Full Board Agendas

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, June 29, 2004 2:00 PM

Regular Meeting

MATT GONZALEZ, PRESIDENT MICHELA ALIOTO-PIER, TOM AMMIANO, CHRIS DALY, BEVAN DUFTY, TONY HALL, FIONA MA, SOPHIE MAXWELL, JAKE McGOLDRICK, 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 May 18, 2004 Meeting 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.

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 48

Recommendations of the Land Use Committee

Present: Supervisors Peskin, Maxwell

1. 040620 [Traffic Code - Adding Section 32.6.32 restricting parking around the U.S. Court of Appeals building to law enforcement vehicles only]

Ordinance adding Section 32.6.32 to the San Francisco Traffic Code restricting parking adjacent to the United States Court of Appeals building on part of Stevenson Street to law enforcement vehicles only. (Parking and Traffic Department)

(5/4/04: 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.)

6/22/2004, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

2. 040621 [Traffic Code - Amending Section 71b Towing of Vehicles Obstructing the Normal Flow of Traffic]

Ordinance adding violation of Section 39 of the San Francisco Traffic Code, which prohibits vehicles not authorized by the Chief of Police from standing in any taxicab stand, to the list of violations for which a vehicle may be towed pursuant to Section 71b of the San Francisco Traffic Code, Towing of Vehicles Obstructing the Normal Flow of Traffic. (Parking and Traffic Department)

(5/4/04: 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. 2806.)

6/22/2004, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Present: Supervisors McGoldrick, Peskin

3. 040637 [Grant of Regional Funds]

Resolution authorizing the Municipal Transportation Agency to accept and expend \$534,401 of Carl Moyer grant funds for the Municipal Railway Bus Catalyst Device Procurement, excluding administrative overhead costs. (Municipal Transportation Agency)

Question: Shall this Resolution be ADOPTED?

4. 040715 [Grant of Federal Funds]

Resolution authorizing the Municipal Transportation Agency Board to accept and expend \$35,351,840 of Federal Formula Section 5309 Fixed Guideway capital assistance for construction of Muni's Metro East Light Rail Facility, excluding administrative overhead costs. (Municipal Transportation Agency)

Question: Shall this Resolution be ADOPTED?

Recommendations of the Rules Committee

Present: Supervisors Maxwell, Gonzalez

5. 040664 [Settlement of Lawsuit - Joyce Vanman]

Ordinance authorizing settlement of the lawsuit filed by Joyce Vanman against the City and County of San Francisco for \$175,000; the lawsuit was filed on February 8, 2001 in San Francisco Superior Court, Case No. 318-756; entitled Joyce Vanman v. City and County of San Francisco. (City Attorney)

Question: Shall this Ordinance be PASSED ON FIRST READING?

6. 040665 [Settlement of Lawsuit - Jerry Cheng and Le Quan Phung]

Ordinance authorizing settlement of the lawsuit filed by Jerry Cheng and Le Quan Phung against the City and County of San Francisco for \$29,000; the lawsuit was filed on March 24, 2003 in San Francisco Superior Court, Case No. 418-620; entitled Jerry Cheng and Le Quan Phung, et al., v. City and County of San Francisco, et al; other material terms of said

settlement are each party to bear their own fees and expenses. (City Attorney)

Question: Shall this Ordinance be PASSED ON FIRST READING?

7. 040697 [Settlement of Lawsuit - Caleb Mather]

Ordinance authorizing settlement of the lawsuit filed by Caleb Mather against the City and County of San Francisco for \$45,000; the lawsuit was filed on July 10, 2002 in San Francisco Superior Court, Case No. 410-262; entitled Caleb Mather, et al., v. City and County of San Francisco, et al. (City Attorney)

Question: Shall this Ordinance be PASSED ON FIRST READING?

8. 040772 [Appointment - Commission on the Aging Advisory Council]

Resolution appointing Marylouise Lovett, for the unexpired portion of a two-term ending March 31, 2006, to the Commission on the Aging Advisory Council.

Question: Shall this Resolution be ADOPTED?

9. 040866 [Appointment - Bay Area Library and Information System Advisory Board]

Resolution appointing Nora Dowley, term ending June 30, 2006, to the Bay Area Library and Information System Advisory Board.

Ouestion: Shall this Resolution be ADOPTED?

10. 040867 [Appointment - Child Care Planning and Advisory Council]

Resolution appointing Helen Lee, for the unexpired portion of a three-year term ending December 31, 2005, to the Child Care Planning and Advisory Council.

Question: Shall this Resolution be ADOPTED?

Recommendations of the Budget Committee

Present: Supervisors Sandoval, Daly, McGoldrick

11. 040724 [Interim Public Employment, Fiscal Year 2004-2005]

Interim Annual Salary Ordinance enumerating positions in the Annual Budget and Appropriation Ordinance for the Fiscal Year ending June 30, 2005, continuing, creating or establishing these positions; enumerating and including therein all positions created by Charter or State law for which compensations are paid from City and County funds and appropriated in the Annual Appropriation Ordinance; authorizing appointments or

continuation of appointments thereto; specifying and fixing the compensations and work schedules thereof; and authorizing appointments to temporary positions and fixing compensations therefor. (Mayor)

(Fiscal impact.)

6/22/2004, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

12. 040786 [MOU - Union of American Physicians and Dentists (Unit 11-AA)]

Mayor

Ordinance adopting and implementing Amendment #1, the mediated agreement that amends the 2003-2005 Memorandum of Understanding between the City and County of San Francisco and the Union of American Physicians and Dentists (Unit 11-AA) by extending the term of the parties' agreement through June 30, 2006 and by implementing specified terms and conditions of employment for fiscal year 2004-2005 and 2005-2006 in accordance with the MOU's reopener provision.

(Fiscal impact.)

6/22/2004, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

13. 040787 [MOU - Building Inspectors' Association (6334 Chief Building Inspector)]

Mayor

Ordinance adopting and implementing Amendment #1, the mediated agreement that amends the 2003-2005 Memorandum of Understanding between the City and County of San Francisco and the Building Inspectors' Association (6334 Chief Building Inspector) by extending the term of the parties' agreement through June 30, 2006 and by implementing specified terms and conditions of employment for fiscal year 2004-2005 and 2005-2006 in accordance with the MOU's reopener provision.

6/22/2004, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

14. 040788 [MOU - Building Inspectors' Association (6331 Building Inspector, 6333 Senior Building Inspector)]

Mayor

Ordinance adopting and implementing Amendment #1, the mediated agreement that amends the 2003-2005 Memorandum of Understanding between the City and County of San Francisco and the Building Inspectors' Association (6331 Building Inspector, 6333 Senior Building Inspector) by extending the term of the parties' agreement through June 30, 2006 and by implementing specified terms and conditions of employment for fiscal year 2004-2005 and 2005-2006 in accordance with the MOU's reopener provision.

(Fiscal impact.)

6/22/2004, PASSED ON FIRST READING.

15. 040789 [MOU - Bricklayers and Allied Crafts, Local 3 and Hod Carriers, Local 36]

Mayor

Ordinance adopting and implementing Amendment #1, the mediated agreement that amends the 2003-2005 Memorandum of Understanding between the City and County of San Francisco and the Bricklayers and Allied Crafts, Local 3 and Hod Carriers, Local 36 by extending the term of the parties' agreement through June 30, 2006 and by implementing specified terms and conditions of employment for fiscal year 2004-2005 and 2005-2006 in accordance with the MOU's reopener provision.

6/22/2004, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

16. 040790 [MOU - Sheet Metal Workers International Union, Local 104]

Mayor

Ordinance adopting and implementing Amendment #1, the mediated agreement that amends the 2003-2005 Memorandum of Understanding between the City and County of San Francisco and the Sheet Metal Workers International Union, Local 104 by extending the term of the parties' agreement through June 30, 2006 and by implementing specified terms and conditions of employment for fiscal year 2004-2005 and 2005-2006 in accordance with the MOU's reopener provision.

6/22/2004, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

17. 040791 [MOU - International Alliance of the Theatrical Stage Employees, Local 16]

Mayor

Ordinance adopting and implementing Amendment #1, the mediated agreement that amends the 2003-2005 Memorandum of Understanding between the City and County of San Francisco and the International Alliance of the Theatrical Stage Employees, Local 16 by extending the term of the parties' agreement through June 30, 2006 and by implementing specified terms and conditions of employment for fiscal year 2004-2005 and 2005-2006 in accordance with the MOU's reopener provision.

6/22/2004, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

18. 040792 [MOU - International Federation of Professional and Technical Engineers, Local 21]

Mayor

Ordinance adopting and implementing Amendment #3, the mediated agreement that amends the 2003-2005 Memorandum of Understanding between the City and County of San Francisco and the International Federation of Professional and Technical Engineers, Local 21 by extending the term of the parties' agreement through June 30, 2006 and by implementing specified terms and conditions of employment for fiscal years 2004-2005 and 2005-2006 in

accordance with the MOU's reopener provision.

(Fiscal impact.)

6/22/2004, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

19. 040793 [MOU - Northern California Carpenters Regional Council, Local 22]

Mayor

Ordinance adopting and implementing Amendment #1, the mediated agreement that amends the 2003-2005 Memorandum of Understanding between the City and County of San Francisco and the Northern California Carpenters Regional Council, Local 22 by extending the term of the parties' agreement through June 30, 2006 and by implementing specified terms and conditions of employment for fiscal year 2004-2005 and 2005-2006 in accordance with the MOU's reopener provision.

(Fiscal impact.)

6/22/2004, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

20. 040794 [MOU - Laborers International Union, Local 261]

Mayor

Ordinance adopting and implementing Amendment #1, the mediated agreement that amends the 2003-2005 Memorandum of Understanding between the City and County of San Francisco and the Laborers International Union, Local 261 by extending the term of the parties' agreement through June 30, 2006 and by implementing specified terms and conditions of employment for fiscal years 2004-2005 and 2005-2006 in accordance with the MOU's reopener provision.

(Fiscal impact.)

6/22/2004, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

21. 040795 [MOU - Operating Engineers, Local 3]

Mayor

Ordinance adopting and implementing Amendment #1, the mediated agreement that amends the 2003-2005 Memorandum of Understanding between the City and County of San Francisco and the Operating Engineers, Local 3 by extending the term of the parties' agreement through June 30, 2006 and by implementing specified terms and conditions of employment for fiscal year 2004-2005 and 2005-2006 in accordance with the MOU's reopener provision.

6/22/2004, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

22. 040796 [MOU - Pile Drivers, Divers, Carpenters, Bridge, Wharf and Dock Builders, Local Union #34]

Mayor

Ordinance adopting and implementing Amendment #1, the mediated agreement that amends the 2003-2005 Memorandum of Understanding between the City and County of San Francisco and the Pile Drivers, Divers, Carpenters, Bridge, Wharf and Dock Builders, Local Union #34 by extending the term of the parties' agreement through June 30, 2006 and by implementing specified terms and conditions of employment for fiscal year 2004-2005 and 2005-2006 in accordance with the MOU's reopener provision.

6/22/2004, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

23. 040797 [MOU - Teamsters, Local 350]

Mayor

Ordinance adopting and implementing Amendment #1, the mediated agreement that amends the 2003-2005 Memorandum of Understanding between the City and County of San Francisco and the Teamsters, Local 350 by extending the term of the parties' agreement through June 30, 2006 and by implementing specified terms and conditions of employment for fiscal year 2004-2005 and 2005-2006 in accordance with the MOU's reopener provision.

6/22/2004, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

24. 040798 [MOU - International Association of Ironworkers, Riggers and Machinery Movers, Local 377]

Mayor

Ordinance adopting and implementing Amendment #1, the mediated agreement that amends the 2003-2005 Memorandum of Understanding between the City and County of San Francisco and the International Association of Ironworkers, Riggers and Machinery Movers, Local 377 by extending the term of the parties' agreement through June 30, 2006 and by implementing specified terms and conditions of employment for fiscal year 2004-2005 and 2005-2006 in accordance with the MOU's reopener provision.

6/22/2004, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

25. 040799

[MOU - United Association of Journeyman and Apprentices of the Plumbing and Pipe Fitting Industry, Local 38]

Mayor

Ordinance adopting and implementing Amendment #1, the mediated agreement that amends the 2003-2005 Memorandum of Understanding between the City and County of San Francisco and the United Association of Journeyman and Apprentices of the Plumbing and Pipe Fitting Industry, Local 38 by extending the term of the parties' agreement through June 30, 2006 and by implementing specified terms and conditions of employment for fiscal year 2004-2005 and 2005-2006 in accordance with the MOU's reopener provision.

(Fiscal impact.)

6/22/2004, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

26. 040800 [MOU - Painters Union Local District Council #8, Local 4]

Mayor

Ordinance adopting and implementing Amendment #1, the mediated agreement that amends the 2003-2005 Memorandum of Understanding between the City and County of San Francisco and the Painters Union Local District Council #8, Local 4 by extending the term of the parties' agreement through June 30, 2006 and by implementing specified terms and conditions of employment for fiscal year 2004-2005 and 2005-2006 in accordance with the MOU's reopener provision.

(Fiscal impact.)

6/22/2004, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

27. 040801 [MOU - United Union of Roofers, Waterproofers and Allied Workers, Local 40]

Mayor

Ordinance adopting and implementing Amendment #1, the mediated agreement that amends the 2003-2005 Memorandum of Understanding between the City and County of San Francisco and the United Union of Roofers, Waterproofers and Allied Workers, Local 40 by extending the term of the parties' agreement through June 30, 2006 and by implementing specified terms and conditions of employment for fiscal year 2004-2005 and 2005-2006 in accordance with the MOU's reopener provision.

6/22/2004, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

28. 040802 [MOU - Cement Masons, Local 580]

Mayor

Ordinance adopting and implementing Amendment #2, the mediated agreement that amends the 2003-2005 Memorandum of Understanding between the City and County of San Francisco and the Cement Masons, Local 580 by extending the term of the parties' agreement through June 30, 2006 and by implementing specified terms and conditions of employment for fiscal year 2004-2005 and 2005-2006 in accordance with the MOU's reopener provision.

6/22/2004, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

29. 040803 [MOU - Plasterers and Shophands, Local 66]

Mayor

Ordinance adopting and implementing Amendment #1, the mediated agreement that amends the 2003-2005 Memorandum of Understanding between the City and County of San Francisco and the Plasterers and Shophands, Local 66 by extending the term of the parties' agreement through June 30, 2006 and by implementing specified terms and conditions of employment for fiscal year 2004-2005 and 2005-2006 in accordance with the MOU's reopener provision.

Question: Shall this Ordinance be FINALLY PASSED?

30. 040804 [MOU - Glaziers, Architectural Metal and Glass Workers Local Union No. 718]

Mayor

Ordinance adopting and implementing Amendment #1, the mediated agreement that amends the 2003-2005 Memorandum of Understanding between the City and County of San Francisco and Glaziers, Architectural Metal and Glass Workers Local Union No. 718 by extending the term of the parties' agreement through June 30, 2006 and by implementing specified terms and conditions of employment for fiscal year 2004-2005 and 2005-2006 in accordance with the MOU's reopener provision.

6/22/2004, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

31. 040805 [MOU - Teamsters, Local 853]

Mayor

Ordinance adopting and implementing Amendment #1, the mediated agreement that amends the 2003-2005 Memorandum of Understanding between the City and County of San Francisco and Teamsters, Local 853 by extending the term of the parties' agreement through June 30, 2006 and by implementing specified terms and conditions of employment for fiscal years 2004-2005 and 2005-2006 in accordance with the MOU's reopener provision.

(Fiscal impact.)

6/22/2004, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

32. 040806 [MOU - Teamsters Local 856 (Multi-Unit)]

Mayor

Ordinance adopting and implementing Amendment #1, the mediated agreement that amends the 2003-2005 Memorandum of Understanding between the City and County of San Francisco and Teamsters Local 856 (Multi-Unit) by extending the term of the parties' agreement through June 30, 2006 and by implementing specified terms and conditions of employment for fiscal years 2004-2005 and 2005-2006 in accordance with the MOU's reopener provision.

(Fiscal impact.)

6/22/2004, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

33. 040807 [MOU - Municipal Attorneys Association]

Mayor

Ordinance adopting and implementing Amendment #1, the mediated agreement that amends the 2003-2005 Memorandum of Understanding between the City and County of San Francisco and the Municipal Attorneys Association by implementing specified terms and

conditions of employment for fiscal years 2004-2005 in accordance with the MOU's reopener provision.

6/22/2004, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

34. 040808 [MOU - Municipal Executives Association]

Mayor

Ordinance adopting and implementing Amendment #1, the mediated agreement that amends the 2003-2005 Memorandum of Understanding between the City and County of San Francisco and the Municipal Executives Association by extending the term of the parties' agreement through June 30, 2006 and by implementing specified terms and conditions of employment for fiscal year 2004-2005 and 2005-2006 in accordance with the MOU's reopener provision.

(Fiscal impact.)

6/22/2004, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

35. 040809

[MOU - Operating Engineers, Local 3 of the Int. Union of Operating Engineers, AFL-CIO, Supervising Probation Officers]

Mayor

Ordinance adopting and implementing Amendment #1, the mediated agreement that amends the 2003-2005 Memorandum of Understanding between the City and County of San Francisco and the Operating Engineers, Local 3 of the Int. Union of Operating Engineers, AFL-CIO, Supervising Probation Officers by extending the term of the parties' agreement through June 30, 2006 and by implementing specified terms and conditions of employment for fiscal year 2004-2005 and 2005-2006 in accordance with the MOU's reopener provision.

6/22/2004, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

36. 040810

[MOU - Service Employees International Union, Locals 250, 535 and 790]

Mayor

Ordinance adopting and implementing Amendment #1, the mediated agreement that amends the 2003-2005 Memorandum of Understanding between the City and County of San Francisco and the Service Employees International Union, Locals 250, 535 and 790 by extending the term of the parties' agreement through June 30, 2006 and by implementing specified terms and conditions of employment for fiscal years 2004-2005 and 2005-2006 in accordance with the MOU's reopener provision.

(Fiscal impact.)

6/22/2004, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

37. 040811 [MOU - Transit Workers Union, AFL-CIO, Local 250-A, Automotive Service Workers (7410)]

Mayor

Ordinance adopting and implementing Amendment #1, the mediated agreement that amends the 2003-2005 Memorandum of Understanding between the City and County of San Francisco and Transit Workers Union, AFL-CIO, Local 250-A, Automotive Service Workers (7410) by extending the term of the parties' agreement through June 30, 2006 and by implementing specified terms and conditions of employment for fiscal years 2004-2005 and 2005-2006 in accordance with the MOU's reopener provision.

6/22/2004, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

38. 040812 [MOU - Union of American Physicians and Dentists (Unit 8-CC)]

Mayor

Ordinance adopting and implementing Amendment #1, the mediated agreement that amends the 2003-2005 Memorandum of Understanding between the City and County of San Francisco and the Union of American Physicians and Dentists (Unit 8-CC) by extending the term of the parties' agreement through June 30, 2006 and by implementing specified terms and conditions of employment for fiscal year 2004-2005 and 2005-2006 in accordance with the MOU's reopener provision.

(Fiscal impact.)

6/22/2004, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

39. 040813 [MOU - Transport Workers Union Local 250-A, Multi-Unit (Units 8-AA, 8-BB, 8-FF, 11-Z, 11-CC)]

Mayor

Ordinance adopting and implementing Amendment #1, the mediated agreement that amends the 2003-2005 Memorandum of Understanding between the City and County of San Francisco and the Transport Workers Union Local 250-A, Multi-Unit (Units 8-AA, 8-BB, 8-FF, 11-Z, 11-CC) by extending the term of the parties' agreement through June 30, 2006 and by implementing specified terms and conditions of employment for fiscal year 2004-2005 and 2005-2006 in accordance with the MOU's reopener provision.

6/22/2004, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

40. 040814 [MOU - Transport Workers' Union, AFL-CIO Local 200]

Mayor

Ordinance adopting and implementing an arbitration award establishing an amendment to the 2003-2005 Memorandum of Understanding between the City and County of San Francisco and the Transport Workers' Union, AFL-CIO Local 200 by implementing specified terms and conditions of employment for fiscal year 2004-2005 in accordance with the MOU's reopener provision.

Ouestion: Shall this Ordinance be FINALLY PASSED?

41. 040815 [MOU - International Union of Operating Engineers, Stationary Engineers, Local 39]

Mayor

Ordinance adopting and implementing an arbitration award establishing an amendment to the 2003-2005 Memorandum of Understanding between the City and County of San Francisco and the International Union of Operating Engineers, Stationary Engineers, Local 39 by extending the term of the parties' agreement through June 30, 2006 and by implementing specified terms and conditions of employment for fiscal years 2004-2005 and 2005-2006 in accordance with the MOU's reopener provision.

(Fiscal impact.)

6/22/2004, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

42. 040816 [MOU - International Brotherhood of Electrical Workers, Local 6]

Mayor

Ordinance adopting and implementing an arbitration award establishing an amendment to the 2003-2005 Memorandum of Understanding between the City and County of San Francisco and the International Brotherhood of Electrical Workers, Local 6 by extending the term of the parties' agreement through June 30, 2006 and by implementing specified terms and conditions of employment for fiscal years 2004-2005 and 2005-2006 in accordance with the MOU's reopener provision.

(Fiscal impact.)

6/22/2004, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

43. 040817 [MOU - San Francisco District Attorney Investigator's Association]

Mayor

Ordinance adopting and implementing an arbitration award establishing an amendment to the 2003-2005 Memorandum of Understanding between the City and County of San Francisco and the San Francisco District Attorney Investigator's Association by extending the term of the parties' agreement through June 30, 2006 and by implementing specified terms and conditions of employment for fiscal years 2004-2005 and 2005-2006 in accordance with the MOU's reopener provision.

(Fiscal impact.)

6/22/2004, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

44. 040363 [To appropriate General Fund revenue for City Planning Department]

Mayor

Ordinance appropriating \$1,290,592 from Department of Building Inspection fund balance to reimburse the City for General Fund expenditures on long range planning in fiscal years 1997-98 and 1998-99, and to use the reimbursement to offset a shortfall in fiscal year 2003-04 budgeted revenue at the City Planning Department, and to enable the department to complete environmental reviews related to the Eastern Neighborhoods Initiative and the Rincon Hill Project.

(Fiscal impact; Department requests this item be scheduled for considertion with File No. 040304)

6/22/2004, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

45. 040818 [MOU - San Francisco Police Officers' Association (SFPOA)]

Mayor

Ordinance adopting and implementing amendments to the 2003-2007 Memorandum of Understanding between the City and County of San Francisco and the San Francisco Police Officers' Association (SFPOA) by (a) incorporating a new temporary modified duty policy; (b) providing guidelines for the required use of uniform allowances effective 7/1/04; (c) providing criteria for the selection of senior night-duty officers at each district station; (d) correcting a clerical error regarding the effective date of scheduled wage increases.

Supervisor Daly dissented in Committee.

6/22/2004, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the Finance and Audits Committee

Present: Supervisors Daly, Peskin, Ammiano

46. 040819 [Fee Adjustments - Planning Department services]

Mayor

Ordinance amending the San Francisco Planning Code by amending Article 3.5 to adjust fees for Planning Department services; and making environmental findings.

6/22/2004. PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

47. 040820 [Fee Adjustments - Planning Department services]

Mayor

Ordinance amending the San Francisco Administrative Code by amending Sections 31.22 and 31.23 to adjust fees for Planning Department services; and making environmental findings.

6/22/2004, PASSED ON FIRST READING.

Ouestion: Shall this Ordinance be FINALLY PASSED?

48. 040835 [Reappropriate projected surplus from Hetch Hetchy's Supervisors Daly, Gonzalez purchase of power appropriation towards the Solar

Energy Project for current fiscal year]

Ordinance appropriating \$1,200,000 of projected surplus funds from Hetch Hetchy's purchase of power appropriation towards the Solar Energy Project for current fiscal year.

(Fiscal impact.)

6/22/2004, PASSED ON FIRST READING. Supervisor Gonzalez requested to be added as a co-sponsor.

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

Recommendation of the Budget Committee

Present: Supervisors Sandoval, Daly, McGoldrick

49. 040723 [Interim Government Funding, Fiscal Year 2004-2005]

Interim Annual Appropriation Ordinance appropriating all estimated receipts and all estimated expenditures for the City and County of San Francisco for fiscal year ending June 30, 2005. (Mayor)

(Fiscal impact.)

Supervisor Daly dissented in Committee.

6/22/2004, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendation of the Finance and Audits Committee

Present: Supervisors Daly, Peskin, Ammiano

50. 040833 [Housing Bonds]

Supervisors Gonzalez, Daly, Ammiano

Resolution determining and declaring that the public interest and necessity demand municipal improvements consisting of the acquisition, rehabilitation, renovation, improvement, construction or reconstruction by the City and County of San Francisco of housing for qualifying individuals and families and to provide financial assistance to qualifying individuals and families to purchase housing in the City, and all other works, property and structures necessary or convenient for the foregoing purposes, that the estimated cost of \$210,000,000 for said municipal improvements is and will be too great to be paid out of the ordinary annual income and revenue of said City and County and will require the incurring of bonded indebtedness; finding the proposed project is in conformity with the priority policies of Planning Code Section 101.1(b) and with the general plan consistency requirement of Administrative Code Section 2a.

(6/18/04, Supervisor Peskin dissenting in committee)

6/22/2004, CONTINUED. Supervisor Dufty, seconded by Supervisor Maxwell, moved to continue to June 29, 2004 Supervisor Ammiano requested to be added as a co-sponsor.

Question: Shall this Resolution be ADOPTED?

Recommendation of the Land Use Committee

Present: Supervisors McGoldrick, Peskin, Maxwell

51. 040686 [Transit Advertising Contract with Viacom Outdoor Inc.]

Mayor

Resolution authorizing the Municipal Transportation Agency to execute a transit advertising contract with Viacom Outdoor Inc., for a term commencing July 1, 2004 and ending June 30, 2009, which offers a minimum total aggregate of revenue and services of \$16,425,000 during the five-year term of the contract.

6/22/2004, CONTINUED. Continued to June 29, 2004

Question: Shall this Resolution be ADOPTED?

NEW BUSINESS

Recommendations of the Finance and Audits Committee

Present: Supervisors Daly, Peskin, Ammiano

52. 040749 [Mayor's Fund for the Homeless]

Ordinance amending San Francisco Administrative Code section 10.100-106 to transfer

administration of the Mayor's Fund for the Homeless to the director of the Department of Public Health. (Mayor)

Question: Shall this Ordinance be PASSED ON FIRST READING?

53. 040756 [Permitting the City to offer services to governmental entities that it offers to private parties and to offer services to utilities]

Ordinance amending Administrative Code Chapter 10B to add Section 10B.21 to permit the City to offer services to governmental entities that it offers to private parties and to offer services to utilities. (Mayor)

Question: Shall this Ordinance be PASSED ON FIRST READING?

54. 040762 [Salary and Wage Deductions]

Ordinance amending the San Francisco Administrative Code, Chapter 16, Article V by amending Section 16.93 to allow deductions and collections to be made for San Francisco City Services Preservation Fund. (Mayor)

Question: Shall this Ordinance be PASSED ON FIRST READING?

Present: Supervisors Daly, Peskin

55. 040391 [Modification of Easement Deed]

Resolution approving a modification to an existing Easement Deed between Pacific Gas & Electric Company, a California public utility, and the City and County of San Francisco, acting by and through its Public Utilities Commission ("SFPUC") for the realignment of an existing gas line on City land under the jurisdiction of the SFPUC located in Sunol, California. (Real Estate Department)

Question: Shall this Resolution be ADOPTED?

Recommendation of the Budget Committee

Present: Supervisors Sandoval, Daly, McGoldrick

56. 040750 [Setting fees for certain services provided by the Medical Examiner and increasing fees for other services]

Ordinance amending San Francisco Administrative Code Section 8.14, by raising the fee for removal of remains and adding fees for direct cremation of remains; preparing of toxicology specimen for shipment for retest by private lab; and specimen storage; and making environmental findings. (Mayor)

Recommendation of the Rules Committee

Present: Supervisors Maxwell, Gonzalez, Daly

(Pursuant to the provisions of Rule 2.28.7 of the Board's Rules of Order, at least six days must intervene between the first appearance of a proposed Charter amendment before the Board as a referral from committee and any Board order of submission to the electorate. In accordance therewith consideration of the following proposed Charter amendment appropriately may be continued at least one week.)

57. 040648

[Charter Amendment - Establishing Rent Board in Charter, Mayor appoints three members and Board of Supervisors appoints four, renter and non-renter seats allocated per census data **Supervisor Daly**

Charter amendment (First Draft) by adding Section 4.135 to establish the Residential Rent Stabilization and Arbitration Board in the Charter, to increase its membership from five to seven members, to provide that the Mayor will appoint three members and the Board of Supervisors will appoint four members, and to allocate the seven seats among renters and non-renters according to the percentages of renter occupied housing units and owner occupied housing units in San Francisco as reported in the ten-year federal census.

Question: Shall this Charter Amendment be SUBMITTED?

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

SPECIAL ORDER 4:00 P.M.

APPEAL PROCEDURES

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

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

58. 040862

[Public Hearing - Appeal, Conditional Use - 3372-3378 Mission Street (aka 3350 Mission Street) dba "Safeway"]

Hearing of persons interested in or objecting to the Planning Commission by its Motion No.16782 dated May 6, 2004, approving a conditional use authorization, Case No. 2003.1047C, to install a wireless telecommunications system facility consisting of six (6) pole mounted panel antennas on the roof of the Safeway grocery store structure, and related

backup equipment, pursuant to Planning Code Sections 712.83 and 790.80, within an NC-3 (Moderate-Scale Neighborhood Commercial) District and a 40-X Height and Bulk District on property located at 3372-3378 Mission Street (aka 3350 Mission Street) dba "Safeway"; West side between 29th and 30th Streets; Lot 055 in Assessor's Block 6635. (Appellant: Debra Green, representing Noe/Bernal Neighborhood Alliance.)

(Filed 6/7/04; companion measure to Files 040863, 040864, 040865; District 9.)

Action:	

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the conditional use application decision described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

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

59. 040863 [Appeal, Conditional Use - 3372-3378 Mission Street (aka 3350 Mission Street)]

Motion approving decision of the Planning Commission by its Motion No. 16782, approving Conditional Use Application No. 2003.1047C on property located at 3372-3378 Mission Street (aka 3350 Mission Street). (Clerk of the Board)

Question: Shall this Motion be ADOPTED?

60. 040864 [Appeal, Conditional Use - 3372-3378 Mission Street (aka 3350 Mission Street)]

Motion disapproving decision of the Planning Commission by its Motion No. 16782, approving Conditional Use Application No. 2003.1047C on property located at 3372-3378 Mission Street (aka 3350 Mission Street). (Clerk of the Board)

Question: Shall this Motion be ADOPTED?

61. 040865 [Findings - 3372-3378 Mission Street (aka 3350 Mission Street)]

Motion directing the Clerk of the Board to prepare findings relating to proposed Conditional use Application No. 2003.1047C on property located at 3372-3378 Mission Street (aka 3350 Mission Street), for action by the Board at its next meeting. (Clerk of the Board)

Question: Shall this Motion be ADOPTED?

SPECIAL ORDER 5:00 P.M.

62. 040704 [Public Hearing - Appeal, Preliminary Negative Declaration for the Proposed Revision of the Housing Element of the S.F. General Plan]

Hearing of persons interested in or objecting to the decision of the Planning Department by its Motion No. 16786 dated May 13, 2004 (Case No. 2000.465E), approving the preliminary negative declaration for the proposed revision of the Housing Element of the San Francisco General Plan. (Appellants: John Bardis, on behalf of the Inner Sunset Action Committee; Paige J. Swartley of Brand-Hawley Law Group, representing fifteen (15) appellants.)

Filed 5/27/04 by John Bardis on behalf of the Inner Sunset Action Committee. Filed 6/3/04 by Paige J. Swartley of Brand-Hawley Law Group, representing fifteen (15) appellants.

(companion measure to Files, 040705, 040706, 040707.)

Action:	

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the negative declaration decision and conditional use application decision described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

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

63. 040705 [Affirm adoption of the negative declaration for 2003 update of Housing Element]

Motion affirming Planning Commission adoption of the final negative declaration for 2003 update of Housing Element. (Clerk of the Board)

Question: Shall this Motion be ADOPTED?

64. 040706 [Reversing adoption of the negative declaration for the 2003 update of Housing Element]

Motion reversing the Planning Commission adoption of the final negative declaration for the 2003 update of Housing Element. (Clerk of the Board)

Question: Shall this Motion be ADOPTED?

65. 040707 [Preparation of findings to reverse adoption of the negative declaration for the 2003 update of Housing Element]

Motion directing the Clerk of the Board to prepare findings reversing the Planning Commission adoption of the negative declaration for the 2003 update of Housing Element.

Question: Shall this Motion be ADOPTED?

COMMITTEE REPORTS

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

Recommendations of the Rules Committee

The following item was considered by the Rules Committee at a Regular Meeting on Wednesday, June 23, 2004, at 10:00 a.m.The Chair intends to request the Committee to send the following item to the Board as a committee report.

66. 040709 [Dismissal of Lawsuit - Scott Co. of California, et al.]

Ordinance authorizing dismissal of the lawsuit filed by the City and County of San Francisco against Scott Co. of California, Al Norman Plumbing Company, Inc., Scott-Norman Mechanical, Inc., Richard W. Davis, Joseph A. Guglielmo, Alvin P. Norman, Jaqueline Norman and Robert T. Nurisso; the lawsuit was filed on September 23, 1999 in San Francisco Superior Court, Case No. 306-623; entitled City and County of San Francisco, et al., v. Scott Co. of California, et al. (City Attorney)

Question: Shall this Ordinance be PASSED ON FIRST READING?

The following items will be considered by the Rules Committee at a Special Meeting on Tuesday, June 29, 2004, at 9:30 a.m.The Chair intends to request the Committee to send the following items to the Board as a committee report.

67. 040881 [Appointment, Planning Commission]

Supervisor Gonzalez

Motion approving the Board of Supervisors President Gonzalez's nomination of Christina Olague to the Planning Commission term ending July 1, 2004.

(Section 4.105 of the City Charter provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days of the date the nomination is transmitted to the Clerk then the nominee shall be deemed approved. Companion measure to File 040902.) Transmittal date - June 15, 2004.

Question: Shall this Motion be ADOPTED?

68. 040882 [Appointment, Planning Commission]

Supervisor Gonzalez

Motion approving the Board of Supervisors President Gonzalez's nomination of Christina Olague to the Planning Commission term ending July 1, 2008.

(Section 4.105 of the City Charter provides that this nomination is subject to approval by the

Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days of the date the nomination is transmitted to the Clerk then the nominee shall be deemed approved. Companion measure to File 040900.) Transmittal date - June 15, 2004.

Question: Shall this Motion be ADOPTED?

69. 040902 [Appointment, Planning Commission]

Motion rejecting the Board of Supervisors President's appointment of Christina Olague to the Planning Commission, term ending July 1, 2004. (Clerk of the Board)

(Section 4.105 of the City Charter provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days of the date the nomination is transmitted to the Clerk then the nominee shall be deemed approved. Companion measure to File 040881.) Transmittal date - June 15, 2004.

Question: Shall this Motion be ADOPTED?

70. 040900 [Appointment, Planning Commission]

Motion rejecting the Board of Supervisors President's appointment of Christina Olague to the Planning Commission, term ending July 1, 2008. (Clerk of the Board)

(Section 4.105 of the City Charter provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days of the date the nomination is transmitted to the Clerk then the nominee shall be deemed approved. Companion measure to File 040882.) Transmittal date - June 15, 2004.

Question: Shall this Motion be ADOPTED?

Recommendation of the City Services Committee

The following item will be considered by the City Services Committee at a Rescheduled Meeting on Thursday, June 24, 2004, at 9:00 a.m.The Chair intends to request the Committee to send the following item to the Board as a committee report.

71. 040823 [Homeland Security Grants]

Mayor

Resolution amending Resolution No. 131-03 to authorize designated City and County officials to execute and file on behalf of the City and County of San Francisco applications for federal and state financial assistance under the Emergency Management Performance Grant Program, the renamed State Homeland Security Grant Program, Public Law 107-206 and any other federal funding programs that are passed through the State of California.

Ouestion: Shall this Resolution be ADOPTED?

Recommendations of the Finance and Audit Committee

The following items will be considered by the Finance and Audits Committee at a Rescheduled Meeting on Tuesday, June 29, 2004, at 9:00 a.m.The Chair intends to request the Committee to send the following items to the Board as a committee report.

72. 040871 [Appropriate funding for San Francisco General and Laguna Honda Hospital operations]

Mayor

Ordinance appropriating \$11,155,000 in surplus revenues for salaries, fringe benefits, contractual services, materials and supplies, and services of other departments at San Francisco General Hospital and \$1,152,000 in surplus revenues for services of other departments for Laguna Honda Hospital for a total of \$12,307,000 for the Public Health Department for fiscal year 2003-04.

Ouestion: Shall this Ordinance be PASSED ON FIRST READING?

73. 040872 [Appropriate funding for the over expenditure in Trial Courts, District Attorney, Fire, and Sheriff]

Mayor

Ordinance appropriating \$500,000 from the Un-appropriated Revenue to fund over expenditure in legal expenses pertaining to the indigent defense program at Trial Courts; appropriating \$552,089 from departmental revenues to fund over expenditure in District Attorney work order for Police Overtime; appropriating \$3,149,000 from departmental revenues and recoveries to fund over expenditure in Fire salaries; and releasing \$3,250,000 from reserve and appropriating to Sheriff debt service and re-appropriating departmental general fund to pay for over expenditures in salaries for fiscal year 2003-04.

Question: Shall this Resolution be ADOPTED?

74. 040873 [Appropriate funding for the Port of San Francisco to certify the construction phase of the design/build contract for the intermodal bridge, also known as the Illinois Street Bridge]

Mayor

Ordinance appropriating \$9,998,139 to fund the certification of the construction phase of a design/build contract awarded to Shimmick Construction Company to build an intermodal bridge along Illinois Street over Islasis Creek (also known as The Illinois Street Bridge). Total funding sources include \$3,581,080 from the Port of San Francisco's unappropriated fund balance, \$4,300,000 in contributions from Catellus Corporation and \$2,117,059 from environmental impact mitigation fees.

(Fiscal impact.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

75. 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.

76. PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

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

Items 77 through 88

77. 040918 [Accept - Expend State Grant - MOCJ]

Mayor

Resolution authorizing the Mayor's Office of Criminal Justice (MOCJ) to retroactively accept and expend a grant in the amount of \$200,000 from the State Board of Corrections, from funds made available through the Title II Delinquency Prevention and Intervention Program (Title II), for the "Read into Your Future" literacy project.

6/22/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

78. 040919 [Accessible Public Event Checklist]

Supervisor Alioto-Pier

Resolution adopting the use of the Accessible Public Event Checklist as developed by the Mayor's Office on Disability for all City sponsored public meetings and events.

6/22/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

79. 040920 [Accept-Expend State Grant - MTA, DPT]

Supervisor Alioto-Pier

Resolution authorizing the Municipal Transportation Agency, Department of Parking and

Traffic to apply for, accept and expend a grant in the amount of \$324,000 from the California Department of Transportation Hazard Elimination Safety grant program to install Pedestrian Countdown Signals at up to 30 various intersection locations throughout the City for Bicycle and Pedestrian Improvements.

6/22/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

80. 040921 [Accept-Expend State Grant - DPT]

Supervisor Alioto-Pier

Resolution authorizing the Department of Parking and Traffic to apply for, accept and expend a grant in the amount of \$450,000 from the California Department of Transportation for Safe Routes to School grant funding.

6/22/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

81. 040922 [Accept and Expend Gift - Levi Strauss Foundation]

Supervisor Dufty

Resolution accepting and expending a gift in the amount of \$11,750 from the Levi Strauss Foundation to support programs and gardening activities at 10th Avenue Playground, Lloyd Lake and Prayer Book Cross in Golden Gate Park, Potrero Hill, Mountain Lake, Grattan School Playground, India Shoreline Natural Area, and Herz Playground and Recreation Center.

6/22/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

82. 040923

[Honoring the Grand Marshals of the 2004 SF San Francisco Lesbian Gay Bisexual Transgender Pride Parade and Celebration]

Supervisor Gonzalez

Resolution honoring the Grand Marshals of this year's annual San Francisco Lesbian Gay Bisexual Transgender Pride Parade and Celebration and commending their participation in this important event.

6/22/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

83. 040924

[Removing one Member Seat from the Power Plant Task Force]

Supervisor Maxwell

Resolution removing the Executive Director of Communities for a Better Environment or his/her designee from the Power Plant Task Force.

6/22/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT

Ouestion: Shall this Resolution be ADOPTED?

84. 040926 [Urging the retrial of the Gwen Araujo murder and Supervisors Ammiano, Dufty hate crime case]

Resolution urging the Alameda County District Attorney to; (1) recharge all defendants in the murder and hate crime of Gwen Araujo, and (2) offer a motion limiting any questioning or evidence concerning a "transpanic" defense, and (3) urge the Alameda County District Attorney to collaborate with the LGBT legal organizations to assist in writing any supporting legal motions for the District Attorney to prosecute this case.

6/22/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

85. 040911 [Audit of New Wastewater Service Rates]

Supervisor Hall

Motion directing the Budget Analyst of the Board of Supervisors to prioritize, within its scheduled FY 2004-2005 management audit of the Public Utilities Commission, an analysis of the Wastewater Service Rates recently approved by the Commission, and scheduled to take effect July 1, 2004.

6/22/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Ouestion: Shall this Motion be ADOPTED?

86. 040917 [Rejecting the MTA Budget]

Supervisor Daly

Motion rejecting the MTA budget pursuant to Charter Section 8A.106, authorizing the Controller to continue making interim appropriations and requesting an audit of the MTA to address paratransit fare increases, service reductions, layoffs of service critical employees, and other structural budget problems.

6/22/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Ouestion: Shall this Motion be ADOPTED?

87. 040925

[Disapproving the Mayor's executive branch reorganization of personnel functions at Child Support Services]

Supervisor Sandoval

Motion disapproving, under Charter Section 4.132, the Mayor's intended transfer of personnel functions from Child Support Services to the Department of Human Resources.

6/22/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Ouestion: Shall this Motion be ADOPTED?

88. 040929 [Needle Exchange Emergency]

Supervisors Ammiano, Daly, Peskin, McGoldrick, Maxwell, Dufty

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

6/22/2004, 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:_____

89. 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 June 15, 2004 through June 21, 2004, for reference by President to appropriate committee on June 29, 2004.

040860 [Settlement of Lawsuit - Sixta Santiago]

Ordinance authorizing settlement of the lawsuit filed by Sixta Santiago against the City and County of San Francisco for \$115,000; the lawsuit was filed on December 12, 2003 in San Francisco Superior Court, Case No. CGC 03-426-777; entitled Sixta Santiago v. City and County of San Francisco, et al; other material terms of said settlement are that Plaintiff has agreed to retire from her position with the City. (City Attorney)

6/21/2004, RECEIVED AND ASSIGNED to Rules Committee.

040887 [Mission Bay - Park P1 Improvements]

Ordinance designating a portion of State Trust Parcel 2 and Parcel 7 adjacent to Channel for public open space and park purposes; naming the new park "Mission Creek Park"; designating sidewalk width; accepting the irrevocable offer for the acquisition facilities; designating said facilities to public open space and park purposes and accepting for maintenance responsibilities and liability purposes; adopting findings that such actions are consistent with the City's General Plan, priority policy findings of City Planning Code section 101.1, and the Mission Bay South Redevelopment Plan; accepting Department of Public Works Order No. 174,861 and authorizing official acts in connection with this Ordinance. (Public Works Department)

6/21/2004, RECEIVED AND ASSIGNED to Land Use Committee.

PROPOSED RESOLUTIONS

Proposed resolutions received from June 15, 2004 through June 21, 2004, for reference by President to appropriate committee on June 29, 2004.

040858 [Accept-Expend Federal Grant]

Resolution authorizing the Municipal Transportation Agency to accept and expend a grant in the amount of \$82,400 from the Metropolitan Transportation Commission for development and production of the Municipal Railway's Short Range Transit Plan for Fiscal Year 2006 and the FY2004 SRTP Interim Update. (Municipal Transportation Agency)

6/15/2004, RECEIVED AND ASSIGNED to Land Use Committee.

040859 [Designating 165 10th Street, the James Lick Baths/People's Laundry building, as a Landmark]

Ordinance Designating 165 10th Street, The James Lick Baths/People's Laundry Building, As Landmark No. 246 Pursuant To Article 10, Sections 1004 And 1004.4 Of The Planning Code. (Planning Department)

6/21/2004, RECEIVED AND ASSIGNED to Land Use Committee.

040891 [Mission Bay South Access and Other Agreements]

Resolution approving one new agreement to extend the terms of terminated agreement and to exercise options for extensions of seven other terminated agreements, all containing easements and licenses for access, use, maintenance and operation of infrastructure improvements in Mission Bay South, making such actions retroactive to the date of their respective terminations and authorizing other official actions. (Public Works Department)

6/21/2004, RECEIVED AND ASSIGNED to Land Use Committee.

040940 [Petitions and Communications]

Petitions and Communications received from June 15, 2004 through June 21, 2004, for reference by the President to Committee considering related matters or to be ordered filed by the Clerk on June 29, 2004.

From concerned citizens, concerning the lack of notification of the construction being done on the Richardson Triangle. Copy: Supervisor Alioto-Pier, 4 letters(1)

From Planning Department, regarding the proposal to create a new Special Use District, 'The Third Street and Oakdale Avenue Affordable Housing Special Use District', located at 4800 3rd Street. File Nos. 040718, 040719(2)

From San Francisco Unified School District, regarding the recognition of the APIFRN Day celebration.Copy: Each Supervisor(3)

From San Francisco Redevelopment Agency, regarding the authorization of an Agency Agreement with the Treasure Island Development Authority, a public body, corporate and politic, for the provision of Agency staff services to the Treasure Island Development Authority, for a term not to exceed one year. Copy: Supervisors Sandoval, Daly, McGoldrick, Peskin and Gonzalez(4)

From Department of Parking and Traffic, reporting on the recent request of installing additional STOP signs at the T-intersection of Cora Street and Leland Avenue. (Reference No. 20040511-005) Copy: Supervisor Maxwell(5)

From Department of Public Health, regarding implementation of the Equal Access to City Services Ordinance. (Reference No. 20040427-007) Copy: Supervisors Ma and Dufty(6)

From Department of Parking and Traffic, regarding the update on the construction of the traffic and pedestrian safety improvements at the intersection of Bayshore Boulevard and

Blanken Avenue. (Reference No. 20040224-002) Copy: Supervisor Maxwell(7)

From Martin T. Lyon, concerning various traffic problems in San Francisco. Copy: Each Supervisor, 2 letters (8)

From San Francisco Public Utilities Commission, submitting PUC Resolution adopting and imposing schedules of sewer service charges to be paid by users effective July 1, 2004 and thereafter. Copy: Each Supervisor(9)

From Department of Public Health, submitting a list of all sole source contracts in effect during fiscal year 2002-2003.(10)

From Ethics Commission, regarding the regulations to implement streamlined enforcement program for committees that fail to file campaign finance reports.(11)

From Department of Elections, reporting that the departments' proposed FY2004-05 budget does not require layoffs in public contact positions or of bilingual employees.(12)

From concerned citizens, regarding the certification of the Transbay Terminal EIR. Copy: Each Supervisor, 3 letters (13)

From Ethics Commission, regarding the regulation to implement Proposition E: prohibition on political activities - definitions.(14)

From Ethics Commission, regarding reduction to the Budget of the Fair Practices Commission. (15)

From San Francisco Police Department, regarding the staffing levels at all the district stations of the SFPD. (Reference No. 20040413-001)(16)

From BART, informing the members of the Board of Supervisors that the Director's seat in District 7 and 9 of the SF BART District will be up for election for a full four-year term in the General Election of November 2, 2004.(17)

From Christopher Copeland, urging members of the Board of Supervisors to restore \$2 million to the Department of Aging and Adult Services budget.(18)

From City Hub Neighborhood Alliance, submitting an article regarding the denial of claims filed by S.F. residents who say a February 25 rainstorm damaged their homes and businesses. (19)

From concerned citizens, regarding the Final EIR for the Golden Gate Park Concourse Authority Projects. File No. 031481, Copy: Each Supervisor (20)

From Burr Wolff, regarding the application for an appeal submitted by Gap Inc.(21)

From Jose Lucana, regarding the Board of Supervisors approval for contracting out personal services. File No. 040594, Copy: Each Supervisor(22)

From Adult Probation Department, reporting that the department proposed FY 2004-2005 budget does not require layoffs of employees in public contact position. Copy: Supervisors Ma, Dufty(23)

From Iryna Kwasny, urging the Board of Supervisors to adopt a resolution on Corporate

Constitutional Rights.(24)

From concerned citizens, regarding the Mayor's determination of a fiscal emergency that jail health services can be practically performed by a private for Fiscal Year 2004-05. File No. 040782, 4 letters, Copy: Each Supervisors(25)

From Patricia Costopoulos, submitting support for the Neighborhood Emergency Response Team training program.(26)

From concerned citizens, concerning the hearing to consider the Department of Public Health's budget eliminating or reducing medical services. File No. 040681, Copy: Each Supervisor(27)

From Department of Building Inspection, submitting a letter sent to SPUR and AIA regarding the "Planning for the City's Future" report.(28)

From City Hub Neighborhood Alliance, submitting support for the new web page showing photos of high-risk sex offenders and the neighborhoods they live in.Copy: Each Supervisor(29)

From Tower Realty Management Corporation, requesting the Mayor's office to relocate "10-9" (Messenger Appreciation Day) celebration to an alternate location.(30)

From San Francisco Association of Realtors, concerning the down payment assistance portion of the housing bond measure. Copy: Each Supervisor(31)

From concerned citizens, urging the Board of Supervisors to reconsider the Department of Children, Youth and Family recommendation of funding reduction to the South of Market Teen and Family Center. Copy: Each Supervisor, 2 letters(32)

From Office of the Treasurer and Tax Collection and Police Department, regarding the investigation of the Glass Cat as known as Glas Kat located at 520 4th Street. Copy: Supervisors Ma, Dufty, 2 letters(33)

From the Department of Human Services, reporting that the proposed budget for DHS will require no

layoffs of employees in public contact positions and bilingual employees. Copy: Supervisors Ma, Dufty(34)

From Office of the City Attorney, regarding the lease of property of the Empress Hotel located at 144 Eddy Street, San Francisco. File No. 040680(35)

From concerned citizens, expressing opposition to the Charter amendment that would change the composition and character of the Rent Board. Copy: Each Supervisor, File No. 040648, 2 letters(36)

From San Francisco International Airport, San Francisco Law Library, Human Rights Commission, Department of Public Works, Civil Service Commission, reporting on the sole source contracts for the Fiscal Year 2002-2003.(37)

From US Army of Corps of Engineers, regarding a permit application to fill approximately 0.91 acres of jurisdictional wetlands to facilitate the construction of a residential subdivision and commercial space.(38)

From Tempi Priestly, submitting support for Supervisor Tom Ammiano's legislation to fund the San Francisco International Arts Festival. (39)

From D. Owen Fair, concerning the Positive Resource Center's possible budget cut.(40)

From Thomas Poon, regarding his unpleasant experience with officers of the San Francisco Department of Parking and Traffic.(41)

From concerned citizens, urging the Board of Supervisors to preserve funding for arts institutions in San Francisco. File No. 040776, Copy: Supervisors Sandoval, Daly, McGoldrick, Peskin, Gonzalez, 11 letters(42)

From Immigrant Rights Commission, submitting resolution opposing budget cuts to the district health centers that predominately serve immigrant populations. Copy: Each Supervisor, File No. 040681(43)

From Ethics Commission, submitting the First Quarter Summary of Earnings and Expenses of Lobbyists registered with the City and press release regarding the same.(44)

From Port of San Francisco, reporting on environmental, health and safety issues. File No. 040535, Copy: Each Supervisor(45)

From Peter Warfield, expressing his appreciation to the Board of Supervisors for passing the Library Citizens Advisory Committee legislation. File No. 020585(46)

From Mary Chipman, regarding animal testing at UCSF.(47)

From Martin Lyon, urging the Board of Supervisors to rename the San Francisco Department of Recreation and Park. Copy: Each Supervisor (48)

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. 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 ESPA¥OL: 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.

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

