

# Board of Supervisors

## City and County of San Francisco

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



### **AGENDA**

**Tuesday, January 27, 2004  
2:00 PM**

#### **Regular Meeting**

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**MATT GONZALEZ, PRESIDENT  
TOM AMMIANO, CHRIS DALY, BEVAN DUFTY, TONY HALL,  
FIONA MA, SOPHIE MAXWELL, JAKE McGOLDRICK,  
AARON PESKIN, GERARDO SANDOVAL**

*Gloria L. Young, Clerk of the Board*

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## **ROLL CALL AND PLEDGE OF ALLEGIANCE**

## **APPROVAL OF MEETING MINUTES**

*Motion to approve the January 6, 2004 Meeting Minutes.*

## **AGENDA CHANGES**

## **COMMUNICATIONS**

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

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

*These items will be available for review at City Hall, Room 244, Reception Desk.*

## **CONSENT AGENDA**

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

### **Items 1 through 10**

#### **Recommendations of the City Services Committee**

*Present: Supervisors Dufty, Ma*

- 1. 031948 [Liquor License, Second Floor, 2369-2371 Market Street]**

Resolution determining that the issuance of a Type 48 on-sale general public premises license to P H Holdings Inc. dba The City, located at 2369-2371 Market Street, 2nd Floor (District 8), in exchange for current Type 47 on-sale general eating place license, will serve the convenience of the people of the City and County of San Francisco in accordance with Section 23958.4 of the California Business and Professions Code.

**Question: Shall this Resolution be ADOPTED?**
  
- 2. 032010 [Extend for the third year of funding the HIV Care and Related Services for Women and Minorities grant] **Supervisor Dufty****

Resolution authorizing the San Francisco Department of Public Health, AIDS Office (SFDPH, AIDS) to accept retroactively and expend a grant in the amount of \$745,125 from the Department of Health and Human Services, Office of Minority Health (DHHS, OMH) to provide the third year of funding for HIV Care and Related Services for Women and Minorities and to enter into an agreement for the use of these funds; for the period of September 30, 2003, to September 29, 2004. (Public Health Department)

(Public Benefit Recipient.)

**Question: Shall this Resolution be ADOPTED?**
  
- 3. 032013 [Evaluating the non-name HIV reporting system in California] **Supervisor Dufty****

Resolution authorizing the San Francisco Department of Public Health, AIDS Office, (SFDPH, AIDS) to enter retroactively into the second year of an agreement with the Regents of the University of California San Francisco (UCSF), the primary contractor, to accept and expend funds in the amount of \$10,500 to evaluate the acceptability of California's HIV Surveillance Program by non-name code, for the period of July 1, 2003 to June 30, 2004. (Public Health Department)

(No Public Benefit Recipient.)

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

4. **032045** **[Contract funds to expand healthcare services to newly housed people with disabilities]** **Supervisor Dufty**  
Resolution authorizing the San Francisco Department of Public Health (SFDPH) to enter retroactively into an agreement with the San Francisco Community Clinic Consortium (SFCCC), the primary contractor, and accept and expend funds in the amount of \$299,773 to expand healthcare services to newly housed people with disabilities; for the period of September 1, 2003 to August 31, 2004. (Public Health Department)  
(No Public Benefit Recipient.)

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

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

*Present: Supervisors Peskin, Sandoval, McGoldrick*

5. **031871** **[Appropriate Zygmunt Arendt Fund for the Purchase and Renovation of Property Located at 850 Broderick Street]** **Mayor, Supervisor Sandoval**  
Ordinance appropriating \$3,800,000 of Zygmunt Arendt funding for building purchase and renovation of property located at 850 Broderick Street. Detail includes \$3,120,000 for purchasing and closing costs of the property and \$680,000 for renovation and maintenance for the Department of Human Services for Fiscal Year 2003-04.  
(Fiscal impact.)

1/13/2004, PASSED ON FIRST READING.

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

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

*Present: Supervisors Hall, Dufty, Gonzalez*

6. **031989** **[Transfer of City-Owned Property - Public Notice]** **Supervisors Dufty, Ma, Hall**  
Ordinance amending the San Francisco Administrative Code by adding Section 23.7 to require public notice before the Board of Supervisors may approve the sale, transfer, or other conveyance of City-owned property.  
1/13/2004, AMENDED.  
1/13/2004, PASSED ON FIRST READING AS AMENDED.  
**Question: Shall this Ordinance be FINALLY PASSED?**

7. **031575** **[Appointment]**  
Resolution appointing Manuel Jimenez, term ending January 1, 2005 to the Treasure Island Development Authority Citizens Advisory Board.  
Manuel Jimenez, succeeding Amy Hutzler, resigned, seat 6, must have experience in any of the following areas: land use and urban planning and architecture; transportation planning and alternative and mass transit; historic conservation and preservation; engineering and construction; real estate development and financing; economic development and job

generation and organized labor; first-source hiring, welfare-to-work and other job broker programs; affordable and low-income housing; marine related activities; natural resource preservation and conservation; environmental and toxic remediation and control; tideland trust and public access; open-meeting laws; recreational and athletic opportunities and programs; representative of public safety officers on Treasure Island; representative of TIHDI; representative of Job Corps; Representative of Treasure Island Elementary School; representative of film production industry; and representative of residential tenants on Treasure Island; for the unexpired portion of a four-year term ending January 1, 2005.

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

**8. 040041 [Appointment]**

Resolution appointing Susan Stryker, and Philip Choy, terms expiring December 16, 2004, to the San Francisco Museum and Historical Society Advisory Committee.

Susan Stryker, succeeding herself, term expired, seat 1, must be a member of the public from historical organizations including, but not limited to, organizations focused on the history of ethnic or racial minorities, sexual orientations, gender or any of the various other cultural communities within San Francisco, for a one-year term ending December 16, 2004.

Philip Choy, succeeding himself, term expired, seat 2, must be a member of the public from historical organizations including, but not limited to, organizations focused on the history of ethnic or racial minorities, sexual orientations, gender or any of the various other cultural communities within San Francisco, for a one-year term ending December 16, 2004.

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

**9. 040042 [Appointment]**

Resolution appointing Linda M. Yu Bien, term expiring January 15, 2007 to the San Francisco Health Authority.

Linda M. Yu Bien, succeeding Sophie Wong, term expired, seat 6, must be an employee in the senior management of either private nonprofit community clinics or a community clinic consortium, nominated by the SF Community Clinic Consortium, or any successor organization for a 3 year term ending January 15, 2007.

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

**10. 040050 [Appointment]**

Resolution appointing Jim Dorenkott, term ending March 31, 2005 to the Commission on Aging Advisory Council.

Jim Dorenkott, succeeding Roger Langford, term expired, seat 10, must be a nominee of District 5 Supervisor for the unexpired portion of a two year term ending March 31, 2005.

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

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

## **REGULAR AGENDA**

# **NEW BUSINESS**

## **Recommendations of the City Services Committee**

*Present: Supervisors Dufty, Ma*

- 11. 032014 [Accept-Expend State Forgivable Loan] Supervisor Dufty**
- Resolution authorizing the Department of Human Services to accept and expend a forgivable loan in the amount of \$467,500 from the California Department of Housing and Community Development Emergency Housing and Assistance Program (EHAP) Capital Development to convert two floors of a building at 150 Otis Street in order to provide emergency homeless shelter services. (Human Services Department)
- (Public Benefit Recipient.)

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

- 12. 032015 [Accept-Expend State Forgivable Loan] Supervisor Dufty**
- Resolution authorizing the Department of Human Services to accept and expend a forgivable loan in the amount of \$465,252 from the California Department of Housing and Community Development Emergency Housing and Assistance Program (EHAP) Capital Development to make major repairs to the Multi-Service Center South (695 Bryant Street) which provides homeless shelter services. (Human Services Department)
- (Public Benefit Recipient.)

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

## **Recommendation of the Land Use Committee**

*Present: Supervisors McGoldrick, Maxwell, Ammiano*

- 13. 032012 [Summary Vacation of a Retaining Wall, Sewer and Utility Easement Within Assessor's Block 2763, Lot 023 - 3750 Market Street]**
- Ordinance ordering the summary vacation of a retaining wall, sewer and utility easement located within Assessor's Block 2763, Lot 023, on land commonly known as 3750 Market Street, subject to specified conditions; adopting findings pursuant to the California Streets and Highways Code Sections 8330 et seq.; adopting findings pursuant to the California Environmental Quality Act; adopting findings that the vacation and sale are consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; authorizing the conveyance of the vacated easement area to the fee owner of Assessor's Block 2763, Lot 023; and ratifying and authorizing actions in furtherance of the ordinance. (Real Estate Department)
- (Public Benefit Recipient.)

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

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

# Board of Supervisors Sitting as a Committee of the Whole

(Pending approval of File No. 040073.)

14.       **040072**       **[Hearing - Board Files 031770, 031771, and 031772]**  
Hearing to consider legislation contained in Board Files 031770, 031771, and 031772, regarding General Plan Amendments, Zoning Map Amendments and Planning Code Text Amendments related to the 201 Folsom and 300 Spear Streets residential projects (and the developed lot at 345 Main Street), located in Rincon Hill. (Clerk of the Board)

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

## Committee of the Whole Rise and Report Without Recommendation

### Called From the Land Use Committee

15.       **031770**       **[General Plan Amendments]**  
Ordinance amending the Rincon Hill Area Plan of the San Francisco General Plan to make the Area Plan consistent with a new Residential/Commercial Subdistrict within the Area Plan, to amend objectives related to parking, tower separation and open space requirements, to encourage additional height within the district that would allow greater residential density, and to amend various maps within the Area Plan to reflect the new subdistrict and the new height and bulk controls and new midblock pedestrian passage way configuration, and to allow the replacement of parking currently used by Federal agencies that are located on a development site within the new subdistrict; adopting findings. (Planning Department)  
(No Public Benefit Recipient.)

1/13/2004, CALLED FROM COMMITTEE. Pursuant to Rule 5.31, Supervisor Ma called this measure from the Land Use Committee for Board consideration January 27, 2004.

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

16.       **031771**       **[Zoning Map Amendment]**  
Ordinance amending the San Francisco Planning Code by amending the Zoning Map of the City and County of San Francisco to change the use classification, special use district classification and the height and bulk designation of the property zoned P (Public) and bounded by Spear Street, Harrison Street, Beale Street and Folsom Street (excepting the southern portion of Block 3746), and adopting findings. (Planning Department)  
(No Public Benefit Recipient.)

1/13/2004, CALLED FROM COMMITTEE. Pursuant to Rule 5.31, Supervisor Ma called this measure from the Land Use Committee for Board consideration January 27, 2004.

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

17.       **031772**       **[Establishing a "Residential/Commercial Subdistrict" in the Rincon Hill area]**

Ordinance amending the San Francisco Planning Code by amending Section 249.1(a) to reference "Residential/Commercial Subdistrict," add Section 249.1(b)(8) to create the "Residential/Commercial Subdistrict" generally encompassing most of the property zoned P (Public) and bounded by Spear Street, Harrison Street, Beale Street, and Folsom Street (excepting the southern portion of Block 3746 and Lot 9 of Block 3745), and to add Section 249.1(e) to create special use, density, open space, parking, street frontage, site coverage, dwelling unit exposure, height, bulk standards, and tower separation standards, for the "Residential/Commercial Subdistrict"; adopting findings. (Planning Department)

(No Public Benefit Recipient.)

1/13/2004, CALLED FROM COMMITTEE. Pursuant to Rule 5.31, Supervisor Ma called this measure from the Land Use Committee for Board consideration January 27, 2004.

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

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

### *APPEAL PROCEDURES*

*Board Rule 4.29 provides that public hearings on appeals shall be scheduled for 4pm. If more than one public hearing is scheduled, then the Clerk, in consultation with the President, may determine the order in which the appeals will be scheduled. Second and later appeals may be scheduled at specified times later than 4 pm. An appeal shall not be heard prior to its scheduled time on the calendar, and it may not be called until the Board's consideration of appeals scheduled earlier on the calendar is completed. It is the policy of the Clerk of the Board to schedule multiple appeals in the following order at 4pm:*

- 1. Appeals where all parties have agreed to request a continuance or a tabling of the appeal.*
- 2.*

## **SPECIAL ORDER 4:00 P.M.**

### **18. 031969 [Public Hearing - Appeal of Categorical Exemption - 899 North Point Street]**

Hearing of persons interested in or objecting to the decision of the Planning Department dated March 12, 2003, approving a Certificate of Determination of Exemption/Exclusion from Environmental Review for the proposed construction project located at 899 North Point Street, on Assessor's Block 0026, Lot 020. (Appellants: Roland Salvato and Malana Moberg, on behalf of The Aquatic Park Neighborhood Association and The Russian Hill Improvement Association.)

(Appeal filed December 4, 2003; companion measure to Files 031970, 031971, 031972.)

1/13/2004, CONTINUED. Continued to January 27, 2004

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

*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.)**

19.           **031970**    **[Affirming the categorical exemption issued for 899 North Point Street]**  
Motion affirming the determination by the Planning Department that the 899 North Point Street project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)  
  
1/13/2004, CONTINUED. Continued to January 27, 2004  
**Question: Shall this Motion be ADOPTED?**
20.           **031971**    **[Disapproving the categorical exemption issued for 899 North Point Street]**  
Motion disapproving the determination by the Planning Department that the 899 North Point Street project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)  
  
1/13/2004, CONTINUED. Continued to January 27, 2004  
**Question: Shall this Motion be ADOPTED?**
21.           **031972**    **[Preparation of findings related to the categorical exemption issued for 899 North Point Street]**  
Motion directing the Clerk of the Board to prepare findings related to the appeal of the determination by the Planning Department that the 899 North Point Street project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)  
  
1/13/2004, CONTINUED. Continued to January 27, 2004  
**Question: Shall this Motion be ADOPTED?**

## **SPECIAL ORDER 4:30 P.M.**

22.           **040045**    **[Public Hearing - Appeal, Conditional Use - 1160 Mission Street]**  
Hearing of persons interested in or objecting to the decision of Planning Commission by its Motion No. 16693 dated December 4, 2003, approving Conditional Use Application No. 2002.0628CEKVX, subject to certain conditions, for a Commercial Public Parking Garage with up to 381 parking spaces in a C-3 District and for Residential-serving off-street in excess of accessory amounts, in conjunction with the construction of a 23-story apartment building with up to 246 dwelling units, in a C-3-G (Downtown General Commercial) District and 150-S and 240-S Height and Bulk Districts, on property located at 1160 Mission Street, northwest side between Seventh and Eight Streets, with additional frontage on Stevenson Street; Lots 37, 38, and 56 in Assessor's Block 3702. (Filed by Dave Snyder on behalf of Transportation for a Livable City and subscribed by Supervisors Chris Daly, Matt Gonzalez, Tom Ammiano, Jake McGoldrick, and Gerardo Sandoval.)  
  
(Appeal filed January 5, 2004; companion measure to Files 040046, 040047, 040048, 040049, District 6.)  
  
**Action:**\_\_\_\_\_



*Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the conditional use application 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.)**

23.       **040046        [Appeal, Conditional Use - 1160 Mission Street]**  
Motion approving decision of the Planning Commission by its Motion No. 16693, approving Conditional Use Application 2002.0628CEKVX on property located at 1160 Mission Street, and adopting findings pursuant to Planning Code Section 101.1. (Clerk of the Board)
- Question: Shall this Motion be ADOPTED?**
24.       **040047        [Appeal, Conditional Use - 1160 Mission Street]**  
Motion disapproving decision of the Planning Commission by its Motion No. 16693, approving Conditional Use Application 2002.0628CEKVX on property located at 1160 Mission Street, and adopting findings pursuant to Planning Code Section 101.1. (Clerk of the Board)
- Question: Shall this Motion be ADOPTED?**
25.       **040048        [Findings - 1160 Mission Street]**  
Motion directing the Clerk of the Board to prepare findings relating to proposed Conditional Use Application No. 2002.0628CEKVX on property located at 1160 Mission Street, for action by the Board at its next meeting. (Clerk of the Board)
- Question: Shall this Motion be ADOPTED?**
26.       **040049        [Environmental Review - 1160 Mission Street]**  
Motion certifying review of Final Negative Declaration relating to proposed Conditional Use of property at 1160 Mission Street, and adopting findings pursuant to Planning Code Section 101.1. (Clerk of the Board)
- Question: Shall this Motion be ADOPTED?**

27.       **ROLL CALL FOR INTRODUCTIONS**

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

28.       **PUBLIC COMMENT**

*An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using*

*translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to*

## **FOR ADOPTION WITHOUT COMMITTEE REFERENCE**

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

### **Items 29 through 42**

- 29. 040073 [Committee of the Whole - 201 Folsom and 300 Spear Streets] Supervisor Ma**
- Motion approving the convening by the Board of Supervisors of a public hearing as a Committee of the Whole for Board Files 031770, 031771, and 031772, regarding General Plan Amendments, Zoning Map Amendments and Planning Code Text Amendments related to the 201 Folsom and 300 Spear Streets residential projects (and the developed lot at 345 Main Street), located in Rincon Hill, at the January 27, 2004 meeting of the Board of Supervisors.
- 1/21/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Motion be ADOPTED?**
- 30. 040057 [State law change related to alcohol closing hours] Supervisor Peskin**
- Resolution urging the California State Legislature to pass legislation to modernize laws related to alcohol closing hours.
- 1/14/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?**
- 31. 040062 [Honoring the contributions of the LGBT Community to the History and Culture of San Francisco] Supervisors Ammiano, Dufty**
- Resolution honoring the contributions of the Lesbian, Gay, Bisexual and Transgender communities to the history and culture of San Francisco.
- 1/13/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?**
- 32. 040063 [Renaming SBC Park playing grounds as "Mays Field"] Supervisors Daly, Gonzalez**
- Resolution urging the San Francisco Giants Baseball Club and SBC Communications, Inc. to rename the team's playing grounds "Mays Field at SBC Park" in honor of America's greatest living ballplayer, Willie Mays.
- 1/13/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

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

- 33. 040064 [AIDS Drug Assistance Program] Supervisors Daly, Ammiano, Dufty**

Resolution urging the Governor and Legislature to fully fund the California AIDS Drug Assistance Program (ADAP) and reject an enrollment cap.

1/13/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

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

- 34. 040065 [Commending Martha Knutzen] Supervisors Dufty, Ammiano, Ma, Maxwell**

Resolution commending Martha Knutzen for distinguished public service on the San Francisco Human Rights Commission.

1/13/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

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

- 35. 040066 [Commending the Organization of Chinese Americans] Supervisors Ma, Dufty**

Resolution commending the Organization of Chinese Americans on their valuable contributions towards the issuance of a series of commemorative stamps based on the Chinese zodiac of the lunar New Year calendar.

1/13/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

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

- 36. 040067 [Commending Robert Morey] Supervisor Maxwell**

Resolution commending Robert Morey for his dedication and exemplary service to the Visitacion Valley community and proclaiming January 24, 2004 as Robert Morey Day in San Francisco.

1/13/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

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

- 37. 040068 [Commending Community Works, Sheriff's Department and Visitacion Valley Middle School] Supervisor Maxwell**

Resolution commending Community Works, Sheriff Department and Visitacion Valley Middle School for the creation and implementation of The ROOTS program.

1/13/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

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

- 38. 040069 [Extension of Planning Commission Review Period] Supervisor Peskin**

Resolution extending for an additional 30 days the prescribed time within which the Planning



1/16/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

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

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

## 43. **IMPERATIVE AGENDA**

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

*[Serious Injury Finding]*

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

*[Purely Commendatory Finding]*

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

*[Brown Act Finding]*

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

*[Imperative Resolutions, if any]*

## **OFF-AGENDA LEGISLATION**

## **PROPOSED ORDINANCES**

*Proposed ordinances received from January 6, 2004 through January 16, 2004, for reference by President to appropriate committee on January 27, 2004.*

*None.*

## **PROPOSED RESOLUTIONS**

*Proposed resolutions received from January 6, 2004 through January 16, 2004, for reference by President to appropriate committee on January 27, 2004.*

**040015 [Lease of Real Property]**

Resolution authorizing the lease of 10,000 sq. ft. of space at 70 Oak Grove Street for the Sheriff's Department's Alternative Programs. (Real Estate Department)

1/12/2004, RECEIVED AND ASSIGNED to Finance and Audits Committee.

**040017 [Accept-Expend State Grant]**

Resolution authorizing the Office of Emergency Services to accept and expend a grant in the amount of \$413,323 from the California Governor's Office of Emergency Services for emergency response equipment.

1/12/2004, RECEIVED AND ASSIGNED to City Services Committee.

**040019 [Union Pacific Railroad track lease for Third St. and Carroll Avenue for the Third Street LRT Project]**

Resolution authorizing the Director of Transportation to execute a track lease with the Union Pacific Railroad (UP) that leases approximately six hundred (600) feet of the Union Pacific Railroad's track at Third Street and Carroll Avenue for a term of 25 years, rent of \$10 per year, and a one-time administrative fee of \$500 per lease, for a total cost of \$750, and requires the City to maintain and repair the track and construct and maintain a railroad crossing signal system. (Municipal Transportation Agency)

1/14/2004, RECEIVED AND ASSIGNED to Land Use Committee.

**040020 [Airport Concession Lease]**

Resolution approving Amendment No. 4 to the Post-Security Master Retail/Duty Free Concession in the New International Terminal Building Lease No. 99-0035 between DFS Group, L.P. and the City and County of San Francisco, acting by and through its Airport Commission. (Airport Commission)

1/15/2004, RECEIVED AND ASSIGNED to Finance and Audits Committee.

**040023 [Public Auction of tax-defaulted real property]**

Resolution authorizing Tax Collector to sell at public auction certain parcels of tax-defaulted real property. (Treasurer-Tax Collector)

1/16/2004, RECEIVED AND ASSIGNED to Finance and Audits Committee.

**040051 [Petitions and Communications]**

Petitions and Communications received from December 30, 2003 through January 5, 2004 for reference by the President to Committee considering related matters or to be ordered filed by the Clerk on January 13, 2004.

From Public Utilities Commission, submitting request for waiver of Administrative Code Chapters 12B and 12C for professional services from Fiware.(1)

From Public Utilities Commission, submitting request for release of reserved funds for \$5,000,000.(2)

From Office of the Controller, submitting report concerning the audit of the Salvation Army.(3)

From Yasmen Sorab Mehta, submitting support for funding the San Francisco International Arts Festival. File 031581(4)

From Animal Care and Control Department, regarding what plans or projects the Department has that will add 5,000 new jobs to the City's workforce within the next five years at no cost to the taxpayers of San Francisco. (Reference No. 20031216-013) Copy: Supervisor Hall(5)

From SF Employees' Retirement System, submitting notice that the annual report for the City Employees' Retirement System is available for viewing and/or printing on the City's website at [www.sfgov.org](http://www.sfgov.org).(6)

From Department of Public Health, submitting report entitled "Comprehensive Environmental Lead Poisoning Prevention Program" dated December 2, 2003.(7)

From PG&E, submitting report which provides the names and address of monthly listing of accounts delinquent over 90 days.(8)

From Office of the Controller, submitting report concerning the audit of NRG Energy Center.(9)

From Office of the Controller, regarding what plans or projects the Department has that will add 5,000 new jobs to the City's workforce within the next five years at no cost to the taxpayers of San Francisco. (Reference No. 20031216-052) Copy: Supervisor Hall(10)

From Reuben & Alter, submitting project sponsors submittal in response to appeal of categorical exemption for property located at 899 North Point Street. Copy: Each Supervisor, File 031969(11)

From Department of Human Resources, submitting quarterly report on status of the IFPTE Local 21 Special Assistant Audit and the MEA Management Classification and Compensation Plan. Copy: Each Supervisor(12)

From Department of Human Resources, regarding what plans or projects the Department has that will add 5,000 new jobs to the City's workforce within the next five years at no cost to the taxpayers of San Francisco. (Reference No. 20031216-038) Copy: Supervisor Hall(13)

From Comcast Communications Inc., submitting notice of a programming adjustment scheduled for February 4, 2004.(14)

From Jude Koski, submitting support for purchase of property at 438 Page Street for the Page Street Garden. File 031814(15)

From Office of the Mayor, submitting corrected term expiration dates for appointees to the Department on Building Inspection.Copy: Each Supervisor(16)

From Supervisor Daly, submitting memorandum regarding commission appointments made by the Mayor between December 22, 2003 and January 8, 2004.(17a)

**040117 [Petitions and Communications]**

Petitions and Communications received from January 6, 2004 through January 16, 2004 for reference by the President to Committee considering related matters or to be ordered filed by the Clerk on January 27, 2004.

From Dave Snyder, filing notice of appeal for 1160 Mission Street from action of Planning Commission.(1)

From S.F. Association of Realtors, submitting opposition to proposed ordinance that limits the permissible rent increase under a landlord's Operating and Maintenance petition to a total of 7% for any unit in any five-year period. File 031792, Copy: Each Supervisor(2)

From Office of the City Attorney, submitting a detailed City Attorney Report for the number of hours of service provided in November 2003.(3)

From Office of the Treasurer & Tax Collector, requesting the appointment of Dr. George Kozita. to the Treasury Oversight Committee.(4)

From various signators, submitting Form 700 Statement of Economic Interests: (5)  
Catherine Garza  
Gabriela Barragan  
Darcy Brown  
David Grenell  
Dustin Blake

From Fire Department, submitting notice that an annual inspection relating to fire and life safety issues for Central Police Station at 766 Vallejo Street was conducted on November 25, 2003.(6)

From Fire Department, submitting notice that an annual inspection relating to fire and life safety issues for Mission Police Station at 630 Valencia Street was conducted on December 2, 2003.(7)

From Fire Department, submitting notice that an annual inspection relating to fire and life safety issues for San Francisco General Hospital Wards 7D/7L at 1001 Potrero Avenue was conducted on December 8 and 30, 2003.(8)

From Tishman Speyer Properties and Union Property Capital, submitting support for proposed General Plan and Zoning Amendments for 300 Spear Street and the 201 Folsom Street Projects. Copy: Land Use Committee(9)

From Airport, regarding plans to create new jobs with the development of the West Field Cargo Complex. (Reference No. 20031216-046) Copy: Supervisor Hall(10)

From Department of Elections, regarding update on the implementation of Ranked-Choice Voting in San Francisco. Copy: Each Supervisor(11)

From SF Environment, regarding steps that have been taken within the Department of Environment that will fund a position that will be responsible for all Ocean Beach issues.(12)

From Planning Department, regarding preliminary Negative Declaration for the update of the Housing Element of the San Francisco General Plan.Copy: Each Supervisor (13)

From Department of Elections, regarding what plans if any the Department has that would add 5,000 new jobs to the City's workforce within the next five years at no cost to the taxpayers of San Francisco. (Reference No. 20031216-014) Copy: Supervisor Hall(14)

From Department of Children, Youth and Their Families, regarding what plans if any the



Department has that would add 5,000 new jobs to the City's workforce within the next five years at no cost to the taxpayers of San Francisco. (Reference No. 20031216-064) Copy: Supervisor Hall(15)

From Law Library, regarding what plans if any the Department has that would add 5,000 new jobs to the City's workforce within the next five years at no cost to the taxpayers of San Francisco. (Reference No. 20031216-012) Copy: Supervisor Hall(16)

From Chief Medical Examiner, submitting overtime report as required by Section 18.13 of the Administrative Code.(17)

From Municipal Transportation Authority, submitting request for waiver of Administrative Code Chapters 12B and 12C for professional services with Westin St. Francis in San Francisco.(18)

From Daniel Melgar, submitting request for transfer of a type 48 liquor license for Occidental Cigar Club at 576 Green Street.(19)

From Law Offices of Stephen Williams, submitting request for a one week continuance of appeal of categorical exemption for property located at 899 North Point.File 031969, Copy: Each Supervisor(20)

From Reuben & Alter, submitting objection to adoption of the proposed findings by the Board of Supervisors for the Final Negative Declaration of property located at 701 Lombard Street.Files 032053 and 032054, Copy: Each Supervisor(21)

From PG&E, submitting a revised notice for a permit to construct the Potrero to Hunters Point 115 kV Cable Project.Copy: Supervisor Maxwell(22)

From the Office of the Treasurer, submitting correspondence and its attachments of investment portfolio of activity (for fiscal year to date) under management. (23)

From Department of Parking and Traffic, regarding solutions to the traffic concerns around K-12 public schools to ensure the safety of students.(24)

From Planning Department, regarding preliminary Negative Declaration for the update of the Housing Element of the San Francisco General Plan.(25)

From Office of the City Attorney, regarding what plans if any the Department has that would add 5,000 new jobs to the City's workforce within the next five years at no cost to the taxpayers of San Francisco. (Reference No. 20031216-031) Copy: Supervisor Hall(26)

From Ethics Commission, submitting fourth quarter 2003 summary report of campaign consultant activity during the period of September 1, 2003 through November 30, 2003. (27)

From Chief Medical Examiner, regarding what plans if any the Department has that would add 5,000 new jobs to the City's workforce within the next five years at no cost to the taxpayers of San Francisco. (Reference No. 20031216-013) Copy: Supervisor Hall(28)

From Police Department, submitting graphs showing the total number of vehicular/pedestrian accidents in the Taraval District over the last five years. (Reference No. 20031216-003)Copy: Supervisor Hall(29)

From U.S. Department of Homeland Security, submitting notice that an application has been

received from the Port of San Francisco for approval of proposed location and plans for a new bridge at Illinois Street, in the Southern Waterfront area of San Francisco.(30)

From Office of the Controller, submitting report concerning the audit of C.M.P. Service Partnership.(31)

From Commissioner Emilio Cruz, submitting resignation from position of Commissioner, San Francisco Board of Education, effectively immediately.(32)

From Brian O'Flynn and Martin Coyne, regarding the appeal of Final Negative Declaration for 701 Lombard Street was untimely.Copy: Each Supervisor(33)

From Ethics Commission, regarding regulations to implement Proposition E, (gifts from subordinates and post-employment restrictions) passed by San Francisco voters on November 2003.(34)

From Ethics Commission, concerning proposed regulations related to provisions in the Campaign Finance Reform Ordinance.(35)

From Nancy Wuerfel, commenting on the report from NAPCAC heard at the City Services Committee hearing on January 7, 2004. File 031936(36)

From Dave Schneider, regarding book entitled "Unequal Protection - The Rise of Corporate Dominance and Theft of Human Rights" by Thom Hartmann. Copy: Each Supervisor(37)

From Port, regarding what plans if any the Department has that would add 5,000 new jobs to the City's workforce within the next five years at no cost to the taxpayers of San Francisco. (Reference No. 20031216-059) Copy: Supervisor Hall(38)

From Save Our Neighborhoods, commenting on proposed legislation regarding increased fees charged by the Office of the Clerk of the Board for various services. File 032026(39)

From Department of Public Works, submitting sidewalk repair accounts for quarter ending September 30, 2003.(40)

From Comcast Communications Inc, submitting notice of rebuild schedule and launch dates in the City and County of San Francisco.(41)

From Gilles Desaulniers, submitting request for a type 20 liquor license for CA Harvest Healthy Foods Ranch Market Inc. at 199 Eighth Street.(42)

From concerned citizens, submitting copy of letter sent to Planning Department regarding published notices containing three different deadline for filing an appeal for the Preliminary Negative Declaration for the San Francisco Housing Element Update.(43)

From Budget Analyst, submitting activity status report for the quarter ending December 31, 2003.(44)

From concerned citizens, commenting on the Board of Supervisors finding a solution that would be agreeable to both parties regarding Edgehill Mountain. (45)

From Board of Appeals, regarding what plans if any the Department has that would add

5,000 new jobs to the City's workforce within the next five years at no cost to the taxpayers of San Francisco. (Reference No. 20031216-039) Copy: Supervisor Hall(46)

From Veterans Affairs Commission, urging the Board of Supervisors and Mayor to increase funding for the Veterans' Day Parade. Copy: Each Supervisor(47)

From Dan Tuttle, submitting support for a Special Monitor to review the Bureau of Building Inspection, Building Inspection Commission, Planning Department and Planning Commission.(48)

From Department of Human Resources, submitting Administrative Change to the Annual Salary Ordinance, for fiscal year 2003-04.(49)

From Coalition on Homelessness, submitting support for proposed legislation that would prohibit demolition of residential buildings with 20 or more dwelling units unless the residential building proposed for demolition requires substantial rehabilitation. File 03-1739, Copy: Supervisors McGoldrick, Maxwell, Ammiano, Daly(50)

From Cindy Cho, submitting opposition to proposed plan to open an "Urban Outfitters" clothing store on Haight Street. Copy: Each Supervisor(51)

From Leboriae Smoore, regarding the San Francisco Housing Authority housing policy at the Alice Griffith Projects.(52)

From Asian Art Museum, regarding what plans if any the Department has that would add 5,000 new jobs to the City's workforce within the next five years at no cost to the taxpayers of San Francisco. (Reference No. 20031216-039) Copy: Supervisor Hall(53)

Number not used. (54)

From Jude Koski, submitting support for the purchase of the Page Street Community Garden from SLUG. File 031814, Copy: Each Supervisor(55)

From concerned citizens, regarding allegations that an employee of the Department of Parking and Traffic failed to list the reasons (as required) for more than 300 of the 1,1189 tickets that were dismissed in 2002.(56)

From Judy Wilhite, commenting on the purchase of 850 Broderick Street as a site for supportive housing for homeless seniors. File 031887(57)

From U.S. Bankruptcy Court, submitting notice of plan to reorganize under Chapter 11 of the Bankruptcy Code for Pacific Gas and Electric Company dated July 31, 2003, as modified by modifications dated November 6, 2003 and December 19, 2003 and related deadlines.(58)

From Abdalla Megahed, submitting copy of letter sent to Mayor Newsom regarding the homeless situation in San Francisco.(59)

From concerned citizens, commenting on proposed amendments to the San Francisco General Plan.(60)

From Public Utilities Commission, regarding passage of Proposition P on the November 2002 election that created the Public Utilities Revenue Bond Oversight Committee. Copy: Each Supervisor(61)

# ADJOURNMENT

## Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices, (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4) standing in the Legislative Chamber.

Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

Agenda are available on the internet at [www.sfgov.org/bdsupvrs.bos.htm](http://www.sfgov.org/bdsupvrs.bos.htm).

THE AGENDA PACKET IS AVAILABLE AT CITY HALL, ROOM 244, RECEPTION DESK.

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

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

Requests for language translation at a meeting must be received no later than noon the Friday before the meeting.

Contact Ohn Myint at (415) 554-7704.

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



## Disability access

The Legislative Chamber of the Board of Supervisors is in Room 250 of City Hall, 1 Dr. Carlton B. Goodlett Place. The Chamber is wheelchair accessible.

The closest accessible BART Station is Civic Center, three blocks from City Hall. Accessible MUNI lines serving this location are: #47 Van Ness, and the #71 Haight/Noriega and the F Line to Market and Van Ness and the Metro stations at Van Ness and Market and at Civic Center. For more information about MUNI accessible services, call 923-6142.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex.

All meetings are real-time captioned and are cablecast open-captioned on SF Cable 26.

The following services are available when requests are made by 4:00 p.m. of the Friday before the Board meeting.

This advance notice will help ensure availability.

ú For American Sign Language interpreters or use of a reader during a meeting, contact Ohn Myint at (415) 554-7704.

ú For a large print copy of agenda or minutes in alternative formats, contact Annette Lonich at (415) 554-7706.

Assistive listening devices are available from the receptionist in the Clerk of the Board's Office, Room 244, prior to the meeting.

The Clerk of the Board's Office TTY number is (415) 554-5227.

In order to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products.

## **Know Your Rights Under the Sunshine Ordinance**

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Donna Hall by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at [Donna.Hall@sfgov.org](mailto:Donna.Hall@sfgov.org)

Citizens may obtain a free copy of the Sunshine Ordinance by contacting Ms. Hall or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at <http://www.sfgov.org/sunshine.htm>

## **Lobbyist Registration and Reporting Requirements**

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site [www.sfgov.org/ethics](http://www.sfgov.org/ethics)

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