provide budget-related staff support to the Budget Committee and to provide a list of potential cost-saving measures resulting from this and other work to the Budget Committee for their consideration.

3/30/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be ADOPTED?

Questions on the For Adoption Without Committee Reference

Agenda: _____

47. 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 March 23, 2004 through April 5, 2004, for reference by President to appropriate committee on April 13, 2004.

040305 [Parking Regulations, east side of Baker Street, from 11 feet to 64 feet north of Green Street (53-foot zone)]

Ordinance amending San Francisco Traffic Code Section 32.6.30 to restrict parking on the east side of Baker Street, from 11 feet to 64 feet north of Green Street (53-foot zone).
(Parking and Traffic Department)

3/26/2004, RECEIVED AND ASSIGNED to Land Use Committee.

040315 [Designating 2362 Market Street, the Jose Theater / Names Project building, as a Landmark Under Planning Code Article 10]

Ordinance designating 2362 Market Street, the Jose Theater / Names Project Building, as Landmark No. 241 Pursuant to Article 10, Sections 1004 And 1004.4 Of the Planning Code.
(Planning Department)

3/25/2004, RECEIVED AND ASSIGNED to Land Use Committee.

040389 [Unrepresented Employees]

Ordinance fixing compensation for persons employed by the City and County of San Francisco whose compensations are subject to the provisions of Section A8.409 of the Charter, in jobcodes not represented by an employee organization, and establishing working

schedules and conditions of employment and, methods of payment, effective July 1, 2004.
(Mayor)

4/7/2004, RECEIVED AND ASSIGNED to Finance and Audits Committee.

PROPOSED RESOLUTIONS

Proposed resolutions received from March 23, 2004 through April 5, 2004, for reference by President to appropriate committee on April 13, 2004.

040346 [STOP Intersections]

Resolution designating certain intersections as "STOP" intersections.

STOP SIGNS - ESTABLISH

Ivy at Buchanan Streets, stopping westbound Ivy Street;

Estero Avenue and Lunado Way, stopping Lunado Way at Estero Avenue, making this intersection an

All-Way STOP;

Campbell Avenue at Delta Street, making this uncontrolled intersection an All-Way STOP;

Delta Street at Campbell Avenue, making this uncontrolled intersection an All-Way STOP;

Chestnut and Powell Streets, stopping Powell Street, making this intersection an All-Way STOP;

Faxon Avenue and Kenwood Way, stopping Faxon Avenue, making this intersection an All-Way STOP;

10th Avenue at Ortega Street, stopping Ortega Street, making this intersection an All-Way STOP; and

Isola Way and Rockdale Drive, stopping Isola Way traffic at Rockdale Drive, making this uncontrolled T-intersection a one-way STOP. (Parking and Traffic Department)

(4/26/04: 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. 2784.)

3/26/2004, RECEIVED AND ASSIGNED to Land Use Committee.

040347 [Parking Regulations]

Resolution enacting and rescinding parking regulations at various locations.

TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH

Portola Drive, south side, from Diamond Heights Boulevard to 100 feet easterly.

NO PARKING ANYTIME - ESTABLISH

Waterville Street, east side, across from the north property line of 6 Waterville Street, to the northern terminus of the roadway.

TOW-AWAY, NO STOPPING ANYTIME - RESCIND

TAXI ZONE - ESTABLISH

Polk Street, west side, between McAllister and Redwood Streets.

TAXI STAND - RESCIND

Dr. Carlton B. Goodlett Place, east side, from 208 feet to 232 feet south of McAllister Street.

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

Oak Street, both sides, between Gough and Octavia Streets (200 block)
179 Oak Street (adds specific address only, no permit parking signs will be installed on the 100 block).

PERPENDICULAR (90-DEGREE ANGLE) PARKING - ESTABLISH

Baker Street, east side, between Turk Street and Golden Gate Avenue (legislating existing conditions).

UNMETERED MOTORCYCLE PARKING - ESTABLISH

Noe Street, east side, from Elizabeth Street to 11 feet southerly (accommodates two motorcycle parking spaces).

RESIDENTIAL PERMIT PARKING AREA "U", 2-HOUR TIME LIMIT, 8 AM TO 10 PM, MONDAY THROUGH SUNDAY - ESTABLISH

Stillman Street, north side, from 3rd Street to 135 west of 3rd Street
101 and 147 Stillman Street, south side, between 3rd and 4th Streets (adds specific addresses only); and
470 - 3rd Street, west side, between Bryant and Stillman Streets (adds specific addresses only).

PARKING METER NO. 3 (1-HOUR TIME LIMIT, 9 AM TO 6 PM, MONDAY THROUGH SATURDAY)

Stillman Street, north side, between 135 feet and 410 feet west of 3rd Street. (Parking and Traffic Department)

(3/22/04: 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. 2784.)

3/26/2004, RECEIVED AND ASSIGNED to Land Use Committee.

040348 [Traffic Regulations]

Resolution enacting and rescinding traffic regulations on various streets.

NO LEFT TURN - ESTABLISH

Eastbound Plymouth Avenue onto northbound Plymouth Avenue.

RIGHT LANE MUST TURN RIGHT - RESCIND

Polk Street, west side, between McAllister and Redwood Streets. (Parking and Traffic Department)

(3/22/04: 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. 2784.)

3/26/2004, RECEIVED AND ASSIGNED to Land Use Committee.

040351 [Accept - Expend Grant]

Resolution authorizing the Office of the Public Defender to accept and expend a grant in the amount of \$120,000 from the Zellerbach Family Foundation for a social worker position dedicated to working with the children of incarcerated parents (CIP). (Public Defender)

4/1/2004, RECEIVED AND ASSIGNED to City Services Committee.

040352 [Lease of Real Property - 1060 Howard Street]

Resolution authorizing the lease of 4,592 sq. ft. of clinic space in the building located at 1060 Howard Street, San Francisco for the Department of Public Health. (Real Estate Department)

4/1/2004, RECEIVED AND ASSIGNED to Finance and Audits Committee.

040353 [Settlement of Claim - Irene Huang]

Resolution approving the settlement of the unlitigated claim filed by Irene Huang against San Francisco for \$350,000; claim was filed on July 1, 2003; additional material terms of said settlement are: (a) Irene Huang is appointed to a provisional appointment; (b) Irene Huang agrees to cooperate in any proceedings between the City and Ricardo Paez; (c) Irene Huang shall receive 10% (ten percent) of any net recovery. (City Attorney)

4/5/2004, RECEIVED AND ASSIGNED to Rules Committee.

040475 [Petitions and Communications, Part 1]

Petitions and Communications received from March 23, 2004 through April 5, 2004, for reference by the President to Committee considering related matters or to be ordered filed by the Clerk on April 13, 2004. Part 1.

From Budget Analyst, submitting a detailed assessment of the required level of the Sheriff's Department security staffing and the related costs needed for elections.(1)

From U.S. Department of the Interior, submitting information on the scope and costs of the National Park Service programs and activities addressing waterfront security in the City and County of San Francisco.(Reference No. 20040203-010) Copy: Supervisor Alioto-Pier(2)

From Immigrant Rights Commission, submitting resolution opposing budget cuts to the immigrant community.(3)

From Office of the City Administrator, regarding ordinance that identifies and establishes Board policy regarding surplus, unutilized and underutilized City real property for housing for the homeless.(4)

From various signators, submitting Form 700 Statement of Economic Interests: Rose Chung, Amy Laitinen, Angela Calvillo, Frank Darby(5)

From Department of Building Inspection, submitting administrative bulletin AB-059, regarding mitigation of asbestos hazards during alteration or demolition.(6)

From Sue Hestor, submitting notice that the Redevelopment Agency has jurisdiction over two of the three lots in the 8 Washington Street project. File 040310, Copy: Each Supervisor(7)

From Coblenz, Patch, Duffy & Bass LLP, responding to letter sent by Sue Hestor on behalf

of her clients raising an allegation that two of the three lots in the 8 Washington Street Project are under the jurisdiction of the Redevelopment Agency. File 040310, Copy: Each Supervisor(8)

From Superior Court, regarding outreach to the southeast sector of San Francisco. (Reference No. 20040210-014) Copy: Supervisor Dufty(9)

From Vikasni Prasad and Syed Ali, submitting request for transfer of a type 21 off-sale general liquor license from 1500 Taylor Street to 1287 Howard Street.(10)

From concerned citizens, submitting support for establishing an independent Library Citizens Advisory Committee. File 020585, Copy: Each Supervisor(11)

From Planning Department, submitting opposition to proposed ordinance regulating Formula Retail Use. File 031501, Copy: Each Supervisor(12)

From concerned citizens, submitting opposition to removing stop signs and adding traffic circles on Page Street.(13)

From Office of the Controller, submitting report on the financial audit of the San Francisco Transportation Authority for the fiscal year ended June 30, 2003. Copy: Each Supervisor(14)

From Health Commission, submitting resolution approving the submission of the Department of Public Health's Base Budget for fiscal year 2004-05, and urging the Mayor and the Board of Supervisors to develop strategies for avoiding serious cuts to the county's health safety net services. Copy: Each Supervisor(15)

From California Society of Certified Public Accountants, submitting resolution that declares April 2004 as Financial Literacy Month in California.(16)

From Immigrant Rights Commission, submitting copy of letter sent to the Emergency Communications Department regarding the "Equal Access to City Services for Limited English Speakers" ordinance. Copy: Each Supervisor(17)

From Employees' Retirement System, submitting copy of letter requesting Supervisor Sandoval introduce legislation to amend the San Francisco Campaign and Governmental Conduct Code as it relates to conflict of interest disclosure requirements for the positions in the San Francisco Retirement System.(18)

From Sue Hestor, transmitting signatures from property owners within the "300 foot radius" who subscribed to the Notice of Appeal for the 8 Washington Street Conditional Use Appeal project.(19)

From Redevelopment Agency, concerning "how a Controller's Community Audit can identify community needs, assess community benefits programs, and evaluate City services and City-funded programs to quantify needs and recommend policies, programs and needed resources to improve the quality of life in the southeast neighborhoods of San Francisco."(Reference No. 20040210-021)Copy: Supervisor Dufty(20)

From Jack Dodson, submitting support for the Mayor's veto regarding legislation that prohibits the demolition of residential buildings with 20 or more dwelling units unless the residential building proposed for demolition requires substantial rehabilitation. File 031739, Copy: Each Supervisor(21)

From concerned citizens, submitting opposition to the Planning Commission's decision approving a Mitigated Negative Declaration and Conditional Use for property located at 8 Washington Street. File 040310(22)

From the Planning Department, submitting an update to the 2003 Housing Element of the San Francisco General Plan.(23)

From Planning Department, regarding proposed ordinance that allows a City-owned landmark in a public zoning district that is adjacent to properties zoned downtown commercial to sell transferable development rights to authorize the landmark to receive artwork contributions in order to finance rehabilitation and restoration of the exterior of the property. File 031930, Copy: Each Supervisor(24)

From Planning Department, regarding proposed ordinance to allow a tourist hotel of 75 rooms or less as a principal permitted use in the Service/Secondary Office District. File 032030, Copy: Each Supervisor(25)

From concerned citizens, submitting support for proposed resolution to halt the rebuild of the Central Freeway in the North Mission District. File 040114(26)

From Heller & Manus Architects, submitting packet of drawings that is consistent with the Conditional Use appeal of 8 Washington Street. File 040310, Copy: Each Supervisor(27)

From Mary Scott Wilmer, submitting invitation to join the Terry Bradford Concert "Let's Change the World, Starting Here" concert on Sunday, April 4th at the Grand Hyatt Union Square. (28)

From Department of Elections, submitting the official statement of vote for the March 2004 Consolidated Primary Election in the City and County of San Francisco.(29)

From Planning Department, submitting request for release of reserved funds in the amount of \$1,375,000 for salary/fringe benefits.(30)

From Planning Department, submitting preliminary mitigated negative declaration for 937-939 Jackson Street. File 031973(31)

From Office of the Public Defender, submitting request for waiver of Administrative Code Sections 12B and 12C for Chevron USA, Inc.(32)

From Department of Administrative Services, submitting summary of findings for the 2004 review of applications to participate in the annual fundraising drive. File 040077, Copy: Finance and Audits Committee(33)

From Coblenz, Patch, Duffy & Bass LLP, submitting copy of letter sent to the Redevelopment Agency regarding the 8 Washington Street project. File 040310, Copy: Each Supervisor(34)

From Worker's Compensation Council, submitting annual report, which details the program's status. Copy: Each Supervisor(35)

From Office of the Controller, submitting review of permit fees and assessment schedules proposed by the Department of Public Works.(36)

From Comcast Communications, Inc., submitting notice of an adjustment in the Federal Communications Commission (FCC) regulatory fee.(37)

From Danny Burkes, regarding his positive experience working with staff of the public library as they advanced their bond project to build the new public library of 1298 Ocean Avenue.(38)

From Marsha Garland, submitting information (gathered from the North Beach merchants) on flooding when it rains hard in the North Beach area.(39)

From Charles Bonny, commenting on proposed MUNI bus route cuts. (40)

From Mailie La Zarr, concerning the women that work in the adult entertainment industry in San Francisco.(41)

From Michael Perricone, submitting request to transfer a beer and wine license from the lower level of Neiman Marcus to the Neiman Marcus Café on the first floor of the Union Square store at 150 Stockton Street.(42)

From Office of the Treasurer, submitting the Cash Differences and Overages Fund for the period ending March 31, 2004.(43)

From Pacific Gas and Electric Company, submitting certification of gross receipts attributable to the Electric and Gas Franchise granted pursuant to the Franchise Act of 1937.(44)

From Department of Public Health, regarding willingness to participate in a gun buy back program. (Reference No. 20040203-020) Copy: Supervisor Daly(45)

040476 [Petitions and Communications, Part 2.]

Petitions and Communications received from March 23, 2004 through April 5, 2004, for reference by the President to Committee considering related matters or to be ordered filed by the Clerk on April 13, 2004. Part 2.

From Planning Department, submitting additional information to the Preliminary Mitigated Negative Declaration for 937-939 Jackson Street. Copy: Each Supervisor(46)

From Mayor's Office of Housing, regarding the Controller's Community Audit of the Southeast area of San Francisco.(47)

From Department of Human Resources, regarding the Ordinance to extend provisional appointments calendared for review by the Finance and Audits Committee. Copy: Finance and Audits Committee(48)

From Sue Hestor, regarding public hearing on appeal of project at 8 Washington Street.(49)

From Department of Human Resources, submitting quarterly report on status of the IFPTE Local 21 Special Assistant Audit and the MEA Management Classification and Compensation Plan quarterly report.(50)

From Pacific Gas and Electric Company, submitting customer accounts that are more than 90

days delinquent with payment.(51)

From concerned citizens, regarding increased crime in the Marina District of San Francisco. Copy: Supervisor Alioto-Pier(52)

From S.F. Odd Fellows Hall Association, Inc., submitting concern for the condition of the area around Seventh and Stevenson Streets. Copy: Supervisor Daly(53)

From James Chaffee, submitting his opinion on the right to public comment on particular agenda items, and his support for the Library Citizens Advisory Committee. 2 letters, Copy: Each Supervisor(54)

From various signators, submitting Form 700 Statement of Economic Interests: Kathleen Gulbengay, Pedro Rodriguez, Hope Schmeltzer, Arthur Louie, Cybele Chang, Rachel Redondiez, Dawn Duran, Rob Black, Bill Barnes, Brad Benson, Emily Drennan, Diane Fellman.(55)

From First Source Hiring Program, requesting list of contracts, grants or loans above \$200,000 the Board of Supervisors has awarded this year.(56)

From Ethics Commission, submitting quarterly summary report of campaign consultant activity for the first quarter of 2004.Copy: Each Supervisor(57)

From the Airport, submitting report prepared by the Department of Transportation Office of Inspector General regarding a review of the diversion of SF International Airport revenue.(58)

From Small Business Network, urging the Board to act with restraint by not imposing any additional revenue generators until serious and substantial changes have been made to control labor and payroll expenses. Copy: Each Supervisor(59)

From concerned citizens, submitting support for proposed legislation regarding "Formula Retail Uses" . File 031501, Copy: Each Supervisor(60)

From State Senate Rules Committee, submitting appointment of Terrence Tamminen as Secretary of the California Environmental Protection Agency. (61)

From Office of the City Attorney, submitting report of hours of service provided from February 1-29, 2004 and the total hours of services year to date through June 30, 2004 to the Board of Supervisors.(62)

From Office of the City Attorney, submitting report of hours of service provided from February 1-29, 2004 and the total hours of services year to date through June 30, 2004 to the Board of Supervisors - Confidential Matters.(63)

From Na Wong, submitting opposition to the street closure going from the front of the Steinhart Aquarium to Kennedy Drive to get to 10th Avenue/Fulton Street. Copy: Supervisor McGoldrick, Department of Parking and Traffic(64)

From K. Ramazzotti, submitting suggestions to procure additional income to pay for renovations and improvements to the Presidio.Copy: Each Supervisor(65)

From Mark Rennie, submitting requests for transfer a type 42 beer and wine license from 700 Geary Street to a type 48 on-sale general public premises license to Giday Beshue and Nebiat

Tesfazgi dba Club Waziema at 543 Divisadero Street.(66)

From Budget Analyst, submitting Budget Analyst Activity Status Report for the Quarter ending March 31, 2004.(67)

From Police Department, submitting the 2004 compliance plan as required by Administrative Code Section 89.9 Compliance Plans for the Equal Access Ordinance. (68)

From Planning Department, regarding appeal of Categorical Exemption for 450 Frederick Street proposed demolition of a single family residence and construction of a three-unit residence.File 040311, Copy: Each Supervisor(69)

From Office of the Controller, submitting annual disclosure report for the San Francisco Finance Corporation, Parking Authority and the Redevelopment Agency (Lease Revenue Bonds).(70)

From appellants, submitting materials entitled "A House Worth Saving" containing photographs and information about 450 Frederick Street. File 040311, Copy: Each Supervisor(71)

From concerned citizens, submitting support for ordinance that prohibits demolition of residential buildings with 20 or more units unless the residential building proposed for demolition requires substantial rehabilitation. File 031739(72)

From Eula Walters, submitting opposition to proposed legislation to demolish the Vaillancourt Fountain. File 040345, Copy: Each Supervisor(73)

From Kathleen Lilienthal, urging the Mayor and Board of Supervisors to keep all fire stations in San Francisco open.(74)

From Jeremy Nelson, submitting opposition to proposal to expand the tow-away zones on various streets throughout the City. File 040165(75)

From concerned citizens, submitting opposition to the current plan to build a freeway ramp through the Hayes Valley Neighborhood. File 040114(76)

From Brian & Doris Cowell, urging the Mayor and Board of Supervisors to provide funding to install larger, well positioned signal lights at the intersection of 40th Avenue and Fulton Street. Copy: Supervisor McGoldrick(77)

From Jason Martin, submitting opposition to proposal to cut the 5 Fulton Muni bus line.Copy: Each Supervisor(78)

Number not used.(79)

From Sandra Gordon, urging the Board of Supervisors to work with the Golden Gate National Recreation Area to provide more off-leash dog areas in San Francisco.(80)

From David Ryder, submitting a web site link that details sound files and photographs of the neighborhood disturbances for the past 15 months at Mission Rock Bar at 817 Terry Francois Boulevard.(81)

From Office of the City Attorney, regarding the Board of Supervisors authority to reject mayoral appointments to the Small Business Commission.(82)

From Office of the City Attorney, submitting summary of legal requirements for mayoral appointments of members of boards and commissions and removal of department heads under those boards and commissions.(83)

From Department of Elections, submitting the official statement of vote for the March 2, 2004 Consolidated Primary Election in the City and County of San Francisco.(84)

From concerned citizens, submitting support for the 8 Washington Street project. File 040310(85)

From the Redevelopment Agency, submitting its financial and performance reports for the fiscal year ended June 30, 2003.(86)

From the Redevelopment Agency, submitting its financial and performance reports for the quarter ended December 31, 2003.(87)

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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