

# 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, July 13, 2004 2:00 PM

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

### Regular Meeting

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

### BOARD COMMITTEES

#### Committee Membership

##### **Budget Committee**

Supervisors Sandoval, Daly, McGoldrick

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

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

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

Supervisors Dufty, Ma, Hall

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

Supervisors Daly, Peskin, Ammiano

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

Supervisors McGoldrick, Peskin, Maxwell

##### **Rules Committee**

Supervisors Maxwell, Alioto-Pier, Gonzalez

#### Meeting Days

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

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

Thursday  
9:30 AM

Wednesday  
1:00 PM

Monday  
1:00 PM

Wednesday  
10:00 AM

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

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

---

## ROLL CALL AND PLEDGE OF ALLEGIANCE

*The meeting was called to order at 2:08 p.m. On the call of the roll Supervisor Ammiano was noted absent.*

*Quorum present.*

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

## APPROVAL OF MEETING MINUTES

Supervisor Peskin, seconded by Supervisor Maxwell, moved to approve May 25, 2004, June 8, 2004 and June 15, 2004 Meeting Minutes. The motion carried by the following vote:

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

Absent: 1 - Ammiano

## COMMUNICATIONS

## CONSENT AGENDA

### Recommendations of the Finance and Audits Committee

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

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

Resolution No. 423-04

**ADOPTED**

- 040708 [Contracting out Services - Interim Emergency Towing, Storage and Disposal of Abandoned and Illegally parked Vehicles]**  
Resolution concurring with Controller's certification that it is more economical to contract for an Interim Emergency Service Agreement for Towing, Storage and Disposal of Abandoned and Illegally parked Vehicles than to provide the same services with City and County Employees. (Parking and Traffic Department)
- Resolution No. 425-04**  
**ADOPTED**
- 040663 [Contracting out Parking Meter Management System]**  
Resolution concurring with Controller's certification that parking meter management services, including collection and coin counting can be practically performed by a private contractor at a lower cost than by City and County employees. (Parking and Traffic Department)
- Resolution No. 424-04**  
**ADOPTED**
- 040821 [2005 Finance Corporation Equipment Program]**  
**Mayor**
- Resolution approving the form of and authorizing execution and delivery by the City and County of San Francisco of an equipment lease Supplement No. 12 (Series 2005A Bonds) between the City and the County of San Francisco Finance Corporation, as lessor, and the City and County of San Francisco, as lessee, with respect to the equipment to be used for city purposes, a related certificate of approval and a continuing disclosure certificate; approving the issuance of lease revenue bonds by said nonprofit corporation in an amount not to exceed \$11,500,000; approving the form of the official statement in preliminary and final form; providing for reimbursement to the City and County of San Francisco of certain city expenditures incurred prior to the issuance of lease revenue bonds; and providing for the execution of documents in connection therewith.
- Resolution No. 428-04**  
**ADOPTED**
- 040827 [Amendment to Paratransit Broker Agreement]**  
**Mayor**
- Resolution approving Amendment No. 3A to Agreement between the City and County of San Francisco and ATC/Vancom, Inc., to increase the contract amount by \$15,308,656 for a total contract amount not to exceed \$92,641,933, in order to meet the increased demand and costs for paratransit service during the term of the Agreement.
- (Fiscal impact.)
- Resolution No. 430-04**  
**ADOPTED**
- 040749 [Mayor's Fund for the Homeless]**  
Ordinance amending San Francisco Administrative Code section 10.100-106 to transfer administration of the Mayor's Fund for the Homeless to the director of the Department of Public Health. (Mayor)
- Ordinance No. 162-04**  
**FINALLY PASSED**

**040756 [Permitting the City to offer services to governmental entities that it offers to private parties and to offer services to utilities]**

Ordinance amending Administrative Code Chapter 10B to add Section 10B.21 to permit the City to offer services to governmental entities that it offers to private parties and to offer services to utilities. (Mayor)

**Ordinance No.** 164-04

**FINALLY PASSED**

**040762 [Salary and Wage Deductions]**

Ordinance amending the San Francisco Administrative Code, Chapter 16, Article V by amending Section 16.93 to allow deductions and collections to be made for San Francisco City Services Preservation Fund. (Mayor)

**Ordinance No.** 165-04

**FINALLY PASSED**

**040871 [Appropriate funding for San Francisco General and Laguna Honda Hospital operations]**

Mayor

Ordinance appropriating \$11,155,000 in surplus revenues for salaries, fringe benefits, contractual services, materials and supplies, and services of other departments at San Francisco General Hospital and \$1,152,000 in surplus revenues for services of other departments for Laguna Honda Hospital for a total of \$12,307,000 for the Public Health Department for fiscal year 2003-04.

**Ordinance No.** 166-04

**FINALLY PASSED**

**040873 [Appropriate funding for the Port of San Francisco to certify the construction phase of the design/build contract for the intermodal bridge, also known as the Illinois Street Bridge]**

Mayor

Ordinance appropriating \$9,998,139 to fund the certification of the construction phase of a design/build contract awarded to Shimmick Construction Company to build an intermodal bridge along Illinois Street over Islais Creek (also known as The Illinois Street Bridge). Total funding sources include \$3,581,080 from the Port of San Francisco's unappropriated fund balance, \$4,300,000 in contributions from Catellus Corporation and \$2,117,059 from environmental impact mitigation fees.

(Fiscal impact.)

**Ordinance No.** 168-04

**FINALLY PASSED**

**Recommendations of the Rules Committee****040664 [Settlement of Lawsuit - Joyce Vanman]**

Ordinance authorizing settlement of the lawsuit filed by Joyce Vanman against the City and County of San Francisco for \$175,000; the lawsuit was filed on February 8, 2001 in San Francisco Superior Court, Case No. 318-756; entitled Joyce Vanman v. City and County of San Francisco. (City Attorney)

**Ordinance No.** 157-04

**FINALLY PASSED**

**040665 [Settlement of Lawsuit - Jerry Cheng and Le Quan Phung]**

Ordinance authorizing settlement of the lawsuit filed by Jerry Cheng and Le Quan Phung against the City and County of San Francisco for \$29,000; the lawsuit was filed on March 24, 2003 in San Francisco Superior Court, Case No. 418-620; entitled Jerry Cheng and Le Quan Phung, et al., v. City and County of San Francisco, et al; other material terms of said settlement are each party to bear their own fees and expenses. (City Attorney)

**Ordinance No.** 193-04

**FINALLY PASSED**

**040697 [Settlement of Lawsuit - Caleb Mather]**

Ordinance authorizing settlement of the lawsuit filed by Caleb Mather against the City and County of San Francisco for \$45,000; the lawsuit was filed on July 10, 2002 in San Francisco Superior Court, Case No. 410-262; entitled Caleb Mather, et al., v. City and County of San Francisco, et al. (City Attorney)

**Ordinance No.** 192-04

**FINALLY PASSED**

The foregoing items were acted upon by the following vote:

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

**REGULAR AGENDA****UNFINISHED BUSINESS****Recommendation of the Budget Committee****040750 [Setting fees for certain services provided by the Medical Examiner and increasing fees for other services]**

Ordinance amending San Francisco Administrative Code Section 8.14, by raising the fee for removal of remains and adding fees for direct cremation of remains; preparing of toxicology specimen for shipment for retest by private lab; and specimen storage; and making environmental findings. (Mayor)

**Ordinance No.** 163-04

**FINALLY PASSED** by the following vote:

Ayes: 7 - Alioto-Pier, Dufty, Ma, Maxwell, McGoldrick, Peskin, Sandoval

Noes: 4 - Ammiano, Daly, Gonzalez, Hall

**Recommendation of the Finance and Audits Committee**

**040872 [Appropriate funding for the over expenditure in Trial Courts, District Attorney, Fire, and Sheriff]  
Mayor**

Ordinance appropriating \$500,000 from the Un-appropriated Revenue to fund over expenditure in legal expenses pertaining to the indigent defense program at Trial Courts; appropriating \$552,089 from departmental revenues to fund over expenditure in District Attorney work order for Police Overtime; appropriating \$3,149,000 from departmental revenues and recoveries to fund over expenditure in Fire salaries; and releasing \$3,250,000 from reserve and appropriating to Sheriff debt service and re-appropriating departmental general fund to pay for over expenditures in salaries for fiscal year 2003-04.

**Ordinance No.** 167-04

**FINALLY PASSED by the following vote:**

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

**Recommendations of the Rules Committee****040709 [Dismissal of Lawsuit - Scott Co. of California, et al.]**

Ordinance authorizing dismissal of the lawsuit filed by the City and County of San Francisco against Scott Co. of California, Al Norman Plumbing Company, Inc., Scott-Norman Mechanical, Inc., Richard W. Davis, Joseph A. Guglielmo, Alvin P. Norman, Jaqueline Norman and Robert T. Nurisso; the lawsuit was filed on September 23, 1999 in San Francisco Superior Court, Case No. 306-623; entitled City and County of San Francisco, et al., v. Scott Co. of California, et al. (City Attorney)

**Ordinance No.** 161-04

**FINALLY PASSED by the following vote:**

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

**040648 [Charter Amendment - Establishing Rent Board in Charter, Mayor appoints three members and Board of Supervisors appoints four, renter and non-renter seats allocated per census data percentages of each]  
Supervisor Daly**

Charter amendment (First Draft) by adding Section 4.135 to establish the Residential Rent Stabilization and Arbitration Board in the Charter, to increase its membership from five to seven members, to provide that the Mayor will appoint three members and the Board of Supervisors will appoint four members, and to allocate the seven seats among renters and non-renters according to the percentages of renter occupied housing units and owner occupied housing units in San Francisco as reported in the ten-year federal census.

**NOT ORDERED SUBMITTED by the following vote:**

Ayes: 3 - Ammiano, Daly, Gonzalez  
Noes: 8 - Alioto-Pier, Dufty, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval

*Supervisor Daly, seconded by Supervisor Ammiano, moved to rescind the previous vote.*

*Motion to rescind the previous vote carried by the followed vote:*

*Ayes: 6 - Ammiano, Daly, Gonzalez, Maxwell, McGoldrick, Peskin*

*Noes: 4 - Alioto-Pier, Dufty, Ma, Sandoval*

*Absent: 1 - Hall*

*Supervisor Daly, seconded by Supervisor Ammiano, moved an amendment of the whole.*

*Amendment of the whole failed by following vote:*

*Ayes: 4 - Ammiano, Daly, Gonzalez, Sandoval*

*Noes: 6 - Alioto-Pier, Dufty, Hall, Ma, Maxwell, Peskin*

*Absent: 1- McGoldrick*

**NOT ORDERED SUBMITTED by the following vote:**

Ayes: 3 - Ammiano, Daly, Gonzalez

Noes: 8 - Alioto-Pier, Dufty, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval

## NEW BUSINESS

### Recommendations of the Budget Committee

#### 040781 [Annual Budget, Fiscal Year 2004-05]

Supervisor Sandoval

Motion approving Annual Budget for the City and County of San Francisco for Fiscal Year 2004-2005.

Supervisor Daly dissented in Committee.

(Charter Section 9.100 provides the Board shall not adopt the Budget earlier than July 15, 2004 nor later than August 1, 2004.)

*Continued to July 20, 2004*

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

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

#### 040725 [Government Funding for Fiscal Year 2004-2005]

Annual Appropriation Ordinance appropriating all estimated receipts and all estimated expenditures for the City and County of San Francisco for fiscal year ending June 30, 2005. (Mayor)

(Fiscal impact.)

Supervisor Daly dissented in Committee.

(Charter Section 9.100 provides the Board shall not adopt the Budget earlier than July 15, 2004 nor later than August 1, 2004.)

*Continued to July 20, 2004*

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

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

**040726 [Public Employment, Fiscal Year 2004-2005]**

Annual Salary Ordinance enumerating positions in the Annual Budget and Appropriation Ordinance for the Fiscal Year ending June 30, 2005, continuing, creating or establishing these positions; enumerating and including therein all positions created by Charter or State law for which compensations are paid from City and County funds and appropriated in the Annual Appropriation Ordinance; authorizing appointments or continuation of appointments thereto; specifying and fixing the compensations and work schedules thereof; and authorizing appointments to temporary positions and fixing compensations therefor. (Mayor)

Supervisor Daly dissented in Committee.

(Charter Section 9.100 provides the Board shall not adopt the Budget earlier than July 15, 2004 nor later than August 1, 2004.)

*Continued to July 20, 2004*

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

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

**040784 [Treasure Island Development Authority Budget]**

Mayor

Resolution approving the budget of the Treasure Island Development Authority for Fiscal Year 2004-2005 and authorizing the Treasure Island Development Authority to enter into an Agency Agreement with the San Francisco Redevelopment Agency for the provision of employee services.

(Fiscal impact.)

**Resolution No.** 416-04

**ADOPTED** by the following vote:

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

**040728 [Redevelopment Agency Budget and Bonds, Fiscal Year 2004-2005]**

Resolution approving the Budget of the Redevelopment Agency of the City and County of San Francisco for fiscal year 2004-2005; and approving the Issuance by the Agency of Bonds in an aggregate principal amount not to exceed \$68,000,000 for the purpose of financing redevelopment activities in fiscal year 2004-2005.

(Mayor)

(Fiscal impact.)

**Resolution No.** 418-04

**ADOPTED** by the following vote:

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

**040730 [Establishing Arts Commission Civic Design Review Fees]**

Ordinance amending the San Francisco Administrative Code by adding a new section 3.19A establishing administrative fees for Arts Commission civic design review and making environmental findings. (Mayor)

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

Ayes: 8 - Alioto-Pier, Ammiano, Dufty, Ma, Maxwell, McGoldrick, Peskin, Sandoval

Noes: 3 - Daly, Gonzalez, Hall



**040732 [Chlorofluorocarbon Recovery and Recycling Fees]**

Ordinance amending Sections 1406 and 1412 of San Francisco Health Code Article 24 to change the term of a permit for Chlorofluorocarbon Recovery and Recycling operations from two years to one year; to increase fees for permitting and inspections by the Department of Public Health; and to provide for subsequent fee adjustments to ensure that such fees cover program costs; and making environmental findings. (Mayor)

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

Ayes: 8 - Alioto-Pier, Ammiano, Dufty, Ma, Maxwell, McGoldrick, Peskin, Sandoval  
Noes: 3 - Daly, Gonzalez, Hall

**040733 [Hazardous Waste Management Fees]**

Ordinance amending Section 1204 of San Francisco Health Code Article 22 to increase fees for hazardous waste generators and inspections by the Department of Public Health and to provide for subsequent fee adjustments to ensure that such fees cover program costs; and making environmental findings. (Mayor)

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

Ayes: 8 - Alioto-Pier, Ammiano, Dufty, Ma, Maxwell, McGoldrick, Peskin, Sandoval  
Noes: 3 - Daly, Gonzalez, Hall

**040734 [Medical Waste Generator Registration, Permitting, Inspections Fees]**

Ordinance amending Sections 1504 through 1509, 1513, and 1514 and adding 1515 to San Francisco Health Code Article 25 to increase registration and permit fees for persons who generate, store, haul and treat medical waste and for inspections by the Department of Public Health; and to provide for subsequent fee adjustments to ensure that such fees cover program costs; and making environmental findings. (Mayor)

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

Ayes: 8 - Alioto-Pier, Ammiano, Dufty, Ma, Maxwell, McGoldrick, Peskin, Sandoval  
Noes: 3 - Daly, Gonzalez, Hall

**040735 [Risk Management Program Fees]**

Ordinance amending Section 1191 of San Francisco Health Code Article 21A to increase fees for Risk Management Plans and inspections of stationary sources by the Department of Public Health and to provide for subsequent fee adjustments to ensure that such fees cover program costs; and making environmental findings. (Mayor)

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

Ayes: 8 - Alioto-Pier, Ammiano, Dufty, Ma, Maxwell, McGoldrick, Peskin, Sandoval  
Noes: 3 - Daly, Gonzalez, Hall

**040736 [Reducing the number of false fire alarms before the City charges a response fee, and reducing the number of false fire alarms before the City increases the response fee]**

Ordinance amending Section 106.4 of the San Francisco Fire Code to reduce from five to two the number of false fire alarms allowed before the City assesses a response fee, and reducing from ten to five the number of false alarms before the response fee increases from \$250 to \$500. (Mayor)

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

Ayes: 8 - Alioto-Pier, Ammiano, Dufty, Ma, Maxwell, McGoldrick, Peskin, Sandoval  
Noes: 3 - Daly, Gonzalez, Hall

- 040738 [Amending the San Francisco Fire Code to Increase Fees for Service]**  
Ordinance amending Section 106.8 and Table 106-B of the San Francisco Fire Code to adjust fees for Fire Department Services. (Mayor)
- PASSED ON FIRST READING by the following vote:**  
Ayes: 8 - Alioto-Pier, Ammiano, Dufty, Ma, Maxwell, McGoldrick, Peskin, Sandoval  
Noes: 3 - Daly, Gonzalez, Hall
- 040739 [Revising Annual Fire Department Permit Fees]**  
Ordinance amending Sections 90, 93, 93.1, 94, 236, 237, 238, 239, 240, 241, 242, 242.1, 243, 244, 245, 246, 247 of the Business and Tax Regulations Code to increase certain annual licensing fees for permits from the Fire Department such that all annual licensing fees for permits from the Fire Department are set at \$240 per year, to become operative on January 1, 2005. (Mayor)
- PASSED ON FIRST READING by the following vote:**  
Ayes: 8 - Alioto-Pier, Ammiano, Dufty, Ma, Maxwell, McGoldrick, Peskin, Sandoval  
Noes: 3 - Daly, Gonzalez, Hall
- 040743 [Setting parking fees for City parking facilities]**  
Ordinance amending the San Francisco Administrative Code, by adding Section 4.24 to set a parking fee for City facilities, and making environmental findings. (Mayor)
- PASSED ON FIRST READING by the following vote:**  
Ayes: 8 - Alioto-Pier, Ammiano, Dufty, Ma, Maxwell, McGoldrick, Peskin, Sandoval  
Noes: 3 - Daly, Gonzalez, Hall
- 040747 [Hazardous Materials Fees]**  
Ordinance amending Section 1176 of San Francisco Health Code Article 21 to increase fees for hazardous materials registration, storage, handling and inspections by the Department of Public Health; to add new fees for oversight of voluntary cleanups; and to provide for subsequent fee adjustments to ensure that such fees cover program costs; and making environmental findings. (Mayor)
- PASSED ON FIRST READING by the following vote:**  
Ayes: 8 - Alioto-Pier, Ammiano, Dufty, Ma, Maxwell, McGoldrick, Peskin, Sandoval  
Noes: 3 - Daly, Gonzalez, Hall
- 040748 [Patient Rates]**  
Ordinance amending Section 128 of the San Francisco Health Code to set patient rates and charges for other services provided by the Department of Public Health, effective July 1, 2004; and making environmental findings. (Mayor)
- PASSED ON FIRST READING by the following vote:**  
Ayes: 8 - Alioto-Pier, Ammiano, Dufty, Ma, Maxwell, McGoldrick, Peskin, Sandoval  
Noes: 3 - Daly, Gonzalez, Hall
- 040757 [Increasing the Emergency Response Fee imposed on telephone subscribers]**  
Ordinance amending Article 10A of the Business and Tax Regulations Code by amending Sections 753 and 755 to increase the per-line Emergency Response Fee imposed on telephone subscribers, as well as the maximum total fee that may be imposed on a subscriber, and making environmental findings. (Mayor)
- PASSED ON FIRST READING by the following vote:**  
Ayes: 8 - Alioto-Pier, Ammiano, Dufty, Ma, Maxwell, McGoldrick, Peskin, Sandoval  
Noes: 3 - Daly, Gonzalez, Hall

**040759 [Eliminating the Dept. of Consumer Assurance, Regulatory Compliance and Agricultural Standards, and transferring the office of County Agricultural Commissioner and Sealer of Weights and Measures to the Dept. of Public Health]**

Ordinance amending the San Francisco Administrative Code by amending the title of Article XIII, repealing section 2A.220 and amending sections 1.13-9, 1.15.1, 2A.221, 21.33 and 91.2, and amending the San Francisco Police Code by amending sections 674, 4903, 4904, 4905, 4908 and 4910, to eliminate the Department of Consumer Assurance, Regulatory Compliance and Agricultural Standards, give the Director of the Department of Public Health power to appoint the County Agricultural Commissioner-Sealer of Weights and Measures, and make conforming changes to the Equal Access to Services ordinance and ordinances governing agreements with the State for pest detection, the establishment of fees for testing weighing and measuring devices, the inspection of commodities supplied to the City by contractors, the regulation of tobacco advertising, and the requirement that parking stations have Revenue Control Equipment. (Mayor)

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

Ayes: 8 - Alioto-Pier, Ammiano, Dufty, Ma, Maxwell, McGoldrick, Peskin, Sandoval  
Noes: 3 - Daly, Gonzalez, Hall

**040765 [Making Environmental Findings and Approving Department of Consumer Assurance's schedule of fees for weighing and measuring devices]**

Resolution making environmental findings and approving a schedule of fees to be charged by the Department of Consumer Assurance for testing of weighing and measuring devices initiated by written request and for reinspecting, retesting and recertifying weighing and measuring devices found to be outside the tolerances of specifications set by the California Department of Food and Agriculture upon an initial inspection prescribed by California Business and Professions Code Section 12210(a). (Mayor)

**Resolution No.** 427-04

**ADOPTED by the following vote:**

Ayes: 8 - Alioto-Pier, Ammiano, Dufty, Ma, Maxwell, McGoldrick, Peskin, Sandoval  
Noes: 3 - Daly, Gonzalez, Hall

**040764 [Board of Appeals surcharge for certain permit renewals issued by the Police Department, the Entertainment Commission, and the Taxi Commission]**

Ordinance amending the San Francisco Administrative Code, by amending Section 10G.1, to apply the Board of Appeals surcharge to certain permits renewals issued by the Police Department, the Entertainment Commission, and the Taxi Commission under Police Code Sections 2.27 and 2.27.1, and making environmental findings. (Mayor)

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

Ayes: 8 - Alioto-Pier, Ammiano, Dufty, Ma, Maxwell, McGoldrick, Peskin, Sandoval  
Noes: 3 - Daly, Gonzalez, Hall

**040239 [Extending provisional appointments]**

Resolution approving extension to January 31, 2005 of provisional appointments of employees in classifications 1237 Training Coordinator, 1410 Chief Clerk, 1842 Management Assistant, 2998 Representative, Commission on Status of Women, 3280 Assistant Recreation Director, 3284 Recreation Director, 4321 Cashier 2, 5278 Planner 2, 5283 Planner 5, 5293 Planner 4, 5608 Senior Energy Specialist, 9343 Roofer, and H-30 Captain (Fire Department) and 60 promotive provisional appointments in classifications 0922 Manager I, 0923 Manager II, 0931 Manager III, 0932 Manager IV, 0933 Manager V, 0941 Manager VI, 0942 Manager VII, and 0943 Manager VIII. (Human Resources Department)

*Continued to July 20, 2004*

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

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

**040491 [Extending provisional appointments]**

Resolution approving extension to January 31, 2005 of 42 entrance provisional appointments in classifications 0922 Manager I, 0923 Manager II, 0931 Manager III, 0932 Manager IV, 0933 Manager V, 0941 Manager VI, and 0943 Manager VIII.

*Continued to July 20, 2004*

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

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

**040785 [Fiscal Emergency Proposition J Contract - Mainframe Support]  
Mayor**

Resolution concurring with the Mayor's determination of a fiscal emergency and with the Controller's certification that mainframe support can be practically performed by a private contractor at a lower cost than by City and County employees.

**Resolution No.** 444-04

**ADOPTED by the following vote:**

Ayes: 7 - Alioto-Pier, Dufty, Hall, Maxwell, McGoldrick, Peskin, Sandoval

Noes: 4 - Ammiano, Daly, Gonzalez, Ma

*Supervisor Daly, seconded by Supervisor Maxwell, moved to rescind the previous vote.*

*Motion to rescind the previous vote carried without objection.*

*Continued to July 20, 2004*

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

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

Noes: 4 - Alioto-Pier, Dufty, Hall, Ma

040767 [Making environmental findings and amending, effective July 1, 2004, Section 9A.7 of the San Francisco Administrative Code to increase Farmers' Market vendor fees for certified and non-certified producers]  
Ordinance making environmental findings and amending, effective July 1, 2004, Section 9A.7 of the San Francisco Administrative Code to increase Farmers' Market vendor fees for certified and non-certified producers. (Mayor)

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

Ayes: 8 - Alioto-Pier, Ammiano, Dufty, Ma, Maxwell, McGoldrick, Peskin, Sandoval  
Noes: 3 - Daly, Gonzalez, Hall

### From the Budget Committee "Without Recommendation"

040729 [Waiver of storage fees for stolen vehicles owned by residents]  
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)

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

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

040746 [Economic and Workforce Development Department]  
Ordinance amending the San Francisco Administrative Code, Chapter 2A to add Article XVI, section 2A.240 to establish and describe the responsibilities of the Economic and Workforce Development Department. (Mayor)

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

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

### Recommendation of the City Services Committee

040684 [Public Information Pilot Project]  
Supervisors Gonzalez, Dufty

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

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

**Resolution No.** 421-04

**ADOPTED** by the following vote:

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

### Recommendations of the Finance and Audits Committee

**040540 [Prevailing wages in contracts for moving services; nonprofit organizations exclusion]  
Supervisors Ammiano, Daly**

Ordinance adding Section 21.25-x to the Administrative Code requiring prevailing wages in contracts for moving services, but exempting nonprofit organizations.

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

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

**040766 [Ordinance prohibiting the grant of permits and licenses to those more than 90 days in arrears in making the payments required by Chapter 10B]**

Ordinance amending Administrative Code Chapter 10B to add Section 10B.20 to prohibit granting permits and licenses to those more than 90 days in arrears in making the payments required by Chapter 10B. (Mayor)

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

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

**040737 [Creating Working Families Credit Program and Fund]  
Supervisors Ammiano, Daly, Dufty**

Ordinance amending the San Francisco Administrative Code by adding Section 12S.1, to establish the Working Families Credit Program, and by adding Section 10.100-347, to create the Working Families Credit Program Fund. (Mayor)

*Amended on page 2, line 10, after "Chapter 12S" by adding "beginning with the tax year 2004."*

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

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

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

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

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

**040741 [Eligibility of boards and commissions for health benefits]**

Ordinance amending the San Francisco Administrative Code by amending Section 16.700 to: (1) conform to prior amendments to the Charter and Administrative Code that made members of certain additional boards and commissions eligible for membership in the Health Service System, and (2) authorize the governing board of the Treasure Island Development Authority to enroll its employees in the Health Service System. (Mayor)

(Fiscal impact.)

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

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

**040745** [Modifying Residential Rent Ordinance annual fee per unit procedure, Controller-determined fee still billed to owners but Board of Supervisors no longer required to enact periodic statutory maximum fee per unit, owner may recover up to 50 % of fee.]

Ordinance amending Administrative Code Chapter 37A "Residential Rent Stabilization and Arbitration Fee" by amending Sections 37A.2 and 37A.6: to provide that the annual Rent Board fee per unit billed to the owners will continue to be determined by the City Controller based on the total projected annual cost of funding the Rent Board divided by the number of rental units required to pay the fee, but that the Board of Supervisors would no longer be required to periodically enact a statutory maximum fee per unit; to eliminate the two-year sunset provision enacted in 2002 and provide that an owner may instead recover up to 50% of the annual fee for each unit from the occupants of the unit, instead of permitting recovery of \$21.50 per unit as provided during the last two years and instead of permitting recovery of 100% as provided in prior years; and, making environmental findings. (Mayor)

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

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

**040876** [Department of Human Services Cash Revolving Fund]

**Mayor**

Ordinance amending San Francisco Administrative Code Section 10.157 to reduce amount of Department of Human Services Cash Revolving Fund.

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

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

**040909 [Neighborhood Historical Resources Preservation Bonds]  
Supervisors Peskin, McGoldrick, Sandoval, Hall**

Ordinance calling and providing for a special election to be held in the City and County of San Francisco on Tuesday, November 2, 2004, for the purpose of submitting to the voters of the City and County of San Francisco a proposition to incur the following bonded debt of the City and County: Sixty Million Dollars (\$60,000,000) for the acquisition, rehabilitation, renovation, improvement, construction or preservation of certain historical resources, and structures benefiting historical resources, owned, or to be owned, by the City and County and/or the San Francisco Unified School District and paying all other costs necessary and convenient for effectuating those purposes and authorizing landlords to passthrough fifty percent (50%) of the resulting property tax increase to residential tenants in accordance with Chapter 37 of the San Francisco Administrative Code; finding that the estimated cost of such proposed project is and will be too great to be paid out of the ordinary annual income and revenue of the City and County and will require expenditures greater than the amount allowed therefor by the annual tax levy; reciting the estimated cost of such proposed project; fixing the date of election and the manner of holding such election and the procedure for voting for or against the proposition; fixing the maximum rate of interest on such bonds and providing for the levy and collection of taxes to pay both principal and interest thereof; prescribing notice to be given of such election; finding the proposed project is excluded from the California Environmental Quality Act, and is in conformity with the priority policies of Planning Code Section 101.1(b) and with the General Plan consistency requirement of Administrative Code Section 2A.53; consolidating the special election with the general election; establishing the election precincts, voting places and officers for the election; waiving the word limitation on ballot propositions imposed by San Francisco Municipal Elections Code Section 510; complying with Section 53410 of the California Government Code; incorporating the provisions of Article V of Chapter V of the San Francisco Administrative Code; and requiring the passage of an implementation ordinance prior to the sale of the bonds.

(Fiscal impact.)

*Supervisors McGoldrick, Sandoval and Hall requested to be added as co-sponsors.*

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

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

**040822 [Interdepartmental jurisdictional transfer of a portion of the Youth Guidance Center site]  
Mayor**

Resolution Transferring Jurisdiction of Approximately Two Acres of the Youth Guidance Center Property, Located at 375 Woodside Avenue, San Francisco, and Identified as a Portion of Assessor's Block 2842, Lot 007, from the Juvenile Probation Department to the Real Estate Division of the Administrative Services Department To Hold in Trust for the Superior Court of the City and County of San Francisco for Future Court Uses In Exchange for the Fair Market Value of the Property; and Adopting Findings that the Transfer of Jurisdiction Is Consistent with the City's General Plan and the Eight Priority Policies of Planning Code Section 101.1.

**Resolution No.** 429-04

**ADOPTED by the following vote:**

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



**040944 [Payment of Reward]  
Mayor**

Ordinance authorizing payment of reward to Jane Doe for supplying information leading to the arrest and conviction of the perpetrator who murdered Shayne Worcester on May 26, 1999.

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

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

**040837 [Funding departmental energy use]  
Supervisor Daly**

Resolution adopting policy setting annual appropriations for General Fund Departments at levels sufficient to compensate Hetch Hetchy Water & Power for all electricity sales to such departments at a rate that at a minimum reflects the same cost of service principles outlined in the City Charter. (Sec.8B.125. Rates).

**Resolution No.** 431-04

**ADOPTED by the following vote:**

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

**040943 [Contract with ValueOptions, Inc. to improve access to mental health treatment for children in foster care and other children placed outside of San Francisco]  
Mayor**

Resolution approving a contract with ValueOptions, Inc. to provide services to foster care and other Medi-Cal eligible children placed outside of San Francisco, for the period of July 1, 2004 through June 30, 2005.

**Resolution No.** 419-04

**ADOPTED by the following vote:**

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

**From the Finance and Audits Committee "Without Recommendation"**

**040714 [Grant of Federal Funds]**

Resolution authorizing the Municipal Transportation Agency Board to Accept and Expend \$41,002,071 of Federal Formula Section 5307 and Congestion Mitigation for Air Quality Capital Assistance for San Francisco Capital Projects and activities, excluding Administrative Overhead Costs. (Municipal Transportation Agency)

**Resolution No.** 426-04

**ADOPTED by the following vote:**

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

**040826 [Agreement for naming rights]  
Mayor**

Resolution approving and authorizing an agreement with the San Francisco Forty Niners, Ltd., for naming rights at the stadium.

Supervisor Daly dissented in Committee.

**Resolution No. 417-04**

**ADOPTED by the following vote:**

Ayes: 7 - Alioto-Pier, Dufty, Hall, Ma, Maxwell, McGoldrick, Peskin

Noes: 3 - Daly, Gonzalez, Sandoval

Absent: 1 - Ammiano

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

**Resolution No. 417-04**

**ADOPTED by the following vote:**

Ayes: 7 - Alioto-Pier, Dufty, Hall, Ma, Maxwell, McGoldrick, Peskin

Noes: 4 - Ammiano, Daly, Gonzalez, Sandoval

**Recommendation of the Rules Committee**

**040646 [Charter Amendment - Increasing the retirement benefits payable to the qualified survivors of certain police officers and firefighters who die in the line of duty]  
Supervisors Hall, McGoldrick**

Charter amendment (First Draft) by amending Sections A8.586-4, A8.588-4, A8.597-4 and A8.598-4 to increase the benefits payable to the qualified survivors of certain police officers and firefighters who die in the line of duty.

(Fiscal impact.)

*Continued to July 20, 2004*

**Supervisor Sandoval, seconded by Supervisor Maxwell, moved that this Charter Amendment be CONTINUED. The motion carried by the following vote:**

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

Absent: 1 - Ammiano

**CALLED FROM COMMITTEE**

**040592 [Payroll Expense Tax Exclusion for Biotechnology Business]  
Supervisors Alioto-Pier, Ma, Hall**

Ordinance amending the Payroll Expense Tax Ordinance to establish a tax exclusion for biotechnology businesses, as specified.

*Continued to July 20, 2004*

**Supervisor Peskin, seconded by Supervisor Alioto-Pier, moved that this Ordinance be CONTINUED. The motion carried by the following vote:**

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

## **SPECIAL ORDER 3:00 P.M.**

**040432 [Public Hearing]**

Hearing of persons interested in or objecting to report of assessment costs submitted by the Director of Public Works for sidewalk and curb repairs ordered to be performed by said Director pursuant to Sections 707 and 707.1 of the Public Works Code, the costs thereof having been paid for out of a revolving fund, and amending Public Works Order No. 174,311 by deleting the assessed cost of sidewalk repairs at 449 Frederick Street.  
(Clerk of the Board)

**HEARD AT PUBLIC HEARING.**

**040433 [Report of assessment costs for sidewalk and curb repairs - DPW Order No. 174,747]**

Resolution approving report of assessment costs submitted by the Director of Public Works for sidewalk and curb repairs ordered to be performed by said Director pursuant to Sections 707 and 707.1 of the Public Works Code, the costs thereof having been paid for out of a revolving fund, and amending Public Works Order No. 174,311 by deleting the assessed cost of sidewalk repairs at 449 Frederick Street. (Public Works Department)

(DPW Work Order No. 174,747; Locations: 873 Alvarado Street; 850 Geary Street; 162-164 Langton Street; 168 Langton Street; 170-10th Street; and 3356/3360-24th Street.)

*Report of assessment costs amended by deleting property located at 873 Alvarado Street and 162-164 Langton Street.*

**Resolution No. 422-04**

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

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

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

### **Privilege of the Floor**

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

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

*Supervisor Peskin introduced, welcomed and presented Certificates of Honor to San Francisco Police Officers from Central Police Station.*

*Supervisor Ammiano expressed his gratitude to Brad Benson, Legislative Aide who will be leaving Supervisor Ammiano's staff.*

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

### **Board of Supervisors Sitting as a Committee of the Whole**

**040969 [Hearing - Supportive and Affordable Rental Housing and Homeownership Bonds Special Election Ordinance]**

Hearing to consider Board File 040954, the Supportive and Affordable Rental Housing and Homeownership Bonds Special Election Ordinance. (Clerk of the Board)

*Female speaker; support of legislation*

*Male speaker; support of legislation*

*Male speaker; support of legislation*

*Female speaker; support of legislation*

*Male speaker; support of legislation*

*Male speaker; support of legislation*

*Male speaker; support of legislation*

*Male speaker; support of legislation*

*Female speaker; support of legislation*

**HEARD AT PUBLIC HEARING.**

### **Committee of the Whole Adjourn and Report Without Recommendation**

**040954 [Supportive and Affordable Rental Housing and Homeownership Bonds Special Election]  
Supervisors Ammiano, Peskin, Daly, Gonzalez, Maxwell, Dufty, McGoldrick, Alioto-Pier, Sandoval**

Ordinance calling and providing for a special election to be held in the City and County of San Francisco (the "City") on November 2, 2004, for the purpose of submitting to the qualified voters of the City a proposition for the issuance of bonds or other forms of indebtedness by the City (or one of its agencies, departments or enterprises) in the principal amount of Two-Hundred Million Dollars (\$200,000,000) to finance the costs of the acquisition, construction and/or rehabilitation of supportive housing for homeless individuals and families or persons at risk of becoming homeless who are extremely low income, to finance the costs of the acquisition, construction and/or rehabilitation of affordable rental housing for qualifying low and very low income individuals and/or families, to finance the costs of construction of homeownership developments for qualifying low and moderate income individuals and families, and to provide financial assistance for a home ownership program to qualifying low and moderate income homebuyers, and authorizing landlords to passthrough fifty percent (50%) of the resulting property tax increase to residential tenants in accordance with Chapter 37 of the San Francisco Administrative Code; finding that the estimated cost of the project is and will be too great to be paid out of the ordinary annual income and revenue of the City and will require expenditures greater than the amount allowed therefor by the annual tax levy; reciting the estimated cost of such proposed project; fixing the date of and the manner of holding the special election and the procedure for voting for or against the proposition; fixing the maximum rate of interest on the bonds and/or other forms of indebtedness and providing for the levy and collection of taxes to pay both principal and interest therefor; prescribing notice to be given of the special election; finding the proposed project is in conformity with the priority policies of Planning Code Section 101.1(b) and with the General Plan consistency requirement of Administrative Code Section 2A.53; consolidating the special election with the general election to be held on November 2, 2004; establishing the election precincts, voting places and officers for the special election; waiving the word limitation on ballot propositions imposed by San Francisco Municipal Elections Code Section 510; complying with Section 53410 of the California Government Code; incorporating the provisions of Article V of Chapter V of the San Francisco Administrative Code, and imposing certain limitations on the use of bond proceeds.

(Fiscal impact.)

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

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

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

*July 20, 2004 with the Board Sitting as a Committee of the Whole*

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

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

## COMMITTEE REPORTS

**040642 [Charter Amendment - Authorizing health plans for City residents]  
Supervisors Daly, Ammiano**

Charter amendment (First Draft) by amending Section 12.200 of the Charter and Section A8.421 of Appendix A of the Charter to authorize the Health Service Board to offer health plans to City residents.

(Fiscal impact.)

*Continued to July 20, 2004*

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

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

**040643 [Charter Amendment - Health Service System]  
Supervisors Daly, McGoldrick**

Charter amendment (Third Draft) by amending Sections 10.102, 10.103, 12.200 and 12.201 of the Charter and Sections A8.423, A8.427 and A8.428 of Appendix A of the Charter to place administration of the Health Service System under the jurisdiction of the Health Service Board and replace the City Attorney seat on the Health Service Board with an elected seat.

*Continued to July 20, 2004*

**Supervisor Daly, seconded by Supervisor Maxwell, moved that this Charter Amendment be CONTINUED. The motion carried by the following vote:**

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

**040647 [Charter Amendment - MTA budget; Director's contract and salary cap; Board veto of service reductions; voter-approved ordinances; biennial quality review]  
Supervisors Sandoval, Daly**

Charter amendment (Third Draft) by amending Sections 8A.102, 8A.103, 8A.106, and 8A.107, to provide that: the Municipal Transportation Agency's budget shall be subject to the City's normal budget process; the Board of Supervisors shall set the annual salary of the Director of Transportation of the Municipal Transportation Agency, which shall not exceed \$250,000; the Board of Supervisors must approve the contract between the Municipal Transportation Agency and the Director of Transportation; the Municipal Transportation Agency must comply with voter-approved ordinances; the Agency's service standards shall be modified; the Board of Supervisors may reject proposed service reductions; the Director of Transportation and the Controller shall develop budget reporting standards for the Agency; and, the Controller, rather than the Agency, shall administer the biennial municipal transportation quality review survey and study.

*Continued to July 20, 2004*

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

**Supervisor Daly, seconded by Supervisor Maxwell, moved that this Charter Amendment be CONTINUED. The motion carried by the following vote:**

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

**040981 [Charter Amendment - Board deadlines during recess; votes needed when Board members are disqualified; hold-over appointments; Department of Aging and Adult Services; Commission on the Environment; legislative aides]  
Supervisor Gonzalez**

Charter Amendment (First Draft) by amending Sections 2.103, 2.104, 2.117, 3.104, 4.118, 4.120, and Article XVII, and by adding Section 4.101-1, to: toll deadlines for action by the Board when the Board is in recess; reduce the number of votes required at the Board of Supervisors for various actions when one or more Board members are disqualified from voting on a matter because of a conflict of interest; limit hold-over appointments on boards and commissions to 120 days; give the Commission on Aging authority over the Department of Aging and Adult Services; clarify the authority of the Commission on the Environment to consider environmental justice issues and to review City building and land use policies for environmental sustainability; and, delete the specific number of Board aides set in the Charter.

*Continued to July 20, 2004*

**Supervisor Hall, seconded by Supervisor Peskin, moved that this Charter Amendment be CONTINUED. The motion carried by the following vote:**

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

**040645 [Charter Amendment - Non-Citizen Voting in School Board Elections]  
Supervisors Gonzalez, Ammiano, Daly, Maxwell, McGoldrick**

Charter amendment (Second Draft) adding Section 13.111 to authorize San Francisco residents 18 years of age or older either who have children in the San Francisco Unified School District or who serve as legal guardians or caregivers for children in the San Francisco Unified School District to vote in elections for the Board of Education, regardless of whether the resident is a United States citizen, and to direct the Board of Supervisors implement, by ordinance, non-citizen voting in School Board elections.

*Continued to July 20, 2004*

**Supervisor Daly, seconded by Supervisor Maxwell, moved that this Charter Amendment be CONTINUED. The motion carried by the following vote:**

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

**040751 [Transactions and Use Tax]**

Ordinance amending the Business and Tax Regulations Code to add Article 16-A to impose a transactions and use tax at the rate of one-quarter of one percent (0.25%) in accordance with Parts 1.6 and 1.7 of Division 2 of the California Revenue and Taxation Code. (Mayor)

**Supervisor Hall, seconded by Supervisor Alioto-Pier, moved that this Ordinance be AMENDED. The motion carried by the following vote:**

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

Ordinance amending the Business and Tax Regulations Code to add Article 16-A to impose a transactions and use tax at the rate of one-quarter of one percent (0.25%) in accordance with Parts 1.6 and 1.7 of Division 2 of the California Revenue and Taxation Code, (ii) directing submission of the tax for voter approval at the November 2, 2004 election and setting forth the ballot question therefor. (Mayor)

*Continued to July 20, 2004 with the Board Sitting as a Committee of the Whole*

**Supervisor Dufty, seconded by Supervisor Hall, moved that this Ordinance be CONTINUED AS AMENDED ON FIRST READING. The motion carried by the following vote:**

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

040758 [Business Tax]  
Mayor

Ordinance amending the Business and Tax Regulations Code to: (1) enact a new Article 12-A-1 (Business Tax Ordinance), as specified, to impose a business tax for four years on all persons engaging in business in San Francisco measured by the gross receipts of the business at the rate of one tenth of one percent (0.1%) for the 2005 tax year and, if Business Tax revenues collected in such year exceed \$30 million, a lower rate for the 2006, 2007 and 2008 tax years, as specified; (2) amend Article 12-A (Payroll Expense Tax Ordinance), as specified, to: (i) conform Article 12-A with the enactment of the Business Tax Ordinance, (ii) clarify the payroll expense of partnerships, Subchapter S corporations, limited liability companies, limited liability partnerships and other persons or entities not subject to federal income tax or which are allowed a deduction in computing such tax for distributions to the owners or beneficiaries of such persons or entities ("pass-through entities"), and (3) amend Article 6 (Common Administrative Provisions), as specified, to add definitions and conform common administrative provisions with the enactment of the Business Tax Ordinance and amendments to the Payroll Expense Tax Ordinance.

Supervisor Daly dissented in Committee.

**Supervisor Peskin, seconded by Supervisor Alioto-Pier, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. The motion carried by the following vote:**

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

Ordinance amending the Business and Tax Regulations Code to: (1) enact a new Article 12-A-1 (Business Tax Ordinance), as specified, to impose a business tax for four years on all persons engaging in business in San Francisco measured by the gross receipts of the business at the rate of one tenth of one percent (0.1%) for the 2005 tax year and, if Business Tax revenues collected in such year exceed \$30 million, a lower rate for the 2006, 2007 and 2008 tax years, as specified; (2) amend Article 12-A (Payroll Expense Tax Ordinance), as specified, to: (i) conform Article 12-A with the enactment of the Business Tax Ordinance, (ii) clarify the payroll expense of partnerships, Subchapter S corporations, limited liability companies, limited liability partnerships and other persons or entities not subject to federal income tax or which are allowed a deduction in computing such tax for distributions to the owners or beneficiaries of such persons or entities ("pass-through entities"), and (3) amend Article 6 (Common Administrative Provisions), as specified, to add definitions and conform common administrative provisions with the enactment of the Business Tax Ordinance and amendments to the Payroll Expense Tax Ordinance.

*Continued to July 20, 2004 with the Board Sitting as a Committee of the Whole*

**Supervisor Dufty, seconded by Supervisor Hall, moved that this Ordinance be CONTINUED AS AMENDED ON FIRST READING. The motion carried by the following vote:**

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

Noes: 1 - Daly



040978 [Business Tax]  
Supervisor Daly

Ordinance amending the Business and Tax Regulations Code to: (1) enact a new Article 12-A-1 (Business Tax Ordinance), as specified, to impose a business tax for four years on all persons engaging in business in San Francisco measured by the gross receipts of the business at the rate of fifteen one-hundredths of one percent (0.15%); (2) amend Article 12-A (Payroll Expense Tax Ordinance), as specified, to: (i) conform Article 12-A with the enactment of the Business Tax Ordinance, (ii) clarify the payroll expense of partnerships, Subchapter S corporations, limited liability companies, limited liability partnerships and other persons or entities not subject to federal income tax or which are allowed a deduction in computing such tax for distributions to the owners or beneficiaries of such persons or entities ("pass-through entities"), and (iii) promote development of the biotechnology industry by excluding from the payroll expense of persons subject to the Payroll Expense Tax compensation paid to employees and owners or beneficiaries of a pass-through entity for work performed and services rendered in connection with the person's biotechnology business; and (3) amend Article 6 (Common Administrative Provisions), as specified, to add definitions and conform common administrative provisions with the enactment of the Business Tax Ordinance and amendments to the Payroll Expense Tax Ordinance.

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

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

Ordinance amending the Business and Tax Regulations Code to: (1) enact a new Article 12-A-1 (Business Tax Ordinance), as specified, to impose a business tax for four years on all persons engaging in business in San Francisco measured by the gross receipts of the business at the rate of fifteen one-hundredths of one percent (0.15%); (2) amend Article 12-A (Payroll Expense Tax Ordinance), as specified, to: (i) conform Article 12-A with the enactment of the Business Tax Ordinance, (ii) clarify the payroll expense of partnerships, Subchapter S corporations, limited liability companies, limited liability partnerships and other persons or entities not subject to federal income tax or which are allowed a deduction in computing such tax for distributions to the owners or beneficiaries of such persons or entities ("pass-through entities"), and (3) amend Article 6 (Common Administrative Provisions), as specified, to add definitions and conform common administrative provisions with the enactment of the Business Tax Ordinance and amendments to the Payroll Expense Tax Ordinance.

Supervisor Daly dissented in Committee.

COMMITTEE OF THE WHOLE ADJOURN AND REPORT WITHOUT RECOMMENDATION

*Continued to July 20, 2004 with the Board Sitting as a Committee of the Whole*

Supervisor Dufty, seconded by Supervisor Hall, moved that this Ordinance be CONTINUED AS AMENDED ON FIRST READING. The motion carried by the following vote:

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

Noes: 1 - Daly

**040979 [Business Tax]  
Supervisor Ammiano**

Ordinance amending the Business and Tax Regulations Code to: (1) enact a new Article 12-A-1 (Business Tax Ordinance), as specified, to impose a business tax, until replaced through a subsequent voter-approved alternate business tax structure following a comprehensive analysis and report by the Controller based on two complete years of actual collections, on all persons engaging in business in San Francisco measured by the gross receipts of the business at the rate of one tenth of one percent (0.1%) for the 2005 tax year and, if Business Tax revenues collected in such year exceed \$30 million, to a lower rate thereafter, as specified; (2) amend Article 12-A (Payroll Expense Tax Ordinance), as specified, to: (i) conform Article 12-A with the enactment of the Business Tax Ordinance, and (ii) clarify the payroll expense of partnerships, Subchapter S corporations, limited liability companies, limited liability partnerships and other persons or entities not subject to federal income tax or which are allowed a deduction in computing such tax for distributions to the owners or beneficiaries of such persons or entities ("pass-through entities"); and (3) amend Article 6 (Common Administrative Provisions), as specified, to add definitions and conform common administrative provisions with the enactment of the Business Tax Ordinance and amendments to the Payroll Expense Tax Ordinance.

Supervisor Daly dissented in Committee.

COMMITTEE OF THE WHOLE ADJOURN AND REPORT WITHOUT RECOMMENDATION

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

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

*Continued to July 20, 2004 with the Board Sitting as a Committee of the Whole*

Supervisor Dufty, seconded by Supervisor Hall, moved that this Ordinance be CONTINUED AS AMENDED ON FIRST READING. The motion carried by the following vote:

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

## ROLL CALL FOR INTRODUCTIONS

## PUBLIC COMMENT

*Abdullah Megaheed; homeless issues  
Lynn Butcher; property to be included in Golden Gate National Park Area  
Vernon Jenkins; general issues  
Richard Robertson; general issues  
Male speaker; general issues  
Male speaker; Recreation and Park budget issues  
Female speaker; sewer service charges  
Male speaker; tax and Muni issues  
Joe Wilson, childcare issues  
James Stuey; Bastille Day  
Male speaker; readings  
Male speaker; taxi issues*

**Recommendation of the Rules Committee****040721 [Payment of Attorneys Fees]**

Ordinance authorizing payment of attorneys fees and costs incurred by the City in lawsuits and administrative proceedings arising from Tammy Haygood's employment and removal as Director of the San Francisco Department of Elections. (City Attorney)

*Supervisor Sandoval, seconded by Supervisor Ammiano, moved to divide the question regarding the attorney's fee for Department of Elections and the attorney's for the Civil Service Commission.*

*See File No. 041028 for the question regarding payment for attorney fees for the Civil Service Commission.*

**DIVIDED.**

Ordinance authorizing payment of attorneys fees and costs incurred by the Elections Commission in lawsuits and administrative proceedings arising from Tammy Haygood's employment and removal as Director of the San Francisco Department of Elections. (City Attorney)

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

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

Noes: 1 - Sandoval

**041028 [Payment of Attorneys Fees]**

Ordinance authorizing payment of attorneys fees and costs incurred by the Civil Service Commission by the City in lawsuits and administrative proceedings arising from Tammy Haygood's employment and removal as Director of the San Francisco Department of Elections.

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

Ayes: 6 - Alioto-Pier, Dufty, Hall, Ma, Maxwell, Sandoval

Noes: 5 - Ammiano, Daly, Gonzalez, McGoldrick, Peskin

**From the Rules Committee with Recommendation "Do Not Pass"****040573 [Settlement of Lawsuits]**

Ordinance authorizing settlement of federal and state lawsuits and administrative proceedings between the City and County of San Francisco and Tammy Haygood filed in connection with her employment and removal as Director of the Department of Elections including a lawsuit filed on July 17, 2002 in Superior Court, State of California, Case No. CPF 02-501387, entitled City and County of San Francisco, Petitioner v. Civil Service Commission of the City and County of San Francisco, Respondent, Tammy B. Haygood, Real Party in Interest, and a lawsuit filed on July 17, 2002 in United States District Court, Case No. C02-3433 WHA, entitled Tammy B. Haygood v. Michael Mendelson, et al. The material terms of the settlement are Haygood will dismiss with prejudice all claims against San Francisco in these lawsuits and all complaints filed with the California Department of Fair Employment and Housing, the Department of Labor and any other administrative action, and Haygood will reimburse the City for payments of certain wages and benefits if she returns to City employment on or before January 17, 2007. (City Attorney)

Supervisor Maxwell dissented in Committee.

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

Ayes: 8 - Alioto-Pier, Dufty, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval

Noes: 2 - Daly, Gonzalez

Absent: 1 - Ammiano

## CLOSED SESSION

- 040711 [Closed Session - Existing Lawsuits and Unlitigated Claims, City as Defendant and as Petitioner]**  
Motion that the Board of Supervisors convene in closed session with the City Attorney for the purpose of conferring with, or receiving advice from, the City Attorney regarding the following claims and/or potential litigation filed against the City and County of San Francisco and by the City and County of San Francisco in connection with the employment and removal of Tammy Haygood as Director of the Department of Elections; and authorizing payment of attorneys fees and costs incurred by the City.

CITY AND COUNTY OF SAN FRANCISCO, PETITIONER V. CIVIL SERVICE COMMISSION OF THE CITY AND COUNTY OF SAN FRANCISCO, RESPONDENT, TAMMY B. HAYGOOD, REAL PARTY IN INTEREST, filed on July 17, 2002 in Superior Court, State of California, Case No. CPF 02-501387; TAMMY B. HAYGOOD V. MICHAEL MENDELSON, ET AL., filed on July 17, 2002 in United States District Court, Case No. C02-3433 WHA; and UNLITIGATED CLAIMS FILED WITH THE CALIFORNIA DEPARTMENT OF FAIR EMPLOYMENT AND HOUSING, THE DEPARTMENT OF LABOR.

The Closed Session is permitted by California Government Code Section 54956.9 (b) and Administrative Code (Sunshine Ordinance) Section 67.10 (d) (1), and discussion in open session concerning this matter would likely and unavoidably prejudice the position of the City in the pending claim and/or potential litigation. (City Attorney)

## 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.*

- 040945 [Authorizing Trial Courts to require payment of legal fees by defendants upon finding of ability to pay]**  
**Supervisors Gonzalez, Hall**

Resolution authorizing the San Francisco Trial Courts to require payment of legal fees by a defendant who is provided legal counsel through the Public Defender's Office or private counsel appointed by the court, upon a finding by the court that the defendant has the ability to pay all or part of the cost of legal assistance.

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

**Resolution No. 432-04**

**ADOPTED**

- 040957 [Commemorating the Chinatown Night Market Fair Grand Opening]**  
**Supervisors Ma, Dufty**

Resolution commemorating the Chinatown Night Market Fair Grand Opening Celebration.

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

**Resolution No. 433-04**

**ADOPTED**

**040958 [Residential Permit Parking Area "A" on Broadway and Jones Streets]  
Supervisor Peskin**

Resolution establishing Residential Permit Parking Area "A" on Broadway and Jones Streets.

RESIDENTIAL PERMIT PARKING AREA "C" - RESCIND  
RESIDENTIAL PERMIT PARKING AREA "A" - ESTABLISH  
Broadway, south side from Jones Street to 174 feet easterly (1000 block).  
Jones, both sides between Broadway Street and Pacific Avenue.

**Resolution No.** 434-04  
**ADOPTED**

**040959 [Perpendicular Parking on Broadway at Jones Street]  
Supervisor Peskin**

Resolution establishing perpendicular (90-Degree angle) Parking on the 1000 block of Broadway.

PERPENDICULAR (90-DEGREE ANGLE) PARKING - ESTABLISH  
Broadway, south side from Jones Street to 174 feet easterly (1000 block).

**Resolution No.** 435-04  
**ADOPTED**

**040960 [Requesting DTIS to Evaluate and Make Recommendations on Stolen Vehicles]  
Supervisors Dufty, Alioto-Pier**

Resolution requesting the Department of Telecommunications and Information Services (DTIS) to evaluate and make recommendations on the needed steps so that the San Francisco Department of Parking and Traffic and Police Department can share data on stolen vehicles.

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

**Resolution No.** 436-04  
**ADOPTED**

**040962 [Needle Exchange Emergency]  
Supervisors Ammiano, Daly, Peskin, McGoldrick, Maxwell, Dufty**

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

**Motion No.** M04-83  
**APPROVED**

**040935 [Final Map for a 20 Unit Live/Work Condominium Project - Villa dei Fiori, 767 Bryant Street]**

Motion approving Final Map of Villa dei Fiori, 767 Bryant Street, a Live/Work Condominium Project, being a subdivision of Lot 49 in Assessor's Block No. 3778, and adopting findings pursuant to Planning Code Section 101.1. (Public Works Department)

(DPW Order No. 174,872; District 6.)

**Motion No.** M04-80  
**APPROVED**

- 040936 [Final Map for a 8 Unit Residential Condominium Project - 926 Grove Street]**  
Motion approving Final Map of 926 Grove Street, a Residential Condominium Project, being a subdivision of Lot 32 in Assessor's Block No. 798, and adopting findings pursuant to Planning Code Section 101.1. (Public Works Department)
- (DPW Order No. 174,873; District 5.)
- Motion No. M04-81**  
**APPROVED**
- 040937 [Final Map for a 250 Unit Residential Condominium Project - Mission Bay, 255 King Street]**  
Motion approving Final Map of Avalon at Mission Bay, 255 King Street, a Residential Condominium Project, being a subdivision of Parcel "A" Lot 10 in Assessor's Block No. 8706, and adopting findings pursuant to Planning Code Section 101.1. (Public Works Department)
- (DPW Order No. 174,874; District 6.)
- Motion No. M04-082**  
**APPROVED**
- 040964 [Final Map for a 34 Unit Mixed-Use Condominium Project - 280 Fell Street and 300 Gough]**  
Motion approving Final Map of 280 Fell Street and 300 Gough Street, a Mixed-Use Condominium Project, being a subdivision of Lot 8 in Assessor's Block No. 816, and adopting findings pursuant to Planning Code Section 101.1. (Public Works Department)
- (DPW Order No. 174,882; District 6.)
- Motion No. M04-84**  
**APPROVED**
- 040965 [Final Map for a 35 Unit Mixed-Use Condominium Project - 3435, 3445 and 3455 Geary Boulevard]**  
Motion approving Final Map of 3435, 3445 and 3455 Geary Boulevard, a Mixed-Use Condominium Project, being a subdivision of Lot 41 in Assessor's Block No. 1085, and adopting findings pursuant to Planning Code Section 101.1. (Public Works Department)
- (DPW Order No. 174,881; District 2.)
- Motion No. M04-85**  
**APPROVED**

The foregoing items were acted upon by the following vote:

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

**Severed from Without Reference to Committee Agenda**

**040968 [Committee of the Whole - Supportive and Affordable Rental Housing and Homeownership Bonds Special Election Ordinance]**  
**Supervisor Ammiano**

Motion authorizing the Board of Supervisors to sit as a Committee of the Whole on Tuesday, July 13, 2004 at 4:00 p.m. to consider Board File 040954, the Supportive and Affordable Rental Housing and Homeownership Bonds Special Election Ordinance.

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

**Motion No. M04-86**

**APPROVED by the following vote:**

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

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

**040961 [Consolidation of BART Election - 11/2/04]**  
**Supervisor Ammiano**

Resolution consolidating the Bay Area Rapid Transit District Election for Director's Seat in District 8 and Special District Election for a Seismic Safety Bond to be held in the City and County of San Francisco on November 2, 2004 with the General Municipal Election scheduled for the same date, and providing that the election shall be the same as for the General Municipal Election.

*Amended by replacing "District 8" with "Districts 7 and 9".*

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

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

Absent: 1 - Ammiano

**Resolution No. 437-04**

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

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

Absent: 1 - Ammiano

*Supervisor Hall requested that this matter be severed so that it might be considered separately.*

**040956 [Supporting the Youth Commission changes to the MOU between SFUSD and the SFPD on School Resource Officers]**  
**Supervisor Ammiano**

Resolution supporting the San Francisco Youth Commission regarding the Memorandum of Understanding (MOU) between the San Francisco Unified School District (SFUSD) and the Police Department (SFPD) on School Resource Officers.

**REFERRED to the City Services Committee**

## IMPERATIVE AGENDA

*Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s). For such resolutions to be considered, the Board must first adopt the following two motions.*

*[Purely Commendatory Finding]*

*Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.*

**Supervisor Daly, seconded by Supervisor Alioto-Pier, moved ADOPTION of the Commendatory Finding. The motion carried by the following vote:**

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

*[Brown Act Finding]*

*Motion that the Board find by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.*

**Supervisor Daly, seconded by Supervisor Alioto-Pier, moved ADOPTION of the Brown Act Finding. The motion carried by the following vote:**

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

**040995 [Commending Terence Hallinan]**

**Supervisors Daly, Gonzalez, Dufty, Maxwell, McGoldrick**

Resolution commending Terence Hallinan for his distinguished career in public service.

**Resolution No.** 420-04

**ADOPTED by the following vote:**

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

**040996 [Commending Joe Wilson]**

**Supervisors Daly, Dufty**

Resolution commending Joe Wilson for 10 years of service at Coleman Advocates for Children and Youth.

**Resolution No.** 438-04

**ADOPTED by the following vote:**

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



## OFF-AGENDA LEGISLATION

### Introduced by Supervisors or Mayor

#### Ordinances

**020188 [Designating 300 Bartlett Street, The Carnegie Mission Branch Library as Landmark No. 234]  
Supervisor Ammiano**

Ordinance designating 300 Bartlett Street, the Carnegie Mission Branch Library, as Landmark No. 234 pursuant to Article 10, Sections 1004 and 1004.4 of the Planning Code.

2/4/02, RECEIVED AND ASSIGNED to Transportation and Commerce Committee.

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

3/4/04, FILED PURSUANT TO RULE 5.37.

7/13/04, REACTIVATED PURSUANT TO RULE 5.23. Supervisor McGoldrick requested this matter be reactivated.

7/13/04, ASSIGNED to Land Use Committee.

**030142 [Designate the Laguna Honda Station, also known as the Forest Hill Station, At 390 Laguna Honda Boulevard As a Landmark]  
Supervisor Hall**

Ordinance Designating the Laguna Honda Station, At 390 Laguna Honda Boulevard, As Landmark No. 231 Pursuant To Article 10, Sections 1004 And 1004.4 Of The Planning Code.

1/27/03, RECEIVED AND ASSIGNED to Transportation and Commerce Committee.

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

3/4/04, FILED PURSUANT TO RULE 5.37.

7/13/04, REACTIVATED PURSUANT TO RULE 5.23. Supervisor McGoldrick requested this matter be reactivated.

7/13/04, ASSIGNED to Land Use Committee.

**031932 [Restricting the sale of large caliber firearms, requiring reporting of firearm thefts, and deleting obsolete provisions regulating firearms sales]  
Supervisor Gonzalez**

Ordinance amending the Police Code by deleting Sections 552, 556 and 557, relating to possession of firearms by minors and possession of facsimile firearms in order to conform to state law, amending Section 602 to delete redundant provisions and provisions relating to air guns in order to conform to state law; amending Sections 613.1, 613.10 and 613.10-1 to delete requirements relating to "Saturday Night Specials," restrictions on the sale of large capacity magazines and various other requirements relating to firearms dealers in order to conform to state law and add new requirements in Section 613.10-1 to restrict the sale or transfer of 50 caliber firearms and ammunition; amending Section 613.3 to require the Chief of Police to conduct a background check on applicants for a firearms dealer license and such applicants' employees; amending Sections 613, 613.10-3, 613.12, 613.16, 613.19, 617 and 618 to make technical and conforming corrections; amending Section 613.10-2, restricting the sale of ultracompact firearms to update findings and exceptions to restrictions on sales, deleting Sections 614 through 616, relating to reporting of firearms sales by dealers in order to conform to state law, renumbering existing Sections 617 and 618 as Sections 614 and 615; and adding a new Section 616, requiring owners of firearms to report the loss or theft of a firearm to the Police Department. 11/25/03, ASSIGNED UNDER 30 DAY RULE to City Services Committee, expires on 12/25/2003. 7/13/04, SUBSTITUTED. Supervisor Gonzalez submitted a substitute ordinance bearing new title. 7/13/04, ASSIGNED UNDER 30 DAY RULE to City Services Committee, expires on 8/12/2004.

**040987 [Including biotechnology business to the First Source Hiring Program]  
Supervisors Maxwell, Dufty, Gonzalez**

Ordinance amending Administrative Code section 83.4 to define and include biotechnology business as a "commercial activity" and a "development project" for purposes of the First Source Hiring Program. 7/13/04, RECEIVED AND ASSIGNED.

**040988 [Prohibiting contractors from disclosing private information about individuals obtained from the City and County without written approval or authorization by law]  
Supervisors McGoldrick, Peskin, Maxwell, Ammiano, Gonzalez**

Ordinance amending the San Francisco Administrative Code by adding a new Chapter 12M to prohibit contractors from disclosing to any person or entity private information about individuals obtained from the City and County in the performance of the contract unless the contract authorizes the disclosure, the contractor first obtains the written approval of the contracting department, or the disclosure is authorized or required by law. 7/13/04, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 8/12/2004.

**040989 [Granting a bid preference of twenty percent to each contractor who will perform all services to be required by a contract in the United States of America]  
Supervisor McGoldrick**

Ordinance amending the San Francisco Administrative Code by adding a new Chapter 12I to grant a bid preference of twenty percent to each contractor who will perform all services to be required by a contract in the United States of America. 7/13/04, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 8/12/2004.

**040997 [Zoning Map amendment]  
Supervisor Daly**

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 of Block 3787, Lots 10, 11, 12, 13, 18, 24, 26, 27, 28, 50, 51, and 166 from SLI (Service Light Industrial) to SSO (Service/Secondary Office) in the South of Market Area. 7/13/04, ASSIGNED UNDER 30 DAY RULE to Land Use Committee, expires on 8/12/2004.

**040998 [SSO Zoning District – Allowing Financial Service]  
Supervisors Daly, Peskin**

Ordinance amending the San Francisco Planning Code by amending Section 818 and adding Section 818.32 to Table 818 to allow a financial service use in an SSO (Service/Secondary Office) zoning district; adopting findings. 7/13/04, ASSIGNED UNDER 30 DAY RULE to Land Use Committee, expires on 8/12/2004.

**041000 [Cost recovery fees for area plans, rezonings and programmatic environmental reviews]  
Supervisor McGoldrick**

Ordinance amending the San Francisco Planning Code by adding Section 358 to impose a fee surcharge on projects in certain areas to recover the City's actual costs in developing an area plan, specific plan, or rezoning study or preparing a programmatic environmental document for that area; amending the San Francisco Administrative Code by adding Section 10.100-370 to establish a special fund to receive the cost recovery fees and other moneys and to fund the development of future area plans, rezoning studies and programmatic environmental documents; and adopting Section 302 and environmental findings. 7/13/04, ASSIGNED UNDER 30 DAY RULE to Finance and Audits Committee, expires on 8/12/2004. Statutory Exemption under CEQA Guidelines Section 15273 issued on June 17, 2004 in file.

Planning Commission recommendation in file.

**041001 [Use of City funds to Demolish Historic Properties Prohibited]  
Supervisors Peskin, Ammiano, Daly, McGoldrick, Gonzalez**

Ordinance amending the Administrative Code by adding Chapter 10A to provide that City funds may not be used to demolish historic properties. 7/13/04, RECEIVED AND ASSIGNED to Rules Committee.

**041002 [Provide for Landmarks Preservation Advisory Board Advice on Alterations to Historic Properties;  
Time and Material Charges]  
Supervisors Peskin, Ammiano**

Ordinance amending Section 1009 and Section 356 of the Planning Code to provide that property owners may seek the written advice of the Landmarks Preservation Advisory Board as to whether proposed alterations to an historic property are consistent with the Secretary of the Interior's Standards for Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating Restoring, and Reconstructing Historic Buildings, defining historic properties, providing that the Planning Department may charge any party requesting the Advisory Board's advice for the Department's time and materials costs, and making findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan. 7/13/04, RECEIVED AND ASSIGNED to Land Use Committee.

**041003 [Parking Control - Dr. Carlton B. Goodlett Place]  
Supervisor Maxwell**

Ordinance amending Article 3, Section 32.6.21 of the San Francisco Traffic Code to extend the boundary of the existing permit area, remove the official city-owned vehicle requirement and to replace references to Polk Street with Dr. Carlton B. Goodlett Place to reflect official name change.

7/13/04, RECEIVED AND ASSIGNED to Land Use Committee.

**041004 [Tenant Ownership Program]  
Supervisor Hall**

Ordinance amending the San Francisco Subdivision Code by adding Article 11, consisting of Sections 1399.1 through 1399.14 to permit the conversion of existing residential buildings to residential condominium or other ownership subject to certain requirements.

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

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

Ordinance adding Sections 71, 73, 75, 79 to the San Francisco Traffic Code to require the Director of Parking and Traffic to: (1) install countdown pedestrian signals and ladder striped crosswalks by July 1, 2009, (2) designate specific crosswalk signal crossing times, and (3) upon the recommendation of the Pedestrian Safety Advisory Committee, install one hundred signs a year for three years informing the public regarding prohibited sidewalk activities; amending Sections 27, 38.B, 38.K, 39 and Section 219 of the San Francisco Traffic Code to require the Director of Parking and Traffic to designate: (1) two to ten motorcycle parking spaces per block in commercial areas and one to four motorcycle parking spaces per block in residential areas by July 1, 2006, (2) one yellow zone on every block in the Metropolitan Traffic District, (3) one blue zone and taxicab stand on every block in the Metropolitan Traffic District with a residential building with fourteen or more units, and (4) one taxicab stand for every hotel in the Metropolitan Traffic District; amending Section 703 of the San Francisco Public Works Code to require that all curb heights and adjacent sidewalks be a minimum height of six to eight inches as measured from the gutter by July 1, 2024; and adding Sections 703.3 and 703.4 to the San Francisco Public Works Code to require the Director of Public Works to install (1) corner curb bulb-outs on Geary Boulevard, Van Ness Avenue, 19th Avenue, Mission Street, Geneva Avenue, and at the intersections of Dr. Carlton B. Goodlett Place and McAllister and Grove Streets as permitted by state and local law and (2) ADA compliant curb-cut ramps on every sidewalk corner in the City.

(Fiscal impact.)

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

**041006 [Establishing cable television customer service requirements]  
Supervisor Peskin**

Ordinance establishing customer service requirements for cable television and open video system operators.

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

## **Resolutions**

**040956 [Supporting the Youth Commission changes to the MOU between SFUSD and the SFPD on School Resource Officers]  
Supervisor Ammiano**

Resolution supporting the San Francisco Youth Commission regarding the Memorandum of Understanding (MOU) between the San Francisco Unified School District (SFUSD) and the Police Department (SFPD) on School Resource Officers.

6/29/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

7/13/04, REFERRED to City Services Committee.

**040991 [Accept – Expend State Grant]  
Mayor, Supervisor Dufty**

Resolution authorizing the Mayor's Office of Criminal Justice to retroactively accept and expend a grant in the amount of \$386,423 from the State Board of Corrections for the purpose of implementing local juvenile justice accountability measures through the Juvenile Accountability Block Grant.

7/13/04, RECEIVED AND ASSIGNED to City Services Committee. 7/27/04: Depts. notified of City Services Committee meeting on August 5, 2004.

**040992 [Hunters Point Shipyard Cooperative Agreement for Fire Services]**

Resolution authorizing the San Francisco Fire Department to accept and enter into a grant agreement with the United States Navy reimbursing the San Francisco Fire Department for the costs of providing fire services to portions of the Hunters Point Shipyard remaining under federal ownership. (Mayor)

7/13/04, RECEIVED AND ASSIGNED to Finance and Audits Committee.

**040994 [Small Business Act]  
Supervisors Hall, Ma**

Resolution urging the United States Senate to continue funding the 7(a) loan program of the Small Business Act in order to insure the development of small businesses throughout the United States.

7/13/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**041011 [Supporting AB 3042]  
Supervisors Ammiano, Dufty**

Resolution supporting AB 3042 which protects the child victims of commercial sexual exploitation.

7/13/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**041012 [Commending Daniel A. Sullivan]  
Supervisors Dufty, Ma, Maxwell, Alioto-Pier, Peskin**

Resolution commending Daniel A. Sullivan for his years of contribution to the City and County of San Francisco.

7/13/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**041013 [Commending Stanlee R. Gatti]  
Supervisors Dufty, Alioto-Pier**

Resolution acknowledging and commending Stanlee R. Gatti for his service as the President of the San Francisco Arts Commission from January 1996 to July 2004 during which time he improved San Francisco's urban cultural environment.

7/13/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**041014 [Ben Davis Inc.]  
Supervisors Daly, Maxwell, Gonzalez, McGoldrick, Ma**

Resolution urging Ben Davis Inc. to act in good faith to reach a mutually satisfactory settlement on its wages and benefits package for its workers at the Ben Davis factory in San Francisco.

7/13/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**041015 [Urging Support for Preservation and Restoration of Belli Buildings]  
Supervisor Peskin**

Resolution urging the Department of Building Inspection to diligently monitor the status and condition of the historic Belli Buildings and expressing support for preserving these historical treasures through all means possible.

7/13/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**041016 [Manilatown]  
Supervisors Peskin, Sandoval, Ammiano, Dufty, Ma**

Resolution supporting the establishment of Manilatown as a Filipino historical and cultural center in Chinatown.

7/13/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**041017 [Community Action Plan for Seismic Safety (CAPSS) Report]  
Supervisors Ma, Alioto-Pier, Dufty**

Resolution urging the Department of Building Inspection to complete and finalize work on their Community Action Plan for Seismic Safety (CAPSS) Report – a study that will include cost-effective mitigation strategies and economic incentives to help avoid future disasters.

7/13/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**041029 [Authorizing the San Francisco Sheriff to enter into a contract with California Department of Corrections]  
Supervisor Sandoval**

Resolution authorizing the San Francisco Sheriff or his designee to enter into contract with the California Department of Corrections (CDC) for the provision of a Substance Abuse Treatment and Control Unit (SATCU) in the City and County of San Francisco when Parole and Community Services Division personnel conclude that there are reasonable grounds for believing that a parolee is addicted to, or habituated to, or is in imminent danger of addiction to controlled substances or alcohol.

7/13/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**040983 [Contracting out Budget Analyst Services]**

Resolution concurring with the controller's certification that the budget analyst services can be practically performed by private contractor for lower cost than similar work services performed by city and county employees. (Clerk of the Board)

7/13/04, RECEIVED AND ASSIGNED to Finance and Audits Committee.

**Requests for Hearings**

**040984 [2003-2004 Civil Grand Jury Report, County Community Schools: Poor Stepchildren of the San Francisco Unified School District]  
Supervisor Dufty**

Hearing to consider the recommendations of the 2003-2004 San Francisco Civil Grand Jury report, on the County Community Schools.

7/13/04, RECEIVED AND ASSIGNED to City Services Committee.

**040985 [2003-2004 Civil Grand Jury Report, On-Time Performance and Service Goals Remain in a Fiction: MUNI's Mismanagement and Worker Problems]  
Supervisor Dufty**

Hearing to consider the recommendations of the 2003-2004 San Francisco Civil Grand Jury report, on the Municipal Transportation mismanagement and worker problems.

7/13/04, RECEIVED AND ASSIGNED to City Services Committee.

**040986 [Conceptual plan for Glen Park's the Coastal Conservancy Grant as approved by the Recreation and Park Commission]  
Supervisor Dufty**

Hearing to receive an update from the Recreation and Park Department on the conceptual plan for the Coastal Conservancy Grant for Glen Park Canyon.

7/13/04, RECEIVED AND ASSIGNED to City Services Committee. 7/27/04: Recreation and Park Dept. notified of August 5, 2004 City Services Committee meeting.

**040990 [Proposed Merger of S.F. Grants for the Arts and S.F. Arts Commission]  
Supervisor Gonzalez**

Hearing on the proposed merger of the San Francisco Grants for the Arts with the San Francisco Arts Commission.

7/13/04, RECEIVED AND ASSIGNED to Rules Committee.

**041007 [2003-2004 Civil Grand Jury Report, San Francisco Department of Child Support Services: Putting the Child First]  
Supervisor Dufty**

Hearing to consider the recommendations of the 2003-2004 San Francisco Civil Grand Jury report on Child Support Services.

7/13/04, RECEIVED AND ASSIGNED to City Services Committee.

**041008 [2003-2004 San Francisco Civil Grand Jury Report, San Francisco Sheriff's Department of Grievance: A Solution]  
Supervisor Dufty**

Hearing to consider the recommendations of the 2003-2004 San Francisco Civil Grand Jury report on the Sheriff's Department grievances and solution.

7/13/04, RECEIVED AND ASSIGNED to City Services Committee.

**041009 [2003-2004 San Francisco Civil Grand Jury Report, San Francisco Sheriff's Department of Grievance: A Solution]  
Supervisor Dufty**

Hearing to consider the recommendations of the 2003-2004 San Francisco Civil Grand Jury report on on the Sheriff's Department grievances.

7/13/04, RECEIVED AND ASSIGNED to City Services Committee.

### **Motions**

**041010 [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.

7/13/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

### **PROPOSED ORDINANCES**

**040717 [Traffic Regulations - Portions of Middle Point Road and Innes Avenue]**

Ordinance adding Sections 28.5.55 and 28.5.56 to the San Francisco Traffic Code restricting certain vehicles over 6,000 pounds on portions of Middle Point Road and Innes Avenue. (Parking and Traffic Department)

6/23/04, RECEIVED AND ASSIGNED to Land Use Committee.



**040895 [Settlement of Lawsuit - Darius Hinton]**

Ordinance authorizing settlement of the lawsuit filed by Darius Hinton against the City and County of San Francisco for \$33,000; the lawsuit was filed on October 16, 2001 in San Francisco Superior Court, Case No. 400-292; entitled Darius Hinton, et al., v. City and County of San Francisco, et al. (City Attorney)  
6/24/04, RECEIVED AND ASSIGNED to Rules Committee.

**040897 [Settlement of Lawsuit - William Salazar and Amy Salazar]**

Ordinance authorizing settlement of the lawsuit filed by William Salazar and Amy Salazar against the City and County of San Francisco for \$28,290 to William Salazar and \$6,210 to Amy Salazar; the lawsuit was filed on January 12, 2001 in San Francisco Superior Court, Case No. 318-098; entitled William Salazar and Amy Salazar v. City and County of San Francisco. (City Attorney)  
7/1/04, RECEIVED AND ASSIGNED to Rules Committee.

**040931 [Settlement of Lawsuit - Applied Remedial Technologies, Inc.]**

Ordinance authorizing settlement of the lawsuit filed by Applied Remedial Technologies, Inc. against the City and County of San Francisco for eighty thousand dollars (\$80,000); the lawsuit was filed on in the Superior Court of the City and County of San Francisco , Case No. CGC-03-419941; entitled Applied Remedial Technologies, Inc. v. City and County of San Francisco, et al. (City Attorney)  
7/1/04, RECEIVED AND ASSIGNED to Rules Committee.

## PROPOSED RESOLUTIONS

**040892 [STOP Intersections]**

Resolution designating certain intersections as "STOP" intersections.

**STOP SIGNS - ESTABLISH**

Noriega Street at 25th Avenue, making this intersection an all-way STOP;  
Olmstead Street, stopping westbound Olmstead Street at University Street;  
Mateo Street, stopping Mateo Street at Arlington Street, making this intersection two-way STOP-controlled;  
Griffith Street at Ingerson Avenue, stopping Griffith Street at Ingerson Avenue, stopping the stem of this T-intersection;  
Loehr Street, stopping Visitacion Avenue at Loehr Street, making this intersection an all-way STOP;  
Loehr Street and Leland Avenue, stopping Loehr Street and Leland Avenue, making this intersection an all-way STOP;  
Roosevelt and Museum Ways, stopping Museum Way and Roosevelt Way, making this intersection an all-way STOP; and  
Gellert Drive at Clearfield Drive, stopping Gellert Drive at Clearfield Drive, making this intersection two-way STOP-controlled. (Parking and Traffic Department)

6/18/04: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 2828.)

6/23/04, RECEIVED AND ASSIGNED to Land Use Committee.

**040893 [Parking Regulations]**

Resolution enacting and rescinding parking regulations at various locations.

**UNMETERED MOTORCYCLE PARKING ESTABLISH**

Frederick Street, north side, from Delmar Street to 9 feet westerly.

**PERPENDICULAR (90-DEGREE ANGLE) PARKING - ESTABLISH**

Rhode Island Street, west side, between 15th and Alameda Streets (100 block), legalizing existing conditions;  
and

Cunningham Place, south side (60-foot zone), legalizing existing conditions.

**NO PARKING ANYTIME - ESTABLISH**

Cunningham Place, at the terminus between the north and south curbs (40-foot zone).

**TOW-AWAY, NO STOPPING ANYTIME - RESCIND****TOW-AWAY, NO PARKING ANYTIME - ESTABLISH**

3rd Street, east side, from Kirkwood Avenue to 70 feet southerly.

**TOW-AWAY, NO STOPPING, MONDAY THOROUGH FRIDAY, 4 PM TO 6 PM - RESCIND**

Howard Street, north side, from 100 feet east of 3rd Street to Fremont Street.

**TOW-AWAY LANE MUST TURN RIGHT - RESCIND**

Howard Street, at 5th Street.

**RESIDENTIAL PERMIT PARKING AREA "A" (2-HOUR TIME LIMIT, 8 AM - 9 PM, MONDAY THROUGH SATURDAY) - RESCIND****TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH**

Taylor Street, both sides, from Francisco Street to 124 feet northerly.

**TOW-AWAY, NO PARKING 9 AM TO 9 PM, EVERYDAY - ESTABLISH**

Masonic Avenue, west side, from 120 feet to 380 feet north of Geary Boulevard (frontage of Trader Joe's).

**NO PARKING ANYTIME - ESTABLISH**

Sears Street, west of Sickles Avenue, from north curb to south curb along the terminus of the street.

**TOW-AWAY, NO STOPPING, 7 AM TO 7 PM - RESCIND**

Folsom Street, south side, from 90 feet to 105 feet west of 4th Street.

**RESIDENTIAL PERMIT PARKING AREA "D" (4-HOUR TIME LIMIT, 9 AM - 5 PM, MONDAY THROUGH FRIDAY) - ESTABLISH**

Roanoke Street, both sides, between Arlington Street and southern terminus.

**PARKING METER AREA NO. 3 (2-HOUR PARKING TIME LIMIT, 9 AM - 6 PM, MONDAY THROUGH SATURDAY) - EXTEND**

Harrison Street, north side, between 11th Street and Norfolk Street. (Parking and Traffic Department)

6/18/04: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 2828.)

6/23/04, RECEIVED AND ASSIGNED to Land Use Committee.

**040894 [Traffic Regulations]**

Resolution enacting and rescinding traffic regulations on various streets.

**MUNI VEHICLES ONLY - ESTABLISH**

Taylor Street, both sides, from Francisco Street to 124 feet northerly (sidewalks to be widened by five feet).

**ONE-WAY NORTHBOUND TRAFFIC DESIGNATION - RESCIND**

Arago Street, between Havelock and Paulding Streets.

**ONE-WAY STREET - ESTABLISH**

Hattie Street, southbound, between Market and 18th Streets; and  
Hattie Street, northbound, between Market and Corbett Streets.

**RIGHT LANE MUST TURN RIGHT EXCEPT BICYCLES - ESTABLISH**

Howard Street, from 3rd Street to 250 feet westerly.

**BICYCLE LANES - ESTABLISH**

Howard Street, north side, from 5th Street to Fremont Street.

**TOW-AWAY, RIGHT LANE MUST TURN RIGHT - RESCIND**

Masonic Avenue, southbound, at Geary Boulevard. (Parking and Traffic Department)

6/18/04: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 2828.)

6/23/04, RECEIVED AND ASSIGNED to Land Use Committee.

**040896 [Contracting Out Facility Security Services]**

Resolution concurring with the Controller's certification that facility security services for Municipal Transportation Agency can be practically performed by a private contractor at a lower cost than by City and County employees. (Municipal Transportation Agency)

6/25/04, RECEIVED AND ASSIGNED to Finance and Audits Committee.

**040933 [Disapproving Street Encroachment at 601-605 Market Street]**

Resolution affirming the recommendation of the Director of Public Works to disapprove permission to CA SF NO. 1, LP, to occupy a portion of the public right-of-way to replace an existing sub-sidewalk elevator enclosure with a new decorative enclosure and construct and maintain a new stairway at sidewalk level to provide a means of secondary egress from the existing sub-sidewalk basement at the 2nd Street frontage of 601-605 Market Street (Block 3707, Lot 001). (Public Works Department)

(Companion measure to File 040934.)

6/30/04, RECEIVED AND ASSIGNED to Land Use Committee.

**040934 [Approving Street Encroachment at 601-605 Market Street]**

Resolution reversing the recommendation of the Director of Public Works and approving permission to CA SF NO. 1, LP, to occupy a portion of the public right-of-way to replace an existing sub-sidewalk elevator enclosure with a new decorative enclosure and construct and maintain a new stairway at sidewalk level to provide a means of secondary egress from the existing sub-sidewalk basement at the 2nd Street frontage of 601-605 Market Street (Block 3707, Lot 001) and making findings of consistency with the General Plan priority policies and Planning Code Section 101.1. (Public Works Department)

6/30/04, RECEIVED AND ASSIGNED to Land Use Committee.

**040938 [Settlement of Administrative Civil Liability Complaint]**

Resolution approving the settlement of the unlitigated administrative civil liability complaint filed by the San Francisco Bay Regional Water Quality Control Board against San Francisco imposing a penalty of \$118,000; approving use of said amount for an environmental mitigation project, subject to approval of the Regional Board Water Quality Control Board, in an amount not to exceed \$110,000, plus payment of an \$8,000 penalty. (City Attorney)

7/2/04, RECEIVED AND ASSIGNED to Rules Committee. Department requests this item be calendared as soon as possible so that final approval can be obtained at the July 27, 2004 Board meeting.

**040966 [Contracting out Airport Employee Parking Services]**

Resolution approving the Controller's certification that Airport Employee Parking Facilities for San Francisco International Airport can practically be performed by private contractor at a lower cost than if work were performed by city employees at budgeted levels. (Airport Commission)

7/2/04, RECEIVED AND ASSIGNED to Finance and Audits Committee.

**040967 [Contracting out Airport Public Parking Services]**

Resolution approving the Controller's certification that Airport Public Automobile Parking Facilities for San Francisco International Airport can practically be performed by private contractor at a lower cost than if work were performed by city employees at budgeted levels. (Airport Commission)

7/2/04, RECEIVED AND ASSIGNED to Finance and Audits Committee.

**Requests Granted**

*From: Supervisor McGoldrick*

*To: City Attorney*

*Requesting/Inquiring: To schedule a closed session with the Board of Supervisors to review the possibility of changing the franchise agreement with RCN Telecom services, Inc. to provide for an Open Video System (OVS) franchise and the possible legal issues that such a change may raise.*

*From: Supervisors Ma, Alioto-Pier, and Dufty*

*To: Director, Office of Emergency Services*

*Requesting/Inquiring: To report and confirm the status of the City's Hazard Mitigation Plan.*

**In Memoriams**

*Elvira "Vera" Gutierrez (Supervisor Dufty)*

*Alma Victoria Taylor (Supervisor Maxwell)*

*Eric Dean Thomas (Supervisor Maxwell)*

*Rose Chu Fong (Supervisors Peskin, Dufty)*

*Ellen Ramsey Sanger (Supervisors Peskin, Alioto-Pier)*

*Dr. Mario Borja (Supervisors Daly, Sandoval)*

## ADJOURNMENT

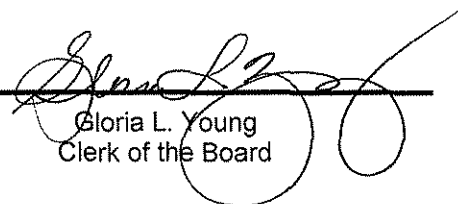
*There being no further business, the Board at the hour of 7:00 p.m. adjourned.*

*Gloria L. Young, Clerk of the Board*

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

*Approved by the Board of Supervisors on August 17, 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