Full Board Agendas

# Board of Supervisors City and County of San Francisco

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



#### **AGENDA**

Tuesday, November 7, 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

Motion to approve Board Meeting Minutes for October 3, 2006 and October 17, 2006.

#### AGENDA CHANGES

#### **COMMUNICATIONS**

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

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

#### **CONSENT AGENDA**

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

#### **Items 1 through 11**

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

Present: Supervisors Daly, Dufty, Peskin

## 1. 061373 [Appropriating \$10,675,589 of State and Federal revenues for various programs in the Department of Human Services for Fiscal Year 2006-2007]

**Mayor, Supervisor Dufty** 

Ordinance authorizing the Department of Human Services to accept and expend a Federal food stamps grant in the amount of \$999,993, and appropriating \$10,675,589 of State and Federal revenues for CalWORKS Work Participation Program, the Family and Children's Services Child Welfare Services Program, the Food Stamps Outreach Program, the Housing and Homeless Management Information System Program, and the Workforce Development's Food Stamps Employment and Training Program in the Department of Human Services for Fiscal Year 2006-2007.

(Fiscal impact.)

10/31/2006, PASSED ON FIRST READING.

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

#### 2. 061374 [Public Employment - Human Services Agency]

Mayor

Ordinance amending Ordinance No. 203-06 (Annual Salary Ordinance FY 2006-2007) to reflect the addition of 35.8 new positions at the Human Services Agency.

(Fiscal impact.)

10/31/2006, PASSED ON FIRST READING.

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

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

Present: Supervisors Maxwell, Sandoval, Peskin

### 3. 061210 [Allowing advertising on E-Line and Third Street Light Rail Line boarding platforms]

**Supervisor Maxwell** 

Ordinance amending Article 6 of the San Francisco Planning Code by amending Section 603 thereof, to permit transit shelter advertising on public transit boarding platforms in connection with the E-Line and Third Street Light Rail Line projects; and adopting findings pursuant to City Planning Code Section 101.1.

10/31/2006, PASSED ON FIRST READING.

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

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

Present: Supervisors Mirkarimi, Elsbernd, Ammiano

#### 4. 060396 [Slavery Era Disclosure]

Supervisors Maxwell, Mirkarimi, Ammiano, Dufty, Daly, Alioto-Pier, McGoldrick, Ma, Sandoval

Ordinance amending the San Francisco Administrative Code by adding Chapter 12W, Sections 12W.1 through 12W.7, to require contractors providing insurance and insurance services, financial services, or textiles to the City to disclose any participation in the slave trade, and creating an account, to which contractors subject to this ordinance, and others, may make voluntary contributions, and requiring that monies donated to this account be used to fund economic development and educational initiatives designed to ameliorate the effects of slavery upon the residents of San Francisco.

10/31/2006, PASSED ON FIRST READING. Supervisors Dufty, Daly, Alioto-Pier, McGoldrick, Ma, Sandoval requested to be added as co-sponsors.

Question: Shall this Ordinance be FINALLY PASSED?

#### 5. 061167

#### [Authorizing the City to contribute to the payment of funeral costs of City employees who have died in the line of duty]

Supervisors Peskin, Mirkarimi, Ammiano, Dufty

Ordinance amending the San Francisco Administrative Code by adding Section 16.7, to authorize the City to contribute to the payment of funeral costs of City employees who have died in the line of duty, including payments retroactive to July 1, 2006.

10/31/2006, PASSED ON FIRST READING. Supervisor Dufty requested to be added as a co-sponsor.

Question: Shall this Ordinance be FINALLY PASSED?

#### **6.** 061359

### [Settlement of Lawsuit - CCSF v. William D. Spencer, F. W. Spencer & Son, Inc., et. al.]

Ordinance authorizing settlement of the lawsuit filed by the City and County of San Francisco against William D. Spencer, F.W. Spencer & Son, Inc., Brisbane Mechanical Company, Bruce Bonar, Lou Thomas, William McGahan (together, the "Spencer Parties"), A. Answer, Inc. and Troy's Contracting, Inc. on January 16, 2004 in San Francisco Superior Court, Case No. CGC -04-429249, entitled, City and County of San Francisco et. al. v. F. W. Spencer & Son, Inc. et. al., with (a) the Spencer Parties paying \$2,000,000 by January 24, 2007, and dismissing its actions and cross-actions against the City and others and the

Spencer Parties releasing all claims on the Moscone Center Expansion Project and The San Francisco Jail Replacement No. 3 Project; and (b) A. Answer, Inc. and Troy's Contracting, Inc. paying \$124,000 within 60 days of final approval of this settlement. The Spencer Parties' action was brought against San Francisco, City Attorney Dennis Herrera and others, and was coordinated as part of the California Judicial Council Coordination Proceeding No. 4379. (City Attorney)

10/31/2006, PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

#### 7. 061401 [Settlement of Lawsuit - Daniel Kuhstoss]

Ordinance authorizing settlement of the lawsuit filed by Daniel Kuhstoss against the City and County of San Francisco for \$465,000; the lawsuit was filed on April 18, 2005 in San Francisco Superior Court, Case No. 440-542; entitled Daniel Kuhstoss, et al., v. City and County of San Francisco, et al. (City Attorney)

Question: Shall this Ordinance be PASSED ON FIRST READING?

#### 8. 061402 [Settlement of Lawsuit - Kevin Roy Jordan]

Ordinance authorizing settlement of the lawsuit filed by Kevin Roy Jordan against the City and County of San Francisco for \$100,000.00; the lawsuit was filed on February 21, 2003 in United States District Court, Case No. C03-1194; entitled Kevin Jordan, et al., v. City and County of San Francisco, et al. (City Attorney)

Question: Shall this Ordinance be PASSED ON FIRST READING?

#### 9. 061403 [Settlement of Lawsuit - Vilda and Amber Curry]

Ordinance authorizing settlement of the lawsuit filed by Vilda Curry and Amber Curry, by and through her guardian ad litem, Vilda Curry against the City and County of San Francisco for \$625,000; the lawsuit was filed on March 31, 2003 in San Francisco Superior Court, Case No. 417-407; entitled Vilda Curry, et al. v. City and County of San Francisco, et al. (City Attorney)

Question: Shall this Ordinance be PASSED ON FIRST READING?

## 10. 061413 [Settlement of Grievance - United Association of Journeymen and Apprentices of the Plumbing and Pipe Fitting Industry, Local 38 ("Union")]

Resolution approving the settlement of the grievance (ERD No. 40-05-1446) filed by United Association of Journeymen and Apprentices of the Plumbing and Pipe Fitting Industry, Local 38 ("Union") on behalf of Grievants against the City and County of San Francisco for \$167,090.33. Other material term of said settlement is that Grievants and Union shall release all claims relating to the aforementioned grievance (ERD No. 40-05-1446). (Human Resources Department)

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

#### 11. 061408 [Appointment - Asthma Task Force]

Resolution appointing Nadia Thind, term ending June 30, 2007, to the Asthma Task Force. Nadia Thind, succeeding Gretchen Skaggs, resigned, seat 3, must be a representative of a

childcare coordinating/advocacy organization and is a voting member, for the unexpired portion of a two-year term ending June 30, 2007.

**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

## 12. 061483 [Adopting findings related to affirming the categorical exemption issued for the 1 La Avanzada Street project]

Motion adopting findings related to affirming the determination by the Planning Department that the 1 La Avanzada Street project is categorically exempt from environmental review under the California Environmental Quality Act.

10/25/2006, REFERRED to Board of Supervisors.

Question: Shall this Motion be APPROVED?

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

Present: Supervisors Maxwell, Sandoval, McGoldrick

### 13. 050176 [Amending the Planning Code to make all massage establishments conditional uses] Supervisors Ma, Maxwell, Sandoval

Ordinance amending Sections 218.1, 710.54, 711.54, 712.54, 713.54, 716.54, 717.54, 718.54, 719.54, 720.54, 721.54, 722.54, 723.54, 724.54, 725.54, 726.54, 727.54, 728.54, 729.54, 730.54, 810.54, 811.54, 812.54, 790.60 and 890.60 of the Planning Code to define massage establishments per Section 1900 of the Health Code, to provide that all massage establishments shall be permitted as conditional uses, to provide that non-incidental massage establishments must first obtain all required permits from the Health Department before seeking a conditional use permit, and making findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan.

6/7/2005, RE-REFERRED to Land Use Committee. Supervisor Sandoval requested to be added as a co-sponsor.

9/19/2006, CONTINUED. Continued to October 24, 2006

10/24/2006, AMENDED.

10/24/2006, CONTINUED AS AMENDED. Continued to November 7, 2006

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

#### **NEW BUSINESS**

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

Present: Supervisors Daly, Dufty, Peskin

#### 14. 061370 [Contract Amendment - CCSF and CBS Outdoor]

**Supervisor Maxwell** 

Mayor, Supervisors Daly, Dufty

Ordinance approving Fourth Amendment to Advertising Transit Shelter Agreement between the City and County of San Francisco and CBS Outdoor, to permit the contractor to advertise on the Third Street light rail vehicle platforms in exchange for maintenance of those platforms; to add shelters to the E-Line boarding islands; and retroactively consenting to the voluntary assignment of the Agreement from Outdoor Systems to Infinity Outdoor, and from Infinity Outdoor to Viacom Outdoor (now known as CBS Outdoor).

Question: Shall this Ordinance be PASSED ON FIRST READING?

#### 15. 061510 [Contract Amendment - CCSF and CBS Outdoor]

Ordinance approving Fourth Amendment to Advertising Transit Shelter Agreement between the City and County of San Francisco and CBS Outdoor, to extend the agreement six months. (Supervisor Daly dissenting in committee.)

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

Present: Supervisors Daly, Dufty

#### **16. 061428**

## [Appropriating \$1,250,941 of Federal, State and General Fund Reserve to support overtime costs in the Sheriff's Department for Fiscal Year 2006-2007]

Ordinance appropriating \$433,881 Federal revenue, \$181,609 State revenue and \$635,451 General Fund reserve to retroactively support overtime costs related to the staffing of one additional inmate Pod at the San Bruno Jail and increased boarding of prisoners in the Sheriff's Department for Fiscal Year 2006-2007, and placing \$667,530 on Financial Committee reserve pending review of actual overtime expenditures.

(Fiscal impact.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

Present: Supervisors Daly, Dufty, Peskin

#### 17. 061475

### [Contract with anticipated expenditure in excess of \$10 million]

Resolution approving the Fifth Amendment to the agreement between the City and County of

San Francisco (Purchaser) and Sunset Scavenger Company (Contractor) for hauling services, resulting in total compensation to the contractor in an amount not to exceed \$10,650,000, pursuant to San Francisco Charter Section 9.118(b).

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

Present: Supervisors Daly, Dufty

# 18. 060484 [Authorizing the Department of Telecommunications and Information Services to amend its contract with Motorola, Inc. to exceed \$20 million and extend the time for an additional ten years]

**Supervisor Elsbernd** 

Resolution authorizing the Department of Telecommunications and Information Services to enter into the Sixth Amendment between the City and Motorola, Inc., to increase the authorization for the contract's anticipated expenditures to \$20 million, and extend the time of the contract.

(Fiscal impact.)

Question: Shall this Resolution be ADOPTED?

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

Present: Supervisors Maxwell, Sandoval, McGoldrick

## 19. 061376 [Rent Ordinance: applies to units where a tenant's occupancy predates federal low income housing tax credits]

Supervisors Peskin, Maxwell, McGoldrick

Ordinance amending Residential Rent Stabilization and Arbitration Ordinance (Administrative Code Chapter 37, "Rent Ordinance") by amending the Section 37.2(r)(4) definition of "rental units" covered by the ordinance to include units in buildings for which tax credits are reserved or obtained pursuant to the federal low income housing tax credit program (LIHTC, Section 42 Internal Revenue Code, 26 U.S.C. Section 42), where: a tenant's occupancy pre-dates recordation of the LIHTC regulatory agreement; and, the rent is not otherwise controlled or regulated by any use restrictions imposed by the San Francisco Redevelopment Agency, the State of California Office of Housing and Community Development, the United States Department of Housing and Urban Development or the City. This change will encompass rental units where the qualifying tenant is in possession of the unit on or after the effective date of this ordinance, including any unit where the tenant has been served with a notice to quit but has not vacated the unit and there is no final judgment against the tenant for possession of the unit prior to the effective date of this ordinance, including any unit where the tenant has been served with a notice to quit but has not vacated the unit and there is no final judgment against the tenant for possession of the unit prior to the effective date of this ordinance.

Question: Shall this Ordinance be PASSED ON FIRST READING?

#### 20. 061238 [Zoning Map Amendment - 710 Market Street, Northwest of the Intersection of Market, Kearny and

**Supervisor Daly** 

#### Geary Streets, Block 0312, Lot 003]

Ordinance amending the San Francisco Planning Code by amending Sheet 1 of the Zoning Map of the City and County of San Francisco to change the use district designation of Assessor's Block 0312, Lot 003 from C-3-R 3 (Downtown Retail) to C-3-O (Downtown Office), and amending Sheet 1H of the Zoning Map to change the height and bulk district classification of Assessor's Block 0312, Lot 003 from 80-130-F to 150-X; adopting findings pursuant to the California Environmental Quality Act and findings of consistency with the General Plan and the priority policies of Planning Code Section 101.1. (Planning Department)

Question: Shall this Ordinance be PASSED ON FIRST READING?

#### 21. 061237 [General Plan Amendment - 710 Market Street, Northwest of the Intersection of Market, Kearny and Geary Streets, Block 0312, Lot 003]

**Supervisor Daly** 

Ordinance amending the General Plan of the City and County of San Francisco by amending Map 1 (Downtown Land Use and Density Plan) and Map 5 (Proposed Height and Bulk Districts) of the Downtown Area Plan to change the land use designation of Assessor's Block 0312, Lot 003 from Downtown Retail to Downtown Office and the height and bulk district classification from 80-130-F to a 150-X; adopting findings pursuant to the California Environmental Quality Act and findings of consistency with the Priority Policies of Planning Code Section 101.1. (Planning Department)

Question: Shall this Ordinance be PASSED ON FIRST READING?

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

Present: Supervisors Mirkarimi, Elsbernd, Ammiano

### 22. 061456 [Confirmation - San Francisco Redevelopment Agency]

Resolution confirming the reappointment of Leroy King by the Mayor, term ending September 3, 2010, to the San Francisco Redevelopment Agency.

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

### 23. 061458 [Appointment - California State Association of Counties]

Resolution appointing Supervisor Jake McGoldrick, term ending November 28, 2007, to the California State Association of Counties Board of Directors.

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

### 24. 061459 [Appointment - California State Association of Counties]

Resolution appointing Supervisor Chris Daly, term ending November 28, 2007, as an alternate member to the California State Association of Counties Board of Directors.

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

#### SPECIAL ORDER 3:00 P.M.

### 25. 061417 [Hearing -Tentative Parcel Map, 455 Buena Vista East]

Hearing of persons interested in or objecting to the decision of the Department of Public Works dated October 3, 2006, approving a proposed Tentative Parcel Map to create a 2-Lot Subdivision project located at 455 Buena Vista Avenue, Lot 270 in Assessor's Block 2607. (Appellant: Peter Yedidia).

(Filed October 13, 2006; companion measure to Files 061487, 061488, 061489; District 8.)

Action:		
ACHOII.		

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

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

## 26. 061487 [Approving decision of the Director of Public Works and approving the Tentative Parcel Map for 455 Buena Vista East]

Motion approving decision of the Director of Public Works and approving the Tentative Parcel Map for a 2-lot subdivision project at 455 Buena Vista East, Lot 270 in Assessor's Block 2607, and making environmental and General Plan findings.

**Question: Shall this Motion be APPROVED?** 

## 27. 061488 [Disapproving decision of the Director of Public Works and disapproving the Tentative Parcel Map for 455 Buena Vista East]

Motion disapproving decision of the Director of Public Works and disapproving the Tentative Parcel Map for a 2-lot subdivision project at 455 Buena Vista East, Lot 270 in Assessor's Block 2607, and making environmental and General Plan findings.

**Question: Shall this Motion be APPROVED?** 

### 28. 061489 [Preparation of findings related to the Tentative Parcel Map appeal for 455 Buena Vista East]

Motion directing the Clerk of the Board to prepare findings relating to the Board of Supervisors' decision concerning a Tentative Parcel Map for a 2-lot subdivision project at 455 Buena Vista East, Lot 270 in Assessor's Block 2607, and making environmental and General Plan findings.

Question: Shall this Motion be APPROVED?

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

#### **COMMITTEE REPORTS**

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

The following item will be considered by the City Operations and Neighborhood Services Committee at a Regular Meeting on Monday, November 6, 2006 at 1:00 p.m. The Chair intends to request the Committee to send the following item to the Board as a committee report on Tuesday, November 7, 2006.

### 29. 061205 [Policy making marijuana offenses the lowest law enforcement priority]

**Supervisor Ammiano** 

Draft Ordinance amending the San Francisco Administrative Code by adding Chapter 12X to make marijuana offenses by adults the lowest law enforcement priority in San Francisco, establish a Community Oversight Committee, and require notification of state and federal officials.

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

The following item will be considered by the Land Use and Economic Development Committee at a Rescheduled Meeting on Tuesday, November 7, 2006 at 10:00 a.m. The Chair intends to request the Committee to send the following item to the Board as a committee report on Tuesday, November 7, 2006.

### 30. 061213 [Approving a General Plan Amendment Related to the Trinity Plaza Project at Market and 8th Streets]

**Supervisor Daly** 

Ordinance amending the San Francisco General Plan by amending the height and bulk districts found on "Map 5 - Proposed Height and Bulk Districts," and referred to in Policy 13.1 of the Downtown Area Plan, for the proposed Trinity Plaza Special Use District, which encompasses the real property located at 1167 Market Street (Assessor's Block 3702, Lot No. 053), 670 Stevenson Street (Assessor's Block 3702, Lot No. 051), 693 Stevenson Street (Assessor's Block 3702, Lot No. 052), 1164 Mission Street (Assessor's Block 3702, Lot No. 039), and a portion of former Jessie Street between 7th and 8th Streets, by changing the height and bulk classification from 120-X, 150-X and 240-S to 160-X, 180-X and 240-S; adopting environmental findings and findings that the proposed General Plan amendments are consistent with the General Plan and eight Priority Policies of Planning Code Section 101.1.

Question: Shall this Ordinance be PASSED ON FIRST READING?

#### 31. ROLL CALL FOR INTRODUCTIONS

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

#### 32. PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which

have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to 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 33 through 40

## 33. [Committee of the Whole on December 5, 2006, at 3:00 pm on adopting a Resolution to acquire property by Eminent Domain - Islais Creek MUNI Maintenance

**Supervisor Maxwell** 

Facility]

Motion directing the Board of Supervisors to hold a public hearing on December 5, 2006, at 3:00 p.m., with the Board sitting as a committee of the whole, to consider adopting a Resolution of Necessity for the City's proposed acquisition by eminent domain of 2.8 acres of property adjacent to City property at Indiana and Cesar Chavez Streets consisting of portions of Assessor's Lots 2, 2A and 13 in Block 4349 and a portion of Assessor's Lot 3 in Block 4382, in the City and County of San Francisco, for construction of the Municipal Railway's new Islais Creek Motor Coach Operations and Maintenance Facility.

10/3/2006, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

10/17/2006, AMENDED. Amended by replacing "November 7, 2006" with "December 5, 2006."

10/17/2006, CONTINUED AS AMENDED. Continued to November 7, 2006

Question: Shall this Motion be APPROVED?

#### 34. 061501 [Ji Han Jae Day]

Supervisor Ma

Resolution declaring November 11, 2006 as "Ji Han Jae Day" in the City and County of San Francisco.

10/31/2006, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

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

### 35. 061502 [Declaring November 2006 Lung Cancer Awareness Month]

**Supervisor Maxwell** 

Resolution declaring November 2006 Lung Cancer Awareness Month and urges public officials and the citizens of San Francisco to observe the month with appropriate activities

and programs during this month and throughout the year.

10/31/2006, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

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

#### 36. 061503 [Commending Food Security Task Force]

Supervisor Maxwell

Resolution commending Food Security Task Force for their dedication and commitment to improving the quality of food programs in City and County of San Francisco.

10/31/2006, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

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

#### **37. 061504**

#### [Commending The Lower Haight Street Merchants Association and Block Party Organizers for the First Annual Lower Haight Block Party]

Supervisor Mirkarimi

Resolution commending the The Lower Haight Street Merchants Association and Block Party Organizers for founding the First Annual Lower Haight Street Block Party.

10/31/2006, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

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

#### **38. 061505**

### [Commending the organizers of the first Alamo Square Movie Night]

**Supervisor Mirkarimi** 

Resolution commending the organizers of the first Alamo Square Movie Night.

 $10/\!31/\!2006,$  REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

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

#### **39. 061506**

#### [Commending Fiona Ma]

**Supervisor Peskin** 

Resolution commending Fiona Ma for her distinguished service as Member of the Board of Supervisors of the City and County of San Francisco.

10/31/2006, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

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

#### 40. 061507

### [Proclaiming November 14, 2006 as Stoney, A Clown Who Rabble Rouses in Defense of Free Speech, Day]

**Supervisor Sandoval** 

Resolution proclaiming November 14, 2006 as Stoney Day.

10/31/2006, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

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

Questions on the	For Adoption	Without	Committee	Reference
Agenda:				

#### 41. 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 October 24, 2006 through October 30, 2006, for reference by President to appropriate committee on November 7, 2006.

None.

#### PROPOSED RESOLUTIONS

Proposed resolutions received from October 24, 2006 through October 30, 2006, for reference by President to appropriate committee on November 7, 2006.

### 061484 [Settlement of Unlitigated Claim - Fremont Investment Advisor, Inc.]

Resolution approving the settlement of the unlitigated Claim No. 06-02119 filed by Fremont

Investment Advisor, Inc. for Payroll Tax Refund against the City and County of San Francisco for \$33,041.34.

10/24/2006, RECEIVED AND ASSIGNED to Rules Committee.

#### **O61511** [Petitions and Communications]

Petitions and Communications received from October 24, 2006 through October 30, 2006 for reference by the President to Committee considering related matters or to be ordered filed by the Clerk on November 7, 2006.

From concerned citizens, submitting support for approval of a lease extension for the St. Francis Yacht Club. File 061351, Copy: Budget and Finance Committee, 2 letters(1)

From Public Utilities Commission, regarding status of removing graffiti from utility poles at various locations in District 5.(Reference No. 20061003-006) Copy: Supervisor Mirkarimi(2)

From Department of Parking and Traffic, regarding status of replacing the parking signs at various locations in District 5. (Reference No. 20061017-008) Copy: Supervisor Mirkarimi(3)

From Christian Holmer, submitting letter entitled "Mayor Newsom holding meetings in City Hall; anonymous request for passive meeting body notice and access." (4)

From West of Twin Peaks Central Council, submitting support for proposed legislation regarding making all massage establishments conditional uses. File 050176(5)

From Department of Human Services, submitting request for waiver of Administrative Code Chapters 12B and 12C for Civic Center Plaza Garage.(6)

From Office of Contract Administration, submitting a fifth amendment to Biosolids Removal Contract number, CS-818, Sunset Scavenger Company. File 061475, Copy: Budget and Finance Committee members(7)

From Airport, submitting notice that effective October 30, 2006, all persons applying for, or currently in possession of a San Francisco International Airport ("SFO") ID badge must complete a new application form and provide proof of U.S. citizenship or proof of work authorization. Copy: Each Supervisor(8)

From Kathleen McLaughlin, submitting copy of letter sent to the S.F. Paratransit Broker Office regarding her disappointment with the award of the contract for van service for the disabled to Trans Metro.(9)

From Francisco Da Costa, regarding Mayor Newsom's State of the City Address at Burton High School.(10)

From Office of the Controller, submitting report on Memorandum of Understanding reserve transfers for the first quarter of fiscal year 2006-07. Copy: Budget and Finance Committee members, Clerk(11)

From Housing Authority, regarding status of construction of the community room at the Robert B. Pitts development. (Reference No. 20060919-014) Copy: Supervisor Mirkarimi(12)

From Francisco Da Costa, commenting on 30 youth that were rounded up and incarcerated by

SF Juvenile Authorities.(13)

From Clerk of the Board, submitting Form 700 Statement of Economic Interest from Gregory Asay, Legislative Assistant to Supervisor Maxwell.(14)

From Department of Human Services, submitting quarterly update for the Human Services Care Fund.(15)

From Michele Maas, proposing the City and County of San Francisco appoint a Native American to a seat on a decision-making board, particularly in respect to funding allocations in areas of substance abuse, mental health, housing and environmental areas. Copy: Each Supervisor(16)

From Vincent Poy & Lan-Fong Poy, requesting assistance from the Board concerning an unresolved issue with the Housing Authority. Copy: Supervisor Peskin(17)

From concerned citizens, submitting support for the "San Francisco Slavery Disclosure Ordinance." File 060376, 5 letters(18)

From Christian Holmer, submitting letter entitled "Emergency Communications Department: US Mail: Homeland Security: Pony Express Tsunami Warnings - Oh My!"(19)

From Eugene Chow, submitting support for legislation to remove street cleaning services in residential neighborhoods. Copy: Each Supervisor(20)

From Planning Department, requesting the Board to continue the consideration of proposed amendment to the Administrative Code Chapter 31 regarding provisions for appeals of environmental documents and determinations. File 061311, Copy: Land Use Committee members(21)

From Maxine Doogan, urging the Board of Supervisors to put before the voters a "Non Enforcement of the Prostitution Laws and Protection of Sex Workers" on the ballot for 2007. File 050176, Each Supervisor(22)

From Francisco Da Costa, regarding dangerous dust particles of asbestos in Hunters Point.(23)

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(24)

From Miles Berger, submitting copy of letter sent to Supervisor Daly regarding alternative late night transportation options for club-goers in the South of Market area.(25)

From Francisco Da Costa, regarding Garfield Park's outreach for peace and understanding.(26)

From Mesha Monge-Irizarry, regarding her current living situation.(27)

#### **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**

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

**Return to Full Board Agendas**