

BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

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

MEETING MINUTES

Tuesday, February 1, 2005 2:00 PM

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

Regular Meeting

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

BOARD COMMITTEES

Committee Membership

Budget Committee

Supervisors Sandoval, McGoldrick

City and School District Select Committee

Supervisors Ammiano, Maxwell, Ma, Commissioners Chin, Wynns

City Services Committee

Supervisors Dufty, Ma, Elsbernd

Finance and Audits Committee

Supervisors Daly, Peskin, Ammiano

Land Use Committee

Supervisors McGoldrick, Peskin, Maxwell

Rules Committee

Supervisors Maxwell, Alioto-Pier

Meeting Days

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

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

Thursday
9:30 AM

Wednesday
1:00 PM

Monday
1:00 PM

Wednesday
10:00 AM

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

Volume 100 Number 5

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

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:06 p.m. On the call of the roll Supervisor Dufty and was noted absent.

Quorum present.

Supervisor Dufty was previously excused from attending today's meeting. (See Infra)

Supervisor Dufty Excused from Attendance

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

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

AGENDA CHANGES

CONSENT AGENDA

Recommendation of the City Services Committee

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

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

Ordinance No. 31-05

FINALLY PASSED

Recommendation of the Finance and Audits Committee

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.)

Ordinance No. 35-05

FINALLY PASSED

Recommendation of the Land Use Committee

041524 [Parking Regulations-Hall of Justice]
Supervisor Mirkarimi

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

Ordinance No. 30-05

FINALLY PASSED

Recommendations of the Rules Committee

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

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

Ordinance No. 29-05

FINALLY PASSED

041730 [Settlement of Lawsuit - Jenny McGrorey]

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

Ordinance No. 33-05

FINALLY PASSED

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

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

Ordinance No. 34-05

FINALLY PASSED

041724 [Payment of Reward to two Jane Does]

Mayor

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

Ordinance No. 32-05

FINALLY PASSED

The foregoing items were acted upon by the following vote:

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

Excused: 1 - Duffy

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of the Finance and Audits Committee

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

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

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

Ordinance No. 28-05

FINALLY PASSED by the following vote:

Ayes: 7 - Alioto-Pier, Ammiano, Daly, Elsbernd, Ma, Maxwell, Sandoval
Noes: 3 - McGoldrick, Mirkarimi, Peskin
Excused: 1 - Dufty

NEW BUSINESS

Recommendation of the Finance and Audits Committee

- 041733** [Tattooing and piercing license fees]
Supervisor Daly

Ordinance amending Section 258 of the San Francisco Health Code to increase the license fee for permission to engage in the practice of tattooing and piercing from \$105 per year to \$129 per year.

PASSED ON FIRST READING by the following vote:

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

Recommendations of the Land Use Committee

- 041725** [Parking Violation Penalties]

Ordinance amending San Francisco Traffic Code Sections 32, 32.1, 32.1.1 through 32.1.7, 32.1.9, 32.1.10, 32.1.11, 32.2, 32.2.1, 32.2.2, 32.2.3, 32.3, 32.3.1, 32.5, 32.6.1, 32.6.2, 32.6.3, 32.6.5, 32.6.6, 32.6.7, 32.6.8, 32.6.10, 32.6.11, 32.6.12, 32.6.13, 32.6.14, 32.6.16 through 32.6.29, 32.20, 210, and 412 regarding penalties for parking violations and authorizing the setting of specific penalties for parking violations through a schedule of fines approved by ordinance of the Board of Supervisors. (Municipal Transportation Agency)

PASSED ON FIRST READING by the following vote:

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

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.

Resolution No. 80-05

ADOPTED by the following vote:

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

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

Privilege of the Floor

Supervisor Elsbernd, seconded by Supervisor Ma, 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, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Dufty

Supervisor Elsbernd introduced, welcomed and presented a Certificate of Honor to Tom Hayes in recognition of his 80th Birthday.

Recess

The Board recessed at the hour of 3:36 p.m

Reconvening of the Board

The Board at the hour of 4:01 p.m. reconvened.

Calling the Roll

*On call of the roll, the following Supervisors were noted present:
Supervisors Alioto-Pier, Daly, Elsbernd, Maxwell, McGoldrick,
Mirkarimi, Peskin - 7*

Quorum present.

*Supervisor Ammiano was noted present at 4:02 p.m.
Supervisor Ma was noted present at 4:03 p.m.
Supervisor Dufty was previously excused.*

SPECIAL ORDER 4:00 P.M.**050087 [Public Hearing - Conditional Use Appeal for 606-624 Divisadero Street and 1278 Hayes Street]**

Hearing of persons interested in or objecting to the Planning Commission by its Motion No. No.16921 dated December 9, 2004, approving Conditional Use Application No. 2003.0807CEK, subject to certain conditions, allowing the development of a lot greater than 9,999 square feet and the creation of parking in amounts greater than accessory on a lot in an NC-2 (Small Scale Neighborhood Commercial) District and a 65-A Height and Bulk District, on property located at 606-624 Divisadero Street and 1278 Hayes Street, northeast corner of Divisadero and Hayes Streets; Lot 002J, Assessor's Block 1202. (Appellant: David Tornheim, representing the Central City Progressives.)

(Filed 1/10/05; companion measure to Files 050087, 050088, 050089, 050090, 050091; District 5.)

Continued to February 15, 2005.

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

Ayes: 9 - Alioto-Pier, Ammiano, Daly, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin

Absent: 1 - Sandoval

Excused: 1 - Duffy

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.)**050088 [Appeal, Conditional Use - 606-624 Divisadero Street and 1278 Hayes Street]**

Motion approving decision of the Planning Commission by its Motion No. 16921, approving Conditional Use Application 2003.0807CEK on property located at 606-624 Divisadero Street and 1278 Hayes Street, and adopting findings pursuant to Planning Code Section 101.1. (Clerk of the Board)

Continued to February 15, 2005.

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

Ayes: 9 - Alioto-Pier, Ammiano, Daly, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin

Absent: 1 - Sandoval

Excused: 1 - Duffy

050089 [Appeal, Conditional Use - 606-624 Divisadero Street and 1278 Hayes Street]

Motion disapproving decision of the Planning Commission by its Motion No. 16921, approving Conditional Use Application 2003.0807CEK on property located at 606-624 Divisadero Street and 1278 Hayes Street. (Clerk of the Board)

Continued to February 15, 2005.

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

Ayes: 9 - Alioto-Pier, Ammiano, Daly, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin

Absent: 1 - Sandoval

Excused: 1 - Duffy

050090 [Findings - 606-624 Divisadero Street and 1278 Hayes Street]

Motion directing the Clerk of the Board to prepare findings relating to proposed Conditional use Application No. 2003.0807CEK on property located at 606-624 Divisadero Street and 1278 Hayes Street, for action by the Board at its next meeting. (Clerk of the Board)

Continued to February 15, 2005.

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

Ayes: 9 - Alioto-Pier, Ammiano, Daly, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin
Absent: 1 - Sandoval
Excused: 1 - Duffy

050091 [Environmental Review - 606-624 Divisadero Street and 1278 Hayes Street]

Motion certifying review of Final Negative Declaration relating to proposed Conditional Use of Property at 606-624 Divisadero Street and 1278 Hayes Street, and adopting findings pursuant to Planning Code Section 101.1. (Clerk of the Board)

Continued to February 15, 2005.

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

Ayes: 9 - Alioto-Pier, Ammiano, Daly, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin
Absent: 1 - Sandoval
Excused: 1 - Duffy

COMMITTEE REPORTS

050007 [Dissolving Lead Poisoning Prevention Citizens Advisory Committee]

Supervisor Maxwell

Ordinance repealing section 1607 of the Municipal Health Code, which established the Lead Poisoning Prevention Citizens Advisory Committee, and thereby dissolving the Lead Poisoning Prevention Citizens Advisory Committee.

PASSED ON FIRST READING by the following vote:

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

050020 [Withdrawing the City from the North Coastal Counties Supervisors Association]

Resolution authorizing the City to withdraw from the "North Coastal Counties Supervisors Association."

Resolution No. 85-05

ADOPTED by the following vote:

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

050021 [Withdrawing from the San Mateo County-City and County of San Francisco Task Force]

Resolution repealing Resolution No. 876-82, to dissolve the "San Mateo County-City and County of San Francisco Task Force."

Resolution No. 86-05

ADOPTED by the following vote:

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

- 050023 [Dissolving the United Nations Plaza Working Group]
Resolution repealing Motion No. M01-140, to dissolve the "United Nations Plaza Working Group."
Resolution No. 87-05
ADOPTED by the following vote:
Ayes: 10 - Alioto-Pier, Ammiano, Daly, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Dufty
- 041775 [Appointment - Ethics Commission]
Motion appointing Eileen Hansen, term expiring February 1, 2011, to the Ethics Commission.

Eileen Hansen, succeeding Michael Garcia, term expiring February 1, 2005, seat 1, must be broadly representative of the general public, for a six-year term ending February 1, 2011.

(Supervisor Alioto-Pier dissenting in Committee)

Continued to February 8, 2005
Supervisor Ammiano, seconded by Supervisor McGoldrick, moved that this Motion be CONTINUED. The motion carried by the following vote:
Ayes: 6 - Ammiano, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 4 - Alioto-Pier, Daly, Elsbernd, Ma
Excused: 1 - Dufty

ROLL CALL FOR INTRODUCTIONS

PUBLIC COMMENT

*Abdullah Megaheed; general issues
Ernestine Weiss; PG&E increases
James Chaffee; Library issues
Dave Johnson; general issues
Female Speaker; general issues
District 10 male speaker; police issues
Francisco di Costa; environmental issues*

APPROVAL OF REQUESTS TO THE LEGISLATIVE ANALYST

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

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

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

APPROVED by the following vote:

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

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

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

APPROVED by the following vote:

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

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.

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

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

Resolution No. 88-05

ADOPTED

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

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

Resolution No. 89-05

ADOPTED

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

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

Resolution No. 83-05

ADOPTED

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

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

Resolution No. 90-05

ADOPTED

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

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

Resolution No. 91-05

ADOPTED

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

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

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

Resolution No. 93-05

ADOPTED

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

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

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

Resolution No. 94-05

ADOPTED

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

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

Resolution No. 95-05
ADOPTED

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

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

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

Resolution No. 96-05
ADOPTED

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

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

Resolution No. 97-05
ADOPTED

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

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

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

Resolution No. 84-05
ADOPTED

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

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

Resolution No. 98-05
ADOPTED

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

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

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

Resolution No. 99-05

ADOPTED

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

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

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

Resolution No. 101-05

ADOPTED

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

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

Resolution No. 102-05

ADOPTED

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

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

Resolution No. 103-05

ADOPTED

050152 [Final Map for a 23 Unit Mixed-Use Condominium Project]

Motion approving Final Map of 6900 Geary Boulevard, A Mixed-Use Condominium Project, being a subdivision of Lot 7 in Assessor's Block No. 1465, and adopting findings pursuant to Planning Code Section 101.1. (Public Works Department)

(DPW Order No. 175,169; District 1)

Motion No. M05-19

APPROVED

The foregoing items were acted upon by the following vote:

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

Severed From Without Reference to Committee Agenda

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

050141 [Commemorating 60th Anniversary of Liberation of Auschwitz]

Supervisors Ammiano, Peskin, Duffy, Elsbernd, Sandoval, McGoldrick, Mirkarimi, Alioto-Pier, Daly, Ma, Maxwell

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

Supervisors Elsbernd, Sandoval, McGoldrick, Mirkarimi, Alioto-Pier, Daly, Ma, Maxwell requested to be added as co-sponsors.

Resolution No. 92-05

ADOPTED by the following vote:

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

050150 [Oppose Privatization of Social Security]

Supervisors Mirkarimi, Sandoval

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

Supervisor Sandoval and McGoldrick requested to be added as co-sponsors.

Resolution No. 100-05

ADOPTED by the following vote:

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

050160 [Wild Parrot Day]

Supervisors Peskin, McGoldrick, Mirkarimi

Resolution declaring February 9, 2005 Wild Parrot Day.

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

Resolution No. 104-05

ADOPTED by the following vote:

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

OFF-AGENDA LEGISLATION**Introduced by Supervisors or Mayor**

Ordinances**050173 [Policy to Preserve Street Tree Planting Sites]
Supervisor Ma**

Ordinance adopting a policy to preserve street tree planting sites.
2/1/05, ASSIGNED UNDER 30 DAY RULE to Land Use Committee, expires on 3/3/2005.

**050176 [Amending the Planning Code to Make All Massage Establishments Conditional Uses]
Supervisor Ma**

Ordinance amending Sections 218.1, 710.54, 711.54, 712.54, 713.54, 716.54, 717.54, 718.54, 719.54, 720.54, 721.54, 722.54, 723.54, 724.54, 725.54, 726.54, 727.54, 728.54, 729.54, 730.54, 810.54, 811.54, 812.54, 790.60 and 890.60 of the Planning Code to define massage establishments per Section 1900 of the Health Code, to provide that all massage establishments shall be permitted as conditional uses, to provide that non-incident massage establishments must first obtain all required permits from the Health Department before seeking a conditional use permit, and making findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan.
2/1/05, ASSIGNED UNDER 30 DAY RULE to Land Use Committee, expires on 3/3/2005.

**050177 [100% owner-occupied TICs]
Supervisors Alioto-Pier, Dufty, Elsbernd**

Ordinance allowing owners of 2-6 unit buildings to convert the building into a condominium where the building was owned as a tenancy-in-common on January 20, 2005 and was 100% owner-occupied on January 20, 2005 and making environmental findings.

(Primary sponsors: Supervisors Alioto-Pier and Dufty.)
(3/1/05 in Board: Supervisor Alioto-Pier submitted a substitute ordinance bearing new title.)
2/1/05, ASSIGNED UNDER 30 DAY RULE to Land Use Committee, expires on 3/3/2005. Primary sponsors: Supervisors Alioto-Pier and Dufty.

**050178 [Regulations for Junk Dealers]
Supervisor Maxwell**

Ordinance amending San Francisco Municipal (Police) Code Part II, Chapter VII Sections 974.1, 974.4, 974.10, 974.11, 974.12, 974.14, 974.15, 974.21 and 974.22, to align definitions to those of the California Business and Professions Code and to define "buy book", require that a permit applicant include additional information in the permit application, including a requirement that a permit holder inform the Police Department if the business will engage in welding, use of a propane tank, or cutting torches operated by compressed gasses and provide copies of permits for those activities; expand the types of information that the Chief of Police may consider in determining whether to grant the permit including convictions for fraud and crimes related to the environment, permit revocations from other government agencies, and civil penalties imposed related to the operation of a junk dealer or hazardous material or the environment; provide examples of types of "cause" that would justify a revocation of the permit and clarify that the standard of proof is a preponderance of the evidence; clarify the prohibition of operating at another location not listed on the permit; set forth the rules under which the permit holder operates, including a requirement that the permit holder keep all items purchased in the same condition for five days, allow non-peace officer who have the authority to enforce rules and regulations on the premises to inspect, maintain a record of all purchases that includes requiring the seller to produce a valid form of identification for each transaction, maintain the "buy book" in serial-number order for a period of three years and to allow inspection of the book, maintain the sidewalk and other areas adjacent to the premises clear of obstacles, trash and debris, and prevent loitering; clarify that a violation of these provisions is a misdemeanor; and grant the Chief of Police authority to temporarily suspend operation of the business if it presents an immediate threat to the public health and safety; adding Sections 974.10-2 and 974.14-2 to require the permit holder to provide current information to the Chief on an annual basis and to require the Chief to make a determination of whether to move to revoke the permit; and to prohibit the junk dealer from making purchases (1) from anyone who does not have a valid identification, (2) of parts that contain hazardous materials; and (3) of goods that may be stolen; repealing Sections 974.18, 974.19 and 974.24 to repeal the holding period exemption for purchases from other junk dealers; repeal the prior requirements for buy books, and repeal the provision regarding pre-existing permits.

2/1/05, ASSIGNED UNDER 30 DAY RULE to City Operations and Neighborhood Services Committee, expires on 3/3/2005. 02/04/05 - Referred to Police Department for informational purposes.

02/04/05 - Referred to Small Business Commission for comment.

03/21/05 - Response received from Small business commission supporting legislation.

**050181 [General Plan amendments in connection with the Transbay Redevelopment Plan]
Mayor, Supervisor Daly**

Ordinance amending the San Francisco General Plan in connection with the Transbay Redevelopment Plan and adopting environmental findings and findings that the amendments are consistent with the General Plan and eight priority policies of Planning Code Section 101.1.

(Companion measure to Files 050181, 050182, 050183, and 050184.)

2/1/05, ASSIGNED UNDER 30 DAY RULE to Land Use Committee, expires on 3/3/2005.

050182 [Zoning – Planning Code amendments in connection with the Transbay Redevelopment Plan]

Ordinance amending the Planning Code to add Sections 249.27, 263.18, 825, and 825.1 to establish special zoning controls in connection with the Transbay Redevelopment Plan; amending Planning Code Section 270 to reflect the new zoning changes to bulk controls set forth in Section 263.18; adopting environmental findings and findings that the amendments are consistent with the General Plan and eight priority policies of Planning Code Section 101.1.

2/1/05, ASSIGNED UNDER 30 DAY RULE to Land Use Committee, expires on 3/3/2005.

**050183 [Zoning Map amendments in connection with the Transbay Redevelopment Plan]
Mayor, Supervisor Daly**

Ordinance amending the San Francisco Planning Code by amending Sectional Map 1, 1H, and 1SU of the Zoning Map of the City and County of San Francisco in connection with the Transbay Redevelopment Plan and an associated special use district with the Redevelopment Plan Project Area and adopting environmental findings and findings that the amendments are consistent with the General Plan and eight priority policies of Planning Code Section 101.1.

2/1/05, ASSIGNED UNDER 30 DAY RULE to Land Use Committee, expires on 3/3/2005.

**050184 [Adopting the Redevelopment Plan for the Transbay Redevelopment Project]
Mayor, Supervisor Daly**

Ordinance approving and adopting the Redevelopment Plan for the Transbay Redevelopment Project area; adopting findings pursuant to the California Environmental Quality Act; adopting findings that the Redevelopment Plan and related documents and agreements (including a Tax Increment Allocation and Sales Proceeds Pledge Agreement and an Option Agreement with the Redevelopment Agency of the City and County of San Francisco and the Transbay Joint Powers Authority) are consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; adopting other findings pursuant to the California Community Redevelopment Law, including findings pursuant to Sections 33445 and 33679; authorizing official acts (including the execution of agreements) in furtherance of this ordinance.

(Fiscal impact.)

2/1/05, ASSIGNED UNDER 30 DAY RULE to Land Use Committee, expires on 3/3/2005.

**050185 [Refusing to install the facilities necessary to obtain utility services in a legislated underground district is a public nuisance]
Supervisor Alioto-Pier**

Ordinance amending Article 18 of the San Francisco Public Works Code by adding Sections 944 to 953 to declare a public nuisance and allow for summary abatement of such nuisance at any property where the property owner has refused to comply with an order from the Director of Public Works that the property owner install conduits and associated equipment necessary to obtain utility services at a building or structure on property located in a legislated underground district; amending Section 926 of the Public Works Code to allow the City to recover all costs incurred by the City to enforce any provision of Article 18 of the Public Works Code; and amending Sections 900, 920, 921, 923, 929, and 930 and repealing Sections 922, 924, 925, 927, 928 and 931 of Article 18 of the Public Works Code consistent with this legislation.

2/1/05, ASSIGNED UNDER 30 DAY RULE to City Operations and Neighborhood Services Committee, expires on 3/3/2005.

041005 [Pedestrian Protections]
Supervisors Ma, Alioto-Pier, Dufty, Daly

Ordinance adding Sections 71, 73, 75, and 79 to the San Francisco Traffic Code to require the Director of Parking and Traffic to: (1) install countdown pedestrian signals and ladder striped crosswalks, (2) designate specific crosswalk signal crossing times, and (3) upon the recommendation of the Pedestrian Safety Advisory Committee, install one hundred signs a year for three years informing the public regarding prohibited sidewalk activities; amending Section 703 of the San Francisco Public Works Code to require: (1) all curb heights and adjacent sidewalks be a minimum height of six to eight inches as measured from the gutter by June 30, 2024, and (2) a citywide survey of curb heights and adjacent sidewalks be conducted by the San Francisco Department of Public Works by June 30, 2007, in order to prioritize the work process; and adding Sections 703.3 and 703.4 to the San Francisco Public Works Code to require the Director of Public Works to install: (1) corner curb bulb-outs on Geary Boulevard, Mission Street, Geneva Avenue, and at the intersections of Dr. Carlton B. Goodlett Place and McAllister and Grove Streets, as permitted by state and local law, by June 30, 2009, and (2) ADA compliant curb-cut ramps on every sidewalk corner in the City by June 30, 2014. The requirements and schedules for installation of certain devices and improvements shall inform the subsequent San Francisco Pedestrian Master Plan and funding may be sought through the Proposition K 5-Year Funding Priority Program.

(02/01/05 in Board: Supervisor Ma submitted a substitute ordinance bearing new title.)
(Fiscal impact.)

7/13/04, ASSIGNED UNDER 30 DAY RULE to Land Use Committee, expires on 8/12/2004.

8/11/04, REFERRED TO DEPARTMENT. Referred to Department of Parking and Traffic for environmental review.

12/7/04, SUBSTITUTED. Supervisor Ma submitted a substitute ordinance bearing new title.

12/7/04, ASSIGNED to Land Use Committee.

12/9/04, REFERRED TO DEPARTMENT. Referred to Department of Parking and Traffic for environmental review.

12/10/04, REFERRED TO DEPARTMENT. Referred to Department of Parking and Traffic as a courtesy.

12/15/04, REFERRED TO DEPARTMENT. Referred to Planning Department (Interim Director of Planning) for environmental review.

12/17/04, REFERRED TO DEPARTMENT. Referred to Planning Department (Environmental Review Officer) for environmental review.

12/20/04, RESPONSE RECEIVED. DPT responding that item is not under their purview.

12/20/04, TRANSFERRED to Finance and Audits Committee.

12/22/04, RESPONSE RECEIVED. Planning Department environmental review; categorically exempt.

1/31/05, TRANSFERRED to Budget and Finance Committee. New committee structure effective 2/7/05.

2/1/05, TRANSFERRED to Land Use Committee.

2/1/05, SUBSTITUTED. Supervisor Ma submitted a substitute ordinance bearing new title.

2/1/05, ASSIGNED to Land Use Committee.

Resolutions

**050171 [Retroactively Accept-Expend Federal Funding-HOME American Dream Downpayment Initiative Program and Permanent Housing for the Chronically Homeless Funds]
Supervisors Dufty, Elsbernd**

Resolution authorizing the Mayor of the City and County of San Francisco to retroactively accept and expend grants from the U.S. Department of Housing and Urban Development (HUD) for a total amount of \$1,358,286 including \$858,286 for the HOME American Dream Downpayment Initiative Program, and \$500,000 in Competitively Reallocated HOME Funds to Provide Permanent Housing for the Chronically Homeless, authorized under TITLE II of the National Affordable Housing Act of 1990, Public Law Number 101-625. 2/1/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**050175 [Improve retention of nurses and patient outcomes at San Francisco General Hospital]
Supervisor Ammiano**

Resolution authorizing the San Francisco Department of Public Health/San Francisco General Hospital (SFDPH/SFGH) to accept retroactively and expend grant funds in the first year amount of \$626,650 from an award to the San Francisco General Hospital Foundation (SFGHF) from the Gordon and Betty Moore Foundation to improve retention of nurses and patient outcomes at San Francisco General Hospital and to add one new position at SFDPH/SFGH; for the period of December 1, 2004, to November 30, 2005. 2/1/05, RECEIVED AND ASSIGNED to Budget and Finance Committee. Sponsor requests this item be scheduled for consideration at the February 10, 2005 meeting.

**050180 [Controller's review of Condominium Conversion application process]
Supervisors Dufty, Alioto-Pier, Elsbernd, Ma**

Resolution calling for the City Controller to make recommendations on possible improvements in condominium conversion pipeline to streamline processing of approved applications. 2/1/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**050194 [Initiate the Designation of 2151 Van Ness Avenue, St. Brigid Church, as a Landmark]
Supervisors Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Ma**

Resolution initiating the designation of 2151 Van Ness Avenue, St. Brigid Church, Block 0575, Lot 015, as a landmark pursuant to Section 1004.1 of the Planning Code. 2/1/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING. 3/2/05 - Referred to Planning Department pursuant to Article 10.

**050195 [Renew Funding for Metropolitan Community Foundation's Shower]
Supervisors Ammiano, Dufty**

Resolution urging the Mayor's Office of Community Development to fully renew funding for Metropolitan Community Foundation's Shower Project and to fully fund its new case management program. 2/1/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**050196 [Progress of Implementation of Proposition H]
Supervisor Ammiano**

Resolution urging Superintendent of the San Francisco Unified School District to convene a meeting in a timely manner with and the San Francisco Board of Education and appropriate City Departments to discuss the progress of the implementation of Proposition "H", the Public Education Fund.

2/1/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**050197 [Contract funds to evaluate the impact of a resource center for drug users, Year 2]
Supervisor Ammiano**

Resolution authorizing the San Francisco Department of Public Health, Community Behavioral Health Services (SFDPH, CBHS), to enter retroactively into Year 2 of an agreement with the University of California San Francisco (USCSF), the primary contractor, and expend funds in the amount of \$11,836 to provide evaluation services; for the period of July 1, 2004 to June 30, 2005.

2/1/05, RECEIVED AND ASSIGNED to Budget and Finance Committee. Sponsor requests this item be scheduled for consideration at the February 10, 2005 meeting.

**050198 [Condemning Homophobic Violence]
Supervisors Ammiano, Elsbernd, Dufty, Ma**

Resolution strongly condemning hate-motivated violence directed against Lesbian, Gay, Bisexual and Transgender individuals and further urging all legal authorities to guarantee that all such violations be punished without discrimination and further urging the US government to give equal consideration to violations based on sexual orientation and gender identity in reporting and formulating policies around the promotion of global human rights.

2/1/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**050199 [Commending Turning the Tide for its efforts in relief of tsunami victims]
Supervisors Dufty, Ammiano, Elsbernd**

Resolution commending Turning the Tide for its efforts in relief of tsunami victims.

2/1/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**050200 ["Give Kids A Smile" Day in San Francisco]
Supervisor Ma**

Resolution declaring February 4th, 2005 as "Give Kids A Smile Day" in the City and County of San Francisco.

2/1/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING. 2/3/05 - Referred to Youth Commission for comment and recommendation.

**050201 [Lunar New Year 2005]
Supervisors Ma, Elsbernd**

Resolution celebrating the Lunar New Year and proclaiming February 9, 2005, the first day of the Year of the Rooster.

2/1/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**050202 [Recognizing the month of February as Black History Month]
Supervisors Maxwell, Mirkarimi, Elsbernd, Dufty, Ma**

Resolution recognizing the month of February as Black History Month.

2/1/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**050203 [Punxsutawney Phil Day]
Supervisor McGoldrick**

Resolution recognizing February 2, 2005 as Punxsutawney Phil Day.

2/1/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**050204 [Supporting Marine Life Protection Act]
Supervisor Mirkarimi**

Resolution supporting Implementation of the Marine Life Protection Act.

2/1/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**050205 [Accept-Expend Regional Grant]
Supervisor Mirkarimi**

Resolution authorizing the Department of the Environment to accept and expend a grant in the amount of \$6,000.00 from Altamont Education Advisory Board through the City of Livermore to expand recycling and lunchroom composting programs at schools.

2/1/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**050206 [Accept-Expend State Grant]
Supervisors Dufty, Mirkarimi**

Resolution authorizing the Director of Transportation or his designee to apply for, accept, and expend \$134,100 in Caltrans funds to stripe and sign bike lanes and to execute any and all associated documents.

2/1/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

- 050207 [Commending the establishment of the Department of Chicana and Chicano Studies at the University of California, Los Angeles]**
Supervisor Sandoval

Resolution commending the establishment of the Department of Chicana and Chicano Studies at the University of California, Los Angeles.

2/1/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

- 050208 [Department of Environment to complete a nexus study on a local shopping bag fee]**
Mayor, Supervisor Mirkarimi

Resolution instructing the Department of Environment to complete a nexus study in order to identify the relationship between the use of disposable supermarket shopping bags and various costs to the City, and to determine the legality and appropriateness of a local fee on these bags.

2/1/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING. 2/3/05 - Referred to Small Business Commission for comment and recommendation.

Request for Hearings

- 050190 [Financial Status of Wages Plus and Childcare for Foster Parents Program for Fiscal Year 2004-05]**
Supervisor Daly

Hearing on the Financial Status of Wages Plus and Childcare for Foster Parents Program for Fiscal Year 2004-05.

2/1/05, RECEIVED AND ASSIGNED to Budget and Finance Committee.

- 050191 [Review overtime economies for Fiscal Year 2005-06.]**
Supervisor McGoldrick

Request for a hearing of all general fund supported City departments to review overtime economies for Fiscal Year 2005-06.

2/1/05, RECEIVED AND ASSIGNED to Budget and Finance Committee.

- 050192 [City's Inclusionary Housing Ordinance]**
Supervisor Maxwell

Hearing on the City's Inclusionary Housing Ordinance. Section 315.8 of the Planning Code requires an annual report to the Board of Supervisors on the results of the ordinance, and specifies the contents of this report. This hearing is intended to be a public review of the Department's most recent annual report.

2/1/05, RECEIVED AND ASSIGNED to Land Use Committee.

- 050193 [Ethics Commission]**
Supervisor Mirkarimi

Hearing to investigate whether the Ethics Commission is sufficiently funded and staffed to meet its charter mandated responsibilities.

2/1/05, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee. 2/7/05 - Referred to Ethics Commission for informational purposes.

Motions**050172 [Needle Exchange Emergency]****Supervisors Ammiano, Daly, Peskin, McGoldrick, Maxwell, Dufty**

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

2/1/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

050174 [Suspending Board Rules to permit the Clerk of the Board to expedite preparation of the Board's 2005-2006 budget for submission to the Mayor]**Supervisor Ammiano**

Motion suspending Board Rules 6.23 and 6.24 to permit the Clerk of the Board of Supervisors to expedite preparation of the Board's proposed 2005-2006 fiscal year budget for submission to the Mayor by waiving the requirements that a Committee of the Board conduct a hearing to discuss budget balancing guidelines, and that a Committee hearing be conducted for review of the proposed budget prior to its submission to the Mayor.

2/1/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

050179 [Extending the Joint City and School District Select Committee for two years]**Supervisors Maxwell, Ma, Ammiano, Peskin**

Motion amending Rule 5.7 of the Rules of Order of the Board of Supervisors to extend the Joint City and School District Select Committee through March 1, 2007.

2/1/05, RECEIVED AND ASSIGNED to Rules Committee.

050186 [Performance and financial audit of the Mission Housing Development Corporation]**Supervisors Ammiano, Daly, Peskin**

Motion requesting the Office of the Controller conduct a performance and financial audit of the Mission Housing Development Corporation.

2/1/05, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

PROPOSED ORDINANCES**050092 [Designating 351-9th Avenue, the Richmond/Senator Milton Marks Branch Library, as a Landmark under Planning Code Article 10]****Supervisor Ma**

Ordinance designating 351-9th Avenue, the Carnegie Richmond Branch Library, as Landmark No. 247 pursuant to Article 10, Sections 1004 and 1004.4 of the Planning Code. (Planning Department)

1/19/05, RECEIVED AND ASSIGNED to Land Use Committee.

050094 [Settlement of Lawsuit - Rebecca Sturtz v. CCSF]

Ordinance authorizing settlement in the matter of Rebecca Sturtz v. City and County of San Francisco for \$65,000. The lawsuit was filed on June 3, 2003 in San Francisco Superior Court, Case No. 415-227; entitled Rebecca Sturtz v. City and County of San Francisco; Raymond E. Batz Jr., Gary D. Curto, Albert J. Fernandez, Charles Krieger, Timothy J. Miles, Harry Paretchan, William Shore, and Does I through XX, inclusive. (City Attorney)

1/21/05, RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED RESOLUTIONS**050095 [Sale of Lot 5 in Block 4357]**

Resolution authorizing a sale of land under the jurisdiction of the San Francisco Public Utilities Commission to Gaehwiler; adopting findings that the conveyance is in conformity with the City's General Plan and is consistent with the Eight Priority Policies of City Planning Code Section 101.1; adopting findings pursuant to the California Environmental Quality Act; ratifying acts and authorizing actions in furtherance of this resolution; and authorizing the Director of Property to execute documents, make certain modifications and take certain actions in furtherance of this resolution. (Real Estate Department)

1/21/05, RECEIVED AND ASSIGNED to Finance and Audits Committee.

1/31/05, TRANSFERRED to Budget and Finance Committee. New committee structure effective 2/7/05.

050096 [Accept-Expend Federal/State Pass Through Grant]

Resolution authorizing the Department of Public Library to accept and expend an augmentation grant in the amount of \$5,405 from the California State Library as part of the Federal Library Services and Technology Act (LSTA) for reimbursing tuition expenses of library employees pursuing a degree or certificate in library science at an institution of higher education. (Public Library)

1/21/05, RECEIVED AND ASSIGNED to City Services Committee.

1/31/05, REFERRED TO DEPARTMENT. Referred to Youth Commission for comment and recommendation.

1/31/05, TRANSFERRED to City Operations and Neighborhood Services Committee. New committee structure effective 2/7/05.

050097 [Extending Provisional Appointments]

Resolution approving extension to June 30, 2005 of provisional appointments of employees in classifications H-30 Captain (Fire Department), 0922 Manager I, 0923 Manager II, 0931 Manager III, 0932 Manager IV, 0933 Manager V, 0941 Manager VI, 0943 Manager VIII, 1952 Purchaser, 5212 Principal Engineer, 7328 Operating Engineer, Universal, and 8216 Senior Parking Control Officer. (Human Resources Department)

1/19/05, RECEIVED AND ASSIGNED to Finance and Audits Committee.

1/31/05, TRANSFERRED to Budget and Finance Committee. New committee structure effective 2/7/05.

050151 [Accept-Expend State Grant]

Resolution authorizing the Chief of Police for the City and County of San Francisco to retroactively accept and expend grant funds made available through the State Office of Emergency Services for a project entitled "Law Enforcement Specialized Unit (LESU) - Violence Against Women Program," and agreeing to accept an in-kind match from La Casa De Las Madres for a Victim Advocate position, and waiving indirect costs due to funding constraints. (Police Department)

1/21/05, RECEIVED AND ASSIGNED to City Services Committee.

1/31/05, TRANSFERRED to City Operations and Neighborhood Services Committee. New committee structure effective 2/7/05.

Requests Granted

From: Supervisor Daly

To: Director, Project Homeless Connect program

Requesting/Inquiring: Requesting a detailed budget of the Project Homeless Connect program and to know who is responsible for financing and maintaining www.projecthomelessconnect.com

From: Supervisor Elsbernd

To: City Attorney

To: General Manager, Recreation and Park

To: Director, Department of Public Works

Requesting/Inquiring: Requesting the City Attorney to work with the Department of Recreation and Park and the Department of Public Works to identify the feasibility of a licensing fee for professional companies who use the Lake Merced circle lot for instructional driving.

From: Supervisor Maxwell

To: Director, Department of Parking and Traffic

Requesting/Inquiring: To study and make recommendations for traffic calming along Missouri Street on Potrero Hill. In particular, please study ways to reduce the speed of traffic coming south on Missouri Street from the Housing Authority development.

Supervisor Maxwell request that this report is provided to her office by April 1, 2005.

From: Supervisor Daly

To: Director, Department of Human Services

Requesting/Inquiring: Requesting rationale for financial adjustments to Wages Plus and Foster Care Childcare programs. The Department of Human Services has recently made adjustments to help fill a shortfall in the Foster Care Childcare Program which provides childcare for foster parents. Meanwhile, the Wages Plus program, which pays for salary increases for childcare workers receiving training and certification, is experiencing a significant budget shortfall. As a result, qualified childcare workers' wages have remained stagnate, despite their receiving the training that should lift their wages. What possible relationships are there between the adjustments to the Wages Plus and Foster Care Childcare programs? Why isn't the Foster Care Childcare Program protected under the Children's Baseline? Why is the Wages Plus program experiencing these shortfalls? What adjustments have been made to maintain the program during this financial crisis? What was the rationale for denying wage increases for qualified childcare workers? What are the prospects for the longevity of these two programs?

From: Supervisor Sandoval

To: Trent Rhorer, Director of the Department of Human Services

Requesting/Inquiring: Inquiring into the department's plans to apply for Transitional Jobs Program funding from the Institute for Youth, Education and Families of the National League of Cities.

From: Supervisor Sandoval

To: Director, Juvenile Hall

Requesting/Inquiring: Inquiring about the number of out-of-county youths currently being held at Juvenile Hall and all related policies and procedures pertaining to the return of such youth to their counties of residence.

From: Supervisor Sandoval

To: Mitch Katz, Director, Department of Public Health

To: Director, Juvenile Hall

Requesting/Inquiring: Requesting information regarding the level of mental health services provided to youth being held in Juvenile Hall, including number of Staff and scope of services.

*From: Supervisor Mirkarimi
To: Director, Public Utilities Commission
Requesting/Inquiring: Requesting that the Public Utilities Commission research and examine the steps necessary to create a public power authority on Treasure Island.*

*From: Supervisor Mirkarimi
To: Director, Department of Parking and Traffic
Requesting/Inquiring: Requesting report on the status of the two stop signs on the north and south corners of Shrader Street at Beulah Street.*

*From: Supervisor Mirkarimi
To: Director, Department of Parking and Traffic
To: Director, Municipal Transportation Agency
Requesting/Inquiring: Requesting report on the feasibility of establishing a pedestrian crosswalk on Fell Street at the west side of the Gough Street intersection.*

*From: Supervisor Mirkarimi
To: Department of Parking and Traffic
To: Municipal Transportation Agency
Requesting/Inquiring: Requesting report on the feasibility of establishing a pedestrian crosswalk on Gough Street at the south side of the Hayes Street intersection.*

*From: Supervisor Mirkarimi
To: Municipal Transportation Agency
Requesting/Inquiring: Requesting Municipal Transportation Agency report on the following: 1. Ridership and farebox revenue trends in the time interval surrounding the imposition of the \$1.25 fare in 2002. 2. Does the MUNI have a plan to keep fares stable over time as its newly acquired rolling stock begins to depreciate? 3. To what extent has the MTA fulfilled its mandate under the Charter section 8A.109 that it "...diligently shall seek to develop new sources of funding for the Agency's operations..."*

*From: Supervisor McGoldrick
To: City Attorney
Requesting/Inquiring: Requesting to prepare legislation for the restoration of Public Health Nurses, Senior Medical Workers and Health Worker positions at the Department of Public Health.*

*From: Supervisor McGoldrick
To: City Attorney
Requesting/Inquiring: Requesting to prepare legislation for: (1) 5% overtime reductions in all safety departments, and (2) 10% overtime reductions in all non-health and non-safety departments where such reductions would result in at least \$5,000 in cost savings. These overtime reductions are for Fiscal Year 2004-2005.*

*From: Supervisor Mirkarimi
To: City Attorney
Requesting/Inquiring: To draft an ordinance designating exclusive motorcycle parking on any available curb space three feet or more in length but too small for the parking of automobiles in the Inner Sunset Merchant Corridor.*

In Memoriams

Martha Smith (Entire Board)
Genevieve Meko (Supervisor Daly)
Anthony J. "Tony" Sousa (Supervisor Dufty)
Tong Alvite (Supervisor Maxwell)
Mercedes Ann DeMolina Garcia (Supervisor McGoldrick)
Catherine Singleton (Supervisor Peskin)

ADJOURNMENT

There being no further business, the Board at the hour of 4:03 p.m. adjourned.

Gloria L. Young, Clerk of the Board

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

Approved by the Board of Supervisors on March 1, 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