

BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

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

MEETING MINUTES

Tuesday, March 29, 2005 2:00 PM

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

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*

BOARD COMMITTEES

Committee Membership

Budget and Finance Committee

Supervisors Ammiano, Daly, Elsbernd, Ma, McGoldrick

Budget and Finance Subcommittee

Supervisors Ammiano, Daly, Elsbernd

City and School District Select Committee

Supervisors Ammiano, Maxwell, Ma, Commissioners Chin, Kelly, Wynns, Delegate Wong

City Operations and Neighborhood Services Committee

Supervisors McGoldrick, Dufty, Ma

Government Audit and Oversight Committee

Supervisors Peskin, Elsbernd, Mirkarimi

Land Use Committee

Supervisors Maxwell, Sandoval, McGoldrick

Rules Committee

Supervisors Alioto-Pier, Mirkarimi, Peskin

Meeting Days

Thursday
1:00 PM

Thursday
11:00 AM

2nd Monday (Bi-Monthly)
4:00 PM

1st and 3rd Monday
1:00 PM

2nd and 4th Monday
1:00 PM

Wednesday
1:00 PM

Wednesday
10:00 AM

First-named Supervisor/Commissioner is Chair, Second-named Supervisor/Commissioner is Vice-Chair, of the Committee.

Volume 100 Number 12

Members Present: Michela Alioto-Pier, Tom Ammiano, Bevan Dufty, Sean Elsbernd, Fiona Ma, Sophie Maxwell, Jake McGoldrick, Ross Mirkarimi, Aaron Peskin.

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:07 p.m. On the call of the roll Supervisors Daly and Sandoval were noted absent.

Quorum present.

Supervisors Daly and Sandoval were previously excused from attending today's meeting. (See Infra)

Supervisors Daly and Sandoval Excused from Attendance

Supervisor Mirkarimi, seconded by Supervisor Ma, moved to excuse Supervisors Daly and Sandoval from attending today's meeting. The motion carried by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin
Excused: 2 - Daly, Sandoval

AGENDA CHANGES

COMMUNICATIONS

CONSENT AGENDA

Recommendations of the Budget and Finance Subcommittee

050330 [Contract between DPH and Triage Consulting Group to provide retroactive claiming of aged accounts services]

Resolution authorizing the Director of Public Health and the Director of the Office of Contract Administration/Purchaser to continue a contract between the City and County of San Francisco and Triage Consulting Group to provide retroactive claiming of aged accounts services for the period of July 1, 2004 through June 30, 2008. (Public Health Department)

Resolution No. 232-05

ADOPTED

041272 [To appropriate funding from the General Reserve to increase available funding in the Election Fund for public financing]**Supervisor Daly**

Ordinance appropriating, retroactively, \$87,678 from the General Fund Reserve to increase funds in the Election Campaign Fund for the purpose of public financing of all eligible candidates for the Ethics Commission for fiscal year 2004-2005.

(Fiscal impact.)

Ordinance No. 57-05**FINALLY PASSED****050117 [Re-appropriate funding from Earthquake Safety Bond Phases 1 & 2 proceeds; re-appropriate funding from the Fire Bond proceeds and appropriate interest]****Mayor**

Ordinance re-appropriating \$5,769,221 from the Earthquake Safety Bond Phases 1 & 2 proceeds to fund \$2,724,875 on San Bruno Jail construction, \$2,746,336 on San Francisco Juvenile Hall Guidance Center Project construction, and \$298,010 for 4th Street Bridge construction for fiscal year 2004-05 and backfilling \$326,000 of lower COP interest earnings with Earthquake Safety Bond interest earnings for San Bruno Jail construction. Additionally, to re-appropriate \$487,610 from the sale of Fire Bond proceeds and to appropriate \$1,993,370 from Fire Bond interest earnings to fund construction expenses for Fire Station 2 for the Department of Public Works for fiscal year 2004-2005.

(Fiscal impact.)

Ordinance No. 60-05**FINALLY PASSED****050137 [Public Employment - Various Departments]****Supervisor McGoldrick**

Ordinance amending Ordinance No. 198-04 (Annual Salary Ordinance 2004/2005) reflecting the deletion of 7.4 positions at Airport Commission, Department of Human Resources, Human Services Agency, Public Health, Public Works, Recreation and Park, Human Rights Commission, and the Department on the Status of Women.

(Fiscal impact.)

Ordinance No. 62-05**FINALLY PASSED****Recommendations of the Rules Committee**

050061 [Real Property Reporting and Planning]
Supervisors Elsbernd, Alioto-Pier, Mirkarimi, Peskin

Ordinance adding Section 23.8 to the San Francisco Administrative Code to establish a City policy that all City departments report annually to the Real Estate Division certain real property information, that relevant property information be recorded and geographically displayed in the Real Estate Information System (REIS), and the Director of Property prepare an annual report to the Board of Supervisors with real property asset management recommendations.

Ordinance No. 59-05
FINALLY PASSED

050459 [Appointment - Children and Families First Commission]

Resolution appointing Hector Melendez, term ending April 29, 2006, to the Children and Families First Commission.

Hector Melendez, succeeding Margaret Brodtkin, seat 5, resigned, must represent one or more of the following: children services, public health services; behavioral health services, social services and tobacco and other substance abuse prevention and treatment services; recipients of project services included in the county strategic plan; educators specializing in early childhood development; representatives of a local child care resource or referral agency, the Child Care Planning and Advisory Council or another local child care coordinating group; representatives of a local organization for prevention or early intervention for families at risk; representatives of community-based organizations that have the goal of promoting and nurturing early childhood development; representatives of local school districts; and representatives of local medical, pediatric, or obstetric associations or societies, for the unexpired portion of a four-year term ending April 29, 2006.

Resolution No. 234-05
ADOPTED

050460 [Appointment - Commission on the Aging Advisory Council]

Resolution appointing Sharon Eberhardt, term ending March 31, 2007, to the Commission on the Aging Advisory Council.

Sharon Eberhardt, succeeding Leonard Ke, term expired, seat 9, must be nominee of District 11 Supervisor, for a two-year term ending March 31, 2007.

Resolution No. 235-05
ADOPTED

The foregoing items were acted upon by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin
Excused: 2 - Daly, Sandoval

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of the City Operations and Neighborhood Services Committee

**050071 [Shopping Cart Signage and Security Requirements]
Supervisor Ma**

Ordinance amending Part II, Chapter X, of the San Francisco Municipal (Public Works) Code by adding Sections 1410-1414, requiring permanently affixed signs on shopping carts, requiring businesses with carts to post signs prohibiting removal from premises and to secure all carts during hours business is closed.

Supervisor Ma, seconded by Supervisor Elsbernd, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. The motion carried by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin
Excused: 2 - Daly, Sandoval

PASSED ON FIRST READING AS AMENDED by the following vote:

Ayes: 7 - Alioto-Pier, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Peskin
Noes: 2 - Ammiano, Mirkarimi
Excused: 2 - Daly, Sandoval

Recommendation of the Land Use Committee

**041071 [Amending Planning Code Section 703.3 to prohibit formula retail uses in the North Beach
Neighborhood Commercial District]
Supervisor Peskin**

Ordinance to amend the Planning Code by amending section 703.3 to prohibit formula retail uses in the North Beach Neighborhood Commercial District and making findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan.

Ordinance No. 65-05

FINALLY PASSED by the following vote:

Ayes: 7 - Ammiano, Dufty, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin
Noes: 2 - Alioto-Pier, Elsbernd
Excused: 2 - Daly, Sandoval

Recommendation of the Rules Committee

**041571 [Chapter 6 Technical Amendments]
Supervisors Ma, Peskin**

Ordinance amending San Francisco Administrative Code Chapter 6 to update section 6.2, to add new section 6.9 concerning subcontractor limitation of rights, to add new subsection 6.20(F) for a bidder prequalification process, to add new subsection 6.21(A)(10) to allow a specification requirement for contractor work with its own forces, to revise subsection 6.21(C) to allow a department head to reject all bids, to revise subsection 6.22(J) concerning retention of progressive payments, to add a new subsection 6.22(Q) concerning public work contract claims, to revise section 6.41 concerning subsequent phase competition for design services, to revise section 6.60 emergency contracting procedures, to revise section 6.61 design-build contracting procedures, to revise section 6.62 job order contracting procedures, to revise 6.64 as-needed contracting procedures, and to revise section 6.65 special service contracting procedures.

Ordinance No. 58-05

FINALLY PASSED by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin
Excused: 2 - Daly, Sandoval

From the Rules Committee Without Recommendation

**050136 [Requiring departments to use interdepartmental mail]
Supervisor Ma**

Ordinance amending Chapter 8 of the Administrative Code by adding a new section 8.17 to require departments to use interdepartmental mail subject to certain limited exceptions.

Ordinance No. 61-05

FINALLY PASSED by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin
Excused: 2 - Daly, Sandoval

NEW BUSINESS

Recommendation of the City Operations and Neighborhood Services Committee

**050178 [Regulations for Junk Dealers]
Supervisor Maxwell**

Ordinance amending San Francisco Municipal (Police) Code Part II, Chapter VII Sections 974.1, 974.4, 974.11, 974.12, 974.14, 974.15, 974.21 and 974.22, and by renumbering and amending 974.10-1, to align definitions to those of the California Business and Professions Code and to define "buy book", require that a permit applicant include additional information in the permit application, including a requirement that a permit holder inform the Police Department if the business will engage in welding, use of a propane tank, or cutting torches operated by compressed gasses and provide copies of permits for those activities; expand the types of information that the Chief of Police may consider in determining whether to grant the permit including convictions for fraud and crimes related to the environment, permit revocations from other government agencies, and civil penalties imposed related to the operation of a junk dealer or hazardous material or the environment; provide examples of types of "cause" that would justify a revocation of the permit and clarify that the standard of proof is a preponderance of the evidence; clarify the prohibition of operating at another location not listed on the permit; set forth the rules under which the permit holder operates, including a requirement that the permit holder keep all items purchased in the same condition for five days, allow non-peace officer who have the authority to enforce rules and regulations on the premises to inspect, maintain a record of all purchases that includes requiring the seller to produce a valid form of identification for each transaction, maintain the "buy book" in serial-number order for a period of three years and to allow inspection of the book, maintain the sidewalk and other areas adjacent to the premises clear of obstacles, trash and debris, and prevent loitering; clarify that a violation of these provisions is a misdemeanor; and grant the Chief of Police authority to temporarily suspend operation of the business if it presents an immediate threat to the public health and safety; adding Sections 974.10-2 and 974.14-2 to require the permit holder to provide current information to the Chief on an annual basis and to require the Chief to make a determination of whether to move to revoke the permit; and to prohibit the junk dealer from making purchases (1) from anyone who does not have a valid identification, (2) of parts that contain hazardous materials; and (3) of goods that may be stolen; repealing Sections 974.18, 974.19 and 974.24 to repeal the holding period exemption for purchases from other junk dealers; repeal the prior requirements for buy books, and repeal the provision regarding pre-existing permits.

PASSED ON FIRST READING by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin
Excused: 2 - Daly, Sandoval

Recommendations of the Land Use Committee

**050181 [General Plan amendments in connection with the Transbay Redevelopment Plan]
Mayor, Supervisor Daly**

Ordinance amending the San Francisco General Plan in connection with the Transbay Redevelopment Plan and adopting environmental findings and findings that the amendments are consistent with the General Plan and eight priority policies of Planning Code Section 101.1.

(Companion measure to Files 050181, 050182, 050183, and 050184.)

Continued to April 5, 2005

Supervisor Ammiano, seconded by Supervisor Elsbernd, moved that this Ordinance be CONTINUED. The motion carried by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin
Excused: 2 - Daly, Sandoval

**050182 [Zoning – Planning Code amendments in connection with the Transbay Redevelopment Plan]
Mayor, Supervisor Daly**

Ordinance amending the Planning Code to add Sections 249.27, 263.18, 825, and 825.1 to establish special zoning controls in connection with the Transbay Redevelopment Plan; amending Planning Code Section 270 to reflect the new zoning changes to bulk controls set forth in Section 263.18; adopting environmental findings and findings that the amendments are consistent with the General Plan and eight priority policies of Planning Code Section 101.1.

Continued to April 5, 2005

Supervisor Ammiano, seconded by Supervisor Elsbernd, moved that this Ordinance be CONTINUED. The motion carried by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin
Excused: 2 - Daly, Sandoval

**050183 [Zoning Map amendments in connection with the Transbay Redevelopment Plan]
Mayor, Supervisor Daly**

Ordinance amending the San Francisco Planning Code by amending Sectional Map 1, 1H, and 1SU of the Zoning Map of the City and County of San Francisco in connection with the Transbay Redevelopment Plan and an associated special use district with the Redevelopment Plan Project Area and adopting environmental findings and findings that the amendments are consistent with the General Plan and eight priority policies of Planning Code Section 101.1.

Continued to April 5, 2005

Supervisor Ammiano, seconded by Supervisor Elsbernd, moved that this Ordinance be CONTINUED. The motion carried by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin
Excused: 2 - Daly, Sandoval

**041688 [Residential Rent Ordinance, Additional Keys]
Supervisor Daly**

Ordinance amending Administrative Code Chapter 37 "Residential Rent Stabilization and Arbitration Ordinance" by amending Section 37.13 "Keys" to provide that: the landlord must provide additional keys/key-sets within fourteen (14) days of a tenant's written request unless the landlord denies the request in writing within that time period (the current ordinance does not set a deadline for providing the additional keys/key-sets), and failure to respond within the fourteen days constitutes a substantial decrease in housing services; the landlord may charge only for documented replication costs and may not require other charges or deposits or terms or conditions of any kind, and imposing such other terms or conditions constitutes a substantial decrease in housing services; a tenant's petition to the Rent Board to decide a disputed request may include a failure to respond within fourteen days, or a disagreement regarding terms or conditions for the additional keys/key-sets; and, unreasonable denial of additional keys/key-sets also constitutes a "substantial" decrease in housing services (the word "substantial" is new in this provision).

PASSED ON FIRST READING by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin
Excused: 2 - Daly, Sandoval

**041748 [Development Agreements]
Supervisor Daly**

Ordinance amending the San Francisco Administrative Code by amending Sections 56.2 and 56.3 to allow a housing project to enter into a Development Agreement with the City if the project has a minimum of 1,000 units, includes two or more buildings, will be built on a site exceeding two and one-half acres, and provides public benefits beyond those achievable through existing ordinances and regulations; adopting findings under the California Environmental Quality Act.

PASSED ON FIRST READING by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin
Excused: 2 - Daly, Sandoval

Recommendations of the Rules Committee

050458 [Appointment - Community Choice Aggregation Citizens Advisory Task Force]

Resolution appointing Paul Fenn and Ron Dicks, terms ending May 31, 2006, to the Community Choice Aggregation Citizens Advisory Task Force.

Paul Fenn, new appointment, seat 1, must be an expert on Community Choice Aggregation, for the unexpired portion of a two-year term ending May 31, 2006.

Ron Dicks, new appointment, seat 4, must be a representative of labor, for the unexpired portion of a two-year term ending May 31, 2006.

Resolution No. 233-05

ADOPTED by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin
Excused: 2 - Daly, Sandoval

050461 [Appointment - Shelter Monitoring Committee]

Resolution appointing Bruce Allison, Christoph Jones and Diana Valentine, terms ending November 23, 2006, to the Shelter Monitoring Committee.

Bruce Allison, new appointment, seat 1, must be homeless or formerly homeless, for the unexpired portion of a two-year term ending November 23, 2006.

Christoph Jones, new appointment, seat 2, must be homeless or formerly homeless, for the unexpired portion of a two-year term ending November 23, 2006.

Diana Valentine, new appointment, seat 3, must have experience providing direct services to the homeless through a community setting, for the unexpired portion of a two-year term ending November 23, 2006.

Resolution No. 236-05

ADOPTED by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin
Excused: 2 - Daly, Sandoval

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

Privilege of the Floor

Supervisor Elsbernd, seconded by Supervisor Dufty, moved to suspend Rule 4.28 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests. The motion carried by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin
Excused: 2 - Daly, Sandoval

Supervisor Elsbernd introduced, welcomed and presented a Certificate of Honor to representatives of the San Francisco Fire Department, San Francisco Police Department and the Recreation and Park Department in recognition of the "SF Youth Baseball".

Recess

*The Board recessed at the hour of 3:40 p.m.
Reconvening of the Board*

The Board at the hour of 4:03 p.m. reconvened.

Calling the Roll

*On call of the roll, the following Supervisors were noted present:
Supervisors Alioto-Pier, Ammiano, Dufty, Elsbernd, Maxwell,
Mirkarimi, Peskin - 7*

Quorum present.

*Supervisor Ma was noted present at 4:04 p.m.
Supervisor McGoldrick was noted present at 4:25 p.m.*

SPECIAL ORDER 4:00 P.M.

Board of Supervisors Sitting as a Committee of the Whole

050425 [Hearing - Emergency Ordinance reenacting a Disadvantaged Business Enterprise Program]

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

The President inquired as to whether or not a member of the public wished to address the Board.

Male Speaker; expressed concern with the Emergency Ordinance and Sunshine Compliance issues Aileen Clarke Hernandez; Coalition for Economic Equity, support of a Emergency Ordinance for Disadvantaged Business Enterprise Program

Former Supervisor and Assessor, Doris Ward; support of a Emergency Ordinance for Disadvantaged Business Enterprise Program

Representative from Lawyers for Civil Rights; expressed concern of delays in passing of a permanent Disadvantaged Business Enterprise Program Ordinance

Grant Mickins, Past Executive Director of the Human Rights Commission; expressed concern of delays in passing of a permanent Disadvantaged Business Enterprise Program Ordinance

Todd Lewis, Local Suppliers; support of a permanent Disadvantaged Business Enterprise Program Ordinance Rod Sadhai; Asian Indian Association, support of a permanent Disadvantaged Business Enterprise Program Ordinance

Chi-Hsin Shao, Asian Architects and Engineers; support of a permanent Disadvantaged Business Enterprise Program Ordinance

Ann Cervantes; support of support of a permanent Disadvantaged Business Enterprise Program Ordinance

Eddy Lau; Council of Asian American, support of a permanent Disadvantaged Business Enterprise Program Ordinance

Sam Kwong; support of support of a permanent Disadvantaged Business Enterprise Program Ordinance

Female Speaker; support of support of a permanent Disadvantaged Business Enterprise Program Ordinance

The President declared the public hearing closed.

HEARD AT PUBLIC HEARING.

Committee of the Whole Adjourn and Report Without Recommendation**050426 [Reenacting a Disadvantaged Business Enterprise Program]**

Supervisor Ammiano

Emergency Ordinance reenacting a Disadvantaged Business Enterprise Program set forth in Chapter 14A of the San Francisco Administrative Code; suspending Chapter 12D.A; providing for data collection to ensure nondiscrimination in City contracting; and adopting a declaration of emergency.

Ordinance No. 63-05

FINALLY PASSED by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin

Excused: 2 - Daly, Sandoval

SPECIAL ORDER 4:00 P.M.**Board of Supervisors Sitting as a Committee of the Whole**

Supervisor McGoldrick noted present at 4:30 p.m.

050480 [Public Hearing - Ordinance approving and adopting the Redevelopment Plan for the Transbay Redevelopment Project area]

Hearing to consider the possible adoption of an Ordinance approving and adopting the Redevelopment Plan for the Transbay Redevelopment Project area; adopting findings pursuant to the California Environmental Quality Act; adopting findings that the Redevelopment Plan and related documents and agreements (including a Tax Increment Allocation and Sales Proceeds Pledge Agreement and an Option Agreement with the Redevelopment Agency of the City and County of San Francisco and the Transbay Joint Powers Authority) are consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; adopting other findings pursuant to the California Community Redevelopment Law, including findings pursuant to Sections 33445 and 33679; authorizing official acts (including the execution of agreements) in furtherance of this ordinance. (Clerk of the Board)

Mike Grisso, Redevelopment Agency reviewed with the Board the Transbay Redevelopment Plan

Josh Lewinsky, Planning Department; reviewed with the Board the Planning Commission recommendations for the Transbay Redevelopment Plan

Elaine Forbes, Budget Analyst, reviewed with the Board the Budget Analyst's report on the Transbay Redevelopment Plan

Speakers:

Herman H. Fitzgerald; opposed the Transbay Redevelopment Plan

Claude Gruen; opposed to Transbay Redevelopment Plan

Elizabeth Prentice; expressed concern over costs for plan

Anne Beer, co-owner of 572 Folsom Street, request to remove property from the Redevelopment Transbay Plan

Catherine Abbassi, Resource & Design, Inc, owner of 272 Main Street owner; expressed concern with the Redevelopment Transbay Plan

Norman Rolf; supported the Redevelopment Transbay Plan

John Gassner; Friends of Second Street, expressed concern with the Redevelopment Transbay Plan

Elizabeth, Joint Powers Authority; supported the Redevelopment Transbay Plan

President, Rincon Hill Association; supported the Redevelopment Transbay Plan

Emilio Cruz; supported the Redevelopment Transbay Plan

Peter Hartman; Community Advisor Committee, supported the Redevelopment Transbay Plan

Barry Sander; supported the Redevelopment Transbay Plan

James Reuben, representing various property owners; informed Board that He has submitted changes to the Redevelopment Transbay Plan to the Planning Department

Jim Haas, Member of Transbay Citizens Committee; supported the Redevelopment Transbay Plan and expressed concern for funding for the Transbay Terminal

Bob Myers, Citizens Advisory Committee; expressed gratitude to the staff of the Redevelopment Agency and Planning Department; supported the Redevelopment Transbay Plan and expressed concern for the funding for the Transbay Terminal

President inquired as to whether or not a member of the public wished to address the Board.

The President declared the public hearing closed.

HEARD AT PUBLIC HEARING.

Committee of the Whole Adjourn and Report Without Recommendation

**050184 [Adopting the Redevelopment Plan for the Transbay Redevelopment Project]
Mayor, Supervisor Daly**

Ordinance approving and adopting the Redevelopment Plan for the Transbay Redevelopment Project area; adopting findings pursuant to the California Environmental Quality Act; adopting findings that the Redevelopment Plan and related documents and agreements (including a Tax Increment Allocation and Sales Proceeds Pledge Agreement and an Option Agreement with the Redevelopment Agency of the City and County of San Francisco and the Transbay Joint Powers Authority) are consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; adopting other findings pursuant to the California Community Redevelopment Law, including findings pursuant to Sections 33445 and 33679; authorizing official acts (including the execution of agreements) in furtherance of this ordinance.

(Fiscal impact.)

Continued to April 5, 2005

Supervisor Ammiano, seconded by Supervisor Elsbernd, moved that this Ordinance be CONTINUED. The motion carried by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin
Excused: 2 - Daly, Sandoval

SPECIAL ORDER 4:00 P.M.

Supervisor Dufty noted absent at 6:15 p.m.

050365 [Public Hearing - Appeal of Final Mitigated Negative Declaration for 787 (aka 785) Brannan Street]
Hearing of persons interested in or objecting to the decision of the Planning Department adopted and issued on February 7, 2005, Case 2004.0560E, approving a Final Mitigated Negative Declaration for the proposed construction of a 5-story, approximately 50-foot tall, 29,653 gross-square-foot (gsf) residential building with 56 single room occupancy (SRO) units. The second through fifth floors would include 12 SRO units on each. No off-street parking or off-street loading would be provided. A 900-square foot roof deck would be provided as common usable open space meeting the requirements of Planning Code. The project site is 6,124 square feet in size and currently used as a surface parking lot, located on the northeast corner of Brannan Street and Gilbert Street in the South of Market District. Pedestrian access to the building lobby and the community room would be through one door mid-lot on Brannan. All of the units would be rental units designated as permanently affordable to households with income not exceeding 50% of the City's median income. The project site is zoned SLI (Service Light Industrial) and is within a 50-X Height and Bulk District. Conditional Use authorization is required for SRO units in the SLI district, and parking, rear yard, and permitted obstruction variances would be required for the proposed project. The project is located at 787 (aka 785) Brannan Street, Assessor's Block 3784, Lot 18. (Appellants: Gerrie Scott representing Citizens for Cleaner, Safer SOMA, Anusha Chari, Nathan Letts, et al.)

(Filed February 23, 2005; companion measure to Files 050366, 050367, 050368; District 6.)

Gerrie Scott; Appellant, Citizens for Cleaner, Safer, SOMA

Bill Grazziano; support of appellant

Scott Krieger; support of appellant

Mitchell Swob; support of appellant

Tom Kohler; support of appellant

Darla Swob; support of appellant

Joan Navaretti, Planning Department, reviewed with the Board the Planning Department's decision.

Alice Barkley, Attorney for project sponsor

Sam Dodge, Tenderloin Housing; support of project sponsor

James Fallon; support of project sponsor

Joe Donoghue, Residential Builders; support of project sponsor

Rebuttal Period. Gerrie Scott, Appellant

President inquired as to whether or not a member of the public wished to address the Board.

The President declared the public hearing closed.

HEARD AT PUBLIC HEARING.

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

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

- 050366 [Affirming adoption of the negative declaration for 787 (aka 785) Brannan Street]**
Motion affirming Planning Commission adoption of the final negative declaration for 787 (aka 785) Brannan Street. (Clerk of the Board)
Motion No. M05-38
Supervisor McGoldrick, seconded by Supervisor Mirkarimi, moved that this Motion be APPROVED. The motion carried by the following vote:
Ayes: 8 - Alioto-Pier, Ammiano, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin
Absent: 1 - Duffy
Excused: 2 - Daly, Sandoval
- 050367 [Reversing adoption of the negative declaration for 787 (aka 785) Brannan Street]**
Motion reversing the Planning Commission adoption of the final negative declaration for 787 (aka 785) Brannan Street. (Clerk of the Board)
Supervisor McGoldrick, seconded by Supervisor Mirkarimi, moved that this Motion be TABLED. The motion carried by the following vote:
Ayes: 8 - Alioto-Pier, Ammiano, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin
Absent: 1 - Duffy
Excused: 2 - Daly, Sandoval
- 050368 [Preparation of findings to reverse adoption of the negative declaration for 787 (aka 785) Brannan Street]**
Motion directing the Clerk of the Board to prepare findings reversing the Planning Commission adoption of the negative declaration for 787 (aka 785) Brannan Street. (Clerk of the Board)
Supervisor McGoldrick, seconded by Supervisor Mirkarimi, moved that this Motion be TABLED. The motion carried by the following vote:
Ayes: 8 - Alioto-Pier, Ammiano, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin
Absent: 1 - Duffy
Excused: 2 - Daly, Sandoval

Supervisor Duffy noted present at 6:50 p.m.

SPECIAL ORDER 5:00 P.M.

Board of Supervisors Sitting as a Committee of the Whole

Supervisor McGoldrick noted absent at 6:55 p.m.

Appointment of President Pro Tempore

At the request of the President, Supervisor Mirkarimi assumed the Chair.

The President resumed the Chair shortly thereafter.

050511 [Hearing - Interim Moratorium on Medical Cannabis Dispensaries]

Hearing to consider the possible adoption of an Urgency ordinance approving an interim zoning moratorium throughout the City for 45 days on clubs or dispensaries where marijuana is grown, purchased or distributed with a medical recommendation and making required findings, including findings of consistency with the priority policies of Planning Code Section 101.1 and environmental findings. (Clerk of the Board)

President inquired as to whether or not a member of the public wished to address the Board.

Elizabeth Prentice; support of patient needs

Karen Masonhermer; support of Emergency Interim Moratorium on Medical Cannabis

Wayne Justmann; support of Emergency Interim Moratorium on Medical Cannabis

Steph Scherer; support of Emergency Interim Moratorium on Medical Cannabis

Erica Montana; support of Emergency Interim Moratorium on Medical Cannabis

Female speaker; support of Emergency Interim Moratorium on Medical Cannabis

Ms. Webster; support of Emergency Interim Moratorium on Medical Cannabis

Emmet Gillman; support of Emergency Interim Moratorium on Medical Cannabis

Martin Olive, Vapor Room Herbal Center; support of Emergency Interim Moratorium on Medical Cannabis

Bruce Blalock; expressed concerns with Emergency Interim Moratorium on Medical Cannabis

Alan Novell; support of Emergency Interim Moratorium on Medical Cannabis

Clark Sullivan; opposed to Emergency Interim Moratorium on Medical Cannabis

Tom Kohler; support of Emergency Interim Moratorium on Medical Cannabis

Laura Weil; support of Emergency Interim Moratorium on Medical Cannabis

Allison Kohler; support of Emergency Interim Moratorium on Medical Cannabis

Michelle Aldrich; support of Emergency Interim Moratorium on Medical Cannabis

Michael Aldrich; support of Emergency Interim Moratorium on Medical Cannabis

Hilary Maag; support of Emergency Interim Moratorium on Medical Cannabis

Laurie Galbreath; support of Emergency Interim Moratorium on Medical Cannabis

Collin Bode; support of Emergency Interim Moratorium on Medical Cannabis

Health Center representative; support of Emergency Interim Moratorium on Medical Cannabis

Female speaker; support of Emergency Interim Moratorium on Medical Cannabis but expressed concern regarding the costs to implement

Jason Beck; support of Emergency Interim Moratorium on Medical Cannabis

Patient; expressed concern for patients

Alex Franco; support of Emergency Interim Moratorium on Medical Cannabis

David; opposed to the Emergency Interim Moratorium on Medical Cannabis

Male Speaker; support of Emergency Interim Moratorium on Medical Cannabis

Adriana; support of Emergency Interim Moratorium on Medical Cannabis

Christopher Montana; support of Emergency Interim Moratorium on Medical Cannabis

Male Speaker; support of Emergency Interim Moratorium on Medical Cannabis

The President declared the public hearing closed.

HEARD AT PUBLIC HEARING.

Committee of the Whole Adjourn and Report Without Recommendation

**050512 [Zoning - Interim Moratorium on Medical Cannabis Dispensaries]
Supervisors Mirkarimi, Alioto-Pier, Maxwell, Peskin, McGoldrick, Elsbernd, Ammiano, Ma, Dufty**

Urgency ordinance approving an interim zoning moratorium throughout the City for 45 days on clubs or dispensaries where marijuana is grown, purchased or distributed with a medical recommendation and making required findings, including findings of consistency with the priority policies of Planning Code Section 101.1 and environmental findings.

Ordinance No. 64-05

FINALLY PASSED by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin
Excused: 2 - Daly, Sandoval

COMMITTEE REPORTS

**050184 [Adopting the Redevelopment Plan for the Transbay Redevelopment Project]
Mayor, Supervisor Daly**

Ordinance approving and adopting the Redevelopment Plan for the Transbay Redevelopment Project area; adopting findings pursuant to the California Environmental Quality Act; adopting findings that the Redevelopment Plan and related documents and agreements (including a Tax Increment Allocation and Sales Proceeds Pledge Agreement and an Option Agreement with the Redevelopment Agency of the City and County of San Francisco and the Transbay Joint Powers Authority) are consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; adopting other findings pursuant to the California Community Redevelopment Law, including findings pursuant to Sections 33445 and 33679; authorizing official acts (including the execution of agreements) in furtherance of this ordinance.

(Fiscal impact.)

ROLL CALL FOR INTRODUCTIONS

need to put back in the words

PUBLIC COMMENT

*Abdullah Megaheed; expressed concern regarding homeless issues
Ms. P. Moore; expressed concern regarding SFPD misconduct issues
Male Speaker; thanked the Board for appointing him to Shelter Monitoring Committee
Male Speaker; requesting a resolution for SF Giants
John DiDonna; expressed concern regarding killings
Eugene Gordon Jr. expressed concern general issues
Francisco di Costa; showed support for the Budget Analyst's Audit for Public Utilities and future audits*

CLOSED SESSION

**050463 [Closed Session - Existing Litigation, Potential Litigation]
Supervisor Ammiano**

Motion that the Board of Supervisors convene in closed session with the City Attorney for the purpose of conferring with, or receiving advice from, the City Attorney regarding the following bankruptcy matter (Chapter 11) in which the City and County of San Francisco is an active participant, and to consider the possibility of affirmative litigation in light of the status of the bankruptcy matter listed below:

Government Code Section 54956.9(a) and San Francisco Administrative Code Section 67.10(d)(1) and (2) permit this closed session. Discussion in open session concerning this matter would likely and unavoidably prejudice the position of the City in the pending lawsuit listed below.

In Re: PACIFIC GAS AND ELECTRIC COMPANY, Debtor
U. S. Bankruptcy Court, Northern District of California, No. 01-30923 DM
Federal I. D. No. 94-0742640
Date Filed: 4/6/01

Supervisor Ammiano, seconded by Supervisor Maxwell, moved to convene in Closed Session. The motion carried by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin
Excused: 2 - Daly, Sandoval

Recess

The Board recessed at the hour of 3:04 p.m. to convene in closed session pursuant to the above motion.

Reconvening of the Board

The Board at the hour of 3:33 p.m. reconvened.

Calling the Roll

The following Supervisors were noted present: Alioto-Pier, Ammiano, Dufty, Elsbernd, Ma, Maxwell, McGoldrick,, Mirkarimi, Peskin - 9

Report on Closed Session

Deputy City Attorney Cheryl Adams, reported that the Board of Supervisors has met in closed session with the City Attorney, under the provisions of Government Code Section 54956.9(a) for the purpose of conferring with, or receiving advice from, the City Attorney regarding the above pending litigation.

Persons in attendance:

*Supervisors Alioto-Pier, Ammiano, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin
Cheryl Adams, Deputy City Attorney
Theresa Mueller, Deputy City Attorney
Ed Harrington, Controller
Gloria L. Young, Clerk of the Board
Kay Gulbengay, Deputy Clerk*

The meeting was informational only and no action was taken.

[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 anticipated litigation listed above.

Supervisor Ammiano, seconded by Supervisor Maxwell, moved not to disclose it's Closed Session deliberations. The motion carried by the following vote:

**Ayes: 9 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin
Excused: 2 - Daly, Sandoval**

Continued to April 12, 2005

Supervisor Ammiano, seconded by Supervisor Maxwell, moved that this Hearing be CONTINUED. The motion carried by the following vote:

**Ayes: 9 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin
Excused: 2 - Daly, Sandoval**

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.

050510 [Committee of the Whole - March 29, 2005, at 5:00 p.m.]
Supervisor Mirkarimi

Motion for the Board of Supervisors to convene as a committee of the whole on March 29, 2005, at 5:00 p.m. to accept public testimony concerning the possible adoption of an urgency ordinance approving an interim zoning moratorium throughout the City for 45 days on clubs or dispensaries where marijuana is grown, purchased or distributed with a medical recommendation and making required findings, including findings of consistency with the priority policies of Planning Code Section 101.1 and environmental findings.

Motion No. M05-39

APPROVED

050514 [Joint Powers Agreement with the San Francisco Health Authority]
Supervisors Ammiano, Daly, Mirkarimi, Elsbernd, McGoldrick, Dufty, Ma

Resolution approving Joint Powers Agreement with the San Francisco Health Authority to create a Joint Powers Authority to operate the Non-Medi-Cal health plans currently operated by the San Francisco Health Authority.

Supervisor Ma requested to be as a co-sponsor.

Resolution No. 237-05

ADOPTED

050515 [Commending Double Rainbow Ice Cream]
Supervisor Daly

Resolution commending Double Rainbow Ice Cream for 25 years of community service, and their dedication in improving the lives of youth, chronically ill, and homeless individuals in San Francisco.

Resolution No. 238-05

ADOPTED

050516 [Recycling assistance renewal]
Supervisor Dufty

Resolution authorizing the San Francisco Department of the Environment to submit an application for the renewal of a Recycling Market Development Zone designation for the purpose of assisting recycling-based businesses to develop recycled material markets in San Francisco.

Resolution No. 239-05

ADOPTED

**050517 [National Public Health Week]
Supervisor Ma**

Resolution recognizing April 4-10, 2005, as National Public Health Week in the City and County of San Francisco.

Resolution No. 240-05
ADOPTED

**050518 [San Francisco Veterans Affairs Medical Center]
Supervisors Ma, Elsbernd**

Resolution commending the accomplishments and innovations of the San Francisco Veterans Affairs Medical Center's robust research program.

Supervisor Elsbernd requested to be added as a co-sponsor.

Resolution No. 248-05
ADOPTED

**050519 [Accept-Expend Federal Grant - 2005 Mayor's Summer Food Service Program]
Supervisor Maxwell**

Resolution authorizing the Department of Children, Youth and Their Families to accept and expend a grant in the amount of \$743,450 from the United States Department of Agriculture for the 2005 Mayor's Summer Food Service Program.

Resolution No. 241-05
ADOPTED

**050520 [Support of Cleaner School Buses for the San Francisco Unified School District]
Supervisors Maxwell, Ammiano**

Resolution supporting Cleaner School Buses for the San Francisco Unified School District and urging the School District to aggressively pursue a new bus contract that would adhere to all the goals of the city to run clean, low-emission buses.

Resolution No. 247-05
ADOPTED

**050521 [Urging Governor Schwarzenegger and the California Legislature to ensure that California gets its fair share of federal funding]
Supervisor McGoldrick**

Resolution urging Governor Arnold Schwarzenegger, the California Congressional Delegation, and the State Legislature to work together to ensure that the 2006 federal budget now under consideration provides California its fair share of federal funding.

Resolution No. 242-05
ADOPTED

**050523 [Urging Governor Schwarzenegger to re-visit California's "Three Strikes" law]
Supervisor McGoldrick**

Resolution urging Governor Schwarzenegger to re-visit the "Three Strikes" law adopted by California voters and the state legislature in 1994.

Resolution No. 246-05

ADOPTED

**050524 [California National Guard and the War in Iraq]
Supervisors McGoldrick, Mirkarimi, Daly**

Resolution urging the Governor of California to request the Pentagon, the President and Congress to take steps to withdraw California National Guard troops from Iraq.

Resolution No. 245-05

ADOPTED

**050539 [Far West Fungi Day]
Supervisors Peskin, Maxwell, Ammiano, Alioto-Pier, Ma**

Resolution declaring April 1, 2005 Far West Fungi Day in San Francisco.

Resolution No. 243-05

ADOPTED

**050538 [Supporting the Youth Commission's leadership and participation in the Department of Children,
Youth, and Families' 3% Youth Initiated Projects Initiative]
Supervisor Peskin**

Motion supporting the Youth Commission's leadership and participation in the Department of Children, Youth, and Families' 3% Youth Initiated Projects Initiative.

Motion No. M05-40

APPROVED

The foregoing items were acted upon by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin

Excused: 2 - Daly, Sandoval

Severed from Without Committee Reference Agenda

Supervisor Elsbernd requested that this matter be severed so that this matter be considered separately.

**050522 [Urging the Mayor to release funds to the Department of Public Health]
Supervisor McGoldrick**

Resolution urging the Mayor to release funding for the Department of Public Health to fund Public Health Nurses, Senior Medical Social Workers, and a Health Care Billing Clerk in FY 04-05.

Continued to April 5, 2005

Supervisor Elsbernd, seconded by Supervisor Dufty, moved that this Resolution be CONTINUED. The motion carried by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin
Excused: 2 - Daly, Sandoval

Supervisor Peskin requested that this matter be severed so that this matter be considered separately.

**050540 [Traffic Conditions on Telegraph Hill Boulevard]
Supervisor Peskin**

Resolution urging the Municipal Railway, Department of Parking and Traffic and Recreation and Parks Department to implement a Public Transit and Traffic Facilitation Pilot Program on Telegraph Hill Boulevard in the summer of 2005.

REFERRED to the City Operations and Neighborhood Services Committee.

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). For such resolutions to be considered, the Board must first adopt the following two motions.

[Purely Commendatory Finding]

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

Supervisor Dufty, seconded by Supervisor McGoldrick, moved ADOPTION of the Commendatory Finding. The motion carried by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin
Excused: 2 - Daly, Sandoval

[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.

Supervisor Dufty, seconded by Supervisor McGoldrick, moved ADOPTION of the Brown Act Finding. The motion carried by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin
Excused: 2 - Daly, Sandoval

**050552 [Commending Giants Community Fund]
Supervisor Dufty**

Resolution commending the Giants Community Fund for its community involvement, including its support of Junior Giant summer leagues across three states, and by providing assistance to targeted communities in the areas of education, health and violence prevention.

Resolution No. 244-05

ADOPTED by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin

Excused: 2 - Daly, Sandoval

OFF-AGENDA LEGISLATION

Introduced by Supervisors or Mayor

Ordinances

**050547 [Soil Boring and Well Regulation Ordinance]
Supervisor Peskin**

Ordinance amending the San Francisco Health Code by deleting Section 659 and adding a new Article 12B to establish a regulatory program for the construction, modification, operation, and destruction of soil borings and wells, including both non-production and water wells, to protect the public health and safety and the integrity of the City's groundwater resources by requiring anyone who proposes to construct, modify, operate, maintain or destroy a well or soil boring to obtain a permit; amending Section 249.13 of the San Francisco Business and Tax Regulations Code to set forth the annual fee for the permit; and amending Section 3101 of the Health Code to renumber the reference to section 659 of the Health Code to Article 12B.

3/29/05, ASSIGNED UNDER 30 DAY RULE to City Operations and Neighborhood Services Committee, expires on 4/28/2005. 4/5/05 - Referred to Planning for environmental impact review and to Public Health. 05/18/05 - Response received from Planning, exempt from environmental review.

050548 [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 The Hertz Corporation and BP/Atlantic Richfield, 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).

3/29/05, RECEIVED AND ASSIGNED to Rules Committee.

**050551 [Graffiti Advisory Board]
Supervisors Elsbernd, Ammiano, Dufty**

Ordinance amending the San Francisco Administrative Code by amending Section 5.170 regarding the Graffiti Advisory Board to authorize four members to serve as voting, rather than nonvoting, members, to add a representative of the District Attorney as a voting member, and to correct the reference to a Charter section.
3/29/05, RECEIVED AND ASSIGNED to Rules Committee.

Resolutions

**050553 [Subcontract agreement funds for a chronic hepatitis electronic registry system]
Supervisor Dufty**

Resolution authorizing the San Francisco Department of Public Health (SFDPH) to enter retroactively into a subcontract agreement in the amount of \$108,944 with Public Health Foundation Enterprises Inc. (PHFE), the primary contractor, to fund a chronic hepatitis electronic registry system; for the period of December 30, 2004, through December 29, 2005.
3/29/05, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

**050554 [Traffic Regulations - Potrero Avenue Corridor]
Supervisors Ammiano, Maxwell**

Resolution enacting and rescinding various parking and traffic regulations on the Potrero Avenue Corridor including lane reductions, crosswalk improvements, north and south bound bicycle lanes and a northbound bus lane at various locations on Potrero Avenue, between 17th and 25th Streets.

BIKE LANES - ESTABLISH

Potrero Avenue, northbound and southbound from 17th Street to 50 feet south of 25th Street;

BUS, TAXI AND RIGHT TURN ONLY LANE - ESTABLISH

Potrero Avenue, northbound, from 220 feet south of 23rd Street to 100 feet north of 22nd Street;

NO LEFT TURNS - ESTABLISH

Potrero Avenue, northbound, at 23rd Street;

Potrero Avenue, northbound, at 25th Street;

Potrero Avenue, southbound, into San Francisco General Hospital driveway south of 21st Street;

NO LEFT TURNS - RESCIND

Potrero Avenue, southbound, at 17th Street;

NO LEFT TURNS 3:30 PM TO 7 PM MONDAY THROUGH FRIDAY - RESCIND

Potrero Avenue, northbound, at 24th Street.

NO U-TURNS - ESTABLISH

Potrero Avenue, southbound, at 22nd Street;

Potrero Avenue, northbound, at 22nd Street.;

TOW-AWAY, NO STOPPING ANY TIME - ESTABLISH

Potrero Avenue, east side, from 50 feet south of 23rd Street to 23rd Street;

Potrero Avenue, east side, from 23rd Street to the existing bus bulb, 310 feet north of 23rd Street;

Potrero Avenue, east side from 50 feet south of 22nd Street to 22nd Street;

Potrero Avenue, east side, from 22nd Street north to 160 feet north of 22nd Street.

TOW-AWAY, NO STOPPING 7 AM - 9 AM and 4 PM - 6 PM, MONDAY - FRIDAY - ESTABLISH

23rd Street, north side, from Potrero Avenue to 75 feet easterly;

23rd Street, south side, from Potrero Avenue to 52 feet westerly;

CROSSWALK CLOSURE

Potrero Avenue, north side at 23rd Street (western leg);

MIDBLOCK CROSSWALK - ESTABLISH

Potrero Avenue, approximately 360 feet north of the 23rd Street (west) intersection.

3/29/05, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee. 4/5/05 -

Referred to Parking and Traffic for review and determination of environmental impact.

4/13/05 - Referred to Planning for review and determination of environmental impact at the request of Parking and Traffic.

04/21/05 - Response received from Parking and Traffic, categorically exempt from environmental review.

04/26/05 - Parking and Traffic notified of hearing for posting requirements and advertisement placed in the 05/03/05 edition of the SF Chronicle.

**050555 [Traffic Regulations - Bike Lanes on Lake Street]
Supervisor McGoldrick**

Resolution enacting bike lanes on Lake Street.

BIKE LANES - ESTABLISH

Lake Street, both directions, between Arguello Boulevard and 3rd Avenue.

(3/24/05: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street.)

3/29/05, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee. 04/26/05 - Parking and Traffic notified of hearing for posting requirements and advertisement placed in the 05/03/05 edition of the SF Chronicle.

**050558 [Supporting Day of Silence]
Supervisors Ammiano, Dufty, Elsbernd**

Resolution declaring April 13, 2005 as National Day of Silence in the City and County of San Francisco.

3/29/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**050559 [Working Families Credit Day]
Supervisors Ammiano, Dufty**

Resolution declaring April 15, 2005 as Working Families Credit Day in the City and County of San Francisco and encouraging all working families in San Francisco that qualify to take advantage of the federal Earned Income Tax Credit.

3/29/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**050560 [Week of the Young Child]
Supervisors Ma, Dufty**

Resolution recognizing and declaring April 2-10, 2005 as the "Week of the Young Child" in the City and County of San Francisco.

3/29/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**050561 [Commending Martha Villazon]
Supervisors Maxwell, Dufty**

Resolution commending Martha Villazon for her service to the City and County of San Francisco.

3/29/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**050562 [Senate Bill 1020 - Transportation Development Act Funds]
Supervisor McGoldrick**

Resolution urging the California State Legislature to support Senate Bill 1020 (Migden) 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.

3/29/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**050563 [Exploring instituting voter preregistration system for high school students]
Supervisors Mirkarimi, Ma, Elsbernd**

Resolution calling for the City and County of San Francisco, in conjunction with the San Francisco Unified School District, to investigate the logistics, both administrative and legal, of establishing for the preregistration of high school students to vote in an effort to create universal voter registration.

3/29/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Requests for Hearing

**050549 [Recreation & Parks Department's Playground Assessment Plan]
Supervisor Ma**

Hearing to review and discuss the Recreation & Parks Department's Playground Assessment Plan.

3/29/05, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee. 4/05/05 - Referred to Youth Commission.

**050550 [Section 8 Housing in San Francisco]
Supervisor Ma**

Hearing to review and discuss Section 8 Housing in San Francisco, including, but not limited to the total number of people receiving the Housing Choice Voucher subsidy and the total number of applicants on the wait list.

3/29/05, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

**050556 [Frisbee Golf Course in Golden Gate Park]
Supervisor McGoldrick**

Hearing to discuss the Frisbee Golf Course at Marks Meadow in Golden Gate Park.

3/29/05, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee. 4/5/05 - Referred to Youth commission.

**050557 [2004-05 Civil Grand Jury Report - Police Department]
Supervisor Peskin**

Hearing on the recently published 2004-05 Civil Grand Jury report regarding compensation issues in the San Francisco Police Department.

3/29/05, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

Motions

- 050546 [Needle Exchange Emergency]**
Supervisors Ammiano, Daly, Peskin, McGoldrick, Maxwell, Dufty

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.

3/29/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

PROPOSED ORDINANCES

- 050415 [Establishing a tour bus restriction on Baker Street]**

Ordinance amending the San Francisco Police Code by adding Section 1183.35 to establish a tour bus restriction on Baker Street between Richardson Avenue and Union Street. (Parking and Traffic Department)

(3/14/05: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 2975.)

3/21/05, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee. 3/28/05 - Advertised in the 4/6/05 edition of the SF Chronicle.

- 050420 [Establishing a tour bus restriction on Broderick Street]**

Ordinance amending the San Francisco Police Code by adding Section 1183.36 to establish a tour bus restriction on Broderick Street between Richardson Avenue and Union Street. (Parking and Traffic Department)

(3/14/05: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 2975.)

3/18/05, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee. 3/28/05 - Advertised in the 4/6/05 edition of the SF Chronicle.

- 050421 [Establishing a tour bus restriction on Chestnut Street]**

Ordinance amending the San Francisco Police Code by adding Section 1183.32 to establish a tour bus restriction on Chestnut Street between Lyon Street and Richardson Avenue. (Parking and Traffic Department)

(3/14/05: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 2975.)

3/21/05, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee. 3/28/05 - Advertised in the 4/6/05 edition of the SF Chronicle.

050478 [Establishing a tour bus restriction on Greenwich Street]

Ordinance amending the San Francisco Police Code by adding Section 1183.33 to establish a tour bus restriction on Greenwich Street between Lyon and Divisadero Streets. (Parking and Traffic Department)

(3/14/05: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 2975.)

3/21/05, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee. 3/28/05 - Advertised in the 4/6/05 edition of the SF Chronicle.

050479 [Establishing a tour bus restriction on Filbert Street]

Ordinance amending the San Francisco Police Code by adding Section 1183.34 to establish a tour bus restriction on Filbert Street between Lyon and Divisadero Streets. (Parking and Traffic Department)

(3/14/05: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 2975.)

3/21/05, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee. 3/28/05 - Advertised in the 4/6/05 edition of the SF Chronicle.

050525 [Establishing commercial vehicle weight restrictions on Broderick Street]

Ordinance amending the San Francisco Traffic Code by adding Section 28.5.58 to establish a commercial weight restriction on Broderick Street between Richardson Avenue and Union Street. (Parking and Traffic Department)

(3-14-05: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 2974.)

3/21/05, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee. 3/28/05 - Advertised in the 4/6/05 edition of the SF Chronicle.

050526 [Extending commercial vehicle weight restrictions on Chestnut Street]

Ordinance amending the San Francisco Traffic Code by amending Section 28.5.9 to extend the commercial vehicle weight restriction on Chestnut Street to include Chestnut Street between Lyon and Broderick Streets. (Parking and Traffic Department)

(3-14-05: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 2974.)

3/21/05, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee. 3/28/05 - Advertised in the 4/6/05 edition of the SF Chronicle.

050527 [Establishing commercial vehicle weight restrictions on Greenwich Street]

Ordinance amending the San Francisco Traffic Code by adding Section 28.5.57 to establish a commercial vehicle weight restriction on Greenwich Street between Divisadero and Lyon Streets. (Parking and Traffic Department)

(3-14-05: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 2974.)

3/21/05, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee. 3/28/05 - Advertised in the 4/6/05 edition of the SF Chronicle.

050528 [Establishing commercial vehicle weight restrictions on Filbert Street]

Ordinance amending the San Francisco Traffic Code by adding Section 28.5.59 to establish a commercial weight restriction on Filbert Street between Divisadero and Lyon Streets. (Parking and Traffic Department)

(3-14-05: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 2974.)

3/21/05, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee. 3/28/05 - Advertised in the 4/6/05 edition of the SF Chronicle.

050529 [Extending commercial vehicle weight restrictions on Baker Street]

Ordinance amending the San Francisco Traffic Code by amending Section 28.5.3, establishing a commercial vehicle weight restriction on Baker Street, by extending the restriction to include Baker Street between Union Street and Marina Boulevard. (Parking and Traffic Department)

(DPT Order No. 2974.)

3/21/05, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee. 3/28/05 - Advertised in the 4/6/05 edition of the SF Chronicle.

PROPOSED RESOLUTIONS

050414 [Gift - Private]

Supervisors Ma, Dufty

Resolution authorizing the Department of Public Health, San Francisco General Hospital to accept a gift in the amount of \$138,766 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. (Public Health Department)

3/16/05, RECEIVED AND ASSIGNED to Budget and Finance Committee.

Requests Granted

*From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: To report on the status of the repair on the sidewalk squares on the west side of the block of 800 Webster Street.*

*From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: To report on the status of repair or re-pavement of the rough road surface on Oak Street, between Gough and Franklin.
Please send copy to: Dennis Oliver, 1953 Page Street, San Francisco, CA 94117*

*From: Supervisor Mirkarimi
To: City Attorney
Requesting/Inquiring: To draft legislation reconstituting the process by which the City and Police Department issues press passes and establishing an oversight process for reviewing denials or revocations of press cards.*

*From: Supervisor Elsbernd
To: General Manager, Public Utilities Commission (PUC)
Requesting/Inquiring: Inquiring if the PUC can establish adequate monitors and provisions in a timely manner for public notice at Lake Merced concerning water quality surveys taken at Lake Merced regarding the safe limit of E-coli bacteria for contact recreational use, as a result of the December survey that indicated an E-coli count of 985 MPN at the South Lake Pumping Station; nearly ten times the maximum acceptable limit? In addition, why did a more than three-month delay occur before the public was made aware of this December survey, and why is there a 30 day delay in publicly reporting survey results?*

In Memoriams

*Patricia Virginia Barbagelata (Entire Board)
Michael Boutin (Supervisor Ammiano)
Guadalupe Ramirez (Supervisor Dufty)
Michael Francis Carey (Supervisor Dufty)
George Cowhig (Supervisor Dufty)
Erick D. Ross (Supervisor Mirkarimi)*

ADJOURNMENT

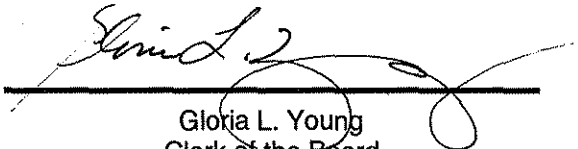
There being no further business the Board adjourned at the hour of 7:56 p.m.

Gloria L. Young, Clerk of the Board

N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on April 26, 2005.

I, Gloria L. Young, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Minutes of said Board on the date stated and was approved as recited.



Gloria L. Young
Clerk of the Board