Return to Full Board Agendas

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

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AGENDA

Tuesday, August 10, 2004 2:00 PM

Regular Meeting

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

ROLL CALL AND PLEDGE OF ALLEGIANCE

APPROVAL OF MEETING MINUTES

Motion to approve the Meeting Minutes of June 22, 2004 and June 29, 2004.

AGENDA CHANGES

COMMUNICATIONS

Note: Each item on the Consent or Regular agenda may include the following documents: 1) Legislation

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 13

Recommendations of the Land Use Committee

Present: Supervisors McGoldrick, Peskin, Maxwell

040892 [STOP Intersections]

1.

Resolution designating certain intersections as "STOP" intersections.

STOP SIGNS - ESTABLISH

Noriega Street at 25th Avenue, making this intersection an all-way STOP; Olmstead Street, stopping westbound Olmstead Street at University Street; Mateo Street, stopping Mateo Street at Arlington Street, making this intersection two-way STOP-controlled; Griffith Street at Ingerson Avenue, stopping Griffith Street at Ingerson Avenue, stopping the stem of this T-intersection; Loehr Street, stopping Visitacion Avenue at Loehr Street, making this intersection an all-way STOP; Loehr Street and Leland Avenue, stopping Loehr Street and Leland Avenue, making this intersection an all-way STOP; Roosevelt and Museum Ways, stopping Museum Way and Roosevelt Way, making this intersection an all-way STOP; and Gellert Drive at Clearfield Drive, stopping Gellert Drive at Clearfield Drive, making this intersection two-way STOP-controlled. (Parking and Traffic Department) 6/18/04: 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. 2828.)

Question: Shall this Resolution be ADOPTED?

2. 040893 [Parking Regulations]

Resolution enacting and rescinding parking regulations at various locations.

PERPENDICULAR (90-DEGREE ANGLE) PARKING - ESTABLISH Rhode Island Street, west side, between 15th and Alameda Streets (100 block), legalizing existing conditions; and Cunningham Place, south side (60-foot zone), legalizing existing conditions.

NO PARKING ANYTIME - ESTABLISH Cunningham Place, at the terminus between the north and south curbs (40-foot zone).

TOW-AWAY, NO STOPPING ANYTIME - RESCIND TOW-AWAY, NO PARKING ANYTIME - ESTABLISH 3rd Street, east side, from Kirkwood Avenue to 70 feet southerly.

TOW-AWAY, NO STOPPING, MONDAY THORUGH FRIDAY, 4 PM TO 6 PM -RESCIND Howard Street, north side, from 100 feet east of 3rd Street to Fremont Street.

TOW-AWAY LANE MUST TURN RIGHT - RESCIND Howard Street, at 5th Street.

RESIDENTIAL PERMIT PARKING AREA "A" (2-HOUR TIME LIMIT, 8 AM - 9 PM, MONDAY THROUGH SATURDAY) - RESCIND TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH Taylor Street, both sides, from Francisco Street to 124 feet northerly.

TOW-AWAY, NO PARKING 9 AM TO 9 PM, EVERYDAY - ESTABLISH Masonic Avenue, west side, from 120 feet to 380 feet north of Geary Boulevard (frontage of Trader Joe's).

NO PARKING ANYTIME - ESTABLISH Sears Street, west of Sickles Avenue, from north curb to south curb along the terminus of the street.

TOW-AWAY, NO STOPPING, 7 AM TO 7 PM - RESCIND Folsom Street, south side, from 90 feet to 105 feet west of 4th Street.

RESIDENTIAL PERMIT PARKING AREA "D" (4-HOUR TIME LIMIT, 9 AM - 5 PM, MONDAY THROUGH FRIDAY) - ESTABLISH Roanoke Street, both sides, between Arlington Street and southern terminus.

PARKING METER AREA NO. 3 (2-HOUR PARKING TIME LIMIT, 9 AM - 6 PM, MONDAY THROUGH SATURDAY) - EXTEND Harrison Street, north side, between 11th Street and Norfolk Street. (Parking and Traffic Department)

6/18/04: 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. 2828.)

Question: Shall this Resolution be ADOPTED?

3. 040894 [Traffic Regulations]

Resolution enacting and rescinding traffic regulations on various streets.

MUNI VEHICLES ONLY - ESTABLISH Taylor Street, both sides, from Francisco Street to 124 feet northerly (sidewalks to be widened by five feet).

ONE-WAY STREET - ESTABLISH Hattie Street, southbound, between Market and 18th Streets; and Hattie Street, northbound, between Market and Corbett Streets.

RIGHT LANE MUST TURN RIGHT EXCEPT BICYCLES - ESTABLISH Howard Street, from 3rd Street to 250 feet westerly.

BICYCLE LANES - ESTABLISH Howard Street, north side, from 5th Street to Fremont Street.

TOW-AWAY, RIGHT LANE MUST TURN RIGHT - RESCIND Masonic Avenue, southbound, at Geary Boulevard. (Parking and Traffic Department)

6/18/04: 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. 2828.)

Question: Shall this Resolution be ADOPTED?

Recommendations of the Rules Committee

Present: Supervisors Maxwell, Gonzalez

040712 [Settlement of Lawsuit - Ray Mizyed and Gary Thompson]

Ordinance authorizing settlement of Ray Mizyed's claims in the lawsuit filed by Ray Mizyed and Gary Thompson against the City and County of San Francisco for \$135,000; the lawsuit was filed on May 14, 2003, in the United States District Court for the Northern District of California, Case No. CV 03-02243 WDB, entitled Ray Mizyed, Gary Thompson v. City and County of San Francisco, Johnny Miller, Jesse Williams, Donald Sanders, Mercedes Hernandez, Gwendolyn Tucker. (City Attorney)

Question: Shall this Ordinance be PASSED ON FIRST READING?

5.

4.

040713 [Settlement of Lawsuit [Partial Settlement] - Ki-Man Song, et al.]

Ordinance authorizing partial settlement of the lawsuit filed by Ki-Man Song, Young Soo Lee, Leobardo Trejo, Suk In Yi, Chae Hun Yi, and James Nam against the City and County of San Francisco for \$280,540; the lawsuit was filed on June 3, 2003 in United States District Court, Northern District of California, Case No. C03 2580; entitled Ki-Man Song, et al. v. Jin Construction & Electric Co., et al.; other material terms of said settlement are material terms. (City Attorney)

Question: Shall this Ordinance be PASSED ON FIRST READING?

6. 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)

Question: Shall this Ordinance be PASSED ON FIRST READING?

7. 040895 [Settlement of Lawsuit - Darius Hinton]

Ordinance authorizing settlement of the lawsuit filed by Darius Hinton against the City and County of San Francisco for \$33,000; the lawsuit was filed on October 16, 2001 in San Francisco Superior Court, Case No. 400-292; entitled Darius Hinton, et al., v. City and County of San Francisco, et al. (City Attorney)

Question: Shall this Ordinance be PASSED ON FIRST READING?

8. 040897 [Settlement of Lawsuit - William Salazar and Amy Salazar]

Ordinance authorizing settlement of the lawsuit filed by William Salazar and Amy Salazar against the City and County of San Francisco for \$28,290 to William Salazar and \$6,210 to Amy Salazar; the lawsuit was filed on January 12, 2001 in San Francisco Superior Court, Case No. 318-098; entitled William Salazar and Amy Salazar v. City and County of San Francisco. (City Attorney)

Question: Shall this Ordinance be PASSED ON FIRST READING?

9. 040359 [Appointment - Childhood Nutrition & Physical Activity Task Force]

Resolution appointing Constance Mourning, for the unexpired portion of a one-year term ending December 12, 2004, to the Childhood Nutrition & Physical Activity Task Force.

Constance Mourning, new appointment, seat 3, must be a member of the Youth Commission, for the unexpired portion of a one-year term ending December 12, 2004.

Question: Shall this Resolution be ADOPTED?

10. 041049 [Appointment - Child Care Planning and Advisory Council]

Resolution appointing Rita Times, for the unexpired portion of a three-year term ending December 31, 2006, to the Child Care Planning and Advisory Council; residency requirement

waived.

Rita Times, new appointment, seat 8, must be a nominee of District 8 Supervisor selected from: parent advisory councils of public and private child care programs; associations of child care centers, family day care providers and Head Start; public interest organizations including but not limited to the Child Care Law Center; community organizations; the Bay Area Employer Work and Family Coalition; and members of labor organizations and local organizations that fall within the definition of "Community representative"; for the unexpired portion of a three-year term ending December 31, 2006.

Question: Shall this Resolution be ADOPTED?

11. 041051 [Appointment - Immigrant Rights Commission]

Resolution appointing Vera Haile, Gilbert Alexander, Solomon Jones, Ivy Lee and Houston Zheng, terms ending June 6, 2006, to the Immigrant Rights Commission.

Vera Haile, succeeding herself, term expired, seat 1, must have a demonstrated knowledge of and interest in the health, human service, educational, or employment issues that affect immigrants residing in San Francisco, for a two-year term ending June 6, 2006. Gilbert Alexander, succeeding Saif Ataya, term expired, seat 2, must have a demonstrated knowledge of and interest in the health, human service, educational, or employment issues that affect immigrants residing in San Francisco, for a two-year term ending June 6, 2006. Solomon Jones, succeeding Tamara Ribas, term expired, seat 3, must have a demonstrated knowledge of and interest in the health, human service, educational, or employment issues that affect immigrants residing in San Francisco, for a two-year term ending June 6, 2006. Ivy Lee, succeeding Larisa Casillas, term expired, seat 5, must have a demonstrated knowledge of and interest in the health, human service, educational, or employment issues that affect immigrants residing in San Francisco, for a two-year term ending June 6, 2006. Houston Zheng, succeeding himself, term expired, seat 9, must be an immigrant to the United States who is appointed in accordance with Section 4.101 of the Charter. In addition, members shall have a demonstrated knowledge of and interest in the health, human service, educational, or employment issues that affect immigrants residing in San Francisco, for a two-year term ending June 6, 2006.

Question: Shall this Resolution be ADOPTED?

Present: Supervisors Maxwell, Alioto-Pier, Gonzalez

12. 040119 [Appointment - Asthma Task Force]

Resolution appointing Gretchen Skaggs and Lucille Valdivia, terms ending June 30, 2005, to the Asthma Task Force.

Gretchen Skaggs, succeeding Deanna Rossi, resigned, seat 3, must be a representative of child care coordinating/advocacy organizations and is a voting member, for the unexpired portion of a two-year term ending June 30, 2005.

Lucille Valdivia, succeeding Michael Walter Green, resigned, seat 22, must be an individual who represents tenant interests (non-voting member), for the unexpired portion of a two-year term ending June 30, 2005.

13. 040905 [Appointment-Surplus Property Citizens' Advisory Committee]

Resolution appointing James Reilly, Jamie Armstrong, Richard Lee, Scott Clark, Ana Gutierrez, Leroy Moore, Jr. (residency requirement waived), and Sister Bernie Galvin, terms to be determined, to the Surplus Property Citizens' Advisory Committee.

James Reilly, new position, Seat 1, must have expertise in the area of developing permanent housing for homeless people and those at-risk of homelessness, for a term to be determined. Jamie Armstrong, new position, Seat 2, must have experience in providing supportive services to help individuals and families exit homelessness, for a term to be determined. Richard Lee, new position, Seat 3, must hold a Real Estate and/or Broker's license, for a term to be determined.

Scott Clark, new position, Seat 4, must be currently or formerly homeless, for a term to be determined.

Ana Gutierrez, new position, Seat 5, must be currently or formerly homeless with their family or is an advocate or service provider for homeless families, for a term to be determined. Leroy Moore, Jr. (residency requirement waived), new position, Seat 7, must have expertise with disability community issues, for a term to be determined.

Sister Bernie Galvin, new position, Seat 8, must be a homeless senior citizen or an advocate or service provider for homeless senior citizens, for a term to be determined.

Question: Shall this Resolution be ADOPTED?

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

REGULAR AGENDA

NEW BUSINESS

Recommendations of the Land Use Committee

Present: Supervisors McGoldrick, Peskin, Maxwell

14.

040717 [Traffic Regulations - Portions of Middle Point Road and Innes Avenue]

Ordinance adding Sections 28.5.55 and 28.5.56 to the San Francisco Traffic Code restricting certain vehicles over 6,000 pounds on portions of Middle Point Road and Innes Avenue. (Parking and Traffic Department)

15. 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)

Question: Shall this Ordinance be PASSED ON FIRST READING?

16. 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)

Question: Shall this Resolution be ADOPTED?

17.040974[Zoning Map Amendment in connection with Habitat
For Humanities Project]

Ordinance amending Zoning Map Sheet 12 of the City and County of San Francisco for property located at 101 Head Street, 105 Head Street, 110 Head Street, 310 DeLong Avenue, 479 DeLong Avenue, 495 DeLong Avenue, 491 DeLong Avenue, 487 DeLong Avenue, 409 DeLong Avenue, 36 Santa Cruz Avenue, 48 Santa Cruz Avenue, 50 Santa Cruz Avenue (Assessor's Block 7153 Lots 008, 008A, 009, 010, 011, 012, 013, 014; Block 7154, Lot 023; Block 7174 Lots 004, 007, 008, 009, 025, 026, 027, 028, 029, 030, 031, 047, 048, 052) to change the zone classification from P, Public Use, to RH-1, Residential House, One Family; adopting findings pursuant to the California Environmental Quality Act; and making findings of consistency with the General Plan and the priority policies of Planning Code Section 101.1. (Planning Department)

Question: Shall this Ordinance be PASSED ON FIRST READING?

Present: Supervisors McGoldrick, Peskin

18.

040859

[Designating 165 10th Street, the James Lick

Supervisor Peskin

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)

19.040976[Designating 1201 Ortega Street, the Infant Shelter, as
a Landmark]Supervisor Peskin

Ordinance designating 1201 Ortega Street, the Infant Shelter, as Landmark No. 242 pursuant to Article 10, Sections 1004 and 1004.4 of the Planning Code. (Planning Department)

Question: Shall this Ordinance be PASSED ON FIRST READING?

Present: Supervisors McGoldrick, Peskin, Maxwell

20. 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)

Question: Shall this Resolution be ADOPTED?

21. 040933 [Disapproving Street Encroachment at 601-605 Market Street]

Resolution affirming the recommendation of the Director of Public Works to disapprove permission to CA SF NO. 1, LP, to occupy a portion of the public right-of-way to replace an existing sub-sidewalk elevator enclosure with a new decorative enclosure and construct and maintain a new stairway at sidewalk level to provide a means of secondary egress from the existing sub-sidewalk basement at the 2nd Street frontage of 601-605 Market Street (Block 3707, Lot 001). (Public Works Department)

(Companion measure to File 040934.)

Question: Shall this Resolution be ADOPTED?

22. 041015 [Urging Support for Preservation and Restoration of Belli Buildings]

Supervisor Peskin

Resolution urging the Department of Building Inspection to diligently monitor the status and condition of the historic Belli Buildings and expressing support for preserving these historical treasures through all means possible.

7/20/2004, REFERRED to Land Use Committee. Supervisor Hall requested that this matter be referred to Committee.

Question: Shall this Resolution be ADOPTED?

Recommendations of the Rules Committee

Present: Supervisors Maxwell, Alioto-Pier

23. 040856 [Department of Elections Conflict of Interest Code]

Ordinance amending Campaign and Governmental Conduct Code section 3.1-215 to update the Department of Elections and Elections Commission conflict of interest code and financial disclosure rules. (Elections Department)

Question: Shall this Ordinance be PASSED ON FIRST READING?

24. 040980 [Deadlines for correction and review of ballot arguments]

Ordinance amending sections 535 and 590 of the Municipal Elections Code to: change the deadline for correction of errors in rebuttal ballot arguments from noon on the seventy-sixth day before the election to noon on the seventy-fifth day before the election, to be consistent with the deadline for correction of errors in paid ballot arguments; and change the public inspection periods for ballot arguments so that the periods for public review of proponent, opponent, rebuttal and paid arguments, and related materials, all end on the same date, sixty-four days before the election. (Elections Department)

Question: Shall this Ordinance be PASSED ON FIRST READING?

SPECIAL ORDER 3:00 P.M.

Board of Supervisors Sitting as a Committee of the Whole

25.	040592	[Payroll Expense Tax Exclusion for Biotechnology Business]	Supervisors Alioto-Pier, Ma, Hall	
		Ordinance amending the Payroll Expense Tax Ordinance to establish a tax exclusion for biotechnology businesses, as specified.		
		COMMITTEE OF THE WHOLE ADJOURN AND REPORT RECOMMENDATION	CALLED FROM COMMITTEE. Pursuant to Rule 5.31, Supervisor Alioto-Pier called this measure nance and Audits Committee for Board consideration July 13, 2004. 7/6/04: Notice of Matter Called out	
		-		
		7/13/2004, CONTINUED. Continued to July 20, 2004		

7/20/2004, AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.

7/20/2004, PASSED ON FIRST READING AS AMENDED.

7/27/2004, AMENDED.

7/27/2004, PASSED ON FIRST READING AS AMENDED. Board to Sit as a Committee of the Whole on August 10, 2004.

Question: Shall this Ordinance be FINALLY PASSED?

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

SPECIAL ORDER 4:00 P.M.

Board of Supervisors Sitting as a Committee of the Whole

(Pending approval of File Nos. 041097 and 041116)

26. 041078 [Public Hearing - Creating a Disadvantaged Business Utilization Program.]

Hearing to accept public testimony concerning the possible adoption of an emergency ordinance creating a Disadvantaged Business Utilization Program. (Clerk of the Board)

Action:

Committee of the Whole Rise and Report Without Recommendation

27. 041117 [Establishing a Disadvantaged Business Enterprise Mayor, Supervisor Ammiano Program]

Emergency ordinance amending the San Francisco Administrative Code by adding Chapter 14A to establish a Disadvantaged Business Enterprise Program and suspend Chapter 12D.A; adopting declaration of emergency; making applicable certain emergency contracting procedures; and providing for data collection to ensure nondiscrimination in City contracting.

Question: Shall this Ordinance be FINALLY PASSED?

COMMITTEE REPORTS

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

The following items will be considered by the Land Use Committee at a Regular Meeting on Monday, August 9, 2004 at 1:00 p.m. The Chair may entertain a motion to send the following items to the Board on Tuesday, August 10, 2004 as committee reports.

28. 040322 [Mayor, or Mayor's designee, may waive payment of Supervisor Peskin part of the cost of additional police services, subject to Board's power to reject the waiver]

Ordinance permitting the Mayor, or Mayor's designee, to waive, in writing, part of the cost of additional police services, upon consideration of specified criteria and subject to rejection by the Board within thirty (30) days of issuance.

(Fiscal impact.)

6/29/2004, SUBSTITUTED. Supervisor Peskin submitted a substitute ordinance bearing new title. 7/8/04: Mayor's Office notified of July 15, 2004 Budget Committee meeting.

Question: Shall this Ordinance be PASSED ON FIRST READING?

29.041041[Approving Tiled Steps Project Street EncroachmentSupervisors Hall, Ma
at 16th Avenue and Moraga Street]

Resolution granting revocable permission to The 16th Avenue Tiled Steps Project to occupy a portion of the public right-of-way to install and maintain mosaic tiles on the risers and nonslip paving tiles on the treads of the existing concrete City stairway on Moraga Street between 16th and 15th Avenues and making findings of consistency with the General Plan and priority policies of Planning Code Section 101.1. (Public Works Department)

Question: Shall this Resolution be ADOPTED?

30.041072[Amending the Administrative Code to Require
Preparation and Consideration of Healthcare Impact
Report in Event of Certain Hospital Construction
Resulting in Replacement or Addition ofSupervisors Ma, Daly, Maxwell,
Gonzalez, Ammiano, Peskin

Ordinance adding Section 97 to the Administrative Code to require Health Department to draft and distribute Healthcare Impact Report for consideration in evaluating permit application or amendment to Redevelopment Plan regarding private hospital construction resulting in replacement or addition of over two hundred licensed hospital beds.

Question: Shall this Ordinance be PASSED ON FIRST READING?

31. 021825 [RCN Proposed OVS Franchise]

Ordinance granting a four year franchise to RCN Telecom Services, Inc. with an opportunity for two extensions of three years each, for use of the public rights-of way within the City and County of San Francisco to provide open video system services and cable internet services upon compliance with the terms of this franchise.

(Pursuant to Section 11.11 of the San Francisco Administrative Code, the Controller shall complete the City's review costs and estimate of applicant's proposal fee within 15 business days of receipt of application.)

(12/16/02 in Board: Supervisor Hall presented a substitute draft ordinance bearing new title.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

CLOSED SESSION

32. 041119 [Closed Session - Anticipated Litigation 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 anticipated litigation (City anticipated to be a defendant) which may occur if the City approves the proposed ordinance (Board File No. 021825) granting a thirteen year franchise to RCN Telecom Services, Inc. for open video system services (OVS). In a letter dated March 7, 2003, Comcast questioned "how the City could assess liquidated damages or other penalties against Comcast for failure to meet franchise build-out requirements while at the same time the City is in the process of granting extensive and substantial relief to Comcast's competitor RCN....Comcast would have no choice but to seek court protection of its rights under City and state law...."

The City Attorney advises that, based upon this March 7, 2003 Comcast letter, there is a significant exposure to litigation against the City if the City approves the proposed RCN franchise ordinance contained in Board File No. 021825.

Government Code Section 54956.9(b)(1) & (3) and San Francisco Administrative Code Section 67.10(d)(2) would permit this closed session. (City Attorney)

Action: ___

33. 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.

34. 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 35 through 49

35. 041097 [Emergency Disadvantaged Business Program -August 10, 2004 Committee of the Whole]

Motion for the Board of Supervisors to convene as a committee of the whole on August 10, 2004, at 4:00 p.m. to accept public testimony concerning the possible adoption of an emergency ordinance creating a Disadvantaged Business Utilization Program.

7/29/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be ADOPTED?

36.041116[Suspending 30 Day Rule for Emergency Ordinance to
Establish Disadvantaged Business Enterprise
Program]Mayor, Supervisor Ammiano

Motion suspending Rule 5.40 of the Rules of Order of the Board of Supervisors to allow the Board of Supervisors to consider, without waiting 30 days after its introduction, a proposed emergency ordinance amending the municipal code to add Chapter 14A to the San Francisco Administrative Code to establish a Disadvantaged Business Enterprise Program and suspend Chapter 12D.A; adopt declaration of emergency; make applicable certain emergency contracting procedures; and provide for data collection to ensure nondiscrimination in City contracting.

8/4/2004, ASSIGNED to Board of Supervisors.

Question: Shall this Motion be ADOPTED?

37. 041081 [Public Hearing - Eminent Domain]

Supervisor Daly

Supervisor Ammiano

Motion directing the Board of Supervisors to a public hearing on August 17, 2004, at 3:00 p.m., with the Board sitting as a Committee of the whole, to consider (1) adopting environmental findings under the California Environmental Quality Act, State Guidelines, and Administrative Code Chapter 31; (2) adopting findings under the General Plan and City Planning Code Section 101.1; and (3) adopting a resolution of necessity for the City's proposed acquisition by eminent domain for the Transbay Terminal/Caltrain Downtown

35.

Extension/Redevelopment Project of Lots 45A, 46, 53, and 54 in Assessor's Block 3721 (80 Natoma), in San Francisco.

7/27/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be ADOPTED?

38. 041062 [Support of AB 2404]

Mayor

Resolution supporting AB 2404 and urging the California legislature to pass AB 2404 prohibiting local governments from discriminating against any person on the basis of gender within community youth athletics programs.

7/27/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

39.041063[Commending Deputy City Attorney Michael S.
Cohen]Supervisors Peskin, Dufty,
Maxwell

Resolution commending Michael S. Cohen for nine years of exemplary public service to San Francisco as a Deputy City Attorney and Head of the Finance, Real Estate and Special Projects Division of the City Attorney's Office, and wishing him well in his future endeavors as the new Director of Base Reuse and Development in the Mayor's Office of Economic and Workforce Development.

7/27/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

40. 041064 [Wi-Fi Technology]

Resolution urging the San Francisco Department of Telecommunications provide access to Wi-Fi in all San Francisco city-owned buildings.

7/27/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

41. 041083 [Halloween in the Castro]

Resolution sanctioning Halloween in the Castro and encouraging coordinated planning of the event.

7/27/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

42. 041084 [Vocational services to mentally-ill psychiatric clients

Supervisor Alioto-Pier

Supervisors Dufty, Ammiano

Supervisor Hall

in San Francisco]

Resolution authorizing retroactively the San Francisco Department of Public Health to enter into a cooperative program agreement with the State Department of Rehabilitation, San Francisco District, including a required match of \$284,222, to provide vocational services to mentally-ill psychiatric clients in San Francisco; for the period of July 1, 2004 to June 30, 2007.

7/27/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

43. 041085 [Commending Department of California Highway Supervisor Ma Patrol]

Resolution commending the Department of California Highway Patrol on the occasion of their 75th Anniversary.

7/27/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

44. 041086 [Commending Sing Tao Daily]

Resolution commending Sing Tao Daily for 66 years of outstanding service to the Chinese community in the Bay Area and declaring August 1, 2004 to be "Sing Tao Daily Day" in the City and County of San Francisco.

7/27/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

45. 041087 [Commending National Night Out]

Resolution commending National Night Out for the relationships and partnerships it has built in our communities and declaring August 3, 2004, to be "National Night Out Day" in the City and County of San Francisco.

7/7/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

46. 041088 [Recurring FY 2004-2005 State grant funds to the Department of Public Health from the California Department of Health Services]

Resolution authorizing the acceptance and expenditure of State recurring grant funds by the San Francisco Department of Public Health for FY 2004-2005.

7/27/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Supervisors Ma, Peskin

Supervisor Ma

Supervisor Ma

47. 041089 [Declaring City Policy Regarding Subtidal Areas] Supervisor Peskin Resolution adopting the Bay Conservation and Development Commission policy regarding
Subtidal Areas as official policy of the City and County of San Francisco. Supervisor Peskin

7/27/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

48. 041066 [Authorizing preparation of Opponent ballot arguments and rebuttal ballot arguments for submittal to the voters at the November 2, 2004 Election]

Motion authorizing preparation of written Opponent ballot argument and rebuttal ballot argument for ordinance submitted by petition for submittal to the voters at the November 2, 2004 Election.

7/27/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be ADOPTED?

49. 041068 [Needle Exchange Emergency]

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

Supervisor Alioto-Pier

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

7/27/2004, 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:

50. 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 July 20, 2004 to August 2, 2004, for reference by President to appropriate committee on August 10, 2004.

040505 [Fees for notary services]

Supervisors Dufty, Ammiano

Ordinance amending San Francisco Administrative Code Sections 8.33.1, 833.2, and 834.1 to authorize the County Clerk, the Assessor-Recorder, and the Tax Collector to charge fees for providing notary services to the public in the amount of \$10 for an Acknowledgment and \$10 for a Jurat; and ratifying that requests for marriage certificate index records are subject to the same charges as are fictitious business name index records.

4/20/2004, ASSIGNED UNDER 30 DAY RULE to Finance and Audits Committee, expires on 5/20/2004.

6/7/2004, REFERRED TO DEPARTMENT. Referred to Planning Department for environmental review.

6/10/2004, RESPONSE RECEIVED. Planning Department, statutory ecemption, CEQA guidelines 15273 rates, tolls, fares & charges.

7/29/2004, SUBSTITUTED. The County Clerk submitted a substitute ordinance bearing new title.

7/29/2004, ASSIGNED to Finance and Audits Committee.

040557 [Update of Traffic Code reference pertaining to

Taxicab Stands]

Ordinance amending Section 39 of the San Francisco Traffic Code, updating Section referenced in the San Francisco Police Code pertaining to Taxicab Stands. (Parking and Traffic Department)

7/20/2004, RECEIVED AND ASSIGNED to Land Use Committee.

040558 [Amending Police Code to extend commercial passenger-carrying vehicle restriction on Lyon Street north of Green Street]

Ordinance amending Section 1183.17 of the San Francisco Police Code, adding two blocks of Lyon Street to the existing passenger-carrying commercial vehicle restricted areas. (Parking and Traffic Department)

7/20/2004, RECEIVED AND ASSIGNED to Land Use Committee.

041035 [Amending San Francisco Traffic Code pertaining to Speed Limits on Market Street]

Ordinance amending Sections 176.14 and 175.32 of the San Francisco Traffic Code, modifying speed limits on portions of Market Street. (Parking and Traffic Department)

7/20/2004, RECEIVED AND ASSIGNED to Land Use Committee.

041090 [Conditionally Designate 938-942 Market, the Garfield Building, as a Landmark]

Ordinance Conditionally Designating 938-942 Market, the Garfield Building, As Landmark No. 244 Pursuant To Article 10, Sections 1004 And 1004.4 Of The Planning Code. (Planning Department)

(Companion measure to File 041091.)

7/29/2004, RECEIVED AND ASSIGNED to Land Use Committee.

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)

8/2/2004, RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED RESOLUTIONS

Proposed resolutions received from July 20, 2004 to August 2, 2004, for reference by President to appropriate committee on August 10, 2004.

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.)

7/20/2004, RECEIVED AND ASSIGNED to Land Use Committee.

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.

RESIDENTIAL PERMIT PARKING AREA "S" (2-HOUR TIME LIMIT, 8 AM - 9 PM, MONDAY THROUGH FRIDAY) - ESTABLISH Hill Street, both sides, between Noe and Sanchez Streets (400 block).

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.)

7/20/2004, RECEIVED AND ASSIGNED to Land Use Committee.

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.)

7/20/2004, RECEIVED AND ASSIGNED to Land Use Committee.

041040 [Accept-Expend California State Coastal Conservancy, San Francisco Bay Conservancy Program Grant Funds]

Resolution authorizing the San Francisco Public Utilities Commission (SFPUC) to accept and expend a grant in the amount of \$125,000 from the California State Coastal Conservancy (CSCC) for the purchase and installation of restroom facilities for the Fifield-Cahill Ridge Trail project on the peninsula watershed in San Mateo County. (Public Utilities Commission)

7/20/2004, RECEIVED AND ASSIGNED to City Services Committee. 7/27/04: Departments and interested parties notified of August 5, 2004 City Services Committee meeting.

041041 [Approving Tiled Steps Project Street Encroachment at 16th Avenue and Moraga Street]

Supervisors Hall, Ma

Resolution granting revocable permission to The 16th Avenue Tiled Steps Project to occupy a portion of the public right-of-way to install and maintain mosaic tiles on the risers and nonslip paving tiles on the treads of the existing concrete City stairway on Moraga Street between 16th and 15th Avenues and making findings of consistency with the General Plan and priority policies of Planning Code Section 101.1. (Public Works Department)

7/21/2004, RECEIVED AND ASSIGNED to Land Use Committee.

041042 [Contracting for security guard services for the Hallidie Plaza Elevator at Market and Powell Streets]

Resolution concurring retroactively with the Controller's determination that security guard services can practically be performed at the Halladie Plaza by private contractor for a lower cost than if the services were performed by city employees. (Public Works Department)

7/20/2004, RECEIVED AND ASSIGNED to Finance and Audits Committee.

041058 [Accept-Expend Corporate Grant]

Resolution authorizing the Department of the Environment to accept and expend a grant in the amount of \$20,000 from the Safe Tree Program for the development of a Comprehensive Urban Forest Plan for the City and County of San Francisco. (Environment)

7/26/2004, RECEIVED AND ASSIGNED to Land Use Committee.

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)

7/29/2004, RECEIVED AND ASSIGNED to Finance and Audits Committee.

041091 [Conditional approval of an historical property contract for 938-942 Market Street - The Garfield Building]

Resolution under Chapter 71 of the San Francisco Administrative Code, conditionally approving an historical property contract between 942 HTC LLC, the owner of conditional landmark No. 244 at 938-942 Market Street and the City and County of San Francisco, conditionally authorizing the Director of Planning and the Assessor to execute the historical property contract. (Planning Department)

7/29/2004, RECEIVED AND ASSIGNED to Finance and Audits Committee.

041092 [Street Artist Spaces]

Resolution approving two (2) former temporary winter holiday selling spaces as permanent selling spaces on Market Street, south side, 4th to 5th Streets, and three (3) temporary winter holiday spaces as permanent spaces on Market Street, north side, at Montgomery Street, for street artists certified by the Arts Commission, City and County of San Francisco; and exempting said two spaces on Market Street, south side, 4th to 5th Streets, from Police Code Section 2405(c)(6) requiring street artists to sell not within (10) ten feet of the outer edge of any entrance. (Arts Commission)

7/28/2004, RECEIVED AND ASSIGNED to Land Use Committee.

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)

7/29/2004, RECEIVED AND ASSIGNED to Finance and Audits Committee.

041114 [Grant of Regional Funds]

Resolution authorizing the Municipal Transportation Agency to accept and expend \$35,710,000 of Regional Measure 2 funds for Municipal Railway capital projects. (Municipal Transportation Agency)

8/2/2004, RECEIVED AND ASSIGNED to Land Use Committee.

041121 [Petitions and Communications]

Petitions and Communications received from July 20, 2004 through August 2, 2004, for reference by the President to Committee considering related matters or to be ordered filed by the Clerk on August 10, 2004.

From Clerk of the Board, submitting Form 700 Statement of Economic Interests: Lena Gomes, Constituent Liaison to Supervisor Chris Daly Betty Chan, Constituent Liaison to Supervisor Jake McGoldrick(1)

From concerned citizens, submitting opposition to proposed Charter amendment to allow noncitizens to vote in School Board elections. File 040645, Copy: Each Supervisor(2)

Number not used.(3)

From Monika Steiner, submitting request to transfer an off- sale general liquor license (type 21) from 1255 22nd Street to Pier 39, Space J02 for dba Wines of California.(4)

From Jason Lim, appealing decision of Director of Public Works approval of application for a Minor Sidewalk Encroachment permit at 2833 26th Street. File 041055(5)

From Cingular Wireless, submitting notification letter for a CPUC cellular base site at 1135 Evans Avenue.(6)

From State Senate Rules Committee, submitting appointment of Marilyn Hendrickson of Vacaville to the Fish and Game Commission for term ending January 15, 2010.(7)

From Ethics Commission, submitting list of Sole Source contracts entered into for fiscal year 2003-04.(8)

From Office of the Treasurer, submitting investment activity for fiscal year to date of the portfolios under management.(9)

From concerned citizens, submitting opposition to proposed funding of the San Francisco Library's acquisition of a Radio Frequency Identification system.File 040777, Copy: Each Supervisor(10)

From Luce, Forward, LLP, responding to letter of determination for the 80 Natoma Street project. Copy: Each Supervisor(11)

From Recreation and Parks Department, submitting plan to use \$2 million dollars annually from the Open Space Fund to secure the issuance of a lease revenue bond with an estimated value of \$20 million for rehabilitation of neighborhood parks.Copy: Each Supervisor(12)

From Office of the Controller, submitting report concerning the concession audit of Asiana Airlines.(13)

From Office of the Controller, submitting report concerning the concession audit of Gemini Air Cargo.(14)

From Department of Animal Care and Control, submitting request for waiver of Administrative Code Chapters 12B and 12C for Radiation Detection Company.(15)

From Recreation and Parks Department, submitting response to the requirements of Resolution 157-99 (Lead Poising Prevention), fourth quarter report of fiscal year 2003-04.(16)

From Office of the City Administrator, regarding status of payments to non-profits grantees of the Mayor's Neighborhood Beautification Fund. (Reference No. 20040608-003) Copy: Supervisors Ammiano, Dufty(17)

From Dan Gourley, submitting support for proposed Charter amendment to place administration of the Health Service System under the jurisdiction of the Health Service Board and replace the City Attorney seat on the Health Service Board with an elected seat. File 040643, Copy: Each Supervisor(18)

From Josie Bravo, urging the Board not to increase the sales tax. Files 040979, 040978,040758, Copy: Each Supervisor(19)

From State Public Utilities Commission, submitting detailed information about PG&E's application to raise rates.(20)

From Society of Professional Journalist, submitting nomination of Erica Craven to the Sunshine Ordinance Task Force, Seat Number 1, for term ending April 2006. Copy: Rules Committee(21)

From Office of the Mayor, submitting list of Supervisors designated as Acting Mayor from July 24 through July 30, 2004.(22)

From Building Inspection Commission, submitting copy of letter sent to City Attorney regarding request for outside counsel to pursue complaints with respect to the fiscal year 2004-05 budget. Copy: Each Supervisor(23)

From Department of Human Resources, regarding amendments to the Annual Salary Ordinance at the Board of Supervisors meeting of July 20, 2004. Copy: Each Supervisor(24)

From Public Utilities Commission, concerning resolution that authorizes solicitation of Request for Proposal for a Design-Build Agreement to build 2.5-kilowatt systems on ten public buildings for \$250,000.(25)

From Office of the Mayor, regarding Sole Source contracts entered into for fiscal year 2003/04.(26)

From Public Utilities Commission, concerning resolution-authorizing solicitation of Request for Proposal for a Design-Build Agreement to build a 300 kilowatt solar photovoltaic system at Pier 36-Norcal Facilities.(27)

From 1884, LLC, regarding rezoning CM Districts to reduce floor area ratio from 9:1 to 3:1. File 040144(28)

From Civil Service Commission, regarding certification of the prevailing rate of wages for Workers engaged in Rigging, Sound, Projection, Theatrical Lighting, Videos, Computers, Draping, Carpentry, Special Effects and Motion Pictures Services on property owned by the city and County of San Francisco.(29)

From Arts Commission, submitting list of Sole Source contracts enter into fiscal year 2003/04.(30)

From Office of the Treasurer and Tax Collector, submitting quarterly report of accounts receivable for the Bureau of Delinquent Revenue.(31)

From concerned citizens, urging the Board to restore funding for the position of Health Center Director at the Chinatown Public Health Center.(32)

From Round the Diamond, submitting copy of letter sent to the Elections Commission regarding proposed budget for fiscal year 2004-05. File 040776, Copy: Each Supervisor(33)

From Office of the Controller, submitting report concerning the audit of the revolving fund maintained by the Planning Department.(34)

From Office of the Controller, regarding the financial statement audit of the Mentally Ill Offender Crime Reduction Grant, Office of the Sheriff, for the period of July 1, 1999 through March 31, 2004.(35)

From Office of the Public Defender, regarding Sole Source Contracts entered into for fiscal year 2003/04.(36)

From Mark Rennie, submitting request for a premise to premise expansion of a type 48 liquor license for Six, Inc. dba Club Six at 52-60 Sixth Street.(37)

From Peter Warfield, submitting copy of letter in the "Library Journal" regarding recognition for S.F. Library Activists.Copy: Each Supervisor(38)

From Civil Service Commission, submitting survey of monthly rates paid to Police Officers and Firefighters in all cities of 350,000 or more in the State of California.(39)

From Clerk of the Board, submitting list of City departments and agencies that submitted the Conflict of Interest Code Review Reports. (40)

From Office of the Controller, submitting report concerning audit of Malcolm Drilling Co., Inc. and their compliance with the City and County of San Francisco's ordinance prohibiting the use of city funds for political activity.(41)

From Office of the Controller, submitting report concerning the financial review of the San Francisco League of Urban Gardeners (SLUG). (42)

From Office of the Public Defender, submitting request for waiver of Chapters 12B and 12C of the Administrative Code for a contract with Chevron USA, Inc.(43)

From Department of Public Health, submitting request for waiver of Chapters 12B and 12C of the Administrative Code for a contract with Laboratory Corporation of America for lab

services.(44)

From Law Library, submitting list of Sole Source Contracts entered into for fiscal year 2003/04.(45)

From Department of Parking and Traffic, concerning possible safety improvements at the intersection of Neptune Street and Thornton Avenue.(46)

From Teamsters Union Local 856, urging the Board to reconsider the proposed reorganization of the Quality Management Department at Laguna Honda Hospital. File 040777(47)

From USA Network, regarding resolution relating to a USA Network television marketing campaign involving sidewalk stenciling in San Francisco.(48)

From Teamsters' Joint Council No. 7, urging the Board to reconsider awarding the Type 2 Non-Consecutive Day's Legal Advertising to the non-union Independent Newspaper. Copy: Each Supervisor(49)

From Reza Musavi, urging the Board to draft legislation that will do more to attract jobs and businesses to San Francisco.(50)

From Sunset-Parkside Education and Action Committee, urging members of the Rules Committee to appoint Sue Cauthen to the San Francisco Public Library Citizens Advisory Committee. Copy: Rules Committee(51)

From Fire Department, submitting notice of re-inspection of the Tenderloin Police Station at 301 Eddy Street relating to fire and life safety issues(52)

From concerned citizens, submitting support for the Transbay Terminal/Caltrain Downtown Extension including eminent domain acquisition of private developer's property. File 041079, Copy: Each Supervisor(53)

From Office of the Controller, submitting report concerning the concession audit of Mexicana Airlines.(54)

From Department of Human Resources, submitting quarterly report of economic settlements for the quarter April 1 2004 - June 30, 2004.(55)

From Department of Human Resources, submitting preliminary review of the Police Departments proposed new and substitute positions for fiscal year 2004/05.(56)

From Emergency Communications Department, submitting notice that the 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 Board.(57)

From Park Place Residential Care Facility for the Elderly, submitting support for a Minor Sidewalk Encroachment permit at 2833 26th Street. File 041055, Copy: Each Supervisor(58)

From Board of Appeals, regarding Sole Source contracts during fiscal year 2003-04 and

2004-05.(59)

From Department of Administrative Services, submitting an update of the progress in the fleet management program. Copy: Each Supervisor(60)

From the Airport, submitting annual report on Sole Source contracts entered into during fiscal year 2003-04.(61)

From Clerk of the Board, submitting notice that the 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 Board.(62)

From Clerk of the Board, submitting review of the taxicab fare rates.(63)

From Trutanich-Michel, LLP, submitting opposition on behalf of the California Rifle and Pistol Association to proposed ordinance requiring firearm thefts or loss to be reported within 48 hours of discovery. File 031932, Copy: Supervisors Ma, Hall, Dufty(64)

From Municipal Railway, submitting request for waiver of Administrative Code Chapters 12B and 12C for the Palace Hotel.(65)

From the Police Commission, submitting annual report of all gifts or cash donated to the Police Department during fiscal year July 1, 2003 to June 30, 2004.(66)

From Asian American Architects and Engineers, submitting copy of letter sent to Laguna Honda Hospital urging them to reissue the RFP to reflect the City's procedures for securing professional services by selection of the most qualified team to perform special inspection for the Laguna Honda Hospital Replacement Project.(67)

From IFPTE, submitting opposition to contracting out for mainframe support services. File 040785(68)

From David Steinmetz, urging the Board to support an environmental awareness campaign called No Butts About It in San Francisco. Copy: Each Supervisor(69)

From Coalition for San Francisco Neighborhoods, submitting resolution concerning the Ansel Adams Memorial Grove.(70)

From concerned citizens, urging the Civic Center Public Library to include a center for teenagers when it is renovated in the next few years.(71)

From Richard Knee, submitting copy of letter sent to the S.F. Bay Guardian regarding amendments to the Sunshine Ordinance. Copy: Each Supervisor(72)

From US Army Corps of Engineers, submitting notice of application for a Department of Army permit to construct a master-planned, mixed use development known as the Vast Oak project in the City of Rohnert Park.(73)

From the Ten-Year Planning Council, submitting report entitled "The San Francisco Plan to

Abolish Chronic Homelessness" dated June 30, 2004. File 031997, Copy: Each Supervisor(74)

APPOINTMENTS BY THE MAYOR Treasure Island Development Authority Board of Directors Jared Blumenfeld

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.

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Disability access

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

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

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

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

The following services are available when requests are made by 4:00 p.m. of the Friday before the Board meeting.

This advance notice will help ensure availability.

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

ú For a large print copy of agenda or minutes in alternative formats, contact Annette Lonich at (415) 554-7706. Assistive listening devices are available from the receptionist in the Clerk of the Board's Office, Room 244, prior to the meeting.

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

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

Know Your Rights Under the Sunshine Ordinance

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

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

Citizens may obtain a free copy of the Sunshine Ordinance by contacting Ms. Hall or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at http://www.sfgov.org/sunshine.htm

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site www.sfgov.org/ethics

Return to Full Board Agendas