

BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

*City Hall, 1 Dr. Carlton B.
Goodlett Place
San Francisco, CA 94102-4689*

MEETING MINUTES

Tuesday, April 19, 2005 2:00 PM

Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Regular Meeting

*AARON PESKIN, PRESIDENT
MICHELA ALIOTO-PIER, TOM AMMIANO, CHRIS DALY,
BEVAN DUFTY, SEAN ELSBERND, FIONA MA, SOPHIE MAXWELL,
JAKE MCGOLDRICK, ROSS MIRKARIMI, GERARDO SANDOVAL
Gloria L. Young, Clerk of the Board*

BOARD COMMITTEES

Committee Membership

Budget and Finance Committee

Supervisors Ammiano, Daly, Elsbernd, Ma, McGoldrick

Budget and Finance Subcommittee

Supervisors Ammiano, Daly, Elsbernd

City and School District Select Committee

Supervisors Ammiano, Maxwell, Ma, Commissioners Chin, Kelly, Wynns, Delegate Wong

City Operations and Neighborhood Services Committee

Supervisors McGoldrick, Dufty, Ma

Government Audit and Oversight Committee

Supervisors Peskin, Elsbernd, Mirkarimi

Land Use Committee

Supervisors Maxwell, Sandoval, McGoldrick

Rules Committee

Supervisors Alioto-Pier, Mirkarimi, Peskin

Meeting Days

Thursday

1:00 PM

Thursday

11:00 AM

2nd Monday (Bi-Monthly)

4:00 PM

1st and 3rd Monday

1:00 PM

2nd and 4th Monday

1:00 PM

Wednesday

1:00 PM

Wednesday

10:00 AM

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

Volume 100 Number 15

Members Present: Tom Ammiano, Chris Daly, Bevan Dufty, Sean Elsbernd, Fiona Ma, Sophie Maxwell, Jake McGoldrick, Ross Mirkarimi, Aaron Peskin, Gerardo Sandoval.

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:06 p.m. On the call of the roll Supervisor Alioto-Pier was noted absent.

Quorum present.

*Supervisor Alioto-Pier was previously excused from attending today's meeting.
(See Infra)*

Supervisor Alioto-Pier Excused from Attendance

Supervisor McGoldrick, seconded by Supervisor Elsbernd, moved to excuse Supervisor Alioto-Pier from attending today's meeting. The motion carried by the following vote:

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

APPROVAL OF MEETING MINUTES

Supervisor Sandoval, seconded by Supervisor McGoldrick, moved to approve March 15, 2005 Meeting Minutes. The motion carried by the following vote:

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

COMMUNICATIONS

CONSENT AGENDA

Recommendations of the Budget and Finance Subcommittee

050416 [Health Service System Plans]

Ordinance approving the 2005-2006 health, vision and dental plans of the Health Service System, and the rates applicable to those plans. (Human Resources Department)

(Fiscal impact.)

Ordinance No. 72-05

FINALLY PASSED

**050414 [Gift - Private]
Supervisors Ma, Dufty**

Resolution authorizing the Department of Public Health, San Francisco General Hospital to accept a gift in the amount of \$138,766 from the Avon Foundation, via the San Francisco General Hospital Foundation, for the purchase of technical and logistical services in support of the operation of the mobile mammography facility vehicle, donated to the City in 2004, by the University of California, San Francisco. The mobile mammography facility vehicle provides services to indigent and under-served women in San Francisco. (Public Health Department)

**Resolution No. 292-05
ADOPTED**

050419 [PUC Commercial Paper Issuance]

Resolution approving the substitution of the letter of credit with respect to the San Francisco Public Utilities Commission's Commercial Paper Notes (Water Series) and related matters. (Public Utilities Commission)

**Resolution No. 291-05
ADOPTED**

Recommendations of the Rules Committee

050328 [Settlement of Lawsuit - Mary Jane Gregory]

Ordinance authorizing settlement of the lawsuit filed by Mary Jane Gregory against the City and County of San Francisco for \$30,000.00; the lawsuit was filed on February 13, 2003 in the San Francisco Superior Court, Case No. 417384; entitled Mary Jane Gregory v. City and County of San Francisco, et al.

PASSED, ON FIRST READING

050418 [Settlement of Lawsuit - James Tucker]

Ordinance authorizing settlement of the lawsuit filed by James Tucker against the City and County of San Francisco for \$60,000; the lawsuit was filed on September 9, 2003 in San Francisco Superior Court, Case No. 424-256; entitled James Tucker, et al. v. City and County of San Francisco, et al. (City Attorney)

PASSED, ON FIRST READING

050581 [Settlement of Claims - Pacific Gas & Electric Company]

Ordinance approving the partial settlement of claims asserted by the City and County of San Francisco in the bankruptcy proceeding entitled In Re Pacific Gas & Electric Company, United States Bankruptcy Court, Northern District of California, Case No. 01-30923-DM, and by Pacific Gas & Electric Company against the City and County of San Francisco in that same proceeding. (City Attorney)

PASSED, ON FIRST READING

050389 [Settlement of Claim - Beatrice Mouser]

Resolution approving the settlement of the unlitigated claim filed by Beatrice Mouser against San Francisco for \$125,000; claim was filed on October 21, 2004. (City Attorney)

**Resolution No. 289-05
ADOPTED**

050583 [Appointment - Immigrant Rights Commission]

Resolution appointing Elahe Enssani, term ending June 6, 2006, and Anthony Chukwuemeka Eke, term ending June 6, 2005, to the Immigrant Rights Commission, residency requirement waived.

Elahe Enssani, succeeding Houston Zheng, seat 9, resigned, must be an immigrant to the United States who is appointed in accordance with Section 4.101 of the Charter. In addition, members shall have a demonstrated knowledge of and interest in the health, human service, educational, or employment issues that affect immigrants residing in San Francisco, for the unexpired portion of a two-year term ending June 6, 2006.

Anthony Chukwuemeka Eke(residency requirement waived), succeeding Jose Ricardo Bondoc, seat 10, resigned, must be an immigrant to the United States who is appointed in accordance with Section 4.101 of the Charter. In addition, members shall have a demonstrated knowledge of and interest in the health, human service, educational, or employment issues that affect immigrants residing in San Francisco, for the unexpired portion of a two-year term ending June 6, 2005.

Resolution No. 287-05

ADOPTED

050584 [Appointment - Urban Forestry Council]

Resolution appointing Larry Costello, Bonnie Fisher, Carolyn Blair, Kelly Quirke, Stephen Griswold, Michael Sullivan, and Jocelyn Cohen, terms ending April 5, 2007, to the Urban Forestry Council.

Larry Costello, succeeding himself, term expiring, seat 1, must be a representative of the University of California Cooperative Extension or a representative of another educational organization involved with tree management, for a two-year term ending April 5, 2007.

Bonnie Fisher, succeeding herself, term expiring, seat 2, must be a representative of the tree management profession, for a two-year term ending April 5, 2007.

Carolyn Blair, succeeding herself, term expiring, seat 3, must be a representative of a non-profit organization involved in urban forestry or other environmentally-related issues, for a two-year term ending April 5, 2007.

Kelly Quirke, succeeding himself, term expiring, seat 4, must be a representative of a non-profit organization involved in urban forestry or other environmentally-related issues, for a two-year term ending April 5, 2007.

Stephen Griswold, succeeding himself, term expiring, seat 5, must be a representative of the Golden Gate National Recreation Area, for a two-year term ending April 5, 2007.

Michael Sullivan, succeeding himself, term expiring, seat 6, must be a representative of the community, for a two-year term ending April 5, 2007.

Jocelyn Cohen, succeeding herself, term expiring, seat 7, must be a representative of the community, for a two-year term ending April 5, 2007.

Resolution No. 286-05

ADOPTED

The foregoing items were acted upon by the following vote:

Ayes: 10 - Ammiano, Daly, Duffy, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Alioto-Pier

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of the Land Use Committee

041767 [Zoning Map Amendment for 2350-19th Avenue]

Ordinance amending the San Francisco Planning Code by amending Sectional Map 6 of the Zoning Map of the City and County of San Francisco and changing the use classification of the property located at 2350-19th Avenue, and identified as Assessor's Block No. 2347, Lot No. 004G, from a zoning designation of P (Public) to RH-2 (Residential, House, Two-Family); and adopting General Plan, Planning Code Section 101.1(b), and environmental findings. (Planning Department)

Ordinance No. 73-05

FINALLY PASSED by the following vote:

Ayes: 9 - Ammiano, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Noes: 1 - Daly

Excused: 1 - Alloto-Pier

From the Land Use Committee and Committee of the Whole

050218 [Seventh Amendment to Redevelopment Plan for the Western Addition Project Area A-2] Mayor, Supervisor Mirkarimi

Ordinance approving and adopting the Seventh Amendment to the Redevelopment Plan for the Western Addition Project Area A-2 to amend elements of the density, parking, height and bulk restrictions for five (5) sites referred to as Parcel 732-A and 725-C (also known as the Jazz Center Site), Parcel A, Parcel C, Rosa Parks and the Muni Substation; adopting findings pursuant to the California Environmental Quality Act; adopting findings that the Redevelopment Plan Amendment is consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; and adopting other findings pursuant to the California Community Redevelopment Law.

Ordinance No. 74-05

FINALLY PASSED by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Excused: 1 - Alloto-Pier

From the Committee of the Whole

050624 [Regulation of Electioneering Communications]

Ordinance amending the San Francisco Campaign and Governmental Conduct Code by adding Section 1.161.5 to create disclosure and filing requirements for the sponsors of electioneering communications and by amending Section 1.134 to include electioneering communications within the type of communications that could cause the Ethics Commission to lift the City's expenditure ceilings.

Ordinance No. 75-05

FINALLY PASSED by the following vote:

Ayes: 9 - Ammiano, Daly, Dufty, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Noes: 1 - Elsbernd

Excused: 1 - Alioto-Pier

NEW BUSINESS**Recommendation of the Budget and Finance Subcommittee****050369 [2005 Annual Fundraising Drive]**

Resolution designating those agencies qualified to participate in the 2005 Annual Joint Fundraising Drive for officers and employees of the City and County of San Francisco.

Resolution No. 278-05

ADOPTED by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Excused: 1 - Alioto-Pier

Recommendation of the Land Use Committee**050495 [Grant of Regional Funds]**

Supervisor Peskin

Resolution authorizing the Municipal Transportation Agency to accept and expend \$4,290,000 of Regional Measure 2 funds for Municipal Railway Capital Project.

Resolution No. 290-05

ADOPTED by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Excused: 1 - Alioto-Pier

SPECIAL ORDER 3:00 P.M

050287 [Public Hearing - Appeal of Final Mitigated Negative Declaration for 606-624 Divisadero Street and 1278 Hayes Street]

Hearing of persons interested in or objecting to the decision of the Planning Department, approving a Final Mitigated Negative Declaration (Case No. 2003.0807E) adopted and issued on November 29, 2004, for the proposed construction of two mixed-use buildings on Divisadero Street and one all-residential building on Hayes Street after demolition of an existing 12,000 gross-square-foot (gsf) building at 616 Divisadero Street, currently used as a church (currently a Baptist Church and before that the Harding Theater). The two proposed buildings on Divisadero Street would be identical 9,615 gsf, four-story, mixed-use buildings each with approximately 2,500 gsf of commercial use on portions of the first two levels, and four residential dwelling units on the remainder of the four floors. The proposed building on Hayes Street would be a 30,631 gsf, four-story building with 10 dwelling units on all four levels. The entire proposed project would include 18 dwelling units, 18 off-street parking spaces, and approximately 5,000 gsf of commercial space in three buildings that would each be four stories, approximately 46 feet in height. Off-street parking for all three buildings would be located in the Hayes Street building. The project site at 616 Divisadero Street (Assessor's Block 1202, Lot 002J) is an L-shaped lot with frontages on both Divisadero and Hayes Streets and is approximately 13,285 square feet. The project site is zoned NC-2 (Small-Scale Neighborhood Commercial and is within a 65-A height and bulk district. (Appellant: Arthur D. Levy of Levy, Ram & Olson LLP Attorneys representing Central City Progressives.)

(Appeal filed February 15, 2005; companion measure to Files 050288, 050289, 050290; District 5.)

Arthur Levy, Attorney for the appellant and Jim Reuben, Attorney for the project sponsor agreed to a 5 minute hearing on the timely filing of the appeal.

*Arthur Levy, Attorney for appellant
David Silverman, Reuben & Junius, attorney for project sponsor*

*The President inquired as to whether or not a member of the public wished to address the Board.
There were none.*

*The President declared the public comment closed on the matter of timely filing of the appeal.
Elaine Warren, Deputy City Attorney and Cheryl Adams, Deputy City Attorney, Larry Badiner, Planning Department responded to questions from the Board regarding the process and procedures for this matter.*

Appeal was deemed timely filed.

Larry Badiner, Planning Department informed the Board members that they are not prepared to hear the negative declaration. Planning Department rescinded the negative declaration and will issue a new negative declaration.

President informed the Board that Items 19-26 are no longer before the Board for consideration due to the Planning Department's rescinding of the negative declaration.

HEARD AT PUBLIC HEARING.

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the final mitigated negative declaration decision 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.)

- 050288 [Finding mitigated negative declaration appeal of 606-624 Divisadero Street/1278 Hayes Street timely]**
Motion finding the appeal of the mitigated negative declaration issued on November 29, 2004, for 606-624 Divisadero Street/1278 Hayes Street timely filed. (Clerk of the Board)

Motion No. M05-58

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

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

- 050289 [Finding appeal of the mitigated negative declaration for 606-624 Divisadero Street/1278 Hayes Street untimely]**

Motion finding the appeal of the negative declaration issued on November 29, 2004 for 606-624 Divisadero Street/1278 Hayes Street not timely filed. (Clerk of the Board)

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

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

- 050290 [Preparation of findings related to the timeliness of the mitigated negative declaration appeal for 606-624 Divisadero Street/1278 Hayes Street]**

Motion directing the Clerk of the Board to prepare findings related to the timeliness of the mitigated negative declaration appeal for 606-624 Divisadero Street/1278 Hayes Street. (Clerk of the Board)

Motion No. M05-54

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

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

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

- 050400 [Affirm approval of the mitigated negative declaration for 606-624 Divisadero Street/1278 Hayes Street]**
Motion affirming Planning Department adoption of the mitigated negative declaration for 606-624 Divisadero Street/1278 Hayes Street. (Clerk of the Board)

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

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

- 050401 [Reversing approval of the negative declaration for 606-624 Divisadero Street/1278 Hayes Street]**
Motion reversing the Planning Department approval of the mitigated negative declaration for 606-624 Divisadero Street/1278 Hayes Street. (Clerk of the Board)

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

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

050402 [Preparation of findings to reverse approval of the mitigated negative declaration for 606-624 Divisadero Street/1278 Hayes Street]

Motion directing the Clerk of the Board to prepare findings reversing the Planning Department's approval of the mitigated negative declaration for 606-624 Divisadero Street/1278 Hayes Street. (Clerk of the Board)

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

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

050087 [Public Hearing - Conditional Use Appeal for 606-624 Divisadero Street and 1278 Hayes Street]

Hearing of persons interested in or objecting to the Planning Commission by its Motion No. No.16921 dated December 9, 2004, approving Conditional Use Application No. 2003.0807CEK, subject to certain conditions, allowing the development of a lot greater than 9,999 square feet and the creation of parking in amounts greater than accessory on a lot in an NC-2 (Small Scale Neighborhood Commercial) District and a 65-A Height and Bulk District, on property located at 606-624 Divisadero Street and 1278 Hayes Street, northeast corner of Divisadero and Hayes Streets; Lot 002J, Assessor's Block 1202. (Appellant: David Tornheim, representing the Central City Progressives.)

(Filed 1/10/05; companion measure to Files 050087, 050088, 050089, 050090, 050091; District 5.)

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

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

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the conditional use application decision 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.

050091 [Environmental Review - 606-624 Divisadero Street and 1278 Hayes Street]

Motion certifying review of Final Negative Declaration relating to proposed Conditional Use of Property at 606-624 Divisadero Street and 1278 Hayes Street, and adopting findings pursuant to Planning Code Section 101.1. (Clerk of the Board)

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

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

(Only one of the following two motions should be adopted.)**050088 [Appeal, Conditional Use - 606-624 Divisadero Street and 1278 Hayes Street]**

Motion approving decision of the Planning Commission by its Motion No. 16921, approving Conditional Use Application 2003.0807CEK on property located at 606-624 Divisadero Street and 1278 Hayes Street, and adopting findings pursuant to Planning Code Section 101.1. (Clerk of the Board)

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

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

050089 [Appeal, Conditional Use - 606-624 Divisadero Street and 1278 Hayes Street]

Motion disapproving decision of the Planning Commission by its Motion No. 16921, approving Conditional Use Application 2003.0807CEK on property located at 606-624 Divisadero Street and 1278 Hayes Street. (Clerk of the Board)

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

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

050090 [Findings - 606-624 Divisadero Street and 1278 Hayes Street]

Motion directing the Clerk of the Board to prepare findings relating to proposed Conditional use Application No. 2003.0807CEK on property located at 606-624 Divisadero Street and 1278 Hayes Street, for action by the Board at its next meeting. (Clerk of the Board)

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

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

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

Supervisor Elsbernd 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 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Alioto-Pier

Supervisor Peskin introduced, welcomed and presented a Certificate of Honor to members of the Armenian American Community in recognition of the 90th Anniversary of the Armenian Genocide.

SPECIAL ORDER 4:00 P.M.

050481 [Public Hearing - Appeal of Certification of Determination of Exemption/Exclusion from Environmental Review for San Francisco Bicycle Plan Policy Framework]

Hearing of persons interested in or objecting to the decision of the Planning Department dated January 11, 2005, Case No. 2004.0420E, exempting from environmental review the proposed project regarding revision of the 1997 San Francisco Bicycle Plan. There are two major components to the San Francisco Bicycle Plan update – the Policy Framework and the Network Improvement Document. The San Francisco Bicycle Plan Policy Framework is a public policy document that provides an overview of the policies and components of a successful bicycle program. The San Francisco Bicycle Framework presents changes to the 1997 Plan by emphasizing updates to: bicycle policy and chapter topics presented in the 1997 Plan; incorporation of new design guidelines for a wide range of bicycle facilities; and a "blueprint" for potential expansion and refinement of the existing Bicycle Network. The San Francisco Bicycle Plan Policy Framework has seven goals and objectives: (1) increase safe bicycle use, (2) refine and expand the existing bicycle route network, (3) ensure plentiful, high-quality bicycle parking to complement the bicycle route network, (4) adopt bicycle-friendly practices and policies, (5) promote safe bicycling, (6) increase enforcement of bicycle-related violations, and (7) prioritize and increase bicycle funding.

The second component of the overall Bicycle Plan is the Network Improvement Document, which identifies potential projects to improve bicycle transportation throughout San Francisco. The Network Improvement Document will be reviewed under a separate environmental review. (Appellants: Mary Miles and Coalition for Adequate Review [CFAR] and Ninety-nine Percent)

(Filed March 15, 2005; companion measure to Files 050482, 050483, 050384.)

Mary Miles, Appellant, requesting a continuance
Marilyn Amini; requesting a continuance
Andy Thornley, Bicycle Advisory Committee; against a continuance
Lia Scham; Bicycle Advisory Committee; against a continuance
Keith Sagas; District 3; against a continuance
Robert Anderson; requesting a continuance
Judith Berkowitz; requesting a continuance
Chair, Bicycle Advisory Committee; against a continuance

Mary Miles, Appellant
Rob Anderson; support of appellant
Marilyn Amini; support of appellant

The President inquired as to whether or not any other member of the public wished to address the Board.
There were no more speakers.
The President declared the public hearing closed.

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

Andy Thornley, Bicycle Advisory Committee; support of Planning Department's recommendation
Chair, Bicycle Advisory Committee; support of Planning Department's recommendation
Jason Henderson; support of Planning Department's recommendation
Lia Scham, Bicycle Advisory Committee; support of Planning Department's recommendation

Representative, Department of Parking and Traffic

Rebuttal Period: Mary Miles, Appellant

HEARD AT PUBLIC HEARING.

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the certification of determination of exemption/exclusion from environmental review decision 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.)

050482 [Affirming the general rule exclusion issued for the Bicycle Plan: Policy Framework]

Motion affirming the determination by the Planning Department that the San Francisco Bicycle Plan: Policy Framework is exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Motion No. M05-55

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

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

050483 [Disapproving the general rule exclusion issued for the Bicycle Plan: Policy Framework]

Motion disapproving the determination by the Planning Department that the San Francisco Bicycle Plan: Policy Framework is exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

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

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

050484 [Preparation of findings related to the general rule exclusion issued for the Bicycle Plan: Policy Framework]

Motion directing the Clerk of the Board to prepare findings related to the appeal of the determination by the Planning Department that the San Francisco Bicycle Plan: Policy Framework is exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

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

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

COMMITTEE REPORTS

**041625 [Confirming appointment of Rich Peterson to the San Francisco Redevelopment Agency]
Mayor**

Resolution confirming the appointment of Rich Peterson, term ending September 3, 2008, to the San Francisco Redevelopment Agency.

Resolution No. 285-05

ADOPTED by the following vote:

Ayes: 9 - Ammiano, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Noes: 1 - Daly

Excused: 1 - Alioto-Pier

**050589 [Confirming appointment of Francee Covington to the San Francisco Redevelopment Agency]
Mayor**

Resolution confirming the appointment of Francee Covington, term ending September 3, 2008, to the San Francisco Redevelopment Agency.

Resolution No. 284-05

ADOPTED by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Excused: 1 - Alioto-Pier

**050590 [Confirming the appointment of London Breed to the San Francisco Redevelopment Agency]
Mayor**

Resolution confirming the appointment of London Breed, term ending September 3, 2007, to the San Francisco Redevelopment Agency.

Resolution No. 283-05

ADOPTED by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Excused: 1 - Alioto-Pier

**050598 [Accept-Expend Federal Funding - Community Development Block Grant]
Mayor**

Resolution approving the 2005 Community Development Program; and authorizing the Mayor, on behalf of the City and County of San Francisco, to accept and expend the City's 2005 Community Development Block Grant (CDBG) entitlement from the U.S. Department of Housing and Urban Development, and Program Income of \$31,336,306 which include indirect costs of \$120,000, and approving expenditure schedules for recipient departments and agencies and for indirect costs.

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

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Excused: 1 - Alioto-Pier

Resolution approving the 2005 Community Development Program; and authorizing the Mayor, on behalf of the City and County of San Francisco, to accept and expend the City's 2005 Community Development Block Grant (CDBG) entitlement from the U.S. Department of Housing and Urban Development, and Program Income of \$31,511,306, and approving expenditure schedules for recipient departments and agencies and for indirect costs; placing \$262,517, on reserve.

Resolution No. 295-05
ADOPTED AS AMENDED.

050600 [Federal Funding - Emergency Shelter Grants Program]
Mayor

Resolution approving the 2005 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 \$923,756 entitlement grant under the Emergency Shelter Grants Program from the U.S. Department of Housing and Urban Development.

Resolution No. 294-05
ADOPTED by the following vote:

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

050599 [Accept-Expend Federal Funding - HOME Program]
Mayor

Resolution authorizing the Mayor of the City and County of San Francisco to accept and expend the City's 2005 HOME Program entitlement grant from the U.S. Department of Housing and Urban Development (HUD) and Program Income of \$10,804,442 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 2005 Action Plan for San Francisco's Consolidated Plan.

Resolution No. 293-05
ADOPTED by the following vote:

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

ROLL CALL FOR INTRODUCTIONS

Pursuant to the Board of Supervisors Rule No. 3.9

Supervisor Daly provided the Board an update on the Joint Powers Board on which he represents the Board of Supervisors.

PUBLIC COMMENT

Abdullah Megaheed; showed concern over general issues
James Chaffee; expressed concern with SF Library issues
Walter; expressed concern with transportation issues
John DiDonna; showed concern over anti-gay articles
Eugene Gordon; showed concern over racist issues and remarks
Melinda Felix, Child are Advisory; showed support for a resolution to increase reimbursement rates for child development centers, support of Item 51
Carol Husbands, SF Unified Child Development; showed support for a resolution to increase reimbursement rates for child development centers, support of Item 51
Margaret; showed support for a resolution to increase reimbursement rates for child development centers, support of Item 51
Patrick Monette Shaw; opposed to a resolution condemning homophobia and misogyny, Item 54
Male Speaker; support of resolution Transit Village Plans, Item 46
Female speaker; expressed concern of child safety

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.

**050641 [Legislative Analyst Request - Count of Homeless People]
 Supervisor Daly**

Motion requesting the Legislative Analyst to research and make recommendations on methodologies and standards for conducting the count of homeless people, with attention on interaction with government institutions and the overall quality of life of homeless people in San Francisco.

APPROVED.

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.

**050629 [Supporting Mayor's Energy Conservation Account]
 Supervisors Mirkarimi, Ammiano**

Resolution in support of sustaining the Mayor's Energy Conservation Account (MECA) fund and directing the SFPUC to implement funding for solar and efficiency projects.

Resolution No. 297-05

ADOPTED

050630 [Settlement of San Francisco's potential claims against companies for images stenciled on city sidewalks for reimbursement to city in the amount of \$7,000.00, and a \$96,000 donation to the San Francisco Clean City Coalition]

Supervisors Dufty, Alioto-Pier, Ma, Maxwell

Resolution approving settlement of San Francisco's potential claims for fines, penalties and damages against NBC Universal, Inc., the USA Network, and related entities (the "Companies") arising out of the stenciling of marketing images on City sidewalks. Under the settlement, the companies: (1) shall pay \$7,000.00 to San Francisco to reimburse the City for its out-of-pocket costs arising out of the incident; (2) shall make a \$96,000.00 donation to the San Francisco Clean City Coalition; and (3) agree to make best efforts to prevent the perpetration of similar acts in the future. In exchange, San Francisco shall fully release the Companies from potential claims arising out of the stencils.

Resolution No. 288-05

ADOPTED

050631 [California Million Solar Roofs Initiative]

Supervisors Ammiano, Daly, Mirkarimi

Resolution supporting the California Million Solar Roofs initiative (SB 1).

Resolution No. 274-05

ADOPTED

050647 [Legislative bill number SB 521: Transit Village Plans]

Supervisors Sandoval, Mirkarimi

Resolution urging the California State Legislature to approve SB 521: Transit Village Plans, which makes it easier to create redevelopment areas near transit stations and thus creates incentives to build housing near transit.

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

Resolution No. 276-05

ADOPTED

050648 [Small Business Week]

Supervisors Ma, Dufty, Elsbernd, Maxwell, Mirkarimi

Resolution declaring April 25-29, 2005, as "Small Business Week" in the City and County of San Francisco.

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

Resolution No. 296-05

ADOPTED

050649 [Earthquake Preparedness Month]

Supervisors Ma, Dufty, Elsbernd

Resolution declaring April 2005 to be "Earthquake Preparedness Month" in the City and County of San Francisco.

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

Resolution No. 282-05

ADOPTED

**050650 [Child Abuse Prevention Month]
Supervisors Ma, Dufty**

Resolution recognizing April 2005 as "Child Abuse Prevention Month" in the City and County of San Francisco.

Resolution No. 281-05
ADOPTED

**050651 [Support the Efforts of the Exploratorium in Obtaining Increased Funding]
Supervisors Alioto-Pier, Elsbernd**

Resolution supporting the Exploratorium in their efforts to continue and expand its essential work in educating the children of San Francisco and the Bay Area.

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

Resolution No. 280-05
ADOPTED

**050652 [Child Development Centers Funding]
Supervisors Peskin, Ma**

Resolution urging the State of California to increase reimbursement rates for child development centers contracting with the California Department of Education through Title V.

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

Resolution No. 277-05
ADOPTED

**050653 [Parking Regulations]
Supervisor Peskin**

Resolution urging the Department of Parking and Traffic to re-install a metered parking space at 933 Grant Avenue in Chinatown.

Resolution No. 298-05
ADOPTED

**050654 [Supporting State Legislation AB 1296, San Francisco Bay Water Trail Act]
Supervisors Peskin, Maxwell, Daly, Ma**

Resolution expressing support for AB 1296, the San Francisco Bay Water Trail Act, and urging the California State Legislature and Governor to support this measure.

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

Resolution No. 275-05
ADOPTED

050627 [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. M05-56

APPROVED

050628 [Extending Time for Negotiations - Local 856 for Supervising Nurses and Local 790 for Staff Nurses/ Per Diem Nurses]

Supervisors Elsbernd, Ma

Motion extending time for negotiations pursuant to Charter Section 11.100

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

Motion No. M05-57

APPROVED

The foregoing items were acted upon by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Excused: 1 - Alioto-Pier

Severed from Without Reference to Committee Agenda

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

050655 [Condemning Homophobia and Misogyny]
Supervisor Peskin

Resolution condemning homophobic and misogynistic public remarks by the Executive Director and members of the Residential Builders Association of San Francisco.

REFERRED to the City Operations and Neighborhood Services Committee.

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

050390 [Opposing H.R. 298]
Supervisors Peskin, Ammiano, Daly, Elsbernd, Mirkarimi

Resolution opposing H.R. 298, a bill sponsored by Rep. Richard Pombo to require the Secretary of the Interior to provide public access to the Farallon National Wildlife Refuge.

Amended on page 1, line 3, by deleting the word "sponsored."

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

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

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Excused: 1 - Alioto-Pier

Resolution opposing H.R. 298, a bill introduced by Rep. Richard Pombo to require the Secretary of the Interior to provide public access to the Farallon National Wildlife Refuge.

Resolution No. 273-05

ADOPTED AS AMENDED by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Excused: 1 - Alioto-Pier

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

**050632 [Honoring the Legacy of Pope John Paul II]
Supervisors Alioto-Pier, Elsbernd, Ma, McGoldrick**

Resolution honoring the legacy of Pope John Paul II and the profound impact he had on all citizens of the world.

Amended by replacing "1930" with "1920".

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

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

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Excused: 1 - Alioto-Pier

Resolution No. 279-05

ADOPTED AS AMENDED by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Excused: 1 - Alioto-Pier

OFF-AGENDA LEGISLATION

Introduced by Supervisors or Mayor

Ordinances

**050684 [Ordering Vacation of the Ingleside Path]
Supervisor Elsbernd**

Ordinance ordering the vacation of the Ingleside Path right-of-way between Ocean Avenue and Corona Street and Urbano and Head Streets subject to reservations of certain utility easements in the vacated area; authorizing the quit claim of the City's interest in the vacated right-of-way pursuant to the terms of various sale agreements; adopting environmental findings and findings that such actions are consistent with the City's General Plan and the priority policies of Planning Code Section 101.1; and authorizing official acts in connection with this Ordinance.

4/19/05, RECEIVED AND ASSIGNED to Land Use Committee.

**050689 [Public Works Code - special status trees and landmark trees]
Supervisor Daly**

Ordinance amending the Public Works Code by amending Sections 802, 804, 807, 808, and 811 and adding Section 810A to address removal, maintenance, and nomination of special status trees as defined herein and amending Section 810 to allow the City to landmark any tree within its territorial limits and under City jurisdiction.

4/19/05, ASSIGNED UNDER 30 DAY RULE to City Operations and Neighborhood Services Committee, expires on 5/19/2005.

**050697 [Requiring the Disaster Council to meet on a Quarterly Basis]
Mayor**

Ordinance amending the San Francisco Administrative Code by amending Section 74., to require the Disaster Council to meet on a quarterly basis.

4/19/05, RECEIVED AND ASSIGNED to Rules Committee.

**050698 [Requiring the Board of Supervisors to hold an annual hearing on the state of the City's disaster preparedness.]
Mayor**

Ordinance amending the San Francisco Administrative Code by adding Section 7.19, to require the Board of Supervisors to hold an annual hearing on the state of the City's disaster preparedness.

4/19/05, RECEIVED AND ASSIGNED to Rules Committee.

Resolutions

**050671 [Ground Lease of Redevelopment Agency Land for 10th and Mission Family Housing]
Mayor**

Resolution approving the Redevelopment Agency of the City and County of San Francisco's lease of land at Assessor's Block 3508, Lots 26 and 27, commonly known as 10th and Mission Streets, San Francisco, California (the "Site") in the Mid-Market Redevelopment Survey Area, to Mercy Housing California XIV, L.P., a California Limited Partnership, for 65 years for the purpose of developing housing for very low income family households, including formerly chronically homeless households.

(Fiscal impact.)

4/19/05, RECEIVED AND ASSIGNED to Board of Supervisors.

**050673 [Ground Lease of Redevelopment Agency Land for 9th and Jessie Senior Housing]
Mayor, Supervisor Daly**

Resolution approving the Redevelopment Agency of the City and County of San Francisco's lease of land at Assessor's Block 3508, Lot 51, commonly known as 10th and Mission Streets, San Francisco, California (the "Site") in the Mid-Market Redevelopment Survey Area, to MERCY HOUSING CALIFORNIA, a California nonprofit public benefit corporation, for 55 years for the purpose of developing housing for very low income senior households.

(Fiscal impact.)

4/19/05, RECEIVED AND ASSIGNED to Board of Supervisors. 5/9/05 - Supervisor Daly requested to be added as a co-sponsor.

**050675 [Allocation of Mental Health Services Act Funds]
Supervisors Maxwell, Ammiano, Daly, Mirkarimi**

Resolution establishing mental health services for San Franciscans exposed to gun and gang violence and for youth in the juvenile justice system as policy priorities in the Board of Supervisors' review of the City's submission to the State for Mental Health Services Act funds.

4/19/05, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee. 04/22/05 - Referred to the Youth Commission for review and comment.

**050676 [Accept - Expend State Grant - S.F. Library]
Supervisors McGoldrick, Sandoval**

Resolution authorizing the San Francisco Public Library to accept and expend funds in the amount of \$5,958,841 from the state Office of Library Construction from funds made available under the California Reading and Literacy Improvement and Public Library Construction and Renovation Bond Act of 2000 for the renovation and expansion of the Richmond/ Senator Milton Marks Branch Library.

4/19/05, RECEIVED AND ASSIGNED to Budget and Finance Committee.

**050677 [Apply For State Used Oil Recycling and Household Hazardous Waste Management Grants]
Supervisor Mirkarimi**

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.

4/19/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**050680 [Bond Sale of Zoo Facilities Bonds]
Supervisors Elsbernd, Sandoval**

Resolution authorizing and directing the sale of not to exceed \$7,505,000 City and County of San Francisco General Obligation Bonds (Zoo Facilities Bonds, 1997), Series 2005H; prescribing the form and terms of said bonds; authorizing the execution, authentication and registration of said bonds; providing for the appointment of depositories and other agents for said bonds; providing for the establishment of accounts related thereto; approving the forms of official notice of sale and notice of intention to sell bonds; directing the publication of the notice of intention to sell bonds; approving the form and execution of the official statement relating thereto; approving the form of the continuing disclosure certificate; approving modifications to documents; ratifying certain actions previously taken; and granting general authority to City officials to take necessary actions in connection with the authorization, issuance, sale and delivery of said bonds.

(Fiscal impact.)

4/19/05, RECEIVED AND ASSIGNED to Budget and Finance Committee.

**050681 [Bond Sale of Branch Library General Obligation Bonds]
Supervisor Elsbernd**

Resolution authorizing and directing the sale of not to exceed \$45,000,000 City and County of San Francisco General Obligation Bonds (Branch Library Facilities Improvement Bonds, 2000), Series 2005G; prescribing the form and terms of said bonds; authorizing the execution, authentication and registration of said bonds; providing for the appointment of depositories and other agents for said bonds; providing for the establishment of accounts related thereto; approving the forms of official notice of sale and notice of intention to sell bonds; directing the publication of the notice of intention to sell bonds; approving the form and execution of the official statement relating thereto; approving the form of the continuing disclosure certificate; approving modifications to documents; ratifying certain actions previously taken; and granting general authority to City officials to take necessary actions in connection with the authorization, issuance, sale and delivery of said bonds.

(Fiscal impact.)

4/19/05, RECEIVED AND ASSIGNED to Budget and Finance Committee.

**050682 [Bond Sale of California Academy of Sciences Improvement Bonds]
Supervisors McGoldrick, Elsbernd, Sandoval**

Resolution authorizing and directing the sale of not to exceed \$79,370,000 General Obligation Bonds (California Academy of Sciences Improvement Bonds, 2000), Series 2005E; prescribing the form and terms of said bonds; authorizing the execution, authentication and registration of said bonds; providing for the appointment of depositories and other agents for said bonds; providing for the establishment of accounts related thereto; approving the forms of official notice of sale and notice of intention to sell bonds; directing the publication of the notice of intention to sell bonds; approving the form and execution of the official statement relating thereto; approving the form of the continuing disclosure certificate; approving modifications to documents; ratifying certain actions previously taken; and granting general authority to City officials to take necessary actions in connection with the authorization, issuance, sale and delivery of said bonds.

(Fiscal impact.)

4/19/05, RECEIVED AND ASSIGNED to Budget and Finance Committee.

**050685 [Vacation of the Ingleside Path]
Supervisor Elsbernd**

Resolution declaring the intention of the Board of Supervisors to vacate the Ingleside Path right-of-way between Ocean Avenue and Corona Street and Urbano and Head Streets; setting the hearing date for all persons interested in the proposed vacation of the street area; and adopting environmental findings and findings that the vacation is consistent with the City's General Plan and the eight priority policies of Planning Code Section 101.1.

4/19/05, RECEIVED AND ASSIGNED to Land Use Committee.

**050692 [Traffic Regulation - Scott Street between Lombard and Chestnut Streets]
Supervisor Alioto-Pier**

Resolution enacting temporary "Street Closed to Vehicular Traffic" regulation on Scott Street between Lombard and Chestnut Streets from 1:30 P.M. to 8:15 P.M. on every Tuesday between May 24, 2005 through October 25, 2005.

4/19/05, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee. 04/22/05 - Referred to Parking and Traffic for determinations of environmental impact and review.

04/26/05 - Parking and Traffic notified of hearing for posting requirements and advertisement placed in the 05/03/05 edition of the SF Chronicle.

05/02/05 - Response received from Parking and Traffic, categorically exempt from environmental review.

**050693 [Temporary Sidewalk Occupancy]
Supervisor Alioto-Pier**

Resolution allowing for occupancy of a portion of the sidewalk on the east side of Fillmore between Chestnut and Bay street from 8:00 A.M. to 3:00 P.M. on every Saturday between May 28, 2005 through October 29, 2005.

4/19/05, RECEIVED AND ASSIGNED to Land Use Committee.

**050694 [Accept - Expend State Grant - S.F. Library]
Supervisors Sandoval, Elsbernd**

Resolution authorizing the San Francisco Public Library to accept and expend funds in the amount of \$3,751,943 from the state Office of Library Construction from funds made available under the California Reading and Literacy Improvement and Public Library Construction and Renovation Bond Act of 2000 for the construction of the new Ingleside Branch Library.

4/19/05, RECEIVED AND ASSIGNED to Budget and Finance Committee.

**050695 [Adoption of Board of Supervisors' 2005 Budget Process and Policy Priorities]
Supervisors Ammiano, Daly, Elsbernd, McGoldrick, Ma, Mirkarimi**

Resolution adopting the San Francisco Board of Supervisors' 2005 Budget Process and Policy Priorities.

4/19/05, RECEIVED AND ASSIGNED to Budget and Finance Committee.

**050696 [STOP Intersections]
Supervisor Dufty**

Resolution designating certain intersections as "STOP" intersections.

STOP SIGNS – ESTABLISH

Arlington Street at Fairmount Street, making this intersection a All-Way STOP.

(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.)

4/19/05, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee. 04/22/05 - Referred to Parking and Traffic for determinations of environmental impact and review.

05/02/05 - Response received from Parking and Traffic, categorically exempt from environmental review.

05/23/05 - Parking and Traffic notified to post notices and ad place in the 05/28/05 edition of the SF Chronicle.

**050700 [Commending California Democratic Party and LGBT Caucus]
Supervisor Ammiano**

Resolution commending the California Democratic Party for adopting a resolution in support of public policy that guarantees civil marriage equality for all people who choose to make a marriage commitment as a couple with full rights, responsibilities, privileges and protections that are conveyed by full legal marital status within the marriage license requirements of equal rights for all families and further commending the Lesbian Gay Bisexual Transgender Caucus of the California Democratic Party for their exemplary work.

4/19/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**050701 [Zoning - Extension of Planning Commission Review Period]
Supervisor Ammiano**

Resolution extending the prescribed time within which the Planning Commission may render its decision on a proposed ordinance to amend the Planning Code to define a single room occupancy unit as a unit that is affordable to very low income or extremely low income households.

4/19/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**050702 [Aung San Suu Kyi Day]
Supervisor Ammiano**

Resolution declaring on the occasion of Aung San Suu Kyi's 60th birthday, June 19th, 2005 as "Aung San Suu Kyi Day" in the City and County of San Francisco.

4/19/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**050703 [Extending the Arts Task Force to November 1, 2005]
Supervisor Ammiano**

Resolution establishing an Arts Task Force to make recommendations to the Board of Supervisors and Mayor and setting forth the membership and duties of the Task Force.

4/19/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**050704 [Commending Lance Armstrong]
Supervisors Daly, McGoldrick, Ammiano, Sandoval, Mirkarimi, Elsbernd**

Resolution commending Lance Armstrong on his stellar career and wishes him well in his final Tour de France and declaring July 24, 2005 as "Lance Armstrong Day" in the City and County of San Francisco.

4/19/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**050711 [Urging the Department of Parking and Traffic to establish a blue zone in front of St. Aidan's Church]
Supervisor Dufty**

Resolution urging the Department of Parking and Traffic to establish a blue zone in front of St. Aidan's Church.

4/19/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**050712 [Urging California Department of Social Service to provide automated translations of IHSS Notices of Action]
Supervisors Ma, McGoldrick**

Resolution encouraging the California Department of Social Services, Adult Services Branch, to modify the State computer system (CMIPS) which generates Notices of Action to In-Home Supportive Services consumers, so that Notices can be generated in languages other than English and Spanish.

4/19/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**050713 [Asian Pacific American Heritage Month]
Supervisors Ma, Dufty, Maxwell, McGoldrick, Elsbernd**

Resolution recognizing May 2005 as "Asian Pacific American Heritage Month" in the City and County of San Francisco.

4/19/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**050714 [Accept-Expend State Grant]
Supervisor Peskin**

Resolution authorizing the San Francisco Port Commission to accept and expend a grant in the amount of \$100,000 from the Association of Bay Area Governments (San Francisco Bay Trail Project) for the Downtown Ferry Terminal Public Pier Project.

4/19/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**050715 [Accept-Expend State Grant]
Supervisor Peskin**

Resolution authorizing the San Francisco Port Commission to accept and expend a grant in the amount of \$400,000 from the California Department of Transportation for the Downtown Ferry Terminal Public Pier Project.

4/19/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**050716 [Commending San Francisco Public Utilities Commission]
Supervisor Peskin**

Resolution commending the San Francisco Public Utilities Commission for its outstanding performance and receiving awards for leadership in wastewater treatment and renewable energy resources.

4/19/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**050717 [Queen Beatrix]
Supervisors Peskin, McGoldrick**

Resolution sending warmest regards to Queen Beatrix of the Netherlands.

4/19/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**050718 [Supporting California Assembly Bill No. 1125: Household Battery Recycling Act]
Supervisor Sandoval**

Resolution urging the California legislature to pass AB 1125: Household Battery Recycling Act.

4/19/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Requests for Hearing

050670 [Hearing - Ground Lease of Redevelopment Agency Land for 10th and Mission Family Housing]

Hearing of persons interested in or objecting to proposed resolution approving the Redevelopment Agency of the City and County of San Francisco's lease of land at Assessor's Block 3508, Lots 26 and 27, commonly known as 10th and Mission Streets, San Francisco, California (the "Site") in the Mid-Market Redevelopment Survey Area, to Mercy Housing California XIV, L.P., a California Limited Partnership, for 65 years for the purpose of developing housing for very low income family households, including formerly chronically homeless households. (Clerk of the Board)

4/19/05, SCHEDULED FOR PUBLIC HEARING. Board to sit as a Committee of the Whole on May 10, 2005 at 4:30 p.m.

- 050672 [Hearing - Ground Lease of Redevelopment Agency Land for 9th and Jessie Senior Housing]**
Hearing of persons interested in or objecting to proposed resolution approving the Redevelopment Agency of the City and County of San Francisco's lease of land at Assessor's Block 3508, Lot 51, commonly known as 9th and Jessie Streets, San Francisco, California (the "Site") in the Mid-Market Redevelopment Survey Area, to MERCY HOUSING CALIFORNIA, a California nonprofit public benefit corporation, for 55 years for the purpose of developing housing for very low income senior households. (Clerk of the Board)
4/19/05, SCHEDULED FOR PUBLIC HEARING. Board to sit as a Committee of the Whole on May 10, 2005 at 4:30 p.m.
- 050678 [Citizen Survey]**
Supervisor Peskin

Hearing regarding a report by the Controller's Office City Services Auditor on the Citizen survey, an annual survey of constituent opinions on city services.
4/19/05, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.
- 050683 [Hearing - Ordering vacation of the Ingleside Path]**
Hearing of persons interested in or objecting to proposed ordinance ordering the vacation of the Ingleside Path right-of-way between Ocean Avenue and Corona Street and Urbano and Head Streets subject to reservations of certain utility easements in the vacated area; authorizing the quit claim of the City's interest in the vacated right-of-way pursuant to the terms of various sale agreements; adopting environmental findings and findings that such actions are consistent with the City's General Plan and the priority policies of Planning Code Section 101.1; and authorizing official acts in connection with this Ordinance. (Clerk of the Board)
4/19/05, SCHEDULED FOR PUBLIC HEARING. Board to sit as a Committee of the Whole on _____ at ____ p.m.
- 050686 [Impact of proposed UCSF Hospital on the Mission Bay Redevelopment Plan]**
Supervisor Maxwell

Hearing on potential impacts of the proposed UCSF Hospital on the Mission Bay Redevelopment Plan.
4/1/49, RECEIVED AND ASSIGNED to Land Use Committee.
- 050687 [City Policy for Meeting the Housing Needs of S.F. Residents]**
Supervisor Maxwell

Hearing to review the City's policy for meeting the housing needs of San Francisco's residents.
4/19/05, RECEIVED AND ASSIGNED to Land Use Committee.
- 050688 [Report conducted by the California Department of Health]**
Supervisor Ammiano

Hearing to inquire into the results of the report to the Joint Legislative Audit Committee, Seismic Safety Commission conducted by the California Department of Health Services.
4/19/05, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

**050690 [District Disaster Relief Centers]
Supervisors Ma, Dufty, Maxwell**

Hearing to investigate the feasibility of establishing district disaster relief centers throughout the city's neighborhoods that provide local residents information and services in the event of an emergency.
4/19/05, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

**050719 [Youth Guidance Center]
Supervisor Peskin**

Hearing regarding upcoming report by the Controller's Office City Services Auditor on staffing efficiencies at the Youth Guidance Center and additional ways to control overtime usage and staffing issues related to the new building they are to occupy next fiscal year.
4/19/05, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

**050691 [Developer fees and inclusionary housing requirements in the Rincon Hill Area Plan]
Supervisor Sandoval**

Hearing on developer fees and inclusionary housing requirements in the Rincon Hill Area Plan. Specifically, the hearing should include discussion of: (1) Developer fees for public benefits in the new Rincon Hill neighborhood; (2) Developer fees for citywide public benefits, such as street tree planting; (3) The percentage of affordable housing to be included in development plans; (4) The location of the off-site affordable housing; (5) Tax benefits that will accrue as a result of Rincon Hill development projects.
4/19/05, RECEIVED AND ASSIGNED to Land Use Committee.

Motions

**050679 [Audit Priorities]
Supervisor Peskin**

Motion adopting a proposed schedule of audits to be conducted of programs of City and County departments.
4/19/05, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

**050699 [Amending Board's Rules of Order to provide that the Board of Supervisors shall meet as a committee of the whole when it conducts its annual hearing on the state of the City's disaster preparedness]
Supervisor Ma**

Motion amending the Board of Supervisors' Rules of Order by adding Rule No. 2.32, to provide that the Board of Supervisors shall meet as a committee of the whole when it conducts the annual hearing on the state of the City's disaster preparedness required by Administrative Code Section 7.19.
4/19/05, RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED ORDINANCES

- 050616 [Water Rates]**
Ordinance approving revised schedule of rates to be charged by the San Francisco Public Utilities Commission for water service to its retail customers inside and outside the City and County of San Francisco. (Public Utilities Commission)

(Fiscal impact.)
4/6/05, RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 050571 [Settlement of Lawsuit - Teri Smith]**
Ordinance authorizing settlement of the lawsuit filed by Teri Smith against the City and County of San Francisco for an agreement to spend an amount not to exceed \$1,100,000.00 to make certain disability access improvements at the San Francisco Zoo; the lawsuit was filed on June 19, 2002 in US District Court (Case No C02-2936 PJH).
4/11/05, RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED RESOLUTIONS

- 050617 [Airport Concession Lease]**
Resolution approving the Boarding Areas "B" and "C" Books and News Stores Lease between DeLaVe, Inc., and the City and County of San Francisco, acting by and through its Airport Commission. (Airport Commission)

(Fiscal impact.)
4/6/05, RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 050619 [Accept and Expend Federal Grant Funds Under the Airport Improvement Program (AIP)]**
Resolution authorizing the Airport Commission to accept and expend grant funds in a total amount of \$20,066,423 from the Federal Aviation Administration: \$6,066,423 (A.I.P 28, Project No. 3-06-0221-28); \$8,250,000 (A.I.P 31, Project No. 3-06-0221-31), and \$5,750,000 (A.I.P 32, Project No. 3-06-0221-32) for Airport standard and security improvements. (Airport Commission)
4/6/05, RECEIVED AND ASSIGNED to Budget and Finance Committee.

Requests Granted

*From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: To report on the status of the repair of a large crack in the center of Grove Street between Octavia and Gough.*

*From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: To report on the status of the pothole in the intersection of Fillmore Street and Hayes Street.*

*From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: To report on the status of the empty sidewalk squares on the west side of Masonic between Fell Street and Hayes Street.*

*From: Supervisor Mirkarimi
To: City Attorney
Requesting/Inquiring: To draft Charter amendment language for creating professional qualifications defining the post of Assessor-Recorder in accordance with the Assessor's ability to equitably and effectively administer the property assessment system of the City and County of San Francisco; to further request that the City Attorney provide Charter language options in transforming the office of Assessor-Recorder as an appointed rather than an elected post.*

*From: Supervisor Sandoval
To: Interim Director, Planning Department
Requesting/Inquiring: To report on upcoming hearing regarding developer fees and inclusionary housing requirements in the Rincon Hill Area Plan.*

In Memoriams

*Marla Ruzicka (Entire Board)
Luis Urena (Supervisor Daly)
Eunice Jackson-Bull (Supervisor Dufty)
Raul Riego (Supervisor Elsbernd)
Mary Harris (Supervisor Elsbernd)
Olivia Murray (Supervisor Elsbernd)
Donald W. Jin (Supervisor McGoldrick)*

ADJOURNMENT


There being no further business, the Board adjourned at the hour of 5:07 p.m.

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 May 17, 2005.

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