

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, January 25, 2005 2:00 PM

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

Regular Meeting

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

BOARD COMMITTEES

Committee Membership

Budget Committee

Supervisors Sandoval, McGoldrick

City and School District Select Committee

Supervisors Ammiano, Maxwell, Ma, Commissioners Chin, 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

Meeting Days

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

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

Thursday
9:30 AM

Wednesday
1:00 PM

Monday
1:00 PM

Wednesday
10:00 AM

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

Volume 100 Number 4

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

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:05 p.m. On the call of the roll Supervisors Alioto-Pier and Ammiano were noted absent.

Quorum present.

*Supervisor Alioto-Pier was noted present at 2:07 p.m.
Supervisor Ammiano was noted present at 2:08 p.m.*

APPROVAL OF MEETING MINUTES

Supervisor Elsbernd, seconded by Supervisor Maxwell, moved to approve the December 14, 2004 and January 4, 2005 Meeting Minutes. The motion carried by the following vote:

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

AGENDA CHANGES

CONSENT AGENDA

Recommendations of the City Services Committee

- 041640 [Prop J Certification, Status Offender Shelter and Intake Services]
Resolution concurring with the Controller's certification that Intake and Shelter Services to Status Offenders can be practically performed by a private contractor for a lower cost than similar services performed by city and county employees. (Juvenile Probation Department)

Resolution No. 61-05
ADOPTED

041661 [Liquor License Transfer, 130 Church Street]

Resolution determining that the transfer of a Type 20 off-sale beer and wine alcoholic beverage control license from 130 Sixth Street to 130 Church Street (District 8) to Panaka, Vannida and Wathika Chea for Golden Product Extension will serve the public convenience and necessity of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code, with conditions.

Resolution No. 62-05

ADOPTED

041765 [Proposed Expenditure of California Healthcare for Indigents Program (CHIP) funds for Fiscal Year 2004-05]

Resolution authorizing adoption of the County Description of Proposed Expenditure of California Healthcare for Indigents (CHIP) funds for Fiscal Year 2004-2005 and that the President or duly authorized representative of the Board of Supervisors of the City and County of San Francisco can certify the County Description of Proposed Expenditure of CHIP funds for the Fiscal Year 2004-2005. (Public Health Department)

Resolution No. 70-05

ADOPTED

**041727 [Accept and Expend Grant - Sheriff's Department program providing family literacy services for incarcerated mothers and their children in the county jail and after their release]
Supervisors Dufty, Mirkarimi**

Resolution authorizing the Sheriff's Department to accept and expend a grant in the amount of \$30,000 from the Zellerbach Family Foundation for providing family literacy services to mothers incarcerated in the county jail and their children. (Sheriff)

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

Resolution No. 67-05

ADOPTED

Recommendations of the Land Use Committee**041247 [Zoning Map Amendment for 418-420 Jessie Street]
Supervisor Daly**

Ordinance amending the San Francisco Planning Code by amending Sectional Map 1 of the Zoning Map of the City and County of San Francisco to change the use classification of the property located at 418-420 Jessie Street, situated on the north side of Jessie Street, 150 feet west of Fifth Street, and identified as Assessor's Block No. 3704, Lot No. 006, from a zoning designation of P (Public) to C-3-G (Downtown General Commercial); and adopting General Plan, Planning Code Section 101.1(b), and environmental findings.

Ordinance No. 23-05

FINALLY PASSED

041629 [Changing the Official Sidewalk Width along Portions of Illinois Street]

Ordinance amending Ordinance No. 1061 entitled "Regulating the Width of Sidewalks" by adding thereto Section No. 1563 to change the official sidewalk widths from the intersection of Illinois and 25th Streets to the intersection of Illinois and Cesar Chavez Streets; 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. (Public Works Department)

Ordinance No. 25-05

FINALLY PASSED

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.

Resolution No. 55-05

ADOPTED

041556 [Parking Regulations - Fitzgerald Avenue]

Supervisor Maxwell

Resolution enacting and rescinding parking regulations on the 1200 block of Fitzgerald Avenue.

PERPENDICULAR (90-DEGREE ANGLE) PARKING - RESCIND
Fitzgerald Avenue, north side, from Jennings Street to Ingalls Street.

Resolution No. 56-05

ADOPTED

041631 [STOP Intersections]

Resolution designating certain intersections as "STOP" intersections.

STOP SIGNS - ESTABLISH

Walnut Street and Pacific Avenue, stopping northbound Walnut Street at Pacific Avenue, making this T-intersection an All-Way STOP; and

30th Avenue and Lake Street, making this intersection an All-Way STOP. (Parking and Traffic Department)

(11/29/04: 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. 2912.)

Resolution No. 58-05

ADOPTED

041633 [Parking Regulations]

Resolution enacting and rescinding parking regulations at various locations.

TOW-AWAY, NO PARKING FROM 10 PM TO 6 AM - ESTABLISH
Florida Street terminus, north of 15th Street.

TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH
Florida Street, west side of the easterly divided roadway, from 210 feet south of 15th Street, northerly to a point 18 feet south of the roadway terminus.

TOW-AWAY, NO PARKING ANYTIME - ESTABLISH
15th Street, north side, from Florida to Bryant Streets.

PERPENDICULAR (90-DEGREE ANGLE) PARKING ESTABLISH
Florida Street terminus, north of 15th Street;

Van Dyke Avenue, north side, between Keith and Jennings Streets; and

Divisadero Street, both sides, from 240 feet north of 14th Street to 240 feet south of Duboce Avenue.

TOW-AWAY, NO STOPPING, 7 AM TO 9 AM, MONDAY THROUGH FRIDAY - RESCIND
Lincoln Way, south side, from 20th Avenue to a point approximately 100 feet easterly.

TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH
Lincoln Way, south side, from 19th Avenue to a point 100 feet westerly.

TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH
Rousseau Street, east side, from San Jose Avenue to 55 feet southerly; and

Rousseau Street, west side, from San Jose Avenue to Bosworth Street.

UNMETERED MOTORCYCLE PARKING - ESTABLISH
Carl Street, north side, from 13 feet to 27 feet east of Willard Street (accommodating 4 motorcycles while addressing sight distance concerns at the intersection); and

Page Street, north side, between the driveways of 940 and 932 - 936 Page Street, accommodating two unmetered motorcycle parking spaces.

TOW-AWAY, NO STOPPING, 7 AM - 7 PM, EVERYDAY - RESCIND
TOW-AWAY, NO STOPPING, 3 PM - 7 PM, MONDAY THROUGH FRIDAY - ESTABLISH
McAllister Street, north side, from Gough Street to 60 feet easterly

PARKING METER AREA NO. 3 (2-HOUR PARKING TIME LIMIT, 9 AM - 6 PM, MONDAY THROUGH SATURDAY) - ESTABLISH
Bryant Street, both sides, between 15th and 16th Streets.

TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH
Genessee Street, west side, from Monterey Boulevard to 19 feet southerly.

1-HOUR TIME LIMIT, 9 AM TO 6 PM, MONDAY THROUGH SATURDAY - RESCIND
2-HOUR TIME LIMIT, 9 AM TO 6 PM, MONDAY THROUGH SATURDAY - ESTABLISH
20th Street, both sides, between Capp and Valencia Streets (parking meters to remain).

TOW-AWAY, MONDAY THROUGH FRIDAY, 4 PM TO 6 PM - RESCIND
Fell Street, south side, from Laguna Street to Scott Street.

TOW-AWAY, MONDAY-FRIDAY, 4 PM-7 PM - ESTABLISH
Fell Street, south side, from Divisadero Street to 125 feet easterly.

RESIDENTIAL PERMIT PARKING AREA "I" (2-HOUR TIME LIMIT, 9 AM - 6 PM, MONDAY THROUGH SATURDAY) - ESTABLISH
Capp Street, both sides, between 17th and 18th Streets (200 block) (excludes the thru-lot of 2155 Mission Street).

RESIDENTIAL PERMIT PARKING AREA "Z" (2-HOUR TIME LIMIT, 8 AM - 6 PM, MONDAY THROUGH FRIDAY) - ESTABLISH
Church Street, both sides, between 25th and Jersey Streets (1200 block);
Duncan Street, both sides, between Sanchez Street and Noe Street (400 block); and
Sanchez Street, both sides, between 28th and Duncan Streets (1400 block).

RESIDENTIAL PERMIT PARKING AREA "G" (2-HOUR TIME LIMIT, 8 AM - 6 PM, MONDAY THROUGH FRIDAY) - ESTABLISH
Baker Street, both sides, between Geary Boulevard and Post Street (1300 block).

RESIDENTIAL PERMIT PARKING AREA "A" (2-HOUR TIME LIMIT, 8 AM - 9 PM, MONDAY THROUGH SATURDAY) - RESCIND
PARKING METER AREA NO. 4 (1-HOUR PARKING TIME LIMIT, 9 AM - 6 PM, MONDAY THROUGH SATURDAY) - ESTABLISH
Bay Street, south side, between Mason and Taylor Streets.

RESIDENTIAL PERMIT PARKING AREA "A" (2-HOUR TIME LIMIT, 8 AM - 9 PM, MONDAY THROUGH SATURDAY) - RESCIND
PARKING METERS, AREA NO. 4 (1-HOUR PARKING TIME LIMIT, 9 AM TO 6 PM, MONDAY THROUGH SATURDAY) - ESTABLISH
Mason Street, west side, from Bay Street to 65 feet southerly.

RESIDENTIAL PERMIT PARKING AREA "H" (2-HOUR TIME LIMIT, 8 AM - 6 PM, MONDAY THROUGH FRIDAY) - ESTABLISH
Ocean Avenue, north side, between 21st and 22nd Avenues (2900 block); and
Ocean Avenue, both sides, between 20th and 21st Avenues (2800 block). (Parking and Traffic Department)

(11/29/04: 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. 2912.)

Resolution No. 60-05
ADOPTED

**041684 [Traffic Regulations - Various Streets]
Supervisor Dufty**

Resolution enacting and rescinding traffic regulations on various streets.

NO PARKING ANYTIME – RESCIND

West side of Potomac Street, from Waller Street to the southern property line of #53 Potomac Street

TOW-AWAY NO PARKING ANYTIME - ESTABLISH

West side of Potomac Street, from Waller Street to the southern property line of #53 Potomac Street.

(12/7/04: 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 results in more than a negligible increase in the use of the street.)

Resolution No. 65-05

ADOPTED

041728 [STOP Intersections]

Resolution designating certain intersections as "STOP" intersections.

STOP SIGNS - ESTABLISH

18th and Tennessee Streets, stopping 18th Street at Tennessee Street, making this intersection an All-Way STOP; and

Colin P. Kelly, Jr. Street and Brannan Street, stopping Colin P. Kelly, Jr. Street at Brannan Street, the stem of this T-intersection.

(12/15/04: 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. 2921.)

Resolution No. 68-05

ADOPTED

041737 [Traffic Regulations]

Resolution enacting and rescinding traffic regulations on various streets.

RIGHT TURN ONLY AFTER BALLPARK EVENTS EXCEPT TAXIS - RESCIND

NO RIGHT TURN AFTER BALLPARK EVENTS EXCEPT TAXIS - ESTABLISH

Southbound Hawes, Ingalls, and Jennings Streets at Ingerson Avenue

NO LEFT TURN, TAXIS EXEMPT, EXCEPT 4 PM TO 7 PM, MONDAY THROUGH FRIDAY – RESCIND

NO LEFT TURN, EXCEPT BUSES AND TAXIS – ESTABLISH

Mission Street, westbound, at 1st, 4th and 10th Streets; and

Mission Street, eastbound, at Fremont, 2nd, 3rd, 5th, 6th and 7th Streets. (Parking and Traffic Department)

(12/15/04: 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. 2921.)

Resolution No. 69-05

ADOPTED

Recommendations of the Rules Committee**041659 [Settlement of Lawsuit - Linda Vaccarezza]**

Ordinance authorizing settlement of the lawsuit filed by Linda Vaccarezza against the City and County of San Francisco for \$835,000; the lawsuit was filed on 3/12/04 in United States District Court, Case No. C04-1021; entitled Linda Vaccarezza v. City and County of San Francisco, et al. (City Attorney)

Ordinance No. 26-05
FINALLY PASSED

041663 [Settlement of Lawsuit - Quynh Le, et al., v. CCSF, et al.]

Ordinance authorizing settlement of the lawsuit filed by Quynh Le, Weston Ngo, Candance Phan and Candance Phan as Guardian Ad Litem of Geoffrey Ngo, a minor and Brittany Ngo, a minor against the City and County of San Francisco for a total payment of \$28,000.00; the lawsuit was filed on May 30, 2003 in San Francisco Superior Court, Case No. 420-933; entitled Quynh Le, et al., v. City and County of San Francisco, et al. (City Attorney)

Ordinance No. 27-05
FINALLY PASSED

041624 [Settlement of Lawsuit - John R. Ulrich, Jr., M.D.]

Ordinance authorizing settlement of the lawsuit filed by John R. Ulrich, Jr., M.D. against the City and County of San Francisco for violation of civil rights in the amount of \$1,537,500; Plaintiff Ulrich filed the lawsuit on October 27, 1999 in San Francisco Superior Court and the City removed it to United States District Court (U.S. District Court Action C99-05003TEH).

PASSED, ON FIRST READING

041730 [Settlement of Lawsuit - Jenny McGrorey]

Ordinance authorizing settlement of the lawsuit filed by against the City and County of San Francisco for \$38,000; the lawsuit was filed on October 5, 2001 in San Francisco Superior Court, Case No. 325-198; entitled Jenny McGrorey, et al., v. City and County of San Francisco, et al. (City Attorney)

PASSED, ON FIRST READING

041731 [Settlement of Lawsuit - Altec Industries, Inc.]

Ordinance authorizing settlement of the lawsuit filed by Altec Industries, Inc. against the City and County of San Francisco for \$45,000; the lawsuit was filed on October 30, 2003 in San Francisco Superior Court, Case No. 425-937; entitled Altec Industries, Inc. v. City and County of San Francisco. (City Attorney)

PASSED, ON FIRST READING

041662 [Settlement of Claim - Third Street Lofts]

Resolution approving the settlement of the unlitigated claim filed by Third Street Lofts against San Francisco for \$100,000; claim was filed on March 11, 2003. (City Attorney)

Resolution No. 63-05
ADOPTED

041673 [Appointment - Urban Forestry Council]

Resolution appointing Kelly Quirke and Jocelyn Cohen, terms ending April 5, 2005, to the Urban Forestry Council.

Kelly Quirke, succeeding Milton Marks III, resigned, seat 4, must be a representative of non-profit organizations involved in urban forestry or other environmentally-related issues, for the unexpired portion of a two-year term ending April 5, 2005.

Jocelyn Cohen, succeeding Juan Carrasco, resigned, seat 7, must be representative of the community, for the unexpired portion of a two-year term ending April 5, 2005.

Resolution No. 64-05
ADOPTED

050041 [Appointment - Surplus Property Citizens' Advisory Committee]

Resolution appointing Jay Bradshaw, term to be determined, to the Surplus Property Oversight Committee.

Jay Bradshaw, new appointment, seat 6, must be member of a union, for a term to be determined.

Resolution No. 72-05
ADOPTED

The foregoing items were acted upon by the following vote:

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

Severed from Consent Agenda

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

041632 [Traffic Regulations]
Supervisor Mirkarimi

Resolution enacting and rescinding traffic regulations on various streets.

TOW-AWAY LANE MUST TURN RIGHT, EXCEPT MUNI - ESTABLISH
Lincoln Way, south side, from 19th Avenue to a point 100 feet westerly.

ONE-WAY STREET - ESTABLISH
Vandewater Street, westbound, between Mason and Powell Streets.

BICYCLE LANES – ESTABLISH
Fell Street, from Scott Street to Baker Street. (Parking and Traffic Department)

(11/29/04: 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. 2912.)

Resolution No. 59-05
ADOPTED by the following vote:

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

REGULAR AGENDA

UNFINISHED BUSINESS

Vetoed by the Mayor

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

Ordinance appropriating \$283,809 from the Department of Human Services 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.

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

The Board of Supervisors must act on the veto override within 30 days of the date of the veto. The Mayor vetoed the Ordinance on January 8, 2005. Therefore, the Board will lose the ability to override the veto unless it votes on or before February 8, 2005.

(Fiscal impact.)

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

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

050044 [Adopting findings related to the determination that the appeal of the negative declaration for the 329 Bay Street project was timely]

Motion adopting findings related to the determination that the appeal of the negative declaration for the 329 Bay Street project was timely filed. (Clerk of the Board)

Supervisor Maxwell, seconded by Supervisor Alioto-Pier, moved that this Motion be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. The motion carried by the following vote:

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

Motion No. M05-14

APPROVED AS AMENDED by the following vote:

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

050043 [Adopting findings related to the appeal of the negative declaration issued by the Planning department for the 329 Bay Street project]

Motion adopting findings related to the appeal of the negative declaration issued by the Planning Department on June 22, 2004 for 329 Bay Street. (Clerk of the Board)

Supervisor Maxwell, seconded by Supervisor Alioto-Pier, moved that this Motion be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. The motion carried by the following vote:

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

Motion No. M05-13

APPROVED AS AMENDED by the following vote:

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

050047 [Adopting findings related to the conditional use appeal on property located at 100 Felton]

Motion adopting findings related to the appeal of the Planning Commission's approval of Conditional Use Authorization No. 16877 (which approved the installation of a wireless telecommunications system facility consisting of six panel antennas on an existing church and related equipment directly below in the attic as part of Cingular's wireless telecommunications network within a RH-2 (Residential-Two Family) Zoning District and a 40-X Height and Bulk District, located at 100 Felton Street, northwest corner of Girard Avenue and Felton Street (Lot 013 in Assessor's Block 5926). (Clerk of the Board)

(Companion measure to Files 041636, 041637, 041638, 041639)

Motion No. M05-16

APPROVED by the following vote:

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

Recommendation of the Land Use Committee**041385 [Street Encroachment at 199 Geary Street - Security Pacific Place]**

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

Resolution No. 54-05

ADOPTED by the following vote:

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

From the Land Use Committee Without Recommendation

**041543 [Hunters Point Shipyard - Street Vacation Order]
Mayor, Supervisor Maxwell**

Ordinance ordering the vacation of portions of McKinnon Avenue, La Salle Avenue, Kirkwood Avenue, Jerrold Avenue, Innes Avenue, Hudson Avenue, Boalt Street, Coleman Street, Donahue Street, and Galvez Street in Hunters Point Shipyard Parcel "A1" and Oakdale Avenue, Newcomb Avenue, McKinnon Avenue, La Salle Avenue, Fitch Street, and Earl Street in Hunters Point Shipyard Parcel "A2" along with public service easements in the aforementioned locations in the Hunters Point Shipyard; making environmental findings and findings of consistency with the City's General Plan, Planning Code Section 101.1, and the Hunters Point Redevelopment Plan; quitclaiming the City's interest in the vacation areas; reserving easement rights for various utilities, including SBC, Pacific Gas and Electric Company, easement holders of record and the City; accepting Department of Public Works Order No. 175,121; and authorizing official acts in connection with this Ordinance.

Ordinance No. 24-05

FINALLY PASSED by the following vote:

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

NEW BUSINESS

Recommendations of the City Services Committee

**041577 [Clarifications and Technical Corrections to Work Practices Program for Lead-Based Paint Disturbance and Removal]
Supervisors Peskin, Mirkarimi**

Ordinance amending Section 3407 et seq. of the Building Code, to amend the definitions of Clearance Inspection, Containment and Barrier Systems, and Prohibited Practices; to clarify scope of prohibitions on the removal or disturbance of lead-based paint; to specify the type of covering required to prevent contamination by lead debris; to specify where signs noticing lead work must be posted, to make further minor technical corrections to the work practices program for lead-based paint disturbance and removal; and to make findings in accordance with California Health and Safety Code Section 17958.5 as to the local climatic, topological and geological reasons for amending the State Building Code.

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

PASSED ON FIRST READING by the following vote:

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

**041149 [Death Toll of 1906 Earthquake Victims]
Supervisors Alioto-Pier, Elsbernd, Ma, Dufty, Mirkarimi**

Resolution setting aside the current death toll of 478 victims of the 1906 earthquake and amending that number no later than April 18, 2006.

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

Resolution No. 53-05

ADOPTED by the following vote:

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

Recommendations of the Finance and Audits Committee

- 041307 [Prohibiting smoking on unenclosed areas of City parks and recreational areas in San Francisco open to the public]
Supervisors Alioto-Pier, Dufty

Ordinance amending the San Francisco Health Code by adding Article 19 I, encompassing Sections 1009.80 et seq., to prohibit smoking on any unenclosed area of property in the City and County of San Francisco that is open to the public and under the jurisdiction of the Recreation and Park Commission or any other City department if the property is a park, square, garden, sport or playing field other than a golf course, recreational pier, or other property used for recreational purposes.

(Fiscal impact.)
(Supervisor Peskin dissenting in Committee.)

PASSED ON FIRST READING by the following vote:

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

- 041751 [Appropriate funds for the Human Services Agency's CalWORKS, In-Home Supportive Services (IHSS) and Medi-Cal Programs]
Mayor

Ordinance appropriating \$5,988,448 from current year federal and state revenue allocations for the CalWORKS, In-Home Supportive Services (IHSS) and Medi-Cal programs to fund various program requirements including staffing; breakdown of the amounts per program are \$1,539,670 to CalWORKS, \$2,306,369 to IHSS and \$2,142,409 to Medi-Cal programs for fiscal year 2004-05.

(Fiscal impact.)

PASSED ON FIRST READING by the following vote:

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

Appointment of President Pro Tempore

At the request of the President, Supervisor Sandoval assumed the Chair so the President could participate in the debate from the floor concerning the following item.

The President resumed the Chair shortly thereafter.

- 050059** [Appropriate funds from the General Reserve to General City Responsibility as charitable contribution for the Tsunami Relief Effort]
Supervisors Daly, Mirkarimi, Ammiano

Ordinance appropriating up to \$1,000,000 from the General Fund Reserve to General City Responsibility for a charitable contribution made to the Tsunami Relief Effort for fiscal year 2004-2005.

(Fiscal impact.)
(Supervisor Elsbernd dissenting in Committee.)

Supervisor Daly, seconded by Ammiano, moved an amendment of the whole bearing new title.

Motion to amend carried without objection.

NOT PASSED ON FIRST READING by the following vote:

Ayes: 4 - Ammiano, Daly, Mirkarimi, Sandoval
Noes: 7 - Alioto-Pier, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Peskin

- 041564** [Approval of Lease with American Airlines, Inc. for a portion of Plot 40 and Superbay Hangar]
Resolution, retroactive to January 1, 2005, approving and authorizing the execution of a Lease with American Airlines, Inc., for a portion of Plot 40 and space in the Superbay Hangar. (Airport Commission)

Resolution No. 57-05

ADOPTED by the following vote:

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

- 041719** [BART Payment for MUNI Transfer Trips]
Resolution approving an Agreement between the City and County of San Francisco (the "City") and the Bay Area Rapid Transit District ("BART") authorizing payment to the Municipal Transportation Agency ("MTA") for transfer trips provided by the Municipal Railway in FY 2004-2005. (Municipal Transportation Agency)

Resolution No. 66-05

ADOPTED by the following vote:

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

Recommendation of the Land Use Committee

- 041524** [Parking Regulations-Hall of Justice]
Supervisor Mirkarimi

Ordinance amending San Francisco Traffic Code Section 32.6.7 to restrict parking on Bryant Street between Harriet Street and 7th Street to only SFPD vehicles or displaying a permit issued by the Chief of Police. (Parking and Traffic Department)

Supervisor Mirkarimi requested to be added as sponsor.

PASSED ON FIRST READING by the following vote:

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

Recommendations of the Rules Committee

**041724 [Payment of Reward to two Jane Does]
Mayor**

Ordinance authorizing payment of a \$10,000.00 reward to be split amongst two Jane Does for supplying information leading to the arrest and conviction of the perpetrator responsible for the death of Rihibi Hussein.
(Mayor)

PASSED ON FIRST READING by the following vote:

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

Supervisors Ammiano, Dufty, Sandoval, McGoldrick Excused From Voting

Supervisor Elsbernd, seconded by Supervisor Alioto-Pier, moved to excuse Supervisors Ammiano, Dufty, Sandoval, and McGoldrick from voting on this matter. The motion carried by the following vote:

Ayes: 7 - Alioto-Pier, Daly, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin
Excused: 4 - Ammiano, Dufty, McGoldrick, Sandoval

041773 [Appointment - Golden Gate Bridge, Highway and Transportation District]

Resolution affirming retention of Supervisors Bevan Dufty, Tom Ammiano, Gerardo Sandoval and Jake McGoldrick, as members of the Board of Directors, Golden Gate Bridge, Highway and Transportation District, for terms ending January 31, 2007.

Resolution No. 71-05

ADOPTED by the following vote:

Ayes: 7 - Alioto-Pier, Daly, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin
Excused: 4 - Ammiano, Dufty, McGoldrick, Sandoval

Recess

*The Board recessed at the hour of 3:30 p.m.
Reconvening of the Board*

The Board at the hour of 3:40 p.m. reconvened.

Calling the Roll

*On call of the roll, the following Supervisors were noted present:
Supervisors Ammiano, Daly, Elsbernd, Ma, Maxwell, McGoldrick,
Mirkarimi, Peskin, Sandoval - 9*

Quorum present.

*Supervisor Dufty was noted present at 3:42 p.m.
Supervisor Alioto-Pier was noted present at 3:52 p.m.*

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

*Supervisor Peskin introduced, welcomed and presented a Certificate of Honor to Captain Charlie Rose.
Supervisor Maxwell introduced and welcomed Antoinette Osborne, the winner of SF WritersCorps Annual Martin Luther King, Jr. "Freewrite Contest."*

SPECIAL ORDER 4:00 P.M.

041275 [Public Hearing - Appeal of Revised Certificate of Determination of Exemption from Environmental Review - American Buddhist Cultural Society Building located at 1730-1750 Van Ness Avenue]
Hearing of persons interested in or objecting to the decision of the Planning Department dated August 13, 2004, Case No. 2003.0657E, approving the proposed project to include: a renovation and vertical addition to the existing one-story-plus-mezzanine American Buddhist Cultural Society building; an expanded second level and construction of third and fourth levels for a total of four stories and a total height of approximately 70 feet; and add approximately 16,798 gross square feet (gsf) to the existing building for a total square footage of 27,758 gsf, located at 1730-1750 Van Ness Avenue, Assessor's Block 0622, Lot 019. (Appellant: 1776 Sacramento Street Homeowners Association, represented by the Law Offices of Stephen M. Williams).

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

Continued to February 8, 2005 at 4:00 p.m.

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

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

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

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

041276 [Affirming the categorical exemption issued for 1730-1750 Van Ness Avenue]
Motion affirming the determination by the Planning Department that the 1730-1750 Van Ness Avenue project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Continued to February 8, 2005 at 4:00 p.m.

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

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

- 041277 [Disapproving the categorical exemption issued for 1730-1750 Van Ness Avenue]**
Motion disapproving the determination by the Planning Department that the 1730-1750 Van Ness Avenue project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Continued to February 8, 2005 at 4:00 p.m.

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

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

- 041278 [Preparation of findings related to the categorical exemption issued for 1730-1750 Van Ness Avenue]**
Motion directing the Clerk of the Board to prepare findings related to the appeal of the determination by the Planning Department that the 1730-1750 Van Ness Avenue project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Continued to February 8, 2005 at 4:00 p.m.

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

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

SPECIAL ORDER 4:00 P.M.

Board of Supervisors Sitting as a Committee of the Whole

- 041739 [Hearing - Emergency ordinance reenacting a Disadvantaged Business Enterprise Program]**
Hearing to consider the possible adoption of an emergency ordinance reenacting a Disadvantaged Business Enterprise Program set forth in Chapter 14A of the San Francisco Administrative Code; suspending Chapter 12D.A; providing for data collection to ensure nondiscrimination in City contracting; and adopting a declaration of emergency. (Clerk of the Board)

President inquired as to whether a member of the public wished to address the Board.

Male Speaker; support of legislation

Male Speaker; support of legislation

Rodney, questions regarding legislation

The President declared the public hearing closed.

HEARD AT PUBLIC HEARING.

Committee of the Whole Adjourn and Report Without Recommendation

**041740 [Reenacting a Disadvantaged Business Enterprise Program]
Supervisor Ammiano**

Emergency ordinance reenacting a Disadvantaged Business Enterprise Program set forth in Chapter 14A of the San Francisco Administrative Code; suspending Chapter 12D.A; providing for data collection to ensure nondiscrimination in City contracting; and adopting a declaration of emergency.

Ordinance No. 22-05

FINALLY PASSED by the following vote:

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

COMMITTEE REPORTS

**050051 [Changes to Board Committees]
Supervisor Peskin**

Motion amending the Rules of the Board of Supervisors by amending Rules 5.1 - 5.6 to create a standing Government Audit and Oversight Committee and a Standing Budget and Finance Committee; to Repeal the Rules Related to the Finance and Audits Committee and Budget Committee; to change the name of the City Services Committee to the City Operations and Neighborhood Services Committee; and to Define the Responsibilities and Jurisdiction of the Budget and Finance Committee, the Government Audit and Oversight Committee, the Rules Committee, the City Operations and Neighborhood Services Committee and the Land Use Committee.

Motion No. M05-17

APPROVED by the following vote:

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

**050052 [Schedule for Regular Board Meetings]
Supervisor Peskin**

Motion amending the Rules of the Board of Supervisors by amending Rule 6.2 to provide that the Board shall meet every Tuesday, unless that Tuesday is a holiday, and shall not meet during the week after Thanksgiving or the week between December 24 and December 31.

Motion No. M05-18

APPROVED by the following vote:

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

From the Rules Committee Without Recommendation

**050053 [Rule Amendment related to Supervisors voting at Board meetings]
Supervisor Peskin**

Motion amending Rule 4.14 of the Rules of Order of the Board of Supervisors to provide procedures to encourage Supervisors to vote in a timely manner during roll calls at meetings of the Board of Supervisors.

NOT APPROVED by the following vote:

Ayes: 6 - Alioto-Pier, Daly, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 5 - Ammiano, Dufty, Elsbernd, Ma, Maxwell

ROLL CALL FOR INTRODUCTIONS

PUBLIC COMMENT

Abdullah Megaheed; general issues
Rumas; support of Tsunami victims
James Chaffe; Library issues and social security issues
Stephen Dreyfus; street artists
Albert Sandoval; San Francisco School District issues
John Didonna; gun control
Bruce Ellison; renter issues
Female Speaker; mental health issues
Male Speaker; congratulated Supervisor Peskin on being Board President and docent issues
Rodney Betronio; budget issues

CLOSED SESSION

050104 [Closed Session - Existing Litigation, City as Defendant and City as Plaintiff]

Motion that the Board of Supervisors convene in closed session with the City Attorney for the purpose of conferring with, or receiving advice from, the City Attorney regarding the following existing litigation:

(i) Macy Department Stores, Inc. formerly known as Macy's West, Inc., an Ohio Corporation; Broadway Stores, Inc., a Delaware Corporation; and Federated System Group, Inc., a Delaware Corporation, vs. City and County of San Francisco Superior Court No. 306-723 (consolidated with 321838 and 313390); A lawsuit challenging the constitutionality of the City's certain aspects of business tax; and

(ii) City and County of San Francisco vs. Flying Dutchman Park, Inc.; James Gabriel Vierling; San Francisco Superior Court No. 321376; California Court of Appeal No. A102026. A lawsuit involving the constitutionality of certain aspects of the City's parking tax.

Government Code Section 54956.9(a) and San Francisco Administrative Code Section 67.10(d)(1) permit this closed session. Discussion in open session concerning these matters would likely and unavoidably prejudice the position of the City in the pending lawsuits listed above. (City Attorney)

Supervisor Ammiano, seconded by Supervisor Ma, moved to convene in Closed Session. The motion carried by the following vote:

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

Recess

The Board recessed at the hour of 4:55 p.m. to convene in closed session pursuant to the above motion.

Reconvening of the Board

*Supervisor Daly was noted absent at 5:15 p.m.
Supervisor Mirkarimi was noted absent at 5:19 p.m.
Supervisor Sandoval was noted absent at 5:21 p.m.*

The Board at the hour of 5:43 p.m. reconvened.

Calling the Roll

The following Supervisors were noted present: Alioto-Pier, Ammiano, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Peskin - 8

Report on Closed Session

Deputy City Attorney Ted Lakey reported that the Board of Supervisors has met in closed session with the City Attorney, under the provisions of Government Code Section 54956.9(a) for the purpose of conferring with, or receiving advice from, the City Attorney regarding the above pending litigation.

Persons in attendance:

*Supervisors Alioto-Pier, Ammiano, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Peskin
Ted Lakey, Deputy City Attorney
Julie Van Nostern, Deputy City Attorney
Owen Clements, Deputy City Attorney
Burk Delventhal, Deputy City Attorney
Ed Harrington, Controller
Gloria L. Young, Clerk of the Board
Kay Gulbengay, Deputy Clerk*

The meeting was informational only and no action was taken.

[Elect Not to Disclose]

Motion that the Board finds that it is in the best interest of the public that the Board elect at this time not to disclose its closed session deliberations concerning the anticipated litigation listed above.

Supervisor Ammiano, seconded by Supervisor Ma, moved not to disclose its closed session deliberations. The motion carried by the following vote:

**Ayes: 8 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Peskin
Absent: 3 - Daly, Mirkarimi, 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.

**050072 [Supporting Gay Adoption]
Supervisors Ammiano, Mirkarimi**

Resolution urging the Supreme Court of the United States to rescind their refusal and to accept the hearing of a legal challenge to Florida's prohibition of adoption of children by gays and lesbians.

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

Resolution No. 73-05

ADOPTED

**050073 [Homeless Death Count]
Supervisors Daly, Dufty, Elsbernd, Mirkarimi**

Resolution urging the City Attorney to explore feasible means to access death records.

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

Resolution No. 79-05

ADOPTED

**050074 [Reinstatement of Homeless Death Count by SFDPH]
Supervisors Daly, Ammiano, Sandoval, Mirkarimi, McGoldrick, Elsbernd**

Resolution urging Department of Health to reinstate Homeless Death Count.

Resolution No. 81-05

ADOPTED

**050075 [Commending Ray Wong]
Supervisors Dufty, Elsbernd**

Resolution commending Ray Wong for his career in civil service.

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

Resolution No. 74-05

ADOPTED

**050076 [Volunteer Blood Donor Month]
Supervisor Ma**

Resolution declaring January 2005 to be "Volunteer Blood Donor Month" in the City and County of San Francisco.

Resolution No. 75-05

ADOPTED

**050077 [SFMOMA Building Anniversary]
Supervisors Ma, Elsbernd**

Resolution congratulating the San Francisco Museum of Modern Art on the Tenth Anniversary of the Opening of their Mario Botta – designed building.

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

Resolution No. 76-05

ADOPTED

**050078 [Extending the term of the Biosciences Task Force to March 15, 2005]
Supervisor Maxwell**

Resolution extending the term of the Biosciences Task Force to March 15, 2005.

Resolution No. 77-05

ADOPTED

**050079 [Urging the California Legislature to standardize levels of aid payments for Kin-GAP Program]
Supervisor McGoldrick**

Resolution urging the California Legislature to standardize levels of aid payments for relative and non-relative legal guardianship in its Kinship Guardianship Assistance Program in order to encourage and support relative caretakers in taking guardianship of dependent and "at-risk" children.

Resolution No. 82-05

ADOPTED

**050046 [Needle Exchange Emergency]
Supervisors Ammiano, Daly, Peskin, McGoldrick, Maxwell, Dufty, Mirkarimi**

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

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

Motion No. M05-15

APPROVED

The foregoing items were acted upon by the following vote:

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

Severed From Without Reference to Committee Agenda

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

Supervisor Mirkarimi Excused from Voting

Supervisor Sandoval, seconded by Supervisor Maxwell, moved to excuse Supervisor Mirkarimi from voting on this matter. The motion carried by the following vote:

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

**050105 [Appointment to San Francisco LAFCO]
Supervisor Peskin**

Motion appointing Supervisor Ross Mirkarimi, term ending February 4, 2006, to the San Francisco Local Agency Formation Commission.

Motion No. M05-12

APPROVED by the following vote:

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

IMPERATIVE AGENDA

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

[Purely Commendatory Finding]

Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

Supervisor Maxwell, seconded by Supervisor Alioto-Pier, moved ADOPTION of the Commendatory Finding. The motion carried by the following vote:

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

[Brown Act Finding]

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

Supervisor Maxwell, seconded by Supervisor Alioto-Pier, moved ADOPTION of the Brown Act Finding. The motion carried by the following vote:

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

**050124 [Commending United States Senator Barbara Boxer]
Supervisor Sandoval**

Resolution commending United States Senator Barbara Boxer for her leadership during the nomination process for Secretary of State nominee Dr. Condoleezza Rice.

Resolution No. 78-05

ADOPTED.

OFF-AGENDA LEGISLATION

Introduced by Supervisors or Mayor

Ordinances

**041154 [Zoning Map Amendments]
Supervisor Peskin**

Ordinance amending the San Francisco Planning Code by amending the Zoning Map of the City and County of San Francisco, Section Map 2, to change the use district designation of Assessor's Block 0185, Lots 5, 29, 30, 31, 38, 39, 40, and 41 from NC-2 (Small-Scale Neighborhood Commercial District) to RM-1 (Residential, Mixed: Low Density); adopting findings pursuant to Planning Code Sections 302 and 101.1.

8/10/04, ASSIGNED UNDER 30 DAY RULE to Land Use Committee, expires on 9/9/2004.

8/18/04, REFERRED TO DEPARTMENT. Referred to Planning for hearing and environmental review.

1/25/05, SUBSTITUTED. Supervisor Peskin submitted a substitute ordinance bearing new title.

1/25/05, ASSIGNED UNDER 30 DAY RULE to Land Use Committee, expires on 2/24/2005. 01/26/05 - Substitute legislation re-referred to Planning for hearing and environmental review.

**050117 [Re-appropriate funding from Earthquake Safety Bond Phases 1 & 2 proceeds; re-appropriate funding from the Fire Bond proceeds and appropriate interest.]
Mayor**

Ordinance re-appropriating \$5,769,221 from the Earthquake Safety Bond Phases 1 & 2 proceeds to fund \$2,724,875 on San Bruno Jail construction, \$2,746,336 on San Francisco Juvenile Hall Guidance Center Project construction, and \$298,010 for 4th Street Bridge construction for fiscal year 2004-05. Additionally, to re-appropriate \$487,610 from the sale of Fire Bond proceeds and to appropriate \$1,993,370 from Fire Bond interest earnings to fund construction expenses for Fire Station 2 for the Department of Public Works for fiscal year 2004-2005.

(Fiscal impact.)

1/25/05, RECEIVED AND ASSIGNED to Finance and Audits Committee.

050119 [Appropriate surplus revenue to fund 32 new positions and various overhead expenses for Fiscal Year 2004-05]**Supervisor Daly**

Ordinance appropriating \$3,043,920 of surplus revenue from the Department of Building Inspection to fund 32 new positions, materials & supplies and equipment for Fiscal Year 2004-2005.

(Fiscal impact.)

1/25/05, RECEIVED AND ASSIGNED to Finance and Audits Committee.

050120 [Appointing members to the IHSS Governing Body]**Supervisor Maxwell**

Ordinance clarifying the process for appointing members to the IHSS Governing Body.

1/25/05, RECEIVED AND ASSIGNED to Rules Committee.

050133 [Defense Costs of Residential Hotel Ordinance]**Supervisor Peskin**

Ordinance amending Section 41.13 of the San Francisco Administrative Code, the Residential Hotel Unit Conversion and Demolition Ordinance, to clarify that funds in the Residential Hotel Preservation Fund may be expended both to create replacement housing and to administer the Ordinance, including defending it against legal challenge.

1/25/05, RECEIVED AND ASSIGNED to Finance and Audits Committee.

050134 [Requiring City offices to display signs, brochures, and forms for the San Francisco Working Families Credit Program]**Mayor, Supervisors Maxwell, Dufty**

Ordinance amending the San Francisco Administrative Code by adding Section 12S.2, to require City offices to display signs, brochures and forms for the San Francisco Working Families Credit Program.

1/25/05, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 2/24/2005.

050136 [Requiring departments to use interdepartmental mail]**Supervisor Ma**

Ordinance amending Chapter 8 of the Administrative Code by adding a new section 8.17 to require departments to use interdepartmental mail subject to certain limited exceptions.

1/25/05, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 2/24/2005.

**050137 [Public Employment - Various Departments]
Supervisor McGoldrick**

Ordinance amending Ordinance No. 198-04 (Annual Salary Ordinance 2004/2005) reflecting the deletion of 58.76 positions at Administrative Services, Adult Probation, Airport Commission, Emergency Communications, Environment, Department of Human Resources, Juvenile, Public Health, Public Works, Recreation and Park, Telecommunication and Information Systems and the Department on the Status of Women.

(Fiscal impact.)

1/25/05, RECEIVED AND ASSIGNED to Finance and Audits Committee.

Resolutions

050116 [Meeting Schedule]

Resolution revising the regular meeting schedule of the Board of Supervisors by canceling the November 29, and the December 27, 2005 meetings and by canceling all Board and Committee meetings from August 17 through September 5, 2005. (Clerk of the Board)

1/25/05, RECEIVED AND ASSIGNED to Rules Committee.

**050122 [Apply for, Accept and Expend State Grant]
Supervisor Mirkarimi**

Resolution authorizing the Department of Public Works to apply for, accept and expend a grant in the amount of \$298,010 in Waste Tire Enforcement Grant funds from the California Integrated Waste Management Board for enforcing proper disposal of waste tires and authorizing the Department of Public Works to apply for future Waste Tire Enforcement Grants.

1/25/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**050123 [Accept-Expend Federal and State Grants]
Supervisor Elsbernd**

Resolution authorizing the Director of Transportation or his designee to accept and expend a Federal Transportation Enhancement Activities grant in the amount of \$325,945, and a State Transportation Improvement Program grant in the amount of \$42,230 from the Metropolitan Transportation Commission for a Shared Lane Pavement Marking TEA Project.

1/25/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**050124 [Commending United States Senator Barbara Boxer]
Supervisor Sandoval**

Resolution commending United States Senator Barbara Boxer for her leadership during the nomination process for Secretary of State nominee Dr. Condoleezza Rice.

1/25/05, ADOPTED.

- 050138 [Encouraging the California Institute for Regenerative Medicine to locate its Headquarters in San Francisco]**
Supervisors Alioto-Pier, Dufty

Resolution encouraging the California Institute for Regenerative Medicine to locate its Headquarters in San Francisco.

1/25/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

- 050139 [Grant to improve pregnancy outcomes through implementing a smoke free pregnancy project]**
Supervisors Alioto-Pier, Dufty

Resolution authorizing the San Francisco Department of Public Health (SFDPH) to accept retroactively and expend a new grant in the amount of \$25,000 from the March of Dimes Foundation (MODF) for the Smoke Free Pregnancy Project, to enter into an agreement for the use of these funds, and to add one new position funded through this grant; for the period of January 1, 2005, to December 31, 2005.

1/25/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

- 050140 [Supporting Self-Anchored Suspension Design]**
Supervisor Ammiano

Resolution endorsing the principle that the most expeditious path to seismic safety for this critical component of the region's transportation infrastructure is to retain the Self-Anchored Suspension design that is 100 percent complete, fully permitted and ready to construct.

1/25/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

- 050141 [Commemorating 60th Anniversary of Liberation of Auschwitz]**
Supervisors Ammiano, Peskin, Dufty, Elsbernd, Sandoval, McGoldrick, Mirkarimi, Alioto-Pier, Daly, Ma, Maxwell

Resolution commemorating the 60th anniversary of the liberation of Auschwitz death camps, expressing solidarity with similar commemorative ceremonies at the United Nations and across the world, reaffirming the commitment to the securing of human rights and dignity, acknowledging the human suffering of victims and survivors of the Holocaust, and imploring all nations to employ all preventive and diplomatic efforts to prevent current and future wars of genocide.

1/25/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

- 050142 [Commending Dr. Boyd Stephens]**
Supervisors Dufty, Mirkarimi

Resolution commending Dr. Boyd Stephens on his career in civil service.

1/25/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**050143 [Commending Tom Hayes]
Supervisors Elsbernd, Dufty, Ma, Peskin**

Resolution commending Tom Hayes on the celebration of his 80th Birthday.

1/25/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**050144 [Accept-Expend Federal and State Grants]
Supervisor Elsbernd**

Resolution authorizing the Director of Transportation or his designee to accept and expend a Federal grant in the amount of \$268,576 and a state grant in the amount of \$34,797 from the Metropolitan Transportation Commission for a Pedestrian Safety and Access Education TEA Project.

1/25/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**050145 [Parent Teacher Association (PTA) Day in San Francisco]
Supervisors Ma, Dufty, Elsbernd, Mirkarimi**

Resolution declaring February 4, 2005 as "San Francisco Parent Teacher Association (PTA) Day" in the City and County of San Francisco.

1/25/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**050146 [Commending the Experimental Middle School of Beijing]
Supervisor Ma**

Resolution commending the Experimental Middle School of Beijing Normal University for its leadership in international education and for its extensive contributions to our children's intellectual and cultural growth.

1/25/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**050147 [Potrero Power Plant Unit 3 to comply with water quality standards]
Supervisors Maxwell, Daly, Mirkarimi**

Resolution urging the San Francisco Bay Regional Water Quality Control Board to require Mirant's Potrero Power Plant Unit 3 to come into compliance with all water quality standards and to terminate the wastewater discharge permit when the power plant is no longer needed for electric reliability.

1/25/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**050148 [Urging full funding of Community and Home Injury Prevention Project for Seniors (CHIPPS)]
Supervisor Mirkarimi**

Resolution urging full funding and implementation of the Community and Home Injury Prevention Project for Seniors (CHIPPS) by the San Francisco Department of Public Health.

1/25/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**050149 [Opposing further gas and electric rate increases by PG&E]
Supervisors Mirkarimi, Ammiano, Daly, Sandoval**

Resolution urging the California Public Utilities Commission to require PG&E to provide accurate and timely electric bills and reliable service, and opposing further rate increases, and urging the California Public Utilities Commission to reverse the constant gas and electric rate increases of the last decade and reduce rates to a just and reasonable level.

1/25/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**050150 [Oppose Privatization of Social Security]
Supervisors Mirkarimi, Sandoval**

Resolution urging members of San Francisco's Congressional delegation to oppose, reject, and vote against any legislation that would partially or fully privatize Social Security.

1/25/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**050157 [Commending Deputy City Attorney Andrew W. Schwartz]
Supervisors Peskin, Duffy, Daly**

Resolution commending Andrew W. Schwartz for twenty-two years of exemplary public service to San Francisco as a Deputy City Attorney, and wishing him well in his future endeavors at Shute, Mihaly & Weinberger.

1/25/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**050158 [Commending Tripta Gupta]
Supervisors Peskin, Duffy**

Resolution commending Tripta Gupta for a successful career with City and County of San Francisco, and wishing her a happy retirement.

1/25/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**050159 [Mary Ellen Pleasant Day]
Supervisors Peskin, Maxwell**

Resolution declaring February 10, 2005, "Mary Ellen Pleasant Day" in San Francisco.

1/25/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**050160 [Wild Parrot Day]
Supervisors Peskin, McGoldrick, Mirkarimi**

Resolution declaring February 9, 2005 Wild Parrot Day.

1/25/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Requests For Hearing**050118 [MUNI's Implementation of Proposition I]
Supervisors Ammiano, Maxwell, Daly**

Hearing to inquire into the progress of MUNI's implementation of Proposition I, approved by San Francisco voters in March 2004 which requires MUNI to replace all pre-1991 diesel buses on or before January 1, 2007 and further establishing annual deadlines for the retirement of outmoded buses.

1/25/05, RECEIVED AND ASSIGNED to Land Use Committee.

**050121 [Billing and Collections Revenue Maximization at DPH-SFGH]
Supervisor Ammiano**

Hearing on billing and collections revenue maximization at the Department of Public Health and San Francisco General Hospital to include, but not limited to: (1) Status of billing and collections recommendations made by the Budget Analyst in the San Francisco General Hospital audit; (2) A status report by the Controller's Office on their audit, including detail on audit objectives; and (3) A report by the Department of Public Health on revenue maximization measures implemented by the Chief Financial Officer.

1/25/05, RECEIVED AND ASSIGNED to Finance and Audits Committee. Sponsor requests this item be scheduled for consideration the week of February 21st, 2005.

**050125 [Findings of the Citizen's General Obligation Bond Oversight Committee regarding SFUSD's Financial Controls]
Supervisor Alioto-Pier**

Hearing on the findings of the Citizen's General Obligation Bond Oversight Committee regarding the San Francisco Unified School District's poor financial controls and auditing procedures with regard to bond projects. Also requesting that the Controller present his audit findings on this matter at the hearing.

1/25/05, RECEIVED AND ASSIGNED to City and School District Select Committee.

**050126 [Working Families Tax Credit Program]
Supervisor Maxwell**

Hearing on the City's Working Families Tax Credit program. The hearing will focus on how local residents can apply for the tax credit in the next two months and examine what City government is doing to publicize the program.

1/25/05, RECEIVED AND ASSIGNED to Finance and Audits Committee.

**050127 [Alternatives to Use of Plastic Products]
Supervisor McGoldrick**

Hearing on the biodegradable, environmentally conscious alternatives to plastic products (bags, cups, utensils and all other projects), in order to reduce the overall use and consumption of plastic items. The hearing will focus on the available alternatives to plastic, as well as the availability and cost factors involved to obtain and use such products.

1/25/05, RECEIVED AND ASSIGNED to City Services Committee.

**050128 [Community and Home Injury Prevention Project for Seniors]
Supervisor Mirkarimi**

Hearing on the status and future of the Community and Home Injury Prevention Project for Seniors (CHIPPS) of the San Francisco Department of Public Health.
1/25/05, RECEIVED AND ASSIGNED to City Services Committee.

**050135 [Suicide Barrier on the Golden Gate Bridge.]
Supervisor Ammiano**

Hearing to inquire into the feasibility of the installation of a suicide barrier on the Golden Gate Bridge.
1/25/05, RECEIVED AND ASSIGNED to City Services Committee.

Motions

**050050 [Limiting Single Supervisor's Ability to Call Matters from Committee]
Supervisor Peskin**

Motion amending the Rules Order of the Board of Supervisors to amend Rule 5.31 Failure of a Committee to Act within 30 Days, thereby allowing four Supervisors to call a matter from Committee and allowing one Supervisor to call a matter from Committee that has not been heard in Committee within thirty days of assignment to Committee.

1/11/05, RECEIVED AND ASSIGNED to Rules Committee.

1/25/05, ASSIGNED to Rules Committee.

1/25/05, SUBSTITUTED. Supervisor Peskin submitted a substitute Motion bearing new title.

**050129 [Legislative Analyst Request - Overweight and Overlength Sport Utility Vehicles]
Supervisor Mirkarimi**

Motion requesting the Office of the Legislative Analyst to: (1) report on damages caused by overweight and overlength sport utility vehicles on the City's roadways; (2) report on programs and systems employed by other cities, specifically Washington DC and Seattle, to recoup these costs; and, (3) report on the feasibility and effectiveness of creating a free structure whereby large and luxury sport vehicle owners would pay an increased residential parking permit fee.

1/25/05, ASSIGNED to Board of Supervisors. Scheduled for Board consideration February 1, 2005.

In-depth report delivery date: April 1, 2005

**050130 [Legislative Analyst Request - Community Policing Practices]
Supervisor Mirkarimi**

Motion requesting the Office of the Legislative Analyst to prepare an analysis of community policing practiced in cities of comparable size to San Francisco, nationally and internationally, to include factors of a standardized operating procedure and/or formalized factors. Please inform the requester if and how community policing practices may be legislated by the Board in the City and County of San Francisco.

1/25/05, ASSIGNED to Board of Supervisors. Scheduled for Board consideration February 1, 2005.

In-depth report delivery date: February 8, 2005.

**050131 [Rules of Order of the Board – Board Member Report on activities at Regional Agencies]
Supervisor Peskin**

Motion amending the Rules of Order 3.9 Roll Call for Introductions to provide a report on activities at regional agencies.

1/25/05, RECEIVED AND ASSIGNED to Rules Committee.

**050132 [Rules of Order of the Board - Material Economic Impact Legislation]
Supervisor Alioto-Pier**

Motion amending the Rules of Order of the Board of Supervisors to provide a process for holding hearings associated with legislation that might have a material economic impact on the City.

1/25/05, RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED ORDINANCES

050045 [Sale of City Property]

Ordinance ordering the sale at public auction of City-owned property located at 1648 Pacific Avenue and 2350 19th Avenue; adopting findings pursuant to the California Environmental Quality Act; adopting findings that the sale is consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; and authorizing other actions in furtherance of this ordinance. (Real Estate Department)

(Supervisor Daly dissenting in Committee.)

1/7/05, RECEIVED AND ASSIGNED to Finance and Audits Committee.

050085 [Ordering vacation of 22nd Street between Arkansas and Connecticut Streets]

Ordinance ordering the vacation of the 22nd Street right-of-way between Arkansas and Connecticut Streets subject to reservations of certain utility easements in the vacated area; authorizing the sale of a portion of the vacated street area pursuant to the terms of an agreement for sale of real estate; adopting environmental findings and findings that such actions are consistent with the City's General Plan and the Priority Policies of Planning Code Section 101.1; and authorizing official acts in connection with this ordinance. (Real Estate Department)

1/13/05, RECEIVED AND ASSIGNED to Land Use Committee.

PROPOSED RESOLUTIONS

050080 [One Year Tolling Agreement]

Resolution approving the City Attorney's entry into a mutual tolling agreement governing administrative claims or suit by the City of Daly City ("Daly City") against the City and County of San Francisco ("San Francisco") and/or San Francisco against Daly City. (City Attorney)

1/12/05, RECEIVED AND ASSIGNED to Rules Committee.

050081 [Public Auction]

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

1/10/05, RECEIVED AND ASSIGNED to Finance and Audits Committee.

050082 [Exchange of real property within the Japan Center Garage]

Resolution authorizing the exchange of certain City-owned real property generally known as a portion of Lot 35, Assessor's Block 700 for certain property owned by Dae Woong Kim, et al generally known as a portion of Lot 34, Assessor's Block 700; adopting findings pursuant to the California Environmental Quality Act; adopting findings that the exchange is consistent with the City's general plan and eight priority policies of City Planning Code Section 101.1; and authorizing the Director of Property to execute documents and take certain actions in furtherance of this resolution. (Real Estate Department)

1/10/05, RECEIVED AND ASSIGNED to Finance and Audits Committee.

050084 [Vacation of 22nd Street between Arkansas and Connecticut Streets]

Resolution declaring the intention of the Board of Supervisors to vacate the 22nd Street right-of-way between Arkansas and Connecticut Streets; setting the hearing date for all persons interested in the proposed vacation of the street area; and adopting environmental findings and findings that the vacation is consistent with the City's General Plan and the Eight Priority Policies of Planning Code Section 101.1. (Real Estate Department)

1/13/05, RECEIVED AND ASSIGNED to Land Use Committee.

Requests Granted

From: Supervisor Elsbernd

To: City Attorney

To: Director, Department of Public Works

Requesting/Inquiring: To work with the Department of Public Works to identify issues related to public right-of-way pathways in the Ingleside Terrace area and formulate, where necessary, legislation to resolve these issues.

From: Supervisor Mirkarimi

To: City Attorney

Requesting/Inquiring: Requesting the City Attorney search for a check the Department of Parking and Traffic has been holding for \$25,000 written by "The Lalaine Group" the preceding Falletti Plaza developer, to fund pedestrian improvements in the vicinity of the new complex on Broderick between Fell Street and Oak Street. Specifically:

- 1. Where is the check?*
- 2. Has the check been cashed?*
- 3. If so, where are the funds being held?*
- 4. Since the countdown lights that were initially to be paid for by this check have been federally funded in the interim, what is the latitude in utilizing the funds for other nearby pedestrian improvements?*
- 5. What is the feasibility of creating bulb outs at Broderick and Oak Streets and Broderick and Fell Streets to make crossing safer when the complex is completed and pedestrian traffic is increased?*

From: Supervisor Mirkarimi

To: Director, Department of Parking and Traffic

To: Director, Municipal Transportation Agency

Requesting/Inquiring: To report on the status of a proposed traffic light at the intersection of Turk and Baker Streets.

From: Supervisor Mirkarimi

To: Director, Department of Parking and Traffic

To: Director, Municipal Transportation Agency

Requesting/Inquiring: To report on the feasibility of establishing a flashing crosswalk from Page Street over Stanyan Street to Golden Gate Park.

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: To report on the status of pruning a tree that obscures the stop sign at Grattan and Cole Streets.

In Memoriams

Kathleen Harrington (Entire Board)

Danny Benson (Supervisor Ammiano)

Celia Salinas-Rosenberg (Supervisor Daly)

Madalyn Lopez (Supervisor Peskin)

Jerry H. "Emperor Norton" Barndt (Supervisor Peskin)

Jean Auer (Supervisor Sandoval)

William and Jane Dickerson (Supervisor Alioto-Pier)

ADJOURNMENT

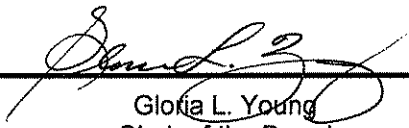
There being no further business, the Board at the hour of 5:45 p.m. adjourned.

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 February 22, 2005.

I, Gloria L. Young, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Minutes of said Board on the date stated and was approved as recited.



Gloria L. Young
Clerk of the Board