

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, April 13, 2004 2:00 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

BOARD COMMITTEES

Committee Membership

Budget Committee

Supervisors Sandoval, Daly, McGoldrick

City and School District Select Committee

Supervisors Ammiano, Maxwell, Ma, Commissioners Chin, Hiles, Wynns

City Services Committee

Supervisors Dufty, Ma, Hall

Finance and Audits Committee

Supervisors Daly, Peskin, Ammiano

Land Use Committee

Supervisors McGoldrick, Peskin, Maxwell

Meeting Days

2nd, 3rd, 4th Thursday
10:00 AM

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

Thursday
9:30 AM

Wednesday
1:00 PM

Monday
1:00 PM

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

Volume 99 Number 11

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 Supervisor Alioto-Pier was noted absent.

Supervisor Alioto-Pier was noted present at 2:08 p.m.

Quorum present.

APPROVAL OF MEETING MINUTES

Supervisor Peskin, seconded by Supervisor Daly, moved to approve March 16, 2003 Meeting Minutes. The motion carried by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval

Absent: 1 - Alioto-Pier

CONSENT AGENDA

Recommendations of the City Services Committee

031903 [Liquor License Transfer, 55 Natoma Street]

Resolution determining that transfer of Type 48 on-sale general public premises liquor license and Type 47 on-sale general eating place license to Lawrence P. Lin dba Loop Studio, Inc. from 2299 Van Ness Avenue to 55 Natoma Street (District 6), 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, with conditions.

Resolution No. 219-04

ADOPTED

040018 [Liquor License, 199 Eighth Street]

Resolution determining that the issuance of a Type 20 off-sale beer and wine alcoholic beverage control license to Gilles W. Desaulniers for CA Harvest Healthy Foods Ranch Market Inc. located at 199 Eighth Street (District 6), 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, with conditions.

Resolution No. 220-04

ADOPTED

040263 [Liquor License, 70 Zoe Street]

Resolution determining that the transfer of a Type 9 (beer and wine importer), Type 17 (wholesaler) and Type 20 (off-sale beer and wine), alcoholic beverage control licenses, from 735 - 10th Avenue to 70 Zoe Street (District 6), to Enovations Creative Wine Concepts, LLC, 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. 226-04

ADOPTED

Recommendations of the Finance and Audits Committee**040002 [Appropriate funding for the Courthouse Construction Fund to fund court facility renovations]**

Mayor

Ordinance appropriating \$1,782,000 from the Courthouse Construction Fund to fund court facility renovations and a jurisdictional transfer of property under the control of the City and County of San Francisco for fiscal year 2003-04.

(Fiscal impact.)

Ordinance No. 64-04

FINALLY PASSED

040094 [Appropriate funding for program management services for the S.F. Public Utilities Commission Capital Improvement Program, Program PEIR, and the intertie between EBMUD and San Francisco's water supply system]

Mayor

Ordinance appropriating \$2,747,247 of personnel-operating fund balance from the Water Department and \$12,985,734 of Proposition A Bond funds, for a total of \$15,732,981 for: \$2,747,247 to fund office space, staff and services of other departments for continued implementation of the Capital Improvement Program (CIP) of which \$595,627 is retroactive, \$8,400,000 for the intertie between the East Bay Municipal Utility District (EBMUD) and San Francisco's water supply system, and \$4,585,734 to fund the Programmatic Environmental Impact Report (PEIR), of which \$400,000 is retroactive for necessary staff in SFPUC to work on the program planning efforts to facilitate implementation of the CIP for fiscal year 2003-04.

(Fiscal impact.)

Ordinance No. 65-04

FINALLY PASSED

040095 [Public Employment]

Mayor

Ordinance amending Ordinance No. 195-03 (Annual Salary Ordinance 2003/04) reflecting the creation of 4 positions (1.00 FTE) at the Water Department, 1 position (0.25 FTE) at the Human Rights Commission, and 1 position (0.25FTE) at the Human Resources Department.

(Fiscal impact.)

Ordinance No. 66-04

FINALLY PASSED

**040219 [Administrative Code Revision: Health Service System]
Supervisor Daly**

Ordinance amending Chapter 16, Article XV, of Part 1 of the San Francisco Municipal (Administrative) Code by amending Section 16.703 regarding Board approval of Health Service System Plans and Contribution Rates. (Human Resources Department)

(Fiscal impact.)

**Ordinance No. 67-04
FINALLY PASSED**

**040321 [Settlement of Lawsuit - United Air Lines, Inc., et al.]
Supervisor Daly**

Ordinance authorizing settlement of the lawsuit filed by the City and County of San Francisco, acting by and through its Airport Commission against United Air Lines, Inc., for the payment to the Airport of environmental clean-up costs and agreement of a percentage allocation for future clean-up costs with regard to City and County of San Francisco v. ARCO et al., Case No. C-97-2965 MMC (N.D. Cal.); and for the settlement of an unlitigated claim between the Airport, on the one hand, and United Air Lines, Inc. and United Cogen, Inc., on the other hand regarding an early assumption by United of its Airport leases and other agreements with regard to re UAL Corporation, et al., Debtors, Case No. 02-4819, United States Bankruptcy Court for the Northern District of Illinois, Eastern Division.

**Ordinance No. 63-04
FINALLY PASSED**

Recommendations of the Land Use Committee

040230 [Conforming with official street name change - Cesar Chavez Street]

Ordinance amending Sections 174.04 and 174.13 of the San Francisco Traffic Code, pertaining to speed limits on Cesar Chavez Street. (Parking and Traffic Department)

**Ordinance No. 68-04
FINALLY PASSED**

040306 [Grant of Regional Funds]

Resolution authorizing the Municipal Transportation Agency to accept and expend \$191,205 of State Traffic Systems Management funds for Municipal Railway Transit Signal System Preemption Projects, excluding Administrative Overhead costs. (Municipal Transportation Agency)

**Resolution No. 227-04
ADOPTED**

Recommendations of the Rules Committee

040261 [Settlement of Lawsuit - Laura Bianchi]

Ordinance authorizing settlement of the lawsuit filed by Laura Bianchi against the City and County of San Francisco for \$70,000; the lawsuit was filed on August 14, 2003 in San Francisco Superior Court, Case No. 03-423459; entitled Laura Bianchi v. City and County of San Francisco, et al. (City Attorney)

PASSED, ON FIRST READING

040259 [Settlement of Claim - Weston Ngo]

Resolution approving the settlement of the unlitigated claim filed on October 8, 2003 by Fire Insurance Exchange as subrogees for Weston Ngo against the City and County of San Francisco in the amount of \$50,000.00. (City Attorney)

Resolution No. 223-04

ADOPTED

040260 [Settlement of Claim - Suzanna Hernandez]

Resolution approving the settlement of the unlitigated claim filed on October 8, 2003 by Fire Insurance Exchange as subrogees for Suzanna Hernandez against the City and County of San Francisco in the amount of \$50,000.00. (City Attorney)

Resolution No. 224-04

ADOPTED

040397 [Appointment - Sunshine Ordinance Task Force]

Resolution appointing Nicole Dogwill, Richard Knee, Sue Cauthen, Heather Sterner, Doug Comstock, David Pilpel, Garrett Jenkins, Edgar Parker Jr, and Alexandra Nickliss terms ending April 27, 2006 to the Sunshine Ordinance Task Force.

Resolution No. 216-04

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

REGULAR AGENDA

UNFINISHED BUSINESS

From the Clerk

040390 [Findings for disapproval of decision of the mitigated negative declaration for 8 Washington Street]
Motion setting forth findings to disapprove the decision by the Planning Commission to issue a mitigated negative declaration for the proposed project located at 8 Washington Street. (Clerk of the Board)

(Companion measure to Files 040310, 040331, 040332, 040333.)

Supervisor Peskin, seconded by Supervisor Maxwell, moved that this Motion 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

Motion No. M04-45

APPROVED AS AMENDED by the following vote:

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

NEW BUSINESS

Recommendations of the Budget Committee

Appointment of President Pro Tempore

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

The President resumed the Chair shortly thereafter.

**040373 [Public Defender Requisition Request]
Supervisors Gonzalez, Daly**

Resolution granting the Office of the Public Defender's Requisition #PE4018/1074384.

The Board reviewed and discussed issues relating to this item with Ted Lakey, Deputy City Attorney, Sean Elsbernd and Erin McGrath, representatives of the Mayor's Office and Jeff Adachi, Public Defender.

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

Resolution No. 233-04

ADOPTED by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval

Noes: 1 - Alioto-Pier

**040438 [Public Defender Requisition Request]
Supervisors Gonzalez, Daly**

Motion granting the Office of the Public Defender's Requisition #PE4018/1074384.

Continued to May 11, 2004

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

President Gonzalez, 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

Recommendations of the City Services Committee

**030409 [Grants Federal Funds - Municipal Railway]
Supervisors Dufty, Peskin**

Resolution authorizing the Municipal Transportation Agency to accept and expend \$3,960,116 of federal earmarked capital assistance for MUNI's Particulate Matter Traps Procurement and Natural Gas Facility Rehabilitation Project. (Municipal Transportation Agency)

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

Resolution No. 218-04

ADOPTED by the following vote:

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

040022 [Liquor License Transfer, 561 Geary Street]

Resolution determining that the transfer of a Type 48 on-sale general public premises license from 622 Polk Street to 561 Geary Street (District 6), to Brian T. Sheehy for Electrocelt Promotions Inc. dba "Swig", 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, with conditions.

Resolution No. 221-04

ADOPTED by the following vote:

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

Recommendations of the Finance and Audits Committee

**021505 [Ordinance adding Section 21.25-3 to the Administrative Code]
Supervisors Ammiano, Daly**

Ordinance adding Section 21.25-3 to the Administrative Code to require that workers engaged in rigging, sound, projection, theatrical lighting, videos, computers, draping, carpentry, special effects, and motion picture services on property owned or leased by the City and County of San Francisco be paid the prevailing rate of wage and that such workers will have job protection with the successor contractor for a transition period after a lease, management agreement or other contractual arrangement is terminated.

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

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

Ordinance adding Section 21.25-3 to the San Francisco Administrative Code to require that workers engaged in rigging, sound, projection, theatrical lighting, videos, computers, draping, carpentry, special effects, and motion picture services on property owned by the City and County of San Francisco be paid the prevailing rate of wage and that such workers will have job protection with the successor contractor for a transition period after a contract, lease, franchise, permit or other contractual arrangement is terminated.

Continued to April 20, 2004

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

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

**040099 [Dept. of Administrative Services to provide services to public entities]
Supervisors Duffy, Peskin**

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.

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

PASSED ON FIRST READING by the following vote:

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

**040100 [Process for Sale of Real Property]
Supervisors Peskin, Hall**

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.

Continued to April 20, 2004

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

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

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

**040262 [Mayor's Summer Food Service Program]
Supervisor Daly**

Resolution authorizing the Department of Children, Youth, and Their Families to accept and expend a grant in the amount of \$599,215 from the United States Department of Agriculture for the 2004 Mayor's Summer Food Service Program. (Mayor)

Supervisor Daly requested to be added as sponsor.

Resolution No. 225-04

ADOPTED by the following vote:

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

From the Finance and Audits Committee Without Recommendation

**040272 [Public Employment]
Mayor**

Ordinance amending Ordinance No. 195-03 (Annual Salary Ordinance 2003/04) reflecting the deletion of 187.4 positions in the following departments: Administrative Services, Adult Probation, Adult and Aging Services, Airport, Assessor, Convention Facilities, Emergency Communications, Environment, Human Resources, Juvenile Probation, Municipal Transportation Agency, Police, Public Health, Recreation and Park, Sheriff and Telecommunication and Information Services. (Municipal Transportation Agency)

Amended on page 32, line 13, by deleting "3285 Randall Museum Director"

Supervisor Daly, 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

040037 [Lease of Real Property - 1145 Market Street]

Resolution authorizing the lease of 30,790 sq. ft. of office space in the building located at 1145 Market Street, San Francisco for the City and County of San Francisco Public Utilities Commission. (Real Estate Department)

Resolution No. 222-04

ADOPTED by the following vote:

Ayes: 8 - Alioto-Pier, Dufty, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval

Noes: 3 - Ammiano, Daly, Gonzalez

Recommendations of the Land Use Committee

**040147 [General Plan Amendment in connection with Downtown Housing Demonstration Special Use District]
Supervisor Peskin**

Ordinance amending the San Francisco General Plan to change the height and bulk classification in connection with approvals for the proposed Downtown Housing Demonstration Special Use District encompassing the property zoned Downtown Office District (C-3-O) at the corner of Market Street, Kearny Street and Geary Avenue (690 Market Street, Assessor's Block 0311, Lot 006) from 250-S to 285-S; adopting findings pursuant to the California Environmental Quality Act; and adopting findings that the General Plan amendment is consistent with the eight Priority Policies of Planning Code Section 101.1.

PASSED ON FIRST READING by the following vote:

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

**040184 [Zoning Map Amendment in connection with Downtown Housing Demonstration Special Use District]
Supervisor Peskin**

Ordinance amending Zoning Map Section 1H and 1SU of the City and County of San Francisco for the property zoned Downtown Office District (C-3-O) at the corner of Market Street, Kearny Street and Geary Avenue (690 Market Street, Assessor's Block 0311, Lot 006) from 250-S to 285-S; adopting findings under the California Environmental Quality Act; and making findings of consistency with the General Plan and the priority policies of Planning Code Section 101.1.

PASSED ON FIRST READING by the following vote:

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

**031791 [Special Use District to eliminate certain zoning requirements for residential uses in the Downtown consistent with a proposed ordinance to facilitate housing in the Downtown]
Supervisors Peskin, Daly**

Ordinance amending the San Francisco Planning Code by adding Section 249.26 to create the Downtown Housing Demonstration Special Use District encompassing the property zoned Downtown Office District (C-3-O) at the corner of Market Street, Kearny Street and Geary Avenue (690 Market Street, Assessor's Block 0311, Lot 006) and making findings. The proposed Special Use District would eliminate floor area restrictions and maximum dwelling unit density limits and would allow exceptions to open space requirements and dwelling unit exposure requirements for new residential uses be granted through the process outlined in Planning Code Section 309. The proposed Special Use District would also increase the maximum height and bulk allowed in the district from 250-S to 285-S, and would require that residential projects be subject to the 12 percent (on-site) and 17 percent (off-site) Inclusionary Affordable Housing Program Requirements found in Section 315.3(a)(2).

PASSED ON FIRST READING by the following vote:

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

**040366 [Conditionally Designate 690 Market, the Chronicle Building, as a Landmark Under Planning Code Article 10]
Supervisors Peskin, Hall**

Ordinance conditionally designating 690 Market, the Chronicle Building, as Landmark No. 243 pursuant to Article 10, Sections 1004 And 1004.4 of the Planning Code.

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

PASSED ON FIRST READING by the following vote:

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

Recommendation of the Rules Committee

040367 [Board Off-site Meetings]
Supervisor Ammiano

Motion ordering the City and School District Select Committee meetings of the Board of Supervisors be held at the Irving G. Breyer Board Meeting Room, Board of Education, 555 Franklin Street, First Floor, San Francisco, on Monday, May 3; Monday, July 12; Monday, September 13; and Monday, November 8, 2004 at 4:00 p.m. and directing the Clerk of the Board to prepare the proper notices and postings.

Amended on page 1, lines 5, & 20 by replacing "Monday, May 3, 2004" with "Tuesday, May 4, 2004."

AMENDED by the following vote:

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

Motion ordering the City and School District Select Committee meetings of the Board of Supervisors be held at the Irving G. Breyer Board Meeting Room, Board of Education, 555 Franklin Street, First Floor, San Francisco, on Tuesday, May 4; Monday, July 12; Monday, September 13; and Monday, November 8, 2004 at 4:00 p.m. and directing the Clerk of the Board to prepare the proper notices and postings.

Motion No. M04-44

APPROVED AS AMENDED by the following vote:

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

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

040311 [Public Hearing - Appeal of Categorical Exemption - 450 Frederick Street]

Hearing of persons interested in or objecting to the decision of the Planning Department dated November 10, 2003, Case No. 2003.1108E, approving a categorical exemption under the California Environmental Quality Act for the proposed demolition of a single-family residence and construction of a three-unit residence located at 450 Frederick Street, on Assessor's Block 1262, Lot 12. (Appellants: Lyall F. Harris, Francesco Ronchetti, Leslie Flores, Mark Ulriksen, Marjorie Beggs.)

(Appeal filed March 8, 2004; companion measure to Files 040312, 040313, 040314; District 5.)

Lyall F. Harris, appellant
Bill Costero, Architect for the appellant
Marjorie Beggs, appellant
Andrew Cypiot; support of appellant
Ann Moreno; support of appellant
Male Speaker; support of appellant
Shawshona D.; support of appellant
Rich Naker; support of appellant
Male Speaker; support of appellant
Linda Dunn; support of appellant
Judy; support of appellant
Jim Siegel; support of appellant
Joe Butler; Architect

Paul Maltzer, Environmental Officer, Planning Department recommended that the Categorical Exemption be rescinded.

Jared Eigerman, Reuben & Junius, Attorney for the project sponsor
William Abend, Architect; support of project sponsor
Jim Kreuger; support of project sponsor
Michael Paransky; support of project sponsor
Alexander Gutkin; project sponsor
Female Speaker; support of project sponsor
Edward Dabrowski; support of project sponsor
Anna Postel; support of project sponsor
Nick Narajavick; support of project sponsor
Male Speaker; support of project sponsor
Aaron Dewell; support of project sponsor
Dave Gutkin; support of project sponsor
Lena Mura; support of project sponsor
Andros A.; support of project sponsor
Mr. Lopez; support of project sponsor
Ramon B.; support of project sponsor
Tatiana Mehakek; support of project sponsor
Lena Emmerly; support of project sponsor

Rebuttal:
Bill Costero, Architect for appellant
Lyall F. Harris; appellant

The President inquired if any other member of the public wished to comment.

Public Hearing Closed.

HEARD AT PUBLIC HEARING.

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

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

Supervisor Ammiano was noted absent at 5:30 p.m.

040312 [Affirming the categorical exemption issued for 450 Frederick Street]

Motion affirming the determination by the Planning Department that the 450 Frederick Street project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

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

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

040313 [Disapproving the categorical exemption issued for 450 Frederick Street]

Motion disapproving the determination by the Planning Department that the 450 Frederick Street project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Motion No. M04-42

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

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

040314 [Preparation of findings related to the categorical exemption issued for 450 Frederick Street.]

Motion directing the Clerk of the Board to prepare findings related to the appeal of the determination by the Planning Department that the 450 Frederick Street project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Motion No. M04-43

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

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

ROLL CALL FOR INTRODUCTIONS

PUBLIC COMMENT

Abdullah Megaheed; war and general issues
Betty Kruk; support of the SF Rescue Mission
Male Speaker; opposed to tenderloin strip clubs
Michelle Wong, daughter of Mr. Wong on a hunger strike; opposed to tenderloin strip clubs
Mildred Thomas, SF State University Fair Project; extended prayers to family of Officer Espinosa and families of those involved in the shooting incident
Male Speaker; request to change Board meetings to 4pm
Marcus Herman; issues regarding election process regarding green Party candidate
Anthony Favor; issues regarding election process regarding Green Party candidate
Male Speaker; issues regarding election process regarding Green Party candidate
Denise; support of moving the elephants from the Zoo to a sanctuary
Dr. Elliot Katz, Veterinarian; support of moving the elephants from the Zoo to a sanctuary
Elizabeth Wade; Recreation and Park capital projects program
Jeff Condit; support of Rossi Playground capital project
Ann Shepard, Member, Rossi Playground committee member; support of Rossi Playground capital project
Susan Mitchell; support of Rossi Playground capital project
Jeff Hagen; support of Rossi Playground capital project
Male Speaker, on behalf of Pastor Walter Wong; opposed to tenderloin strip clubs
Teri Baum; Green Party Candidate for District 8, issues regarding election process regarding the counting of her votes
Richard Winger; issues regarding election process regarding Green Party candidate
Phillip Sanchez Perez; issues regarding election process regarding Green Party candidate
Scott Stewart, Noe Valley resident; issues regarding election process regarding Green Party candidate
Kevin; issues regarding election process regarding Green Party candidate
Kim Nice; issues regarding election process regarding Green Party candidate
Mr. Chow, Local 250; support of Item 44
George Bustos; exchange of property at Chester Avenue
Ted Milken; issues regarding election process regarding Green Party candidate
Male Speaker; issues regarding election process regarding Green Party candidate

APPROVAL OF REQUESTS TO THE LEGISLATIVE ANALYST

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

- 040414 [Legislative Analyst Request - Selection of consultants for projects under environmental review by the Planning Department]**
Supervisors Maxwell, Peskin

Motion requesting the Office of the Legislative Analyst to provide research assistance to the Board of Supervisors regarding the selection of consultants for projects under environmental review by the Planning Department. Delineate the current selection process by the City and County of San Francisco and provide an analysis of alternative consultant selection processes utilized by other municipalities. Please include in this analysis the role of the department, the project sponsor, and interested members of the community.

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

APPROVED by the following vote:

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

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.

- 040418 [Urging City Departments to investigate the viability of Jim Reid's Shelter-One house for use as a model homeless shelter]**
Supervisors Gonzalez, Dufty

Resolution urging the Mayor's Office of Homelessness, the Department of Building Inspection, and the Planning Department to investigate the viability of using Jim Reid's Shelter-One (the smallest house in San Francisco) as a potential homeless shelter in a test pilot project.

Resolution No. 234-04

ADOPTED

- 040419 [Public Safety Telecommunicators Week]**
Supervisors Ma, Dufty, Hall

Resolution recognizing the hard work and dedication of our public safety professionals and declaring April 11, 2004 through April 17, 2004 as "Public Safety Telecommunicators Week" in the City and County of San Francisco.

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

Resolution No. 228-04

ADOPTED

- 040420 [Supporting statewide ballot initiative]**
Supervisors Maxwell, Dufty, Daly

Resolution supporting a statewide ballot initiative to require voter approval before state government may take local tax funds.

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

Resolution No. 235-04

ADOPTED

040422 [In Home Supportive Services (IHSS)]
Supervisors Sandoval, Dufty, Peskin, Daly, Alioto-Pier, Ma

Resolution supporting In Home Supportive Services (IHSS) providers, seniors and people with disabilities and opposing proposed state funding reductions.

Supervisors Peskin, Daly, Alioto-Pier and Ma requested to be added as co-sponsors.

Resolution No. 229-04

ADOPTED

040423 [Authorizing DHS to request an ABAWD Waiver from the State Department of Social Services]
Supervisor Sandoval

Resolution authorizing the Department of Human Services to request an ABAWD Waiver from the State Department of Social Services.

Resolution No. 230-04

ADOPTED

040400 [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. M04-41

APPROVED

040424 [Office of the Legislative Analyst; Budget Consideration]
Supervisor Sandoval

Motion directing the Office of the Legislative Analyst to provide budget-related staff support to the Budget Committee and to provide a list of potential cost-saving measures resulting from this and other work to the Budget Committee for their consideration.

Motion No. M04-46

APPROVED

The foregoing items were acted upon by the following vote:

Ayes: 9 - Alioto-Pier, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval

Absent: 2 - Ammiano, Daly

Severed From the Without Reference Committee Agenda

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

**040417 [Declaration of Election Results]
Supervisor Duffy**

Resolution declaring the results of the March 2, 2004 Consolidated Primary Election.

John Artz, Director, Department of Elections reviewed with the Board issues relating to this item.

Resolution No. 217-04

ADOPTED by the following vote:

Ayes: 8 - Alioto-Pier, Duffy, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin

Absent: 3 - Ammiano, Daly, Sandoval

Supervisor Hall requested that this matter be severed so that it could be considered separately.

**040421 [Supporting AB 2146]
Supervisor Peskin**

Resolution urging the California State Legislature to support AB 2146, legislation to extend the season for dungeness crab fishing in the San Francisco Bay, and limiting the number of traps allowed on each vessel.

Supervisor Hall requested that this matter be referred to Committee.

REFERRED to the City Services Committee.

IMPERATIVE AGENDA

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

[Purely Commendatory Finding]

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

Supervisor Peskin, seconded by Supervisor Alioto-Pier, moved ADOPTION of the Commendatory Act Finding. The motion carried by the following vote:

Ayes: 8 - Alioto-Pier, Duffy, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin

Absent: 3 - Ammiano, Daly, Sandoval

[Brown Act Finding]

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

Supervisor Peskin, seconded by Supervisor Alioto-Pier, moved ADOPTION of the Brown Act Finding. The motion carried by the following vote:

Ayes: 8 - Alioto-Pier, Duffy, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin

Absent: 3 - Ammiano, Daly, Sandoval

**040458 [Honoring Artist Jose Ramon Lerma]
Supervisor Gonzalez**

Resolution honoring the artistic contribution of Jose Ramon Lerma for his outstanding contribution to Bay Area abstract expressionism and his continuing work as a pioneer in the arts.

Resolution No. 232-04

ADOPTED by the following vote:

Ayes: 8 - Alioto-Pier, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin

Absent: 3 - Ammiano, Daly, Sandoval

**040459 [Commending Rudolf Amenga-Etego]
Supervisor Daly**

Resolution commending Rudolf Amenga-Etego for his growing international recognition as a pioneer in environmentally sustainable water policy and universal access to safe, affordable water.

Resolution No. 231-04

ADOPTED by the following vote:

Ayes: 8 - Alioto-Pier, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin

Absent: 3 - Ammiano, Daly, Sandoval

OFF-AGENDA LEGISLATION

Introduced by Supervisors or Mayor

Ordinances

**040092 [Evaluation of food preparation and service establishments by Department of Public Health, issuance of Symbol, and posting of inspection reports 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.

2/2/04, REFERRED TO DEPARTMENT. Referred to Small Business Commission for review and comments.

4/8/04: Notified Small Business Commission and Youth Commission of April 15, 2004 hearing date.

4/13/04, SUBSTITUTED. Supervisor Daly submitted a substitute ordinance bearing same title.

4/13/04, ASSIGNED to City Services Committee.

**040451 [City Hiring Freeze]
Supervisor Sandoval**

Ordinance prohibiting the City from filling new or vacant positions except where the Mayor determines that certain exceptions apply, and setting an expiration date.

4/13/04, RECEIVED AND ASSIGNED to Budget Committee.

Resolutions**040440 [Airport Concession Lease]
Mayor**

Resolution approving the Terminal 3 Concourse Newsstand Lease between The Paradies Shops, Inc., and the City and County of San Francisco, acting by and through its Airport Commission.

4/13/04, RECEIVED AND ASSIGNED to Finance and Audits Committee.

**040441 [Airport Concession Lease]
Mayor**

Resolution approving the International Terminal Building Newsstands Lease between The Paradies Shops, Inc., and the City and County of San Francisco, acting by and through its Airport Commission.

4/13/04, RECEIVED AND ASSIGNED to Finance and Audits Committee.

**040444 [Older Americans Month]
Supervisors Hall, Dufty, Ma**

Resolution recognizing the month of May 2004 as Older Americans Month in San Francisco and encouraging all San Franciscans to promote and participate in activities and services that contribute to the health, welfare, and independence of older citizens.

4/13/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**040445 [Confirming the appointment of Dr. Anita Grier to the Municipal Transportation Agency Board of Directors]
Mayor**

Resolution confirming the appointment of Dr. Anita Grier to the Board of Directors of the Municipal Transportation Agency, term ending March 1, 2005.

4/13/04, RECEIVED AND ASSIGNED to Rules Committee.

**040446 [Confirming the appointment of Peter Mezey to the Municipal Transportation Agency Board of Director]
Mayor**

Resolution confirming the appointment of Peter Mezey to the Board of Directors of the Municipal Transportation Agency, term ending March 1, 2008.

4/13/04, RECEIVED AND ASSIGNED to Rules Committee.

**040447 [Accept-Expend Federal Funding - HOME Program]
Mayor**

Resolution authorizing the Mayor of the City and County of San Francisco to accept and expend a grant from the U.S. Department of Housing and Urban Development (HUD) for a total amount of \$8,804,425 which include indirect costs of \$10,000 for the HOME Program authorized under TITLE II of the National Affordable Housing Act of 1990, Public Law Number 101-625, and approving the HOME Program description as described in the 2004 Action Plan for San Francisco's Consolidated Plan.

(Fiscal impact.)

4/13/04, RECEIVED AND ASSIGNED to Land Use Committee.

**040448 [Accept-Expend Federal Funding - Community Development Block Grant]
Mayor**

Resolution approving the 2004 Community Development Program; and authorizing the Mayor, on behalf of the City and County of San Francisco, to accept and expend the City's 2004 Community Development Block Grant (CDBG) entitlement from the U.S. Department of Housing and Urban Development, and Program Income of \$31,374,675 which include indirect costs of \$150,000, and approving expenditure schedules for recipient departments and agencies and for indirect costs.

4/13/04, RECEIVED AND ASSIGNED to Land Use Committee.

**040449 [Federal Funding – Emergency Shelter Grants Program]
Supervisor Dufty**

Resolution approving the 2004 Emergency Shelter Grants Program and Expenditure Schedule; and authorizing the Mayor on behalf of the City and County of San Francisco to accept and expend a \$924,509 entitlement grant under the Emergency Shelter Grants Program from the U.S. Department of Housing and Urban Development.

(Fiscal impact.)

4/13/04, RECEIVED AND ASSIGNED to Land Use Committee.

**040452 [Week of the Young Child]
Supervisors Ma, Dufty, Alioto-Pier**

Resolution recognizing the importance of children's earliest years and the need to support early child-care programs and services, and declaring April 17, 2004 through April 24, 2004 as "Week of the Young Child" in the City and County of San Francisco.

4/13/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**040453 [Safety Seat Checkup Week]
Supervisors Ma, Dufty, Alioto-Pier, Hall**

Resolution declaring April 18, 2004 through April 24, 2004 as "Safety Seat Checkup Week" in the City and County of San Francisco.

4/13/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**040454 [General Obligation Refunding Bonds, Series 2004-RI]
Mayor**

Resolution authorizing the issuance from time to time in one or more series of not to exceed \$800,000,000 Aggregate Principal Amount of City and County of San Francisco General Obligation Refunding Bonds; approving the form and authorizing the execution of General Obligation Refunding Bonds; approving the form and authorizing the execution of Declarations of Trust; authorizing the appointment of depositories and other agents; approving the form and authorizing the execution and delivery of Escrow Agreements; approving the tax levy for repayment of the General Obligation Refunding Bonds; approving procedures for the sale and award of General Obligation Refunding Bonds; approving the form of Official Notices of Sale; authorizing the publication of Notices of Intention to Sell; approving the form of and authorizing the execution and delivery of Bond Purchase Agreements; approving the form and authorizing the execution and delivery of Continuing Disclosure Certificates; authorizing selection of underwriters; approving the form of and authorizing the distribution of Preliminary Official Statements and authorizing execution and delivery of Official Statements; approving the appointment of verification agents; approving the retention of other agents and payment of compensation to such agents; authorizing payment of costs of issuance; approving modifications to documents; ratifying actions previously taken; and granting general authority to City officials to take necessary actions in connection with the authorization, issuance, sale and delivery of said General Obligation Refunding Bonds and the refunding of certain outstanding General Obligation Bonds.

4/13/04, RECEIVED AND ASSIGNED to Finance and Audits Committee.

**040455 [Refunding Redevelopment Agency of the City and County of San Francisco Lease Revenue Bonds, Series 1994, (George R. Moscone Convention Center)]
Mayor**

Resolution approving the issuance and sale of lease revenue refunding bonds to refinance lease revenue bonds previously issued and sold by the Redevelopment Agency of the City and County of San Francisco (the "Agency"); authorizing the release of reserved monies; approving the form of a project lease between the Agency and the City and County of San Francisco (including certain indemnities contained therein); approving the form of the official statement in preliminary and final form; approving the form of the continuing disclosure certificate; approving the form of irrevocable refunding instructions; and, ratifying previous actions taken in connection therewith.

4/13/04, RECEIVED AND ASSIGNED to Finance and Audits Committee.

**040456 [Commending Hannah Paarlberg]
Supervisor Sandoval**

Resolution commending Hannah Paarlberg of Balboa High School on her accomplishments in the sport of wrestling.

4/13/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**040457 [Commending House Minority Leader Nancy Pelosi]
Supervisors Sandoval, Dufty, Ma**

Resolution commending House Minority Leader Nancy Pelosi for receiving the 2004 "Distinguished Community Health Champion" award from the National Association of Community Health Centers.

4/13/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

- 040460 [Urging the Legislature to amend Public Utilities Code to allow local regulation of charter party carriers]
Supervisors Daly, Maxwell**

Resolution urging the California State Legislature to support an amendment to the California Public Utilities Code that would allow a city and/or county to impose a business license fee, and adopt reasonable rules and regulations pertaining to charter party carriers operating within city and/or county jurisdictions.
4/13/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

- 040461 [Commending Michael C. Healy]
Supervisor Daly**

Resolution commending Michael C. Healy on his service to the Bay Area Rapid Transit District (BART) and to public transportation.
4/13/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

- 040471 [Supporting AB 2863]
Supervisors Maxwell, Dufty, Ma**

Resolution supporting AB 2863 and urging the California legislature to pass AB 2863 allowing for the improvement of indoor air quality in our schools.
4/13/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

- 040472 [Supporting AB 2367, AB 2132]
Supervisors Maxwell, Dufty, Ma**

Resolution supporting AB 2367 (Chan) and AB 2132 (Reyes/Chan) and urging the California legislature to pass the two legislation allowing children in schools with Asthma easier access to their medication.
4/13/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

- 040473 [Annual Bayview Juneteenth Festival in 2002]
Supervisors Maxwell, Dufty**

Resolution urging DPT, DPW, Police, and Fire Department to waive fees incurred by Black Diamond Dynasty for the installation of the 1st Annual Bayview Juneteenth Festival in 2002.
4/13/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

- 040474 [Proposed Changes to Section 8 Housing Policy]
Supervisors Maxwell, Peskin, Daly**

Resolution urging United States Senators Dianne Feinstein and Barbara Boxer and United States Congresswoman Nancy Pelosi to oppose changes to Federal Section 8 Housing Policy.
4/13/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**040478 [Strictly Bluegrass]
Supervisors Peskin, Ammiano, Hall**

Resolution urging that Warren Hellman bring Strictly Bluegrass back to Golden Gate Park.
4/13/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**040479 [Bhopal Remembrance Day]
Supervisor Peskin**

Resolution Declaring December 3, 2004 as Bhopal Remembrance Day.
4/13/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**040480 [Less Costly Pharmaceuticals]
Supervisors Peskin, Sandoval, Daly**

Resolution authorizing the Department of Public Health to participate in the State Department of General Services pharmaceutical purchasing program to explore the cost benefits of participation, and further approving its participation in State Department of General Services pharmaceutical purchasing contracts that provide favorable cost benefits for the Department.
4/13/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**040481 [Public Health Comprehensive Child Crisis Services]
Supervisors Maxwell, Duffy**

Resolution authorizing the San Francisco Public Health, Community Behavioral Health, Comprehensive Child Crisis Services (SFDPH, CBH, CCCS) (Provider) to enter retroactively into an agreement which includes a mutual indemnification clause and a binding arbitration clause, with Managed Health Network, Inc. (MHN) (Primary Contractor) to provide comprehensive child crisis services at a capitated rate to MHN enrollees for a total estimated revenues of \$100,000 for the 16 month period of March 1, 2004 through June 30, 2005.
4/13/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**040482 [Accept-Expend State Grant]
Supervisors Maxwell, Duffy, Hall**

Resolution authorizing the Mayor's Office of Criminal Justice (MOCJ) to accept and expend funds in the amount of \$2,218,010 from the State Board of Corrections, from funds made available under Senate Bill 736 – known as the Juvenile Justice Crime Prevention Act (JJCPA), for programs and approaches that have been demonstrated to be effective in reducing delinquency.
4/13/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Requests for Hearing

**040462 [Under-reporting or non reporting of taxes by parking facilities throughout CCSF]
Supervisor Sandoval**

Hearing to investigate under-reporting or non reporting of taxes by parking facilities throughout the City and County of San Francisco.

4/13/04, RECEIVED AND ASSIGNED to Finance and Audits Committee.

**040463 [Mayor's Budget Cut Proposals for 2004-2005.]
Supervisor Sandoval**

Hearing to consider proposed criteria that can be used to analyze major budget cut proposals in the Mayor's budget for 2004-2005.

4/13/04, RECEIVED AND ASSIGNED to Budget Committee.

**040464 [Citywide Bike Plan]
Supervisor Gonzalez**

Hearing for the Department of Parking and Traffic, the Transportation Authority, the Planning Department and others to report on the progress and timeline of the Citywide Bike Plan Update and the completion of the Citywide Bike Network.

4/13/04, RECEIVED AND ASSIGNED to Land Use Committee. Sponsor requests this item be calendared at the May 17, 2004 meeting.

**040465 [Report on processing of write-in votes for the March 2nd election]
Supervisor Gonzalez**

Hearing to receive report from the Director of the Department of Elections on the processing of write-in votes for the March 2nd election.

4/13/04, RECEIVED AND ASSIGNED to Rules Committee.

**040466 [Randall Museum]
Supervisors Daly, Dufty**

Hearing to consider the finances of the Randall Museum, proposed operational changes to the Museum, and the proposed license for use prepared in the Recreation and Park Department. Specifically, to understand the rationale of the Recreation and Park Department in making these changes.

4/13/04, RECEIVED AND ASSIGNED to Finance and Audits Committee.

**040467 [Ryan White CARE Act Funding]
Supervisors Daly, Dufty**

Hearing to review a proposal by Health Director Mitch Katz to maintain CARE funded services, and to prepare in committee and report to the Full Board of Supervisors ordinances or resolutions as may be necessary to maintain these services.

4/13/04, RECEIVED AND ASSIGNED to Finance and Audits Committee. Sponsor requests this item be scheduled for consideration at the April 21, 2004 meeting.

**040468 [Taxi Drivers]
Supervisor Ammiano**

Hearing to consider the Controller's findings pursuant to the Taxi Driver Survey related to benefits for taxi drivers; potential health plans for taxi drivers; mechanisms to apportion the costs of such plans; and related issues.

4/13/04, RECEIVED AND ASSIGNED to Finance and Audits Committee.

**040469 [Overtime Practices]
Supervisor Sandoval**

Hearing to consider citywide policies regarding overtime pay and efforts to limit it.

4/13/04, RECEIVED AND ASSIGNED to Budget Committee.

**040470 [Juvenile Justice System]
Supervisors Maxwell, Dufty, Alioto-Pier, Ma**

Hearing to discuss the juvenile justice system with regard to the arrest and incarceration rates of adolescent girls; to consider the criminal justice programs serving this population, and to consider why the arrest and incarceration rates for young African American women are the highest of any California jurisdiction.

4/13/04, RECEIVED AND ASSIGNED to City Services Committee.

PROPOSED ORDINANCES

040305 [Parking Regulations, east side of Baker Street, from 11 feet to 64 feet north of Green Street (53-foot zone)]

Ordinance amending San Francisco Traffic Code Section 32.6.30 to restrict parking on the east side of Baker Street, from 11 feet to 64 feet north of Green Street (53-foot zone). (Parking and Traffic Department)

3/26/04, RECEIVED AND ASSIGNED to Land Use Committee.

040315 [Designating 2362 Market Street, the Jose Theater / Names Project building, as a Landmark Under Planning Code Article 10]

Supervisors Dufty, Maxwell, Peskin

Ordinance designating 2362 Market Street, the Jose Theater / Names Project Building, as Landmark No. 241 Pursuant to Article 10, Sections 1004 And 1004.4 Of the Planning Code. (Planning Department)

3/25/04, RECEIVED AND ASSIGNED to Land Use Committee.

040389 [Unrepresented Employees]

Ordinance fixing compensation for persons employed by the City and County of San Francisco whose compensations are subject to the provisions of Section A8.409 of the Charter, in jobcodes not represented by an employee organization, and establishing working schedules and conditions of employment and, methods of payment, effective July 1, 2004. (Mayor)

4/7/04, RECEIVED AND ASSIGNED to Finance and Audits Committee.

PROPOSED RESOLUTIONS

040346 [STOP Intersections]

Resolution designating certain intersections as "STOP" intersections.

STOP SIGNS - ESTABLISH

Ivy at Buchanan Streets, stopping westbound Ivy Street;
Estero Avenue and Lunado Way, stopping Lunado Way at Estero Avenue, making this intersection an All-Way STOP;
Campbell Avenue at Delta Street, making this uncontrolled intersection an All-Way STOP;
Delta Street at Campbell Avenue, making this uncontrolled intersection an All-Way STOP;
Chestnut and Powell Streets, stopping Powell Street, making this intersection an All-Way STOP;
Faxon Avenue and Kenwood Way, stopping Faxon Avenue, making this intersection an All-Way STOP;
10th Avenue at Ortega Street, stopping Ortega Street, making this intersection an All-Way STOP; and
Isola Way and Rockdale Drive, stopping Isola Way traffic at Rockdale Drive, making this uncontrolled T-intersection a one-way STOP. (Parking and Traffic Department)

(4/26/04: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 2784.)

3/26/04, RECEIVED AND ASSIGNED to Land Use Committee.

040347 [Parking Regulations]

Resolution enacting and rescinding parking regulations at various locations.

TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH

Portola Drive, south side, from Diamond Heights Boulevard to 100 feet easterly.

NO PARKING ANYTIME - ESTABLISH

Waterville Street, east side, across from the north property line of 6 Waterville Street, to the northern terminus of the roadway.

TOW-AWAY, NO STOPPING ANYTIME - RESCIND**TAXI ZONE - ESTABLISH**

Polk Street, west side, between McAllister and Redwood Streets.

TAXI STAND - RESCIND

Dr. Carlton B. Goodlett Place, east side, from 208 feet to 232 feet south of McAllister Street.

RESIDENTIAL PERMIT PARKING AREA "S" (2-HOUR TIME LIMIT, 9 AM - 9 PM, MONDAY THROUGH FRIDAY) - ESTABLISH

Oak Street, both sides, between Gough and Octavia Streets (200 block)

179 Oak Street (adds specific address only, no permit parking signs will be installed on the 100 block).

PERPENDICULAR (90-DEGREE ANGLE) PARKING - ESTABLISH

Baker Street, east side, between Turk Street and Golden Gate Avenue (legislating existing conditions).

UNMETERED MOTORCYCLE PARKING - ESTABLISH

Noe Street, east side, from Elizabeth Street to 11 feet southerly (accommodates two motorcycle parking spaces).

RESIDENTIAL PERMIT PARKING AREA "U", 2-HOUR TIME LIMIT, 8 AM TO 10 PM, MONDAY THROUGH SUNDAY - ESTABLISH

Stillman Street, north side, from 3rd Street to 135 west of 3rd Street

101 and 147 Stillman Street, south side, between 3rd and 4th Streets (adds specific addresses only); and

470 - 3rd Street, west side, between Bryant and Stillman Streets (adds specific addresses only).

PARKING METER NO. 3 (1-HOUR TIME LIMIT, 9 AM TO 6 PM, MONDAY THROUGH SATURDAY)

Stillman Street, north side, between 135 feet and 410 feet west of 3rd Street. (Parking and Traffic Department)

(3/22/04: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 2784.)

3/26/04, RECEIVED AND ASSIGNED to Land Use Committee.

040348 [Traffic Regulations]

Resolution enacting and rescinding traffic regulations on various streets.

NO LEFT TURN - ESTABLISH

Eastbound Plymouth Avenue onto northbound Plymouth Avenue.

RIGHT LANE MUST TURN RIGHT - RESCIND

Polk Street, west side, between McAllister and Redwood Streets. (Parking and Traffic Department)

(3/22/04: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 2784.)

3/26/04, RECEIVED AND ASSIGNED to Land Use Committee.

040351 [Accept - Expend Grant]

Supervisor Dufty

Resolution authorizing the Office of the Public Defender to accept and expend a grant in the amount of \$120,000 from the Zellerbach Family Foundation for a social worker position dedicated to working with the children of incarcerated parents (CIP). (Public Defender)

4/1/04, RECEIVED AND ASSIGNED to City Services Committee.

4/5/04, REFERRED TO DEPARTMENT. Referred to Youth Commission for comment and recommendation.

040352 [Lease of Real Property - 1060 Howard Street]

Resolution authorizing the lease of 4,592 sq. ft. of clinic space in the building located at 1060 Howard Street, San Francisco for the Department of Public Health. (Real Estate Department)

(Fiscal impact.)

4/1/04, RECEIVED AND ASSIGNED to Finance and Audits Committee.

040353 [Settlement of Claim - Irene Huang]

Resolution approving the settlement of the unlitigated claim filed by Irene Huang against San Francisco for \$350,000; claim was filed on July 1, 2003; additional material terms of said settlement are: (a) Irene Huang is appointed to a provisional appointment; (b) Irene Huang agrees to cooperate in any proceedings between the City and Ricardo Paez; (c) Irene Huang shall receive 10% (ten percent) of any net recovery. (City Attorney)

4/5/04, RECEIVED AND ASSIGNED to Rules Committee.

Requests Granted

From: Supervisor Sandoval

To: Police Chief

Requesting/Inquiring: Requesting a written report of staffing levels at all of the stations in the City and County of San Francisco. Including the following:

Number of assigned sergeants and officers for each station for 2001-2003 and 2004 YTD

Station by station breakdown (or ratio/percentage) of the number of officers per homicide for 2001-2003 and 2004 YTD

Station by station breakdown (or ratio/percentage) of the number of officers per population unit for 2001-2003 and 2004 YTD

Station by station breakdown (or ratio/percentage) of the number of officers per geographic unit for 2001-2003 and 2004 YTD

Station by station breakdown (or ratio/percentage) of the number of officers per violent crime for 2001-2003 and 2004 YTD

From: Supervisor Sandoval

To: Director, Mayor's Budget Office

To: Controller

To: City Attorney

Requesting/Inquiring: To notify the Director of the Mayor's Budget Office, Controller and the City Attorney that committee hearing has been called to consider citywide policies regarding overtime pay and efforts to limit it, hearing to be scheduled in the near future. File 040469, Budget Committee

From: Supervisor Maxwell

To: Director, Department of Parking and Traffic

Requesting/Inquiring: To conduct a traffic study at the intersection of Olmstead Street and University Avenue and carry through with the recommendation/s to remedy the issue. There are no sign controls at any of the three approaches to this intersection. Speeding is a big issue here. There is a high school location just inside the Park, there is also an entrance into the park at this intersection. Residents feel unsafe crossing into the park using this intersection. They have already submitted a petition requesting for the installation of a stop sign. The petition is attached for your edification.

From: Supervisor Ammiano

To: Director, Ethics Commission

Requesting/Inquiring: Requesting a justification of its proposal to reduce FY 2004-05 funding for the City's public financing system for campaigns and proposed plans to provide such financing if the number of candidates running exceeds projections of the Commission.

In Memoriams

Issac Espinoza (Entire Board)

Judy Suh and Martha Suh (Supervisor Peskin)

Gary Combathalade (Supervisor Dufty)

David Passanisi (Supervisor Hall)

Mary O'Connor (Supervisor Hall)

Stephen Soo (Supervisors Ma, Dufty)

Kathleen E. Fixa (Supervisors Dufty, Ma)

Woodrow "Woody" A. Tennant (Supervisor Dufty)

Hanneh Tannous (Supervisor Sandoval)

Keith Cylar (Supervisor Daly)

ADJOURNMENT

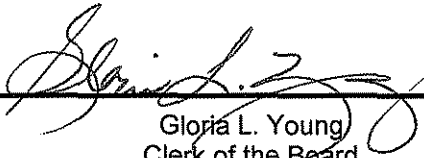
There being no further business, the Board at the hour of 6:46 p.m. adjourned.

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 May 11, 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