

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, January 17, 2006
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

AGENDA CHANGES

COMMUNICATIONS

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

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

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

CONSENT AGENDA

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

Items 1 through 13

Recommendation of the Budget and Finance Committee

Present: Supervisors Ammiano, Mirkarimi, Elsbernd

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| 1. | 051559 | <p>[An ordinance conforming state law, provisions of the Administrative Code, which permit any person who is liable for tax on property that has been damaged or destroyed by misfortune or</p> <p>Ordinance amending Section 10.2-5 of the San Francisco Administrative Code to conform to Section 170 of Chapter 2.5, Part 1, Division 1 of the California Revenue and Taxation Code providing that every assessee of any taxable property, or any person liable for the taxes thereon, whose property was damaged or destroyed, without his or her fault, by a misfortune or calamity, may apply for reassessment of that property; specifying the nature of the damage or destruction required to be eligible for reassessment; and also specifying that the Assessor-Recorder may initiate the reassessment where the Assessor-Recorder determines that within the preceding 12 months taxable property located in the County was damaged or destroyed, for the purpose of providing property tax relief to residents of the City and County of San Francisco.</p> <p>1/10/2006, PASSED ON FIRST READING.</p> <p>Question: Shall this Ordinance be FINALLY PASSED?</p> | Supervisor Elsbernd |
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Recommendation of the City Operations and Neighborhood Services Committee

Present: Supervisors McGoldrick, Dufty, Ma

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| 2. | 051720 | <p>[Limousines operating as unlicensed taxicabs; inspection of limousine waybills; criminal and administrative penalties]</p> <p>Ordinance amending the San Francisco Police Code by: (1) repealing current Section 1165, dealing with local licensing of limousines; (2) amending Section 1078, to re-state the prohibition on limousines acting as unlicensed taxicabs within San Francisco; (3) adding a new Section 1165, pursuant to California Public Utilities Code Section 5371.4(i), to authorize police officers and the Taxi Commission Executive Director to inspect limousine waybills and make violation an infraction; (4) amending Section 1185, to correct certain misdemeanor penalties and increase infraction penalties for violation of Sections 1078 and 1165; and (5) adding Section 1187.1, to authorize imposition of administrative penalties against persons operating a motor vehicle as a taxicab without a permit.</p> | Supervisor Elsbernd |
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Question: Shall this Ordinance be FINALLY PASSED?

Present: Supervisors Ammiano, Peskin

- Ordinance amending the Fiscal Year 2005-2006 Annual Appropriation Ordinance to appropriate revenues collected from special assessments for disbursement to the respective nonprofit Owners' Associations for administration of the property-based business improvement districts in San Francisco for authorized purposes.

Question: Shall this Ordinance be FINALLY PASSED?

Present: Supervisors Alioto-Pier, Mirkarimi, Peskin

- Ordinance amending the Campaign and Governmental Conduct Code by adding a new Section 1.103, amending Sections 1.100, 1.104, 1.112, 1.114, 1.120, 1.128, 1.130, 1.134, 1.144, 1.152, 1.168, and 1.170, repealing Section 1.118, and repealing Chapter 3 of Article 1, Sections 1.300, 1.305, 1.310, 1.312, 1.315 and 1.320 to: (1) make technical changes including the correction of grammatical or reference errors and the reordering of Sections; (2) conform the Campaign Finance Reform Ordinance to the adoption of Ranked Choice Voting; (3) move the Electronic Filing Ordinance from Chapter 3 of Article 1 of the Campaign and Governmental Conduct Code to the Campaign Finance Reform Ordinance; and (4) expressly set forth a statute of limitations for criminal, civil, administrative and collection actions brought under the Campaign Finance Reform Ordinance. (Ethics Commission)

Question: Shall this Ordinance be FINALLY PASSED?

Present: Supervisors Alioto-Pier, Peskin

- Ordinance authorizing settlement of the lawsuit filed by plaintiff Dazell Mallory against the City and County of San Francisco for payment of \$53,150, including all damages, attorneys' fees and costs; the lawsuit was filed on February 24, 2005, in San Francisco Superior Court, Case No. 438-930, entitled Dazell Mallory v. San Francisco Public Library, the City and County of San Francisco, and Does 1-100. (City Attorney)

file:///BD-SUP-03SVR/...20Site/Meetings%20and%20Minutes%20for%20Vision/BAG/Unlinked%20Board%20Agenda/2006/a011706.htm[10/30/2013 2:23:43 PM]

Question: Shall this Ordinance be FINALLY PASSED?

6. 051812 [Settlement of Lawsuit - Theresa Koenig]

Ordinance authorizing settlement of the lawsuit filed by Theresa Koenig against the City and County of San Francisco for \$190,000; the lawsuit was filed on November 16, 2001 in San Francisco Superior Court, Case No. 401-374; entitled Theresa Koenig, et al., v. City and County of San Francisco, et al. (City Attorney)

1/10/2006, PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

7. 051813 [Settlement of Lawsuit - Tania Tavasieff Foley]

Ordinance authorizing settlement of the lawsuit filed by Tania Tavasieff Foley against the City and County of San Francisco for \$75,000; the lawsuit was filed on September 7, 2004 in San Francisco Superior Court, Case No. 434-496; entitled Tania Tavasieff Foley v. City and County of San Francisco, Mortimer John Joyce, Jr., and Stephen Waichi Wong. (City Attorney)

1/10/2006, PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

8. **051814** [Settlement of Lawsuit - Aircraft Service International, DHL Express (USA) as successor in interest to Airborne Express ("Airborne"), Atlantic Richfield Co., ChevronTexaco, Shell,

Ordinance authorizing settlement of the lawsuit filed by the City and County of San Francisco, acting by and through its Airport Commission, against Aircraft Service International, DHL Express (USA) as successor in interest to Airborne Express ("Airborne"), Atlantic Richfield Co., ChevronTexaco, Shell, Signature Flight Support, and Unocal, for the payment to the Airport of environmental clean-up costs with regard to City and County of San Francisco v. ARCO et al., Case No. C-97-2965 MMC (N.D. Cal). (City Attorney)

1/10/2006, PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

9.	051820	[Settlement of proceeding before the California Public Utilities Commission regarding the December 2003 fire at PG&E's Mission Substation and the subsequent outage]	Supervisors McGoldrick, Maxwell
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Ordinance authorizing settlement of the proceeding before the California Public Utilities Commission, Investigation 05-03-011, to determine whether PG&E should be found in violation of state law and fined in connection with the December 2003 fire at the Mission Substation and the subsequent outage affecting 100,000 customers in San Francisco.

1/10/2006, PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

10. 051877 [Settlement of Lawsuit - Carol Renault v. CCSF, et al.]

Ordinance authorizing settlement of the lawsuit filed by Carol Renault against the City and

County of San Francisco for \$900,000; the lawsuit was filed on July 20, 2004 in San Francisco Superior Court, Case No. 433-157; entitled Carol Renault v. City and County of San Francisco, et al. (City Attorney)

1/10/2006, PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

11. 051878 [Settlement of Lawsuit - 1750 Connecticut Street, et al., v. CCSF, et al.]

Ordinance authorizing settlement of the lawsuit filed by 1750 Connecticut Street against the City and County of San Francisco for \$75,000; the lawsuit was filed on August 20, 2004 in San Francisco Superior Court, Case No. 433-992; entitled 1750 Connecticut Street, et al., v. City and County of San Francisco, et al. (City Attorney)

1/10/2006, PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

12. 051896 [Settlement of Lawsuit - National Center for International Schools, et al., v. CCSF, et al.]

Ordinance authorizing settlement of the lawsuit filed by National Center for International Schools against the City and County of San Francisco for \$178,667.42; the lawsuit was filed on October 28, 2004 in San Francisco Superior Court, Case No. 435-875; entitled National Center for International Schools, et al., v. City and County of San Francisco, et al. (City Attorney)

1/10/2006, PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

13. 051899 [Settlement of Lawsuit - Evan Weiss Arkush, et al., v. CCSF, et al.]

Ordinance authorizing settlement of the lawsuit filed by Evan Weiss Arkush against the City and County of San Francisco for \$125,000; the lawsuit was filed on July 26, 2004 in San Francisco Superior Court, Case No. 432-947; entitled Evan Weiss Arkush, et al., v. City and County of San Francisco, et al. (City Attorney)

1/10/2006, PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

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

14. 051458 [Public Works Code - landmark trees, significant trees, and penalties for violations]

Supervisor McGoldrick

Ordinance amending the Public Works Code by amending Section 801 to add to the purposes; 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 and to assume new duties; amending Section 806 to allow for appeals of decisions concerning removal of street trees that are the responsibility of City departments and to extend the notice period to 30 days for removal of street trees that are the responsibility of private property owners; amending Sections 806 and 807 to require imposition of in lieu fees under specified circumstances; adding Section 810A to define significant trees and establish a regulatory program governing their removal; amending Sections 804, 807, and 808 to make conforming changes regarding significant trees; 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; requiring the Office of the Legislative Analyst to prepare a report concerning financial incentives related to landmark trees; and making environmental findings.

Supervisor Ma dissented in committee.

9/27/2005, CONTINUED. Continued to October 11, 2005

10/11/2005, AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.

10/11/2005, CONTINUED. Continued as amended to October 18, 2005

10/18/2005, CONTINUED. Continued to November 1, 2005

11/1/2005, AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.

11/1/2005, RE-REFERRED to City Operations and Neighborhood Services Committee.

1/10/2006, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the Land Use Committee

Present: Supervisors Maxwell, Sandoval, McGoldrick

15. 050601 [Better Neighborhoods Planning and Implementation Process]

**Supervisors McGoldrick,
Maxwell**

Ordinance amending the Administrative Code to add Chapter 36 to establish uniform procedures for developing comprehensive neighborhood plans (the "Better Neighborhoods Planning and Implementation Process"); amending Administrative Code Section 3.4 to provide for integrated Better Neighborhoods Plan budget documents; amending Planning Code to add Section 312A regarding discretionary review for projects proposed in Better Neighborhoods Plan areas; and Section 312B to establish permit review procedures for certain projects within Better Neighborhoods Plan areas; and making environmental findings and findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan.

12/13/2005, CONTINUED. Supervisor Ma, seconded by Supervisor Mirkarimi, moved to continue this matter to

Question: Shall this Ordinance be PASSED ON FIRST READING?

Recommendations of the Rules Committee

Present: Supervisors Alioto-Pier, Mirkarimi, Peskin

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| 18. | 051652 | [Office of Labor Standards Enforcement] | Supervisors Ammiano,
Mirkarimi |
| <p>Ordinance adding Section 2A.23 to Chapter 2 of the San Francisco Administrative Code to establish the Office of Labor Standards Enforcement within the Department of Administrative Services to enforce the Minimum Wage Ordinance, Minimum Compensation Ordinance, Health Care Accountability Ordinance, Prevailing Wage Ordinances and carry out additional duties as established by Charter or ordinance; and amending Section 6.24 of the Administrative Code to delete language duplicative of Section 2A.23.</p> <p>1/10/2006, PASSED ON FIRST READING. Supervisor Mirkarimi requested to be added as a co-sponsor.</p> <p>Question: Shall this Ordinance be FINALLY PASSED?</p> | | | |

Present: Supervisors Alioto-Pier, Peskin

- 19. 051871 [Settlement of Lawsuit - Kristen Odlaug v. City and County of San Francisco and Robert Palu]**

Ordinance authorizing settlement of the lawsuit filed by plaintiff Kristen Odlaug against the City and County of San Francisco for payment of \$400,000, including all damages, attorneys' fees and costs; the lawsuit was filed on April 13, 2004, in San Francisco Superior Court, Case No. 430-509, entitled Kristen Odlaug v. City and County of San Francisco and Robert Palu.

1/10/2006, CONTINUED. Continued to January 17, 2006.

Question: Shall this Ordinance be PASSED ON FIRST READING?

NEW BUSINESS

Recommendations of the Land Use Committee

Present: Supervisors Maxwell, Sandoval, McGoldrick

20. 051983 [Changing the official sidewalk width - Turk Street]

Ordinance amending Ordinance No. 1061 entitled "Regulating the Width of Sidewalks" by adding thereto Section 1568 to change the official sidewalk width on the southerly side of Turk Street; making environmental findings and findings pursuant to the General Plan and Planning Code Section 101.1; and requiring relocation, modification, or both of facilities affected by the sidewalk width change. (Public Works Department)

Question: Shall this Ordinance be PASSED ON FIRST READING?

21. 051984 [Changing the official sidewalk width - Market, Main, and Spear Streets]

Ordinance amending Ordinance No. 1061 entitled "Regulating the Width of Sidewalks" by adding thereto Section 1567 to change the official sidewalk widths on the southerly side of Market Street, easterly side of Main Street, and the westerly side of Spear Street; making environmental findings and findings pursuant to the General Plan and Planning Code Section 101.1; and requiring relocation, modification, or both of facilities affected by the sidewalk widths changes. (Public Works Department)

Question: Shall this Ordinance be PASSED ON FIRST READING?

From the Land Use Committee Without Recommendation

Present: Supervisors Maxwell, Sandoval, McGoldrick

22. 051948 [Street Encroachment at 365 Main Street]

Resolution granting revocable permission to Harrison 160, LLC, for a street encroachment comprised of two (2) existing previously installed vaults that encroach into the public sidewalk right-of-way, located at 365 Main Street (Block 3745, Lot 008) and making environmental findings and findings of consistency with the General Plan and the priority policies of Planning Code Section 101.1. (Public Works Department)

(Supervisor McGoldrick dissenting in committee)

Question: Shall this Resolution be ADOPTED?

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.

23. 051852 [Public Hearing - Appeal of Categorical Exemption from Environmental Review for 730 Great Highway]

Hearing of persons interested in or objecting to the decision of the Planning Department dated July 19, 2004, (Case No. 031009E), exempting from environmental review under General Rule (State CEQA Guidelines, Section 15061 (b)(3)), the proposed construction project at 730 Great Highway. The project would construct a three-story, four-unit dwelling structures, 31.5 feet high with 6,540 square feet living area, 840 square feet garage which accommodate 4 off-street parking spaces. The proposed site is a 3,360 square feet vacant lot at east Great Highway and about 141 feet south from Balboa Street, zoned RM1, 40-X Height and Bulk District, within coastal Special Use District (SUD) and Special Sign District (SSD). (Appellant: Stephen M. Williams representing the Ocean Parc Village Homeowners Association.)

12/6/2005, CONTINUED. The President inquired as to whether or not any member wished to address the Board. There were none. Continued to January 17, 2006 at 4:00 p.m.

Action: _____

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the categorical exemption from environmental review 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.)

24. 051853 [Affirming the categorical exemption issued for 730 Great Highway]

Motion affirming the determination by the Planning Department that the 730 Great Highway project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

12/6/2005, CONTINUED. Continued to January 17, 2006 at 4:00 p.m.

Question: Shall this Motion be ADOPTED?

25. 051854 [Disapproving the categorical exemption issued for 730 Great Highway]

Motion disapproving the determination by the Planning Department that the 730 Great Highway project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

12/6/2005, CONTINUED. Continued to January 17, 2006 at 4:00 p.m.

Question: Shall this Motion be ADOPTED?

26. 051855 [Preparation of findings related to the categorical exemption issued for 730 Great Highway]

Motion directing the Clerk of the Board to prepare findings related to the appeal of the determination by the Planning Department that the 730 Great Highway project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

12/6/2005, CONTINUED. Continued to January 17, 2006 at 4:00 p.m.

Question: Shall this Motion be ADOPTED?

SPECIAL ORDER 4:00 P.M.

27. 052035 [Hearing - Appeal of Categorical Exemption from Environmental Review for 1043-1045 Francisco Street]

Hearing of persons interested in or objecting to the decision of the Planning Department granting a Categorical Exemption from environmental review as part of a variance application (Case No. 2005.0032DV, Building Permit Application No. 2004.02.10.6005S), the proposed project at 1043-1045 Francisco Street, Lot 020 in Assessor's Block 0477. The proposal is to add a one-story horizontal addition over the existing one-story extension at the rear of the existing building. The site contains a two-story (with one-story section at the rear where the addition is proposed) over basement, two-family building at the front of the lot and a one-story, two-car garage at the rear of the lot. The project originally proposed to expand the garage, but that part of the project has been eliminated.

The lot size is 4,726 square feet, within RH-2 (Residential House, Two-Family) District and 40X Height and Bulk District. (Appellant: Stephen M. Williams).

(Filed 12/9/05; companion measure to Files 052036, 052037, 052038; District 2.)

Action:_____

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the categorical exemption from environmental review 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.)

28. **052036** **[Affirming the categorical exemption issued for 1043-1045 Francisco Street]**
Motion affirming the determination by the Planning Department that the 1043-1045 Francisco Street project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Question: Shall this Motion be ADOPTED?
29. **052037** **[Disapproving the categorical exemption issued for 1043-1045 Francisco Street]**
Motion disapproving the determination by the Planning Department that the 1043-1045 Francisco Street project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Question: Shall this Motion be ADOPTED?
30. **052038** **[Preparation of findings related to the appeal of the CEQA exemption determination issued for 1043-1045 Francisco Street]**
Motion directing the Clerk of the Board to prepare findings related to the appeal of the determination by the Planning Department that a project at 1043-1045 Francisco Street is exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Question: Shall this Motion be ADOPTED?

31. **ROLL CALL FOR INTRODUCTIONS**

Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, letters of request to the City Attorney and Board Members' reports on their regional body activities.

32. **PUBLIC COMMENT**

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

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required

for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

Items 33 through 40

- 33.** **060037** **[Commending Christine Quinn]** **Supervisors Ammiano, Dufty**

Resolution commending New York City Council member Christine Quinn for being selected as the new Speaker of the New York City Council and for being the first woman, openly gay and Irish Speaker of the City Council of New York City.

1/10/2006, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

34. **060038** **[Extension of SRO Hotel Safety and Stabilization Task Force]** **Supervisor Ammiano**

Resolution extending the operations of the Single Room Occupancy (SRO) Hotel Safety and Stabilization Task Force through December 31, 2006.

1/10/2006, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

35. **060039** **[Accept-expend State Grant Funds available under the Land and Water Conservation Fund Program to fund the 24th Street York Mini Park Project]** **Supervisor Ammiano**

Resolution authorizing the San Francisco Recreation and Park Department to accept and expend a grant in the amount of \$81,190 available under the Federal Land and Water Conservation Fund Program administered by the National Park Service under the provisions of the Land and Water Conservation Fund Act of 1965 for the development of the 24th Street York Mini Park.

1/10/2006, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

36. **060040** **[Accept-expend State Grant Funds available under the Youth Soccer and Recreation Development Program to fund the South of Market Area (SOMA) Park]** **Supervisor Daly**

Resolution authorizing the San Francisco Recreation and Park Department to accept and expend a grant in the amount of \$630,000 for the development of the South of Market Area (SOMA) Park, under the California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Act of 2002 administered by the California Department of Parks and Recreation, Office of Grants and Local Services.

1/10/2006, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

- [illegible]

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 December 31, 2005 through January 9, 2006, for reference by President to appropriate committee on January 17, 2006.

060006 [Settlement of Claims - Pacific Gas & Electric Company]

Ordinance authorizing settlement of a claim filed by Pacific Gas & Electric Company (PG&E) against the City and County of San Francisco (City) and a complaint filed by the City against PG&E. PG&E's claim was filed on April 9, 2004, in the United States Bankruptcy Court and amended on June 1 and June 11, 2004, Case No. 01-30923-DM, Adversary Proceeding No. 04-3071. The City's complaint against PG&E was filed on June 29, 2005 at the Federal Energy Regulatory Commission, Docket No. EL05-133-000.

1/9/2006, RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED RESOLUTIONS

Proposed resolutions received from December 31, 2005 through January 9, 2006, for reference by President to appropriate committee on January 17, 2006.

060004 [Interdepartmental jurisdictional transfer of property near Islais Creek]

Resolution transferring jurisdiction of the real property identified as portions of Assessor's Parcel Nos. 4352/001 and 4382/005 from the Public Utilities Commission to the Municipal Transportation Agency as part of the new Islais Creek Motor Coach Operations and Maintenance Facility; adopting findings pursuant to the California Environmental Quality Act; and adopting findings that the transfer of jurisdiction is consistent with the City's General Plan and the Eight Priority Policies of Planning Code Section 101.1. (Real Estate Department)

1/5/2006, RECEIVED AND ASSIGNED to Land Use Committee.

060005 [Contract funds to support research on HIV/AIDS in under-researched populations]

Resolution authorizing the San Francisco Department of Public Health (SFPDH), to enter into an agreement with the San Mateo Medical Center (SMMC), the primary contractor, and expend funds in the amount of up to \$74,920 in order to support research on HIV/AIDS in under-researched populations in California, and to add one 0.5 position funded under this agreement; for the period of January 1, 2006, to December 31, 2006. (Public Health Department)

1/4/2006, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

060053 [Petitions and Communications]

Petitions and Communications received from December 31, 2005 through January 9, 2006, for reference by the President to Committee considering related matters or to be ordered filed by the Clerk on January 17, 2006.

From Supervisor Peskin, submitting appointment of Debra Walker, Residential Tenant; Joe Grubb, Resident Landlord; Criss Romero, Member of the General Public to serve on the San Francisco Building Inspection Commission pursuant to Charter Section 4.121; effective immediately.(1)

From Peter Granoff, submitting request for a Type 21 off-sale general retail alcoholic beverage license for Ferry Plaza Wine Merchant, LP ("Ferry Wine") at Pier 50A in San Francisco.(2)

From Office of the Controller, submitting report concerning the audit of three charitable organizations that registered with the SF Police Department to solicit funds for charitable purposes within the City and County of San Francisco.(3)

From Department of Public Works, responding to request to repair potholes at various locations. (Reference No. 20051213-007) Copy: Supervisor Mirkarimi(4)

From Municipal Transportation Agency, regarding request to install a Yield sign at the intersection of Isola Way at Teresita Boulevard. (Reference No. 20051205-002) Copy: Supervisor Elsbernd(5)

From Office of the Controller, submitting the Semi-Annual Debarment Report for fiscal year 2005-06.(6)

From Janet Kan, commenting what a splendid job the Fire Department is doing training San Francisco citizens in the Neighborhood Emergency Response Training (N.E.R.T.) program.(7)

From Edith McMillan, submitting copy of letter sent to the Assessor/Recorder regarding the misspelling of her last name on her tax bill, etc.(8)

From Planning Department, submitting response to two letters of appeal regarding the issuance of a Certificate of Determination exempting the proposed C-3 Zoning Code Amendments from California Environmental Quality Act (CEQA). File 051996(9)

From SF Environment, submitting the Department of the Environment's Regulation No. SFE-05-03-CTT, adopting payroll expense tax exclusion for clean energy technology businesses, effective January 1, 2006.(10)

From Fire Department, regarding the Fire Department's plan to coordinate emergency aid from other jurisdictions in the event of a major disaster. (Reference No. 20050927-007) Copy: Supervisors Ma, Dufty, McGoldrick, Sandoval(11)

From Law Offices of Stephen Williams, submitting substantial evidence to support a "fair argument" under CEQA that the proposed project at 733 - 27th Avenue should not be exempt from environmental review. File 051755(12)

From Union Square Association and the Building Owners and Managers Association of San Francisco, submitting documentary evidence in support of their appeal of CEQA exclusion determination for proposed ordinance regarding off-street parking in C-3 zoning districts. File 051996(13)

From Mr. Lee, regarding alleged discrimination against practitioners of Falun Gong by the Chinese Chamber of Commerce in San Francisco. File 050301(14)

From Human Services Agency, submitting request for release of reserved funding for seniors and younger disabled adults in the South of Market Area in the amount of \$78,601.33. File 052024(15)

From Office of the Treasurer/Tax Collector, submitting the Cash difference and Overage Fund balance and activities reported to the office for the period ending December 31, 2005.(16)

From concerned citizens, submitting support for the CEQA exemption determination issued by the Planning Department for proposed ordinance regulating off-street parking in C-3 zoning districts. File 051996, Copy: Each Supervisor(17)

From Hauser Architects, submitting response to appellant's arguments opposing the decision of the Planning Commission approving Conditional Use on property located at 2660 Harrison Street. File 051991, 051936(18)

From Peter Schurman, submitting support for charging a fee for professional dog walkers in public spaces in San Francisco. Copy: Supervisor Ammiano(19)

From Anthony Gramps, submitting opposition to the recently passed policy banning military recruiters in San Francisco public schools. Copy: Each Supervisor(20)

From concerned citizens, submitting opposition to proposal to close public schools in San Francisco. Copy: Each Supervisor(21)

From Eric Whitaker, submitting request for a Type 42 on sale beer and wine license for Ray

Morrone dba "Space Gallery" located at 1141 Polk Street.(22)

From SF Association of Realtors, submitting amendments to proposed legislation regarding the Residential Housing Purchaser Protection Ordinance. File 051822, Copy: Each Supervisor(23)

From Department of Children, Youth and Their Families, submitting request for release of reserved funds to enter into grant agreements with two community-based programs to provide services to the South of Market communities.(24)

From Municipal Transportation Agency, submitting report on the justification for those employees who worked overtime in excess of 16% of their regularly scheduled straight time, excluding transit operators and transit supervisors.(25)

From Office of the Treasurer, submitting the investment activity (for fiscal year to date) of the portfolios under the Treasurer's management.(26)

From concerned citizens, submitting opposition to proposed legislation regarding the Better Neighborhoods Plus Ordinance. File 050601, Copy: Each Supervisor(27)

From Angelica Cabande, submitting support for saving the Bernal Preschool from being displaced from their home of twenty-six years.(28)

From Denise D'Anne, submitting support for proposed legislation regarding landmark trees, significant trees and penalties for violations. File 051458, Copy: Each Supervisor(29)

From Stephen Harper, submitting support for bringing the USS Iowa to San Francisco. Copy: Each Supervisor(30)

From Ahimsa Sumchai, regarding alleged corruption by Arc Ecology that is linked to the proposed grant that was before the Redevelopment Agency on December 20, 2005. Copy: Supervisor Maxwell(31)

From Jonathon Kecskes, submitting newspaper article regarding "gun free" Washington D.C.(32)

From Charlene O'Neil, submitting several suggestions that would reduce the amount of litter on the streets of San Francisco.(33)

From Jamison Wieser, commenting on news article about Sony's graffiti PSP ad campaign.(34)

From Mesha Monge-Irizarry, commenting on Police Department's new DVD entitled "rebuild the communities" of San Francisco.(35)

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 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 (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 Frank Darby 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 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

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