

# 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, December 14, 2004 2:00 PM

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

### Regular Meeting

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

### BOARD COMMITTEES

#### Committee Membership

##### **Budget Committee**

Supervisors Sandoval, Daly, McGoldrick

##### **City and School District Select Committee**

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

##### **City Services Committee**

Supervisors Dufty, Ma, Elsbernd

##### **Finance and Audits Committee**

Supervisors Daly, Peskin, Ammiano

##### **Land Use Committee**

Supervisors McGoldrick, Peskin, Maxwell

##### **Rules Committee**

Supervisors Maxwell, Alioto-Pier, Gonzalez

#### Meeting Days

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

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

Thursday  
9:30 AM

Wednesday  
1:00 PM

Monday  
1:00 PM

Wednesday  
10:00 AM

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

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

---

## ROLL CALL AND PLEDGE OF ALLEGIANCE

*The meeting was called to order at 2:08 p.m. On the call of the roll Supervisors Alioto-Pier, Ammiano and Dufty were noted absent.*

*Quorum present.*

*Supervisor Dufty was noted present at 2:09 p.m.*

*Supervisor Ammiano was noted present at 2:10 p.m.*

*Supervisor Alioto-Pier was noted present at 2:13 p.m.*

## APPROVAL OF MEETING MINUTES

It was decided to approve the November 16, 2004 Meeting Minutes.

## AGENDA CHANGES

## CONSENT AGENDA

### Recommendations of the City Services Committee

040561 [Increasing the penalty for littering and nuisance violations, and providing for rewards for persons providing information leading to collection of those penalties]  
Supervisors Sandoval, Dufty, Gonzalez, Elsbernd, Ma

Ordinance amending the San Francisco Police Code by amending Section 37, amending the San Francisco Health Code by amending Sections 283.1, 287, and 600, and amending the San Francisco Public Works Code by amending Section 174.2, all to increase the maximum administrative penalty for littering, illegal dumping of garbage, and maintaining a nuisance from \$300 to \$1,000, and amending the San Francisco Administrative Code by adding Section 10.100-234, to establish a Public Works Littering and Nuisance Violation Reward Fund, to be used to reward persons who have provided information leading to the collection of those penalties.

Ordinance No. 292-04  
FINALLY PASSED

- 041336 [Police alarm ordinance; technical changes to billing and remittance requirements for alarm companies; limiting license fee increases to \$5 increments]  
Supervisor Ma

Ordinance amending the San Francisco Police Code, by amending Sections 3710.1, 3710.2, 3710.4, and 3720, to: require that alarm companies remit fees collected from customers in a single monthly check; move the billing date for license fees, beginning in 2005, from December 1 to November 1; clarify that the billing and remittance requirements of the Article only apply to those alarm monitoring companies having a direct contractual relationship with the alarm user; clarify that alarm companies shall only be held responsible for the unpaid license fees of their customers where the company has failed to take reasonable steps to collect the fees, and provide a minimum threshold of what constitutes "reasonable steps"; and, limit license fee increases to five-dollar increments. (Emergency Communications Department)

Ordinance No. 297-04  
FINALLY PASSED

**Recommendation of the Finance and Audits Committee**

- 041450 [Commodities or services purchased with federal grant funds for the enhancement of homeland security]  
Supervisors Ma, Daly

Ordinance amending San Francisco Administrative Code Section 21.5 to allow the Purchaser to develop regulations for the purchase of commodities or services using federal grant funds for the enhancement of homeland security where the purchase does not exceed \$100,000.

Ordinance No. 296-04  
FINALLY PASSED

**Recommendation of the Land Use Committee**

- 041459 [Alternative bid process for construction trade packages for the construction of the California Academy of Sciences Facility]  
Supervisor McGoldrick

Ordinance authorizing the Recreation and Park Commission to implement an alternative bid process for construction trade packages for the construction of the California Academy of Sciences Facility.

Ordinance No. 295-04  
FINALLY PASSED

**Recommendations of the Rules Committee**

**041395 [Notification in the Voter Information Pamphlet of a candidate's adoption of voluntary expenditure ceiling]****Supervisors Gonzalez, Daly, Ammiano**

Ordinance amending section 1.128 of the San Francisco Campaign and Governmental Conduct Code to specify the size and content of the notice in the Voter Information Pamphlet regarding whether a candidate has adopted the applicable voluntary expenditure ceiling.

**Ordinance No. 293-04****FINALLY PASSED****041456 [Contribution limits for contractors doing business with the Unified School District and Community College District]****Supervisors Gonzalez, Alioto-Pier, Daly, Ammiano**

Ordinance amending section 1.126 of the Campaign and Governmental Conduct Code to extend the contractor contribution limits imposed by that section to contractors doing business with the San Francisco Unified School District and the San Francisco Community College District.

**Ordinance No. 294-04****FINALLY PASSED****041484 [Settlement of the Lawsuit - Pamela Nash]**

Ordinance authorizing settlement of the lawsuit filed by Pamela Nash against the City and County of San Francisco for \$100,000; the lawsuit was filed on February 7, 2003, in the United States District Court, Northern District of California, Case No. C-03-01221-CW; entitled Pamela Nash v. City and County of San Francisco, et. al.

**PASSED, ON FIRST READING****041514 [Settlement of Claim - Jon Wesley Hopkins]**

Resolution approving the settlement of the unlitigated claim filed by Jon Wesley Hopkins against San Francisco for \$35,000; claim was filed on August 4, 2004. (City Attorney)

**Resolution No. 769-04****ADOPTED****041050 [Appointment - Veterans Affairs Commission]**

Resolution appointing Brian Zweir, term ending January 31, 2006, to the Veterans Affairs Commission.

Brian Zweir, succeeding Christopher Michel, resigned, seat 10, must be an at-large appointment, for the unexpired portion of a four-year term ending January 31, 2006.

**Resolution No. 768-04****ADOPTED****041668 [Appointment - Commission on the Aging Advisory Council]**

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

Luis Calderon, succeeding himself, term expired, seat 7, must be nominee of District 8 Supervisor, for the unexpired portion of a two-year term ending March 31, 2006.

**Resolution No. 771-04****ADOPTED**

The foregoing items were acted upon by the following vote:

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

## UNFINISHED BUSINESS

## REGULAR AGENDA

### From the City Services Committee "Without Recommendation"

**041461 [S.F. Zoo-Keeping Elephants Prohibited]**  
**Supervisors Gonzalez, Dufty, Daly**

Ordinance adding Section 5.09 to the Park Code to require that a City Department or contractor must request permission from the City to keep elephants at the San Francisco Zoo, and the City Department or contractor shall first complete certain improvements at the Zoo before making such a request; and requiring annual updates on the status of improvements at the Zoo, beginning in November 2005.

**Ordinance No. 305-04**

**FINALLY PASSED** by the following vote:

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

### Recommendations of the Land Use Committee

### 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.*

**041539 [Zoning Map Amendment in connection with Hunters Point Redevelopment Project Area]**  
**Mayor, Supervisor Maxwell**

Ordinance amending Zoning Map Sheets 9 and 9H of the City and County of San Francisco to eliminate use districts and height and bulk districts within Assessor's Block 4591A, the Hunters Point Redevelopment Plan area, and instead reference the Hunters Point Shipyard Redevelopment Plan; and making various findings, including environmental findings and findings of consistency with the General Plan and Planning Code Section 101.1.

**Ordinance No. 301-04**

**FINALLY PASSED** by the following vote:

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

**041535 [General Plan Amendments Concerning Hunters Point Shipyard Redevelopment Plan]  
Mayor, Supervisor Maxwell**

Ordinance amending the San Francisco General Plan to make the General Plan consistent with the Hunters Point Shipyard Redevelopment Plan, and making various findings, including environmental findings and findings of consistency with the General Plan and Planning Code Section 101.1.

**Ordinance No.** 298-04

**FINALLY PASSED** by the following vote:

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

**041541 [Hunters Point Shipyard - Health Code]  
Mayor, Supervisor Maxwell**

Ordinance adding Article 31 to the Health Code and amending sections 659, 1120.1 and 1227 of the Health Code to establish special restrictions for activities on the Hunters Point Shipyard to address potential residual contamination and to authorize the Department of Public Health to implement these restrictions, impose penalties, and charge fees to defray the costs of implementation; and making environmental findings.

**Ordinance No.** 303-04

**FINALLY PASSED** by the following vote:

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

**041544 [Hunters Point Shipyard - Subdivision Code]  
Mayor, Supervisor Maxwell**

Ordinance amending the San Francisco Subdivision Code by adding the Hunters Point Shipyard Subdivision Code, Division 3, Article 1-8, Sections 1600 et seq. and making environmental findings.

**Ordinance No.** 304-04

**FINALLY PASSED** by the following vote:

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

**041538 [Hunters Point Shipyard - Public Works Code]  
Mayor, Supervisor Maxwell**

Ordinance amending the Public Works Code to add Sections 2.3.1, 2.3.2, 2.3.3 to establish special restrictions for activities on the Hunters Point Shipyard to address potential residual contamination and making specified findings.

**Ordinance No.** 300-04

**FINALLY PASSED** by the following vote:

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

**041540 [Hunters Point Shipyard - Building Code]  
Mayor, Supervisor Maxwell**

Ordinance amending the Building Code to add Section 106.3.2.5 to establish special restrictions for activities on the Hunters Point Shipyard to address potential residual contamination and making environmental findings.

**Ordinance No.** 302-04

**FINALLY PASSED** by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Peskin, Sandoval

Noes: 2 - Daly, Gonzalez

**041536 [Creating a graduated code compliance plan for non-residential buildings at naval bases transferred to the City, the Redevelopment Agency, or the Treasure Island Development Authority]  
Mayor, Supervisor Maxwell**

Ordinance amending the Building Code to add Section 3409 to provide that building and structures located on the Naval Station Treasure Island (including Yerba Buena Island) and Hunters Point Naval Shipyard may comply with the requirements of the Building Code in a graduated manner over a period not to exceed seven years provided that: the buildings or structures were in existence at the time the bases were selected for closure, the Director of the Department of Building Inspection and the Fire Marshal determine that the buildings or structures are safe for their intended use and occupancy, the buildings or structures have been leased or transferred by the Federal Government to the City, the Redevelopment Agency, or the Treasure Island Development Authority, and the buildings or structures meet the code compliance inspection and graduated compliance plan requirements specified, to authorize the Department of Building Inspection and the Fire Department to charge the Redevelopment Agency or the City fees for time and materials expended in responding to requests for inspection and performing other tasks associated with the graduated compliance plan program, and to provide that this Section shall not go into effect until the graduated compliance plan has been filed with the California Building Standards Commission and shall remain in effect until January 1, 2007 or until seven years after the lease or transfer of buildings or structures subject to this Section, as long as that lease or transfer occurs prior to January 1, 2007, unless a state statute deletes or extends the time period for a local agency to operate under a graduated code compliance plan under California Health and Safety Code Section 18941.9 and making environmental findings.

**Ordinance No.** 299-04

**FINALLY PASSED** by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Peskin, Sandoval

Noes: 2 - Daly, Gonzalez

**041537 [Hunters Point Shipyard Joint Community Facilities Agreement]  
Mayor, Supervisor Maxwell**

Resolution approving and authorizing a Joint Community Facilities Agreement between the City and County of San Francisco and the Redevelopment Agency of the City and County of San Francisco in furtherance of the adoption and implementation of the Redevelopment Plan for the Hunters Point Shipyard, specifically the Hunters Point Phase One Improvements, and making environmental findings.

**Resolution No.** 773-04

**ADOPTED** by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Peskin, Sandoval

Noes: 2 - Daly, Gonzalez

**041542 [Hunters Point Shipyard- Resolution of Intent for Street Vacation]  
Mayor, Supervisor Maxwell**

Resolution declaring the intention of the Board of Supervisors to vacate portions of McKinnon Avenue, La Salle Avenue, Kirkwood Avenue, Jerrold Avenue, Innes Avenue, Hudson Avenue, Boalt Street, Coleman Street, Donahue Street, and Earl Street in Hunters Point Shipyard Parcel "A-1" and Oakdale Avenue, Newcomb Avenue, McKinnon Avenue, La Salle Avenue, Fitch Street, and Earl Street in Hunters Point Shipyard Parcel "A-2" along with public service easements in the aforementioned locations in the Hunters Point Shipyard; setting the hearing date for all persons interested in the proposed vacation of said street areas and public service easements.

**Resolution No.** 734-04

**ADOPTED** by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Peskin, Sandoval

Noes: 2 - Daly, Gonzalez



**041270 [Parking Regulations]  
Supervisor McGoldrick**

Resolution enacting and rescinding parking regulations at various locations.

TOW AWAY NO STOPPING ANYTIME - ESTABLISH

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

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

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

TOW AWAY NO STOPPING ANYTIME - ESTABLISH

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

TOW AWAY NO STOPPING ANYTIME - ESTABLISH

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

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

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

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

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

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

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

TOW AWAY NO STOPPING ANYTIME - ESTABLISH

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

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

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

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

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

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

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

TOW AWAY NO STOPPING ANYTIME - ESTABLISH

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

TOW AWAY NO STOPPING ANYTIME - ESTABLISH

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

TOW AWAY NO STOPPING, 4 PM TO 6 PM, MONDAY THROUGH FRIDAY - ESTABLISH  
O'Farrell Street, north side, from Leavenworth Street to Jones Street.

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

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

NO STOPPING ANYTIME - REVOKE

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

NO STOPPING ANYTIME - REVOKE

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

TOW AWAY NO STOPPING ANYTIME - ESTABLISH

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

TOW AWAY NO STOPPING, 4 PM TO 6 PM, MONDAY THROUGH FRIDAY - ESTABLISH  
O'Farrell Street, north side, from Jones Street to Taylor Street.

TOW AWAY NO STOPPING ANYTIME - REVOKE

TOW AWAY NO STOPPING, 7 AM TO 9 AM AND 4 PM TO 6 PM, MONDAY THROUGH FRIDAY -  
ESTABLISH  
O'Farrell Street, north side, from Taylor Street to Mason Street.

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

TOW AWAY NO STOPPING ANYTIME - ESTABLISH

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

TOW AWAY NO STOPPING ANYTIME - ESTABLISH

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

TOW AWAY NO STOPPING ANYTIME - ESTABLISH

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

TOW AWAY NO STOPPING ANYTIME - ESTABLISH

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

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

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

TOW AWAY NO STOPPING ANYTIME - ESTABLISH

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

TOW AWAY NO STOPPING ANYTIME - ESTABLISH

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

TOW AWAY NO STOPPING ANYTIME - ESTABLISH

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

TOW AWAY NO STOPPING ANYTIME - ESTABLISH

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

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

Geary Street, north and south sides, between Jones Street and Leavenworth Street (establishing ten general parking meters).

TOW AWAY NO STOPPING ANYTIME - ESTABLISH

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

TOW AWAY NO STOPPING ANYTIME - ESTABLISH

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

TOW AWAY NO STOPPING ANYTIME - ESTABLISH

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

TOW AWAY NO STOPPING ANYTIME - ESTABLISH

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

TOW AWAY NO STOPPING ANYTIME - ESTABLISH

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

TOW AWAY NO STOPPING ANYTIME - ESTABLISH

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

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

**Resolution No.** 766-04

**ADOPTED by the following vote:**

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

**041271 [Traffic Regulations]  
Supervisor McGoldrick**

Resolution enacting and rescinding traffic regulations on various streets.

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

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

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

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

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

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

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

**Resolution No.** 767-04

**ADOPTED by the following vote:**

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

## **NEW BUSINESS**

### **Recommendations of the Finance and Audits Committee**

**041466 [Extending the Yerba Buena Center Redevelopment Plan by One Year]  
Supervisor Daly**

Ordinance amending the Yerba Buena Center Redevelopment Plan to extend by one year the time limit on the effectiveness of the Yerba Buena Center Redevelopment Plan and the time limit to receive property taxes and repay indebtedness pursuant to Senate Bill 1045.

**PASSED ON FIRST READING by the following vote:**

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

**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 General Fund Reserve to fund peer based self-help services for chronically homeless people in the Tenderloin for the Department of Public Health for fiscal year 2004-2005.

(Fiscal impact.)

*Amended by replacing "funding from General Fund Reserve" with "from the Department of Human Services".  
New Title.*

**Supervisor Daly, seconded by Supervisor Ammiano, moved that this Ordinance be AMENDED. The motion carried by the following vote:**

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

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.)

**PASSED ON FIRST READING AS AMENDED by the following vote:**

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

**041583 [Appropriate fund balance for the Port of San Francisco's Pier 35 Security Enhancements Project (Port's Cruise Ship Terminal)]**

**Mayor**

Ordinance appropriating \$980,349 of unappropriated fund balance from the Port for the Pier 35 Security Enhancement Project, the Port's Cruise Ship Terminal, to fund the second phase of the construction contract for Fiscal Year 2004-05.

(Fiscal impact.)

**PASSED ON FIRST READING by the following vote:**

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

**041588 [License Fees]  
Supervisor Daly**

Ordinance amending the San Francisco Municipal Code Business and Tax Regulations Code by amending Sections 35, 120, 248, 249.1, and 249.12, relating to fees for licenses or permits for inspections by the Department of Public Health.

**PASSED ON FIRST READING by the following vote:**

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

**041522 [Amendment to Paratransit Broker Agreement]**

Resolution approving Amendment No. 4 to Agreement between the City and County of San Francisco and ATC/Vancom, Inc., to extend the current five-year contract for three years, through March 31, 2008, and to increase the contract amount by \$65,379,606, for a total contract amount not to exceed \$158,021,539. (Municipal Transportation Agency)

(Fiscal impact).

**Resolution No. 770-04**

**ADOPTED by the following vote:**

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

**041612 [Creating a Community Choice Aggregation Citizens Advisory Task Force]  
Supervisors Ammiano, Daly**

Resolution creating a citizens advisory task force to advise the City and County of San Francisco regarding the design and implementation of a Community Choice Aggregation program in accordance with ordinance 86-04.

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

**Resolution No. 757-04**

**ADOPTED by the following vote:**

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

**041621 [Establishing an Arts Task Force to Advise Board of Supervisors and Mayor]  
Supervisors Ammiano, Daly**

Resolution establishing an Arts Task Force to make recommendations to the Board of Supervisors and Mayor and setting forth the membership and duties of the Task Force.

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

**Resolution No. 781-04**

**ADOPTED by the following vote:**

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

**Recommendations of the Land Use Committee**

**041067 [Amending Planning Code Section 703.3 to designate formula retail uses as a conditional use in the Haight Street Neighborhood Commercial District]  
Supervisors Gonzalez, Daly**

Ordinance to amend the Planning Code by amending section 703.3 to designate formula retail uses as a conditional use in the Haight Street Neighborhood Commercial District and making findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan.

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

**PASSED ON FIRST READING by the following vote:**

Ayes: 8 - Ammiano, Daly, Dufty, Gonzalez, Maxwell, McGoldrick, Peskin, Sandoval

Noes: 2 - Elsbernd, Ma

Excused: 1 - Alioto-Pier

*Supervisor McGoldrick noted present at 5:10 p.m.*

**041393 [Showplace Square Interim Controls]  
Supervisors Maxwell, Daly**

Resolution imposing for twelve months interim zoning controls on specific lots within Showplace Square generally bounded by 7th, Bryant, Potrero and 25th Streets and within the area identified as Production Cluster on the accompanying map that would (a) consider production, distribution and repair (PDR) a principal use if PDR activities occupy 50 percent or more of the total occupied space of the property, (b) permit office, retail and housing uses subject to certain conditions, and (c) permit displacement of PDR space or demolition of an industrial building only if it is demonstrated that the building is unsound or if the new building increases the amount of PDR space; imposing the same controls as nonbinding policies on specific lots within the Showplace Square area that are identified as Design Cluster on the accompanying map, except that design PDR are strongly encouraged and the displacement of PDR space and demolition of an industrial building are particularly discouraged in the case of an historical brick building; adopting findings.

*Amended on page 10, line 14, by inserting "FURTHER RESOLVED, That, these interim controls and policies shall not apply to any Development Project for which an Environmental Application was submitted prior to November 23, 2004 and which does not require rezoning or a General Plan amendment."*

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

Ayes: 6 - Daly, Dufty, Elsbernd, Gonzalez, Ma, Sandoval

Noes: 5 - Alioto-Pier, Ammiano, Maxwell, McGoldrick, Peskin

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

**Resolution No. 774-04**

**ADOPTED AS AMENDED by the following vote:**

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

**Supervisor Alioto-Pier Excused**

*President Gonzalez announced he had excused Supervisor Alioto-Pier from the remainder of the meeting.*

## Recommendations of the Rules Committee

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

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

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

**PASSED ON FIRST READING** by the following vote:

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

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

### 041579 [Charter Amendment Deadlines] Supervisor Elsbernd

Ordinance amending Section 305 of the Elections Code to require introduction of proposed Charter Amendments not less than 210 days prior to an election and to require an informational committee hearing regarding the proposed Charter Amendment no earlier than 30 days nor later than 60 days after introduction of the proposed Charter Amendment.

Supervisor Gonzalez dissented in Committee.

*Continued to January 11, 2005*

**Supervisor Elsbernd, seconded by Supervisor Ammiano, moved that this Ordinance be CONTINUED.** The motion carried by the following vote:

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

## Supervisor Daly Excused From Voting

**Supervisor Peskin, seconded by Supervisor Elsbernd, moved to excuse Supervisor Daly from voting on this matter.** The motion carried by the following vote:

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

### 041669 [Appointment - Bay Area Air Quality Management District Board of Directors]

Resolution appointing Supervisor Chris Daly, term ending February 1, 2009, to the Bay Area Air Quality Management District Board of Directors.

Supervisor Chris Daly, succeeding himself, term expiring February 1, 2005, seat 2, must be a member of the Board of Supervisors, for a new four-year term ending February 1, 2009.

**Resolution No.** 756-04

**ADOPTED** by the following vote:

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



**SPECIAL ORDER 3:30 P.M - Recognition of Commendations****041678 [Fourth Annual Youth Recognition Day]**

Fourth Annual Youth Recognition Day Presentation. (Clerk of the Board)

*Speakers:*

*Max Lantz, Chair of the SF Youth Commission*

*Paula Lykins, Senator Jackie Speier's Office*

*Francisco Castillo, Mayor's Office of Communications*

*Dr. Dan Kelly, President of the Board of Education*

*Supervisor Chris Daly*

*Assemblyman Mark Leno*

*David Abella (Supervisor Elsbernd)*

*Maria Zaragoza (Supervisor Ma)*

*Cloteal Norman (Supervisor Maxwell)*

*Benish Kahn (Supervisor McGoldrick)*

*Anna Chen (Supervisor Peskin)*

*Elizabeth Thompson (Supervisor Sandoval)*

*Lily Marshall-Fricker (Supervisor Alioto-Pier)*

*Salvador Rodriguez (Supervisor Ammiano)*

*Israel Toro (Supervisor Daly)*

*Monica Magoto (Supervisor Dufty)*

*Chantel Elmore (Supervisor Gonzalez)*

**HEARD AT PUBLIC HEARING.**

**Privilege of the Floor**

It was decided 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.

*Supervisor Sandoval welcomed and introduced students from the 4th and 5th Grade from San Francisco Community School.*

*Gloria L. Young, Clerk of the Board, welcomed, introduced and presented a Proclamation for public service to Donna Hall, Administrator of the Sunshine Ordinance Task Force in recognition of her retirement.*

*Gloria L. Young, Clerk of the Board, welcomed, introduced and presented a Proclamation for public service with the Clerk of the Board's Office to Monica Fish.*

**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 January 25, 2005 at 4:00 p.m*

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

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

*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 January 25, 2005 at 4:00 p.m.*

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

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

**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 January 25, 2005 at 4:00 p.m.*

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

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

- 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 January 25, 2005 at 4:00 p.m.*

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

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

## **SPECIAL ORDER 5:00 P.M.**

- 041652** [Public Hearing - Appeal, Conditional Use - 829 Folsom Street]

Hearing of persons interested in or objecting to the Planning Commission by its Motion No. 16872 dated October 21, 2004, approving a conditional use authorization, Case No. 2003.0304C to: (1) Allow an 85-foot tall structure above the 40-foot base height under Planning Code Sections 263.11(b) and (e); (2) Allow dwelling units at a density greater than one unit per 200 square feet of lot area under Section 207.5; (3) Allow exceptions to the bulk limits of the 85-B Bulk District above 50 feet in height as stated in Planning Code Section 270 and pursuant to the Planning Code Section 271(a); (b) and (c); and (4) Provide off-street parking in excess of accessory amounts as defined in Planning Code Section 204.5 pursuant to Planning Code Section 157(a), (b), and (d). The site is within the RSD (Residential Service District), and is within a 40-X/85-B Height and Bulk District, and is subject to interim policies of the South of Market Housing/Mixed Use Overlay District per Resolution No. 16727, located at 829 Folsom Street, south side, between 4th and 5th Streets; Lot 091 in Assessor's Block 3752. (Appellant: Hope Whitney, Farella Braun + Martel LLP, representing Yerba Buena Lofts Homeowners' Association.)

(Filed 11/22/04; companion measure to Files 141653, 141654, 041655, 041656; District 6.)

*Continued to January 11, 2005 at 4:00 p.m.*

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

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

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

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

**041653 [Appeal, Conditional Use - 829 Folsom Street]**

Motion approving decision of the Planning Commission by its Motion No. 16872, approving Conditional Use Application No. 2003.0304C on property located at 829 Folsom Street, and adopting findings pursuant to Planning Code Section 101.1. (Clerk of the Board)

*Continued to January 11, 2005 at 4:00 p.m.*

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

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

**041654 [Appeal, Conditional Use - 829 Folsom Street]**

Motion disapproving decision of the Planning Commission by its Motion No. 16872, approving Conditional Use Application No. 2003.0304C on property located at 829 Folsom Street. (Clerk of the Board)

*Continued to January 11, 2005 at 4:00 p.m.*

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

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

**041656 [Environmental Review - 829 Folsom Street]**

Motion certifying review of Final Negative Declaration relating to proposed Conditional Use of Property at 829 Folsom Street, and adopting findings pursuant to Planning Code Section 101.1. (Clerk of the Board)

*Continued to January 11, 2005 at 4:00 p.m.*

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

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

**041655 [Findings - 829 Folsom Street]**

Motion directing the Clerk of the Board to prepare findings relating to proposed Conditional Use Application No. 2003.0304C on property located at 829 Folsom Street, for action by the Board at its next meeting. (Clerk of the Board)

*Continued to January 11, 2005 at 4:00 p.m.*

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

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

## COMMITTEE REPORTS

- 041711 [De-appropriate funding from the San Francisco Convention Facilities Management Visitors Bureau and reappropriate these funds to the Dept. of Public Health for Fiscal Year 2004-05.]**  
**Supervisors Sandoval, Daly**

Ordinance amending the Annual Appropriation Ordinance by reducing the appropriation to the Convention Facilities Management Visitors Bureau for professional services in the amount of \$3,660,500 for Fiscal Year 2004-05 and re-appropriating \$2,525,000 to the Department of Public Health's primary care health services including Tom Waddell Clinic and to fund HIV/AIDS Services.

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

Supervisor Peskin, seconded by Supervisor Sandoval, moved that this Ordinance be **RE-REFERRED** to the Budget Committee. The motion carried by the following vote:

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

- 041664 [Hunters Point Shipyard - Health Code - Fees]**

Ordinance amending the Health Code by adding section 3108 to authorize the Department of Public Health to charge fees to defray the costs of implementation of Article 31 of the Health Code and making environmental findings.

**PASSED ON FIRST READING** by the following vote:

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

- 041665 [Hunters Point Shipyard - Subdivision Code - Fees]**

Ordinance amending the San Francisco Subdivision Code by adding Sections 1615, 1649, and 1664(e) to establish fees to defray the costs of implementation of Subdivision Code, Division 3, Articles 1-8 and making environmental findings.

**PASSED ON FIRST READING** by the following vote:

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

## **ROLL CALL FOR INTRODUCTIONS**

**PUBLIC COMMENT**

*Abdullah Megaheed; general and homeless issues*  
*Bob Chandler; support of Item 52 (Emperor Norton Bridge)*  
*Philip Frank, SF Chronicle; support of Item 52 (Emperor Norton Bridge)*  
*Jim Tanner; support of Item 52 (Emperor Norton Bridge)*  
*Bob Planthold; support of Item 52 (Emperor Norton Bridge)*  
*Community First Coalition; earthquake hazard zones*  
*Nancy Mitchell; Bayview Hunter's Point issues*  
*Female Speaker; environmental issues at Hunter's Point Shipyard*  
*removal of land fill*  
*Mary Green; transfer of parcel A at Hunter's Point Shipyard*  
*Clifden Smith; Hunter's Point Shipyard development*  
*Robert Pender, VP, Park Merced Residents Associates, Park Merced issues*  
*Male Speaker; support of Item 52 (Emperor Norton Bridge)*  
*Francisco di Costa; Precautionary Principle issues*

**FOR ADOPTION WITHOUT COMMITTEE REFERENCE**

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

**041680 [Supporting the Demands of Caregivers at Sutter Health Hospitals]**  
**Supervisors Peskin, Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, McGoldrick, Sandoval, Ma**

Resolution urging Sutter Health to join other northern California hospital systems to adopt new policies to better meet patient and Caregiver needs.

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

**Resolution No. 779-04**

**ADOPTED**

**041681 [Commending Deputy City Attorney Kevin Scott Dickey]**  
**Supervisor Dufty**

Resolution commending Kevin Scott Dickey for eight years of exemplary public service to San Francisco as a Deputy City Attorney, and wishing him well in his future endeavors at Meyers Nave Riback Silver & Wilson.

**Resolution No. 759-04**

**ADOPTED**

**041685 [Wells Fargo Loan for Façade Improvement Program]**  
**Supervisors Elsbernd, Dufty**

Resolution approving the City's acceptance of a \$500,000 Loan from Wells Fargo Bank for the purpose of providing low-interest Façade Improvement Loans in low-income neighborhoods of San Francisco.

**Resolution No. 765-04**

**ADOPTED**

**041701 [Supporting AB19 - Religious Freedom and Civil Marriage Act]  
Supervisors Ammiano, Dufty, Daly**

Resolution urging the California Assembly and Senate and the Governor of California to support Assembly Bill 19 (AB19), the "Religious Freedom and Civil Marriage Act", which defines marriage as a civil contract between two people.

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

**Resolution No. 755-04**

**ADOPTED**

**041702 [United Church of Christ Ad]  
Supervisors Ammiano, Dufty, Daly**

Resolution urging CBS and NBC to rescind their decisions to reject airing of the United Church of Christ advertisement promoting tolerance and acceptance of same-sex couples.

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

**Resolution No. 775-04**

**ADOPTED**

**041704 [Commending John Arntz and the Department of Elections]  
Supervisors Elsbernd, Maxwell, Alioto-Pier, Dufty, Peskin**

Resolution commending John Arntz and the Department of Elections for their outstanding accomplishments.

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

**Resolution No. 758-04**

**ADOPTED**

**041705 [Urging the City Controller to provide comprehensive information regarding City Committees, Subcommittees, Task Forces and Boards]  
Supervisors Gonzalez, Peskin**

Resolution urging the City Controller to provide comprehensive information regarding City Committees, Subcommittees, Task Forces and Boards.

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

**Resolution No. 778-04**

**ADOPTED**

**041706 [Accept-Expend Federal/State Grant - Threat Management/Stalking Vertical Prosecution Program]  
Supervisors Ma, Dufty**

Resolution authorizing the Department of the District Attorney of the City and County of San Francisco to retroactively accept and expend a grant in the amount of \$116,638 through the Governor's Office of Emergency Services, Criminal Justice Programs Division, for the operation of a program entitled "Threat Management/Stalking Vertical Prosecution Program."

**Resolution No. 772-04**

**ADOPTED**

**041707 [Commending David Hardiman]  
Supervisors Ma, Peskin**

Resolution commending David Hardiman on the occasion of his retirement.

**Resolution No.** 764-04

**ADOPTED**

**041708 [Accept-Expend Federal Grant - Gang Resistance Education and Training (G.R.E.A.T.)]  
Supervisors Maxwell, Dufty**

Resolution authorizing the Chief of Police for the City and County of San Francisco to accept and expend grant funds made available through the U.S. Bureau of Justice Assistance, Office of Justice Programs for a project entitled Gang Resistance Education and Training (G.R.E.A.T.).

**Resolution No.** 763-04

**ADOPTED**

**041710 [Accept-Expend Federal Grant - Spousal Abuser Prosecution Program]  
Supervisors Alioto-Pier, Dufty**

Resolution authorizing the Department of the District Attorney of the City and County of San Francisco to retroactively accept and expend a grant in the amount of \$95,033 through the California Department of Justice for a program entitled "Spousal Abuser Prosecution Program."

**Resolution No.** 762-04

**ADOPTED**

**041721 [Apply for Whale Tail State Grant from the California Coastal Commission]  
Supervisor Maxwell**

Resolution authorizing the Department of the Environment to apply for a grant in the amount of \$50,000 from the California Coastal Commission for teaching San Francisco students about water pollution prevention and protecting our bay, ocean and coast.

**Resolution No.** 760-04

**ADOPTED**

**041722 [Support Smoke Free Movies]  
Supervisors Maxwell, Daly**

Resolution supporting smoke free movies.

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

**Resolution No.** 776-04

**ADOPTED**



**041723 [Commending the San Francisco Public Library for Prop 14 Funds]  
Supervisors Peskin, Elsbernd, Sandoval, McGoldrick, Dufty, Ma**

Resolution commending the San Francisco Public Library for securing \$9.7 million from state Proposition 14 funds for the renovation of the historic Richmond branch library and construction of a new Ingleside branch library.

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

**Resolution No.** 761-04

**ADOPTED**

**041699 [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.** M04-137

**APPROVED**

**041700 [Emergency Declaration Concurrence Influenza Vaccine]  
Mayor**

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

**Motion No.** M04-136

**APPROVED**

**The foregoing items were acted upon by the following vote:**

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

**Severed from the Without Reference to Committee Agenda**

*Supervisor Peskin requested to sever this matter so that it might be considered separately.*

*Supervisor Elsbernd, seconded by Supervisor Peskin, moved to suspend the Board of Supervisors Rules of Orders.*

*Motion to suspend the Rules of Order carried without objection.*

**041618 [Emperor Norton Bridge]  
Supervisors Peskin, Ammiano, Daly**

Resolution urging the California Department of Transportation and members of the California Assembly and Senate to name the new additions to the San Francisco Bay Bridge in honor of Emperor Norton I, Emperor of the United States and Protector of Mexico.

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

**Resolution No. 780-04**

**ADOPTED by the following vote:**

Ayes: 8 - Ammiano, Daly, Dufty, Gonzalez, Maxwell, McGoldrick, Peskin, Sandoval

Noes: 2 - Elsbernd, Ma

Excused: 1 - Alioto-Pier

*Supervisor Maxwell requested to sever this matter so that it might be considered separately.*

**041709 [Endorsing efforts between WestEd, Stanford Medical Center, and the SFUSD to collaborate on a five year research study on trauma]  
Supervisors Maxwell, Dufty**

Resolution endorsing efforts between WestEd, Stanford Medical Center, and the San Francisco Unified School District to collaborate on a five year research study on trauma and its effects on learning and executive functions in hopes of improving the cognitive learning functions of children effected by violence.

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

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

Excused: 1 - Alioto-Pier

**Resolution No. 777-04**

**ADOPTED AS AMENDED by the following vote:**

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

Excused: 1 - Alioto-Pier

## **OFF-AGENDA LEGISLATION**

### **Introduced by Supervisors or Mayor**

### **Ordinances**

**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.

12/14/04, ASSIGNED UNDER 30 DAY RULE to Board of Supervisors, expires on 1/13/2005. 12/23/04 - Referred to Small Business Commission for review and comment.

**041741 [Castro Street and Upper Market Neighborhood Commercial Districts – Exemption of certain entertainment permits from the conditional use process]  
Supervisor Dufty**

Ordinance amending the San Francisco Planning Code by amending Section 715.48 and Section 721.48 to provide that existing bars in the Castro Street and Upper Market Neighborhood Commercial Districts will be allowed to apply for and receive a place of entertainment permit from the Entertainment Commission without obtaining conditional use authorization from the Planning Commission if they can demonstrate to the satisfaction of the Entertainment Commission that they have been in regular operation as an entertainment use prior to January 1, 2004; adopting findings.

12/14/04, ASSIGNED UNDER 30 DAY RULE to Land Use Committee, expires on 1/13/2005.

**041742 [Deletion of a street flower market location on Market Street at Fifth Street]  
Supervisor Dufty**

Ordinance amending Public Works Code Article 5, Section 155 to delete the flower market location on the south side of Market Street within 100 feet of the west line of 5th Street.

12/14/04, ASSIGNED UNDER 30 DAY RULE to City Services Committee, expires on 1/13/2005.

**041745 [Regulating Skateboard Riding]  
Supervisor Ma**

Ordinance amending the San Francisco Traffic Code by amending section 100 (Ord. No. 300-98) so that it no longer applies to skateboard riders; repealing a second section 100 (Ord. No. 385-98); repealing sections 100.1 through 100.6, which established a pilot program regulating roller and in-line skaters that has now expired; and adding a new section 100.1, regulating the riding of skateboards in San Francisco.

12/14/04, ASSIGNED UNDER 30 DAY RULE to Land Use Committee, expires on 1/13/2005. 12/17/04- Referred to Youth Commission.

1/10/05-Youth Commission response received.

**041748 [Development Agreements]  
Supervisor Daly**

Ordinance amending the San Francisco Administrative Code by amending Sections 56.2 and 56.3 to allow a housing project to enter into a Development Agreement with the City if the project has a minimum of 1,000 units, includes two or more buildings, will be built on a site exceeding two and one-half acres, and provides public benefits beyond those achievable through existing ordinances and regulations; adopting findings under the California Environmental Quality Act.

12/14/04, ASSIGNED UNDER 30 DAY RULE to Land Use Committee. 12/17/04-Referred to Planning to determination of environmental impact.

12/22/04-Planning Department determination of exemption from environmental review received.

**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.)

12/14/04, RECEIVED AND ASSIGNED to Finance and Audits Committee.

### Resolutions

**041746 [Accept-Expend Federal Grant]**  
**Mayor, Supervisor Dufty**

Resolution authorizing the Mayor's Office of Criminal Justice (MOCJ) to retroactively accept and expend a grant in the amount of \$989,477 from the U.S. Department of Justice (DOJ), Office of Community Oriented Policing Services (COPS Office) for the purpose of integrating the case management system for the JUSTIS Project. The new system will integrate the case management systems serving the Police, Sheriff, District Attorney, Public Defender, Adult Probation and the Superior Court. It will make the sharing of information within the criminal justice community easier, more efficient and accurate.

12/14/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**041747 [Installation of four-way stop signs - Hyde and Vallejo Streets]**  
**Supervisor Peskin**

Resolution designating the intersection of Hyde and Vallejo Streets as a four-way stop intersection.

12/14/04, RECEIVED AND ASSIGNED to Land Use Committee. 12/17/04-Referred to Parking and Traffic for review and determination of environmental impact.

12/23/04 - Parking and Traffic determination of exemption from environmental review received.

**041749 [Parking Regulations - Fell Street]**  
**Supervisor Gonzalez**

Resolution enacting parking regulations on a portion of Fell Street.

TOW-AWAY, NO STOPPING AT ANYTIME - ESTABLISH

Fell Street, south side, from 10 east of Masonic Avenue to 60 feet east of Masonic Avenue (50 foot zone).

(12/13/04: 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.)

12/14/04, RECEIVED AND ASSIGNED to Land Use Committee. 12/16/04-Traffic ad place in the 12/22/04 SF Chronicle.

- 041753 [Urging acceptance of Pritikin Mansion as San Francisco's official 'Mayoral Residence.']**  
Resolution urging the acceptance of Pritikin Mansion as San Francisco's official 'Mayoral Residence' on the condition that an agreement is worked out between the City and Robert C. Pritikin. Further that such an agreement should be brought before the Board by or before April 30th, 2005 for final approval.  
12/14/04, RECEIVED AND ASSIGNED to Rules Committee.
- 041756 [Early Retirement of City Employees]**  
**Supervisors Ammiano, Dufty**  
  
Resolution urging the Mayor to utilize cost savings accrued through the early retirement of fifty (50) City employees through the Early Retirement Program established by Proposition "F" in 2003 to maintain current Recreation and Parks Directors, Senior Escort Employees and Environmental Control Officers.  
12/14/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 041757 [Urging the implementation of measures to prevent the consumption of lead tainted candy by children in San Francisco]**  
**Supervisors Ammiano, Dufty**  
  
Resolution urging the United States Food and Drug Administration, the California Department of Health Services, and the San Francisco Department of Public Health to implement measures to prevent the consumption of lead tainted candy by children in San Francisco.  
12/14/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING. 12/15/04 - Referred to Youth Commission for review and comment.  
12/20/04 - Received response from Youth Commission.
- 041758 [Appointing Youth to the Library Commission]**  
**Supervisor Daly**  
  
Resolution urging the Mayor to stand by his commitment to the youth of San Francisco by appointing youth to the Library Commission.  
12/14/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING. 12/15/04 - Referred to Youth Commission for review and comment.  
12/20/04 - Received response from Youth Commission.
- 041759 [Amending conditions for Maiden Lane alley closure]**  
**Supervisor Peskin**  
  
Resolution amending conditions for Maiden Lane alley closure by eliminating requirements for fourteen foot access lane and for posting a guard at entry gates; amending signage requirements at entry gates and hours of table service; and replacing references to the Maiden Lane Association with the Union Square Association.  
12/14/04, RECEIVED AND ASSIGNED to Land Use Committee. 12/22/04-Referred to Parking and Traffic for determination of environmental impact.  
12/23/04 - Parking and Traffic determination of exemption from environmental review received.

**041760 [Commending Health District Environmental Health Inspectors]  
Supervisor Peskin**

Resolution commending Health District Four Health Inspectors for their dedication and commitment to ensuring safe and healthy living and working environments for San Franciscans living in Chinatown, Fisherman's Wharf, North Beach and the Financial District.

12/14/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**041761 [Opposing the Assembly Constitutional Amendment Bill 5]  
Supervisor Sandoval**

Resolution opposing Assembly Constitutional Amendment Bill 5, regarding benefit plans for union workers.

12/14/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**040329 [Conditional approval of an historical property contract for the Chronicle Building Market Street - The Chronicle Building]**

Resolution under Chapter 71 of the San Francisco Administrative Code, conditionally approving an historical property contract between 690 HTC LLC and 690B LLC, the owners of conditional landmark No. 243 at 690 Market Street and the City and County of San Francisco, conditionally authorizing the Director of Planning and the Assessor to execute the historical property contract.

3/16/04, RECEIVED AND ASSIGNED to Finance and Audits Committee. 12/16/04, Notice of matter called out of Committee ad to run in Chronicle December 18, 2004.

Notices mailed on 12/17/04; See mailing list in file.

1/11/05 - Received memorandum fromr Supervisor Peskin relating to a memorandum from the City Attorney regarding to the 690 Market Street project.

Copies were distributed to each Supervisor by Supervisor Peskin's staff.

12/14/04, CALLED FROM COMMITTEE. Pursuant to Rule 5.31, Supervisor Peskin called this measure from the Finance and Audits Committee for Board consideration on January 4, 2005.

**041762 [Accept-Expend Federal/State Grant – Victim/ Witness Assistance Program]  
Supervisors Alioto-Pier, Dufty**

Resolution authorizing the Department of the District Attorney of the City and County of San Francisco to retroactively accept and expend a grant in the amount of \$90,654 through the Governor's Office of Emergency Services, Criminal Justice Programs Division, for the operation of a program entitled "Violence Against Women Vertical Prosecution Program."

12/14/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**Requests for Hearing**

**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)

12/14/04, ASSIGNED to Board of Supervisors. Pursuant to File 041738, Board to sit as a Committee of the Whole on January 25, 2004, at 4:00 p.m.

**041744 [Widening of Martin Luther King Drive in Golden Gate Park]  
Supervisor McGoldrick**

Hearing to inquire into the procedures and the legality of the process used in recommending the widening of Martin Luther King Drive in Golden Gate Park, the parking garage entrances as well as reviewing alternatives to current recommendations for the southern entry into the Golden Gate Concourse Garage.

12/14/04, RECEIVED AND ASSIGNED to Land Use Committee.

**041750 [Types of federal funding resources available to the City and County for childhood nutrition]  
Supervisor Maxwell**

Hearing to understand what types of federal funding resources are available to the City and County for childhood nutrition. In particular, (1) Is the City maximizing its efforts to aggressively pursue all the federal funding streams? (2) How many of the funding resources does the City currently receive? (3) Is the City leveraging everything it can to provide adequate nutrition for children? (4) What is preventing us from maximizing all the resources out there? (5) What are the barriers?

12/14/04, RECEIVED AND ASSIGNED to Finance and Audits Committee.

**041752 [S.F. Asthma Task Force Environmental Committee Recommendations]  
Supervisor Maxwell**

Hearing on the status of response and implementation by the San Francisco Housing Authority on the recommendations submitted to them by the San Francisco Asthma Task Force Environmental Committee.

12/14/04, RECEIVED AND ASSIGNED to City Services Committee.

**Motions****041738 [Emergency Disadvantaged Business Enterprise Program – January 25, 2005, Committee of the Whole]  
Supervisor Ammiano**

Motion for the Board of Supervisors to convene as a committee of the whole on January 25, 2005, at 4:00 p.m. to accept public testimony concerning 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.

12/14/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

- 041743 [Approving temporary modification to the Legislative Chamber Seating for the President and the Clerk of the Board to accommodate accessibility]**  
**Supervisor Alioto-Pier**

Motion approving temporary modification to the Legislative Chamber seating for the President and the Clerk of the Board to accommodate accessibility.

12/14/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

- 041754 [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.

12/14/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

- 041755 [Emergency Declaration Concurrence – Influenza Vaccine]**  
**Mayor**

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

12/14/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

## **PROPOSED ORDINANCES**

- 041648 [Settlement of Lawsuit - Steve Potter]**

Ordinance authorizing settlement of the lawsuit filed by Steve Potter against the City and County of San Francisco for \$50,000 paid to the City and County of San Francisco by Cross-Defendant OneBeacon; the lawsuit was filed on March 20, 2003 in the United States District Court, Case No. C03-1217 MEJ; entitled Steve Potter, et al., v. City and County of San Francisco, et al; other material terms of said settlement are Cross-Defendant OneBeacon will pay \$195,000 to plaintiff and plaintiff's counsel and \$100,000 to co-defendant Palace of Fine Arts Theater League. (City Attorney)

12/2/04, RECEIVED AND ASSIGNED to 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)

12/6/04, RECEIVED AND ASSIGNED to Rules Committee.



- 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)  
12/6/04, RECEIVED AND ASSIGNED to Rules Committee.

## PROPOSED RESOLUTIONS

- 041651 [Expand treatment capacity for methamphetamine abuse in San Francisco]**  
**Supervisor Dufty**  
  
Resolution authorizing the San Francisco Department of Public Health (SFDPH) to accept retroactively and expend grant funds in the amount of \$497,910 from the Center for Substance Abuse Treatment/Substance Abuse and Mental Health Services (CSAT/SAMHSA) to expand treatment capacity for methamphetamine abuse in San Francisco and to enter into an agreement for the use of these funds; for the period of September 30, 2004, to September 29, 2005. (Public Health Department)  
12/2/04, RECEIVED AND ASSIGNED to City Services Committee.
- 041657 [Grant of Federal Funds]**  
Resolution authorizing the Municipal Transportation Agency to accept and expend \$3,976,400 of Section 115 funds from the Federal Transit Administration for the Municipal Railway's Radio System Replacement and Third Street Phase 1 construction projects, excluding administrative overhead costs. (Municipal Transportation Agency)  
12/3/04, RECEIVED AND ASSIGNED to Land Use Committee.
- 041658 [Contract funds to support sustainable school-based health care]**  
Resolution authorizing the San Francisco Department of Public Health, Balboa Teen Health Center, Community Health Programs for Youth (SFDPH), to enter retroactively into an agreement with Public Health Institute, California School Health Centers Association (PHI/CSHC) the primary contractor, and expend funds in the amount of \$18,820 to support advocacy at the local, state, and national levels for sustainable school-based health care; for the period of August 1, 2004 to July 31, 2005. (Public Health Department)  
12/3/04, RECEIVED AND ASSIGNED to City Services Committee.  
12/8/04, REFERRED TO DEPARTMENT. Referred to Youth Commission for comment and recommendation.  
12/20/04 - Received response from Youth Commission.
- 041660 [Accept-Expend Federal Grant]**  
Resolution authorizing the Department of the Environment to accept and expend a grant in the amount of \$30,000 from the Environmental Protection Agency to develop the San Francisco Green Healthcare Working Group consisting of local healthcare professionals and to facilitate ongoing meetings to conduct hands-on training to its members on a broad range of pollution prevention and resource conservation strategies. (Environment)  
12/6/04, RECEIVED AND ASSIGNED to Land Use Committee.

**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)  
12/6/04, RECEIVED AND ASSIGNED to Rules Committee.

## Requests Granted

*From: Supervisor Daly*

*To: City Attorney*

*Requesting/Inquiring: To redraft Sections 37.10A (c) and 37.10A(g) of the Administrative Code pursuant to the November 29, 2004 opinion of the First District California Court of Appeal in Baba v. Board of Supervisors of the City and County of San Francisco.*

*From: Supervisor Daly*

*To: Chief, Police Department*

*To: Director, Department of Public Works*

*To: Director, Mayor's Office of Disability*

*Requesting/Inquiring: Inquiring as to the purpose of the placement of metal barriers in the Tenderloin (specifically, Golden Gate Avenue between Hyde Street and Jones Street, Hyde Street between Golden Gate and Turk, and Leavenworth between Turk and McAllister) and whether these barriers are in violation of the American with Disabilities Act as well as San Francisco's Public Works Code, Article 15, Section 784.*

*From: Supervisor Elsbernd*

*To: Director, Department of Parking and Traffic*

*Requesting/Inquiring: Inquiring as to the status of District 7 Traffic calming applications.*

*From: Supervisor Elsbernd*

*To: General Manager, Muni*

*Requesting/Inquiring: To investigate pedestrian safety alternatives at the SFSU and Stonestown stations, as a result of pedestrians frequently crossing against the light in an effort to catch the M car before it departs. Specifically, the Supervisor inquires if the M streetcar could hold at the stations through one light cycle so that waiting pedestrians know they will have a safe opportunity to cross, and if a Muni light signal could be installed at the stations so that the streetcar operator has a clear indication of when to hold and when to go.*

*From: Supervisor Elsbernd*

*To: Director, Department of Parking and Traffic*

*Requesting/Inquiring: To investigate the feasibility of installing stop signs at the intersection of Upland and North Gate as well as Upland and Manor.*

*From: Supervisor McGoldrick*

*To: City Attorney*

*Requesting/Inquiring: To prepare legislation that de-appropriates \$1.4 million spent on private property owner reimbursements by the Department of Public Works for graffiti removal in the fiscal year 2004-05.*

*From: Supervisor Maxwell*

*To: Director, Department of Public Health*

*Requesting/Inquiring: Inquires of San Francisco General Hospital (SFG) to provide her office with an overview of the policy and practices of the Fragile Infants program. In particular, please address the following:*

- What is the decision making process for deciding which expecting mother goes through a toxic screen for drug use/abuse?*
- Of those women who deliver at SFG who has tested positive for drug use/abuse, how many of those babies went into the Fragile Infant program? How many babies were allowed to go home with the mother? Please provide a racial breakdown.*
- What decision making process goes into deciding if a baby needs to be removed from the mother? What factors/criteria does the hospital use in determining whether or not to call in Child Protective Services?*
- Provide a racial breakdown of women who delivered at San Francisco General in the past year.*
- Provide a racial breakdown of babies delivered at San Francisco General.*
- Provide a racial breakdown of the babies in the Fragile Infant program and what type of drugs the mothers were using?*

**In Memoriams**

*Beverly Kees (Supervisor Daly)  
F. Darrin Perry (Supervisor Dufty)  
Kathryn "Bonnie" Kathman (Supervisor Sandoval)*

**ADJOURNMENT**

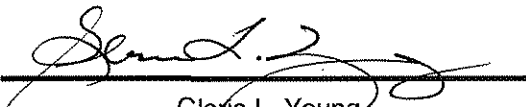
*There being no further business, the Board at the hour of 7:00 p.m. adjourned.*

*Gloria L. Young, Clerk of the Board*

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

*Approved by the Board of Supervisors on January 25, 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