

# 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, September 21, 2004  
2:00 PM**

#### **Regular Meeting**

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**MATT GONZALEZ, PRESIDENT  
MICHELA ALIOTO-PIER, TOM AMMIANO, CHRIS DALY,  
BEVAN DUFTY, SEAN ELSBERND, FIONA MA, SOPHIE MAXWELL,  
JAKE MCGOLDRICK, AARON PESKIN, GERARDO SANDOVAL**

*Gloria L. Young, Clerk of the Board*

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## **ROLL CALL AND PLEDGE OF ALLEGIANCE**

## **APPROVAL OF MEETING MINUTES**

*Motion to approve the Meeting Minutes of August 17, 2004.*

## **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 10**

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

*Present: Supervisors Daly, Peskin, Ammiano*

1.       **041082**       **[Proposition J Contract - Security Guard Services:  
1380 Howard Street]**  
Resolution concurring with Controller's certification that security guard services at the Department of Parking and Traffic Citation and Hearing Offices located at 1380 Howard Street can be practically performed by a private contractor at a lower cost than by City and County employees. (Parking and Traffic Department)

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

2.       **041104**       **[Proposition J Contract - Parking Citation and  
Collection System Services]**  
Resolution concurring with Controller's certification that processing parking citations and collecting parking citation revenue for the City can be practically performed by a private contractor at a lower cost than by City and County employees. (Parking and Traffic Department)

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

#### **Recommendations of the Land Use Committee**

*Present: Supervisors McGoldrick, Peskin, Maxwell*

3.       **041090**       **[Conditionally Designate 938-942 Market, the Garfield Building, as a Landmark]**       **Supervisor Gonzalez**  
Ordinance Conditionally Designating 938-942 Market, the Garfield Building, as Landmark

No. 244 pursuant to Article 1, Sections 1004 and 1004.4 of the Planning Code. (Planning Department)

(Companion measure to File 041091.)

9/14/2004, PASSED ON FIRST READING. Supervisor Gonzalez requested to be added as sponsor.

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

**4. 041037 [STOP Intersections]**

Resolution designating certain intersections as "STOP" intersections.

**STOP SIGNS - ESTABLISH**

34th and Lawton Streets, stopping Lawton Street at 34th Avenue, making this intersection an All-Way STOP;

Grant Avenue and Vallejo Street, stopping Grant Avenue at Vallejo Street, making this intersection an All-Way STOP;

Mateo Street at Arlington Street stopping northbound and southbound Mateo Street at Arlington Street, making this intersection minor street STOP-controlled;

Cayuga and San Juan Avenues, stopping San Juan Avenue at Cayuga Avenue, making this intersection an all-way STOP; and

Grant Avenue and Green Street, stopping Grant Avenue at Green Street, making this intersection an All-Way STOP. (Parking and Traffic Department)

(7/15/04: 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. 2849.)

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

**5. 041038 [Parking Regulations]**

Resolution enacting and rescinding parking regulations at various locations.

**UNMETERED MOTORCYCLE PARKING - ESTABLISH**

12th Street, east side, from 119 feet to 140 feet south of Kissling Street (between the driveways of the parking garage).

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

Broadway, both sides, from Taylor Street to 250 feet westerly (legislates existing conditions);

Broadway, south side, from Taylor Street to Himmelman Place (legislates existing conditions);

Green Street, north side, From Taylor Street to Mason Street (legislates existing conditions); and

Jones Street, east side, from Green Street to Filbert Street (legislates existing conditions).

**NO PARKING ANYTIME - RESCIND**

Oak Street, north side, from Masonic Avenue to 200 feet westerly.

**TOW-AWAY NO STOPPING, 3 PM TO 7 PM, MONDAY THROUGH FRIDAY - ESTABLISH**

Oak Street, north side, from Masonic Avenue to 300 feet westerly.

**TOW-AWAY NO STOPPING, 7 AM TO 9 AM, MONDAY THROUGH FRIDAY -**

**RESCIND**

Oak Street, north side, from Ashbury Street to 100 feet easterly.

**ANGLE (45-DEGREE) PARKING - ESTABLISH**

25th Avenue, east side, from Noriega Street to 90 feet northerly; and  
25th Avenue, east side, from Noriega Street to 72 feet southerly.

**ANGLE (60-DEGREE) PARKING - ESTABLISH**

Noriega Street, south side, between 24th and 25th Avenues (replacing 45-degree parking).

**NO PARKING 9 AM - 5 PM, EXCEPT SUNDAYS - RESCIND**

**NO PARKING 8 AM - 4 PM, EXCEPT SATURDAYS, SUNDAYS AND HOLIDAYS - ESTABLISH**

Staples Street, north side, between Phelan and Hazelwood Avenues.

**RESIDENTIAL PERMIT PARKING AREA "W" (2-HOUR TIME LIMIT, 8 AM - 6 PM, MONDAY THROUGH FRIDAY) - ESTABLISH**

Florida Street both sides, between 22nd and 23rd Streets (1000 block); and  
23rd Street, both sides, between Bryant and Florida Streets (2800 block).

**NO PARKING 7 AM - 6 PM - RESCIND**

Rolph Street, south side, from Mission Street to 100 feet easterly.

**TOW-AWAY, NO STOPPING FROM 7 AM - 9 AM, MONDAY THROUGH FRIDAY - ESTABLISH**

**TOW-AWAY, LANE MUST TURN RIGHT - ESTABLISH**

Irving Street, south side, from 19th Avenue to 64 feet westerly. (Parking and Traffic Department)

(7/15/04: 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. 2849.)

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

**6. 041039 [Traffic Regulations]**

Resolution enacting and rescinding traffic regulations on various streets.

**RIGHT TURN ONLY AFTER CANDLESTICK PARK EVENTS EXCEPT TAXIS - ESTABLISH**

Hawes, Ingalls and Jennings Streets, southbound, onto westbound Ingerson Avenue.

**NO LEFT TURNS AFTER CANDLESTICK PARK EVENTS EXCEPT TAXIS - ESTABLISH**

Griffith, Hawes, Redondo, Ingalls and Jennings Streets, northbound, onto westbound Ingerson Avenue. (Parking and Traffic Department)

(7/15/04: 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. 2849.)

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

## **Recommendations of the Rules Committee**

*Present: Supervisors Maxwell, Alioto-Pier*

7.       **041113**    **[Settlement of Lawsuit - Constance Ong, et al.]**  
Ordinance authorizing settlement of the lawsuit filed by Constance Ong against the City and County of San Francisco for \$500,000; the lawsuit was filed on May 16, 2003 in San Francisco Superior Court, Case No. 420-576; entitled Constance Ong, et al., v. City and County of San Francisco, et al. (City Attorney)

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

8.       **041125**    **[Settlement of Claim - Gibson Group Trust]**  
Resolution approving settlement of the unlitigated claim of the Gibson Group Trust in an amount not to exceed \$67,000 for payment of past and future costs of responding to contamination at Gibson Environmental site; Bakersfield, California. (City Attorney)

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

*Present: Supervisors Maxwell, Alioto-Pier, Peskin*

9.       **041168**    **[Appointment - Childhood Nutrition and Physical Activity Task Force]**  
Resolution appointing Erik Rosegard, term ending December 12, 2004, to the Childhood Nutrition & Physical Nutrition Task Force.  
Erik Rosegard, succeeding Manuel Jiminez, resigned, seat 5, must be a parent or guardian, for the unexpired portion of a one-year term ending December 12, 2004.

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

10.      **041218**    **[Appointment - Library Citizens Advisory Committee]**  
Resolution appointing Douglas Ryan to the Library Citizens Advisory Committee, for a two-year term ending July 18, 2006.  
Douglas Ryan, new appointment, seat 14, must be a member from the community at large, representative of youth and children who shall be between the ages of thirteen and twenty-three at the time of appointment, for a two-year term ending July 18, 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

## Recommendation of the Rules and Audits Committee

*Present: Supervisors Maxwell, Alioto-Pier*

**11. 041112 [Appointment - Assessment Appeals Board No. 2]**

Resolution appointing Margaret Ruxton, Mervin Conlan and Richard Lee for a three-year term ending September 3, 2007 as members to the Assessment Appeals Board No. 2.

Margaret Ruxton, succeeding Lawrence Lee, term expiring September 6, 2004, seat 2, must meet the eligibility criteria set forth in Section 1624.05 of the California Revenue and Taxation Code: Must have a minimum of five years professional experience in the State of California as one of the following: Certified Public Accountant (CPA) or Public Accountant (PA); licensed Real Estate Broker; Attorney; or a Property Appraiser accredited by a nationally recognized professional organization, or Property Appraiser certified by the Office of Real Estate Appraiser; or he or she is a current member of an assessment appeals board, for a three-year term ending September 3, 2007.

Mervin Conlan, succeeding himself, term expiring September 6, 2004, seat 3, must meet the eligibility criteria set forth in Section 1624.05 of the California Revenue and Taxation Code: Must have a minimum of five years professional experience in the State of California as one of the following: Certified Public Accountant (CPA) or Public Accountant (PA); licensed Real Estate Broker; Attorney; or a Property Appraiser accredited by a nationally recognized professional organization, or Property Appraiser certified by the Office of Real Estate Appraiser; or he or she is a current member of an assessment appeals board, for a three-year term ending September 3, 2007.

Richard Lee, succeeding Donald Schmidt, term expiring September 6, 2004, seat 4, must meet the eligibility criteria set forth in Section 1624.05 of the California Revenue and Taxation Code: Must have a minimum of five years professional experience in the State of California as one of the following: Certified Public Accountant (CPA) or Public Accountant (PA); licensed Real Estate Broker; Attorney; or a Property Appraiser accredited by a nationally recognized professional organization, or Property Appraiser certified by the Office of Real Estate Appraiser; or he or she is a current member of an assessment appeals board, for a three-year term ending September 3, 2007.

8/17/2004, CONTINUED. Continued to September 21, 2004

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

# NEW BUSINESS

## Recommendations of the Finance and Audits Committee

*Present: Supervisors Daly, Peskin, Ammiano*

12. 031988 **[Interdepartmental Transfer - Block 2870, Lot 48]** **Supervisors Dufty, Elsbernd**  
Ordinance transferring jurisdiction of the real property identified as Assessor's Block 2870, Lot 48, from the Department of Public Works to the Recreation and Park Department; adopting findings that the transfer is consistent with the General Plan and Section 101.1 of the Planning Code, and requesting official actions in connection with this Ordinance.
- Question: Shall this Ordinance be PASSED ON FIRST READING?**
13. 041126 **[Setting San Francisco's fiscal year 2004-2005 property tax rate and establishing pass-through rate for residential tenants]**  
Ordinance providing revenue and levying property taxes for City and County purposes and establishing pass-through rate for residential tenants pursuant to Chapter 37 of the Administrative Code for the fiscal year ending June 30, 2005. (Controller)
- Question: Shall this Ordinance be PASSED ON FIRST READING?**
14. 041127 **[Setting S.F. Unified School District's fiscal year 2004-2005 property tax rate to be included in the City's overall property tax rate]**  
Ordinance providing revenue and levying property taxes for San Francisco Unified School District's purposes for the fiscal year ending June 30, 2005. (Controller)
- Question: Shall this Ordinance be PASSED ON FIRST READING?**
15. 041128 **[Setting S.F. Community College District's fiscal year 2004-2005 property tax rate to be included in the City's overall property tax rate]**  
Ordinance providing revenue and levying property taxes for San Francisco Community College District purposes for the fiscal year ending June 30, 2005. (Controller)
- Question: Shall this Ordinance be PASSED ON FIRST READING?**
16. 041171 **[Appropriate funding to the ranked-choice voting community education and ethnic media outreach program for radio and print ads]** **Supervisor Gonzalez**  
Ordinance appropriating \$75,000 from the General Fund Reserve to implement the ranked-choice voting community education and ethnic media outreach plan for the Department of Elections for fiscal year 2004-05.
- Question: Shall this Ordinance be PASSED ON FIRST READING?**
17. 041123 **[Prevailing rate of wages for workers engaged in theatrical or technical services related to the presentation of a show on City-owned property]**  
Resolution fixing prevailing wage rates for workers engaged in theatrical or technical services (including but not limited to rigging, sound, projection, theatrical lighting, videos, computers, draping, carpentry, special effects, and motion picture services) for shows on property owned by the City and County of San Francisco. (Civil Service Commission)
- Question: Shall this Resolution be ADOPTED?**









*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.*

**34. 041209 [Public Hearing - Appeal of Final Mitigated Negative Declaration - 3150 18th Street]**

Hearing of persons interested in or objecting to the decision of the Planning Department adopted and issued on June 30, 2004, approving a Final Mitigated Negative Declaration (Case No. 2003.1028E), adopted and issued on June 30, 2004, for the proposed demolition of a set of approximately 26,500-gross-square foot (gsf), two-story light industrial office and warehouse buildings with six off-street parking spaces and construction of a five-story building consisting of approximately 260 units of rental workshops for arts activities, light manufacturing, repair and small business services uses located at 3150 18th Street, on Assessor's Block 3573, Lots 2 and 12. (Appellant: Kellie Seringer.)

(Appeal filed August 24, 2004 by Kellie Seringer; companion measure to Files 041210, 041211, 041212; District 9.)

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

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

**35. 041210 [Affirming adoption of the negative declaration for 3150 18th Street]**

Motion affirming Planning Commission adoption of the final negative declaration for 3150 18th Street. (Clerk of the Board)

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

**36. 041211 [Reversing adoption of the negative declaration for 3150 18th Street]**

Motion reversing the Planning Commission adoption of the final negative declaration for 3150 18th Street. (Clerk of the Board)

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

**37. 041212 [Preparation of findings to reverse adoption of the negative declaration for 3150 18th Street]**

Motion directing the Clerk of the Board to prepare findings reversing the Planning Commission adoption of the negative declaration for 3150 18th Street. (Clerk of the Board)

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

**38. 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.*

**39. PUBLIC COMMENT**

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

**APPROVAL OF REQUESTS TO THE LEGISLATIVE ANALYST**

*These items may be introduced by any Supervisor seeking analysis from the Office of the Legislative Analyst on introduced legislation and for the purpose of providing assistance to Board of Supervisors' task forces and advisory committees. Requests to the Legislative Analyst shall require the affirmative vote of a majority of the members of the Board.*

**40. 041268 [Legislative Analyst Request - Speed limits, Construction of bulb-outs on State Highways] Supervisors Elsbernd, Alioto-Pier**

Motion requesting the Legislative Analyst to investigate to what extent California law allows localities to determine speed limits, construct bulb-outs, etc. on state highways. Also compare California's policies with those of Oregon, where, for example, localities are given the authority to set speed limits on state highways.

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

**41. 041274 [Legislative Analyst Request - Process for hiring workers] Supervisor Ammiano**

Motion requesting in-depth report of other municipalities' process for hiring workers.

Question: Shall this Motion be ADOPTED?

## CLOSED SESSION

**42. 041248 [Closed Session - Existing Litigation, City as Defendant]**

Motion that the Board of Supervisors convene in closed session with the City Attorney for the purpose of conferring with, or receiving advice from, the City Attorney regarding the following claim and/or litigation filed against the City and County of San Francisco by plaintiffs who have challenged the validity of San Francisco Administrative Code Chapter 12D.a., which sets forth the City's public contracting policies and practices and includes a grant of preferences to minority-owned business enterprises and women-owned enterprises, on the grounds that Chapter 12D.a of the Administrative Code violates Article 1, section 31, of the California Constitution.

CORAL CONSTRUCTION, INC. V. CITY AND COUNTY OF SAN FRANCISCO  
San Francisco Superior Court No. 421-249; California Court of Appeal  
No. A101027

The Closed Session is permitted by California Government Code Section 54956.9 (b) and Administrative Code (Sunshine Ordinance) Section 67.10 (d) (1), and discussion in open session concerning this matter would likely and unavoidably prejudice the position of the City in the pending claim and/or litigation.

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

## 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 43 through 64**

**43. 041197 [Supporting card check neutrality agreements specifically between the Department of Human Services and contracts which have been competitively bid] Supervisors Sandoval, Gonzalez**

Resolution supporting card check neutrality agreements for contracts with the Department of Human Services, the City and County of San Francisco.

8/17/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

9/14/2004, CONTINUED. Continued to September 21, 2004 Supervisor Gonzalez requested to be added as a co-sponsor.

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





Resolution urging Caltrans to expedite the procurement of the construction contracts to ensure the implementation is completed by 2005.

9/14/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

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

- 54. 041294 [Accept - Expend Federal Grant] Supervisor Elsbernd**  
Resolution authorizing the Mayor of the City and County of San Francisco to accept retroactively and expend a grant in the amount of \$472,763 from the U.S. Department of Justice, Bureau of Justice Assistance to reduce crime and increase public safety, under the FY 2004 Local Law Enforcement Block Grants Program.  
9/14/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.  
**Question: Shall this Resolution be ADOPTED?**
- 55. 041295 [Commending the 12th Annual Korean Day Festival 2004] Supervisors Ma, Dufty, Maxwell**  
Resolution commending the 12th Annual Korean Day Festival 2004.  
9/14/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.  
**Question: Shall this Resolution be ADOPTED?**
- 56. 041302 [Endorsing Old Mint Grant Application] Supervisors Peskin, Dufty**  
Resolution endorsing the application to the California Cultural and Historical Endowment (CCHE) by the San Francisco Museum and Historical Society for CCHE Grant Funds for the project to preserve the historical Old Mint and create therein a San Francisco History Museum.  
9/14/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.  
**Question: Shall this Resolution be ADOPTED?**
- 57. 041303 [CalHome Application] Supervisor Peskin**  
Resolution authorizing the submittal of an application to the California State Department of Housing and Community Development for funding under the CalHome Program; the execution of a standard agreement if selected for such funding and any amendments thereto; and any related documents necessary to participate in the CalHome Program.  
9/14/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.  
**Question: Shall this Resolution be ADOPTED?**
- 58. 041296 [Commending the 150th Anniversary of the Arrival of the Sisters of Mercy] Supervisors Ma, Alioto-Pier, Dufty**  
Resolution commending the 150th Anniversary of the Arrival of the Sisters of Mercy in San Francisco.



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

9/14/2004, 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: \_\_\_\_\_*

## **65. 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 September 6, 2004 through September 13, 2004, for reference by President to appropriate committee on September 21, 2004.*

*None.*

# PROPOSED RESOLUTIONS

*Proposed resolutions received from September 6, 2004 through September 13, 2004, for reference by President to appropriate committee on September 21, 2004.*

## **041093 [Transferring Unclaimed Trust Deposits from Parking Citations to the General Fund]**

Resolution accepting outstanding and unclaimed trust deposits from parking citations as revenue to be transferred to the General Fund. (Parking and Traffic Department)

9/7/2004, RECEIVED AND ASSIGNED to Finance and Audits Committee.

## **041095 [County Refugee Plan]**

Resolution approving the Federal Fiscal Year 2004 San Francisco County Refugee Plan. (Private Industry Council)

9/10/2004, RECEIVED AND ASSIGNED to City Services Committee.

## **041096 [Gift - Private]**

Resolution authorizing the Department of Public Health, San Francisco General Hospital to accept a gift of a mobile mammography facility vehicle and associated equipment, valued at \$432,716, donated by the University of California, San Francisco for mobile mammography services to indigent and under-served women in San Francisco. (Public Health Department)

9/10/2004, RECEIVED AND ASSIGNED to Finance and Audits Committee.

## **041306 [Petitions and Communications]**

Petitions and Communications received from September 6, 2004 through September 13, 2004, for reference by the President to Committee considering related matters or to be ordered filed by the Clerk on September 21, 2004.

From Ethics Commission, submitting notice that funds in the Election Campaign Fund are insufficient to fund all eligible candidates, and has voted to pro-rate the disbursement of funds for Public Financing of Supervisor Elections this year pursuant to Section 1.154 of the San Francisco Campaign and Government Conduct Code.(1)

From Department of Public Works, submitting notice that funding provided in the budget for fiscal year 2004-05 as adopted by the Board of Supervisors is adequate for the department to meet service levels as proposed to the Board.(2)

From Human Services Agency, submitting notice that funding provided in the budget for

fiscal year 2004-05 as adopted by the Board of Supervisors is adequate to meet the needs of both departments with the exception of a cost-of-living adjustment (COLA) included in the State budget for the CalWORKs program which will increase grants to CalWORKs and CAAP recipients in San Francisco by 2.75%.(3)

From Municipal Transportation Agency, submitting notice that funding provided in the budget for fiscal year 2004-05 as adopted by the Board of Supervisors is adequate for the department to meet service levels as proposed to the Board.(4)

From Sierra West Group, regarding the rising cost of construction projects in California.(5)

From Community United Against Violence (CUAV), submitting opposition to an alleged hate artist performing at a benefit for a human rights group for the "15th Annual Reggae in the Park" in San Francisco.(6)

From Asian Art Museum, submitting notice that funding provided in the budget for fiscal year 2004-05 as adopted by the Board of Supervisors is adequate for the department to meet service levels as proposed to the Board.(7)

From Employees' Retirement System, submitting notice that funding provided in the budget for fiscal year 2004-05 as adopted by the Board of Supervisors is adequate for the department to meet service levels as proposed to the Board.(8)

From Civil Service Commission, submitting notice that funding provided in the budget for fiscal year 2004-05 as adopted by the Board of Supervisors is adequate for the department to meet service levels as proposed to the Board.(9)

From Human Rights Commission, submitting notice that funding provided in the budget for fiscal year 2004-05 as adopted by the Board of Supervisors is adequate for the department to meet service levels as proposed to the Board.(10)

From Department of Public Works, submitting list of Sole Source Contracts entered into for fiscal year 2003-04.(11)

From Office of the Controller, submitting notice that funding provided in the budget for fiscal year 2004-05 as adopted by the Board of Supervisors is adequate for the department to meet service levels as proposed to the Board.(12)

From Union Square Business Improvement District, submitting the Union Square Business Improvement District (BID) 2003/2004 Annual Report for the Board of Supervisors approval.(13)

From Sunshine Ordinance Task Force, regarding complaint of John Kelly against the Department of Building Inspection with regard to documents that were destroyed. Copy: Each Supervisor(14)

From various City departments and agencies that submitted the Conflict of Interest Code Review Report:(15)

Department of Juvenile Probation

Office of the Public Defender

Office of the District Attorney

Department of Public Health, Environmental Health Section

Taxi Commission

Port of San Francisco

Small Business Commission  
Department of Public Health, HIV Health Service Planning Council  
Department of Public Works  
San Francisco Housing Authority  
Department of Building Inspection  
Golden Gate Park Concourse Authority  
Fire Department  
Office of Citizen Complaints  
Asian Art Museum

From Clerk of the Board, submitting Form 700 Statement of Economic Interests for the following: David Canepa, Legislative Assistant to Supervisor Elsbernd(16)

From Denise D'Anne, urging the Department of Elections to post all measures and ballot arguments on the department's website.(17)

From Department of Telecommunications and Information Services, submitting notice that funding provided in the budget for fiscal year 2004-05 as adopted by the Board of Supervisors is adequate for the department to meet service levels as proposed to the Board.(18)

From Department of Public Health, submitting notice that funding provided in the budget for fiscal year 2004-05 as adopted by the Board of Supervisors is adequate for the department to meet service levels as proposed to the Board.(19)

From Department of Parking and Traffic, regarding request for information on the enforcement of weight restrictions on San Francisco streets as it relates to Sports Utility Vehicles. (Reference No. 20040810-010) Copy: Supervisor Dufty(20)

From Real Estate Division, regarding the intent of and timeline and procedures for the fair market sale of 2350 19th Avenue. (Reference No. 20040810-002) Copy: Supervisor Alioto-Pier(21)

From Superior Court of California, submitting notice that funding provided in the budget for fiscal year 2004-05 as adopted by the Board of Supervisors is adequate for the department to meet service levels as proposed to the Board. (22)

From Human Rights Commission, submitting notice that the Department does not have any city contracts that involve any work that is performed outside the United States. (Reference No. 20040727-057)(23)

From Department of Public Health, submitting annual report of gifts received by the Department of Public Health in fiscal year 2003-04.(24)

From Mayor's Office of Criminal Justice, submitting notice that the Department does not have any city contracts that involve any work that is performed outside the United States. (Reference No. 20040727-040) Copy: Supervisor McGoldrick (25)

From Emergency Communications Department, submitting notice that the Department does not have any city contracts that involve any work that is performed outside the United States. (Reference No. 20040727-046) Copy: Supervisor McGoldrick(26)

From Law Library, submitting notice that funding provided in the budget for fiscal year 2004-05 as adopted by the Board of Supervisors is adequate for the department to meet service

levels as proposed to the Board.(27)

From Public Library, submitting notice that funding provided in the budget for fiscal year 2004-05 as adopted by the Board of Supervisors is adequate for the department to meet service levels as proposed to the Board.(28)

From Department of Administrative Services, submitting notice that funding provided in the budget for fiscal year 2004-05 as adopted by the Board of Supervisors is adequate for the department to meet service levels as proposed to the Board.(29)

From the Port, submitting notice that funding provided in the budget for fiscal year 2004-05 as adopted by the Board of Supervisors is adequate for the department to meet service levels as proposed to the Board.(30)

From Mayor's Office of Public Finance, submitting list of open or pending contracts which would be affected by proposed legislation regarding contracts with city contractors that involve work performed outside of the United States. (Reference No. 20040727-055) Copy: Supervisor McGoldrick(31)

From Richard Skaff, regarding outstanding complaint issues regarding the San Francisco Hearts Project.(32)

From Office of the City Attorney, submitting notice that appeal for 1730-1750 Van Ness Avenue was filed in a timely manner and should be calendared before the Board of Supervisors for public hearing. File 041275, Copy: Each Supervisor(33)

From Office of the Controller, concerning audit of the joint venture of Shimmick Construction Company, Inc/Homer J. Olsen, Inc and its compliance with the City and County ordinance prohibiting the use of city funds for political activity.(34)

From Department of Elections, submitting notice that funding provided in the budget for fiscal year 2004-05 as adopted by the Board of Supervisors is adequate for the department to meet service levels as proposed to the Board.(35)

From Airport, submitting notice that funding provided in the budget for fiscal year 2004-05 as adopted by the Board of Supervisors is adequate for the department to meet service levels as proposed to the Board.(36)

From RCN Telecom Services, Inc., submitting acceptance of Open Video System (OVS) Franchise by the grantee. File 021825(37)

From Office of the District Attorney, submitting notice that the Department does not have any city contracts that involve any work that is performed outside the United States. (Reference No. 20040727-021) Copy: Supervisor McGoldrick(38)

From Office of the Mayor, submitting notice that the Department does not have any city contracts that involve any work that is performed outside the United States. (Reference No. 20040727-037) Copy: Supervisor McGoldrick(39)

From Police Department, regarding request for information on the enforcement of weight restrictions on San Francisco streets as it relates to Sports Utility Vehicles. (Reference No. 20040810-009) Copy: Supervisor Dufty(40)

From Leslie Ernst, requesting something be done to decrease/eliminate the number of

homeless people being allowed to camp at Duboce and Steiner Streets (at the bottom of Duboce Park), leaving their garbage everywhere on the streets, etc. Copy: Supervisor Dufty(41)

From Supervisor Daly, submitting appointment of Heather Stewart to the Library Citizens Advisory Committee. Copy: Rules and Audits Committee(42)

From Supervisor Daly, submitting appointment of Alexander C. MacDonald to the Commission on Aging Advisory Committee. Copy: Rules and Audits Committee(43)

From California State Association of Counties, submitting list of winners for 2004 California State Association of Counties Challenge Awards. Copy: Each Supervisor(44)

From Department on the Status of Women, submitting notice that the Department does not have any city contracts that involve any work that is performed outside the United States. (Reference No. 20040727-001) Copy: Supervisor McGoldrick(45)

From concerned citizens, submitting opposition to Evergreen, Inc.'s takeover bid for the Coral and Stables at Camp Mather. Copy: Supervisor McGoldrick (46)

From Bill Quan, commenting on proposed ordinance that prohibits rent increases in existing tenancies due to the addition of one or more occupants (including but not limited to a domestic partner or a newborn child or other family member of an integrated household). File 030667, Copy: Each Supervisor(47)

From concerned citizens, urging the City to acquire eminent domain over 80 Natoma Street for the Transbay Terminal. File 041080, Copy: Each Supervisor (48)

From Mary Robinson, submitting support for not bringing the Blue Angels to San Francisco.(49)

From Human Rights Commission, regarding contracts entered into by the department currently or in the future that may be affected by the bid preference legislation. (Reference No. 20040727-057) Copy: Supervisor McGoldrick(50)

From Lori Tooker, concerning rules and regulations for dogs that are off leash in the Golden Gate National Recreation Area. Copy: Each Supervisor(51)

From the State Rules Committee, submitting press release regarding joint committee interim hearings for September 2004.(52)

From Planning Department, submitting a draft Environmental Impact Report for the 1234 Howard Street Residential Project.(53)

From Treasure Island Development Authority, regarding the production of future Treasure Island Development Authority agenda packets.(54)

# 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](http://www.sfgov.org/bdsupvrs.bos.htm).

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

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

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

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

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



## Disability access

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

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

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

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

The following services are available when requests are made by 4:00 p.m. of the Friday before the Board meeting. This advance notice will help ensure availability.

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

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

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

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

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

## **Know Your Rights Under the Sunshine Ordinance**

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

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

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