

Board of Supervisors

City and County of San Francisco

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



AGENDA

**Tuesday, September 20, 2005
2:00 PM**

Regular Meeting

**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

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 and 2

Recommendations of the Budget and Finance Committee

Present: Supervisors Ammiano, Mirkarimi, Elsbernd

1. **051361 [Professional services agreement to provide to perform professional engineering services]**
Resolution authorizing the General Manager of the San Francisco Public Utilities Commission to execute and amend a professional services agreement with URS Corporation for an amount not to exceed \$12,000,000 to provide professional engineering services for the Calaveras Dam Replacement Project. (Public Utilities Commission)
(Fiscal impact.)
Question: Shall this Resolution be ADOPTED?
2. **051466 [Grant of Federal Funds - Municipal Transportation Agency]** **Supervisor Ammiano**
Resolution authorizing the Municipal Transportation Agency to accept and expend \$497,050 of TEA 21 Section 3015 (Research, Development, Demonstration, and Training Projects) capital assistance for an Alternative Fuel Technology Project, excluding administrative overhead costs.
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 Government Audit and Oversight Committee

Present: Supervisors Peskin, Elsbernd, Daly

3. **051511** **[To appropriate general fund reserve to the Board of Supervisors for the Budget Analyst to perform a management audit of the Office of Emergency Services]** **Supervisors Peskin, Mirkarimi**

Ordinance appropriating \$179,358 from the General Fund Reserve to the Board of Supervisors to pay the Budget Analyst to perform a management audit of the Office of Emergency Services for Fiscal Year 2005-2006.

(Fiscal impact.)

9/13/2005, PASSED ON FIRST READING. Supervisor Mirkarimi requested to be added as a co-sponsor.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendation of the Land Use Committee

Present: Supervisors Maxwell, McGoldrick

4. **051380** **[Interdepartmental jurisdictional transfer of property]** **Supervisors Dufty, Sandoval**

Ordinance transferring jurisdiction of certain unimproved real property located on Roosevelt Way and Henry Street (Block 2612, Lot 50) from the Mayor's Office of Housing to the Recreation and Park Department.

9/13/2005, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

From the Land Use Committee Without Recommendation

Present: Supervisors Maxwell, Sandoval

5. **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)

(To be heard at a public hearing on September 13, 2005 at 3:00 p.m.)

8/9/2005, CONTINUED. Continued to September 13, 2005 at 3:00 p.m.

9/13/2005, PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

NEW BUSINESS

Recommendations of the Budget and Finance Committee

Present: Supervisors Ammiano, Mirkarimi, Elsbernd

6. **051378** **[Sale of City Property located at 425 Mason Street, San Francisco]**
Ordinance ordering the sale at public auction of City-owned property located at 425 Mason Street; adopting findings pursuant to the California Environmental Quality Act; adopting findings that the sale is consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; and authorizing other actions in furtherance of this ordinance. (Real Estate Department)

(Fiscal impact.)

Question: Shall this Ordinance be PASSED ON FIRST READING?
7. **051390** **[Setting San Francisco's fiscal year 2005-2006 property tax rate and establishing pass-through rate for residential tenants]** **Supervisor Peskin**
Ordinance providing revenue and levying property taxes for City and County purposes and establishing pass-through rate for residential tenants pursuant to Chapter 37 of the Administrative Code for the fiscal year ending June 30, 2006.

(Fiscal impact.)

Question: Shall this Ordinance be PASSED ON FIRST READING?
8. **051391** **[Setting San Francisco Community College District's fiscal year 2005-2006 property tax rate to be included in the City's overall property tax rate]** **Supervisor Peskin**
Ordinance providing revenue and levying property taxes for San Francisco Community College District purposes for the fiscal year ending June 30, 2006.

(Fiscal impact.)

Question: Shall this Ordinance be PASSED ON FIRST READING?
9. **051392** **[Setting San Francisco Unified School District's fiscal year 2005-2006 property tax rate to be included in the City's overall property tax rate]** **Supervisor Peskin**
Ordinance providing revenue and levying property taxes for San Francisco Unified School District purposes for the fiscal year ending June 30, 2006.

(Fiscal impact.)

Question: Shall this Ordinance be PASSED ON FIRST READING?
10. **051393** **[Setting San Francisco Bay Area Rapid Transit** **Supervisor Peskin**

District's fiscal year 2005-2006 property tax rate to be included in the City's overall property tax rate]

Ordinance providing revenue and levying property taxes for San Francisco Bay Area Rapid Transit District purposes for the fiscal year ending June 30, 2006.

(Fiscal impact.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

11. 051352 [Outreach Advertising]

Resolution designating El Reportero and El Latino to be the outreach newspaper of the City and County of San Francisco for the Hispanic community; China Press, World Journal, Sing Tao and Asian Week to be the outreach newspaper of the City and County for the Chinese community; San Francisco Bay View to be the outreach newspaper for the African American community and, the Bay Area Reporter to be the outreach newspaper for the Lesbian Gay Bisexual and Transgender community, to provide outreach advertising services for the fiscal year commencing upon Board of Supervisors and Mayoral approval and ending June 30, 2006. (Office of Contract Administration)

Question: Shall this Resolution be ADOPTED?

From the Budget and Finance Committee Without Recommendation

Present: Supervisors Ammiano, Mirkarimi, Elsbernd

12. 051406 [Lease of Real Property at One South Van Ness Avenue]

Resolution authorizing the exercise of an option to lease 34,683 square feet of space at One South Van Ness Avenue for the Municipal Transportation Agency of the City and County of San Francisco. (Real Estate Department)

Question: Shall this Resolution be ADOPTED?

Recommendation of the Government Audit and Oversight Committee

Present: Supervisors Peskin, Elsbernd, Daly

13. 051454 [Authorizing a Change in Use of Grant Funds] Supervisor Daly

Ordinance authorizing a change in the use of San Francisco Convention and Facilities Department grant funds to permit the funds to be used for an affordable housing development without a proposed pavilion.

Question: Shall this Ordinance be PASSED ON FIRST READING?

Recommendations of the Land Use Committee

Present: Supervisors Maxwell, Sandoval, McGoldrick

14. 050456 [Planning Code - Section 311 Notification] Supervisor McGoldrick

Ordinance amending the San Francisco Planning Code by amending Section 311 to clarify that the project notification requirements apply to building permits for demolition and change in the number of dwelling units as well as to building permits for new construction and alteration and to require that the notification package sent to neighboring property owners include specified information; adopting environmental findings and findings pursuant to Planning Code Section 302.

Question: Shall this Ordinance be PASSED ON FIRST READING?

- 15. 050829 [Requiring baby diaper-changing accommodations in new Public-Serving and Substantially Renovated Public-Serving Establishments] Supervisor Sandoval**

Ordinance amending the Planning Code by adding Section 166 to require that new public-serving establishments and substantially renovated public-serving establishments install baby diaper-changing accommodations; and making environmental findings and findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan.

Question: Shall this Ordinance be PASSED ON FIRST READING?

- 16. 051218 [Public Works Landmark Trees]**

Resolution approving designation of four (4) tree locations for Landmark Status because of their historical significance, aesthetic qualities, or contribution to the City's overall character. (Public Works Department)

Question: Shall this Resolution be ADOPTED?

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

SPECIAL ORDER 4:00 P.M.

APPEAL PROCEDURES

Board Rule 4.29 provides that public hearings on appeals shall be scheduled for 4pm. If more than one public hearing is scheduled, then the Clerk, in consultation with the President, may determine the order in which the appeals will be scheduled. Second and later appeals may be scheduled at specified times later than 4 pm. An appeal shall not be heard prior to its scheduled time on the calendar, and it may not be called until the Board's consideration of appeals scheduled earlier on the calendar is completed. It is the policy of the Clerk of the Board to schedule multiple appeals in the following order at 4pm:

- 1. Appeals where all parties have agreed to request a continuance or a tabling of the appeal.*
- 2.*

- 17. 041275 [Public Hearing - Appeal of Revised Certificate of Determination of Exemption from Environmental Review - American Buddhist Cultural Society Building located at 1730-1750 Van Ness Avenue]**

Hearing of persons interested in or objecting to the decision of the Planning Department dated August 13, 2004, Case No. 2003.0657E, approving the proposed project to include: a renovation and vertical addition to the existing one-story-plus-mezzanine American Buddhist Cultural Society building; an expanded second level and construction of third and fourth levels for a total of four stories and a total height of approximately 70 feet; and add

approximately 16,798 gross square feet (gsf) to the existing building for a total square footage of 27,758 gsf, located at 1730-1750 Van Ness Avenue, Assessor's Block 0622, Lot 019. (Appellant: 1776 Sacramento Street Homeowners Association, represented by the Law Offices of Stephen M. Williams).

(Filed September 9, 2004; companion measure to Files 041276, 041277, 041278; District 3.)

10/19/2004, CONTINUED. Continued to November 16, 2004

11/16/2004, CONTINUED. Continued to December 14, 2004

12/14/2004, CONTINUED. Continued to January 25, 2005 at 4:00 p.m

1/25/2005, CONTINUED. Continued to February 8, 2005 at 4:00 p.m.

2/8/2005, CONTINUED. Continued to March 15, 2005.

3/15/2005, CONTINUED. The President inquired as to whether or not a member of the public wished to address the Board. Continued to April 26, 2005

4/26/2005, CONTINUED. Continued to June 28, 2005

6/28/2005, CONTINUED. Continued to September 20, 2005.

Action: _____

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the certification of determination of exemption/exclusion from environmental review decision 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.)

18. 041276 [Affirming the categorical exemption issued for 1730-1750 Van Ness Avenue]

Motion affirming the determination by the Planning Department that the 1730-1750 Van Ness Avenue project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

10/19/2004, CONTINUED. Continued to November 16, 2004

11/16/2004, CONTINUED. Continued to December 14, 2004

12/14/2004, CONTINUED. Continued to January 25, 2005 at 4:00 p.m.

1/25/2005, CONTINUED. Continued to February 8, 2005 at 4:00 p.m.

2/8/2005, CONTINUED. Continued to March 15, 2005

3/15/2005, CONTINUED. Continued to April 26, 2005

4/26/2005, CONTINUED. Continued to June 28, 2005.

6/28/2005, CONTINUED. Continued to September 20, 2005.

Question: Shall this Motion be ADOPTED?

19. 041277 [Disapproving the categorical exemption issued for 1730-1750 Van Ness Avenue]

Motion disapproving the determination by the Planning Department that the 1730-1750 Van Ness Avenue project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

10/19/2004, CONTINUED. Continued to November 16, 2004

11/16/2004, CONTINUED. Continued to December 14, 2004

12/14/2004, CONTINUED. Continued to January 25, 2005 at 4:00 p.m.

1/25/2005, CONTINUED. Continued to February 8, 2005 at 4:00 p.m.

2/8/2005, CONTINUED. Continued to March 15, 2005

3/15/2005, CONTINUED. Continued to April 26, 2005

4/26/2005, CONTINUED. Continued to June 28, 2005.

6/28/2005, CONTINUED. Continued to September 20, 2005.

Question: Shall this Motion be ADOPTED?

20. 041278 [Preparation of findings related to the categorical exemption issued for 1730-1750 Van Ness Avenue]

Motion directing the Clerk of the Board to prepare findings related to the appeal of the determination by the Planning Department that the 1730-1750 Van Ness Avenue project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

10/19/2004, CONTINUED. Continued to November 16, 2004

11/16/2004, CONTINUED. Continued to December 14, 2004

12/14/2004, CONTINUED. Continued to January 25, 2005 at 4:00 p.m.

1/25/2005, CONTINUED. Continued to February 8, 2005 at 4:00 p.m.

2/8/2005, CONTINUED. Continued to March 15, 2005

3/15/2005, CONTINUED. Continued to April 26, 2005

4/26/2005, CONTINUED. Continued to June 28, 2005.

6/28/2005, CONTINUED. Continued to September 20, 2005.

Question: Shall this Motion be ADOPTED?

SPECIAL ORDER 4:00 P.M.

21. 051222 [Public Hearing - Appeal of Categorical Exemption from Environmental Review for 899 North Point Street]

Hearing of persons interested in or objecting to the decision of the Planning Department dated April 22, 2005, exempting from environmental review under Categorical Exemption, State CEQA Guidelines Sections 15303(b) and General Rule Exclusion, under CEQA Guidelines Section 15061(b)(3). The proposed project would involve the demolition of a vacant gas station building, approximately 1,650 square feet in size, and construction of a four-story, five-unit residential building. The proposed project would provide seven off-street parking spaces on the ground floor. Entrance and access to the residential units would be from Larkin Street and vehicular entrance and access would be from North Point Street. The project site at 899 North Point Street (Assessor's Block 0026, Lot 020) is approximately 5,469 square feet in size and located on the southeastern corner of North Point and Larkin

Streets in the Russian Hill neighborhood on the block bounded by Larkin, North Point, Hyde and Bay Streets. The project site is zoned RH-3 (Residential, House, Three-Family) and is within a 40-X height and bulk district. The project site is also located in the Waterfront Special Use District No. 2, per Section 240.2 of the San Francisco Planning Code. (Appellant: Stephen M. Williams.)

(Filed June 17, 2005; companion measure to Files 051223, 051224, 051225; District 2.)

7/26/2005, CONTINUED. Continued to August 9, 2005

8/9/2005, CONTINUED. Continued to September 20, 2005

Action: _____

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the categorical exemption from environmental review 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.)

- 22. 051223 [Affirming the categorical exemption issued for 899 North Point Street]**
Motion affirming the determination by the Planning Department that the 899 North Point Street project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)
7/26/2005, CONTINUED. Continued to August 9, 2005
8/9/2005, CONTINUED. Continued to September 20, 2005
Question: Shall this Motion be ADOPTED?
- 23. 051224 [Disapproving the categorical exemption issued for 899 North Point Street]**
Motion disapproving the determination by the Planning Department that the 899 North Point Street project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)
7/26/2005, CONTINUED. Continued to August 9, 2005
8/9/2005, CONTINUED. Continued to September 20, 2005
Question: Shall this Motion be ADOPTED?
- 24. 051225 [Preparation of findings related to the categorical exemption issued for 899 North Point Street]**
Motion directing the Clerk of the Board to prepare findings related to the appeal of the determination by the Planning Department that the 899 North Point Street project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)
7/26/2005, CONTINUED. Continued to August 9, 2005

Question: Shall this Motion be ADOPTED?

SPECIAL ORDER 4:00 P.M.

25. 051402 [Public Hearing - Appeal of Categorical Exemption for 3350 20th Street (Quonset Hut structure)]

Hearing of persons interested in or objecting to the decision of the Planning Department dated October 7, 2004, exempting from environmental review under Categorical Exemption, State CEQA Guidelines Section 15301 (1) (3), the demolition of a small commercial structure. The proposed project involves the demolition of the Quonset Hut structure located at at 3350 20th Street, Assessor's Block 3594, Lot 15. (Appellant: Sue C. Hestor, Attorney, representing Mission Anti-Displacement Coalition).

9/13/2005, CONTINUED. Continued to September 20, 2005.

Action: _____

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the categorical exemption from environmental review 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.)

26. 051403 [Affirming the categorical exemption issued for 3350 20th Street]

Motion affirming the determination by the Planning Department that the 3350 20th Street project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

9/13/2005, CONTINUED. Continued to September 20, 2005

Question: Shall this Motion be ADOPTED?

27. 051404 [Disapproving the categorical exemption issued for 3350 20th Street]

Motion disapproving the determination by the Planning Department that the 3350 20th Street project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

9/13/2005, CONTINUED. Continued to September 20, 2005

Question: Shall this Motion be ADOPTED?

28. 051405 [Preparation of findings related to the categorical exemption issued for 3350 20th Street]

Motion directing the Clerk of the Board to prepare findings related to the appeal of the determination by the Planning Department that the 3350 20th Street Project is categorically

Transportation District]

Resolution appointing Lynne Newhouse Segal, term ending January 31, 2007, to the Board of Directors, Golden Gate Bridge, Highway and Transportation District.

Lynne Newhouse Segal, succeeding Maryanne Harrison, deceased, seat 4, represents public at large, subject to review and affirmation by the Board of Supervisors in January of each odd-numbered year, for the unexpired portion of a two-year term ending January 31, 2007.

Question: Shall this Resolution be ADOPTED?

33. 051498 [Appointment - Assessment Appeals Board No. 1]

Resolution appointing Diane Robinson and Stephen Wasserman, terms ending September 1, 2008, to the Assessment Appeals Board No. 1.

Diane Robinson, succeeding herself, term expired, seat 3, must meet the eligibility criteria set forth in Section 1624.05 of the California Revenue and Taxation Code: Must have a minimum of five years professional experience in the State of California as one of the following: certified public accountant (CPA) or public accountant (PA); licensed real estate broker; attorney; or a property appraiser accredited by a nationally recognized professional organization, or property appraiser certified by the Office of Real Estate Appraisers; or he or she is a current member of an assessment appeals board, for the unexpired portion of a three-year term ending September 1, 2008.

Stephen Wasserman, succeeding Carol Ruth Silver, resigned, seat 7 (ALTERNATE/HEARING OFFICER), must meet the eligibility criteria set forth in Section 1624.05 of the California Revenue and Taxation Code: Must have a minimum of five years professional experience in the State of California as one of the following: certified public accountant (CPA) or public accountant (PA); licensed real estate broker; attorney; or a property appraiser accredited by a nationally recognized professional organization, or property appraiser certified by the Office of Real Estate Appraisers; or he or she is a current member of an assessment appeals board, for the unexpired portion of a three-year term ending September 1, 2008.

Question: Shall this Resolution be ADOPTED?

34. 051499 [Appointment - Assessment Appeals Board No. 2]

Resolution appointing Calvin Abe, term ending September 4, 2006, and Joseph Tham, term ending September 1, 2008, to the Assessment Appeals Board No. 2.

Calvin Abe, succeeding Richard Lee, resigned, seat 7 (ALTERNATE/HEARING OFFICER), must meet the eligibility criteria set forth in Section 1624.05 of the California Revenue and Taxation Code: Must have a minimum of five years professional experience in the State of California as one of the following: certified public accountant (CPA) or public accountant (PA); licensed real estate broker; attorney; or a property appraiser accredited by a nationally recognized professional organization, or property appraiser certified by the Office of Real Estate Appraisers; or he or she is a current member of an assessment appeals board, for the unexpired portion of a three-year term ending September 4, 2006.

Joseph Tham, succeeding himself, term expired, seat 8 (ALTERNATE/HEARING OFFICER), must meet the eligibility criteria set forth in Section 1624.05 of the California Revenue and Taxation Code: Must have a minimum of five years professional experience in the State of California as one of the following: certified public accountant (CPA) or public accountant (PA); licensed real estate broker; attorney; or a property appraiser accredited by a nationally recognized professional organization, or property appraiser certified by the Office of Real Estate Appraisers; or he or she is a current member of an assessment appeals board,

for the unexpired portion of a three-year term ending September 1, 2008.

Question: Shall this Resolution be ADOPTED?

From the Budget and Finance Committee

The following item will be considered by the Budget and Finance Committee at a Regular Meeting on Thursday, September 15, 2005 at 1:00 p.m. The Chair intends to request the Committee to send the following item to the Board as a committee report on Tuesday, September 20, 2005.

- 35. 051500 [Public Education Enrichment Fund] Supervisor Ammiano**
Resolution approving the San Francisco Unified School District revised expenditure plans for the Public Education Enrichment Fund.
(Fiscal impact.)

Question: Shall this Resolution be ADOPTED?

36. 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.

37. 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 38 through 51

- 38. 051560 [Emergency Disadvantaged Business Enterprise Program - September 27, 2005, Committee of the Whole] Supervisor Ma**

Motion for the Board of Supervisors to convene as a committee of the whole on September 27, 2005, at 4:00 p.m. to accept public testimony concerning the possible adoption of an 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.

9/13/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be ADOPTED?

39. 051567 [Accept-Expend Federal Grant - Department of Parking and Traffic] Supervisor Mirkarimi

Resolution authorizing the Department of Parking and Traffic to retroactively accept and expend a grant in the amount of \$500,000 from the Metropolitan Transportation Commission (MTC) to integrate the SFgo Transportation Management Center (TMC) with Caltrans District 4 in Oakland and 511 to exchange real-time transportation information.

9/13/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

40. 051568 [Accept-Expend Federal/State Pass Through Grant - Department of Public Library] Supervisors Alioto-Pier, Dufty

Resolution authorizing the Department of Public Library to accept and expend a grant in the amount of \$17,447 from the California State Library as part of the Federal Library Services and Technology Act (LSTA) for reimbursing tuition expenses of library employees pursuing a degree or certificate in library science at an institution of higher education.

9/13/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

41. 051571 [Supporting Gay Marriage AB849] Supervisors Ammiano, Dufty, Daly, Sandoval

Resolution declaring support for eliminating legal discrimination against same-sex couples in the provision of civil marriage licenses and further supporting The Religious Freedom and Civil Marriage Protection Act, AB849 and further urging the Governor of California, Arnold Schwarzenegger to sign The Religious Freedom and Civil Marriage Protection Act to protect all families of California.

9/13/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

42. 051572 [SFUSD Labor-Management Dispute] Supervisor Ammiano

Resolution urging the San Francisco Board of Education and the San Francisco Unified School District Superintendent, Arlene Ackerman, to seek all avenues available to resolve the current labor and management dispute, including finding a informal or local mediator and utilizing portions of Proposition H, the Public Education Enrichment Fund, to fund salaries

for the lowest paid and most vulnerable School District employees.

9/13/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

- 43. 051573 [Declaring September 24, 2005 as Grand Duchess Sophilya Leggz and Grand Duke Mike Manicotti Day] Supervisor Ammiano**

Resolution declaring September 24, 2005 as Grand Duchess Sophilya Leggz and Grand Duke Mike Manicotti Day in the City and County of San Francisco.

9/13/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

- 44. 051574 [Accept and Expend Grant - Sheriff's Department] Supervisor Maxwell**

Resolution authorizing the Sheriff's Department to accept and expend a continuation grant in the amount of \$76,283 from the Private Industry Council of San Francisco for providing employment and education services to young offenders and after their release from the county jail.

9/13/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

- 45. 051575 [Honoring Richmond Area Multi-Services, Inc. (RAMS)] Supervisor McGoldrick**

Resolution honoring Richmond Area Multi-Services, Inc. (RAMS) for their commitment and contributions to the San Francisco community.

9/13/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

- 46. 051576 [Commending Founders of the First Annual Fulton Street Fair] Supervisor Mirkarimi**

Resolution commending the Alamo Square Neighborhood Association and the Third Baptist Church for founding the First Annual Fulton Street Fair (aka "The Love Connection").

9/13/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

- 47. 051578 [Declaring October 3, 2005 "B.K.S. Iyengar Day" in San Francisco] Supervisor Peskin**

Resolution declaring October 3, 2005 "B.K.S. Iyengar Day" in San Francisco.

9/13/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

- 48. 051579 [Commending Lee Blich] Supervisor Peskin**
Resolution commending Lee Blich for his invaluable contributions to the City and County of San Francisco.

9/13/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

- 49. 051580 [Urging SFUSD Superintendent Arlene Ackerman to forego the provision in her current contract for a \$375,000 severance package] Supervisor Sandoval**

Resolution urging San Francisco Unified School District Superintendent Arlene Ackerman to forego the provision in her current contract for a \$375,000 severance package.

9/13/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

- 50. 051577 [Waiver Permitting City Employees to Assist the Department of Elections with the November 8, 2005 election] Supervisor Peskin**

Motion granting a waiver from the prohibition imposed by Charter section 13.104.5, to permit City employees to assist the Department of Elections with the November 8, 2005 election.

9/13/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be ADOPTED?

- 51. 051555 [Needle Exchange Emergency] Supervisors Ammiano, Daly, Peskin, McGoldrick, Maxwell, Dufty, Mirkarimi**

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

9/13/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be ADOPTED?

Questions on the For Adoption Without Committee Reference Agenda: _____

52. 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.

OFF-AGENDA LEGISLATION

PROPOSED ORDINANCES

Proposed ordinances received from September 3, 2005 through September 12, 2005, for reference by President to appropriate committee on September 20, 2005.

051521 [Designate 150 Otis Street, the Juvenile Court and Detention Home, as Landmark No. 248]

Ordinance designating 150 Otis Street, the Juvenile Court and Detention Home, as Landmark No. 248 pursuant to Article 10, Sections 1004 and 1004.4 of the Planning Code. (Planning Department)

9/7/2005, RECEIVED AND ASSIGNED to Land Use Committee.

PROPOSED RESOLUTIONS

Proposed resolutions received from September 3, 2005 through September 12, 2005, for reference by President to appropriate committee on September 20, 2005.

051530 [Airport Public Parking Services Proposition]

Resolution approving the Controller's certification that Airport Public Automobile Parking Facilities for San Francisco International Airport can practically be performed by private

contractor at a lower cost than if work were performed by city employees at budgeted levels. (Airport Commission)

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

051531 [Airport Employee Parking Services Proposition J]

Resolution approving the Controller's certification that Airport Employee Parking Facilities for San Francisco International Airport can practically be performed by private contractor at a lower cost than if work were performed by city employees at budgeted levels. (Airport Commission)

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

051532 [Report of assessment costs for sidewalk and curb repairs]

Resolution approving report of assessment costs submitted by the Director of Public Works for sidewalk and curb repairs ordered to be performed by said Director pursuant to Sections 707 and 707.1 of the Public Works Code, the costs thereof having been paid for out of a revolving fund.

(DPW Order No. 175,586; Location: 534 Octavia Street.)

9/12/2005, SCHEDULED FOR PUBLIC HEARING to Board of Supervisors.

051533 [Contract between the Department of Public Health and Accordis, Inc. to provide retroactive claiming of aged accounts services]

Resolution authorizing the Director of Public Health and the Director of the Office of Contract Administration/Purchaser to continue a contract between the City and County of San Francisco and Accordis, Inc. to provide retroactive claiming of aged accounts services for the period of July 1, 2004 through June 30, 2008. (Public Health Department)

9/12/2005, RECEIVED AND ASSIGNED to Budget and Finance Committee.

051594 [Confirming appointment of Hunter Stern to the Municipal Transportation Agency Board of Directors] Mayor

Resolution confirming the appointment of Hunter Stern to the Board of Directors of the Municipal Transportation Agency, term ending March 1, 2009.

9/13/2005, RECEIVED AND ASSIGNED to Rules Committee.

051601 [Petitions and Communications]

Petitions and Communications received from September 3, 2005 through September 12, 2005, for reference by the President to Committee considering related matters or to be ordered filed by the Clerk on September 20, 2005.

From Sue Hestor, submitting request for continuance of appeal of Final Environmental Impact Report for 491 Bayshore Boulevard (Home Depot). File 051445, Copy: Each

Supervisor, City Attorney(1)

From San Francisco Examiner, regarding the August 6, 2005 launch of the new Examiner Weekend which replaces the San Francisco Independent. File 051352(2)

From Bobbie Sue Hood, submitting opposition to proposed street vacation of a portion of Bernal Heights Boulevard west of Moultrie Street. File 050853(3)

From Office of the Treasurer, submitting the investment activity (for fiscal year to date) of the portfolios under management.(4)

From Civil Service Commission, submitting the Civil Service Commission's fiscal year 2003-04 Annual Report.(5)

From Planning Department, submitting response to the 2004-05 Civil Grand Jury Continuity Report, Part IV "An Opportunity for Moving Stalled Implementation Forward".(6)

From Planning Department, submitting notice of preparation of an Environmental Impact Report and Notice of Public Scoping Meetings for SFPUC Water System Improvement Program.(7)

From Southeast Community Facility Commission, submitting Annual Statement of Purpose and Annual Report for July 1, 2004 through June 30, 2005.(8)

From Clerk of the Board, submitting election schedules which pertain to the various actions and deadlines for the June 6, 2006 Election to be held in the City and County of San Francisco. Copy: Each Supervisor(9)

From California Academy of Sciences, submitting budget certification for the Steinhart Aquarium for fiscal year 2005/06.(10)

From Office of the Controller, concerning replacement of graffiti-damaged parking and traffic signs with signs containing graffiti-resistant sheeting. (Reference No. 20050628-003) Copy: Supervisor Dufty(11)

From Chapel of the Avenues, submitting copy of letter sent to Judge Kahn regarding assault by a homeless person.(12)

From Public Utilities Commission, submitting notice that funding provided in the budget for fiscal year 2005-06 as adopted by the Board of Supervisors for the department to meet service levels as proposed to the Board is not adequate for the department; and the PUC plans to submit a supplemental appropriation request later this fall to fund litigation costs. The costs were not anticipated at the time the fiscal year 2005/06 budget was submitted.(13)

From Department of Parking and Traffic, regarding scheduled date to repaint faded crosswalks at the intersection of Fulton and Lyon Streets. (Reference No. 20050816-003) Copy: Supervisor Mirkarimi(14)

From Back and Body Care, submitting support for legislation that exempts food pushcart peddlers (who obtain permits from BART to operate carts at the 16th and 24th Street BART Stations/Plazas) from requirements of a Police Department permit, to pay permit application/annual license fees, and meet public hearing requirements.(15)

From Board of Appeals, confirming that funding provided in the budget for fiscal year 2005-06 as adopted by the Board of Supervisors is adequate for the department to meet service levels as proposed to the Board.(16)

From Office of the Controller, regarding how the Department of Parking and Traffic staffs their customer service centers at the Residential Permit Parking Program. (Reference No. 20050712-008) Copy: Supervisor Dufty(17)

From concerned citizens, submitting opposition to opening a Home Depot on Bayshore Boulevard. File 051446(18)

From Ed McDonald, submitting opposition to any ban on guns in San Francisco.Copy: Supervisor Daly(19)

From Office of the City Attorney, City of San Jose, submitting response to Pacific Gas and Electric Company's petition for modification of Decision 03-10-040.(20)

From Mary Ellen Wilson, commenting that the Green Cross Marijuana Clinic at 22nd and Guerrero Streets has increase parking problems and the smell of marijuana smoke in the area. Copy: Supervisor Dufty(21)

From concerned citizens, regarding home ownership in San Francisco.(22)

From Abdallah Megahed, commenting on various homeless issues.(23)

From D. Wood, submitting support for birthing the USS Iowa in San Francisco.(24)

From Lewis Ellingham, concerning why 24/7 management presence is important at all Housing Authority buildings.(25)

From Florence Fung, submitting copy of letter sent to the Library Commission and the Department of Public Works requesting property line identification and survey reports for the West Portal Public Library Project, foreign object removal at/near property line and for dirt replacement, barrier installation at property line.
(26)

From Justin Jouvenal, regarding the San Francisco Examiner's project to evaluate each member of the Board of Supervisors.(27)

From Raphael Mazor, submitting opposition to the Governor's decision to veto the same sex marriage bill. (28)

From Office of the Controller, submitting report concerning the audit of the Commission on the Environment's cash revolving fund.(29)

From Alyssa Morgan, requesting financial help to develop a mural program for the students at A.P. Giannini Middle School in the Sunset District of San Francisco.(30)

From Martha Sue Harris, commenting on the aftermath of Hurricane Katrina and questioning how San Franciscans will be protected in case of an emergency.(31)

From U.S. Department of the Interior Bureau of Land Management, submitting news release that a comprehensive and cooperative management plan for the California Coastal National Monument, along the scenic 1,100 mile California coast was approved September 8, 2005 by the U.S. Department of the Interior Bureau of Land Management.(32)

From Marisol Vazquez, urging the Board of Supervisors to do what it can to help Susan Cervantes from being evicted from her rented family home of 35 years, located at 398 Precita Avenue, by the new owners of that property.(33)

From Stanyan Fell Neighborhood Association, submitting support for Planning Commission Item #2005.0197C - the Asian American Recovery Center expansion from 22 to 26 beds.(34)

From Commissioner Paul Kangas, urging the Board of Supervisors to pass a resolution requiring each San Francisco drug treatment program to inform all clients in writing, of other options and modalities for treating addictions; including a list of phone numbers of several practitioners of each modality.(35)

From Graffiti Advisory Board, submitting the San Francisco Graffiti Advisory Board Annual Report covering the period of March 2004 through June 2005.Copy: Each Supervisor(36)

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 decisions in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. The Sunshine 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.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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