

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, February 14, 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

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.

retroactively into a two year agreement with the California Managed Risk Medical Insurance Board (MRMIB) to receive reimbursement for children enrolled in the Healthy Kids insurance program, and expend funds in the amount of up to \$4,378,351; for the period of July 1, 2005, through June 30, 2007. (Public Health Department)

Question: Shall this Resolution be ADOPTED?

- 10. 060056 [Contract funds to provide evaluations for the SAGE Health Education and Prevention Services Project] Supervisors Dufty, Ma**

Resolution authorizing the San Francisco Department of Public Health (SFDPH), to enter retroactively into a subcontract agreement with the SAGE Project, Inc., the primary contractor, and expend funds in the amount of \$205,000 to provide local process and outcome evaluations for the SAGE Health Education and Prevention Services Project for the period of September 30, 2005, to September 29, 2010. (Public Health Department)

Question: Shall this Resolution be ADOPTED?

- 11. 060094 [Contract funds to develop an electronic reporting system for results of hepatitis testing] Supervisors Dufty, Ma**

Resolution authorizing the San Francisco Department of Public Health (SFDPH), to renew retroactively a contract agreement with Public Health Foundation Enterprises, Inc. (PHFE) the primary contractor, and expend funds in the amount of \$141,413 to develop a secure electronic reporting system of hepatitis testing results; for the period of December 30, 2005 to December 29, 2006. (Public Health Department)

Question: Shall this Resolution be ADOPTED?

- 12. 060095 [Contract funds to conduct interviews and obtain data regarding pre-exposure prophylaxis use by MSM] Supervisor Dufty**

Resolution authorizing the San Francisco Department of Public Health (SFDPH), to enter retroactively into a subcontract agreement with Public Health Foundation Enterprises, Inc. (PHFE), the primary contractor, and expend funds in the amount of \$16,073 to conduct interviews and obtain data on pre-exposure prophylaxis use by MSM for the period of January 1, 2006, to April 30, 2006. (Public Health Department)

Question: Shall this Resolution be ADOPTED?

Recommendation of the Land Use Committee

Present: Supervisors Maxwell, Sandoval

- 13. 051443 [Amending the Electrical Code regarding headroom requirements for panelboards, entrances for 1200 amp rated equipment, use of non-metallic sheathed cable in multifamily dwellings, and**

Ordinance amending Articles 89, 100, 110, 210, 215, 220, 230, 250, 300, 333, 334, 336, 340, 348, 350, 352, 351, 348, 378, 331, 362, 384, 410, 411, 645, 700, 760, and 800 of the Electrical Code to make minor clerical changes for greater clarity, to extend the general requirement for headroom about panelboards to residential panelboards rated not more than 200 amps, to provide that equipment rated 1200 amps or more, regardless of width, requires an entrance to

15. **060139** **[Adopting findings related to the appeal of the mitigated negative declaration adopted by the Planning Commission on November 3, 2005 for 2660 Harrison Street]**

Motion adopting findings related to the appeal of the mitigated negative declaration adopted by the Planning Commission on November 3, 2005 for 2660 Harrison Street. (Clerk of the Board)

(Companion measure to Files 051936, 051937, 051938, 051939.)

2/8/2006, REFERRED to Board of Supervisors.

Question: Shall this Motion be ADOPTED?

Recommendation of the Budget and Finance Committee

Present: Supervisors Daly, Dufty, Peskin

16. **051773** **[Public Financing for Mayoral Candidates]**

**Supervisors Mirkarimi,
Maxwell, Ammiano, Daly,
McGoldrick**

Ordinance amending the Campaign and Governmental Conduct Code by amending sections 1.104, 1.108, 1.130, 1.134, 1.136, 1.138, 1.140, 1.142, 1.144, 1.148, 1.150, 1.152, 1.154, 1.156 and 1.170 and adding sections 1.134.5, 1.138.5, 1.140.5, 1.144.5 and 1.146 to create a public financing program for mayoral candidates, appropriate funding for the program and make other changes to the Campaign Finance Reform Ordinance.

(Fiscal impact.)

2/7/2006, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendation of the Land Use Committee

Present: Supervisors Sandoval, McGoldrick, Peskin

17. **051453** **[Off-Street Parking In C-3 Zoning Districts]**

Supervisors Peskin, Daly

Ordinance amending the San Francisco Planning Code by amending Sections 151, 151.1, 154, 155, 155.5, 161, 166, and 167 to impose new requirements in C-3 Zoning Districts regarding permitted off-street parking and loading, allowed off-street freight loading and service vehicle spaces, bicycle parking, car sharing, to separate parking costs from housing costs, to exempt from the legislation projects that received final Planning Department or Planning Commission approval and submitted complete site permit applications prior to the effective date of the legislation, to require the Planning Department to undertake a study of downtown parking issues, and adopting environmental findings and findings of consistency with the General Plan and the eight priority policies of Planning Code Section 101.1.

2/7/2006, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

From the Land Use Committee Without Recommendation

Present: Supervisors Sandoval, McGoldrick

- 18. 050601 [Better Neighborhoods Plus Planning and Implementation Process] Supervisors McGoldrick, Maxwell**

Ordinance amending the Administrative Code to add Chapter 36 to establish uniform procedures for developing comprehensive neighborhood plans (the "Better Neighborhoods Plus Planning and Implementation Process"); amending Administrative Code Section 3.4 to provide for integrated Better Neighborhoods Plus Plan budget documents; amending Planning Code to add Section 312A regarding discretionary review for projects proposed in Better Neighborhoods Plus Plan areas; and Section 312B to establish permit review procedures for certain projects within Better Neighborhoods Plus Plan areas; and making environmental findings and findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan.

12/13/2005, CONTINUED. Supervisor Ma, seconded by Supervisor Mirkarimi, moved to continue this matter to January 17, 2006 pending Board action on reinstating the January 17, 2006 Board meeting.

1/17/2006, AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.

1/17/2006, RE-REFERRED to Land Use Committee. Rereferred to Committee as amended.

2/7/2006, AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.

2/7/2006, CONTINUED ON FIRST READING. Continued to February 14, 2006.

Question: Shall this Ordinance be PASSED ON FIRST READING?

Recommendation of the Rules Committee

Present: Supervisors Mirkarimi, Elsbernd, Ammiano

- 19. 052009 [Charter Amendment - Homicide Prevention Plan; Survivor Assistance; Funding for Violence Prevention Programs] Supervisors Daly, Ammiano, Maxwell, Mirkarimi**

Charter amendment (Third Draft) to add Section 16.126 to: establish a San Francisco Homicide Prevention Plan and Homicide Prevention Planning Council; create a Survivors' Advocate and a City fund to help pay specified expenses for survivors of homicide victims; appropriate an additional \$20 million per year for the next four years to fund violence prevention programs identified in the Plan; and, set an expiration date.

(Fiscal impact.)

(Supervisor Elsbernd Dissented in Committee)

2/7/2006, CONTINUED. Continued to February 14, 2006.

Question: Shall this Charter Amendment be SUBMITTED?

From the Rules Committee Without Recommendation

Present: Supervisors Mirkarimi, Elsbernd

20. **052010** **[Charter Amendment - Providing for an annual cost-of-living adjustment to the monthly stipend for members of the Board of Education and the Governing Board of the Community College]** **Supervisor Daly**
- Charter Amendment (Second Draft) by amending Sections 8.100 and 8.101 to provide for an annual cost-of-living adjustment to the monthly stipend for members of the Board of Education and the Governing Board of the Community College District, using 1983 as the base year.
- 2/7/2006, CONTINUED. Continued to February 14, 2006.
- Question: Shall this Charter Amendment be SUBMITTED?**

Present: Supervisors Mirkarimi, Elsbernd, Ammiano

21. **052011** **[Charter Amendment - Port Commission: qualifications and term limits for Port Commission members; increasing the number of Commission members from 5 to 7; criteria for use of Port]** **Supervisor Peskin**
- Charter Amendment (Second Draft) to amend Section 4.114 to establish minimum qualifications for members of the Port Commission, impose term limits, increase the number of Commission members from five to seven, and limit hold-over appointments, amending Section 3.581 to set criteria for use of property under the Port Commission's jurisdiction and provide that the Port Director may, in his or her sole discretion, appoint and remove heads of Commission divisions and bureaus, and amending Section B3.584, to require long-range capital and financial plans for the Port.
- 2/7/2006, CONTINUED. Continued to February 14, 2006.
- Question: Shall this Charter Amendment be SUBMITTED?**

NEW BUSINESS

Recommendations of the Budget and Finance Committee

Present: Supervisors Daly, Dufty, Maxwell

22. **051792** **[Regulating Deemed Approved Off-Sale Alcohol Uses and Establishing An Annual Fee]** **Supervisors Maxwell, Dufty, Peskin, Ma, Mirkarimi**
- Ordinance amending the Administrative Code to add Chapter 26, ("Deemed Approved Off-Sale Alcohol Use Nuisance Regulations"), deeming all existing non-conforming and permitted off-sale alcohol uses "approved;" establishing an administrative hearing process to abate nuisance activities by deemed approved off-sale alcohol uses; creating a list of performance standards that reflect existing local nuisance and related state and federal laws; providing for an education and outreach program; authorizing penalties for violation of performance standards including administrative penalties from \$500 to \$1000 or revocation of

deemed approved status; providing for appeals of conditions or administrative penalties to the Board of Appeals; providing for appeals of the revocation of deemed approved status to the Board of Supervisors or the Board of Appeals; setting an annual fee of \$264 for deemed approved off-sale alcohol uses; establishing a deemed approved off-sale alcohol use nuisance regulation continuing project accounts within the City's General Fund; and making environmental findings.

(Fiscal impact.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

Present: Supervisors Daly, Dufty, Peskin

23. 060205 [Requiring Notice to Potential Buyers of Certain Deemed Approved Off-Sale Alcohol Uses Where the Use Has Violated the Performance Standards.] Supervisor Daly

Ordinance amending the ordinance Regulating Deemed Approved Off-Sale Alcohol Uses and Establishing An Annual Fee (Board File No. 051792) by amending Section 26.20 to require that the seller of a Deemed Approved Off-Sale Alcohol Use ("Use") provide certain notice to potential buyers of the Use if the Use has, within the past three years, been the subject of an administrative hearing at which a finding of violation of the Performance Standards was made, at which conditions were imposed on the Use's continued operations, and/or at which administrative penalties were imposed on the Use for violation of the Performance Standards; and making environmental findings.

Question: Shall this Ordinance be PASSED ON FIRST READING?

24. 060087 [Administrative Code Revision: Health Service System] Supervisor Elsbernd

Ordinance amending Chapter 16, Article XV, of Part 1 of the San Francisco Municipal (Administrative) Code by amending Section 16.703 regarding Board approval of Health Service System Plans and Contribution Rates.

(Fiscal impact.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

25. 051981 [2006 Water Revenue Refunding Bonds Issuance]

Resolution approving the issuance of not to exceed \$125,000,000 aggregate principal amount of San Francisco water revenue refunding bonds to be issued by the Public Utilities Commission of the City and County of San Francisco; affirming covenants contained in the indenture pursuant to which the water revenue refunding bonds are issued; and authorizing the taking of appropriate actions in connection therewith; and related matters. (Public Utilities Commission)

(Fiscal impact.)

Question: Shall this Resolution be ADOPTED?

26. 051982 [2006 Water Revenue Bonds Issuance]

Resolution approving the issuance of not to exceed \$525,000,000 aggregate principal amount of San Francisco water revenue bonds to be issued by the Public Utilities Commission of the City and County of San Francisco; affirming covenants contained in the indenture pursuant to which the water revenue bonds are issued; and authorizing the taking of appropriate actions in connection therewith; and related matters. (Public Utilities Commission)

(Fiscal impact.)

Question: Shall this Resolution be ADOPTED?

27. 060058 [Contract approval - Municipal Transportation Quality Review]

Resolution approving the award and execution of San Francisco Municipal Railway Contract Number CCO 05-914, Municipal Quality Review, to Nelson\Nygaard Consulting Associates, to conduct the Quality Review required under Charter Section 8A.107, for a total contract amount not to exceed \$50,000 and for a term of two years, with an option to extend up to an additional two years to cover the next review period. (Municipal Transportation Agency)

Question: Shall this Resolution be ADOPTED?

28. 060062 [Establishing Monthly Contribution Amount] Supervisor Elsbernd

Resolution establishing monthly contribution amount to Health Service Trust Fund.

(Fiscal impact.)

Question: Shall this Resolution be ADOPTED?

Recommendations of the City Operations and Neighborhood Services Committee

Present: Supervisors McGoldrick, Dufty, Ma

29. 051715 [Better Streets Policy] Mayor, Supervisors McGoldrick, Dufty

Ordinance amending the Administrative Code to add Chapter 98, the Better Streets Policy; making environmental findings; authorizing and urging official acts in furtherance of this Ordinance; and requesting General Plan amendments to incorporate the Better Streets Policy and its supporting principles.

Question: Shall this Ordinance be PASSED ON FIRST READING?

30. 051920 [Granting parking privileges on Baker Street for official vehicles of the Russian Consulate] Supervisor Alioto-Pier

Ordinance amending Section 32.6.30 of the San Francisco Traffic Code to grant parking privileges for official vehicles of the Russian Consulate along fifty three feet of the east side of Baker Street near the corner of Green Street.

Question: Shall this Ordinance be PASSED ON FIRST READING?

31. 051809 [Liquor License, 222 Powell Street]
Resolution determining that the issuance of a Type 42 On-Sale Beer and Wine Public

Premises license and a Type 21 Off-Sale General license to Sirhed Enterprises LLC, for Gallery Market located at 222 Powell Street, will serve the public convenience and necessity of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code with conditions.

Question: Shall this Resolution be ADOPTED?

32. 060005 [Contract funds to support research on HIV/AIDS in under-researched populations] Supervisor Dufty

Resolution authorizing the San Francisco Department of Public Health (SFDPH), to enter retroactively into an agreement with the San Mateo Medical Center (SMMC), the primary contractor, and expend funds in the amount of up to \$74,920 in order to support research on HIV/AIDS in under-researched populations in California, and to add one 0.5 position funded under this agreement; for the period of July 1, 2005, to June 30, 2006. (Public Health Department)

Question: Shall this Resolution be ADOPTED?

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

SPECIAL ORDER 4:00 P.M.

APPEALS 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.*

33. 051852 [Public Hearing - Appeal of Categorical Exemption from Environmental Review for 730 Great Highway]

Hearing of persons interested in or objecting to the decision of the Planning Department dated July 19, 2004, (Case No. 031009E), exempting from environmental review under General Rule (State CEQA Guidelines, Section 15061 (b)(3)), the proposed construction project at 730 Great Highway. The project would construct a three-story, four-unit dwelling structures, 31.5 feet high with 6,540 square feet living area, 840 square feet garage which accommodate 4 off-street parking spaces. The proposed site is a 3,360 square feet vacant lot at east Great Highway and about 141 feet south from Balboa Street, zoned RM1, 40-X Height and Bulk District, within coastal Special Use District (SUD) and Special Sign District (SSD). (Appellant: Stephen M. Williams representing the Ocean Parc Village Homeowners Association.)

12/6/2005, CONTINUED. The President inquired as to whether or not any member wished to address the Board. There were none. Continued to January 17, 2006 at 4:00 p.m.

1/17/2006, CONTINUED. The President inquired as to whether or not any member of the public wished to address the Board members. Continued to January 24, 2006

1/24/2006, CONTINUED. President inquired as to whether or not any member of the public wished to address the

Board. Continued to February 7, 2006

2/7/2006, CONTINUED. The President inquired as to whether or not any member of the public wished to address the Board. There were none. The President declared the public hearing closed. Continued to February 14, 2006

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.)

- 34. 051853 [Affirming the categorical exemption issued for 730 Great Highway]**
Motion affirming the determination by the Planning Department that the 730 Great Highway project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)
12/6/2005, CONTINUED. Continued to January 17, 2006 at 4:00 p.m.
1/17/2006, CONTINUED. Continued to January 24, 2006
1/24/2006, CONTINUED. Continued to February 7, 2006
2/7/2006, CONTINUED. Continued to February 14, 2006
Question: Shall this Motion be ADOPTED?
- 35. 051854 [Disapproving the categorical exemption issued for 730 Great Highway]**
Motion disapproving the determination by the Planning Department that the 730 Great Highway project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)
12/6/2005, CONTINUED. Continued to January 17, 2006 at 4:00 p.m.
1/17/2006, CONTINUED. Continued to January 24, 2006
1/24/2006, CONTINUED. Continued to February 7, 2006
2/7/2006, CONTINUED. Continued to February 14, 2006
Question: Shall this Motion be ADOPTED?
- 36. 051855 [Preparation of findings related to the categorical exemption issued for 730 Great Highway]**
Motion directing the Clerk of the Board to prepare findings related to the appeal of the determination by the Planning Department that the 730 Great Highway project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)
12/6/2005, CONTINUED. Continued to January 17, 2006 at 4:00 p.m.
1/17/2006, CONTINUED. Continued to January 24, 2006

1/24/2006, CONTINUED. Continued to February 7, 2006

2/7/2006, CONTINUED. Continued to February 14, 2006

Question: Shall this Motion be ADOPTED?

SPECIAL ORDER 4:00 P.M

37. 060007 [Public Hearing - Appeal of Categorical Exemption for No. 1 La Avanzada Street]

Hearing of persons interested in or objecting to the decision of the Planning Department dated November 10, 2005, granting a Categorical Exemption from the California Environmental Quality Act as Class 1 (Building Permit Application No. 2005 0606 4223), to install a fire suppression system to an existing equipment building for Comcast, located at No. 1 La Avanzada Street. (Appellant: Walter Caplan, on behalf of Forest Knolls Neighborhood Organization, Liaison to Sutro Tower).

(Filed 1/9/06; companion measure to Files 060008, 060009, 0600010; District 7.)

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.)

38. 060008 [Affirming the categorical exemption issued for the 1 La Avanzada Street project]

Motion affirming the determination by the Planning Department that the 1 La Avanzada Street project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Question: Shall this Motion be ADOPTED?

39. 060009 [Disapproving the categorical exemption issued for the 1 La Avanzada Street project]

Motion disapproving the determination by the Planning Department that the 1 La Avanzada Street project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Question: Shall this Motion be ADOPTED?

40. 060010 [Preparation of findings related to the 1 La Avanzada Street project]

Motion directing the Clerk of the Board to prepare findings related to the appeal of the

2/7/2006, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING. Supervisor Dufty requested to be added as co-sponsor.

Question: Shall this Resolution be ADOPTED?

52. 060196 [Supporting Filipino Veterans Equity Act] Supervisor Peskin

Resolution urging the President and the Congress of the United States of America to honor the contributions of Filipino World War II veterans by passing the Filipino Veterans Equity Act, specifically HR 4574.

2/7/2006, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

53. 060197 [Support of the International Union of the Bricklayers and Allied Craftworkers] Supervisor Peskin

Resolution commending and supporting the International Union of Bricklayers and Allied Craftworkers and welcoming them for the 2006 Western States Brick and Tile Apprenticeship Contest to take place in Fisherman's Wharf, June 2-4 2006.

2/7/2006, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

54. 060135 [Final Map, Planned Development, Mission Bay]

Motion approving Final Map Tract No. 3936 for residential and commercial condominium purposes, Mission Bay Blocks 2-7 and 13, a twenty (20) lot subdivision, being Phase I of a Planned Development Subdivision of Assessor's Blocks 8710, Lot 4; 8711 Lot 12; 8712, Lot 1; 8713, Lot 1 and a portion of recently vacated Fourth Street; approving a public improvement agreement related to the final map; and adopting findings pursuant to the General Plan and City Planning Code Section 101.1 and the Mission Bay South Redevelopment Plan and Plan Documents. (Public Works Department)

2/6/2006, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be ADOPTED?

55. 060192 [Impound Account Analysis] Supervisor Ma

Motion directing the Budget Analyst to conduct a financial analysis of the Impound Account in the Department of the Environment on a priority basis, and to complete the analysis by March 28, 2006.

2/7/2006, 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: _____*

56.

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 January 31, 2006 through February 6, 2006, for reference by President to appropriate committee on February 14, 2006.

None.

PROPOSED RESOLUTIONS

Proposed resolutions received from January 31, 2006 through February 6, 2006, for reference by President to appropriate committee on February 14, 2006.

060132 [STOP Intersections]

Resolution designating certain intersections as "STOP" intersections.

STOP SIGNS - ESTABLISH

26th and Capp Streets, stopping 26th Street, making this intersection an All-Way STOP;
Vallejo and Baker Streets, stopping Vallejo Street, making this intersection an All-Way STOP;

Myra Way and Molimo Drive, stopping Molimo Drive at Myra Way, making this intersection an All-Way STOP;

Peabody Street and Visitacion Avenue, stopping Visitacion Avenue, making this intersection an All-Way STOP;

Westbound 25th Avenue North at 25th Avenue, making this T intersection an All-Way STOP;

Eastbound Seacliff Avenue at 25th Avenue, making this T-intersection an All-Way STOP;

Northbound 26th Avenue at Seacliff Avenue, making this T-intersection an All-Way STOP;

Murray Street at Crescent Avenue, stopping Murray Street, stopping the stem of this T-intersection;

Washburn Street, stopping Washburn Street at Howard Street;

Dore Street, stopping Dore Street at Folsom Street; and,

Grace Street, stopping Grace Street at Mission Street. (Parking and Traffic Department)

(1/26-06: 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; DPT Order No. 3133.)

2/3/2006, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

060133 [Parking Regulations]

Resolution enacting and rescinding parking regulations at various locations.

NO PARKING ANYTIME - RESCIND

TOW-AWAY, NO STOPPING ANYTIME, 7 AM TO 3 PM, MONDAY THROUGH FRIDAY - RESCIND

Pine Street, south side, from Montgomery Street to 155 feet easterly (creates new metered parking, but maintains Tow-Away 3 PM to 7 PM, Monday through Friday).

TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH

Lake Merced Boulevard, northbound, right turn lane onto Font Boulevard to the limit of the existing angle parking on the south side of Font Boulevard.

4-HOUR PARKING TIME LIMIT, 7:00 AM TO 6:00 PM, EXCEPT SUNDAY - RESCIND

PERPENDICULAR (90-DEGREE ANGLE) PARKING - ESTABLISH

2-HOUR PARKING TIME LIMIT, 7:00 AM TO 6:00 PM, EXCEPT SUNDAY - ESTABLISH

Mississippi Street, east side, between Cesar Chavez and northern terminus.

TOW-AWAY, NO PARKING - ESTABLISH

Mississippi Street, west side, between Cesar Chavez Street and northern terminus.

PERPENDICULAR (90-DEGREE ANGLE) PARKING - ESTABLISH

Irwin Street, north side, between 7th and 8th Streets.

TOW-AWAY, NO PARKING, 7 AM TO 9 AM, MONDAY THROUGH FRIDAY - ESTABLISH

17th Street, north side, from 25 to 58 feet east of Utah Street.

TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH

1122 Folsom Street, north side, from Langton Street to 48 feet westerly; and,
1168 Folsom Street, north side, from the west property line to the east property line (50-foot zone) (both parking restrictions are in conjunction with implementation of sidewalk bulbs).

TOW-AWAY, NO STOPPING, 7 AM TO 9 AM AND 4 PM TO 7 PM, MONDAY THROUGH FRIDAY - RESCIND

TOW-AWAY, NO STOPPING, 4 PM TO 6 PM, MONDAY THROUGH FRIDAY - ESTABLISH

Franklin Street, west side, from Turk Street to Golden Gate Avenue (replaces existing tow-away regulations).

TOW-AWAY, NO STOPPING, 4 PM TO 6 PM, MONDAY THROUGH FRIDAY - ESTABLISH

Franklin Street, west side, from Turk Street to 80 feet northerly.

TOW-AWAY, LANE MUST TURN LEFT - RESCIND

Franklin Street, northbound, at Turk Street.

RESIDENTIAL PERMIT PARKING AREA "U" (2-HOUR TIME LIMIT, 8 AM TO 10 PM, EVERYDAY) - ESTABLISH

Rodgers Street, east side, between Folsom Street and the southern terminus (unit block).

TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH

San Jose Avenue, east side, from 10 feet north of the north crosswalk at Farallones Street to 190 feet southerly;

San Jose Avenue, west side, from Farallones Street to 173 feet northerly;

San Jose Avenue, east side, from Lakeview Avenue to 150 feet southerly;

San Jose Avenue, west side, from Lakeview Avenue to 150 feet northerly;

San Jose Avenue, east side, from 50 feet north of the northern crosswalk at Mount Vernon Avenue to 260 feet southerly;

San Jose Avenue, west side, from Mount Vernon Avenue to 178 feet northerly; and,

McCoppin Street, south side, between Market Street and Elgin Park

TOW-AWAY, NO PARKING ANYTIME - ESTABLISH

McCoppin Street, north side, west of Valencia Street to terminus.

UNMETERED MOTORCYCLE PARKING - ESTABLISH

Fillmore Street, east side, at the O'Farrell Street intersection (36 foot zone accommodating 10 unmetered motorcycle parking spaces).

PARKING METER AREA 3 (9AM-6PM, MONDAY THROUGH SATURDAY) - ESTABLISH

Parker Avenue, west side, from Geary Boulevard to 50 feet southerly (replaces existing green zone with two 30-minute meters).

PARKING METER AREA 4 - ESTABLISH

Stockton Street, east side, from North Point Street to 60 feet northerly (adds 3 meters).

RESIDENTIAL PERMIT PARKING AREA "J" (2-HOUR TIME LIMIT, 8 AM - 5 PM, MONDAY THROUGH FRIDAY) - ESTABLISH

Hillway Avenue, east side, from Carl Street to the south property line of #40 Hillway Avenue (Parking and Traffic Department)

(1/26-06: 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; DPT Order No. 3133.)

2/3/2006, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

060134 [Traffic Regulations]

Resolution enacting and rescinding traffic regulations on various streets.

ONE-WAY STREET (SOUTHBOUND) - RESCIND
Elgin Park, between McCoppin Street and Duboce Avenue

ONE-WAY STREET (EASTBOUND) - RESCIND
ONE-WAY STREET (WESTBOUND) - ESTABLISH
McCoppin Street, between Market Street and Elgin Park

BICYCLE LANES - ESTABLISH
McCoppin Street, north side, west of Valencia Street to terminus.

BICYCLE LANES - ESTABLISH
Laguna Honda Boulevard, both sides, between Portola Drive and Vasquez Avenue

LEFT TURN BIKE LANE - ESTABLISH
Laguna Honda Boulevard, southbound, between Ulloa Street and Portola Drive

BICYCLE LANES - EXTEND
Potrero Avenue, southbound, from 120 feet south of 25th Street to Cesar Chavez Street.

NO LEFT TURN, 4 PM TO 7 PM, MONDAY THROUGH FRIDAY - ESTABLISH
Southbound Masonic Avenue at Grove Street.

NO LEFT TURN, 7 AM TO 9 AM, MONDAY THROUGH FRIDAY - ESTABLISH
Northbound Masonic Avenue at Grove Street (Parking and Traffic Department)

(1/26-06: 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; DPT Order No. 3133.)

2/3/2006, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

060206 [Petitions and Communications]

Petitions and Communications received from January 31, 2006 through February 6, 2006, for reference by the President to Committee considering related matters or to be ordered filed by the Clerk on February 14, 2006.

From Kimo Crossman, submitting suggestions on how to save \$25,000 in the budget and protect the public's Internet privacy and get WiFi for all public library branches.(1)

From SF Unified School District, submitting spending plan for the Public Education Enrichment Fund for fiscal year 2006-07.(2)

From Marilyn Amini, requesting the "Better Neighborhoods Planning and Implementation Process" be referred to the Planning Commission for Commission consideration. File 050601(3)

From Coalition for San Francisco Neighborhoods, urging the Board to vote no on the proposed "Better Neighborhoods" Ordinance and urging no action be taken on the proposed amendment of the whole. Files 050601(4)

From Sue Hestor, submitting a brief supporting the appeal for property located at 2660 Harrison Street. Files 051936, 051991, Copy: Each Supervisor (5)

From Supervisor Maxwell, submitting copy of letter sent to the Budget Committee regarding proposed amendment of the whole for the "Deemed Approved " Ordinance. File 051792(6)

From City College of San Francisco, submitting support for proposed Charter amendment that would increase the monthly stipends of members of the Board of Trustees of the SF Community College District and members of the SF Unified School District Board of Education. Copy: Each Supervisor(7)

From Office of the Controller, thanking Supervisor Dufty for agreeing to serve as Supervisor Peskin's designee on the Municipal Transportation Agency's Policy Advisory Groups Transit Effectiveness Project.(8)

From Mark Baird, wondering why the traffic lights that were installed on Mississippi, 7th and 16th Streets haven't been turned on.(9)

From Round the Diamond, Consulting and Educational Services, submitting suggestions and proposals to the proposed Charter amendment regarding Port Commission qualifications and term limits for Port Commission members. File 052011(10)

From the SF Architectural Heritage, submitting support for the recent inclusion of language which requires Historic and Cultural Resource Surveys in the Better Neighborhoods Planning Process. File 050601, Copy: Land Use Committee(11)

From Department of Public Works, submitting corrected letter for project at 283 Cresta Vista.(12)

From Office of the Controller, submitting the Six-Month Budget Status Report for fiscal year 2005-06.(13)

From Mary Helen Briscoe, explaining why she and her neighbors are against the "Tree and Beauty Tax" Ordinance. File 050986, Copy: Land Use Committee (14)

From Martin Macintyre, regarding the management audit of the Recreation and Parks Department.(15)

From Department of Public Works, responding to request to repave 9th Avenue, between Lincoln and Judah Streets. (Reference No. 200601110-009) Copy: Supervisor Mirkarimi(16)

From Department of Public Works, responding to request to repair the potholes at Lincoln Way and 2nd Avenue. (Reference No. 20060117-001) Copy: Supervisor Mirkarimi(17)

From Department of Public Works, submitting notice that request to repaint the crosswalks at

the intersections of Lincoln Way and 5th Avenue, 7th Avenue, 9th Avenue, and 17th Avenue, and the west crosswalk at Lincoln Way and Arguello Boulevard has been forwarded to the Department of Parking and Traffic. (Reference No. 20060117-002) Copy: Supervisor Mirkarimi(18)

From Law Offices of Steven Williams, submitting request for continuance of appeal for property located at 730 Great Highway to February 21, 2006. File 051852, Copy: Each Supervisor(19)

From Department of Public Works, responding to request to clean the storm drain grates along Webster Street, at the intersections of Turk Street, Golden Gate Avenue, McAllister Street and Fulton Street. (Reference No. 20051206-006) Copy: Supervisor Mirkarimi(20)

From Planning Department, regarding the proposed Eastern Neighborhoods Interim Zoning Ordinance. (Reference No. 20060124-008) Copy: Supervisor Maxwell(21)

From John Nelson, concerning the former United Artists Cinema building at Van Ness Avenue and Sutter Street that has turned into graffiti covered homeless encampment, etc.(22)

From Department of Public Works, regarding status of repair of the sidewalk at 200 Fillmore Street. (Reference No. 20051213-006) Copy: Supervisor Mirkarimi(23)

From Joe Valenciano, submitting copy of letter sent to the Department of Parking and Traffic regarding illegal parking on the 900 block (north and south) of Ulloa Street.(24)

From concerned citizens, submitting opposition to proposed legislation regarding the "Better Neighborhoods Planning and Implementation Process". File 050601, Copy: Land Use Committee(25)

From Hedi Meyer, concerning relocating the USS Hornet Aircraft Carrier Ship Museum from Alameda to a waterfront pier in San Francisco.(26)

From concerned citizens, submitting their opinion on the Falun Gong movement. File 060026, Copy: Each Supervisor(27)

From concerned citizens, submitting support for bringing the USS Iowa to San Francisco. File 051113, Copy: Each Supervisor(28)

From Supervisor Daly, requesting the City Attorney to investigate a possible Brown Act violation by Jake McGoldrick who may have spoken with a majority of Transportation Authority Commissioners to elect him as Chair of the body, thereby holding ad seriatim meetings in violation of the Brown Act. Copy: Each Supervisor(29)

From Clerk of the Board, submitting Form 700 Statement of Economic Interests for Rebekah Krell, Legislative Assistant to Supervisor Elsbernd.(30)

From Office of the Controller, submitting notice that if the voters approve the proposed Charter amendment that specifies qualifications for members of the Port Commission, it would not significantly impact the cost of government. File 052011, Copy: Each Supervisor(31)

From Public Utilities Revenue Bond Oversight Committee, submitting the 2005 Annual Report of the Public Utilities Revenue Bond Oversight Committee. Copy: Each Supervisor(32)

From Museum Parc, submitting opposition to proposed legislation regarding Off-Street Parking in C-3 Zoning Districts. File 051453, Copy: Each Supervisor(33)

From Fine Arts Museums of San Francisco, submitting the amended Bylaws of the Fine Arts Museums of San Francisco, January 26, 2006.(34)

From Office of the Treasurer/Tax Collector, submitting the Cash difference and Overage Fund balance and activities for the period ending December 31, 2005.(35)

From Law Offices of Steven Williams, submitting request to withdraw appeal of Certificate of Exemption from Environmental Review for property at 1043-1045 Francisco Street. File 052035, Copy: Each Supervisor(36)

From Carol Mowbray, submitting copy of letter sent to Supervisor Dufty objecting to encroachment taxes. File 060081(37)

From Civil Service Commission, submitting the Civil Service Commission policy on disclosure and review of criminal history records.(38)

From Jack Cargas, commenting on the state of disrepair of the roads in Golden Gate Park.(39)

From Josephine Guerra, submitting support for continued funding of the N.E.R.T. training program taught by the Fire Department.(40)

From Jason Starn, commenting that he is in the process of gathering private funding to help re-open the Golden Gate Park stables. Copy: Recreation and Park Department(41)

From concerned citizens, urging the Board of Supervisor to become leaders in the movement to bring high-speed rail to California. File 060157, Copy: Each Supervisor(42)

From DJ Lamont, submitting copy of letter sent to Supervisor Daly inquiring what are the City's long term plans for the Mid-Market area.(43)

From Laura Castellini, regarding Ellis Act evictions in San Francisco. File 051822, Copy: Each Supervisor(44)

From Department of Parking and Traffic, regarding status of installing signs prohibiting bicycles and skateboards on Irving Street, between 6th Avenue and Funston; and 9th Avenue between Lincoln Way and Judah Street.(Reference No. 20060110-005) Copy: Supervisor Mirkarimi(45)

From Tracy Rabold, submitting support for implementing the San Francisco Energy Independence Ordinance as soon as possible. Copy: Each Supervisor(46)

From concerned citizens, regarding providing bottled water for City and County offices.Copy: Each Supervisor(47)

From Douglas Kerr, submitting opposition to not allowing military recruiters to operate freely in San Francisco.(48)

From Office of the Controller, City Services Auditor, submitting its audit report concerning the Department of Human Services, Family and Children's Services Division. Copy: Each Supervisor(49)

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

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