

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, August 8, 2006
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

APPROVAL OF MEETING MINUTES

Board to approve Board Meeting Minutes for July 11, 2006 and July 18, 2006.

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 5

Recommendation of the Budget and Finance Committee

Present: Supervisors Daly, Dufty, Peskin

- 060853 [Restricting Posting of Signs on City-Owned Lamp Posts or Utility Poles] Supervisor Peskin**

Ordinance amending Article 5.6 of the San Francisco Public Works Code to increase restrictions governing signs on City-owned lamp posts and utility posts located on commercial streets.

8/1/2006, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the Land Use and Economic Development Committee

Present: Supervisors Maxwell, Sandoval, McGoldrick

- 060265 [Residential and Industrial Compatibility and Protection] Supervisor Maxwell**

Ordinance amending the Administrative Code to add Chapter 35 to provide that certain industrial uses shall not be considered a nuisance due to changed circumstances on adjacent property, with certain exceptions; to require notice regarding adjacent industrial uses to be provided prior to the transfer of real property for residential uses; to provide for civil penalties; to provide for a private right of action; and making environmental findings.

8/1/2006, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?
- 060926 [Landmark Designation of the Doggie Diner sign, located in the median strip of Sloat Boulevard and 45th Avenue] Supervisor Elsbernd**

Ordinance Designating the Doggie Diner sign, located in the median strip of Sloat Boulevard and 45th Avenue, as a Landmark under Planning Code Article 10; and adopting General Plan,

Planning Code Section 101.1(b) and environmental findings. (Planning Department)

8/1/2006, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the Rules Committee

Present: Supervisors Mirkarimi, Elsbernd, Ammiano

4. 061037 [Settlement of Lawsuit - Alameda County]

Ordinance authorizing settlement of the lawsuit, County of Alameda, Alameda County Flood Control and Water Conservation District v. City and County of San Francisco, for declaratory and injunctive relief, and costs of suit including attorneys fees, filed on June 19, 2006 San Francisco County Superior Court, Case No. CPF-06-506443; material terms of said settlement are payments in the amount of \$1.2 million to Alameda County Flood Control and Water Conservation District for projects in the Alameda Creek watershed. (City Attorney)

8/1/2006, PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

5. 061000 [Appointment - Immigrant Rights Commission]

Resolution appointing Vera Haile, Gilberto Alexander and Ivy Lee, terms ending June 6, 2008, and Toye Moses, term ending June 6, 2007, to the Immigrant Rights Commission.

Vera Haile, succeeding herself, term expired, seat 1, must have a demonstrated knowledge of and interest in the health, human service, educational, or employment issues that affect immigrants residing in San Francisco, for a two-year term ending June 6, 2008.

Gilberto Alexander, succeeding himself, term expired, seat 2, must have a demonstrated knowledge of and interest in the health, human service, educational, or employment issues that affect immigrants residing in San Francisco, for a two-year term ending June 6, 2008.

Ivy Lee, succeeding herself, term expired, seat 5, must have a demonstrated knowledge of and interest in the health, human service, educational, or employment issues that affect immigrants residing in San Francisco, for a two-year term ending June 6, 2008.

Toye Moses, succeeding Zina Spektor, resigned, seat 11, must be an immigrant to the United States who is appointed in accordance with Section 4.101 of the Charter. In addition, members shall have a demonstrated knowledge of and interest in the health, human service, educational, or employment issues that affect immigrants residing in San Francisco, for the unexpired portion of a two-year term ending June 6, 2007.

Question: Shall this Resolution be ADOPTED?

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

REGULAR AGENDA

NEW BUSINESS

Recommendation of the Land Use and Economic Development Committee

Present: Supervisors Maxwell, McGoldrick, Mirkarimi

6. **060032** **[Allowing certain medical cannabis dispensaries in Residential-House or Residential-Mixed districts to remain open during the 18-month application period and other amendments]** **Supervisor Mirkarimi**

Ordinance amending the San Francisco Planning Code by amending Sections 209.3, 217, 790.141, and 890.133 to allow certain medical cannabis dispensaries in Residential-House or Residential-Mixed districts to remain open during the 18-month grace period provided for obtaining a permit, to define "community facility" and "recreation building" as those that primarily serve persons under 18 years of age, and to provide certain notice to both owners and occupants within 300 feet of a proposed medical cannabis dispensary; amending the San Francisco Health Code by amending Sections 3303, 3304, 3305, 3306, 3307 and 3312 to amend the permitting process for medical cannabis dispensaries to conform to the California Fire Code, to eliminate the need for an employment background check, to provide for a provisional permit to be issued after a hearing but before construction work is performed, to provide for referral of permit applications to the Department of Building Inspection, and to require employees to wash hands and use sanitary utensils when handling cannabis; and making environmental findings and findings of consistency with the priority planning policies of Planning Code Section 101.1 and the General Plan.

Question: Shall this Ordinance be PASSED ON FIRST READING?

Recommendations of the Rules Committee

Present: Supervisors Mirkarimi, Elsbernd, Sandoval

7. **061082** **[Declaration of Policy Regarding 2016 Olympics for Submittal to Voters]** **Supervisors Sandoval, Daly, Mirkarimi**

Motion asking the voters whether it shall be San Francisco's policy to host the 2016 Olympics given the costs and benefits.

(Supervisor Elsbernd dissenting in Committee.)

Question: Shall this Motion be ADOPTED?

8. **061023** **[Reappointment, Entertainment Commission - Bruce G. Lorin]** **Mayor**

Motion approving the Mayor's nomination for reappointment of Bruce G. Lorin to the Entertainment Commission, for the term ending June 2, 2010. (Mayor)

Question: Shall this Motion be ADOPTED?

9. **061025** **[Reappointment, Board of Appeals - Michael Garcia]**

Motion approving the Mayor's reappointment of Michael Garcia to the Board of Appeals for

the term ending July 2, 2010. (Mayor)

Question: Shall this Motion be ADOPTED?

SPECIAL ORDER 3:00 P.M.

- 10. 061027 [Public Hearing - DPH Delinquent Refuse Service Payment Liens (Garbage Liens)]**
Hearing of persons interested in or objecting to report of delinquent charges for refuse collection service and nuisance removal costs submitted by the Director of Public Health, as modified to the date of adoption of this resolution, and creating special assessments and liens based thereon. (Clerk of the Board)
- Action:** _____
- 11. 061028 [Unpaid DPH Delinquent Refuse Service payment liens to become special assessments to the property taxes]**
Resolution confirming report of delinquent charges for refuse collection service and nuisance removal costs submitted by the Director of Public Health, as modified to the date of adoption of this resolution, and creating special assessments and liens based thereon. (Public Health Department)
- Question: Shall this Resolution be ADOPTED?**
- 12. 061092 [Public Hearing - DPH Reinspection Fee Liens]**
Hearing of persons interested in or objecting to report of delinquent reinspection fee costs submitted by the Director of Public Health, as modified to the date of adoption of the resolution, and creating liens and special assessments based thereon. (Clerk of the Board)
- Action:** _____
- 13. 061093 [Unpaid Department of Public Health complaint reinspection fee liens to become special assessments to the property taxes]**
Resolution confirming the report of delinquent reinspection fee costs submitted by the Director of Public Health, as modified to the date of adoption of the resolution, and creating liens and special assessments based thereon. (Public Health Department)
- Question: Shall this Resolution be ADOPTED?**
- 14. 061094 [Public Hearing - DBI Special Assessment of Liens for Code Enforcement Cases]**
Hearing of persons interested in or objecting to report of Delinquent Charges for Code Enforcement cases with Delinquent Assessment of Costs, and Fees pursuant to the provisions of Section 102.3, 102.12, 102.17, 102.18, 102.19 et Seq., Section 108, Section 110 - Tables 1-K, and 1-G, and Sections 3407.7.1.3, 3407.7.1.4, 3407.7.1.5, and 3407.7.1.6 et seq., of the

San Francisco Building Code, submitted by the Director of the Department of Building Inspection for Services rendered by said Department of Costs thereof having accrued pursuant to Code Violations referenced above. (Clerk of the Board)

Action: _____

15. **061095** **[Special Assessment of Liens for Assessment Costs]**
Resolution confirming report of Delinquent Charges for Code Enforcement cases with Delinquent Assessment of costs, and Fees pursuant to the provisions of Section 102.3, 102.12, 102.17, 102.18, 102.19 et Seq., 103.3.3 Section 108, Section 110 - Tables 1-K and 1-G, and Sections 3407.7.1.3, 3407.7.1.4, 3407.7.1.5, and 3407.7.1.6 et seq., of the San Francisco Building Code, submitted by the Director of the Department of Building Inspection for Services rendered by said Department of Costs thereof having accrued pursuant to Code Violations referenced above. (Building Inspection Department)

Question: Shall this Resolution be ADOPTED?

SPECIAL ORDER 3:30 P.M

16. **061046** **[Public Hearing - Appeal of Minor Sidewalk Encroachment for 1230 Mason Street]**
Hearing of persons interested in or objecting to the decision of the Department of Public Works, by its letter dated June 29, 2006, disapproving a request for a Minor Sidewalk Encroachment Permit to construct a warped-driveway and two (2) planter boxes to encroach 3'6" encroachment into the existing sidewalk at property located at 1230 Mason Street. (Appellant: Yehudah Younessian)

(Filed July 11, 2006; companion measur to Files 06061047, 061057; District 3.)

Action: _____

(Only one of the following two motions should be adopted.)

17. **061047** **[Minor Sidewalk Encroachment Permit - 1230 Mason Street]**
Motion affirming the decision of the Department of Public Works denial of a Minor Sidewalk Encroachment Permit to construct a warped-driveway and two (2) planter boxes to encroach 3'6" encroachment into the existing sidewalk at property located at 1230 Mason Street. (Clerk of the Board)

Question: Shall this Motion be ADOPTED?

18. **061057** **[Disapproving a Minor Sidewalk Encroachment Permit - 1230 Mason Street]**
Motion disapproving the decision of the Department of Public Works denial of a Minor Sidewalk Encroachment Permit to construct a warped-driveway and two (2) planter boxes to

encroach 3'6" encroachment into the existing sidewalk at property located at 1230 Mason Street. (Clerk of the Board)

Question: Shall this Motion 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.*

**19. 060984 [Public Hearing - Appeal of Categorical Exemption
from Environmental Review for 70 Douglass Street]**

Hearing of persons interested in or objecting to the decision of the Planning Department dated September 27, 2005 (Case No. 2005.0616E), exempting from environmental review under Categorical Exemption, Class 1 and Class 3 [State Guidelines, Section 15301(1)(1) and 15303(b)], the proposal would demolish an existing four-bedroom (BR) single-family dwelling of 2,196 square feet (sq ft) constructed pre-1900, and construct a new two-unit residential building of 7,351 gross sq ft. The site, on the western side of Douglass Street, located approximately mid-block (Assessor's Block 2625, Lot 007A), is an irregular shaped parcel of 3,693 sq ft within the city block bounded by Douglass Street to the east, Ord Street to the west, and 17th Street to the south (Douglass Street dead ends at the northerly end of the block). The project site, located in the Upper Market neighborhood, is zoned RH-2 (Residential, House-Two Family) and is within a 40-X height and bulk district. (Appellants: Susan Detwiler on behalf of the owners of 62-68 Douglass Street.)

(Filed June 27, 2006; companion measure to Files 060985, 060986, 060987, District 8.)

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.)

20. **060985** **[Affirming the categorical exemption issued for the 70 Douglass Street project]**
Motion affirming the determination by the Planning Department that the project at 70 Douglass Street is categorically exempt from environmental review under the California Environmental Quality Act.

Question: Shall this Motion be ADOPTED?
21. **060986** **[Disapproving the categorical exemption issued for 70 Douglass Street]**
Motion disapproving the determination by the Planning Department that the 70 Douglass Street project is categorically exempt from environmental review under the California Environmental Quality Act.

Question: Shall this Motion be ADOPTED?
22. **060987** **[Preparation of findings related to the 70 Douglass Street project]**
Motion directing the Clerk of the Board to prepare findings related to the appeal of the determination by the Planning Department that the project at 70 Douglass Street is exempt from environmental review under the California Environmental Quality Act.

Question: Shall this Motion be ADOPTED?

SPECIAL ORDER 4:30 P.M.

From the Board

23. **060967** **[Affirming certification of Wharf J-10 FEIR]**
Motion affirming the certification by the Planning Commission of the Final Environmental Impact Report for the Wharf J-10 Project.

8/1/2006, CONTINUED. Continued to August 8, 2006 at 4:30 p.m.

Question: Shall this Motion be ADOPTED?
24. **060968** **[Disapproving certification of Wharf J-10 FEIR]**
Motion disapproving the certification by the Planning Commission of the Final Environmental Impact Report for the Wharf J-10 Project.

8/1/2006, CONTINUED. Continued to August 8, 2006 at 4:30 p.m.

Question: Shall this Motion be ADOPTED?
25. **060969** **[Preparation of findings to disapprove certification of Wharf J-10 FEIR]**

Motion directing the Clerk of the Board to prepare findings disapproving the certification by the Planning Commission of the Final Environmental Impact Report for the Wharf J-10 FEIR.

8/1/2006, CONTINUED. Continued to August 8, 2006 at 4:30 p.m.

Question: Shall this Motion be ADOPTED?

COMMITTEE REPORTS

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

The following items will be considered by the Budget and Finance Committee at a Special Meeting on Tuesday, August 8, 2006 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, August 8, 2006.

26. 061142 **[Adding Section 702 to the Business and Tax Regulations Code and amending Sections 703 and 714 of the San Francisco Business and Tax Regulations Code]** **Supervisor Mirkarimi**
- Ordinance amending Article 10, Utility Users Tax, by adding Section 702 to the Business and Tax Regulations Code; amending Section 703 of the San Francisco Business and Tax Regulations Code making technical clarifications to the Utility Users Tax on telephone services to address change in interpretation of referenced federal law; and amending Section 714 of the San Francisco Business and Tax Regulations Code to conform with Article 6, Common Administrative Provisions.
- Question: Shall this Ordinance be PASSED ON FIRST READING?**
27. 061110 **[General Obligation Refunding Bonds]** **Mayor**
- Resolution approving the form of and authorizing the distribution of a preliminary official statement relating to the issuance of City and County of San Francisco general obligation refunding bonds and authorizing preparation, execution and delivery of final a official statement; acknowledging the receipt of certain information relating to such refunding bonds; ratifying the approvals and terms and conditions of a previous resolution; and related matters.
- Question: Shall this Resolution be ADOPTED?**

28. 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.

29. PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a

Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to

APPROVAL OF REQUESTS TO THE LEGISLATIVE ANALYST

These items may be introduced by any Supervisor seeking analysis from the Office of the Legislative Analyst on introduced legislation and for the purpose of providing assistance to Board of Supervisors' task forces and advisory committees. Requests to the Legislative Analyst shall require the affirmative vote of a majority of the members of the Board.

- 30. 061140 [Legislative Analyst Request - Police Department] Supervisor Elsbernd**
- Motion requesting the Legislative Analyst to research the disciplinary process of police departments in other jurisdictions. The report should focus on comparing the disciplinary authority of San Francisco's Police Chief, the role of the Office of Citizen Complaints (OCC), and the role of the Police Commission with comparable jurisdictions within California.
- 8/1/2006, ASSIGNED to Board of Supervisors. Scheduled for Board consideration August 8, 2006. Brief report, desired delivery date August 31, 2006.
- Question: Shall this Motion be ADOPTED?**

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

Items 31 through 37

- 31. 061120 [Supporting Proposition 1C, Housing and Emergency Shelter Trust Fund Act of 2006] Supervisor Peskin**
- Resolution expressing support for California State Proposition 1C, Housing and Emergency Shelter Trust Fund Act of 2006.
- 8/1/2006, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?**
- 32. 061150 [Commending El Cucuy and the Votos por America campaign] Supervisor Mirkarimi**
- Commending DJ Renan Almendarez Coello, known as El Cucuy, and the Votos por America campaign who are working to register one million new voters.
- 8/1/2006, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

- 33. 061151 [Issuance and Sale of Revenue Bonds - Lycee Francaise La Perouse] Supervisor Ma**

Resolution approving the issuance and sale of revenue bonds by the California Statewide Communities Development Authority in an aggregate principal amount not to exceed \$15,000,000 for the financing of the acquisition, construction, improvement and equipping of facilities of Lycee Francaise La Perouse and certain other matters relating thereto.

8/1/2006, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

- 34. 061131 [Final Map - 2011 26th Street]**
Motion approving Final Map 2302, a 6 Unit Live Work Condominium Project, located at 2011 26th Street being a subdivision of Lot 19 in Assessors Block No. 4327A and adopting findings pursuant to the General Plan and City Planning Code Section 101.1. (Public Works Department)

(DPW Order No. 176,224; District 10.)

7/28/2006, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be ADOPTED?

- 35. 061132 [Final Map - 2031 26th Street]**
Motion approving Final Map 2300, a 6 Unit Live/Work Condominium Project, located at 2031 26th Street being a subdivision of Lot 17 in Assessors Block No. 4327A and adopting findings pursuant to the General Plan and City Planning Code Section 101.1. (Public Works Department)

(DPW Order No. 176,223; District 10.)

7/28/2006, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be ADOPTED?

- 36. 061133 [Final Map - 2041 26th Street]**
Motion approving Final Map 2299, a 8 Unit Live\Work Condominium Project, located at 2041 26th Street being a subdivision of Lot 16 in Assessors Block No. 4327A and adopting findings pursuant to the General Plan and City Planning Code Section 101.1. (Public Works Department)

(DPW Order No. 176,222; District 10.)

7/28/2006, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be ADOPTED?

- 37. 061134 [Final Map for Candlestick Point The Cove]**

Motion approving Final Map 3110, Candlestick Point The Cove, a one hundred seventy six residential condominium project, being a merger and resubdivision of Block 4991, lots 418 and lots OS-3 thru OS-5; and a merger and resubdivision of Block 4991, lots 239 and OS-6, acknowledging a public improvement agreement and easements related to the final map; and adopting findings pursuant to the General Plan and City Planning Code Section 101.1. (Public Works Department)

(DPW Order No. 175,994; District ?)

7/28/2006, 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: _____*

38. **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 July 25, 2006 through July 31, 2006, for reference by President to appropriate committee on August 8, 2006.

061126 [Settlement of Lawsuit - Gustavo A. Cubillo]

Ordinance authorizing settlement of the lawsuit filed by Gustavo A. Cubillo against the City and County of San Francisco for \$50,000; the lawsuit was filed on May 17, 2004 in San Francisco Superior Court, Case No. 431-445; entitled Gustavo A. Cubillo, et al. v. City and County of San Francisco, et al. (City Attorney)

7/26/2006, RECEIVED AND ASSIGNED to Rules Committee.

061127 [Settlement of Lawsuit - CCSF v. Gregory P. O'Keeffe and Lydia Collins]

Ordinance authorizing settlement of the lawsuit filed by the City and County of San Francisco against Gregory P. O'Keeffe and Lydia Collins, in the probate matter of The Estate of Dorothy Frances Boyesen, for \$40,000.00; the lawsuit was filed on August 20, 2004 in the San Francisco Superior Court, Case No. PES-04-285738; entitled The Estate of Dorothy Frances Boyesen; City and County of San Francisco v. Gregory P. O'Keeffe and Lydia Collins. (City Attorney)

7/31/2006, RECEIVED AND ASSIGNED to Rules Committee.

061128 [Updating speed limit provisions on King Street and on the Embarcadero]

Ordinance amending Section 175.20 of the Traffic Code, governing the speed limit on a portion of The Embarcadero, to reflect that the Embarcadero terminates at King Street, and amending Section 176.39 of the Traffic Code to extend the speed limit change on King Street from 5th Street to The Embarcadero. (Municipal Transportation Agency)

7/28/2006, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

PROPOSED RESOLUTIONS

Proposed resolutions received from July 25, 2006 through July 31, 2006, for reference by President to appropriate committee on August 8, 2006.

061129 [Parking Regulations]

Resolution enacting and rescinding parking regulations at various locations.

RESIDENTIAL PERMIT PARKING AREA "W" (2-HOUR TIME LIMIT, 8 AM - 6 PM, MONDAY THROUGH FRIDAY) - ESTABLISH
Rhode Island Street, both sides, between 25th and 26th Streets (1400).

TOW-AWAY, NO PARKING ANYTIME - ESTABLISH
Marina Boulevard, north side, from Laguna Street to 20 feet westerly.

TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH
Irving Street, north side, from 9th Avenue to 24 feet easterly (removes one parking meter space).

PARKING METER AREA NO. 3 (1-HOUR PARKING TIME LIMIT, 9 AM - 6 PM, MONDAY THROUGH SATURDAY) - RESCIND
PARKING METER AREA NO. 3 (2-HOUR PARKING TIME LIMIT, 9 AM - 6 PM, MONDAY THROUGH SATURDAY) - ESTABLISH
Eddy Street, both sides, between Franklin Street and Van Ness Avenue (800 block)

1-HOUR PARKING LIMIT, 7 AM TO 6 PM, MONDAY THROUGH SATURDAY - RESCIND
2-HOUR PARKING LIMIT, 7 AM TO 6 PM, MONDAY THROUGH SATURDAY - ESTABLISH
Eddy Street, both sides, between Franklin and Gough Streets (900 block)

TOW-AWAY, NO PARKING ANYTIME - ESTABLISH
Sickles Avenue, south side, from Alemany Boulevard to 120 feet westerly.

RESIDENTIAL PERMIT PARKING AREA "W" (2-HOUR TIME LIMIT, 8 AM - 6 PM, MONDAY THROUGH FRIDAY) - ESTABLISH
Bryant Street, both sides, between 20th and 21st Streets (2200 block). (Parking and Traffic Department)

(6/28/06: 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; DPW Order No. 3222.)

7/28/2006, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

061130 [Traffic Regulations]

Resolution enacting and rescinding traffic regulations at various streets.

NO TURN ON RED - ESTABLISH
Jordan Avenue, northbound, at California Street and southbound Cherry Street at California Street.

RIGHT LANE MUST TURN RIGHT - RESCIND
Pine Street, westbound, at Kearny Street.

NO LEFT TURN - ESTABLISH
San Bruno Avenue, southbound, the intersection of Arleta Avenue and Bayshore Boulevard.

NO LEFT TURN - ESTABLISH
San Bruno Avenue, northbound, at Silliman Street

BICYCLE LANES - ESTABLISH
Mississippi Street, both sides, between Mariposa and 16th Streets. (Parking and Traffic Department)

(6/28/06: 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; DPW Order No. 3222.)

7/28/2006, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

061176 [Petitions and Communications]

Petitions and Communications received from July 25, 2006 through July 31, 2006 for reference by the President to Committee considering related matters or to be ordered filed by the Clerk on August 8, 2006.

From Department of Public Works, submitting list of sole source contracts entered into during fiscal year 2005-06.(1)

From Department of Human Services, submitting the quarterly update for the Human Services Care Fund.(2)

From Municipal Transportation Agency, submitting information on a variety of bicycle-related projects around the city. (Reference No. 20060523-010) Copy: Supervisor Elsbernd(3)

From Municipal Transportation Agency, submitting report on the safety status of the crosswalk at Fell and Masonic. (Reference No. 20060509-007) Copy: Supervisor Mirkarimi(4)

From Department of Public Works, regarding trimming trees fronting 1029 Golden Gate Avenue. (Reference No. 20060725-005) Copy: Supervisor Mirkarimi(5)

From Department of Public Works, regarding trimming trees fronting 1178 Fulton Street. (Reference No. 20060627-018) Copy: Supervisor Mirkarimi(6)

From Public Utilities Commission, regarding removing graffiti from utility poles at various locations in District 5. (Reference No. 20060718-002) Copy: Supervisor Mirkarimi(7)

From Office of the Clerk of the Board, submitting copy of letter sent to constituent regarding the signatory area percentages for the Conditional Use appeal project at 324 Cortland Avenue. File 060976(8)

From Office of the City Attorney, regarding the upcoming issuance of the SF Public Utilities Commission Water Revenue Bonds (2006 Refunding Series C). File 060683, Copy: Each Supervisor(9)

From Office of the Mayor, submitting the reappointment of Susan Bierman and appointment of Rodney Fong as members of the Port Commission.(10)

From Joel Karr & Thomas Tashjian, submitting request for a one-week continuance of appeal for proposed project at 70 Douglass Street. File 060984, Copy: Each Supervisor(11)

From Susan Detwiler, submitting request for a one-week continuance of appeal for proposed project at 70 Douglass Street. File 060984, Copy: Each Supervisor(12)

From John & Sarah Gough, submitting support for the Whole Foods grocer/housing proposal at the corner of Haight and Stanyan Streets, with one caveat that the number of condo's in the mixed development should be limited to 30. Copy: Each Supervisor(13)

From Ceri Smith, submitting request for a Type 20 and 42 liquor license for Ceri Smith dba Biondivino at 1415 Green Street.(14)

From Office of the Controller, submitting report concerning the audit of the Allen Group,

LLC and its compliance with the city ordinance prohibiting the use of city funds for political activity.(15)

From Christian Holmer, submitting the "Peoples Sunshine Audit #2 - SF Public Library Departmental Public Records Correspondence" requested for June 2006. (16)

From Sheriff's Department, submitting list of sole source contracts entered into during fiscal year 2005-06.(17)

From SF Public Library Commission, submitting resolution urging the Board of Supervisors to approve an ordinance waiving the competitive requirements of San Francisco Administrative Code Chapter 21.1, and authorizing the Purchaser to negotiate and issue a purchase order for interior furniture/workstations and moveable partitions for the Main Library renovation from "One Workplace", a steelcase distributor, as a sole source as adopted by the Public Library Commission at its July 20, 2006 regular meeting. Copy: Each Supervisor(18)

From Office of the Controller, submitting the City Services Auditor Annual Report for Parks and Streets Maintenance in San Francisco. Copy: Each Supervisor(19)

From Gerri Hayes, thanking the Board of Supervisors for passing the San Francisco Health Care Plan. File 051919(20)

From State Senator Jackie Speier, thanking the Board of Supervisors for it's support of AB 32, the Global Warming Solutions Act of 2006.File 060713, Copy: Each Supervisor(21)

From State Department of Toxic Substances Control, regarding new programs and policies on how state and county governments can work together to ensure the environment and public health are protected. Copy: Each Supervisor(22)

From Office of the District Attorney, submitting report on the current year expenditures, total expenditures and current status of implementation of the JUSTIS system. (Reference No. 20060627-022) Copy: Supervisor Ma(23)

From Allen White, regarding staff cuts at Ward 86, the AIDS Ward at San Francisco General Hospital.(24)

From Redevelopment Agency, submitting report on certain sales subject to California Health and Safety Code, Section 33433. (25)

From California News Services, commenting on proposed resolution "urging the City and County of San Francisco to protect our culture from the cultural attacks being waged upon it by non-citizen and non-English speaking residents". File 060954, Copy: Supervisors Sandoval, McGoldrick, Dufty, Ma(26)

From Les Dranic, commenting on the lake near the Conservatory of Flowers in Golden Gate Park.(27)

From Francisco Da Costa, submitting letter entitled "Executive Park and the too many unknowns". Copy: Supervisor Maxwell(28)

From concerned citizens, submitting comments against the recently passed resolution urging Cardinal Levada to withdraw his directive to Catholic Charities forbidding the placement of children in need of adoption with same-sex couples. File 060356, 3 letters(29)

From Department of Public Health, submitting list of sole source contracts entered into during fiscal year 2005-06.(30)

From Office of the City Administrator, Real Estate Division, submitting report on the real property owned by the City and County of San Francisco as of fiscal year ending June 30, 2006.(31)

From Rod Marchetta, submitting opposition to bringing the Olympics to San Francisco.(32)

From David Mathews, regarding the inconvenience the San Francisco Marathon is for residents and suggesting they not use the same route every year. Copy: Supervisor Daly(33)

From Comcast Cable, submitting notice that effective July 26, 2006 channel KFTY-DT will be added to the limited basic level of service on channel 199.(34)

From Ahimsa Sumchai, submitting letter entitled "Huntersview Mothers Committee Needs Us" and letter regarding air-monitoring data for Bayview Hunters Point.(35)

From Mesha Monge-Irizarry, submitting letter regarding high-speed chases.(36)

From Lee Goodin, submitting support for appeal disapproving the certification by the Planning Commission of the Final Environmental Impact Report for the Wharf J-10 Project.File 060966, Copy: Each Supervisor(37)

From US Army Corps of Engineers, submitting notice of proposed project to construct the Islais Creek Motor Coach Maintenance and Operations Facility on an 8.4-acre site on the north shore of Islais Creek at 1301 Cesar Chavez Avenue.(38)

From Tara Vandeventer, submitting the Blue Greenway Task Force report regarding their vision and roadmap to implementation for the area of China Basin to Candlestick Point.(39)

From Planning Commission, submitting an executive summary of proposed legislation regarding the Lower Haight Street Alcohol Restricted Use District. File 060537, Copy: Land Use and Economic Development Committee members'(40)

From Planning Commission, submitting an executive summary of proposed legislation that allows "other entertainment" use under certain conditions in the Chinatown Visitor Retail Zoning District. File 060533, Copy: Land Use and Economic Development Committee members'(41)

From Kimo Crossman, submitting an Order of Determination from the Sunshine Ordinance Task Force, regarding "Crossman vs. Mayor Newsom" to allow public comment during the June 5, 2006 meeting of the Disaster Council, and an Order of Determination from the Sunshine Ordinance Task Force regarding "Crossman vs. Department of Telecommunications and Information Services" for alleged failure to provide records, and failure to respond in a timely manner.(42)

From Office of the City Administrator, submitting list of sole source contracts entered into during fiscal year 2005-06.(43)

From Selby, suggesting the number of cannabis clubs we have in San Francisco should be reduced to four or five and should be located in legitimate hospitals.Copy: Each Supervisor(44)

From Mayor's Office on Disability, submitting copy of letter sent to Richard Skaff acknowledging his complaint of several access code violations observed at the Hetch-Hetchy reservoir and recreation area.(45)

From Planning Department, submitting response to the appeal of the Final Environmental Impact Report for Wharf J-10, 2936 Hyde Street.File 060966, Copy: Each Supervisor(46)

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.

THE AGENDA PACKET IS AVAILABLE AT CITY HALL, ROOM 244, RECEPTION DESK. Agendas are available on the internet at www.sfgov.org/site/bdsupvrs_index.asp?id=4383

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 assist the City's efforts 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 perfumes and various other chemical-based scented products. Please help the City to accommodate these individuals.

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 Frank Darby 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 soft@sfgov.org

Citizens may obtain a free copy of the Sunshine Ordinance by contacting Mr. Darby 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

[Return to Full Board Agendas](#)