

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 20, 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 23, 2004 and March 30, 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 6

Recommendation of the Finance and Audits Committee

Present: Supervisors Peskin, Ammiano

- 1. 040099 [Dept. of Administrative Services to provide services to public entities] Supervisors Dufty, Peskin**

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.

4/13/2004, PASSED ON FIRST READING. Supervisor Peskin requested to be added as a co-sponsor.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the Land Use Committee

Present: Supervisors McGoldrick, Peskin, Maxwell

- 2. 040147 [General Plan Amendment in connection with Downtown Housing Demonstration Special Use District] Supervisor Peskin**

Ordinance amending the San Francisco General Plan to change the height and bulk classification in connection with approvals for the proposed Downtown Housing Demonstration Special Use District encompassing the property zoned Downtown Office District (C-3-O) at the corner of Market Street, Kearny Street and Geary Avenue (690 Market Street, Assessor's Block 0311, Lot 006) from 250-S to 285-S; adopting findings pursuant to the California Environmental Quality Act; and adopting findings that the General Plan amendment is consistent with the eight Priority Policies of Planning Code Section 101.1.

4/13/2004, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?
- 3. 040184 [Zoning Map Amendment in connection with Downtown Housing Demonstration Special Use District] Supervisor Peskin**

Ordinance amending Zoning Map Section 1H and 1SU of the City and County of San

Francisco for the property zoned Downtown Office District (C-3-O) at the corner of Market Street, Kearny Street and Geary Avenue (690 Market Street, Assessor's Block 0311, Lot 006) from 250-S to 285-S; adopting findings under the California Environmental Quality Act; and making findings of consistency with the General Plan and the priority policies of Planning Code Section 101.1.

4/13/2004, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

4. **031791** [Special Use District to eliminate certain zoning requirements for residential uses in the Downtown consistent with a proposed ordinance to facilitate housing in the Downtown] **Supervisors Peskin, Daly**

Ordinance amending the San Francisco Planning Code by adding Section 249.26 to create the Downtown Housing Demonstration Special Use District encompassing the property zoned Downtown Office District (C-3-O) at the corner of Market Street, Kearny Street and Geary Avenue (690 Market Street, Assessor's Block 0311, Lot 006) and making findings. The proposed Special Use District would eliminate floor area restrictions and maximum dwelling unit density limits and would allow exceptions to open space requirements and dwelling unit exposure requirements for new residential uses be granted through the process outlined in Planning Code Section 309. The proposed Special Use District would also increase the maximum height and bulk allowed in the district from 250-S to 285-S, and would require that residential projects be subject to the 12 percent (on-site) and 17 percent (off-site) Inclusionary Affordable Housing Program Requirements found in Section 315.3(a)(2).

4/13/2004, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

5. **040366** [Conditionally Designate 690 Market, the Chronicle Building, as a Landmark Under Planning Code Article 10] **Supervisors Peskin, Hall**

Ordinance conditionally designating 690 Market, the Chronicle Building, as Landmark No. 243 pursuant to Article 10, Sections 1004 And 1004.4 of the Planning Code.

4/13/2004, PASSED ON FIRST READING. Supervisor Hall requested to be added as a co-sponsor.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendation of the Rules Committee

Present: Supervisors Maxwell, Alioto-Pier, Gonzalez

6. **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)

4/13/2004, PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendations of the Finance and Audits Committee

Present: Supervisors Peskin, Ammiano

7. **021505** **[Ordinance adding Section 21.25-3 to the** **Supervisors Ammiano, Daly**
 Administrative Code]
- Ordinance adding Section 21.25-3 to the San Francisco 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 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 contract, lease, franchise, permit or other contractual arrangement is terminated.
- 4/13/2004, AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.
4/13/2004, CONTINUED. Continued to April 20, 2004
- Question: Shall this Ordinance be PASSED ON FIRST READING?**
8. **040100** **[Process for Sale of Real Property]** **Supervisors Peskin, Hall**
- 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.
- 4/13/2004, CONTINUED. Continued to April 20, 2004 Supervisor Hall requested to be added as a co-sponsor.
- Question: Shall this Ordinance be PASSED ON FIRST READING?**

From the Finance and Audits Committee Without Recommendation

Present: Supervisors Daly, Peskin, Ammiano

9. **040272** **[Public Employment]** **Mayor**
- Ordinance amending Ordinance No. 195-03 (Annual Salary Ordinance 2003/04) reflecting the deletion of 187.4 positions in the following departments: Administrative Services, Adult Probation, Adult and Aging Services, Airport, Assessor, Convention Facilities, Emergency Communications, Environment, Human Resources, Juvenile Probation, Municipal Transportation Agency, Police, Public Health, Recreation and Park, Sheriff and Telecommunication and Information Services. (Municipal Transportation Agency)
- 4/13/2004, AMENDED.
4/13/2004, PASSED ON FIRST READING AS AMENDED.

Question: Shall this Ordinance be FINALLY PASSED?

NEW BUSINESS

Recommendations of the Finance and Audits Committee

Present: Supervisors Daly, Peskin

- 10. 040318 [Amending Domestic Partnership requirements] Supervisors Ammiano, Dufty**
Ordinance amending Chapter 62 of the Administrative Code by amending the statement of purpose in Section 62.1; amending Sections 62.2(d), 62.3(b) and 62.5(b) to remove a waiting period for certain domestic partnerships; amending Sections 62.3(a)(2) and 62.10(a) relating to Retirement System requirements; repealing Section 62.3(c) to eliminate a residency requirement; amending Section 62.6(a) to expand the rights and duties of domestic partners; adding Section 62.11 to clarify the Board of Supervisors' authority to amend domestic partnership legislation; adding Section 62.12 to add a severability provision; and adding Section 62.13 to ratify and approve domestic partnerships between certain non-residents.
(Fiscal impact.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

- 11. 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)

Question: Shall this Ordinance be PASSED ON FIRST READING?

- 12. 031640 [Airport - Amendment to Concession Agreement and Lease Agreement for Rental Car Operations]**
Resolution approving (a) Amendment No. 1 to the Concession Agreements and Lease Agreements for Rental Car Operations between Alamo Rent-A-Car, LLC, Avis Rent-A-Car System, Inc., Budget Rent-A-Car Systems, Inc., Dollar Rent-A-Car System, Inc., Enterprise Rent-A-Car Company of San Francisco, The Hertz Corporation, and Thrifty Rent-A-Car System, Inc., and the City and County of San Francisco, acting by and through its Airport Commission; and (b) Amendment No. 1 to the Lease Agreement for Rental Car Operations between National Car Rental Systems, Inc. and the City and County of San Francisco, acting by and through its Airport Commission. (Airport Commission)
(Fiscal impact; No Public Benefit Recipient.)

Question: Shall this Resolution be ADOPTED?

- 13. 040034 [Modification #6 to Lease and Use Agreement No. L-82-0115 with Delta Air Lines, Inc. at Terminal 1 of S.F. International Airport.]**
Resolution approving and authorizing the execution of Modification # 6 to Lease and Use

Agreement No. L-82-0115 with Delta Air Lines, Inc., to reduce terminal space in Terminal 1 of San Francisco International Airport. (Airport Commission)

Question: Shall this Resolution be ADOPTED?

14. 040035 [Modification #7 to Lease and Use Agreement No. L-82-0119 with Northwest Airlines, Inc. at Terminal 1 of S.F. International Airport]

Resolution approving and authorizing the execution of Modification # 7 to Lease and Use Agreement No. L-82-0119 with Northwest Airlines, Inc., to reduce terminal space in Terminal 1 of San Francisco International Airport. (Airport Commission)

Question: Shall this Resolution be ADOPTED?

15. 040077 [2004 Annual Fundraising Drive]

Resolution designating those agencies qualified to participate in the 2004 Annual Joint Fundraising Drive for officers and employees of the City and County of San Francisco.

Question: Shall this Resolution be ADOPTED?

16. 040186 [Reimbursement Resolution] Supervisor McGoldrick

Resolution declaring the intent of the City and County of San Francisco to reimburse certain expenditures from proceeds of future indebtedness; and approving and ratifying previous actions in connection therewith

Question: Shall this Resolution be ADOPTED?

17. 040319 [MTA Workers' Compensation Administration Contract Award] Mayor

Resolution authorizing retroactive to March 27, 2004, the Director of Transportation to award a contract to Sedgwick Claims Management Services for Workers' Compensation Third Party Claims Administration, not to exceed \$3.183 million in the first year and adjusted annually by formula for four subsequent years, with the option of three one-year extensions to be exercised at the sole discretion of the MTA.

(Fiscal impact.)

Question: Shall this Resolution be ADOPTED?

Recommendation of the Land Use Committee

Present: Supervisors Peskin, Maxwell

18. 031930 [Planning Code Amendments - The Old Mint] Supervisor Peskin

Ordinance amending 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; adopting findings.

Question: Shall this Ordinance be PASSED ON FIRST READING?

From the Land Use Committee Without Recommendation

Present: Supervisors Peskin, Maxwell

- 19. 040375 [Parking Regulations at Various Locations on California Street] Supervisor McGoldrick**

Resolution enacting and rescinding parking regulations at various locations.

TOW-AWAY NO PARKING (6AM - 6 PM EXCEPT SATURDAYS, SUNDAYS AND HOLIDAYS) - ESTABLISH
California Street, north side, from 182 feet to 222 feet west of 32nd Avenue (40 foot zone).

PERPENDICULAR (90-DEGREE ANGLE) PARKING - RESCIND
California Street, north side, from 100 feet to 182 feet west of 32nd Avenue.

ANGLE (45-DEGREE ANGLE) PARKING - ESTABLISH
California Street, north side, from 100 feet to 182 feet west of 32nd Avenue (6 spaces).

COMPACT ONLY PARKING - ESTABLISH
California Street, north side, from 75 feet to 182 feet west of 32nd Avenue (7 spaces).

(3/19/04: 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.)

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.

From the Budget Committee

The following item will be considered by the Budget Committee at a Regular Meeting on Thursday, April 15, 2004. The Chair intends to request the Committee to send the following item to the Board as a committee report.

- 20. 040411 [Waiving, for 2004, the May 1 deadline for enterprise department budget submittal] Supervisor Sandoval**

Ordinance amending Section 3.3 of the San Francisco Administrative Code to waive, for 2004, the May 1 deadline for the Mayor to submit to the Board of Supervisors the proposed budgets for the enterprise departments of the City and County of San Francisco.

Question: Shall this Ordinance be PASSED ON FIRST READING?

From the Rules Committee

The following items will be considered by the Rules Committee at a Regular Meeting on Wednesday, April 14, 2004. The Chair intends to request the Committee to send the following items to the Board as a committee report.

21. **040223** **[Appointment to Police Commission - Douglas Chan]** **Mayor**
Motion confirming the Mayor's nomination of, and appointing, Douglas Chan to the San Francisco Police Commission for a term of office commencing on April 30, 2004 at noon, with the term ending to be determined by lot.

Transmittal Date: 3/2/04.
4/14/04 Supervisor Ammiano dissented in Committee.

Question: Shall this Motion be ADOPTED?
22. **040224** **[Appointment to Police Commission - Joseph Veronese]** **Mayor**
Motion confirming the Mayor's nomination of, and appointing, Joseph Veronese to the San Francisco Police Commission for a term of office commencing on April 30, 2004 at noon, with the term ending to be determined by lot.

Transmittal Date: 3/2/04.
4/14/04 Supervisor Ammiano dissented in Committee.

Question: Shall this Motion be ADOPTED?
23. **040225** **[Appointment to Police Commission - Dr. Joe Marshall]** **Mayor**
Motion confirming the Mayor's nomination of, and appointing, Dr. Joe Marshall to the San Francisco Police Commission for a term of office commencing on April 30, 2004 at noon, with the term ending to be determined by lot.

Transmittal Date: 3/2/04.
4/14/04 Supervisor Ammiano dissented in Committee.

Question: Shall this Motion be ADOPTED?
24. **031919** **[Appointment - Police Commission]**
Motion confirming the Rules Committee's nominations of, and appointing, Theresa Sparks, Peter Keane and Gayle Orr-Smith to the San Francisco Police Commission for a term of office commencing on April 30, 2004 at noon, with terms ending to be determined by lot. (Rules Committee)

4/14/04 Supervisor Ammiano dissented in Committee on the recommendation to appoint Peter Keane and Gayle Orr-Smith.
Theresa Sparks, seat 1, must be nominated by the Rules Committee or its successor and subject to confirmation by the Board of Supervisors, for either an initial one year, two year or three year term (determined by lot) ending date to be determined.
Peter Keane, seat 2, must be nominated by the Rules Committee or its successor and subject to confirmation by the Board of Supervisors, for either an initial one year, two year or three year term (determined by lot) ending date to be determined.

Gayle Orr-Smith, seat 3, must be nominated by the Rules Committee or its successor and subject to confirmation by the Board of Supervisors, for either an initial one year, two year or three year term (determined by lot) ending date to be determined.

Question: Shall this Motion be ADOPTED?

25. 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.

26. 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 27 through 42

27. **040444** **[Older Americans Month]** **Supervisors Hall, Dufty**
Resolution recognizing the month of May 2004 as Older Americans Month in San Francisco and encouraging all San Franciscans to promote and participate in activities and services that contribute to the health, welfare, and independence of older citizens.

4/13/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?
28. **040452** **[Week of the Young Child]** **Supervisors Ma, Dufty, Alioto-Pier**
Resolution recognizing the importance of children's earliest years and the need to support early child-care programs and services, and declaring April 17, 2004 through April 24, 2004 as "Week of the Young Child" in the City and County of San Francisco.

4/13/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

- 29. 040453 [Safety Seat Checkup Week] Supervisors Ma, Dufty, Alioto-Pier**

Resolution declaring April 18, 2004 through April 24, 2004 as "Safety Seat Checkup Week" in the City and County of San Francisco.

4/13/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

- 30. 040456 [Commending Hannah Paarlberg] Supervisor Sandoval**

Resolution commending Hannah Paarlberg of Balboa High School on her accomplishments in the sport of wrestling.

4/13/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

- 31. 040457 [Commending House Minority Leader Nancy Pelosi] Supervisors Sandoval, Dufty**

Resolution commending House Minority Leader Nancy Pelosi for receiving the 2004 "Distinguished Community Health Champion" award from the National Association of Community Health Centers.

4/13/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

- 32. 040460 [Urging the Legislature to amend Public Utilities Code to allow local regulation of charter party carriers] Supervisors Daly, Maxwell**

Resolution urging the California State Legislature to support an amendment to the California Public Utilities Code that would allow a city and/or county to impose a business license fee, and adopt reasonable rules and regulations pertaining to charter party carriers operating within city and/or county jurisdictions.

4/13/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

- 33. 040461 [Commending Michael C. Healy] Supervisor Daly**

Resolution commending Michael C. Healy on his service to the Bay Area Rapid Transit District (BART) and to public transportation.

4/13/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

- 34. 040471 [Supporting AB 2863] Supervisors Maxwell, Dufty**
Resolution supporting AB 2863 and urging the California legislature to pass AB 2863 allowing for the improvement of indoor air quality in our schools.
4/13/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
- 35. 040472 [Supporting AB 2367, AB 2132] Supervisors Maxwell, Dufty**
Resolution supporting AB 2367 (Chan) and AB 2132 (Reyes/Chan) and urging the California legislature to pass the two legislation allowing children in schools with Asthma easier access to their medication.
4/13/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
- 36. 040473 [Annual Bayview Juneteenth Festival in 2002] Supervisors Maxwell, Dufty**
Resolution urging DPT, DPW, Police, and Fire Department to waive fees incurred by Black Diamond Dynasty for the installation of the 1st Annual Bayview Juneteenth Festival in 2002.
4/13/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
- 37. 040474 [Proposed Changes to Section 8 Housing Policy] Supervisor Maxwell**
Resolution urging United States Senators Dianne Feinstein and Barbara Boxer and United States Congresswoman Nancy Pelosi to oppose changes to Federal Section 8 Housing Policy.
4/13/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
- 38. 040478 [Strictly Bluegrass] Supervisors Peskin, Ammiano**
Resolution urging that Warren Hellman bring Strictly Bluegrass back to Golden Gate Park.
4/13/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
- 39. 040479 [Bhopal Remembrance Day] Supervisor Peskin**
Resolution Declaring December 3, 2004 as Bhopal Remembrance Day.
4/13/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
- 40. 040480 [Less Costly Pharmaceuticals] Supervisors Peskin, Sandoval**

Resolution authorizing the Department of Public Health to participate in the State Department of General Services pharmaceutical purchasing program to explore the cost benefits of participation, and further approving its participation in State Department of General Services pharmaceutical purchasing contracts that provide favorable cost benefits for the Department.

4/13/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

41. 040481 [Public Health Comprehensive Child Crisis Services] Supervisors Maxwell, Dufty

Resolution authorizing the San Francisco Public Health, Community Behavioral Health, Comprehensive Child Crisis Services (SFDPH, CBH, CCCS) (Provider) to enter retroactively into an agreement which includes a mutual indemnification clause and a binding arbitration clause, with Managed Health Network, Inc. (MHN) (Primary Contractor) to provide comprehensive child crisis services at a capitated rate to MHN enrollees for a total estimated revenues of \$100,000 for the 16 month period of March 1, 2004 through June 30, 2005.

4/13/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

42. 040482 [Accept-Expend State Grant] Supervisors Maxwell, Dufty

Resolution authorizing the Mayor's Office of Criminal Justice (MOCJ) to accept and expend funds in the amount of \$2,218,010 from the State Board of Corrections, from funds made available under Senate Bill 736 - known as the Juvenile Justice Crime Prevention Act (JJCPA), for programs and approaches that have been demonstrated to be effective in reducing delinquency.

4/13/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

*Questions on the For Adoption Without Committee Reference
Agenda: _____*

43. 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 April 6, 2004 through April 12, 2004, for reference by President to appropriate committee on April 20, 2004.

040393 [Settlement of Lawsuit - 555 California Street Partners, et al.]

Ordinance authorizing settlement of the lawsuit filed by the City and County of San Francisco against 555 California Street Partners, a California limited partnership, Davre's Inc., Factory Mutual Insurance Company, Excel Building Services, LLC and National Guardian Enterprises, Inc., for \$34,200; the lawsuit was filed on August 20, 2003 in the Superior Court of the County of San Francisco, Case No. 423627; entitled City and County of San Francisco v. 555 California Street Partners, a California limited partnership, Davre's Inc., Factory Mutual Insurance Company, Excel Building Services, LLC and National Guardian Enterprises, Inc., et al. (City Attorney)

4/9/2004, RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED RESOLUTIONS

Proposed resolutions received from April 6, 2004 through April 12, 2004, for reference by President to appropriate committee on April 20, 2004.

040391 [Modification of Easement Deed]

Resolution approving a modification to an existing Easement Deed between Pacific Gas & Electric Company, a California public utility, and the City and County of San Francisco, acting by and through its Public Utilities Commission ("SFPUC") for the realignment of an existing gas line on City land under the jurisdiction of the SFPUC located in Sunol, California. (Real Estate Department)

4/8/2004, RECEIVED AND ASSIGNED to Finance and Audits Committee.

040490 [Petitions and Communications]

Petitions and Communications received from April 6, 2004 through April 12, 2004, for reference by the President to Committee considering related matters or to be ordered filed by the Clerk on April 20, 2004.

From Department of Elections, concerning implementation of ranked-choice voting for the November 2004 election.(1)

From Office of the Controller, submitting audit of the revolving fund maintained by the Office of the Controller.(2)

From Department of Human Services, submitting request for waiver of Administrative Code Chapters 12B and 12C for IBM Global Services.(3)

From Department of Public Health, submitting report entitled "San Francisco Farm-to-School" that summarizes the partnership between the Department of Public Health and the Unified School District to find ways to incorporate fresher, locally grown fruits and vegetables into school meal programs.Copy: Each Supervisor(4)

From Office of the Controller, submitting audit report concerning whether Kid Stock, Inc. complied with the City requirements not to use any City funds for political activities.(5)

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

From Peter Impala, submitting request for transfer of an existing Type 21 liquor license from Trader Joe's at 555 Ninth Street to the redeveloped area of Trader Joe's Company at Bay and Mason.(7)

From Mary Irene Zemanek, filing appeal of Planning Commission decision on property located at 2599 Lombard Street.(8)

From Office of the Legislative Analyst, submitting report identifying best practices governing police pursuits and recommendations for improving the police pursuit policies of the San Francisco Police Department.Copy: Supervisor Maxwell(9)

From Office of the City Attorney, submitting memorandum regarding authority of Board of Supervisors or a Committee of the Board to Overrule the Mayor's Disapproval of a Requisition for a Position under Certain Elected Officials. Copy: Each Supervisor(10)

From U.S. House of Representatives, requesting support for legislation that will help combat the dramatic rise in California's price of retail gasoline. Copy: Each Supervisor(11)

From Mayor's Memorial Day Citizen's Committee, announcing the Memorial Day Ceremony at the Presidio's National Cemetery on May 31, 2004. Copy: Each Supervisor(12)

From Reuben & Junius, LLP, regarding appeal of proposed project at 450 Frederick Street. Copy: Each Supervisor(13)

From Office of the Mayor, submitting report regarding the debt policy of the City and County of San Francisco, that summarizes the Mayor's Office existing debt policies and formally establishes them for all future debt.(14)

From Department of Children, Youth and Their Families, regarding how a Controller's audit can identify community needs, access community benefit programs, and evaluate city services

and city-funded programs to improve the quality of life in the southeast neighborhoods of San Francisco. (Reference No. 20040210-009) Copy: Supervisor Dufty(15)

From Abdalla Megahed, requesting an extension of time at the Episcopal Community Services Center.(16)

From Municipal Transportation Agency, responding to objection to award the contract for workers' compensation third party claims administration services to Sedgwick CMS.(17)

From Juvenile Probation Department, regarding how a Controller's audit can identify community needs, access community benefit programs, and evaluate city services and city-funded programs to improve the quality of life in the southeast neighborhoods of San Francisco. (Reference No. 20040210-013) Copy: Supervisor Dufty(18)

From Richard Kim, submitting request to transfer an off-sale liquor license to Woori Food Market at 1528 Fillmore Street.(19)

From Alliance for a Clean Waterfront, submitting support for the installation of bi-directional bicycle lanes along Jefferson Street through the Fisherman's Wharf area, specifically Alternative D that has been identified through the planning process for this area. Copy: Each Supervisor(20)

From State Public Utilities commission, submitting notice that PG&E has filed an application with the CPUC requesting changes to PG&E's gas rates for the calendar year 2005, and storage rates from April 1, 2005 to March 31, 2006. (21)

From Fire Department, submitting notice of annual fire and life safety holding cell inspection at Bayview Police Station at 201 Williams Avenue.(22)

From Fire Department, submitting notice of annual fire and life safety holding cell inspection at Richmond Police Station at 461 6th Avenue.(23)

From Office of the Controller, regarding amendment to ordinance fixing compensation for Unrepresented Employees for the period July 1, 2004 through June 30, 2005. File 040389(24)

From Employees' Retirement System, submitting letter that attempts to define investments in companies doing business in countries, which foster or support terrorism.(25)

From James Chaffee, submitting letter entitled "Private Money Skews Public Goals, Again" dated April 9, 2004. Copy: Each Supervisor(26)

From Office of the Controller, submitting report concerning the audit of the department head transition and cash revolving fund at the Office of the District Attorney.(27)

From State Water Resources Control Board, submitting notice of public hearing to seek input on potential revisions to the California Ocean Plan on May 24, 2004 in Sacramento, California.(28)

From United Way of the Bay Area, regarding the 2004 Combined Charities Employee Campaign.(29)

From US Army Corps of Engineers, submitting notice of permit request to mine up to 50,000 cubic yards of sand and gravel per month from PRC 709 North, East, and South; at Presidio, Alcatraz, and Point Know shoals, in San Francisco Bay, San Francisco and Marin Counties

and transport the sand to upland sand yards around San Francisco Bay.(30)

From the Violence Prevention Research Program, submitting report entitled " Handgun Commerce in California 2000" dated March 2004.(31)

MAYOR'S APPOINTMENTS

Arts Commission
Jeannene Przyblyski
Maya Draisin

Fire Commission
Rosemarie Fernandez-Pifer
Clem Clarke

Human Services Commission
Dr. Pablo Stewart

Human Rights Commission
Pat Norman
Carlotta del Portillo

Juvenile Probation Commission
Lidia Stiglich

Municipal Transportation Agency
Anita Grier
Peter Mezey

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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