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Full Board Agendas

# **Board of Supervisors**

# **City and County of San Francisco**

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

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# AGENDA

Tuesday, April 11, 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**

# **APPROVAL OF MEETING MINUTES**

# AGENDA CHANGES

# **COMMUNICATIONS**

Note: Each item on the Consent or Regular agenda may include the following documents:
1) Legislation
2) Budget Analyst report
3) Legislative Analyst report
4) Department or Agency cover letter and/or report
5) Public correspondence
These items will be available for review at City Hall, Room 244, Reception Desk.

# **CONSENT AGENDA**

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

# Items 1 through 8

1.

3.

# **Recommendations of the Budget and Finance Committee**

Present: Supervisors Daly, Dufty, Peskin, Mirkarimi, Elsbernd

# 051924 [Establishing Maximum Work Hours For General Assistance Programs]

## Supervisors McGoldrick, Ammiano, Maxwell, Daly

Ordinance amending Chapter 20, Article VII, to add Section 20.58.6 to provide that the maximum number of hours the Department may require General Assistance recipients to work shall be calculated by dividing the Maximum Monthly Assistance Grant under Section 20.57 of this Chapter by the hourly wage rate established under Section 12P.3(b)(3) of the Administrative Code and by amending Chapter 20, Article VIII, Section 20.77.6 to provide that the maximum number of hours of activities the Department of Human Services may require of participants in the Personal Assisted Employment Service Program shall be the same as required of General Assistance recipients.

4/4/2006, PASSED ON FIRST READING. Supervisors Maxwell and Daly requested to be added as co-sponsors.

Question: Shall this Ordinance be FINALLY PASSED?

# 2. 060410 [Appropriating \$1,755,000 in funding for Primary Care capital projects for FY 2005-06]

Ordinance appropriating \$1,755,000 in revenues, including \$1,035,000 in unappropriated General Fund Balance, and \$720,000 in Primary Care surplus and appropriating \$1,755,000 for capital projects at Primary Care clinics for the Public Health Department for Fiscal Year 2005-06.

Fiscal Impact

4/4/2006, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Supervisors Daly, Mirkarimi

# 060311 [Appropriating \$20,000,000 of General Fund balance for Affordable Housing Projects, Real Ownership Opportunities for Tenants, and Rental Subsidies for Fiscal Year 2005-06]

Ordinance appropriating \$20,000,000 of General Fund balance for Fiscal Year 2005-06, including \$18,000,000 to the Mayor's Office of Housing for the acquisition, construction, and rehabilitation of affordable family housing, housing for seniors and persons with disabilities,

and housing for persons who are currently homeless or who are at risk of being homeless; \$1,000,000 to the Mayor's Office of Housing to fund the Real Ownership Opportunities for Tenants project and to establish criteria for the creation of the Real Ownership Opportunities for Tenants project; and \$1,000,000 for the Human Services Agency to fund Family Rental Subsidies for Fiscal Year 2005-06.

(Fiscal impact.)

4/4/2006, PASSED ON FIRST READING. Supervisor Mirkarimi requested to be added as a co-sponsor.

Question: Shall this Ordinance be FINALLY PASSED?

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

Present: Supervisors McGoldrick, Ma

#### 4.

#### 060329 [Accept-Expend Regional Grant - Department of the Environment]

Resolution authorizing the Department of the Environment to accept and expend a grant in the amount of \$200,000 from the Bay Area Air Quality Management District Transportation Fund to collaborate with the San Francisco Bike Coalition and the Metropolitan Transportation Commission on the development of a web-based point-to-point bicycle route planning tool called BikeInsight.

Question: Shall this Resolution be ADOPTED?

# **Recommendation of the Land Use and Economic Development Committee**

Present: Supervisors Maxwell, Sandoval, McGoldrick

#### 5. 060188 [Residential Hotels: Tenant Mail Receptacles]

### Supervisors Daly, Peskin, Mirkarimi

**Supervisor Mirkarimi** 

Ordinance amending the San Francisco Housing Code by amending Section 1002 and amending the San Francisco Administrative Code by adding Chapter 41E to require residential hotel owners to provide a United States Postal Service-approved mail receptacle for each residential unit and by amending Section 37.14 to provide for an appeal to the Rent Board for violation of this requirement; adopting findings pursuant to California Health and Safety Code Section 17958.5.

4/4/2006, PASSED ON FIRST READING. Supervisor Mirkarimi requested to be added as a co-sponsor.

Question: Shall this Ordinance be FINALLY PASSED?

# **Recommendations of the Rules Committee**

Present: Supervisors Mirkarimi, Elsbernd, Ammiano

## 6. 060300 [Settlement of Lawsuit - Maximilian Castro]

Ordinance authorizing settlement of the lawsuit filed by Maximilian Castro against the City and County of San Francisco for \$125,000; the lawsuit was filed on December 15, 2000 in

San Francisco Superior Court, Case No. 317-475; entitled Maximilian Castro, et al., v. City and County of San Francisco, et al. (City Attorney)

4/4/2006, PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

#### 7. 060303 [Settlement of Lawsuit - Gisselle Shepherd]

Ordinance authorizing settlement of the lawsuit filed by Gisselle Shepherd against the City and County of San Francisco for \$140,000; the lawsuit was filed on September 18, 2003 in San Francisco Superior Court, Case No. 424-524; entitled Gisselle Shepherd, et al., v. City and County of San Francisco, et al. (City Attorney)

4/4/2006, PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Present: Supervisors Mirkarimi, Elsbernd

### 8. 060402 [Appointment - Graffiti Advisory Board]

Resolution appointing Steven B. Taxman, for an indefinite term, to the Graffiti Advisory Board.

Steven B. Taxman, succeeding Mark Bruno, seat 13, resigned, non-voting member, must represent neighborhood organization, for an indefinite term.

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

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

# **REGULAR AGENDA**

9.

# **UNFINISHED BUSINESS**

# **Recommendations of the Budget and Finance Committee**

Present: Supervisors Daly, Dufty, Peskin, Mirkarimi, Elsbernd

## 060246 [Appropriating \$15,000,000 of General Fund balance to support street resurfacing projects for the Department of Public Works for Fiscal Year 2005-06]

Supervisors Elsbernd, Peskin, Ammiano, Alioto-Pier, Ma

Ordinance appropriating \$15,000,000 of General Fund balance to support street resurfacing projects for the Department of Public Works for Fiscal Year 2005-06.

(Fiscal impact.) (Supervisors Mirkarimi and Daly dissented in committee.)

4/4/2006, PASSED ON FIRST READING.

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

#### 10. 060253 [Appropriating \$10,415,682 capital project funding at Supervisors Peskin, Maxwell, the Recreation and Parks department for the funding Mirkarimi, Ammiano, Dufty, of Phase I projects with significant forecasted shortfalls]

Ordinance appropriating \$10,415,682 of Unappropriated General Fund for the Recreation and Parks department to fund the following Phase I projects with significant forecasted shortfalls: Junipera Serra Playground and Clubhouse for \$840,000, Lake Merced - Overlook and Trail for \$145,860, Sunnyside Conservatory for \$3,039,468, Rolph Playground & Clubhouse for \$817,712, Kelloch - Velasco Park for \$617,507, Visitacion Valley Greenway (Raceway) -Tioga Lot for \$1,246,463, Joseph Lee Recreation Center \$701,000 and Sava Pool for \$3,007,672 for fiscal year 2005-06.

Elsbernd, Ma

(Fiscal impact.)

4/4/2006, AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.

4/4/2006, CONTINUED AS AMENDED ON FIRST READING.

Question: Shall this Ordinance be PASSED ON FIRST READING?

Present: Supervisors Daly, Dufty, Mirkarimi, Elsbernd

#### 11. 051954 [Amend the Definition of Properties Eligible to Apply **Supervisor Alioto-Pier** for a Mills Act Contract]

Ordinance amending the Administrative Code by amending Section 71.2 by adding new subsections 71.2(b), (d), and (e) to expand the definition of "qualified historical properties" eligible to apply for a Mills Act contract; stating that subsections 71.2 (b), (d), and (e) shall not become effective until six months after the effective date of this Ordinance; requesting a report from the Planning Department regarding evaluation criteria for Mills Act Contracts; and making environmental findings.

(Fiscal impact.)

4/4/2006, PASSED ON FIRST READING.

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

# From the Budget and Finance Committee Without Recommendation

Present: Supervisors Daly, Dufty, Peskin, Elsbernd

12. 060252 **[To appropriate funding at the Department of Human** Supervisors Daly, Mirkarimi, Services for homeless services and to maintain and Ammiano

## restore shelter bed capacity utilizing General Fund Reserves]

Ordinance appropriating \$226,682 of General Fund for the Department of Human Services to fund homeless services and to maintain and restore shelter bed capacity for fiscal year 2005-06; placing \$226,682 on Budget and Finance Committee reserve.

(Fiscal impact.)

3/28/2006, CONTINUED. Continued to April 4, 2006

4/4/2006, DIVIDED.

4/4/2006, PASSED ON FIRST READING AS DIVIDED.

Question: Shall this Ordinance be FINALLY PASSED?

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

Present: Supervisors McGoldrick, Dufty, Ma

### 13. 051669 [Prohibition on Smoking in Public Transit Stops and Shelters]

Supervisors Ma, Daly

Ordinance amending Section 1009.22 of the San Francisco Health Code, to prohibit smoking in public transit stops and shelters.

4/4/2006, PASSED ON FIRST READING. Supervisor Daly requested to be added as a co-sponsor.

Question: Shall this Ordinance be FINALLY PASSED?

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

Present: Supervisors: Alioto-Pier, Peskin

# 14. 060065 [Establishing the Film Rebate Program]

Ordinance amending San Francisco Admistrative Code section 57.1 to make technical amendments; section 57.4 to designate the Executive Director of the San Francisco Film Commission as the sole liaison between film companies and City departments; section 57.7 to clarify the application of Chapter 57 to certain City departments; and adding section 57.8 to establish a Film Rebate Program to rebate qualified production costs for qualified film productions.

(Fiscal impact and Economic Impact)

4/4/2006, AMENDED.

4/4/2006, PASSED ON FIRST READING AS AMENDED.

Question: Shall this Ordinance be FINALLY PASSED?

# **NEW BUSINESS**

# **Recommendations of the Budget and Finance Committee**

**Supervisor Alioto-Pier** 

A quorum of the Board of Supervisors was present and a Special Board of Supervisors meeting was held for File 060166.

Ammiano

Supervisor Daly

#### 15. 060166 [First Source Hiring Ordinance - Expanding the Supervisors Mirkarimi, Chapter to apply to contract modifications; increasing FSHA reporting requirements, liquidated damages, and penalty sections; amending

Ordinance amending the San Francisco Administrative Code by amending sections 83.2, 83.4, 83.6, 83.7, 83.9, 83.10, 83.11, 83.12, and 83.18 of the First Source Hiring Program to: 1) correct erroneous grammar and subsection references; 2) change "Department of Human Services (DHS)" to "Human Services Agency (HSA);" 3) define OLSE; 4) include the OLSE in making the final administrative determination regarding compliance with this Chapter; 5) include contract modifications under the definition of contracts; 6) increase reporting requirements by the FSHA to include data reflecting the length of time qualified individuals remain employed under this Chapter; 7) increase liquidated damages from up to \$2,070.00 to up to \$5,000.00 against contractors for initial violations of this Chapter, add provision of liquidated damages of up to \$10,000.00 against contractors for each violation discovered during second investigation by FSHA and to provide for administrative review; and 8) increase penalties against permittees and contractors engaged in non-City work performed in San Francisco from up to \$2,070.00 to up to \$5,000.00 who fail to comply with this Chapter and to provide for administrative review.

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

Present: Supervisors Daly, Dufty, Peskin, Mirkarimi, Elsbernd

| 16. | 060309 | [Extending Early Retirement Program] Ma  | ayor |  |  |
|-----|--------|--|------|--|--|
|     |        | Resolution extending Early Retirement Program for and through fiscal years 2006-07.  |      |  |  |
|     |        | (Fiscal impact.) (Supervisors Peskin and Elsbernd dissented in Committee.)   |      |  |  |
|     |        | Question: Shall this Resolution be ADOPTED?  |      |  |  |
| 17. | 060394 | [Appropriating \$660,000 to the Department ofSupervisors Mirkarimi, IChildren, Youth and Their Families to support theJohn Swett Alternative School in Department FiscalYear 2005-06]                              | Daly |  |  |
|     |        | Ordinance appropriating \$660,000 of Unappropriated General Fund to maintain operations of the John Swett Alternative School through the Department of Children, Youth and Their Families for Fiscal Year 2005-06. |      |  |  |
|     |        | (Fiscal impact.)(Supervisor Elsbernd dissented in committee)   |      |  |  |
|     |        | Present: Supervisors Daly, Mirkarimi, Elsbernd   |      |  |  |
|     |        | Question: Shall this Ordinance be PASSED ON FIRST READING?   |      |  |  |
|     |        |  |      |  |  |

[Public Education Enrichment Fund]

18.

060263

Resolution approving the San Francisco First Five Commission expenditure plan or the Public Education Enrichment Fund for fiscal year 2006-07.

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

Present: Supervisors Daly, Peskin, Mirkarimi, Elsbernd

# 19.060341[Appropriating \$250,000 to the General Services<br/>Agency, Administrative Services, Grants for the Arts<br/>for Fiscal Year 2005-2006]

Ordinance appropriating \$250,000 of Unappropriated General Fund Revenue to the General Services Agency, Administrative Services, Grants for the Arts for Fiscal Year 2005-2006; and reserving the appropriation for the Grants for the Arts.

(Fiscal impact.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

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

Present: Supervisors McGoldrick, Ma

## 20. 051985 [Deletion of a street flower market location on Market Street at Fifth Street]

Ordinance amending Public Works Code Article 5, Section 155 to delete the street flower market location on the south side of Market Street within 100 feet of the west line of 5th Street. (Public Works Department)

Question: Shall this Ordinance be PASSED ON FIRST READING?

Present: Supervisors McGoldrick, Dufty, Ma

# 21. 060255 [Accepting a gift to the Recreation and Park Department of synthetic turf athletic fields valued at approximately \$4.5 million from the City Fields Foundation]

Ordinance accepting a gift to the Recreation and Park Department (RPD) of synthetic turf athletic fields at Garfield Square and Silver Terrace Playground and a maintenance contract for those fields, valued at approximately \$4.5 million, from the City Fields Foundation (Foundation); approving an agreement between RPD and the Foundation which specifies how RPD and the Foundation will work together to implement the gift; and authorizing the RPD General Manager to accept future donations of Turf fields from the Foundation; and requiring the RPD General Manager to submit an annual report to the Board that describes actions taken in furtherance of the agreement.

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

(Pending approval of File 060447.)

22. 060425 [Hearing to discuss the findings of the report, "An Overview of San Francisco's Recent Economic Performance'']

Hearing to discuss the findings of the report, "An Overview of San Francisco's Recent Economic Performance." (Clerk of the Board)

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

# 23. **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.

# 24. 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 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 speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes.

Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.

# APPROVAL OF REQUESTS TO THE LEGISLATIVE ANALYST

These items may be introduced by any Supervisor seeking analysis from the Office of the Legislative

Analyst on introduced legislation and for the purpose of providing assistance to Board of Supervisors' task forces and advisory committees. Requests to the Legislative Analyst shall require the affirmative vote of a majority of the members of the Board.

#### 25. 060429 [Legislative Analyst Request - Youth MUNI passes]

Motion requesting the Legislative Analyst to research, analyze, and gather data on the following issue(s): (1) What kind of discounts do the public transit systems (both national and international) give to youth between the ages of 18 to 24? How has that impacted the number of youth that ride on the public transportation system? Has that led to an increase/decrease in youth riders? (2) What are the various kinds of discounts given to students nationally and internationally? (3) What is the usual cut off age for what is defined youth in the public transportation system for San Francisco?

**Supervisor McGoldrick** 

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

# 26. 060430 [Legislative Analyst Request - Street space permits] Supervisor Elsbernd Motion requesting the Legislative Analyst to research, analyze, and gather data on the street space permits in order to determine if permits are legally posted. Supervisor Elsbernd

Question: Shall this Motion be ADOPTED?

# **CLOSED SESSION**

# **CONFERENCE WITH CITY LABOR NEGOTIATORS**

27.

### 060288 [Closed Session - Conference with City's Labor Negotiators (Collective Bargaining)]

Motion that the Board of Supervisors convene in closed session with the City's Labor Relations Negotiators, the Mayor and the Director of Human Relations, for the purpose of reviewing the City's positions in pending labor negotiations with organizations representing the City employee groups.

This closed session is permitted by Government Code Section 54957.6, and San Francisco Administrative Code Section 67.8.

3/7/2006, MOTION to convene in Closed Session.

3/7/2006, CONTINUED. Continued to March 28, 2006

3/28/2006, MOTION to convene in Closed Session.

3/28/2006, CONTINUED. Continued to April 11, 2006

Question: Shall this Motion be ADOPTED?

[Elect To Disclose]

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

[Elect Not to Disclose]

Motion that the Board finds that it is in the best interest of the public that the Board elect at this time not to disclose its closed session deliberations concerning the pending City Labor Negotiations. (Collective Bargaining)

# 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 28 through 43

| 28. | 060447 | [Calling for the Board of Supervisors to sit as a<br>Committee of the Whole on April 11, 2006, at 4:00pm<br>to consider findings of recent economic report]   | Supervisor Alioto-Pier                        |  |  |
|-----|--------|---|---|--|--|
|     |        | Motion calling for the Board of Supervisors to sit as a committee of the whole on April 11, 2006, at 4:00pm to hear and discuss the findings of the report, "An Overview of San Francisco's Recent Economic Performance." |   |  |  |
|     |        | 4/4/2006, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.   |   |  |  |
|     |        | Question: Shall this Motion be ADOPTED?   |   |  |  |
| 29. | 060398 | [Supporting Assembly Bill 777 - Tax Credits for Qualified Motion Pictures]  | Supervisor Alioto-Pier                        |  |  |
|     |        | Resolution supporting Assembly Bill 777 - California Tax Credits for Qualified Motion Pictures.   |   |  |  |
|     |        | 3/28/2006, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.  |   |  |  |
|     |        | 4/4/2006, CONTINUED. Continued to April 11, 2006  |   |  |  |
|     |        | Question: Shall this Resolution be ADOPTED?   |   |  |  |
| 30. | 060442 | [Peak Oil Plan of Response and Preparation]   | Supervisors Mirkarimi,<br>McGoldrick, Maxwell |  |  |
|     |        | Resolution acknowledging the challenge of Peak Oil and the need for San Francisco to prepare a plan of response and preparation.  |   |  |  |
|     |        | 4/4/2006, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.   |   |  |  |
|     |        | Question: Shall this Resolution be ADOPTED?   |   |  |  |
| 31. | 060448 | [Accept-Expend Federal Grant Funds - Recreation<br>and Park Department]   | Supervisor Alioto-Pier                        |  |  |

Resolution authorizing the San Francisco Recreation and Park Department to accept and expend a Clean Vessel Act Grant administered by the California Department of Boating and Waterways in the amount of \$35,000 for the installation of a boat pumpout and dump station combination in the San Francisco Small Craft Harbor.

4/4/2006, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

32. 060449 [Commending the Peninsula Humane Society and its new auxiliary organization, the San Francisco Bay Humane Friends for providing free sterilization of pit bulls and mixed pit bulls dogs in

> Resolution commending the Peninsula Humane Society and its new auxiliary organization, the San Francisco Bay Humane Friends for providing free sterilization of pit bulls and mixed pit bulls dogs in San Francisco.

**Supervisor Dufty** 

4/4/2006, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

# 33. 060450 [Commending Gail Wilson and City Swing] Supervisors Dufty, Ammiano Resolution commending Gail Wilson and City Swing for over two decades of entertainment and commitment to the LGBT community. Supervisors Dufty, Ammiano

4/4/2006, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

34.060451[Grant to support the Integrated Nurse LeadershipSupervisor ElsberndProgram at the San Francisco Department of Public<br/>Health, Laguna Honda Hospital and Rehabilitation<br/>Center]Supervisor Elsbernd

Resolution authorizing the San Francisco Department of Public Health (SFDPH), to retroactively accept and expend a grant in the amount of \$75,000 from the Gordon and Betty Moore Foundation through the Regents of the University of California to support the Integrated Nurse Leadership Program, and to enter into an agreement for the use of these funds; for the period of March 1, 2005 to May 31, 2006.

4/4/2006, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

# 35.060452[Supporting H.R. 4423 Ethiopia Consolidation Act]Supervisor Ma

Resolution supporting the Ethiopia Consolidation Act of 2005 (H.R. 4423)

4/4/2006, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

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

36. 060453 [Accept-Expend Federal Grant - Strategic Planning for Childhood Nutrition and Physical Activity Task Force Recommendations]

Resolution authorizing the Department of Children, Youth and Their Families to accept and expend a grant in the amount of \$24,993 from the California Endowment to conduct Strategic Planning for the Childhood Nutrition and Physical Activity Task Force.

4/4/2006, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

# 37. 060454 [Accept-Expend Federal Grant - 2006 Mayor's Supervisor Maxwell Summer Food Service Program and Afterschool Snack Program]

Resolution authorizing the Department of Children, Youth and Their Families to accept and expend a grant in the amount of \$853,665 from the United States Department of Agriculture for the 2006 Mayor's Summer Food Service Program and the Afterschool Snack Program.

4/4/2006, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

# 38.060455[Supporting AB 2873 - Transportation DevelopmentSupervisor McGoldrickAct Funds]

Resolution urging the California State Legislature to support Assembly Bill 2873 (Wolk) authorizing local jurisdictions to double the current quarter percent sales tax dedicated to local transit and to maintain local streets and roads in rural counties.

4/4/2006, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

# **39.** 060456 [Supporting the strengthening of the City's ability to Supervisors Mirkarimi, eradicate criminal and public nuisance activity caused Maxwell, Alioto-Pier, Ammiano by criminal street gangs in our community]

Resolution supporting the strengthening of the City's ability to eradicate criminal and public nuisance activity caused by criminal street gangs in our community.

4/4/2006, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

# 40. 060457 [Supporting AB 2573 regarding solar power in San Supervisor Mirkarimi Francisco]

Resolution urging the State Legislature to pass Assembly Bill 2573 regarding solar power in San Francisco.

4/4/2006, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

#### 41.

#### 060458 [Proclaiming May 5, 2006, as Asian Pacific Islander **Resources Network (APIFRN) Day in San Francisco]**

Supervisor Peskin

Resolution proclaiming May 5, 2006, as Asian Pacific Islander Resources Network (APIFRN) Day in San Francisco.

4/4/2006, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

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

#### 42. 060459 [Brown and Toland Medical Group]

#### Supervisor Peskin

Resolution urging Brown and Toland to cease requiring exclusivity of physicians to participate in the Brown and Toland Preferred Network, in violation of the policy of the City and County of San Francisco and the state and federal and which is affecting the well being of the Chinese Community in San Francisco.

4/4/2006, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

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

#### 43. 060411 [Final Map for a 16 Unit Residential Condominium Project - 1725 Washington Street]

Motion approving Final Map of 1725 Washington Street, A Residential Condominium Project, being a subdivision of Lot 15 in Assessor's Block No. 619, and adopting findings pursuant to Planning Code Section 101.1.

(DPW Order NO. 175,956; District 3.)

3/29/2006, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

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

Questions on the For Adoption Without Committee Reference Agenda:

#### 44. **IMPERATIVE AGENDA**

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

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

[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 March 28, 2006 through April 3, 2006, for reference by President to appropriate committee on April 11, 2006.

#### 060203 [Tunnel Avenue Weight Restrictions]

Ordinance amending Section 28.2 of the San Francisco Traffic Code to extend restrictions on certain vehicles over 18,000 pounds for two blocks of Tunnel Avenue south of Blanken Avenue. (Parking and Traffic Department)

3/31/2006, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

### 060463 [Settlement of Lawsuits - Pacific Gas and Electric Company and Television Signal Corp.]

Ordinance authorizing settlement of three lawsuits filed by Pacific Gas and Electric Company and Television Signal Corp. against the City and County of San Francisco for a total of \$1,156,164.00. Pacific Gas and Electric Co v. City and County of San Francisco was filed April 30, 1999, in the United States District Court, Case No. C99-2071 VRW. Television Signal Corp. v. City and County of San Francisco was filed June 29, 2000, in United States District Court, Case No. C00-2311 VRW. Pacific Gas and Electric Co. v. City and County of San Francisco was filed July 21, 2005 in San Francisco Superior Court, Case No. 443-277. The lawsuit entitled Television Signal Corp v. City and County, Case No. C00-2311 VRW, is settled without any payment. (City Attorney)

4/4/2006, RECEIVED AND ASSIGNED to Rules Committee.

# **PROPOSED RESOLUTIONS**

Proposed resolutions received from March 28, 2006 through April 3, 2006, for reference by President to appropriate committee on April 11, 2006.

### 060204 [Airport ITT Network Operations Center and ITT Helpdesk Coverage - FY 2006-07 Proposition J]

Resolution approving the Controller's certification that Airport ITT Network and Operations Center and ITT Helpdesk Coverage for FY 2006-2007 can be practically performed by a private contractor at a lower cost than if work were performed by city employees at budgeted levels. (Airport Commission)

3/30/2006, RECEIVED AND ASSIGNED to Budget and Finance Committee.

# 060409 [Apply For-Accept-Expend Federal Funding -Community Development Block Grant]

Resolution approving the 2006/07 Community Development Block Grant (CDBG) Program; authorizing the Mayor, on behalf of the City and County of San Francisco, to apply for, accept, and expend the City's 2006/07 Community Development Block Grant from the U.S. Department of Housing and Urban Development (HUD) together with Program Income, totaling \$25,151,655; and approving an Expenditure Schedule.

4/3/2006, RECEIVED AND ASSIGNED to Budget and Finance Committee.

### 060413 [Apply For-Accept-Expend Federal Funding -Emergency Shelter Grants Program]

Resolution approving the 2006/07 Emergency Shelter Grant (ESG) Program; and authorizing the Mayor, on behalf of the City and County of San Francisco, to apply for, accept, and expend the City's 2006/07 Emergency Shelter Grant entitlement from the U.S. Department of Housing and Urban Development (HUD) in the amount of \$928,391; and approving the expenditure schedule for recipient agencies.

4/3/2006, RECEIVED AND ASSIGNED to Budget and Finance Committee.

### 060419 [Apply For-Accept-Expend Federal Funding - HOME Program]

Resolution approving the 2006/07 HOME Investment Partnership (HOME) Program; and authorizing the Mayor, on behalf of the City and County of San Francisco, to apply for, accept, and expend the City's 2006/07 HOME Program entitlement from the U.S. Department of Housing and Urban Development (HUD) and Reprogrammed Funds, totaling \$15,016,335; and approving the HOME Program Description as described in the 2006 Action Plan for San Francisco's Consolidated Plan.

4/3/2006, RECEIVED AND ASSIGNED to Budget and Finance Committee.

### 060466 [Petitions and Communications]

Petitions and Communications received from March 28, 2006 through April 3, 2006, for reference by the President to Committee considering related matters or to be ordered filed by the Clerk on April 11, 2006.

From Municipal Transportation Agency, submitting notice of categorical exemption for the

Mayor

# Mayor

Mayor

Market Street Traffic Safety Zone project.(1)

From Police Department, responding to request for information on what security measures were enacted and what was required from the SFPD and the event sponsors at the Rapper/Dance event that occurred on March 4, 2006 in the Western Addition which resulted in three shootings, two near fatal. (Reference No. 20060307-004) Copy: Supervisor Mirkarimi(2)

From Department of Public Works, reporting that graffiti has been removed from the fire hydrant at Haight and Clayton Streets and the emergency box on the southwest corner of Fulton and Fillmore Streets. (Reference No. 20060321-004) Copy: Supervisor Mirkarimi(3)

From Department of Public Works, reporting that graffiti has been removed from the green boxes at the northwest corners of Webster and Grove Streets, Laguna and Oak Streets and Laguna and Fell Streets. (Reference No. 20060131-011) Copy: Supervisor Mirkarimi(4)

From concerned citizens, expressing support for continued funding of the N.E.R.T. program taught by the Fire Department.4 letters(5)

From Office of the Controller, submitting the Public Education Fund Annual Report. Copy: Each Supervisor(6)

From concerned citizens, regarding the placement of cameras in some San Francisco neighborhoods to help reduce crimes from being committed. File 060086, Copy: Each Supervisor, 3 letters(7)

From concerned citizens, submitting various comments against the recently passed resolution urging Cardinal Levada to withdraw his directive to Catholic Charities forbidding the placement of children in need of adoption with same-sex couples. File 060356, Copy: Each Supervisor, approximately 1,500 letters received(8)

From Jackie & Glen Kwan, submitting opposition to categorical exemption from environmental review for the Katherine Delmar Burke School Addition at 229 32nd Avenue. File 060240(9)

From Department of the Environment, submitting resolution in support of amending the Public Works Code to recognize sidewalk landscaping as an important contributor to the City's quality of life.File 060142, Copy: Land Use and Economic Development Committee(10)

From Mesha Monge-Irizarry, submitting support for decentralizing the Office of Citizens Complaints.(11)

From Mara Becker, commenting that the San Francisco Tobacco Free Coalition has no right to decide what issues will be brought before the Board of Supervisors.Copy: Supervisor Ma(12)

Becky Duckles, regarding the six trees that may be impacted or removed for the proposed construction of the Katherine Delmar Burke School Addition at 229 32nd Avenue. File 060240, Copy: Each Supervisor(13)

From concerned citizens, submitting support for berthing the USS Iowa in San Francisco. 3 letters(14)

From Ahimsa Sumchai, regarding the change in the Laguna Honda Hospital admission policy.(15)

From concerned citizens, submitting support for the Film Rebate Program. File 060065, Copy: Each Supervisor, 3 letters(16)

From Margaret Epler, commenting that if the City wants to encourage the public to use public transportation the least they can do is provide bill changer machines at all Muni stations. Copy: Each Supervisor(17)

From William Smith, submitting opposition to any proposal that would charge a toll to drive in downtown San Francisco.(18)

From Dan Redmond, submitting opposition to proposed legislation that bans smoking on golf courses in San Francisco. File 060434, Copy: Each Supervisor(19)

From concerned citizens, regarding various comments Supervisor Sandoval made on the Bill O'Reilly show. Copy: Each Supervisor, 6 letters(20)

From Residential Rent Stabilization and Arbitration Board, submitting annual report on eviction notices for the period of March 2005 through February 2006. Copy: Each Supervisor(21)

From Society of Professional Journalists, submitting the reappointment of Erica Craven and Richard Knee to the Sunshine Ordinance Task Force, Seats 1 and 2. Copy: Rules Clerk(22)

From Dana Dillworth, commenting on rezoning the Third Street Corridor.(23)

From Redevelopment Agency, submitting a corrected version of the Bayview Hunters Point Redevelopment Plan Project. Copy: Supervisor Maxwell(24)

From concerned citizens, commenting on the treatment of the anti-abortion protestors at City Hall on March 24, 2006. File 060371, Copy: Each Supervisor, approximately 20 letters(25)

From Kimo Crossman, regarding Earthlink taking over the New Orleans Wi-Fi network.(26)

From Kimo Crossman, regarding why public control of WiFi is important.(27)

From Office of the City Attorney, regarding the critical importance of assuring the accuracy of disclosures the City must make in connection with issuing bonds and other evidence of indebtedness.(28)

From Municipal Transportation Agency, regarding steps being taken to coordinate capital improvement efforts near West Portal Track Replacement Project. (Reference No. 20060131-003) Copy: Supervisor Elsbernd(29)

From concerned citizens, expressing support for rapid transit on Geary and concerns about the Geary Corridor Bus Rapid Transit Study.5 signatures on one letter(30)

From Kimo Crossman, submitting letter entitled "Google faces rivals for SF WiFi" questions about indoor universal coverage persist.(31)

From Department of Public Works, reporting that graffiti has been removed from various locations in District 5. (Reference No. 20060207-007) Copy: Supervisor Mirkarimi(32)

From Department of Public Works, regarding request to repair sidewalks at various locations in District 5. (Reference No. 20060321-005) Copy: Supervisor Mirkarimi(33)

From Caroline Roper-Deyo, concerning tax assessment denial of payment plan offer.(34)

From Bill Tannenbaum, regarding the lack of Muni bus service after 10 p.m.Copy: Supervisor Dufty(35)

From Department of Public Works, reporting that potholes have been filled at various locations in District 5. (Reference No. 20060321-001) Copy: Supervisor Mirkarimi(36)

From Jerry Bland, commenting why he and his family will not be visiting San Francisco.Copy: Each Supervisor(37)

From Public Utilities Commission, submitting the Annual Disclosure Report for the Public Utilities Commission.(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.

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. THE AGENDA PACKET IS AVAILABLE AT CITY HALL, ROOM 244, RECEPTION DESK. Agendas are available on the internet at www.sfgov.org/site/bdsupvrs\_index.asp?id=4383

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

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

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

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

# **Disability access**

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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 assist the City's efforts 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 perfumes and various other chemical-based scented products. Please help the City to accommodate these individuals.

### 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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