

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, May 17, 2005
2:00 PM**

Regular

**AARON PESKIN, PRESIDENT
MICHELA ALIOTO-PIER, TOM AMMIANO, CHRIS DALY,
BEVAN DUFTY, SEAN ELSBERND, FIONA MA, SOPHIE MAXWELL,
JAKE McGOLDRICK, ROSS MIRKARIMI, GERARDO SANDOVAL**

Gloria L. Young, Clerk of the Board

ROLL CALL AND PLEDGE OF ALLEGIANCE

APPROVAL OF MEETING MINUTES

Motion to approve the April 19, 2005 Board Meeting Minutes.

AGENDA CHANGES

COMMUNICATIONS

Note: Each item on the Consent or Regular agenda may include the following documents:

- 1) Legislation
- 2) Budget Analyst report
- 3) Legislative Analyst report
- 4) Department or Agency cover letter and/or report
- 5) Public correspondence

These items will be available for review at City Hall, Room 244, Reception Desk.

CONSENT AGENDA

All matters listed hereunder constitute a Consent Agenda, are considered to be routine by the Board of Supervisors and will be acted upon by a single roll call vote of the Board. There will be no separate discussion of these items unless a member of the Board so requests, in which event the matter shall be removed from the Consent Agenda and considered as a separate item.

Items 1 through 9

Recommendations of the Rules Committee

Present: Supervisors Alioto-Pier, Mirkarimi, Peskin

- 1. 041570 [Conflict of Interest Code Amendments] Supervisor Daly**

Ordinance amending Chapter 1 of Article III of the Campaign and Governmental Conduct Code by amending sections 3.1-109, 3.1-110, 3.1-120, 3.1-140, 3.1-145, 3.1-150, 3.1-155, 3.1-170, 3.1-175, 3.1-195, 3.1-205, 3.1-218, 3.1-230, 3.1-245, 3.1-265, 3.1-270, 3.1-275, 3.1-280, 3.1-285, 3.1-310, 3.1-315, 3.1-325, 3.1-335, 3.1-340, 3.1-345, 3.1-350, 3.1-365, 3.1-375, 3.1-390, 3.1-395, 3.1-410, 3.1-420, 3.1-430, 3.1-435, and 3.1-440; deleting sections 3.1-255 and 3.1-268; and adding section 3.1-222 to update the list of designated employees who must file financial disclosure statements and to modify the applicable disclosure categories.

4/27/05 Amendment of the Whole bearing same title.

5/10/2005, PASSED ON FIRST READING. Supervisor Daly requested to be added as sponsor.

Question: Shall this Ordinance be FINALLY PASSED?

- 2. 050434 [Establishing Graffiti Violation Rewards and Clarifying Uses of Littering and Nuisance Reward Fund Monies] Supervisor Ma**

Ordinance amending the San Francisco Administrative Code by amending Section 10.100-234, the Public Works Littering and Nuisance Violation Reward Fund, to reward persons who have provided information leading to the arrest and conviction of persons under California Penal Code Sec. 594 for graffiti vandalism and to clarify uses of fund where a reward is inapplicable or unclaimed.

5/10/2005, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

8. **050582** **[Settlement of Lawsuit - Pacific Gas and Electric Company]**
Ordinance approving settlement of litigation by Pacific Gas and Electric Company against City and County of San Francisco for \$3,000.

5/10/2005, PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

9. **050657** **[Settlement of Lawsuit - Nicholas Holley]**
Ordinance authorizing settlement of the lawsuit filed by Nicholas Holley against the City and County of San Francisco for the payment of \$50,000; the lawsuit was filed on January 23, 2004, in San Francisco Superior Court, Case No. 428-216; entitled Nicholas Holley v. City and County of San Francisco, et al. (City Attorney)

5/10/2005, PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

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

REGULAR AGENDA

UNFINISHED BUSINESS

From the Clerk

10. **050764** **[Adopting findings related to affirming the categorical exemption for 1 La Avanzada Avenue (aka 250 Palo Alto Avenue)]**
Motion adopting findings affirming the determination by the Planning Department that the 1 La Avanzada Street (aka 250 Palo Alto Avenue) project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)
(Companion measure to Files 050380, 050381, 050382, 050383.)

5/6/2005, REFERRED to Board of Supervisors.

Question: Shall this Motion be ADOPTED?

NEW BUSINESS

Richmond/ Senator Milton Marks Branch Library.

Question: Shall this Resolution be ADOPTED?

18. **050694** **[Accept - Expend State Grant - S.F. Library]** **Supervisors Sandoval, Elsbernd**
Resolution authorizing the San Francisco Public Library to accept and expend funds in the amount of \$3,751,943 from the state Office of Library Construction from funds made available under the California Reading and Literacy Improvement and Public Library Construction and Renovation Bond Act of 2000 for the construction of the new Ingleside Branch Library.

Question: Shall this Resolution be ADOPTED?

Recommendation of the Government Audit and Oversight Committee

Present: Supervisors Peskin, Elsbernd, Mirkarimi

19. **050745** **[Water Rates]** **Mayor**
Ordinance approving revised schedule of rates to be charged by the San Francisco Public Utilities Commission for water service to its retail customers inside and outside the City and County of San Francisco.

(Fiscal impact.)
(Supervisor Mirkarimi dissenting in committee.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

Recommendations of the Land Use Committee

Present: Supervisors Maxwell, Sandoval, McGoldrick

20. **050724** **[Zoning Map Amendment in connection with the Alabama and 18th Streets Affordable Housing Special Use District]**
Ordinance amending the Sectional Zoning Map No. 7SU of the San Francisco Planning Code to incorporate the Alabama and 18th Streets Affordable Housing Special Use District as being applicable to the block bounded by 18th, 19th, Alabama, and Florida Streets (Assessor's Block 4021, Lot 001); adopting findings. (Planning Department)

Question: Shall this Ordinance be PASSED ON FIRST READING?

21. **050725** **[Alabama and 18th Streets Affordable Housing Special Use District]**
Ordinance amending the San Francisco Planning Code by adding Section 249.27 to create the Alabama and 18th Streets Affordable Housing Special Use District applicable to the block bounded by 18th, 19th, Alabama, and Florida Streets (Assessor's Block 4021, Lot 001); adopting findings. (Planning Department)

Question: Shall this Ordinance be PASSED ON FIRST READING?

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.)

27. **050665 [Affirming the categorical exemption issued for 2506 Union Street]**
Motion affirming the determination by the Planning Department that the 2506 Union Street project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Question: Shall this Motion be ADOPTED?
28. **050666 [Disapproving the categorical exemption issued for 2506 Union Street]**
Motion disapproving the determination by the Planning Department that the 2506 Union Street project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Question: Shall this Motion be ADOPTED?
29. **050667 [Preparation of findings related to the categorical exemption issued for 2506 Union Street]**
Motion directing the Clerk of the Board to prepare findings related to the appeal of the determination by the Planning Department that the 2506 Union Street project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Question: Shall this Motion be ADOPTED?

SPECIAL ORDER 4:30 P.M.

30. **050658 [Public Hearing - Appeal of Categorical Exemption from Environmental Review for 755 22nd Avenue]**
Hearing of persons interested in or objecting to the decision of the Planning Department dated September 20, 2004, Case No. 2004.0338DDD, (Building Permit Application No. 2003.09.29.6087S), exempting from environmental review under Section 101.1, the proposal to construct a 3-story horizontal addition at the rear of the 3-story structure and to add a dwelling unit at the ground floor level as reviewed by the Commission on September 9, 2004. Planning Commission failed to pass a motion, therefore the item was approved as proposed.

The project is located at 755 22nd Street, Lot 14 in Assessor's Block 1665. (Appellants: Camille Hamilton and David R. Pating).

(Filed April 11, 2005; companion measure to Files 050659, 050660, 050661; District 1.)

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.)

- 31. 050660 [Disapproving the categorical exemption issued for 755 22nd Avenue]**
Motion disapproving the determination by the Planning Department that the 755 22nd Avenue project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)
Question: Shall this Motion be ADOPTED?
- 32. 050659 [Affirming the categorical exemption issued for 755 22nd Avenue]**
Motion affirming the determination by the Planning Department that the 755 22nd Avenue project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)
Question: Shall this Motion be ADOPTED?
- 33. 050661 [Preparation of findings related to the categorical exemption issued for 755 22nd Avenue]**
Motion directing the Clerk of the Board to prepare findings related to the appeal of the determination by the Planning Department that the 755 22nd Avenue project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)
Question: Shall this Motion be ADOPTED?

COMMITTEE REPORTS

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

The following items were considered by the Budget and Finance Subcommittee at a Rescheduled Meeting on Thursday, May 12, 2005 at 10:00 a.m. The Chair intends to request the Committee to send the following items to the Board as a committee report on Tuesday, May 17, 2005.

- 34. 050682 [Bond Sale of California Academy of Sciences Improvement Bonds] Supervisor McGoldrick**
Resolution authorizing and directing the sale of not to exceed \$79,370,000 General Obligation Bonds (California Academy of Sciences Improvement Bonds, 2000), Series

2005E; prescribing the form and terms of said bonds; authorizing the execution, authentication and registration of said bonds; providing for the appointment of depositories and other agents for said bonds; providing for the establishment of accounts related thereto; approving the forms of official notice of sale and notice of intention to sell bonds; directing the publication of the notice of intention to sell bonds; approving the form and execution of the official statement relating thereto; approving the form of the continuing disclosure certificate; approving modifications to documents; ratifying certain actions previously taken; and granting general authority to City officials to take necessary actions in connection with the authorization, issuance, sale and delivery of said bonds.

(Fiscal impact.)

Question: Shall this Resolution be ADOPTED?

35. 050732 [Steinhart Aquarium General Obligation Bond Issuance] Supervisor McGoldrick

Resolution providing for the issuance of not to exceed \$29,245,000 aggregate principal amount of City and County of San Francisco General Obligation Bonds (Steinhart Aquarium Improvement Bonds, 1995); authorizing the execution, authentication and registration of said bonds; providing for the levy of a tax to pay the principal and interest thereof; providing for the appointment of depositories and other agents for said bonds; providing for the establishment of accounts related thereto; ratifying certain actions previously taken; and granting general authority to City officials to take necessary actions in connection with the authorization, issuance, sale and delivery of said bonds.

(Fiscal impact.)

Question: Shall this Resolution be ADOPTED?

36. 050733 [Bond Sale of Steinhart Aquarium Improvement Bonds] Supervisor McGoldrick

Resolution authorizing and directing the sale of not to exceed \$29,245,000 General Obligation Bonds (Steinhart Aquarium Improvement Bonds, 1995), Series 2005F; prescribing the form and terms of said bonds; authorizing the execution, authentication and registration of said bonds; providing for the appointment of depositories and other agents for said bonds; providing for the establishment of accounts related thereto; approving the forms of official notice of sale and notice of intention to sell bonds; directing the publication of the notice of intention to sell bonds; approving the form and execution of the official statement relating thereto; approving the form of the continuing disclosure certificate; approving modifications to documents; ratifying certain actions previously taken; and granting general authority to City officials to take necessary actions in connection with the authorization, issuance, sale and delivery of said bonds.

(Fiscal impact.)

Question: Shall this Resolution be ADOPTED?

37. 050734 [Appropriate bond sale proceeds from the 1995 Steinhart Aquarium Bond and 2nd series sale of the 2000 Academy Facility Improvement Bond to fund the reconstruction, renovation and other Mayor

Ordinance appropriating, and placing on reserve, \$29,245,000 of 1995 Steinhart Aquarium

(Series - 2005) and \$79,370,000 of 2000 Academy of Sciences (2nd Series - 2005) bond sales proceeds, for a total of \$108,615,000, to fund the reconstruction, renovation and other construction for California Academy of Sciences in Golden Gate Park for current fiscal year 2004-05.

(Fiscal impact.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

The following items were considered by the City Operations and Neighborhood Services Committee at a Regular Meeting on Monday, May 16, 2005 at 1:00 p.m. The Chair intends to request the Committee to send the following items to the Board as a committee report on Tuesday, May 17, 2005.

38. 050596 [Traffic Regulation - Galvez Street between Newhall Street and Bayview Plaza Shopping Center] Supervisor Maxwell

Resolution enacting temporary "Street Closed to Vehicular Traffic" regulation on Galvez Street between Newhall Street and Bayview Plaza Shopping Center from 7:30 A.M. to 3:30 P.M. on every Saturday between May 21, 2005 through December 10, 2005.

Question: Shall this Resolution be ADOPTED?

39. 050692 [Traffic Regulation - Scott Street between Lombard and Chestnut Streets] Supervisor Alioto-Pier

Resolution enacting temporary "Street Closed to Vehicular Traffic" regulation on Scott Street between Lombard and Chestnut Streets from 1:30 P.M. to 8:15 P.M. on every Tuesday between May 24, 2005 through October 25, 2005.

Question: Shall this Resolution be ADOPTED?

40. 050693 [Temporary Sidewalk Occupancy]

Resolution allowing for occupancy of a portion of the sidewalk on the east side of Fillmore between Chestnut and Bay street from 8:00 A.M. to 3:00 P.M. on every Saturday between May 28, 2005 through October 29, 2005.

4/26/2005, SUBSTITUTED. Supervisor Alioto-Pier submitted a substitute resolution bearing new title.

Question: Shall this Resolution be ADOPTED?

41. 050674 [Liquor License, 25 Maiden Lane]

Resolution determining that the issuance of a Type 48 on sale general public premises liquor license to Cornerstone Restaurant Group LLC, for Otis located at 25 Maiden Lane, will serve the public convenience and necessity of the people of the City and County of San Francisco, in accordance with section 23958.4 of the California Business and Professions Code, with conditions.

Question: Shall this Resolution be ADOPTED?

42. 050786 [Allocation of McKinney-Vento Funds] Supervisor Daly

Resolution urging the City to keep an open dialogue with the homeless community to ensure effective decision making and to comply with requests made by the McKinney Subcontractors

emergency ordinance reenacting a Disadvantaged Business Enterprise Program set forth in Chapter 14A of the San Francisco Administrative Code; suspending Chapter 12D.A; providing for data collection to ensure nondiscrimination in City contracting; and adopting a declaration of emergency.

5/10/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be ADOPTED?

- 47. 050819 [Extending Early Retirement Program] Supervisor Ma**
Resolution extending Early Retirement Program for and through fiscal year 2005-06.

5/10/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

- 48. 050831 [Rescind FDA Sperm Donor Recommendations] Supervisors Ammiano, Dufty**
Resolution urging the Federal Food and Drug Administration (FDA) to rescind its policy recommendations for anonymous sperm donors which bar gay and bisexual men from being prospective donors, and further urging the FDA to adopt community recommendations to institute a non-discriminatory policy based on sexual behavior rather than sexual orientation.

5/10/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

- 49. 050832 [Nurses Day - May 12, 2005] Supervisor Ammiano**
Resolution declaring May 12, 2005 as "Nurses Day" in the City and County of San Francisco.

5/10/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

- 50. 050833 [Ninth Taiwanese Cultural Festival] Supervisor Ammiano**
Resolution recognizing the Ninth Taiwanese Cultural Festival in San Francisco and commending the Taiwanese American Federation of Northern California and its many volunteers on this 21st day of May, 2005, for contributing to the recognition of Taiwanese Americans in the City and County of San Francisco.

5/10/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

- 51. 050834 [Classified Employees Week] Supervisor Ammiano**
Resolution supporting the negotiations in good faith between Service Employees International Union (SEIU) and United Educators of San Francisco (UESF) to ensure classified employees are adequately honored and appreciated for the invaluable service they provide to the children of San Francisco and further honoring and recognizing May 15 through May 21, 2005 as Classified Employees Week.

5/10/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

- 52. 050835 [AB 1612-Cigarette Pollution and Litter Prevention Act of 2005] Supervisor Alioto-Pier**

Resolution in support of AB 1612, the Cigarette Pollution and Litter Prevention Act of 2005, by the City and County of San Francisco.

5/10/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

- 53. 050836 [Commending Joe Matranga] Supervisor Elsbernd**

Resolution commending Joe Matranga on the celebration of his 21 years of service to The City and County of San Francisco.

5/10/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

- 54. 050837 [Mural Awareness Month] Supervisor Ma**

Resolution recognizing May 2005 as "Mural Awareness Month" in the City and County of San Francisco.

5/10/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

- 55. 050838 [Hydrogen Vehicle Feasibility Study] Mayor, Supervisor Ma**

Resolution urging the Department of Administrative Services to conduct a feasibility study on the use of hydrogen engine vehicles in the City vehicle fleet.

5/10/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

- 56. 050839 [Supporting H.R. 1712 and S 880] Supervisor McGoldrick**

Resolution supporting H.R. 1712 and S880 which intends to expand the boundaries of the Gulf of the Farallones National Marine Sanctuary and the Cordell Bank National Marine Sanctuary.

5/10/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

- 57. 050840 [San Francisco Nature Education Day] Supervisor McGoldrick**

Resolution declaring May 20, 2005 as San Francisco Nature Education Day.

5/10/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

- 58. 050841 [Commending the Women of Sister's Tea] Supervisor Maxwell**
Resolution commending the Women Extraordinary awardees of the Sister's Tea.

5/10/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

- 59. 050842 [Extending the Asthma Task Force to June 30, 2008] Supervisor Maxwell**
Resolution extending the Asthma Task Force to June 30, 2008.

5/10/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

- 60. 050843 [Accept-Expend Federal Grant - 2005 After-School Snack Pilot Program] Supervisor Maxwell**

Resolution authorizing the Department of Children, Youth and Their Families to accept and expend a grant in the amount of \$196,453 from the United States Department of Agriculture for the 2005 After-School Snack Pilot Program.

5/10/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

- 61. 050844 [Accept-Expend Grant Awarded to the San Francisco Department of the Environment by Golden Gate University School of Law, Environmental Law and Justice Clinic] Supervisors Maxwell, Peskin, Ammiano, Daly**

Resolution authorizing the San Francisco Department of the Environment to accept and expend a grant in the amount of \$23,000 from the Environmental Law and Justice Clinic of the Golden Gate University School of Law for administrative and outreach services relating to a Clean Air Act educational workshop and an Environmental Justice conference to bring together governmental agencies, community groups, activists and academic institutions.

5/10/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

- 62. 050845 [Supporting Conscientious Objection to the Iraq War and Occupation] Supervisors Mirkarimi, Daly, McGoldrick, Ammiano**

Resolution supporting Conscientious Objection to the Iraq War and Occupation.

5/10/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

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

[Serious Injury Finding]

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

[Purely Commendatory Finding]

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

[Brown Act Finding]

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

OFF-AGENDA LEGISLATION

PROPOSED ORDINANCES

Proposed ordinances received from May 3, 2005 through May 9, 2005, for reference by President to appropriate committee on May 17, 2005.

050852 [Ordering the vacation of a portion of Bernal Heights Boulevard]

Ordinance ordering the vacation of a portion of Bernal Heights Boulevard west of Moultrie Street; transferring jurisdiction from the Department of Public Works to the Recreation and Park Department; adopting environmental findings and findings that such actions are consistent with the City's General Plan and the Eight Priority Policies of Planning Code Section 101.1; and authorizing official acts in connection with this Ordinance. (Real Estate Department)

5/6/2005, RECEIVED AND ASSIGNED to Land Use Committee.

050855 [Settlement of Lawsuit - Klara Khaimskaya]

Ordinance authorizing settlement of the lawsuit filed by Klara Khaimskaya against the City and County of San Francisco on October 16, 2003 in San Francisco Superior Court, Case No. 425-488, entitled Klara Khaimskaya, et al., v. City and County of San Francisco, et al. and authorizing a payment of \$1,020,000. (City Attorney)

5/9/2005, RECEIVED AND ASSIGNED to Rules Committee.

050856 [Settlement of Lawsuit - Nydia Rosales]

Ordinance authorizing settlement of the lawsuit filed by Nydia Rosales against the City and County of San Francisco for \$40,000; the lawsuit was filed on March 24, 2003 in San Francisco Superior Court, Case No. 418-728; entitled Nydia Rosales, et al., v. City and County of San Francisco, et al. (City Attorney)

5/9/2005, RECEIVED AND ASSIGNED to Rules Committee.

050857 [Settlement of Lawsuit - Nancy Enciso]

Ordinance authorizing settlement of the lawsuit filed by Nancy Enciso against the City and County of San Francisco for \$200,000.00; the lawsuit was filed on August 18, 2004, in the Superior Court of the State of California, County of San Francisco, Case No. 433 927; entitled Nancy Enciso v. The City and County of San Francisco, Hugo Aguilera, et al. (City Attorney)

5/9/2005, RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED RESOLUTIONS

Proposed resolutions received from May 3, 2005 through May 9, 2005, for reference by President to appropriate committee on May 17, 2005.

050850 [Emergency Construction Contract]

Resolution requesting the Board of Supervisors to approve the expenditure of funds for emergency slope and drainage repair at the SFPUC Harry Tracy Water Treatment Plant, in the amount of \$2.5 million. (Public Utilities Commission)

5/9/2005, RECEIVED AND ASSIGNED to Budget and Finance Committee.

050851 [Vacation of a portion of Bernal Heights Boulevard]

Resolution declaring the intention of the Board of Supervisors to vacate a portion of Bernal Heights Boulevard west of Moultrie Street and transfer jurisdiction from the Department of Public Works to the Recreation and Park Department; setting the hearing date for all persons interested in the proposed vacation of the street vacation area; and adopting environmental findings and findings that the vacation is consistent with the City's General Plan and the Eight Priority Policies of Planning Code Section 101.1. (Real Estate Department)

5/6/2005, RECEIVED AND ASSIGNED to Land Use Committee.

050854 [Airport Concession Lease]

Resolution approving Amendment No. 2 to the Public Locker and Over-the-Counter Baggage Storage Lease No. 95-0263 between Smarte Carte, Inc., and the City and County of San Francisco, acting by and through its Airport Commission. (Airport Commission)

5/6/2005, RECEIVED AND ASSIGNED to Budget and Finance Committee.

050861 [Petitions and Communications]

Petitions and Communications received from May 3, 2005 through May 9, 2005, for reference by the President to Committee considering related matters or to be ordered filed by the Clerk on May 17, 2005.

From concerned citizens, requesting the Hunters Point Shipwright's House at 900 Innes Avenue be given landmark status. Copy: Each Supervisor(1)

From Jacqueline McMahan, submitting opposition to categorical exemption for project at 2506 Union Street. File 050664(2)

From Solem and Associates, concerning the alleged lack of enforcement of the "Breathing Replenishment System Ordinance" by the Department of Building Inspection and Fire Department.(3)

From Department of Human Resources, regarding compliance with Administrative Provisions of Section 23 of the Annual Appropriation Ordinance.(4)

From Office of the Mayor, submitting appointment of Ed Lee to the Office of City Administrator.Copy: Each Supervisor(5)

From Mokles & Suhail Hana, submitting request for transfer of a type 20-off sale beer and wine license from 1560 Mason Street to 57 New Montgomery Street for F-M Smokes and Wine.(6)

From Department of Public Works, submitting concerns voiced at the Southeast Community Facility Commission meetings by residents as well as through the group POWER (People Organized Worker Employee Rights) regarding the Oakdale/Palou Underground Project. (7)

From Controller, submitting fiscal year 2004-05 Nine-Month Budget Status Report. Copy: Each Supervisor(8)

From Office of the Controller, submitting report concerning the audit of the department head transition at the Fire Department.(9)

From Office of the Controller, submitting report concerning the audit of the department head transition at the Port of San Francisco.(10)

From Office of the Controller, submitting report concerning the audit of the department head transition at the Police Department.(11)

From the Alamo Square Neighborhood Association, urging the Board to adopt the proposed amendment to the Planning Code making formula retail a conditional use on Divisadero Street between Haight and Turk Street.File 050254, Copy: Land Use Committee(12)

From Department on the Status of Women, submitting names of organizations the Department would like to have membership in, fiscal year 2005-06.(13)

From Office of the Treasurer, submitting investment activity (for fiscal year to date) of the portfolios under management.(14)

From Civil Service Commission, concerning resolution honoring public employees. Copy: Each Supervisor(15)

From Department of California Highway Patrol, submitting hazardous materials incidents report for April 2005. Copy: Department of Public Health, Superior Court(16)

From James Chaffee, submitting key pages from a report on the second phase of the implementation of the Pose Occupancy Evaluation. (17)

From Public Utilities Commission, regarding amended and restated long-term power sale agreement between San Francisco and the City of Turlock. File 041388(18)

From concerned citizens, commenting on the success of the Care Not Cash program on its one year anniversary.(19)

From Gordon & Rees LLP, submitting opposition to proposed resolution regarding NOVA Knits, Inc.File 050791, Copy: Each Supervisor(20)

From Paul Koski, urging the Board of Supervisors and Board of Education to distribute Proposition H money (approved by San Francisco voters in March 2004) to each school council by a simple per capita rationing for each student. File 040336, Copy: Supervisors Ammiano, Maxwell, Ma(21)

From Planning Department, submitting report on status and regulatory actions regarding Medical Cannabis Dispensaries pursuant to Section 3 of Ordinance Number 64-05.(22)

From Metropolitan Transportation Commission, submitting the 2004 annual report for the Metropolitan Transportation Commission and its companion agencies, the Bay Area Toll Authority and the Service Authority for Freeways and Expressways.(23)

From David Dravot, requesting the City conduct a financial audit of the San Francisco Zoo's management of the \$40,000,000 in GO Bond funds provided to date prior to releasing any future funds.(24)

From Charles Pappas, submitting copy of letter sent to Supervisor Daly regarding his medical cannabis dispensary space at 935 Howard Street. File 050776, Copy: Each Supervisor(25)

From concerned citizens, submitting support for continuing the AIDS walk in Golden Gate Park.(26)

From Henry Millich, submitting opposition to spending up to \$25 million to create a barrier that "might" keep some people from jumping off the Golden Gate Bridge. Copy: Each Supervisor(27)

From Brian Wallace, concerning broken glass resulting in shards of glass falling down on pedestrians walking beneath the Hugo building at 6th and Howard Streets. Copy: Each Supervisor(28)

From SF Neighborhood Antenna-Free Union, submitting opposition to placing a wireless antenna facility on or near health care facilities. File 041518(29)

From Ahimsa Sumchai, submitting a letter entitled "Environmental Injustice" regarding the difference in reporting asbestos in Bay View Hunters Point and Eldorado County. (30)

From Office of the Controller, submitting report concerning the performance of the Department of Aging and Adult Services. File 050751(31)

From State Department of Child Support Services, submitting information of the provisions of Assembly Bill 2669 that affects the Child Support Program and provides local child support agencies with instructions for implementing this legislation.(32)

From Caroline Rich, commenting that Mask Italia does not have a fictitious business name.(33)

From Public Utilities Commission and the Department of the Environment, submitting the Community Choice Aggregation Draft Implementation Plan.(34)

ADJOURNMENT

Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices, (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4) standing in the Legislative Chamber.

Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

USING LAPTOP COMPUTERS FOR PRESENTATIONS: Please contact City Hall Media Services at (415) 554-4933 to coordinate the use of laptop computers for presentations at the meeting. Computers to be used are required to be tested in advance. The presenter should arrive 30 minutes prior to the meeting to connect and test their computer.

Agenda are available on the internet at www.sfgov.org/bdsupvrs.bos.htm.

THE AGENDA PACKET IS AVAILABLE AT CITY HALL, ROOM 244, RECEPTION DESK.

Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 557-4293.

Results of each Board meeting can be obtained about a half hour after the end of the meeting by telephoning (415) 554-5555.

Requests for language interpreters at a meeting must be received at least 48 hours in advance of the meeting to help ensure availability. Contact Madeleine Licavoli at (415) 554-7722.

AVISO EN ESPAÑOL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.



Disability access

The Legislative Chamber (Room 250) and the Committee Room (Room 263) in City Hall are wheelchair accessible. Meetings are real-time captioned and are cablecast open-captioned on SF Cable 26. Assistive listening devices for the Legislative Chamber are available upon request at the Clerk of the Board's Office, Room 244. Assistive listening devices for the Committee Room are available upon request at the Clerk of the Board's Office, Room 244 or in the Committee Room. To request sign language interpreters, readers, large print agendas or other accommodations, please contact Madeleine Licavoli at (415) 554-7722 or (415) 554-5227 (TTY). Requests made at least 48 hours in advance of the meeting will help to ensure availability.

The nearest accessible BART station is Civic Center (Market/Grove/Hyde Streets). Accessible MUNI Metro lines are the J, K, L, M, and N (Civic Center or Van Ness Stations). MUNI bus lines serving the area are the 47 Van Ness, 9 San Bruno, and the 6, 7, 71 Haight/Noriega. For more information about MUNI accessible services, call (415) 923-6142.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex. Accessible curbside parking is available on Dr. Carlton B. Goodlett Place and Grove Street. In order to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products.

Know Your Rights Under the Sunshine Ordinance

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

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

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

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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