

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, January 27, 2004 PM
Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689**

Regular Meeting

MATT GONZALEZ, PRESIDENT
MICHELA ALIOTO-PIER, 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

Agendas of the Board of Supervisors are available on the internet at www.ci.sf.ca.us/bdsupvrs

BOARD COMMITTEES

Committee Membership

Budget Committee

Supervisors Daly, Peskin, Maxwell, Ma, Gonzalez

City and School District Select Committee

Supervisors Maxwell, Ammiano, Ma, Commissioners Cruz, Sanchez, Kelly

City Services Committee

Supervisors Dufty, Ma

Finance and Audits Committee

Supervisors Peskin, Sandoval, McGoldrick

Land Use Committee

Supervisors McGoldrick, Maxwell, Ammiano

Rules Committee

Supervisors Hall, Dufty, Gonzalez

Meeting Days

Thursday
1:00 PM

2nd Monday, bi-monthly
4:00 PM

Thursday
9:30 AM

Wednesday
12:30 PM

Monday
1:00 PM

Wednesday
9:30 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, Matt Gonzalez, Tony Hall, Fiona Ma, Sophie Maxwell, Jake McGoldrick, Aaron Peskin, Gerardo Sandoval.

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:06 p.m. On the call of the roll all Supervisors were noted present.

Quorum present.

APPROVAL OF MEETING MINUTES

Supervisor Ammiano, seconded by Supervisor Dufty, moved to approve January 6, 2004 Meeting Minutes. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval

COMMUNICATIONS

CONSENT AGENDA

Recommendations of the City Services Committee

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.

Resolution No. 43-04

ADOPTED

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.)

Resolution No. 44-04

ADOPTED

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.)

Resolution No. 45-04

ADOPTED

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.)

Resolution No. 48-04

ADOPTED

Recommendation of the Finance and Audits Committee

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.)

Ordinance No. 17-04

FINALLY PASSED

Recommendations of the Rules Committee**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.

Resolution No. 42-04

ADOPTED

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.

Resolution No. 49-04

ADOPTED

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.

Resolution No. 50-04

ADOPTED

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.

Resolution No. 51-04

ADOPTED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval

Severed from Consent Agenda

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

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.

Amended on page 1, after "conveyance of" by inserting "fee title to"; and on page 2, by adding last paragraph "failure to comply with these notice requirements shall not invalidate conveyance of such property"

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

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval

PASSED ON FIRST READING AS AMENDED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval

REGULAR AGENDA

NEW BUSINESS

Recommendations of the City Services Committee

**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.)

Resolution No. 46-04

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval

**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.)

Resolution No. 47-04

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval

Recommendation of the Land Use Committee

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.)

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval

SPECIAL ORDER 3:00 P.M.

Board of Supervisors Sitting as a Committee of the Whole

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)

Larry Badiner, Acting Director reviewed with the Board the Planning Department's recommendations.

Union Capital Property Project Sponsor Representatives

Steve Atkinson, Attorney for Union Capital project Sponsor

Andrew Junius, Reuben & Alter representing Tishman Speyer Properties

Bob Pratt, project Sponsor

Abdullah Megaheed; support of project sponsor

Sherry McWilliams, Local 22; support of project sponsor

Alicia Page; support of project sponsor

Fred Hobson; support of project sponsor

William Smith; support of project sponsor

Jim Chappel, SPUR; support of project sponsor

Tishman Speyer Properties Representative; support of project sponsor

David Bailey, Local 22; support of project sponsor

Sal Cisneros, YMCA Representative; support of project sponsor

Sydney Shaw; opposed to project sponsor

Kevin Shannahan, District 6 resident,; support of project sponsor

Tom McDonagh; support of project sponsor

Union 22 Member; support of project sponsor

Pastor of True Hope Church; support of project sponsor

Reed Bement, Rincon Hill Residents Association; opposed to project sponsor

Judith Patterson; opposed to project sponsor

Jeffrey; public benefits from project, support of project sponsor

Ann Bement; opposed to project sponsor

Dora Wong; support of project sponsor

Marilyn Amini; opposed to project sponsor

Greg Patterson; opposed to project sponsor

Alexandra Chung; opposed to project sponsor

Andrew, Rincon Hill Residents Association; opposed to project sponsor

Terence Allen, District 6 resident; public benefits from project, support of project sponsor

Stan Warren, SF Building Trades Council; support of project sponsor

Jim Salinas, Carpenter's Union; support of project sponsor

Derek Smith, Construction; support of project sponsor

Michael Sweet; support of project sponsor

Jennifer; support of project sponsor, submitted 2 videos of supporters

Carl Shannon, Tishman Speyer Properties; project sponsor

Marty Goldman, project sponsor 300 Spear Street

Edwardo; pollution concerns with the project

Reverend Arnold Townsend; support of project sponsor

President declared public hearing portion of the meeting closed.

HEARD AT PUBLIC HEARING.

Committee of the Whole Adjourn and Report Without Recommendation

Called From the Land Use Committee

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.)

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Alioto-Pier, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Noes: 1 - Ammiano

031771 [Zoning Map Amendment - Rincon Hill Area]

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.)

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Alioto-Pier, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Noes: 1 - Ammiano

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.)

Supervisor Daly, seconded by Supervisor Dufty, 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, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval

PASSED ON FIRST READING AS AMENDED by the following vote:

Ayes: 10 - Alioto-Pier, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Noes: 1 - Ammiano

SPECIAL ORDER 3:30 P.M - Recognition of Commendations**SPECIAL ORDER 4:00 P.M.****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.)

Continued to February 10, 2004

Supervisor Alioto-Pier, seconded by Supervisor McGoldrick, moved that this Hearing be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval

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.)**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)

Continued to February 10, 2004

Supervisor Alioto-Pier, seconded by Supervisor McGoldrick, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval

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)

Continued to February 10, 2004

Supervisor Alioto-Pier, seconded by Supervisor McGoldrick, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval

- 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)

Continued to February 10, 2004

Supervisor Alioto-Pier, seconded by Supervisor McGoldrick, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Duffy, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval

SPECIAL ORDER 4:30 P.M.

- 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.)

Mr. Synder, Appellant and representative of the project sponsor reviewed with the Board the compromise agreements made with the project sponsor and the appellant.

Edward Evans, support of project with disability access

Bill Wong; support of project

Female speaker; support of project

The President declared the public hearing portion of the meeting closed.

Supervisor Alioto-Pier, seconded by Supervisor McGoldrick, moved that this Hearing be HEARD AT PUBLIC HEARING. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Duffy, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval

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.)

Supervisors Ammiano and Sandoval noted absent at 4:25 p.m.

Supervisor Ammiano noted present at 4:50 p.m.

Supervisor Sandoval noted present at 5:12 p.m.

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)

TABLED by the following vote:

Ayes: 9 - Alioto-Pier, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin
Absent: 2 - Ammiano, Sandoval

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)

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

Ayes: 9 - Alioto-Pier, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin
Absent: 2 - Ammiano, Sandoval

Motion disapproving decision of the Planning Commission by its Motion No. 16693, which approved Conditional Use Application 2002.0628CEKVX on property located at 1160 Mission Street, and approving the issuance of Conditional Use Application 2002.0628CEKVX on property located at 1160 Mission Street, subject to all of the conditions imposed by the Planning Commission, and further subject to three additional conditions imposed by the Board of Supervisors on January 27, 2004. (Clerk of the Board)

Motion No. M04-15

APPROVED AS AMENDED by the following vote:

Ayes: 9 - Alioto-Pier, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin
Absent: 2 - Ammiano, Sandoval

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)

APPROVED by the following vote:

Ayes: 9 - Alioto-Pier, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin
Absent: 2 - Ammiano, Sandoval

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)

APPROVED by the following vote:

Ayes: 9 - Alioto-Pier, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin
Absent: 2 - Ammiano, Sandoval

ROLL CALL FOR INTRODUCTIONS

PUBLIC COMMENT

Abdullah Megaheed; homeless issues
Al Rose; disability issues regarding lavatories at City Hall
Jack Doodson; DPH restaurant issues
Male Speaker; welcomed Supervisor Alioto-Pier
Edward Evans; Chair Mayor's Disability Council
Vernon Jenkins; general issues
Francisco DiCosta; PUC issues/water
Andrew Bozeman; welcomed Supervisor Alioto-Pier, invited her to assist with Bayview Hunter's Point issues
Male Speaker; recommendations for safety issues at City Hall
Jean Lynch, Community activist; welcomed Supervisor Alioto-Pier; support of project sponsor
Stan Warren, Trade Council; welcomed Supervisor Alioto-Pier, approving of Item 29 to hear the matter
Male Speaker; SF Citizens Concerns regarding pollution
Alicia Page; support approving of Item 29 to hear the matter
Jim Chappel, SPUR; support approving of Item 29 to hear the matter
Male Speaker; general issues
Sal Cisneros, YMCA Embarcadero; support approving of Item 29 to hear the matter
Reverend Arnold Townsend; support approving of Item 29 to hear the matter
Reed Bement, Rincon Hill Association; do not approve Item 29 to hear the matter request to refer to Land Use Committee
Marilyn Ammini; do not approve Item 29 to hear the matter refer matter to Land Use Committee
Douglas Arthur, Rincon Hill resident; do not approve Item 29 request to refer matter to Land Use Committee
Lawrence McCord; do not approve Item 29, request to refer matter to Land Use Committee
Ms. O'Malley; do not approve Item 29, request to refer matter to Land Use Committee
Building Trades Council; welcomed Supervisor Alioto-Pier and urged support approving of Item 29 to hear the matter
Male Speaker; do not approve Item 29, request to refer matter to Land Use Committee
Mr. Crowley; support approving of Item 29 to hear the matter
Labor Organization representative; support approving of Item 29 to hear the matter
Rincon Hill resident; do not approve Item 29, request to refer matter to Land Use Committee
Greg Foster, 300 Beale Street Organization; do not approve Item 29, request to refer matter to Land Use Committee
Andrew Brooks, Rincon Hill Residents Association, read a correspondence from the appellants' counsel
Female Speaker; do not approve Item 29, request to refer matter to Land Use Committee
Roger; opposed to project
Dick Millet; do not approve Item 29, request to refer matter to Land Use Committee
Tom McDonagh; approve Rincon Hill Project
George Brown, Cement Masons; support approving of Item 29 to hear the matter
Dave Figueroa, Union Business Representative; support approving of Item 29 to hear the matter
Fredrick Hobson, District 6 Democratic Club; support approving of Item 29 to hear the matter
Michael Terio, Union Representative; approving of Item 29 to hear matter
Pastor of True Hope Church; approving of Item 29 to hear the matter
Leonard Ross, fellowship True Hope Church; approving of Item 29 to hear the matter
Joan Howard; do not approve Item 29, request to refer matter to Land Use Committee
Judith Patterson, Transbay and South Beach Advisory Committee; do not approve Item 29, request to refer matter to Land Use Committee
Heimi Ross, Chamber of Commerce; support approving of Item 29 to hear the matter
Kate White, Housing Coalition; to begin next process
Alexander Chung, do not approve Item 29, request to refer matter to Land Use Jim Salinas, Carpenter Union, welcomed Supervisor Alioto-Pier and supported approving of Item 29 to hear the matter

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.

**040062 [Honoring the contributions of the LGBT Community to the History and Culture of San Francisco]
Supervisors Ammiano, Dufty, Peskin, Sandoval**

Resolution honoring the contributions of the Lesbian, Gay, Bisexual and Transgender communities to the history and culture of San Francisco.

Supervisors Peskin and Sandoval requested to be added as co-sponsors.

Resolution No. 52-04

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval

**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.

Resolution No. 53-04

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval

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

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

Resolution No. 54-04

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval

**040066 [Commending the Organization of Chinese Americans]
Supervisors Ma, Dufty, Peskin**

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.

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

Resolution No. 55-04

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval

**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.

Resolution No. 56-04

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval

**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.

Resolution No. 57-04

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval

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

Resolution extending for an additional 30 days the prescribed time within which the Planning Commission may render its decision on a proposed ordinance to amend the San Francisco Planning Code by adding Section 249.25 to create the Downtown Housing Demonstration Special Use District encompassing the property zoned Downtown Office District (C-3-0) at the corner of Market Street, Kearny Street and Geary Avenue (690 Market Street, Assessor's Block 0311, Lot 006).

Resolution No. 58-04

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval

**040071 [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. M04-13

APPROVED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval

040024 [Final Map for a 28 Unit Live/Works Condominium Project]

Motion approving Final Map of 1247 Harrison Street, A Live/Works Condominium Project, being a subdivision of Lot 72 in Assessor's Block No. 3757, and adopting findings pursuant to Planning Code Section 101.1. (Public Works Department)

(DPW Order No. 174,620; District 6.)

Motion No. M04-8

APPROVED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval

040025 [Final Map for a 23 Unit Commercial/Residential Condominium Project]

Motion approving Final Map of 1452 Bush Street, A Commercial/Residential Condominium Project, being a subdivision of Lot 8 in Assessor's Block No. 667, and adopting findings pursuant to Planning Code Section 101.1. (Public Works Department)

(DPW Order No. 174,621; District 3.)

Motion No. M04-9

APPROVED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval

040026 [Final Map for an 8 Unit Residential Condominium Project]

Motion approving Final Map of 1009 Mission Street, A Residential Condominium Project, being a subdivision of Lot 153 in Assessor's Block No. 3726, and adopting findings pursuant to Planning Code Section 101.1. (Public Works Department)

(DPW Order No. 174,622; District 6.)

APPROVED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval

Severed from Without Reference to Committee Agenda

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

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.

Motion No. M04-14

APPROVED by the following vote:

Ayes: 7 - Alioto-Pier, Daly, Dufty, Hall, Ma, Peskin, Sandoval
Noes: 4 - Ammiano, Gonzalez, Maxwell, McGoldrick

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

040057 [State law change related to alcohol closing hours]

Supervisors Peskin, Daly

Resolution urging the California State Legislature to pass legislation to modernize laws related to alcohol closing hours.

Supervisor Maxwell requested that this matter be referred to Committee.

REFERRED to the City Services Committee.

Supervisors Daly and Hall requested that this matter be severed so that it could be considered separately.

**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.

Supervisor Daly requested that this matter be referred to Committee.

REFERRED to the Rules Committee.

OFF-AGENDA LEGISLATION

Introduced by Supervisors or Mayor

Ordinances

**040092 [Grading of food preparation and service establishments by Department of Public Health and posting of letter grade and inspection score cards at food preparation and service establishments]
Supervisors Daly, Ammiano**

Ordinance amending the San Francisco Health Code by adding a new section 456 et seq. to establish letter grading system by Department of Public Health for inspection of food preparation and service establishments, requiring posting of letter grade and inspection score cards by food preparation and service establishments, and providing penalties for lack of compliance.

1/27/04, ASSIGNED UNDER 30 DAY RULE to City Services Committee, expires on 2/26/2004. Refer to Small Business Commission.

**040099 [Dept. of Administrative Services to provide services to public entities]
Supervisor Dufty**

Ordinance authorizing the Department of Administrative Services to enter into written agreements with other public entities to provide the public entities with publishing, copying, printing and/or mail services, and ratifying and approving any actions heretofore taken by the Department of Administrative Services to provide such services to public entities.

1/27/04, RECEIVED AND ASSIGNED to Finance and Audits Committee.

**040100 [Process for Sale of Real Property]
Supervisor Peskin**

Ordinance authorizing the Public Utilities Commission to solicit proposals and bids for the sale of certain real properties with development potential that are not needed for utility purposes, subject to the review and approval by the Board of Supervisors, by resolution, of any final sale of such properties.

1/27/04, RECEIVED AND ASSIGNED to Finance and Audits Committee.

**040101 [Interest on Residential Rental Security Deposits: interest calculated according to 6-Month Certificate of Deposit rate published on Federal Reserve Statistical Release internet site]
Supervisor Peskin**

Ordinance amending Administrative Code Chapter 49 "Security Deposits for Residential Rental Property," at Section 49.2 "Payment of Interest on Security Deposits," to provide that the required interest on security deposits be calculated according to the 6-Month Certificate of Deposit rate as posted by the Federal Reserve on the Federal Reserve Statistical Release internet site (instead of on the basis of the Federal Reserve's singular Federal Discount Rate, which has been discontinued).

1/27/04, RECEIVED AND ASSIGNED to Land Use Committee.

**040102 [Amending fees County Clerk may charge for Declarations of Domestic Partnership and Amendments to such Declarations; adding fee for souvenir marriage certificates]
Supervisor Peskin**

Ordinance amending Administrative Code Sections 8.33.1, 62.8 and 62.9 to provide that the County Clerk may impose a \$40 filing fee for all Declarations of Domestic Partnership and all Amendments to a Declaration of Domestic Partnership, and to provide for annual adjustment of those fees and of the fees for domestic partnership ceremonies to reflect changes in the Consumer Price Index; and amending Administrative Code Section 8.33.1 to provide that the County Clerk may charge \$5 for ceremonial souvenir marriage certificates.

1/27/04, RECEIVED AND ASSIGNED to Budget Committee.

- 031501** [Findings for the need to regulate formula retail uses; enacting regulations for the Hayes-Gough NCD, and the Neighborhood Commercial Cluster Districts at Cole and Carl and Parnassus and Stanyan; related regulations]
Supervisor Gonzalez

Ordinance to amend the Planning Code by adding section 703.3 and by amending section 182, and section 303 to make findings as to the need to regulate formula retail uses, to define formula retail uses, prohibit formula retail uses in the Hayes-Gough Neighborhood Commercial District, designate formula retail uses as a conditional use in the Neighborhood Commercial Cluster Districts at Cole and Carl Streets and Parnassus and Stanyan Streets, to require any building permit application for a formula retail use to comply with the notice and design review procedures of section 312 of the Planning Code, to require adoption by the Planning Commission of discretionary review guidelines for evaluating proposed formula retail uses, to provide additional conditional use criteria for evaluating proposed formula retail uses, to provide that the burden to prove that a use is not a formula retail use rests with the building permit applicant or holder, and to provide that nonconforming uses in Residential Districts which are seeking to change in use to retail sales activity or retail sales establishment which is also a formula retail use must comply with the provisions of Section 703.3, and making findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan. 8/26/03, ASSIGNED UNDER 30 DAY RULE to Land Use Committee, expires on 9/25/2003.

8/29/03, REFERRED TO DEPARTMENT. Transmitted to Planning Commission for public hearing and recommendation.

12/9/03, SUBSTITUTED. Supervisor Gonzalez submitted a substitute ordinance bearing new title.

12/9/03, ASSIGNED to Land Use Committee.

12/11/03, REFERRED TO DEPARTMENT. Transmitted to Planning Commission for public hearing and recommendation.

12/26/03, RESPONSE RECEIVED. Certificate of Determination of Exemption/Exclusion from Environmental Review, dated December 23, 2003.

1/26/04, REFERRED TO DEPARTMENT. Referred to Small Business Commission for comment and recommendation.

1/27/04, SUBSTITUTED. Supervisor Gonzalez submitted a substitute ordinance bearing new title.

1/27/04, ASSIGNED to Land Use Committee. Refer to Small Business Commission.

Resolutions

- 040057** [State law change related to alcohol closing hours]
Supervisors Peskin, Daly

Resolution urging the California State Legislature to pass legislation to modernize laws related to alcohol closing hours.

1/14/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING. 1/27/04 - Received response from the S.F. Youth Commission.

1/27/04, REFERRED to City Services Committee. Supervisor Maxwell requested that this matter be referred to Committee.

**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.

1/13/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

1/27/04, REFERRED to Rules Committee. Supervisor Daly requested that this matter be referred to Committee.

**040089 [Board of Supervisors - Meeting Schedule]
Supervisor Gonzalez**

Resolution revising the regular meeting schedule of the Board of Supervisors by canceling the November 30, and the December 28, 2004 meetings and by canceling all Board and Committee meetings from August 18 through September 6, 2004.

1/27/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**040091 [Lease of Real Property - 1315 and 1319 Evans Avenue]
Supervisor Maxwell**

Resolution authorizing a lease of approximately 1,128 square feet of space at 1315 and 1319 Evans Avenue for the Department of Child Support Services for a term of five years.

1/27/04, RECEIVED AND ASSIGNED to Finance and Audits Committee.

**040096 [San Francisco City Employees' Retirement System Annual Report]
Supervisors Sandoval, Dufty**

Resolution approving the printing of not more than 100 hard copies of the San Francisco City Employees' Retirement System Annual Report on an annual basis as well as posting it on the web.

1/27/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**040103 [Grant Application - Dept. of the Environment Grant]
Supervisor Dufty**

Resolution authorizing the Department of the Environment to apply for a grant in the amount of \$261,961 from the California Integrated Waste Management Board for enforcing proper disposal of waste tires.

1/27/04, RECEIVED AND ASSIGNED to City Services Committee.

**040104 [Power Plant Task Force]
Supervisor Maxwell**

Resolution modifying the Potrero Power Plant Citizens Advisory Task Force by specifying the appointment process for Task Force membership and extending the expiration date of the Task Force from November 1, 2003 to November 1, 2005.

1/27/04, RECEIVED AND ASSIGNED to Rules Committee.

040110 [AIDS Quilt]
Supervisors Ammiano, Dufty

Resolution urging the Names Project Foundation to return the AIDS Quilt to San Francisco and urging the Department of Real Estate to identify City-owned property that may be suitable to house the Quilt.

1/27/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

040111 [Recognizing Nora Castañeda, President of the Women's Development Bank in Venezuela]
Supervisor Ammiano

Resolution recognizing the central role of Nora Castañeda, President of the Women's Development Bank of Venezuela (Banmujer).

1/27/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

040112 [2004 Prevent Childhood Exposure to Violence Month]
Supervisors Ammiano, Dufty

Resolution ratifying that the Board of Supervisors declares the month of February 2004 as "Prevent Childhood Exposure to Violence Month" in the City and County of San Francisco.

1/27/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING. February 3, 2004 - Response received from Youth Commission.

040113 [Urging Comcast to advertise in support of medical marijuana]
Supervisors Ammiano, Dufty

Resolution urging Comcast to accept political advertising in support of medical marijuana.

1/27/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

040114 [Urging the Governor to consider postponing further Central Freeway touchdown ramp construction]
Supervisor Dufty

Resolution urging the Governor to consider postponing further construction work on the Central Freeway touchdown ramp, to allow the City and State to study alternative Central Freeway configurations that may better serve traffic flow and lessen the negative impacts on the surrounding neighborhoods.

1/27/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

040115 [San Francisco Chinese American Veterans Recognition Day]
Supervisors Ma, Dufty, Sandoval, Peskin, McGoldrick, Hall

Resolution declaring February 16, 2004 to be "San Francisco Chinese American Veterans Recognition Day".

1/27/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

040116 [Lenard D. Louie Day]
Supervisors Ma, Dufty, Peskin, McGoldrick, Hall, Gonzalez

Resolution recognizing Lenard D. Louie's contributions to the community and declaring January 28, 2004 to be "Lenard D. Louie Day" in San Francisco.

1/27/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

040118 [Lunar New Year 2004]
Supervisors Ma, Dufty, Sandoval, McGoldrick, Hall

Resolution celebrating the Lunar New Year and proclaiming January 22, 2004, the first day of the Year of the Monkey.

1/27/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

040121 [Hospital and Nursing Home Discharge Planning Task Force]
Supervisors Ma, Dufty

Resolution adopting the findings in the Hospital and Nursing Home Discharge Planning Task Force's Final Report as submitted.

1/27/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

040122 [Commending the "Earn It! Keep It! Save It! San Francisco Initiative" for their efforts]
Supervisors Maxwell, Dufty, Ma, McGoldrick

Resolution commending the "Earn It! Keep It! Save It! San Francisco Initiative" for their efforts to increase the claiming of EITC, Child Tax Credit and other state and federal tax credits through free tax preparation assistance, as well as to link low-income families to financial education, asset development and other benefit programs

1/27/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

040123 [Black History Month - February]
Supervisors Maxwell, Dufty, Ma, Sandoval, McGoldrick, Hall

Resolution recognizing the month of February as Black History Month.

1/27/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

040124 [Dear Diva]
Supervisors Peskin, Ammiano, Dufty, McGoldrick

Resolution bestowing the title of San Francisco Emissary to AIDS Orphans to Dear Diva and recognizing her past, present and future work on behalf of those orphaned by AIDS worldwide.

1/27/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**040054 [Redevelopment of San Francisco Airport Plot 9]
Supervisor McGoldrick**

Resolution urging San Francisco Airport Commission to undertake a comparative financial analysis of the costs and benefits of the Airport redeveloping Plot 9 using its own financing versus redevelopment by an outside developer under a Lease Disposition and Development Agreement and Lease of Plot 9; further urging the Commission to present its comparative financial analysis to the Finance Committee of the Board of Supervisors; and further urging the commission to undertake a new Request for Qualifications/Proposals process for redevelopment of Plot 9 that will assure City residents that the selection process truly serves the best financial interests of the Airport and of the City.

1/13/04, RECEIVED AND ASSIGNED to Finance and Audits Committee.

1/27/04, SUBSTITUTED. Supervisor McGoldrick submitted a substitute resolution bearing same title.

1/27/04, ASSIGNED to Finance and Audits Committee.

Requests for Hearing

**040090 [Brooks Park Project]
Supervisor Sandoval**

Hearing to receive and consider a report from the Recreation and Park Department on the participation of SLUG and the Brooks Park Project.

1/27/04, RECEIVED AND ASSIGNED to Finance and Audits Committee.

**040097 [Hospital/nursing home discharge planning in the City and County of San Francisco]
Supervisors Ma, Dufty**

Hearing to develop a plan of implementation to improve discharge planning in the City and County of San Francisco based upon the recommendations in the Hospital and Nursing Home Discharge Planning Task Force's Final Report.

(Key departments including, but not limited to, Department of Aging and Adult Services, Department of Human Services and Department of Public Health in consultation with the Hospital and Nursing Home Discharge Planning Task Force, San Francisco Hospital Council and Healthcare action Team should be in attendance at this hearing to discuss an implementation plan.)

1/27/04, RECEIVED AND ASSIGNED to City Services Committee.

**040098 [S.F. Employee Retirement System Investment Funds]
Supervisor McGoldrick**

Hearing to inquire into the possibility that the City and County of San Francisco or the San Francisco Employee Retirement System invests funds in companies that are doing business with countries that sponsor or have sponsored terrorism, and to inquire into the potential risks caused to funds by such investments.

1/27/04, RECEIVED AND ASSIGNED to Finance and Audits Committee.

**040105 [Health Insurance Rates in the Bay Area.]
Supervisor Ammiano**

Hearing to consider rising health insurance rates in the Bay Area.

1/27/04, RECEIVED AND ASSIGNED to City Services Committee.

**040106 [Police Commissioners Selection Process]
Supervisor Ammiano**

Hearing to review the selection process for San Francisco Police Commissioners.
1/27/04, RECEIVED AND ASSIGNED to Rules Committee.

**040107 [Safeway Stores Labor Dispute]
Supervisors Ammiano, Daly**

Hearing to consider the labor dispute at Safeway stores regarding health insurance for employees.
1/27/04, RECEIVED AND ASSIGNED to City Services Committee. Sponsor requests an evening hearing for this item.

**040108 [CalWORKS]
Supervisor Maxwell**

Hearing on the City's programs for residents timing out from CalWORKS, including those residents who speak English as a second language.
1/27/04, RECEIVED AND ASSIGNED to Budget Committee. Sponsor requests this item be scheduled for consideration at the February 26, 2004 meeting.

**040109 [Recreation and Park Department Report on SLUG]
Supervisor Sandoval**

Hearing for the Recreation and Park Department to report on the participation of the San Francisco League of Urban Gardeners (SLUG) in all capital projects. Included in the report is a request for a review of all project finances, time lines, including start dates and completion dates of all projects and an analysis of any alternatives to the participation of SLUG in any and all present and future projects with the Recreation and Park Department.
1/27/04, RECEIVED AND ASSIGNED to Finance and Audits Committee.

Motions

040087 [2003-2004 Fiscal Year Budget for Board of Supervisors/Clerk of the Board - 7.5% Contingency Reduction]

Motion approving a proposed 7.5% contingency plan for reducing the 2003-2004 fiscal year budget for the Board of Supervisors/Clerk of the Board, and directing that the contingency plan be filed with the Mayor. (Clerk of the Board)
1/27/04, RECEIVED AND ASSIGNED to Budget Committee.

040088 [2004-2005 Fiscal Year Budget for the Board of Supervisors/Clerk of the Board]

Motion approving the fiscal year 2004-2005 proposed budget for the Board of Supervisors/Clerk of the Board, and directing that it be filed with the Mayor. (Clerk of the Board)
1/27/04, RECEIVED AND ASSIGNED to Budget Committee.

PROPOSED ORDINANCES

PROPOSED RESOLUTIONS**040015 [Lease of Real Property - 70 Oak Grove Street]
Supervisors Sandoval, Peskin, McGoldrick**

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)
1/12/04, 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.
1/12/04, 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)
1/14/04, 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)
1/15/04, 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)
1/16/04, RECEIVED AND ASSIGNED to Finance and Audits Committee.

Requests Granted

From: Supervisor McGoldrick

To: Director, Employees' Retirement System

To: Treasurer

To: City Attorney

To: Controller

Requesting/Inquiring: Inquiring if any investments of City funds or employee retirement funds are in companies that are doing business with countries that sponsor or have sponsored terrorism. (See Attachment)

From: Supervisor Sandoval

To: Director, Department of Parking and Traffic

Requesting/Inquiring: To report on the feasibility of installing a four-way stop sign at the intersection of Ocean and Otsego. There are two high schools, a middle school and a primary school within one block of this intersection.

Please send a copy of this request to: Carmen Escobar, 240 Ocean Avenue #5, San Francisco 94112

From: Supervisor Gonzalez

To: Chief, Police Department

Requesting/Inquiring: To inform the Board of Supervisors in writing on several issues related to the implementation of the Aggressive Solicitation Ban, a proposition approved by voters on November 4, 2003: 1) the number of aggressive solicitation citations issued since the law went into effect, 2) the number of individuals who have paid a fine associated with a citation, 3) the number of individuals who have been screened for drug and alcohol treatment and mental health services and the number of these who have been referred to a public health diversion program for treatment, 4) the number of individuals imprisoned or required to perform community service as a result of having violated the law three or more times, and 5) the Department's activities, including administrative changes and personnel training, related to the implementation of the law.

From: Supervisor Ammiano

To: Controller

Requesting/Inquiring: Requesting an analysis and recommendations for two potential revenue sources that should be further analyzed by the Revenue Enhancement Working Group that is currently being led by Supervisor Ma. (See Attachment)

From Supervisor Daly

To: Department of Public Health

Requesting/Inquiring: To report on the department's efforts to address the impact of violent incidences such as the recent killing of Scharod Fleming on secondary victims such as witnesses, family members, friends and classmates.

From: Supervisor Daly

To: Police Department

Requesting/Inquiring: To report on the progress of police investigations related to the murder of Scharod Fleming.

In Memoriams

Scharod Fleming (Entire Board)
Jesse Valencia (Entire Board)
Cala Blanche Curbo (Supervisor Ammiano)
Edgar Mitchell (Supervisor Dufty)
Thomas Canepa (Supervisor Hall)
James O'Reilly (Supervisor Hall)
Joan Kingrey (Supervisor Hall)
Rumiko Imaizumi Nakamura (Supervisor Hall)

ADJOURNMENT

There being no further business, the Board at the hour of 8:07 p.m. adjourned.

Gloria L. Young, Clerk

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 February 24, 2004.

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