

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, April 15, 2003 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
TOM AMMIANO, CHRIS DALY, BEVAN DUFTY, TONY HALL,
FIONA MA, SOPHIE MAXWELL, JAKE MCGOLDRICK,
GAVIN NEWSOM, AARON PESKIN, GERARDO SANDOVAL
Gloria L. Young, Clerk of the Board

BOARD COMMITTEES

Committee Membership

Budget Committee

Supervisors Daly, Peskin, Maxwell, Ma, Gonzalez

City and School District Select Committee

Chair Maxwell, Supervisor Ammiano, Supervisor Ma, Commissioner Cruz, Commissioner Sanchez, Co

City Services Committee

Supervisors Dufty, Ma, Newsom

Finance and Audits Committee

Supervisors Peskin, Sandoval, McGoldrick

Land Use Committee

Supervisors McGoldrick, Maxwell, Ammiano

Rules Committee

Supervisors Hall, Dufty, Gonzalez

Meeting Days

Thursday
1:00 PM

2nd Monday, bi-monthly
4:00 PM

Thursday
9:30 AM

Wednesday
12:30 PM

Monday
1:00 p.m.

Wednesday
9:30 AM

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

Members Present: Tom Ammiano, Chris Daly, Bevan Dufty, Matt Gonzalez, Tony Hall, Fiona Ma, Sophie Maxwell, Jake McGoldrick, Gavin Newsom, Aaron Peskin, Gerardo Sandoval.

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:00 p.m. On the call of the roll, the following Supervisors were noted absent.

Supervisors Dufty, Sandoval and Ma - 3

Supervisors Dufty and Sandoval were noted present at 2:01p.m.

Quorum present.

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

Supervisor Ma Excused from Attendance

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

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

APPROVAL OF MEETING MINUTES

Supervisor Ammiano, seconded by Supervisor Newsom, moved to approve March 25, 2003 Meeting Minutes. The motion carried by the following vote:

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

Privilege of the Floor

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

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

Supervisor Newsom introduced, welcomed and presented Certificates of Honor to the Emergency Communications Department, Dispatch Unit.

CONSENT AGENDA

Recommendations of the Finance and Audits Committee

**030478 [Settlement of Lawsuit - Heller Ehrman White & McAuliffe LLP]
Supervisor Gonzalez**

Ordinance authorizing settlement of the lawsuit filed by Heller Ehrman White & McAuliffe LLP, a Limited Liability Partnership, and Heller Ehrman White & McAuliffe, a California Professional Corporation, against the City and County of San Francisco for \$153,000.00; the lawsuit was filed on May 16, 2001 in San Francisco Superior Court, Case No. 321-383; entitled Heller Ehrman White & McAuliffe LLP, et al., v. City and County of San Francisco; the settlement includes any claims for the 2000 tax year.

(Public Benefit Recipient.)

PASSED ON FIRST READING by the following vote:

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

**030479 [Settlement of Lawsuit - CNET Networks, Inc.]
Supervisor Gonzalez**

Ordinance authorizing settlement of the lawsuit filed by CNET Networks, Inc., against the City and County of San Francisco for \$137,541.00; the lawsuit was filed on July 5, 2002 in San Francisco Superior Court, Case No. 409-891; entitled CNET Networks, Inc. v. City and County of San Francisco; the settlement includes any claims for the 2000 tax year.

(Public Benefit Recipient.)

PASSED ON FIRST READING by the following vote:

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

**030480 [Settlement of Lawsuit - Freeman Decorating Co. and TFC Management, Inc.]
Supervisor Gonzalez**

Ordinance authorizing settlement of the lawsuit filed by Freeman Decorating Co. and TFC Management, Inc., against the City and County of San Francisco for \$37,500.00; the lawsuit was filed on April 27, 2001 in San Francisco Superior Court, Case No. 320-869; entitled Freeman Decorating Co., et al., v. City and County of San Francisco; the settlement includes any claims for the 2000 tax year.

(Public Benefit Recipient.)

PASSED ON FIRST READING by the following vote:

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

**030481 [Authorization to make a binding settlement offer - Federated Western Properties, Inc.]
Supervisor Gonzalez**

Ordinance authorizing the City Attorney to make an offer to allow judgment pursuant to California Code of Civil Procedure Section 998 in Macy's West, Inc.; Federated Western Properties, Inc. (successor in interest to Broadway Stores, Inc., dba Macy's); Federated Systems Group, Inc.; Macy's.com, Inc. v. City and County of San Francisco San Francisco Superior Court No. 313930, for a total amount not to exceed \$3,300,000.00; and in no event any amount that would create liability to the City pursuant to the Most Favored Nations Clause in the General Motors Corporation v. City and County of San Francisco San Francisco Superior Court No. 301510 (Court of Appeal No. A091914) and Eastman Kodak Company v. City and County of San Francisco San Francisco Superior Court No. 302983 (Court of Appeal No. A091910) ("GM cases") Settlement Agreements.

(Public Benefit Recipient.)

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Ammiano, Daly, Duffy, Gonzalez, Hall, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Excused: 1 - Ma

030398 [Lease of Real Property]

Resolution approving and authorizing a lease between the City and County of San Francisco, as lessee, and Mannar Investment Company, a California Limited Partnership, as lessor, of warehouse space at 2348 Jerrold Avenue, San Francisco. (Real Estate Department)

(Public Benefit Recipient; District 10.)

Resolution No. 241-03

ADOPTED by the following vote:

Ayes: 10 - Ammiano, Daly, Duffy, Gonzalez, Hall, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Excused: 1 - Ma

Recommendations of the City Services Committee

**030387 [Center for AIDS Prevention Studies]
Supervisors Dufty, Ma, Newsom**

Resolution authorizing the San Francisco Department of Public Health (SFDPH) to enter retroactively into an agreement in the amount of \$10,640 with The Regents of the University of California San Francisco (UCSF), the primary contractor, to provide primary scientific oversight of activities for projects in Africa of the Center for AIDS Prevention Studies, for the period of September 1, 2002, to August 31, 2003. (Public Health Department)

(No Public Benefit Recipient.)

Resolution No. 239-03

ADOPTED by the following vote:

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

**030388 [AIDS-related training package]
Supervisors Dufty, Ma, Newsom**

Resolution authorizing the San Francisco Department of Public Health (SFDPH) to enter retroactively into an agreement in the amount of \$37,929 with The Regents of the University of California San Francisco (UCSF), the primary contractor to collaborate in developing, testing, evaluating, and refining an AIDS-related training package, for the period of July 1, 2002, to June 30, 2003. (Public Health Department)

(No Public Benefit Recipient.)

Resolution No. 240-03

ADOPTED by the following vote:

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

030405 [Accept-Expend Grant for Sunol Valley Fluoridation Facility]

Resolution authorizing the Public Utilities Commission to accept and expend a grant in the amount of \$250,000 from the California Dental Association Foundation, Inc. for the design and construction of the Sunol Valley Fluoridation Facility. (Public Utilities Commission)

(No Public Benefit Recipient.)

Resolution No. 242-03

ADOPTED by the following vote:

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

Recommendations of the Land Use Committee

030287 [Parking Regulations]

Resolution enacting and rescinding parking regulations at various locations.

RESIDENTIAL PERMIT PARKING AREA "S" (TWO-HOUR TIME LIMIT, 8 AM - 9 PM, MONDAY THROUGH FRIDAY) - ESTABLISH

20th Street, both sides, between Church and Sanchez Streets (3900 block).

UNMETERED MOTORCYCLE PARKING - ESTABLISH

Fell Street, south side, from 167.5 feet to 171 feet west of Divisadero Street (in front of 1217 - 1221 Fell Street, accommodates one unmetered motorcycle parking stall) (Parking and Traffic Department)

(2/20/03: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 2579; No Public Benefit Recipient.)

Resolution No. 235-03

ADOPTED by the following vote:

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

**030288 [STOP Intersections]
Supervisor Newsom**

Resolution designating certain intersections as "STOP" intersections.

STOP SIGNS - ESTABLISH

24th and Tennessee Streets, stopping 24th Street at Tennessee Street;
18th and Danvers Streets, stopping Danvers Street, making this intersection an all-way STOP;
Gough Street at Francisco Street, stopping at Gough Street, making this intersection an all-way STOP;
Octavia Street at Francisco Street, stopping Octavia Street, making this intersection an all-way STOP; and
Alhambra, Francisco and Scott Streets, stopping Scott Street, making this intersection an all-way STOP.
(Parking and Traffic Department)

(2/20/03: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 2579; No Public Benefit Recipient.)

Supervisor Newsom requested to be added as sponsor.

Resolution No. 236-03

ADOPTED by the following vote:

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

Recommendations of the Rules Committee

030322 [Settlement of Lawsuit - Maxuman Lamar Chenier]

Ordinance authorizing settlement of the lawsuit filed by Maxuman Lamar Chenier against the City and County of San Francisco for \$237,500; the lawsuit was filed on August 14, 2000 in San Francisco Superior Court, Case No. 314357; entitled Maxuman Lamar Chenier v. City and County of San Francisco, et al. (City Attorney)

(Public Benefit Recipient.)

Ordinance No. 74-03

FINALLY PASSED by the following vote:

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

030324 [Appointment]

Resolution appointing Charles Striplen, term ending April 21, 2004 to the San Francisco Museum and Historical Society Advisory Committee. Residency requirement waived.

Charles Striplen, (residency requirement waived), new position, seat 3, the Community Representative must be a member from organizations or communities with extensive knowledge of the history or cultural traditions of an ethnic minority community within San Francisco with a focus on ancestral lineage or other historical and cultural links to the San Francisco Bay area, for a one year term ending April 21, 2004.

Resolution No. 248-03

ADOPTED by the following vote:

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

030344 [Settlement of Claim - Kristina Wuslich]

Resolution approving the settlement of the unlitigated claim filed by Kristina Wuslich against the City and County of San Francisco for \$250,000; claim was filed on June 14, 2002. (City Attorney)

(Public Benefit Recipient.)

Resolution No. 238-03

ADOPTED by the following vote:

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

Severed from Consent Agenda

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

**030407 [Expand behavioral health services system of care for children and youth in San Francisco]
Supervisors Dufty, Ma, Newsom**

Resolution authorizing the San Francisco Department of Public Health (SFDPH) to accept and expend retroactively a grant in the amount of \$1,000,000 for the first year of a six year grant from the Substance Abuse and Mental Health Services Administration (SAMHSA) to establish a comprehensive system of behavioral health services to children and youth in San Francisco and to enter into an agreement for the use of these funds; for the period of September 30, 2002 to September 29, 2003. (Public Health Department)

(Public Benefit Recipient.)

Resolution No. 231-03

ADOPTED by the following vote:

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

REGULAR AGENDA**UNFINISHED BUSINESS****From the Clerk**

030549 [Adopting findings related to the conditional use appeal on property located at 1193 Oak Street]

Motion adopting findings related to the appeal of the Planning Commission's approval of Conditional Use Application No. 2002.1007C (which allowed the establishment of a bed and breakfast inn with five guestrooms within the existing second floor dwelling unit of a building located in an RM-2 District and a 40-X Height and Bulk District) for property located at 1193 Oak Street (Lot 023 in Assessor's Block 1218). (Clerk of the Board)

(Companion measure to Files 030253, 030254; 030255; 030256.)

Motion No. M03-66

APPROVED by the following vote:

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

Recommendations of the Budget Committee**030352 [Parking Meter Rates]
Mayor, Supervisor Gonzalez**

Ordinance approving parking meter rates. (Mayor)

(No Public Benefit Recipient.)

Ordinance No. 71-03

FINALLY PASSED by the following vote:

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

**030424 [Establishing parking violation and late payment penalties]
Supervisor Gonzalez**

Ordinance amending the San Francisco Traffic Code by amending Sections 130 and 131 and adding Section 132 to establish fines for parking violations and late payment penalties. (Budget Committee)

(Supervisor Daly dissenting in Committee)

Ordinance No. 72-03

FINALLY PASSED by the following vote:

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

Recommendations of the Rules Committee**022027 [Conflict of Interest Code Amendments]
Supervisor Gonzalez**

Ordinance amending sections 3.1-109, 3.1-110, 3.1-120, 3.1-135, 3.1-140, 3.1-145, 3.1-150, 3.1-155, 3.1-170, 3.1-175, 3.1-195, 3.1-230, 3.1-240, 3.1-245, 3.1-250, 3.1-260, 3.1-265, 3.1-270, 3.1-275, 3.1-310, 3.1-315, 3.1-320, 3.1-335, 3.1-345, 3.1-350, 3.1-360, 3.1-365, 3.1-375, 3.1-390, 3.1-395, 3.1-430, 3.1-435, and 3.1-445; deleting section 3.1-330 of the Campaign and Governmental Conduct Code; and adding sections 3.1-169 and 3.1-225 to the Campaign and Governmental Conduct Code to update the list of designated employees who must file financial disclosure statements and to modify the applicable disclosure requirements.

Ordinance No. 73-03

FINALLY PASSED by the following vote:

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

**030343 [Settlement of Lawsuit - SamTrans/Tanforan]
Supervisor Gonzalez**

Ordinance approving settlement of litigation of San Mateo County Transit District against City and County of San Francisco for total value of \$2,544,500. (City Attorney)

(No Public Benefit Recipient.)

Supervisor Gonzalez requested to be added as sponsor.

Ordinance No. 75-03

FINALLY PASSED by the following vote:

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

NEW BUSINESS

Recommendation of the Budget Committee

**030416 [Funding for lease financing of two asphalt storage silos]
Supervisors Peskin, Gonzalez, Daly, Maxwell**

Ordinance appropriating \$2,155,617 of lease financing revenues to construct two asphalt storage silos for the Department of Public Works for fiscal year 2002-03; and declaring the City's intent to reimburse itself for such appropriations from the proceeds of a lease-purchase financing. (Mayor)

(Fiscal impact.)

Supervisor Peskin requested to be added as sponsor.

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

PASSED ON FIRST READING by the following vote:

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

Recommendations of the Finance and Audits Committee

**020592 [Modifying collection procedures for the Transit Impact, Housing, Child Care, Park and Inclusionary Housing Fees by transferring responsibility for collection and enforcement to the Treasurer]
Supervisors Peskin, McGoldrick, Daly, Maxwell**

Ordinance (1) amending the Planning Code by amending Sections 139, 313.1, 313.4, 313.5, 313.6, 313.7, 313.8, 313.9, 313.10, 314.1, 314.4, 314.5, 315.3 and 315.6 to transfer collection authority for in lieu fees collected for the Park Fund, the Jobs-Housing Linkage Program, Child Care Requirement and the Inclusionary Affordable Housing Program from the Controller to the Treasurer and conform collection procedures for these fees, and require that funds from the Child Care Capital Fund and the Downtown Park Fund be used to fund nexus studies for the Downtown Park Fee and the Child Care Fee; and (2) amending the Administrative Code by amending Sections 38.1, 38.3, 38.4, 38.5, 38.6, 38.8, 38.8.5, 38.9, 38.10, 38.11 and 38.45 to transfer collection of the Transit Impact Development Fee from the General Manager of the Public Utilities Commission to the Treasurer and conform collection and enforcement procedures for the fee.

Amended on page 5, line 23 by deleting "housing".

AMENDED by the following vote:

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

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

PASSED ON FIRST READING AS AMENDED by the following vote:

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

030212 [2003 Annual Fundraising Drive]

Resolution designating those agencies qualified to participate in the 2003 Annual Joint Fundraising drive for officers and employees of the City and County of San Francisco.

Resolution No. 234-03

ADOPTED by the following vote:

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

Recommendation of the City Services Committee**030030 [Liquor License, 1695 Polk Street]**

Resolution determining that the issuance of a Type 48 on-sale general public premises liquor license to Patrick Gilles, Steve Bowman and Jay Seigan for "Red Devil Lounge" located at 1695 Polk Street (District 3), in exchange for its current Type 47 on-sale general eating place license, will serve the convenience of the people of the City and County of San Francisco, in accordance with section 23958.4 of the California Business and Professions Code; with conditions.

Resolution No. 232-03

ADOPTED by the following vote:

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

Recommendations of the Land Use Committee**021854 [Construction Site Sign Requirements]**

Supervisors Peskin, Gonzalez

Ordinance amending the San Francisco Traffic Code Section 33.1 and Public Works Code Section 724.3 relating to sign and placard requirements at construction sites.

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

PASSED ON FIRST READING by the following vote:

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

030207 [2161 Sutter Street - Zoning Map Change]

Ordinance amending the San Francisco Planning Code by adopting changes in property use classification as an amendment to the Zoning Map of the City and County of San Francisco for property described as Assessor's Block 0682, Lot 005, approximately 5,156 square feet in area, from an NC-2 (Small-Scale Neighborhood Commercial) District to an RM-3 (Residential, Mixed, Moderate Density) District and adopting findings pursuant to Planning Code Section 101.1. (Planning Department)

(Planning Commission Resolution No. 16514 adopting the proposed Planning Code and Zoning Map amendments on January 23, 2003; Motion No. 16515 approving Conditional Use Application No. 2001.1058C on January 23, 2003; Final Mitigated Negative Declaration adopted and issued on July 12, 2002; No Public Benefit Recipient).

PASSED ON FIRST READING by the following vote:

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

030274 [Parking Regulations - Portions of Vallejo Street, between Stockton and Powell Streets]
 Ordinance adding Section 32.6.35 to the San Francisco Traffic Code restricting parking on portions of Vallejo Street, between Stockton and Powell Streets to marked police vehicles only for San Francisco Police Department's Central Station. (Parking and Traffic Department)

(No Public Benefit Recipient.)

PASSED ON FIRST READING by the following vote:

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

030289 [Traffic Regulations]
 Resolution enacting and rescinding traffic regulations on various streets.

NO TURN ON RED, 6 AM to 8 PM, DAILY - ESTABLISH
 Drumm Street, southbound, at Sacramento Street. (Parking and Traffic Department)

(2/20/03: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 2579; No Public Benefit Recipient.)

Resolution No. 237-03

ADOPTED by the following vote:

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

COMMITTEE REPORTS

From the Rules Committee

030191 [Confirming the re-appointment of Michael Hardeman to the San Francisco Port Commission]
 Mayor

Resolution confirming the appointment of Michael Hardeman to the San Francisco Port Commission for a four-year term ending May 1, 2006. (Mayor)

Resolution No. 233-03

ADOPTED by the following vote:

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

From the City and School District Select Committee

**030354 [Public Education Special Fund]
Supervisors Daly, Ma, Dufty**

Ordinance adding Administrative Code Section 10.100-367 to establish the "Public Education Special Fund."

Continued to April 22, 2003

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

Supervisor McGoldrick, seconded by Supervisor Hall, moved that this Ordinance be CONTINUED. The motion carried by the following vote:

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

ROLL CALL FOR INTRODUCTIONS

PUBLIC COMMENT

Abdullah Megaheed; Against the Iraq war

Slyvia Johnson; general issues

James Chaffee; SF Library issues

Francisco DiCosta; Hunter's Point issues

Nancy Berkin; support to send File 030583 Release of Reserve for Airport to Finance Committee

Eileen Voken; support to send File 030583 Release of Reserve for Airport to Finance Committee

Richard Zimmerman; support to send File 030583 Release of Reserve for Airport to Finance Committee

Hap Hepplefinger; support to send File 030583 Release of Reserve for Airport to Finance Committee

Don Forman; support to send File 030583 Release of Reserve for Airport to Finance Committee

Joe Wilson; Coleman Advocates 1000 Kid March

Female Speaker; support to send File 030583 Release of Reserve for Airport to Finance Committee

Jeremy Bui; support to send File 030583 Release of Reserve for Airport to Finance Committee

Female Speaker; support to send File 030583 Release of Reserve for Airport to Finance Committee

Female Speaker; support to send File 030583 Release of Reserve for Airport to Finance Committee

Lawrence Seigel; support to send File 030583 Release of Reserve for Airport to Finance Committee

Evelyn Simpson; support to send File 030583 Release of Reserve for Airport to Finance Committee

Male Speaker; support to send File 030583 Release of Reserve for Airport to Finance Committee

Andy Gross; support to send File 030583 Release of Reserve for Airport to Finance Committee

Male Speaker, Sierra Club; support to send File 030583 Release of Reserve for Airport to Finance Committee

Espanola Jackson; Hunter's Point issues, Prop P.

Andrew Bozeman; Hunter's Point issues

Tom McDonagh; Airport issues

Vernon Jenkins; general 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.

Items 32 through 43

030584 [National Professional Social Worker Month]
Supervisors Ammiano, Sandoval, Dufty, Peskin, Daly

Resolution honoring National Professional Social Worker Month.

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

Resolution No. 243-03

ADOPTED

**030585 [Ethics Commission - Screening, Ethics Training and Policies]
Supervisors Ammiano, Peskin, Daly, McGoldrick**

Resolution urging the Ethics Commission to conduct a public hearing and develop and present to the Mayor, the Board of Supervisors and other City elective officeholders recommended procedures for: screening applicants to City commissions and for at-will employment; training City commissioners and staff regarding City conflict-of-interest and Sunshine requirements; and additional policies to maintain ethical conduct.

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

Resolution No. 250-03

ADOPTED

**030586 [Transition Management]
Supervisors Ammiano, McGoldrick**

Resolution requesting that the City Attorney develop proposed transition management plans for City elective offices.

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

Resolution No. 251-03

ADOPTED

**030587 [Strategies for Homeless Individuals with Mental Health and Dual Diagnoses]
Supervisors Ammiano, Dufty, Daly, McGoldrick**

Resolution urging the Director of Public Health, in consultation with community organizations, to develop a report addressing "Comprehensive Strategies to Serve Homeless Individuals with Mental Health Diagnoses, Substance Abuse Diagnoses and Chronic Medical Conditions."

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

Resolution No. 252-03

ADOPTED

**030589 [Use of the City Flag in "The Flags of California" Publication]
Supervisor Gonzalez**

Resolution granting permission to Historian Stan Mottaz to use the Flag of the City and County of San Francisco in his forthcoming book, entitled "The Flags of California."

Resolution No. 244-03

ADOPTED

**030590 [Pedestrian Safety]
Supervisors Newsom, Dufty**

Resolution requesting the Department of Parking and Traffic to implement greater awareness and public outreach regarding its Pedestrian Program-Walk Safe and setting forth some recommendations to accompany this request.

Resolution No. 245-03

ADOPTED

**030591 [National Public Safety Telecommunicators' Week]
Supervisors Newsom, Dufty, Peskin**

Resolution commending the San Francisco Emergency Communications Department, its entire dispatch team and proclaiming the week of April 13th through April 19th, 2003 as National Public Safety Telecommunicators' Week in the City and County of San Francisco.

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

Resolution No. 246-03

ADOPTED

**030592 [Commend Latino Behavioral Health Planning Committee]
Supervisors Sandoval, Dufty**

Resolution commending The Latino Behavioral Health Planning Committee (LBHPC) for their dedication to providing mental health and substance abuse services to Latino communities in California.

Resolution No. 247-03

ADOPTED

**030564 [Needle Exchange Emergency]
Supervisors Ammiano, Newsom, 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. M03-67

APPROVED

The foregoing items were acted upon by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Gonzalez, Hall, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

Excused: 1 - Ma

Supervisor Peskin, seconded by Supervisor Daly, moved to suspend Rule 2.11 of the Rules of Order of the Board of Supervisors.

Motion carried by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Gonzalez, Hall, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

Excused: 1 - Ma

Severed from Without Reference to Committee

Supervisor Newsom requested that this matter be severed so that it could be considered separately.

**030530 [CEDAW Gender Analysis]
Supervisors Newsom, Ma, Dufty, Sandoval, Daly**

Resolution urging City Departments to consider a CEDAW gender analysis prior to proposing departmental budget and/or staff cuts.

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

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

Resolution urging City Departments to consider a CEDAW gender analysis and impact on the City's Equal Access to City Services For Limited English Speakers Ordinance prior to proposing departmental budget and/or staff cuts.

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

Resolution No. 249-03

ADOPTED AS AMENDED by the following vote:

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

Supervisor Daly requested that this matter be severed so that it could be considered separately.

**030588 [Pursuit of federal and state charges]
Supervisor Hall**

Resolution urging the District Attorney and City Attorney to explore with Federal and State legal authorities the possibility of pursuing Racketeer Influenced and Corrupt Organizations Act (RICO) charges and any other federal or state violations against the organizers of the March 20th protests and subsequent days in the City and County of San Francisco.

Supervisor Daly requested this matter be referred to Committee.

REFERRED to the City Services Committee.

Supervisor Dufty requested that this matter be severed so that it could be considered separately.

**030583 [Release of Reserved Funds, Airport Commission]
Supervisors Dufty, Newsom**

Motion releasing the \$5 million Airport Development Bureau allocation for Fiscal Year 2002-03 being held in reserve.

Supervisor Dufty, seconded by Supervisor Newsom, moved to continue this matter to April 29, 2003. (No vote was taken.)

Supervisor Daly, seconded by Supervisor Ammiano, moved to table this matter.

TABLED by the following vote:

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

Noes: 4 - Dufty, Gonzalez, Hall, Newsom

Excused: 1 - Ma

OFF-AGENDA LEGISLATION

Introduced by Supervisors or Mayor

Ordinances

**021598 [Secondary Units]
Supervisor Peskin**

Ordinance amending the San Francisco Planning Code by repealing Section 207.2 [Second Units] in its entirety, adding a new Section 207.2, and amending Section 209.1 to authorize one additional secondary unit limited to 750 square feet of gross floor area within an existing structure on a lot within 1250 feet of a Primary Transit Street or Transit Center and also within 1250 feet of a Neighborhood Commercial or Commercial zoning district, on a lot containing a qualified historical building or where the unit is specifically designed and constructed for the elderly or persons with physical disabilities, to prohibit the owner from legalizing an illegal unit pursuant to the provisions of this ordinance, and providing that the secondary unit shall not be subject to the Rent Ordinance but requiring that a secondary unit in a multi-family building shall be subject to affordability requirements; by amending Sections 135(d), Table 151 of Section 151 and 307(g) to establish the amount of open space and parking required for these secondary units; and by amending the San Francisco Traffic Code by adding Section 308.5.1 to prohibit issuance of a residential parking permit to the occupant of a secondary unit; by adding new Section 106.4.1.3 to the San Francisco Building Code to require site inspection prior to issuance of a building permit for the secondary unit to verify that no unpermitted unit exists on the property and prohibiting the issuance of a building permit or certificate of occupancy for the second unit if an unpermitted unit has operated on the property within the previous ten years, unless that unit was legally demolished prior to January 1, 2003; and by amending Section 37.9 of the San Francisco Administrative Code to require relocation assistance for persons required to vacate illegal units; and adopting findings.

9/23/02, ASSIGNED UNDER 30 DAY RULE to Transportation and Commerce Committee, expires on 10/23/2002.

11/20/02, REFERRED TO DEPARTMENT. Transmitted to Planning Commission for public hearing and recommendation.

2/4/03, TRANSFERRED to Land Use Committee. New committee structure 2/17/03.

4/15/03, SUBSTITUTED. Supervisor Peskin submitted a substitute ordinance bearing new title.

4/15/03, ASSIGNED to Land Use Committee.

**030609 [Appropriate funding from the sale of certificates of participation for the Juvenile Hall Reconstruction Project]
Mayor**

Ordinance appropriating \$45,000,000 from the sale of certificates of participation by the Mayor's Office of Criminal Justice to fund the Juvenile Hall Reconstruction Project for fiscal year 2002-03, placing \$545,000 on reserve. (Mayor)

4/15/03, RECEIVED AND ASSIGNED to Finance and Audits Committee.

**030610 [Public Works Code Amendment - Flower Stand Permits]
Supervisor Sandoval**

Ordinance amending Sections 155, 157, 159 and 161 of the Public Works Code and adding Sections 155.1, 157.1, 157.2, and 157.3 to the Public Works Code to increase quarterly permit fees for flower stand operators from \$100 to \$200, and from \$30 to \$60 per employee; require the Treasurer/Tax Collector to collect delinquent permit fees; require permittees to register with the City as businesses; require permittees to maintain records of all sales; require permittees to display permit and business license; require permittees to submit annual information to the Director of Public Works; prohibit the sale, assignment, lease, transfer, and inheritance of permits; repeal the durational residency requirement for permittees; eliminate flower stand location at Fifth and Market Streets; require the Director of Public Works to recommend the designation of six additional flower stand locations; reissue existing permits according to a process that includes a preference for existing permittees, disabled persons, and low-income persons; provide a similar process for issuing permits as they become available for issuance; provide that permits expire on the death of the permittee or with a substantial change in ownership of the firm, corporation, or entity holding the permit; and limit permits to ten-year terms.

4/15/03, RECEIVED AND ASSIGNED to City Services Committee.

**030617 [Funding for the SFPUC Capital Improvement Program, Fiscal Year 2002-03]
Mayor, Supervisors Daly, Maxwell, Dufty, Newsom**

Ordinance appropriating \$66,075,000 of funding from the sale of commercial paper for capital projects and financing costs pursuant to the San Francisco Public Utilities' Commission Capital Improvement Program for fiscal year 2002-03. (Mayor)

(No Public Benefit Recipient.)

4/15/03, RECEIVED AND ASSIGNED to Finance and Audits Committee.

**030618 [Funding for the SFPUC Capital Improvement Program, Fiscal Year 2002-03]
Mayor, Supervisor Daly**

Ordinance appropriating \$52,357 from the Water Revenues and Water Capital Projects for six positions (0.462 FTEs) to implement the San Francisco Public Utilities Commission's Capital Improvement Program fiscal year 2002-03. (Mayor)

(No Public Benefit Recipient; Companion measure to File 030642.)

4/15/03, RECEIVED AND ASSIGNED to Finance and Audits Committee.

**030620 [Waiver of storage fees for stolen vehicles owned by residents]
Mayor**

Ordinance repealing San Francisco Municipal Administrative Code Section 10C.8-1, providing for waiver of vehicle storage fees for vehicles reported stolen, which are owned by residents of the City and County of San Francisco. (Mayor)

4/15/03, RECEIVED AND ASSIGNED to Budget Committee.

**030621 [Board of Appeals - Fees]
Mayor, Supervisor Daly**

Ordinance amending the San Francisco Business and Tax Regulations Code by amending Section 8 to increase the fees charged by the Board of Appeals and making environmental findings. (Mayor)
4/15/03, RECEIVED AND ASSIGNED to Budget Committee.

**030622 [Approving Discovery Fees]
Mayor, Supervisor Daly**

Ordinance approving a fee schedule for discovery costs charged by the San Francisco District Attorney's office. (Mayor)
4/15/03, RECEIVED AND ASSIGNED to Budget Committee.

**030623 [Amending Section 106 of the San Francisco Fire Code to Increase Fees For Services]
Mayor, Supervisor Daly**

Ordinance amending Section 106 of the San Francisco Fire Code to increase fees for Fire Department services, to become operative on its effective date or on July 1, 2003 whichever is later. (Mayor)
4/15/03, RECEIVED AND ASSIGNED to Budget Committee.

**030624 [Setting fees for emergency medical services provided by the Fire Department, granting authority to Fire Department to bill for such costs, and setting forth procedures]
Mayor, Supervisor Daly**

Ordinance amending San Francisco Health Code by repealing Section 117 as obsolete; amending San Francisco Health Code Sections 119, 120, 123, 124.1 and 124.5 to: (1) delete reference to Section 117 and add reference to Sections 128 and 128.1, (2) authorize the San Francisco Fire Department to bill for fees for emergency medical services, (3) authorize the San Francisco Fire Department to investigate the ability of patients to pay for the costs of emergency medical services, (4) include the San Francisco Fire Department as a Department for which it is a crime to conceal the ability to pay, (5) include reference to the San Francisco Fire Department in section regarding prima facie evidence of reasonableness of the fees, and (6) provide for a lien on third-party proceeds for costs of San Francisco Fire Department emergency medical services; and amend San Francisco Health Code by adding Section 128.1 to set fees for emergency medical services and supplies provided by the San Francisco Fire Department and to provide for annual increase in fees based on Medical Consumer Price Index. (Mayor)
4/15/03, RECEIVED AND ASSIGNED to Budget Committee.

**030625 [Increasing the Alemany Flea Market Daily Stall Fee]
Mayor, Supervisor Daly**

Ordinance amending Section 9B.5 of the San Francisco Administrative Code by increasing the daily fee for a stall at the Alemany Flea Market from \$30 per stall to \$45 per stall. (Mayor)

(No Public Benefit Recipient.)

4/15/03, RECEIVED AND ASSIGNED to Budget Committee.

**030626 [Recreation and Parks - Fees]
Mayor, Supervisor Daly**

Ordinance making environmental findings and amending the San Francisco Park Code by amending Section 12.08 to increase parking charges on Recreation and Park property; amending Section 12.09 to increase the fees for the carousel; amending Section 12.15 to increase the fees for day camps; adding Section 12.29 to increase the fees for use of the photography center, adding Section 12.30 to increase the fees for participation in the latch key program, adding Section 12.31 requiring field trip reimbursements, adding Section 12.32 to increase the fee for resident golf cards, and adding Section 12.33 to increase fees for golf cart rental and driving range balls. (Mayor)

4/15/03, RECEIVED AND ASSIGNED to Budget Committee.

**030627 [Treasurer's charge for returned checks]
Mayor, Supervisor Daly**

Ordinance amending Administrative Code Section 10.13-1, to provide that the Treasurer may charge \$35.00 for each check returned to the City without payment. (Mayor)

4/15/03, RECEIVED AND ASSIGNED to Budget Committee.

**030628 [Making Environmental Findings and Increasing Fees Charged for Inspection and Certification of
Agriculture Products]
Mayor, Supervisor Daly**

Ordinance making environmental findings and amending the San Francisco Administrative Code to increase the fees charged by the Department of Consumer Assurance for inspection and certification of agriculture products prior to shipment. (Mayor)

4/15/03, RECEIVED AND ASSIGNED to Budget Committee.

**030631 [Competitive Bid and Prevailing Wage Exemption for Job Training Program - San Francisco
Conservation Corps]
Supervisor Maxwell**

Ordinance exempting the San Francisco Conservation Corps from the prevailing wage requirements and waiving the competitive bid requirements for the Recreation and Park Commission's award of a contract for construction of playgrounds, restoration of natural areas and implementation of erosion control measures in San Francisco parks.

4/15/03, RECEIVED AND ASSIGNED to Finance and Audits Committee.

**030633 [Giving the Executive Director of the Department of Parking and Traffic the authority to promulgate
regulations regarding parking revenue]
Supervisor Peskin**

Ordinance amending Section 4910 of the Police Code to vest authority to promulgate regulations regarding parking revenue in the Executive Director of the Department of Parking and Traffic, instead of in the Tax Collector.

4/15/03, RECEIVED AND ASSIGNED to Finance and Audits Committee.

**030637 [Extending Redevelopment Agency's Times for Incurring and Repaying Debt]
Mayor**

Ordinance approving, for the redevelopment plans listed below, the elimination of the existing time limits in each plan for establishment of loans, advances and indebtedness: (1) the Western Addition Area A-2 Redevelopment Plan, (2) the Yerba Buena Center Redevelopment Plan, (3) the Rincon Point - South Beach Redevelopment Plan, and (4) the Embarcadero-Lower Market (Golden Gateway) Redevelopment Plan. (Mayor) 4/15/03, RECEIVED AND ASSIGNED to Finance and Audits Committee.

**030638 [Central Freeway Replacement Project]
Supervisors Gonzalez, Ammiano, Peskin, Daly, McGoldrick**

Ordinance amending the San Francisco Administrative Code by adding Section 10.19-5 to appropriate revenues for the Central Freeway Replacement Project to the San Francisco County Transportation Authority as fiscal agent for the Project, to set conditions for the use of the funds, and to direct the City Controller to transfer the revenues.
4/15/03, RECEIVED AND ASSIGNED to Rules Committee.

**030642 [Public Employment - PUC]
Mayor, Supervisor Daly**

Ordinance amending Ordinance No. 175-02 (Annual Salary Ordinance 2002/23) reflecting the creation of six positions (0.462 FTEs) at the San Francisco Public Utilities Commission for the Capital Improvement Program fiscal year 2002/03. (Mayor)

(No Public Benefit Recipient; Companion measure to File 030618.)
4/15/03, RECEIVED AND ASSIGNED to Finance and Audits Committee.

Resolutions

**030588 [Pursuit of federal and state charges]
Supervisor Hall**

Resolution urging the District Attorney and City Attorney to explore with Federal and State legal authorities the possibility of pursuing Racketeer Influenced and Corrupt Organizations Act (RICO) charges and any other federal or state violations against the organizers of the March 20th protests and subsequent days in the City and County of San Francisco.

4/8/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

4/15/03, REFERRED to City Services Committee. Supervisor Daly requested this matter be referred to Committee.

4/15/03, REFERRED to City Services Committee.

REFERRED to the City Services Committee.

**030629 [United Nations Plaza]
Supervisor Daly**

Approving Accepting the final report of the U.N. Plaza Working Group, urging that the Art Commission, Planning Commission, DPW, Mayor's Office, and BART take steps to act on implement the report 4/15/03, RECEIVED AND ASSIGNED to Land Use Committee.

**030630 [PUC Commercial Paper Issuance]
Mayor, Supervisors Daly, Maxwell, Dufty, Newsom**

Resolution approving the issuance of not to exceed \$250,000,000 aggregate principal amount outstanding at any one time of the San Francisco Public Utilities Commission Commercial Paper Notes (Water Series) pursuant to Article V of Chapter 43 of Part 1 of the San Francisco Municipal Code for the purpose of financing certain capital improvements related to the water enterprise; approving the maximum interest rate thereon; and related matters. (Mayor)

(No Public Benefit Recipient.)

4/15/03, RECEIVED AND ASSIGNED to Finance and Audits Committee.

**030639 [Federal Funding - Community Development Grant]
Mayor**

Resolution approving the 2003 Community Development Program; and authorizing the Mayor, on behalf of the City and County of San Francisco, to accept and expend the City's 2003 Community Development Block Grant (CDBG) entitlement from the U. S. Department of Housing and Urban Development, and Program Income of \$33,542,928 which include indirect costs of \$150,000, and approving expenditure schedules for recipient departments and agencies and for indirect costs. (Mayor)

(Public Benefit Recipient.)

4/15/03, RECEIVED AND ASSIGNED to Finance and Audits Committee.

**030640 [Federal Funding - Emergency Shelter Grants Program]
Mayor, Supervisor Newsom**

Resolution approving the 2003 Emergency Shelter Grants Program and Expenditure Schedule; and authorizing the Mayor on behalf of the City and County of San Francisco to accept, and expend a \$867,000 entitlement under the Emergency Shelter Grants Program from the U. S. Department of Housing and Urban Development. (Mayor)

(Public Benefit Recipient.)

4/15/03, RECEIVED AND ASSIGNED to Finance and Audits Committee.

**030641 [Federal Funding - Home Program]
Mayor, Supervisor Newsom**

Resolution authorizing the Mayor of the City and County of San Francisco to accept and expend a grant from the U. S. Department of Housing and Urban Development for a total amount of \$8,804,657 which include indirect cost of \$10,000 for the HOME Program authorized under TITLE II of the National Affordable Housing Act of 1990, Public Law Number 101-625, and approving the HOME Program description as described in the 2003 Action Plan for San Francisco's Consolidated Plan. (Mayor)

(Public Benefit Recipient.)

4/15/03, RECEIVED AND ASSIGNED to Finance and Audits Committee.

**030080 [People's Earth Day in San Francisco]
Supervisors Maxwell, Dufty, Newsom**

Resolution proclaiming Saturday, April 26, 2003 as "People's Earth Day Fair" Day in the City and County of San Francisco.

4/15/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**030164 [Proclaim May as American Lung Association's Clean Air Month]
Supervisors Maxwell, Dufty, Newsom**

Resolution proclaiming May 2003 as American Lung Association's Clean Air Month in the City and County of San Francisco.

4/15/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**030236 [Commend Tanya Twyman]
Supervisors Maxwell, Newsom**

Resolution commending Tanya Twyman for her commitment and dedication to childcare services throughout the City.

4/15/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**030276 [Commend Michael Tilson Thomas and the San Francisco Symphony]
Supervisors Daly, Dufty, Peskin, Hall, Newsom**

Resolution commending Michael Tilson Thomas and the San Francisco Symphony for their role as Cultural Ambassadors from the City of San Francisco representing the breadth and depth of the vitality of arts and cultural activities in the City.

4/15/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**030290 [Commend Byron Yoanidis]
Supervisors Daly, Hall**

Resolution commending Byron Yoanidis of San Francisco, for his inspirational effort and his deep commitment to help those who face homelessness and mental illness.

4/15/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**030346 [Commend Deputy City Attorney Randy Edward Riddle]
Supervisors Ammiano, Dufty, Peskin**

Resolution commending Randy Edward Riddle for 15 years of exemplary public service to San Francisco as a Deputy City Attorney in the Government Law Division of the City Attorney's Office, and wishing him well in his future endeavors as General Counsel for the California Secretary of State.

4/15/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Charter Amendment

**030632 [Ballot Measures Submitted by the Board of Supervisors or its Members]
Supervisor Newsom**

Charter amendment (First Draft) to amend Sections 2.113 to provide that the Board of Supervisors must hold a hearing at least 30 days before the deadline for submission to the voters of any ordinance or declaration of policy submitted by the Board of Supervisors of four or more of its members.

4/15/03, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 5/15/2003.

Requests for Hearing

**030611 [Budget Hearings-Public Works, Transportation and Commerce]
Supervisor Daly**

Hearing to consider budget proposals for the Airport, Board of Appeals, Business and Economic Development Department, Department of Building Inspection, Department of Public Works, Emergency Communications Department, Municipal Transportation Agency, Port, Public Utilities Commission, Telecommunications and Information Services.

4/15/03, RECEIVED AND ASSIGNED to Budget Committee. The sponsor requests this item be placed on the calendar for April 21, 2003.

**030612 [Budget Hearings-Culture and Recreation]
Supervisor Daly**

Hearing to consider budget proposals for Academy of Sciences, Art Commission, Asian Art Museum, Convention Facilities Management, Fine Arts Museum, Law Library, Public Library, Recreation and Park Commission and War Memorial.

4/15/03, RECEIVED AND ASSIGNED to Budget Committee. The sponsor requests this item be placed on the calendar for May 8, 2003.

**030613 [Budget Hearings-Community Health]
Supervisor Daly**

Hearing to consider budget proposals for the Department of Public Health.

4/15/03, RECEIVED AND ASSIGNED to Budget Committee. The sponsor requests this item be placed on the calendar for April 24, 2003.

**030614 [Budget Hearings-Human Welfare and Neighborhood Development]
Supervisor Daly**

Hearing to consider budget proposals for Adult and Aging Services, Department of the Status of Women, Environment, Human Rights Commission, Human Services and Rent Arbitration Board.

4/15/03, RECEIVED AND ASSIGNED to Budget Committee. The sponsor requests this item be placed on the calendar for May 1, 2003.

**030615 [Budget Hearings-Public Protection]
Supervisor Daly**

Hearing to consider budget proposals for Adult Probation, District Attorney, Fire Department, Juvenile Probation, Medical Examiner, Police, Public Defender, Sheriff and Trial Courts.

4/15/03, RECEIVED AND ASSIGNED to Budget Committee. The sponsor requests this item be placed on the calendar for April 28, 2003.

**030616 [Budget Hearings-Children and Youth]
Supervisor Daly**

Hearing to consider (1) budget proposals for Child Support Services, Children and Families Commission, Children, Youth and Their Families and the San Francisco Unified School District; (2) recommendations of the San Francisco Youth Commission related to the budget; and (3) issues related to the Children's Baseline and activities of other departments that benefit young people.

4/15/03, RECEIVED AND ASSIGNED to Budget Committee. The sponsor requests this item be placed on the calendar for May 12, 2003.

**030634 [Proposed layoffs of cashiers and locker room attendants]
Supervisor Ammiano**

Hearing to consider proposed layoffs of cashiers and locker room attendants who work at City's pools.

4/15/03, RECEIVED AND ASSIGNED to Budget Committee.

**030636 [Alternative activities for students]
Supervisor Ammiano**

Hearing to consider alternative activities for students who would otherwise attend Summer School, including funding scenarios and a competitive process to bid City contracts for alternative programs.

4/15/03, RECEIVED AND ASSIGNED to City and School District Select Committee.

**030619 [Release of reserved funds, Airfield Development Bureau]
Supervisor Dufty**

Motion for hearing regarding release of \$3.7 million held in reserve of the Airfield Development Bureau budget allocation for Fiscal Year 2002-03.

4/15/03, RECEIVED AND ASSIGNED to Finance and Audits Committee.

**030635 [Legislative Analyst Request]
Supervisor Hall**

Motion requesting the Legislative Analyst to compare and contrast the laws, regulations, and policies of Seattle and New York City for "facilitating" mass protests.

4/15/03, ASSIGNED to Board of Supervisors. Scheduled for Board consideration April 22, 2003.

PROPOSED ORDINANCE

030539 [Settlement of Lawsuit]

Ordinance authorizing settlement of the lawsuit filed by Alison Duthie and other plaintiffs against the City and County of San Francisco and other defendants for \$175,000; the lawsuit was filed on February 15, 2000 in United States District Court, Case No. C00-0539 (MEJ); entitled Alison Duthie, et al., v. City and County of San Francisco, et al. (City Attorney)

(Public Benefit Recipient.)

4/4/03, RECEIVED AND ASSIGNED to Rules Committee.

030541 [Abolishing a portion of official sidewalk - Lyon Street south of Bay Street]

Ordinance amending Ordinance No. 1061 entitled "Regulating the Width of Sidewalks" by adding thereto Section No. 1559 to abolish a portion of official sidewalk on the westerly side of Lyon Street south of Bay Street; making findings pursuant to the General Plan and Planning Code Section 101.1; and requiring relocation, modification, or both of facilities affected by the sidewalk abolishment. (Public Works Department)

(No Public Benefit Recipient.)

4/4/03, RECEIVED AND ASSIGNED to City Services Committee.

PROPOSED RESOLUTIONS

**030534 [Used Oil Recycling Block Grant, 9th Cycle, Fiscal Year 2003/2004]
Supervisors Dufty, Newsom**

Resolution authorizing the Department of the Environment to accept and expend a grant in the amount of \$244,619.00 from the California Integrated Waste Management Board for the purpose of increasing Used Motor Oil Recycling and Household Hazardous Waste Management. (Environment)

(Public Benefit Recipient.)

4/1/03, RECEIVED AND ASSIGNED to City Services Committee. Timeline request from Department: Resolution must be submitted to the California Integrated Waste Management Board by May 16th, 2003 to secure grant funds.

**030535 [State Grant for Enforcing Proper Disposal of Waste Tires]
Supervisor Dufty**

Resolution authorizing the Department of the Environment to apply for, accept and expend a grant in the amount of \$189,938 from the California Integrated Waste Management Board for enforcing proper disposal of waste tires. (Environment)

(No Public Benefit Recipient.)

4/1/03, RECEIVED AND ASSIGNED to City Services Committee.

Supervisor Dufty requested to be added as sponsor.

030536 [Amendment to Real Property Lease]

Resolution authorizing a second amendment to an existing lease of office space at 1212 Market Street, also known as 11 Grove Street, for the Department of the Environment. (Real Estate Department)

(Public Benefit Recipient; District 6.)

4/2/03, RECEIVED AND ASSIGNED to Finance and Audits Committee.

**030537 [Research on club-drugs and HIV risk behavior in high-risk men]
Supervisors Dufty, Newsom**

Resolution authorizing the San Francisco Department of Public Health, AIDS Office (SFDPHAIDS) to accept retroactively and expend a grant in the amount of \$159,973 from the National Institute on Drug Abuse (NIDA) for research on club-drugs and HIV risk behavior in high-risk men and to enter into an agreement for the use of these funds; for the period of March 1, 2003 to February 29, 2004. (Public Health Department)

(No Public Benefit Recipient.)

4/3/03, RECEIVED AND ASSIGNED to City Services Committee.

Supervisor Dufty requested to be added as sponsor.

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

030540 [Airport Concession Lease]

Resolution approving the Terminal 3 Specialty Retail Store Lease between Brookstone Company, Inc., and the City and County of San Francisco, acting by and through its Airport Commission. (Airport Commission)

(Public Benefit Recipient.)

4/4/03, RECEIVED AND ASSIGNED to Finance and Audits Committee.

030546 [STOP Intersections]

Resolution designating certain intersections as "STOP" intersections.

STOP SIGNS - ESTABLISH

Lane Street and McKinnon Avenue, stopping westbound McKinnon Avenue at Lane Street;

Green and Taylor Streets, stopping both Green and Taylor Streets, making this uncontrolled T-intersection an all-way STOP;

20th Avenue and Kirkham Street, stopping Kirkham Street, making this intersection an all-way STOP;

Jennings Street and Thomas Avenue, stopping Jennings Street, making this intersection an all-way STOP;

Olmstead and Girard Streets, stopping Olmstead Street at Girard Street, making this intersection into an all-way STOP;

Rutland Street and Raymond Avenue, stopping Rutland Street at Raymond Avenue, making this intersection an all-way STOP;

Newhall Street and La Salle Avenue, stopping Newhall Street at La Salle Avenue; and

McKinnon Avenue and Newhall Street, stopping McKinnon Avenue at Newhall Street.

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. (Parking and Traffic Department)

(4/1/03: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order NO. 2597; No Public Benefit Recipient.)

4/4/03, RECEIVED AND ASSIGNED to Land Use Committee.

030547 [Traffic Regulations on Various Streets]

Resolution enacting and rescinding traffic regulations on various streets.

NO RIGHT TURN ON RED - ESTABLISH
Dwight Street, eastbound, at San Bruno Avenue.

NO RIGHT TURN ON RED - ESTABLISH
Beach Blanket Babylon Boulevard (Green Street), eastbound, at Columbus Avenue.

NO LEFT TURN AND NO U-TURN - RESCIND
The Embarcadero, southbound, at Washington Street.

NO U-TURN - RESCIND
The Embarcadero, northbound, at Broadway.

NO LEFT TURN - ESTABLISH
Fulton Street, eastbound, at 43rd Avenue.

NO RIGHT TURN ON RED FROM 7 AM TO 8 PM - ESTABLISH
Geary Expressway and Laguna Street, all approaches.

NO LEFT TURN, 7:00 AM TO 9:00 AM AND 4:00 TO 6:00 PM, EXCEPT SATURDAY AND SUNDAY -
RESCIND

NO LEFT TURN - ESTABLISH
Judah Street, both directions, at 14th Avenue. (Parking and Traffic Department)

(4/1/03: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 2597; No Public Benefit Recipient.)

4/4/03, RECEIVED AND ASSIGNED to Land Use Committee.

030548 [Parking Regulations]

Resolution enacting and rescinding parking regulations at various locations.

RESIDENTIAL PERMIT PARKING AREA "S" (2-HOUR TIME LIMIT, 8 AM - 9 PM,
MONDAY THROUGH FRIDAY) - ESTABLISH

Church Street east side, between 21st and 22nd Streets (900 block); and
Church Street, west side, between 21st and Hill Streets (900 block).

NOTE: The 900 block of Church Street will be legislated to be signed as an Area "S" and Area "Z" buffer zone. The residents of Church Street will receive only Area "S" permits, but the signs on the block will eventually allow both Area "S" and "Z" permit holders to park. The signs will initially allow only "S" parking, but will be changed as the Area "Z" boundary expands and merges with Area "S".

TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH

19th Avenue, east side, from Junipero Serra Boulevard to 68 feet southerly.

TOW-AWAY, NO PARKING ANYTIME - ESTABLISH

Northern end of 20th Avenue, north of Lake Street, from west curb to 20 feet easterly.

PERPENDICULAR (90-DEGREE ANGLE) PARKING - ESTABLISH

Dorman Avenue, both sides, between Barneveld and Palou Avenues.

PERPENDICULAR (90-DEGREE ANGLE) PARKING - ESTABLISH

Palou Avenue, both sides, between Barneveld Avenue and Industrial Street.

TOW-AWAY, NO PARKING ANYTIME - RESCIND

Blake Street, west side, from its terminus north of Geary Boulevard to 30 feet southerly.

TOW-AWAY, NO STOPPING ANYTIME - RESCIND

RESIDENTIAL PERMIT PARKING AREA "A" (2-HOUR TIME LIMIT, 8 AM - 7 PM, MONDAY
THROUGH FRIDAY) - ESTABLISH

Broadway North Service Road, south side, from 13 to 240 feet east of Hyde Street.

TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH

Broadway North Service Road, north side, from 0 to 240 feet east of Hyde Street. (Parking and Traffic
Department)

(4/1/03: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 2597; No Public Benefit Recipient.)

4/4/03, RECEIVED AND ASSIGNED to Land Use Committee.

030605 [Modification #9 to Lease and Use Agreement with US Airways, Inc. at Terminal 1 - SF International Airport]

Resolution approving and authorizing the execution of Modification # 9 to the Lease and Use Agreement L-82-0120 with US Airways, Inc., to reduce terminal space in Terminal 1 of San Francisco International Airport. (Airport Commission)

(Public Benefit Recipient.)

4/3/03, RECEIVED AND ASSIGNED to Finance and Audits Committee.

PROPOSED MOTIONS**030550 [Appointment, Entertainment Commission]**

Motion approving the Mayor's nomination for appointment of Audrey Joseph to the Entertainment Commission, term to be determined. (Mayor)

Section 4.117 of the City Charter provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days of the date the nomination is transmitted to the Clerk then the nominee shall be deemed approved.

Transmittal date - 4/1/03.

4/7/03, RECEIVED AND ASSIGNED to Rules Committee.

030551 [Appointment, Entertainment Commission]

Motion rejecting the Mayor's nomination for appointment of Audrey Joseph to the Entertainment Commission for the term to be determined. (Mayor)

Section 4.117 of the City Charter provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days of the date the nomination is transmitted to the Clerk then the nominee shall be deemed approved.

Transmittal date - 4/1/03.

4/7/03, RECEIVED AND ASSIGNED to Rules Committee.

030599 [Appointment, Entertainment Commission]

Motion approving the Mayor's nomination for appointment of Jordan Shlain to the Entertainment Commission, term to be determined. (Mayor)

Section 4.117 of the City Charter provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days of the date the nomination is transmitted to the Clerk then the nominee shall be deemed approved.

Transmittal date - 4/1/03.

4/7/03, RECEIVED AND ASSIGNED to Rules Committee.

030600 [Appointment, Entertainment Commission]

Motion rejecting the Mayor's nomination for appointment of Jordan Shlain to the Entertainment Commission for the term to be determined. (Mayor)

Section 4.117 of the City Charter provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days of the date the nomination is transmitted to the Clerk then the nominee shall be deemed approved.

Transmittal date - 4/1/03.

4/7/03, RECEIVED AND ASSIGNED to Rules Committee.

030601 [Appointment, Entertainment Commission]

Motion approving the Mayor's nomination for appointment of Bowman Leong to the Entertainment Commission, term to be determined. (Mayor)

Section 4.117 of the City Charter provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days of the date the nomination is transmitted to the Clerk then the nominee shall be deemed approved.

Transmittal date - 4/1/03.

4/7/03, RECEIVED AND ASSIGNED to Rules Committee.

030602 [Appointment, Entertainment Commission]

Motion rejecting the Mayor's nomination for appointment of Bowman Leong to the Entertainment Commission for the term to be determined. (Mayor)

Section 4.117 of the City Charter provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days of the date the nomination is transmitted to the Clerk then the nominee shall be deemed approved.

Transmittal date - 4/1/03.

4/7/03, RECEIVED AND ASSIGNED to Rules Committee.

030603 [Appointment, Entertainment Commission]

Motion approving the Mayor's nomination for appointment of Bruce G. Lorin to the Entertainment Commission, term to be determined. (Mayor)

Section 4.117 of the City Charter provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days of the date the nomination is transmitted to the Clerk then the nominee shall be deemed approved.

Transmittal date - 4/1/03.

4/7/03, RECEIVED AND ASSIGNED to Rules Committee.

030604 [Appointment, Entertainment Commission]

Motion rejecting the Mayor's nomination for appointment of Bruce G. Lorin to the Entertainment Commission for the term to be determined. (Mayor)

Section 4.117 of the City Charter provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days of the date the nomination is transmitted to the Clerk then the nominee shall be deemed approved.

Transmittal date - 4/1/03.

4/7/03, RECEIVED AND ASSIGNED to Rules Committee.

Requests Granted

Requests Granted

From: Supervisor Ammiano

To: Superintendent, SFUSD

Requesting/Inquiring: To identify school facilities that could be used to house non-profit programs to serve students this summer, if the City identifies funding, including costs of operating these school facilities during the summer.

From: Supervisor Ammiano

To: Director, Children, Youth and Their Families

Requesting/Inquiring: Requesting a budget update regarding increased revenues to the Children's Fund that could be targeted to fund summer school alternatives for target student populations.

From: Supervisor Ammiano

To: Director, Department of Recreation and Parks

Requesting/Inquiring: To provide an update regarding potential program cuts that will further limit recreational alternatives available to kids this summer.

From: Supervisor Daly

To: Controller

City Attorney

Requesting/Inquiring: To draft a supplemental appropriation ordinance to provide funding for the Public Education Special Fund in Fiscal Year 2002-2003.

From: Supervisor Maxwell

To: Department of Parking and Traffic

Requesting/Inquiring: To conduct a traffic study at the intersection of Father Sammon Way and Connecticut Street. Specifically, Supervisor Maxwell would like DPT to investigate the feasibility of installing four-way stop signs at this intersection. Seniors and children from the neighborhood heavily utilize this intersection. For the safety of our community, neighbors are asking for better traffic regulation in this area.

Supervisor Maxwell request that this report is provided to her office by May 30, 2003.

From: Supervisor Hall

To: City Attorney

Requesting/Inquiring: Please review the below proposal and determine if it is different from current law, whether or not its provisions are constitutional, and, finally, draft it into a form for introduction.

Be it ordained, by the people of the City and County of San Francisco, that anyone who knowingly and deliberately disrupts, blocks or impedes, in any manner, the normal flow of traffic or pedestrian access, by sitting upon, lying down, or congregating in large groups, on any Sidewalk, Street, or any other Public Roadway, within the City and County of San Francisco, shall be guilty of a misdemeanor. Conviction for any segment of this misdemeanor, as set forth in this initiative, shall be punishable by a mandatory fine of no less than Three Hundred Dollars (\$300) or more than Five Hundred Dollars (\$500), plus all relevant court costs. All arrests, without exception, made under this ordinance, shall carry a mandatory cash bail of no less than One Thousand Dollars (\$1000). No individual, upon arrest, may be released from custody, until and unless, they have provided authorities with valid identification. Any individual, who refuses to provide any Court, with valid identification, may be found to be in contempt.

In Memoriams

Eva Agatha Kelly (Supervisor Hall)
Mary Aquinas Whooley (Supervisor Hall)
Thomas J. Quilter (Supervisor Hall)

ADJOURNMENT

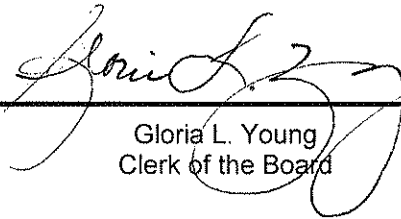
There being no further business, the Board at the hour of 5:20 p.m. adjourned.

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 May 20, 2003.

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

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