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, August 16, 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 Board Meeting Minutes for July 19, 2005.

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

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 14

Recommendations of the Budget and Finance Committee

Present: Supervisors Ammiano, Mirkarimi, Elsbernd

1. 051220 [Parking Fine Penalty Schedule]

Ordinance amending San Francisco Traffic Code Section 132 to reference the correct California Vehicle Code subsection for covering a license plate. (Parking and Traffic Department)

8/9/2005, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

2. 051231 [Department of Building Inspection Cash Revolving Fund]

Ordinance amending San Francisco Administrative Code Section 10.135 to increase the Cash Revolving Fund of the Department of Building Inspection from \$200 to \$600.

8/9/2005, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

3. 051256 [Sale of Surplus Property located at Manzano Way at Oak Creek Way in the City of Sunnyvale, Santa Clara County]

Resolution approving the public auction sale of unimproved surplus real property located on Manzano Way at Oak Creek Way in the City of Sunnyvale, Santa Clara County for a purchase price of \$690,000; adopting findings pursuant to the California Environmental Quality Act; adopting findings that the conveyance is consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; and authorizing the Director of Property to execute documents, make certain modifications and take certain actions in furtherance of this resolution. (Real Estate Department)

Question: Shall this Resolution be ADOPTED?

Recommendation of the Land Use Committee

4. 051128 [Designate 1110 Taylor Street, the Glazer-Keating as as a Landmark]

Supervisor Peskin

Ordinance Designating 1110 Taylor Street, the Glazer-Keating House, As Landmark No. 251 Pursuant To Article 10, Sections 1004 And 1004.4 Of The Planning Code. (Planning Department)

8/9/2005, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the Rules Committee

Present: Supervisors Alioto-Pier, Mirkarimi, Peskin

5. 051349 [Settlement of Lawsuit - Shao Xi Tan]

Ordinance authorizing settlement of the lawsuit filed by Shao Xi Tan against the City and County of San Francisco for \$80,000; the lawsuit was filed on August 22, 2003 in the United States District Court, Case No. C03-3907 MMC; entitled Shao Xi Tan, et al. v. City and County of San Francisco, et al. (City Attorney)

Question: Shall this Ordinance be PASSED ON FIRST READING?

6. 051350 [Settlement of Lawsuit - San Francisco Bay Area Transit District]

Ordinance approving settlement of litigation brought by the San Francisco Bay Area Transit District against City and County of San Francisco in the eminent domain action entitled San Francisco Bay Area Transit District v. City and County of San Francisco, et al. (Alameda County Superior Court No. HG03-099024, filed July 7, 2003), for a total value of \$2,750,000. (City Attorney)

Question: Shall this Ordinance be PASSED ON FIRST READING?

7. 051377 [Settlement of Lawsuit - Daniel Curiel]

Ordinance authorizing settlement of the lawsuit filed by Daniel Curiel against the City and County of San Francisco for \$31,420.11; the lawsuit was filed on April 14, 2003 in San Francisco Superior Court, Case No. 419-362; entitled Daniel Curiel, et al., v. City and County of San Francisco, et al. (City Attorney)

Question: Shall this Ordinance be PASSED ON FIRST READING?

8. 051376 [Settlement of Claim - David Caimotto]

Resolution approving the settlement of the unlitigated claim for disability discrimination filed with the Equal Employment Opportunity Commission (EEOC) by David Caimotto against San Francisco for \$101,000; claim was filed on December 28, 2004. (City Attorney)

Question: Shall this Resolution be ADOPTED?

9. 051351 [Settlement of Claim - Andrea Runge]

Resolution approving the settlement of the unlitigated claim by Andrea Runge against the City and County of San Francisco and Michael Scott for \$45,000. (City Attorney)

Ouestion: Shall this Resolution be ADOPTED?

10. 051269 [Agreement for Tolling of Statute of Limitations Governing Claim]

Resolution approving the City Attorney's entry into a tolling agreement governing claim by USDA Forest Service filed February 2, 2005 arising from Stanislaus National Forest fire of August 9, 2004. (City Attorney)

Question: Shall this Resolution be ADOPTED?

11. 051423 [Appointment - Treasury Oversight Committee]

Resolution appointing Philip Day, Jr., term ending June 5, 2009, to the Treasury Oversight Committee.

Philip Day, Jr., succeeding himself, term expired, seat 1, must the Chancellor of the Community College District or his/her designee, for the unexpired portion of a four-year term ending June 5, 2009.

Question: Shall this Resolution be ADOPTED?

12. 051424 [Appointment - Commission on the Aging Advisory Council]

Resolution appointing William Hollabaugh, term ending March 31, 2007, to the Commission on the Aging Advisory Council.

William Hollabaugh, succeeding himself, term expired, seat 11, must be nominee of District 9 Supervisor, for the unexpired portion of a two-year term ending March 31, 2007.

Question: Shall this Resolution be ADOPTED?

13. 051425 [Appointment - Bicycle Advisory Committee]

Resolution appointing Lisa Estrella, term ending November 19, 2006, to the Bicycle Advisory Committee.

Lisa Estrella, succeeding Janice Voorsluys, seat 4, resigned, must be nominee of District 4 Supervisor, for the unexpired portion of a two-year term ending November 19, 2006.

Question: Shall this Resolution be ADOPTED?

14. 051428 [Appointment - Arts Task Force]

Resolution appointing Karen Ames, term ending November 1, 2005, to the Arts Task Force.

Karen Ames, succeeding Ronald Gallman, seat 13, resigned, must serve as a director, staff member or board member of a non-profit arts organization based in San Francisco with an annual budget exceeding five million dollars, for the unexpired portion of a six-month term ending November 1, 2005.

Question: Shall this Resolution be ADOPTED?

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

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of the City Operations and Neighborhood Services Committee

Present: Supervisors McGoldrick, Dufty, Ma

15. 050591 [Inclusion of transit, pedestrian, and bicycle improvements as part of street improvement projects]

Supervisor Mirkarimi

Supervisor Elsbernd

Ordinance amending the Public Works Code to add Section 2.4.13 to require the integration of transit, pedestrian, and bicycle improvements as part of the planning, construction, reconstruction, or repaying of public right-of-ways.

8/9/2005, AMENDED.

8/9/2005, PASSED ON FIRST READING AS AMENDED.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendation of the Government Audit and Oversight Committee

Present: Supervisor Peskin, Elsbernd, Daly

16. 051358 [Appropriate General Obligation Bond sale proceeds from the 2005A and 2005I series to fund the Laguna Honda Replacement Program and bond issuance costs

for the Department of Public Works]

Ordinance appropriating \$39,328,014 of General Obligation Bond proceeds from the sale of the 2005A Series and appropriating, and placing on reserve, \$60,111,842 from the General Obligation Bond proceeds from the 2005I Series for a total of \$99,439,856 to fund the Laguna Honda Replacement Program and bond issuance costs for the Department of Public Works for fiscal year 2005-06.

(Fiscal impact.)

8/9/2005, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendation of the Land Use Committee

17. 051333 [Tourist Hotel Conversion]

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

Ordinance amending the San Francisco Administrative Code to add Chapter 41F to prohibit the conversion of existing tourist hotel structures with 100 or more tourist guest rooms to condominium projects or dwelling units, with certain exceptions; and adopting findings, including environmental findings.

8/9/2005, AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.

8/9/2005, PASSED ON FIRST READING AS AMENDED.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the Rules Committee

Present: Supervisors Alioto-Pier, Mirkarimi, Peskin

18. 051005 [Cable Television Franchise Amendments]

Mayor

Ordinance amending Ordinance No. 105-64, as amended by Ordinance Nos. 528-88, 315-89, 42-91, 42-97, and 266-99, by amending sections 1, 9, 24.3, 25, 25.5, 27.2, 31, and 32 and Appendix C to extend the term of the franchise and to clarify and expand the obligations of the Comcast of California III, Inc.

8/9/2005, CONTINUED. Continued to August 16, 2005

Question: Shall this Ordinance be PASSED ON FIRST READING?

19. 051006 [Settlement of Claims - Comcast of California III, Inc.]

Mayor

Ordinance approving the settlement of certain non-litigated claims on behalf of the City and County of San Francisco against Comcast of California III, Inc.

8/9/2005, CONTINUED. Continued to August 16, 2005

Question: Shall this Ordinance be PASSED ON FIRST READING?

CLOSED SESSION

20. 051408 [Closed Session - Potential Litigation, Comcast of California III]

Supervisor McGoldrick

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 potential litigation and a settlement involving the City related to the renewal of the cable franchise for Comcast of California III. The settlement resolves the City's unlitigated claims against Comcast California III for \$3.5 million, extends the franchise for 4 years, and modifies the terms of the franchise in several ways, including increasing funding for public

access, educational and government programming. Government Code Section 54956.9(a) and San Francisco Administrative Code Section 67.10(d) permit this closed session because discussion in open session concerning this matter would likely and unavoidably prejudice the position of the City in the potential litigation.

Question: Shall this Motion be ADOPTED?

After a closed session, if one occurs, the President shall (1) request the Deputy City Attorney to identify the subjects discussed in the closed session, and (2) direct the Clerk of the Board to report the vote taken on any motion in the closed session.

[Elect To Disclose]

Motion that the Board finds it is in the public interest to disclose information discussed in closed session, and directs the President immediately to disclose that information.

[Elect Not to Disclose]

Motion that the Board finds that it is in the best interest of the public that the Board elect at this time not to disclose its closed session deliberations concerning the anticipated litigation listed above.

NEW BUSINESS

Recommendations of the Budget and Finance Committee

Present: Supervisors Ammiano, Mirkarimi, Elsbernd

21. 051257 [Sweatfree Ordinance]

Mayor, Supervisors Ammiano, Alioto-Pier, Daly, Mirkarimi, Maxwell, McGoldrick, Dufty,

Ordinance amending the San Francisco Administrative Code by adding Chapter 12U, finding that the City would benefit by spending its funds in a manner that would support safe and humane working conditions; requiring contractors and subcontractors providing goods to the City and County to comply with laws and standards affecting labor and employment conditions for employees performing work under the contract and subcontracts, including: not engaging in abusive forms of child labor, foreign convict or forced labor, or slave labor; and compliance with all human and labor rights and labor standards imposed by law or treaty law on the country where the goods are being made or assembled; paying wages that are not less than a minimum wage established by the Director of the Office of Contract Administration; compliance with all applicable laws governing wages, employee benefits, health and safety, labor, environmental conditions, nondiscrimination, freedom of association; creating the Sweatfree Procurement Advisory Group to make recommendations on the implementation, administration or enforcement of this Chapter to the Director of the Office of Contract Administration and the Office of Labor Standards Enforcement; targeting the procurement of garments for enforcement of this Chapter during the first full fiscal year following the effective date of the Chapter, and, thereafter, targeting other goods for enforcement based on recommendations of the Sweatfree Procurement Advisory Group submitted by the Director of the Office of Contract Administration to the Board of Supervisors and approved by ordinance.

(Fiscal impact.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

22. 051122 [IHSS Contract Modification Approval - San Francisco IHSS Public Authority]

Resolution retroactively approving the modification of the contract between the City and County of San Francisco and San Francisco In-Home Supportive Services (IHSS) Public Authority, which expires on June 30, 2006, for the provision of health and dental benefits to IHSS Independent Providers, in the amount of \$11,872,058, for a total contract amount of \$68,190,161. (Human Services Department)

(Fiscal impact.)

Question: Shall this Resolution be ADOPTED?

23. 051123 [IHSS Contract Approval - IHSS Consortium of San Francisco]

Resolution retroactively approving the contract between the City and County of San Francisco and the IHSS Consortium of San Francisco for the provision of In-Home Supportive Services for the period from July 1, 2005 to June 30, 2008, in the amount of \$51,433,291. (Human Services Department)

(Fiscal impact.)

Question: Shall this Resolution be ADOPTED?

From the Budget and Finance Committee Without Recommendation

Present: Supervisors Ammiano, Mirkarimi, Elsbernd

24. 051239 [Lease of Real Property at One South Van Ness Avenue]

Resolution authorizing the exercise of an option to lease 66,351 square feet of space on the fifth floor at One South Van Ness Avenue for the Mayor's Office of Housing and the Mayor's Office of Community Development and authorizing a 39,644 square foot sublease of such area to the San Francisco Redevelopment Agency. (Real Estate Department)

Question: Shall this Resolution be ADOPTED?

Recommendations of the Land Use Committee

Present: Supervisors Maxwell, Sandoval

25. 050739 [SLI Zoning District - Allowing Certain Financial Services]

Supervisor Daly

Ordinance amending the San Francisco Planning Code by amending Table 817 to add Section 817.32 allowing a financial service use in an SLI (Service/Light Industrial) Zoning District under certain circumstances; adopting findings.

Question: Shall this Ordinance be PASSED ON FIRST READING?

26. 051121 [Street Encroachment at 815 Francisco Street]

Resolution granting revocable permission to Launce E. Gamble, Trustees, to occupy a portion of the public right-of-way to construct and maintain a new two-car garage, to encroach approximately 28 feet into the unimproved public sidewalk right-of-way, as per existing neighborhood pattern, fronting 815 Francisco Street (Block 0048, Lot 019), conditioned upon the payment of an annual assessment fee of \$4,800, and making findings of consistency with the General Plan and the priority policies of Planning Code Section 101.1.

Question: Shall this Resolution be ADOPTED?

SPECIAL ORDER 3:00 PM

Board of Supervisors Sitting as a Committee of the Whole

(Pending approval of File 051418.)

27. 051434 [Public Hearing]

Hearing of persons interested in or objecting to a proposed Ordinance amending the San Francisco Police Code, by adding a new Article 11.1, beginning with Section 788, to prohibit the display of human remains without appropriate written authorization from the deceased or the deceased's next-of-kin. (Clerk of the Board)

Action:

Committee of the Whole Adjourn and Report Without Recommendation

Called From the City Operations and Neighborhood Services Committee

28. 051034 [Prohibiting the display of human remains without appropriate written authorization from the deceased or the deceased's next-of-kin] Supervisors Ma, Dufty, Daly, Sandoval

Ordinance amending the San Francisco Police Code, by adding a new Article 11.1, beginning with Section 788, to prohibit the display of human remains without appropriate written authorization from the deceased or the deceased's next-of-kin.

8/2/2005, CALLED FROM COMMITTEE. Pursuant to Rule 5.31, Supervisor Daly called this measure from City Operations and Neighborhood Services Committee.

8/9/2005, CONTINUED. Continued to August 16, 2005 Supervisor Sandoval requested to be added as a cosponsor.

Question: Shall this Ordinance be PASSED ON FIRST READING?

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

SPECIAL ORDER 4:00 P.M.

APPEAL PROCEDURES

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

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

29. 051226 [Public Hearing - Appeal of Final Mitigated Negative Declaration for 800 Brotherhood Way]

Hearing of persons interested in or objecting to the decision of the Planning Department, certified on May 19, 2005, approving a Final Mitigated Negative Declaration (Case No. 2003.0536E), for the proposed construction of up to 182 dwelling units on an approximately 7.7 acre undeveloped site located on the north side of Brotherhood Way, west of Chumasero Drive, east of Lake Merced Boulevard. The project would involve subdividing the site into about 121 lots and constructing 60 single-family homes and 61 2-unit dwellings. The 121 buildings would be between 3 and 4 stories tall, with heights up to 40 feet, and would total about 444,273 gross square feet. A mix of independently accessible and tandem parking spaces would be provided, for a total of 364 off-street parking spaces. Twenty-one on-street parking spaces would also be created along a new two-way internal private loop road. Access to the site would be via a new driveway on the unimproved portion of the north side of Brotherhood Way abutting the site. There would be a traffic signal at the new access driveway and Brotherhood Way intersection that would be interconnected with the existing signals at Brotherhood Way/School (Church) Access Road, located about 330 feet to the west, and the Chumasero Drive/Brotherhood Way intersection, about 560 feet to the east. The project site is located in an RM-1 (Mixed Residential, Low Density) District and a 40-X Height and Bulk District. The proposed project would require approval of a Conditional Use Authorization for a Planned Unit Development and exceptions for minimum lot sizes, minimum rear yards depths, and bay window dimension. (Appellants: June 17, 2005, filed by Julian P. Lagos on behalf of ParkMerced Residents Association; June 20, 2005, filed by Adena Rosmarin on behalf of Lakeshore Acres Improvement Club.)

(Companion measure to Files 051227, 051228, 051229; District 7.)

7/19/2005, CONTINUED. Continued to August 16, 2005	
Action:	

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

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

30. 051227 [Affirming adoption of the negative declaration for 800 Brotherhood Way]

Motion affirming Planning Commission adoption of the final negative declaration for 800 Brotherhood Way. (Clerk of the Board)

7/19/2005, CONTINUED. Continued to August 16, 2005

Question: Shall this Motion be ADOPTED?

31. 051228 [Reversing adoption of the negative declaration for 800 Brotherhood Way]

Motion reversing the Planning Commission adoption of the final negative declaration for 800 Brotherhood Way. (Clerk of the Board)

7/19/2005, CONTINUED. Continued to August 16, 2005

Question: Shall this Motion be ADOPTED?

32. 051229 [Preparation of findings to reverse adoption of the negative declaration for 800 Brotherhood Way]

Motion directing the Clerk of the Board to prepare findings reversing the Planning Commission adoption of the negative declaration for 800 Brotherhood Way. (Clerk of the Board)

7/19/2005, CONTINUED. Continued to August 16, 2005

Question: Shall this Motion be ADOPTED?

COMMITTEE REPORTS

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

The following item will be considered by the City Operations and Neighborhood Services Committee at a Regular Meeting on Monday, August 15, 2005 at 1:00 p.m. The Chair intends to request the Committee to send the following item to the Board as a committee report on Tuesday, August 16, 2005.

33. 051379 [Liquor License, 572 Castro Street]

Resolution determining that the issuance of a Type 42 on-sale beer and wine license to Ken McDonald, for Friendly Spirits located at 572 Castro Street, will serve the public convenience and necessity of the people of the City and County of San Francisco, in accordance with section 23958.4 of the California Business and Professions Code with conditions.

Question: Shall this Resolution be ADOPTED?

34. 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

35. 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 36 through 46

36. 051418 [Committee of the Whole - August 16, 2005 at 3:00 PM]

Supervisor Daly

Motion to sit as a Committee of the Whole on August 16, 2005 at 3:00 PM to hear File Number 051034 prohibiting the display of human remains without appropriate written authorization from the deceased or the deceased's next-of-kin.

 $8/9/2005,\,\mathrm{REFERRED}$ FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be ADOPTED?

37. 051409 [Issuance and Sale of Revenue Bonds - 1030 Post Street Apartments]

Supervisor Peskin

Resolution approving the issuance and sale of revenue bonds by the California Statewide Communities Development Authority in an aggregate principal amount not to exceed \$7,000,000 for the financing of the acquisition and rehabilitation of the 1030 Post Street Apartments.

8/9/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

38. 051419 [Endorsing the Regional Measure 2 Late Night Owl Bus Service Proposal]

Supervisor Dufty

Resolution endorsing the Regional Measure 2 Late Night Owl Bus Service Proposal.

8/9/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Ouestion: Shall this Resolution be ADOPTED?

39. Urging the DPT to install a stop light at the intersection of Market and Hattie Streets]

Supervisor Dufty

Resolution urging the Department of Parking and Traffic to install a stop light at the intersection of Market and Hattie Streets.

8/9/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

40. 051421

[Honoring Dr. Donald Abrams and the Community Consortium for their outstanding contributions to HIV/AIDS healthcare and research upon the 20th anniversary of the Consortium's

Supervisor Dufty

Resolution honoring Dr. Donald Abrams and the Community Consortium for their outstanding contributions to HIV/AIDS healthcare and research upon the 20th anniversary of the Consortium's establishment.

8/9/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Ouestion: Shall this Resolution be ADOPTED?

41. <u>051422</u>

[Accept-Expend Private Grant – Department of the Status of Women]

Supervisor Maxwell

Resolution authorizing the Department on the Status of Women to accept retroactively and expend unexpended funds from a grant from The California Endowment, in the amount of \$40,000, which funds shall be used to fund the design and implementation of a customized plan for raising multiple year operating funds by Woman Organized to Make Abuse Nonexistent, Inc. (W.O.M.A.N., Inc.)

8/9/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

42. 051429

[Urging the MTA to approve the Arthur H. Coleman Medical Center community's request for sidewalk width reduction to establish perpendicular parking on Ingerson Street]

Supervisor Maxwell

Resolution urging the Municipal Transportation Authority to approve the Arthur H. Coleman Medical Center community's request for sidewalk width reduction to establish perpendicular parking on Ingerson Street.

8/9/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Ouestion: Shall this Resolution be ADOPTED?

43. 051430

[Authorizing Application for BEGIN Funds]

Supervisor Maxwell

Resolution authorizing the submittal of an application to the California State Department of Housing and Community Development for funding under the BEGIN Program; the execution

of a standard agreement if selected for such funding and any amendments thereto; the execution of a designation agreement if selected for such funding and any amendments thereto; the execution of any related documents necessary to participate in the BEGIN Program.

8/9/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

44. 051431 [Commending Catholic Healthcare West, Saint Francis, and St. Mary's hospitals]

Supervisors McGoldrick, Daly, Elsbernd, Alioto-Pier

Resolution commending Catholic Healthcare West (CHW), Saint Francis, and St. Mary's hospitals for their commitment to working with the Department of Public Health to protect and enhance the provision of health care services to vulnerable populations.

8/9/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

45. 051432

[Support of House Resolution 367 Condemning bigotry, violence and discrimination against Iranian-Americans]

Supervisor Mirkarimi

Resolution in support of House Resolution 367 condemning bigotry, violence and discrimination against Iranian-Americans.

8/9/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

46. 051433

[Commending Habitat for Humanity San Francisco]

Supervisor Sandoval

Resolution commending Habitat for Humanity San Francisco for its extraordinary work providing affordable housing in San Francisco and celebrating the groundbreaking of twelve new homes at the De Long Terrace Project.

8/9/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

47. 051407

[Needle Exchange Emergency]

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

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

8/9/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be ADOPTED?

48. IMPERATIVE AGENDA

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

[Serious Injury Finding]

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

[Purely Commendatory Finding]

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

[Brown Act Finding]

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

OFF-AGENDA LEGISLATION

PROPOSED ORDINANCES

Proposed ordinances received from August 2, 2005 through August 8, 2005, for reference by President to appropriate committee on August 16, 2005.

051378 [Sale of City Property located at 425 Mason Street, San Francisco]

Ordinance ordering the sale at public auction of City-owned property located at 425 Mason Street; adopting findings pursuant to the California Environmental Quality Act; adopting findings that the sale is consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; and authorizing other actions in furtherance of this ordinance.

8/5/2005, RECEIVED AND ASSIGNED to Budget and Finance Committee.

PROPOSED RESOLUTIONS

Proposed resolutions received from August 2, 2005 through August 8, 2005, for reference by President to appropriate committee on August 16, 2005.

051406 [Lease of Real Property at One South Van Ness Avenue]

Resolution authorizing the exercise of an option to lease 34,683 square feet of space at One South Van Ness Avenue for the Municipal Transportation Agency of the City and County of San Francisco. (Real Estate Department)

8/8/2005, RECEIVED AND ASSIGNED to Budget and Finance Committee.

051444 [Petitions and Communications]

Petitions and Communications received from August 2, 2005 through August 8, 2005, for reference by the President to Committee considering related matters or to be ordered filed by the Clerk on August 16, 2005.

From R. Warren Langley, submitting his resignation from the Utility Task Force, effective immediately. Copy: Supervisor Peskin(1)

From Marilyn Amini, submitting request for continuance of proposed legislation regarding the "Better Neighborhoods Planning and Implementation Process" and proposed legislation regarding extension of Planning Commission review period until October 5, 2005.(2)

From Assistant Clerk of the Board, submitting notice that the Board of Supervisors' Government Audit and Oversight Committee conducted a public hearing to discuss the findings and recommendations of the Civil Grand Jury and the Juvenile Probation Department's response to the report on July 25, 2005. File 050870, Copy: Each Supervisor(3)

From Assistant Clerk of the Board, submitting notice that the Board of Supervisors' Government Audit and Oversight Committee conducted a public hearing to discuss the findings and recommendations of the Civil Grand Jury and the Ethics Commission's response to the report on July 25, 2005. File 050869, Copy: Each Supervisor(4)

From Ethics Commission, submitting response to the Civil Grand Jury Report "The San Francisco Ethics Commission Budgeting and Staffing Issues" issued May 17, 2005. File 050869(5)

From Supervisor Maxwell, submitting an overview of the policy objectives achieved through proposed amendments to the Rincon Hill Plan. File 050865, Copy: City Attorney(6)

From Public Utilities Commission, submitting list of sole source contracts entered into fiscal year 2004-05.(7)

From Faithful Fools Street Ministry, requesting the Department of Elections' review their calculation of the proposed Tenderloin C.B.D. assessment for 230 Hyde Street, Assessor's Parcel Number 0337-013. File 051245(8)

From Catherine Lee, urging the Board of Supervisors to go back to the negotiating table and get Comcast Cable to provide adequate, sustainable funding for public access over the next

four years. Files 051293, 051006(9)

From City Librarian, submitting the Quarterly Branch Library Improvement Program's Report for the second quarter of 2005, April through June.(10)

From Immigrant Rights Commission, submitting findings that Municipal Transportation Agency (Muni) is in non-compliance with the Equal Access to City Services Ordinance.(11)

From European/American Issues Forum, urging the Board of Supervisors to support a resolution urging the US Patent and Trademark Office to accept the application from Justin Moritz to trademark the name "White Pride Country Wide".(12)

From concerned citizens, submitting opposition to traffic in the Music Concourse and support for Option 2B as a second choice.(13)

From concerned citizens, submitting opposition to proposed legislation that prohibits the conversion of existing tourist hotel structures with 50 or more guestrooms to condominium projects or dwelling units. File 051333, Copy: Land Use Committee(14)

From Law Offices of Stephen Williams, confirming that both parties have agreed to continue the public hearing on appeal of categorical exemption from environmental review for 899 North Point Street until September 13, 2005. File 051222, Copy: Each Supervisor, City Attorney(15)

From Department of Telecommunications and Information Services, regarding proposed Comcast Settlement and Franchise Amendments before the Board. Files 051005, 051006, Copy: Each Supervisor(16)

From the Sheriff's Department, submitting list of sole source contracts entered into in fiscal year 2004-05.(17)

From Department of Children, Youth and their Families, certifying that the funding provided in the budget for fiscal year 2005-06 as adopted by the Board of Supervisors is adequate for the department to meet service levels as proposed to the Board.(18)

From SF Children and Families Commission, certifying that the funding provided in the budget for fiscal year 2005-06 as adopted by the Board of Supervisors is adequate for the department to meet service levels as proposed to the Board.(19)

From Department of Public Health, regarding Laguna Honda Hospital's progress to date on the reversal of the Admission Policy priorities that took place February 22, 2005. Copy: Budget and Finance Committee(20)

From concerned citizens, submitting opposition to proposal to build a Home Depot Center in the Bernal Heights neighborhood.(21)

From concerned citizens, submitting support to proposal to build a Home Depot Center in the Bernal Heights neighborhood.(22)

From concerned citizens, urging the Board to save the house at 39 Chattanooga Street from development. File 051320, Copy: Each Supervisor(23)

From Department of Telecommunications and Information Services, submitting list of sole source contracts entered into in fiscal year 2004-05.(24)

From Department of Public Works, regarding status of removal of graffiti at 2863 California Street. (Reference No. 20050726-002) Copy: Supervisor Mirkarimi(25)

From concerned citizens, requesting a procedural hearing on the issue of standing of appeal the conditional use authorization for 800 Brotherhood Way. File 051234, Copy: Each Supervisor(26)

From Eric, commenting on the fee increase for a residential parking ticket. Copy: Each Supervisor(27)

From Jordan O'Brien, commenting that the Department of Parking and Traffic has become a monster merely out for money.(28)

From concerned citizens, concerning homeownership in San Francisco.(29)

From concerned citizens, regarding the unrest between labor and management in the City's hotels.(30)

From Budget Analyst, regarding the management audit of the Recreation and Park Department.(31)

From Chris Witt, submitting support for a bag fee at grocery stores.(32)

From Joseph & Anne Marie Vingo, thanking Supervisor Alioto-Pier for her article in the "New Fillmore" newspaper regarding the USS Iowa. Copy: Supervisor Alioto-Pier(33)

From Patrick Missud, submitting copy of letter sent to LDC Collection Systems disputing the full amount of parking citation #625826132.(34)

From Kristina Saar, submitting support for bringing the battleship Iowa to San Francisco.File 051113(35)

From concerned citizens, urging the Board to enact a Community Choice Energy plan. Copy: Each Supervisor(36)

From Tara Mannini, requesting a proclamation to mark the 50th anniversary of the San Francisco Sound Wave Chorus of Sweet Adelines International, an all women's chorus that sings barbershop harmony in San Francisco.Copy: Each Supervisor(37)

From Department of Building Inspection, submitting list of sole source contracts entered into in fiscal year 2004-05.(38)

From Clerk of the Board, submitting report of city departments that entered into sole source contracts in fiscal year 2004-05.(39)

From Amy Chen, commenting that some Chinese businesses are not writing signs and menus in English. Copy: Supervisor Ma(40)

From Herrlich, submitting two suggestions to improve customer service at Muni after his unpleasant experience at the Embarcadero Muni Station: #1 install a coin changer that will change the dollar coins you provide into quarters - or fix the machine so it gives four dollar coins and four quarters and #2 talk to the station agent and remind her that her job is to help people not yell at people. Copy: Muni(41)

From Darlene Roberts, urging the Board to do something about tour buses that leave their engine running while the tourist's view the painted ladies on Steiner Street. Copy: Supervisor Mirkarimi(42)

ADJOURNMENT

Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices, (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4)standing in the Legislative Chamber.

Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

USING LAPTOP COMPUTERS FOR PRESENTATIONS: Please contact City Hall Media Services at (415) 554-4933 to coordinate the use of laptop computers for presentations at the meeting. Computers to be used are required to be tested in advance. The presenter should arrive 30 minutes prior to the meeting to connect and test their computer. Agendas are available on the internet at www.sfgov.org/site/bdsupvrs_index.asp?id=4383

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

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

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