

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, July 29, 2003
2:00 PM**

Regular Meeting

**MATT GONZALEZ, PRESIDENT
TOM AMMIANO, CHRIS DALY, BEVAN DUFTY, TONY HALL,
FIONA MA, SOPHIE MAXWELL, JAKE McGOLDRICK,
GAVIN NEWSOM, AARON PESKIN, GERARDO SANDOVAL**

Gloria L. Young, Clerk of the Board

ROLL CALL AND PLEDGE OF ALLEGIANCE

APPROVAL OF MEETING MINUTES

Motion to approve the June 17, 2003 Board Minutes.

AGENDA CHANGES

COMMUNICATIONS

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

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

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 7

Recommendations of the City Services Committees

Present: Supervisors Dufty, Ma, Newsom

- 1. 031053 [Accept-Expend State Grant] Mayor**

Resolution authorizing the Mayor's Office of Emergency Services to accept and expend a grant in the amount of \$26,185 from the California Governor's Office on Service and Volunteerism for Citizens Corps activities and the Neighborhood Emergency Response Team Program.

(No fiscal impact; No Public Benefit Recipient.)

Question: Shall this Resolution be ADOPTED?
- 2. 031123 [Explore the effects of antiretroviral therapy (HAART) on cancer incidence in persons with AIDS] Supervisor Dufty**

Resolution authorizing the San Francisco Department of Public Health, AIDS Office (SFDPH, AIDS) to accept and expend retroactively a grant in the amount of \$85,335 from the National Institute of Allergy and Infectious Diseases (NIAID), to explore the effect of highly active antiretroviral therapy (HAART) on cancer incidence in persons with AIDS and to enter into an agreement for the use of these funds; for the period of May 1, 2003, to October 31, 2004. (Public Health Department)

(No Public Benefit Recipient.)

Question: Shall this Resolution be ADOPTED?
- 3. 031125 [Services for indigent patients at the S.F. General Hospital Trauma Center] Supervisor Dufty**

Resolution authorizing the San Francisco Department of Public Health, San Francisco County EMS Agency (SFDPH) to accept retroactively and expend a one year grant in the amount of \$587,034 from the California Emergency Medical Services Authority (CEMSA) to support the Trauma Center at San Francisco General Hospital and to enter into an agreement for the use of these funds; for the period of July 1, 2002 to June 30, 2003. (Public Health Department)

(No Public Benefit Recipient.)

Question: Shall this Resolution be ADOPTED?

4. 031168 [Develop placement alternatives for African-American individuals residing in Institutions for Mental Disease] Supervisor Dufty

Resolution authorizing the San Francisco Department of Public Health, Behavioral Health Services (SFDPH, BHS) to accept and expend retroactively a grant in the amount of \$399,444 from the California Department of Mental Health (CDMH) to develop model strategies and protocols for African-Americans institutionalized for mental disease; for the period of June 16, 2003, to June 30, 2004. (Public Health Department)

(No Public Benefit Recipient.)

Question: Shall this Resolution be ADOPTED?

Recommendations of the Rules Committee

Present: Supervisors Hall, Dufty, Gonzalez

5. 030955 [Settlement of Lawsuit - Armenta, et al., v. James Jones Co., et al.]

Ordinance authorizing settlement of the lawsuit filed by the City and County of San Francisco against the James Jones Company, Mueller Co., Tyco International and Watts industries, for a payment to the City in the amount of \$2,890,908; the lawsuit was filed on June 26, 1997 in Los Angeles County Superior Court, Case No. BC 173-487; entitled Los Angeles Department of Water and Power ex rel Armenta, et al., v. James Jones Co., et al. (City Attorney)

(No Public Benefit Recipient.)

7/22/2003, PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

6. 031080 [Settlement of Lawsuit - S.F. Baykeeper, et al. v. CCSF. et al.]

Ordinance authorizing settlement of attorney's fees and costs in the lawsuit filed by Waterkeepers Northern California dba San Francisco Baykeeper, Arc Ecology, and the San Francisco League of Conservation Voters against the City and County of San Francisco, and John L. Martin, Paul Maltzer and Kandace Bender in their official capacities, for \$145,000.00 in attorney's fees and \$4,298.13 in costs; the lawsuit was filed on August 8, 2002 in San Francisco Superior Court, Case No. 501511; entitled Waterkeepers Northern California, et al., v. City and County of San Francisco, et al. (City Attorney)

(Public Benefit Recipient.)

7/22/2003, PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

7. 031081 [Settlement of Lawsuit - Mesha Irizarry]

Ordinance authorizing settlement of the lawsuit filed by Mesha Irizarry against the City and County of San Francisco for \$500,000; the lawsuit was filed on January 30, 2002 in the United States District Court, Case No. C02-0534 SBA; entitled Mesha Irizarry, et al., v. City and County of San Francisco, et al. (City Attorney)

(Public Benefit Recipient.)

7/22/2003, PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

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

REGULAR AGENDA

UNFINISHED BUSINESS

From the Clerk

8. 031250 [Adopting findings related to the conditional use appeal on property located at 270-284 Valencia Street/17 Brosnan Street]

Motion adopting findings related to the appeal of the Planning Commission's approval of Conditional Use Application No. 2002.0333C (which authorized the construction of 28 dwelling units in a C-M District, allowed the construction of a housing project with fewer than 25-percent below market units, and allowed the demolition of a building in the Northeast Mission Industrial Zone that has contained production, distribution and repair businesses since August 5, 1999) on property located at 270-284 Valencia Street/17 Brosnan Street, west side of Valencia Street between 14th and Brosnan Streets (Lot 9 in Assessor's Block 3533). (Clerk of the Board)

7/17/2003, REFERRED to Board of Supervisors.

Question: Shall this Motion be ADOPTED?

Recommendation of the Budget Committee

Present: Supervisors Daly, Peskin, Maxwell, Ma, Gonzalez

9. 030991 [Establishing Parking Meter and Permit Parking Areas --Recreation and Park Property]

Mayor

Ordinance amending the Traffic Code by adding Sec. 201.5 to establish Parking Meter Area Number Five; amending Sec. 201 to authorize the General Manager of the Recreation and Park Department to establish parking meter zones within Parking Meter Area Five subject to approval of the Recreation and Park Commission; amending Sec. 203.6 to set Parking Meter Rates in Parking Meter Area Number Five and to authorize the Recreation and Park Commission to reduce the meter rate not more than 50% lower than that set by the Board of Supervisors; amending Sec. 213 to provide that monies collected from meters located on park land be credited to an account for use by the Recreation and Park Department; adding Park Code Article 14 to establish permit parking on Park Property; and amending Park Code Sec. 6.10 to provide for penalties for violating Article 14. (Mayor)

7/8/2003, CONTINUED. Continued to July 15, 2003

7/15/2003, AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.

7/15/2003, PASSED ON FIRST READING AS AMENDED.

7/22/2003, CONTINUED. Continued to July 29, 2003

Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the Finance and Audits Committee

Present: Supervisors Peskin, Sandoval, McGoldrick

10. 031102 **[Memorandum of Understanding re PERS Contract Amendment]** **Mayor, Supervisors Dufty, Ma, Sandoval, McGoldrick, Daly, Newsom**

Ordinance adopting and implementing the Memorandum of Understanding between the City and County of San Francisco and the Deputy Sheriffs' Association regarding the amendment of the contract with the Public Employees' Retirement System to provide the County's Sheriffs with the retirement benefits known as 3% @ 55.

(Fiscal impact.)

7/22/2003, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

11. 031115 **[PERS Contract Amendment]** **Mayor, Supervisors Dufty, Ma, Sandoval, McGoldrick, Daly, Newsom**

Ordinance authorizing an Amendment to Contract Between the Board of Administration, California Public Employees' Retirement System, and the Board of Supervisors, City and County of San Francisco.

7/22/2003, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the Land Use Committee

Present: Supervisors McGoldrick, Ammiano

12. 030351 **[Planning Code Section 312 - Retail coffee store or pharmaceutical and personal toiletries use]** **Supervisors Gonzalez, Daly, Hall**

Ordinance amending Planning Code Section 312 to require that a change in use to a retail coffee store, as defined in Planning Code Section 790.102(n), or to a pharmaceutical and personal toiletries use, as defined in Planning Code Section 790.102(c), or the addition of a prescription drug service where none previously existed within 3 years of an application for an addition, be subject to the notification and review procedures of Section 312, and making findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan.

(Certificate of Determination of Exemption/Exclusion from Environmental Review dated 5/23/03; Planning Commission Resolution No. 16594, adopted June 5, 2003, recommending approval.)

7/22/2003, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

- 13.** **030998** **[Sunsetting of higher cap on taxicab gate fees if City fails to enact long-term lease fee cap]** **Supervisor Hall**
- Ordinance amending Section 1135.1 of the Police Code to provide for extending from August 1, 2003 to November 1, 2003 the time for sunsetting the higher cap on taxicab gate fees if the City fails to enact an ordinance prescribing a specific long-term lease fee cap covering all long-term lease drivers.
- 7/22/2003, PASSED ON FIRST READING.
- Question: Shall this Ordinance be FINALLY PASSED?**

Recommendation of the Rules Committee

Present: Supervisors Hall, Dufty, Gonzalez

- 14.** **031153** **[Establishing a Construction Risk Management Committee]** **Supervisor Dufty**
- Ordinance establishing a Construction Risk Management Committee to authorize and monitor the performance of City's OCIPs.
- [No fiscal impact.]
- 7/22/2003, PASSED ON FIRST READING.
- Question: Shall this Ordinance be FINALLY PASSED?**

NEW BUSINESS

Recommendations of the Budget Committee

Present: Supervisors Daly, Maxwell, Ma

- 15.** **030637** **[Extending Redevelopment Agency's Times for Incurring and Repaying Debt]**
- Ordinance approving, for the redevelopment plans listed below, the elimination of the existing time limits in each plan for establishment of loans, advances and indebtedness: (1) the Western Addition Area A-2 Redevelopment Plan, (2) the Yerba Buena Center Redevelopment Plan, (3) the Rincon Point - South Beach Redevelopment Plan, and (4) the Embarcadero-Lower Market (Golden Gateway) Redevelopment Plan. (Mayor)
- 5/2/03: Exempt from CEQA Non-physical exemption CEQA Guidelines Section 15060(c)(8) and Section 15378; Fiscal impact.
- Question: Shall this Ordinance be PASSED ON FIRST READING?**
- 16.** **030496** **[Relocation of Laundry Services to Oyster Point]** **Supervisors Peskin, Daly, Dufty**
- Resolution urging the Department of Administrative Services and other City departments to expeditiously implement the relocation of laundry services for San Francisco General Hospital and Laguna Honda Hospital to the laundry facility at Oyster Point.
- 4/1/2003, REFERRED to Budget Committee.

administer the tax and oversee implementation of the projects; (4) authorize the San Francisco County Transportation Authority to issue limited tax bonds as needed, in a total outstanding aggregate amount not to exceed \$1,880,000,000 and which is payable from the revenue generated hereunder; (5) approve the California Constitution Article XIII B Appropriations Limit of \$485,175,000; (6) forbid the enjoining of collection of the tax; and (7) make recipient departments responsible for certifying that the tax revenues will not be substituted for property tax funds for existing programs.

Question: Shall this Resolution be ADOPTED?

Present: Supervisors Peskin, McGoldrick

21. 031169 [Reimbursable Professional Services Agreement with Siemens Dematic Group]

Resolution approving the Reimbursable Professional Services Agreement with Siemens Dematic Group for the project management and construction management services in the estimated amount of \$1,990,000. (Airport Commission)

(Fiscal impact; Public Benefit Recipient.)

Question: Shall this Resolution be ADOPTED?

Present: Supervisors Peskin, Sandoval, McGoldrick

22. 031201 [California Environmental Quality Act Findings] Supervisor Daly

Motion adopting findings pursuant to the California Environmental Quality Act in connection with approval of a New Transportation Expenditure Plan and Sales Tax Reauthorization.

Question: Shall this Motion be ADOPTED?

Recommendations of the Land Use Committee

Present: Supervisors McGoldrick, Maxwell

23. 030304 [Municipal Transportation Agency leveraged lease-leaseback financing] Mayor

Resolution authorizing the San Francisco Municipal Transportation Agency to proceed with Tranche 2 of the Breda light rail vehicle leveraged lease-leaseback transaction. (Mayor)

(No Public Benefit Recipient.)

Question: Shall this Resolution be ADOPTED?

24. 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.

25. 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.

26. 031284 [Legislative Analyst Request]

**Supervisors Ma, Dufty,
Ammiano, Maxwell, Sandoval,
Newsom, Daly**

Motion directing the Office of the Legislative Analyst to conduct research on model municipal practices with respect to establishing appropriate and/or shared sites for cellular antennas.

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 27 through 43

27. 031287 [Donate "Harold the Truck"]

Supervisor Daly

Resolution authorizing the San Francisco Arts Commission to donate "Harold the Truck" to the South of Market Cultural Center.

7/22/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

28. 031288 [Rescinding Board of Supervisors Resolution No. _____, File No. 031220]

**Supervisors Gonzalez,
Ammiano, Hall, McGoldrick,
Peskin, Dufty**

Resolution rescinding the resolution regarding the Vietnamese Heritage and Freedom Flag, Board of Supervisors File No. 031220.

7/22/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

- 29. 031289 [Urging DHR to continue to collect evidence regarding discrimination against minority and women owned businesses in private contracting markets] Supervisor Gonzalez**

Resolution urging the Human Rights Commission to continue to collect evidence regarding discrimination against minority and women owned businesses in private contracting markets in the Bay Area.

7/22/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

- 30. 031290 [Declaring Seat #5 on the Commission on Aging Advisory Council to be vacant] Supervisor Ma**

Resolution declaring that Seat #5 on the Commission on Aging Advisory Council (incumbent Edmund Jew) is vacant.

7/22/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

- 31. 031291 [Public hearing approval] Supervisor Newsom**

Resolution authorizing the issuance and sale of revenue bonds by ABAG Finance Authority for Nonprofit Corporations in an aggregate principal amount not to exceed \$16,000,000 for Tides Inc., or an affiliate.

7/22/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

- 32. 031292 [Authorizing preparation of a written Proponent ballot argument and rebuttal argument on approving a New Transportation Expenditure Plan] Supervisor Sandoval**

Motion authorizing Supervisor Gerardo C. Sandoval to submit and sign a written Proponent argument and rebuttal argument for the resolution approving a New Transportation Expenditure Plan File No. 031111 for publication in the voter information pamphlet for the November 4, 2003 election.

7/22/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be ADOPTED?

- 33. 031293 [Urging that Lend Lease and/or Bovis enter into an agreement with the Northern California Carpenters Regional Council for the construction of the new Cruise Terminal Project] Supervisor Sandoval**

Resolution urging that Lend Lease and/or its sister company Bovis enter into an agreement with the Northern California Carpenters Regional Council so that the construction of the new

Cruise Terminal Project, located on Pier 30-32, and its associated projects might proceed in accordance with the remarkable history and tradition which the members of the United Brotherhood of Carpenters and Joiners of America and Local 22 continue to exemplify in their service to the City of San Francisco.

7/22/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

- 34. 031294 [Authorizing preparation of a written Proponent ballot argument and rebuttal ballot argument for Charter Amendments and other Measures for submittal to the voters at the November 4, 2003] Supervisor Gonzalez**

Motion authorizing preparation of a written Proponent ballot argument and rebuttal ballot argument for Charter Amendments and other Measures approved by the Board of Supervisors for submittal to the voters at the November 4, 2003.

7/22/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be ADOPTED?

- 35. 031301 [Commending the Ocean Beach Neighbors and Merchants] Supervisor Ma**

Resolution recognizing and commending the neighbors and merchants of Ocean Beach around Judah and La Playa for their continuing service to the community and commitment to improve the safety, cleanliness and enjoyment of the streets bordering the Ocean Beach Promenade and Great Highway.

7/22/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

- 36. 031302 [Commending the Ocean Beach Task Force] Supervisor Ma**

Resolution commending the Ocean Beach Task Force for their commitment and service to the preservation of Ocean Beach as a natural, cultural and recreational resource.

7/22/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

- 37. 031303 [San Francisco City Guides Day] Supervisor Peskin**

Resolution declaring October 23, 2003 "San Francisco City Guides Day" in San Francisco.

7/22/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

- 38. 031304 [Working Group to Identify Funding to Minimize Teacher Layoffs] Supervisor Ammiano**

Resolution urging the Mayor's Budget Office, City departments and the San Francisco Unified School District to form a working group to identify funding necessary to minimize

teacher layoffs in the SFUSD FY 2003-04 budget and urging the working group to report its recommendations to the Mayor and the Board of Supervisors not later than August 5, 2003.

Question: Shall this Resolution be ADOPTED?

39. 031305 [Extending the regular meetings of the Homeless Senior Task Force] Supervisor Daly

Resolution amending Resolution No. 682-02 to extend the regular meetings of the Homeless Senior Task Force for an additional four months.

7/22/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

40. 031260 [Final Map for a 10 Unit Live/Work Condominium Project]

Motion approving Final Map of 2211 - 26th Street, A Live/Work Condominium Project, being a subdivision of Lot 10 in Assessor's Block No. 4327A, and adopting findings pursuant to Planning Code Section 101.1. (Public Works Department)

(No Public Benefit Recipient; DPW Order No. 174,224; District 10.)

7/21/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be ADOPTED?

41. 031261 [Final Map for a 25 Unit Mixed Use Condominium Project]

Motion approving Final Map of 601 Valencia Street and 3375 17th Street, A Mixed Use Condominium Project, being a subdivision of Lot 127 in Assessor's Block No. 3576, and adopting findings pursuant to Planning Code Section 101.1. (Public Works Department)

(No Public Benefit Recipient; DPW Order No. 174,269; District 9.)

7/21/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be ADOPTED?

42. 031262 [Final Map for a 6 Unit Commercial Condominium Project]

Motion approving Final Map of The Glassworks Mission Bay Block N2 Parcel 1 Phase 1, a Commercial Condominium Project, being a subdivision of Lot 4 Assessor's Block No. 8706, and adopting findings pursuant to Planning Code Section 101.1. (Public Works Department)

(No Public Benefit Recipient; DPW Order No. 174,270; District 6.)

7/21/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be ADOPTED?

43. 031263 [Final Map for a 36 Unit Residential Condominium

Project]

Motion approving Final Map of The Glassworks Mission Bay Block N2 Parcel 1 Phase 2, a Residential Condominium Project, being a subdivision of Lot 4 Assessor's Block No. 8706, and adopting findings pursuant to Planning Code Section 101.1. (Public Works Department)

(No Public Benefit Recipient; DPW Order No. 174,271; District 6.)

7/21/2003, 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: _____*

44. IMPERATIVE AGENDA

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

[Serious Injury Finding]

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

[Purely Commendatory Finding]

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

[Brown Act Finding]

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

[Imperative Resolutions, if any]

OFF-AGENDA LEGISLATION

PROPOSED ORDINANCES

Proposed ordinances received from July 15, 2003 through July 21, 2003, for reference by President to appropriate committee on July 29, 2003.

031254 [Settlement of Lawsuit - Evelyn Mata]

Ordinance authorizing settlement of the lawsuit filed by Evelyn Mata against the City and

County of San Francisco, San Francisco Police Department and Nancy Brewer for \$50,000; the lawsuit was filed on August 9, 2002 in San Francisco Superior Court, Case No. C-01-411318 entitled Evelyn Mata v. City and County of San Francisco, San Francisco Police Department, Nancy Brewer, et al. (City Attorney)

(Public Benefit Recipient.)

7/21/2003, RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED RESOLUTIONS

Proposed resolutions received from July 15, 2003 through July 21, 2003, for reference by President to appropriate committee on July 29, 2003.

031255 [Extension of Agreement For Additional Eighteen-Month Tolling of Statute of Limitations Governing Administrative Proceeding or Suit]

Resolution approving the City Attorney's entry into a Second Extension of Tolling Agreement governing administrative proceeding or suit by the United States Environmental Protection Agency and the Casmalia Resources Site Steering Committee, effective June 6, 2003.

(No Public Benefit Recipient.)

7/21/2003, RECEIVED AND ASSIGNED to Finance and Audits Committee.

031256 [State Grant - Safe Routes to School Funds]

Resolution authorizing the Director of Transportation or his designee to apply for retroactively, accept, and expend \$444,060.00 in California State "Safe Routes to Schools" funds, with required local match of \$48,940.00 (Parking and Traffic Department)

(No Public Benefit Recipient.)

7/21/2003, RECEIVED AND ASSIGNED to City Services Committee.

031257 [State Grant - Safe Routes to School Funds]

Resolution authorizing the Director of Transportation or his designee to apply for retroactively, accept, and expend \$428,400.00 in California State "Safe Routes to Schools" funds, with required local match of \$47,600.00. (Parking and Traffic Department)

(No Public Benefit Recipient.)

7/21/2003, RECEIVED AND ASSIGNED to City Services Committee.

031258 [Gift Acceptance, Laguna Honda Hospital - Passenger Van]

Resolution authorizing the Department of Public Health, Laguna Honda Hospital to accept and use a gift donated to Laguna Honda Hospital in the amount of \$37,857 from the Laguna Honda Hospital Volunteer Services, Inc. for the exclusive benefit of Laguna Honda residents. (Public Health Department)

(No Public Benefit Recipient.)

031259 [Gift Acceptance, Laguna Honda Hospital - Electric Vehicles]

Resolution authorizing the Department of Public Health, Laguna Honda Hospital to accept and use a gift of equipment-two electric vehicles in the amount of \$14,310 from the McKesson Corporation for the general benefit of all residents at Laguna Honda Hospital. (Public Health Department)

(No Public Benefit Recipient.)

7/21/2003, RECEIVED AND ASSIGNED to City Services Committee.

031308 [Petitions and Communications]

Petitions and Communications received from July 15, 2003 through July 21, 2003, for reference by the President to Committee considering related matters or to be ordered filed by the Clerk on July 29, 2003.

From Peter Glikshtern, submitting request for transfer of a liquor license from 536 Golden Gate Avenue to 550 15th Street for Five50, Inc.(1)

From Planning Department, submitting notice that an application for variance under the Planning Code has been filed for the California Academy of Sciences.Copy: Each Supervisor(2)

From Deputy Clerk, Office of the Board of Supervisors, submitting notice that an appeal of Negative Declaration for 2026 Lombard Street was filed with Clerk of the Board's Office on July 14, 2003 and forwarded to the City Attorney's Office to determine that the appeal has been filed in a timely manner.(3)

From Office of the Mayor, submitting technical adjustments to the 2003-04 budget currently pending before the Board of Supervisors. Copy: Each Supervisor(4)

From Reuben & Alter LLP, submitting response to appeal of Conditional Use Authorization for property located at 40-50 Lansing Street.File 031037(5)

From the Department of the Environment, submitting list of all sole source contracts entered into for fiscal year 2001-02.(6)

From State Office of Homeland Security, submitting copy of letter sent to the Mayor's Office of Emergency Services regarding approval of grant for \$413,323.00.(7)

From concerned citizens, submitting opposition to proposed legislation to install parking meters in Golden Gate Park. File 030991, Copy: Each Supervisor(8)

From Melissa Szeto Matsuda, submitting resignation from the San Francisco Museum and Historical Society Advisory Committee, effective immediately. Copy: Each Supervisor(9)

From Department of Public Health, regarding what steps the sponsors of the annual Bay to Breakers footrace can take to better respond to cardiac emergencies by participants, including the use of defibrillators. (Reference No. 20030520-002) Copy: Supervisor Dufty(10)

From the Department of Aging and Adult Services, regarding the application and the

selection process for awards from the Office on the Aging's fiscal year 2003-04 request for proposals (RFP). (Reference No. 20030610-002) Copy: Supervisor Sandoval(11)

From Sidney Kass, submitting support for proposal to install parking meters in Golden Gate Park. File 030991(12)

From Connie Kullberg, submitting support for residential permit parking on Shrader Street, both sides, between Haight and Page Streets.(13)

From Beer & Wine Services, Inc., submitting requests for a Wholesale and Off-Sale Beer and Wine business at 70 Zoe Street, Suite 220 for Enovations Creative Wine Concepts, LLC.(14)

From Office of the Building General Manager, submitting list of all sole source contracts that Building Services has entered into during the past fiscal year.(15)

From Office of the Controller, submitting report concerning the financial audit of the Statement of Cash and Investments of the Office of the Treasure and Tax Collector for the quarter ended March 31, 2003.(16)

From Cingular Wireless, submitting notification letter for a CPUC cell site for Lincoln Park Presbyterian Church at 417 31st Avenue.(17)

From Office of the Controller, submitting report concerning the audit of Stacy and Witbeck/Esquivel, a joint venture, and its contract with the Department of Public Works.(18)

From Office of the Controller, submitting report concerning the concession audit of Signature Flight Support and its operating agreement with the Airport Commission.(19)

From Pornchai Hutachinda, submitting request to exchange an existing Type 47 liquor license for a Type 48 liquor license for the Café located at 2369-2371 Market Street, 2nd floor.(20)

From Dina Redman, submitting opposition to decision of the Planning Commission, approving Conditional Use on property located at 270-284 Valencia/17 Brosnan Street. File 031134(21)

From concerned citizens, submitting opposition to proposal to proclaim July 18th as "Janeane Garofolo " day in San Francisco.(22)

From Bob Green, submitting support for the "Care Not Cash" program. File 030848, Copy: Each Supervisor(23)

From Kathy Oda, urging the Board to install speed bumps or a traffic sign on France Street in the Excelsior District. Copy: Supervisor Sandoval (24)

From concerned citizens, urging the Board to urge the Elections Commission to carry out the wish of the voters and enact "Instant Runoff Voting/Ranked Choice Voting" at the next election in San Francisco.(25)

From Tayler Bayer, submitting opposition to proposed ordinance regulating fortunetellers. File 021948(26)

From State Department of Water Resources, submitting copy of the "California Floodplain Management Report".(27)

From Marina Neighborhood Association, submitting support for appeal of Planning Commission's decision for Conditional Use at 375 Buchanan Street.(28)

From Peter Man, submitting request for a Type 48-liquor license to the Shawman Group, LLC, d.b.a. Fluid, to operate a bar and lounge located at 662 Mission Street.(29)

From Clifford Waldeck, submitting support for proposal to establish a Special Use District for the Jackson Square area. File 030040(30)

From Shirley Selby, submitting opposition to proposed legislation regarding in-law apartments. File 031160(31)

From Marilyn Bair, submitting opposition to installation of six paneled antennas and related back-up equipment on the PG&E Transformer Station on 19th Street.File 030553(32)

From Cynthia Nagendra, submitting opposition to "Care Not Cash". File 030848, Copy: Each Supervisor(33)

From Richard Jacquot, commenting on proposal to install parking meters in Golden Gate Park. File 030991(34)

From concerned citizens, urging the Board to pass a resolution supporting San Francisco Liberation Radio (93.7 FM Radio).(35)

From James Chaffee, submitting letter entitled "Library Shuns Citizens Advisory Committee Concept".(36)

From Sandra Cohen, concerning the suspension of her surviving spouses Health Net Insurance coverage.(37)

From Roy Albert, submitting opposition to proposed Conditional Use on property located at 270-284 Valebcua/17 Brosnan Street. File 031134, Copy: Each Supervisor(38)

From Greenbelt Alliance, submitting support for Conditional Use on property located at 40-50 Lansing Street.(39)

From concerned citizens, submitting opposition for Conditional Use of property located at 40-50 Lansing Street. File 031037(40)

From State Fish and Game Commission, submitting proposed regulatory action relative to sections 163 and 164, title 14, California Code of Regulations, relating to the Herring Fishery, which will appear in the California Regulatory Notice Register on July 11, 2003.(41)

From the Advisory Council on Aging, submitting Resolution No. 2003-01 urging the Transportation Authority to revise the proposed expenditure plan to provide \$65 million of additional priority level one funding.(42)

From Shawn Ferreyra, submitting support for proposed legislation regarding the "Human Services Care Fund". File 031238, Copy: Each Supervisor(43)

From Edward Goehring, regarding proposal by the Department of Parking and Traffic to install two handicapped parking spots at the corner of Gough and Oak Streets.(44)

From Mirna Escobar, submitting her opinion on various subjects.(45)

From John Jenkel, submitting her opinion on various subjects.(46)

From Stu Smith, urging the Board to restore proposed cuts from the current level of paratransit funding. Copy: Each Supervisor(47)

From Samantha George, regarding her experience with a homeless woman in Union Square. Copy: Each Supervisor(48)

From Michael Richeson, regarding the unprofessional service he received at SF General Hospital. Copy: Each Supervisor, Department of Public Health(49)

From Rich Koury, commenting on the Board of Supervisors pay raise. Copy: Each Supervisor(50)

From concerned citizens, submitting support for resolution that recognizes the flag of the Republic of Vietnam as a symbol of freedom. Copy: Each Supervisor(51)

From SF County Transportation Authority, submitting copy of the Expenditure Plan and Sales Tax Reauthorization Environmental Impact Report.(52)

ADJOURNMENT

Meeting Procedures

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

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

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

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

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

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

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

Requests for language translation at a meeting must be received no later than noon the Friday before the meeting. Contact Ohn Myint at (415) 554-7704.

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



Disability access

The Legislative Chamber of the Board of Supervisors is in Room 250 of City Hall, 1 Dr. Carlton B. Goodlett Place.

The Chamber is wheelchair accessible.

The closest accessible BART Station is Civic Center, three blocks from City Hall. Accessible MUNI lines serving this location are: #47 Van Ness, and the #71 Haight/Noriega and the F Line to Market and Van Ness and the Metro stations at Van Ness and Market and at Civic Center. For more information about MUNI accessible services, call 923-6142.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex.

All meetings are real-time captioned and are cablecast open-captioned on SF Cable 26.

The following services are available when requests are made by 4:00 p.m. of the Friday before the Board meeting.

This advance notice will help ensure availability.

ú For American Sign Language interpreters or use of a reader during a meeting, contact Ohn Myint at (415) 554-7704.

ú For a large print copy of agenda or minutes in alternative formats, contact Annette Lonich at (415) 554-7706.

Assistive listening devices are available from the receptionist in the Clerk of the Board's Office, Room 244, prior to the meeting.

The Clerk of the Board's Office TTY number is (415) 554-5227.

In order to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products.

Know Your Rights Under the Sunshine Ordinance

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

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

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

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site www.sfgov.org/ethics

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