

# BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

## Meeting Minutes



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

Tuesday, January 13, 2004 2:00 PM

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### Regular Meeting

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

Gloria L. Young, Clerk of the Board

Agendas of the Board of Supervisors are available on the internet at [www.ci.sf.ca.us/bdsupvrs](http://www.ci.sf.ca.us/bdsupvrs)

### BOARD COMMITTEES

#### Committee Membership

#### Meeting Days

##### **Budget Committee**

Supervisors Daly, Maxwell, Peskin

Thursday  
1:00 PM

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

Supervisors Maxwell, Ammiano, Ma, Commissioners Cruz, Sanchez, Kelly

2nd Monday, bi-monthly  
4:00 PM

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

Supervisors Dufty, Ma, Newsom

9:30 AM, Thursday

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

Supervisors Peskin, Sandoval, McGoldrick

Wednesday  
12:30 PM

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

Supervisors McGoldrick, Maxwell, Ammiano

Monday  
1:00 PM

##### **Rules Committee**

Supervisors Hall, Dufty, Gonzalez

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, Aaron Peskin, Gerardo Sandoval.

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## ROLL CALL AND PLEDGE OF ALLEGIANCE

*The meeting was called to order at 2:04 p.m. On the call of the roll all Supervisors were noted present.*

*Quorum present.*

## APPROVAL OF MEETING MINUTES

Supervisor Dufty, seconded by Supervisor Sandoval, moved to approve November 25, 2003, December 9, 2003 and December 16, 2003 Meeting Minutes. The motion carried by the following vote:

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

## CONSENT AGENDA

### Recommendation of the City Services Committee

031242 [Participation in the Supportive Transitional Emancipation Program for foster youth]  
Supervisors Daly, Dufty, Ammiano

Ordinance adding Article III to Chapter 20 of the San Francisco Administrative Code to establish participation in the Supportive Transitional Emancipation Program (STEP), in which eligible foster youth may receive financial support while participating in an educational or training program, or any activity consistent with their transitional independent living plan up to 21 years of age pursuant to section 11403.1 of the Welfare and Institutions Code.

Ordinance No. 3-04

FINALLY PASSED

**Recommendations of the Finance and Audits Committee**

**031506** [Appropriate funding for the sale of school bond proceeds for capital improvement projects on various school facilities]

Mayor, Supervisor Sandoval

Ordinance appropriating \$29,480,000 of school bond proceeds for capital improvement projects on various school facilities, cost of issuance, and other related costs for the San Francisco Unified School District for fiscal year 2003-04.

(Fiscal impact.)

**Ordinance No.** 4-04

**FINALLY PASSED**

**031808** [Prevailing Wage Rates]

Resolution fixing prevailing wage rates for workers performing work under City contracts for public work and improvement; workers performing work under City contracts for janitorial services; and workers in public off-street parking lots, garages, or storage facilities for automobiles on property owned or leased by the City. (Civil Service Commission)

(No Public Benefit Recipient.)

**Resolution No.** 5-04

**ADOPTED**

**031845** [Accept-Expend Regional Grant]

Resolution authorizing the Airport Commission to accept and expend two (2) grants totaling \$248,000 from the Bay Area Air Quality Management District (Air District) for acquisition of clean air vehicles by Airport transportation operators. (Airport Commission)

(No Public Benefit Recipient.)

**Resolution No.** 6-04

**ADOPTED**

**031910** [Contracting out Janitorial Services]

Resolution concurring with the Controller's certification that janitorial services can be practically performed at the Permit Center at 1660 Mission Street and at 25 Van Ness Avenue by private contractor for lower cost than similar work services performed by City and County employees. (Real Estate Department)

(Public Benefit Recipient.)

**Resolution No.** 8-04

**ADOPTED**

**Recommendations of the Land Use Committee**

**031193 [Historic District Street Signs]**  
**Supervisor Peskin**

Ordinance adding Traffic Code Section 8 to require that the Department of Parking and Traffic provide information indicating the designated historic district on certain street signs located within a historic district.

**Ordinance No.** 2-04

**FINALLY PASSED**

**031957 [Mission Bay Owens Street at Park P1 Improvements]**

Ordinance designating a portion of State Trust Parcel 2 adjacent to Park P1 for public right-of-way purposes; approving a map showing such areas and declaring such areas to be open public right-of-way; naming the new right-of-way (Channel); designating street grades, sidewalk widths, and street parking restrictions; accepting the irrevocable offer for the acquisition facilities; designating said facilities to public use and accepting for maintenance responsibilities and liability purposes, subject to specified limitations; accepting an agreement relating to temporary City access, subject to specified limitations; adopting findings that such actions are consistent with the City's General Plan, eight priority policy findings of City Planning Code section 101.1, and the Mission Bay South Redevelopment Plan; accepting Department of Public Works Order No. 174,529 and authorizing official acts in connection with this ordinance. (Public Works Department)

(No Public Benefit Recipient.)

**Ordinance No.** 6-04

**FINALLY PASSED**

**031958 [Mission Bay Third Street/16th Street Utility Project]**

Ordinance recommending the recordation of the conditional irrevocable offer of portions of property adjacent to Third Street; accepting portions of the irrevocable offer for the joint trench acquisition facilities and rejecting the offer of the Pacific Gas & Electric facilities; dedicating said accepted acquisition facilities for right-of-way purposes; designating said accepted acquisition facilities for public use and designating said accepted acquisition facilities for maintenance purposes; accepting the Easement Agreement for public utility purposes; adopting findings that such actions are consistent with the City's General Plan, eight priority policy findings of City's Planning Code section 101.1, and the Mission Bay South Redevelopment Plan; accepting Department of Public Works Order No. 174,530; and authorizing official acts in connection with this ordinance. (Public Works Department)

(No Public Benefit Recipient.)

**Ordinance No.** 7-04

**FINALLY PASSED**

**Recommendation of the Rules Committee**

**032006 [Settlement of Charges]**

Resolution approving the settlement of California Department of Fair Employment and Housing and Equal Employment Opportunity Commission charges, filed by Ana Guevara on September 20, 2002, against the City and County of San Francisco alleging failure to reasonably accommodate and failure to engage in the interactive process under the disability laws. On September 17, 2003, Ana Guevara made a pre-litigation settlement demand to the City regarding her claims. (City Attorney)

**Resolution No.** 10-04

**ADOPTED**

The foregoing items were acted upon by the following vote:

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

## REGULAR AGENDA

## UNFINISHED BUSINESS

### From the Clerk

032053 [Adopting findings related to the determination that the appeal of 701 Lombard St. negative declaration was timely]

Motion adopting findings related to the determination that the appeal of the negative declaration issued on January 15, 2003 for 701 Lombard Street was timely filed. (Clerk of the Board)

(Companion measure to Files 031840, 031841, 031842, 031860, 031861, 031862, 031863.)

Motion No. M04-4

APPROVED by the following vote:

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

032054 [Adopting findings related to the appeal of the negative declaration issued by the Planning Department for the 701 Lombard Street project]

Motion adopting findings related to the appeal of the negative declaration issued by the Planning Department on January 15, 2003 for 701 Lombard Street project. (Clerk of the Board)

(Companion measure to Files 031840, 031841, 031842, 031860, 031861, 031862, 031863.)

Motion No. M04-5

APPROVED by the following vote:

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

### Recommendation of the City Services Committee

031929 [San Francisco Law Library Justice Center]  
Mayor, Supervisor Gonzalez

Resolution in support of the San Francisco Law Library Justice Center at 525 Golden Gate Avenue.

Resolution No. 9-04

ADOPTED by the following vote:

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

### Recommendation of the Land Use Committee

- 031792 [Residential rent ordinance: limit permissible rent increases under a landlord's Operating and Maintenance petitions to a total of 7% for any unit in any five-year period]  
Supervisors Peskin, Daly, Ammiano

Ordinance amending the Residential Rent Stabilization and Arbitration Ordinance (Administrative Code Chapter 37) by amending Section 37.8(b)(1) to limit permissible base rent increases based upon a landlord's Operating and Maintenance petitions pending or filed on or after October 28, 2003 for a property with six or more residential units, so that the same landlord may not impose more than a total seven percent (7%) rent increase for any unit in any five (5) year period due to increases in operating and maintenance costs.

**Ordinance No.** 5-04

**FINALLY PASSED** by the following vote:

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

### Recommendation of the Rules Committee

- 031534 [Appointment]  
Resolution appointing F.X. Crowley, term ending January 31, 2005, to the Golden Gate Bridge, Highway and Transportation District.

F.X. Crowley, succeeding Robert McDonnell, deceased, seat 2, represents public at large, subject to review and affirmation by the Board of Supervisors in January of each odd-numbered year, for the unexpired portion of a two-year term ending January 31, 2005.

Supervisor Dufty dissenting in committee.

*Supervisor Daly moved to refer this matter to Committee. Motion failed for lack of a second.*

*Supervisor Sandoval, seconded by Supervisor Ammiano, moved to amend by substituting the appointment of F.X. Crowley with the appointment of Sabrina Hernandez.*

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

Ayes: 6 - Ammiano, Dufty, Ma, Maxwell, McGoldrick, Sandoval  
Noes: 4 - Daly, Gonzalez, Hall, Peskin

Resolution appointing Sabrina Hernandez, term ending January 31, 2005, to the Golden Gate Bridge, Highway and Transportation District.

**Resolution No.** 4-04

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

Ayes: 7 - Ammiano, Dufty, Ma, Maxwell, McGoldrick, Peskin, Sandoval  
Noes: 3 - Daly, Gonzalez, Hall

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

**Resolution No.** 4-04

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

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

## NEW BUSINESS

### Recommendations of the Finance and Audits Committee

- 031871 [Appropriate Zygmunt Arendt Fund for the Purchase and Renovation of Property Located at 850 Broderick Street]  
Mayor, Supervisor Sandoval**

Ordinance appropriating \$3,800,000 of Zygmunt Arendt funding for building purchase and renovation of property located at 850 Broderick Street. Detail includes \$3,120,000 for purchasing and closing costs of the property and \$680,000 for renovation and maintenance for the Department of Human Services for Fiscal Year 2003-04.

(Fiscal impact.)

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

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

- 031887 [Agreement to Purchase 850 Broderick Street]  
Mayor, Supervisor Sandoval**

Resolution approving and authorizing an agreement for the purchase of real property located at 850 Broderick Street to house low-income people for a purchase price of \$3,100,000; adopting findings that the conveyance is exempt from Environmental Review and is consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; and authorizing the Director of Property to execute documents, making certain modifications and take certain actions in furtherance of this resolution.

(Fiscal impact; Companion measure to File 031871.)

**Resolution No. 7-04**

**ADOPTED by the following vote:**

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

### Recommendation of the Rules Committee

- 031989 [Transfer of City-Owned Property - Public Notice]  
Supervisors Dufty, Ma, Hall**

Ordinance amending the San Francisco Administrative Code by adding Section 23.7 to require public notice before the Board of Supervisors may approve the sale, transfer, or other conveyance of City-owned property.

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

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

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

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

*Recess*

*The Board recessed at the hour of 3:21 p.m.*

*Reconvening of the Board*

*The Board at the hour of 4:02 p.m. reconvened.*

*Calling the Roll*

*On call of the roll, the following Supervisors were noted present:*

*Supervisors Ammiano, Daly, Gonzalez, Hall, Ma, Maxwell, Peskin, Sandoval - 8*

*Quorum present.*

*Supervisor Dufty was noted present at 4:03 p.m.*

*Supervisor McGoldrick was noted present at 4:04 p.m.*

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

## **SPECIAL ORDER 4:00 P.M.**

**031551 [Eminent Domain - Resolution of Necessity - 701 Lombard Street]  
Supervisor Peskin**

Resolution authorizing acquisition of Lot 001 in Assessor's Block 0074 in San Francisco by Eminent Domain for the Neighborhood Park Bond and Open Space Programs, and adopting findings under City Planning Code Section 101.1.

*Continued to February 10, 2004*

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

**Ayes: 7 - Ammiano, Daly, Gonzalez, Maxwell, McGoldrick, Peskin, Sandoval**

**Noes: 3 - Dufty, Hall, Ma**



**SPECIAL ORDER 4:00 P.M.****031969 [Public Hearing - Appeal of Categorical Exemption - 899 North Point Street]**

Hearing of persons interested in or objecting to the decision of the Planning Department dated March 12, 2003, approving a Certificate of Determination of Exemption/Exclusion from Environmental Review for the proposed construction project located at 899 North Point Street, on Assessor's Block 0026, Lot 020. (Appellants: Roland Salvato and Malana Moberg, on behalf of The Aquatic Park Neighborhood Association and The Russian Hill Improvement Association.)

(Appeal filed December 4, 2003; companion measure to Files 031970, 031971, 031972.)

*Continued to January 27, 2004*

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

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

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

**(Only one of the following two motions should be adopted.)****031970 [Affirming the categorical exemption issued for 899 North Point Street]**

Motion affirming the determination by the Planning Department that the 899 North Point Street project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

*Continued to January 27, 2004*

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

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

**031971 [Disapproving the categorical exemption issued for 899 North Point Street]**

Motion disapproving the determination by the Planning Department that the 899 North Point Street project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

*Continued to January 27, 2004*

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

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

- 031972 [Preparation of findings related to the categorical exemption issued for 899 North Point Street]  
Motion directing the Clerk of the Board to prepare findings related to the appeal of the determination by the Planning Department that the 899 North Point Street project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

*Continued to January 27, 2004*

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

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

## ROLL CALL FOR INTRODUCTIONS

## PUBLIC COMMENT

*Abdullah Megaheed; homeless and general issues*

*Roger Meyers; audit of ISLP*

*Mr. Jones; homeless issues*

*Eduardo; muni issues involving environmental concerns*

*Steve Cockwell; Natural Areas Program 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.*

*Supervisor McGoldrick was noted absent at 3:15 p.m.*

- 040004 [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. M04-6

APPROVED

- 040038 [Final Map for a 12 Unit Mixed-Use Condominium Project]  
Motion approving Final Map of 49 Ocean Avenue, A Mixed-Use Condominium Project, being a subdivision of Lot 37 in Assessor's Block No. 6955, and adopting findings pursuant to Planning Code Section 101.1. (Public Works Department)

(DPW Order No. 174,585; District 11.)

Motion No. M04-7

APPROVED

The foregoing items were acted upon by the following vote:

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

## OFF-AGENDA LEGISLATION

### Introduced by Supervisors or Mayor

#### Ordinances

**040055 [Fees for regulation of mobile storage containers on the public right-of-way]  
Supervisor Peskin**

Ordinance amending Section 726 of the Public Works Code to adjust fees for regulation of placement of mobile storage containers on the public right-of-way.

1/13/04, RECEIVED AND ASSIGNED to City Services Committee.

**031770 [General Plan Amendments]**

Ordinance amending the Rincon Hill Area Plan of the San Francisco General Plan to make the Area Plan consistent with a new Residential/Commercial Subdistrict within the Area Plan, to amend objectives related to parking, tower separation and open space requirements, to encourage additional height within the district that would allow greater residential density, and to amend various maps within the Area Plan to reflect the new subdistrict and the new height and bulk controls and new midblock pedestrian passage way configuration, and to allow the replacement of parking currently used by Federal agencies that are located on a development site within the new subdistrict; adopting findings. (Planning Department)

(No Public Benefit Recipient.)

10/22/03, ASSIGNED UNDER 30 DAY RULE to Land Use Committee, expires on 12/4/2003,

1/13/04, CALLED FROM COMMITTEE. Pursuant to Rule 5.31, Supervisor Ma called this measure from the Land Use Committee for Board consideration January 27, 2004.

1/22/04 - Called Out of Committee Notice mailed to interested parties.

1/22/04 - Received correspondence from Sue Hestor, attorney for the Rincon Hill Residents Association, requesting to continue matter for two weeks or refer item back to committee. Copies sent to Planning Department. (See File Nos. 031770, 031771, 031772, 040072)

1/23/04 - Received correspondence from Sue Hestor, Attorney for Rincon Hill Residents Association challenging ability of the Board of Supervisors to consider General Plan Amendments File Nos. 031770. Copies sent to Planning Department. (See File Nos. 031770, 031771, 031772, 040072)

1/23/04 - Received correspondence from Tishman Speyer Properties. Copies were by distributed to each Board member by Tishman Speyer.

1/26/04 - Received correspondence from Supervisor Daly's office. Copies were distributed to each Board member. (See File Nos. 031770, 031771, 031772, 040072)

1/27/04 - Received correspondence from Tishman Speyer Properties. Copies were by distributed to each Board member by Tishman Speyer.

**031771 [Zoning Map Amendment]**

Ordinance amending the San Francisco Planning Code by amending the Zoning Map of the City and County of San Francisco to change the use classification, special use district classification and the height and bulk designation of the property zoned P (Public) and bounded by Spear Street, Harrison Street, Beale Street and Folsom Street (excepting the southern portion of Block 3746), and adopting findings. (Planning Department)

(No Public Benefit Recipient.)

10/22/03, ASSIGNED UNDER 30 DAY RULE to Land Use Committee, expires on 12/4/2003.

1/13/04, CALLED FROM COMMITTEE. Pursuant to Rule 5.31, Supervisor Ma called this measure from the Land Use Committee for Board consideration January 27, 2004.

1/22/04 - Called Out of Committee Notice mailed to interested parties.

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1/26/04 - Received correspondence from Supervisor Daly's office. Copies were distributed to each Board member. (See File Nos. 031770, 031771, 031772, 040072)

1/27/04 - Received correspondence from Tishman Speyer Properties. Copies were by distributed to each Board member by Tishman Speyer.

**031772 [Establishing a "Residential/Commercial Subdistrict" in the Rincon Hill area]**

Ordinance amending the San Francisco Planning Code by amending Section 249.1(a) to reference "Residential/Commercial Subdistrict," add Section 249.1(b)(8) to create the "Residential/Commercial Subdistrict" generally encompassing most of the property zoned P (Public) and bounded by Spear Street, Harrison Street, Beale Street, and Folsom Street (excepting the southern portion of Block 3746 and Lot 9 of Block 3745), and to add Section 249.1(e) to create special use, density, open space, parking, street frontage, site coverage, dwelling unit exposure, height, bulk standards, and tower separation standards, for the "Residential/Commercial Subdistrict"; adopting findings. (Planning Department)

(No Public Benefit Recipient.)

10/22/03, ASSIGNED UNDER 30 DAY RULE to Land Use Committee, expires on 12/4/2003.

1/13/04, CALLED FROM COMMITTEE. Pursuant to Rule 5.31, Supervisor Ma called this measure from the Land Use Committee for Board consideration January 27, 2004.

1/22/04 - Called Out of Committee Notice mailed to interested parties.

1/22/04 - Received correspondence from Sue Hestor, attorney for the Rincon Hill Residents Association, requesting to continue matter for two weeks or refer item back to committee. Copies sent to Planning Department. (See File Nos. 031770, 031771, 031772, 040072)

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1/26/04 - Received correspondence from Supervisor Daly's office. Copies were distributed to each Board member. (See File Nos. 031770, 031771, 031772, 040072)

1/27/04 - Received correspondence from Tishman Speyer Properties. Copies were by distributed to each Board member by Tishman Speyer.

**030677 [Requiring Slip Resistant Manhole, Vault, and Sub-sidewalk Basement Covers, Grilles, Grates, or Other Lids on the Public Sidewalk]  
Supervisor Peskin**

Ordinance adding Public Works Code Section 790 to require the installation of slip resistant manhole, vaults, and sub-sidewalk basement covers, grilles, grates, or other lids on the public sidewalk, to grant the Director of Public Works authority to enforce requirements, and to provide for administrative and civil penalties for violations.

(Fiscal impact.)

4/22/03, RECEIVED AND ASSIGNED to City Services Committee.

7/23/03, TRANSFERRED to Finance and Audits Committee. The Budget Analyst reports that this item has fiscal impact.

11/18/03, SUBSTITUTED. Supervisor Peskin submitted a substitute ordinance bearing new title.

11/18/03, ASSIGNED to Finance and Audits Committee.

1/13/04, SUBSTITUTED. Supervisor Peskin submitted a substitute ordinance bearing new title.

1/13/04, ASSIGNED to Finance and Audits Committee.

**031656 [Campaign Consultants Lobbying Current and Former Clients]  
Supervisor Daly**

Ordinance amending Article II, Chapter 1, Section 2.100, adding section 2.117 to Article II, Chapter 1, and adding section 1.545 to Article I, Chapter 5 of the Campaign and Governmental Conduct Code to prohibit campaign consultants and employees of campaign consultants from lobbying current and former clients.

9/30/02, RECEIVED AND ASSIGNED to Rules Committee.

10/21/03, SUBSTITUTED. Supervisor Newsom presented a substitute ordinance approved as to form, replacing a draft previously submitted.

10/21/03, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 11/20/2003.

10/29/03, REFERRED TO DEPARTMENT. Referred to Ethics Commission for Comment.

1/13/04, SUBSTITUTED. Supervisor Daly submitted a substitute ordinance bearing same title.

1/13/04, ASSIGNED to Rules Committee. Sponsor requests this item be scheduled for consideration at the January 28, 2004 meeting.

**031880 [Amending Fire Code to require self-contained breathing replenishment systems in high rise building]  
Supervisors Dufty, Daly**

Ordinance amending San Francisco Fire Code by adding Section 9001.1.4 to require self-contained breathing replenishment systems in high rise buildings where permits have been issued after June 30, 2004.

11/18/03, ASSIGNED UNDER 30 DAY RULE to Land Use Committee, expires on 12/18/2003.

1/13/04, SUBSTITUTED. Supervisor Dufty submitted a substitute ordinance bearing same title.

1/13/04, ASSIGNED to Land Use Committee.

## Resolutions

**040053 [Mortgage Revenue Bonds]**  
**Mayor**

Resolution declaring the intent of the City and County of San Francisco (the "City") to reimburse certain expenditures from proceeds of future bonded indebtedness; authorizing the Director of the Mayor's Office of Housing (the "Director") to submit an application and related documents to the California Debt Limit Allocations Committee ("CDLAC") to permit the issuance of qualified mortgage revenue bonds in an aggregate principal amount not to exceed \$5,000,000; authorizing and directing the Director to direct the Controller's Office to hold in trust an amount not to exceed \$25,000 in accordance with CDLAC procedures; authorizing the Director to certify to CDLAC that the City has on deposit the required amount; authorizing the Director to pay an amount equal to such deposit to the State of California if the City fails to issue the qualified mortgage revenue bonds; approving, for purposes of the Internal Revenue Code of 1986, as amended, the issuance and sale of mortgage revenue bonds by the City in an aggregate principal amount not to exceed \$5,000,000 for the Klimm Apartments multi-family residential rental housing development; authorizing and directing the execution of any documents necessary to implement this Resolution; and ratifying and approving any action heretofore taken in connection with the Project (as defined herein) and the Application (as defined herein).  
1/13/04, RECEIVED AND ASSIGNED to Finance and Audits Committee. Sponsor requests this item be scheduled for consideration at the January 28, 2004 meeting.

**040054 [Redevelopment of San Francisco Airport Plot 9]**  
**Supervisor McGoldrick**

Resolution urging San Francisco Airport Commission to undertake a comparative financial analysis of the costs and benefits of the Airport redeveloping Plot 9 using its own financing versus redevelopment by an outside developer under a Lease Disposition and Development Agreement and Lease of Plot 9; further urging the Commission to present its comparative financial analysis to the Finance Committee of the Board of Supervisors; and further urging the commission to undertake a new Request for Qualifications/Proposals process for redevelopment of Plot 9 that will assure City residents that the selection process truly serves the best financial interests of the Airport and of the City.  
1/13/04, RECEIVED AND ASSIGNED to Finance and Audits Committee.

**040056 [Cost sharing agreement to address Ocean Beach erosion issues]**  
**Mayor, Supervisors Ma, Hall**

Resolution approving a Fiscal Cost Sharing Agreement with the U.S. Army Corps of Engineers concerning the study and development of alternatives to protect the Great Highway and Ocean Beach from beach and bluff erosion and authorizing other official acts in connection with this Agreement.  
1/13/04, RECEIVED AND ASSIGNED to Finance and Audits Committee.

**040057 [State law change related to alcohol closing hours]**  
**Supervisor Peskin**

Resolution urging the California State Legislature to pass legislation to modernize laws related to alcohol closing hours.  
1/14/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING. 1/27/04 - Received response from the S.F. Youth Commission.

**040058 [Economic Opportunity Council]  
Supervisors Daly, Peskin**

Resolution urging the Economic Opportunity Council of San Francisco to immediately restore the supplemental nutrition distribution system sites to serve the needs of San Francisco seniors.

1/13/04, RECEIVED AND ASSIGNED to City Services Committee.

**040062 [Honoring the contributions of the LGBT Community to the History and Culture of San Francisco]  
Supervisors Ammiano, Dufty, Peskin, Sandoval**

Resolution honoring the contributions of the Lesbian, Gay, Bisexual and Transgender communities to the history and culture of San Francisco.

1/13/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**040063 [Renaming SBC Park playing grounds as "Mays Field"]  
Supervisors Daly, Gonzalez**

Resolution urging the San Francisco Giants Baseball Club and SBC Communications, Inc. to rename the team's playing grounds "Mays Field at SBC Park" in honor of America's greatest living ballplayer, Willie Mays.

1/13/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**040064 [AIDS Drug Assistance Program]  
Supervisors Daly, Ammiano, Dufty**

Resolution urging the Governor and Legislature to fully fund the California AIDS Drug Assistance Program (ADAP) and reject an enrollment cap.

1/13/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**040065 [Commending Martha Knutzen]  
Supervisors Dufty, Ammiano, Ma, Maxwell**

Resolution commending Martha Knutzen for distinguished public service on the San Francisco Human Rights Commission.

1/13/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**040066 [Commending the Organization of Chinese Americans]  
Supervisors Ma, Dufty, Peskin**

Resolution commending the Organization of Chinese Americans on their valuable contributions towards the issuance of a series of commemorative stamps based on the Chinese zodiac of the lunar New Year calendar.

1/13/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**040067 [Commending Robert Morey]  
Supervisor Maxwell**

Resolution commending Robert Morey for his dedication and exemplary service to the Visitacion Valley community and proclaiming January 24, 2004 as Robert Morey Day in San Francisco.  
1/13/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**040068 [Commending Community Works, Sheriff's Department and Visitacion Valley Middle School]  
Supervisor Maxwell**

Resolution commending Community Works, Sheriff Department and Visitacion Valley Middle School for the creation and implementation of The ROOTS program.  
1/13/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**040069 [Extension of Planning Commission Review Period]  
Supervisor Peskin**

Resolution extending for an additional 30 days the prescribed time within which the Planning Commission may render its decision on a proposed ordinance to amend the San Francisco Planning Code by adding Section 249.25 to create the Downtown Housing Demonstration Special Use District encompassing the property zoned Downtown Office District (C-3-0) at the corner of Market Street, Kearny Street and Geary Avenue (690 Market Street, Assessor's Block 0311, Lot 006).  
1/13/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**040070 [Accept-Expend State Grant]  
Supervisor Ma**

Resolution authorizing the Recreation and Park Department to accept and expend a Recreational Trails Program grant in the total amount of \$220,000 from the State of California Parks and Recreation Department under the Transportation Equity Act for the 21st Century for the Pine Lake Trail Improvement Project.  
1/13/04, RECEIVED AND ASSIGNED to City Services Committee.

**Request for Hearings**

**040059 [Pedestrian safety in the Excelsior area]  
Supervisor Sandoval**

Hearing to address pedestrian safety in the Excelsior area. The Police Department, Department of Parking and Traffic, MUNI, Department of Public Works and other City departments, in addition to neighborhood organizations, will be invited to outline their response to pedestrian safety issues plaguing this area and to make recommendations to the Board of Supervisors as to what actions the Board can take to support and augment their efforts.  
1/13/04, RECEIVED AND ASSIGNED to City Services Committee.



**040060 [Blackout in San Francisco]  
Supervisors Daly, Dufty**

Hearing to consider the blackout in San Francisco, particularly its impacts in District 6 and District 8.  
1/13/04, RECEIVED AND ASSIGNED to City Services Committee.

**040061 [DPT Management and Accounting Controls]  
Supervisor Ma**

Hearing to review the Department of Parking and Traffic's management and accounting controls over the City's parking ticket division, including but not limited to, the procedures in place to avoid ticket fixing.  
1/13/04, RECEIVED AND ASSIGNED to Finance and Audits Committee.

**Motion**

**040071 [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.  
1/13/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**PROPOSED ORDINANCES**

**032052 [Use of ramped taxi medallion in a spare taxicab sedan when ramped taxi is out of service]**  
Ordinance adding Section 1148.6 of the Police Code to provide that the Taxi Commission may adopt a policy that allows ramped taxi permits to be used to operate spare regular taxicabs when the ramped taxi is out of service for necessary repairs or must be replaced due to breakdown of or damage to the vehicle, provided that the policy meets certain conditions. (Taxi Commission)

(No Public Benefit Recipient.  
12/29/03, RECEIVED AND ASSIGNED to Land Use Committee.

**PROPOSED RESOLUTIONS**

**040036 [Settlement of Claim - North Coast County Water District]**  
Resolution approving the settlement of the unlitigated claim filed by North Coast County Water District against San Francisco for \$86,247.48; claim was filed on August 29, 2003.  
1/5/04, RECEIVED AND ASSIGNED to Rules Committee.

**040037 [Lease of Real Property - 1145 Market Street]**  
Resolution authorizing the lease of 30,790 sq. ft. of office space in the building located at 1145 Market Street, San Francisco for the City and County of San Francisco Public Utilities Commission. (Real Estate Department)  
1/5/04, RECEIVED AND ASSIGNED to Finance and Audits Committee.

**Requests Granted**

*From: Supervisor McGoldrick*

*To: City Attorney*

*Requesting/Inquiring: To draft legislation establishing a fee structure for manufacturers of parking tax revenue control equipment, owners of property used for parking, and operators of parking lots/garages.*

**In Memoriams**

*Ilse Thielor Solbach (Supervisors Daly, Peskin)*

*Edna Toshiko Shiota (Supervisor Dufty)*

*Jess Collins (Supervisor Gonzalez)*

## ADJOURNMENT

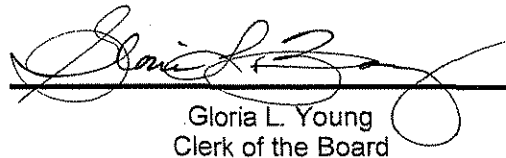
*There being no further business, the Board at the hour of 4:15 p.m. adjourned.*

*Gloria L. Young, Clerk*

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

*Approved by the Board of Supervisors on February 3, 2004.*

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

  
Gloria L. Young  
Clerk of the Board