

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, March 30, 2004 2:00 PM

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

Regular Meeting

MATT GONZALEZ, PRESIDENT
MICHELA ALIOTO-PIER, TOM AMMIANO, CHRIS DALY,
BEVAN DUFTY, TONY HALL, FIONA MA, SOPHIE MAXWELL,
JAKE MCGOLDRICK, AARON PESKIN, GERARDO SANDOVAL
Gloria L. Young, Clerk of the Board

BOARD COMMITTEES

Committee Membership

Budget Committee

Supervisors Sandoval, Daly, McGoldrick

City and School District Select Committee

Supervisors Ammiano, Maxwell, Ma, Commissioners Chin, Hiles, Wynns

City Services Committee

Supervisors Dufty, Ma, Hall

Finance and Audits Committee

Supervisors Daly, Peskin, Ammiano

Land Use Committee

Supervisors McGoldrick, Peskin, Maxwell

Rules Committee

Supervisors Maxwell, Alioto-Pier, Gonzalez

Meeting Days

2nd, 3rd, 4th Thursday
10:00 AM

2nd Monday (Bi-Monthly)
4:00 PM

Thursday
9:30 AM

Wednesday
1:00 PM

Monday
1:00 PM

Wednesday
10:00 AM

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

Volume 99 Number 10

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

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:08 p.m. On the call of the roll Supervisors Ammiano, Hall and Maxwell were noted absent.

Supervisors Ammiano and Hall were noted present at 2:09 p.m.

Supervisor Maxwell was noted present at 2:11 p.m.

Quorum present.

APPROVAL OF MEETING MINUTES

Supervisor Peskin, seconded by Supervisor Alioto-Pier, moved to approve March 9, 2004 Meeting Minutes. The motion carried by the following vote:

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

Absent: 1 - Maxwell

COMMUNICATIONS

Gloria L. Young, Clerk of the Board informed the Board that the Clerk's Office received correspondences from the Director, Department of Elections informing the Board that the March 2, 2004 Consolidated Primary Election canvass had been completed. The Director also provided copies of the certification and authentication letters, relating to the Charter Amendments which were passed on the March 2, 2004 Primary Election. These letters are ready for the President of the Board and the Clerk of the Boards' signatures.

Gloria L. Young, Clerk of the Board also informed the Board that Colleen Montoya, Director of Youth Commission will be receiving an award from the Youth Leadership Institute.

CONSENT AGENDA

Recommendations of the City Services Committee

040014 [Liquor License Transfer, 576 Green Street]

Resolution determining that the transfer of a Type 48 on-sale general public premises license from 311 California Street #700 to 576 Green Street (District 3), to Daniel M. Melgar, Jr. for Occidental Cigar Clubs, LLC, will serve the convenience of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code, with conditions.

Resolution No. 201-04

ADOPTED

040136 [Liquor License Transfer, 709-711 Clement Street]

Resolution determining that the transfer of a Type 21 off-sale general alcoholic beverage control license from 118 Sagamore Street to 709-711 Clement Street (District 1), to Karen Wong for Richmond New May Wah Supermarket Inc., will serve the convenience of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code, with conditions.

Resolution No. 202-04

ADOPTED

040162 [Liquor License, 1350 Powell Street]

Resolution determining that the issuance of a Type 48 on-sale general public premises license to Robert Nunez, Steve Engelbrecht, and Craig Brition dba the Blind Tiger located at 1350 Powell Street (District 3), in exchange for its current Type 47 on-sale general eating place license, will serve the convenience of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code, with conditions.

Resolution No. 203-04

ADOPTED

Recommendation of Finance and Audits Committee

**040321 [Settlement of Lawsuit - United Air Lines, Inc., et al.]
Supervisor Daly**

Ordinance authorizing settlement of the lawsuit filed by the City and County of San Francisco, acting by and through its Airport Commission against United Air Lines, Inc., for the payment to the Airport of environmental clean-up costs and agreement of a percentage allocation for future clean-up costs with regard to City and County of San Francisco v. ARCO et al., Case No. C-97-2965 MMC (N.D. Cal.); and for the settlement of an unlitigated claim between the Airport, on the one hand, and United Air Lines, Inc. and United Cogen, Inc., on the other hand regarding an early assumption by United of its Airport leases and other agreements with regard to re UAL Corporation, et al., Debtors, Case No. 02-4819, United States Bankruptcy Court for the Northern District of Illinois, Eastern Division.

PASSED ON FIRST READING

Recommendations of the Land Use Committee**040137 [Mission Bay - Owens Street Acceptance, Subdivision 41-43, Phase 1]**

Ordinance accepting the dedication for right-of-way purposes of the Subdivision 41-43, Phase 1 portions of property adjacent to Owens Street, designating additional property for right-of-way purposes, approving a map showing such areas and declaring such areas to be open public right-of-way; naming the new right-of-way; designating street grades, sidewalk widths, and street parking restrictions; accepting the irrevocable offer for the acquisition facilities and declining the offer of the Pacific Gas & Electric facilities; designating said facilities for public use and maintenance purposes, subject to specified limitations; accepting miscellaneous easements and agreements relating to the project, subject to specified limitations; adopting findings that such actions are consistent with the City's General Plan, the eight priority policy findings of City Planning Code section 101.1, and the Mission Bay South Redevelopment Plan; accepting Department of Public Works Order No. 174,642 and authorizing official acts in connection with this Ordinance. (Public Works Department)

Ordinance No. 50-04

FINALLY PASSED

040138 [Mission Bay – Owens Street and 16th Street Acceptance]

Ordinance accepting the dedication for right-of-way purposes of the additional portions of property adjacent to Owens Street and 16th Street, designating additional property for right-of-way purposes, approving a map showing such areas and declaring such areas to be open public right-of-way; naming the new right-of-way; designating street grades, sidewalk widths, and street parking restrictions; accepting the irrevocable offer for the acquisition facilities and declining the offer of the Pacific Gas & Electric facilities; designating said facilities for public use and maintenance purposes, subject to specified limitations; adopting findings that such actions are consistent with the City's General Plan, the eight priority policies of City Planning Code section 101.1, and the Mission Bay South Redevelopment Plan; accepting Department of Public Works Order No. 174,643 and authorizing official acts in connection with this Ordinance. (Public Works Department)

Ordinance No. 51-04

FINALLY PASSED

040139 [Mission Bay - Fourth Street Public Improvements (UCSF – Phase 1.2)]

Ordinance accepting the dedication for right-of-way purposes of the irrevocable offer of portions of future Fourth Street, designating additional property for right-of-way purposes, approving a map showing such areas and declaring such areas to be open public right-of-way; naming the new right-of-way; designating street grades, sidewalk widths, and street parking; accepting the irrevocable offer for the acquisition facilities; designating said facilities for public use and maintenance purposes, subject to specified limitations; accepting a utility easements agreement relating to the project, subject to specified limitations; adopting findings that such actions are consistent with the City's General Plan, the eight priority policy findings of City Planning Code section 101.1, and the Mission Bay South Redevelopment Plan; accepting Department of Public Works Order No. 174,644 and authorizing official acts in connection with this Ordinance. (Public Works Department)

Ordinance No. 52-04

FINALLY PASSED

040167 [Market Street Truck Loading Bays]

Ordinance amending San Francisco Traffic Code Section 33.3.2 to permit the Department of Parking and Traffic to designate tour bus loading zones, commercial loading zones, or parking meters in parking bays along Market Street, between Steuart and Octavia Streets. (Parking and Traffic Department)

Ordinance No. 55-04

FINALLY PASSED

- 040168 [Modification of traffic regulations at Oak and Laguna Streets]**
Ordinance repealing Section 34.4 of the San Francisco Traffic Code, pertaining to prohibiting left-hand turns against red or "Stop" signals, at all times. (Parking and Traffic Department)
- Ordinance No.** 56-04
FINALLY PASSED
- 040169 [Modification of traffic regulations at the intersection of Fell and Laguna Streets]**
Ordinance repealing Section 34.7 of the San Francisco Traffic Code, pertaining to prohibiting left-hand turns against red or "Stop" signals, at all times. (Parking and Traffic Department)
- Ordinance No.** 57-04
FINALLY PASSED

Recommendations of the Rules Committee

- 040160 [Settlement of Lawsuit - Maria Trapalis-Baird]**
Ordinance authorizing the settlement of lawsuit filed by Maria Trapalis-Baird against the City and County of San Francisco for \$285,000; the lawsuit was filed on April 22, 2002, in San Francisco Superior Court, Case No. 419634, entitled Trapalis-Baird v. City and County of San Francisco, et al. (City Attorney)
- Ordinance No.** 53-04
FINALLY PASSED
- 040161 [Settlement of Lawsuit - Clara Tempongko, et al.]**
Ordinance authorizing settlement of the lawsuit filed by Clara Tempongko, Janine Bersabe, by and through her Guardian ad Litem Clara Temponkgo, and Justin Nguyen, by and through his Guardian, Shawn Nguyen against the City and County of San Francisco for \$500,000; the lawsuit was filed on October 18, 2001 in the United States District Court, Case No. C01-3927 SBA; entitled Clara Tempongko, et al., v. City and County of San Francisco, et al. (City Attorney)
- Ordinance No.** 54-04
FINALLY PASSED
- 040217 [Settlement of Lawsuit - Pacific Bell Telephone Company and SBC Communications, Inc.]**
Ordinance authorizing settlement of the lawsuit filed by the City and County of San Francisco against Pacific Bell Telephone Company and SBC Communications, Inc., and a related law suit filed by Pacific Bell Telephone Company against San Francisco, for a payment to the Airport in the amount of \$4,057,204.26, and for a payment to the Department of Administrative Services of 20% of Pacific Bell's revenues from the sale of pre-paid calling cards with the San Francisco City Seal in 2003 and 2004, and on certain other terms; and approving the settlement agreement; the lawsuits were filed on December 19, 2002 and December 20, 2002, in San Francisco County Superior Court, Case Nos. 415-918 and 415-996; and respectively entitled City and County of San Francisco v. Pacific Bell Telephone Company and SBC Communications, Inc., and Pacific Bell Telephone Company v. City and County of San Francisco. (City Attorney)
- Ordinance No.** 59-04
FINALLY PASSED

040218 [Settlement of Lawsuit - Armstrong, et al., (Victor Humphrey)]

Ordinance authorizing settlement of the lawsuit filed by Victor Humphrey against the City and County of San Francisco for \$27,500.00; 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)

Ordinance No. 60-04
FINALLY PASSED

040220 [Settlement of Lawsuit - Francisco Rivero and Pacific Interment Co., et al.]

Ordinance authorizing settlement of the lawsuit filed by Francisco Rivero and Pacific Interment Co. against the City and County of San Francisco for \$1,700,000, which includes payment of a total of \$52,000 in punitive damages; the lawsuit was filed on September 9, 1993 in the United States District Court, Case No. C93-3383; entitled Francisco Rivero and Pacific Interment Co., et al., v. City and County of San Francisco, et al. (City Attorney)

Ordinance No. 61-04
FINALLY PASSED

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

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

Ordinance No. 58-04
FINALLY PASSED

The foregoing items were acted upon by the following vote:

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

REGULAR AGENDA

UNFINISHED BUSINESS

Consideration of Mayor's Veto

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

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

NOTE: This action requires two-thirds vote. The Board may not amend the ordinance and may only vote in favor or in opposition to the veto override.

The Board of Supervisors must act on the veto override within 30 days of the date of the veto. The Mayor vetoed the Ordinance on March 5, 2004. Therefore, the Board will lose the ability to override the veto unless it votes on the veto override on or before April 5, 2004.

(March 5, 2004 - Vetoed by Mayor.

March 9, 2004 - Consideration scheduled for March 30, 2004.)

Mayor's veto override failed by the following motion:

Ayes: 7 - Ammiano, Daly, Gonzalez, Maxwell, McGoldrick, Peskin, Sandoval

Noes: 4 - Alioto-Pier, Dufty, Hall, Ma

Recommendation of the Land Use Committee

Supervisor Daly noted absent at 2:30 p.m.

- 031501 [Findings for the need to regulate formula retail uses; enacting regulations for the Hayes-Gough NCD, and the Neighborhood Commercial Cluster Districts at Cole and Carl and Parnassus and Stanyan; related regulations]
Supervisors Gonzalez, Daly, Ammiano

Ordinance to amend the Planning Code by adding Section 703.3 and by amending Section 182, and Section 303 to make findings as to the need to regulate formula retail uses, to define formula retail uses, prohibit formula retail uses in the Hayes-Gough Neighborhood Commercial District, designate formula retail uses as a conditional use in the Neighborhood Commercial Cluster Districts at Cole and Carl Streets and Parnassus and Stanyan Streets, to require any building permit application for a formula retail use to comply with the notice and design review procedures of Section 312 of the Planning Code, to require adoption by the Planning Commission of discretionary review guidelines for evaluating proposed formula retail uses, to provide additional conditional use criteria for evaluating proposed formula retail uses, to provide that the burden to prove that a use is not a formula retail use rests with the building permit applicant or holder, and to provide that nonconforming uses in Residential Districts which are seeking to change in use to retail sales activity or retail sales establishment which is also a formula retail use must comply with the provisions of Section 703.3, and making findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan.

Ordinance No. 62-04

FINALLY PASSED by the following vote:

Ayes: 7 - Ammiano, Dufty, Gonzalez, Maxwell, McGoldrick, Peskin, Sandoval

Noes: 3 - Alioto-Pier, Hall, Ma

Absent: 1 - Daly

NEW BUSINESS

Recommendation of the City Services Committee

- 040276 [Supporting OURx Bill of Rights]
Supervisors Peskin, Sandoval, Ma, Dufty, Hall

Resolution supporting the Senior Action Network's OURx Bill of Rights and urging the California State Legislature to approve the legislative package.

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

Resolution No. 204-04

ADOPTED by the following vote:

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

Absent: 1 - Daly

Recommendations of the Finance and Audits Committee

040095 [Public Employment]
Mayor

Ordinance amending Ordinance No. 195-03 (Annual Salary Ordinance 2003/04) reflecting the creation of 4 positions (1.00 FTE) at the Water Department, 1 position (0.25 FTE) at the Human Rights Commission, and 1 position (0.25FTE) at the Human Resources Department.

(Fiscal impact.)

PASSED ON FIRST READING by the following vote:

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

040219 [Administrative Code Revision: Health Service System]
Supervisor Daly

Ordinance amending Chapter 16, Article XV, of Part 1 of the San Francisco Municipal (Administrative) Code by amending Section 16.703 regarding Board approval of Health Service System Plans and Contribution Rates. (Human Resources Department)

(Fiscal impact.)

PASSED ON FIRST READING by the following vote:

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

040002 [Appropriate funding for the Courthouse Construction Fund to fund court facility renovations]
Mayor

Ordinance appropriating \$1,782,000 from the Courthouse Construction Fund to fund court facility renovations and a jurisdictional transfer of property under the control of the City and County of San Francisco for fiscal year 2003-04.

(Fiscal impact.)

PASSED ON FIRST READING by the following vote:

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

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

Ordinance appropriating \$2,747,247 of personnel-operating fund balance from the Water Department and \$12,985,734 of Proposition A Bond funds, for a total of \$15,732,981 for: \$2,747,247 to fund office space, staff and services of other departments for continued implementation of the Capital Improvement Program (CIP) of which \$595,627 is retroactive, \$8,400,000 for the intertie between the East Bay Municipal Utility District (EBMUD) and San Francisco's water supply system, and \$4,585,734 to fund the Programmatic Environmental Impact Report (PEIR), of which \$400,000 is retroactive for necessary staff in SFPUC to work on the program planning efforts to facilitate implementation of the CIP for fiscal year 2003-04.

(Fiscal impact.)

PASSED ON FIRST READING by the following vote:

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

Recommendation of the Land Use Committee

- 040230 [Conforming with official street name change - Cesar Chavez Street]**
Ordinance amending Sections 174.04 and 174.13 of the San Francisco Traffic Code, pertaining to speed limits on Cesar Chavez Street. (Parking and Traffic Department)

PASSED ON FIRST READING by the following vote:

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

From the Land Use Committee Without Recommendation

Supervisor Daly Excused From Voting

Supervisor Peskin, seconded by Supervisor Maxwell, moved to excuse Supervisor Daly at his request, because of possible conflict of interest, from voting. The motion carried by the following vote:

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

040114 [Urging the Governor to consider postponing further Central Freeway touchdown ramp construction] Supervisor Dufty

Resolution urging the Governor to consider postponing further construction work on the Central Freeway touchdown ramp, to allow the City and State to study alternative Central Freeway configurations that may better serve traffic flow and lessen the negative impacts on the surrounding neighborhoods.

Supervisor McGoldrick dissented in committee.

NOT ADOPTED by the following vote:

Ayes: 2 - Dufty, Gonzalez
Noes: 7 - Alioto-Pier, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Absent: 1 - Ammiano
Excused: 1 - Daly

*Supervisor Ammiano, seconded by Supervisor Peskin, moved to rescind the previous vote:
Motion carried without objection.*

NOT ADOPTED by the following vote:

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

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

Supervisors Dufty, Hall and Ma were noted absent at 3:30 p.m.

Privilege of the Floor

Supervisor McGoldrick, seconded by Supervisor Sandoval, 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: 8 - Alioto-Pier, Ammiano, Daly, Gonzalez, Maxwell, McGoldrick, Peskin, Sandoval
Absent: 3 - Dufty, Hall, Ma

Supervisor McGoldrick welcomed, introduced and presented a Certificate of Honor to Stanley Morris on the occasion of the 1000th performance of "Teatro Zinzanni".

SPECIAL ORDER 4:00 P.M.

040310 [Public Hearing - Mitigated Negative Declaration - 8 Washington Street (aka 370 Drumm Street)]
 Hearing of persons interested in or objecting to the decision of the Planning Department dated November 1, 2003 and amended February 5, 2004, Case No. 2002.0376E, approving a mitigated negative declaration for the proposed construction project located at 8 Washington Street (aka 370 Drumm Street), on Assessor's Block 0201, Lot 012; Block 0171, Lot 069; and Block 0168, Lot 058;
 and to the decision of the Planning Commission by its Motion No. 16725 dated February 5, 2004, approving Conditional Use Application No. 2002.0376C, subject to certain conditions, and Planned Unit Development authorizing the construction of an eight-story 84-foot high mixed-use building containing up to 120 dwelling units, a garage with up to 157 parking spaces and outdoor recreation facilities within an RC-4 (Residential-Commercial Combined, High Density) District and an 84-E Height and Bulk District, located at 8 Washington Street (aka 370 Drumm Street), northeast corner of Washington and Drumm Streets; Assessor's Block 0201, Lot 012; Block 0171, Lot 069; and Block 0168, Lot 058.
 (Appeal filed by Sue Hestor, attorney for Friends of Golden Gateway and subscribed by Supervisors Aaron Peskin, Jake McGoldrick, Chris Daly, Sophie Maxwell, and Matt Gonzalez.)

(Companion measure to Files 040310, 040331, 040332, 040333, 040255, 040256, 040257, 040258; District 3.)

*Larry Badiner, Acting Planning Director reviewed the negative declaration process and recommendations.
 Pamela Duffy, Attorney for the project sponsor reviewed with the Board the project sponsors concerns.
 Sue Hestor, Attorney for appellant raised issues regarding jurisdiction of property.*

Speakers:

*Female speaker; support of appellant
 Elaine Kim; Golden Gateway resident; support of appellant
 Ernestine Weiss; support of appellant
 Nan Maguire; support of appellant
 Holly Suzarra; support of appellant
 Bob Iranson; support of appellant
 Female Speaker; support of appellant
 Female Speaker; support of appellant
 Lee Radner, Golden Gateway resident; support of appellant
 Sue Ann McNeill; support of appellant
 Katherine Gould; support of appellant
 Bob Coleman, Golden Gateway Tennis Club; support of appellant
 Nan Roth; support of appellant
 Kerry White, Golden Gateway resident; support of project sponsor
 Bea Westie, Golden Gateway resident; support of appellant
 Jim Haas; support of project sponsor
 Jeffrey Heller, Architects; support of project sponsor
 Helen Houie, Chair of the Board of Directors Commons; support of appellant
 Marty Young, Golden Gateway resident; support of appellant
 Gary Burke; support of appellant
 Arthur Rudsten; support of appellant
 Frank O'Neill; support of project sponsor
 Ms. Jerry Crowley; support of appellant
 Jan Neal, San Francisco Apartment Association; support of project sponsor
 Lynn Richard Dunn; support of appellant*

The President declared the public hearing closed.

The Board reviewed with the Planning Department questions which were mentioned during the public hearing.
HEARD AT PUBLIC HEARING.

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

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.

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

040331 [Adopting the mitigated negative declaration approved for 8 Washington Street (aka 370 Drumm Street)]

Motion adopting the final mitigated negative declaration issued for 8 Washington Street and affirming the decision by the Planning Commission to issue a mitigated negative declaration for the proposed project located at 8 Washington Street. (Clerk of the Board)

(Companion measure to Files 040254, 040331, 040332, 040333.)

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

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

040332 [Disapproving the mitigated negative declaration issued for 8 Washington Street (aka 370 Drumm Street)]

Motion disapproving the decision by the Planning Commission to issue a mitigated negative declaration for the proposed project located at 8 Washington Street. (Clerk of the Board)

Motion No. M04-38

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

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

040333 [Preparation of findings to disapprove the mitigated negative declaration issued for 8 Washington Street (aka 370 Drumm Street)]

Motion directing the Clerk of the Board to prepare findings disapproving the decision by the Planning Commission to issue a mitigated negative declaration for the proposed project located at 8 Washington Street. (Clerk of the Board)

Motion No. M04-39

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

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

040258 [Environmental Review - 8 Washington Street (aka 370 Drumm Street)]

Motion certifying review of Preliminary Mitigated Negative Declaration relating to proposed Conditional Use of Property at 8 Washington Street (aka 370 Drumm Street), and adopting findings pursuant to Planning Code Section 101.1. (Clerk of the Board)

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

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

(Only one of the following two motions should be adopted.)**040255 [Appeal, Conditional Use - 8 Washington Street (aka 370 Drumm Street)]**

Motion approving decision of the Planning Commission by its Motion No. 16725, approving Conditional Use Application 2002.0376C on property located at 8 Washington Street (aka 370 Drumm Street), and adopting findings pursuant to Planning Code Section 101.1. (Clerk of the Board)

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

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

040256 [Appeal, Conditional Use - 8 Washington Street (aka 370 Drumm Street)]

Motion disapproving decision of the Planning Commission by its Motion No. 16725, approving Conditional Use Application 2002.0376C on property located at 8 Washington Street (aka 370 Drumm Street). (Clerk of the Board)

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

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

040257 [Findings - 8 Washington Street (aka 370 Drumm Street)]

Motion directing the Clerk of the Board to prepare findings relating to proposed Conditional Use Application No. 2002.0376C on property located at 8 Washington Street (aka 370 Drumm Street), for action by the Board at its next meeting. (Clerk of the Board)

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

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

COMMITTEE REPORTS

From the Rules Committee

Supervisor Daly noted present at 2:38 p.m.

031508 [Amending the Rules of the Board to provide the Office of the Legislative Analyst to primarily support the Board of Supervisors' Standing Committees and regional advisory bodies]

Supervisor Daly

Motion amending Rule No. 3.12 to the Rules of Order of the Board of Supervisors to provide a process that will allow the Office of the Legislative Analyst to primarily support the Board of Supervisors' Standing Committees and regional advisory bodies.

Motion No. M04-36

APPROVED by the following vote:

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

Supervisor Alioto-Pier Excused From Voting

Supervisor Peskin, seconded by Supervisor McGoldrick, moved to excuse Supervisor Alioto-Pier from voting on this item. The motion carried by the following vote:

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

Absent: 2 - Ammiano, Daly

Excused: 1 - Alioto-Pier

040354 [Appointment - Golden Gate Bridge, Highway and Transportation District]

Resolution appointing Supervisor Michela Alioto-Pier, term ending January 31, 2005 to the Board of Directors, Golden Gate Bridge Highway and Transportation District.

Supervisor Michela Alioto-Pier, succeeding Supervisor Sophie Maxwell, resigned, seat 5, must be member of the Board of Supervisors. Subject to review and affirmation by the Board of Supervisors in January of each odd-numbered year, for the unexpired portion of a two-year term ending January 31, 2005.

Supervisor Alioto-Pier excused.

Resolution No. 200-04

ADOPTED by the following vote:

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

Absent: 3 - Alioto-Pier, Ammiano, Daly

040271 [Appointment - Urban Counties Caucus]

Resolution appointing Supervisor Chris Daly, term ending December 31, 2004 to the Urban Counties Caucus.

Supervisor Chris Daly, succeeding Supervisor Leland Yee, term expired, seat 1, must be an elected representative from each County Board of Supervisors maintaining the membership of its supervisors in the Caucus. Each representative shall be selected at the beginning of the calendar year by the Board of Supervisors to serve a term of not less than two years to coincide with the sessions of the California Legislature, for the unexpired portion of a two-year term ending December 31, 2004.

Resolution No. 199-04

ADOPTED by the following vote:

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

Absent: 3 - Alioto-Pier, Ammiano, Daly

040337 [Establishing Joint City and School District Select Committee]

Supervisor Gonzalez

Motion establishing a Joint City and School District Select Committee.

Motion No. M04-40

APPROVED by the following vote:

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

Absent: 3 - Alioto-Pier, Ammiano, Daly

ROLL CALL FOR INTRODUCTIONS

PUBLIC COMMENT

Abdullah Megaheed; general issues

Female Speaker; Clear Program

Richard Robinson; support of same sex marriage

Vernon Jenkins; general issues

Female speaker, social aspects of African Americans; urged more areas to be visited by City Officials

Gordon Phibbs; support of Item No. 46

Ellis Wilson; homeless civil rights project

Bruce Allison; homeless shelters

Male speaker; homeless issues

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

**040374 [Accept - Expend Federal Grant]
Supervisor Alioto-Pier**

Resolution authorizing the San Francisco Port Commission to accept and expend a federal grant in the amount of \$450,000.00 from the Federal Transportation Security Administration to enhance facility and operational security at the Port's cargo terminal at Pier 80.

Resolution No. 205-04

ADOPTED

**040377 [Commending Senior Deputy Fabian Brown]
Supervisors Ammiano, Peskin**

Resolution commending Senior Deputy Fabian Brown for her outstanding public service in City Hall on March 22, 2004.

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

Resolution No. 206-04

ADOPTED

**040378 [Opposition to Budget Cuts to Higher Education]
Supervisors Ma, Sandoval**

Resolution urging Governor Schwarzenegger and State Legislators to provide College Access for All Californians by opposing Budget Cuts to Higher Education.

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

Resolution No. 207-04

ADOPTED

**040379 [Voter Education Regarding Instant Runoff Voting]
Supervisors Gonzalez, Peskin, Hall**

Resolution urging the Department of Elections and Elections Commission to immediately begin voter education and outreach regarding the use of instant runoff voting for the November 2004 election.

Supervisors Peskin and Hall requested to be added as sponsors.

Resolution No. 208-04

ADOPTED

**040380 [Accept-Expend Corporate Grant]
Supervisor Peskin**

Resolution authorizing the Department of the Environment to accept and expend a grant in the amount of \$50,000 from the Pacific Gas and Electric Company to support the development of a hydrogen fueling infrastructure in the City and County of San Francisco.

Resolution No. 209-04

ADOPTED

**040381 [Accept-Expend Foundation Grant]
Supervisor Peskin**

Resolution authorizing the Department of the Environment to accept and expend a grant in the amount of \$25,000 from the Richard and Rhoda Goldman Fund to support the development of a hydrogen fueling infrastructure in the City and County of San Francisco.

Resolution No. 210-04

ADOPTED

**040386 [Dolores Huerta Reappointment]
Supervisors Sandoval, Ammiano, Alioto-Pier, Dufty, Peskin**

Resolution supporting the reappointment of Dolores Huerta to the University of California Board of Regents.

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

Resolution No. 213-04

ADOPTED

**040387 [Commending William Breall]
Supervisors Sandoval, Ma**

Resolution commending William Breall for his tireless efforts to improve the health of San Franciscans through both research and teaching, his promotion of Jewish community services, and for extending his talents to other neighborhood projects.

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

Resolution No. 214-04

ADOPTED

040303 [Final Map for a 6 Unit Residential Condominium Project - 929, 931, 933, 935, 937 & 939 Vermont Street]

Motion approving Final Map of 929, 931, 933, 935, 937 & 939 Vermont Street, A Residential Condominium Project, being a subdivision of Lot 115 in Assessor's Block No. 4093, and adopting findings pursuant to Planning Code Section 101.1. (Public Works Department)

(DPW Order No. 174,726; District 10.)

Motion No. M04-37

APPROVED

The foregoing items were acted upon by the following vote:

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

Severed from Without Reference to Committee Agenda

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

**040382 [Fairness and Safety for Employees in San Francisco Residential Buildings]
Supervisors Peskin, Ammiano, Daly, Gonzalez, Dufty, Maxwell, Ma**

Resolution supporting the Service Employees International Union, Local 1877, in their efforts to maintain and improve standards for residential building service workers and the quality of service in San Francisco's residential buildings, and to call on Frank and Walter Lembi to re-establish the high quality, family-supporting jobs at Nob Hill Towers.

Supervisors Dufty, Maxwell and Ma requested to be added as co-sponsors.

Resolution No. 211-04

ADOPTED by the following vote:

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

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

**040383 [Revenue Bonds - ABAG Finance Authority]
Supervisor Peskin**

Resolution recommending approval of the issuance and sale of revenue bonds by the ABAG Finance Authority for Nonprofit Corporations in an aggregate principal amount not to exceed \$30 million for the improvement, including seismic safety improvements, to two buildings located at 690 Market (Assessor's Block 0311, Lot 006) and 938-942 Market Street (Assessor's Block 341, Lot 005) (collectively, the "Buildings"), and making findings.

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

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

Resolution No. 212-04

ADOPTED AS AMENDED by the following vote:

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

IMPERATIVE AGENDA

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

[Serious Injury Finding]

Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

President Gonzalez, seconded by Supervisor Ammiano, moved ADOPTION of the Serious Injury Finding. The motion carried by the following vote:

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

[Brown Act Finding]

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

President Gonzalez, seconded by Supervisor Ammiano, moved ADOPTION of the Brown Act Finding. The motion carried by the following vote:

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

**040404 [Sheriff Nonprofit Charter School]
Supervisor Gonzalez**

Resolution ratifying creation and continued operation of a nonprofit corporation by the Sheriff's Department to organize and operate a charter school on the premises of City-owned and operated jail facilities.

Resolution No. 215-04

ADOPTED by the following vote:

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

OFF-AGENDA LEGISLATION

Introduced by Supervisors or Mayor

Ordinances

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

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

3/30/04, RECEIVED AND ASSIGNED to Budget Committee. Sponsor requests this item be scheduled for consideration at the April 15, 2004 meeting.

**031991 [Work Practices for Lead-Based Paint and Fees For Implementation of Work Practices Program Provisions Regarding Interiors]
Supervisors Peskin, Maxwell**

Ordinance amending Section 3407 et seq., Section 110 Table 1-A and Section 110 Table 1-P of the San Francisco Building Code to regulate work that disturbs or removes lead-based paint in the interior of pre-1979 buildings that are in Group E3, R1 or R3 occupancy classification, as well as, the exterior of pre-1979 buildings and all steel structures; establish performance standards for work that disturbs or removes lead-based paint in the interior and exterior of such buildings and steel structure; conform the process for assessing administrative penalties with that for the issuance of an Order of Abatement, to provide a surcharge fee for alteration permits sought for buildings classified as R3 and E3 that were constructed prior to 1979 to implement the lead interior safe work practices provisions of Section 3407 et seq., to provide a surcharge license fee for apartment houses and hotels constructed prior to 1979, other than those operating only as tourist hotels, to implement the lead interior safe work practices provisions of Section 3407 et seq., and to make findings in accordance with California Health and Safety Code Section 17958.5 as to the local climatic, topological and geological reasons for amending the State Building Code.

(3/30/04 in Board: Supervisor Peskin submitted a substitute ordinance bearing new title; Companion measure to File 031992.)

12/9/03, ASSIGNED UNDER 30 DAY RULE to City Services Committee, expires on 1/8/2004. 2/21/04: Supervisor Maxwell requested to be added as a co-sponsor.

3/8/04, RESPONSE RECEIVED. Youth Commission supports Ordinance per memorandum dated March 1, 2004.

3/30/04, SUBSTITUTED. Supervisor Peskin submitted a substitute ordinance bearing new title.

3/30/04, ASSIGNED to City Services Committee.

3/31/04, TRANSFERRED to Finance and Audits Committee.

030244 [Funding for the Municipal Transportation Agency for capital projects.]

Ordinance appropriating \$35,506,484 of Breda lease-leaseback revenue to provide funding for capital projects addressing service reliability, accessibility improvements, safety improvements, facility modifications, environmental enhancements, and capacity expansion as identified by the Municipal Transportation Agency for fiscal year 2002-03. (Mayor)

(Fiscal impact; No Public Benefit Recipient.)

2/14/03, RECEIVED AND ASSIGNED to Finance and Audits Committee.

3/19/04, FILED PURSUANT TO RULE 5.37.

3/30/04, REACTIVATED PURSUANT TO RULE 5.23. Supervisor Sandoval requested this item be reactivated.

3/30/04, ASSIGNED to Finance and Audits Committee.

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

Resolution confirming the appointment of Ann Blumlein Lazarus to the San Francisco Port Commission.
3/30/04, RECEIVED AND ASSIGNED to Rules Committee.

**040404 [Sheriff Nonprofit Charter School]
Supervisor Gonzalez**

Resolution ratifying creation and continued operation of a nonprofit corporation by the Sheriff's Department to organize and operate a charter school on the premises of City-owned and operated jail facilities.
3/30/04, ADOPTED.

**040412 [Accept-Expend State Grant]
Supervisors Dufty, Ma**

Resolution authorizing the Chief of Police for the City and County of San Francisco to accept and expend grant funds made available through the California Office of Traffic Safety for a project entitled OTS - "Avoid the 2".
3/30/04, RECEIVED AND ASSIGNED to City Services Committee.

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

Resolution urging the Governor to postpone future retrofits of the Central Freeway deck and to commit the State to participate in a study of alternative future configurations for the Central Freeway.
3/30/04, RECEIVED AND ASSIGNED to Land Use Committee.

**040418 [Urging City Departments to investigate the viability of Jim Reid's Shelter-One house for use as a model homeless shelter]
Supervisors Gonzalez, Dufty**

Resolution urging the Mayor's Office of Homelessness, the Department of Building Inspection, and the Planning Department to investigate the viability of using Jim Reid's Shelter-One (the smallest house in San Francisco) as a potential homeless shelter in a test pilot project.
3/30/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**040419 [Public Safety Telecommunicators Week]
Supervisors Ma, Dufty**

Resolution recognizing the hard work and dedication of our public safety professionals and declaring April 11, 2004 through April 17, 2004 as "Public Safety Telecommunicators Week" in the City and County of San Francisco.
3/30/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**040420 [Supporting statewide ballot initiative]
Supervisors Maxwell, Dufty**

Resolution supporting a statewide ballot initiative to require voter approval before state government may take local tax funds.

3/30/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**040421 [Supporting AB 2146]
Supervisor Peskin**

Resolution urging the California State Legislature to support AB 2146, legislation to extend the season for dungeness crab fishing in the San Francisco Bay, and limiting the number of traps allowed on each vessel.

3/30/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**040422 [In Home Supportive Services (IHSS)]
Supervisors Sandoval, Dufty**

Resolution supporting In Home Supportive Services (IHSS) providers, seniors and people with disabilities and opposing proposed state funding reductions.

3/30/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**040423 [Authorizing DHS to request an ABAWD Waiver from the State Department of Social Services]
Supervisor Sandoval**

Resolution authorizing the Department of Human Services to request an ABAWD Waiver from the State Department of Social Services.

3/30/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**040417 [Declaration of Election Results]
Supervisor Dufty**

Resolution declaring the results of the March 2, 2004 Consolidated Primary Election.

3/30/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Requests for Hearing

**040401 [Performance and Service Hearings on various Departments]
Supervisor Hall**

Hearing on how various City departments can provide services with greater efficiencies from the following agencies and offices: 1) Aging and Adult Services; 2) Assessor-Recorder; 3) Department of Children, Youth and their Families; 4) Clerk, Board of Supervisors; 5) Controller's Office; 6) Housing Authority; 7) S.F. Public Library; 8) Department of Parking and Traffic; 9) Recreation and Parks Department; and 10) Treasurer-Tax Collector's Office.

3/30/04, RECEIVED AND ASSIGNED to City Services Committee.

**040405 [St. Anthony Dining Room Guest Survey Report]
Supervisor Daly**

Hearing about the major findings of the St. Anthony Dining Room Guest Survey Report, the recent 20% increase in the number of guests at St. Anthony's in the first 3 months of 2004, and the general increase in the number of people visiting the City's soup kitchens and food pantries.

3/30/04, RECEIVED AND ASSIGNED to City Services Committee.

**040406 [City Department's Pooled Vehicles and Car-sharing]
Supervisor Ammiano**

Hearing to consider the Controller's recommendations regarding use of pooled vehicles and car-sharing by City departments.

3/30/04, RECEIVED AND ASSIGNED to Finance and Audits Committee.

**040407 [S.F. Fire Department Audit]
Supervisor Sandoval**

Hearing to consider the Controller's report on the audit of the San Francisco Fire Department.

3/30/04, RECEIVED AND ASSIGNED to Budget Committee.

**040408 [Proposed Civilian positions in the S.F. Police Department]
Supervisor Sandoval**

Hearing to consider the report on the proposed civilian positions in the S.F. Police Department.

3/30/04, RECEIVED AND ASSIGNED to Finance and Audits Committee.

**040409 [Fiscal Year 2004-2005 Budget Updates]
Supervisor Sandoval**

Hearing to consider budget updates from the Mayor, Controller, Budget Analyst, Legislative Analyst and City Departments for the 2004-2005 fiscal year.

3/30/04, RECEIVED AND ASSIGNED to Budget Committee.

**040410 [641 27th Avenue Building Permits]
Supervisor McGoldrick**

Hearing on the building permits issued for 641 27th Avenue and the issue raised in issuing such permits.

3/30/04, RECEIVED AND ASSIGNED to Land Use Committee.

**040415 [Develop a plan for SFUSD Buses to drop off school children at Recreation & Park facilities]
Supervisor Maxwell**

Hearing to develop a plan for San Francisco Unified School District buses to drop off school children at Recreation and Park facilities.

3/30/04, RECEIVED AND ASSIGNED to City and School District Select Committee.

**040416 [Sheriff's Elections Security for 2003 Elections]
Supervisor Peskin**

Hearing to consider the Budget Analyst's review of Sheriff's Elections Security for the October, November and December of 2003 Elections in San Francisco.

3/30/04, RECEIVED AND ASSIGNED to Finance and Audits Committee. Sponsor requests this item be scheduled for consideration at the April 14, 2004 meeting.

Motions

**040400 [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.

3/30/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**040414 [Legislative Analyst Request - Selection of consultants for projects under environmental review by the Planning Department]
Supervisor Maxwell**

Motion requesting the Office of the Legislative Analyst to provide research assistance to the Board of Supervisors regarding the selection of consultants for projects under environmental review by the Planning Department. Delineate the current selection process by the City and County of San Francisco and provide an analysis of alternative consultant selection processes utilized by other municipalities. Please include in this analysis the role of the department, the project sponsor, and interested members of the community.

3/30/04, ASSIGNED to Board of Supervisors. Scheduled for Board consideration April 13, 2004.

**040424 [Office of the Legislative Analyst; Budget Consideration]
Supervisor Sandoval**

Motion directing the Office of the Legislative Analyst to provide budget-related staff support to the Budget Committee and to provide a list of potential cost-saving measures resulting from this and other work to the Budget Committee for their consideration.

3/30/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

PROPOSED ORDINANCES

- 040299 [Settlement of Lawsuit - Laurie, Adam, Jeremy and Caleb Peretz]**
Ordinance authorizing settlement of the lawsuit filed by Laurie, Adam, Jeremy and Caleb Peretz against the City and County of San Francisco for \$82,500.00; the lawsuit was filed on December 24, 2002 in San Francisco Superior Court, Case No. 416086; entitled Peretz, et al., v. City and County of San Francisco, et al. (City Attorney)
3/22/04, RECEIVED AND ASSIGNED to Rules Committee.
- 040300 [Settlement of Lawsuit - Anthony Bell]**
Ordinance authorizing settlement of the lawsuit filed by Anthony Bell against the City and County of San Francisco for \$75,000; the lawsuit was filed on December 23, 2002 in San Francisco Superior Court, Case No. 416-036; entitled Anthony Bell, et al., v. City and County of San Francisco, et al. (City Attorney)
3/22/04, RECEIVED AND ASSIGNED to Rules Committee.
- 040301 [Approval of taxicab color scheme transfers]**
Ordinance amending the San Francisco Police Code, by amending Section 1125 to provide that the Taxi Commission may consider the effect on the public interest, including the impact on paratransit service, when a permit holder seeks to associate with a color scheme or to transfer the permit to another color scheme. (Taxi Commission)
3/18/04, RECEIVED AND ASSIGNED to Finance and Audits Committee.
- 040302 [Requiring that applicants for a ramped taxi permit have completed at least 100 wheelchair pick-ups during the six months immediately preceding the Taxi Commission's hearing on the application]**
Ordinance amending the San Francisco Police Code, by amending Section 1148.1, to require that applicants for a ramped taxi permit have completed at least 100 wheelchair pick-ups during the six months immediately preceding the Taxi Commission's hearing on the application. (Taxi Commission)
3/18/04, RECEIVED AND ASSIGNED to Finance and Audits Committee.

PROPOSED RESOLUTIONS

- 040298 [Grant of Federal Funds]**
Resolution authorizing the Municipal Transportation Agency to accept and expend \$1,987,000 of Federal Transit Administration Section 70 funds for the Municipal Railway's NextBus Real Time Vehicle Information project, excluding administrative overhead costs. (Municipal Transportation Agency)
3/16/04, RECEIVED AND ASSIGNED to Land Use Committee.

Requests Granted

From: Supervisor Ammiano

To: Director, Department of Public Health

Requesting/Inquiring: Requesting justification for the proposed budget changes to Primary Care, including elimination of the Primary Care Medical Director/Chief of Service position.

From: Supervisor Maxwell

To: City Attorney

Requesting/Inquiring: To draft legislation to amend the NC-2 zoning controls on Potrero Hill to offer protections commensurate with named NC-2 districts throughout the City.

From: Supervisor Peskin

To: General Manager, Public Utilities Commission

To: Director, Department of Public Works

To: General Manager, Port

Requesting/Inquiring: To provide a report listing the quantity and nature of any encroachment permits (or similar easement permits) issued for property under your department's jurisdiction; the Department's current income from these permits (itemized, if possible); and an outline of the formula employed for determining the price for issuance of these permits on property under the department's jurisdiction.

From: Supervisor Sandoval

To: Chief, Fire Department

Requesting/Inquiring: Inquiring about problems that the department's engines have in navigating the narrow, car-filled street on the 300 block of Winding Way, and inquiring about the possible changes to on-street parking that might alleviate the problems.

Requesting the Clerk send a copy of this inquiry to:

Linda D'Avirro

317 Winding Way

San Francisco, 94112

From: Supervisor Sandoval

To: Acting Director, Recreation and Park Department

To: Isabel Wade, Chair of the Park, Recreation and Open Space Advisory Committee (PROSAC)

Requesting/Inquiring: Requesting that PROSAC investigate the possibility of using money from the Open Space Fund to purchase the vacant lot adjacent to 205 Cotter Street for use as a neighborhood park.

Requesting the Clerk send a copy of this inquiry to the following:

Acting Director

Recreation and Park Department

Golden Gate Park, McLaren Lodge

501 Stanyan Street

San Francisco, 94117

Isabel Wade

Chair PROSAC

Neighborhood Parks Council

451 Hayes Street, 2nd Floor

San Francisco, 94102

PROSAC

C/o Svetlana Karasyova, Park Planner

Recreation and Park Department

Golden Gate Park, McLaren Lodge

501 Stanyan Street
San Francisco, 94117

Sharon Eberhardt
Member, PROSAC
Recreation and Park Department
Golden Gate Park, McLaren Lodge
501 Stanyan Street
San Francisco, 94117

Nancy Barber
Member, PROSAC
Golden Gate Park, McLaren Lodge
501 Stanyan Street
San Francisco, 94117

The Short Family
205 Cotter Street
San Francisco, 94112

In Memoriams

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

*Neil Joseph Kelly (Supervisor Hall)
Cid Corman (Supervisor Gonzalez)
William M. Tonelli (Supervisor Sandoval)
Robert Luongo (Supervisor Sandoval)*

ADJOURNMENT

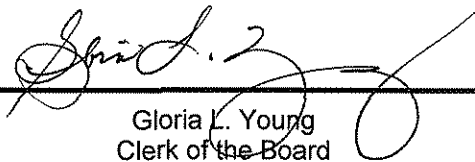
There being no further business, the Board at the hour of 5:48 p.m. adjourned.

Gloria L. Young, Clerk

N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on April 20, 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