

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 27, 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

Rules Committee

Supervisors Maxwell, Alioto-Pier, Gonzalez

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

Wednesday
10:00 AM

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

Members Present: Michela Alioto-Pier, Tom Ammiano, Chris Daly, Bevan Dufty, 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 2:07 p.m. On the call of the roll Supervisor Ammiano was noted absent.

Supervisor Ammiano was noted present at 2:09 p.m.

Quorum present.

COMMUNICATIONS

There were none.

CONSENT AGENDA

Recommendation of the City Services 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)

Resolution No. 261-04
ADOPTED

Recommendations of the Finance and Audits Committee

**040318 [Amending Domestic Partnership requirements]
Supervisors Ammiano, Dufty, Daly**

Ordinance amending Chapter 62 of the Administrative Code by amending the statement of purpose in Section 62.1; amending Sections 62.2(d), 62.3(b) and 62.5(b) to remove a waiting period for certain domestic partnerships; amending Sections 62.3(a)(2) and 62.10(a) relating to Retirement System requirements; repealing Section 62.3(c) to eliminate a residency requirement; amending Section 62.6(a) to expand the rights and duties of domestic partners; adding Section 62.11 to clarify the Board of Supervisors' authority to amend domestic partnership legislation; adding Section 62.12 to add a severability provision; and adding Section 62.13 to ratify and approve domestic partnerships between certain non-residents.

(Fiscal impact.)

**Ordinance No. 78-04
FINALLY PASSED**

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)

**Ordinance No. 79-04
FINALLY PASSED**

Recommendation of the Land Use Committee

**031930 [Planning Code Amendments - The Old Mint]
Supervisors Peskin, Daly, Hall**

Ordinance amending the San Francisco Planning Code by amending Section 128 to allow a City-owned landmark in a P (Public) zoning district that is adjacent to properties zoned C-3 (Downtown Commercial) to sell Transferable Development Rights and by amending Section 149 to authorize the landmark to receive artwork contributions in order to finance rehabilitation and restoration of the exterior of the property; adopting findings.

**Ordinance No. 77-04
FINALLY PASSED**

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

Recommendation of the Budget Committee

- 040411** [Waiving, for 2004, the May 1 deadline for enterprise department budget submittal]
Supervisor Sandoval

Ordinance amending Section 3.3 of the San Francisco Administrative Code to waive, for 2004, the May 1 deadline for the Mayor to submit to the Board of Supervisors the proposed budgets for the enterprise departments of the City and County of San Francisco.

Ordinance No. 80-04

FINALLY PASSED by the following vote:

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

Noes: 3 - Ammiano, Daly, Gonzalez

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 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 for shows on property owned by the City and County of San Francisco be paid the prevailing rate of wage.

Ordinance No. 76-04

FINALLY PASSED 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.

Supervisor Peskin, seconded by Supervisor McGoldrick, moved that this Ordinance be **RE-REFERRED**. The motion carried by the following vote:

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

NEW BUSINESS**Recommendation of the Budget 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.

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 City Services Committee

**040250 [High Risk Sex Offender Map]
Supervisors Hall, Ma**

Resolution urging the San Francisco Police Department to provide on their website the general whereabouts of high risk sex offenders, insuring that only high risk offenders and the pictures of those high risk offenders are on the San Francisco Police Department website.

Amended to require a hearing by May 15, 2005 related to the subject of this Resolution.

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

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

Resolution urging the San Francisco Police Department to provide on their website the general whereabouts of high risk sex offenders, insuring that only high risk offenders and the pictures of those high risk offenders are on the San Francisco Police Department website; requiring a hearing by May 15, 2005 related to the subject of this Resolution.

Resolution No. 260-04

ADOPTED AS AMENDED by the following vote:

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

Noes: 2 - Daly, Maxwell

Recommendation of the Finance and Audits Committee

**040194 [Employee Catastrophic Illness Program]
Supervisors Ammiano, Daly**

Ordinance amending Section 16.9-29A(d) of the San Francisco Administrative Code to authorize employee reimbursement of the Catastrophic Illness Program upon qualification for or receipt of disability benefits and amending Section 16.9-29A(i) of the San Francisco Administrative Code to authorize employee transfer of unused hours to pool if participation in Catastrophic Illness Program expires or is terminated.

PASSED ON FIRST READING by the following vote:

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

Recommendations of the Land Use 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).

PASSED ON FIRST READING by the following vote:

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

- 040227 [Construct retaining walls in public right-of-way to provide for parking garage driveway and level entry to a new resident at 719 Peru Avenue]**

Resolution granting, through May 10, 2005, revocable permission to Alan Tran to occupy a portion of the street area along Peru Avenue for the purpose of constructing and maintaining retaining walls in order to provide for a parking garage driveway and a level entry to a new building at 719 Peru Avenue (Assessor Block 5943, Lot 024); conditioned upon the payment of a \$1,000 fee from Alan Tran to the City and County of San Francisco. (Public Works Department)

Continued to May 11, 2004.

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

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

- 040228 [Construct retaining walls in public right-of-way to provide for a parking garage driveway and level entry to a new resident at 715 Peru Avenue]**

Resolution granting, through May 10, 2005, revocable permission to Robert C. M. & Lori O. W. Chiang to occupy a portion of the street to construct retaining walls in public right-of-way in order to provide for a parking garage driveway and a level entry to a new resident at 715 Peru Avenue (Block 5943, Lot 025); conditioned upon the payment of a \$1,000 fee from Robert and Lori Chiang to the City and County of San Francisco. (Real Estate Department)

Continued to May 11, 2004.

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

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

- 040238 [MUNI Biodiesel Pilot Program]
Supervisors Gonzalez, Daly**

Resolution urging MUNI to start a pilot program utilizing biodiesel within the next 8 months, as well as research and adopt the use of biodiesel, a cleaner burning alternative fuel, that will significantly reduce emissions.

Resolution No. 259-04

ADOPTED by the following vote:

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

Recommendation of the Rules Committee

040274 [Production and Inspection Demand Procedures and Pre-Hearing Conference Procedures before Assessment Appeals Board]
Supervisors Daly, Maxwell, McGoldrick

Ordinance amending the San Francisco Administrative Code by adding Sections 2B.21 and 2B.22 to Chapter 2B to provide Production and Inspection Demand Procedures and Pre-Hearing Conference Procedures for proceedings before the Assessment Appeals Boards.

PASSED ON FIRST READING by the following vote:

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

SPECIAL ORDER 3:30 P.M - Recognition of Commendations**Privilege of the Floor**

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

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

Supervisor McGoldrick welcomed, introduced and presented a Certificate of Honor to Maria Morgan Butcher.

COMMITTEE REPORTS**From the Rules Committee****Appointment of President Pro Tempore**

At the request of the President, Supervisor Sandoval 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.

**040222 [Appointment to Police Commission - Louise Renne]
Mayor**

Motion confirming the Mayor's nomination of, and appointing, Louise Renne to the San Francisco Police Commission for a term of office commencing on April 30, 2004 at noon, with the term ending to be determined by lot.

Transmittal Date: 3/2/04.

Motion No. M04-51

APPROVED by the following vote:

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

Noes: 3 - Ammiano, Daly, Gonzalez

Appointment of President Pro Tempore

At the request of the President, Supervisor Sandoval 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.

From the City Services Committee

**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]
Supervisor Hall**

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

Supervisor Dufty dissenting.

Supervisor Ma, seconded by Supervisor Maxwell, moved to rerefer this matter to Committee.

Motion to rerefer failed by the following vote:

Ayes: 4 - Ammiano, Ma, Maxwell, Sandoval

Noes: 7 - Alioto-Pier, Daly, Dufty, Gonzalez, Hall, McGoldrick, Peskin

Supervisor Daly, seconded by Supervisor Ammiano, moved an amendment of the whole as further amended.

Motion to amend failed by the following vote:

Ayes: 4 - Ammiano, Daly, Dufty, Gonzalez

Noes: 7 - Alioto-Pier, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval

Supervisor Hall, seconded by Supervisor Alioto-Pier, moved an amendment of the whole as further amended

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

Ayes: 6 - Alioto-Pier, Gonzalez, Hall, Ma, Maxwell, Peskin

Noes: 5 - Ammiano, Daly, Dufty, McGoldrick, Sandoval

Ordinance amending the San Francisco Health Code by adding a new section 456 et seq. to establish a Symbol issued by Department of Public Health for inspection of food preparation and service establishments, requiring posting of Symbol and inspection reports by food preparation and service establishments, and providing penalties for lack of compliance.

*Supervisors Daly and Ammiano withdrew their names as sponsor and co-sponsor.
Supervisor Hall was added as sponsor.*

PASSED ON FIRST READING AS AMENDED by the following vote:

Ayes: 6 - Alioto-Pier, Gonzalez, Hall, Ma, Maxwell, Peskin

Noes: 5 - Ammiano, Daly, Duffy, McGoldrick, Sandoval

040125 [Liquor License, 2113 Chestnut Street]

Resolution determining that the transfer of a Type 20 off-sale beer and wine alcoholic beverage control license from 3237 Pierce Street to 2113 Chestnut Street (District 2), to Greg O'Flynn for California Wine Merchant, and the issuance of a Type 42 on-sale beer and wine public premises license to the same applicant, 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. 258-04

ADOPTED by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Duffy, Gonzalez, Ma, Maxwell, McGoldrick, Peskin, Sandoval

Absent: 2 - Daly, Hall

ROLL CALL FOR INTRODUCTIONS

PUBLIC COMMENT

Abdullah Megaheed; death penalty
Rich Ruggs; gay marriage
Rick Fare; Blue Monday
Michael Krellis; health issues
Dan Paez; no death penalty
Commissioner Elissa Eckman, Animal Control and Welfare Commission; wants elephants sent to a sanctuary
Male Speaker; wants elephants sent to a sanctuary
Denise Nobel; wants elephants sent to a sanctuary
Pat Derby; wants elephants sent to a sanctuary
Lilly McPhee; wants elephants sent to a sanctuary
Female Speaker; wants elephants sent to a sanctuary
Laura Beck; wants elephants sent to a sanctuary
Dr. Eliot Katz; wants elephants sent to a sanctuary
Serilla Kasantay; wants elephants sent to a sanctuary
Kristina Hoerler; wants elephants sent to a sanctuary
Male Speaker; caregivers
Nancy Gin, Chair, Protect Our Benefits; retiree health benefits
Male Speaker; elimination of programs at San Francisco State University
John DiDonna; violence
John Kelly; funding issues
Eduardo Bonsi; Muni invasive noises - other traffic invasive noises
Rodney; opposes same sex marriages
Chaplain Earl Rogers, San Francisco Rescue; Entertainment Commission
Dan Zitska; Entertainment Commission
Toni Cox; economic issues
Male Speaker; crime
Female Speaker; medical assistance

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.

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

040498 [Accept-Expend Federal Grant]
Supervisor Alioto-Pier

Resolution authorizing the Mayor's Office of Criminal Justice to accept and expend a federal grant in the amount of \$10,349,000 from the U.S. Department of Homeland Security for the purposes of providing financial assistance directly to selected jurisdictions through the Fiscal Year 2003 Urban Areas Security Initiative (UASI) to address the unique equipment, training, planning, and exercise needs of large urban areas, and to assist them in building an enhanced and sustainable capacity to prevent, respond to, and recover from threats or acts of terrorism.

Resolution No. 263-04

ADOPTED

**040499 [Accept-Expend Federal Pass Through Grant]
Supervisor Alioto-Pier**

Resolution authorizing the Mayor's Office of Criminal Justice to accept and expend a Federal pass through grant in the amount of \$18,587,312 from the State of California Office of Homeland Security for the purposes of providing financial assistance directly to selected jurisdictions through the Fiscal Year 2003 Urban Areas Security Initiative (UASI) to address the unique equipment, training, planning, and exercise needs of large urban areas, and to assist them in building an enhanced and sustainable capacity to prevent, respond to, and recover from threats or acts of terrorism. Further, authorizing the Director of the Mayor's Office of Criminal Justice or the Deputy Director of the Mayor's Office of Criminal Justice to execute for and on behalf of the named core city, a public entity established under the laws of the State of California, any actions necessary for the purpose of obtaining Federal financial assistance under Catalog of Federal Domestic Assistance number 16.011.

**Resolution No. 264-04
ADOPTED**

**040503 [Authorizing the resale of Redevelopment Agency-assisted ownership units]
Supervisor Maxwell**

Resolution authorizing the resale of single-family homes acquired by the Redevelopment Agency with tax increment funds without further approval of the Board of Supervisors pursuant to the small housing project exception under Health and Safety Code Section 33433(c)(1).

**Resolution No. 265-04
ADOPTED**

**040504 [Prohibition on Cruise Ship Pollution in San Francisco Bay]
Supervisors Alioto-Pier, Daly**

Resolution supporting Assembly Bills 2093 and 2672 to prohibit cruise ship pollution in California.

**Resolution No. 266-04
ADOPTED**

**040518 [Honoring Ellen Haller, M.D.]
Supervisors Ammiano, Dufty**

Resolution Honoring Ellen Haller, M.D. at the San Francisco LGBTQ Pride Celebration Mental Health Conference June 25, 2004 for her distinguished work in the field of Mental Health.

**Resolution No. 267-04
ADOPTED**

**040519 [Single Room Occupancy Hotel Safety and Stabilization Task Force]
Supervisors Ammiano, Dufty, Daly**

Resolution supporting the Single Room Occupancy Hotel Safety and Stabilization Task Force recommendations.

**Resolution No. 268-04
ADOPTED**

**040520 [Selection of Independent City Auditors]
Supervisor Peskin**

Resolution selecting independent auditors for the Controller's Office and the separately audited departments of the City and authorizing a three-year contract with the selected audit firms.

Resolution No. 269-04

ADOPTED

**040521 [Supporting AB 2600]
Supervisor Peskin**

Resolution expressing support for Assembly Bill 2600, introduced by Assemblyman John Laird, creating a Sierra Nevada Conservancy.

Resolution No. 270-04

ADOPTED

**040492 [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. M04-52

APPROVED

The foregoing items were acted upon by the following vote:

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

Absent: 1 - Ammiano

Severed from Without Reference to Committee Agenda

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

**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.

Resolution No. 262-04

ADOPTED by the following vote:

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

Absent: 1 - Ammiano

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

**040495 [AB 2702 Secondary Unit]
Supervisors Hall, McGoldrick**

Resolution urging the California State Legislature to not approve Assembly Bill 2702, allowing secondary units without local government input.

Supervisor Daly requested that this matter be referred to Committee.

REFERRED to the Land Use Committee.

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

**040522 [SFSU Gerontology Program]
Supervisors Dufty, Hall, Sandoval, Ma**

Resolution urging San Francisco State University to continue its Gerontology Program.

Supervisor Dufty requested that this matter be referred to Committee.

REFERRED to the City Services Committee.

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

**040516 [Committee of the Whole - Implementation plan for Care Not Cash/Real Housing Real Care]
Supervisor Daly**

Motion scheduling a Committee of the Whole on May 11, 2004 at 4:00 PM to hold a hearing on the City's implementation plan for Care Not Cash/Real Housing Real Care.

NOT APPROVED by the following vote:

Ayes: 2 - Daly, Sandoval

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

Absent: 1 - Ammiano

OFF-AGENDA LEGISLATION

Introduced by Supervisors or Mayor

Ordinances

**040532 [Establishing a Police Department Citizens Advisory Committee]
Supervisor Maxwell**

Ordinance amending Article IV, Chapter 2A of the San Francisco Administrative Code by adding Section 2A.87, to establish the Police Department Citizens Advisory Committee as an advisory committee to the Board of Supervisors.

4/27/04, RECEIVED AND ASSIGNED to Rules Committee.

040537 [Surplus City Property]
Supervisor Daly

Ordinance amending the San Francisco Administrative Code by amending Sections 23A.4, 23A.6, 23A.7, 23A.8, 23A.10, and 23A.11, and adding Section 23A.9, to specify procedures for identification of surplus City real property, assessment of the use of such property for housing for the homeless, and approvals for disposition and development of appropriate surplus real property and to establish a Citizens' Advisory Committee.

4/27/04, RECEIVED AND ASSIGNED to Finance and Audits Committee. Sponsor requests this item be calendared on May 5, 2004.

040538 [Interdepartmental Jurisdictional Transfer of Surplus Property]
Supervisor Daly

Ordinance transferring jurisdiction from the Department of Public Works, the Department of Human Services, and the Real Estate Division of the Administrative Services Department to the Mayor's Office of Housing over the real property commonly known as 301 Wilde; 2627 Cesar Chavez; 600 Bosworth Avenue; 859 Dwight; 455 Bush Street; 401 Franconia; 395 Justin Drive; 1051 Palou; 341 Corbett; 4011 Mission Street; 691 Alemany; 114 Elmira; 2198 Thomas Avenue; 149 Milton Street; 59 Ord Court; 949 Vermont Street; 525 Golden Gate Avenue; 150-170 Otis Street; 100 Broadway Street; 735 Battery Street; and 155 Grove Street and over the real property located near the intersections of Alemany and Ocean; Bayshore Boulevard and Silver Avenue; Bosworth and Burnside; Cesar Chavez and Guerrero Streets; Cayuga and Geneva Avenue; Geneva and Ocean Avenues; Hester Avenue and Bayshore Boulevard; Jerrold Avenue and Rankin; Junipero Serra and Shields Street; Palo Alto and Glenbrook; San Jose and Cuvier Street; Roosevelt Way at Henry Street; Palou and Rankin; Lawton and 20th Avenue; SE Carl and Arguello; DeLong and San Diego; LaGrande and Mansfield; Roosevelt and Park Hill; Augusta and Charter Oak; for assessment of each property for development as affordable housing consistent with Chapter 23A of the Administrative Code.

4/27/04, RECEIVED AND ASSIGNED to Finance and Audits Committee. Sponsor requests this item be calendared on May 5, 2004.

040539 [Requirements for Department of Building Inspection Permit Tracking System]
Supervisors Duffy, Ammiano, Gonzalez

Ordinance amending the San Francisco Administrative Code by adding a new Chapter 78 to direct the Department of Building Inspection to improve its permit tracking system to allow for open and public review of the status, routing and location of pending permits.

4/27/04, RECEIVED AND ASSIGNED to Rules Committee.

040540 [Prevailing wages in contracts for moving services; nonprofit organizations exclusion]
Supervisor Ammiano

Ordinance adding Section 21.25-x to the Administrative Code requiring prevailing wages in contracts for moving services, but exempting nonprofit organizations.

4/27/04, ASSIGNED UNDER 30 DAY RULE to Finance and Audits Committee, expires on 5/27/2004.

Resolutions

**040232 [Proposition 36 Research Study]
Supervisors Alioto-Pier, Dufty**

Resolution authorizing the San Francisco Department of Public Health, Treatment Access Program, Community Behavioral Health Services (SFDPH, TAP, CBHS) to enter retroactively into an agreement, which includes an indemnification clause, with The Regents of the University of California, University of California at Los Angeles Integrated Substance Abuse Program (UCLA, ISAP), the primary contractor, and expend funds in the amount of \$100,000 to participate in a Proposition 36 research study, for the period of November 1, 2003 to November 1, 2005.

4/27/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**040495 [AB 2702 Secondary Unit]
Supervisors Hall, McGoldrick**

Resolution urging the California State Legislature to not approve Assembly Bill 2702, allowing secondary units without local government input.

4/20/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

4/27/04, REFERRED to Land Use Committee. Supervisor Daly requested that this matter be referred to Committee.

**040522 [SFSU Gerontology Program]
Supervisors Dufty, Hall, Sandoval, Ma**

Resolution urging San Francisco State University to continue its Gerontology Program.

4/20/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

4/27/04, REFERRED to City Services Committee. Supervisor Dufty requested that this matter be referred to Committee.

**040531 [Local Vehicle License Fee Restoration]
Mayor, Supervisors Peskin, Dufty, Ammiano**

Resolution urging the California State Legislature to pass legislation to allow local governments to obtain voter approval to restore the Vehicle License Fee.

4/27/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**040533 [Public hearing approval for the issuance and sale of revenue bonds by ABAG Finance Authority for Urban School of San Francisco]
Supervisor Gonzalez**

Resolution authorizing the issuance and sale of revenue bonds by ABAG Finance Authority for Nonprofit Corporations in an aggregate principal amount not to exceed \$8,000,000 for the Urban School of San Francisco.

4/27/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**040534 [Funding Levels for Department of Aging and Adult Services]
Supervisors Daly, McGoldrick, Sandoval, Dufty, Hall, Ma**

Resolution urging the Mayor to maintain funding levels for services for older adults and adults with disabilities served by and through the Department of Aging and Adult Services.

4/27/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**040541 [Commendation - Kamala Harris]
Supervisors Daly, Gonzalez, Ammiano, Maxwell**

Resolution commending the San Francisco District Attorney Kamala Harris for not pursuing the death penalty, and reaffirming the City's support for our District Attorney.

4/27/04, RECEIVED AND ASSIGNED to Rules Committee. 5/13/04: District Attorney notified of meeting.

**040545 [Establishing Accessible Voting Systems for November 2004 Election]
Supervisor Alioto-Pier**

Resolution directing the Department of Elections to immediately determine the cost of implementing touch screen voting systems for the disabled for the November 2004 election.

4/27/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**040546 [Commending Elizabeth Goldstein]
Supervisors Dufty, Maxwell, Alioto-Pier, Sandoval, Ammiano, Peskin, Daly, McGoldrick, Gonzalez, Hall**

Resolution commending Recreation and Park General Manager Elizabeth Goldstein.

4/27/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**040547 [Urging the Mayor's Office of Housing to compute and utilize a "SF Median Income" figure]
Supervisors Gonzalez, Daly**

Resolution urging the Mayor's Office of Housing to compute a median income figure based exclusively on San Francisco data, rather than on a multi-county figure, and further urging them to utilize the new median figure for all appropriate, locally-funded housing programs.

4/27/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**040548 [Asian American Pacific Islander Month]
Supervisors Ma, Dufty, Hall**

Resolution declaring May 2004 "Asian American Pacific Islander Month" in the City and County of San Francisco.

4/27/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**040549 [Commending Hands On San Francisco]
Supervisors Ma, Dufty, Hall**

Resolution recognizing Hands On San Francisco for its achievements and declaring May 8, 2004 to be "Hands On San Francisco Day" in the City and County of San Francisco.

4/27/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**040550 [Urging Support of Federal Funding for Residential Substance Abuse Treatment Services]
Supervisors Ma, Dufty, Daly**

Resolution urging the San Francisco Congressional delegation to support federal funding for residential substance abuse treatment services for women with children.

4/27/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**040551 [Residential Substance Abuse Services for Women and Children as a Funding Priority]
Supervisors Ma, Dufty**

Resolution urging the City and County of San Francisco to set residential substance abuse services for women and children as a funding priority for the social benefit and cost savings they promote for San Francisco.

4/27/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**040552 [Urging the Transfer and Relocation of the Elephants at the San Francisco Zoo]
Supervisors Ma, Dufty**

Resolution urging the San Francisco Zoological Society to transfer ownership of and relocate elephants Lulu and Tinkerbelle to a credible sanctuary and to make the move in compliance with USDA regulations and the American Zoo and Aquarium Association's Elephant Species Survival Plan.

4/27/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**040553 [Commending the Excelsior Neighborhood Commercial Revitalization project (ENCoRe) and artist Marta Ayala]
Supervisor Sandoval**

Resolution commending the Excelsior Neighborhood Commercial Revitalization project (ENCoRe) and artist Marta Ayala for the installation of murals at the Woolworth site at 4550 Mission Street.

4/27/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**040554 [Commending Margie Stokes]
Supervisors Sandoval, Ammiano, Hall**

Resolution commending Margie Stokes on her decades-long commitment to the child care field, and in celebration of her 70th birthday.

4/27/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**040555 [Commending the Cornerstone Missionary Baptist Church]
Supervisors Sandoval, Maxwell**

Resolution commending the Cornerstone Missionary Baptist Church on the occasion of its 4th anniversary.
4/27/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**040556 [Public Works Week]
Supervisors Hall, Dufty, Ma**

Resolution declaring May 17 through May 21 2004, as Public Works Week in the City and County of San Francisco.
4/27/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Requests for Hearing

**040535 [Port Audit]
Supervisor Daly**

Hearing to consider the Budget Analyst Audit of the Port of San Francisco.
4/27/04, RECEIVED AND ASSIGNED to Finance and Audits Committee. Sponsor requests this item be calendared on May 5, 2004.

**040542 [Funding Shortfall for Recreation and Park Capital Program]
Supervisor Dufty**

Hearing to consider the Recreation and Park Department's identified funding shortfall in its capital program and the steps that are being taken to address this shortfall.
4/27/04, RECEIVED AND ASSIGNED to City Services Committee.

**040543 [Status of Residential Care Facilities]
Supervisor Dufty**

Hearing to consider the status of residential care facilities, formerly known as Board and Care, in addressing the care of clients with behavioral and other health needs. This hearing will consider the recommendations and concerns from the recent Family Service Agency conference on residential care that discussed the 40% reduction in available capacity, from 1100 beds to 660 beds, over the last 20 years in San Francisco.
4/27/04, RECEIVED AND ASSIGNED to City Services Committee.

**040544 [DPT Budget]
Supervisor Sandoval**

Hearing on the budget of the Department of Parking and Traffic, particularly as it relates to pedestrian safety programs and Transportation Authority funding from the renewal of the half-cent sales tax in November 2003.
4/27/04, RECEIVED AND ASSIGNED to Budget Committee.

Motions**040530 [Needle Exchange Emergency]**

Supervisors Ammiano, Daly, Peskin, McGoldrick, Maxwell, Duffy

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

4/27/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

040536 [Audit Priorities]

Supervisor Daly

Motion adopting a proposed schedule of audits to be conducted of programs of City and County departments.

4/27/04, RECEIVED AND ASSIGNED to Finance and Audits Committee. Sponsor requests this item be calendared on May 5, 2004.

PROPOSED RESOLUTIONS**040430 [Contracting out Parking Citation Processing/Collection System Services]**

Resolution concurring with Controller's certification that citation processing and collection services can be practically performed by a private contractor at a lower cost than by City and County employees. (Parking and Traffic Department)

4/16/04, RECEIVED AND ASSIGNED to Finance and Audits Committee.

040431 [Contracting out Parking Meter Management System Services]

Resolution concurring with Controller's certification that parking meter management services, including collection and coin counting can be practically performed by a private contractor at a lower cost than by City and County employees. (Parking and Traffic Department)

4/16/04, RECEIVED AND ASSIGNED to Finance and Audits Committee.

Requests Granted

From: Supervisor Gonzalez

To: District Attorney

Requesting/Inquiring: Requesting the District Attorney inform in writing the Board of Supervisors on several areas related to the Aggressive Solicitation Ban, a proposition approved by voters on November 4, 2003: 1) the number of aggressive solicitation cases brought by the DA's office 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 drugs 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: Supervisors Ma, Dufty

To: Adult Probation Department

To: Department of Consumer Assurance

To: Department of Elections

To: Department of Human Services

To: Department of Parking and Traffic

To: Department of Public Health

To: Department of Public Transportation/MUNI

To: District Attorney's Office

To: Emergency Communications Department

To: Fire Department

To: Juvenile Probation Department

To: Police Department

To: Public Defender's Office

To: Department of Aging and Adult Services

To: Rent Stabilization and Arbitration Board

To: Sheriff's Office

Requesting/Inquiring: To determine how each department's proposed FY 2004-05 budget will affect its ability to implement the Equal Access to Services ordinance.

Does your department's proposed FY 2004-05 budget require layoffs of employees in public contact positions? If so, please provide the job titles of bilingual employees who are anticipated to be laid off. Describe how any proposed lay-off of bilingual employees will affect your department's ability to implement the EAS ordinance. The EAS also requires that your department translate all documents that provide vital information to the public about your department's services or programs. Please indicate the dollar amount that your department plans to budget for translating written materials for FY 2004-05.

From: Supervisor Sandoval

To: Executive Director, Department of Parking and Traffic

Requesting/Inquiring: To notify the Director of the Department of Parking and Traffic that a committee hearing has been called to consider the budget of the Department of Parking and Traffic, particularly as it relates to pedestrian safety programs and Transportation Authority funding from the renewal of the half-cent sales tax in November of 2003, hearing to be scheduled in the near future.

Also requesting the Clerk of the Board send a copy of this request to:

Bond Yee

Deputy Director

Department of Parking and Traffic

25 Van Ness Avenue, Ste. 410

San Francisco, CA 94102

Jose Luis Moscovich
Executive Director
San Francisco County Transportation Authority
100 Van Ness Avenue, 25th Floor
San Francisco, CA 94102

Ruth Grabowski
147 Madrid Street
San Francisco, CA 94112

From: Supervisor Alioto-Pier
To: Director, Department of Elections
Requesting/Inquiring: Directing the Department of Elections to immediately determine the cost of and procedures required 1) to place one DRE touch screen machine in each polling place in the City and County of San Francisco for the November 2004 election; and 2) to place 10 DRE touch screen machines in each Supervisorial district in the City and County of San Francisco, plus three machines in City Hall, and three at the Rose Resnick Lighthouse for the Blind.
Due: Please provide by May 18, 2004.

From: Supervisor Peskin
To: General Manager, Recreation and Park Department
Requesting/Inquiring: To report on: 1) the exact electrical and other costs of operating the Vaillancourt Fountain; 2) how the Department determines that annual electrical cost of operating the fountain; 3) any supporting documentation related to the cost of operating the fountain on an annual basis.

From: Supervisor Peskin
To: General Manager, Public Utilities Commission
Requesting/Inquiring: To report on: 1) the exact electrical and other costs of operating the Vaillancourt Fountain; 2) how the Department determines that annual electrical cost of operating the fountain; 3) any supporting documentation related to the cost of operating the fountain on an annual basis.

In Memoriams

George O. Paiva (Supervisor Duffy)
Susan T. Kennedy (Supervisors Ma, Sandoval)
Marian Dooley (Supervisor Peskin)
Ngoc Tran (Supervisor Sandoval)

ADJOURNMENT

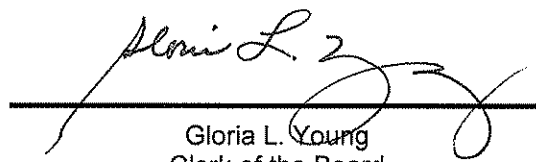
There being no further business, the Board at the hour of 5:56 p.m. adjourned.

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 June 8, 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