

BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

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

MEETING MINUTES

Tuesday, October 26, 2004 2:00 PM

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

Regular Meeting

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

BOARD COMMITTEES

Committee Membership

Budget Committee

Supervisors Sandoval, Daly, McGoldrick

City and School District Select Committee

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

City Services Committee

Supervisors Dufty, Ma, Elsbernd

Finance and Audits Committee

Supervisors Daly, Peskin, Ammiano

Land Use Committee

Supervisors McGoldrick, Peskin, Maxwell

Rules Committee

Supervisors Maxwell, Alioto-Pier, Gonzalez

Meeting Days

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

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

Thursday
9:30 AM

Wednesday
1:00 PM

Monday
1:00 PM

Wednesday
9:00 AM

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

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:08 p.m. On the call of the roll all Supervisors were noted present.

Quorum present.

AGENDA CHANGES

CONSENT AGENDA

Recommendations of the City Services Committee

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

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

Ordinance No. 265-04
FINALLY PASSED

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

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

Ordinance No. 260-04
FINALLY PASSED

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

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

Ordinance No. 263-04
FINALLY PASSED

Recommendations of the Finance and Audits Committee

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

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

(Fiscal impact.)

Ordinance No. 266-04
FINALLY PASSED

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

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

(Fiscal impact.)

**Ordinance No. 259-04
FINALLY PASSED**

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

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

**Ordinance No. 256-04
FINALLY PASSED**

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

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

**Ordinance No. 257-04
FINALLY PASSED**

Recommendations of the Land Use Committee

041233 [Stop Intersections]

Resolution designating certain intersections as "STOP" intersections.

STOP SIGNS - ESTABLISH

Grove and Scott Streets, stopping Scott Street, making this T-intersection an All-Way STOP;
Neptune Street and Thornton Avenue, stopping Thornton Avenue, making this intersection an All-Way STOP;
and
Olympia Way and Panorama Drive, stopping Olympia Way at Panorama Drive, making this T-intersection an All-Way STOP. (Parking and Traffic Department)

8/26/04: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street.

**Resolution No. 653-04
ADOPTED**

041234 [Parking Regulations]

Resolution enacting and rescinding parking regulations at various locations.

PERPENDICULAR (90-DEGREE ANGLE) PARKING - ESTABLISH
Webster Street, west side, between Broadway and Vallejo Street.

TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH
Lyon Street, west side, from 16 feet south of Chestnut Street to 16 feet north of Chestnut Street (100-foot zone).

UNMETERED MOTORCYCLE PARKING - EXTEND
7th Street, west side, from 76 feet to 97 feet north of Townsend Street (accommodating an additional six unmetered motorcycle parking spaces).

TOW-AWAY, NO PARKING, 10 PM TO 6 AM, EVERYDAY - ESTABLISH
Lathrop Avenue, south side (400-600 blocks); and
Lathrop Avenue, north side, (600 block).

TOW-AWAY, NO STOPPING ANYTIME - EXTEND
Bayshore Boulevard, west side, from 220 feet to 310 feet south of Bacon Street (90-foot extension).

NO PARKING, 6 AM TO 9 AM, MONDAY THROUGH FRIDAY, AND 1-HOUR PARKING, 9 AM TO 6 PM, MONDAY THROUGH FRIDAY, 7 AM TO 6 PM, SATURDAY, EXCEPT VEHICLES WITH CARPOOL PERMITS - RESCIND
4th Street, east side, from Folsom Street to 125 feet southerly (parking meters to remain).

TOW-AWAY, NO STOPPING MONDAY - FRIDAY, 7 AM TO 9 AM - RESCIND
Folsom Street, east side, from 12th to 14th Streets.

TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH
Folsom Street, east side, from 75 feet south to 112 feet north of 13th Street.

PERPENDICULAR (90-DEGREE ANGLE) PARKING - ESTABLISH
Baker Street, east side, from Broadway to Pacific Avenue.

2 HOUR PARKING, 7 AM TO 6 PM, EXCEPT SUNDAY - RESCIND
PARKING METERS (METER RATE AREA NO.3), 2-HR TIME LIMIT, 7 AM - 6 PM, EXCEPT SUNDAY - ESTABLISH
Harrison Street, both sides, between 6th and 7th Streets.

UNMETERED MOTORCYCLE PARKING - ESTABLISH
Dolores Street, east side, from Duncan Street to a point 19 feet southerly (accommodates three motorcycle parking spaces and aids visibility at the corner).

TOW-AWAY, NO STOPPING ANYTIME - RESCIND
13th Street, from 102 feet to 56 feet east of Folsom Street (46 feet).

1 - HOUR PARKING, 7 AM - 6 PM, EXCEPT SUNDAY - RESCIND
2 - HOUR PARKING, 7 AM - 6 PM, EXCEPT SUNDAY - ESTABLISH
12th Street, between Folsom and Harrison Streets; and
Folsom Street, between 11th and 13th Streets.

TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH
Clarendon Avenue, north side, from Laguna Honda Boulevard to a point 100 feet easterly.

RESIDENTIAL PERMIT PARKING AREA "I" (2-HOUR TIME LIMIT, 9 AM - 6 PM, MONDAY

THROUGH SATURDAY) - ESTABLISH

Capp Street, both sides, between 26th and Mission Streets (1100 block). (excludes the thru-lot of 3330 Cesar Chavez Street).

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

23rd Street, both sides, between Dolores and Chattanooga Streets (3700 block).

NO PARKING ANYTIME EXCEPT BICYCLES - ESTABLISH

Grove Street, north side, from 147 feet to 194 feet west of the Hyde Street crosswalk.

GREEN ZONE, 9 AM - 6 PM, MONDAY THROUGH SATURDAY - RESCIND**GREEN ZONE, 8 AM - 6 PM, MONDAY THROUGH SATURDAY - ESTABLISH**

18th Street, north side, from Diamond Street to 48 feet westerly (extended hours requires Board of Supervisor's approval).

NO PARKING ANYTIME - RESCIND**TOW-AWAY, NO PARKING ANYTIME - ESTABLISH**

Mullen Drive, south side, from Peralta Avenue to Franconia Street.

TOW-AWAY, NO STOPPING ANYTIME - RESCIND**TOW-AWAY, NO PARKING ANYTIME, EXCEPT ACTIVE LOADING - ESTABLISH**

Bayshore Boulevard, west side, from 45 feet north of Sunnydale Avenue to 232 feet northerly (232-foot zone).

THREE-HOUR PARKING TIME LIMIT, 7 AM - 6 PM, MONDAY THROUGH SATURDAY - ESTABLISH

Rhode Island Street, east side, between 15th and Alameda and Streets; and

15th Street, north side, between Rhode Island and De Haro Streets.

RESIDENTIAL PERMIT PARKING AREA "R" (2-HOUR TIME LIMIT, 9 AM - 6 PM, MONDAY THROUGH SATURDAY) - ESTABLISH

Buchanan Street, east side, between Larch Way and Turk Street (1200 block, even addresses only).

TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH

3rd Street, east side, from Kirkwood Avenue to 35 feet southerly.

TOW-AWAY, NO PARKING ANYTIME - RESCIND

3rd Street, east side, from Kirkwood Avenue to 70 feet southerly.

TOW-AWAY, NO PARKING ANYTIME - ESTABLISH

3rd Street, east side, from Kirkwood Avenue to 70 feet northerly. (Parking and Traffic Department)

8/26/04: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street.

Resolution No. 654-04

ADOPTED

041235 [Traffic Regulations]

Resolution enacting and rescinding traffic regulations on various streets.

RIGHT TURN ONLY - RESCIND

Fowler Avenue at Teresita Boulevard, southbound.

BICYCLE LANES - ESTABLISH

Folsom Street, northbound, from 11th to 14th Streets. (Parking and Traffic Department)

8/26/04: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street.

Resolution No. 655-04

ADOPTED

Recommendations of the Rules Committee**040988 [Prohibiting contractors from disclosing private information about individuals obtained from the City and County without written approval or authorization by law]**

Supervisors McGoldrick, Peskin, Maxwell, Ammiano, Gonzalez, Alioto-Pier, Elsbernd, Daly

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

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

Ordinance No. 261-04

FINALLY PASSED

041282 [Settlement of Unlitigated Claim - National Airlines]

Mayor

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

Ordinance No. 267-04

FINALLY PASSED

041217 [Appointment - Sunshine Ordinance Task Force]

Resolution appointing Rosalina Contreras-Rosado, term ending April 27, 2005, to the Sunshine Ordinance Task Force.

Rosalina Contreras-Rosado, succeeding Pawan Mehra, resigned, seat 4, must be appointed from names submitted by New California Media and be a journalist from a racial/ethnic-minority-owned news organization, for the unexpired portion of a two-year term ending April 27, 2005.

Resolution No. 652-04

ADOPTED

041426 [Appointment - Commission on the Aging Advisory Council]

Resolution appointing Alexander MacDonald, term ending March 31, 2006, to the Commission on the Aging Advisory Council.

Alexander MacDonald, succeeding Harriet Sebastian, resigned, seat 2, must be nominee of District 6 Supervisor, for the unexpired portion of a two-year term ending March 31, 2006.

Resolution No. 664-04

ADOPTED

The Consent Calendar, except for File No. 041342 was passed by the following vote:

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

Noes: 1 - Daly

Supervisor Daly, seconded by Supervisor Dufty, moved to rescind the previous vote.

Motion to rescind the previous vote carried without objection.

PASS THE CONSENT AGENDA by the following vote:

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

Severed from Consent Agenda

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

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

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

Ordinance No. 268-04

FINALLY PASSED by the following vote:

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

Noes: 1 - Daly

*Supervisor Daly, seconded by Supervisor Dufty, moved to rescind the previous vote.
Motion to rescind the previous vote carried without objection.*

Supervisor Daly requested to be added as sponsor.

Ordinance No. 268-04

FINALLY PASSED by the following vote:

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

Supervisor Daly requested that File Nos. 041270 and 041271 be severed so that they might be considered separately.

041270 [Parking Regulations]
Supervisor McGoldrick

Resolution enacting and rescinding parking regulations at various locations.

TOW AWAY NO STOPPING ANYTIME - ESTABLISH

O'Farrell Street, north side, from Van Ness Avenue to Polk Street, eliminating 13 parking meters.

TOW AWAY NO STOPPING, 7 AM TO 9 AM AND 4 PM TO 6 PM, MONDAY THROUGH FRIDAY - ESTABLISH

O'Farrell Street, north side, from Polk Street to Larkin Street.

TOW AWAY NO STOPPING ANYTIME - ESTABLISH

820 O'Farrell Street at Larkin Street, northwest corner, from Larkin Street to 94 feet westerly eliminating parking meter nos. 802, 804, 806 and 808, (to create a 94-foot left turn pocket during non-peak hours).

TOW AWAY NO STOPPING ANYTIME - ESTABLISH

895 O'Farrell Street at Polk Street, southeast corner, from 81 feet to 99 feet east of Polk Street, extending bus zone by 18 feet).

TOW AWAY NO STOPPING, 4 PM TO 6 PM, MONDAY THROUGH FRIDAY - ESTABLISH

O'Farrell Street, north side, from Larkin Street to Hyde Street.

GENERAL METERED PARKING 9 AM TO 4 PM, MONDAY THROUGH SATURDAY - ESTABLISH

O'Farrell Street, north side, from Larkin Street to Hyde Street (establishing eleven parking meters).

GENERAL METERED PARKING 9 AM TO 6 PM, MONDAY THROUGH SATURDAY - ESTABLISH

O'Farrell Street, south side, from Larkin Street to Hyde Street (establishing ten parking meters).

TOW AWAY NO STOPPING ANYTIME - ESTABLISH

709 O'Farrell Street at Hyde Street, southwest corner, from Hyde Street to 90 feet westerly, (to create a 90-foot right-turn pocket).

TOW AWAY NO STOPPING, 4 PM TO 6 PM, MONDAY THROUGH FRIDAY - ESTABLISH

O'Farrell Street, north side, from Hyde Street to Leavenworth Street.

GENERAL METERED PARKING 9 AM TO 4 PM, MONDAY THROUGH SATURDAY - ESTABLISH

O'Farrell Street, north side, from Hyde Street to Leavenworth Street (establishing seven parking meters).

GENERAL METERED PARKING 9 AM TO 6 PM, MONDAY THROUGH SATURDAY - ESTABLISH

O'Farrell Street, south side, from Hyde Street to Leavenworth Street (establishing six parking meters).

TOW AWAY NO STOPPING ANYTIME - ESTABLISH

608 O'Farrell Street at Leavenworth Street, northwest corner side, from Leavenworth Street to Harlem Alley, (to create a 76-foot left-turn pocket during non-peak hours).

TOW AWAY NO STOPPING ANYTIME - ESTABLISH

501 O'Farrell Street at Jones Street, southwest corner, from Jones Street to 96 feet westerly, (to create a 96-foot right-turn pocket).

TOW AWAY NO STOPPING, 4 PM TO 6 PM, MONDAY THROUGH FRIDAY - ESTABLISH

O'Farrell Street, north side, from Leavenworth Street to Jones Street.

GENERAL METERED PARKING 9 AM TO 4 PM, MONDAY THROUGH SATURDAY - ESTABLISH
O'Farrell Street, north side, from Leavenworth Street to Jones Street (establishing nine parking meters).

GENERAL METERED PARKING 9 AM TO 6 PM, MONDAY THROUGH SATURDAY - ESTABLISH
O'Farrell Street, south side, from Leavenworth Street to Jones Street (establishing nine parking meters).

NO STOPPING ANYTIME - REVOKE

METERED YELLOW ZONE, 9 AM TO 4 PM, MONDAY THROUGH FRIDAY - ESTABLISH
340 O'Farrell Street, north side, from 245 feet to 289 feet east of Taylor Street (44-foot zone establishing two meters).

NO STOPPING ANYTIME - REVOKE

GENERAL METERED PARKING, 9 AM TO 4 PM, MONDAY THROUGH FRIDAY - ESTABLISH
360 O'Farrell Street, north side, from 85 feet to 245 feet east of Taylor Street (160-foot zone establishing eight meters).

TOW AWAY NO STOPPING ANYTIME - ESTABLISH

451 O'Farrell Street, south side, from 107 feet to 251 feet east of Jones Street (eliminates meters nos. 429, 427, 425, 421 and 419 to establish a 110-foot bus zone bulb out with 17 foot tapers on each end).

TOW AWAY NO STOPPING, 4 PM TO 6 PM, MONDAY THROUGH FRIDAY - ESTABLISH

O'Farrell Street, north side, from Jones Street to Taylor Street.

TOW AWAY NO STOPPING ANYTIME - REVOKE

TOW AWAY NO STOPPING, 7 AM TO 9 AM AND 4 PM TO 6 PM, MONDAY THROUGH FRIDAY -
ESTABLISH

O'Farrell Street, north side, from Taylor Street to Mason Street.

GENERAL METERED PARKING 7 AM TO 4 PM, MONDAY THROUGH SATURDAY - ESTABLISH

Geary Street, north and south sides, from Larkin Street to Polk Street (establishing twelve meters).

TOW AWAY NO STOPPING ANYTIME - ESTABLISH

1064 Geary Street at Van Ness Avenue, northeast corner, from Van Ness Avenue to 88 feet easterly, (to create an 88-foot right-turn pocket).

TOW AWAY NO STOPPING ANYTIME - ESTABLISH

1020 -1054 Geary Street, north side, from 96 feet to 236 feet west of Polk Street (144-foot zone eliminates parking meters 1012, 1014, 1016, 1020, 1024, and 1028 to establish a bus bulb).

TOW AWAY NO STOPPING ANYTIME - ESTABLISH

990 Geary Street at Polk Street, northeast corner, from Polk Street to 100 feet easterly (to create a 100-foot right-turn pocket).

TOW AWAY NO STOPPING ANYTIME - ESTABLISH

999 Geary Street at Polk Street, southeast corner, from Polk Street to 92 feet easterly, (to create a 92-foot left-turn pocket during non-peak hours).

GENERAL METERED PARKING 7 AM TO 4 PM, MONDAY THROUGH SATURDAY - ESTABLISH

Geary Street, north and south sides, from Hyde Street to Larkin Street (establishing fifteen meters).

GENERAL METERED PARKING 7 AM TO 4 PM, MONDAY THROUGH SATURDAY - ESTABLISH Geary Street, north and south sides, from Leavenworth Street to Hyde Street (establishing sixteen meters).

TOW AWAY NO STOPPING ANYTIME - ESTABLISH

894 Geary Street at Larkin Street, northeast corner, from Larkin Street to 57 feet easterly, (to create a 57-foot right-turn pocket).

TOW AWAY NO STOPPING ANYTIME - ESTABLISH

700 Geary Street at Leavenworth Street, northwest corner, from Leavenworth Street to 134 feet westerly, (establishing a 120-foot bus zone bus bulb, with 12-foot taper at the west end).

TOW AWAY NO STOPPING ANYTIME - ESTABLISH

795 Geary Street at Hyde Street, southeast corner, from Hyde Street to 80 feet easterly (to create an 80-foot left-turn pocket, during non-peak hours).

TOW AWAY NO STOPPING ANYTIME - ESTABLISH

684 Geary Street at Leavenworth Street, northeast corner, from Leavenworth Street to 90 feet easterly, (to create a 90-foot right-turn pocket).

GENERAL METERED PARKING, 7 AM TO 4 PM, MONDAY THROUGH SATURDAY - ESTABLISH Geary Street, north and south sides, between Jones Street and Leavenworth Street (establishing ten general parking meters).

TOW AWAY NO STOPPING ANYTIME - ESTABLISH

520 Geary Street at Taylor Street, north side, from 75 feet to 100 feet west of Taylor Street (eliminates yellow zone meter no. 508 extending existing bus zone by 25 feet).

TOW AWAY NO STOPPING ANYTIME - ESTABLISH

585 Geary Street at Jones Street, southeast corner, from Jones Street to 84 feet easterly, (to create an 84-foot left-turn pocket during non-peak hours, eliminates parking meter nos. 593, 595, 597 and 599).

TOW AWAY NO STOPPING ANYTIME - ESTABLISH

391 Geary Street at Mason Street, southeast corner, from Mason Street to 82 feet easterly, (to create an 82-foot left turn pocket, during non-peak hours, eliminates yellow zone meter nos. 337, 339 and 341).

TOW AWAY NO STOPPING ANYTIME - ESTABLISH

10 Geary Street, north side, from 90 feet to 130 feet west of Kearny Street (eliminates yellow zone meter nos. 14 and 16 to extend existing bus zone bus bulb).

TOW AWAY NO STOPPING ANYTIME - ESTABLISH

100 Geary Street at Grant Avenue northeast corner, from Grant Avenue to 72 feet easterly, (to create a 72-foot right turn pocket, eliminating yellow zone parking meter no. 38).

TOW AWAY NO STOPPING ANYTIME - ESTABLISH

310 Geary Street, north side, from 95 feet to 135 feet west of Powell Street (eliminates yellow zone meters 18 and 22 to extend existing bus zone).

(9/9/04: Environmental review completed pursuant to the California Environmental Quality Act: "Certificate of Determination of Exemption/Exclusion from Environmental Review, 2004.0744E, Geary Transit Corridor Improvements," City and County of San Francisco Planning Department September 7, 2004; DPT Order No. 2880.)

Continued to November 23, 2004

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

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

**041271 [Traffic Regulations]
Supervisor McGoldrick**

Resolution enacting and rescinding traffic regulations on various streets.

TRANSIT (CURB) LANE - BUSES, TAXIS AND RIGHT TURNS ONLY, 7 AM TO 9 PM, MONDAY THROUGH FRIDAY - REVOKE

RIGHT LANE- BUSES, TAXIS AND RIGHT TURNS ONLY, AT ALL TIMES - ESTABLISH
O'Farrell Street, south side, between Hyde and Leavenworth Streets.

TOW AWAY NO STOPPING, BUSES, TAXIS AND RIGHT TURNS ONLY, 7 AM TO 9 PM, MONDAY THROUGH FRIDAY - REVOKE

RIGHT LANE- BUSES, TAXIS AND RIGHT TURNS ONLY, AT ALL TIMES - ESTABLISH
O'Farrell Street, south side, between Leavenworth and Jones Streets.

TOW AWAY LANE (NORTH SIDE) - BUSES, TAXIS AND RIGHT TURNS ONLY, 4 PM TO 6 PM, MONDAY THROUGH FRIDAY - REVOKE

RIGHT LANE - BUSES, TAXIS AND RIGHT TURNS ONLY, AT ALL TIMES - ESTABLISH
300 block of Geary Street (transit lane).

(9/9/04: Environmental review completed pursuant to the California Environmental Quality Act: "Certificate of Determination of Exemption/Exclusion from Environmental Review, 2004.0744E, Geary Transit Corridor Improvements," City and County of San Francisco Planning Department September 7, 2004; DPT Order No. 2880.)

Continued to November 23, 2004

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

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

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of the Finance and Audits Committee

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

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

(Fiscal impact.)

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

Ordinance No. 264-04

FINALLY PASSED by the following vote:

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

Recommendation of the City Services Committee

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

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

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

Ordinance No. 262-04

FINALLY PASSED by the following vote:

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

NEW BUSINESS

Recommendations of the Finance and Audits Committee**041369 [FY 2004-05 California Constitution Appropriations Limit]**

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

Resolution No. 657-04

ADOPTED by the following vote:

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

041249 [Requiring Graffiti-Resistant Parking and Traffic Control Signs]

Supervisors Dufty, Ma, Ammiano, Maxwell, Elsbernd, Alioto-Pier, Peskin, Gonzalez

Ordinance amending Article 3 of the San Francisco Traffic Code by adding Section 51 to require the Department of Parking and Traffic to (1) replace all existing parking and traffic control signs defaced by graffiti with new signs treated with graffiti-resistant sheeting, and (2) install only new parking and traffic control signs treated with graffiti-resistant sheeting.

(Fiscal impact.)

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

PASSED ON FIRST READING by the following vote:

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

Recommendations of the Land Use Committee**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.

PASSED ON FIRST READING by the following vote:

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

041115 [Changing Official Width of Sidewalk - West side of Lyon Street at Chestnut Street]

Ordinance amending Ordinance No. 1061 entitled "Regulating the Width of Sidewalks" by adding thereto Section 1564 to change the official sidewalk width on the west side of Lyon Street at Chestnut Street; making findings pursuant to the General Plan and Planning Code Section 101.1; and requiring relocation, modification, or both of facilities affected by the sidewalk width changes.

PASSED ON FIRST READING by the following vote:

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

**040563 [San Jose Avenue, Guerrero Street Pedestrian Safety Improvements]
Supervisors Dufty, Ammiano, Peskin, Maxwell**

Resolution establishing various traffic and parking changes on portions of San Jose Avenue, Cesar Chavez Street, and Dolores Street.

Resolution No. 650-04

ADOPTED by the following vote:

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

041099 [Street Artist Winter Holiday Spaces]

Resolution approving temporary selling spaces in the Downtown area and at Harvey Milk Plaza for street artists certified by the Arts Commission, City and County of San Francisco, for the winter holiday season, 2004, beginning on November 15, 2004 and ending on January 15, 2005. (Arts Commission)

Resolution No. 651-04

ADOPTED by the following vote:

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

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

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

Amended on page 2, line 22, by replacing "even" with "event."

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

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

Continued to November 2, 2004

CONTINUED AS AMENDED by the following vote:

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

**041394 [Urging the Department of Environment to develop plans for a renewable hydrogen fueling station alongside other alternative fuels]
Supervisors Gonzalez, Ammiano, McGoldrick**

Resolution urging the Department of the Environment to develop plans for a renewable hydrogen fueling station, alongside other possible fuels, for the implementation of a complete alternative fueling station in San Francisco and to report back to the Board within 6 months.

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

Resolution No. 659-04

ADOPTED by the following vote:

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

Recommendations of the Rules Committee**041242 [Adding the Department on the Status of Women to the Justice Tracking System (JUSTIS) Committee Governance Council]****Supervisors Ma, Maxwell, Alioto-Pier, Dufty, Ammiano**

Ordinance amending San Francisco Administrative Code Section 2A.85 by adding the Department on the Status of Women as a member of the Justice Tracking System (JUSTIS) Committee Governance Council and authorizing membership to agencies that operate programs integrally related to the criminal justice system.

PASSED ON FIRST READING by the following vote:

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

041280 [Housing Authority Commissioner Julie Lee]**Supervisors Gonzalez, Ammiano, Daly, Peskin, Elsbernd, Alioto-Pier, McGoldrick**

Resolution urging Housing Authority Commissioner Julie Lee to resign, urging the Mayor to call for her resignation and urging the Housing Authority Commission to call for her resignation.

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

Resolution No. 656-04

ADOPTED by the following vote:

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

Supervisor Ammiano Excused From Voting

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

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

Excused: 1 - Ammiano

041384 [Appointment - Graffiti Advisory Board]

Resolution appointing Supervisor Tom Ammiano, term indefinite, to the Graffiti Advisory Board.

Supervisor Tom Ammiano, succeeding Supervisor Gavin Newsom, resigned, seat 1, must be member of the Board of Supervisors, for an indefinite term.

Resolution No. 658-04

ADOPTED by the following vote:

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

Excused: 1 - Ammiano

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

Privilege of the Floor

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

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

Supervisor Peskin introduced, welcomed and presented Certificates of Honor to Ellen Newman and Nancy Bechtle, founders of "Hearts of the City" project.

Supervisor Dufty introduced, welcomed and commended Mani Bruce Mitchell.

President Gonzalez introduced, welcomed and presented a Certificate of Honor to Dr. Carlos Castresana.

041070

[Zoning - Conditional Use for Change in Use or Demolition of a Movie Theater]

Supervisors Peskin, McGoldrick, Maxwell, Alioto-Pier, Ammiano, Elsbernd, Gonzalez, Daly

Ordinance amending the Planning Code to add Section 221.1 and to amend sections 703.2, 803.2, and 803.3 to require conditional use authorization for any project involving the change in use or demolition of a movie theater; amending Planning Code section 303 to require specific findings as part of a conditional use authorization for a change in use or demolition of a movie theater; making findings of consistency with the General Plan and priority policies of the Planning Code Section 101.1; making environmental findings; and making the Ordinance retroactive to any site permit application submitted after July 27, 2004.

Supervisors Maxwell, Alioto-Pier, Ammiano, Elsbernd, Gonzalez, and Daly requested to be added as co-sponsors.

PASSED ON FIRST READING by the following vote:

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

ROLL CALL FOR INTRODUCTIONS

PUBLIC COMMENT

Abdullah Megaheed, support for John Kerry

Jean Lynch, wanted housing for Jeanette Guest (a blind woman)

Barbara Bloan, wants Julie Lee to resign as Housing Authority Commissioner

Mr. DiDonna, gave definition of liberal

Paul Kedla, funding for medical care

Dick Haggs, support for Proposition 67

Espanola Jackson, health issues in Bayview-Hunters Point

Francisco Di Costa - wants open hearing on Parcel A (in Bayview-Hunters Point)

Mr. Morales, San Francisco Tenants Union, Ellis Act eviction of Jeanette Guest

Male Speaker, pedestrian fatalities

Female Speaker, Political Action Committees

APPROVAL OF REQUESTS TO THE LEGISLATIVE ANALYST

These items may be introduced by any Supervisor seeking analysis from the Office of the Legislative Analyst on introduced legislation and for the purpose of providing assistance to Board of Supervisors' task forces and advisory committees. Requests to the Legislative Analyst shall require the affirmative vote of a majority of the members of the Board.

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

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

APPROVED by the following vote:

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

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

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

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

APPROVED by the following vote:

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

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

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

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

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

Resolution No. 665-04

ADOPTED

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

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

Resolution No. 666-04

ADOPTED

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

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

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

Resolution No. 667-04

ADOPTED

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

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

Resolution No. 668-04

ADOPTED

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

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

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

Resolution No. 669-04

ADOPTED

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

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

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

Resolution No. 670-04

ADOPTED

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

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

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

Resolution No. 671-04

ADOPTED

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

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

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

Resolution No. 672-04

ADOPTED

**041438 [Final Map for a 7 Unit Commercial / Residential Condominium Project - 807 Columbus Avenue]
Motion approving Final Map of 807 Columbus Avenue, A Commercial / Residential Condominium Project, being a subdivision of Lot 3 in Assessor's Block No. 74, and adopting findings pursuant to Planning Code Section 101.1. (Public Works Department)**

Motion No. M04-116

APPROVED

The foregoing items were acted upon by the following vote:

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

Severed from Without Committee Reference Agenda

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

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

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

Resolution No. 662-04

ADOPTED by the following vote:

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

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

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

Resolution No. 662-04

ADOPTED by the following vote:

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

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

041406 [Family Economic Self Sufficiency]
Supervisors Ammiano, Daly

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

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

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

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

Resolution No. 660-04

ADOPTED AS AMENDED by the following vote:

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

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

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

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

Resolution No. 661-04

ADOPTED by the following vote:

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

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

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

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

Resolution No. 663-04

ADOPTED by the following vote:

Ayes: 8 - Ammiano, Daly, Dufty, Gonzalez, Maxwell, McGoldrick, Peskin, Sandoval
Noes: 3 - Alioto-Pier, Elsbernd, Ma

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

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

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

REFERRED to the Land Use Committee.

OFF-AGENDA LEGISLATION

Introduced by Supervisors or Mayor

Ordinances

**041487 [Mayor's Office on Disability]
Supervisors Alioto-Pier, Daly**

Ordinance amending the San Francisco Administrative Code by amending the title to Chapter 2A, Article 1 to add the Department of Administrative Services and by adding a new Section 2A.22 to Chapter 2A, Article 1 to create the Mayor's Office on Disability and place it within the Department of Administrative Services and empower the Mayor's Office on Disability to issue, subject to approval by ordinance of the Board of Supervisors, policies and procedures with respect to compliance with the Americans with Disabilities Act (Public Law 101-336) and other disability rights laws and disability access regulations and codes.

10/26/04, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 11/25/2004.

**041488 [Regulating Computer Rental Businesses]
Supervisor Ma**

Ordinance adding Article 10.2 to the San Francisco Police Code, regulating businesses that rent computer time to patrons by prohibiting minors from using game controllers or renting computer time for purposes of gaming during certain times, requiring supervision, prohibiting loitering, regulating waiting lists, posting hours of operation, and providing for a penalty.

10/25/04, ASSIGNED UNDER 30 DAY RULE to City Services Committee, expires on 11/25/2004.

**041492 [Appropriate funding from the General Reserve to increase available funding in the Department of Public Health for self-help services to the homeless]
Supervisor Daly**

Ordinance appropriating \$567,000 from the General Fund Reserve to fund peer based self-help services for chronically homeless people in the Tenderloin for the Department of Public Health for fiscal year 2004-2005.

(Fiscal impact.)

10/26/04, RECEIVED AND ASSIGNED to Finance and Audits Committee.

**041494 [Humane Treatment of all Companion Dogs]
Supervisor Dufty**

Ordinance amending the San Francisco Health Code by amending sections 41.12 and 41.13 to insure the humane treatment of all companion dogs including sentry and guard dogs throughout the City and County of San Francisco by instituting shelter, water, feeding and confinement standards.

10/26/04, RECEIVED AND ASSIGNED to City Services Committee.

**041495 [Ordinance enhancing emergency general assistance for temporarily unemployed hospitality and tourist industry workers]
Supervisor Daly**

Ordinance amending sections 20.56.10, 20.57, 20.58.2, & 20.59 of the San Francisco Administrative Code to do the following: enhance emergency general assistance (GA) benefits for hospitality and tourist industry workers temporarily unemployed from their position of employment during October 1, 2004-June 1, 2005 and to create a baseline aid amount of \$400 per month for this group, among other things; allow specified group to retain \$2,000 in a savings account and to possess a vehicle with cash value of \$10,000 or less without affecting GA eligibility requirements; allow dependent children of covered group to be otherwise eligible for GA; allow the Executive Director of the Department of Human Services to exempt employment and other requirements for this group and to pass regulations implementing this ordinance, consistent with this Article.

(Fiscal impact.)

10/26/04, RECEIVED AND ASSIGNED to Finance and Audits Committee.

Resolutions

**041491 [Multifamily Housing Revenue Bonds]
Supervisor Peskin**

Resolution authorizing the issuance and delivery of multifamily housing revenue bonds (as defined herein) in an aggregate principal amount not to exceed \$19,200,000 for the purpose of providing financing for a multifamily rental housing project; approving the form of and authorizing the execution of an indenture providing the terms and conditions of the bonds; approving the form of and authorizing the execution of a regulatory agreement and declaration of restrictive covenants; approving the form of and authorizing the execution of a loan agreement; ratifying and approving any action heretofore taken in connection with the bonds and the project; granting general authority to city officials to take actions necessary to implement this resolution; and related matters.

10/26/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

- 041498 [Accept-Expend Grant funds for the 16th Street Pavement/Valencia Street Pavement Renovation Projects]**
Supervisors Ammiano, Dufty, Daly

Resolution authorizing the Director of the Department of Public Works to accept and expend federal Surfacing Transportation Program funds totaling \$5,346,000 for the 16th Street Pavement Renovation Project and the Valencia Street Pavement Renovation Project.

10/26/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

- 041499 [Commending St. Anne's Church on its 100th Birthday]**
Supervisors Elsbernd, Gonzalez, Ma, McGoldrick, Dufty, Ammiano

Resolution commending St. Anne's Church on its 100th Birthday.

10/26/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

- 041500 [Accept-Expend Federal Grant]**
Supervisors Alioto-Pier, Dufty

Resolution authorizing the Mayor's Office of Criminal Justice (MOCJ) to retroactively accept and expend a grant in the amount of \$742,108 from the U.S. Department of Justice (DOJ), Office of Community Oriented Policing Services (COPS Office) for the purpose of restructuring the existing JUSTIS architecture strategy and upgrading infrastructure components utilized for citywide criminal justice processes, that will provide criminal justice criminal justice agencies and the public, with varying degrees of criminal justice information.

10/26/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

- 041501 [Accept-Expend Federal Grant]**
Supervisors Ma, Dufty

Resolution authorizing the Mayor's Office of Criminal Justice (MOCJ) to retroactively accept and expend a grant in the amount of \$599,102 from the Office of Justice Programs (OJP), Office of Violence Against Women (OVW) for the purpose of encouraging policies that treat domestic violence and sexual assault as serious violations of criminal law.

10/26/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

- 041502 [End Racial Profiling Act of 2004]**
Supervisors Ma, Ammiano

Resolution urging the San Francisco Congressional delegation to support H.R. 3847, prohibiting racial profiling.

10/26/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**041503 [Raise Reward to \$50,000 for Tari Ramirez]
Supervisor Ma**

Resolution urging the Mayor to build a citywide response to end domestic violence by raising the reward for apprehending Tari Ramirez from \$35,000 to \$50,000.

10/26/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**041504 [Commending the California Lawyers for the Arts]
Supervisors Ma, Dufty, Ammiano**

Resolution commending the 30th Anniversary of the California Lawyers for the Arts.

10/26/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**041506 [Commending Monroe Elementary School]
Supervisors Sandoval, Ammiano**

Resolution commending Monroe Elementary School for winning the San Francisco Beautiful 2004 Beautification Award.

10/26/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**041507 [United Nations Millennium Development Goals]
Supervisor Peskin**

Resolution Supporting the United Nations Millennium Development Goals.

10/26/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**041508 [Plan and community engagement for a possible co-located Eureka Valley Harvey Milk Memorial Branch Library and Museum and Archives of the GLBT Historical Society]
Supervisors Dufty, Ammiano, Maxwell, Ma, Alioto-Pier, Gonzalez, Daly, Peskin, Elsbernd**

Resolution encouraging development of a plan and community engagement for a possible co-located Eureka Valley Harvey Milk Memorial Branch Library and Museum and Archives of the Gay, Lesbian, Bisexual, Transgender (GLBT) Historical Society.

10/26/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**041509 [Zoning - Extension of Planning Commission Review Period]
Supervisor Peskin**

Resolution extending the prescribed time within which the Planning Commission may render its decision on a proposed ordinance to amend the Planning Code to prohibit formula retail uses in the North Beach Neighborhood Commercial District.

10/26/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Requests For Hearing**041490 [Permits for the Nike 26.2 Run]
Supervisor McGoldrick**

Hearing on the approval of permits for the Nike event. Among the questions to be answered in this hearing are: (1) How the approvals occurred; (2) What conditions were imposed on the permits; (3) Whether Nike complied with any conditions imposed; (4) How the route for the race was chosen; and, (5) Why there was little to no notice of the event given to neighbors and to Supervisor McGoldrick.

10/26/04, RECEIVED AND ASSIGNED to Land Use Committee.

**041493 [Department of Public Health Reserve Funds]
Supervisor Sandoval**

Hearing to review the Department of Public Health request for release of reserve funds in the amount of \$521,644.00.

10/26/04, RECEIVED AND ASSIGNED to Finance and Audits Committee.

**041496 [Golden Gate Park Concourse Garage Projects]
Supervisor Daly**

Hearing regarding design, financing, and construction of each of the Golden Gate Park Concourse Garage Projects along with full disclosure of the complex financing arrangements of the long-range repayment plan.

10/26/04, RECEIVED AND ASSIGNED to Finance and Audits Committee. Sponsor requests this item be scheduled for consideration at the November 3, 2004 meeting.

**041497 [Golden Gate Park Concourse Authority's proposed plans for Martin Luther King Jr. Drive]
Supervisor Ammiano**

Hearing regarding Golden Gate Park Concourse Authority's proposed plans for Martin Luther King Jr. Drive.

10/26/04, RECEIVED AND ASSIGNED to Finance and Audits Committee.

Motions**041505 [Setting the policy of the Board to hold meetings in each district]
Supervisor Sandoval**

Motion setting the policy of the Board to convene one meeting in each of the eleven districts per month, annually.

10/26/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

041485 [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.

10/26/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

041486 [Emergency Declaration Concurrence - Influenza Vaccine]
Mayor, Supervisors Dufty, Ammiano

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

10/26/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

PROPOSED ORDINANCES

041437 [Partial Settlement of Lawsuit - Eugene Kalinin, et al.]

Ordinance authorizing partial settlement of the lawsuit filed by Tim Anderson, Alexandria Brunner-Jones, Rolando Canales, Davin Cole, Brian Devlin, Edward Allen Ellstad, Eugene Kalinin, Daniel Manning, Sonia Mariona, William Moralez, Brian J. Perry and Jack Z. Wronski against the City and County of San Francisco for \$240,000; the lawsuit was filed on November 5, 2003, in the United States District Court, Northern District of California, Case No. C-03-4928 MHP; entitled Eugene Kalinin, et al., v. City and County of San Francisco, et al; the partial settlement resolves certain claims in the lawsuit brought by plaintiffs Alexandria Brunner-Jones, Rolando Canales, Davin Cole, Brian Devlin, Eugene Kalinin, Daniel Manning and Sonia Marion; all plaintiffs have additional claims remaining in the lawsuit. (City Attorney)

10/14/04, RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED RESOLUTIONS

041430 [Emergency Repairs]

Resolution authorizing expenditure of funds for emergency repairs of Early Intake at an estimated cost of \$4,700,000. (Public Utilities Commission)

(Fiscal impact.)

10/15/04, RECEIVED AND ASSIGNED to Finance and Audits Committee.

041451 [Airport Concession Lease No. 03-0195]

Resolution approving the termination of Domestic Terminal Food and Beverage Program Lease No. 03-0195 between Susie Lee Tong Enterprises, Inc., and the City and County of San Francisco, acting by and through its Airport Commission. (Airport Commission)

10/18/04, RECEIVED AND ASSIGNED to Finance and Audits Committee.

- 041452 [Airport Concession Lease - "F" Newsstand]**
Resolution approving the Boarding Area "F" Newsstand Lease between Soto & Sanchez Investments, Inc., and the City and County of San Francisco, acting by and through its Airport Commission. (Airport Commission)
10/18/04, RECEIVED AND ASSIGNED to Finance and Audits Committee.
- 041453 [Airport Concession Lease - Terminal 3 Newsstands]**
Resolution approving the Terminal 3 Newsstands Lease - A Disadvantaged Business Enterprise Set-Aside between Soto & Sanchez Investments, Inc., and the City and County of San Francisco, acting by and through its Airport Commission. (Airport Commission)
10/18/04, RECEIVED AND ASSIGNED to Finance and Audits Committee.
- 041454 [Accept-Expend Federal Grant - SmartCatch Project]**
Resolution authorizing the Airport Commission to accept and expend a grant in the amount of \$518,266.00 from the Transportation Security Administration to develop, test, and apply real-time automated video surveillance technologies. (Airport Commission)
10/18/04, RECEIVED AND ASSIGNED to Finance and Audits Committee.

Requests Granted

From: Supervisor Ammiano

To: Director, Department of Public Works

Requesting/Inquiring: Inquiring what plans the Department has to mitigate the recent flooding of City streets.

From: Supervisor Sandoval

To: City Attorney

Requesting/Inquiring: To draft legislation to merge the Bureau of Street and Sewer Repair of the Department of the Public Works into the Water Department of the Public Utilities Commission.

From: Supervisor Elsbernd

To: Director, Department of Parking and Traffic

Requesting/Inquiring: To investigate the feasibility of distributing guest parking permits upon approval of residential parking permit applications in neighborhoods throughout the City. The practice was recently undertaken in the Presidio.

In Memoriams

Nolan Frank (Supervisor Gonzalez)

Chester McDuffy (Supervisor Maxwell)

Vera Mae Blue (Supervisor Maxwell)

Fong Yu Choy (Supervisor Peskin)

Richard Cedric Marshall (Supervisor Peskin)

The military men and women killed in the Iraq War (Entire Board of Supervisors)

ADJOURNMENT

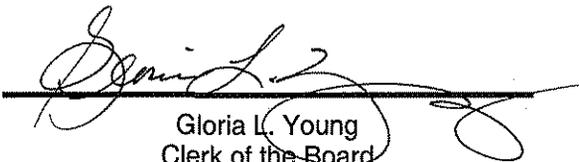
There being no further business, the Board at the hour of 4:46 p.m. adjourned.

Gloria L. Young, Clerk of the Board

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

Approved by the Board of Supervisors on November 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