

BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

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

MEETING MINUTES

Tuesday, February 24, 2004 2:00 PM

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

MATT GONZALEZ, PRESIDENT
MICHELA ALIOTO-PIER, TOM AMMIANO, CHRIS DALY,
BEVAN DUFTY, TONY HALL, FIONA MA, SOPHIE MAXWELL,
JAKE MCGOLDRICK, AARON PESKIN, GERARDO SANDOVAL

Gloria L. Young, Clerk of the Board

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

BOARD COMMITTEES

Committee Membership

Budget Committee

Supervisors Daly, Peskin, Maxwell, Ma, Gonzalez

City and School District Select Committee

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

City Services Committee

Supervisors Dufty, Ma

Finance and Audits Committee

Supervisors Peskin, Sandoval, McGoldrick

Land Use Committee

Supervisors McGoldrick, Maxwell, Ammiano

Rules Committee

Supervisors Hall, Dufty, Gonzalez

Meeting Days

Thursday
1:00 PM

2nd Monday, bi-monthly
4:00 PM

Thursday
9:30 AM

Wednesday
12:30 PM

Monday
1:00 PM

Wednesday
9:30 AM

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

Members Present: Michela Alioto-Pier, Tom Ammiano, Chris Daly, Bevan Duffy, Matt Gonzalez, Tony Hall, Fiona Ma, Sophie Maxwell, 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 Supervisors Maxwell and McGodrick were noted absent.

Quorum present.

Supervisors McGodrick was previously excused from attending today's meeting. (See Infra)

Supervisor Maxwell was noted present at 2:29 p.m.

Supervisor McGodrick Excused from Attendance

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

Ayes: 9 - Alioto-Pier, Ammiano, Daly, Duffy, Gonzalez, Hall, Ma, Peskin, Sandoval

Absent: 1 - Maxwell

Excused: 1 - McGodrick

APPROVAL OF MEETING MINUTES

Supervisor Peskin, seconded by Supervisor Duffy, moved to approve January 27, 2004 and February 3, 2004 Meeting Minutes. The motion carried by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Daly, Duffy, Gonzalez, Hall, Ma, Peskin, Sandoval

Absent: 1 - Maxwell

Excused: 1 - McGodrick

COMMUNICATIONS

President Gonzalez informed the Board that Supervisor Maxwell was attending Jury Duty and would be arriving later during the meeting.

CONSENT AGENDA

Recommendation of the Budget Committee

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

Ordinance No. 29-04
FINALLY PASSED

Recommendations of the City Services Committee

- 040070 [Accept-Expend State Grant]**
Supervisor Ma
- Resolution authorizing the Recreation and Park Department to accept and expend a Recreational Trails Program grant in the total amount of \$220,000 from the State of California Parks and Recreation Department under the Transportation Equity Act for the 21st Century for the Pine Lake Trail Improvement Project.
- Resolution No. 114-04
ADOPTED
- 040076 [Transgender cultural competency training to providers]**
Supervisors Dufty, Daly, Gonzalez
- Resolution authorizing the San Francisco Department of Public Health, AIDS Office (SFDPH, AIDS) to accept retroactively and expend a grant in the amount of \$75,000 from the Department of Health and Human Services, Health Resources and Services Administration (DHHS, HRSA) for transgender cultural competency training and to enter into an agreement for the use of these funds; for the period of August 1, 2003 to July 31, 2004.
(Public Health Department)
- Supervisors Daly and Gonzalez requested to be added as co-sponsors.*
- Resolution No. 115-04
ADOPTED
- 040103 [Grant Application - Dept. of the Environment Grant]**
Supervisors Dufty, Gonzalez
- Resolution authorizing the Department of the Environment to apply for a grant in the amount of \$261,961 from the California Integrated Waste Management Board for enforcing proper disposal of waste tires.
- Supervisor Gonzalez requested to be added as a co-sponsor.*
- Resolution No. 118-04
ADOPTED

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

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

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

Resolution No. 122-04

ADOPTED

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

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

Resolution No. 123-04

ADOPTED

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

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

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

Resolution No. 125-04

ADOPTED

Recommendations of the Finance and Audits Committee

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

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

**Ordinance No. 32-04
FINALLY PASSED**

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

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

(Fiscal impact.)

**Ordinance No. 31-04
FINALLY PASSED**

**040015 [Lease of Real Property - 70 Oak Grove Street]
Supervisors Sandoval, Peskin, McGoldrick**

Resolution authorizing the lease of 10,000 sq. ft. of space at 70 Oak Grove Street for the Sheriff's Department's Alternative Programs. (Real Estate Department)

**Resolution No. 109-04
ADOPTED**

**040091 [Lease of Real Property - 1315 and 1319 Evans Avenue]
Supervisor Maxwell**

Resolution authorizing a lease of approximately 1,128 square feet of space at 1315 and 1319 Evans Avenue for the Department of Child Support Services for a term of five years.

**Resolution No. 117-04
ADOPTED**

040082 [Gift from Cypress Lawn Funeral Home]

Resolution accepting Cypress Lawn Funeral Home's gift of goods and services to re-inter remains from the Yerba Buena Cemetery and agreeing to indemnify Cypress Lawn Funeral Home for any legal action resulting from and attributable to the provision of such goods and services. (Medical Examiner/Coroner)

Resolution No. 116-04

ADOPTED

Recommendations of the Rules Committee**040080 [Settlement of Lawsuit - Sofia Rillanos]**

Ordinance authorizing settlement of the lawsuit filed by Sofia Rillanos against the City and County of San Francisco for \$80,000; the lawsuit was filed on March 23, 2003 in San Francisco Superior Court, Case No. 418-598; entitled Sofia Rillanos v. City and County of San Francisco, et al; other material terms of said settlement are that plaintiff is to seek a non-disability-related retirement with the San Francisco Employees' Retirement System within three days of the date the settlement amount is paid. (City Attorney)

PASSED, ON FIRST READING

040081 [Settlement of Lawsuit - Katherine Cox]

Ordinance authorizing settlement of the lawsuit filed by Katherine Cox against the City and County of San Francisco for \$200,000.00; the lawsuit was filed on September 3, 2002 in San Francisco Superior Court, Case No. 412117; entitled Katherine Cox, et al., v. City and County of San Francisco, et al. (City Attorney)

PASSED, ON FIRST READING

040131 [Settlement of Lawsuit - Michelle Asami]

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

PASSED, ON FIRST READING

040132 [Settlement of Claim - Larry Oldham]

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

Resolution No. 124-04

ADOPTED

040033 [Settlement of Claim - Catherine Lee]

Resolution approving the settlement of the unlitigated claim filed by Catherine Lee against San Francisco for \$33,000; claim was filed on September 8, 2003; Claim No. 04-00706. (City Attorney)

Resolution No. 112-04

ADOPTED

040120 [Appointment - Biosciences Task Force]

Resolution appointing Gregory Stewart, term ending April 22, 2004 to the Biosciences Task Force. Residency requirement waived.

Resolution No. 121-04

ADOPTED

040126 [Appointment - Biosciences Task Force]

Resolution appointing Scott Ogus, term ending April 22, 2004 to the Biosciences Task Force.

Resolution No. 120-04

ADOPTED

040176 [Appointment - Treasure Island Authority Citizens Advisory Board]

Resolution appointing Stephen Matton, Charles Higgins and Suzanne Kim, terms ending January 1, 2005 to the Treasure Island Authority Citizens Advisory Board.

Resolution No. 135-04

ADOPTED

The foregoing items were acted upon by the following vote:

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

Absent: 1 - Maxwell

Excused: 1 - McGoldrick

REGULAR AGENDA

UNFINISHED BUSINESS

From the Clerk

040200 [Adopting findings related to the categorical exemption issued for 899 North Point Street]

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

(Companion measure to Files 031969, 031970, 031971, 031972.)

Motion No. M04-29

APPROVED by the following vote:

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

Absent: 1 - Maxwell

Excused: 1 - McGoldrick

Recommendation of the Finance and Audits Committee

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

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

(Fiscal impact.)

Supervisor Sandoval dissenting in Committee.

Ordinance No. 30-04

FINALLY PASSED by the following vote:

Ayes: 8 - Alioto-Pier, Ammiano, Daly, Duffy, Gonzalez, Hall, Ma, Peskin

Noes: 1 - Sandoval

Absent: 1 - Maxwell

Excused: 1 - McGoldrick

Recommendation of the Land Use Committee

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

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

FINALLY PASSED by the following vote:

Ayes: 6 - Ammiano, Daly, Gonzalez, Maxwell, Peskin, Sandoval

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

Excused: 1 - McGoldrick

NEW BUSINESS

Recommendation of the Budget Committee

040088 [2004-2005 Fiscal Year Budget for the Board of Supervisors/Clerk of the Board]
Supervisor Daly

Motion approving the fiscal year 2004-2005 proposed budget for the Board of Supervisors/Clerk of the Board located in Board File No. 032023, and directing that it be filed with the Mayor. (Clerk of the Board)

Supervisor Daly requested to be added as sponsor.

Motion No. M04-24

APPROVED by the following vote:

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

Absent: 1 - Maxwell

Excused: 1 - McGoldrick

Recommendations of the City Services Committee

040055 [Fees for regulation of mobile storage containers on the public right-of-way]
Supervisors Peskin, Daly

Ordinance amending Section 726 of the Public Works Code to adjust fees for regulation of placement of mobile storage containers on the public right-of-way.

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

PASSED ON FIRST READING by the following vote:

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

Absent: 1 - Maxwell

Excused: 1 - McGoldrick

032027 [Adopting the recommendations of the City Non-Profit Contracting Task Force]
Supervisors Maxwell, Dufty, Ma, Daly, Gonzalez

Resolution adopting the recommendations of the City Non-Profit Contracting Task Force.

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

Resolution No. 137-04

ADOPTED by the following vote:

Ayes: 8 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Ma, Peskin, Sandoval

Noes: 1 - Hall

Absent: 1 - Maxwell

Excused: 1 - McGoldrick

**031967 [Liquor License Transfer, 500 Divisadero Street]
Supervisor Gonzalez**

Resolution determining that the transfer of a Type 48 on-sale general public premises license from 901 Geneva Avenue to 500 Divisadero Street (District 5), to Leila K. Fakouri dba Madrone Lounge, 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.

Supervisor Gonzalez requested to be added as sponsor.

Resolution No. 108-04

ADOPTED by the following vote:

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

040016 [Liquor License Transfer, 1028 Geary Street]

Resolution determining that the transfer of a Type 48 on-sale general public premises license from 3653 Buchanan Street to 1028 Geary Street (District 6), to Neeraj Gore for Lunar Productions LLC, dba "Element" bar and lounge, 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. 110-04

ADOPTED by the following vote:

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

Recommendations of the Finance and Audits Committee

040023 [Public Auction of tax-defaulted real property]

Resolution authorizing Tax Collector to sell at public auction certain parcels of tax-defaulted real property. (Treasurer-Tax Collector)

Resolution No. 111-04

ADOPTED by the following vote:

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

**040056 [Cost sharing agreement to address Ocean Beach erosion issues]
Mayor, Supervisors Ma, Hall, McGoldrick**

Resolution approving a Feasibility Cost Sharing Agreement with the U.S. Army Corps of Engineers concerning the study and development of alternatives to protect the Great Highway and Ocean Beach from beach and bluff erosion and authorizing other official acts in connection with this Agreement.

Resolution No. 113-04

ADOPTED by the following vote:

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

Recommendation of the Land Use Committee**031879 [Residential Rent Ordinance-Keys]
Supervisors Daly, Gonzalez**

Ordinance amending Administrative Code Chapter 37 ("Residential Rent Stabilization and Arbitration Ordinance") by renumbering existing Section 37.13 as 37.14 and renumbering existing Section 37.14 as 37.15, and by adding new Section 37.13 to provide that: each adult occupant is entitled to a minimum of one key/key-set for the rental unit without charge; upon written request for extra keys/key-sets stating the reason(s) (e.g., for the convenience of the occupant, such as admitting a service provider or a delivery person or a houseguest) a landlord shall provide the requested extra keys/key-sets unless within 14 days the landlord denies the request in writing as unreasonable (e.g., due to unlawful occupancy or a pattern of lease violation); a request for an extra key/key-set may only be denied for good reason; unreasonable denial of an extra key/key-set constitutes a decrease in housing services; and, a tenant may file a petition for hearing on a disputed request for an extra key/key-set, which shall be decided by an Administrative Law Judge (ALJ), with the ALJ decision appealable to the Rent Board.

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

PASSED ON FIRST READING by the following vote:

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

Recommendations of the Rules Committee**030423 [Establishing the powers and duties of the Small Business Commission]
Supervisors Daly, Gonzalez**

Ordinance amending the San Francisco Administrative Code by adding Section 2A.240, to list the powers and duties of the Small Business Commission, and by repealing Sections 5.120, 5.121, and 5.122, dealing with the former Small Business Commission, and by re-numbering Section 10.100-129 as Section 10.100-333, and providing that the ordinance shall only take effect if a charter amendment creating a Small Business Commission in the Charter is adopted at the November 2003 election.

(No fiscal impact; Companion measure to File 030426.)

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

PASSED ON FIRST READING by the following vote:

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

Supervisor Maxwell noted present at 2:29 p.m.

Supervisor Daly Excused from Voting

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

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

Excused: 2 - Daly, McGoldrick

**031920 [Appointment - Small Business Commission]
Supervisor Gonzalez**

Motion appointing Michael O'Connor, David Sahagun and Jordanna Thigpen, term ending dates to be determined, to the Small Business Commission.

Supervisor Daly requested to divide the question of Michael O'Connor and be excused from voting on this matter.

Supervisor Daly, seconded by Supervisor Ammiano, moved to continue the appointments of David Sahagun and Jordanna Thigpen to March 9, 2004.

Motion failed by the following vote:

Ayes: 5 - Alioto-Pier, Ammiano, Daly, Maxwell, Peskin

Noes: 5 - Dufty, Gonzalez, Hall, Ma, Sandoval

Excused: 1 - McGoldrick

Supervisor Daly, seconded by Supervisor Peskin, moved to amend by deleting "the names of David Sahagun and Jordanna Thigpen" and replacing with "the names of Luis Grandos and Philip DeAndrade" to the Small Business Commission.

Motion failed by the following vote:

Ayes: 4 - Ammiano, Daly, Peskin, Sandoval

Noes: 6 - Alioto-Pier, Dufty, Gonzalez, Hall, Ma, Maxwell

Excused: 1 - McGoldrick

Supervisor Gonzalez requested to be added as sponsor.

DIVIDED by the following vote:

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

Excused: 1 - McGoldrick

Motion appointing Michael O'Connor, term ending date to be determined, to the Small Business Commission.

Motion No. M04-23

APPROVED by the following vote:

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

Excused: 2 - Daly, McGoldrick

**040237 [Appointment - Small Business Commission]
Supervisor Gonzalez**

Motion appointing David Sahagun and Jordanna Thigpen, term ending dates to be determined, to the Small Business Commission.

Divided from File No. 031920

Supervisor Gonzalez requested to be added as sponsor.

Motion No. M04-30

APPROVED by the following vote:

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

**031934 [City-owned cars assigned to the District Attorney]
Supervisors Peskin, Dufty**

Ordinance amending Administrative Code Section 4.11 to include employees of the District Attorney's Office in the category of employees who may drive city-owned vehicles to and from their residence and to limit the number of such vehicles assigned to the District Attorney to eight (8).

PASSED ON FIRST READING by the following vote:

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

**031937 [City Hall - City Hall Preservation Advisory Commission]
Supervisors Peskin, Hall, Dufty**

Ordinance amending the San Francisco Administrative Code to add Section 5.240 establishing the City Hall Preservation Advisory Commission.

PASSED ON FIRST READING by the following vote:

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

**040104 [Power Plant Task Force]
Supervisor Maxwell**

Resolution modifying the Power Plant Task Force by specifying the appointment process for Task Force membership and extending the expiration date of the Task Force from November 1, 2003 to November 1, 2005.

Resolution No. 119-04

ADOPTED by the following vote:

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

032004 [Support HR 3171 and SB 1552]
Supervisors McGoldrick, Gonzalez, Daly

Resolution supporting HR 3171 and SB 1552, amending the USA PATRIOT Act.

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

Resolution No. 136-04

ADOPTED by the following vote:

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

Noes: 1 - Hall

Excused: 1 - McGoldrick

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

Supervisor Sandoval, seconded by Supervisor Dufty, moved to suspend Rule 4.28 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests. The motion carried by the following vote:

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

Excused: 1 - McGoldrick

Privilege of the Floor

Recognition of African Americans During Black History Month

Supervisor Sandoval introduced, welcomed and presented a Certificate of Honor to Will Page Reno, "Mayor of Broad Street" in recognition of his community involvement.

Supervisor Daly introduced, welcomed and presented a Certificate of Honor to Ms. Elizabeth Glover in recognition of her outstanding career as a teacher in the SFUSD.

Supervisor Gonzalez introduced, welcomed and presented a Certificate of Honor to James Collins in recognition of his community activism as an African American.

Supervisor Dufty introduced, welcomed and recognized the staff of various City Departments: Bill Lee, City Administrator, County Clerk's Office, Assessor's Office, Sheriff Michael Hennessy, Treasurer, Susan Leal, Controller Ed Harrington, Mayor's Office of Neighborhood Services in recognition of the hard work involved in the issuing of marriage certificates for same sex marriages. Supervisor Ammiano expressed his gratitude to all City Departments.

ROLL CALL FOR INTRODUCTIONS

PUBLIC COMMENT

Abdullah Megaheed; homeless issues
Vernon Jenkins; general issues
Patrick Monette; budget issues non-profit
Jess Gumbay; issues regarding being robbed
Lenore Anderson, Juvenile Justice; support of Item 41
Barbara Moyer; homeless non-profit budget issues
John; same sex issues
Jeff Adachi, Public Defender; support of Item 41
Gwendolyn Tucker, Chief Probation Officer, Juvenile Probation; support of Item 41
Bruce Alverson; homeless issues
Esquire Chambers; homeless issues
Stephen Chester; homeless coalition; homeless issues
Female speaker; traffic issues
Chenel Williams, Youth Commissioner; support of Item 41
Richard Marquiz; support of Item 41
Louise Vaughn; youth violence
Catherine Perry; equality issues
Ignacio Nunez; Shanti Project budget issues
Sharon Hewitt; reported another murder in Southeast Corner
Donald Sanders, Director of Log Cabin Ranch; support of Items 41 and 44
Youth Commissioner, Justice Committee Member; support of Item 41
Eduardo; same sex marriage 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.

040202 [California Youth Authority]

Supervisors Ammiano, Maxwell, Daly, Sandoval, McGoldrick, Ma, Dufty, Gonzalez

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

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

Resolution No. 138-04

ADOPTED

040204 [Commending Chris Cunnie]

Supervisors Dufty, Alioto-Pier, Ammiano, Daly, Ma, Maxwell, Peskin, Sandoval

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

Resolution No. 134-04

ADOPTED

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

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

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

Resolution No. 107-04

ADOPTED

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

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

Resolution No. 133-04

ADOPTED

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

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

Resolution No. 132-04

ADOPTED

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

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

Resolution No. 131-04

ADOPTED

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

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

Resolution No. 130-04

ADOPTED

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

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

Resolution No. 129-04

ADOPTED

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

Resolution commending Dr. Raymond K.Y. Li for his contributions to health services for the Chinese community and recent appointment to the Board of Trustees for Chinese Hospital.

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

Resolution No. 128-04

ADOPTED

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

Resolution commending Ross Shoaf for his tireless efforts to improve the flow of traffic and his work on other transportation issues within San Francisco, and for extending his talents to other metropolitan areas.

Resolution No. 127-04

ADOPTED

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

Resolution commending Thomas Ng for his numerous contributions to the Chinese community and recent appointment to the Board of Trustees for Chinese Hospital.

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

Resolution No. 126-04

ADOPTED

**040180 [Needle Exchange Emergency]
Supervisors Ammiano, Daly, Peskin, McGoldrick, Maxwell, Dufty**

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program. (Clerk of the Board)

Motion No. M04-25

APPROVED

- 040198** [Final Map for a 29 Unit a Commercial/Residential Condominium Project - 900 Van Ness Avenue]
Motion approving Final Map of 900 Van Ness Avenue, a Commercial/ Residential Condominium Project, being a subdivision of Lot 11 in Assessor's Block No. 718 and adopting findings pursuant to Planning Code Section 101.1. (Public Works Department)

(DPW Order No. 174,664; District 6.)

Motion No. M04-27

APPROVED

- 040199** [Final Map for a 12 Unit Mixed/Use Condominium Project - 800 Innes Avenue]
Motion approving Final Map of 800 Innes Avenue, a Mixed/Use Condominium Project, being a subdivision of Lot 2 in Assessor's Block No. 4645, and adopting findings pursuant to Planning Code Section 101.1. (Public Works Department)

(DPW Order No. 174,653; District 10.)

Motion No. M04-28

APPROVED

The foregoing items were acted upon by the following vote:

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

Severed from Without Reference to Committee

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

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

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

Continued to March 9, 2004

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

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

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

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

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

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

Supervisor Hall requested that this matter be referred to Committee.

REFERRED to the City Services Committee.

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

- 040185 [Extending Time for Negotiations]
Supervisor Peskin

Motion extending time for negotiations pursuant to Charter Section 11.100.

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

Supervisor Peskin, seconded by Supervisor Ammiano, moved to amend on page 2, line 4, to replace "shall be" with "should" and by deleting "on or about June 1, 2004".

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

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

Motion No. M04-26

APPROVED AS AMENDED by the following vote:

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

OFF-AGENDA LEGISLATION

Introduced by Supervisors or Mayor

Ordinances

**031878 [Establishing an Alternative Affordable Housing and Home Ownership Bond Program]
Supervisor Sandoval**

Ordinance amending the San Francisco Administrative Code by adding a new Article IIIA, consisting of Sections 43.3A.1 through 43.3A.24 to establish an alternative affordable housing assistance and home ownership bond program.

11/18/03, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 12/18/2003.

2/24/04, SUBSTITUTED. Supervisor Sandoval submitted a substitute ordinance bearing new title, and approved as to form.

2/24/04, ASSIGNED UNDER 30 DAY RULE to Land Use Committee, expires on 3/25/2004.

**040145 [Zoning Map Amendment - Second Street between South Park and Townsend Streets]
Supervisor Daly**

Ordinance amending the San Francisco Planning Code by amending the Zoning Map of the City and County of San Francisco, Section Map 1H, to change the height and bulk district designations of Assessor's Block 3775, Lots 007 and 008, on the western side of Second Street between South Park and Townsend Streets from 40-X to 65-X, and adopting findings.

2/9/04, REFERRED TO DEPARTMENT. Referred to City Attorney for approval as to form.

2/24/04, SUBSTITUTED. Supervisor Daly submitted a substitute ordinance approved as to form, bearing new title.

2/24/04, RECEIVED AND ASSIGNED to Land Use Committee.

2/24/04, ASSIGNED to Land Use Committee.

**040233 [Prohibition on biometric imaging as a form of identification unless otherwise required by state law, federal law, or by local voter initiative]
Supervisors Daly, Ammiano, Gonzalez**

Ordinance amending the San Francisco Administrative Code by adding a new section 20.35 to prohibit City Departments and contractors from biometric imaging individuals as a form of identification unless otherwise required by state law, federal law, or local voter initiative; amending the Administrative Code by repealing sections 20.75.15, 20.105.11, and 20.205.15 which require fingerprinting as a condition of aid eligibility in the Personal Assisted Employment Services Program (PAES), Cash Assistance Linked to Medi-Cal Program (CALM), and the Supplemental Security Income Pending Program (SSIP).

2/24/04, ASSIGNED UNDER 30 DAY RULE to City Services Committee, expires on 3/25/2004.

**040234 [Ten (10) Most Wanted Suspects Crime Bulletin]
Supervisor Ma**

Ordinance requiring the San Francisco Police Department to issue and post a 10 Most Wanted Suspects Crime Bulletin.

2/24/04, ASSIGNED UNDER 30 DAY RULE to City Services Committee, expires on 3/25/2004.

**040235 [Eliminating renewal fees for police emergency alarm licenses]
Supervisor Hall**

Ordinance amending the San Francisco Police Code, by amending Sections 3707, 3708, 3710.2, 3710.3, 3710.4, 3717, and 3720, to eliminate renewal fees for police emergency alarm licenses.

(Fiscal impact.)

2/24/04, RECEIVED AND ASSIGNED to Finance and Audits Committee.

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

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

2/24/04, RECEIVED AND ASSIGNED to City Services Committee.

Resolutions

**030409 [Grants Federal Funds - Municipal Railway]
Supervisor Dufty**

Resolution authorizing the Municipal Transportation Agency to accept and expend \$3,960,116 of federal earmarked capital assistance for MUNI's Particulate Matter Traps Procurement and Natural Gas Facility Rehabilitation Project. (Municipal Transportation Agency)

(No Public Benefit Recipient.)

3/17/03, RECEIVED AND ASSIGNED to City Services Committee.

11/5/03, FILED PURSUANT TO RULE 5.37.

2/24/04, REACTIVATED PURSUANT TO RULE 5.23. Supervisor Dufty requested this matter be reactivated.

2/24/04, ASSIGNED to City Services Committee.

**040238 [MUNI Biodiesel Pilot Program]
Supervisor Gonzalez**

Resolution urging MUNI to start a pilot program utilizing biodiesel within the next 8 months, as well as research and adopt the use of biodiesel, a cleaner burning alternative fuel, that will significantly reduce emissions.

2/24/04, RECEIVED AND ASSIGNED to Land Use Committee.

**040241 [Commending Youth Chance High School]
Supervisor Daly**

Resolution commending Youth Chance High School for 25 years of community leadership, educational excellence, and dedicated service to improving the lives of youth in San Francisco.

2/24/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**040244 [Extension of Planning Commission Review Period]
Supervisor Peskin**

Resolution extending to and including March 15, 2004 the prescribed time within which the Planning Commission may render its decision on a proposed ordinance to amend the San Francisco Planning Code by amending Section 128 to allow a City-owned landmark in a P(Public) zoning district that is adjacent to properties zoned C-3 (Downtown Commercial) to sell Transferable Development Rights and by amending Section 149 to authorize the landmark to receive artwork contributions in order to finance rehabilitation and restoration of the exterior of the property.

2/24/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**040245 [National Diabetes Month]
Supervisors Maxwell, Dufty, Hall**

Resolution proclaiming the month of February 2004 as National Diabetes Month.

2/24/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**040246 [Commending the Services and Advocacy for Asian Youth Consortium]
Supervisors Ma, Hall, Sandoval**

Resolution commending the Services and Advocacy for Asian Youth Consortium for their dedication and commitment to the Asian youth community in San Francisco.

2/24/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**040247 [Commending San Francisco's African Americans Legion Post No. 875]
Supervisors Ma, Maxwell, Dufty, Hall, Sandoval**

Resolution recognizing and commending San Francisco's African Americans Legion Post No. 875 for their dedicated service to the many brave veterans living in the San Francisco Bay Area.

2/24/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**040248 [Read Aloud Day]
Supervisors Ma, Dufty, Hall, Sandoval**

Resolution declaring March 2, 2004 as "Read Aloud Day" in the City and County of San Francisco.

2/24/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**040249 [Filipino World War II veterans]
Supervisors Ma, Dufty, Hall, Peskin, Daly, Sandoval**

Resolution urging State Legislators to support Filipino World War II veterans by passing legislation to recognize Filipino combatants as American veterans.

2/24/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**040250 [High Risk and Serious Registered Sex Offender Map]
Supervisor Hall**

Resolution urging the San Francisco Police Department to provide on their website the general whereabouts of registered sex offenders, classified as either "Serious" or High Risk offenders who reside in the City and County of San Francisco.

2/24/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING. 2/26/04 - Referred to Youth Commission for comment and recommendation.

**040251 [Proclaiming March 2004 as Social Work Month]
Supervisors Sandoval, Dufty, Daly**

Resolution proclaiming March 2004 as Social Work Month in the City and County of San Francisco.

2/24/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**040252 [Board of Supervisors Meeting Schedule - Week of May 3, 2004]
Supervisor Gonzalez**

Resolution revising the regular meeting schedule of the Board of Supervisors by canceling all Board and Committee meetings during the week of May 3, 2004.

2/24/04, RECEIVED AND ASSIGNED to Rules Committee.

**040253 [Opposing elimination of state guarantees for low-income immigrant access to health and social services]
Supervisors Ammiano, Daly**

Resolution opposing Governor Schwarzenegger's proposals to eliminate state guarantees which ensure that low-income immigrants have access to health and social services.

2/24/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Hearings

**040242 [Fire Department's "light work" designation.]
Supervisor Sandoval**

Hearing on the Fire Department's personnel and budgetary policies as they relate to potential abuses of the "light work" designation.

2/24/04, RECEIVED AND ASSIGNED to Budget Committee.

**040243 [City's implementation plan for Care Not Cash/Real Housing Real Care]
Supervisor Daly**

Hearing on the City's implementation plan for Care Not Cash/Real Housing Real Care.
2/24/04, RECEIVED AND ASSIGNED to City Services Committee.

Motion

**040231 [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.
2/24/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

PROPOSED ORDINANCES

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)
2/5/04, RECEIVED AND ASSIGNED to Land Use Committee.

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)
2/5/04, RECEIVED AND ASSIGNED to Land Use Committee.

- 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)
2/5/04, RECEIVED AND ASSIGNED to Land Use 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)
2/9/04, RECEIVED AND ASSIGNED to Rules Committee.
- 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)
2/9/04, RECEIVED AND ASSIGNED to Rules Committee.
- 040163 [Settlement of Lawsuits and Assessment Appeals]**
Ordinance authorizing settlement of lawsuits and assessment appeals filed by Mission Housing Development Co., Thomas Paine, Ltd., Vista del Monte, Ltd., Buchanan Park, Ltd., Prince Hall Ltd., Laurel Gardens, St. Francis Square Apartments, Friendship Village Inc., Casa de La Raza, Third Baptist Gardens/F. D. Haynes Apartments, and Glenridge Apartments versus the City and County of San Francisco by payment of a total amount not to exceed \$1,800,000.00; the cases and appeals are Mission Housing I (San Francisco Co. Super Ct. No. 920940, Court of Appeal No. A075003), Mission Housing II (San Francisco Co. Super Ct. No. 920940, Court of Appeal No. A085462), Mission Housing III (San Francisco Co. Super Ct No. 300781), Mission Housing IV (those assessment appeals for which a decision was rendered by the Assessment Appeals Board on September 9, 2003), and Mission Housing V (San Francisco Co. Superior Ct. No. 502335, Court of Appeal No. A104180); the settlement includes any claims for reduced assessment for the 2002-2003 tax year and Plaintiffs/Claimants shall not file any claims for refund based on Sections 1604 or 2635 of the Revenue and Taxation Code. (A copy of proposed Settlement Agreement placed in Board File No. 040163.) (City Attorney)
2/9/04, RECEIVED AND ASSIGNED to Rules Committee.
- 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)
2/11/04, RECEIVED AND ASSIGNED to Land Use Committee.

- 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)
2/11/04, RECEIVED AND ASSIGNED to Land Use Committee.
- 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)
2/11/04, RECEIVED AND ASSIGNED to Land Use Committee.

PROPOSED RESOLUTIONS

- 040164 [STOP Intersections]**
Resolution designating certain intersections as "STOP" intersections.
- STOP SIGNS - ESTABLISH
31st Avenue and Rivera Street, stopping 31st Avenue, making this intersection an all-way STOP; and
Newcomb and Toland Streets, stopping Newcomb Street, making this uncontrolled intersection a two-way STOP. (Parking and Traffic Department)
- (2/10/04: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 2759.)
2/11/04, RECEIVED AND ASSIGNED to Land Use Committee.

040165 [Parking Regulations]

Resolution enacting and rescinding parking regulations at various locations.

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

Missouri Street, both sides, between 20th and 22nd Streets (500 and 600 blocks); and
Sierra Street, north side, between Missouri and Texas Streets.

TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH

Plymouth Avenue, east side, from Monterey Boulevard to 60 feet northerly;
Cesar Chavez Street, north side, from 35 feet to 85 feet east of Connecticut Street (extends existing 35-foot zone by an additional 50 feet); and
Cesar Chavez Street, south side, from Connecticut Street to 85 feet easterly.

PERPENDICULAR (90-DEGREE ANGLE) PARKING - ESTABLISH

Ellis Street, south side, from Laguna Street to 350 feet westerly (legislates existing conditions);
Waller Street, north side, from Divisadero Street to Broderick Street (legislates existing conditions); and
Market Street, north side, between the east and west curb lines of Steuart Street.

TOW-AWAY, NO PARKING ANYTIME - ESTABLISH

Edgar Place, east side, from 80 feet south of Niagara Avenue to the southern terminus (unit block).

NO PARKING ANYTIME - RESCIND

NO PARKING, 7 AM TO 6 PM, EXCEPT SUNDAY - ESTABLISH

Nido Avenue, west side, between Turk and Vega Streets; and
Vega Street, north side, between Anza Vista and Nido Avenues.

TOW-AWAY NO PARKING, 9 PM TO 6 AM, EXCEPT SATURDAY AND SUNDAY - RESCIND

10-MINUTE GREEN ZONE, 9 AM TO 6 PM, EVERYDAY - RESCIND

PARKING METER AREA NO. 1 (30-MINUTE METERS, 7 AM TO 6 PM, EVERYDAY) - EXTEND
Market Street, north side, between the east and west curb lines of Steuart Street.

TOW-AWAY, NO STOPPING, 3 PM TO 6 PM, EVERYDAY - RESCIND

TOW-AWAY, NO STOPPING, 3 PM TO 7 PM, EVERYDAY - ESTABLISH

3rd Street, both sides, from Mission to Market Streets; and
3rd Street, west side, from Howard to Mission Streets. (Parking and Traffic Department)

(2/10/04: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 2759.)

2/11/04, RECEIVED AND ASSIGNED to Land Use Committee.

040166 [Traffic Regulations]

Resolution enacting and rescinding traffic regulations on various streets.

TWO-WAY STREET - ESTABLISH

Laguna Street, between Fell and Oak Streets.

RIGHT TURN ONLY - REVOKE

Laguna Street, southbound at Fell Street; and

Laguna Street, northbound at Oak Street. (Parking and Traffic Department)

(2/10/04: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 2759.)

2/11/04, RECEIVED AND ASSIGNED to Land Use Committee.

040170 [Provide nutrition education in community settings to low-income families in San Francisco]

Supervisor Sandoval

Resolution authorizing the San Francisco Department of Public Health (SFDPH) to accept retroactively and expend a grant in the amount of \$99,908 from the California Department of Health Services (CDHS) to provide nutrition education in community settings to low-income families in San Francisco and to enter into an agreement for the use of these funds; for the period of January 1, 2004, to September 30, 2004. (Public Health Department)

2/12/04, RECEIVED AND ASSIGNED to City Services Committee.

040182 [Improve working conditions for day laborers in the San Francisco Mission District]

Resolution authorizing the San Francisco Department of Public Health, Occupational and Environmental Health (SFDPH), to accept and expend retroactively a grant in the amount of \$212,584 from the Centers for Disease Control and Prevention (CDC), to improve working conditions for day laborers in the San Francisco Mission District and to enter into an agreement for the use of these funds; for the period of September 30, 2003, to September 29, 2004. (Public Health Department)

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

Requests Granted

From: Supervisor Maxwell

To: Director, Department of Parking and Traffic

Requesting/Inquiring: Requesting traffic studies at the following intersections: Goettingen and Wilde Street and Tioga and Alpha Street. Residents in this area have been plagued with young drivers using these intersections as recreational areas; performing stunts such as donut spins in the early hours of the morning. Please consider placing a temporary traffic circle in place to prevent further abuse at these intersections while exploring permanent solutions for them.

From: Supervisor Maxwell

To: Director, Department of Parking and Traffic

Requesting/Inquiring: Requesting status report on plans to address traffic concerns at the intersection of Bayshore Boulevard and Blanken Avenue.

From: Supervisor Maxwell

To: Director, Department of Parking and Traffic

Requesting/Inquiring: To report whether pedestrian crossing measures such as the one on Dr. Carlton B. Goodlett Place can be implemented at the intersection of Felton and San Bruno Avenue. Pedestrians in this area fear for their life on a daily basis crossing this intersection. Since a STOP sign is not appropriate, Supervisor Maxwell asks the Department to consider alternative measures such as the ones here at City Hall.

From: Supervisor Maxwell

To: City Attorney

Requesting/Inquiring: To draft legislation requiring catering trucks to park no closer than two blocks from San Francisco Unified School District sites.

From: Supervisor Sandoval

To: Director, Department of Parking and Traffic

Requesting/Inquiring: To report on the feasibility of implementing a traffic calming solution, such as speed bumps, on Orizaba Avenue, between Randolph Street and Montana Street.

CC: Paula Smith, 331 Orizaba Avenue, San Francisco, CA 94132

From: Supervisor Dusty

To: City Attorney

Requesting/Inquiring: To draft legislation amending Planning Code regarding demolition of residential buildings upon the following: one-for-one replacement of existing units is provided and offered to existing tenants at comparable rents; and interim displacement of existing tenants during construction is restricted.

From: Supervisor Sandoval

To: Chief, Fire Department

Requesting/Inquiring: To notify the Chief of the Fire Department that a committee hearing has been called to inquire into the Fire Department's personnel and budgetary policies as they relate to potential abuses of the "light work" designation; hearing to be scheduled in the near future.

From: Supervisor Ammiano

To: Chancellor, City College

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

In Memoriams

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

*Lenard D. Louie (Entire Board)
Gilberto Novoa (Supervisor Ammiano)
Ruth Perez (Supervisor Gonzalez)
Jeanne Honda (Supervisor Ma)
Jean Anderson (Supervisor Ma)
Alan O. Friedland (Supervisor Peskin)
Jerry Stoll (Supervisor Sandoval)
Nate Ratner (Supervisor Sandoval)*

ADJOURNMENT

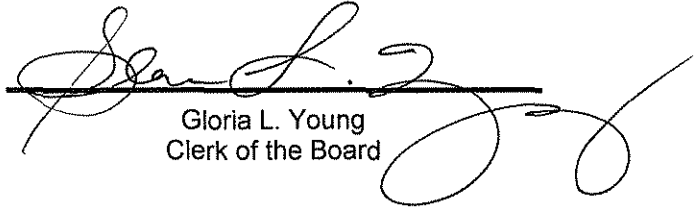
There being no further business, the Board at the hour of 6:00 p.m. adjourned.

Gloria L. Young, Clerk of the Board

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

Approved by the Board of Supervisors on March 23, 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