

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, October 19, 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, SEAN ELSBERND, 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, Elsbernd

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
9:00 AM

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

Volume 99 Number 30

Members Present: Michela Alioto-Pier, Tom Ammiano, Chris Daly, Bevan Dufty, Sean Elsbernd, Matt Gonzalez, Fiona Ma, Sophie Maxwell, Jake McGoldrick, Aaron Peskin, Gerardo Sandoval.

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:14 p.m. On the call of the roll all Supervisors were noted present.

Quorum present.

APPROVAL OF MEETING MINUTES

Supervisor Elsbernd, seconded by Supervisor Daly, moved to approve September 21, 2004 and September 28, 2004 Meeting Minutes. The motion carried by the following vote:

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

AGENDA CHANGES

CONSENT AGENDA

Recommendations of the City Services Committee

041098 [Accept-Expend Federal Grant]
Supervisors Ma, Dufty

Resolution authorizing the Department of Children, Youth and Their Families to accept and expend a grant in the amount of \$339,964 from the United States Department of Justice, Violence Against Women Office for Safe Havens. (Department of Children, Youth & Their Families)

Resolution No. 632-04
ADOPTED

**041337 [Accept-Expend Federal/State Pass Through Grant]
Supervisor Dufty**

Resolution authorizing the Department of Public Library to accept and expend a grant in the amount of \$4,257 from the California State Library as part of the Federal Library Services and Technology Act (LSTA) for reimbursing tuition expenses of library employees pursuing a degree or certificate in library science at an institution of higher education. (Public Library)

Resolution No. 635-04
ADOPTED

041236 [Liquor License, 580 Sutter Street]

Resolution determining that the transfer of a Type 48 on-sale general public premises license from One Sansome Street to 580 Sutter Street (District 6) to Clint Worden for Plan B. Bar Inc. will serve the convenience and necessity 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. 633-04
ADOPTED

Recommendation of the Finance and Audits Committee

**041246 [Approval to Negotiate Prices for Construction Trade Packages for the Laguna Honda Hospital Replacement Program]
Supervisors Elsbernd, Ammiano**

Ordinance authorizing the Department of Public Works to negotiate prices for trade packages for the construction of the Laguna Honda Hospital Replacement Program.

(Fiscal impact.)

Ordinance No. 252-04
FINALLY PASSED

Recommendation of the Land Use Committee

- 040365 [Ordinance amending Planning Code Section 312 to remove notice and review procedures for changes of use and add notice and review procedures for changes of use to a formula retail use]
Supervisors Gonzalez, Peskin, Maxwell, Dufty, Sandoval, Daly**

Ordinance amending Planning Code Section 312 to remove notice and review procedures for changes of use, add notice and review procedures for changes of use to a formula retail use, to require that changes of use to bars, liquor stores, walkup facilities, other large institutions, other small institutions, restaurants, massage establishments, outdoor activities, or adult or other entertainment uses be subject to the notification and review procedures of Section 312, receive review for compliance with Neighborhood Commercial Design Guidelines and on-site noticing for 15 days, and to require that the Planning Department update and make available its list of neighborhood organizations with interests in specific properties or areas, and to provide that if a neighborhood organization required to receive project notification is not sent notice the proposed project must be re-noticed.

**Ordinance No. 258-04
FINALLY PASSED**

Recommendations of the Rules Committee

- 041191 [Settlement of Claim - CCSF v. WCB More II Limited Partnership, et al.]**

Ordinance authorizing settlement of relocation benefits claim of California Bank & Trust Company by the payment of \$340,000, arising from litigation entitled City and County of San Francisco v. WCB More II Limited Partnership, et al., filed on September 10, 1998 as San Francisco Superior Court Case No. 997-764. (City Attorney)

**Ordinance No. 253-04
FINALLY PASSED**

- 041206 [Settlement of Lawsuit - Yvette Castillo]**

Ordinance authorizing settlement of the lawsuit filed by Yvette Castillo against San Francisco General Hospital and the City and County of San Francisco for \$96,400; the lawsuit was filed on April 30, 2003 in San Francisco Superior Court, Case No. 416346 entitled Yvette Castillo v. San Francisco General Hospital, City and County of San Francisco. (City Attorney)

**Ordinance No. 254-04
FINALLY PASSED**

- 041207 [Settlement of Lawsuit - Leanna Mossi, et al.]**

Ordinance authorizing settlement of the lawsuit filed by Leanna Mossi against the City and County of San Francisco for \$97,500; the lawsuit was filed on November 21, 2002 in San Francisco Superior Court, Case No. 414-929; entitled Leanna Mossi, et al., v. City and County of San Francisco, et al. (City Attorney)

**Ordinance No. 255-04
FINALLY PASSED**

- 041282 [Settlement of Unlitigated Claim - National Airlines]
Mayor**

Ordinance approving settlement of an unlitigated claim by the City and County of San Francisco, acting by and through its Airport Commission (the "Airport"), against National Airlines ("National") by approving a Settlement Agreement pursuant to which National will pay to the Airport \$12,374.23.

PASSED, ON FIRST READING

**041342 [Settlement of Lawsuit - Apartment Investment and Management Company, aka AIMCO, et al.]
Supervisor Daly**

Ordinance authorizing settlement of a lawsuit filed by the City and County of San Francisco against AIMCO and seven of its corporate affiliates, filed on January 30, 2002 in San Francisco Superior Court, Case No. GCG 02-404-010, entitled City and County of San Francisco, et al., v. Apartment Investment and Management Company, aka AIMCO, et al., relating to code violations at four apartment buildings in Bayview/Hunters Point, and a cross-complaint against the City and certain individual employees filed on January 28, 2003; the settlement provides for payment to the City of a total of \$3,000,000 plus an additional contingent payment of \$500,000; \$1,000,000 of the \$3,000,000 payment from AIMCO will be dedicated to improving public safety in the area through helping establish a new Hunters Point/Bayview S.F. Boys and Girls Club with an associated Police Department Office; the settlement also provides that AIMCO has abated or will abate all notices of violation issued by the Department of Building Inspection that were the subject of the lawsuit; and approving satisfaction of DBI fees for AIMCO's proposed renovation of the Properties, through AIMCO's payment of settlement funds to the City. (City Attorney)

PASSED, ON FIRST READING

The foregoing items were acted upon by the following vote:

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

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of the Finance and Audits Committee

**041173 [Funding from bond proceed sales of General Obligation and Lease Revenue bonds for improvement and construction of open space/ neighborhood park projects and to re-appropriate prior year Open Space project funding to active current fiscal year projects]
Supervisors McGoldrick, Elsbernd, Gonzalez, Daly, Ammiano**

Ordinance appropriating \$68,800,000 of bond sale proceeds from General Obligation Bonds to fund the improvement and construction of parks and open space (as part of Proposition A) appropriating \$27,005,000 of bond sales proceeds from Lease Revenue Bonds to fund at least 11 neighborhood park improvement projects and various additional projects; and re-appropriating \$2,783,973 of prior year Open Space project funding to various active capital improvement projects in current fiscal year 2004-05 for a total amount of \$98,588,973; and releasing \$2,000,000 in reserve, funded through Revenue Bonds, for capital projects; and placing the amounts of \$68,800,000, \$27,005,000, \$191,700 and \$3,273,272 on reserve.

(Fiscal impact.)

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

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

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

PASSED ON FIRST READING AS AMENDED by the following vote:

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

Recommendation of the Rules Committee

041215 [Appointment - Planning Commission]

Motion approving the Mayor's appointment of Dwight Alexander to the Planning Commission term ending July 1, 2008. (Mayor)

(Section 4.105 of the City Charter provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days of the date the nomination is transmitted to the Clerk then the nominee shall be deemed approved; companion measure to File 041216.)

Transmittal date - August 24, 2004.

Motion No. M04-112

APPROVED by the following vote:

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

From the Rules Committee Without Recommendation

041220 [Appointment - Planning Commission]

Motion approving the Mayor's appointment of Dr. Michael Antonini to the Planning Commission term ending July 1, 2008. (Mayor)

(Section 4.105 of the City Charter provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days of the date the nomination is transmitted to the Clerk then the nominee shall be deemed approved; companion measure to File 041221.)

Transmittal date - August 24, 2004.

Motion No. M04-113

APPROVED by the following vote:

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

NEW BUSINESS

Recommendations of the City Services Committee

**031932 [Restricting the sale or transfer of 50 caliber firearms and ammunition, requiring reporting of firearm thefts, and deleting obsolete provisions regulating firearms]
Supervisors Gonzalez, Dufty, Daly**

Ordinance amending the Police Code by deleting Sections 552, 556 and 557, relating to possession of firearms by minors and possession of facsimile firearms in order to conform to state law, amending Section 602 to delete redundant provisions and provisions relating to air guns in order to conform to state law; amending Sections 613.1, 613.10 and 613.10-1 to delete requirements relating to "Saturday Night Specials," restrictions on the sale of large capacity magazines and various other requirements relating to firearms dealers in order to conform to state law and add new requirements in Section 613.10-1 to restrict the sale or transfer of 50 caliber firearms and ammunition; amending Sections 613.2 and 613.3 to require the Chief of Police to conduct a background check on applicants for a firearms dealer license and such applicants' employees; amending Sections 613, 613.10-3, 613.12, 613.16, 613.19, 617 and 618 to make technical and conforming corrections; amending Section 613.10-2, restricting the sale of ultracompact firearms to update findings and exceptions to restrictions on sales, deleting Sections 614 through 616, relating to reporting of firearms sales by dealers in order to conform to state law, renumbering existing Sections 617 and 618 as Sections 614 and 615; and adding a new Section 616, requiring owners of firearms to report the loss or theft of a firearm to the Police Department.

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

PASSED ON FIRST READING by the following vote:

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

**041148 [Dance and Place of Entertainment Permits-security requirements, increased penalty for violation]
Supervisors Maxwell, Dufty, Alioto-Pier, Ma, Gonzalez, Daly, Ammiano**

Ordinance amending San Francisco Police Code Sec. 1022 to define "security plan"; amending Police Code Sec. 1023 to require applicants for dance permits to have a security plan, and to require owners or managers of places that are rented to persons planning to use the facility for a dance to inform such persons that a permit is required for such activity; amending Police Code Sec. 1027 to make the violation of Secs. 1023 through 1026 an infraction or a misdemeanor, to increase the maximum penalty for violation thereof to \$1000, and subject to revocation of the permit; amending Police Code Sec. 1060 to define "security plan"; amending Police Code Sec. 1060.5 to revise determination of application criteria to require a security plan; amending Police Code Sec. 1060.25 to increase the maximum penalty for violation of Article 15.1 to an infraction or a misdemeanor, to increase the maximum penalty for violation thereof to \$1000, and subject to revocation of the permit; adding Police Code Sec. 1060.29 to require one night event permits for one night events; and amending Police Code Sec. 2.26 to include one night events under the schedule of permits and filing fees.

Amended on page 7, line 15, by replacing "Chief of Police" with the "Entertainment Commission".

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

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

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

PASSED ON FIRST READING AS AMENDED by the following vote:

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

- 041150 [Revising graffiti clean-up requirements for property owners and revising enforcement and abatement procedures where property owners fail to remove graffiti]
Supervisors Elsbernd, Dufty, Ma, Alioto-Pier, McGoldrick, Gonzalez**

Ordinance amending Article 23 of the San Francisco Public Works Code by (1) amending Sections 1301 through 1304, deleting existing Section 1305, amending and retaining part of existing Section 1306 as renumbered Section 1305, and amending and placing part of existing Section 1306 in new Section 1306, to require that property owners either remove graffiti from their property or request a hearing within 30 days of receiving a notice of violation, clarify and streamline review procedures for graffiti violations, and authorize special assessments to recover graffiti removal costs; and (2) making technical corrections to Sections 1307 and 1308.

Supervisors McGoldrick and Gonzalez requested to be added as co-sponsors.

PASSED ON FIRST READING by the following vote:

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

- 041178 [Declaring blighted vacant lots to be a nuisance and authorizing DPW to abate such nuisances at the owners' expense following notice and opportunity for hearing]
Supervisors Elsbernd, Dufty, Ma, McGoldrick, Gonzalez**

Ordinance amending Article 15 of the Public Works Code by adding Sections 735 through 735.4 to declare blighted vacant lots a public nuisance, require owners to abate such nuisances and authorize DPW to abate such nuisances at the owners' expense following written notice from DPW and the opportunity for a hearing.

Supervisors McGoldrick and Gonzalez requested to be added as co-sponsors.

PASSED ON FIRST READING by the following vote:

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

Recommendations of the Finance and Audits Committee

- 041245 [To substitute funds in General Fund for parking tax revenue currently appropriated to programs for Senior Citizens]
Mayor, Supervisors Ma, Dufty, Elsbernd, Ammiano, Alioto-Pier, Peskin, Maxwell**

Ordinance substituting \$10,710,000 of parking tax revenue currently appropriated to programs for senior citizens with \$10,710,000 of General Fund for fiscal year 2004-05, as part of the September 9, 2004 state Court of Appeals ruling in the case City & County of San Francisco vs. Flying Dutchman Park, Inc.

(Fiscal impact.)

PASSED ON FIRST READING by the following vote:

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

**041309 [Public Employment - DPH, OES, Fire, Police, Sheriff, and Port]
Supervisor Ma**

Ordinance amending Ordinance No. 198-04 (Annual Salary Ordinance 2004/2005) to reflect the creation of forty-two positions and the deletion of six positions in the following departments: Public Health, Office of Emergency Services, Fire, Police, Sheriff, and Port.

(Fiscal impact.)

PASSED ON FIRST READING by the following vote:

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

**041313 [Payment of Reward - Jane Doe]
Mayor**

Ordinance authorizing payment of a \$12,500.00 reward to Jane Doe for supplying information leading to the arrest and conviction of the perpetrators who murdered Shayne Worcester.

PASSED ON FIRST READING by the following vote:

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

**041314 [Payment of Reward to three John Does]
Mayor**

Ordinance authorizing payment of a \$10,000.00 reward to be split amongst three John Does for supplying information leading to the arrest and conviction of the perpetrator responsible for the death of Parrish Wingard.

PASSED ON FIRST READING by the following vote:

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

**041319 [Sewer Service Utility Contract]
Supervisor Alioto-Pier**

Resolution authorizing the San Francisco Public Utilities Commission General Manager to execute the First Amendment to the Sewer Service Utility Contract (No. 1443CX061094018) with The Presidio Trust for the purpose of extending the existing contract term by six (6) months through March 30, 2005.

(Fiscal impact.)

Resolution No. 634-04

ADOPTED by the following vote:

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

Recommendations of the Rules Committee

- 040988 [Prohibiting contractors from disclosing private information about individuals obtained from the City and County without written approval or authorization by law]**
Supervisors McGoldrick, Peskin, Maxwell, Ammiano, Gonzalez, Alioto-Pier, Elsbernd, Daly

Ordinance amending the San Francisco Administrative Code by adding a new Chapter 12M to prohibit contractors from disclosing to any person or entity private information about individuals obtained from the City and County in the performance of the contract unless the contract authorizes the disclosure, the contractor first obtains the written approval of the contracting department, or the disclosure is authorized or required by law.

Supervisor Elsbernd requested to added as a co-sponsor.

PASSED ON FIRST READING by the following vote:

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

- 040989 [Granting a bid preference of twenty percent to each contractor who will perform all services to be required by a contract in the United States of America]**
Supervisors McGoldrick, Alioto-Pier, Daly, Ammiano

Ordinance amending the San Francisco Administrative Code by adding a new Chapter 12I to grant a bid preference of twenty percent to each contractor who will perform all services to be required by a contract in the United States of America.

Continued to November 2, 2004

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

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

- 041213 [Appointment - Board of Appeals]**

Motion approving the Mayor's appointment of Frank Fung to the Board of Appeals for the term ending July 1, 2008. (Mayor)

(Section 4.106 of the City Charter provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days of the date the nomination is transmitted to the Clerk then the nominee shall be deemed approved; companion measure to File 041214.)

Transmittal date - August 24, 2004.

Motion No. M04-111

APPROVED by the following vote:

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

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

Supervisor Alioto-Pier welcomed, introduced and presented a Commendation to a representative of the Whirlwind Wheelchair International. (WWI)

SPECIAL ORDER 4:00 P.M.**041275 [Public Hearing - Appeal of Revised Certificate of Determination of Exemption from Environmental Review - American Buddhist Cultural Society Building located at 1730-1750 Van Ness Avenue]**

Hearing of persons interested in or objecting to the decision of the Planning Department dated August 13, 2004, Case No. 2003.0657E, approving the proposed project to include: a renovation and vertical addition to the existing one-story-plus-mezzanine American Buddhist Cultural Society building; an expanded second level and construction of third and fourth levels for a total of four stories and a total height of approximately 70 feet; and add approximately 16,798 gross square feet (gsf) to the existing building for a total square footage of 27,758 gsf, located at 1730-1750 Van Ness Avenue, Assessor's Block 0622, Lot 019. (Appellant: 1776 Sacramento Street Homeowners Association, represented by the Law Offices of Stephen M. Williams).

(Filed September 9, 2004; companion measure to Files 041276, 041277, 041278; District 3.)

Continued to November 16, 2004

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

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

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

(Only one of the following two motions should be adopted.)**041276 [Affirming the categorical exemption issued for 1730-1750 Van Ness Avenue]**

Motion affirming the determination by the Planning Department that the 1730-1750 Van Ness Avenue project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Continued to November 16, 2004

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

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

041277 [Disapproving the categorical exemption issued for 1730-1750 Van Ness Avenue]

Motion disapproving the determination by the Planning Department that the 1730-1750 Van Ness Avenue project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Continued to November 16, 2004

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

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

041278 [Preparation of findings related to the categorical exemption issued for 1730-1750 Van Ness Avenue]

Motion directing the Clerk of the Board to prepare findings related to the appeal of the determination by the Planning Department that the 1730-1750 Van Ness Avenue project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Continued to November 16, 2004

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

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

ROLL CALL FOR INTRODUCTIONS**PUBLIC COMMENT**

*Abdullah Megaheed; homeless issues
Bruce Ellison; sanctuary shelter closings
Steve Shapiro; Yes on Prop 67
Dr. Mark Snyder, St. Luke's Hospital; Yes on Prop 67
Dick Hops, Health Consortiums; Yes on Prop 67
Ted Green, SF General Hospital; Yes on Prop 67
Representative for No on Prop 68; request for a resolution opposing Prop. 68
Carl Score; Yes on Prop 67
Jennifer Freidenbach; homeless issues and shelter closing
Male Speaker; homeless issues
Female Speaker; zoo elephant issues
Tom Donohue; Local 2 issues
Male Speaker; homeless seniors
Dr. Ellington Katz; homeless issues and zoo elephants issues
George Scott; homeless issues*

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.

**041403 [Legislative Analyst Request - Public Defibrillators and Public Siting]
Supervisor Daly**

Motion requesting an examination of the City's current policy on siting defibrillators in public buildings and an analysis of what other cities have done on this topic.

APPROVED by the following vote:

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

**041404 [Legislative Analyst Request - Limited Equity Conversion (File No. 032031)]
Supervisor Daly**

Motion requesting the Legislative Analyst to analyze the impact of the entire legislation on the City's rental housing stock, vacancy rate, and low and high income renters. The Legislative Analyst is requested to have the report ready by November 10, 2004.

APPROVED by the following vote:

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

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.

**041405 [Binational Health Week]
Supervisor Ammiano**

Resolution declaring October 11 to 18, 2004 as Binational Health Week and urges the people of San Francisco County to join the people of Mexico and all Californians of Mexican origin in observing and participating Binational Health Week.

Resolution No. 636-04
ADOPTED

**041409 [Honoring the Jewish Community Relations Council]
Supervisors Dufty, Peskin, Ma, Alioto-Pier**

Resolution honoring the Jewish Community Relations Council.

Resolution No. 637-04
ADOPTED

**041410 [Commending Debra Lehane]
Supervisor Dufty**

Resolution commending Debra Lehane on the occasion of her retirement.

Resolution No. 638-04
ADOPTED

**041411 [Supporting applications for the State funding of the Museum of the African Diaspora]
Supervisors Dufty, Maxwell, Ma, Alioto-Pier, Elsbernd, Daly**

Resolution urging support for the Museum of the African Diaspora by the California Cultural and Historical Endowment.

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

Resolution No. 639-04

ADOPTED

**041412 [Commending the Golden Gate Business Association]
Supervisors Dufty, Ammiano**

Resolution commending the Golden Gate Business Association, on the occasion of their 30th anniversary.

Resolution No. 640-04

ADOPTED

**041413 [Recognizing October 26, 2004 as the first annual Intersex Awareness Day]
Supervisors Dufty, Ammiano, Daly**

Resolution recognizing October 26, 2004 as the first annual Intersex Awareness Day.

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

Resolution No. 646-04

ADOPTED

**041414 [Supporting the California Cultural and Historical Endowment grant applications of the Recreation and Park Department]
Supervisors Elsbernd, Dufty**

Resolution supporting the California Cultural and Historical Endowment grant applications to the California State Library Department in order to provide for funding for Sunnyside Conservatory Renovation, Harvey Milk Performing Arts Center, 24th and York Mini Park.

Resolution No. 641-04

ADOPTED

**041415 [Commending Shirley Wysinger]
Supervisor Gonzalez**

Resolution expressing appreciation to Shirley R. Wysinger for 30 years of dedicated public service on the occasion of her retirement from the Redevelopment Agency of the City and County of San Francisco.

Resolution No. 642-04

ADOPTED

**041416 [Angel Island Immigration Station Restoration and Preservation Act]
Supervisors Ma, Maxwell, Dufty, Alioto-Pier, Daly**

Resolution urging the San Francisco Congressional delegation to support the Angel Island Immigration Station Restoration and Preservation Act.

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

Resolution No. 647-04

ADOPTED

**041417 [Breast Cancer Awareness Month]
Supervisors Ma, Maxwell, Alioto-Pier, Dufty**

Resolution declaring October 2004 to be "Breast Cancer Awareness Month" in the City and County of San Francisco.

Resolution No. 643-04

ADOPTED

**041418 [San Francisco African American Historical & Cultural Society]
Supervisors Maxwell, Dufty**

Resolution recognizing and commending the San Francisco African American Historical & Cultural Society for their dedication and commitment to contributing to the development and growth of San Francisco's African American community.

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

Resolution No. 644-04

ADOPTED

**041420 [Fair Labor Contract]
Supervisors Peskin, Sandoval, McGoldrick, Gonzalez, Maxwell, Daly, Ammiano, Alioto-Pier, Ma, Elsbernd, Dufty**

Resolution urging residential building employers to negotiate a fair contract that enables residential workers to meet the rising cost of living and maintains their access to affordable health care for themselves and their families.

Resolution No. 648-04

ADOPTED

**041422 [Commending Deputy City Attorney David Fernando Campos Miyares]
Supervisor Peskin**

Resolution commending David Fernando Campos Miyares for more than five years of exemplary public service to San Francisco as a Deputy City Attorney on the Litigation Team, the Government Team and the Energy and Telecommunications Team of the City Attorney's Office, and wishing him well in his future endeavors as General Counsel for the San Francisco Unified School District.

Resolution No. 645-04

ADOPTED

041423 [Gift Acceptance]
Mayor

Resolution accepting a gift in the amount of \$25,000 from breretonArchitects, Inc. and authorizing its expenditure to develop supportive housing for seniors.

Resolution No. 649-04
ADOPTED

041390 [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. M04-114
APPROVED

041436 [Emergency Declaration Concurrence]

Emergency Declaration Concurrence

Motion concurring in the October 12, 2004 Declaration of the Existence of a Local Emergency for Limited Purposes by the Mayor, and in the actions taken to meet the emergency. (Mayor)

Motion No. M04-115
APPROVED

The foregoing items were acted upon by the following vote:

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

Severed from Without Committee Reference Agenda

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

041406 [Family Economic Self Sufficiency]
Supervisors Ammiano, Daly

Resolution adopting "Family Economic Self Sufficiency" as a goal toward which the City and County will strive to achieve and will make concerted efforts to move families out of poverty towards economic self-sufficiency through legislation initiative, budgetary planning decisions and executive policy directives.

Continued to October 26, 2004

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

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

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

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

041407 [Supporting the Emergency Medical Care Initiative]
Supervisors Ammiano, Maxwell, McGoldrick, Dufty, Alioto-Pier, Daly

Resolution supporting the passage of Proposition 67, the Emergency Medical Care Initiative on the 2004 November ballot.

Continued to October 26, 2004

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

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

Supervisor Alioto-Pier requested that this matter be severed so that it might be considered separately.

041408 [Rejecting the issuance of a conditional waiver to San Francisco Cycling, LLC]
Supervisor Daly

Resolution rejecting the conditional waiver for the cost of police services provided to San Francisco Cycling, LLC for the 2004 T-Mobile International Bike Race and for the upcoming 2005, 2006 and 2007 T-Mobile International Bike Race.

(Fiscal impact.)

Supervisor Daly requested that this matter be continued to October 26, 2004.

Supervisor Alioto-Pier requested that this matter be referred to Committee.

REFERRED to the Finance and Audits Committee.

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

041419 [Honoring Raoul Wallenberg]
Supervisors Peskin, Dufty, Elsbernd, Gonzalez, Daly, Ma

Resolution proclaiming Raoul Wallenberg to be an honorary citizen of the City and County of San Francisco.

Continued to October 26, 2004

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

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

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

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

**041421 [Supporting Bringing America Home Act (H.R. 2897)]
Supervisors Peskin, Daly**

Resolution supporting the Bringing America Home Act (H.R. 2897), currently pending in the 108th Congress, and urging its passage by the United States Congress.

Continued to October 26, 2004

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

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

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

OFF-AGENDA LEGISLATION

Introduced by Supervisors or Mayor

Ordinances

**041449 [Establishing a Shelter Monitoring Committee]
Supervisor Gonzalez**

Ordinance adding Article XII to Article 20 of the San Francisco Administrative Code to establish a Shelter Monitoring Committee to monitor and report on emergency homeless shelters funded in whole or in part by the City.

10/19/04, RECEIVED AND ASSIGNED to Rules Committee.

**041450 [Commodities or services purchased with federal grant funds for the enhancement of homeland security]
Supervisors Ma, Daly**

Ordinance amending San Francisco Administrative Code Section 21.5 to allow the Purchaser to develop regulations for the purchase of commodities or services using federal grant funds for the enhancement of homeland security where the purchase does not exceed \$100,000.

10/19/04, RECEIVED AND ASSIGNED to Finance and Audits Committee.

- 041456 [Contribution limits for contractors doing business with the Unified School District and Community College District]**
Supervisors Gonzalez, Alioto-Pier, Daly, Ammiano
- Ordinance amending section 1.126 of the Campaign and Governmental Conduct Code to extend the contractor contribution limits imposed by that section to contractors doing business with the San Francisco Unified School District and the San Francisco Community College District.
10/19/04, RECEIVED AND ASSIGNED to Rules Committee. 11/23/04 - Board of Education notified of meeting.
12/01/04 - Referred to Ethics Commission for review and recommendation.
12/14/04 - Received response from the Ethics Commission, approving amendment in favor of adoption.
- 041458 [Small Business Tax Relief Act]**
Supervisors Elsbernd, Alioto-Pier, Dufty, Ma, Maxwell, Peskin
- Ordinance amending the San Francisco Business and Tax Regulations Code by adding a new Chapter 21 to give tax relief to small business enterprises.
10/19/04, ASSIGNED UNDER 30 DAY RULE to Finance and Audits Committee, expires on 11/18/2004.
- 041459 [Alternative bid process for construction trade packages for the construction of the California Academy of Sciences Facility]**
Supervisor McGoldrick
- Ordinance authorizing the Recreation and Park Commission to implement an alternative bid process for construction trade packages for the construction of the California Academy of Sciences Facility.
10/19/04, RECEIVED AND ASSIGNED to Land Use Committee.
- 041461 [S.F. Zoo-Keeping Elephants Prohibited]**
Supervisor Gonzalez
- Ordinance adding Section 5.09 to the Park Code to prohibit the keeping of elephants at the San Francisco Zoo by any City department or contractor.
10/19/04, RECEIVED AND ASSIGNED to City Services Committee.
- 041462 [Tour buses prohibited on Mason Street between Bay Street and Columbus Avenue]**
Supervisor Peskin
- Ordinance adding Police Code Section 1183.33 to prohibit the driving of tour buses on Mason Street between Bay Street and Columbus Avenue.
10/19/04, RECEIVED AND ASSIGNED to Land Use Committee.
- 041463 [Animal Care & Control - Investigation of complaints at San Francisco Zoo]**
Supervisor Gonzalez
- Ordinance amending S. F. Health Code Sec. 41.4 to authorize the Animal Care and Control Department to investigate complaints regarding animal care at the San Francisco Zoo and to work with the General Manager of the Recreation and Park Department and the Director of the Zoo to remedy any deficiencies in animal care.
10/19/04, RECEIVED AND ASSIGNED to City Services Committee.

**041465 [Residential Permit Parking Exemption - Itinerant Teachers]
Supervisors Ammiano, Dufty**

Ordinance authorizing the Department of Parking and Traffic to issue city-wide permits to exempt San Francisco Unified School District itinerant teachers and designated school administrators from Residential Permit Parking regulations.

10/19/04, RECEIVED AND ASSIGNED to Land Use Committee.

**041466 [Extending the Yerba Buena Center Redevelopment Plan by One Year]
Supervisor Daly**

Ordinance amending the Yerba Buena Center Redevelopment Plan to extend by one year the time limit on the effectiveness of the Yerba Buena Center Redevelopment Plan and the time limit to receive property taxes and repay indebtedness pursuant to Senate Bill 1045.

10/19/04, RECEIVED AND ASSIGNED to Finance and Audits Committee.

**041467 [Extending Redevelopment Agency's Times for Incurring and Repaying Debt for Affordable Housing Development]
Supervisor Daly**

Ordinance approving, for the redevelopment plans listed below, the extension of existing time limits in each plan for establishment of loans, advances and indebtedness and for repayment of indebtedness for the exclusive purpose of financing Low and Moderate Income Housing Fund activities: (1) the Embarcadero-Lower Market (Golden Gateway) Redevelopment Plan, (2) the Hunters Point Redevelopment Plan, (3) the India Basin Industrial Park Redevelopment Plan.

10/19/04, RECEIVED AND ASSIGNED to Finance and Audits Committee.

Resolutions

**041455 [MOU between the San Francisco Police Department and the San Francisco Housing Authority for additional police services]
Supervisor Maxwell**

Resolution retroactively approving the Memorandum of Understanding between the San Francisco Police Department and the San Francisco Housing Authority for additional police services in designated Housing Authority Developments.

10/19/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**041457 [Accept and Expend Federal Funds - Fiscal Year 2004 Lead Hazard Control Grant Program]
Supervisor Ammiano**

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 for lead-based paint hazard reduction in a total amount not to exceed \$3,000,000.

10/19/04, RECEIVED AND ASSIGNED to Finance and Audits Committee.

**041460 [Tabulating ranked choice votes for the November 2nd, 2004 Election]
Supervisor Gonzalez**

Resolution directing the Department of Elections and urging the Elections Commission to release timely and substantial ranked choice ballot information.

10/19/04, RECEIVED AND ASSIGNED to Rules Committee. Sponsor requests this item be scheduled at the October 27, 2004 meeting.

**041464 [Grattan Park]
Supervisor Gonzalez**

Resolution urging the Recreation and Park Department to designate Grattan Park as a 'Mixed Use' park, creating an area for a dog run which will not interfere with soccer games and posting signs that will designate boundaries for both uses.

10/19/04, RECEIVED AND ASSIGNED to City Services Committee.

**041474 [Andrew Greene Day]
Supervisor Ammiano**

Resolution declaring October 29th, 2004 as Andrew Greene Day in the City and County of San Francisco.

10/19/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**041475 [First in Solar Week]
Supervisors Ammiano, Dufty, Daly**

Resolution declaring October 18 -22, 2004 as "San Francisco - First in Solar Week" in the City and County of San Francisco.

10/19/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**041476 [Commending PlanetOut, Inc.]
Supervisors Dufty, Ammiano**

Resolution commending PlanetOut, Inc. for persevering through financial hardship to complete an IPO, and to continue to serve, entertain, and support the gay, lesbian, bisexual and transgender communities while facing these hardships, and for overcoming adversity to forge a hopeful future for members of the community as well as its subscribers.

10/19/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**041477 [Hotel Worker Lockout]
Supervisors Gonzalez, Daly, McGoldrick**

Resolution urging the San Francisco Hotels Multi-Employer Group to end the lockout of over 4,000 workers and urging the San Francisco Convention and Visitor's Bureau to notify all visitors of non-cooperation on the part of the San Francisco Hotels Multi-Employer Group and of their refusal to allow workers to return to their jobs.

10/19/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**041478 [Filipino American History Month]
Supervisors Ma, Dufty, Daly, McGoldrick**

Resolution declaring October 2004 as "Filipino American History Month" in the City and County of San Francisco.

10/19/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**041479 [Accept-Expend Federal/State Pass Through Grant]
Supervisors Ma, Dufty, McGoldrick**

Resolution authorizing the Department of Public Library to accept and expend a grant in the amount of \$100,000 from the California State Library as part of the Federal Library Services and Technology Act (LSTA) for purchasing materials that help meet the needs of Chinese and Russian immigrants in San Francisco.

10/19/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**041481 [STOP sign - Filbert Street Westbound at Powell Street]
Supervisor Peskin**

Resolution designating the intersection of Filbert Street at Powell Street as a "STOP" intersection.

10/19/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**041482 [Urging the United States Congress to pass and President George W. Bush to sign into law the Filipino Veterans Bills H.R. 677 and S. 88]
Supervisors Sandoval, Gonzalez, Daly, Ma, McGoldrick**

Resolution urging United States Congress to pass and President George W. Bush to sign into law the Filipino Veterans Bills H.R. 677 and S. 88.

10/19/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Requests for Hearing

041446 [Hearing - Hotel Worker Lockout]

Hearing to consider the impact of the lockout of hotel employees by the San Francisco Hotels Multi-Employer Group and possible measures the City can take to ameliorate the situation. (Clerk of the Board)
10/19/04, ASSIGNED to Board of Supervisors. Pursuant to File 041447, Board to sit as a Committee of the Whole on October 22, 2004, at 10:00 a.m.

**041468 [Department of the Environment's Environmental Justice Program]
Supervisor Maxwell**

Hearing on the Department of the Environment's Environmental Justice Program to focus on: (a) Objectives and work program; (b) Plans to secure funding and staffing into the future; and (c) Proposal to expend remaining funds in the Environmental Justice Grant Program.
10/19/04, RECEIVED AND ASSIGNED to Finance and Audits Committee.

**041469 [Water Delivery System in the Event of an Earthquake]
Supervisors Ma, Dufty**

Hearing to review and discuss the delivery system of our water in the event of an earthquake.
10/19/04, RECEIVED AND ASSIGNED to City Services Committee.

**041470 [Services to Families with Children Exposed to Violence]
Supervisor Ma**

Hearing to review and discuss San Francisco's strategy for improving systems, developing policy, and delivering coordinated services to families with children exposed to violence.
10/19/04, RECEIVED AND ASSIGNED to City Services Committee.

**041471 [Fiscal Impact of the Closure of Episcopal Sanctuary]
Supervisor Daly**

Hearing regarding the closure of Episcopal Sanctuary.
10/19/04, RECEIVED AND ASSIGNED to Finance and Audits Committee.

**041472 [Police Drug Raid of Mission District Family]
Supervisor Ammiano**

Hearing on the results of the investigation by both the San Francisco Police Department and the Office of Citizens Complaints regarding the recent case of police drug raid of Mission District family, which later turned out to be a case of mistaken identity.
10/19/04, RECEIVED AND ASSIGNED to City Services Committee.

Motions

**041447 [Hotel Worker Lockout - October 22, 2004 Committee of the Whole]
Supervisor Gonzalez**

Motion for the Board of Supervisors to convene as a Committee of the Whole on October 22, 2004 at 10:00 a.m. to consider the impact of the lockout of hotel employees by the San Francisco Hotels Multi-Employer Group and possible measures the City can take to ameliorate the situation.

10/19/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**041448 [Legislative Analyst Request - Neighborhood Theaters]
Supervisor McGoldrick**

Motion requesting the Legislative Analyst to draft a report describing efforts undertaken and being considered by the City to address the issue of loss of neighborhood theaters. Please complete a draft of this report for introduction and adoption by the Board of Supervisors by November 9, 2004. This report is required under state law to be completed by the Board of Supervisors ten (10) days prior to the expiration of any temporary moratorium imposed by the City, such as that recently passed by the Board of Supervisors as an Urgency Ordinance and signed by the Mayor on October 14, 2004. The report, therefore, must be adopted by November 19. In order for the Board to adopt the report on November 16, it must be introduced at a previous Board meeting, the closest one being November 2, 2004.

10/19/04, ASSIGNED to Board of Supervisors. Scheduled for Board consideration October 26, 2004.

**041473 [Legislative Analyst Request - San Francisco's Graffiti Laws and Enforcement Practices]
Supervisors Elsbernd, Ammiano**

Motion requesting the Legislative Analyst to prepare a brief report comparing San Francisco's graffiti laws and enforcement practices to those in Chicago, New York City, Los Angeles, and Boston.

10/19/04, ASSIGNED to Board of Supervisors. Scheduled for Board consideration October 26, 2004.

Brief report desired delivery date: December 19, 2004.

PROPOSED ORDINANCES

041388 [Settlement of Lawsuit - Turlock Irrigation District]

Ordinance authorizing settlement of the lawsuit filed by the City and County of San Francisco against Turlock Irrigation District for Declaratory and Injunctive Relief to Validate Termination of Long-Term Power Sales Agreement; the City and County of San Francisco filed the lawsuit on August 13, 2001 in San Francisco Superior Court (San Francisco Superior Court Case No. 323717). (City Attorney)

10/7/04, RECEIVED AND ASSIGNED to Rules Committee.

041427 [Settlement of Lawsuit - Armstrong, et al., v. CCSF, et al.]

Ordinance authorizing settlement of claims made by James Armstrong in a multi-party action against the City and County of San Francisco for \$50,000.00, placement in Step 3 of current 5173 classification, and payment of the difference between the Step 3 pay rate and the pay rate actually received by James Armstrong retroactive to April 26, 2003; the lawsuit was filed on July 9, 2001 in United States District Court, Northern District, Case No. C01-2611; entitled Armstrong, et al., v. City and County of San Francisco, et al. (City Attorney)

10/8/04, RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED RESOLUTIONS**041338 [Settlement of Claim - Shon Escamillo]**

Resolution approving the settlement of unlitigated claim of Shon Escamillo against San Francisco for \$29,000; claims was filed on June 24, 2003. (City Attorney)
9/30/04, RECEIVED AND ASSIGNED to Rules Committee.

041339 [Settlement of Claim - Narvette Lewis Deshay]

Resolution approving the settlement of the unlitigated claim filed by Narvette Lewis Deshay against San Francisco for \$100,000; claim was filed on October 20, 2003. (City Attorney)
9/30/04, RECEIVED AND ASSIGNED to Rules Committee.

041344 [Develop and implement an automated immunization and reminder system in San Francisco, as part of a statewide system]

Supervisors Dufty, Ammiano

Resolution authorizing the San Francisco Department of Public Health (SFDPH) to accept retroactively and expend grant funds in the amount of \$31,686 from the California Department of Health Services (CDHS) to enable San Francisco to participate in an automated statewide immunization information system and to enter into an agreement for the use of these funds; for the period of July 1, 2004, to June 30, 2005. (Public Health Department)

9/30/04, RECEIVED AND ASSIGNED to City Services Committee.

10/8/04, REFERRED TO DEPARTMENT. Referred to Youth Commission for comment and recommendation.

Supervisor Dufty requested to be as added as sponsor.

041345 [Expand treatment capacity for homeless addicts in San Francisco through residential treatment and service coordination and add two positions]

Supervisor Dufty

Resolution authorizing the San Francisco Department of Public Health (SFDPH) to accept and expend retroactively a grant in the amount of \$499,999 for the third year of a three year grant from the Substance Abuse and Mental Health Services Administration (SAMHSA) for the homeless addict vocational and educational network (HAVEN), to enter into an agreement for the use of these funds, and to add two new positions not included in the original grant; for the period of September 30, 2004 to September 29, 2005. (Public Health Department)

9/30/04, RECEIVED AND ASSIGNED to City Services Committee.

10/4/04, REFERRED TO DEPARTMENT. Referred to Youth Commission for comment and recommendation.

Supervisor Dufty requested to be as added as sponsor.

**041346 [State grant to expand homeless services to the mentally ill]
Supervisors Dufty, Ammiano**

Resolution authorizing the San Francisco Department of Public Health, Community Behavioral Health Services (SFDPH, CBHS) to accept retroactively and expend a grant in the amount of \$423,964 from the California Department of Mental Health (CDMH) to expand homeless services to the mentally ill; for the period of July 1, 2004, to June 30, 2005.

9/30/04, RECEIVED AND ASSIGNED to City Services Committee.

10/4/04, REFERRED TO DEPARTMENT. Referred to Youth Commission for comment and recommendation.

Supervisor Dufty requested to be as added as sponsor.

041369 [FY 2004-05 California Constitution Appropriations Limit]

Resolution establishing the appropriations limit for Fiscal Year 2004-05 pursuant to California Constitution Article XIII B. (Controller)

9/29/04, RECEIVED AND ASSIGNED to Finance and Audits Committee.

041385 [Street Encroachment at 199 Geary Street - Security Pacific Place]

Resolution granting revocable permission to CHH Realty, Inc. c/o Neiman Marcus to occupy a portion of the public right-of-way located on Security Pacific Place, off O'Farrell Street between Stockton Street and Grant Avenue, to construct and maintain a service ramp/driveway, to access and connect to a loading dock at the rear frontage of the Neiman Marcus store at 199 Geary Street (Block 0313, Lot 018) and making findings of consistency with the priority policies of Planning Code Section 101.1. (Public Works Department)

10/5/04, RECEIVED AND ASSIGNED to Land Use Committee.

041386 [Encroachment Permit Fiber Optic lines along Spear Street for The Gap]

Resolution granting revocable permission to The Gap to occupy a portion of the public right-of-way to construct, install and maintain new conduits, manholes and fiber optic lines on Spear Street to interconnect buildings at #2 Folsom Street (Block 3741, Lot 035), 345 Spear Street (Block 3744, Lot 003) and #1 Harrison Street (Block 3769, Lot 002A); assessing an annual rental cost for said the encroachment; and making findings of consistency with the General Plan and priority policies of Planning Code Section 101.1. (Public Works Department)

10/5/04, RECEIVED AND ASSIGNED to Land Use Committee.

041389 [STOP Intersections]

Resolution designating certain intersections as "STOP" intersections.

STOP SIGNS - ESTABLISH

Baker and Broadway, making this intersection an All-Way STOP;

19th and York Streets, stopping 19th Street at York Street, making this intersection an All-Way STOP;

Douglass and Jersey Streets, stopping Jersey Street at Douglass Street, stopping the stem of this uncontrolled T-intersection;

24th Street at Treat Avenue, stopping 24th Street at Treat Avenue, making this intersection an All-Way STOP; and

17th Avenue and Moraga Street, stopping 17th Avenue at Moraga Street, making this intersection an All-Way STOP. (Parking and Traffic Department)

(10/6/04: 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. 2887.)

10/7/04, RECEIVED AND ASSIGNED to Land Use Committee.

041424 [Traffic Regulations]

Supervisor Elsbernd

Resolution enacting and rescinding traffic regulations on various streets.

ONE-WAY STREET - ESTABLISH

16th Avenue, northbound, between Rivera and Santiago Streets. (Parking and Traffic Department)

(10/6/04: 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. 2887.)

10/7/04, RECEIVED AND ASSIGNED to Land Use Committee.

**041425 [Parking Regulations]
Supervisor Elsbernd**

Resolution enacting and rescinding parking regulations at various locations.

RESIDENTIAL PERMIT PARKING AREA "H" (2-HOUR TIME LIMIT, 8 AM - 6 PM, MONDAY THROUGH FRIDAY) - ESTABLISH

21st Avenue, both sides, between Ocean Avenue and Sloat Boulevard (2900 block); and Sloat Boulevard, south side, between 20th and 21st Avenues (400 block).

RESIDENTIAL PERMIT PARKING AREA "Z" (2-HOUR TIME LIMIT, 8 AM - 6 PM, MONDAY THROUGH FRIDAY) - ESTABLISH

21st Street, both sides, between Dolores and Guerrero Streets (3400 block).

RESIDENTIAL PERMIT PARKING AREA "U" (2--HOUR TIME LIMIT, 8 AM - 10 PM, EVERYDAY) - ESTABLISH

248-254 Ritch Street, west side, between Brannan and Bryant Streets (adds even addresses only, no permit parking signs will be posted on this block).

PARKING METER AREA NO. 3 (9 AM – 6PM, MONDAY THROUGH SATURDAY) - ESTABLISH

Bacon Street, north side, from San Bruno Avenue to 135 feet easterly.

TOW-AWAY, NO STOPPING ANYTIME - RESCIND

Bacon Street, north side, from 125 to 135 feet east of San Bruno Avenue.

UNMETERED MOTORCYCLE PARKING - ESTABLISH

Plum Street, north side, from Mission Street to 31 feet easterly (31-foot zone, accommodating 5 motorcycle parking spaces). (Parking and Traffic Department)

10/7/04, RECEIVED AND ASSIGNED to Land Use Committee.

041428 [Agreement to sell real property related to the former Central Freeway parcels located on Elm Street near Gough Street]

Resolution approving and authorizing agreement for the sale by the City, at fair market value, of certain real property known generally as a portion of Lot 23, Assessor's Block 761 to the San Francisco Federal Credit Union; adopting findings pursuant to the California Environmental Quality Act; adopting findings that the conveyance is consistent with the City's general plan and eight priority policies of City Planning Code Section 101.1; and authorizing the Director of Property to execute documents and take certain actions in furtherance of this resolution. (Real Estate Department)

10/8/04, RECEIVED AND ASSIGNED to Finance and Audits Committee.

041434 [Report of assessment costs for sidewalk and curb repairs]

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. (Public Works Department)

(DPW Order No. 175,026; Locations: 1990 California Street; 1306 Clayton Street.)

10/8/04, SCHEDULED FOR PUBLIC HEARING to Board of Supervisors. Scheduled for January 11, 2005, at ___ p.m.

Requests Granted

From: Supervisor Ammiano

To: Chief of Police

To: Director, Office of Citizen Complaints

Requesting/Inquiring: To notify the Chief of Police and the Director of Office of Citizen Complaints to consider the recent case of a police drug raid on a Mission District family, which later turned out to be a case of mistaken identity; and that a committee hearing will be called in the near future.

From: Supervisor Elsbernd

To: Director, Department of Parking and Traffic

Requesting/Inquiring: To report on the feasibility of installing stop signs at the intersection of Juanita and Rex and Juanita and Del Sur.

In Memoriams

Izora Armstead (Supervisors Dufty, Ammiano)

Jilma Serina (Supervisor Dufty)

Joseph Rodrigues Bisho Jr. "Rod" (Supervisor Elsbernd)

Kenneth Sullivan (Supervisor Elsbernd)

ADJOURNMENT

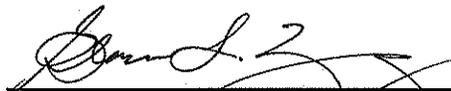
There being no further business, the Board at the hour of 4:05 p.m. adjourned.

Gloria L. Young, Clerk of the Board

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 November 16, 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