

# **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, June 6, 2006  
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 April 25, 2006, May 2, 2006 and May 9, 2006.*

## **AGENDA CHANGES**

## **COMMUNICATIONS**

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

- 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

<b>1.</b>	<b>060502</b>	<b>[Lease of Real Property, 1650 Mission St.]</b>	<b>Mayor</b>
		Resolution authorizing the renewal and expansion of an existing lease for the Human Services Agency and a new lease for the Department of City Planning with an option to purchase at 1650 Mission Street.	
		(Fiscal impact.)	

2. **060574 [Lease of Real Property at 1380 Howard Street]**  
Resolution authorizing the renewal and expansion of a lease of 79,950 sq. ft. of space at 1380 Howard Street for the Department of Public Health. (Real Estate Department)  
(Fiscal impact.)

3.	060639	[Grant of Local Funds - Municipal Transportation Agency]	Mayor
<p>Resolution authorizing the Municipal Transportation Agency to accept and expend \$199,992 of Carl Moyer grant funds from the Bay Area Air Quality Management District to purchase</p>			

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

*Present: Supervisors Dufty, Ma*

- ## Foundations of the Land Use and Economic Development Committee

*Present: Supervisors Maxwell, Sandoval*

- |   |        |  |                               |
|---|--------|--|-------------------------------|
| 7.  | 060142 | [Public Works Code - sidewalk landscape permits] | Mayor, Supervisor Alioto-Pier |
| <p>Ordinance amending the Public Works Code by amending Sections 801, 811, and 812 to recognize sidewalk landscaping as an important contributor to the City's quality of life, to provide for fines and penalties for violating this Ordinance, and to include Arborist Technician in the list of designated employees that can enforce the Urban Forestry Ordinance, respectively; by adding Section 810B to establish a permit process for sidewalk landscape installation and removal, including permit fees and procedures to adjust fees on an annual basis; and making environmental findings.</p> |        |  |                               |

5/23/2006, PASSED ON FIRST READING.

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

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

*Present: Supervisors Mirkarimi, Elsbernd, Ammiano*

- 8.           060386       [55-year Seismic Safety Retrofit Loan Program Loans]       Supervisors Dufty, Mirkarimi, Ammiano**

Ordinance amending San Francisco Administrative Code Sections 66.1, 66.3, 66.4, 66.5, 66A.2, 66A.4, 66A.13, 66A.24, 66A.25, and 66A.26 to allow for 55-year term Seismic Safety Retrofit Loan Program loans, to name the Mayor's Office of Housing as the Seismic Safety Retrofit Loan Program Administrator, and to make certain administrative clarifications.

5/23/2006, PASSED ON FIRST READING.

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

- 9.           060530       [Settlement of Lawsuit - Donald Sargeant]**

Ordinance authorizing settlement of the lawsuit filed by Donald Sargeant against the City and County of San Francisco for \$225,000; the lawsuit was filed on March 25, 2005 in San Francisco Superior Court, Case No. 439-805; entitled Donald Sargeant v. City and County of San Francisco, et al.

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

*Present: Supervisors Mirkarimi, Elsbernd*

- 10.         060557       [Settlement of Lawsuit - Linda Nussbaum]**

Ordinance authorizing settlement of the lawsuit filed by Linda Nussbaum against the City and County of San Francisco for \$170,000; the lawsuit was filed on January 7, 2004 in San Francisco Superior Court, Case No. 427-870; entitled Linda Nussbaum v. City and County of San Francisco, et al. (City Attorney)

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

- 11.         060567       [Settlement of Lawsuit - Eliana Martella]**

Ordinance authorizing settlement of the lawsuit filed by Eliana Martella against the City and County of San Francisco for \$175,000; the lawsuit was filed on July 22, 2004 in Superior Court, Case No. CGC-04433236; entitled Eliana Martella, et al., v. City and County of San Francisco, et al; other material terms of said settlement are the reduction of the San Francisco General Hospital lien from \$17,829.64 to \$12,829.64. (City Attorney)

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

- 12.         060611       [Settlement of Lawsuit - ARCO et al.]**

Ordinance authorizing settlement of the lawsuit filed by the City and County of San Francisco, acting by and through its Airport Commission, against PS Trading 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)

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

*Present: Supervisors Mirkarimi, Elsbernd, Ammiano*

**13. 060406 [Appointment - Shelter Monitoring Committee]**

Resolution appointing Joanne L. Smith, Keith Wayne Kemp, and Damian R. Ochoa, terms ending November 23, 2006, to the Shelter Monitoring Committee.

Joanne L. Smith, succeeding Christoph Jones, resigned, seat 2, must be homeless or formerly homeless, for the unexpired portion of a two-year term ending November 23, 2006.

Keith Wayne Kemp, succeeding Delbert Scott, resigned, seat 5, must be selected from a list of candidates that are nominated by non-profit agencies that provide advocacy or organizing services to homeless people and be homeless or formerly homeless, for the unexpired portion of a two-year term ending November 23, 2006.

Damian R. Ochoa, succeeding Dorothy Harris, resigned, seat 6, must be selected from a list of candidates that are nominated by non-profit agencies that provide advocacy or organizing services to homeless people, for the unexpired portion of a two-year term ending November 23, 2006.

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

**14. 060438 [Appointment - Commission of Animal Control and Welfare]**

Resolution appointing Laurie Kennedy-Routhier, Christine L. Garcia, and Dr. Mara Weiss, terms ending April 30, 2008, to the Commission of Animal Control and Welfare.

Laurie Kennedy-Routhier, succeeding herself, term expired, seat 1, must be a member representing the general public having interest and experience in animal matters, for a two-year term ending April 30, 2008.

Christine L. Garcia, succeeding Joanne Kipnis, term expired, seat 2, must be a member representing the general public having interest and experience in animal matters, for a two-year term ending April 30, 2008.

Dr. Mara Weiss, succeeding herself, term expired, seat 7, must be licensed veterinarian, for a two-year term ending April 30, 2008.

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

*Present: Supervisors Mirkarimi, Elsbernd*

**15. 060568 [Extension of One Year Tolling Agreement between  
Daly City and San Francisco]**

**Supervisor Elsbernd**

Resolution approving one year extension of mutual tolling agreement between the City of Daly City ("Daly City") and the City and County of San Francisco ("San Francisco"). (City Attorney)

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

- |            |               |   |                            |
|------------|---------------|---|----------------------------|
| <b>16.</b> | <b>060569</b> | <b>[Settlement of Claim - Daly City]</b>  | <b>Supervisor Elsbernd</b> |
|            |               | Resolution approving Settlement of Claim by City and County of San Francisco ("San Francisco") against the City of Daly City ("Daly City"). (City Attorney) |                            |

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

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

## REGULAR AGENDA

# UNFINISHED BUSINESS

### From the Clerk

- 17. 060806 [Adopting findings related to the conditional use appeal on property located at 3575 Geary Boulevard]**
- Motion adopting findings related to the appeal of the Planning Commission's approval of Conditional Use Application No. 2003.0410CEK!, a lot size in excess of 9,999 square feet, Sections 121.2 and 712.21 to allow non-residential use size in excess of 5,999 square feet, Section 271 to allow exception from the "A" Bulk Controls in an 80-A Height and Bulk District, and Sections 303 and 304 to allow a Planned Unit Development that would include modifications to the rear yard requirement (Planning Code Section 134), the Open space requirement for senior dwelling units (Planning Code Section 135(d)(3)), the dwelling unit exposure requirement (Planning Code Section 140), and the off-street parking and loading requirements (Planning Code Section 151 and 152) located at 3575 Geary Boulevard; Lot 2 in Assessor's Block 1083, and Lot 4 in Assessor's Block 1084. (Clerk of the Board)
- 5/31/2006, REFERRED to Board of Supervisors.
- Question: Shall this Motion be ADOPTED?**

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

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

*A quorum of the Board of Supervisors was present and a Special Board of Supervisors meeting was held for File 060475.*

- |     |        |   |       |
|-----|--------|---|-------|
| 18. | 060475 | [Public Employment - Mayor's Office of Economic and Workforce Development]          | Mayor |
|     |        | Ordinance amending Ordinance No. 204-05 (Annual Salary Ordinance No. 204-05 (Annual |       |

Salary Ordinance 2005/2006) to reflect the creation of three (3) positions in the Mayor's Office of Economic and Workforce Development.

(Fiscal impact.)

5/23/2006, PASSED ON FIRST READING.

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

### **Recommendation of the Select Committee on Ending Gun and Gang Violence**

*Present: Supervisors Maxwell, Mirkarimi, Ammiano*

- 19.           060086    [Providing for public notice of installation of community safety cameras]** **Supervisors Mirkarimi, Ammiano, Maxwell, Elsbernd**
- Ordinance amending the San Francisco Administrative Code by adding Chapter 19, Sections 19.1 through 19.8, to regulate the installation of community safety cameras, prescribe a notification and approval process for the installation of cameras, and establish protocols for oversight and access to video recordings.
- 5/23/2006, AMENDED. Amended on page 1, line 23 after "monitoring systems" by inserting "traffic reporting cameras".
- 5/23/2006, CONTINUED AS AMENDED. Continued to June 6, 2006 Supervisor Elsbernd requested to be added as a co-sponsor.
- Question: Shall this Ordinance be PASSED ON FIRST READING?**

### **From the City Operations and Neighborhood Services Committee**

- 20.           060107    [Child product safety]** **Supervisors Ma, Maxwell, Alioto-Pier**
- Ordinance amending the San Francisco Health Code by adding Chapter 34, Sections 34.1 through 34.3, to prohibit the manufacture, sale, or distribution in commerce of any toy or child care article that is intended for use by a child under three years of age if it contains bisphenol-A or other specified chemicals, and to require manufacturers to use the least toxic alternative to those substances, and setting an operative date.
- 5/9/2006, CALLED FROM COMMITTEE. Pursuant to Rule 5.31, Supervisor Ma called this measure from City Operations & Neighborhood Services Committee.
- 5/23/2006, PASSED ON FIRST READING.
- Question: Shall this Ordinance be FINALLY PASSED?**

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

*Present: Supervisors Maxwell, Sandoval*

- 21.           051521    [Designate 150 Otis Street, the Juvenile Court and Detention Home, as Landmark No. 248]** **Supervisor Peskin**

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)

9/27/2005, RE-REFERRED to Land Use Committee.

5/23/2006, PASSED ON FIRST READING. Supervisor Daly was previously excused from voting on this matter.

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

## NEW BUSINESS

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

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

22.

**060628 [Board of Appeals Surcharges]**

Ordinance (1) amending Section 10G.1 of the San Francisco Administrative Code to: (a) adjust the surcharges on permits that may be appealed to the Board of Appeals by: (i) reducing the surcharge on tobacco retailer's permits issued by the Department of Public Health pursuant to San Francisco Health Code Section 1009.53 from \$56 to \$26, (ii) reducing the surcharge on permits specified in Police Code Section 2.26 issued by the Police Department from \$17 to \$10, (iii) reducing the surcharge on permits specified in Police Code Section 2.26 issued by the Entertainment Commission from \$10 to \$3, (iv) reducing the surcharge on permits specified in Police Code Section 2.26.1 issued by the Taxi Commission from \$9 to \$3, (v) increasing the surcharge on permits issued by the Department of Building Inspection pursuant to Building Code Section 110, Tables 1-A, 1-F, Item 3, 1-H, 1-K, Item 8, or 1-Q, Item 5, from \$11 to \$13 and (vi) increasing the surcharge on permits issued by the Department of City Planning pursuant to Planning Code Sections 351(h), 352(a), (except for fees imposed for hearings on Conditional Uses under Section 303 or Planned Unit Developments under Section 304), 353(a), 353(b), 353(c), or 355, from \$11 to \$13; (b) adjust the surcharges on annual renewals of permits or licenses associated with permits that may be appealed to the Board of Appeals by: (i) reducing the surcharge on renewal of annual licenses specified in Police Code Section 2.27 issued by the Police Department from \$17 to \$10, (ii) reducing the surcharge on annual licenses specified in Police Code Section 2.27 issued by the Entertainment Commission from \$10 to \$3, and (iii) reducing the surcharge on renewal of annual licenses specified in Police Code Section 2.27.1 issued by the Taxi Commission from \$9 to \$3; (c) imposing a Board of Appeals surcharge of \$26 on renewal of annual licenses for tobacco retailers under San Francisco Health Code Section 1009.54 and Business and Tax Regulations Code Section 249.16; and (d) imposing a Board of Appeals surcharge of \$109.00 for medical cannabis dispensary permits issued by the Department of Public Health pursuant to Health Code Section 3007, and for annual license renewals associated with such permits pursuant to Health Code Section 3318 and Business and Tax Regulations Code Section 249.20; and (2) making findings pursuant to the California Environmental Quality Act, Public Resources Code Section 21080(b)(8)(A), that the surcharges imposed by this ordinance and the adjustments to existing surcharges made by this ordinance are not "projects" and that all such surcharges are imposed for the purpose of meeting operating expenses of the Board of Appeals, including employee wage rates, fringe benefits and other direct and indirect overhead charges attributable to administrative appeals to the Board of Appeals relating to the aforementioned permits and licenses pursuant to Charter Section 4.106 and other applicable

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

- Ordinance approving award of emergency contracts and appropriating \$820,000 for various consultant and construction services on an as-needed basis to relocate the sewer system at the San Francisco Crime Lab and prepare a building program to relocate the forensic lab to a new location.

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

- Resolution concurring with the Controller's certification previously approved under Proposition J that services can be performed by private contractor for a lower cost than similar work performed by City and County employees, for the following services: employee parking management, information booth, public parking management and shuttle bus services (Airport); paratransit and security services (MTA); citation information, janitorial and landscaping, coin counting and collection, security, and towing services (MTA Parking & Traffic); janitorial and security services (Port). (Mayor)

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

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

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

- Ordinance adopting and implementing an arbitration award establishing the Memorandum of Understanding between the City and County of San Francisco and the San Francisco Deputy

Sheriffs' Association to be effective July 1, 2005 through June 30, 2009.  
(Fiscal impact.)

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

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

*Present: Supervisors Maxwell, Mirkarimi*

- |     |        |  |  |
|-----|--------|--|--|
| 27. | 052025 | [Residential Rent Ordinance: Landlord may not sever parking/storage/access to common areas without just cause; tenant entitled to rent reduction upon severance] | Supervisors Mirkarimi, Daly, Maxwell, Peskin |
|-----|--------|--|--|

Ordinance amending Administrative Code Chapter 37 "Residential Rent Stabilization and Arbitration Ordinance" by amending Section 37.2(r) to provide that parking or storage or access to common areas on the same lot, or similar facilities or space on the same lot, may not be severed by the landlord without just cause; and that where such severance does occur the tenant is entitled to a reduction in rent.

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

*Present: Supervisors Maxwell, Sandoval, Peskin*

- |     |        |   |                   |
|-----|--------|---|-------------------|
| 28. | 060372 | [Off-Street Parking In C-3 Zoning Districts And For Bicycles and Car Share] | Supervisor Peskin |
|-----|--------|---|-------------------|

Ordinance amending the San Francisco Planning Code by amending Sections 102.9, 151, 151.1, 154, 155, 155.5, 161, 166, 167 and 309 to impose new requirements in C-3 Zoning Districts regarding permitted off-street parking and loading, allowed off-street freight loading and service vehicle spaces and to separate parking costs from housing costs, to impose new requirements for parking for bicycles and car share vehicles, to exempt from the legislation projects that received final Planning Department or Planning Commission approval and submitted complete site permit applications prior to the effective date of the legislation, to require the Planning Department, the Municipal Transportation Agency and the County Transportation Agency to undertake a study of downtown parking issues, and adopting environmental findings and findings of consistency with the General Plan and the eight priority policies of Planning Code Section 101.1.

(Economic Impact)

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

## Recommendations of the Rules Committee

*Present: Supervisors Mirkarimi, Elsbernd, Ammiano*

29. 060217 [Reporting Sources of Gifts of Travel] Supervisors Sandoval, Ammiano, Mirkarimi

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

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

## 34. ROLL CALL FOR INTRODUCTIONS

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

## 35. PUBLIC COMMENT

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

## FOR ADOPTION WITHOUT COMMITTEE REFERENCE

*These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.*

### Items 36 through 50

- |     |        |   |                    |
|-----|--------|---|--------------------|
| 36. | 060711 | <p><b>[Encouraging churches, synagogues and temples in San Francisco to engage in a coordinated tolling of bells to call attention to the need for an effective suicide barrier on the Golden</b></p> <p>Resolution encouraging churches, synagogues and temples in San Francisco to engage in a coordinated tolling of bells to call attention to the need for an effective suicide barrier on the Golden Gate Bridge.</p> <p>5/23/2006, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.</p> <p><b>Question: Shall this Resolution be ADOPTED?</b></p> | Supervisor Ammiano |
| 37. | 060712 | <p><b>[Commending the heroism of Marlin Coats and urging</b></p>  | Supervisor Ammiano |

Resolution commending the heroism of Marlin Coats and urging the US Government to grant permanent residence to Jacqueline Coats.

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

- file:///BD-SUP-03SVR/...20Site/Meetings%20and%20Minutes%20for%20Vision/BAG/Unlinked%20Board%20Agenda/2006/a060606.htm[10/30/2013 2:23:27 PM]

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

- file:///BD-SUP-03SVR/...20Site/Meetings%20and%20Minutes%20for%20Vision/BAG/Unlinked%20Board%20Agenda/2006/a060606.htm[10/30/2013 2:23:27 PM]

48.           060805           **[Supporting Senate Bill 840, The California Health Insurance Reliability Act of 2005.]**  
Resolution supporting Senate Bill 840 (Kuehl), The California Health Insurance Reliability Act of 2005.  
  
5/31/2006, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.  
  
**Question: Shall this Resolution be ADOPTED?**

49.           060669           **[Final Map 3553 for a 13 Unit Commercial/Residential Condominium Project - 2428 Bayshore Boulevard]**  
Motion approving Final Map 3553, 2428 Bayshore Boulevard, a 13 Unit Commercial/Residential Condominium Project, being a subdivision of that certain parcel described in that certain deed I522 O.R. 1299 recorded Nov. 26, 2003. Also being a Subdivision of Lot 003 in Assessor's Block No. 6249, and adopting findings pursuant to the City's General Plan and priority policies of Planning Code Section 101.1. (Public Works Department)  
  
(DPW Order No. 176,045; District 10.)  
  
5/23/2006, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.  
  
**Question: Shall this Motion be ADOPTED?**

50.           060689           **[Final Map for a 6 Unit Live/Work Condominium Project - 2021 26th Street]**  
Motion approving Final Map of 2021 26th Street, a Live/Work Condominium Project, being a subdivision of Lot 018 in Assessor's Block No. 4327A, and adopting findings pursuant to the City's General Plan and priority policies of Planning Code Section 101.1. (Public Works Department)  
  
(DPW Order No. 176,031; District 10.)  
  
5/23/2006, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.  
  
**Question: Shall this Motion be ADOPTED?**

*Questions on the For Adoption Without Committee Reference Agenda:*\_\_\_\_\_

## 51. IMPERATIVE AGENDA

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

*[Serious Injury Finding]*

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

*[Purely Commendatory Finding]*

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

*[Brown Act Finding]*

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

## **OFF-AGENDA LEGISLATION**

## **PROPOSED ORDINANCES**

*Proposed ordinances received from May 16, 2006 through May 26, 2006, for reference by President to appropriate committee on June 6, 2006.*

**060723      [Settlement of Lawsuit - Chubb Custom Insurance Company]**

Ordinance authorizing settlement of the lawsuit filed by Chubb Custom Insurance Company against the City and County of San Francisco for \$65,000; the lawsuit was filed on February 24, 2005 in San Francisco Superior Court, Case No. 438-921; entitled Chubb Custom Insurance Company, et al., v. City and County of San Francisco, et al. (City Attorney)

5/24/2006, RECEIVED AND ASSIGNED to Rules Committee.

**060724      [Settlement of Lawsuit - Lisa Kenney]**

Ordinance authorizing settlement of the lawsuit filed by Lisa Kenney against the City and County of San Francisco for \$125,000; the lawsuit was filed on November 13, 2003 in San Francisco Superior Court, Case No. 426-365; entitled Lisa Kenney v. City and County of San Francisco, et al. (City Attorney)

5/24/2006, RECEIVED AND ASSIGNED to Rules Committee.

# PROPOSED RESOLUTIONS

*Proposed resolutions received from May 16, 2006 through May 26, 2006, for reference by President to appropriate committee on June 6, 2006.*

**060586 [Amendment to Airport Sublease Agreement]**

Resolution approving Amendment of Sublease No. 00-0347 between Corporation of the Fine Arts Museums and the City and County of San Francisco, acting through its Airport Commission.

5/19/2006, RECEIVED AND ASSIGNED to Budget and Finance Committee.

**060587 [Gift - Private (Mobile Mammography Van)]**

Resolution authorizing the Department of Public Health, San Francisco General Hospital to accept a gift in the amount of \$146,041 from the Avon Foundation, via the San Francisco General Hospital Foundation, for the purchase of technical and logistical services in support of the operation of the mobile mammography facility vehicle, donated to the City in 2004, by the University of California, San Francisco. The mobile mammography facility vehicle provides services to indigent and under-served women in San Francisco.

5/25/2006, RECEIVED AND ASSIGNED to Budget and Finance Committee.

**060722 [Contract approval - Fire Department Emergency Medical Services Billing and Collections]**

Resolution approving the award and execution of San Francisco Fire Department Contract Number 4117-05/06, Emergency Medical Services Billing & Collections, to American Medibanc, Incorporated. In addition to generating approximately \$19 million per year in revenue, out of which the City will pay American Medibanc a percentage varying from 7.0% to 5.5%, contractor also will provide the Department a system for electronic patient data collection and reporting. The term of the contract is four years, with two renewal options of two years each. (Fire Department)

5/24/2006, RECEIVED AND ASSIGNED to Budget and Finance Committee. Department requests this matter be heard as soon as possible.

**060725 [Report of assessment costs for sidewalk and curb repairs]**

Resolution approving report of assessment costs submitted by the Director of Public Works for sidewalk and curb repairs ordered to be performed by said Director pursuant to Sections 707 and 707.1 of the Public Works Code, the costs thereof having been paid for out of a revolving fund. (Public Works Department)

(DPW Order No. 176,050. Locations: 1125 Alabama Street; 1522 Church Street; 370 Lexington Street; 1201 Mission Street; 371 Noe Street; 1157 Stanyan Street; 1348 South Van Ness Avenue.)

5/24/2006, ASSIGNED to Board of Supervisors.

**060802 [Homeless and Senior Services Contract Approval - Episcopal Community Services]**

Resolution approving the contract between the City and County of San Francisco and Episcopal Community Services to provide various safety net services to homeless, formerly homeless, and frail and elderly senior citizens in San Francisco, for the period from July 1, 2006 to June 30, 2012, in the amount of \$59,910,467. (Human Services Department)

5/26/2006, RECEIVED AND ASSIGNED to Budget and Finance Committee. Department requests this matter be scheduled at the earliest meeting as this is time sensitive.

**060803 [Housing Services and Support Services Contract Approval - Tenderloin Housing Clinic]**

Resolution approving the contract between the City and County of San Francisco and the Tenderloin Housing Clinic to provide housing services and support services to formerly homeless adults for the period from July 1, 2006 to June 30, 2009, in the amount of \$41,589,314. (Human Services Department)

5/26/2006, RECEIVED AND ASSIGNED to Budget and Finance Committee. Department requests this matter be scheduled at the earliest meeting as this is time sensitive.

**060812 [Petitions and Communications]**

Petitions and Communications received from May 16, 2006 through May 26, 2006 for reference by the President to Committee considering related matters or to be ordered filed by the Clerk on June 6, 2006.

From Metropolitan Transportation Commission, submitting the 2005 Annual Report for the Metropolitan Transportation Commission and its companion agencies, including the Bay Area Toll Authority (BATA) and the Service Authority for Freeways and Expressways. (1)

From Office of the Controller, submitting the Controller's Annual Report on Contracting Out. (2)

From Office of the Treasurer, submitting investment activity (for fiscal year to date) of the portfolios under the Treasurer's management. (3)

From Planning Department, submitting response to appeal of the Categorical Exemption for 828 Francisco Street, Case No. 2005.0493E. File No. 060570, Copies: Each Supervisor. (4)

From Planning Department, submitting response to the letter of appeal to the Board of Supervisors regarding the issuance of a Categorical Exemption for 2477 Sutter Street, Case No. 2005.0402E. File No. 060490, Copies: Each Supervisor and City Attorney. (5)

From Clerk of the Board, submitting Form 700 Statement of Economic Interest: (6)  
Alice Guiday, Legislative Assistant to Supervisor Maxwell  
Zachary Tuller, Legislative Assistant to Supervisor Ammiano  
Jonathan Wright, Legislative Assistant to Supervisor Sandoval

From Redevelopment Agency, submitting results of the South of Market Project Area Committee Election. Files 052022 and 060082(7)

From Benjamini Associates, Inc., submitting request for a liquor license for 32 Heron Street LLC, at 32 Heron Street.(8)

From Abdallah Megahead, regarding training services for the community if a major earthquake or other big disaster occurs.(9)

From Office of the Mayor, withdrawing the Mayor's nomination of Rebecca Woodson to the Police Commission.(10)

From Office of the Mayor, submitting notice that Supervisor Dufty will be Acting Mayor on May 25 and May 26, 2006; and Supervisor Elsbernd will be Acting Mayor on May 27 and May 28, 2006, while the Mayor is out of the state of California. Copy: Each Supervisor, City Attorney(11)

From Office of the Mayor, submitting copy of vetoed letter for File 060250, which establishes Saturday closure of roads in Golden Gate Park. File 060250, Copy: Each Supervisor, City Attorney(12)

From Planning Department, submitting response to issues raised in a letter to the Board of Supervisors appealing certification of the Final Environmental Impact Report for the 3575 Geary Boulevard Senior Health Services Facility and Senior Housing Project. File 060560, Copy: Each Supervisor, City Attorney(13)

From Redevelopment Agency, submitting verification of consistency with the Redevelopment Plan for the proposed Beverages and More Store at 1301 Van Ness Avenue. File 060287, Copy: City Operations and Neighborhood Services Committee (14)

From Department of Public Health, submitting request for waiver of Administrative Code Chapter 12B for Lab Testing at Laboratory Corporation of America.(15)

From Rebuben and Junius LLP, submitting notice that appeal for project at 828 Francisco Street has been resolved. File 060570, Copy: Each Supervisor(16)

From Clerk of the Board, submitting copy of letter sent to the City Attorney regarding the California Community College Financing Authorizing 2006 Tax and Revenue Anticipation Bonds.(17)

From Municipal Transportation Agency, regarding the State of California Paratransit Minivan Procurement.(18)

From Human Services Agency, submitting request for waiver of Administrative Code Chapters 12B and 12C for Safeway.(19)

From concerned citizens, submitting her concerns with the exceptions to the city code for the proposed project at 3575 Geary Boulevard. File 060560, Copy: Each Supervisor(20)

From Martin Winderl, regarding an emergency preparedness plan for the City and County of San Francisco.(21)

From Planning Department, regarding proposed ordinance that modifies controls in C-3 Zoning Districts for permitted off-street parking, design and access to off-street parking and loading, separating parking costs from housing costs, and to modify controls in all districts for bicycle parking and car sharing. File 060372, Copy Land Use Committee(22)

From Office of the Controller, submitting report concerning an audit of the food and beverage concessions of Host International, Inc. at the San Francisco International Airport.(23)

From City of Pittsburg, submitting a draft environmental impact report for the Trans Bay Cable Project.(24)

From San Francisco Living Wage Coalition, urging the Board to vote for the amendments to the living wage law (the Minimum Compensation Ordinance and the Health Care Accountability Ordinance) to raise wages for non-profit workers, homecare workers and CalWORKs parents. File 051907, Copy: Budget and Finance Committee(25)

From Kristi Kimball, urging the Board to reduce the cost of the sidewalk landscape permit fee. File 060708, Copy: Each Supervisor(26)

From Office of the Controller, submitting report concerning the audit of Tigresse Fashion, LLC.(27)

From Office of the Controller, submitting report concerning the audit of Up From Darkness Inc.(28)

From Office of the Controller, submitting report concerning the overhead rates of selected firms that have performed work under the agreement between the PUC and the Water Infrastructure Partners.(29)

From Office of the Controller, submitting report concerning the audit of Museo Italo Americano.(30)

From Owner, Arguello Pet Hospital, regarding the proposed senior housing project at 3575 Geary Boulevard. File 060620, Copy: Supervisor McGoldrick(31)

From concerned citizens, submitting opposition to proposed ordinance that would prohibit the conversion of residential real property to condominiums when evictions have occurred pursuant to the Ellis Act.File 060443, Copy: Each Supervisor, 18 letters(32)

From Department of Public Works, regarding using rubberized asphalt concrete paving from the California Integrated Waste Management Board. (Reference No. 20060328-016) Copy: Supervisor Elsbernd(33)

From Municipal Transportation Agency, regarding status of efforts to rent out the retail space located at the Performing Arts Garage on Grove Street. (Reference No. 20060328-011) Copy: Supervisor Elsbernd(34)

From Law Offices of Stephen Williams, submitting request for dismissal of appeal of proposed project at 2477-2479 Sutter Street. File 060490, Copy: Each Supervisor(35)

From Director of Administrative Services, submitting two new appointments to the General Services Agency; Amy Brown as Director of Real Estate and John Noguchi as Director of Property Management.(36)

From concerned citizens, submitting support for a pedestrian crosswalk "signal" for Lake Merced Hill. Copy: Each Supervisor, 19 letters(37)

From concerned citizens, submitting support for continued funding of the Neighborhood

Emergency Response Training (NERT) program taught by the Fire Department. 3 letters(38)

From Public Utilities Commission, responding to request to report on the status of removing graffiti from utility poles at various locations in District 5. (Reference No. 20060425-016)  
Copy: Supervisor Mirkarimi(39)

From Municipal Transportation Agency, regarding where the Transbay Terminal project stands on its list of priorities for capital projects.(40)

From Vince Blaskovich, submitting his concerns with King Swimming Pool. Copy: Each Supervisor, Recreation and Park(41)

From concerned citizens, commenting on proposal to close JFK Drive in Golden Gate Park on Saturdays. File 060250, Copy: Each Supervisor, 5 letters(42)

From Charles Sears II, submitting support for more surveillance cameras for neighborhoods blighted by crime. Copy: Each Supervisor(43)

From concerned citizens, commenting on the Bayview Hunters Point Redevelopment Plan. File 060343, Copy: Each Supervisor, 3 letters(44)

From James Patton, commenting how difficult it is to access Octavia Street from Oak Street and the freeway from Market Street. Copy: Each Supervisor(45)

From Geri Hom, regarding her dissatisfaction with the golf rates at Harding Golf Course.Copy: Each Supervisor(46)

From Ahimsa Sumchai, commenting on the management audit of the Office of Emergency Services.(47)

From State Rules Committee, submitting notice of appointment of Maribel Marin, Felton Richardson and Leo Vander Lans as members of the Water Quality Control Board, Los Angeles Region.(48)

From the City of Fremont, submitting letter in support of the County of Alameda's request for a commitment to further study and mitigation of identified flood control impacts resulting from removal of Sunol and Niles Dams on Alameda Creek. File 060550(49)

From Abdallah Megahead, submitting copy of letter sent to the Mayor asking for assistance with a minivan that was towed by Ruben Emery of Eagle Towing.(50)

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, 3 letters(51)

From concerned citizens, submitting support for a capital plan to fund critical infrastructure needs throughout the City. File 060585, Copy: Budget and Finance Committee, 2 letters(52)

From State Department of Health Services, submitting the Child Health and Disability Prevention allocations for fiscal year 2006-07.(53)

From Department of Public Health, submitting report concerning the monitoring of nonprofit organizations that received federal funding through the Department of Public Health.(54)

From Law Offices of Brian Gaffney, submitting additional comments regarding the Final Environmental Impact Report as reflected in the responses to comments published March 6, 2005. File 060560(55)

From State Department of Water Resources, submitting the California Water Plan Update, Volumes 1, 2, 3.(56)

From Bridge Housing, submitting report on the proposed project at 3575 Geary Boulevard for mixed-use senior health services and supportive and affordable senior housing units. File 060620, Copy: Each Supervisor, City Attorney(57)

From Redevelopment Agency, submitting it's financial and performance reports for the fiscal year ended June 30, 2005.(58)

## **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](http://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 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 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](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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