

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, February 10, 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

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

BOARD COMMITTEES

Committee Membership

Budget Committee

Supervisors Daly, Peskin, Maxwell, Ma, Gonzalez

City and School District Select Committee

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

City Services Committee

Supervisors Dufty, Ma

Finance and Audits Committee

Supervisors Peskin, Sandoval, McGoldrick

Land Use Committee

Supervisors McGoldrick, Maxwell, Ammiano

Rules Committee

Supervisors Hall, Dufty, Gonzalez

Meeting Days

Thursday
1:00 PM

2nd Monday, bi-monthly
4:00 PM

Thursday
9:30 AM

Wednesday
12:30 PM

Monday
1:00 PM

Wednesday
9:30 AM

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

Volume 99 Number 5

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 2:08 p.m. On the call of the roll Supervisor Sandoval was noted absent.

Quorum present.

Supervisor Sandoval was noted present at 2:37 p.m.

CONSENT AGENDA

Recommendations of the City Services Committee

032044 [Liquor License Transfer, 60 Dorman Avenue]

Resolution determining that the transfer of a Type 20 off-sale beer and wine alcoholic beverage control license from 144 King Street to 60 Dorman Avenue (District 10), to Mats Engstrom for Tsar Nicoulai Caviar, 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. 95-04

ADOPTED

032046 [Liquor License Transfer, 447 Broadway Street]

Resolution determining that the transfer of a Type 48 on-sale general public premises license from 839 Howard Street to 447 Broadway Street (District 3), to Isaac Lee for a lounge/bar establishment, 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. 96-04

ADOPTED

040017 [Accept-Expend State Grant]

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

Resolution No. 60-04

ADOPTED

Recommendations of the Finance and Audits Committee**031985 [Appropriate funding for the Laguna Honda Hospital Replacement Program]
Mayor, Supervisors Hall, Sandoval, McGoldrick, Dufty**

Ordinance appropriating \$189,427,586 of General Obligation Bond proceeds, \$1,046,158 in bond interest, \$15,992,796 in tobacco settlement revenues, and \$5,072,941 of interest earnings on tobacco settlement revenue for a total of \$211,539,481 to fund the Laguna Honda Replacement Program for the Public Health Department for fiscal year 2003-04.

(Fiscal impact.)

**Ordinance No. 23-04
FINALLY PASSED**

**031986 [Laguna Honda Hospital General Obligation Bond Issuance]
Mayor, Supervisors Hall, Sandoval, McGoldrick, Dufty**

Ordinance providing for the issuance of not to exceed \$299,000,000 aggregate principal amount of City and County of San Francisco General Obligation Bonds (Laguna Honda Hospital, 1999); providing that such bonds may be issued as fixed or variable interest rate obligations; providing for the levy of a tax to pay the principal and interest of said bonds and authorizing payment of bonds from other legally available funds of the City; authorizing the execution of a Master Trust Agreement and Declaration of Trust which provide for the terms of said bonds; providing for the appointment of depositories and other agents of said bonds; ratifying certain 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 bonds.

(Fiscal impact.)

**Ordinance No. 24-04
FINALLY PASSED**

**031990 [Business Tax]
Supervisors Ma, McGoldrick**

Ordinance amending the Business and Tax Regulations Code to: (1) amend Article 12-A (Payroll Expense Tax Ordinance) to (i) conform Article 12-A (Payroll Expense Tax Ordinance) with the amendments to Article 6 (Common Administrative Provisions) and (ii) consolidate exemptions, definitions and other administrative provisions, as amended, that apply to Article 12-A (Payroll Expense Tax Ordinance) and other Articles of the Business and Tax Regulation Code, and place them in Article 6 (Common Administrative Provisions); (2) amend Article 12 (Business Registration Ordinance) to conform business registration requirements with amendments to Article 12-A (Payroll Expense Tax Ordinance) and Article 6 (Common Administrative Provisions); and (3) amend Article 6 (Common Administrative Provisions) to (i) clarify common administrative provisions and conform them with amendments to Article 12-A (Payroll Expense Tax Ordinance) and Article 12 (Business Registration Ordinance), (ii) consolidate exemptions, definitions and other administrative provisions that apply to Article 12-A (Payroll Expense Tax Ordinance), Article 12 (Business Registration Ordinance) and other Articles of the Business and Tax Regulations Code, and (iii) eliminate the Board of Review. (Treasurer-Tax Collector)

**Ordinance No. 26-04
FINALLY PASSED**

Recommendations of the Land Use Committee

- 032052 [Use of ramped taxi medallion in a spare taxicab sedan when ramped taxi is out of service]**
Ordinance adding Section 1148.6 of the Police Code to provide that the Taxi Commission may adopt a policy that allows ramped taxi permits to be used to operate spare regular taxicabs when the ramped taxi is out of service for necessary repairs or must be replaced due to breakdown of or damage to the vehicle, provided that the policy meets certain conditions. (Taxi Commission)

(No Public Benefit Recipient.)

Ordinance No. 27-04
FINALLY PASSED

- 031880 [Amending Fire Code to require self-contained breathing replenishment systems in high rise building]**
Supervisors Dufty, Daly, Hall, Peskin, Ma

Ordinance amending San Francisco Fire Code by adding Section 9001.1.4 to require self-contained breathing replenishment systems in high rise buildings where permits have been issued after March 30, 2004.

Ordinance No. 22-04
FINALLY PASSED

Recommendations of the Rules Committee

- 031656 [Campaign Consultants Lobbying Current and Former Clients]**
Supervisors Daly, Ammiano

Ordinance amending Article II, Chapter 1, Section 2.100, adding section 2.117 to Article II, Chapter 1, and adding section 1.545 to Article I, Chapter 5 of the Campaign and Governmental Conduct Code to prohibit campaign consultants and employees of campaign consultants from lobbying current and former clients.

Ordinance No. 28-04
FINALLY PASSED

- 031989 [Transfer of City-Owned Property - Public Notice]**
Supervisors Dufty, Ma, Hall

Ordinance amending the San Francisco Administrative Code by adding Section 23.7 to require public notice before the Board of Supervisors may approve the sale, transfer, or other conveyance of City-owned property.

Ordinance No. 25-04
FINALLY PASSED

The foregoing items were acted upon by the following vote:

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

REGULAR AGENDA

UNFINISHED BUSINESS

From the Clerk

040135 [Adopting findings related to the conditional use appeal on property located at 1160 Mission Street]
Motion adopting findings related to the appeal of the Planning Commission's approval of Conditional Use Application No. 2002.0628CEKVX, (which allowed, subject to certain conditions, for a Commercial Public Parking Garage with up to 381 parking spaces and for Residential-serving off-street parking in excess of accessory amounts, in conjunction with the construction of a 23-story apartment building with up to 246 dwelling units), in a C-3-G (Downtown General Commercial) District and a 150-S and 240-S Height and Bulk District, on property located at 1160 Mission Street, northwest side between Seventh and Eighth Streets, with additional frontage on Stevenson Street (Lots 37, 38 and 56 in Assessor's Block 3702). (Clerk of the Board)

(Companion measure to Files 040045, 040046, 040047, 040048, 040049.)

Motion No. M04-21

APPROVED by the following vote:

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

NEW BUSINESS

Recommendation of the Budget Committee

032026 [Clerk of the Board of Supervisors - Amendments to fees charged by the Clerk]
Ordinance amending Section 8.37 of the San Francisco Administrative Code to add new fees and repeal other fees charged by the Clerk of the Board of Supervisors, including new fees for copies of audio tape recordings of Board and Committee meetings; providing for an annual adjustment by the Controller based on the CPI. (Clerk of the Board)

PASSED ON FIRST READING by the following vote:

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

Recommendations of the City Services Committee

**040006 [Grant - Recreation and Park, \$154,020]
Mayor, Supervisors Hall, Dufty**

Resolution authorizing the Recreation and Park Department to accept and expend a grant from the Land and Water Conservation Funds in the amount of \$154,020 for the renovation of McLaren Park, Yosemite Creek and Marsh.

Resolution No. 97-04

ADOPTED by the following vote:

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

**040010 [Grant - Recreation and Park, \$4,742,243]
Mayor, Supervisors Hall, Dufty**

Resolution authorizing the San Francisco Recreation & Park Department to accept and expend funds available under The Roberti-Z'berg-Harris Block Grant Program under the California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Act of 2002 in the amount of \$4,742,243.

Resolution No. 98-04

ADOPTED by the following vote:

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

**040011 [State Grant - Recreation and Park, \$5,651,000]
Mayor, Supervisors Hall, Dufty**

Resolution authorizing the San Francisco Recreation and Park to accept and expend State Grant Funds under the Per Capita Grant Program in the total amount of \$5,651,000 from the Per Capita Grant Program under the California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Act of 2002 to funding the following projects: Harding Park Club House, \$3,500,000; Harvey Milk Center, \$1,800,000; Chinese Recreation Center, \$126,000; Minnie and Lovie Ward Recreation Center, \$125,000; and Geneva Office Building/Car Barn, \$100,000.

Resolution No. 99-04

ADOPTED by the following vote:

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

**040012 [State Grant - Recreation and Park, \$32,673,000]
Mayor, Supervisors Hall, Dufty**

Resolution authorizing the San Francisco Recreation and Park Department to accept and expend grant funds in the amount of \$32,673,000 for following Golden Gate Park projects: Bison Paddock, \$800,000; Children's Quarters Playground, \$1,000,000; Kezar Pavilion Planning and Studies, \$867,000; Concourse Institutions (Academy of Science, \$3,000,000 and DeYoung Museum, \$2,000,000); McLaren Lodge, \$7,000,000; Music Concourse, \$7,050,000; RPD GGP Projects, \$818,000; Park Aid Station, \$1,155,000; Portals of the Past, \$100,000; Rhododendron Dell, \$600,000; Signage for GGP, \$100,000; South and Middle Lakes, \$3,000,000; Stables, \$1,400,000; Strybing, \$3,000,000; and Urban Forestry Yard, \$783,000.

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

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

Resolution authorizing the San Francisco Recreation and Park Department to accept and expend grant funds in the amount of \$32,673,000 for following Golden Gate Park projects: Bison Paddock, \$800,000; Children's Quarters Playground, \$1,000,000; Kezar Pavilion Planning and Studies, \$867,000; Concourse Institutions (Academy of Science, \$2,000,000 and DeYoung Museum, \$3,000,000); McLaren Lodge, \$7,000,000; Music Concourse, \$7,050,000; RPD GGP Projects, \$818,000; Park Aid Station, \$1,155,000; Portals of the Past, \$100,000; Rhododendron Dell, \$600,000; Signage for GGP, \$100,000; South and Middle Lakes, \$3,000,000; Stables, \$1,400,000; Strybing, \$3,000,000; and Urban Forestry Yard, \$783,000.

Resolution No. 100-04

ADOPTED AS AMENDED by the following vote:

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

Recommendations of the Finance and Audits Committee

030677 [Requiring Slip Resistant Manhole, Vault, and Sub-sidewalk Basement Covers, Grilles, Grates, or Other Lids on the Public Sidewalk]
Supervisor Peskin

Ordinance adding Public Works Code Section 790 to require the installation of slip resistant manhole, vaults, and sub-sidewalk basement covers, grilles, grates, or other lids on the public sidewalk, to grant the Director of Public Works authority to enforce requirements, and to provide for administrative and civil penalties for violations.

(Fiscal impact.)

Supervisor Sandoval dissenting in Committee.

PASSED ON FIRST READING by the following vote:

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

031609 [Authorizing an alternative procedure for establishing property and business improvement districts]
Supervisor Peskin

Ordinance amending Article 15 of the Business and Tax Regulations Code by amending Sections 1510 and 1511 to authorize the Board of Supervisors to initiate proceedings to establish property and business improvement districts upon receipt of a petition signed by property owners responsible for 30 percent of the proposed assessment; authorizing such districts to be formed for a term of up to 15 years; authorizing such districts to encompass and assess residential property; authorizing such districts to recover start-up costs through assessments; authorizing the Board of Supervisors to disestablish a district without cause upon a supermajority vote of the Board; requiring a minimum level of representation by business owners on the governing body of the proposed district; requiring that the Clerk of the Board notify business owners in English, Spanish and Cantonese when a petition for district formation is received; making technical corrections to Sections 1534 and 1535, repealing existing Sections 1513 through 1533 and 1540 through 1591, and making environmental findings.

PASSED ON FIRST READING by the following vote:

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

031974 [Establishing Monthly Contribution Amount]

Resolution establishing monthly contribution amount to Health Service Trust Fund. (Human Resources Department)

(Fiscal impact; No Public Benefit Recipient.)

Resolution No. 93-04

ADOPTED by the following vote:

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

031981 [Reimbursement Resolution]

Mayor

Resolution declaring the intent of the City and County of San Francisco to reimburse certain expenditures from proceeds of future indebtedness; and approving and ratifying previous actions in connection therewith.

Resolution No. 94-04

ADOPTED by the following vote:

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

031984 [Appropriate interest earned from the Educational Facilities Bond for the 75-year ground lease of 106 Bartlett Street]

Mayor

Ordinance appropriating \$4,400,000 of interest earned from the Educational Facilities Bond - 1997 - series 1999A and 2000A used to pay for the seventy - five year ground lease for the City College of San Francisco Mission Campus and related costs for the San Francisco Community College District for fiscal year 2003-04.

(Fiscal impact.)

PASSED ON FIRST READING by the following vote:

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

040020 [Airport Concession Lease]

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

(Fiscal impact.)

Resolution No. 101-04

ADOPTED by the following vote:

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

**031884 [Expend Federal Funds - Fiscal Year 2003 Lead Hazard Reduction Demonstration Grant Program]
Mayor**

Resolution authorizing the Mayor of the City and County of San Francisco to expend a grant from the U.S. Department of Housing and Urban Development for lead-based paint hazard reduction in a total amount not to exceed \$2,600,000, which includes indirect costs of \$30,000.

(No Public Benefit Recipient.)

Resolution No. 92-04

ADOPTED 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

Privilege of the Floor

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

Supervisor Peskin introduced, welcomed and presented a Certificate of Honor to the Director of the San Francisco Youth Works.

Supervisor McGoldrick introduced, welcomed and presented a Certificate of Honor to Savannah Blackwell.

SPECIAL ORDER 4:00 P.M.**031551 [Eminent Domain - Resolution of Necessity - 701 Lombard Street]**

Resolution authorizing acquisition of Lot 001 in Assessor's Block 0074 in San Francisco by Eminent Domain for the Neighborhood Park Bond and Open Space Programs, and adopting findings under City Planning Code Section 101.1. (Real Estate Department)

Resolution No. 106-04

ADOPTED by the following vote:

Ayes: 8 - Alioto-Pier, Ammiano, Daly, Gonzalez, Maxwell, McGoldrick, Peskin, Sandoval
Noes: 3 - Duffy, Hall, Ma

SPECIAL ORDER 4:00 P.M.**031969 [Public Hearing - Appeal of Categorical Exemption - 899 North Point Street]**

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

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

Stephen Williams, Attorney for appellant

Support of appellant:

Female; Josephine; Tom Coyne; William Duffy; Connie Linahan; Jane S.; Robert Hutton; John Cochran; Roland Salvato; Kim Duckman; male.

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

Jim Reuben, Reuben & Alter, Attorney for project sponsor

Rebuttal Period:

Stephen Williams, Attorney for appellant

The President declared the Public Hearing Closed.

HEARD AT PUBLIC HEARING.

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

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

031970 [Affirming the categorical exemption issued for 899 North Point Street]

Motion affirming the determination by the Planning Department that the 899 North Point Street project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

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

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

031971 [Disapproving the categorical exemption issued for 899 North Point Street]

Motion disapproving the determination by the Planning Department that the 899 North Point Street project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Motion No. M04-18

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

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

031972 [Preparation of findings related to the categorical exemption issued for 899 North Point Street]

Motion directing the Clerk of the Board to prepare findings related to the appeal of the determination by the Planning Department that the 899 North Point Street project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Motion No. M04-19

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

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

Recess

The Board recessed at the hour of 6:08 p.m.

Reconvening of the Board

The Board at the hour of 6:22 p.m. reconvened.

Calling the Roll

On the Call of the Roll Supervisors Hall, Ma, and McGoldrick were noted absent.

Quorum present.

Supervisor Ma noted present at 6:23 p.m.

Supervisor Hall noted present at 6:29 p.m.

Supervisor McGoldrick noted present at 6:31 p.m.

SPECIAL ORDER 5:30 P.M.**Board of Supervisors Sitting as a Committee of the Whole****040151 [Hearing - Police Department]**

Hearing to discuss with the Police Department what they are doing to curb violence and prevent additional meaningless deaths in the Southeast sector of the City. (Clerk of the Board)

Heather Fong, Acting Chief of Police; Deputy Chief Greg Suhr; Deputy Chief Rick Bruce; Kamala Harris, District Attorney; Jeff Adachi, Public Defender; Armando Cervantes, Chief Probation Officer; Gwendolyn Tucker, Juvenile Probation; Murleen Randall, Mayor's Office; The Fleming Family; Rev. Amos Brown; Betty Cooper; Ulysses Powell; Leona Lindsey; Catherine Tyson; Barbara George; Amy Bagley; Cynthia Johnson; Imelda DeVoine; Karen Pierce; Jackson Sayon; Mike Brown, Inner City Youth; John Jack; Vernon Jenkins; Shawn Richard, Brothers Against Guns; Sharon Hewitt; Misha Irizarry; Margaret Taylor; Michelle Henry-Ellis; Laurissa Wells; Stephanie Burch, Peacemakers; Albert Sandoval, SFOP; William Hammons; Mr. Blackburn; Elisha Rochell, CLEAR Project; Alma Robinson; Laboriae Smoore; Sarah Benton; Sybil Christopher; Eva Shepard; Shirley Byrd; Helen Jones; Rev. Toni Dunbar, Spirit Life Center; Sonya Allen-Smith; Female speaker; Kevin Epps, Artist/Activist; Male speaker; Abdulla Megaheed.
The President declared the Public Hearing Closed.

HEARD AT PUBLIC HEARING.

COMMITTEE REPORTS

Recommendation of the City Services Committee

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

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

Continued to February 24, 2004

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

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

Ayes: 6 - Alioto-Pier, Dufty, Gonzalez, Ma, McGoldrick, Sandoval
Noes: 5 - Ammiano, Daly, Hall, Maxwell, Peskin

Supervisor Dufty, seconded by Supervisor Peskin, moved to rescind the previous vote.

The motion carried by the following vote:

*Ayes: 8 - Ammiano, Daly, Dufty, Ma, Maxwell, McGoldrick, Peskin, Alioto-Pier
Noes: 3 - Gonzalez, Hall, Sandoval*

Resolution No. 102-04

ADOPTED by the following vote:

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

Recommendations of the Land Use Committee

- 031739 [Prohibition on Demolition of Residential Buildings With 20 or More Dwelling Units Unless the Residential Building Proposed for Demolition Requires Substantial Rehabilitation]**
Supervisors Daly, Maxwell, Ammiano

Ordinance to amend the Planning Code by adding Section 317 and by amending Sections 710.39, 711.39, 712.39, 713.39, 714.39, 715.39, 716.39, 717.39, 718.39, 719.39, 720.39, 721.39, 722.39, 723.39, 724.39, 725.39, 726.39, 727.39, 728.39, 729.39, 730.39, 813.13, 814.13, 815.13, 816.13, 817.13, 818.13, 212, 242, 243, 249.5, and 249.21 to make findings as to the need to preserve affordable housing in San Francisco and to prohibit the demolition of residential buildings with 20 or more dwelling units unless the applicant for the proposed demolition provides documentation that the residential building requires substantial rehabilitation, and making findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan.

PASSED, ON FIRST READING by the following vote:

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

- 040019 [Union Pacific Railroad track lease for Third St. and Carroll Avenue for the Third Street LRT Project]**
Resolution authorizing the Director of Transportation to execute a track lease with the Union Pacific Railroad (UP) that leases approximately six hundred (600) feet of the Union Pacific Railroad's track at Third Street and Carroll Avenue for a term of 25 years, rent of \$10 per year, and a one-time administrative fee of \$500 per lease, for a total cost of \$750, and requires the City to maintain and repair the track and construct and maintain a railroad crossing signal system. (Municipal Transportation Agency)

Resolution No. 61-04

ADOPTED by the following vote:

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

PUBLIC COMMENT

Abdullah Megaheed; congratulating and welcoming Supervisor Alioto-Pier
Laboriae Smoore; housing tenant issues
Steven Willits; Save Golden Gate Park
Brian O'Flynn; democratic principles, do the right thing
Male Speaker

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.

**040150 [Legislative Analyst Request - Waterfront Security]
Supervisors Alioto-Pier, Daly**

Motion requesting the Legislative Analyst to research and evaluate the programs and systems used by similar waterfront cities in North America to ensure waterfront security. Specifically examine Boston, Vancouver, New York City, Seattle, Portland, and Baltimore.

Supervisor Gonzalez noted absent at 8:40 p.m.

Supervisor McGoldrick noted absent at 10:30 p.m.

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

APPROVED by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Daly, Dufty, Hall, Ma, Maxwell, Peskin, Sandoval

Absent: 2 - Gonzalez, McGoldrick

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.

**040155 [Entertainment Commission]
Supervisors Maxwell, Hall**

Resolution urging the Entertainment Commission to prioritize their efforts to educate and outreach to both promoters and operators of cultural, entertainment, athletic and similar events and establishments throughout the City about the regulations and policy surrounding the permitting process.

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

Resolution No. 103-04

ADOPTED by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Daly, Dufty, Hall, Ma, Maxwell, Peskin, Sandoval

Absent: 2 - Gonzalez, McGoldrick

**040156 [William Alexander Leidesdorff, Jr.]
Supervisors Maxwell, Dufty**

Resolution recognizing William Alexander Leidesdorff, Jr. as the African Founding Father of California.

Resolution No. 104-04

ADOPTED by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Daly, Dufty, Hall, Ma, Maxwell, Peskin, Sandoval

Absent: 2 - Gonzalez, McGoldrick

**040157 [Creating City Website for Canadian Pharmacies]
Supervisors Peskin, Sandoval, Daly**

Resolution urging the Department of Public Health to develop a list of approved Canadian pharmacies and to develop an online resource to educate San Francisco residents about how to safely import pharmaceuticals from Canadian pharmacies.

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

Resolution No. 105-04

ADOPTED by the following vote:

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

**040158 [Nathan Ratner]
Supervisors Peskin, Hall**

Resolution declaring Nathan Ratner a living treasure of San Francisco.

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

Resolution No. 62-04

ADOPTED by the following vote:

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

**040140 [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. M04-20

APPROVED by the following vote:

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

Severed from Without Reference to Committee

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

**040152 [Committee of the Whole - Violence in the Southeast Sector of the City]
Supervisors Maxwell, Daly, Dufty, Hall**

Motion scheduling a Committee of the Whole on February 10, 2004, at 5:30 p.m. to hold a hearing to discuss with the Police Department what they are doing to curb violence and prevent additional meaningless deaths in the Southeast sector of the City.

Motion No. M04-22

APPROVED by the following vote:

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

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

- 040153** [Urging support for the transfer of vacant properties on High Street Assessor's Block 2848, Lot 001 and Assessor's Block 2850, Lot 023 from DPW to Recreation and Park Department]
Supervisor Dufty

Resolution urging support for the transfer of vacant properties on High Street identified as Assessor's Block 2848, Lot 001 and Assessor's Block 2850, Lot 023 from the Department of Public Works to the Recreation and Park Department for the creation of open space.

Supervisor Dufty requested that this matter be referred to Committee.

REFERRED to the Finance and Audits Committee.

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

- 040154** [Urging Rejection of Lease Extension Option for Premises at 2350 19th Avenue]
Supervisor Hall

Resolution urging the City's Director of Property to reject the Tenant's notice to extend the term of the Lease for the Premises at 2350 19th Avenue.

Supervisor Ma requested that this matter be referred to Committee.

REFERRED to the Finance and Audits Committee.

OFF-AGENDA LEGISLATION

Introduced by Supervisors or Mayor

Ordinances

- 040181** [MOU - Amendment No. 1 and Amendment No. 2, Local 21]
Mayor

Ordinance adopting and implementing Amendment No. 1 and Amendment No. 2 to the Memorandum of Understanding between the City and County of San Francisco and the International Federation of Professional and Technical Engineers, Local 21, to be effective July 1, 2004 through June 30, 2005 setting forth: (a) an addendum of terms and conditions of employment for specified covered classes working on capital projects; (b) modifications to existing MOU language addressing eligibility for assignment pay.

(Fiscal impact.)

2/10/04, RECEIVED AND ASSIGNED to Finance and Audits Committee.

**040183 [Providing floor area bonus incentives for the provision of certain public benefits]
Supervisors McGoldrick, Gonzalez**

Ordinance amending the Planning Code by adding Sections 318 through 318.6 to encourage the development of comprehensive community plans that provide floor area bonus incentives for the provision by housing projects of certain public benefits for the City, including affordable housing, open space, community serving space, and PDR space, and, until the development of plans for specific neighborhoods, to impose a program on housing projects receiving a floor area bonus requiring the provision of public benefits, and amending Sections 123 and 207 to except housing projects receiving a floor area bonus under this ordinance from the density limits of the Planning Code.

2/10/04, ASSIGNED UNDER 30 DAY RULE to Land Use Committee, expires on 3/11/2004.

**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.

2/10/04, RECEIVED AND ASSIGNED to Land Use Committee. The President waived the 30-Day Rule.

**040193 [Public Utilities Citizens' Advisory Committee]
Supervisors Ammiano, Maxwell**

Ordinance establishing a Public Utilities Citizens' Advisory Committee; setting standards for appointment of members; scope of review; meetings, reports and recommendations and abolishing the Wastewater Citizen's Advisory Committee.

2/10/04, RECEIVED AND ASSIGNED to Rules Committee.

**040194 [Employee Catastrophic Illness Program]
Supervisor Ammiano**

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.

2/10/04, ASSIGNED UNDER 30 DAY RULE to Finance and Audits Committee, expires on 3/11/2004.

040093 [Appropriate funding for program management services for the S.F. Public Utilities Commission Capital Improvement Program]**Mayor**

Ordinance appropriating \$5,460,000 of fund balance from the Water Department and \$1,540,000 of fund balance from Hetch Hetchy, for a total of \$7,000,000 for program management services for the San Francisco Public Utilities Commission's (SFPUC) Capital Improvements Program for fiscal year 2003-04. Appropriated funds will facilitate the fourth year of the WIP contract in the amount of \$6,000,000 for the Program Management Organization (PMO) and \$1,000,000 for SFPUC staff and other support services.

(Fiscal impact.)

2/10/04, RECEIVED AND ASSIGNED to Finance and Audits Committee.

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

Ordinance appropriating \$3,642,301 of personnel-operating fund balance from the Water Department and \$13,077,000 of continuing project-operating fund balance from the Water Department, for a total of \$16,719,301 for: \$3,642,301 to fund office space, staff and services of other departments for continued implementation of the Capital Improvement Program (CIP), \$8,400,000 for the intertie between the East Bay Municipal Utilities District (EBMUD) and San Francisco's waste supply system, and \$4,677,000 to fund the Program Environmental Impact Report Improvements (PEIR) and necessary staff in SFPUC to work on the program planning efforts to facilitate implementation of the CIP for fiscal year 2003-04.

(Fiscal impact.)

2/10/04, RECEIVED AND ASSIGNED to Finance and Audits Committee.

040095 [Public Employment]**Mayor**

Ordinance amending Ordinance No. 195-03 (Annual Salary Ordinance 2003/04) reflecting the creation of 7 positions (1.75 FTE) at the Water Department, 3 positions (0.75 FTE) at the Human Rights Commission, and 5 positions (1.25FTE) at the Human Resources Department.

(Fiscal impact.)

2/10/04, RECEIVED AND ASSIGNED to Finance and Audits Committee.

**020585 [Establishing a Library Citizens Advisory Committee]
Supervisor Daly**

Ordinance amending Chapter 5 of the San Francisco Administrative Code by adding Article 25, Section 5.250, to establish the Library Citizens Advisory Committee as an advisory committee to the Board of Supervisors.

4/8/02, RECEIVED AND ASSIGNED to Neighborhood Services and Recreation Committee.

12/10/02, FILED PURSUANT TO RULE 5.37.

10/21/03, REACTIVATED PURSUANT TO RULE 5.23. Supervisor McGoldrick requested this matter be reactivated and be named as sponsor.

10/21/03, ASSIGNED to Rules Committee.

2/10/04, SUBSTITUTED. Supervisor Daly submitted a substitute ordinance bearing new title.

2/12/04 - Supervisor McGoldrick withdrew his name as sponsor.

2/10/04, ASSIGNED to Rules Committee.

**030679 [Resource Efficiency Requirements and Green Building Standards]
Supervisor Ammiano**

Ordinance repealing Chapter 7 of the Environment Code, Resource Efficiency Requirements, and adding a new Chapter 7 to the Environment Code to adopt and incorporate new provisions for green building design principles for City construction projects and to reconfigure the existing Resource Efficiency Building Task Force.

4/22/03, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 5/22/2003.

7/24/03, TRANSFERRED to Land Use Committee.

2/10/04, SUBSTITUTED. Supervisor Ammiano submitted a substitute ordinance bearing new title.

2/10/04, ASSIGNED to Land Use Committee.

Resolutions

**040186 [Reimbursement Resolution]
Supervisor McGoldrick**

Resolution declaring the intent of the City and County of San Francisco to reimburse certain expenditures from proceeds of future indebtedness; and approving and ratifying previous actions in connection therewith

2/10/04, RECEIVED AND ASSIGNED to Finance and Audits Committee.

**040187 [Ground Lease of Redevelopment Agency Land for Mariposa Gardens Apartments]
Mayor**

Resolution approving the Redevelopment Agency of the City and County of San Francisco's lease of land at Assessor's Block 4014, Lot 1, commonly known as 2445 Mariposa Street, to Mariposa Gardens II, L.P., for 55 years for the purpose of preserving a housing development for very low and low income households.

(Fiscal impact.)

2/10/04, RECEIVED AND ASSIGNED to Board of Supervisors.

2/10/04, SCHEDULED FOR PUBLIC HEARING. Board to sit as a Committee of the Whole on March 9, 1004, at 3:00 p.m.

**040192 [Accept-Expend State Grant]
Supervisor Alioto-Pier**

Resolution authorizing the Office of Emergency Services to accept and expend a grant in the amount of \$1,824,467 from the California Governor's Office of Homeland Security for emergency response equipment, training, and exercises.

2/10/04, RECEIVED AND ASSIGNED to City Services Committee.

**040201 [Commending the Massachusetts Supreme Judicial Court Decision on Same-Sex Marriage]
Supervisors Ammiano, Dufty, Daly, Gonzalez**

Resolution commending the Massachusetts Supreme Judicial Court for its landmark decision affirming the rights of lesbians and gays to marry.

2/10/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**040202 [California Youth Authority]
Supervisors Ammiano, Maxwell, Daly, Sandoval, McGoldrick, Ma, Dufty, Gonzalez**

Resolution urging the San Francisco Trial Courts, District Attorney, Juvenile Probation Department and Public Defender not to sentence or cause to be sentenced, any person to the California Youth Authority (CYA) unless a CYA commitment is required by law.

2/10/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING. 2/23/04 - Received memorandum from the Youth Commission supporting the resolution.

**040203 [Urging the City Librarian to remove the "European Americans Among Us" exhibit being displayed during Black History Month, and reaffirming S.F.'s commitment to diversity]
Supervisor Daly**

Resolution urging the City Librarian to remove the "European Americans Among Us" exhibit being displayed during Black History Month pending review by the Library Commission and Human Rights Commission of the appropriateness and compatibility of this exhibit, and reaffirming the City and County of San Francisco's commitment to racial and ethnic diversity.

2/10/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**040204 [Commending Chris Cunnie]
Supervisors Dufty, Alioto-Pier, Ammiano, Daly, Ma, Maxwell, Peskin, Sandoval**

Resolution commending Officer Chris Cunnie for his leadership and dedication to the San Francisco Police Officers' Association, for serving as its President for seven years, forging positive community relationships throughout San Francisco, and for improved working conditions.

2/10/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**040205 [Commending Log Cabin Ranch School]
Supervisors Maxwell, Ma, Dufty, Alioto-Pier, Daly**

Resolution commending Log Cabin Ranch School and urging the Mayor's office of Budget to ensure resources remain available to allow for the continued vitality of this critical program.

2/10/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**040206 [Commending Dr. Dorothy Height]
Supervisors Maxwell, Dufty**

Resolution commending Dr. Dorothy Height and declaring February 15, 2004 "Dr. Dorothy Height Day" in the City and County of San Francisco.

2/10/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**040207 [Recognizing February 15-21, 2004 as National Black Family Technology Awareness Week]
Supervisors Maxwell, Dufty**

Resolution recognizing February 15-21, 2004 as National Black Family Technology Awareness Week and commending IBM, the Career Communications Group and its local partners at the San Francisco Unified School District and Zeum in hosting forums to highlight this issue.

2/10/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**040208 [Extending the term of the Biosciences Task Force to October 22, 2004]
Supervisor Maxwell**

Resolution extending the term of the Biosciences Task Force from April 22, 2004 to October 22, 2004.

2/10/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**040209 [Alan O. Friedland Pump]
Supervisor Peskin**

Resolution urging the San Francisco Public Utilities Commission to name the North Shore Pump Station The Alan O. Friedland Pump Station in honor of Mr. Friedland's many contributions to the City and County of San Francisco and designate February 27, 2004 as Alan O. Friedland Day.

2/10/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**040210 [Proposition K Transition Plan Call for Projects]
Supervisor Sandoval**

Resolution urging the City's Department of Parking and Traffic, the Department of Public Health, the Police Department and other relevant departments and agencies to apply for funding under the Proposition K Transition Plan.

2/10/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**040211 [Commending Dr. Raymond K.Y. Li]
Supervisors Sandoval, Ma, Dufty, Peskin**

Resolution commending Dr. Raymond K.Y. Li for his contributions to health services for the Chinese community and recent appointment to the Board of Trustees for Chinese Hospital.
2/10/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**040212 [Commending Ross Shoaf]
Supervisor Sandoval**

Resolution commending Ross Shoaf for his tireless efforts to improve the flow of traffic and his work on other transportation issues within San Francisco, and for extending his talents to other metropolitan areas.
2/10/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**040214 [Commending Thomas Ng]
Supervisors Sandoval, Ma, Dufty, Peskin, Gonzalez**

Resolution commending Thomas Ng for his numerous contributions to the Chinese community and recent appointment to the Board of Trustees for Chinese Hospital.
2/10/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Hearings

040188 [Hearing - Ground Lease of Redevelopment Agency Land for Mariposa Gardens Apartments]
Hearing of persons interested in or objecting to proposed resolution approving the Redevelopment Agency of the City and County of San Francisco's lease of land at Assessor's Block 4014, Lot 1, commonly known as 2445 Mariposa Street, to Mariposa Gardens II, L.P., for 55 years for the purpose of preserving a housing development for very low and low income households. (Clerk of the Board)
2/10/04, SCHEDULED FOR PUBLIC HEARING. Board to sit as a Committee of the Whole on March 9, 1004, at 3:00 p.m.

**040189 [Benefits of long range planning to SF economy and revenue collections]
Supervisor McGoldrick**

Hearing to consider the benefits to the San Francisco economy and to City revenue collections of long range planning and Area Plans, with a focus on on-going Better Neighborhoods Area Plans and other on-going and proposed Planning Department Long Range Planning Programs.
2/10/04, RECEIVED AND ASSIGNED to Finance and Audits Committee.

**040190 [Parking tickets]
Supervisor McGoldrick**

Hearing to examine patterns over the last 4 years in the dismissal of parking tickets issued to employees of the City and County of San Francisco, including reasons for dismissal, official responsible for dismissal, person benefiting from dismissal, etc.
2/10/04, RECEIVED AND ASSIGNED to Finance and Audits Committee.

**040191 [Lease Extension Option for Premises at 2350 19th Avenue]
Supervisor Hall**

Hearing on the 2350 19th Avenue and the loss of revenue to the City for a \$1 lease for the San Francisco Neighborhood Resource Center.

2/10/04, RECEIVED AND ASSIGNED to Finance and Audits Committee.

**040195 [Department of Building Inspection Permit Applications]
Supervisor Dufty**

Hearing requesting the Department of Building Inspection to bar-code permit applications and to track applications by permit consultants, contractors, architects, attorneys, and other applicants.

2/10/04, RECEIVED AND ASSIGNED to Rules Committee.

**040196 [Community Audit for the Southeast Neighborhoods of San Francisco]
Supervisor Dufty**

Hearing on initiating a Community Audit by the City Controller addressing needs in the Southeast Sector. This audit should consider identifiable community needs, as well as an assessment of community benefit programs, City services, and City-funded programs.

2/10/04, RECEIVED AND ASSIGNED to City Services Committee.

**040197 [Status of SFUSD Truancy Initiatives]
Supervisor Dufty**

Hearing to receive an update from the San Francisco Unified School District and other City Departments on the implementation of truancy prevention initiatives, including recommendations of the 2002-2003 S.F. Civil Grand Jury.

2/10/04, RECEIVED AND ASSIGNED to City and School District Select Committee.

Motions

**040180 [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. (Clerk of the Board)

2/10/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**040185 [Extending Time for Negotiations]
Supervisor Peskin**

Motion extending time for negotiations pursuant to Charter Section 11.100.

2/10/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**040213 [Community Audit for the Southeast neighborhoods in San Francisco]
Supervisor Dufty**

Motion directing that the City Controller initiate a Community Audit addressing needs in the Southeast sector, to consider, document and evaluate community needs as well as do an assessment of community benefit programs, City services and City-funded programs.

2/10/04, RECEIVED AND ASSIGNED to City Services Committee.

PROPOSED ORDINANCES

040131 [Settlement of Lawsuit - Michelle Asami]

Ordinance authorizing settlement of the lawsuit filed by Michelle Asami against the City and County of San Francisco for \$43,900; the lawsuit was filed on November 26, 2002 in San Francisco Superior Court, Case No. 415-098; entitled Michelle Asami, et al., v. City and County of San Francisco, et al. (City Attorney)

2/2/04, RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED RESOLUTIONS**040128 [Provide supportive services to newly housed people with disabilities]
Supervisors Dufty, Daly**

Resolution authorizing the San Francisco Department of Public Health (SFDPH) to accept retroactively and expend a grant in the amount of \$699,028 from the Substance Abuse and Mental Health Services Administration (SAMHSA) to provide supportive services to newly housed people with disabilities and to enter into an agreement for the use of these funds; for the period of September 30, 2003 to September 29, 2004. (Public Health Department)

1/29/04, RECEIVED AND ASSIGNED to City Services Committee.

**040129 [Reduce sexual risk for HIV transmission in substance using men who have sex with men]
Supervisor Dufty**

Resolution authorizing the San Francisco Department of Public Health (SFDPH) to enter retroactively into an agreement in the amount of \$130,866 with Public Health Foundation Enterprises Inc. (PHFE), the primary contractor, to reduce the sexual risk for HIV transmission in substance using men who have sex with men (SU-MSM), for the period of September 30, 2003 to September 29, 2004. (Public Health Department)

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

040130 [Grant of Federal Funds]

Resolution authorizing the Municipal Transportation Agency to accept and expend \$2,441,395 of United States Department of Justice, 2003 Urban Area Security Initiative grant funds to develop and implement security enhancements for the San Francisco Municipal Railway. (Municipal Transportation Agency)

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

040132 [Settlement of Claim - Larry Oldham]

Resolution approving the settlement of the unlitigated claim filed by Larry Oldham against San Francisco for \$75,000, claim was filed on May 22, 2003. (City Attorney)

2/2/04, RECEIVED AND ASSIGNED to Rules Committee.

**040133 [Onsite medical and other healthcare services for TARC clients living with and/or at high risk for HIV/AIDS]
Supervisors Dufty, Daly**

Resolution authorizing the San Francisco Department of Public Health, Tom Waddell Health Center (SFDPH, TWHC) to enter retroactively into an agreement with the Tenderloin AIDS Resource Center (TARC) the primary contractor, and expend funds in the amount of \$597,710 to provide onsite medical and other healthcare services for TARC clients living with and/or at high risk for HIV/AIDS; for the period of September 29, 2003 to March 31, 2007. (Public Health Department)

2/2/04, RECEIVED AND ASSIGNED to City Services Committee.

Requests Granted

From: Supervisor Ammiano

To: City Attorney

Requesting/Inquiring: To prepare an amendment to the Hotel Tax Ordinance enumerating all seven cultural centers. (See attached).

From: Supervisor Ammiano

To: Chancellor, City College

Requesting/Inquiring: if an official City College representative will testify at the Planning Commission meeting regarding landmark status for the New Mission Theater, and requesting any Board of Trustees adopted policy on landmark status for the theater.

From: Supervisor Daly

To: City Librarian, Public Library

Requesting/Inquiring: Requesting correspondence between the Library and the European American Issues Forum related to the "European Americans Among Us" exhibit. Criteria used by the library to determine the suitability of these exhibits and a justification as to why, during Black History Month, the library would put these exhibits up in the Main Library.

From: Supervisor Dufty

To: Director, Housing Authority

To: Director, Department of Public Health

To: Director, Department of Social Services

To: Director, Mayor's Office of Criminal Justice

To: Director, Mayor's Office of Housing

To: Director, Department of Children, Youth and Their Families

To: General Manager, Recreation and Park Department

To: Chief, Police Department

To: District Attorney

To: Director, Juvenile Probation Department

To: S. F. Trial Courts

To: Public Defender

To: Sheriff

To: S.F. Unified School District

To: General Manager, Muni

To: Director, Human Rights Commission

To: General Manager, Public Utilities Commission

To: Director, Redevelopment Agency

Requesting/Inquiring: Requesting ideas and input on how a Controller's Community Audit can identify community needs, assess community benefit programs, and evaluate City services and City-funded programs to quantify needs and recommend policies, programs and needed resources to improve the quality of life in the southeast neighborhoods of San Francisco.

From: Supervisor Dufty

To: City Attorney

Requesting/Inquiring: To draft legislation requiring the Department of Building Inspection to bar-code permit applications and to track applications by permit consultants, contractors, architects, attorneys and other applicants.

*From: Supervisor McGoldrick
To: Director, Department of Parking and Traffic
Requesting/Inquiring: To provide a list of all parking violations by each City department for the last 4 years, including the disposition of that violation. If a violation was dismissed, please provide the explanation for that dismissal.*

*From: Supervisor McGoldrick
To: Controller
To: Director, Planning Department
Requesting/Inquiring: Requesting the Controller work with Planning Department to analyze the benefits to the San Francisco economy and to City revenue collections of long range planning and Area Plans, with a focus on on-going Better Neighborhoods Area Plans and other on-going and proposed Planning Department Long Range Planning Programs.*

In Memoriams

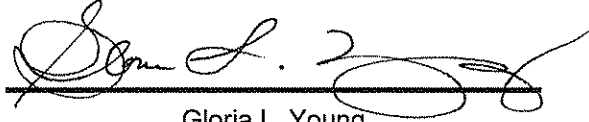
Motion that the Board adjourn its meeting this date out of respect to the memory of the following deceased:

*Robert (Bob) Denebeim (Supervisor Ammiano)
Elisa Valenzuela Vasquez (Supervisor Dufty)
Laura Fontanello (Supervisor Alioto-Pier)
Fon Lee (Supervisor Ma)
Harold Yee (Supervisors Ma, Dufty, Peskin)*

ADJOURNMENT

There being no further business, the Board at the hour of 10:37 p.m. adjourned.

Gloria L. Young, Clerk

A handwritten signature in black ink, appearing to read "Gloria L. Young", is written over a horizontal line. The signature is stylized and cursive.

Gloria L. Young
Clerk of the Board