

Board of Supervisors

City and County of San Francisco

*Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689*



AGENDA

Tuesday, March 9, 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 the February 10, 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 Dufty, Ma, Alioto-Pier

1. **040055** **[Fees for regulation of mobile storage containers on the public right-of-way]** **Supervisors Peskin, Daly**
 Ordinance amending Section 726 of the Public Works Code to adjust fees for regulation of placement of mobile storage containers on the public right-of-way.
 2/24/2004, PASSED ON FIRST READING. Supervisor Daly requested to be added as a co-sponsor.
Question: Shall this Ordinance be FINALLY PASSED?

2. **040170** **[Provide nutrition education in community settings to low-income families in San Francisco]**
 Resolution authorizing the San Francisco Department of Public Health (SFDPH) to accept retroactively and expend a grant in the amount of \$99,908 from the California Department of Health Services (CDHS) to provide nutrition education in community settings to low-income families in San Francisco and to enter into an agreement for the use of these funds; for the period of January 1, 2004, to September 30, 2004. (Public Health Department)
Question: Shall this Resolution be ADOPTED?

3. **040182** **[Improve working conditions for day laborers in the San Francisco Mission District]**
 Resolution authorizing the San Francisco Department of Public Health, Occupational and Environmental Health (SFDPH), to accept and expend retroactively a grant in the amount of

\$212,584 from the Centers for Disease Control and Prevention (CDC), to improve working conditions for day laborers in the San Francisco Mission District and to enter into an agreement for the use of these funds; for the period of September 30, 2003, to September 29, 2004. (Public Health Department)

Question: Shall this Resolution be ADOPTED?

Recommendations of the Land Use Committee

Present: Supervisors McGoldrick, Maxwell

4. 040028 [STOP Intersections]

Resolution designating certain intersections as "STOP" intersections.

STOP SIGNS - ESTABLISH

22nd Avenue and Pacheco Street, stopping Pacheco Street, making this intersection an All-Way STOP; and

Niagara and San Jose Avenues, stopping San Jose Avenue, making this intersection an All-Way STOP. (Parking and Traffic Department)

(1/8/04: 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. 2744.)

Question: Shall this Resolution be ADOPTED?

5. 040030 [Traffic Regulations]

Resolution enacting and rescinding traffic regulations on various streets.

YIELD SIGN - ESTABLISH

Potrero Avenue/Cesar Chavez Street/Southbound 101 Off-Ramp at Bayshore Boulevard, southbound (eastbound).

NO TURN ON RED - ESTABLISH

Market Street, westbound, at Davis and Pine Streets.

RIGHT LANE MUST TURN RIGHT - RESCIND

RIGHT LANE MUST TURN RIGHT EXCEPT MUNI - ESTABLISH

Clay Street, eastbound, at Davis Street.

RIGHT TURN ONLY - ESTABLISH

Fowler Avenue, southbound, at Teresita Boulevard.

YIELD SIGN - ESTABLISH

Teresita Boulevard, southbound, at Fowler Avenue.

NO RIGHT TURN ON RED INTO MARKET STREET - RESCIND

NO RIGHT TURN ON RED - ESTABLISH

Castro Street, northbound, at Market Street.

NO TURN ON FLASHING RED - RESCIND

NO TURN ON RED - ESTABLISH

Church Street, northbound, at Market Street. (Parking and Traffic Department)

(1/8/04: 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. 2744.)

Question: Shall this Resolution be ADOPTED?

6. 040130 [Grant of Federal Funds]

Resolution authorizing the Municipal Transportation Agency to accept and expend \$2,441,395 of United States Department of Justice, 2003 Urban Area Security Initiative grant funds to develop and implement security enhancements for the San Francisco Municipal Railway. (Municipal Transportation Agency)

Question: Shall this Resolution be ADOPTED?

Recommendations of the Rules Committee

Present: Supervisors Hall, Dufty, Gonzalez

7. 030423 [Establishing the powers and duties of the Small Business Commission] Supervisors Daly, Gonzalez

Ordinance amending the San Francisco Administrative Code by adding Section 2A.240, to list the powers and duties of the Small Business Commission, and by repealing Sections 5.120, 5.121, and 5.122, dealing with the former Small Business Commission, and by re-numbering Section 10.100-129 as Section 10.100-333, and providing that the ordinance shall only take effect if a charter amendment creating a Small Business Commission in the Charter is adopted at the November 2003 election.

(No fiscal impact; Companion measure to File 030426.)

2/24/2004, PASSED ON FIRST READING. Supervisor Gonzalez requested to be added as a co-sponsor.

Question: Shall this Ordinance be FINALLY PASSED?

Present: Supervisors Hall, Dufty

8. 031934 [City-owned cars assigned to the District Attorney] Supervisors Peskin, Dufty

Ordinance amending Administrative Code Section 4.11 to include employees of the District Attorney's Office in the category of employees who may drive city-owned vehicles to and from their residence and to limit the number of such vehicles assigned to the District Attorney to eight (8).

2/24/2004, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Present: Supervisors Hall, Dufty, Gonzalez

9. 031937 [City Hall - City Hall Preservation Advisory Commission] Supervisors Peskin, Hall, Dufty

Ordinance amending the San Francisco Administrative Code to add Section 5.240 establishing the City Hall Preservation Advisory Commission.

2/24/2004, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Present: Supervisors Dufty, Gonzalez

10. 040080 [Settlement of Lawsuit - Sofia Rillanos]

Ordinance authorizing settlement of the lawsuit filed by Sofia Rillanos against the City and County of San Francisco for \$80,000; the lawsuit was filed on March 23, 2003 in San Francisco Superior Court, Case No. 418-598; entitled Sofia Rillanos v. City and County of San Francisco, et al; other material terms of said settlement are that plaintiff is to seek a non-disability-related retirement with the San Francisco Employees' Retirement System within three days of the date the settlement amount is paid. (City Attorney)

2/24/2004, PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

11. 040081 [Settlement of Lawsuit - Katherine Cox]

Ordinance authorizing settlement of the lawsuit filed by Katherine Cox against the City and County of San Francisco for \$200,000.00; the lawsuit was filed on September 3, 2002 in San Francisco Superior Court, Case No. 412117; entitled Katherine Cox, et al., v. City and County of San Francisco, et al. (City Attorney)

2/24/2004, PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

12. 040131 [Settlement of Lawsuit - Michelle Asami]

Ordinance authorizing settlement of the lawsuit filed by Michelle Asami against the City and County of San Francisco for \$43,900; the lawsuit was filed on November 26, 2002 in San Francisco Superior Court, Case No. 415-098; entitled Michelle Asami, et al., v. City and County of San Francisco, et al. (City Attorney)

2/24/2004, PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Present: Supervisors Hall, Dufty, Gonzalez

13. 040163 [Settlement of Lawsuits and Assessment Appeals]

Ordinance authorizing settlement of lawsuits and assessment appeals filed by Mission Housing Development Co., Thomas Paine, Ltd., Vista del Monte, Ltd., Buchanan Park, Ltd., Prince Hall Ltd., Laurel Gardens, St. Francis Square Apartments, Friendship Village Inc., Casa de La Raza, Third Baptist Gardens/F. D. Haynes Apartments, and Glenridge Apartments versus the City and County of San Francisco by payment of a total amount not to exceed \$1,800,000.00; the cases and appeals are Mission Housing I (San Francisco Co. Super Ct. No. 920940, Court of Appeal No. A075003), Mission Housing II (San Francisco Co. Super Ct. No. 920940, Court of Appeal No. A085462), Mission Housing III (San Francisco Co. Super Ct No. 300781), Mission Housing IV (those assessment appeals for which a decision was rendered by the Assessment Appeals Board on September 9, 2003), and Mission Housing V (San Francisco Co. Superior Ct. No. 502335, Court of Appeal No. A104180); the settlement includes any claims for reduced assessment for the 2002-2003 tax year and Plaintiffs/Claimants shall not file any claims for refund based on Sections 1604 or 2635 of the Revenue and Taxation Code. (A copy of proposed Settlement Agreement placed in Board File No. 040163.) (City Attorney)

Question: Shall this Ordinance be PASSED ON FIRST READING?

14. 040086 [Appointment - Mental Health Board]

Resolution appointing Robert Douglas, Carol Knight and Rebecca Ann Turner, term ending January 31, 2007 to the Mental Health Board.

Robert Douglas, succeeding himself, term expired, seat 13, must be a family member, for a three year term ending January 31, 2007.

Carol Knight, succeeding herself, term expired, seat 14, must be a family member, for a three year term ending January 31, 2007.

Rebecca Turner, succeeding herself, term expired, seat 15, must be a health professional, for a three year term ending January 31, 2007.

Question: Shall this Resolution be ADOPTED?

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

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of the Land Use Committee

Present: Supervisors McGoldrick, Ammiano

- 15. 031879 [Residential Rent Ordinance-Keys] Supervisors Daly, Gonzalez**
- Ordinance amending Administrative Code Chapter 37 ("Residential Rent Stabilization and Arbitration Ordinance") by renumbering existing Section 37.13 as 37.14 and renumbering existing Section 37.14 as 37.15, and by adding new Section 37.13 to provide that: each adult occupant is entitled to a minimum of one key/key-set for the rental unit without charge; upon written request for extra keys/key-sets stating the reason(s) (e.g., for the convenience of the occupant, such as admitting a service provider or a delivery person or a houseguest) a landlord shall provide the requested extra keys/key-sets unless within 14 days the landlord denies the request in writing as unreasonable (e.g., due to unlawful occupancy or a pattern of lease violation); a request for an extra key/key-set may only be denied for good reason; unreasonable denial of an extra key/key-set constitutes a decrease in housing services; and, a tenant may file a petition for hearing on a disputed request for an extra key/key-set, which shall be decided by an Administrative Law Judge (ALJ), with the ALJ decision appealable to the Rent Board.
- 2/24/2004, PASSED ON FIRST READING. Supervisor Gonzalez requested to be added as a co-sponsor.
- Question: Shall this Ordinance be FINALLY PASSED?**

NEW BUSINESS

Recommendation of the Budget Committee

Present: Supervisors Daly, Maxwell, Peskin

- 16. 031983 [Redevelopment Agency Budget] Mayor, Supervisor Daly**
- Resolution (1) authorizing the issuance of refunding and capital improvement bonds in one or more series by the City and County of San Francisco Redevelopment Financing Authority in an amount not to exceed \$90,000,000 to refinance indebtedness previously issued in 1993 and 1996 and provide additional funds for affordable housing; (2) approving an amendment to the budget of the Redevelopment Agency of the City and County of San Francisco for fiscal year 2003-2004, by increasing the Agency's tax increment receipts in an amount not to exceed \$3,373,160 to provide funds for payment of such amount to the Educational Revenue and Augmentation Fund, authorizing the receipt of approximately \$10,000,000 from the sale of tax allocation refunding and capital improvement revenue bonds and also increasing the Agency's expenditure authority in an amount not to exceed \$13,373,160 to enable the Agency's payment of \$3,373,160 to the Education Revenue and Augmentation Fund and expenditure of bond proceeds in the amount of approximately \$10,000,000 for affordable housing and related purposes; and (3) authorizing execution of a Cooperation Agreement with the Redevelopment Agency of the City and County of San Francisco that provides for the Agency's payment of \$1,912,094 to the City and County of San Francisco from the

proceeds of bonds to be issued in 2004, such amount to constitute the Agency's deposit towards the purchase of one or more underutilized sites to be conveyed to the Agency for affordable housing.

(Fiscal impact.)

Question: Shall this Resolution be ADOPTED?

Recommendations of the City Services Committee

Present: Supervisors Dufty, Ma, Alioto-Pier

- 17. 032029 [Extended Hours Permits] Supervisor Dufty**
Ordinance amending Section 1070.19 of the Police Code to permit bona fide public eating places or places of entertainment that have no liquor license to apply for and receive an extended hours permit from the Entertainment Commission.
1/6/2004, SUBSTITUTED. Supervisor Dufty submitted a substitute ordinance, approved as to form, bearing same title.
Question: Shall this Ordinance be PASSED ON FIRST READING?

- 18. 040192 [Accept-Expend State Grant] Supervisor Alioto-Pier**
Resolution authorizing the Office of Emergency Services to accept and expend a grant in the amount of \$1,824,467 from the California Governor's Office of Homeland Security for emergency response equipment, training, and exercises.
Question: Shall this Resolution be ADOPTED?

Recommendations of the Land Use Committee

Present: Supervisors McGoldrick, Maxwell

- 19. 031151 [Creating the Divisadero Street Alcohol Restricted Use District] Supervisor Gonzalez**
Ordinance adding Section 783 to the Planning Code to create a Divisadero Street Alcohol Restricted Use District prohibiting liquor establishments and regulating existing non-conforming liquor establishments; amending Zoning Map Sheets 2SU and 7SU of the City and County of San Francisco to indicate the boundaries of the Divisadero Street Alcohol Restricted Use District, and making findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan.
[No fiscal impact.]
Question: Shall this Ordinance be PASSED ON FIRST READING?

20. **040031** **[Modification of parking regulations on portions of Mission Street]**
Ordinance repealing Section 32.6.4 of the San Francisco Traffic Code, pertaining to part-time tow-away parking restrictions on portions of Mission Street (between 22nd and Cesar Chavez Streets). (Parking and Traffic Department)
- Question: Shall this Ordinance be PASSED ON FIRST READING?**
21. **040032** **[Modification of traffic regulations on portions of Mission Street]**
Ordinance repealing Section 35.1 of the San Francisco Traffic Code, pertaining to part-time left turn restrictions on portions of Mission Street (between 22nd and Cesar Chavez Streets). (Parking and Traffic Department)
- Question: Shall this Ordinance be PASSED ON FIRST READING?**
22. **040074** **[Speed Limit - Portion of Octavia Boulevard]**
Ordinance adding Section 175.35 to the San Francisco Traffic Code establishing a 30-MPH speed limit along a portion of Octavia Boulevard (central lanes only, between Fell and Market Streets). (Parking and Traffic Department)
- Question: Shall this Ordinance be PASSED ON FIRST READING?**
23. **040075** **[Speed Limit - Portion of Octavia Frontage Road]**
Ordinance adding San Francisco Traffic Code Section 174.8 to establish a 15-MPH speed limit along a portion of Octavia Frontage Road (between Hayes and Market Streets). (Parking and Traffic Department)
- Question: Shall this Ordinance be PASSED ON FIRST READING?**
24. **040029** **[Parking Regulations]**
Resolution enacting and rescinding parking regulations at various locations.
- TOW-AWAY, NO STOPPING ANYTIME - RESCIND
Cesar Chavez Street, north side, between Illinois and Michigan Streets.
- PERPENDICULAR (90-DEGREE ANGLE) PARKING - ESTABLISH
Donner Avenue, west side, from Phelps Street to easterly terminus (legislates existing parking conditions);
Donner Avenue, east side, from 50 feet south of Phelps Street to easterly terminus; and
Pacific Avenue, south side, between Lyon Street and Presidio Avenue (legislates existing parking conditions).
- UNMETERED MOTORCYCLE PARKING - ESTABLISH
Hayes Street, north side, within the nine foot curb space between the driveways of 1448 and 1450 Hayes Street, west of Broderick Street.

UNMETERED MOTORCYCLE PARKING - ESTABLISH

1673 Page Street, between the driveways for 1669 and 1673 Page Street (11-foot space).
(Parking and Traffic Department)

(1/8/04: 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. 2744.)

Question: Shall this Resolution be ADOPTED?

Recommendation of the Rules Committee

Present: Supervisors Hall, Dufty, Gonzalez

25. 032057 [Appointment - Elections Commission]

Resolution appointing Gerard Gleason, term ending January 1, 2009, to the Elections Commission.

Gerard Gleason, succeeding Thomas Schulz, term expired, seat 1, must be representative of the general public for a five year term ending January 1, 2009.

Question: Shall this Resolution be ADOPTED?

SPECIAL ORDER 3:00 P.M.

Board of Supervisors Sitting as a Committee of the Whole

26. 040188 [Hearing - Ground Lease of Redevelopment Agency Land for Mariposa Gardens Apartments]

Hearing of persons interested in or objecting to proposed resolution approving the Redevelopment Agency of the City and County of San Francisco's lease of land at Assessor's Block 4014, Lot 1, commonly known as 2445 Mariposa Street, to Mariposa Gardens II, L.P., for 55 years for the purpose of preserving a housing development for very low and low income households. (Clerk of the Board)

Action: _____

Committee of the Whole Adjourn and Report Without Recommendation

27. 040187 [Ground Lease of Redevelopment Agency Land for

Mayor

Mariposa Gardens Apartments]

Resolution approving the Redevelopment Agency of the City and County of San Francisco's lease of land at Assessor's Block 4014, Lot 1, commonly known as 2445 Mariposa Street, to Mariposa Gardens II, L.P., for 55 years for the purpose of preserving a housing development for very low and low income households.

(Fiscal impact.)

Question: Shall this Resolution be ADOPTED?

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

COMMITTEE REPORTS

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

Recommendation of the City Services Committee

The following item will be considered by the City Services Committee at a Special Meeting on March 4, 2004. The Chair intends to request the Committee to send the following item to the Board as a committee report.

28. 040058 [Economic Opportunity Council] Supervisors Daly, Peskin, Ma, Dufty, Alioto-Pier
- Resolution urging the Economic Opportunity Council of San Francisco to immediately restore the supplemental nutrition distribution system sites to serve the needs of San Francisco seniors.

Question: Shall this Resolution be ADOPTED?

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 43

31. **040201** **[Commending the Massachusetts Supreme Judicial Court Decision on Same-Sex Marriage]** **Supervisors Ammiano, Dufty, Daly, Gonzalez**
Resolution commending the Massachusetts Supreme Judicial Court for its landmark decision affirming the rights of lesbians and gays to marry.

2/10/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

2/24/2004, CONTINUED. Continued to March 9, 2004 Supervisors Daly and Gonzalez requested to be added as co-sponsors.

Question: Shall this Resolution be ADOPTED?
32. **040241** **[Commending Youth Chance High School]** **Supervisor Daly**
Resolution commending Youth Chance High School for 25 years of community leadership, educational excellence, and dedicated service to improving the lives of youth in San Francisco.

2/24/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?
33. **040244** **[Extension of Planning Commission Review Period]** **Supervisor Peskin**
Resolution extending to and including March 15, 2004 the prescribed time within which the Planning Commission may render its decision on a proposed ordinance to amend the San Francisco Planning Code by amending Section 128 to allow a City-owned landmark in a P(Public) zoning district that is adjacent to properties zoned C-3 (Downtown Commercial) to sell Transferable Development Rights and by amending Section 149 to authorize the landmark to receive artwork contributions in order to finance rehabilitation and restoration of the exterior of the property.

2/24/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?
34. **040245** **[National Diabetes Month]** **Supervisors Maxwell, Dufty**
Resolution proclaiming the month of February 2004 as National Diabetes Month.

2/24/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

- 35. 040246 [Commending the Services and Advocacy for Asian Youth Consortium] Supervisor Ma**

Resolution commending the Services and Advocacy for Asian Youth Consortium for their dedication and commitment to the Asian youth community in San Francisco.

2/24/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

- 36. 040247 [Commending San Francisco's African Americans Legion Post No. 875] Supervisors Ma, Maxwell, Dufty**

Resolution recognizing and commending San Francisco's African Americans Legion Post No. 875 for their dedicated service to the many brave veterans living in the San Francisco Bay Area.

2/24/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

- 37. 040248 [Read Aloud Day] Supervisors Ma, Dufty**

Resolution declaring March 2, 2004 as "Read Aloud Day" in the City and County of San Francisco.

2/24/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

- 38. 040249 [Filipino World War II veterans] Supervisors Ma, Dufty**

Resolution urging State Legislators to support Filipino World War II veterans by passing legislation to recognize Filipino combatants as American veterans.

2/24/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

- 39. 040250 [High Risk and Serious Registered Sex Offender Map] Supervisor Hall**

Resolution urging the San Francisco Police Department to provide on their website the general whereabouts of registered sex offenders, classified as either "Serious" or High Risk offenders who reside in the City and County of San Francisco.

2/24/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

40. 040251 **[Proclaiming March 2004 as Social Work Month]** **Supervisors Sandoval, Dufty**
Resolution proclaiming March 2004 as Social Work Month in the City and County of San Francisco.

2/24/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

41. 040253 **[Opposing elimination of state guarantees for low-income immigrant access to health and social services]** **Supervisor Ammiano**

Resolution opposing Governor Schwarzenegger's proposals to eliminate state guarantees which ensure that low-income immigrants have access to health and social services.

2/24/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

42. 040221 **[Final Map for a 29 Unit Live/Work Condominium Project - 1221 Harrison Street]**

Motion approving Final Map of 1221 Harrison Street, A Live/Work Condominium Project, being a subdivision of Lot 71 in Assessor's Block No. 3757, and adopting findings pursuant to Planning Code Section 101.1.

(DPW Order No. 174,686; District 6.)

3/1/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be ADOPTED?

43. 040231 **[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.

2/24/2004, 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

44. **IMPERATIVE AGENDA**

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

[Serious Injury Finding]

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

[Purely Commendatory Finding]

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

[Brown Act Finding]

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

[Imperative Resolutions, if any]

OFF-AGENDA LEGISLATION

PROPOSED ORDINANCES

Proposed ordinances received from February 18, 2004 through March 1, 2004, for reference by President to appropriate committee on March 9, 2004.

040217 [Settlement of Lawsuit - Pacific Bell Telephone Company and SBC Communications, Inc.]

Ordinance authorizing settlement of the lawsuit filed by the City and County of San Francisco against Pacific Bell Telephone Company and SBC Communications, Inc., and a related law suit filed by Pacific Bell Telephone Company against San Francisco, for a

payment to the Airport in the amount of \$4,057,204.26, and for a payment to the Department of Administrative Services of 20% of Pacific Bell's revenues from the sale of pre-paid calling cards with the San Francisco City Seal in 2003 and 2004, and on certain other terms; and approving the settlement agreement; the lawsuits were filed on December 19, 2002 and December 20, 2002, in San Francisco County Superior Court, Case Nos. 415-918 and 415-996; and respectively entitled City and County of San Francisco v. Pacific Bell Telephone Company and SBC Communications, Inc., and Pacific Bell Telephone Company v. City and County of San Francisco. (City Attorney)

2/26/2004, RECEIVED AND ASSIGNED to Rules Committee.

040218 [Settlement of Lawsuit - Armstrong, et al., (Victor Humphrey)]

Ordinance authorizing settlement of the lawsuit filed by Victor Humphrey against the City and County of San Francisco for \$27,500.00; the lawsuit was filed on July 9, 2001 in United States District Court, Northern District, Case No. C01-2611; entitled Armstrong, et al., v. City and County of San Francisco, et al. (City Attorney)

3/1/2004, RECEIVED AND ASSIGNED to Rules Committee.

040219 [Administrative Code Revision: Health Service System]

Ordinance amending Chapter 16, Article XV, of Part 1 of the San Francisco Municipal (Administrative) Code by amending Section 16.703 regarding Board approval of Health Service System Plans and Contribution Rates. (Human Resources Department)

2/27/2004, RECEIVED AND ASSIGNED to Finance and Audits Committee.

040220 [Settlement of Lawsuit - Francisco Rivero and Pacific Interment Co., et al.]

Ordinance authorizing settlement of the lawsuit filed by Francisco Rivero and Pacific Interment Co. against the City and County of San Francisco for \$1,700,000, which includes payment of a total of \$52,000 in punitive damages; the lawsuit was filed on September 9, 1993 in the United States District Court, Case No. C93-3383; entitled Francisco Rivero and Pacific Interment Co., et al., v. City and County of San Francisco, et al. (City Attorney)

3/1/2004, RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED RESOLUTIONS

Proposed resolutions received from February 18, 2004 through March 1, 2004, for reference by President to appropriate committee on March 9, 2004.

040216 [Accept and Expend Grant]

Supervisor Dufty

Resolution authorizing the Sheriff's Department to accept and expend a grant in the amount of \$30,000 from the Zellerbach Family Foundation for providing a family literacy program for women prisoners in the county jail. (Sheriff)

2/18/2004, RECEIVED AND ASSIGNED to City Services Committee.

040270 [Petitions and Communications]

Petitions and Communications received from February 18, 2004 through March 1, 2004, for reference by the President to Committee considering related matters or to be ordered filed by the Clerk on March 9, 2004.

From Public Utilities Commission, submitting the annual disclosure report for the Public Utilities Commission.(1)

From various City Departments, regarding what plans if any the Department has that would add 5,000 new jobs to the City's workforce within the next five years at no cost to the taxpayers of San Francisco. Copy: Supervisor Hall(2)
Ethics Commission (Reference No. 20031216-044)
Sheriff (Reference No. 20031216-032)
Department of Human Services (Reference No. 20031216-010)
Juvenile Probation Department (Reference No. 20031216-063)

From Police Department, regarding police investigation related to the murder of Scharod Fleming. (Reference No. 20040127-009) Copy: Supervisor Daly(3)

From United Irish Societies of San Francisco, submitting invitation and schedule of the Saint Patrick's Day Festivities. Copy: Each Supervisor(4)

From Reuben and Alter LLP, commenting on the proposed motion adopting findings related to the categorical exemption issued for 899 North Point Street. File 040200, Copy: Each Supervisor(5)

From S.F. Museum and Historical Society Advisory Committee, submitting annual report for the S.F. Museum and Historical Society Advisory Committee. File 020637(6)

From Farella Braun & Martel LLP, submitting summary of proposed ordinance regarding the Downtown Housing Demonstration Special Use District. File 040147, Copy: Supervisors Ammiano, Maxwell(7)

From Department of Parking and Traffic, regarding comments that appeared in the San Francisco Chronicle on September 28, 2003 related to traffic enforcement and congestion. (Reference No. 20030930-009) Copy: Supervisor Daly(8)

From Farella Braun & Martel LLP, submitting description of the 690/942 Market Street Projects associated with the Special Use District. Files 040147 and 040184, Copy: Supervisors Ammiano, Maxwell(9)

From Everett Tauber, regarding the continuing vandalism, burglaries and a disregard for property at 745 Sutter Street. Copy: Supervisor Peskin(10)

From Alonzo King's Dance Center, submitting support for proposed legislation to fund the

San Francisco International Arts Festival. File 031581, Copy: Each Supervisor(11)

From concerned citizens, submitting their comments on issuing marriage licenses to same sex couples at City Hall.(12)

From Department of Public Health, submitting request for waiver of Chapter 12B of the Administrative Code for Metro Park Laundry to provide laundry services to Laguna Honda while the Oyster Point Laundry Facility is made operational.(13)

From Department of Elections, regarding how the Department of Elections will handle provisional ballots cast by voters outside of their assigned precincts in the March 2, 2004. Copy: Each Supervisor(14)

From Taxi Commission, submitting resolution encouraging the Board of Supervisors to urge the State legislature to adopt amendments to the State Public Utilities Code relating to regulation of limousines by Cities and/or Counties. Copy: Each Supervisor(15)

From Youth Commission, submitting support for proposed resolution urging the San Francisco Trial Courts, District Attorney, Juvenile Probation Department and Public Defender not to sentence or cause to be sentenced, any person to the California Youth Authority (CYA) unless a CYA commitment is required by law. Copy: Each Supervisor(16)

From concerned citizens, submitting opposition to traffic circles on Page Street that can be hazardous to pedestrians, especially the disabled. Approximately 50 letters(17)

From Public Library, submitting correspondence between the Library and the European American Issues Forum related to the "European Americans among Us" exhibit. (Reference No. 20040210-003) Copy: Supervisor Daly(18)

From Patrick Monette-Shaw, urging the Board to re-refer legislation regarding the City's Non-Profit Contracting Task Force back to the City Services Committee. File 032027, Copy: Each Supervisor(19)

From Department of Elections, submitting information regarding the March 2, 2004 Consolidated Primary Election. Copy: Each Supervisor(20)

From Jeff Qvale, submitting support for underground parking at the De Young Museum in Golden Gate Park.File 031481 (21)

From Elections Commission, submitting the Sheriff's Department report on the Consolidated Primary Election for Tuesday, March 2, 2004.(22)

From State Fish and Game Commission, submitting proposed regulatory actions and text of regulations in strikeout/underline language, relative to "Mammal Hunting and Trapping Regulations" in sections identified in Title 14, California Code of Regulations.(23)

From U.S. Department of Federal Aviation Administration, submitting acknowledgement of request for information regarding any Airport Improvement program grants. (Reference No. 20040203-008) Copy: Supervisor Alioto-Pier(24)

From Sara Ryan, urging the Board to have a no turn signal installed at 24th Street and Potrero Avenue as soon as possible.Copy: Supervisor Ammiano(25)

From Doug Loranger, regarding the pending budget for the San Francisco Public Library.

Copy: Each Supervisor(26)

From Private Industry Council, submitting report of activities for 2000 through 2002. (27)

From State Department of Health Services, submitting the Child Health and Disability Prevention Program allocation for fiscal year 2003/04.(28)

From US Army Corps of Engineers, submitting notice regarding application to continue the annual installation and removal of a summer dam on the Russian River.(29)

From Emergency Communications Department, submitting final report of the 2003 Combined Charity Campaign for San Francisco City and County employees. Copy: Each Supervisor(30)

From Public Utilities Commission, submitting request for waiver of Chapters 12B and 12C of the Administrative Code for Harbor Payments.(31)

From Human Rights Commission, urging the Board to oppose any efforts by PG&E to obtain permits to upgrade, retrofit or obtain emission reduction credits for the Hunters Point plant that would extend its operation beyond 2005, the year that its current permits expire.(32)

From Police Department, reporting on the scope and costs of programs and activities addressing waterfront security in the City and County of San Francisco encompassing the entire waterfront. (Reference No. 20040203-004) Copy: Supervisor Alioto-Pier(33)

From the Urban Water Institute, submitting notice of an Urban Water Institute Summit Conference on March 17, 18 and 19, 2004 in Santa Ana, California.(34)

From Department of Parking and Traffic, regarding the feasibility of installing left turn signals at the intersections of San Bruno and Silver Avenues, and Bayshore Boulevard and Silver Avenue. (Reference No. 20030819-001) Copy: Supervisor Maxwell(35)

From Anita Sarah Jackson, submitting support for legislation recommended by the Lead Hazard Reduction Citizens Advisory Committee to protect children from lead poisoning caused by unsafe work practices on the interiors of pre 1979 rentals and child care facilities. Copy: Each Supervisor(36)

From Library Users Association, commenting on article in the San Francisco Bay Guardian entitled "Library's Broken Promise on Privacy-threatening Technology Plans".(37)

From Supervisor Gonzalez, submitting appointment of Catherine Rauscher to the Park, Recreation and Open Space Advisory Committee.(38)

From Municipal Transportation Agency, submitting fiscal year 2005 proposed budget for Municipal Railway Department and the Department of Parking and Traffic.Copy: Each Supervisor(39)

From Clean Beaches Council, submitting criteria for participating in the 2004 National Blue Wave Campaign, an exclusive program for America's cleanest beaches. Copy: Each Supervisor(40)

From Human Rights Commission, submitting quarterly report as required by Administrative Code Chapter 12D.A.(41)

From PG&E, submitting report which provides the names and address of accounts delinquent over 90 days.(42)

From GL Shem, requesting the Board urge the Fire Department to provide Paramedic-staffed Fire Engines in all San Francisco neighborhoods. Copy: Each Supervisor(43)

From concerned citizens, commenting on proposed Muni bus service cuts.(44)

From concerned citizens, urging the governor to instruct Cal Trans to stop construction of the Central Freeway ramp. File 040114(45)

From Richard Leo Lymp, submitting information relevant to San Francisco's environmental and economic welfare.(46)

From Richard Shadoian, submitting support for establishing an independent Citizens Advisory Committee for the public library. File 020585, Copy: Each Supervisor(47)

From Mark Atkinson, urging the Mayor to veto the anti-demolition law passed by the Board of Supervisors for the 377 rent-controlled apartments at Trinity Plaza. File 031739, Copy: Each Supervisor(48)

From concerned citizens, urging the Fire Department to give classes in community safety training.(49)

From Melanie Balfour, urging the Board to address the issue of motorcycle parking, both the lack thereof and the higher penalties charged to motorcycles and scooters for sidewalk violations than that given to four wheel vehicles. Copy: Each Supervisor(50)

From Golden Gate Park Music Concourse, submitting construction update for the Golden Gate Park Music Concourse underground facility.(51)

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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