

# 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, November 1, 2005  
2:00 PM**

#### **Regular Meeting**

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**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

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## **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.*

# 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 9

### Recommendations of the Rules Committee

*Present: Supervisors Mirkarimi, Peskin*

- 1. 051354 [Settlement of Lawsuit - George Q. Chen]**  
Ordinance authorizing settlement of the lawsuit filed by the City and County of San Francisco against George Q. Chen, for a payment to the Airport in the amount of \$113,800.00, and on certain other terms; the lawsuit was filed on December 1, 2003, in United States Bankruptcy Court for the Northern District of California, Adversary Case No. 03-3713 DM and entitled City and County of San Francisco v. George Q. Chen. (City Attorney)

**Question: Shall this Ordinance be PASSED ON FIRST READING?**
- 2. 051583 [Settlement of Lawsuit - Frederick Meiswinkel, Inc. v. Hunt Construction Group, et. al]**  
Ordinance authorizing settlement of the lawsuit filed by Frederick Meiswinkel, Inc. for \$1,800,000 against the Hunt Construction Group, Inc. and Hunt cross-complaint against the City and County of San Francisco seeking indemnity from the claims brought by Meiswinkel; the lawsuit was filed on March 2, 2004 in San Francisco Superior Court, Case No. CGC -04-429249; entitled, Frederick Meiswinkel, Inc. v. Hunt Construction Group, et. al; other material terms of said settlement are nonmaterial terms. (City Attorney)

**Question: Shall this Ordinance be PASSED ON FIRST READING?**
- Present: Supervisors Alioto-Pier, Mirkarimi, Peskin*

**3. 051584 [Settlement of Lawsuit - Kaiser Foundation Hospitals]**  
Ordinance authorizing settlement of the lawsuit filed by Kaiser Foundation Hospitals against the City and County of San Francisco for \$67,500.00; the lawsuit was filed on May 4, 2005 in San Francisco Superior Court, Case No. 429-909; entitled Kaiser Foundation Hospitals v. City and County of San Francisco. (City Attorney)

**Question: Shall this Ordinance be PASSED ON FIRST READING?**
- 4. 051598 [Settlement of Lawsuit - King C. Electric, Inc.]**  
Ordinance authorizing settlement of the lawsuit filed by King C. Electric, Inc. against the City and County of San Francisco according to the following terms: a) King C. Electric, Inc. ("KCE") pays one hundred nine thousand one hundred eighty-five dollars and ninety-three cents (\$109,185.93) to the City; b) the City pays seventy-eight thousand nine hundred eighty-

three dollars and twenty-one cents (\$78,983.21) to KCE; and c) KCE is debarred from performing construction contracts on City-owned projects for two and a half years. The lawsuit was filed on April 14, 2004 in the Superior Court of the City and County of San Francisco, Case No. CGC-04-430671; entitled King C. Electric, Inc. v. City and County of San Francisco et al. and related cross-action. (City Attorney)

**Question: Shall this Ordinance be PASSED ON FIRST READING?**

**5. 051654 [Settlement of Lawsuit - Deaf Counseling Advocacy and Referral Agency, et al.]**

Ordinance authorizing settlement of the lawsuit filed by Deaf Counseling Advocacy and Referral Agency, et al., against the City and County of San Francisco, et al. for an agreement to make certain disability access improvements at the San Francisco International Airport, and by the payment of \$40,000 in damages, \$235,000 in attorney's fees, and \$14,500 in costs; the lawsuit was filed on April 17, 2002, in US District Court (Case No C02-1844 MEJ). (City Attorney)

**Question: Shall this Ordinance be PASSED ON FIRST READING?**

**6. 051661 [Settlement of Lawsuit - Walter Reed]**

Ordinance authorizing the settlement of a lawsuit filed by Walter Reed against the City and County of San Francisco for \$36,000.00; the lawsuit was filed on December 15, 2003, in San Francisco Superior Court, Case No. 414322, entitled Walter Reed v. City and County of San Francisco, et al. (City Attorney)

**Question: Shall this Ordinance be PASSED ON FIRST READING?**

**7. 051660 [Settlement of Claim - Louis Vuitton, Inc.]**

Resolution approving the settlement of the unlitigated claim filed by Louis Vuitton, Inc., against City and County of San Francisco for \$93,000.00. (City Attorney)

**Question: Shall this Resolution be ADOPTED?**

**8. 051716 [Settlement of Unlitigated Claim - The Hertz Corporation] Supervisor Ammiano**

Resolution authorizing settlement of an unlitigated claim with The Hertz Corporation, for a payment to the City in the amount of \$250,000.00, and on certain other terms.

**Question: Shall this Resolution be ADOPTED?**

**9. 051749 [Appointment - San Francisco Museum and Historical Society Advisory Committee]**

Resolution appointing Susan Stryker and Philip Choy, terms ending December 16, 2005 and Charles Striplen, term ending April 21, 2006, to the San Francisco Museum and Historical Society Advisory Committee, residency requirement waived.

Susan Stryker, succeeding herself, term expired, seat 1, must be a member of the public from historical organizations including, but not limited to, organizations focused on the history of ethnic or racial minorities, sexual orientations, gender or any of the various other cultural communities within San Francisco, for the unexpired portion of a one-year term ending December 16, 2005.

Philip Choy, succeeding himself, term expired, seat 2, must be a member of the public from historical organizations including, but not limited to, organizations focused on the history of ethnic or racial minorities, sexual orientations, gender or any of the various other cultural communities within San Francisco, for the unexpired portion of a one-year term ending December 16, 2005.

Charles Striplen (residency requirement waived), succeeding himself, term expired, seat 3, must be a member from organizations or communities with extensive knowledge of the history or cultural traditions of an ethnic minority community within San Francisco with a focus on ancestral lineage or other historical and cultural links to the San Francisco Bay Area, for the unexpired portion of a one-year term ending April 21, 2006.

**Question: Shall this Resolution be ADOPTED?**

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

## **REGULAR AGENDA**

## **UNFINISHED BUSINESS**

### **From the Clerk**

**10. 051744 [Adopting findings related to affirming the categorical exemption for 755-22nd Avenue]**

Motion adopting findings affirming the determination by the Planning Department that the 1070 Sanchez Street project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

10/24/2005, REFERRED to Board of Supervisors.

**Question: Shall this Motion be ADOPTED?**

### **From the Board**

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

**11. 051446 [Affirm certification of 491 Bayshore Boulevard (Home Depot) FEIR]**

Motion affirming the certification by the Planning Commission of the Final Environmental Impact Report for the 491 Bayshore Boulevard (Home Depot) Project. (Clerk of the Board)

9/27/2005, CONTINUED. Continued to October 25, 2005

10/25/2005, CONTINUED. Continued to November 1, 2005

**Question: Shall this Motion be ADOPTED?**

12.       **051447**       **[Disapprove certification of 491 Bayshore Boulevard (Home Depot) FEIR]**  
Motion disapproving the certification by the Planning Commission of the Final Environmental Impact Report for the 491 Bayshore Boulevard (Home Depot) Project. (Clerk of the Board)

9/27/2005, CONTINUED. Continued to October 25, 2005

10/25/2005, CONTINUED. Continued to November 1, 2005

**Question: Shall this Motion be ADOPTED?**

13.       **051448**       **[Preparation of findings to disapprove certification of 491 Bayshore Boulevard (Home Depot) FEIR]**  
Motion directing the Clerk of the Board to prepare findings disapproving the certification by the Planning Commission of the Final Environmental Impact Report for the 491 Bayshore Boulevard (Home Depot) Project. (Clerk of the Board)

9/27/2005, CONTINUED. Continued to October 25, 2005

10/25/2005, CONTINUED. Continued to November 1, 2005

**Question: Shall this Motion be ADOPTED?**

### **Recommendation of the Budget and Finance Committee**

*Present: Supervisors Ammiano, Mirkarimi, Elsbernd*

14.       **050922**       **[Payroll Expense Tax Exclusion for qualified clean energy technology businesses]**       **Supervisors McGoldrick, Alioto-Pier, Mirkarimi, Elsbernd, Ma, Sandoval**

Ordinance amending the Payroll Expense Tax Ordinance to establish a tax exclusion for qualified clean energy technology businesses, as specified.

10/11/2005, CONTINUED. Continued to October 25, 2005 Supervisor Ma requested to be added as a co-sponsor.

10/25/2005, AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.

10/25/2005, PASSED ON FIRST READING AS AMENDED. Supervisor Sandoval requested to be added as a co-sponsor.

**Question: Shall this Ordinance be FINALLY PASSED?**

### **From the Budget and Finance Committee Without Recommendation**

*Present: Supervisors Ammiano, Mirkarimi, Elsbernd*

15.       **051599**       **[Official Advertising - Type 1 for Consecutive Day Publication and Type 2 for Non-Consecutive Day Publication]**  
Resolution designating the San Francisco Chronicle and Examiner to be the official newspapers of the City and County of San Francisco for the category of Type 1 consecutive day, and Type 2 non consecutive day official advertising services for the fiscal year commencing upon Board of Supervisors and Mayoral approval and ending June 30, 2006.

(Office of Contract Administration)

10/25/2005, CONTINUED. Continued to November 1, 2005

**Question: Shall this Resolution be ADOPTED?**

## **Recommendations of the City Operations and Neighborhood Services Committee**

*Present: Supervisors McGoldrick, Dufty*

**16. 050253 [Proposition 65 Ordinance - Safe Drinking Water and Toxic Enforcement Act of 1986] Supervisor Mirkarimi**

Ordinance amending the San Francisco Health Code by adding Section 456.6, to require the Department of Public Health to Enforce the Safe Drinking Water and Toxic Enforcement Act of 1986 (Proposition 65) and its implementing regulations and to require certain food establishments to provide Proposition 65 warnings in English, Spanish, and Chinese.

10/11/2005, AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.

10/11/2005, CONTINUED. Continued as amended to October 18, 2005

10/18/2005, AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.

10/18/2005, PASSED ON FIRST READING AS AMENDED.

10/25/2005, AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.

10/25/2005, PASSED ON FIRST READING AS AMENDED.

**Question: Shall this Ordinance be FINALLY PASSED?**

*Present: Supervisors McGoldrick, Dufty, Ma*

**17. 051458 [Public Works Code - landmark trees and penalties for violations] Supervisor McGoldrick**

Ordinance amending the Public Works Code by amending Section 802 to modify various definitions; amending Sections 802, 806, and 809 to redefine nuisance trees as hazard trees; amending Sections 802 and 803 authorizing the Urban Forestry Council to succeed to the powers and duties of the Tree Advisory Board; amending Sections 804, 807, 808, and 810 concerning landmark trees and procedures to designate, nominate, and remove landmark trees; amending Section 811 to create civil penalties and fines and to modify provisions on administrative penalties; and making environmental findings.

9/27/2005, CONTINUED. Continued to October 11, 2005

10/11/2005, AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.

10/11/2005, CONTINUED. Continued as amended to October 18, 2005

10/18/2005, CONTINUED. Continued to November 1, 2005

**Question: Shall this Ordinance be PASSED ON FIRST READING?**

## **NEW BUSINESS**

### **Recommendations of the Budget and Finance Committee**







areas to FOCIL; authorizing reservations of certain utility easements in the vacated areas; adopting findings that such vacation of Fourth Street is consistent with the City General Plan and eight policies of City Planning Code Section 101.1 and the Mission Bay South Redevelopment Plan; adopting findings pursuant to the California Environmental Quality Act (CEQA); accepting Department of Public Works Order No. 175,536; and authorizing official acts in connection with this Ordinance. (Clerk of the Board)

Action: \_\_\_\_\_

### **From the Land Use Committee Without Recommendation**

*Present: Supervisors Maxwell, Sandoval, McGoldrick*

**26. 051398 [Mission Bay South - Ordering Street Vacation of portions of Fourth Street]**

Ordinance ordering the vacation of two (2) portions of Fourth Street from Third Street north to Channel Street; authorizing a grant in fee title of the City and County of San Francisco's rights and interest in the vacated areas to FOCIL; authorizing reservations of certain utility easements in the vacated areas; adopting findings that such vacation of Fourth Street is consistent with the City General Plan and eight policies of City Planning Code Section 101.1 and the Mission Bay South Redevelopment Plan; adopting findings pursuant to the California Environmental Quality Act (CEQA); accepting Department of Public Works Order No. 175,536; and authorizing official acts in connection with this Ordinance. (Public Works Department)

9/27/2005, AMENDED. Amended to replace "4:00 p.m." with "3:00 p.m."

9/27/2005, CONTINUED. Continued to November 1, 2005 for a public hearing at 3:00 p.m.

**Question: Shall this Ordinance be PASSED ON FIRST READING?**

## **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.*

**27. 051751 [Public Hearing - Appeal of Tentative Parcel Map for 901 Bush Street]**

Hearing of persons interested in or objecting to the decision of the Department of Public Works dated October 6, 2005 (Condominium Application No. 2005.0333Q), disapproving a proposed Tentative Parcel Map to legalize the construction of a 38-unit new condominium at 901 Bush Street, Southwest corner at Taylor Street, San Francisco, Lot 001 in Assessor's Block 0282. (Appellant: Matthew A. Brennan, Esq., on behalf of property owners (M-J SF

Investments, LLC).

(Filed 10/13/04; companion measure to Files 051752, 051753, 051754; District 3.)

**Action:** \_\_\_\_\_

*Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the Tentative Parcel Map 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.)**

28.       **051752     [Approving decision of the Director of Public Works and disapproving Tentative Parcel Map for 901 Bush Street]**  
Motion approving decision of the Director of Public Works, and disapproving Tentative Parcel Map to legalize the proposed construction of a 38-unit condominium located at 901 Bush Street, Lot 001 in Assessor's Block 0282. (Clerk of the Board)  
**Question: Shall this Motion be ADOPTED?**
29.       **051753     [Disapproving decision of the Director of Public Works and approving Tentative Parcel Map for 901 Bush Street]**  
Motion disapproving decision of the Director of Public Works, and approving Tentative Parcel Map to legalize the proposed construction of a 38-unit new condominium located at 901 Bush Street, Lot 001 in Assessor's Block 0282. (Clerk of the Board)  
**Question: Shall this Motion be ADOPTED?**
30.       **051754     [Findings - 901 Bush Street]**  
Motion directing the Clerk of the Board to prepare findings relating to Tentative Parcel Map to legalize the proposed construction of a 38-unit condominium located at 901 Bush Street, Lot 001 in Assessor's Block 0282. (Clerk of the Board)  
**Question: Shall this Motion be ADOPTED?**

**SPECIAL ORDER 5:30 P.M.**

**Board of Supervisors Sitting as a Committee of the Whole**

31.       **051739     [Committee of the Whole - City's plan to end gun and gang violence in San Francisco]**  
Hearing to consider the City's plan to end gun and gang violence in San Francisco.



10/25/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**Question: Shall this Resolution be ADOPTED?**

**37. 051777 [Delay local implementation of the State's cannabis identification card system] Supervisor Mirkarimi**

Resolution urging the Director of Health to delay local implementation of the State's cannabis identification card program until patients, advocates and City and State Legislators have sufficient time to petition the State Health Department to modify its card program protocols to better protect the anonymity of patients and caregivers, and physicians can be informed of their new obligations under the State card program.

10/25/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**Question: Shall this Resolution be ADOPTED?**

**38. 051746 [Final Map, Planned Development, Mission Bay (200-400 Berry Street)]**

Motion approving Final Map, Planned Development, Mission Bay (Block N4), a five (5) lot subdivision, being a Planned Development of Assessor's Block 8704, Lots 1 and 2; 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 North Redevelopment Plan and Plan Documents. (Public Works Department)

(DPW Order No. 175,686; District 6.)

10/24/2005, 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: \_\_\_\_\_*

**39. 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 October 18, 2005 through October 24, 2005, for reference by President to appropriate committee on November 1, 2005.*

**051745 [Settlement of Lawsuit - Dazell Mallory]**

Ordinance authorizing settlement of the lawsuit filed by plaintiff Dazell Mallory against the City and County of San Francisco for payment of \$53,150, including all damages, attorneys' fees and costs; the lawsuit was filed on February 24, 2005, in San Francisco Superior Court, Case No. 438-930, entitled Dazell Mallory v. San Francisco Public Library, the City and County of San Francisco, and Does 1-100. (City Attorney)

10/18/2005, RECEIVED AND ASSIGNED to Rules Committee.

**051811 [Settlement of Lawsuit - Lucia Wong]**

Ordinance authorizing settlement of the lawsuit filed by Lucia Wong against the City and County of San Francisco for \$440,000; the lawsuit was filed on May 5, 2004 in San Francisco Superior Court, Case No. 431-126 and waiver of San Francisco General Hospital lien. (City Attorney)

10/24/2005, RECEIVED AND ASSIGNED to Rules Committee.

### **PROPOSED RESOLUTIONS**

*Proposed resolutions received from October 18, 2005 through October 24, 2005, for reference by President to appropriate committee on November 1, 2005.*

**051805 [STOP and YIELD Intersections]**

Resolution designating certain intersections as "STOP" or "YIELD" intersections.

**STOP SIGNS - ESTABLISH**

19th Street and Rhode Island Street, stopping 19th Street at Rhode Island Street, making this uncontrolled T-intersection a One-Way STOP.

Leese Street and Richland Avenue, stopping Richard Avenue at Lesse Street, making this an All-Way STOP.

28th Avenue and Lake Street, stopping the northern intersection of 28th Avenue at Lake Street, making this intersection an All-Way STOP.

**YIELD SIGN - ESTABLISH**

San Bruno Avenue, southbound, merging onto Bayshore Boulevard, south of Arleta Avenue.  
(Parking and Traffic Department)

(10/19/05: 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. 3078.)

10/19/2005, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

**051806 [Parking Regulations]**

Resolution enacting and rescinding parking regulations at various locations.

**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 north property line of #40 Hillway Avenue.

**PERPENDICULAR (90-DEGREE ANGLE) PARKING - ESTABLISH**

Hillway Avenue, east side, between Carl Street and Parnassus Avenue.

**PARKING METERS, 1-HR. TIME LIMIT - RESCIND**

**PARKING METERS, 2-HR. TIME LIMIT - ESTABLISH**

20th Avenue, parking lot on west side, between Irving Street and Lincoln Way. (Parking and Traffic Department)

(10/19/05: 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. 3078.)

10/19/2005, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

**051807 [Traffic Regulations]**

Resolution enacting and rescinding traffic regulations on various streets.

**NO TURN ON RED - ESTABLISH**

Franklin Street, northbound, at Fell Street. (Parking and Traffic Department)

(10/19/05: 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. 3078.)

10/19/2005, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

**051810 [Lease of Real Property at 1390 Market Street]**

Resolution authorizing the renewal and expansion of a lease at 1390 Market Street for the Department of Children, Youth and their Families. (Real Estate Department)

10/24/2005, RECEIVED AND ASSIGNED to Budget and Finance Committee.

**051816 [Petitions and Communications]**

Petitions and Communications received from October 18, 2005 through October 24, 2005, for reference by the President to Committee considering related matters or to be ordered filed by the Clerk on November 1, 2005.

From Anna Shimko on Behalf of Home Depot, submitting summary of key points concerning the proposed Home Depot store on Bayshore Boulevard. File 051445, Copy: Each Supervisor(1)

From Planning Department, submitting an Executive Summary of the Final Environmental Impact Report for 491 Bayshore Boulevard, Home Depot. File 051445, Copy: Each Supervisor (2)

From Wendy Ai-Phi Van, submitting request for a type 21 (off-sale) liquor license for Wendy Ai-Phi Van dba D & M Liquor Mart located at 4715 Geary Boulevard.(3)

From Linda Gago-Seco, submitting request for a type 42 (on-sale beer and wine public premises) liquor license for Sirhed Enterprises, LLC dba Gallery Market on Union Square located at 222 Powell Street.(4)

From Deputy Clerk of the Board, submitting report on the 2004-2005 Civil Grand Jury Report "Continuity Report."(5)

From Cingular Wireless, submitting notification letter of intent to construct a cellular facility at 2145 19th Avenue.(6)

From concerned citizens, submitting support for opening a Home Depot store on Bayshore Boulevard. File 051445, Copy: Each Supervisor(7)

From concerned citizens, urging full enforcement of the "Leash Law" in the Golden Gate National Recreation Area.(8)

From Vice Chancellor of Finance and Administration, San Francisco Community College District, submitting notice of offer to sell real property located at 49-55 Columbus Avenue.(9)

From Coalition for San Francisco Neighborhoods, submitting copy of resolution adopted by the Coalition for San Francisco Neighborhoods regarding Medical Cannabis Guidelines. (10)

From Recreation and Park Department, responding to inquiry regarding the implementation of the No-Smoking Ordinance and 2) the status of and time table for planning and construction for the Moscone Recreation Center renovation and retrofit. (Reference Nos. 20050920-010 and 20050920-020) Copy: Supervisor Alioto-Pier(11)

From Department of Public Works, submitting notice that appellant's signatures with respect to 1353-1355 Bush Street represent owners of more than 20% of the area involved and is therefore sufficient for appeal. File 051751(12)

From Board of Supervisors, County of Tuolumne, submitting copy of letter sent to the Planning Department regarding SFPUC's Water System Improvement Program. File 051681, Copy: Supervisors McGoldrick, Dufty and Ma(13)

From Department of Parking and Traffic, regarding the feasibility of establishing an all-way Stop at the intersection of Fulton and Pierce Streets. (Reference No. 20050726-003) Copy: Supervisor Mirkarimi(14)

From Denise D'Anne, submitting copy of letter sent to Municipal Railway, regarding her recent unpleasant experience with a Muni bus driver on the 22 Fillmore bus.(15)

From Department of Public Works, concerning posting of notices for proposed street vacation at Fourth Street between Channel and Third Streets. File 051398(16)

From Jeff Mainville, regarding the unprofessional behavior of a Stacy and Witbeck employee working at Sixth and Howard Streets. Copy: Supervisor Daly(17)

From Valerie Mark, urging the Mayor and the Board of Supervisors to do whatever is possible to get California Pacific Medical Center back to the bargaining table to end the strike. Copy: Each Supervisor(18)

From Cingular Wireless, submitting notification letter of intent to construct a cellular facility at 3535 Balboa Street, 4051 18th Street, 1747 Church Street and 2118 Fillmore Street.(19)

From Robert Raich, submitting opposition to the Medical Cannabis Dispensary Ordinance. File 051250, Copy: Each Supervisor(20)

From Ocean Avenue Revitalization Collaborative, submitting support for proposed ordinance regulating medical cannabis facilities on Ocean Avenue from 19th Avenue to Phelan Avenue. File 051258, Copy: Each Supervisor(21)

From Americans for Safe Access San Francisco, submitting support for proposed ordinance regulating medical cannabis facilities. File 051250, Copy: Each Supervisor(22)

From Bill Barnes, filing notice of appeal of Categorical Exemption from Environmental Review for proposed legislation relating to Medical Cannabis Dispensary Code Amendments. File 041801(23)

From Office of the Controller, submitting report regarding the review of CPA's audit of Lori's Diner International, Inc.(24)

From concerned citizens, urging the Board of Supervisors to do whatever is necessary to preserve the majestic Norfolk Pine tree in Noe Valley. File 051627, Copy: Each Supervisor(25)

From Office of Emergency Services and Homeland Security, responding to inquiry regarding preparedness and training of the Director of the Office of Emergency Services and Homeland Security. (Reference No. 20050920-021) Copy: Supervisor Alioto-Pier(26)

From concerned citizens, submitting support for the Fair Oaks Community Coalition's recommendations on medical cannabis dispensaries. File 051250(27)

From "The World Can't Wait! Drive Out the Bush Regime Organization", appealing decision of the Police Department denying request for a parade permit for November 2, 2005.(28)

From Florence Fung, regarding various issues with the construction of the public library on the 900 block of Ulloa Street.(29)

From Joe Valenciano, regarding the consistent clogging of traffic in front of his residence at 935 Ulloa Street.(30)



From S. F. Chamber of Commerce, requesting proposed ordinance regarding enforcement of the "Safe Drinking Water and Toxic Enforcement Act of 1986" be sent to the S.F. Small Business Commission for further study and public discussion. File 050253, Copy: Each Supervisor(31)

From Alan Silverman, regarding the fiscal feasibility of the San Francisco Small Craft Harbor Renovation Project. File 050644, Copy: Supervisors Peskin, Daly, Elsbernd(32)

From Abdalla Megahed, requesting help in getting back his bed at MSC South shelter. Copy: Each Supervisor(33)

From Jerry Path, submitting opposition to proposed Home Depot on Bayshore Boulevard. File 051445, Copy: Each Supervisor(34)

From concerned citizens, regarding zoning controls in District 10.(35)

From Department of Public Health, submitting the Quarterly AIDS Surveillance Report for Aids cases reported through September 2005.(36)

From Roger Broudar, regarding violent incidents at the opening of the new De Young Museum in Golden Gate Park.(37)

From concerned citizens, regarding regulations for medical cannabis clinics. File 051250, Copy: Each Supervisor(38)

## **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.

Agendas are available on the internet at [www.sfgov.org/site/bdsupvrs\\_index.asp?id=4383](http://www.sfgov.org/site/bdsupvrs_index.asp?id=4383)

**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 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 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 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 [sof@sfgov.org](mailto:sof@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](http://www.sfgov.org/ethics)

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