

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, May 25, 2004 2:00 PM

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

Regular Meeting

MATT GONZALEZ, PRESIDENT

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

Gloria L. Young, Clerk of the Board

BOARD COMMITTEES

Committee Membership

Budget Committee

Supervisors Sandoval, Daly, McGoldrick

City and School District Select Committee

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

City Services Committee

Supervisors Dufty, Ma, Hall

Finance and Audits Committee

Supervisors Daly, Peskin, Ammiano

Land Use Committee

Supervisors McGoldrick, Peskin, Maxwell

Rules Committee

Supervisors Maxwell, Alioto-Pier, Gonzalez

Meeting Days

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

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

Thursday
9:30 AM

Wednesday
1:00 PM

Monday
1:00 PM

Wednesday
10:00 AM

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

Volume 99 Number 16

Members Present: Michela Alioto-Pier, Tom Ammiano, Chris Daly, Bevan Dufty, 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 2:05 p.m. On the call of the roll Supervisors Alioto-Pier, Ammiano and Ma were noted absent.

*Supervisors Ammiano and Ma were noted present at 2:07 p.m.
Supervisor Hall was previously excused from attending today's meeting. (See Infra)*

Quorum present.

Supervisor Hall Excused from Attendance

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

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

APPROVAL OF MEETING MINUTES

Supervisor Peskin, seconded by Supervisor Sandoval, moved to approve April 20, 2004 Meeting Minutes. The motion carried by the following vote:

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

COMMUNICATIONS

There were none.

CONSENT AGENDA

Recommendations of the City Services Committee

040484 [Evaluate a mobile intervention to a late night population of men who have sex with men to reduce their risk of HIV/STD and substance use harm]**Supervisor Dufty**

Resolution authorizing the San Francisco Department of Public Health, AIDS Office, (SFDPH, AIDS) to accept retroactively and expend a grant in the amount of \$106,788 from the Regents of the University of California San Francisco, Universitywide AIDS Research Program (UCSF,UARP) to evaluate a mobile intervention to a late night population of men who have sex with men to reduce their risk of HIV/STD and substance use harm and to enter into an agreement for the use of these funds; for the period of February 1, 2004 to July 31, 2005. (Public Health Department)

Resolution No. 332-04**ADOPTED****040507 [Drug court partnership program for non-violent drug offenders]****Supervisor Dufty**

Resolution authorizing the San Francisco Department of Public Health (SFDPH) to accept retroactively and expend a grant in the amount of \$425,175 from the California Department of Health Services (CDHS) to provide drug court partnership funds and to enter into an agreement for the use of these funds; for the period of July 1, 2003, to June 30, 2004. (Public Works Department)

Resolution No. 333-04**ADOPTED****Recommendations of the Finance and Audits Committee****040301 [Approval of taxicab color scheme transfers]**

Ordinance amending the San Francisco Police Code, by amending Section 1125 to provide that the Taxi Commission may consider the effect on the public interest, including the impact on paratransit service, when a permit holder seeks to associate with a color scheme or to transfer the permit to another color scheme. (Taxi Commission)

Ordinance No. 100-04**FINALLY PASSED****040302 [Requiring that applicants for a ramped taxi permit have completed at least 100 wheelchair pick-ups during the six months immediately preceding the Taxi Commission's hearing on the application]**

Ordinance amending the San Francisco Police Code, by amending Section 1148.1, to require that applicants for a ramped taxi permit have completed at least 100 wheelchair pick-ups during the six months immediately preceding the Taxi Commission's hearing on the application. (Taxi Commission)

Ordinance No. 101-04**FINALLY PASSED****040576 [Renew Revolving Loan Funds Agreement with State]**

Resolution authorizing the Office of the District Attorney to renew its current agreement with the California Victim Compensation and Government Claims Board, an agent of the State of California, for a revolving loan fund in the amount of \$75,000 to be used to pay for verified funeral/burial expenses and emergency relocation for victims of domestic violence and sexual assault. (District Attorney)

Resolution No. 338-04**ADOPTED**

040623 [Accept-Expend State Grant]

Resolution authorizing the Office of the District Attorney to contract for, accept and expend \$646,037 allocated from the California Victim Compensation and Government Claims Board for a project entitled the Joint Powers Agreement with Victim and Witness Assistance Program for the period of July 1, 2004 through June 30, 2005. (District Attorney)

Resolution No. 340-04
ADOPTED

040624 [Accept-Expend State Grant]

Resolution authorizing the Office of the District Attorney to contract for, accept and expend \$82,074 allocated from the California Victim Compensation and Government Claims Board for a project entitled the Criminal Restitution Compact for the period of July 1, 2004 through June 30, 2005. (District Attorney)

Resolution No. 308-04
ADOPTED

Recommendations of the Rules Committee**040393 [Settlement of Lawsuit - 555 California Street Partners, et al.]**

Ordinance authorizing settlement of the lawsuit filed by the City and County of San Francisco against 555 California Street Partners, a California limited partnership, Davre's Inc., Factory Mutual Insurance Company, Excel Building Services, LLC and National Guardian Enterprises, Inc., for \$34,200; the lawsuit was filed on August 20, 2003 in the Superior Court of the County of San Francisco, Case No. 423627; entitled City and County of San Francisco v. 555 California Street Partners, a California limited partnership, Davre's Inc., Factory Mutual Insurance Company, Excel Building Services, LLC and National Guardian Enterprises, Inc., et al. (City Attorney)

Ordinance No. 103-04
FINALLY PASSED

040357 [Appointment - Veterans Affairs Commission]

Resolution appointing Cheryl Denise Cook, term ending January 31, 2008, to the Veterans Affairs Commission.

Cheryl Denise Cook, succeeding Glen Raswyck, term expired, seat 9, must be an at-large appointment, for the unexpired portion of a four-year term ending January 31, 2008.

Resolution No. 329-04
ADOPTED

040577 [Appointment - Power Plant Task Force]

Resolution appointing Toby Levy, Steven Moss, Dana Lanza (residency requirement waived), and Karen G. Pierce, term ending November 1, 2005 to the Power Plant Task Force.

Karen G. Pierce, new appointment, seat 2, must be a resident of the Bayview Hunters Point area; for the unexpired portion of a two-year term ending November 1, 2005.

Toby Levy, new appointment, seat 6, must be a resident of the South of Market area; for the unexpired portion of a two-year term ending November 1, 2005.

Steven Moss, new appointment, seat 7, must be the executive director of the San Francisco Community Power Co-op or his/her designee; for the unexpired portion of a two-year term ending November 1, 2005.

Dana Lanza (residency requirement waived), new appointment, seat 10, must be the executive director of Literacy for Environmental Justice or his/her designee; for the unexpired portion of a two-year term ending November 1, 2005.

Resolution No. 339-04

ADOPTED

The foregoing items were acted upon by the following vote:

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

Absent: 1 - Alioto-Pier

Excused: 1 - Hall

REGULAR AGENDA

UNFINISHED BUSINESS

From the Clerk

040675 [Adopting findings related to the conditional use appeal on property located at 2599 Lombard Street]

Motion adopting findings related to the appeal of the Planning Commission's approval of a conditional use authorization, Case No. 2003.0080C, to install four (4) cellular antennas and related equipment on the roof of the Pacific Motor Inn, as part of Verizon Wireless telecommunications network within an NC-3 (Moderate-scale Neighborhood Commercial) District and a 40-X Height and Bulk District, on property located at 2599 Lombard Street; Lot 016 in the Assessor's Block 0938. (Clerk of the Board)

Motion No. M04-62

APPROVED by the following vote:

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

Absent: 1 - Alioto-Pier

Excused: 1 - Hall

Recommendations of the Finance and Audits Committee

**031839 [Sidewalk Parking Fine Increase]
Supervisor Daly**

Ordinance amending Article 7, Section 132 of the San Francisco Traffic Code, to increase the fine for sidewalk parking from \$75.00 to \$100.00 as of July 1, 2004, in accordance with Resolution No. 648-01, adopted August 17, 2001; to update the fine for stopping on a freeway because of the repeal of Vehicle Code Section 25220 and enactment of Vehicle Code Section 21718; and to make various editorial changes to clarify the Penalty Schedule. (Parking and Traffic Department)

Ordinance No. 97-04

FINALLY PASSED by the following vote:

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

Noes: 3 - Dufty, Gonzalez, Ma

Absent: 1 - Alioto-Pier

Excused: 1 - Hall

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

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

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

Ordinance No. 98-04

FINALLY PASSED by the following vote:

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

Absent: 1 - Alioto-Pier

Excused: 1 - Hall

**031992 [Relocation of Persons Affected by Lead Hazards]
Supervisors Peskin, Maxwell, Daly, Gonzalez**

Ordinance amending Section 596 of the San Francisco Health Code and Sections 37.3, 37.9, 72.1 to 72.3, inclusive, and 72.5 of the San Francisco Administrative Code providing for orders to vacate and notices to pay relocation benefits, providing for a hearing process under Article 11 of the Health Code if a notice to pay relocation benefits is not complied with, disallowing passthroughs to tenants of the costs of lead remediation performed in accordance with Article 11 of the Health Code when lead hazards remedied are a result of deferred maintenance; authorizing landlords to temporarily recover possession of a unit for the purposes of performing lead remediation as required by the Department in accordance with Article 11 of the Health Code but only for the minimum time required to perform the remediation; increasing relocation payments required under Chapter 72 and indexing those relocation payments to the Consumer Price Index as of July 1, 2004; and providing an alternative to making relocation payments if a comparable dwelling unit is made available.

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

Ordinance No. 99-04

FINALLY PASSED by the following vote:

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

Absent: 1 - Alioto-Pier

Excused: 1 - Hall

**040362 [To appropriate funding to Modification No.12 to Contract No.309 with ANSALDOBREDA (Breda),
and related consultant and administrative costs for the Municipal Transportation Agency]
Mayor**

Ordinance appropriating \$12,274,340 of fund balance to fund Modification No. 12 to Contract No. 309 with ANSALDOBREDA (Breda) and for related consultant and administrative costs as part of the Muni Light Rail Vehicles (LRV) Procurement Program. Funding is provided from proceeds of a recently completed Breda lease-lease back transaction. The MTA adopted Resolution No. 04-016 approving a spending plan for Muni's Breda LRV modification program, with an emphasis on operational and passenger safety security enhancements for fiscal year 2003-04.

(Fiscal impact.)

Ordinance No. 102-04

FINALLY PASSED by the following vote:

Ayes: 6 - Ammiano, Daly, Dufty, Ma, Maxwell, Peskin

Noes: 3 - Gonzalez, McGoldrick, Sandoval

Absent: 1 - Alioto-Pier

Excused: 1 - Hall

Recommendation of the Rules Committee

**040146 [Determination of Fiscal Feasibility of Proposed Project]
Supervisors Peskin, Ma, Gonzalez**

Ordinance amending the San Francisco Administrative Code by adding a new Chapter 28 to require Board of Supervisors review of a proposed project meeting certain criteria and a determination that the proposed project is fiscally responsible and feasible before undertaking environmental review of the proposed project.

Ordinance No. 104-04

FINALLY PASSED by the following vote:

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

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

NEW BUSINESS

Recommendation of the City Services Committee

040522 [SFSU Gerontology Program]
Supervisors Dufty, Hall, Sandoval, Ma

Resolution urging San Francisco State University to continue its Gerontology Program.

Resolution No. 334-04

ADOPTED by the following vote:

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

Recommendations of the Finance and Audits Committee

040594 [Board approval for contracting out personal services]
Supervisors Maxwell, Ammiano, Peskin, Daly

Ordinance amending the San Francisco Administrative Code, by adding Sections 2.15, 2.16, and 2.17 to require a supplemental report from departments seeking Board approval to contract out personal services under Charter Section 10.104(15), to require the Controller to prepare an annual report on such contracts, and to set deadlines for departmental submission of requests to the Controller and the Board of Supervisors for certification to enter into such contracts.

PASSED ON FIRST READING by the following vote:

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

040440 [Airport Concession Lease]
Mayor

Resolution approving the Terminal 3 Concourse Newsstand Lease between The Paradies Shops, Inc., and the City and County of San Francisco, acting by and through its Airport Commission.

Resolution No. 330-04

ADOPTED by the following vote:

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

040441 [Airport Concession Lease]
Mayor

Resolution approving the International Terminal Building Newsstands Lease between The Paradies Shops, Inc., and the City and County of San Francisco, acting by and through its Airport Commission.

Supervisor Alioto-Pier noted present at 2:21p.m.

Resolution No. 331-04

ADOPTED by the following vote:

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

040531 [Local Vehicle License Fee Restoration]
Mayor, Supervisors Peskin, Dufty, Ammiano

Resolution urging the California State Legislature to pass legislation to allow local governments to obtain voter approval to restore the Vehicle License Fee.

Supervisor Daly, seconded by Supervisor Peskin, moved to amend on page 3, line 10, after the word "vote" by inserting "at the November 2, 2004 General Election".

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

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

Resolution No. 307-04

ADOPTED AS AMENDED by the following vote:

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

040569 [Outreach Advertising]

Resolution designating El Latino and El Reportero to be the outreach newspapers of the City and County of San Francisco for the Hispanic community; Asian Week, Chinese Times, China Press, Sing Tao Daily, and World Journal to be the outreach newspapers of the City and County of San Francisco for the Chinese community; the San Francisco Bay View to be the outreach newspaper of the City and County of San Francisco for the African American community; and the Bay Area Reporter to be the outreach newspaper of the City and County of San Francisco for the Gay, Lesbian, Bisexual and Transgender community, to provide outreach advertising services for the fiscal year commencing July 1, 2004 and ending June 30, 2005. (Purchaser)

Resolution No. 335-04

ADOPTED by the following vote:

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

040570 [Contracting Out Janitorial Services, Department of Parking and Traffic, FY 03-04]

Resolution concurring with the Controller's certification that janitorial services can be practically performed by private contractor for lower cost than similar services performed by City and County employees for Fiscal Year 2003-2004. (Parking and Traffic Department)

Resolution No. 336-04

ADOPTED by the following vote:

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

040575 [IHSS Contract Approval - IHSS Consortium of San Francisco]

Resolution approving exercise of the option to renew the contract between the City and County of San Francisco, through the Department of Human Services, and the IHSS Consortium of San Francisco for the provision of In-Home Supportive Services for the period from July 1, 2004 to June 30, 2005, in the amount of \$16,085,136. (Human Services Department)

(Fiscal impact.)

Resolution No. 337-04

ADOPTED by the following vote:

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

Recommendations of the Land Use Committee**040442 [Designating 1305 18th Avenue, the Carnegie Sunset Library, as a Landmark Under Planning Code Article 10]**

Supervisors Peskin, McGoldrick, Maxwell, Ma, Gonzalez

Ordinance designating 1305 18th Avenue, the Carnegie Sunset Branch Library as Landmark No. 239 Pursuant to Article 10, Sections 1004 and 1004.4 of the Planning Code. (Planning Department)

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

PASSED ON FIRST READING by the following vote:

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

040450 [Designating 3150 Sacramento Street, the Carnegie Presidio Library, as a Landmark Under Planning Code Article 10]

Supervisors Peskin, McGoldrick, Maxwell, Gonzalez, Alioto-Pier

Ordinance designating 3150 Sacramento Street, the Carnegie Presidio Branch Library as Landmark No. 240 Pursuant to Article 10, Sections 1004 And 1004.4 of the Planning Code. (Planning Department)

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

PASSED ON FIRST READING by the following vote:

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

Recommendations of the Rules Committee

**040532 [Establishing a Police Department Citizens Advisory Committee]
Supervisor Maxwell**

Ordinance amending Article IV, Chapter 2A of the San Francisco Administrative Code by adding Section 2A.87, to establish the Police Department Citizens Advisory Committee as an advisory committee to the Board of Supervisors.

Supervisor Maxwell, seconded by Supervisor Dufty, moved that this Ordinance be **RE-REFERRED**. The motion carried by the following vote:

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

**040541 [Commendation - Kamala Harris]
Supervisors Daly, Gonzalez, Ammiano, Maxwell, McGoldrick**

Resolution commending the San Francisco District Attorney Kamala Harris for not pursuing the death penalty, and reaffirming the City's support for our District Attorney.

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

Resolution No. 346-04

ADOPTED by the following vote:

Ayes: 8 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Maxwell, McGoldrick, Peskin
Noes: 2 - Ma, Sandoval
Excused: 1 - Hall

*Supervisor McGoldrick, seconded by Supervisor Peskin, moved to suspend the Rules of Order.
Motion to Suspend the Rules of Order carried without objection.*

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

Privilege of the Floor

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

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

Supervisor McGoldrick welcomed, introduced and presented a Certificate of the Honor to Michael B. and Millianne Lehmann in recognition of their retirement from the University of San Francisco.

Recess

The Board recessed at the hour of 3:58 p.m.

Reconvening of the Board

The Board at the hour of 4:07 p.m. reconvened.

Calling the Roll

*On call of the roll, the following Supervisors were noted present:
Supervisors Alioto-Pier, Ammiano, Dufty, Gonzalez, Ma, Peskin - 6*

Quorum present.

*Supervisors McGoldrick and Daly were noted present at 4:10 p.m.
Supervisor Sandoval were noted present at 4:14 p.m.
Supervisor Maxwell was noted present at 4:20 p.m.*

SPECIAL ORDER 4:00 P.M.**040566 [Public Hearing - Minor Sidewalk Encroachment Appeal - 32 Rivoli Street]**

Hearing of persons interested in or objecting to the decision of the Department of Public Works by its letter dated April 14, 2004, approving Minor Sidewalk Encroachment Permit No. 04MSE-042 to legalize the construction of a new warped driveway and planter box extending 19-inches into the public right-of-way to provide for a new garage at 32 Rivoli Street. (Appellant: Carol Opotow.)

(Filed 4/26/04; companion measure to Files 040566, 040567; 040568; District 5.)

Carol Opotow, Appellant

John Kwong, Department of Public Works

Shelly Pope, Project sponsor

John McCall; support of project sponsor

Rebuttal

Carol Opotow, Appellant

The President declared the Public Hearing Closed.

HEARD AT PUBLIC HEARING.

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

Supervisor McGoldrick noted absent at 4:40 p.m.

040567 [Minor Sidewalk Encroachment Appeal - 32 Rivoli Street]

Motion approving the decision of the Director of Public Works' approval of a Minor Sidewalk Encroachment Permit at 32 Rivoli Street and denying the appeal. (Clerk of the Board)

Motion No. M04-60

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

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

Absent: 1 - McGoldrick

Excused: 1 - Hall

040568 [Minor Sidewalk Encroachment Appeal - 32 Rivoli Street]

Motion disapproving the decision of the Director of Public Works' approval of a Minor Sidewalk Encroachment Permit at 32 Rivoli Street and denying the Encroachment Permit (Clerk of the Board)

TABLED by the following vote:

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

Absent: 1 - McGoldrick

Excused: 1 - Hall

SPECIAL ORDER 4:30 P.M.

040524 [Public Hearing - Appeal, Final Amended Mitigated Negative Declaration for 833-881 Jamestown Avenue]

Hearing of persons interested in or objecting to the decision of the Planning Department dated March 25, 2004, approving a final amended mitigated negative declaration for the proposed condominium project located at 833-881 Jamestown Avenue, on Assessor's Block 4991, Lot 277. (Appellant: Ralph D. House, President, Bayview Hill Neighborhood Association.)

(Filed April 26, 2004; companion measure to Files 040525, 040526, 040527; District 10.)

Ralph House; Bayview Hill Neighborhood Association, appellant

Appellant withdrew the Negative Declaration Appeal and informed the Board that agreements had been reached with the project sponsor.

Paul Maltzer, Department of Planning.

Attorney for project sponsor submitted in writing the agreements made with the appellant and were read into the record.

Shirley Moore, President of Bayview Hill Neighborhood Association; support of appeal with agreements
Salute Cole; support of appeal with agreements

Timothy Alan Simon, Candlestick Point; support of appeal with agreements

Joe Donoghue, Residential Builders; support of appeal with agreements

Espanola Jackson; support of appeal with agreements

Myron Larkin; support of appeal with agreements

Cedric Jackson; support of appeal with agreements

Pastor Willis Walker; support of appeal with agreements

Resident of Jamestown; support of appeal with agreements, request of parking issues

Matt Murphy; support of appeal with agreements

Charles Cleary; support of appeal with agreements

Larry Badiner, Acting Director of Planning Department, reviewed the amendments to the Conditional Use Application.

Attorney for the project sponsor accepted amendments as proposed.

President declared the public hearing closed.

HEARD AT PUBLIC HEARING.

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

Supervisor McGoldrick noted present at 5:28 p.m.

040525 [Affirming adoption of the negative declaration for 833-881 Jamestown Avenue]

Motion affirming Planning Commission adoption of the final negative declaration for 833-881 Jamestown Avenue. (Clerk of the Board)

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

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

Excused: 1 - Hall

040526 [Reversing adoption of the negative declaration for 833-881 Jamestown Avenue]

Motion reversing the Planning Commission adoption of the final negative declaration for 833-881 Jamestown Avenue. (Clerk of the Board)

TABLED by the following vote:

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

Excused: 1 - Hall

040527 [Preparation of findings to reverse adoption of the negative declaration for 833-881 Jamestown Avenue]

Motion directing the Clerk of the Board to prepare findings reversing the Planning Commission adoption of the negative declaration for 833-881 Jamestown Avenue. (Clerk of the Board)

TABLED by the following vote:

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

Absent: 1 - McGoldrick

Excused: 1 - Hall

SPECIAL ORDER 4:30 P.M.

040485 [Public Hearing - Appeal, Conditional Use - 833-881 Jamestown Avenue]

Hearing of persons interested in or objecting to the decision of the Planning Commission by its Motion No. 16755 dated March 25, 2004 authorizing a conditional use authorization, Case No. 1999.0233C, under Planning Code Sections 209.1(g) and 304 for a Planned Unit Development with up to 198 dwelling units and 216 off-street parking spaces within an RH-2 (Residential, House, Two-Family) Use District and a 40-X Height and Bulk District, on property located at 833-881 Jamestown Avenue, west of Candlestick Park at the northern base of Bayview Hill; Lot 277 in the Assessor's Block 4991. (Appellant: Ralph D. House, President, Bayview Hill Neighborhood Association.)

(Filed April 26, 2004; companion measure to Files 040486, 040487, 040488; District 10.)

Ralph House; Bayview Hill Neighborhood Association, appellant

Appellant withdraw the Negative Declaration Appeal and informed the Board that agreements had been reached with the project sponsor.

Paul Maltzer, Department of Planning.

Attorney for project sponsor submitted in writing the agreements made with the appellant and were read into the record.

Shirley Moore, President of Bayview Hill Neighborhood Association; support of appeal with agreements

Salute Cole; support of appeal with agreements

Timothy Alan Simon, Candlestick Point; support of appeal with agreements

Joe Donoghue, Residential Builders; support of appeal with agreements

Espanola Jackson; support of appeal with agreements

Myron Larkin; support of appeal with agreements

Cedric Jackson; support of appeal with agreements

Pastor Willis Walker; support of appeal with agreements

Resident of Jamestown; support of appeal with agreements, request of parking issues

Matt Murphy; support of appeal with agreements

Charles Cleary; support of appeal with agreements

Larry Badiner, Acting Director of Planning Department, reviewed the amendments to the Conditional Use Application.

Attorney for the project sponsor accepted amendments as proposed.

President declared the public hearing closed.

HEARD AT PUBLIC HEARING.

(Only one of the following two motions should be adopted.)**040486 [Appeal, Conditional Use - 833-881 Jamestown Avenue]**

Motion approving decision of the Planning Commission by its Motion No. 16755, approving Conditional Use Application No. 1999.0233C on property located at 833-881 Jamestown Avenue, and adopting findings pursuant to Planning Code Section 101.1. (Clerk of the Board)

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

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

Excused: 1 - Hall

040487 [Appeal, Conditional Use 833-881 Jamestown Avenue]

Motion disapproving decision of the Planning Commission by its Motion No. 16755, approving Conditional Use Application No. 1999.0233C on property located at 833-881 Jamestown Avenue. (Clerk of the Board)

Planning Department provided proposed amendments to the Conditional Use Application.

Supervisor Maxwell, seconded by Supervisor Dufty, moved that this Motion 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
Excused: 1 - Hall

Motion No. M04-66

APPROVED AS AMENDED by the following vote:

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

040488 [Findings - 833-881 Jamestown Avenue]

Motion directing the Clerk of the Board to prepare findings relating to proposed Conditional Use Application No. 1999.0233C on property located at 833-881 Jamestown Avenue, for action by the Board at its next meeting. (Clerk of the Board)

Motion No. M04-59

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

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

COMMITTEE REPORTS

ROLL CALL FOR INTRODUCTIONS

PUBLIC COMMENT

Abdullah Megaheed; general issues

Richard Robertson; violence issues

Jack Dodson; regarding Police Citizens Advisory Board, referred to Committee

Latino Police Officers Association; regarding Police Citizens Advisory Board, referred to Committee

Dan Duncan; security issues to remove metal detectors be removed

Katie Chamberlain; support of Item 48, Foster Youth

Male speaker; general issues

Ismeal Baires, Youth Commissioner

Marguerite Williams; youth violence issues

Male speaker; gratitude for the In Memoriam for his wife, prescription drugs issues

Mark Solomon, North Mission, SFPD issues

Carl Beale; North Beach neighbors opposed to North Beach playground

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.

040668 [Commodity Supplemental Food Program]
Supervisors Dufty, Alioto-Pier, Ammiano, Daly, Ma, Maxwell, Peskin

Resolution urging the Mayor, the California Department of Education and the United States Department of Agriculture to allocate funding to allow the Commodity Supplemental Food Program to remain in San Francisco.

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

Resolution No. 341-04

ADOPTED

040669 [Supporting AB 2857]
Supervisor Ma

Resolution supporting California Assembly Bill 2857 (AB 2857), which would amend California Revenue and Taxation Code Section 1604 in view of a recent Court of Appeal decision by providing that where a county board of equalization ("CBOE;" in some counties, a/k/a the assessment appeals board or "AAB") does not timely decide taxpayer's application for a one-year reduction of assessed value of real property (based on a decline in value, usually attributed to market downturn) or personal property on the local property tax rolls, the taxpayer's opinion of value will be entered on the roll as the basis for calculating property taxes only for the one tax year covered by the application and not for multiple subsequent tax years.

Resolution No. 309-04

ADOPTED

040670 [Contract Approval - SFGH Services Building seismic upgrade and repair sole source consulting engineer services agreement exceeding ten years]
Supervisor Ammiano

Resolution approving the award of a contract by the City and County of San Francisco, through its Department of Public Works, to Forrell-Elsesser Engineers, Inc. for consulting engineer services for the San Francisco General Hospital Services Building Seismic Upgrade.

Resolution No. 342-04

ADOPTED

040671 [Condemning the federal raid in the immigrant community]
Supervisors Ammiano, Dufty, Daly

Resolution urging the Federal Bureau of Investigations and the Immigrations and Customs Enforcement to send a well-publicized message to the immigrant community in San Francisco that INS raids will not be pursued in immigrant communities.

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

Resolution No. 343-04

ADOPTED

**040672 [Urging the relocation of Peter Voulkos' bronze sculpture currently sited at the Hall of Justice]
Supervisor Gonzalez**

Resolution urging the relocation of Peter Voulkos' sculpture currently sited at the Hall of Justice due to its inaccessibility, poor siting, lack of public viewing and neglect as a major work of art in San Francisco.

Resolution No. 344-04
ADOPTED

**040673 [Recognizing May 2004 as Foster Care Month]
Supervisors Maxwell, Dufty**

Resolution recognizing May 2004 as Foster Care Month.

Resolution No. 345-04
ADOPTED

**040674 [Commending Ralph D. House]
Supervisor Maxwell**

Resolution commending Ralph D. House for his dedication and exemplary service to the community.

Resolution No. 347-04
ADOPTED

**040640 [Needle Exchange Emergency]
Supervisors Ammiano, Daly, Peskin, McGoldrick, Maxwell, Dufty**

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

Motion No. M04-61
APPROVED

The foregoing items were acted upon by the following vote:

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

OFF-AGENDA LEGISLATION

Introduced by Supervisors or Mayor

Ordinances

040365 [Planning Code amendment to delete the requirement that changes in use to a retail coffee store or pharmaceutical and personal toiletries use are subject to the notification and review procedures of Section 312]

Supervisors Gonzalez, Peskin, Maxwell, Dufty, Sandoval

Ordinance amending Planning Code Section 312 to delete the requirement that changes of use per the use categories of Article 7, and changes in use to a retail coffee stores, as defined in Planning Code Section 790.102(n), or to a pharmaceutical and personal toiletries uses, as defined in Planning Code Section 790.102(c), or the addition of a prescription drug service where none previously existed within 3 years of an application for an addition, be subject to the notification and review procedures of Section 312; to add the requirement that changes of use to a formula retail use be subject to the notification and review procedures of Section 312; to add the requirement that building permit applications for a change of use to a bar, liquor store, walkup facility, full-service restaurant, large fast food restaurant, small self-service restaurant, massage establishment, outdoor activity, or adult or other entertainment use, receive review for compliance with Neighborhood Commercial Design Guidelines and have a notice posted on-site for a 15 calendar day period during which the permit will be held pending any request for discretionary review before the Planning Commission; to add the requirement that the Planning Department make available and update every six months its list of neighborhood organizations with interests in specific properties or areas; and to make findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan.

3/23/04, ASSIGNED UNDER 30 DAY RULE to Land Use Committee, expires on 4/22/2004.

3/30/04, REFERRED TO DEPARTMENT. Referred to Planning for review.

5/11/04, RESPONSE RECEIVED. Certificate of Determination of Exemption/Exclusion from Environmental Review, dated May 11, 2004.

5/25/04, SUBSTITUTED. Supervisor Gonzalez submitted a substitute ordinance bearing new title.

5/25/04, ASSIGNED UNDER 30 DAY RULE to Land Use Committee, expires on 6/24/2004.

040682 [Hotel Tax Allocation for International Arts Festival in San Francisco]

Supervisors Ammiano, Daly

Ordinance amending Section 515.01 of Article 7 of the Business and Tax Regulations Code ("Hotel Tax") to add an international arts festival in San Francisco to the current allocation of Hotel Tax revenues to the Arts Commission for cultural equity initiatives, commissions to individual creative artists in all disciplines, project grants to small and midsize arts organizations, and art space initiatives or facilities acquisition programs.

5/25/04, ASSIGNED UNDER 30 DAY RULE to Finance and Audits Committee, expires on 6/24/2004.

040683 [State contract funds for substance abuse treatment]

Supervisor Dufty

Resolution authorizing the San Francisco Department of Public Health, Community Behavioral Health Services (SFDPH,CBHS) to enter retroactively into a Combined Negotiated Net Amount and Drug Medi-Cal Agreement with the State of California Department of Alcohol and Drug Programs (DADP) for the term of July 1, 2004, through June 30, 2008 in the amount of \$57,686,688 and for the term of July 1, 2004 through June 30, 2005 in the amount of \$19,228,896 as a condition of receiving state funds and Drug Medi-Cal reimbursement for substance abuse treatment and prevention; holding DADP harmless from any and all claims resulting from the agreement; authorizing and designating the Director of SFDPH,CBHS to sign said Agreement and to approve amendments for less than ten percent (10%) of the contracted amount.

5/25/04, RECEIVED AND ASSIGNED to City Services Committee. 6/3/04: Department of Public Health notified of City Services Committee meeting on this item on June 10, 2004.

**040685 [Establishing and administering a Supplemental Tax Deferred Plan]
Supervisor Sandoval**

Ordinance adding Sections 16.62 through 16.62-3 to the San Francisco Administrative Code.
5/25/04, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 6/24/2004.

**040687 [Deadlines for correction and review of ballot arguments]
Supervisor Peskin**

Ordinance amending sections 535 and 590 of the Municipal Elections Code to: change the deadline for correction of errors in rebuttal ballot arguments from noon on the seventy-sixth day before the election to noon on the seventy-fifth day before the election, to be consistent with the deadline for correction of errors in paid ballot arguments; and change the public inspection periods for ballot arguments so that the periods for public review of proponent, opponent, rebuttal and paid arguments, and related materials, all end on the same date, sixty-four days before the election.
5/25/04, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 6/24/2004.

Resolutions

**040680 [Lease of Property - Empress Hotel]
Supervisor Daly**

Resolution authorizing and approving the lease by and between the City and County of San Francisco, for the Department of Public Health, as Tenant, and Empress, LLC, as Landlord, for the Empress Hotel located at 144 Eddy Street, San Francisco, CA 94102.

(Fiscal impact.)

5/25/04, RECEIVED AND ASSIGNED to Finance and Audits Committee.

**040684 [Public Information Pilot Project]
Supervisors Gonzalez, Dufty**

Resolution urging City Departments to share departmental database data for an informational pilot project with the San Francisco Survival Manual publication for the benefit of both community organizations and the larger city-wide community.

5/25/04, RECEIVED AND ASSIGNED to City Services Committee.

**040686 [Transit Advertising Contract with Viacom Outdoor Inc.]
Mayor**

Resolution authorizing the Municipal Transportation Agency to execute a transit advertising contract with Viacom Outdoor Inc., for a term commencing July 1, 2004 and ending June 30, 2009, which offers a minimum total aggregate of revenue and services of \$16,425,000 during the five-year term of the contract.

5/25/04, RECEIVED AND ASSIGNED to Land Use Committee.

**040691 [Commending Public Utilities Commission General Manager Patricia E. Martel]
Supervisor Dufty**

Resolution commending Public Utilities Commission General Manager Ms. Patricia E. Martel.
5/25/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**040692 [Commending City Librarian Susan Hildreth]
Supervisors Dufty, Alioto-Pier, Peskin**

Resolution commending City Librarian Susan Hildreth upon her departure from San Francisco to be the Director of the Tucson-Pima Public Library in Tucson, Arizona.
5/25/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**040693 [Gift-in-Place to the Recreation and Park Department]
Supervisor Ma**

Resolution accepting and expending a gift-in-place, valued at up to \$12,000,000, from the Stern Grove Festival Association to the Recreation and Park Department to fund construction for the renovation of Concert Meadow facilities in Sigmund Stern Grove and Pine Lake Park.
5/25/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**040694 [Commending Reclaim the Commons Mobilization]
Supervisor Ammiano**

Resolution commending Reclaim the Commons Mobilization for their concern for the health, safety, and well-being of the public and the environment, upholding San Francisco resolution no. 012-00-COE and the Precautionary Principle ordinance of 2003.
5/25/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**040695 [Opposing State Budget cuts to Child Care, Temporary Assistance to Needy Families, and In Home Support Services]
Supervisor Daly**

Resolution urging the State Legislature to oppose Governor Schwarzenegger's proposed budget cuts to Child Care, Temporary Assistance to Needy Families (TANF), and In Home Support Services (IHSS), urging the San Francisco's state legislative delegation to lead the way in finding additional resources, and urging Mayor Gavin Newsom to mitigate impending cuts.
5/25/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Hearings

**040681 [Hearing - Health Service Reductions]
Supervisor Sandoval**

Hearing to consider the Department of Public Health's budget eliminating or reducing medical services. (Bielenson Hearing) (See Public Notice posted outside the Clerk of the Board's Office, Room 244, City Hall) 5/25/04, ASSIGNED to Board of Supervisors. Pursuant to File 040679, Board to sit as a Committee of the Whole on June 15, 2004 at 3:00 p.m.

**040689 [Patient placement at Laguna Honda Hospital]
Supervisor McGoldrick**

Hearing to consider the issue of patient placement at Laguna Honda Hospital and whether patients with incompatible diagnoses are being housed in the same facilities.
5/25/04, RECEIVED AND ASSIGNED to City Services Committee.

**040690 [San Francisco Redevelopment Agency's Minority Business Program]
Supervisor Ma**

Hearing to review the current economic thresholds within the San Francisco Redevelopment Agency's Minority Business Program to ensure that all certified Minority/Women/Local Businesses in the City and County of San Francisco have equal qualifying economic thresholds under the San Francisco Human Rights Commission standards.
5/25/04, RECEIVED AND ASSIGNED to Finance and Audits Committee.

Motions

**040678 [Needle Exchange Emergency]
Supervisors Ammiano, Daly, Peskin, McGoldrick, Maxwell, Duffy**

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.
5/25/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**040679 [Committee of the Whole - Health service reductions (Bielenson Hearing)]
Supervisor Sandoval**

Motion scheduling a Committee of the Whole to consider health service reductions (Bielenson Hearing), to be held on June 15, 2004 at 3:00 p.m.
5/25/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**040688 [Open Government Ordinance to provide for more public accessibility to policy body meetings and documents, and more public participation; safeguard the maintenance of records; make the Sunshine Ordinance Task Force a Commission]
Supervisor Daly**

Motion ordering submitted to the voters an ordinance authorizing the OPEN GOVERNMENT ORDINANCE at an election to be held on November 2, 2004.
5/25/04, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 6/24/2004.

Introduced by the President at the Request of Departments**PROPOSED ORDINANCES****040632 [Settlement of Lawsuit - Michael Stamper]**

Ordinance authorizing settlement of the lawsuit filed by Michael Stamper against the City and County of San Francisco for \$157,500.00; the lawsuit was filed on October 31, 2003 in San Francisco Superior Court, Case No. 425-974, entitled Michael Lavon Stamper v. City and County of San Francisco, et al. (City Attorney) 5/17/04, RECEIVED AND ASSIGNED to Rules Committee.

040633 [General Plan Amendment in connection with 55 Ninth Street]

Ordinance amending the San Francisco General Plan in connection with approvals for the proposed State Compensation Workers Fund office building at 55 Ninth Street; adopting findings pursuant to the California Environmental Quality Act; and adopting findings that the General Plan amendments is consistent with the eight Priority Policies of Planning Code Section 101.1. (Planning Department)

(Companion measure to File No. 040661.)

5/18/04, ASSIGNED UNDER 30 DAY RULE to Land Use Committee, expires on 6/24/2004.

040634 [Settlement of Lawsuit]

Ordinance ratifying the April 15, 2002 settlement of the lawsuit filed by City and County of San Francisco against Glometro Inc. and Nancy Ho Belli; the April 15, 2002 settlement agreement set forth various terms and required defendants to pay the amount of \$140,000; the lawsuit was filed on April 5, 2001 in San Francisco Superior Court, Case No. 320-263; entitled City and County of San Francisco et al. v. Glometro Inc., Nancy Ho Belli, et al. (City Attorney)

5/17/04, RECEIVED AND ASSIGNED to Rules Committee.

040661 [Zoning Map amendment reclassifying the height and bulk limits of Assessor's Block 3701, Lot 063]

Ordinance amending Zoning Map Sheet 7H of the City and County of San Francisco to reclassify the height and bulk limits of the property at 55 Ninth Street, Lot 063 in Assessor's Block 3701, from 120-X to 200-S, adopting findings pursuant to the California Environmental Quality Act, and making findings of consistency with the priority policies of Planning code Section 101.1 and the General Plan. (Planning Department)

(Companion measure to File No. 040633.)

5/18/04, ASSIGNED UNDER 30 DAY RULE to Land Use Committee, expires on 6/24/2004.

PROPOSED RESOLUTIONS

040635 [Increase patient access to care by removing physical, linguistic and other barriers to care]
Supervisor Dufty

Resolution authorizing the San Francisco Department of Public Health (SFPDH) to accept retroactively and expend a grant in the amount of \$426,085 from the San Francisco Health Plan Access Enhancement Fund (SFHPAEF) to increase patient access to health care services and to enter into an agreement, which includes an indemnification clause, for the use of these funds; for the period of January 1, 2004, to June 30, 2006. (Public Health Department)

5/11/04, RECEIVED AND ASSIGNED to City Services Committee. 5/26/04: Department of Public Health notified of May 27, 2004 meeting.

Supervisor Dufty requested to be added as sponsor.

040636 [Amendment to Lease of Real Property]

Resolution authorizing the amendment to lease of real property located at 598 Portola, San Francisco, California with Twin Peaks Petroleum, Inc., a California corporation doing business as Twin Peaks Auto Care (Tenant) successor in interest to Michael Gharib. (Real Estate Department)

5/17/04, RECEIVED AND ASSIGNED to Finance and Audits Committee.

040637 [Grant of Regional Funds]

Resolution authorizing the Municipal Transportation Agency to accept and expend \$534,401 of Carl Moyer grant funds for the Municipal Railway Bus Catalyst Device Procurement, excluding administrative overhead costs. (Municipal Transportation Agency)

5/14/04, RECEIVED AND ASSIGNED to Land Use Committee.

040638 [Emergency Interim Agreement for Towing, Storage and Disposal of Abandoned and Illegally Parked Vehicles]

Resolution approving the Emergency Interim Service Agreement and Property Use License for Towing, Storage and Disposal of Abandoned and Illegally Parked Vehicles by and between the City and County of San Francisco and TEGSCO, LLC, d.b.a. San Francisco AutoReturn, and a Transition Agreement between the City, San Francisco AutoReturn, and City Tow. (Parking and Traffic Department)

5/14/04, RECEIVED AND ASSIGNED to Land Use Committee.

Requests Granted

From: Supervisor McGoldrick

To: City Attorney

Requesting/Inquiring: To draft an amendment to the Administrative Code to clarify that if a member of the San Francisco Fire Department or Police Department develops or manifests cancer during the course of employment with the department, and if that member demonstrates exposure to a known carcinogen while working in that department, then there is a legal presumption that the cancer was job-related.

From: Supervisor Maxwell

To: City Attorney

Requesting/Inquiring: To draft legislation based upon the Deemed Approved Ordinance model of Oakland, California.

In Memoriams

Tom Ridolfi (Supervisor Dufty)
Bette Jane Winslow (Supervisor Dufty)
Kelly Gallagher (Supervisors Hall, Gonzalez)
Janet Marie Cook (Supervisor Maxwell)
Annie Powell (Supervisor Maxwell)

ADJOURNMENT

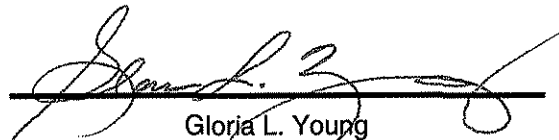
There being no further business, the Board at the hour of 5:40 p.m. adjourned.

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 July 13, 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