

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 22, 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.

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

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:04 p.m. On the call of the roll all Supervisors were noted present.

Quorum present.

APPROVAL OF MEETING MINUTES

Supervisor Maxwell, seconded by Supervisor Elsbernd, moved to approve February 22, 2005 Meeting Minutes. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

AGENDA CHANGES

COMMUNICATIONS

Gloria L. Young, Clerk of the Board, informed the Board a communication was received from the former Secretary of State, Kevin Shelley, expressing his gratitude to the Board of Supervisors for adjourning a meeting in memory of his late mother Thelma Shelley.

CONSENT AGENDA

Recommendations of the Budget and Finance Committee

050213 [To appropriate supplemental funds to fund the SFPUC Water Capital Improvement Program (CIP) for the remainder of fiscal year 2004-2005]**Mayor**

Ordinance appropriating \$21,963,000 of bond sales proceeds from the Water Department to fund the San Francisco Public Utilities Commission's (SFPUC) Capital Improvements Program for fiscal year 2004-05.

(Fiscal impact.)

Ordinance No. 54-05**FINALLY PASSED****050189 [Camp Mather - Fees Increase]****Supervisor Ma**

Ordinance amending S.F. Park Code Section 12.01 to increase the Camp Mather cabin and tent site usage fees, amending Park Code Section 12.02 to increase the Camp Mather day use fees, and amending Park Code Section 12.03 to increase the Camp Mather meal fees and making environmental findings. (Recreation and Park Department)

Ordinance No. 52-05**FINALLY PASSED****Recommendation of the Budget and Finance Subcommittee****050165 [Airport Concession Lease]**

Resolution approving the Remote Terminal Food and Beverage Lease between Bassam & Nancy Shihadeh dba Deli Up Café, and the City and County of San Francisco, acting by and through its Airport Commission. (Airport Commission)

Resolution No. 213-05**ADOPTED****Recommendations of the City Operations and Neighborhood Services Committee****041308 [Regulating the Distribution of Handbills]****Supervisor Ma**

Ordinance amending Article 5.7 of the Public Works Code by repealing section 184.71, which required persons distributing handbills to register and pay fees, amending section 184.73 to make violation of the ordinance an infraction instead of a misdemeanor, and by renumbering sections 184.71 through 184.77.

Ordinance No. 53-05**FINALLY PASSED**

**050016 [Safety Measures -- Hyde Street and Vallejo Streets]
Supervisor Peskin**

Resolution urging the Department of Parking and Traffic to install a traffic signal at the intersection of Vallejo and Hyde Streets, urging the painting of crosswalks crossing Hyde Street at Vallejo Street, and designating the intersections of Hyde at Green Streets and Hyde at Broadway Streets all-way STOPS.

**Resolution No. 209-05
ADOPTED**

050102 [Parking Regulation]

Resolution enacting parking regulation on Hill Street.

RESIDENTIAL PERMIT PARKING AREA "S" (4-HOUR TIME LIMIT, 8 AM - 9 PM, MONDAY THROUGH FRIDAY) - ESTABLISH
Hill Street, both sides, between Noe and Sanchez Streets (400 block).

**Resolution No. 211-05
ADOPTED**

050237 [Accept-Expend Grant]

Resolution authorizing the Public Library to retroactively accept and expend a grant in the amount of \$23,400 from the Friends of the San Francisco Public Library for a part-time, as needed, editor for the publication, At the Public Library. (Public Library)

**Resolution No. 214-05
ADOPTED**

Recommendations of the Rules Committee

**041138 [Board of Supervisors to respond on behalf of City departments to orders for the production of City records made under designated state and federal laws]
Supervisors McGoldrick, Mirkarimi, Peskin, Ammiano**

Ordinance amending the San Francisco Administrative Code, by adding Section 2.20, to authorize the Board of Supervisors to identify as "watch laws" those state or federal laws calling for the disclosure of information or records held by the City, where disclosure could violate of the rights of individuals under the State or Federal Constitutions, and to authorize the Board to respond on behalf of City departments to orders for the production of City information or records made under such watch laws.

**Ordinance No. 51-05
FINALLY PASSED**

**050120 [Appointing members to the IHSS Governing Body]
Supervisor Maxwell**

Ordinance clarifying the process for appointing members to the In-Home Supportive Services Public Authority (IHSS) Governing Body, and adding two additional members (representing the bargaining unit of the union that represents IHSS independent providers, and a consumer at-large who is eighteen years of age or older).

**Ordinance No. 55-05
FINALLY PASSED**

050295 [Appointment - Shelter Monitoring Committee]

Resolution appointing Bianca Henry, Delbert Scott and Jesus Medellin, terms ending November 23, 2006, to the Shelter Monitoring Committee.

Bianca Henry, new appointment, seat 4, must be selected from a list of candidates that are nominated by community agencies that provide behavioral health, housing placement, or other services to the homeless, for the unexpired portion of a two-year term ending November 23, 2006.

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

Jesus Medellin, new appointment, seat 6, must be selected from a list of candidates that are nominated by non-profit agencies that provide advocacy or organizing services to homeless people, for the unexpired portion of a two-year term ending November 23, 2006.

Resolution No. 215-05

ADOPTED

050384 [Appointment - Bicycle Advisory Committee]

Resolution appointing Andrew Thornley and Francisco Hernandez, terms ending November 19, 2006, to the Bicycle Advisory Committee.

Andrew Thornley, succeeding Andrew Thornley, term expired, seat 1, must be a nominee of District 1 Supervisor, for the unexpired portion of a two-year term ending November 19, 2006.

Francisco Hernandez, succeeding Francisco Hernandez, term expired, seat 9, must be a nominee of District 9 Supervisor, for the unexpired portion of a two-year term ending November 19, 2006.

Resolution No. 216-05

ADOPTED

050411 [Appointment - Commission on the Aging Advisory Council]

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

Vera Haile, succeeding Marie Conroy-Salbi, term expiring March 31, 2005, seat 8, must be nominee of District 1 Supervisor, for a two-year term ending March 31, 2007.

Resolution No. 217-05

ADOPTED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, 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.

PASSED ON FIRST READING by the following vote:

Ayes: 8 - Alioto-Pier, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Noes: 3 - Ammiano, Daly, Mirkarimi

Recommendation of the Land Use Committee

**041745 [Regulating Skateboard Riding]
Supervisor Ma**

Ordinance amending the San Francisco Traffic Code by amending section 100 (Ord. No. 300-98) so that it no longer applies to skateboard riders; repealing a second section 100 (Ord. No. 385-98); repealing sections 100.1 through 100.6, which established a pilot program regulating roller and in-line skaters that has now expired; and adding a new section 100.1, regulating the riding of skateboards in San Francisco.

Supervisor Ma, seconded by Supervisor Elsbernd, moved that this Ordinance be **RE-REFERRED** to the Land Use Committee. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Recommendation of the Rules Committee

050247 [Settlement of Lawsuit - 18th and Arkansas Homeowners Association, et al., v. CCSF, et al.]

Ordinance authorizing settlement of the lawsuit filed by 18th and Arkansas Homeowners Association, 1220 Folsom Street Owners' Association, 2412 Harrison Street Owners' Association, India Cove Homeowners Association, 700 Illinois Street Owners' Association, 1415 Indiana Street Owners' Association, Penn Station Lofts Owners' Association, 226 Ritch Street Owners Association, 650 Second Street Owners' Association, San Francisco Flower Growers Association, 2030 Third Street Homeowners' Association, Tehama Lofts Condominium Owners' Association, 1011 23rd Street Owners' Association, and 239 8th Street Homeowners' Association against the City and County of San Francisco for \$65,424.81; the lawsuit was filed on September 27, 2003 in the San Francisco Superior Court, Case No. 424-484; entitled 18th and Arkansas Homeowners Association, et al., v. City and County of San Francisco, et al.

Ordinance No. 56-05

FINALLY PASSED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

NEW BUSINESS**Recommendations of the Budget and Finance Subcommittee****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.)

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Duffy, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

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.)

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Duffy, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

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.)

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Duffy, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Recommendations of the City Operations and Neighborhood Services Committee

050099 [Cesar Chavez Bike Bridge and at-grade pedestrian/bike path on State Route 101 at Cesar Chavez Street]

Resolution approving a maintenance agreement with the State of California, Department of Transportation (Caltrans) for the newly constructed Cesar Chavez Bike Bridge and at-grade pedestrian/bike path on State Route 101 at Cesar Chavez Street and authorizing official acts in furtherance thereof. (Public Works Department)

Resolution No. 210-05

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

050163 [Liquor License, 1760-1772 Market Street]

Resolution determining that the issuance of a Type 48 on-sale general public premises liquor license in exchange for a Type 47 on-sale general eating place license to Michael Harranty, for Octavia Lounge located at 1760-1772 Market Street, will serve the public convenience and necessity of the people of the City and County of San Francisco, in accordance with section 23958.4 of the California Business and Professions Code with conditions.

Resolution No. 212-05

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Recommendation of the Land Use Committee

Appointment of President Pro Tempore

At the request of the President, Supervisor Ammiano assumed the Chair so the President could participate in the debate from the floor concerning the following item.

The President resumed the Chair shortly thereafter.

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.

PASSED ON FIRST READING by the following vote:

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

Recommendations 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.

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

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

PASSED ON FIRST READING AS AMENDED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

**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.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

041582 [Continuum of Care Plan - Homeless Board Membership]
Supervisors Elsbernd, Alioto-Pier

Resolution amending the Continuum of Care Plan to dissolve the current Local Homeless Coordinating Board and to restructure it to reflect the recently adopted Ten Year Plan to End Chronic Homelessness reducing its membership to nine: four appointed by the Mayor; four appointed by the Board of Supervisors; and one appointed by the Controller.

*Supervisor Ammiano, seconded by Supervisor Mirkarimi, moved to re-refer to Committee.
Motion to re-refer to Committee was withdrawn by Supervisor Ammiano.*

Supervisor Ammiano, seconded by Supervisor Mirkarimi, moved to amend that the Controller's appointment be confirmed by the Board of Supervisors.

Motion to amend that the Controller's appointment be confirmed by the Board of Supervisors carried without objection.

Resolution No. 208-05

Supervisor Daly, seconded by Supervisor Mirkarimi, moved that this Resolution be ADOPTED AS AMENDED. The motion carried by the following vote:

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

050316 [Appointment - Board of Appeals]
Mayor

Motion approving the Mayor's appointment of Michael Garcia to the Board of Appeals for the term ending July 1, 2006.

(Section 4.106 of the City Charter provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days of the date the nomination is transmitted to the Clerk then the nominee shall be deemed approved; companion measure to File 050317.)

Transmittal date - February 18, 2005.

Motion No. M05-42

APPROVED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, 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.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

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

*Emily Musareo, PHD, Executive Director Commission on the Status of Women
Recognition of Women Making History Ceremony*

*Supervisor Mirkarimi honored London Breed
Supervisor Sandoval honored Alice Bulos
Supervisor Daly honored Lolita Kintanar
Supervisor Peskin honored Krystn Kuckelman
Supervisor Ammiano honored Delia Medina
Supervisor McGoldrick honored Sue Lee
Supervisor Elsbernd honored Patricia Pinnick
Supervisor Alioto-Pier honored Lisa J. Stevens
Supervisor Ma honored Dawn Stueckle
Supervisor Maxwell honored Lynn Westry
Supervisor Dufty honored Carol Yenne*

Commission on the Status of Women Commissioners Angela Williams and Katherine Munter addressed the Board.

Supervisor Maxwell introduced, welcomed and presented a Certificate of Honor to members of the Peer Corp.

SPECIAL ORDER 4:00 P.M.

050274 [11. Public Hearing - Appeal of Categorical Exemption for 981 Washington Street (Chinese Independent Baptist Church Expansion)]

Hearing of persons interested in or objecting to the decision of the Planning Department dated November 8, 2004, Case No. 2004.0906E, approving the expansion of the existing building to the rear of the structure for an addition of approximately 4,600 square feet (sq. ft.) for a total area of about 11,720 sq. ft. The new area would be used for Sunday School classrooms, a renovated kitchen, stairs and toilet facilities. In addition, the interior of the building would be renovated by increasing the width of corridors, adding a chair lift, an elevator and toilet facilities that would meet the requirements of the Americans with Disabilities Act. The present sanctuary which seats 120 persons would not be expanded. The project site is located at 981 Washington Street between Powell and Stockton Streets, Lot 24 in Assessor's Block 0211, within an RC-4 District and a 65-A Height and Bulk District. (Appellants: Anne Leong, Dennis Leong, Walter and Jane Leong, Dr. Guston Ho, Dolly Lee, Victor Leong, Woy Kit Leong, et al.)

(Filed January February 16, 2005; companion measure to Files 050275, 050276, 050277; District 3.)

Mr. Leong, Representative for the appellants
Anne Leong, support of appellant
Dr. Julian Finley, support of appellant

Paul Maltzer, Planning Department, reviewed with the Board the Planning Department's recommendation.

Lincoln Lue - Representative for project sponsor (Chinese Independent Baptist Church)
Sam Leong, support of project sponsor
Andrew Fung, support of project sponsor
Johnson Chen, support of project sponsor
Catherine Chen, support of project sponsor
Rev. Amos Lee, support of project sponsor

Rebuttal Period: Dr. Julian Finley for the 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 categorical exemption 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.)

050275 [Affirming the categorical exemption issued for 981 Washington Street]

Motion affirming the determination by the Planning Department that the 981 Washington Street project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Motion No. M05-43

Supervisor Sandoval, seconded by Supervisor Elsbernd, moved that this Motion be APPROVED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

050276 [Disapproving the categorical exemption issued for 981 Washington Street]

Motion disapproving the determination by the Planning Department that the 981 Washington Street project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Supervisor Sandoval, seconded by Supervisor Elsbernd, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

050277 [Preparation of findings related to the categorical exemption issued for 981 Washington Street]

Motion directing the Clerk of the Board to prepare findings related to the appeal of the determination by the Planning Department that the 981 Washington Street project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Supervisor Sandoval, seconded by Supervisor Elsbernd, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

SPECIAL ORDER 4:30 P.M.**050374 [Public Hearing - Appeal of Tentative Subdivision Map for 4005 Mission Street]**

Hearing of persons interested in or objecting to the decision of the Department of Public Works dated February 16, 2005, approving Tentative/Parcel Map to legalize the proposed construction of a 3 unit new condominium project in Assessor's Block 5835, Lot 75, at 4005 Mission Street, San Francisco. (Appellant: Otto Wiegand)

(Companion Measure to Files 050375, 050376, 040377; District 11.)

Continued to April 5, 2005

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

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the Tentative Subdivision 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 adopted.)**050375 [Tentative Subdivision Map for 4005 Mission Street]**

Motion approving decision of the Director of Public Works, approving Tentative Subdivision Map to legalize the construction of a 3 unit new condominium project in Assessor's Block 5835, Lot 75, at 4005 Mission Street. (Clerk of the Board)

Continued to April 5, 2005

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

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

050376 [Tentative Subdivision Map for 4005 Mission Street]

Motion disapproving decision of the Director of Public Works, approving Tentative Subdivision Map to legalize the construction of a 3 unit new condominium project in Assessor's Block 5835, Lot 75, at 4005 Mission Street. (Clerk of the Board)

Continued to April 5, 2005

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

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

050377 [Findings - 4005 Mission Street]

Motion directing the Clerk of the Board to prepare findings relating to Tentative Subdivision Map to legalize the construction of a 3 unit new condominium project in Assessor's Block 5835, Lot 75 at 4005 Mission Street. (Clerk of the Board)

Continued to April 5, 2005

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

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

(Only one of the following two motions should be adopted.)**050486 [Affirming the categorical exemption issued for 4005 Mission Street]**

Motion affirming the determination by the Planning Department that the 4005 Mission Street project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Continued to April 5, 2005

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

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

050487 [Disapproving the categorical exemption issued for 4005 Mission Street]

Motion disapproving the determination by the Planning Department that the 4005 Mission Street project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Continued to April 5, 2005

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

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

050488 [Preparation of findings related to the categorical exemption issued for 4005 Mission Street]

Motion directing the Clerk of the Board to prepare findings related to the appeal of the determination by the Planning Department that the 4005 Mission Street project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Continued to April 5, 2005

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

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

ROLL CALL FOR INTRODUCTIONS

Pursuant to the Board of Supervisors Rule No. 3.9

Supervisor Daly provided the Board an update on the Bay Area Air Quality Board on which he represents the Board of Supervisors.

Supervisor Dufty provided the Board an update on the Mental Health Board on which he represents the Board of Supervisors.

Supervisor Maxwell provided the Board an update on the Peninsula Joint Powers Board on which she represents the Board of Supervisors.

Supervisor Alioto-Pier provided the Board an update on the State Legislation Committee on which she represents the Board of Supervisors.

PUBLIC COMMENT

Abdulla Megaheed; showed interest in homeless issues

Female Speaker; expressed concern with medical marijuana issues

Female Speaker; expressed concern with police issues

Tom Donohue; expressed concern with Laguna Honda Hospital issues

Josh Hart; expressed concern with bicycle tolls on the Golden Gate Bridge

Carter Zinn; expressed concern with bicycle tolls on the Golden Gate Bridge

Male Speaker; expressed concern with medical marijuana issues

Male Speaker; expressed concern with medical marijuana issues

Adam Thornley; expressed concern with bicycle tolls on the Golden Gate Bridge

Elsie; expressed concern with medical marijuana issues

Michael Mann; expressed concern with medical marijuana issues

Terry Bright; expressed concern with medical marijuana issues

Stephanie Newhart; expressed concern with bicycle tolls on the Golden Gate Bridge

Sam Sunskaski; expressed concern with bicycle tolls on the Golden Gate Bridge

Esther Spray; expressed concern of genocide in Darfur region

Jim Brabow; expressed concern with medical marijuana issues

James Chaffee; expressed concern with the SF Library

APPROVAL OF REQUESTS TO THE LEGISLATIVE ANALYST

These items may be introduced by any Supervisor seeking analysis from the Office of the Legislative Analyst on introduced legislation and for the purpose of providing assistance to Board of Supervisors' task forces and advisory committees. Requests to the Legislative Analyst shall require the affirmative vote of a majority of the members of the Board.

**050455 [Legislative Analyst Request - Report on Current Restorative Justice Practices]
Supervisor Dufty**

Motion requesting the Legislative Analyst to research and prepare an in-depth report on current restorative justice practices within the City and County of San Francisco and identifying best practices from other municipalities.

APPROVED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, 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.

**050464 [Accessible Web Sites]
Supervisors Alioto-Pier, Ma, Daly**

Resolution adopting the Mayor's Office on Disability and DTIS Web Site Accessibility Initiatives.

Supervisors Ma and Daly requested to be added a co-sponsors.

Resolution No. 218-05

ADOPTED

**050465 [Initiate the Designation of 2151 Van Ness Avenue, St. Brigid Church, as a Landmark]
Supervisors Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Ma**

Resolution initiating the designation of 2151 Van Ness Avenue, St. Brigid Church, Block 0575, Lot 015, as a landmark pursuant to Section 1004.1 of the Planning Code.

Resolution No. 227-05

ADOPTED

**050466 [Shore-to-Shore Bicycle-Pedestrian-Maintenance Pathway]
Supervisors Ammiano, Daly, Mirkarimi, Alioto-Pier, Dufty**

Resolution urging the California State Legislature and Metropolitan Transportation Commission to include funding for the West Span Bicycle-Pedestrian-Maintenance Pathway as part of any revenue plan, including a toll increase, intended to pay for the cost overruns related to the East Span replacement project.

Resolution No. 219-05

ADOPTED

050467 [Oscar Anulfo Romero Remembrance Day]
Supervisor Ammiano

Resolution declaring March 24, 2005 as Archbishop Oscar Anulfo Romero Remembrance Day in the City and County of San Francisco.

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

Resolution No. 220-05

ADOPTED

050468 [Victoria Manalo Draves Park]
Supervisor Daly

Resolution urging the Recreation and Park Commission to name the new park that is to be built in the old Bessie Carmichael Elementary School site (on Sherman and Folsom) as Victoria Manalo Draves Park.

Resolution No. 230-05

ADOPTED

050469 [Commending LeVella Johnson]
Supervisor Dufty

Resolution commending LeVella Johnson for her 35 years of loyal service to the City and County of San Francisco.

Resolution No. 221-05

ADOPTED

050470 [DCYF Community Needs Assessment]
Supervisor Ma

Resolution approving the Community Needs Assessment developed by the Department of Children, Youth and their Families in accordance with Section 16.108 of the San Francisco Charter.

Resolution No. 222-05

ADOPTED

050471 [Opposing Tolls for Bicycle and Pedestrian Access on Golden Gate Bridge]
Supervisor Mirkarimi

Resolution urging Golden Gate Bridge, Highway, and Transportation District not to levy tolls for bicycling and walking on the Golden Gate Bridge.

Resolution No. 226-05

ADOPTED

**050472 [Approving Protest Letter to the California PUC and the Procurement Review Committee Regarding Approval of Proposed PG&E Power Purchase Agreements and Energy Efficiency Programs]
Supervisor Mirkarimi**

Resolution approving a Protest Letter to the California Public Utilities Commission and the Procurement Review Committee regarding approval of proposed Pacific Gas & Electric Power Purchase Agreements and Energy Efficiency Programs.

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

Resolution No. 229-05

ADOPTED

**050473 [Accept-Expend State Grant]
Supervisor Mirkarimi**

Resolution authorizing the Department of the Environment to accept and expend a grant in the amount of \$112,000 from the California Department of Conservation for the implementation of an Away From Home Recycling Project in the City and County of San Francisco.

Resolution No. 223-05

ADOPTED

**050474 [Endorsing and welcoming the American Friends Service Committee's Eyes Wide Open Exhibit]
Supervisors Mirkarimi, Daly**

Resolution endorsing and welcoming the American Friends Service Committee's Eyes Wide Open Exhibit to the City and County of San Francisco March 25-27, 2005.

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

Resolution No. 228-05

ADOPTED

**050476 [Arbor Day in San Francisco]
Supervisor Peskin**

Resolution declaring March 12, 2005 Arbor Day in San Francisco.

Resolution No. 224-05

ADOPTED

**050477 [Commending Commissioner Millard Larkin II]
Supervisor Maxwell**

Resolution commending Commissioner Millard Larkin II for his years of service on the Southeast Community Facility Commission.

Resolution No. 225-05

ADOPTED

050422 [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.

Motion No. M05-44

APPROVED

050428 [Emergency Disadvantaged Business Enterprise Program - March 29, 2005, Committee of the Whole]
Supervisor Ammiano

Motion for the Board of Supervisors to convene as a committee of the whole on March 29, 2005, at 4:00 p.m. to accept public testimony concerning 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.

Motion No. M05-46

APPROVED

050475 [Rescheduling the April 5, 2005 Board meeting to 10:00 am]
Supervisor Peskin

Motion rescheduling the April 5, 2005 regular meeting of the Board of Supervisors to begin at 10:00 a.m. in the Board Chamber in City Hall on that day.

Motion No. M05-41

APPROVED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Severed from Without Reference to Committee Agenda

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

050362 [Supporting Golden Gate Bridge Suicide Barrier]
Supervisors Ammiano, Maxwell, Mirkarimi, Alioto-Pier, Daly, Dufty, McGoldrick, Peskin

Resolution supporting the need for a suicide barrier on the Golden Gate Bridge to protect the public's health and safety and further urging the Golden Gate Bridge Board Directors to proceed with the design and consultation of a suicide barrier.

Resolution No. 231-05

ADOPTED by the following vote:

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

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

**050424 [Extending Time for Labor Negotiations to June 30, 2005]
Supervisor Elsbernd**

Motion extending time for labor negotiations to June 30, 2005, pursuant to Charter Section 11.100.

Motion No. M05-45

APPROVED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

OFF-AGENDA LEGISLATION

Introduced by Supervisors or Mayor

Ordinances

**041489 [Regulation of Electioneering Communications]
Supervisors Maxwell, Peskin, McGoldrick, Sandoval, Mirkarimi, Ammiano**

Ordinance amending the San Francisco Campaign and Governmental Conduct Code by adding section 1.161.5 to create disclosure and filing requirements for the sponsors of electioneering communications and by amending Section 1.134 to include electioneering communications within the type of communications that could cause the Ethics Commission to lift the City's expenditure ceilings.

(Supervisor Alioto-Pier dissenting in Committee.)

10/26/04, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 11/25/2004. 12/1/04 - Referred to Ethics Commission for review and recommendation.

1/4/05, SUBSTITUTED. Supervisor Maxwell submitted a substitute ordinance bearing same title.

1/4/05, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 2/3/2005.

1/27/05, REFERRED TO DEPARTMENT. Referred to Ethics Commission for review and recommendation.

3/16/05, RESPONSE RECEIVED. The Ethics Commission voted on 3/14/05 to approve the proposed legislation.

3/22/05, SUBSTITUTED. Supervisor Maxwell submitted a substitute ordinance bearing new title.

3/22/05, ASSIGNED to Rules Committee.

**050490 [Reducing FY 2004-2005 General Fund overtime appropriations for public safety departments by 5 percent and for certain non-safety departments by 10 percent]
Supervisor McGoldrick**

Ordinance directing the Controller to reduce Fiscal Year 2004-2005 General Fund appropriations to specified public safety departments for overtime expenses by 5 percent, and to specified non-safety or health departments by 10 percent where the savings would be at least \$5,000.

3/22/05, RECEIVED AND ASSIGNED to Budget and Finance Committee.

**050491 [Appropriate funding from the General Fund Reserve to increase funding for Public Health staffing in the Long Term Chronic Health Care Program for At Home Patients]
Supervisor McGoldrick**

Ordinance appropriating \$307,379 to increase funds for 2 months of salary of 11.50 nurses, 6.80 medical social workers and 1 billing clerk in the Long Term Chronic Health Care Program for At Home Patients for the Department of Public Health for Fiscal Year 2004-05.

(Fiscal impact.)

3/22/05, RECEIVED AND ASSIGNED to Budget and Finance Committee.

**050494 [Moratorium on Condominium Conversions]
Supervisor Daly**

Ordinance amending Section 1396 of the Subdivision Code enacting a moratorium on condominium conversions until the City of San Francisco studies the impact of "tenancy in common" conversions on city's rental housing stock and the impact of the conversions of the stated goals of the San Francisco Condominium Conversion law.

3/22/05, RECEIVED AND ASSIGNED to Land Use Committee.

**050496 [Increasing height exemption for elevator penthouses from 10 feet to 16 feet]
Supervisor Alioto-Pier**

Ordinance amending the San Francisco Planning Code by amending Section 260 to increase the height exemption for elevator penthouses from 10 feet to 16 feet, to allow the Zoning Administrator to grant further exemptions for buildings with height limits of more than 65 feet where such an exemption is required to meet state or federal laws or regulations, and making findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan.

3/22/05, ASSIGNED UNDER 30 DAY RULE to Land Use Committee, expires on 4/21/2005.

**050497 [Renaming the Department of the Medical Examiner as the "Office of the Chief Medical Examiner."]
Mayor**

Ordinance amending the San Francisco Administrative Code by amending Section 2A.250 to change the name of the Department of the Medical Examiner to "Office of the Chief Medical Examiner."

3/22/05, RECEIVED AND ASSIGNED to Rules Committee.

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

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.

3/22/05, ASSIGNED to Board of Supervisors. 3/28/05 - Referred to Planning Department, via email, for determination as to whether proposed legislation will impact the environment.

3/28/05 - Received from Planning Department that the proposed legislation was exempt pursuant to General Rule Exclusion, CEAQ Guidelines Section 15061 (b) (3) - preservation of status quo for 45 days. Copies distributed to Board members and City Attorney.

Resolutions**050493 [Grant to respond to bioterrorism, infectious disease outbreaks, and other public health threats and emergencies in hospital settings in San Francisco]****Supervisor Ma**

Resolution authorizing the San Francisco Department of Public Health (SFDPH, SFGH, LHH) to accept and expend retroactively a grant in the amount of \$44,747 to San Francisco General Hospital and \$27,960 to Laguna Honda Hospital, in a combined amount of \$72,707, from the California Department of Health Services (CDHS) to prepare for and respond to bioterrorism and other public health emergencies and to enter into agreements for the use of these funds; for the period of September 1, 2003, to August 30, 2005.

3/22/05, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

050495 [Grant of Regional Funds]**Supervisor Peskin**

Resolution authorizing the Municipal Transportation Agency to accept and expend \$4,290,000 of Regional Measure 2 funds for Municipal Railway Capital Project.

3/22/05, RECEIVED AND ASSIGNED to Land Use Committee.

050498 [Three-Way Stop at Frederick and Willard Streets]**Supervisor McGoldrick**

Resolution urging Department of Parking and Traffic to implement a three-way stop at Frederick and Willard Streets.

3/22/05, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee. 3/21/05 - Referred to Parking and Traffic for comment and determination of environmental impact.

4/14/05 - Planning department determined that this legislation is categorically exempt from environmental review per class 1(c).

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.

050499 [Traffic Regulations - Bike Lanes]**Supervisor Daly**

Resolution enacting bike lanes on Market Street.

3/22/05, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee. 3/21/05 - Referred to Parking and Traffic for comment and determination of environmental impact.

3/28/05 - Advertised in the 4/6/05 edition of the SF Chronicle.

4/15/05 - Response received from Planning, Categorically Exemption from environmental review Class 4(h).

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.

3/22/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**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.

3/22/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**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.

3/22/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**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.

3/22/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**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.

3/22/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**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.

3/22/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**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.

3/22/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**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.

3/22/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**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.

3/22/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**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.

3/22/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**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.

3/22/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

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

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

3/22/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**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.

3/22/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Requests for Hearing

**050500 [Public Health and Human Services Fiscal Year 2005-2006 Budget]
Supervisor Ammiano**

Hearing for the Department of Public Health and the Department of Human Services to provide a policy and performance based overview of their current year budget and proposed FY 2005-2006 budget submission to the Mayor.

3/22/05, RECEIVED AND ASSIGNED to Budget and Finance Committee. Sponsor requests this item be scheduled for consideration at the March 31, 2005 meeting.

**050501 [Recreation & Park and Public Works Fiscal Year 2005-2006 Budget]
Supervisor Ammiano**

Hearing for the Recreation and Park and Public Works Department to provide a policy and performance based overview of their current year budget and proposed FY 2005-2006 budget submission to the Mayor.

3/22/05, RECEIVED AND ASSIGNED to Budget and Finance Committee. Sponsor requests this item be scheduled for consideration at the April 7, 2005 meeting.

**050502 [Fire Department FY 2005-2006 Budget]
Supervisor Ammiano**

Hearing for the Fire Department to provide a policy and performance based overview of their current year budget and proposed FY 2005-2006 budget submission to the Mayor.

3/22/05, RECEIVED AND ASSIGNED to Budget and Finance Committee. Sponsor requests this item be scheduled for consideration at the April 14, 2005 meeting.

**050503 [Police and Sheriff Fiscal Year 2005-2006 Budget]
Supervisor Ammiano**

Hearing for the Police and Sheriff's Departments to provide a policy and performance based overview of their current year budget and proposed FY 2005-2006 budget submission to the Mayor.

3/22/05, RECEIVED AND ASSIGNED to Budget and Finance Committee. Sponsor requests this item be scheduled for consideration at the April 21, 2005 meeting.

**050504 [City Policy for Disbursing Housing under the Care Not Cash Program]
Supervisor Daly**

Hearing on City policy of disbursing housing under the Care Not Cash program, including the types of referrals made and the overall effectiveness of securing permanent housing for the homeless population.

3/22/05, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

**050505 [Redesign of Homeless Program]
Supervisor Daly**

Hearing on the Mayor's Office and the Department of Human Services provisions for community input in the redesign of its homeless program.

3/22/05, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

**050506 [Project Homeless Connect Program and Services]
Supervisor Daly**

Hearing on the Project Homeless Connect Program and services in relation to outreach recommendations from the 10 year planning council.

3/22/05, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

**050507 [Mayor's Office of Housing Mission to Serve a Diversity of Populations]
Supervisor Daly**

Hearing on how the Mayor's Office of Housing is serving various populations in its current mission and efforts.

3/22/05, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

**050508 [Livability of San Francisco for San Francisco General Residents]
Supervisor Daly**

Hearing on City policies impacting the attraction of University of San Francisco Medical School residents at San Francisco General Hospital.

3/22/05, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

**050509 [Prohibition of Chlorofluorocarbon Processed Food Packaging]
Supervisor McGoldrick**

Hearing to discuss the City's compliance with San Francisco Health Code Section 469.2 which prohibits retail food establishments and wholesalers doing business within the City and County of San Francisco from selling, purchasing, distributing, keeping or providing to customers any chlorofluorocarbon processed food packaging. Also, Health Code Section 469.7 which states that the City and County of San Francisco is also prohibited from purchasing CFC processed food packaging, except where required under a contract entered into prior to the enactment of the ordinance.

3/22/05, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee. 3/25/05 - Referred to Small Business Commission.

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)
3/22/05, ASSIGNED to Board of Supervisors. Pursuant to File 050510, Board to sit as a Committee of the Whole March 29, 2005, at 5:00 p.m.

**050513 [Categorical Exemptions to Historic Resources]
Supervisor Peskin**

Hearing to explore the Department of City Planning's policies regarding the application of categorical exemptions to historic resources.
3/22/05, RECEIVED AND ASSIGNED to Land Use Committee.

MOTIONS**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.
3/22/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**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.
3/22/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

CHARTER AMENDMENT**050492 [Charter Amendment - Authorizing the Board of Supervisors to meet by teleconferencing or other electronic means during a state of emergency]
Supervisor Ma**

Charter Amendment (First Draft) to amend Section 2.103 to allow the Board of Supervisors to meet by teleconferencing or other electronic means during a state of emergency.
3/22/05, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 4/21/2005. 4/14/05 - Referred to Controller; Mayor; City Attorney; Ethics Commission; City Administrator; Administrative Services Director; Planning, Environmental Review Officer; Budget Analyst; Clerk of the Board.

PROPOSED ORDINANCES

050416 [Health Service System Plans]

Ordinance approving the 2005-2006 health, vision and dental plans of the Health Service System, and the rates applicable to those plans. (Human Resources Department)

(Fiscal impact.)

3/8/05, RECEIVED AND ASSIGNED to Budget and Finance Committee.

050418 [Settlement of Lawsuit - James Tucker]

Ordinance authorizing settlement of the lawsuit filed by James Tucker against the City and County of San Francisco for \$60,000; the lawsuit was filed on September 9, 2003 in San Francisco Superior Court, Case No. 424-256; entitled James Tucker, et al. v. City and County of San Francisco, et al. (City Attorney)

3/14/05, RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED RESOLUTIONS

050389 [Settlement of Claim - Beatrice Mouser]

Resolution approving the settlement of the unlitigated claim filed by Beatrice Mouser against San Francisco for \$125,000; claim was filed on October 21, 2004. (City Attorney)

3/14/05, RECEIVED AND ASSIGNED to Rules Committee.

050419 [PUC Commercial Paper Issuance]

Resolution approving the substitution of the letter of credit with respect to the San Francisco Public Utilities Commission's Commercial Paper Notes (Water Series) and related matters. (Public Utilities Commission)

3/14/05, RECEIVED AND ASSIGNED to Budget and Finance Committee.

Requests Granted

From: Supervisor Sandoval

To: City Attorney

Requesting/Inquiring: To draft legislation to amend the Planning Code to prohibit new medicinal marijuana clinics from locating within 1000 feet of existing marijuana clinics and to prohibit the siting of medicinal marijuana clinics within 1000 feet of any public or private school, youth center, library, park or recreation facility.

From: Supervisor Maxwell

To: City Attorney

Requesting/Inquiring: To draft legislation to create a Food Security Task Force where its primary focus is to create a strategic plan for the city to increase participation of federally funded programs such as the Food Stamp Program.

From: Supervisor McGoldrick

To: City Attorney

Requesting/Inquiring: To draft legislation that prohibits the City and County of San Francisco from the use of plastic bags in any of San Francisco's city operations.

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: To report on the status of the two empty sidewalk squares at 701 Shrader Street.

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: To report on the status of replacing the dead tree at 801 Shrader Street.

From: Supervisor Mirkarimi

To: Director, Redevelopment Agency

Requesting/Inquiring: To report on the status of replacing the palm tree that has been cut down on the perimeter of Safeway's parking lot adjacent to Gene Suttle Plaza at Fillmore and O'Farrell Streets.

From: Supervisor Daly

To: Mayor's Office

Requesting/Inquiring: To report on the budget of Project Homeless Connect programs and services with particular emphasis on the costs for website and the staging overall outreach services for current fiscal year 2004-05 and plans for next fiscal year 2005-06.

In Memoriams

Gaston Grass (Supervisor Dufty)

Alex Bonutti (Supervisor Elsbernd)

Richard Sanguinetti (Supervisor Elsbernd)

Doris Neumann (Supervisor Elsbernd)

Robert Lanctot (Supervisor Sandoval)

ADJOURNMENT

There being no further business the Board adjourned at the hour of 7:17 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