

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, May 11, 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.

Volume 99 Number 14

Members Present: Michela Alioto-Pier, 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 2:02 p.m. On the call of the roll Supervisor Ammiano was noted absent.

*Supervisor Ammiano was previously excused from attending the meeting. (See Infra)
Quorum present.*

APPROVAL OF MEETING MINUTES

Supervisor Maxwell, seconded by Supervisor Sandoval, moved to approve April 13, 2004 Meeting Minutes. The motion carried by the following vote:

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

Supervisor Ammiano Excused from Attendance

Supervisor Dufty, seconded by Supervisor Daly, moved to excuse Supervisor Ammiano from attending today's meeting. The motion carried by the following vote:

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

AGENDA CHANGES

CONSENT AGENDA

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.

Ordinance No. 83-04
FINALLY PASSED

Recommendation of the City Services Committee

- 040021 [Liquor License Transfer, 360 Sutter Street]
Resolution determining that the transfer of a Type 21 off-sale general alcoholic beverage control license from 76 Geary Street to 360 Sutter Street (District 6), to Paul McGinlay for Hector Russell Scottish Imports dba The Whiskey Shop, 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. 274-04
ADOPTED

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.

Ordinance No. 84-04
FINALLY PASSED

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).

Ordinance No. 82-04
FINALLY PASSED

**040298 [Grant of Federal Funds]
Supervisors Maxwell, Dufty**

Resolution authorizing the Municipal Transportation Agency to accept and expend \$1,987,000 of Federal Transit Administration Section 70 funds for the Municipal Railway's NextBus Real Time Vehicle Information project, excluding administrative overhead costs. (Municipal Transportation Agency)

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

Resolution No. 279-04
ADOPTED

**040346 [STOP Intersections]
Resolution designating certain intersections as "STOP" intersections.**

STOP SIGNS - ESTABLISH

Ivy at Buchanan Streets, stopping westbound Ivy Street;

Estero Avenue and Lunado Way, stopping Lunado Way at Estero Avenue, making this intersection an All-Way STOP;

Campbell Avenue at Delta Street, making this uncontrolled intersection an All-Way STOP;

Delta Street at Campbell Avenue, making this uncontrolled intersection an All-Way STOP;

Chestnut and Powell Streets, stopping Powell Street, making this intersection an All-Way STOP;

Faxon Avenue and Kenwood Way, stopping Faxon Avenue, making this intersection an All-Way STOP;

10th Avenue at Ortega Street, stopping Ortega Street, making this intersection an All-Way STOP; and

Isola Way and Rockdale Drive, stopping Isola Way traffic at Rockdale Drive, making this uncontrolled T-intersection a one-way STOP. (Parking and Traffic Department)

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

Resolution No. 280-04
ADOPTED

040347 [Parking Regulations]

Resolution enacting and rescinding parking regulations at various locations.

TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH

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

NO PARKING ANYTIME - ESTABLISH

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

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

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

TAXI STAND - RESCIND

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

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

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

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

PERPENDICULAR (90-DEGREE ANGLE) PARKING - ESTABLISH

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

UNMETERED MOTORCYCLE PARKING - ESTABLISH

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

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

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

101 and 147 Stillman Street, south side, between 3rd and 4th Streets (adds specific addresses only); and
470 - 3rd Street, west side, between Bryant and Stillman Streets (adds specific addresses only).

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

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

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

Resolution No. 281-04

ADOPTED

040348 [Traffic Regulations]

Resolution enacting and rescinding traffic regulations on various streets.

NO LEFT TURN - ESTABLISH

Eastbound Plymouth Avenue onto northbound Plymouth Avenue.

RIGHT LANE MUST TURN RIGHT - RESCIND

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

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

Resolution No. 282-04

ADOPTED

Recommendations 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.

Ordinance No. 85-04

FINALLY PASSED

040299 [Settlement of Lawsuit - Laurie, Adam, Jeremy and Caleb Peretz]

Ordinance authorizing settlement of the lawsuit filed by Laurie, Adam, Jeremy and Caleb Peretz against the City and County of San Francisco for \$82,500.00; the lawsuit was filed on December 24, 2002 in San Francisco Superior Court, Case No. 416086; entitled Peretz, et al., v. City and County of San Francisco, et al. (City Attorney)

PASSED, ON FIRST READING

040300 [Settlement of Lawsuit - Anthony Bell]

Ordinance authorizing settlement of the lawsuit filed by Anthony Bell against the City and County of San Francisco for \$75,000; the lawsuit was filed on December 23, 2002 in San Francisco Superior Court, Case No. 416-036; entitled Anthony Bell, et al., v. City and County of San Francisco, et al. (City Attorney)

PASSED, ON FIRST READING

040353 [Settlement of Claim - Irene Huang]

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

Resolution No. 283-04

ADOPTED

040396 [Appointment - Power Plant Task Force]

Resolution appointing Philip DeAndrade, Richard Millet, L. Joseph Boss and John Borg, terms ending November 1, 2005, to the Power Plant Task Force.

Philip DeAndrade, new appointment, seat 1, must be a resident of the Mission Bay area; for the unexpired portion of a two-year term ending November 1, 2005.

Richard Millet, new appointment, seat 3, must be a resident of the Potrero Hill area; for the unexpired portion of a two-year term ending November 1, 2005.

L. Joseph Boss, new appointment, seat 4, must be a resident of the Central Waterfront area; for the unexpired portion of a two-year term ending November 1, 2005.

John Borg, new appointment, seat 5, must be a member of the Southern Waterfront Advisory Committee/Pier 70 Community Advisory Group; for the unexpired portion of a two-year term ending November 1, 2005.

Resolution No. 284-04

ADOPTED

040439 [Appointment - Animal Control and Welfare Commission]

Resolution appointing Laurie Kennedy, Joanne Kipnis and Dr. Mara Weiss, terms ending April 30, 2006, to the Animal Control and Welfare Commission.

Laurie Kennedy, succeeding herself, term expired, seat 1, must be a member representing the general public having interest and experience in animal matters, for a two-year term ending April 30, 2006.

Joanne Kipnis, succeeding herself, term expired, seat 2, must be a member representing the general public having interest and experience in animal matters, for a two-year term ending April 30, 2006.

Dr. Mara Weiss, succeeding Kelly Jensen, term expired, seat 7, must be licensed veterinarian, for a two-year term ending April 30, 2006.

Resolution No. 286-04

ADOPTED

040489 [Appointment - Commission on Aging Advisory Council]

Resolution appointing Robert Lipman, Jessica Bay, Carlos Serrano-Quan and Catherine Russo, terms ending March 31, 2006, and Marie Conroy-Salbi, term ending March 31, 2005, to the Commission on Aging Advisory Council.

Robert Lipman, succeeding himself, term expired, seat 1, must be a nominee of District 2 Supervisor for a two-year term ending March 31, 2006.

Jessica Bay, succeeding Marie Conroy-Salbi, term expired, seat 4, must be a nominee of District 3 Supervisor for a two-year term ending March 31, 2006.

Carlos Serrano-Quan, succeeding Edmund Jew, term expired, seat 5, must be a nominee of District 4 Supervisor for a two-year term ending March 31, 2006.

Catherine Russo, succeeding herself, seat 6, must be a nominee of District 7 Supervisor, for a two-year term ending March 31, 2006.

Marie Conroy-Salbi, succeeding Tsuyako Kitashima, seat 8, must be a nominee of District 1 Supervisor, for the unexpired portion of a two-year term ending March 31, 2005.

Resolution No. 290-04

ADOPTED

040529 [Appointment - Bicycle Advisory Committee]

Resolution appointing Lionel Shaw, term ending November 19, 2004, to the Bicycle Advisory Committee.

Lionel Shaw, new appointment, seat 2, must be a nominee of District 2 Supervisor, for a two-year term or for the tenure of the Supervisor who nominated the member, whichever is shorter in duration, term ending November 19, 2004.

Resolution No. 291-04

ADOPTED

The foregoing items were acted upon by the following vote:

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

Excused: 1 - Ammiano

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of the Budget Committee

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

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

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

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

Recommendation of 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 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.

Ordinance No. 81-04

FINALLY PASSED by the following vote:

Ayes: 7 - Alioto-Pier, Dufty, Gonzalez, Hall, Ma, Maxwell, Peskin
Noes: 3 - Daly, McGoldrick, Sandoval
Excused: 1 - Ammiano

Recommendations of the Land Use Committee

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)

Resolution No. 275-04

ADOPTED by the following vote:

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

Excused: 1 - Ammiano

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)

Resolution No. 276-04

ADOPTED by the following vote:

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

Excused: 1 - Ammiano

NEW BUSINESS

Recommendation of the Budget Committee

**040451 [City Hiring Freeze]
Supervisors Sandoval, Hall**

Ordinance prohibiting the City from filling new or vacant positions except for enterprise or non-General Fund departments or where the Mayor determines that certain exceptions apply, and setting an expiration date.

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

PASSED ON FIRST READING by the following vote:

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

Excused: 1 - Ammiano

Recommendation of the City Services Committee

**040330 [California Stem Cell Research and Cures Initiative]
Supervisors Alioto-Pier, Maxwell, Dufty, Ma, Daly**

Resolution endorsing The California Stem Cell Research and Cures Initiative, a measure for the November 2004 statewide ballot, which will both support important scientific research and create jobs in California.

Supervisor Hall dissenting.

Supervisors Ma and Daly requested to be added as co-sponsors.

Resolution No. 271-04

ADOPTED by the following vote:

Ayes: 9 - Alioto-Pier, Daly, Dufty, Gonzalez, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Noes: 1 - Hall
Excused: 1 - Ammiano

Recommendations of the Finance and Audits Committee

**031839 [Sidewalk Parking Fine Increase]
Supervisor Daly**

Ordinance amending Article 7, Section 132 of the San Francisco Traffic Code, to increase the fine for sidewalk parking from \$75.00 to \$100.00 as of July 1, 2004, in accordance with Resolution No. 648-01, adopted August 17, 2001; to update the fine for stopping on a freeway because of the repeal of Vehicle Code Section 25220 and enactment of Vehicle Code Section 21718; and to make various editorial changes to clarify the Penalty Schedule. (Parking and Traffic Department)

NOT PASSED ON FIRST READING by the following vote:

Ayes: 5 - Daly, Gonzalez, Maxwell, McGoldrick, Peskin
Noes: 5 - Alioto-Pier, Dufty, Hall, Ma, Sandoval
Excused: 1 - Ammiano

*Supervisor Daly, seconded by Supervisor Peskin, moved to rescind the previous vote.
Motion to rescind the previous vote carried by the following vote:*

*Ayes: 7- Alioto-Pier, Daly, Dufty, Gonzalez, Maxwell, McGoldrick, Peskin
Noes: 3 - Hall, Ma, Sandoval
Excused: 1- Ammiano*

Continued to May 18, 2004

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

Ayes: 7 - Alioto-Pier, Daly, Dufty, Gonzalez, Maxwell, McGoldrick, Peskin
Noes: 3 - Hall, Ma, Sandoval
Excused: 1 - Ammiano

**040236 [Community Choice Aggregation Program]
Supervisors Ammiano, Maxwell, Gonzalez, Peskin, Daly, McGoldrick**

Ordinance establishing a Community Choice Aggregation Program in accordance with California Public Utilities Code Sections 218.3, 331.1, 366, 366.2, 381.1, 394, and 394.25, allowing San Francisco to aggregate the electrical load of electricity consumers within San Francisco and to accelerate the introduction of renewable energy, conservation and energy efficiency into San Francisco's portfolio of energy resources.

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

PASSED ON FIRST READING by the following vote:

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

**040362 [To appropriate funding to Modification No.12 to Contract No.309 with ANSALDOBREDA (Breda),
and related consultant and administrative costs for the Municipal Transportation Agency]
Mayor**

Ordinance appropriating \$12,274,340 of fund balance to fund Modification No. 12 to Contract No. 309 with ANSALDOBREDA (Breda) and for related consultant and administrative costs as part of the Muni Light Rail Vehicles (LRV) Procurement Program. Funding is provided from proceeds of a recently completed Breda lease-lease back transaction. The MTA adopted Resolution No. 04-016 approving a spending plan for Muni's Breda LRV modification program, with an emphasis on operational and passenger safety security enhancements for fiscal year 2003-04.

(Fiscal impact.)

Supervisor Sandoval, seconded by Supervisor McGoldrick, moved to refer this matter to the Budget Committee. Motion to refer this matter to the Budget Committee failed by the following vote:

*Ayes: 5 - Daly, Gonzalez, McGoldrick, Peskin, Sandoval,
Noes: 5 - Alioto-Pier, Dufty, Hall, Ma, Maxwell
Excused: 1 - Ammiano*

Continued to May 18, 2004

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

Ayes: 8 - Alioto-Pier, Daly, Gonzalez, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Noes: 2 - Dufty, Hall
Excused: 1 - Ammiano

**040364 [Municipal Transportation Agency Contract No. CS-103 with Booz Allen & Hamilton Inc.]
Mayor**

Resolution authorizing the Municipal Transportation Agency to enter into Amendment No. 4 to Municipal Railway Contract No. CS-103 with Booz Allen & Hamilton Inc., for further engineering services through closeout of MUNI's Light Rail Replacement Program, for (1) further consulting services through closeout of MUNI's light rail vehicle replacement program, (2) a contract increase not to exceed \$1,500,978, for a total contract amount not to exceed \$17,223,332; and (3) a contract extension through December 31, 2007.

(Fiscal impact.)

Continued to May 18, 2004

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

Ayes: 9 - Alioto-Pier, Daly, Dufty, Gonzalez, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Noes: 1 - Hall
Excused: 1 - Ammiano

**040384 [Municipal Transportation Agency Contract Modification No. 12 with ANSALDOBREDA S.p.a]
Mayor**

Resolution authorizing the Municipal Transportation Agency to enter into Contract Modification No. 12 with ANSALDOBREDA S.p.a for (1) completion of the video surveillance retrofit on 87 light rail vehicles; (2) design, testing and installation of an emergency brake acceleration limiting device on 151 vehicles; (3) overhaul of the brake system on 23 vehicles, plus two options for up to 30 additional vehicles each; (4) funding for spare parts and repair of damaged vehicles; and (5) modification of the delivery schedule, payment schedule, warranty provisions, and other terms and conditions of the contract to address the new work; all in an amount not to exceed \$9,148,576, and for a total contract amount not to exceed \$407,155,455.

(Fiscal impact.)

Supervisor Sandoval, seconded by Supervisor McGoldrick, moved to refer this matter to the Budget Committee.

Motion to refer this matter to the Budget Committee failed by the following vote:

*Ayes: 5 - Daly, Gonzalez, McGoldrick, Peskin, Sandoval,
Noes: 5 - Alioto-Pier, Dufty, Hall, Ma, Maxwell
Excused: 1 - Ammiano*

Continued to May 18, 2004

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

Ayes: 8 - Alioto-Pier, Daly, Dufty, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Noes: 2 - Gonzalez, Hall
Excused: 1 - Ammiano

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.

*Supervisor Daly, seconded by Supervisor Peskin, moved to amend by adding the following seats to Surplus Property Citizen's Advisory Committee:
three seats appointed by the Mayor: neighborhood representative, open space/parks representative, Mayor's Budget director or her/his designee, and by adding the Chair of the Board of Supervisors Finance and Audits Committee or her/his designee.*

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

Ayes: 8 - Alioto-Pier, Daly, Dufty, Gonzalez, Maxwell, McGoldrick, Peskin, Sandoval

Noes: 1 - Hall

Absent: 1 - Ma

Excused: 1 - Ammiano

Supervisor Daly, seconded by Supervisor Peskin, moved that this Ordinance be PASSED ON FIRST READING AS AMENDED. The motion carried by the following vote:

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

Noes: 1 - Hall

Excused: 1 - Ammiano

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 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; 395 Justin Drive; 1051 Palou; 341 Corbett; 114 Elmira; 949 Vermont Street; 150-170 Otis Street; 100 Broadway Street; 735 Battery Street; and 155 Grove Street and over the real property located near the intersections; Geneva and Ocean Avenues; Junipero Serra and Shields Street; San Jose and Cuvier Street; Roosevelt Way at Henry Street; Lawton and 20th Avenue; for assessment of each property for development as affordable housing consistent with Chapter 23A of the Administrative Code.

PASSED ON FIRST READING AS DIVIDED by the following vote:

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

Noes: 1 - Hall

Excused: 1 - Ammiano

**040626 [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 2627 Cesar Chavez; 600 Bosworth Avenue; 859 Dwight; 455 Bush Street; 401 Franconia; 4011 Mission Street; 691 Alemany; 2198 Thomas Avenue; 149 Milton Street; 59 Ord Court; 525 Golden Gate Avenue; 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; Hester Avenue and Bayshore Boulevard; Jerrold Avenue and Rankin; Palo Alto and Glenbrook; Palou and Rankin; 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.

Divided from File No. 040538

REFERRED to the Finance and Audits Committee by the following vote:

Ayes: 9 - Alioto-Pier, Daly, Dufty, Gonzalez, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Noes: 1 - Hall
Excused: 1 - Ammiano

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

Resolution authorizing the Mayor of the City and County of San Francisco to accept and expend a grant from the U.S. Department of Housing and Urban Development (HUD) for a total amount of \$8,804,425 for the HOME Program authorized under TITLE II of the National Affordable Housing Act of 1990, Public Law Number 101-625, and approving the HOME Program description as described in the 2004 Action Plan for San Francisco's Consolidated Plan; and placing \$82,718 on reserve.

(Fiscal impact.)

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

Resolution No. 287-04

ADOPTED by the following vote:

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

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

Resolution approving the 2004 Community Development Program; and authorizing the Mayor, on behalf of the City and County of San Francisco, to accept and expend the City's 2004 Community Development Block Grant (CDBG) entitlement from the U.S. Department of Housing and Urban Development, and Program Income of \$31,374,675 which include indirect costs of \$150,000, and approving expenditure schedules for recipient departments and agencies and for indirect costs; placing \$2,372,271 on reserve.

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

Resolution No. 288-04

ADOPTED by the following vote:

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

**040449 [Federal Funding – Emergency Shelter Grants Program]
Supervisors Dufty, Daly**

Resolution approving the 2004 Emergency Shelter Grants Program and Expenditure Schedule; and authorizing the Mayor on behalf of the City and County of San Francisco to accept and expend a \$924,509 entitlement grant under the Emergency Shelter Grants Program from the U.S. Department of Housing and Urban Development; placing \$96,115 on reserve.

(Fiscal impact.)

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

Resolution No. 289-04

ADOPTED by the following vote:

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

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

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

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

Resolution No. 272-04

ADOPTED by the following vote:

Ayes: 9 - Alioto-Pier, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, Peskin, Sandoval
Absent: 1 - McGoldrick
Excused: 1 - Ammiano

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

Resolution approving the issuance and sale of lease revenue refunding bonds to refinance lease revenue bonds previously issued and sold by the Redevelopment Agency of the City and County of San Francisco (the "Agency"); authorizing the release of reserved monies; approving the form of a project lease between the Agency and the City and County of San Francisco (including certain indemnities contained therein); approving the form of the official statement in preliminary and final form; approving the form of the continuing disclosure certificate; approving the form of irrevocable refunding instructions; and, ratifying previous actions taken in connection therewith; continuing to reserve \$2,140,000.

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

Resolution No. 273-04

ADOPTED by the following vote:

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

Recommendations of the Land Use Committee

**030679 [Resource Efficiency Requirements and Green Building Standards]
Supervisors Ammiano, Maxwell, Peskin, Daly**

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.

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

PASSED ON FIRST READING by the following vote:

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

031463 [Zoning - Large-scale Retail Use]
Supervisors Ammiano, Dufty, Gonzalez, McGoldrick, Daly

Ordinance amending the Planning Code to add section 121.6 to impose a conditional use requirement for large-scale retail uses in excess of 50,000 gross square feet outside of the C-3 zoning districts and in excess of 90,000 gross square feet within the C-3 zones, to prohibit such uses if they are in excess of 120,000 gross square feet in any zone other than the C-3 zones, and to prohibit specified large-scale retail uses in excess of 120,000 gross square feet in the C-3 zones; amending Planning Code section 303 to add findings for the abovementioned uses concerning active street frontage patterns, mixed-use building opportunities, and other criteria set forth herein; making findings of consistency with the General Plan and Planning Code section 101.1(b); and exempting from this legislation those uses for which the City received a site permit application prior to July 15, 2003.

Supervisor Maxwell dissenting in committee.

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

PASSED ON FIRST READING by the following vote:

Ayes: 8 - Alioto-Pier, Daly, Dufty, Gonzalez, Ma, McGoldrick, Peskin, Sandoval
Noes: 2 - Hall, Maxwell
Excused: 1 - Ammiano

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

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

PASSED ON FIRST READING by the following vote:

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

040443 [Designating 2550 Mission Street, the New Mission Theater, as a Landmark]
Supervisors Ammiano, Maxwell, Peskin, Daly

Ordinance designating 2550 Mission Street, the New Mission Theater, as Landmark No. 245.

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

PASSED ON FIRST READING by the following vote:

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

Supervisor Daly Excused From Voting

Supervisor Dufty, seconded by Supervisor Peskin, moved to excuse Supervisor Daly at his request from voting on this matter. The motion carried by the following vote:

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

**040413 [Central Freeway Alternative Configurations]
Supervisors Ammiano, Dufty**

Resolution urging the Governor to postpone future retrofits of the Central Freeway deck and to commit the State to participate in a study of alternative future configurations for the Central Freeway.

Resolution No. 304-04

ADOPTED by the following vote:

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

Noes: 1 - Hall

Excused: 2 - Ammiano, Daly

Recommendations of the Rules 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.

Motion to rescind the previous vote carried without objection.

PASSED ON FIRST READING by the following vote:

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

Absent: 1 - Peskin

Excused: 1 - Ammiano

PASSED ON FIRST READING by the following vote:

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

Excused: 1 - Ammiano

040268 [Appointment - Treasure Island Development Authority Citizens Advisory Committee]

Resolution appointing Elizabeth Strahlstrom, term ending January 1, 2005, to the Treasure Island Development Authority Citizens Advisory Board.

Elizabeth Strahlstrom, succeeding Arnold Levine, resigned, seat 11, must possess any of the following qualifications: land use and urban planning and architecture; transportation planning and alternative and mass transit; historic conservation and preservation; engineering and construction; real estate development and financing; economic development and job generation and organized labor; first-source hiring, welfare-to-work and other job broker programs; affordable and low-income housing; marine related activities; natural resource preservation and conservation; environmental and toxic remediation and control; tideland trust and public access; open-meeting laws; recreational and athletic opportunities and programs; representative of public safety officers on Treasure Island; representative of TIHDI; representative of Job Corps; Representative of Treasure Island Elementary School; representative of film production industry; and representative of residential tenants on Treasure Island, for the unexpired portion of a four-year term ending January 1, 2005.

Supervisor Maxwell dissenting.

Resolution No. 278-04

ADOPTED by the following vote:

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

Excused: 1 - Ammiano

040403 [Confirming the appointment of Ann Blumlein Lazarus to the San Francisco Port Commission] Mayor

Resolution confirming the appointment of Ann Blumlein Lazarus to the San Francisco Port Commission.

Resolution No. 285-04

ADOPTED by the following vote:

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

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

Privilege of the Floor

Supervisor Alioto-Pier, seconded by Supervisor Dufty, 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: 10 - Alioto-Pier, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Excused: 1 - Ammiano

Supervisor Alioto-Pier, welcomed, introduced, and presented a Certificate of Honor to Levon Der Bedrossian, owner of La Mediterranee Restaurant.

SPECIAL ORDER 4:00 P.M.

Recess

The Board recessed at the hour of 4:10 p.m.

Reconvening of the Board

The Board at the hour of 4:21p.m. reconvened.

Calling the Roll

*On call of the roll, the following Supervisors were noted present:
Supervisors Daly, Gonzalez, Hall, Ma, McGoldrick, Peskin - 6*

Quorum present.

*Supervisors Alioto-Pier, Dufty, and Maxwell were noted present at 4:24 p.m.
Supervisor Sandoval was noted present at 6:44 p.m.*

040425 [Public Hearing - Appeal, Conditional Use - 2599 Lombard Street]

Hearing of persons interested in or objecting to the decision of the Planning Commission by its Motion No.16742 dated March 18, 2004 approving a conditional use authorization, Case No. 2003.0080C, to install four (4) cellular antennas and related equipment on the roof of the Pacific Motor Inn, as part of Verizon Wireless telecommunications network within the NC-3 (Moderate-scale Neighborhood Commercial) District and a 40-X Height and Bulk District, on property located at 2599 Lombard Street; Lot 016 in the Assessor's Block 0938. (Appellant: Mary Irene Zemanek.)

(Filed April 12, 2004; categorically exempt from environmental review process under (CEQA); companion measure to Files 040426, 040427, 040428, District 2.)

Mary Irene Zemanek, Appellant
Albert Dong; support of appellant
Lillian Wagner; support of appellant
Lorie Brooke; support of appellant
Jan and Abby Diamond; support of appellant
Martina Elhares; support of appellant
Dale Benson; support of appellant
Owner of Pacific Motel; support of appellant
David Brancroft; support of appellant
Elizabeth Traub; support of appellant
Albert Hom; support of appellant
Tony David; support of appellant
Richard Rypinski; support of appellant
Alex Hom; support of appellant
Lorin Hom; support of appellant
Patricia Vaughey; support of appellant
Mary Jarvis; support of appellant
Irene Zemanek; support of appellant
Steve Callon; support of appellant
Chris Wagner; support of appellant
Stephen David; support of appellant
Mary Winneker; support of appellant
Vicky Tucker; support of appellant
Tracey Hughes; support of appellant
Madeline Camisa; support of appellant
Barbara Simpkin; support of appellant
Mark Longwood; support of appellant
John Brooke; support of appellant
Mike Dorf; support of appellant

Jean Paul Samaha, Planning Department Representative, reviewed the Planning Department's recommendation for the approval of the application for a conditional use.

Paul Albrecht, Attorney for Project Sponsor, Verizon Wireless
(Per the Clerk of the Board, the speaker had 47 seconds remaining
which were activated once the questions from President Gonzalez were concluded.)

Anne Fibush; general comments
Bill Hammonds, Engineer for project sponsor
Joe Shelton; support of project sponsor

Rebuttal:
John Brooke; speaker for appellant

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

Public Hearing Closed.

HEARD AT PUBLIC HEARING.

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

040426 [Appeal, Conditional Use - 2599 Lombard Street]

Motion approving decision of the Planning Commission by its Motion No. 16742, approving Conditional Use Application No. 2003.0080C on property located at 2599 Lombard Street, and adopting findings pursuant to Planning Code Section 101.1. (Clerk of the Board)

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

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

Excused: 1 - Ammiano

040427 [Appeal, Conditional Use - 2599 Lombard Street.]

Motion disapproving decision of the Planning Commission by its Motion No. 16742, approving Conditional Use Application No. 2003.0080C on property located at 2599 Lombard Street. (Clerk of the Board)

Motion No. M04-54

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

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

Excused: 1 - Ammiano

040428 [Findings - 2599 Lombard Street]

Motion directing the Clerk of the Board to prepare findings relating to proposed Conditional Use Application No. 2003.0080C on property located at 2599 Lombard Street, for action by the Board at its next meeting. (Clerk of the Board)

Motion No. M04-55

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

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

Excused: 1 - Ammiano

ROLL CALL FOR INTRODUCTIONS

PUBLIC COMMENT

Abdullah Megaheed; general issues
Patricia Vaughey; Presidio Trust issues
Vernon Jenkins; general issues
Ann Fishbush; homeless issues
Marie Jably; support of Adult and Aging services
Carl; send elephants to sanctuary
Youth Commissioners; Inviting Board of Supervisors to attend Bayview meeting on violence on May 12, 2004
Male Youth Commissioner; encourage the Board to attend the youth violence Bayview meeting on violence on May 12, 2004
Female Speaker; send elephants to sanctuary
Male Speaker; general issues
Sal Bussaclacci; Recreation and Park Department issues, diversion of open-space funds
Brian O'Flynn; Recreation and Park Department issues, diversion of open-space funds
Female speaker; police issues
Female Speaker; Zoo issues
Male Speaker; support of resolution regarding Zoo issues

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.

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.

Resolution No. 277-04
ADOPTED

**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.

Resolution No. 292-04

ADOPTED

**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.

Supervisors Hall and Ma requested to be added as co-sponsors.

Resolution No. 305-04

ADOPTED

**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.

Resolution No. 293-04

ADOPTED

**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.

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

Resolution No. 294-04

ADOPTED

**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.

Supervisor Hall requested to be added as co-sponsor.

Resolution No. 295-04

ADOPTED

**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.

Supervisor Hall requested to be added as co-sponsor.

Resolution No. 296-04

ADOPTED

**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.

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

Resolution No. 297-04

ADOPTED

**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.

Resolution No. 306-04

ADOPTED

**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.

Resolution No. 298-04

ADOPTED

**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.

Supervisor Hall requested to be added as co-sponsor.

Resolution No. 299-04

ADOPTED

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

Resolution commending the Cornerstone Missionary Baptist Church on the occasion of its 4th anniversary.

Resolution No. 300-04

ADOPTED

**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.

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

Resolution No. 301-04

ADOPTED

040402 [Final Map for a 8 Lot Subdivision - Hanover/20V Watt Avenue]

Motion approving Final Map of Hanover/Watt, being a subdivision of Lot 1 in Assessor's Block No. 6494, and adopting findings pursuant to Planning Code Section 101.1. (Public Works Department)

(DPW Order No. 174,733; District 11.)

Motion No. M04-53

APPROVED

**040530 [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. M04-56

APPROVED

The foregoing items were acted upon by the following vote:

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

Severed From Without Reference to Committee Agenda

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

**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.

Supervisor Hall requested that this matter be referred to Committee.

REFERRED to the Finance and Audits Committee.

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

**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.

Supervisor Dufty requested that this matter be referred to Committee.

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

REFERRED to the City Services Committee.

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

**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.

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

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

Excused: 1 - Ammiano

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 as soon as reasonably possible.

Supervisor Hall requested that this matter be referred to Committee as amended.

REFERRED to the City Services Committee.

IMPERATIVE AGENDA

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

[Purely Commendatory Finding]

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

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

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

[Brown Act Finding]

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

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

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

**040591 [Recognizing the Women's Building]
Supervisors Dufty, Ma**

Resolution recognizing and celebrating the Women's Building's twenty-five years of providing women and girls with vital tools and resources for self-sufficiency.

Resolution No. 302-04

ADOPTED by the following vote:

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

**040593 [Commending Dr. Melissa Welch]
Supervisor Daly**

Resolution commending Dr. Melissa Welch for her service on the Health Service System of the City and County of San Francisco.

Resolution No. 303-04

ADOPTED by the following vote:

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

OFF-AGENDA LEGISLATION

Introduced by Supervisors or Mayor

Ordinances

**031152 [Amending Administrative Code Chapter 31 to Provide Appeals of Certain Environmental Determinations]
Supervisor Peskin**

Ordinance amending Administrative Code Chapter 31 to provide for appeals to the Board of Supervisors of certain determinations under the California Environmental Quality Act, setting forth a fee for such appeals and to provide public notice of certain determinations.

6/24/03, ASSIGNED UNDER 30 DAY RULE to Land Use Committee, expires on 7/24/2003.

5/11/04, SUBSTITUTED. Supervisor Peskin submitted a substitute ordinance bearing new title.

5/11/04, ASSIGNED to Finance and Audits Committee.

**032024 [Designation of Acting Mayors]
Supervisor Daly**

Ordinance amending the San Francisco Administrative Code, by adding Section 2A.11, to require the Mayor to inform the Board of Supervisors in writing when leaving the state for more than 24 hours, to require the Mayor to designate Acting Mayors in writing and inform the Clerk of the Board of such designations, to require the Mayor to notify the Clerk of the Board upon returning to the state, to require Acting Mayors to report on any official actions taken, and to require members of the Board to receive training on emergency operations.

12/6/03, RECEIVED AND ASSIGNED to Rules Committee.

5/11/04, SUBSTITUTED. Supervisor Daly submitted a substitute ordinance bearing new title.

5/11/04, ASSIGNED to Rules Committee.

**040343 [Taxi Legislation]
Supervisors Daly, Ma**

Ordinance amending the San Francisco Police Code by: amending Sections 1076 and 1081, to state a test, measured as 800 cumulative hours per year, for satisfying the driving requirement imposed on taxi and ramped taxi permit holders and to authorize modification of that cumulative hours test to accommodate disabled permit holders; amending Sections 1121 and 1148.1, to set requirements, including prior driving experience, for taxi and ramped taxi permit applicants; and, adding Sections 1186, 1187, and 1188, to establish administrative penalties and procedures for violations of the full-time driving requirement and for violations of the Taxi Commission's rules and regulations.

3/16/04, RECEIVED AND ASSIGNED to Finance and Audits Committee.

5/11/04, ASSIGNED to Finance and Audits Committee.

5/11/04, SUBSTITUTED. Supervisor Daly submitted a substitute ordinance bearing new title.

**040586 [Repealing restrictions on parking, and the corresponding fines, on portions of Washington, Mason and Jackson Streets]
Supervisor Peskin**

Ordinance deleting Section 32.1.10 of the Traffic Code to remove restrictions on parking on portions of Washington, Mason and Jackson Streets and to repeal the corresponding penalties for violations.
5/11/04, RECEIVED AND ASSIGNED to Land Use Committee.

**040588 [Requiring approval by the Board of Supervisors of settlements of grievances in excess of \$50,000]
Supervisor Sandoval**

Ordinance amending Section 10.25-12 of the Administrative Code to require approval by the Board of Supervisors of settlements in excess of \$50,000 of grievances filed pursuant to valid memoranda of understanding.
5/11/04, RECEIVED AND ASSIGNED to Budget Committee.

**040589 [Amending Building Inspection Fund to remove from the fund fines and penalties collected by the Department of Building Inspection]
Supervisors Sandoval, McGoldrick**

Ordinance amending Section 10.100-45 of the San Francisco Administrative Code to remove from the Building Inspection Fund all fines and penalties collected by the Department of Building Inspection.
5/11/04, RECEIVED AND ASSIGNED to Budget Committee.

**040592 [Payroll Expense Tax Exclusion for Biotechnology Business]
Supervisors Alioto-Pier, Ma**

Ordinance amending the Payroll Expense Tax Ordinance to establish a tax exclusion for biotechnology businesses, as specified.
5/11/04, RECEIVED AND ASSIGNED to Finance and Audits Committee.

**040594 [Board approval for contracting out personal services]
Supervisor Maxwell**

Ordinance amending the San Francisco Administrative Code, by adding Sections 2.15 and 2.16, to require a supplemental report from departments seeking Board approval to contract out personal services under Charter Section 10.104(15) and to require the Controller to prepare an annual report on such contracts.
5/11/04, RECEIVED AND ASSIGNED to Finance and Audits Committee.

**040596 [Recreation Centers and Museums]
Supervisors Daly, Peskin**

Draft ordinance amending Park Code Section 13.02 to require that the Operational Plan for the Recreation and Park Department include detailed operations plans for recreation centers and museums under the Department's jurisdiction, and adding Park Code Section 13.05 to require the Department submit proposed leases, contracts and use permits to the Park, Recreation and Open Space Advisory Committee for determination of consistency with the Operational Plan.
5/11/04, RECEIVED AND ASSIGNED to Land Use Committee.

Resolutions**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.

5/11/04, REFERRED to Finance and Audits Committee. Supervisor Hall requested that this matter be referred to Committee.

**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 as soon as reasonably possible.

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

5/11/04, AMENDED.

5/11/04, REFERRED to City Services Committee. Supervisor Hall requested that this matter be referred to Committee as amended.

**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.

5/11/04, REFERRED to City Services Committee. Supervisor Dufty requested that this matter be referred to Committee.

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

**040582 [Modification #9 to Lease and Use Agreement No. L-82-0111 with American Airlines, Inc. at Terminal 3 of San Francisco International Airport]
Mayor**

Resolution approving and authorizing the execution of Modification # 9 to Lease and Use Agreement No. L-82-0111 with American Airlines, Inc., to reduce terminal space in Terminal 3 of San Francisco International Airport.

5/11/04, RECEIVED AND ASSIGNED to Finance and Audits Committee.

040583 [Airport Concession Lease]
Mayor

Resolution approving Amendment No. 1 to the Luggage Cart Lease and Operating Agreement between Smarte Carte, Inc. and the City and County of San Francisco, acting by and through its Airport Commission.
5/11/04, RECEIVED AND ASSIGNED to Finance and Audits Committee.

040584 [Assessor-Recorder Fees and Property Tax Assessments]
Supervisor Daly

Ordinance (1) authorizing Assessor to charge a \$50.00 fee to process a claim for exemption from property tax reassessment under Revenue and Taxation Code §63.1 if the transfer is between parent-child or grandparent-grandchild and the person recording the deed, instrument or other writing transferring the property or filing a preliminary change of ownership report or change of ownership statement fails to concurrently file a claim form for the exemption; (2) providing that issuance of a tax bill for an escape assessment shall be notice of enrollment of the escape assessment pursuant to Revenue and Taxation Code §1605; and (3) requiring interest on escape assessments if the taxpayer fails to report a change of ownership or control.
5/11/04, RECEIVED AND ASSIGNED to Finance and Audits Committee.

040587 [Issuance and sale of revenue bonds by ABAG Finance Authority for YMCA of S.F.]
Supervisor Peskin

Resolution authorizing the issuance and sale of revenue bonds by ABAG Finance Authority for Nonprofit Corporations in an aggregate principal amount not to exceed \$20,000,000 for the YMCA of San Francisco.
5/11/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

040598 [Neighborhood Historic Resources Preservation Bonds]
Supervisors Peskin, McGoldrick, Ammiano, Sandoval

Resolution determining and declaring that the public interest and necessity demand improvements in the City and County of San Francisco consisting of financing the acquisition, rehabilitation, renovation, improvement, construction or preservation of certain historical resources, and structures benefiting historical resources, owned, or to be owned, by the City and County of San Francisco and/or the San Francisco Unified School District and paying all other costs necessary and convenient for effectuating those purposes, that the estimated cost for the improvements described above is and will be too great to be paid out of the ordinary annual income and revenue of the City and County and will require incurring bonded indebtedness of \$60,000,000; finding that the proposed project is excluded from the California Environmental Quality Act, and is in conformity with the priority policies of Planning Code Section 101.1(b) and the General Plan consistency requirement of Administrative Code Section 2A.53.
5/11/04, RECEIVED AND ASSIGNED to Finance and Audits Committee.

**040602 [Accept-Expend Robert Wood Johnson Foundation Grant]
Supervisor Hall**

Resolution authorizing the Department of Aging and Adult Services to retroactively accept and expend the FY 2003-04 portion, amounting to \$112,869, of a four-year grant from the Robert Wood Johnson Foundation for the implementation of strategic system improvements to create a coordinated model of long term care and supportive services for vulnerable older adults in San Francisco.

5/11/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**040605 [Commodity Supplemental Food Program]
Supervisors Dufty, Daly, Ma, Ammiano, Maxwell**

Resolution urging the Mayor, the California Department of Education and the United States Department of Agriculture to allocate funding to allow the Commodity Supplemental Food Program to remain in San Francisco.

5/11/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**040606 [Commending Wai Sim Cham]
Supervisor Dufty**

Resolution commending Wai Sim Cham upon her retirement with the closure of China Court Restaurant after eighteen successful years serving the Castro community.

5/11/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**040607 [Opposing Sutter Health Hospitals pricing and collection practices]
Supervisors Alioto-Pier, Maxwell, Ammiano, Daly, Peskin, Sandoval, Gonzalez**

Resolution opposing discriminatory pricing practices and aggressive debt collection at Sutter Health Hospitals.

5/11/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**040608 [Bill Walsh Way]
Supervisors Dufty, Maxwell, Hall**

Resolution urging the Department of Public Works to honor Bill Walsh by renaming Giants Drive "Bill Walsh Way".

5/11/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**040609 [Accept and expend gift-in-place valued at approximately \$20,000]
Supervisors Ma, Hall**

Resolution accepting and expending a gift-in-place valued at approximately \$20,000 from Ms. Elley Shannon to the Recreation and Park Department for the improvement of a baseball diamond.

5/11/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**040610 [Apply For State Used Oil Recycling Block Grant]
Supervisor Ma**

Resolution authorizing the Department of the Environment to apply for annual grants from the California Integrated Waste Management Board for the purpose of increasing Used Motor Oil Recycling and Household Hazardous Waste Management.

5/11/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**040611 [Commending the Hawai'i Chamber of Commerce of Northern California]
Supervisor Ma**

Resolution commending the Hawai'i Chamber of Commerce of Northern California.

5/11/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**040612 [Commending the Northern California Chinese Media Association]
Supervisor Ma**

Resolution commending the Northern California Chinese Media Association.

5/11/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**040613 [Commending James Taylor]
Supervisor Maxwell**

Resolution commending James Taylor for his dedication and exemplary service to the community, its schools, and its students.

5/11/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**040614 [Commending Pastor Victor L. Medearis]
Supervisor Maxwell**

Resolution commending Pastor Victor L. Medearis for his dedication and exemplary service to the community.

5/11/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Charter Amendments

- 040597 [Charter Amendment - Board deadlines during recess; votes needed when Board members are disqualified; hold-over appointments; Department of Aging and Adult Services; Commission on the Environment; legislative aides; Board of Education compensation]
Supervisor Gonzalez**

Charter amendment (First Draft) by adding Section 4.101-1, to: toll deadlines for action by the Board when the Board is in recess; reduce the number of votes required at the Board of Supervisors for various actions when one or more Board members are disqualified from voting on a matter because of a conflict of interest; limit hold-over appointments on boards and commissions to 60 days; give the Commission on Aging authority over the Department of Aging and Adult Services; clarify the authority of the Commission on the Environment to consider environmental justice issues and to review City building and land use policies for environmental sustainability; and, delete the specific number of Board aides set in the Charter.

5/11/04, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 6/10/2004. 5/21/04: Referred to Controller; Mayor; City Attorney; Ethics Commission; City Administrator; Director Administrative Services; Planning EIR Officer; Clerk of the Board; Department of Aging and Adult Services; Commission on the Environment; Department of the Environment; Clerk of the Board; Budget Analyst's Office.

Hearings

- 040590 [Housing Element]
Supervisor Hall**

Hearing at which the Planning Department will present a status report on the Housing Element and allow for public comment on the report.

5/11/04, RECEIVED AND ASSIGNED to Land Use Committee.

- 040599 [Summer Employment]
Supervisor Ma**

Hearing to investigate youth interests and opportunities for summer employment working collaboratively with the Youth Commission and the San Francisco Unified School District.

5/11/04, RECEIVED AND ASSIGNED to City Services Committee.

- 040600 [San Francisco's Earthquake Risk]
Supervisor Ma**

Hearing to review "San Francisco's Earthquake Risk," a study done for the city Department of Building Inspection by the Applied Technology Council of Redwood City and to discuss seismic retrofitting to existing buildings in vulnerable areas to strengthen residences against seismic movement.

5/11/04, RECEIVED AND ASSIGNED to City Services Committee.

- 040601 [DPH budget reduction proposals]
Supervisor Sandoval**

Hearing on the budget reduction proposals of the Department of Public Health for fiscal year 2004-05.

5/11/04, RECEIVED AND ASSIGNED to Budget Committee.

**040603 [Emergency Room Diversion Task Force]
Supervisor Sandoval**

Hearing requesting to receive report from the Emergency Room Diversion Task Force.
5/11/04, RECEIVED AND ASSIGNED to Budget Committee.

**040604 [Dearborn Community Garden - its Status and Future]
Supervisor Dufty**

Hearing to consider the status and future of the Dearborn Community Garden in the Mission District.
5/11/04, RECEIVED AND ASSIGNED to City Services Committee.

Motions

**040585 [Commissioners volunteering to resign if they seek elective office]
Supervisor Dufty**

Motion adding Rule 2.32 to the Rules of Order of the Board of Supervisors, requesting that Commissioners appointed by the Board pledge to resign their position, voluntarily, if they decide to seek an elective office of the City and County of San Francisco.
5/11/04, RECEIVED AND ASSIGNED to Rules Committee.

**040595 [Amending No. 2.24 of the Rules of Order]
Supervisor Daly**

Motion amending the Board of Supervisors' Rules of Order, by amending Rule No. 2.24, to require the Clerk of the Board to automatically refer to the Rules Committee any board or commission appointment subject to rejection by the Board pursuant to Charter Section 3.100(17), when that appointment is made by an Acting Mayor.
5/11/04, RECEIVED AND ASSIGNED to Rules Committee.

**040615 [Authorizing lease payment for computer equipment to be used by Budget Analyst]
Supervisor Peskin**

Motion authorizing the Clerk of the Board to make three annual lease payments in the amount of \$6,973.29, and to make a one-time payment in fiscal year 03-04 for sales tax of \$1,748.93, for the lease of computer equipment to be used by the Budget Analyst; and authorizing the Clerk of the Board to deduct \$22,324.60 from payment of the amount owed the Budget Analyst under the contract between the Board of Supervisors and the Budget Analyst.
5/11/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Introduced by the President at the Request of Departments

PROPOSED ORDINANCES

- 040442 [Designating 1305 18th Avenue, the Carnegie Sunset Library, as a Landmark Under Planning Code Article 10]**
Supervisors Peskin, McGoldrick, Maxwell
- Ordinance 1305 18th Avenue, the Carnegie Sunset Branch Library as Landmark No. 239 Pursuant To Article 10, Sections 1004 And 1004.4 Of The Planning Code. (Planning Department)
- 05-17-04 - Supervisors McGoldrick, Maxwell and Peskin requested to be added as co-sponsors.
4/21/04, RECEIVED AND ASSIGNED to Land Use Committee.
- 040450 [Designating 3150 Sacramento Street, the Carnegie Presidio Library, as a Landmark Under Planning Code Article 10]**
Supervisors Peskin, McGoldrick, Maxwell, Alioto-Pier
- Ordinance 3150 Sacramento Street, the Carnegie Presidio Branch Library as Landmark No. 240 Pursuant To Article 10, Sections 1004 And 1004.4 Of The Planning Code. (Planning Department)
- 05-17-04 - Supervisors McGoldrick, Maxwell and Peskin requested to be added as co-sponsors.
4/21/04, RECEIVED AND ASSIGNED to Land Use Committee.
- 040494 [Settlement of Lawsuit - Novoa-Huf, et al.]**
Ordinance authorizing the settlement of lawsuit filed by Linda Novoa-Huf, Ayanda Lumpkin and LaKreisha Crawford against the San Francisco Department of Building Inspection, Michael Rodman, and McCoy's Patrol Services for \$175,000; the lawsuit was filed on December 3, 2002, in San Francisco Superior Court, Case No. 415266, entitled Novoa-Huf, et al. v. Department of Building Inspection, et al. (City Attorney)
4/26/04, RECEIVED AND ASSIGNED to Rules Committee.
- 040572 [Settlement of Lawsuit - Doug Barkus]**
Ordinance authorizing settlement of the lawsuit filed by Doug Barkus against the City and County of San Francisco for \$57,500; the lawsuit was filed on March 4, 2003 in San Francisco Superior Court, Case No. 502-539; entitled Doug Barkus v. City and County of San Francisco, et al. (City Attorney)
5/3/04, RECEIVED AND ASSIGNED to Rules Committee.
- 040573 [Settlement of Lawsuits]**
Ordinance authorizing settlement of federal and state lawsuits and administrative proceedings between the City and County of San Francisco and Tammy Haygood filed in connection with her employment and removal as Director of the Department of Elections including a lawsuit filed on July 17, 2002 in Superior Court, State of California, Case No. CPF 02-501387, entitled City and County of San Francisco, Petitioner v. Civil Service Commission of the City and County of San Francisco, Respondent, Tammy B. Haygood, Real Party in Interest, and a lawsuit filed on July 17, 2002 in United States District Court, Case No. C02-3433 WHA, entitled Tammy B. Haygood v. Michael Mendelson, et al., and authorizing payment of attorneys fees and costs incurred by the City. The material terms of the settlement are Haygood will dismiss with prejudice all claims against San Francisco in these lawsuits and all complaints filed with the California Department of Fair Employment and Housing, the Department of Labor and any other administrative action, and Haygood will reimburse the City for payments of certain wages and benefits if she returns to City employment on or before January 17, 2007. (City Attorney)
5/3/04, RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED RESOLUTIONS

- 040433 [Report of assessment costs for sidewalk and curb repairs - DPW Order No. 174,747]**
Resolution approving report of assessment costs submitted by the Director of Public Works for sidewalk and curb repairs ordered to be performed by said Director pursuant to Sections 707 and 707.1 of the Public Works Code, the costs thereof having been paid for out of a revolving fund, and amending Public Works Order No. 174,311 by deleting the assessed cost of sidewalk repairs at 449 Frederick Street. (Public Works Department)
- (DPW Work Order No. 174,747; Locations: 873 Alvarado Street; 850 Geary Street; 162-164 Langton Street; 168 Langton Street; 170-10th Street; and 3356/3360-24th Street.)
4/22/04, SCHEDULED FOR PUBLIC HEARING. Scheduled for July 13, 2004, at 3:00 p.m.
- 040434 [Settlement of Claim - State Farm Insurance Company as Subrogee for Ginny Pizzardi]**
Resolution approving the settlement of the unlitigated claim filed by State Farm Insurance Company as Subrogee for Ginny Pizzardi against San Francisco for \$27,904.60; Claim No. 04-01488 was filed on November 25, 2003. (City Attorney)
4/26/04, RECEIVED AND ASSIGNED to Rules Committee.
- 040484 [Evaluate a mobile intervention to a late night population of men who have sex with men to reduce their risk of HIV/STD and substance use harm]**
Supervisor Dufty
- Resolution authorizing the San Francisco Department of Public Health, AIDS Office, (SFDPH, AIDS) to accept retroactively and expend a grant in the amount of \$106,788 from the Regents of the University of California San Francisco, Universitywide AIDS Research Program (UCSF,UARP) to evaluate a mobile intervention to a late night population of men who have sex with men to reduce their risk of HIV/STD and substance use harm and to enter into an agreement for the use of these funds; for the period of February 1, 2004 to July 31, 2005. (Public Health Department)
4/27/04, RECEIVED AND ASSIGNED to City Services Committee.
5/3/04, REFERRED TO DEPARTMENT. Referred to Youth Commission for comment and recommendation.
- 040507 [Drug court partnership program for non-violent drug offenders]**
Supervisor Dufty
- Resolution authorizing the San Francisco Department of Public Health (SFDPH) to accept retroactively and expend a grant in the amount of \$425,175 from the California Department of Health Services (CDHS) to provide drug court partnership funds and to enter into an agreement for the use of these funds; for the period of July 1, 2003, to June 30, 2004. (Public Works Department)
4/27/04, RECEIVED AND ASSIGNED to City Services Committee.
5/3/04, REFERRED TO DEPARTMENT. Referred to Youth Commission for comment and recommendation.
- 040569 [Outreach Advertising]**
Resolution designating El Latino to be the outreach newspaper of the City and County of San Francisco for the Hispanic community; Asian Week to be the outreach newspaper of the City and County of San Francisco for the Chinese community; and, the San Francisco Bay View to be the outreach newspaper of the City and County of San Francisco for the African American community, to provide outreach advertising services for the fiscal year commencing July 1, 2004 and ending June 30, 2005. (Purchaser)
4/27/04, RECEIVED AND ASSIGNED to Finance and Audits Committee.

- 040570 [Contracting Out Janitorial Services, Department of Parking and Traffic, FY 03-04]**
Resolution concurring with the Controller's certification that janitorial services can be practically performed by private contractor for lower cost than similar services performed by City and County employees for Fiscal Year 2003-2004. (Parking and Traffic Department)
4/29/04, RECEIVED AND ASSIGNED to Finance and Audits Committee.
- 040571 [Contracting Out Janitorial Services, Department of Parking and Traffic, FY 04-05]**
Resolution concurring with the Controller's certification that janitorial services can be practically performed by private contractor for lower cost than similar services performed by City and County employees for Fiscal Year 2004-2005. (Parking and Traffic Department)
4/29/04, RECEIVED AND ASSIGNED to Finance and Audits Committee.
- 040575 [IHSS Contract Approval - IHSS Consortium of San Francisco]**
Resolution approving the contract between the City and County of San Francisco and the IHSS Consortium of San Francisco for the provision of In-Home Supportive Services for the period from July 1, 2004 to June 30, 2005, in the amount of \$16,085,136. (Human Services Department)
5/5/04, RECEIVED AND ASSIGNED to Finance and Audits Committee.

Requests Granted

From: Supervisor Peskin

To: Director, Department of Public Health

Requesting/Inquiring: What were the terms of negotiations which took place prior to the sick-out by the Radiologic Technology staff at San Francisco General Hospital on April 30, 2004?

What is the current status of the radiologic technologists staffing shortage in the Radiology Department?

What is the current salary of radiologic technologists compared to Bay Area Hospitals?

What are the current terms of negotiations with radiologic technology staff at San Francisco General Hospital?

From: Supervisor McGoldrick

To: City Attorney

Requesting/Inquiring: To draft an ordinance to establish a golf club rate for golf play on CCSF golf courses, and to define what constitutes a golf club for purposes of the ordinance.

From: Supervisor Maxwell

To: City Attorney

Requesting/Inquiring: To draft legislation (1) declaring maximum protection of neighborhoods from parking and traffic impacts from events at Candlestick Park as official city policy and (2) re-establishing the Candlestick Park Transportation Task Force.

From: Supervisor Maxwell

To: City Attorney

Requesting/Inquiring: Requesting report from the City Attorney's Office that details the following information for the most recent three-year period for which information is available, sorted by city department:

1. The number of claims filed, and the nature of these claims.

2. The number of claims settled, the nature of these claims, and the dollar amount paid by the city for each claim.

Supervisor Maxwell requests that this report is submitted to the Board of Supervisors by June 15, 2004.

From: Supervisor Maxwell

To: Director, Department of Parking and Traffic

Requesting/Inquiring: To conduct an investigation of the feasibility to install traffic signals or stop signs at the intersection of Leland Avenue and Cora Street. There are many day care centers around the Visitacion Valley Playground at this intersection; it is a hazard for pedestrians. Officer James Richards of the Ingleside Station (424-5452) is a foot patrol officer for this area and he has witnessed, on many occasions, cars speeding across Leland Avenue and down Cora Street.

Supervisor Maxwell requests that this report is provided to her office by July 2, 2004.

From: Supervisor Maxwell

To: Chief, Police Department

Requesting/Inquiring: Requesting a report on the use of California Highway Patrol for a three-day enforcement operation in San Francisco's Southeast neighborhoods.

Please include the following in the report:

- 1. How the decision was made to undertake the enforcement operation, including who within the City (Mayor, Board of Supervisors, Police Commission) was notified as well as who in the public was notified.*
- 2. The number of cars stopped by the Highway Patrol.*
- 3. The number of citations and arrests made by the Highway Patrol, and for what violations.*
- 4. The number of persons issued citations or arrested who have a record of violent crimes.*
- 5. The number of persons issued citations or arrested who are suspects in homicide cases.*
- 6. The criteria by which the operation will be evaluated by the Police Department.*
- 7. The decision-making process by which the department will decide whether or not to proceed with a similar operation in the future.*

Supervisor Maxwell requests that this report is submitted to the Board of Supervisors by June 1, 2004.

From: Supervisor Hall

To: City Attorney

Requesting/Inquiring: To draft legislation that makes it easier for low to middle income earners, the elderly, and the disabled to be able to purchase their own unit within their apartment, and at the same time assure those who do not purchase their unit, to be granted a lifetime lease, and to make sure that they continue to receive the same protections under rent control.

From: Supervisor Ma

To: General Manager, Recreation and Park Department

Requesting/Inquiring: To explain the department's policy on the posting and removal of documents not authored by department staff on the department's website.

In Memoriams

Allen Cohen (Supervisor Gonzalez)

Ray Bass (Supervisors Dufty, Daly)

Thom Gunn (Supervisors Dufty, Gonzalez)

Mr. "Daddy" Allan H. Selby (Supervisor Dufty)

Chrysanthy "Soula" Leones (Supervisors Sandoval, Ma)

Kenneth Gilmore (Supervisor Peskin)

Charles "Chuck" Crayton (Supervisors Dufty, Maxwell, Ma)

Hilda Williams (Supervisors Gonzalez, Daly)

Patrick P. Maes (Supervisor Dufty)

Aronold Stirewalt Gridley (Supervisor Ma)

Monsignor Thomas Merson (Entire Board)

Marguerite Ann Costello (Supervisors Dufty, Ammiano, Ma)

Cammrin Boyd (Supervisor Daly)

Max Besler (Supervisor Daly)

Thomas Layne (Supervisor Maxwell)

ADJOURNMENT

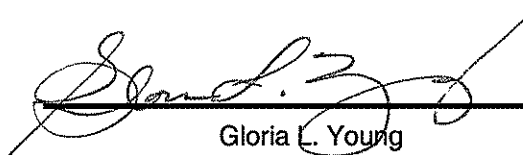
There being no further business, the Board at the hour of 8:02 p.m. adjourned.

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 15, 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