Full Board Agendas

# Board of Supervisors City and County of San Francisco

Legislative Chamber - Second Floor City Hall, 1 Dr. Carlton B. Goodlett Place San Francisco, CA 94102-4689



#### **AGENDA**

Tuesday, May 10, 2005 2:00 PM

Regular meeting

AARON PESKIN, PRESIDENT MICHELA ALIOTO-PIER, TOM AMMIANO, CHRIS DALY, BEVAN DUFTY, SEAN ELSBERND, FIONA MA, SOPHIE MAXWELL, JAKE McGOLDRICK, ROSS MIRKARIMI, GERARDO SANDOVAL

Gloria L. Young, Clerk of the Board

#### ROLL CALL AND PLEDGE OF ALLEGIANCE

#### APPROVAL OF MEETING MINUTES

Motion to approve the April 12, 2005 Board Meeting Minutes.

**AGENDA CHANGES** 

#### **COMMUNICATIONS**

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

- 1) Legislation
- 2) Budget Analyst report
- 3) Legislative Analyst report
- 4) Department or Agency cover letter and/or report
- 5) Public correspondence

These items will be available for review at City Hall, Room 244, Reception Desk.

#### CONSENT AGENDA

All matters listed hereunder constitute a Consent Agenda, are considered to be routine by the Board of Supervisors and will be acted upon by a single roll call vote of the Board. There will be no separate discussion of these items unless a member of the Board so requests, in which event the matter shall be removed from the Consent Agenda and considered as a separate item.

#### Items 1 through 13

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

Present: Supervisors McGoldrick, Dufty, Ma

# 1. 050553 [Subcontract agreement funds for a chronic hepatitis electronic registry system]

**Supervisor Dufty** 

Resolution authorizing the San Francisco Department of Public Health (SFDPH) to enter retroactively into a subcontract agreement in the amount of \$108,944 with Public Health Foundation Enterprises Inc. (PHFE), the primary contractor, to fund a chronic hepatitis electronic registry system; for the period of December 30, 2004, through December 29, 2005.

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

# 2. | 050642 | [Contract funds to evaluate the integration of buprenorphine treatment into the SFGH AIDS Program, Year 1]

**Supervisor Dufty** 

Resolution authorizing the San Francisco Department of Public Health, Community Behavioral Health Services (SFDPH, CBHS), to enter retroactively into the first year of an agreement with the University of California San Francisco (UCSF), the primary contractor, and expend funds in the amount of \$52,190 to provide local and multi-site evaluation of the integration of buprenorphine treatment into the SFGH AIDS Program; for the period of September 1, 2004 to August 31, 2005.

Question: Shall this Resolution be ADOPTED?

#### Recommendations of the Rules Committee

Present: Supervisors Alioto-Pier, Mirkarimi, Peskin

#### 3. 050548 [Settlement of Lawsuit - ARCO et al.]

Ordinance authorizing settlement of the lawsuit filed by the City and County of San Francisco, acting by and through its Airport Commission, against The Hertz Corporation and BP/Atlantic Richfield, for the payment to the Airport of environmental clean-up costs with regard to City and County of San Francisco v. ARCO et al., Case No. C-97-2965 MMC (N.D. Cal).

Question: Shall this Ordinance be PASSED ON FIRST READING?

#### 4. 050567 [Settlement of Lawsuit - Tamyra D'Ippolito]

Ordinance authorizing settlement of the lawsuit filed by Tamyra D'Ippolito against the City and County of San Francisco for \$35,000; the lawsuit was filed on July 23, 2001 in San Francisco Superior Court, Case No. 323-130; entitled Tamyra D'Ippolito, et al., v. City and County of San Francisco, et al. (City Attorney)

Question: Shall this Ordinance be PASSED ON FIRST READING?

#### 5. 050568 [Settlement of Lawsuit - Bryan Ketron]

Ordinance authorizing settlement of the lawsuit filed by Bryan Ketron against the City and County of San Francisco for \$57,500 and the lawsuit filed by Alisa Vincent against the City and County of San Francisco for \$25,000; the cases have been consolidated under Bryan Ketron v. City and County of San Francisco, et al., Superior Court, Case No. 414-357. The Ketron lawsuit was filed on November 4, 2002 in Superior Court, Case No. 414-357 the Vincent lawsuit was filed on March 21, 2003 in Superior Court, Case No. 418-577. (City Attorney)

Question: Shall this Ordinance be PASSED ON FIRST READING?

#### 6. 050571 [Settlement of Lawsuit - Teri Smith]

Ordinance authorizing settlement of the lawsuit filed by Teri Smith against the City and County of San Francisco for an agreement to spend an amount not to exceed \$1,100,000.00 to make certain disability access improvements at the San Francisco Zoo; the lawsuit was filed on June 19, 2002 in US District Court (Case No C02-2936 PJH).

Question: Shall this Ordinance be PASSED ON FIRST READING?

# 7. 050582 [Settlement of Lawsuit - Pacific Gas and Electric Company]

Ordinance approving settlement of litigation by Pacific Gas and Electric Company against City and County of San Francisco for \$3,000.

Question: Shall this Ordinance be PASSED ON FIRST READING?

#### 8. 050657 [Settlement of Lawsuit - Nicholas Holley]

Ordinance authorizing settlement of the lawsuit filed by Nicholas Holley against the City and County of San Francisco for the payment of \$50,000; the lawsuit was filed on January 23, 2004, in San Francisco Superior Court, Case No. 428-216; entitled Nicholas Holley v. City and County of San Francisco, et al. (City Attorney)

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

# 9. 050656 [Settlement of Claim - Fremont Group Management LP]

Resolution approving the settlement of the unlitigated Claim for Tax Refund File No. 05-02753 filed by Fremont Group Management LP on February 23, 2005, against the City and County of San Francisco for \$97,135.09. (City Attorney)

Question: Shall this Resolution be ADOPTED?

### 10. 050580 [Settlement of Equal Employment Opportunity Commission (EEOC ) Claim - Julie Yee]

Resolution approving settlement of EEOC Charge No. 370A300288, filed by Julie Yee December 18, 2002 against the City and County of San Francisco for \$40,642.78. Other material term of said settlement is that Yee shall release all her claims, including a release of any right she may have to file suit based upon the allegations in her EEOC Charge. (City Attorney)

Question: Shall this Resolution be ADOPTED?

#### 11. 050706 [Appointment - Bicycle Advisory Committee]

Resolution appointing Susan King and Hitesh Soneji, terms ending November 19, 2006, to the Bicycle Advisory Committee.

Susan King, succeeding Bridget May, term expired, seat 5, must be a nominee of District 5 Supervisor. The member must serve a two-year term or for the tenure of the supervisor who nominated the member, whichever is shorter in duration, for the unexpired portion of a two-year term ending November 19, 2006.

Hitesh Soneji, succeeding Dale Butler, term expired, seat 6, must be a nominee of District 6 Supervisor. The member must serve a two-year term or for the tenure of the supervisor who nominated the member, whichever is shorter in duration, for the unexpired portion of a two-year term ending November 19, 2006.

Question: Shall this Resolution be ADOPTED?

### 12. 050707 [Appointment - Back Streets Business Advisory Board]

Resolution appointing Louis Guidry, Jr., term ending November 16, 2006, to the Back Streets Business Advisory Board.

Louis Guidry, Jr., new appointment, seat 2, must be a current or former owner, operator, or officer of a medium PDR Back Streets business located in San Francisco, for the unexpired portion of a term ending November 16, 2006.

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

# 13. 050766 [Appointment - Back Streets Business Advisory Board]

Resolution appointing Robert Legallet, term ending November 16, 2006, to the Back Streets

Business Advisory Board; residency requirement waived.

Robert Legallet (residency requirement waived), new appointment, seat 1, must be a current or former owner, operator, or officer of a light PDR Back Streets business located in San Francisco, for the unexpired portion of a two-year term ending November 16, 2006.

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 City Operations and Neighborhood Services Committee

Present: Supervisors McGoldrick, Dufty, Ma

#### 14. 050655 [Condemning Homophobia and Misogyny]

Supervisor Peskin

Resolution condemning homophobic and misogynistic public remarks by the Executive Director and certain members of the Residential Builders Association of San Francisco and urging that all City meetings be conducted with respect and decorum.

4/19/2005, REFERRED to City Operations and Neighborhood Services Committee.

Question: Shall this Resolution be ADOPTED?

#### 15. 050675 [Allocation of Mental Health Services Act Funds]

Supervisors Maxwell, Ammiano, Daly, Mirkarimi, Ma

Resolution establishing mental health services for San Franciscans exposed to gun and gang violence and for youth in the juvenile justice system as policy priorities in the Board of Supervisors' review of the City's submission to the State for Mental Health Services Act funds.

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

#### **Recommendations of the Rules Committee**

Present: Supervisors Alioto-Pier, Mirkarimi, Peskin

#### 16. 041570 [Conflict of Interest Code Amendments]

Ordinance amending Chapter 1 of Article III of the Campaign and Governmental Conduct Code by amending sections 3.1-109, 3.1-110, 3.1-120, 3.1-140, 3.1-145, 3.1-150, 3.1-155, 3.1-170, 3.1-175, 3.1-195, 3.1-205, 3.1-218, 3.1-230, 3.1-245, 3.1-265, 3.1-270, 3.1-275, 3.1-280, 3.1-285, 3.1-310, 3.1-315, 3.1-325, 3.1-335, 3.1-340, 3.1-345, 3.1-350, 3.1-365, 3.1-375, 3.1-390, 3.1-395, 3.1-410, 3.1-420, 3.1-430, 3.1-435, and 3.1-440; deleting sections 3.1-255 and 3.1-268; and adding section 3.1-222 to update the list of designated employees who must file financial disclosure statements and to modify the applicable disclosure categories.

4/27/05 Amendment of the Whole bearing same title.

Question: Shall this Ordinance be PASSED ON FIRST READING?

# 17. 050434 [Establishing Graffiti Violation Rewards and Clarifying Uses of Littering and Nuisance Reward Fund Monies]

**Supervisor Ma** 

Ordinance amending the San Francisco Administrative Code by amending Section 10.100-234, the Public Works Littering and Nuisance Violation Reward Fund, to reward persons who have provided information leading to the arrest and conviction of persons under California Penal Code Sec. 594 for graffiti vandalism and to clarify uses of fund where a reward is inapplicable or unclaimed.

Question: Shall this Ordinance be PASSED ON FIRST READING?

# 18. 050643 [Extension of San Francisco Museum and Historical Society Advisory Committee's operations for one year]

**Supervisor Peskin** 

Ordinance amending Section 2A.166 of the San Francisco Administrative Code in order to extend the operations of the San Francisco Museum and Historical Society Advisory Committee for one year, until June 1, 2006.

Question: Shall this Ordinance be PASSED ON FIRST READING?

# 19. 050767 [Appointment - Children and Families First Commission]

Resolution appointing Supervisor Ross Mirkarimi, term indefinite, to the Children and Families First Commission.

Supervisor Ross Mirkarimi, succeeding Supervisor Chris Daly, resigned, seat 3, must be a member of the Board of Supervisors, for an indefinite term.

(Supervisor Mirkarimi excused from voting)

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

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

Present: Supervisors Maxwell, Sandoval, McGoldrick

# 20. 050181 [General Plan amendments in connection with the Transbay Redevelopment Plan]

Mayor, Supervisor Daly

Ordinance amending the San Francisco General Plan in connection with the Transbay

Redevelopment Plan and adopting environmental findings and findings that the amendments are consistent with the General Plan and eight priority policies of Planning Code Section 101.1.

(Companion measure to Files 050181, 050182, 050183, and 050184.)

3/29/2005, CONTINUED. Continued to April 5, 2005

4/5/2005, CONTINUED. Continued to May 10, 2005

Question: Shall this Ordinance be PASSED ON FIRST READING?

# 21. 050182 [Zoning - Planning Code amendments in connection with the Transbay Redevelopment Plan] Mayor, Supervisor Daly

Ordinance amending the Planning Code to add Sections 249.27, 263.18, 825, and 825.1 to establish special zoning controls in connection with the Transbay Redevelopment Plan; amending Planning Code Section 270 to reflect the new zoning changes to bulk controls set forth in Section 263.18; adopting environmental findings and findings that the amendments are consistent with the General Plan and eight priority policies of Planning Code Section 101.1.

3/29/2005, CONTINUED. Continued to April 5, 2005

4/5/2005, CONTINUED. Continued to May 10, 2005

Question: Shall this Ordinance be PASSED ON FIRST READING?

# 22. 050183 [Zoning Map amendments in connection with the Transbay Redevelopment Plan]

Mayor, Supervisor Daly

Ordinance amending the San Francisco Planning Code by amending Sectional Map 1, 1H, and 1SU of the Zoning Map of the City and County of San Francisco in connection with the Transbay Redevelopment Plan and an associated special use district with the Redevelopment Plan Project Area and adopting environmental findings and findings that the amendments are consistent with the General Plan and eight priority policies of Planning Code Section 101.1.

3/29/2005, CONTINUED. Continued to April 5, 2005

4/5/2005, CONTINUED. Continued to May 10, 2005

Question: Shall this Ordinance be PASSED ON FIRST READING?

#### 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**

# 23. 050770 [Hearing - Redevelopment Plan for the Transbay Redevelopment Project Area]

Hearing to consider possible adoption of an Ordinance approving and adopting the Redevelopment Plan for the Transbay Redevelopment Project area; adopting findings pursuant to the California Environmental Quality Act; adopting findings that the Redevelopment Plan and related documents and agreements (including a Tax Increment Allocation and Sales Proceeds Pledge Agreement and an Option Agreement with the Redevelopment Agency of the City and County of San Francisco and the Transbay Joint Powers Authority) are consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; adopting other findings pursuant to the California Community Redevelopment Law, including findings pursuant to Sections 33445 and 33679; authorizing official acts (including the execution of agreements) in furtherance of this ordinance. (Clerk of the Board)

# Committee of the Whole Adjourn and Report Without Recommendation

From the Budget and Finance Subcommittee and Committee of the Whole

# 24. 050184 [Adopting the Redevelopment Plan for the Transbay Mayor, Supervisor Daly Redevelopment Project]

Ordinance approving and adopting the Redevelopment Plan for the Transbay Redevelopment Project area; adopting findings pursuant to the California Environmental Quality Act; adopting findings that the Redevelopment Plan and related documents and agreements (including a Tax Increment Allocation and Sales Proceeds Pledge Agreement and an Option Agreement with the Redevelopment Agency of the City and County of San Francisco and the Transbay Joint Powers Authority) are consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; adopting other findings pursuant to the California Community Redevelopment Law, including findings pursuant to Sections 33445 and 33679; authorizing official acts (including the execution of agreements) in furtherance of this ordinance.

(Fiscal impact.)

3/29/2005, CONTINUED. Continued to April 5, 2005

4/5/2005, CONTINUED. Supervisor Maxwell, seconded by Supervisor McGoldrick, moved to refer this matter to the Redevelopment Agency with pending amendments. Continued to May 10, 2005

Question: Shall this Ordinance be PASSED ON FIRST READING?

#### SPECIAL ORDER 4:30 P.M.

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

### 25. 050670 [Hearing - Ground Lease of Redevelopment Agency Land for 10th and Mission Family Housing]

Hearing of persons interested in or objecting to proposed resolution approving the Redevelopment Agency of the City and County of San Francisco's lease of land at Assessor's Block 3508, Lots 26 and 27, commonly known as 10th and Mission Streets, San Francisco, California (the "Site") in the Mid-Market Redevelopment Survey Area, to Mercy Housing California XIV, L.P., a California Limited Partnership, for 65 years for the purpose of developing housing for very low income family households, including formerly chronically homeless households. (Clerk of the Board)

Action:	•	

# Committee of the Whole Adjourn and Report Without Recommendation

# 26. 050671 [Ground Lease of Redevelopment Agency Land for 10th and Mission Family Housing]

Mayor

Resolution approving the Redevelopment Agency of the City and County of San Francisco's lease of land at Assessor's Block 3508, Lots 26 and 27, commonly known as 10th and Mission Streets, San Francisco, California (the "Site") in the Mid-Market Redevelopment Survey Area, to Mercy Housing California XIV, L.P., a California Limited Partnership, for 65 years for the purpose of developing housing for very low income family households, including formerly chronically homeless households.

(Fiscal impact.)

Question: Shall this Resolution be ADOPTED?

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

27. 050672 [Hearing - Ground Lease of Redevelopment Agency

#### Land for 9th and Jessie Senior Housing]

Hearing of persons interested in or objecting to proposed resolution approving the Redevelopment Agency of the City and County of San Francisco's lease of land at Assessor's Block 3508, Lot 51, commonly known as 10th and Mission Streets, San Francisco, California (the "Site") in the Mid-Market Redevelopment Survey Area, to MERCY HOUSING CALIFORNIA, a California nonprofit public benefit corporation, for 55 years for the purpose of developing housing for very low income senior households. (Clerk of the Board)

# Committee of the Whole Adjourn and Report Without Recommendation

### 28. 050673 [Ground Lease of Redevelopment Agency Land for 9th and Jessie Senior Housing]

Mayor

Resolution approving the Redevelopment Agency of the City and County of San Francisco's lease of land at Assessor's Block 3508, Lot 51, commonly known as 10th and Mission Streets, San Francisco, California (the "Site") in the Mid-Market Redevelopment Survey Area, to MERCY HOUSING CALIFORNIA, a California nonprofit public benefit corporation, for 55 years for the purpose of developing housing for very low income senior households.

(Fiscal impact.)

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

#### SPECIAL ORDER 5:00 P.M.

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

(Pending approval of File 050775.)

# 29. 050776 [Hearing - 60 Day Extension of Interim Moratorium on Medical Canabis Dispensaries]

Hearing to consider the possible adoption of an urgency ordinance approving a 60 day extension of the interim zoning moratorium throughout the City on clubs or dispensaries where marijuana is grown, purchased or distributed with a medical recommendation and making required findings, including findings of consistency with the priority policies of Planning Code Section 101.1 and environmental findings. (Clerk of the Board)

Action:	

# Committee of the Whole Adjourn and Report Without Recommendation

# 30. 050773 [Zoning - 60 Day Extension of Interim Moratorium on Supervisor Mirkarimi Medical Cannabis Dispensaries]

Urgency ordinance approving a 60 day extension of the interim zoning moratorium throughout the City on clubs or dispensaries where marijuana is grown, purchased or distributed with a medical recommendation and making required findings, including findings of consistency with the priority policies of Planning Code Section 101.1 and environmental findings.

Question: Shall this Ordinance be FINALLY PASSED?

#### 31. 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.

#### 32. 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 33 through 42

#### 33. 050775 [Committee of the Whole - May 10, 2005, at 5:00 p.m.] Supervisor Mirkarimi

Motion for the Board of Supervisors to convene as a committee of the whole on May 10, 2005, at 5:00 p.m. to accept public testimony concerning the possible adoption of an urgency ordinance extending an interim zoning moratorium throughout the City for 60 days on clubs

or dispensaries where marijuana is grown, purchased or distributed with a medical recommendation and making required findings, including findings of consistency with the priority policies of Planning Code Section 101.1 and environmental findings.

5/3/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be ADOPTED?

# 34. 050774 [Report for Interim Moratorium on Clubs or Dispensaries Where Marijuana is Grown, Purchased or Distributed With a Medical Recommendation]

**Supervisor Mirkarimi** 

Motion adopting and issuing the Planning Department's report concerning the Board's urgency Ordinance that imposed a 45-day interim moratorium on clubs or dispensaries where marijuana is grown, purchased or distributed with a medical recommendation.

 $5/\!3/\!2005,$  REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

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

#### 35. 050787 [Drinking Water Week]

**Supervisor Ma** 

Resolution recognizing May 1-7, 2005 as "Drinking Water Week" in the City and County of San Francisco.

5/3/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

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

#### **36.** 050788

#### [Commending Homeless Mothers in San Francisco]

**Supervisor Mirkarimi** 

Resolution commending the homeless mothers who are struggling to raise families in San Francisco in the midst of a housing crisis.

5/3/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

#### **37. 050789**

#### [Public Works Week]

**Supervisor Peskin** 

Resolution declaring May 16 through 20, 2005, as Public Works Week.

5/3/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

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

#### **38. 050790**

#### [Honoring Bay Area Holocaust Survivors]

Supervisors Sandoval, Peskin, Duftv

Resolution honoring Bay Area Holocaust Survivors on the 60th Anniversary of their liberation, and commending them for their contributions to the San Francisco and Bay Area community.

5/3/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

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

#### 39. 050791 [Nova Knits Inc.]

Supervisors McGoldrick, Peskin, Maxwell, Sandoval, Mirkarimi, Ammiano, Daly

Resolution urging Nova Knits Inc. to comply with the Worker Adjustment and Retraining Notification (WARN) Act and the legitimate requests of its laid off workers and to ensure that its laid off workers are able to access transitional employment benefits through Unemployment Insurance, the Workforce Investment Act (WIA) and the Trade Adjustment Assistance Act (TAA).

5/3/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

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

#### 40. 050772 [California's Day of the Teacher]

Supervisors Ammiano, Daly, Mirkarimi

Resolution declaring May 11, 2005 as California's Day of the Teacher in the City and County of San Francisco.

5/3/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

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

### 41. 050760 [Final Map for a 6 Unit Residential Condominium Project - 400-402-404-406-408-410 Vallejo Street]

Motion approving Final Map of 400-402-404-406-408-410 Vallejo Street, A Residential Condominium Project, being a subdivision of Lot 11 in Assessor's Block No. 133, and adopting findings pursuant to Planning Code Section 101.1.

(DPW Order No. 175,357; District 3.)

4/28/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be ADOPTED?

# 42. 050762 [Final Map for a 2 Lot Merger and 5 Lot Resubdivision Project - 226 Oneida Avenue]

Motion approving Final Map of Oneida Avenue, A 2 Lot Merger and 5 Lot Resubdivision Project, being a resubdivision of Lots 8B and 9D in Assessor's Block No. 6951, and adopting findings pursuant to Planning Code Section 101.1.

(DPW Order No. 175,373; District 11.)

4/29/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be ADOPTED?

Questions	s on the	For A	Adoption	Without	Committee	Reference
Agenda:_						

#### 43. IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s).

#### [Serious Injury Finding]

Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

#### [Purely Commendatory Finding]

Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

#### [Brown Act Finding]

Motion that the Board find by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

#### OFF-AGENDA LEGISLATION

#### PROPOSED ORDINANCES

Proposed ordinance received from April 26, 2005 through May 3, 2005, for reference by President to appropriate committee on May 10, 2005.

None.

#### PROPOSED RESOLUTIONS

Proposed resolution received from April 26, 2005 through May 3, 2005, for reference by President to appropriate committee on May 10, 2005.

### 050763 [Lease of Real Property - One South Van Ness Avenue]

Resolution authorizing the exercise of an option to lease 66,317 square feet of space and extending the term of an existing lease at One South Van Ness Avenue for the Municipal Transportation Agency of the City and County of San Francisco. (Real Estate Department)

5/2/2005, RECEIVED AND ASSIGNED to Budget and Finance Committee.

#### **050814** [Petitions and Communications]

Petitions and Communications received from April 26, 2005 through May 2, 2005, for reference by the President to Committee considering related matters or to be ordered filed by the Clerk on May 9, 2005.

From Joseph Nazzal, submitting request for a beer and wine liquor license for Valencia Whole Foods located on the corner of 21st and Valencia Streets.(1)

From Municipal Transportation Agency, regarding request for traffic calming measures on Buchanan Street, Linden Street and Ivy Street. (Reference No. 20050315-005) Copy: Supervisor Mirkarimi(2)

From Marilyn Amini, submitting cover letter for materials submitted on April 19, 2005 regarding exemption from environmental review for the 1997 San Francisco Bicycle Plan. File 050481(3)

From the Asthma Task Force, submitting request to remove Carl Rose from Seat 13 of the Lung Health/Asthma-Specific Organization because of his absence at three meetings in a row.(4)

From State Department of Child Support Services, regarding passage of AB 2530 that increases the fee an employer may charge an employee to process an income withholding order.(5)

From Civil Service Commission, adopting the recommendation of the Department of Human Resources Salary Survey for Registered Nurses for fiscal year 2005-06. Copy: Each Supervisor(6)

From the Mayor, regarding upcoming sale of the first series of General Obligation Bonds for the Laguna Honda Hospital replacement project. Copy: Budget Analyst(7)

From Planning Department, regarding hearing on developer fees and inclusionary housing requirements for the Rincon Hill Area Plan. (Reference No. 20050419-005) Copy: Supervisor Sandoval(8)

From Planning Department, regarding the feasibility of incorporating the entire Western Addition into the Geary Street Corridor Better Neighborhood Plan. (Reference No. 20050315-003) Copy: Supervisor Mirkarimi(9)

From Law Offices of Stephen Williams, regarding removing CEQA appeal for property

located at 1730-1750 Van Ness Avenue.(10)

Number not used.(11)

From Law Offices of Stephen Williams, regarding "settlement offers" between the developer and appellants of the project at 1750 Van Ness Avenue. File 041275 Copy: Each Supervisor(12)

From concerned citizens, submitting support for proposed extension of bike lanes along Market Street. File 050499 Copy: Each Supervisor(13)

From Municipal Transportation Agency, submitting overtime justification for those employees who worked overtime in excess of 16% of their regularly scheduled straight time, excluding transit operators and transit supervisors.(14)

From Residential Rent Stabilization and Arbitration Board, submitting copy of letter sent to the Immigrant Rights Commission regarding being in compliance with the Equal Access to Services Ordinance. Copy: Each Supervisor(15)

From Mission Merchants Association, submitting support for establishing a "Business Improvement District" for the 2500 Block of Mission Street. Copy: Each Supervisor(16)

From Coalition for San Francisco Neighborhoods, submitting request for continuance of appeal of the San Francisco Bicycle Plan Policy Framework from Environmental Review. File 050481 (17)

From Coalition for San Francisco Neighborhoods, submitting support for a comprehensive city program of capital planning and maintenance of the city's infrastructure.(18)

From Planning Department, submitting notice that an environmental review for the proposed ordinance on the "Landmarks Board Review Period" was issued by the Planning Department on April 12, 2005. File 050437(19)

From Eureka Valley Trails and Art Network, submitting commendation and appreciation to Bryant Woo, engineer with the Department of Parking and Traffic, for his sound and thoughtful recommendations on how best to mitigate the traffic hazards in the Upper Market Street area of San Francisco.(20)

From Urban Water Institute, submitting notice of conference entitled "Can California's Vast Offshore Reservoir Help Meet the State's Future Water needs?" on June 22-23-24, 2005 at the Hyatt Regency Hotel in Long Beach, California.Copy: Each Supervisor(21)

From Municipal Transportation Agency, concerning the feasibility of installing an all-way stop control at the intersection of 4th Avenue and Hugo Street. (Reference No. 20050315-004) Copy: Supervisor Mirkarimi(22)

From Recreation and Park Department, submitting 3rd quarter report on Lead Poison Prevention, pursuant to Resolution 157-99, fiscal year 2004-05.(23)

From Office of the Treasurer & Tax Collector, submitting quarterly report for the Bureau of Delinquent Revenue for the period January 1, 2005 through March 31, 2005.(24)

From Interim Administrator, Sunshine Ordinance Task Force, submitting notice that the 2004 Annual Report has been posted on its web page at sfgov.org/sunshine.(25)

From Office of the City Attorney, responding to inquiry by Supervisor Mirkarimi regarding unresolved allegations over unfair labor practices causing General Laborers to be dismissed as a result of creating a "special" program class known as the 7501 position. Copy: Supervisor Mirkarimi(26)

From Dennis & Carol Hamby, withdrawing appeal of categorical exemption for proposed project at 1400-1402 Cole Street. File 050574, Copy: Each Supervisor(27)

From Human Services Agency, submitting quarterly update for the Human Services Care Fund.(28)

From concerned citizens, commenting on the City Controller's 2004 City Survey giving San Francisco a C+ for city services. (29)

From Jeremy Nelson, submitting support for AB 1208 to assess a "vehicle impact mitigation fee" registration surcharge on all vehicles registered in San Francisco. Copy: Each Supervisor(30)

From Comcast Cable, submitting notice of implementation of a security deposit requirement for the rental of the DVR converter to subscribers in various categories, effective June 1, 2005. (31)

From concerned citizens, commenting on the appointment to the Deputy Chief's job at the Fire Department.(32)

APPOINTMENTS BY THE MAYOR Human Rights Commission Mark Dunlop

#### **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 interpreters at a meeting must be received at least 48 hours in advance of the meeting to help ensure availability. Contact Madeleine Licavoli at (415) 554-7722.

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



#### **Disability access**

The Legislative Chamber (Room 250) and the Committee Room (Room 263) in City Hall are wheelchair accessible. Meetings are real-time captioned and are cablecast open-captioned on SF Cable 26. Assistive listening devices for the Legislative Chamber are available upon request at the Clerk of the Board's Office, Room 244. Assistive listening devices for the Committee Room are available upon request at the Clerk of the Board's Office, Room 244 or in the Committee Room. To request sign language interpreters, readers, large print agendas or other accommodations, please contact Madeleine Licavoli at (415) 554-7722 or (415) 554-5227 (TTY). Requests made at least 48 hours in advance of the meeting will help to ensure availability.

The nearest accessible BART station is Civic Center (Market/Grove/Hyde Streets). Accessible MUNI Metro lines are the J, K, L, M, and N (Civic Center or Van Ness Stations). MUNI bus lines serving the area are the 47 Van Ness, 9 San Bruno, and the 6, 7, 71 Haight/Noriega. For more information about MUNI accessible services, call (415) 923-6142.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex. Accessible curbside parking is available on Dr. Carlton B. Goodlett Place and Grove Street. In order to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products.

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

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review. For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Adele Destro 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 sotf@sfgov.org

Citizens may obtain a free copy of the Sunshine Ordinance by contacting Ms. Destro 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**