

# **Board of Supervisors**

## **City and County of San Francisco**

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



### **AGENDA**

**Tuesday, September 27, 2005  
2:00 PM**

#### **Regular Meeting**

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

**Gloria L. Young, Clerk of the Board**

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

## **APPROVAL OF MEETING MINUTES**

*Motion to approve Board Meeting Minutes for September 6, 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*

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

*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.*

### Recommendations of the Budget and Finance Committee

1.	051390	<p><b>[Setting San Francisco's fiscal year 2005-2006 property tax rate and establishing pass-through rate for residential tenants]</b></p> <p>Ordinance providing revenue and levying property taxes for City and County purposes and establishing pass-through rate for residential tenants pursuant to Chapter 37 of the Administrative Code for the fiscal year ending June 30, 2006.</p> <p>(Fiscal impact.)</p> <p>9/20/2005, PASSED ON FIRST READING.</p> <p><b>Question: Shall this Ordinance be FINALLY PASSED?</b></p>	Supervisor Peskin
2.	051391	<p><b>[Setting San Francisco Community College District's fiscal year 2005-2006 property tax rate to be included in the City's overall property tax rate]</b></p> <p>Ordinance providing revenue and levying property taxes for San Francisco Community College District purposes for the fiscal year ending June 30, 2006.</p> <p>(Fiscal impact.)</p> <p>9/20/2005, PASSED ON FIRST READING.</p> <p><b>Question: Shall this Ordinance be FINALLY PASSED?</b></p>	Supervisor Peskin
3.	051392	<p><b>[Setting San Francisco Unified School District's fiscal year 2005-2006 property tax rate to be included in the City's overall property tax rate]</b></p> <p>Ordinance providing revenue and levying property taxes for San Francisco Unified School District purposes for the fiscal year ending June 30, 2006.</p> <p>(Fiscal impact.)</p>	Supervisor Peskin

9/20/2005, PASSED ON FIRST READING.

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

4.           **051393**           **[Setting San Francisco Bay Area Rapid Transit District's fiscal year 2005-2006 property tax rate to be included in the City's overall property tax rate]**           **Supervisor Peskin**
- Ordinance providing revenue and levying property taxes for San Francisco Bay Area Rapid Transit District purposes for the fiscal year ending June 30, 2006.
- (Fiscal impact.)

9/20/2005, PASSED ON FIRST READING.

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

5.           **050645**           **[Amendment of Contract between Ciber, Inc. and the City and County of San Francisco for Computer-related Services]**           **Supervisor Daly**
- Resolution authorizing the Committee on Information Technology and Purchaser to amend the contract between Ciber, Inc. and the City and County of San Francisco for computer-related services by increasing the amount of the contract from an amount not to exceed \$9,999,999 to an amount not to exceed \$25,000,000.
- (Fiscal impact.)

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

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

*Present: Supervisors McGoldrick, Dufty, Ma*

6.           **051060**           **[Liquor License, 85 Campton Place]**
- Resolution determining that the transfer of a Type 48 on-sale general public premises license from 303 Filbert Street to 85 Campton Place to RHS Partners, LLC for 85 Campton Place 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?**
7.           **051336**           **[Street Improvements on 25th Avenue]**           **Supervisor McGoldrick**
- Resolution requesting that the Municipal Transportation Agency and Department of Public Works, work with the 25th Avenue Neighborhood Association to address, improve, and enhance conditions on 25th Avenue, and to expend funds as feasible and necessary to meet those ends.
- 7/26/2005, REFERRED to City Operations and Neighborhood Services Committee. Supervisor Ma requested that this matter be referred to Committee.
- Question: Shall this Resolution be ADOPTED?**

8.           **051353**       **[Liquor License, 230 West Portal Ave.]**  
Resolution determining that the issuance of a Type 42 on-sale beer and wine public premises license to Eclectic Cup, LLC, for Que Syrah located at 230 West Portal Ave., 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?**

9.           **051355**       **[Liquor License, 50 Mason Street]**  
Resolution determining that the issuance of a Type 42 on-sale beer and wine public premises license to Bakhshish Kaur, for San Francisco Comedy Club located at 50 Mason 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?**

10.          **051373**       **[Parking Regulations]**  
Resolution enacting and rescinding parking regulations at various locations.
- TOW-AWAY, NO PARKING, 10 PM TO 6 AM, EVERYDAY - ESTABLISH  
Alemany Boulevard, both sides, between Sagamore and Crystal Streets.
- PERPENDICULAR (90-DEGREE ANGLE) PARKING - ESTABLISH  
Red Rock Way, from the driveway of #15 and #55 Red Rock Way driveway to 34 feet northerly and from the same driveway to 27 feet westerly.
- NO PARKING ANYTIME - RESCIND  
Wright Street, north side, from Holladay Avenue to Montcalm Street
- RED (NO PARKING ANYTIME) ZONE - ESTABLISH  
Montcalm Street, east side, from 126 feet north of York Street to 55 feet northerly
- TOW-AWAY, NO PARKING ANYTIME - ESTABLISH  
Washburn Street, east side, from 56 feet to 120 feet north of Howard Street
- RESIDENTIAL PERMIT PARKING AREA "L" (2-HOUR TIME LIMIT, 8 AM - 6 PM, MONDAY THROUGH FRIDAY) - ESTABLISH  
Rossi Avenue, west side, between Anza Street and Turk Boulevard (Unit block).
- TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH  
Lincoln Way, north side, from 41st Avenue to 100 feet easterly.
- RESIDENTIAL PERMIT PARKING "A" AND "C" - RESCIND  
PARKING METER AREA NO. 3 (1-HOUR PARKING TIME LIMIT, 9 AM - 6 PM, MONDAY THROUGH SATURDAY) - ESTABLISH  
Broadway, south side, from Powell Street to 80-feet westerly
- PARKING METERS, AREA NO. 4 (1-HOUR PARKING TIME LIMIT, 9 AM - 6 PM

MONDAY THROUGH SATURDAY) - RESCIND  
PARKING METERS, AREA NO. 4 (1-HOUR PARKING TIME LIMIT, 7 AM - 7 PM  
EVERYDAY) - ESTABLISH  
Bay Street, south side, between Taylor and Mason Streets.

PARKING METERS, AREA NO. 4, (1-HOUR PARKING TIME LIMIT, 9 AM TO 6 PM,  
MONDAY THROUGH SATURDAY) - RESCIND  
PARKING METERS, AREA NO. 3 (1-HOUR PARKING TIME LIMIT, 9 AM - 6 PM  
MONDAY THROUGH SATURDAY) - ESTABLISH  
Mason Street, west side, from Bay Street to 65 feet southerly.

PARKING METERS, 2-HOUR, 9 AM TO 6 PM, MONDAY THROUGH FRIDAY -  
ESTABLISH  
Bryant Street, west side, between 18th and Mariposa Streets.

TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH  
Larkin Street, west side, between the north and south Fulton Street crosswalks.

TOUR BUS PARKING ONLY (15- MINUTE PARKING TIME LIMIT), 8 AM - 6 PM,  
EVERYDAY - ESTABLISH  
Fulton Street, north side, between 115 feet east of Larkin Street and 125 feet west of Hyde  
Street (adds time limit to existing zone). (Parking and Traffic Department)  
(7/27/05: Categorically exempt from Environmental Review Class 1(c)(9) changes in the  
traffic and parking regulations where such changes do not establish a higher speed limit or  
result in more than a negligible increase in the use of the street; DPT Order No. 3030.)

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

**11.**

**051374**

**[STOP Intersections]**

Resolution designating certain intersections as "STOP" intersections.

STOP SIGNS - ESTABLISH  
20th Avenue and Pacheco Street, stopping Pacheco Street at 20th Avenue, making this  
intersection an All-Way STOP;  
La Playa and Judah Streets, stopping northbound La Playa Street, south of the Judah  
intersection in front of 1400 La Playa Street; and,  
La Playa and Judah Streets, stopping westbound Judah Street at La Playa Street on the south  
side of 1396 La Playa Street. (Parking and Traffic Department)  
(7/27/05: Categorically exempt from Environmental Review Class 1(c)(9) changes in the  
traffic and parking regulations where such changes do not establish a higher speed limit or  
result in more than a negligible increase in the use of the street; DPT Order No. 3030.)

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

**12.**

**051375**

**[Traffic Regulations]**

Resolution enacting and rescinding traffic regulations on various streets.

ONE-WAY STREET - ESTABLISH  
Wright Street, from Montcalm Street to Holladay Avenue, eastbound

## Main Street, northbound, at Market Street (Parking and Traffic Department)

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

- TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH

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

- # RIGHT LANE MUST TURN RIGHT - RESCIND

**NO LEFT TURN, 4 PM TO 6 PM - RESCIND**

NO LEFT TURN, 11 AM TO 6 PM, EVERYDAY, EXCEPT TAXIS - ESTABLISH

## NO LEFT TURN - ESTABLISH

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

- Question: Shall this Resolution be ADOPTED?**

- Resolution designating certain intersections as "STOP" intersections.

**STOP SIGNS - ESTABLISH**

Buena Vista Avenue East at Duboce Avenue, making this intersection an All-Way STOP; and,

Teresita Boulevard and Stillings Avenue, stopping Teresita Boulevard, making this intersection an All-Way STOP. (Parking and Traffic Department)

(8/11/05: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 3044.)

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

- 17.           051496   [Recurring FY2005-2006 State grant funds to the Department of Public Health from the California Department of Health Services]**

Resolution authorizing the acceptance and expenditure of State grant funds by the San Francisco Department of Public Health for FY 2005-2006. (Public Health Department)

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

- 18.           051506   [Improve HIV/AIDS treatment and prevention services       Supervisors Dufty, Ammiano in San Francisco]**

Resolution authorizing the San Francisco Department of Public Health (SFDPH) to accept and expend retroactively a grant in the amount of \$1,488,000 from the Department of Health and Human Services, Centers for Medicare and Medicaid Services (DHHS,CMMS) to improve HIV/AIDS treatment and prevention services in San Francisco and to enter into an agreement for the use of these funds; for the period of July 1, 2005 to June 30, 2006.

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

- 19.           051507   [Contract funds to participate in the traineeship for       Supervisors Dufty, Ammiano AIDS prevention studies at the University of California at San Francisco Center on AIDS Prevention]**

Resolution authorizing the San Francisco Department of Public Health (SFDPH) to enter retroactively into an agreement with the University of California San Francisco, Center on AIDS Prevention Studies (UCSFCAPS) the primary contractor, and expend funds in the amount of \$6,624 in order to participate in the traineeship for AIDS prevention studies (TAPS) at UCSFCAPS for the two month period of July 1, 2005, through August 31, 2005.

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

- 20.           051517   [To provide trauma and burn care supplies to the San       Supervisor Ma Francisco General Hospital Trauma Center cache]**

Resolution authorizing the San Francisco Department of Public Health, San Francisco County EMS Agency (SFDPH,EMS) to accept retroactively and expend a grant in the amount of \$127,272 from the State Emergency Medical Services Authority (SEMSA) to provide trauma and burn care supplies to the San Francisco General Hospital Trauma Center cache and to enter into an agreement for the use of these funds; for the period of June 6, 2005 through October 31, 2005.

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

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|-----|--------|--|---------------|
| 21. | 051518 | [To provide health education services to youth in San Francisco] | Supervisor Ma |
|-----|--------|--|---------------|

Resolution authorizing the San Francisco Department of Public Health (SFPDH) to accept retroactively and expend a new grant in the amount of \$127,000 from the State Office of Family Planning (SOFP) for health education services to youth in San Francisco and to enter into an agreement for the use of these funds; for the period of July 1, 2005, through June 30, 2006.

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

## **Recommendation of the Government Audit and Oversight Committee**

*Present: Supervisors Peskin, Elsbernd, Daly*

- 22. 051454 [Authorizing a Change in Use of Grant Funds] Supervisor Daly**

Ordinance authorizing a change in the use of San Francisco Convention and Facilities Department grant funds to permit the funds to be used for an affordable housing development without a proposed pavilion.

9/20/2005, PASSED ON FIRST READING.

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

### **Recommendation of the Land Use Committee**

*Present: Supervisors Maxwell, Sandoval, McGoldrick*

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|-----|--------|---|---------------------|
| 23. | 050829 | [Requiring baby diaper-changing accommodations in new Public-Serving and Substantially Renovated Public-Serving Establishments] | Supervisor Sandoval |
|-----|--------|---|---------------------|

Ordinance amending the Planning Code by adding Section 166 to require that new public-serving establishments and substantially renovated public-serving establishments install baby diaper-changing accommodations; and making environmental findings and findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan.

9/20/2005, PASSED ON FIRST READING.

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

## **Recommendations of the Rules Committee**

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

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|-----|--------|--|---------------------|
| 24. | 051033 | [Additional Eligibility Requirements to Participate in Public Financing Program for Candidates for the Board of Supervisors] | Supervisor Elsbernd |
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Ordinance amending Article I, Chapter 1 of the San Francisco Campaign and Governmental





*Present: Supervisors Maxwell, Sandoval, McGoldrick*

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|---|--------|--|-----------------------|
| 27.   | 050456 | [Planning Code - Section 311 Notification] | Supervisor McGoldrick |
| <p>Ordinance amending the San Francisco Planning Code by amending Section 311 to clarify that the project notification requirements apply to building permits for demolition and change in the number of dwelling units as well as to building permits for new construction and alteration and to require that the notification package sent to neighboring property owners include specified information; adopting environmental findings and findings pursuant to Planning Code Section 302.</p> <p>9/20/2005, AMENDED.</p> <p>9/20/2005, PASSED ON FIRST READING AS AMENDED.</p> <p><b>Question: Shall this Ordinance be FINALLY PASSED?</b></p> |        |  |                       |

## Recommendations of the Rules Committee

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

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|---|--------|---|-------|
| 28.   | 051005 | [Cable Television Franchise Amendments] | Mayor |
| <p>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.</p> <p>8/9/2005, CONTINUED. Continued to August 16, 2005</p> <p>8/16/2005, CONTINUED. Continued to September 13, 2005</p> <p>9/13/2005, AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.</p> <p>9/13/2005, PASSED ON FIRST READING AS AMENDED. Continued to September 27, 2005</p> <p><b>Question: Shall this Ordinance be FINALLY PASSED?</b></p> |        |   |       |

- |            |               |  |              |
|------------|---------------|--|--------------|
| <b>29.</b> | <b>051006</b> | <b>[Settlement of Claims - Comcast of California III, Inc.]</b>  | <b>Mayor</b> |
|            |               | 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  |              |
|            |               | 8/16/2005, CONTINUED. Continued to September 13, 2005  |              |
|            |               | 9/13/2005, AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.  |              |
|            |               | 9/13/2005, PASSED ON FIRST READING AS AMENDED. Continued to September 27, 2005   |              |
|            |               | <b>Question: Shall this Ordinance be FINALLY PASSED?</b>   |              |

## NEW BUSINESS

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

<b>30.</b>	<b>051459</b>	<b>[Parking Restrictions]</b>	<b>Supervisor McGoldrick</b>
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Ordinance amending the San Francisco Traffic Code by amending Section 3.6.1 to redefine the Downtown Core area, by amending 38.B to prohibit no stopping except for the loading or unloading of passengers or freight in the Downtown Core, by amending 38.B.1 to prohibit no stopping except for the loading or unloading of passengers or freight outside of the Downtown Core, by amending 201.1 to revise the boundaries for Parking Meter Area Number One, and by amending 201.2 to revise the boundaries for Parking Meter Area Number Two.

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

**31.           051485   [Parking Regulations]**

Resolution enacting and rescinding parking regulations at various locations.

NO PARKING ANYTIME - RESCIND

TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH

Harriet Street, east side, from Ahern Way to Harrison Street.

NO PARKING ANYTIME - ESTABLISH

Warren Drive, north side, from Blairwood Lane to 60 feet easterly.

TOW-AWAY, NO PARKING ANYTIME - ESTABLISH

Carolina Street, west side, from 23rd Street to 90 feet southerly.

TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH

Cambridge Street, south side, from Stoneyford Avenue to 20 feet westerly (replacing the existing visibility red zone).

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

201 Telegraph Hill Boulevard (formally establishes perpendicular parking in front of this building);

275 to 285 Telegraph Hill Boulevard, along east side of Kearny Street right-of-way, from Telegraph Hill Boulevard to 39 feet northerly (5 perpendicular parking spaces); and, 18th Street, north side, between Potrero Avenue and Utah Street.

RESIDENTIAL PERMIT PARKING AREA "S" (2-HOUR TIME LIMIT, 8 AM - 9 PM,  
MONDAY THROUGH FRIDAY) - ESTABLISH

Gough Street, east side, between Colton and Otis Streets (Unit block).

YELLOW (COMMERCIAL LOADING) ZONES, 7 AM - 6 PM, EVERYDAY, TOW-  
AWAY, NO STOPPING ALL OTHER TIMES - ESTABLISH

7th Street, east side, between Market and Stevenson Streets.

1-HOUR PARKING TIME LIMIT, 7 AM TO 6 PM, MONDAY THROUGH SATURDAY -  
RESCIND

GENERAL METERED PARKING AREA 1 (1-HOUR PARKING TIME LIMIT, 7 AM - 6 PM, MONDAY THROUGH SATURDAY) - ESTABLISH

Stevenson Street, south side, between 5th and 6th Streets (400 block).

NO PARKING ANYTIME - ESTABLISH

Noriega Street, north side, from the western edge of the #616 Noriega Street driveway to the western edge of the #624 property line.

**MUNI BUS ZONE - EXTEND**

Bayshore Boulevard at Marengo Street, east side, from 60 feet to 100 feet north of Marengo Street (extend existing bus zone by 40 feet). (Parking and Traffic Department)

(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. 3044.)

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

**32. 051487 [Traffic Regulations]**

Resolution enacting and rescinding traffic regulations on various streets.

**MID-BLOCK CROSSWALK - ESTABLISH**

Alabama Street, between 24th and 25th Streets. (Parking and Traffic Department)

(8/11/05: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 3044.)

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

**33. 051458 [Public Works Code - landmark trees and penalties for violations]**

**Supervisor McGoldrick**

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

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

**From the City Operations and Neighborhood Services Committee With Recommendation "Do Not Pass"**

*Present: Supervisors McGoldrick, Dufty, Ma*

**34. 050689 [Public Works Code - significant trees, landmark trees, and penalties for violations]**

**Supervisor Daly**

Ordinance amending the Public Works Code by amending Sections 802, 804, 807, and 808 and adding Section 810A to address removal, maintenance, and nomination of significant trees as defined herein; amending Sections 802, 806, and 809 to redefine nuisance trees as hazard trees; amending Sections 802 and 803 authorizing the Urban Forestry Council to succeed to the powers and duties of the Tree Advisory Board; amending Section 810 to allow the City to landmark any tree within its territorial limits; amending Section 811 to create civil penalties and fines and to modify provisions on administrative penalties; and making

environmental findings.

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

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

*Present: Supervisors Maxwell, McGoldrick*

**35.           051521    [Designate 150 Otis Street, the Juvenile Court and Detention Home, as Landmark No. 248]**

Ordinance designating 150 Otis Street, the Juvenile Court and Detention Home, as Landmark No. 248 pursuant to Article 10, Sections 1004 and 1004.4 of the Planning Code. (Planning Department)

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

**36.           051397    [Mission Bay South - Street Vacation of Portions of Fourth Street]**

Resolution declaring the intention of the Board of Supervisors to vacate two (2) portions of Fourth Street within Mission Bay South from Third Street north to Channel Street; setting the hearing date for November 1, 2005 at 3:00 p.m. for all persons interested in the proposed vacation of the street area; adopting findings that the proposed vacation is consistent with the San Francisco General Plan and eight priority policies of San Francisco Planning Code Section 101.1 and the Mission Bay South Redevelopment Plan; and making environmental findings. (Public Works Department)

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

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

*Present: Supervisors Maxwell, McGoldrick*

**37.           051398    [Mission Bay South - Ordering Street Vacation of portions of Fourth Street]**

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

(To be heard at public hearing on November 1, 2005, at 3:00 p.m.)

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

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

**SPECIAL ORDER 4:00 P.M**

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

- 38. 051557 [Hearing - Emergency ordinance reenacting a Disadvantaged Business Enterprise Program]**
- Hearing to consider the possible adoption of an Emergency ordinance reenacting a Disadvantaged Business Enterprise Program set forth in Chapter 14A of the San Francisco Administrative Code; suspending Chapter 12D.A; providing for data collection to ensure nondiscrimination in City contracting; and adopting a declaration of emergency. (Clerk of the Board)
- Action:**\_\_\_\_\_

## Committee of the Whole Adjourn and Report Without Recommendation

- |   |        |   |                             |
|---|--------|---|-----------------------------|
| 39.   | 051558 | <p><b>[Reenacting a Disadvantaged Business Enterprise Program]</b></p> <p>Emergency ordinance reenacting a Disadvantaged Business Enterprise Program set forth in Chapter 14A of the San Francisco Administrative Code; suspending Chapter 12D.A; providing for data collection to ensure nondiscrimination in City contracting; and adopting a declaration of emergency.</p> | <p><b>Supervisor Ma</b></p> |
| <p><b>Question: Shall this Ordinance be FINALLY PASSED?</b></p> |        |   |                             |

**SPECIAL ORDER 4:30 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.

40.           051445   **[Public Hearing - Appeal of Final Environmental Impact Report for 491 Bayshore Boulevard (HOME DEPOT)]**  
Hearing of persons interested in or objecting to the Planning Commission's July 28, 2005,

certification of a Final Environmental Impact Report identified as Case No. 2001.0062E, through its Motion 17071. The proposed project would involve the demolition of the existing vacant buildings equaling approximately 107,372 square feet and the construction of approximately 140,000 square foot home improvement center (HOME DEPOT) with a separate, attached 235,597 square foot parking garage accommodating 585 parking spaces with an M-1 (Light Industrial) District, a 65-J Height and Bulk District, and the Industrial Protection Zone Special Use District, located at 491 Bayshore Boulevard, Assessor's Block 5598, Lots 8, 9, 11, 13, 15, 16, 18, 21 and 28. (Appellant: Sue C. Hestor, Attorney, on behalf of Cole Hardware).

(Date Filed: 8/11/05; companion measure to Files 051446, 051447, 051448; District 10.)

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

*Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the Final Environmental Impact Report 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.)**

- 41.            051446        [Affirm certification of 491 Bayshore Boulevard  
(Home Depot) FEIR]**  
Motion affirming the certification by the Planning Commission of the Final Environmental Impact Report for the 491 Bayshore Boulevard (Home Depot) Project. (Clerk of the Board)  
  
**Question: Shall this Motion be ADOPTED?**
- 42.            051447        [Disapprove certification of 491 Bayshore Boulevard  
(Home Depot) FEIR]**  
Motion disapproving the certification by the Planning Commission of the Final Environmental Impact Report for the 491 Bayshore Boulevard (Home Depot) Project. (Clerk of the Board)  
  
**Question: Shall this Motion be ADOPTED?**
- 43.            051448        [Preparation of findings to disapprove certification of  
491 Bayshore Boulevard (Home Depot) FEIR]**  
Motion directing the Clerk of the Board to prepare findings disapproving the certification by the Planning Commission of the Final Environmental Impact Report for the 491 Bayshore Boulevard (Home Depot) FEIR. (Clerk of the Board)  
  
**Question: Shall this Motion be ADOPTED?**

## **COMMITTEE REPORTS**

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

*The following items were considered by the Rules Committee at a Regular Meeting on Wednesday, September 21, 2005 at 10:00 a.m. The Chair intends to request the Committee to send the following items to the Board as a committee report on Tuesday, September 27, 2005.*

- 44.           051442       [Settlement of Lawsuit - Anna Maria Olmedo]**  
Ordinance authorizing settlement of the lawsuit filed by Anna Maria Olmedo against the City and County of San Francisco for \$62,500; the lawsuit was filed on August 15, 1999 in San Francisco Superior Court, Case No. 314-031.
- Question: Shall this Ordinance be PASSED ON FIRST READING?**
- 45.           051540       [Settlement of Lawsuit - Torfirio Carpenter]**  
Ordinance authorizing settlement of the lawsuit filed by Torfirio Carpenter against the City and County of San Francisco for \$40,000; the lawsuit was filed on April 21, 2004 in San Francisco Superior Court, Case No. 430-718; entitled Torfirio Carpenter, et al., v. City and County of San Francisco, et al. (City Attorney)
- Question: Shall this Ordinance be PASSED ON FIRST READING?**
- 46.           051541       [Settlement of Lawsuit - Raymond Nario]**  
Ordinance authorizing settlement of the lawsuit filed by Raymond Nario against the City and County of San Francisco for \$60,000.00; the lawsuit was filed on October 20, 2003 in United States District Court, Case No. C05-1394 JSW; entitled Raymond Nario, et al., v. City and County of San Francisco, et al. (City Attorney)
- Question: Shall this Ordinance be PASSED ON FIRST READING?**
- 47.           051591       [Appointment - Immigrant Rights Commission]**  
Resolution appointing Svetlana Kaff, Phu Nguyen and Zina Spektor, terms ending June 6, 2007, to the Immigrant Rights Commission.
- Svetlana Kaff, succeeding herself, term expired, seat 7, 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 the unexpired portion of a two-year term ending June 6, 2007.
- Phu Nguyen, succeeding Anthony Eke, term expired, seat 10, 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 the unexpired portion of a two-year term ending June 6, 2007.
- Zina Spektor, succeeding herself, term expired, seat 11, 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 the unexpired portion of a two-year term ending June 6, 2007.
- Question: Shall this Resolution be ADOPTED?**
- 48.           051593       [Appointment - Association of Bay Area Governments Executive Board]**



Resolution appointing Supervisor Fiona Ma, Supervisor Ross Mirkarimi and Supervisor Chris Daly, terms ending June 30, 2007, to the Association of Bay Area Governments Executive Board.

Supervisor Fiona Ma, succeeding herself, term expired, seat 1, must be a member of the Board of Supervisors, for the unexpired portion of a two-year term ending June 30, 2007. Supervisor Ross Mirkarimi, succeeding himself, term expired, seat 2, must be a member of the Board of Supervisors, for the unexpired portion of a two-year term ending June 30, 2007. Supervisor Chris Daly, succeeding Supervisor Mark Leno, term expired, seat 3, must be a member of the Board of Supervisors (ALTERNATE), for the unexpired portion of a two-year term ending June 30, 2007.

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

**49.           051602   [Appointment - Food Security Task Force]**

Resolution appointing Gina Fromer, Ellen Stroud, Daisy Anarchy and Gail Priestley, terms indefinite, to the Food Security Task Force, residency requirement waived.

Gina Fromer (residency requirement waived), new appointment, seat 1, must be a representative of a community-based organization that provides nutritional support and increases the food security of San Francisco residents, for an indefinite term.

Ellen Stroud, new appointment, seat 2, must be a representative of a community-based organization that provides nutritional support and increases the food security of San Francisco residents, for an indefinite term.

Daisy Anarchy, new appointment, seat 3, must be a representative of a community-based organization that provides nutritional support and increases the food security of San Francisco residents, for an indefinite term.

Gail Priestley (residency requirement waived), new appointment, seat 4, must be a representative of a community-based organization that provides nutritional support and increases the food security of San Francisco residents, for an indefinite term.

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

**50.           051594   [Confirming appointment of Hunter Stern to the  
Municipal Transportation Agency Board of Directors]**

**Mayor**

Resolution confirming the appointment of Hunter Stern to the Board of Directors of the Municipal Transportation Agency, term ending March 1, 2009.

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

**51.           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.*

**52.           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 53 through 64

- |     |               |   |
|-----|---------------|---|
| 53. | <b>051572</b> | <p>[SFUSD Labor-Management Dispute]</p> <p style="text-align: right;">Supervisor Ammiano</p> <p>Resolution urging the San Francisco Board of Education and the San Francisco Unified School District Superintendent, Arlene Ackerman, to seek all avenues available to resolve the current labor and management dispute, including finding a informal or local mediator and utilizing portions of Proposition H, the Public Education Enrichment Fund, to fund salaries for the lowest paid and most vulnerable School District employees.</p> <p>9/13/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.</p> <p>9/20/2005, CONTINUED. Continued to September 27, 2005</p> <p><b>Question:</b> Shall this Resolution be ADOPTED?</p> |
|     |               |   |
| 54. | <b>051615</b> | <p>[Housing assistance for people with HIV/AIDS displaced by the Hurricane Katrina]                      Supervisors Ammiano, Dufty</p> <p>Resolution stating that the City and County of San Francisco will provide housing assistance for the 8,000 people with HIV/AIDS who have been displaced by the Hurricane Katrina disaster in Louisiana and Mississippi.</p> <p>9/20/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.</p> <p><b>Question:</b> Shall this Resolution be ADOPTED?</p>  |
|     |               |   |
| 55. | <b>051616</b> | <p>[Commending East Bakersfield High School Journalists]                      Supervisor Ammiano</p> <p>Resolution commending East Bakersfield High School Journalism Department and student journalists for their courage in attempting to publish a series of news articles in their school newspaper on the lives of gay youth and for fighting for their first amendment rights to overturn the prohibition imposed by school administrators to censor publication of the news series.</p> <p>9/20/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.</p> <p><b>Question:</b> Shall this Resolution be ADOPTED?</p>  |

- |   |               |  |                              |
|---|---------------|--|------------------------------|
| 56.   | <b>051617</b> | <b>[Declaring October 2005 to be "Domestic Violence Awareness Month"]</b>                    | <b>Supervisor Ma</b>         |
| Resolution declaring October 2005 to be "Domestic Violence Awareness Month" in the City and County of San Francisco.  |               |  |                              |
| 9/20/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.  |               |  |                              |
| <b>Question: Shall this Resolution be ADOPTED?</b>  |               |  |                              |
|   |               |  |                              |
| 57.   | <b>051618</b> | <b>[Accept-Expend Gift - San Francisco Public Library]</b>                                   | <b>Supervisor Mirkarimi</b>  |
| Resolution authorizing the Library to accept and expend up to \$16 million from the Friends of the San Francisco Public Library for furniture, fixtures, equipment and other costs related to the Branch Library Improvement Program.   |               |  |                              |
| 9/20/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.  |               |  |                              |
| <b>Question: Shall this Resolution be ADOPTED?</b>  |               |  |                              |
|   |               |  |                              |
| 58.   | <b>051619</b> | <b>[Interim Report on Traffic Flow and Pedestrian Safety on Octavia Boulevard]</b>           | <b>Supervisor Mirkarimi</b>  |
| Resolution urging the San Francisco Department of Parking and Traffic to deliver an interim report by October 5, 2005 concerning traffic flow and pedestrian safety on Octavia Boulevard and its adjoining freeway off-ramp.  |               |  |                              |
| 9/20/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.  |               |  |                              |
| <b>Question: Shall this Resolution be ADOPTED?</b>  |               |  |                              |
|   |               |  |                              |
| 59.   | <b>051620</b> | <b>[Tree Disclosure Statement]</b>   | <b>Supervisor McGoldrick</b> |
| Resolution instructing the Planning Department to require a Tree Disclosure Statement as part of all building permit applications that include exterior work, demolition or grading.  |               |  |                              |
| 9/20/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.  |               |  |                              |
| <b>Question: Shall this Resolution be ADOPTED?</b>  |               |  |                              |
|   |               |  |                              |
| 60.   | <b>051621</b> | <b>[Zoning - Extension of Planning Commission Review Period - Better Neighborhoods Plan]</b> | <b>Supervisor McGoldrick</b> |
| Resolution extending the prescribed time within which the Planning Commission may render its decision on a proposed ordinance to amend the Administrative Code to add Chapter 36 to establish uniform procedures for developing comprehensive neighborhood plans (the "Better Neighborhoods Planning and Implementation Process"); to Administrative Code Section 3.4 to provide for integrated Better Neighborhoods Plan budget documents, and to amend the Planning Code to add Section 312A regarding discretionary review for projects proposed in Better Neighborhoods Plan areas. |               |  |                              |
| 9/20/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.  |               |  |                              |
| <b>Question: Shall this Resolution be ADOPTED?</b>  |               |  |                              |



*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 September 13, 2005 through September 19, 2005, for reference by President to appropriate committee on September 27, 2005.*

**051554      [Abolition of Legislated Setback for 301-323 14th Avenue]      Supervisor McGoldrick**

Ordinance amending the San Francisco Planning Code by abolishing the legislated front setback of the southeastern portion of the property located at 301-323 14th Avenue, identified as Assessor's Block No. 1446, Lot No. 054 (formerly Lots 001, 004, 006, 053), as shown on Block Book Map No. 1446 of the City and County of San Francisco, Volume 12; and adopting General Plan, Planning Code Section 101.1(b), and environmental findings. (Planning Department)

9/12/2005, RECEIVED AND ASSIGNED to Land Use Committee. 9/22/05, Supervisor McGoldrick requests to be added as sponsor.

**051583      [Settlement of Lawsuit - Frederick Meiswinkel, Inc. v. Hunt Construction Group, et. al]**

Ordinance authorizing settlement of the lawsuit filed by Frederick Meiswinkel, Inc. for \$1,800,000 against the Hunt Construction Group, Inc. and Hun't cross-complaint against the City and County of San Francisco seeking indemnity from the claims brought by Meiswinkel; the lawsuit was filed on March 2, 2004 in San Francisco Superior Court, Case No. CGC -04-

429249; entitled, Frederick Meiswinkel, Inc. v. Hunt Construction Group, et. al; other material terms of said settlement are nonmaterial terms. (City Attorney)

9/19/2005, RECEIVED AND ASSIGNED to Rules Committee.

**051584 [Settlement of Lawsuit - Kaiser Foundation Hospitals]**

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

9/19/2005, RECEIVED AND ASSIGNED to Rules Committee.

**051590 [Designating a portion of Lot 1 in Assessor's Block 1700 (Golden Gate Park), the Music Concourse, as a Landmark under Planning Code Article 10]**

Ordinance designating a portion of Lot 1 in Assessor's Block 1700 (Golden Gate Park), the Music Concourse, as Landmark No. 249, pursuant to Article 10, Sections 1004 and 1004.4 of the Planning Code. (Planning Department)

9/13/2005, RECEIVED AND ASSIGNED to Land Use Committee.

## **PROPOSED RESOLUTIONS**

*Proposed resolutions received from September 13, 2005 through September 19, 2005, for reference by President to appropriate committee on September 27, 2005.*

**051553 [Supporting the City's application for Prop 63 Mental Health Funding]**

Resolution supporting the City's application to the State of California for the Mental Health Services Act (MHSA). (Public Health Department)

9/19/2005, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

**051581 [Street Artist Winter Holiday Spaces]**

Resolution approving temporary selling spaces in the Downtown area and at Harvey Milk Plaza for street artists certified by the Arts Commission, City and County of San Francisco, for the winter holiday season, 2005, beginning on November 15, 2005 and ending on January 15, 2006. (Arts Commission)

9/19/2005, RECEIVED AND ASSIGNED to Land Use Committee.

**051595 [Mission Bay South City Construction and Slope Maintenance, Easement]**

Resolution approving exercise of option to extend an easement agreement for temporary rights to the City to construct improvements, maintain certain slopes for street improvements until such time as those slopes are no longer needed to support the street and authorizing

other official actions. (Public Works Department)

9/15/2005, RECEIVED AND ASSIGNED to Land Use Committee.

**051596 [Contract Amendment for Muni Metro East Light Rail Facility]**

Resolution authorizing the Director of Transportation to execute the Tenth Amendment to San Francisco Municipal Railway Contract No. CS-116, Design and Construction Support Services for Muni Metro East Light Rail Vehicle Maintenance and Operations Facility with Gannett Fleming, Inc. for an amount not to exceed \$3,313,629, for a total contract amount not to exceed \$12,262,990, and for a contract extension of two and one-half years, for a total contract term of ten years. (Municipal Transportation Agency)

9/15/2005, RECEIVED AND ASSIGNED to Budget and Finance Committee.

**051640 [Petitions and Communications]**

Petitions and Communications received from September 13, 2005 through September 19, 2005, for reference by the President to Committee considering related matters or to be ordered filed by the Clerk on September 27, 2005.

From Law Office of Cassidy, Shimko & Dawson, submitting notice that Home Depot formally agrees that the previously scheduled September 27, 2005 may be continued to October 25, 2005. File 051445, Copy: Each Supervisor, City Attorney(1)

From Law Office of Sue Hestor, submitting copy of letter sent to Anna Shimko, regarding request to continue the public hearing on Home Depot to October 25, 2005. File 051445, Copy: Each Supervisor, City Attorney(2)

From Law Offices of Julian Lastowski, submitting copy of letter sent to Daniel Bornstein, Esq., demanding he withdraw the illegal 60-day notice of termination and the notice in change of terms of tenancy.(3)

From Ben Roberts, urging the Board to publicly support the SEIU workers on strike now at the California Pacific Medical Center. Copy: Each Supervisor(4)

From Mercy Housing California, submitting notice that Community Housing Partnership and Mercy Housing California are jointly applying to the State Department of Housing and Community Development for financing from the Multifamily Housing Program, Supportive Housing Component, for the rehabilitation of the Hotel Essex, located at 684 Ellis Street.(5)

From Immigrant Rights Commission, submitting notice of resolution approved by the Commission regarding support of House Resolution 367 and City of San Francisco resolution condemning bigotry, violence and discrimination against Iranian-Americans. Copy: Supervisor Mirkarimi(6)

From concerned citizens, requesting continuance of File 051474 parking regulations (City Operations and Neighborhood Services Committee) so that the people in that neighborhood can review the proposed regulations.(7)

From Law Office of J. William Yeates, submitting notice of commencement of CEQA action challenging issuance of a Conditional Use Permit and approval of development project to be located at 800 Brotherhood Way. File 051234, Copy: Each Supervisor, City Attorney(8)

From Law Offices of Stephen Williams, appealing the granting of a second categorical exemption by the Planning Department to the project sponsors of 899 North Point Street. File 051223, Copy: Each Supervisor, City Attorney(9)

From Civil Service Commission, responding to the 2004/05 Civil Grand Jury Report, finding #4 and recommendation #6.(10)

From Deputy Clerk of the Board, submitting report on the 2004/05 Civil Grand Jury Report "What is the Difference between a Contract and a Grant?"(11)

From Office of the City Attorney, submitting memorandum regarding the laws and rules restricting use of city resources for political activity by City officers and employees.(12)

From concerned citizens, urging the Board to release the much needed \$1.1 million in Proposition H funds for City schools to support athletics and to raise per-pupil spending.(13)

From Double Rock Baptist Church, submitting support for the proposed Home Depot at 491 Bayshore Boulevard. File 051445, Copy: Each Supervisor(14)

From Jilly Mandeson, urging the Board of Supervisors to do what it can to help Susan Cervantes from being evicted from her rented family home of 35 years, located at 398 Precita Avenue, by the new owners of that property.(15)

From Office of the Mayor, confirming that 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.(16)

From Taxi Commission, confirming that 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.(17)

From concerned citizens, submitting support for Public Access Television Channel 29 funding.(18)

From Brian Mueller, submitting support for birthing the USS Iowa in San Francisco.(19)

From concerned citizens, submitting opposition to the proposed Home Depot at 491 Bayshore Boulevard. File 051445, Copy: Each Supervisor(20)

From Department of the Environment, submitting the tree disclosure statement and support for community-based permeable landscaping projects.(21)

From Office of the Mayor, submitting response to the 2004-05 Civil Grand Jury Report entitled: "Continuity Report." Copy: Each Supervisor(22)

From Department of Public Health, submitting request for waiver of Chapter 12B of the Administrative Code for Adventist Health/California Specialty Hospital.(23)

From Richard Everett, submitting support for vacation of a portion of Bernal Heights Boulevard west of Moultrie Street for open space use. File 050852, Copy: Each Supervisor(24)

From concerned citizens, submitting opposition to vacation of a portion of Bernal Heights



Boulevard west of Moultrie Street for open space use. File 050852, Copy: Each Supervisor(25)

From Eric Brooks, regarding letter he received from lumber industry operative, John Lipka regarding weakening San Francisco's wood products purchasing standards.(26)

From concerned citizens, regarding homeownership in San Francisco. (27)

From Rod Culver, requesting the Board of Supervisors urge the Department of Public Works to stop compressor spraying the sidewalks in the Tenderloin area at 2 AM in the morning. Copy: Supervisor Daly(28)

From San Francisco Superior Court, confirming that 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.(29)

From Civil Service Commission, confirming that 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.(30)

From Jamie Kauget, regarding True Clothing store posting stickers advertising their brand over the bus schedule at the west-bound corner of Hayes and Masonic. Copy: Supervisor Mirkarimi(31)

From California Public Utilities Commission, submitting notice that Pacific Gas and Electric Company has filed an application for recovery of catastrophic event costs (CEMA).(32)

From Japantown Task Force, Inc., submitting newsletter for summer 2005.(33)

From Department of Building Inspection, submitting notice that funding provided in the budget for fiscal year 2005-06 as adopted by the Board of Supervisors for the department to meet service levels as proposed to the Board is adequate for the department; however a request for a supplemental appropriation within fiscal year 2005/06 is anticipated to address the Information Technology requirements to make major improvements to the permit tracking systems and to improve the City's overall permit processes and data.(34)

From concerned citizens, urging the Board of Supervisors to enact a Community Choice Energy plan that will bring San Francisco 360 megawatts of renewable energy generation in the next three years. File 051417, Copy: Each Supervisor(35)

From Mesha Monge-Irizarry, regarding the alleged San Francisco Police Department shooting of Tyrell Taylor on Harbor Road on Friday September 10, 2005.(36)

From Richard Best, commenting on the Director's job at the Office of Emergency Services in San Francisco. Copy: Each Supervisor(37)

From Comcast Cable, submitting notice that effective September 28, 2005 Comcast will add Movie Plex to the digital level of service and October 5, 2005 the Sprout channel will be added to the digital level of service.(38)

## ADJOURNMENT

## **Meeting Procedures**

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

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

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

Agenda are available on the internet at [www.sfgov.org/bdsupvrs.bos.htm](http://www.sfgov.org/bdsupvrs.bos.htm).

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

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

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

Requests for language translation at a meeting must be received no later than noon the Friday before the meeting.

Contact Ohn Myint at (415) 554-7704.

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



## **Disability access**

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

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

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

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

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

This advance notice will help ensure availability.

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

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

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

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

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

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

Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. The Sunshine Ordinance

assures that deliberations are conducted before the people and that City operations are open to the people's review. For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Frank Darby Jr. 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](mailto:sotf@sfgov.org)

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

### **Lobbyist Registration and Reporting Requirements**

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

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