

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 19, 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 July 8, 2003 and July 15, 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*
- 5) Public correspondence*

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

County of San Francisco for \$105,000; the lawsuit was filed on December 29, 1997, in the United States District Court, Northern District of California, Case No. C 97-4703; entitled John Darmanin, et al., v. City and County of San Francisco, et al. (City Attorney)

(Public Benefit Recipient.)

8/12/2003, PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

8. 031177 [Settlement of Lawsuit - John Eiler]

Ordinance authorizing settlement of the lawsuit filed by John Eiler against the City and County of San Francisco for \$300,000; the lawsuit was filed on March 15, 2002 in San Francisco Superior Court, Case No. 02-405687; entitled John Eiler, et al., v. James Strain, City and County of San Francisco, et al. (City Attorney)

(Public Benefit Recipient.)

8/12/2003, PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

9. 031179 [Settlement of Lawsuits - Regents of the University of California and University of California, Hastings College of the Law]

Ordinance approving the settlement of the following lawsuits: (1) Regents of the University of California v. City and County of San Francisco, San Francisco Superior Court Case No. 311005, filed March 24, 2000; (2) Regents of the University of California v. City and County of San Francisco, San Francisco Superior Court Case No. 324662, filed September 18, 2001; (3) University of California, Hastings College of the Law v. City and County of San Francisco, San Francisco Superior Court Case No. 400550, filed October 24, 2001; and (4) Regents of the University of California and University of California, Hastings College of the Law v. City and County of San Francisco, San Francisco Superior Court Case No. 414027, filed October 24, 2002. These settlements result in payment by the City in an undetermined amount not to exceed \$155,000; potential payment by the City of an additional amount to be determined; and an agreement on the maximum future water and sewer rate charges to plaintiffs for the next three fiscal years. (City Attorney)

(Public Benefit Recipient.)

8/12/2003, PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Present: Supervisors Dufty, Gonzalez

10. 031338 [Settlement of Lawsuit - Bellaire Tower Homeowners Association]

Ordinance authorizing settlement of the lawsuit filed by Bellaire Tower Homeowners Association against the City and County of San Francisco for \$83,862.34; the lawsuit was filed on December 31, 2001 in San Francisco Superior Court, Case No. 402-355; entitled Bellaire Tower Homeowners Association, et al. v. City and County of San Francisco, et al. (City Attorney)

(Public Benefit Recipient.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

11. 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.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

12. 031047 [Appointment]

Resolution appointing Richard Ow and Jose Ricardo Bondoc, terms ending June 6, 2005 to the Immigrant Rights Commission.

Richard Ow, succeeding Emi Gusukuma, term expired, seat 6, 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 a two year term ending June 6, 2005.

Jose Ricardo Bondoc, succeeding Joseph Nwadiibia, term expired, seat 10, 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 a two year term ending June 6, 2005.

Question: Shall this Resolution be ADOPTED?

Present: Supervisors Hall, Dufty, Gonzalez

13. 031341 [Appointment]

Resolution appointing Kathy Perry, term ending June 30, 2005, to the Asthma Task Force.

Kathy Perry, succeeding Carolyn Noble, resigned, seat 9, must be a representative of a hospital association or health care provider institution and is a voting member, for the unexpired portion of a two-year term ending June 30, 2005.

Question: Shall this Resolution be ADOPTED?

14. 031343 [Appointment]

Resolution appointing Alec Lambie, Gordon Huseby, Hayes Miles and David Wilbur terms ending September 4, 2006 to the Assessment Appeals Board No. 1.

Alec Lambie, succeeding himself, term expired, seat 2, must meet the eligibility criteria set forth in Section 1624.05 of the California Revenue and Taxation Code as follows: a person shall not be eligible for nomination for membership on an assessment appeals board unless he or she has a minimum of five years' professional experience in this state as one of the following: certified public accountant or public accountant, licensed real estate broker,

attorney, or property appraiser accredited by a nationally recognized professional organization; for a three year term ending September 4, 2006.

Gordon Huseby, succeeding Frank Mahoney, III, term expired, seat 5, must meet the eligibility criteria set forth in Section 1624.05 of the California Revenue and Taxation Code as follows: a person shall not be eligible for nomination for membership on an assessment appeals board unless he or she has a minimum of five years' professional experience in this state as one of the following: certified public accountant or public accountant, licensed real estate broker, attorney, or property appraiser accredited by a nationally recognized professional organization; for a three year term ending September 4, 2006.

Hayes Miles, succeeding himself, term expired, seat 6, must meet the eligibility criteria set forth in Section 1624.05 of the California Revenue and Taxation Code.

ALTERNATE/HEARING OFFICER for a three year term ending September 4, 2006.

David Wilbur, succeeding Donald Kavanagh, term expired, seat 8, must meet the eligibility criteria set forth in Section 1624.05 of the California Revenue and Taxation Code.

ALTERNATE/HEARING OFFICER for a three year term ending September 4, 2006.

Question: Shall this Resolution be ADOPTED?

15. 031346 [Appointment]

Resolution appointing Adrienne Lacau, John McGary, Donna Crowder and Richard Lee, terms expiring September 4, 2006 to the Assessment Appeals Board No. 2.

Adrienne Lacau, succeeding herself, term expired, seat 1, must meet the eligibility criteria set forth in Section 1624.05 of the California Revenue and Taxation Code for a three year term ending September 4, 2006.

John McGary, succeeding himself, term expired, seat 5, must meet the eligibility criteria set forth in Section 1624.05 of the California Revenue and Taxation Code for a three year term ending September 4, 2006.

Donna Crowder, succeeding herself, term expired, seat 6, must meet the eligibility criteria set forth in Section 1624.05 of the California Revenue and Taxation Code;

ALTERNATE/HEARING OFFICER for a three year term ending September 4, 2006.

Richard Lee, succeeding Steven Cox, term expired, seat 7, must meet the eligibility criteria set forth in Section 1624.05 of the California Revenue and Taxation Code;

ALTERNATE/HEARING OFFICER for a three year term ending September 4, 2006.

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

From the Clerk

16. 031376 [Adopting findings related to the conditional use appeal on the PG&E Transformer Station located on the 3400 Block of 19th Street]

Motion adopting findings related to the appeal of the Planning Commission's approval of

Conditional Use Authorization No. 2002.0575C (which approved the installation of six panel antennas and related back-up equipment on the PG&E Transformer Station within an RH-3 (Residential House, Three-Family) District and a 50-X Height and Bulk District) located at the south side of the 3400 Block of 19th Street (Lot 104 in Assessor's Block 3596). (Clerk of the Board)

(Companion measure to Files 030553, 030554, 030555, 030556.)

8/8/2003, REFERRED to Board of Supervisors.

Question: Shall this Motion be ADOPTED?

17. 031377 [Adopting findings related to the conditional use appeal on property located at 3725 Buchanan Street (a.k.a. 3727 Buchanan Street.)]

Motion adopting findings related to the appeal of the Planning Commission's approval of Conditional Use Authorization No. 2002.0657C (which approved the installation of a total of eight panel antennas and related equipment on the roof of an existing commercial building as part of Verizon's wireless telecommunications network within an NC-2 (Small-Scale Neighborhood Commercial) Zoning District, Scenic SSD (Special Sign District) and a 40-X Height and Bulk District) on property located at 3725 Buchanan Street (a.k.a. 3727 Buchanan Street), on the west side between Beach and North Point Streets (Lot 004 in Assessor's Block 0445A). (Clerk of the Board)

(Companion measure to Files 030956, 030957, 030958, 030959.)

8/8/2003, REFERRED to Board of Supervisors.

Question: Shall this Motion be ADOPTED?

NEW BUSINESS

Recommendations of the Finance and Audits Committee

Present: Supervisors Peskin, McGoldrick

18. 031244 [Glen Park Branch Library] Supervisor Dufty

Ordinance approving and authorizing the Director of Property to execute an Agreement of Purchase and Sale of Real Property with Glen Park Marketplace Phoenix, LLC, for the purchase of a condominium unit in a mixed use project to be located at Diamond and Wilder Streets for use as the Glen Park branch of the San Francisco Public Library; adopting findings pursuant to the California Environmental Quality Act; adopting findings that the conveyance is consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1.; and authorizing the Director of Property to execute documents, make certain modifications and take certain actions in furtherance of this Ordinance.

(Fiscal impact.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

19. 031315 [MOU - Fire Fighters Union, Local 798 IAFF, AFL-CIO, Unit 1] Mayor, Supervisor Dufty

Recommendation of the Land Use Committee

Present: Supervisors McGoldrick, Maxwell, Ammiano

24. 031213 [Amending Residential Rent Stabilization and Arbitration Ordinance]

Ordinance amending Administrative Code Chapter 37 (Residential Rent Stabilization and Arbitration Ordinance) by amending Section 37.4 to provide that if one of the two regular landlord members is unavailable to vote, that member's specific alternate shall be seated and vote, but if that member's specific alternate is also unavailable to vote, the other landlord alternate shall (if available) be seated and vote as a substitute alternate; if one of the two regular tenant members is unavailable to vote, that member's specific alternate shall be seated and vote, but if that member's specific alternate is also unavailable to vote, the other tenant alternate shall (if available) be seated and vote as a substitute alternate; this would modify the current Code that provides each of the two regular landlord members with a specific alternate, but no mechanism for the two landlord alternates to substitute for one another; likewise, this would modify the current Code that provides each of the two regular tenant members with a specific alternate, but no mechanism for the two tenant alternates to substitute for one another. (Rent Stabilization and Arbitration Board)

Question: Shall this Ordinance be PASSED ON FIRST READING?

SPECIAL ORDER 3:30 P.M.

SPECIAL ORDER 4:00 P.M.

25. 030942 [Hearing - Vacation Easements within the Mission Bay North Redevelopment Project Area]

Hearing of persons interested in or objecting to proposed Ordinance ordering the vacation of two (2) portions of the pedestrian ingress and egress easement and public utility easement in the N2 mid-block walkway (Assessor's Block 8706, Lot 2), within the Mission Bay North Redevelopment Project Area; authorizing a quitclaim of the City and County of San Francisco's rights and interest in the vacated areas; adopting findings that such actions are consistent with the City's General Plan, the eight priority policies of City's Planning Code Section 101.1 and the Mission Bay North Redevelopment Plan; accepting Department of Public Works Order No. 174,111; and authorizing other official acts in connection with this ordinance. (Clerk of the Board)

(Companion measure to Files 030940, 030941.)

Action: _____

Pursuant to Government Code Section 65009, notice is hereby given: If you challenge the above matter in court, you may be limited to raising only those issues you or someone else raised at the public hearing described above, or in written correspondence delivered to the Board of Supervisors, (1 Dr. Carlton B. Goodlett Place, Room 244; San Francisco, CA 94102-4689) at, or prior to, the public hearing.

From Land Use Committee "Without Recommendation"

26. 030941 [Vacation of easements in approximately 260 square foot portion of the N2 mid-block walkway (Assessor's Block 8706, Lot 2)]

Ordinance ordering the vacation of two (2) portions of the pedestrian ingress and egress easement and public utility easement in the N2 mid-block walkway (Assessor's Block 8706, Lot 2), within the Mission Bay North Redevelopment Project Area; authorizing a quitclaim of the City and County of San Francisco's rights and interest in the vacated areas; adopting findings that such actions are consistent with the City's General Plan, the eight priority policies of City's Planning Code Section 101.1 and the Mission Bay North Redevelopment Plan; accepting Department of Public Works Order No. 174,111; and authorizing other official acts in connection with this ordinance. (Public Works Department)

(No Public Benefit Recipient; DPW Order No. 174,111.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

SPECIAL ORDER 4:00 P.M.

27. 030949 [Hearing - Vacation of portion of Berry Street at Sixth Street]

Hearing of persons interested in or objecting to proposed Ordinance ordering the vacation of a 639.5 Sq. Ft. portion of Berry Street at Sixth Street within the Mission Bay Redevelopment Project Area subject to reservations of certain utility easements in the vacated area; authorizing a quitclaim of the City and County of San Francisco's rights and interest in the vacated area to Catellus Development Corporation ("Catellus"); approving the Property Exchange Agreement (Mission Bay North Plan Area) to acquire certain Catellus properties in exchange for certain City properties; adopting findings that such actions are consistent with the City's General Plan, priority policies of City's Planning Code Section 101.1 and the Mission Bay North Redevelopment Plan; accepting Department of Public Works Order No. 174,110; and authorizing official acts in connection with this ordinance. (Clerk of the Board)

(Companion measure to Files 030947, 030948.)

Action: _____

Pursuant to Government Code Section 65009, notice is hereby given: If you challenge the above matter in court, you may be limited to raising only those issues you or someone else raised at the public hearing described above, or in written correspondence delivered to the Board of Supervisors, (1 Dr. Carlton B. Goodlett Place, Room 244; San Francisco, CA 94102-4689) at, or prior to, the public hearing.

From Land Use Committee "Without Recommendation"

Present: Supervisors McGoldrick, Maxwell

28. 030948 [Ordering vacation of portion of Berry Street at Sixth Street and approving a Property Exchange Agreement in Mission Bay North]

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.

- 32. 031411 [Legislative Analyst Request - Cell Phone Antennae Installation Moratorium] Supervisor Sandoval**
- Motion requesting the Legislative Analyst to review, analyze, and make recommendations to the Board of Supervisors, regarding the feasibility of enacting a cell phone antennae installation moratorium until the City has reviewed and updated existing Planning Department's Wireless Telecommunications Services (WTS) Facilities Guidelines.
- Question: Shall this Motion be ADOPTED?**
- 33. 031412 [Legislative Analyst Request - San Francisco Police Department's Crime Reporting System] Supervisor Maxwell**
- Motion requesting the Legislative Analyst to research and examine the San Francisco Police Department's crime reporting system. How effective is the current system compared to cities similar to San Francisco, such as but not limited to San Jose, Austin and New York? What mechanism/s are available for San Francisco residents to report crime? How is the information gathered and used? The sponsor asks the Legislative Analyst to make recommendations on how to improve the current reporting system and how we can make better use of information gathered.
- Question: Shall this Motion be ADOPTED?**
- 34. 031413 [Legislative Analyst Request - Foster Care System Models] Supervisor Maxwell**
- Motion requesting the Legislative Analyst to research on successful foster care system models in municipalities similar to San Francisco. In particular, identify incentives/support programs that have proven successful for foster parents. The report should also examine the scope of services provided, the number of children/youth served, and the cost and funding resources for such programs.
- Question: Shall this Motion be ADOPTED?**
- 35. 031414 [Legislative Analyst Request - Department of Children, Youth and Their Families] Supervisor Newsom**
- Motion directing the Office of the Legislative Analyst (OLA) to conduct research on planning efforts by the Department of Children, Youth and Their Families, including its grant allocation process, its interdepartmental planning efforts, its coordinating efforts with other city departments to effectively leverage new State, federal or private resources, and any other

efforts the Department utilizes in order to best eliminate duplication of services.

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 36 through 48

- 36. 031330 [Waiver Permitting City Employees to Assist the Department of Elections] Supervisor Gonzalez**
- 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 October 7, 2003, November 4, 2003, December 9, 2003 and March 2, 2004 elections.
- 7/29/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 8/12/2003, CONTINUED. Continued to August 19, 2003
- Question: Shall this Motion be ADOPTED?**
- 37. 031416 [Acknowledging the California Supreme Courts ruling on Gay Adoptions] Supervisors Ammiano, Dufty**
- Resolution congratulating and thanking the California Supreme Court for their sound public policy towards the needs of children by affirming second-parent adoptions.
- 8/12/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?**
- 38. 031417 [Accept-Expend Grant] Supervisors Ammiano, Dufty**
- Resolution authorizing the Human Rights Commission to accept and expend a grant in the amount of \$26,000 from the Friends of the Human Rights Commission for the development of an internal database and external searchable web application for the purpose of gathering, sorting and displaying information on insurance companies throughout the United States that offer domestic partner insurance products.
- 8/12/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?**
- 39. 031418 [Evaluation of the fire and medical rescue needs of San Francisco] Supervisor Gonzalez**
- Resolution authorizing the City Controller to perform an evaluation of the fire and medical rescue needs of San Francisco.
- 8/12/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

40. 031419 [Encouraging telecommunication companies to invest in the local communities to whom they provide service] Supervisor Gonzalez

Resolution endorsing policies to encourage investment in local telecommunications services in California, investment in local communities, and increased employment opportunities.

8/12/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

41. 031420 [Honoring community leader Robert Hector] Supervisor Gonzalez

Resolution declaring September 25th Robert Hector Day in commemoration of Robert Hector's lifetime dedication to providing children, youth and their families social, educational and recreational services in the City and County of San Francisco.

8/12/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

42. 031421 [Authorizing consulting firm to examine confidential State Board of Equalization tax records] Supervisor Maxwell

Resolution authorizing Bay Area Economics to examine sales or transaction and use tax records of the State Board of Equalization on behalf of the City and County of San Francisco pursuant to California Revenue and Taxation Code Section 7056.

8/12/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

43. 031422 [Memorandum of Understanding between CCSF and CEC] Supervisor Maxwell

Resolution approving the signing of a Memorandum of Understanding between the City and County of San Francisco (CCSF) and the California Energy Commission (CEC) to obtain support from the CEC for the implementation of the City's renewable energy, energy efficiency and distributed generation goals; and to authorize the San Francisco Public Utilities Commission (SFPUC) and the San Francisco Department of the Environment (SFE) to administer and act as co-leads for this agreement between CCSF and the CEC.

8/12/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

44. 031423 [Commending San Francisco International Arts Festival 2003] Supervisor Newsom

Resolution commending the San Francisco International Arts Festival 2003 collaborative project members and the Yerba Buena Center for the Arts for presenting this year's festival from September 4th through September 21st in the City and County of San Francisco.

8/12/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

- 45. 031424 [Department of Children, Youth and Their Families Management Audit] Supervisor Newsom**

Motion directing the Office of the Controller to conduct a management audit of the Department of Children, Youth and Their Families.

8/12/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be ADOPTED?

- 46. 031378 [Final Map for a 5 Unit Residential Condominium Project]**

Motion approving Final Map of 1151 Church Street, A Residential Condominium Project, being a subdivision of Lot 29 in Assessor's Block No. 3650, and adopting findings pursuant to Planning Code Section 101.1. (Public Works Department)

(No Public Benefit Recipient; DPW Order No. 174,308; District 8.)

8/12/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be ADOPTED?

- 47. 031379 [Final Map for a 64 Unit Residential Condominium Project]**

Motion approving Final Map of St. Francis Bay Condominiums, 1 Crescent Way, A Residential Condominium Project, being a subdivision of Lot 235 in Assessor's Block No. 4991, accepting the offer of dedication of public improvements subject to completion, approving a public improvement agreement and adopting findings pursuant to Planning Code Section 101.1. (Public Works Department)

(No Public Benefit Recipient; DPW Order No. 174,008; District 9.)

Question: Shall this Motion be ADOPTED?

- 48. 031380 [Final Map for a 64 Unit Residential Condominium Project]**

Motion approving Final Map of St. Francis Bay Condominiums, 101 Crescent Way, A Residential Condominium Project, being a subdivision of Lot 236 in Assessor's Block No. 4991, accepting the offer of dedication of public improvements subject to completion, approving a public improvement agreement and adopting findings pursuant to Planning Code Section 101.1. (Public Works Department)

(No Public Benefit Recipient; DPW Order No. 174,007; District 9.)

Question: Shall this Motion be ADOPTED?

Questions on the For Adoption Without Committee Reference Agenda: _____

49. 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.

[Imperative Resolutions, if any]

OFF-AGENDA LEGISLATION

PROPOSED ORDINANCES

Proposed ordinances received from August 5, 2003 through August 11, 2003, for reference by President to appropriate committee on August 19, 2003.

031368 [Zoning Map Amendment in connection with Seawall Lot 330]

Ordinance amending Zoning Map Sheet 1H of the City and County of San Francisco for property located on a portion of Seawall Lot 330, Assessor's Block 3771 to change the height and bulk district classification from 105-F to 220-G; adopting findings pursuant to the California Environmental Quality Act; and making findings of consistency with the General Plan and the priority policies of Planning Code Section 101.1. (Planning Department)

(Companion measure to File 031369.)

8/7/2003, ASSIGNED UNDER 30 DAY RULE to Land Use Committee, expires on 9/19/2003.

031369 [General Plan Amendment in connection with Seawall Lot 330]

Ordinance amending the San Francisco General Plan in connection with approvals for the proposed Bryant Street Residential Tower on Seawall Lot 330; adopting findings pursuant to the California Environmental Quality Act; and adopting findings that the General Plan amendment is consistent with the eight Priority Policies of Planning Code Section 101.1. (Planning Department)

PROPOSED RESOLUTIONS

Proposed resolutions received from August 5, 2003 through August 11, 2003, for reference by President to appropriate committee on August 19, 2003.

031360 [Contracting out Security Guard Services]

Resolution Concurring with the Controller's certification that security guard services provided by Zonux Security Solutions can be performed at a lower cost than similar services performed by City and County Employees. (Parking and Traffic Department)

(Public Benefit Recipient.)

8/7/2003, RECEIVED AND ASSIGNED to Finance and Audits Committee.

031371 [Report of assessment costs for sidewalk and curb repairs - DPW Order 174,073]

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. (Public Works Department)

(No Public Benefit Recipient; DPW Order 174,073; Location: 1751 Silver Avenue.)

8/7/2003, SCHEDULED FOR PUBLIC HEARING. Scheduled for September 16, 2003.

031373 [Report of assessment costs for sidewalk and curb repairs - DPW Order 174, 227]

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. (Public Works Department)

(No Public Benefit Recipient; DPW Order No. 174,227; Locations: 279-283 Dolores Street; 439 Guerrero Street.)

8/7/2003, SCHEDULED FOR PUBLIC HEARING. Scheduled for September 16, 2003.

031375 [Report of assessment costs for sidewalk and curb repairs - DPW Order 174, 249]

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. (Public Works Department)

(No Public Benefit Recipient; DPW Order No. 174,249; Locations: 170 Flood Avenue; 1272-1274 Page Street.)

8/7/2003, SCHEDULED FOR PUBLIC HEARING. Scheduled for September 16, 2003.

031382 [Provide assertive case management to people with HIV and substance abuse and mental disorders]

Resolution authorizing the San Francisco Department of Public Health, AIDS Office (SFDPH, AIDS) to accept retroactively and expend a grant in the amount of \$490,947 from the Substance Abuse and Mental Health Services Administration (SAMHSA) for assertive case management for triply-diagnosed people and to enter into an agreement for the use of these funds; for the period of June 1, 2003, to May 30, 2004. (Public Health Department)
(Public Benefit Recipient.)

8/11/2003, RECEIVED AND ASSIGNED to City Services Committee.

031296 [Unpaid DPH Delinquent Refuse Service Payment Liens to become special assessments to the property taxes]

Resolution confirming report of delinquent charges for refuse collection services 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)

7/24/2003, SCHEDULED FOR PUBLIC HEARING. Scheduled for August 26, 2003, at 4:00 p.m.

031298 [Unpaid DPH 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)

7/24/2003, SCHEDULED FOR PUBLIC HEARING. Scheduled for August 26, 2003, at 4:00 p.m.

031300 [Special Assessment Liens for Assessment of Costs]

Resolution confirming report of Delinquent Charges for Code Enforcement cases with Delinquent Assessment of Costs, Emergency Order Fees, and Fees pursuant to the provisions of Section 102.3, 102.12, 102.17, 102.18 102.19 et.seq., and Sections 108 and 110 Tables 1-K, and 1-G 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 to pursuant to the Code Violations referenced above. (Building Inspection Department)

8/7/2003, SCHEDULED FOR PUBLIC HEARING. Scheduled for August 26, 2003, at 4:00 p.m.

031429 [Petitions and Communications]

Petitions and Communications received from August 5, 2003 through August 11, 2003, for reference by the President to Committee considering related matters or to be ordered filed by the Clerk on August 19, 2003.

From Office of the Controller, submitting report regarding cell phone use by the Department of Elections at the March 2002 primary election.(1)

From Planning Department, submitting notification of environmental review for proposed resolution imposing interim zoning controls establishing a requirement for conditional use authorization for large retail uses above 50,000 square feet. File 020682(2)

From Planning Department, submitting Notice of Determination for the San Francisco Cruise Terminal Mixed-Use Project and Brannan Street Wharf Project, which has been filed with the County Clerk. File 030371(3)

From Greg Lindgren and Jon Gasparini, submitting request for a Type 48 On-Sale liquor license for Greg Lindgren and Jon Gasparini at 688 Geary Street.(4)

From Municipal Transportation Agency, regarding the adopted budget for fiscal year 2003-04.(5)

From John Love International, regarding Conditional Use authorization to build a 93-room limited service hotel at 2026 Lombard Street. Files 0312265, 031266, Copy: Each Supervisor(6)

From Comcast Cable Communications, Inc., submitting notice that starting September 2003 Comcast will introduce a Chinese/Mandarin language package to cable customers in San Francisco.(7)

From the Gray Panthers, submitting opposition to reducing monthly grants for General Assistance recipients. Copy: Each Supervisor(8)

From Department of Building Inspection, submitting list of sole source items for fiscal year 2002-03.(9)

From Secretary of State, concerning invalidation of Elections Code Section 11382 that applies to All California Recall Elections.(10)

From Planning Department, regarding proposed ordinance to create a Divisadero Street Alcohol Restricted Use District prohibiting liquor establishments and regulating existing non-conforming liquor establishments. Copy: Each Supervisor(11)

From Planning Department, submitting notification that the Northeast Waterfront Special Sign District is receiving environmental review. Copy: Each Supervisor(12)

From Planning Department, regarding Interim Land Use Controls for Third Street between Islais Creek and Paul Avenue in the Bayview Hunters Point Neighborhood. File 030520(13)

From Planning Department, regarding proposed ordinance, which would prohibit the sale or storage of alcohol, requiring a California Department of Alcohol Beverage Control liquor license as an accessory use in dwellings in R and NC Zoning Districts. File 031059(14)

From Department of Aging and Adult Services, submitting list of sole source items for fiscal year 2002-03.(15)

From Airport, submitting annual report on the activities and financial results of SFO enterprises, Inc. during 2002 and the status of the sale of SFOE's subsidiary (SFOH) interest.(16)

From concerned citizens, submitting support for implementation of Prop N "Care Not Cash" as soon as possible.(17)

From James Chaffee, submitting press release announcing date of trial for alleged misuse of library funds.(18)

From Petra Johnson, urging the Board to support the purchase of 26 Advanced Life Support fire engines. Copy: Each Supervisor(19)

From Clerk of the Board, regarding funding provided in the budget for fiscal year 2003-04 as adopted by the Board of Supervisors.(20)

From Chait Diwadkar, submitting opposition to Muni buses advertising Dasani (water brand owned by Coca-Cola) products.(21)

From Mitchell Near, submitting opposition to placement of an entrance for the new underground-parking garage inside of the Music Concourse in Golden Gate Park.Copy: Each Supervisor(22)

From Diane Howell, submitting press release regarding Take Wings Foundation Awards Dinner on August 23, 2003 at the Hyatt Regency located at 5 Embarcadero Center in San Francisco.Copy: Each Supervisor(23)

From Gladstone & Associates, submitting report from the Karpik family (owners of property) under Conditional Use authorization to build a 93-room limited service hotel at 2026 Lombard Street, listing compromises made by the Karpik family prior to and during the Planing Commission hearing of June 12, 2003. Files 0312265, 031266, Copy: Each Supervisor(24)

From Harbor Bay Maritime, Inc., submitting request to the State Public Utilities Commission for a fare increase on its Vessel Common Carrier service on San Francisco Bay between the Harbor Bay Ferry Terminal in Alameda and authorized points in San Francisco.(25)

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

[Return to Full Board Agendas](#)