

# 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, September 23, 2003 2:00 PM**  
Legislative Chamber - Second Floor  
City Hall, 1 Dr. Carlton B. Goodlett Place  
San Francisco, CA 94102-4689

### Regular Meeting

---

**MATT GONZALEZ, PRESIDENT**  
**TOM AMMIANO, CHRIS DALY, BEVAN DUFTY, TONY HALL,**  
**FIONA MA, SOPHIE MAXWELL, JAKE McGOLDRICK,**  
**GAVIN NEWSOM, AARON PESKIN, GERARDO SANDOVAL**

*Gloria L. Young, Clerk of the Board*

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

### BOARD COMMITTEES

#### Committee Membership

##### **Budget Committee**

Supervisors Daly, Peskin, Maxwell, Ma, Gonzalez

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

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

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

Supervisors Dufty, Ma, Newsom

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

Supervisors Peskin, Sandoval, McGoldrick

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

Supervisors McGoldrick, Maxwell, Ammiano

##### **Rules Committee**

Supervisors Hall, Dufty, Gonzalez

#### Meeting Days

Thursday  
1:00 PM

2nd Monday, bi-monthly  
4:00 PM

Thursday  
9:30 AM

Wednesday  
12:30 PM

Monday  
1:00 PM

Wednesday  
9:30 AM

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

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

---

## ROLL CALL AND PLEDGE OF ALLEGIANCE

*The meeting was called to order at 2:07 p.m. On the call of the roll, the following Supervisor was noted absent.*

*Supervisor Ammiano - 1*

*Quorum present.*

*Supervisor Ammiano was noted present at 2:08 p.m.*

## COMMUNICATIONS

*There were none.*

## CONSENT AGENDA

### Recommendations of the Finance and Audits Committee

031390 [Lease of Real Property]  
Supervisor Daly

Resolution authorizing renewal of a lease of real property at 1372 Mission Street, for continued use by the Department of Public Health's Saint James Infirmary and STD Program Research Offices (Real Estate Department)

(Public Benefit Recipient.)

*Supervisor Daly requested to be added as sponsor.*

**Resolution No. 615-03**

**ADOPTED**

**031394 [Lease of Real Property]  
Supervisor Maxwell**

Resolution authorizing renewal of a lease of real property at 1360 Mission Street, Suite 400, for continued use by the Department of Public Health, Employee Assistance Program. (Real Estate Department)

(Public Benefit Recipient.)

**Resolution No. 616-03**

**ADOPTED**

**031403 [Lease of Real Property]  
Supervisors Ammiano, Dufty**

Resolution authorizing renewal of a lease of real property at 1360 Mission Street, Suite 401, for continued use by the Department of Public Health, STD Program Administrative Headquarters. (Real Estate Department)

(Public Benefit Recipient.)

**Resolution No. 617-03**

**ADOPTED**

**031435 [Contracting Out City Services]**

Resolution retroactively concurring with the Controller's certification that assistance to certain victims of crime and education in community anti-street violence can be practically performed for the District Attorney's Victim Witness Assistance Program by a private contract at a lower cost than similar work services performed by City and County employees. (District Attorney)

(Public Benefit Recipient.)

**Resolution No. 620-03**

**ADOPTED**

### **Recommendations of the Land Use Committee**

**031436 [STOP Intersections]**

Resolution designating certain intersections as "STOP" intersections.

**STOP SIGNS - ESTABLISH**

26th and Diamond Streets, stopping Diamond Street, making this intersection an all-way STOP;  
Montecito Avenue and Northwood Drive, stopping Northwood Drive, making this uncontrolled intersection a two-way STOP; and

15th Avenue and Noriega Street, south intersection, stopping southbound 15th Avenue at Noriega Street, making this uncontrolled Y-intersection a one-way STOP. (Parking and Traffic Department)

(8/6/03: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 2671; No Public Benefit Recipient.)

**Resolution No. 621-03**

**ADOPTED**

**031438 [Traffic Regulations]**

Resolution enacting and rescinding traffic regulations on various streets.

NO U-TURNS - ESTABLISH

Treasure Island Road, both directions, at McCalla Road.

LEFT LANE MUST TURN LEFT - ESTABLISH

Grant Avenue, northbound, at Pine Street.

NO LEFT TURN, 4 PM TO 6 PM, EXCEPT SUNDAY - RESCIND

Montgomery Street, northbound, at Broadway. (Parking and Traffic Department)

(8/6/03: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 2671; No Public Benefit Recipient.)

**Resolution No.** 623-03

**ADOPTED**

**031437 [Parking Regulations]**

Resolution enacting and rescinding parking regulations at various locations.

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

9th Avenue, east side, from Lake Street to the north terminus (legislates existing street conditions);  
Diamond Street, west side, from 22nd to 23rd Streets (legislates existing street conditions);  
Wisconsin Street, both sides, from 19th to 20th Streets (legislates existing street conditions);  
Wisconsin Street, west side, from 20th to 22nd Streets (legislates existing street conditions);  
Duboce Avenue, north side, from Castro to Divisadero Streets (legislates existing street conditions);  
Arkansas Street, west side, from 16th to Mariposa Streets (legislates existing street conditions);  
Arkansas Street, east side, from Mariposa to 18th Streets (legislates existing street conditions);  
Arkansas Street, both sides, from 18th to 19th Streets (legislates existing street conditions);  
Arkansas Street, west side, from 19th to 20th Streets (legislates existing street conditions);  
Rhode Island Street, east side, from 20th Street to Mariposa Street (legislates existing street conditions); and  
Rhode Island Street, west side, from 19th Street to Mariposa Street (legislates existing street conditions).

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

Castro Street, east side, from 100 to 230 feet south of Duboce Avenue.

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

Melrose Avenue, along east terminus, east of Foerster Street (adjacent to Sunnyside Playground).

**1-HOUR PARKING METERS, 7 AM TO 6 PM, MONDAY THROUGH SATURDAY - ESTABLISH**

California Street, north side, from Locust Street to 231 feet easterly (commercial frontage only, up to 3440 California Street)

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

Farrugut Avenue, north side, from Alemany Boulevard to the western terminus.

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

18th Street, both sides, between Clover and Douglass Streets (4500 block).

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

Langton Street, east side, between Folsom and Harrison Streets.

**1-HOUR PARKING, 7 AM TO 6 PM, EXCEPT SUNDAY - RESCIND****RESIDENTIAL PERMIT PARKING AREA "I" (2-HOUR TIME LIMIT, 9 AM - 6 PM, MONDAY THROUGH SATURDAY) - ESTABLISH**

Julian Avenue, both sides, between 15th and 16th Streets.

**RESIDENTIAL PERMIT PARKING AREA "I" (2-HOUR TIME LIMIT, 9 AM - 6 PM, MONDAY THROUGH SATURDAY) - ESTABLISH**

Rondel Place, both sides, between 16th Street and south terminus. (Parking and Traffic Department)

(8/6/03: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 2671; No Public Benefit Recipient.)

**Resolution No.** 622-03

**ADOPTED**

**Recommendation of the Rules Committee****031432 [Settlement of Lawsuit - Arcadia Machine & Tool Inc. et al.]**

Ordinance authorizing the partial settlement of the lawsuit filed by the San Francisco City Attorney against certain manufacturers, distributors and dealers of firearms, and their trade associations; the settling defendants are Traders Sports, Inc., Southern Ohio Gun Distributors, Ellett Brothers Inc., and MKS Supply Inc.; these settling defendants agree to the entry of stipulated judgments that will reform their firearm distribution practices, and to pay \$70,000; the lawsuit was filed on May 25, 1999 in San Francisco Superior Court, Case No. 303-753, and later coordinated with similar actions in the San Diego Superior Court as part of J.C.C.P. 4095; entitled People of the State of California ex rel Herrera et al. v. Arcadia Machine & Tool Inc. et al. (City Attorney)

(No Public Benefit Recipient.)

**PASSED, ON FIRST READING**

The foregoing items were acted upon by the following vote:

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

**Severed from Consent Agenda**

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

**031465 [Grant of Federal Funds]**

**Mayor**

Resolution authorizing the Municipal Transportation Agency Board to accept and expend \$48,094,526 of Federal Formula Section 5307 and Surface Transportation Program (STP) Capital Assistance for San Francisco Capital Projects and activities, excluding Administrative Overhead Costs.

(No Public Benefit Recipient.)

*Supervisor Daly requested to divide the question to consider on page 3, line 16 "Motor Coach Replacement." separately.*

*The divided question on Motor Coach Replacement failed by the following vote:*

*Ayes: 3- Ammiano, Daly, Gonzalez*

*Noes: 8 - Dufty, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval*

**Resolution No. 607-03**

**ADOPTED by the following vote:**

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

**REGULAR AGENDA****UNFINISHED BUSINESS**

**Recommendation of the Finance and Audits Committee****031238 [Establishing a Department of Human Services Care Fund]  
Supervisors Hall, Newsom, Peskin**

Ordinance amending the San Francisco Administrative Code by adding Section 10.100-77, to establish a Department of Human Services Care Fund, defining terms, identifying revenues, restricting permissible uses, providing for verification and adjustment of appropriations, and limiting expenditures in excess of the fund cap.

(Fiscal impact.)

**Ordinance No.** 237-03

**FINALLY PASSED** by the following vote:

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

**NEW BUSINESS****Recommendations of the Finance and Audits Committee****031333 [Making Environmental Findings and Increasing Street Artist Certificate Fee]**

Ordinance making required environmental findings and amending Article 24 of the San Francisco Police Code by amending Section 2404.1 to increase the fee for a Street Artist Certificate and amending Section 2404.2 to clarify the fee setting procedure. (Arts Commission)

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

Ayes: 6 - Ammiano, Hall, McGoldrick, Newsom, Peskin, Sandoval  
Noes: 5 - Daly, Dufty, Gonzalez, Ma, Maxwell

**031396 [Appropriate funding to offset the loss of parking revenue for not charging parking in Golden Gate Park]  
Supervisors Daly, Sandoval**

Ordinance appropriating \$500,000 from the General Fund Reserve and rescinding \$700,000 in parking revenues and \$200,000 of professional services to offset the loss of parking revenue for not charging for parking in Golden Gate Park for Recreation and Parks Department for fiscal year 2003-2004.

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

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

**031317 [MOU - Police Officers' Association (SFPOA)]  
Mayor, Supervisor Dufty**

Ordinance adopting and implementing the Memorandum of Understanding between the City and County of San Francisco and the San Francisco Police Officers' Association (SFPOA), to be effective July 30, 2003 through June 30, 2007.

(Fiscal impact.)

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

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

**031383 [Setting San Francisco's fiscal year 2003-2004 property tax rate and establishing pass-through rate for residential tenants]**

Ordinance providing revenue and levying property taxes for City and County purposes and establishing pass-through rate for residential tenants pursuant to Chapter 37 of the Administrative Code for the fiscal year ending June 30, 2004. (Controller)

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

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

**031388 [Setting San Francisco's Unified School District's FY 2003-2004 property tax rate to be included in the City's overall property tax rate]**

Ordinance providing revenue and levying property taxes for San Francisco Unified School District's purposes for the fiscal year ending June 30, 2004. (Controller)

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

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

**031393 [Setting S.F. Community College District's fiscal year 2003-2004 property tax rate to be included in the City's overall property tax rate]**

Ordinance providing revenue and levying property taxes for San Francisco Community College District purposes for the fiscal year ending June 30, 2004. (Controller)

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

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

**031395 [Funding from the General Reserve and re-appropriate salaries to fund the October 2003 Recall Election]  
Mayor**

Ordinance appropriating \$3,232,983 from the General Fund Reserve and re-appropriating \$150,000 of permanent salaries for a total of \$3,382,983 for temporary salaries, overtime, fringe benefits, non personal services, materials and supplies, and services of other departments associated with the October 2003 recall election for Elections Department for fiscal year 2003-2004.

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

Ayes: 8 - Ammiano, Dufty, Gonzalez, Hall, Maxwell, McGoldrick, Newsom, Peskin

Noes: 2 - Daly, Ma

Absent: 1 - Sandoval



**031400 [MOU Amendment No 1 - International Brotherhood of Electrical Workers, Local 6]  
Mayor**

Ordinance adopting and implementing Amendment No. 1 to the Memorandum of Understanding between the City and County of San Francisco and the International Brotherhood of Electrical Workers, Local 6, by adding paragraph 149a, which provides for a premium to certain classes providing signal operations at the Department of Parking and Traffic, which was inadvertently omitted from the MOU, to be effective July 1, 2003 through June 30, 2005.

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

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

**031425 [Appropriate funding for the Art Commission for municipal symphony concerts using property tax revenue]**

Ordinance appropriating \$23,273 for the municipal symphony concerts using property tax revenue, pursuant to Charter Section 16.106(1) for the Art Commission for fiscal year 2003-04. (Controller)

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

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

**031270 [Contracting out Paratransit Services]**

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

(Public Benefit Recipient.)

**Resolution No.** 613-03

**ADOPTED** by the following vote:

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

**031389 [Amending the Redevelopment Agency Budget for Tax Increments in Mission Bay North and South]**

Resolution amending the budget of the Redevelopment Agency of the City and County of San Francisco for fiscal year 2003-2004 to allow the Controller to increase the tax increments distributed to the Redevelopment Agency in accordance with the Tax Increment Allocation Pledge Agreements for Mission Bay North and Mission Bay South. (Controller)

(Fiscal impact.)

**Resolution No.** 604-03

**ADOPTED** by the following vote:

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

**031404 [Development of Property Located at Broadway and Battery Streets For Affordable Housing]  
Mayor, Supervisors Peskin, Dufty, Daly, Hall**

Resolution authorizing the Mayor's Office of Housing to enter into a lease disposition and development agreement and below market long-term ground lease with Chinatown Community Development Center, a nonprofit public benefit corporation, for the development of affordable housing, together with a child care center, neighborhood-serving commercial space, and associated parking on real property located on the south side of Broadway between Battery and Front streets; affirming the Planning Commission's adoption of the mitigated negative declaration for the project; adopting environmental findings under the California Environmental Quality Act; and adopting findings that the project is consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1.

(Fiscal impact; Public Benefit Recipient.)

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

**Resolution No.** 605-03

**ADOPTED by the following vote:**

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

**031426 [FY 2003-04 California Constitution Appropriations Limit]**

Resolution establishing the appropriations limit for Fiscal Year 2003-04 pursuant to California Constitution Article XIII B. (Controller)

(Fiscal impact; No Public Benefit Recipient.)

**Resolution No.** 618-03

**ADOPTED by the following vote:**

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

**031428 [Federal Grant Amendments for Airport Improvement Program]**

Resolution authorizing the Airport Commission to accept amendment to grant agreements offered by the Federal Aviation Administration ("FAA") for AIP 16, AIP 17, and AIP 19; and to release grant fund from reserve, in the amount of \$1,202,977 under AIP 17. (Airport Commission)

(Public Benefit Recipient.)

**Resolution No.** 619-03

**ADOPTED by the following vote:**

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

**031464 [Jurisdictional Transfer]  
Mayor, Supervisors Peskin, Dufty, Daly**

Resolution transferring jurisdiction from the Department of Public Works to the Mayor's Office of Housing Real Property Identified as Assessor's Block 141, Lot 11 for the development of affordable housing; and adopting findings pursuant to City Planning Code Section 101.1.

(Companion measure to File 031404.)

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

**Resolution No.** 606-03

**ADOPTED by the following vote:**

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

031468 [Lease of Real Property]  
Supervisors Hall, Sandoval

Resolution approving and authorizing a new lease between the City and County of San Francisco, as tenant, and the Regents of the University of California, a California corporation, as landlord, of warehouse space at 626 Forbes Boulevard, South San Francisco.

(Fiscal impact; Public Benefit Recipient.)

*Supervisor Sandoval noted present at 2:49 p.m.*

**Resolution No.** 627-03

**ADOPTED** by the following vote:

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

**031499 [Municipal Transportation Agency Leverage Lease Financing]  
Mayor**

Resolution authorizing one or more lease-to-service contract transactions with respect to up to 21 Breda light rail cars; approving the form of and authorizing the execution and delivery of a Participation Agreement setting forth the terms and conditions of the lease-to-service contract transaction relating to the rail cars; approving the form of and authorizing the execution and delivery of a Head Lease Agreement providing the terms and conditions pursuant to which the rail cars will be leased to a trust; approving the form of and authorizing the execution and delivery of a Head Lease Supplement supplementing the terms and conditions pursuant to which specific rail cars will be leased to the trust; approving the form of and authorizing the execution and delivery of a Sublease Agreement providing the terms and conditions pursuant to which the trust will lease the rail cars back to the City to be operated and maintained by the City; approving the form of and authorizing the execution and delivery of a Sublease Supplement supplementing the terms and conditions pursuant to which the City will lease back the rail cars from the trust; approving the form of and authorizing the execution and delivery of a Payment Agreement providing the terms and conditions pursuant to which the City will provide for the payment of a portion of the sublease rent; approving the form of and authorizing the execution and delivery of an Equity Collateral Security Agreement and a Custody Agreement providing the terms and conditions pursuant to which the City will provide for a custody account to hold, and a security interest in, certain securities for the payment of a portion of the sublease rent and the purchase option purchase price if the purchase option is or is deemed exercised; approving the form of and authorizing the execution and delivery of a Support and Access Agreement providing the terms and conditions pursuant to which the City will provide the trust support and access to certain property if the City chooses not to exercise the purchase option; approving the form of and authorizing the execution and delivery of an Agreement for Assignment on Default which will provide the lender to the trust with an option to purchase, and take an assignment of the equity investor's beneficial interest in the trust estate upon the occurrence of certain events ; approving the form of and authorizing the execution and delivery of a Tax Indemnification Agreement providing the terms and conditions under which the City will indemnify under certain circumstances the equity investor for income inclusions or losses of tax benefits; approving the form of and authorizing the execution and delivery of an Insurance and Indemnity Agreement providing the terms and conditions under which the City will indemnify the strip surety provider; approving indemnification of various parties; acknowledging the waiver of the City's right to jury trial under certain circumstances; acknowledging proposed waiver requests pursuant to Sections 12B.5-1(d) and 12C.5-1(d) of the San Francisco Administrative Code; finding that the lease-to-service contract transaction is designed to reduce the amount or duration of payment or similar risk to the City or enhance the relationship between risk and return with respect to investments made pursuant to or in connection with such transaction; approving and authorizing the execution and delivery of any document necessary to implement this Resolution; authorizing the execution and delivery of documents in conforming sets for the equity investor; ratifying and approving any action heretofore taken in connection with the transaction contemplated by this Resolution; and related matters.

Supervisor Sandoval dissenting.

**Resolution No.** 599-03

**ADOPTED by the following vote:**

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

**Recommendation of the Land Use Committee**

**031439 [Speed Limit - Potrero Avenue between Brannan and Cesar Chavez Streets]**

Ordinance adding Section 174.13 and removing Section 175.07 of the San Francisco Traffic Code to reduce the speed limit from 30-mph to 25-mph on Potrero Avenue between Brannan and Cesar Chavez Streets.  
(Parking and Traffic Department)

(No Public Benefit Recipient.)

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

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

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

### **Privilege of the Floor**

Supervisor McGoldrick, seconded by Supervisor Peskin, 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 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

*Supervisor McGoldrick introduced, welcomed and presented Certificates of Honor to Members of the Friends of Recreation and Parks.*

## Appointment of President Pro Tempore

*At the request of the President, Supervisor Sandoval assumed the Chair so the President could participate in the debate from the floor concerning the following item.*

*The President resumed the Chair shortly thereafter.*

## ROLL CALL FOR INTRODUCTIONS

## PUBLIC COMMENT

*Abdullah Megaheed; Care Not Cash issues*

*Richard Robertson; Iraq war issues*

*Bob Tomcastle; rights for members in the military service*

*Vernon Jenkins; general issues*

*Male Speaker; gratefulness to the Board of Supervisors and more grass roots*

*Joan Miller; opposing Item No. 46 Resolution opposing the declawing of cats*

*Female Speaker; homeless issues*

*Elena; thanked Supervisor Gonzalez staff; Public Access issues*

*Male Speaker; free speech issues*

*Jim Reuben, owners of 701 Lombard Street Item 52, request to send this committee*

*Joe O'Donoghue; opposition to Item 52*

*Dr. Richard Becker, President of Veterinary Medical Association, opposing Item No. 46 Resolution opposing the declawing of cats*

*Tom Mack; Veterinary Medical Association, opposing Item No. 46 Resolution opposing the declawing of cats*

*Dr. Norman Fried, Veterinary medicine, opposing Item No. 46 Resolution opposing the declawing of cats*

*Julie Christiansen; support of Item 52*

*Paul Scott; President of Telegraph Hill Dwellers*

*Susie Hersch; support of Item 52*

*Male speaker; commend City of San Francisco for weekend at the park*

*Brian O'Flynn; owner of 701 Lombard Street, opposition to Item 52, request to send to committee*

*Joseph; HR 20 and Health Fair for homeless program*

*Dr. Chang; support of Item 52*

**FOR ADOPTION WITHOUT COMMITTEE REFERENCE**

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

**Items 31 through 56****031570 [Walk to School Day]  
Supervisors Ma, Dufty**

Resolution declaring October 8, 2003 as "Walk Our Children to School Day" in the City and County of San Francisco.

**Resolution No. 628-03**

**ADOPTED**

**031571 [Commending the Sunset District Neighborhood Coalition and the Sunset Artists' Society]  
Supervisors Ma, Sandoval**

Resolution commending the Sunset District Neighborhood Coalition and the Sunset Artists' Society for their work organizing the 9th Annual Sunset Community Festival.

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

**Resolution No. 629-03**

**ADOPTED**

**031572 [Latino Heritage Month]  
Supervisors Ma, Dufty, Sandoval**

Resolution declaring September 2003 as "Latino Heritage Month" in the City and County of San Francisco.

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

**Resolution No. 630-03**

**ADOPTED**

**031579 [Mental Health Services Act]  
Supervisor Ammiano**

Resolution endorsing the California Mental Health Services Act Initiative for the November 2004 statewide ballot.

**Resolution No. 631-03**

**ADOPTED**

**031580 [UC Berkeley Extension Photography Program]  
Supervisor Ammiano**

Resolution urging the UC Berkeley Extension to maintain a Photography Program and darkroom in San Francisco.

**Resolution No. 632-03**

**ADOPTED**

**031581 [Supporting International Arts Festival 2005]  
Supervisors Ammiano, Daly**

Resolution supporting International Arts Festival 2005 in San Francisco, strategically promoting this important resource to potential partner governments from around the world to help stimulate economic activity, foster meaningful cultural exchange and develop more earned income opportunities for our artists.

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

**Resolution No. 633-03**

**ADOPTED**

**031582 [Commending the 120th Anniversary of Immaculate Conception Academy]  
Supervisors Dufty, Hall**

Resolution commending the 120th Anniversary of Immaculate Conception Academy for its dedicated mission of educating young San Franciscans and its contributions to the Mission District and greater City community.

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

**Resolution No. 634-03**

**ADOPTED**

**031583 [Commending SFPD Captain Michael Yalon]  
Supervisors Dufty, Ammiano, Daly, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin,  
Sandoval**

Resolution commending San Francisco Police Department Captain Michael Yalon.

**Resolution No. 635-03**

**ADOPTED**

**031584 [Commending SFPD Captain Dan Lawson]  
Supervisors Dufty, Ammiano, Daly, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin,  
Sandoval**

Resolution commending San Francisco Police Department Captain Dan Lawson.

**Resolution No. 636-03**

**ADOPTED**



**031585 [Establishment of Little Saigon in the Tenderloin]**  
**Supervisors Daly, Ma**

Resolution supporting the establishment of Little Saigon as a Vietnamese cultural and commercial center in the Tenderloin.

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

**Resolution No. 637-03**

**ADOPTED**

**031586 [Mental Health Services Act]**  
**Supervisor Newsom**

Resolution urging the voters of the State of California to pass the Mental Health Services Act.

**Resolution No. 638-03**

**ADOPTED**

**031587 [Clay and Arguello Streets]**  
**Supervisor Newsom**

Resolution urging the Department of Parking and Traffic to paint the crosswalk running North to South on Arguello and place intersections at Clay crossing Arguello on the North side.

**Resolution No. 639-03**

**ADOPTED**

**031589 [Stop Sign Designation - Greenwich and Powell Streets]**  
**Supervisor Peskin**

Resolution urging the installation of four-way Stop signs at the intersection of Greenwich and Powell Streets.

**Resolution No. 644-03**

**ADOPTED**

**031590 [Extension of Planning Commission Review Period]**  
**Supervisor Peskin**

Resolution extending for an additional 30 days the prescribed time within which the Planning Commission may render its decision on a proposed ordinance to amend the San Francisco Planning Code by creating section 608.15 to establish the Northeast Waterfront Special Sign District, creating Section 609.14 to address amortization of nonconforming signs in this District, amending Section 608 and Article 10, Appendix D, section 7 to be consistent with the Ordinance, amending the Zoning Map Section Map SSD-1 to show the boundaries of this District, and making findings of consistency with the General Plan and priority policies of Planning Code section 101.1.

**Resolution No. 640-03**

**ADOPTED**

**031591 [Opposing the Declawing of Cats]  
Supervisor Sandoval**

Resolution urging pet guardians and veterinarians to discontinue the practice of declawing cats in the City and County of San Francisco.

**Resolution No. 645-03**

**ADOPTED**

**031592 [Commending San Francisco Conservation Corp]  
Supervisor Sandoval**

Resolution commending the San Francisco Conservation Corp for its 20 years of outstanding service to San Francisco.

**Resolution No. 641-03**

**ADOPTED**

**031593 [Commending Richard Ironcloud and Armando Blackbear]  
Supervisors Sandoval, Peskin**

Resolution commending Richard Ironcloud and Armando Blackbear for their swim across San Francisco Bay, highlighting the importance of healthy living.

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

**Resolution No. 642-03**

**ADOPTED**

**031594 [Accept Federal Grant - fiscal year 2003 lead hazard reduction demonstration grant program]  
Mayor**

Resolution authorizing the Mayor of the City and County of San Francisco to accept a grant from the U.S. Department of Housing and Urban Development for lead-based paint hazard reduction in a total amount not to exceed \$4,000,000.

(No Public Benefit Recipient.)

**Resolution No. 611-03**

**ADOPTED**

**031573 [Extending the San Francisco Zoo Audit Select Committee]  
Supervisor Ma**

Motion extending the San Francisco Zoo Audit Select Committee.

**Motion No. M03-176**

**APPROVED**

**031540 [Needle Exchange Emergency]**  
**Supervisors Ammiano, Newsom, Daly, Peskin, McGoldrick, Maxwell, Dufty**

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

**Motion No.** M03-174

**APPROVED**

**031529 [Final Map for a 9 Unit Mixed Use Condominium Project]**

Motion approving Final Map of 581 Hayes Street, A Mixed Use Condominium Project, being a subdivision of Lot 54, Assessor's Block No. 818, and adopting findings pursuant to Planning Code Section 101.1. (Public Works Department)

(No Public Benefit Recipient; DPW Order No. 174,381; District 6.)

**Motion No.** M03-171

**APPROVED**

**031536 [Final Map for a 50 Unit Residential Condominium Project]**

Motion approving Final Map of 1 Federal Street, a Residential Condominium Project, being a subdivision of Lot 189 in Assessor's Block No. 3774, and adopting findings pursuant to Planning Code Section 101.1. (Public Works Department)

(No Public Benefit Recipient; DPW Order No. 174,383; District 6.)

**Motion No.** M03-172

**APPROVED**

**031537 [Final Map for a 192 Unit Residential/Commercial Condominium Project]**

Motion approving Final Map of 200 Brannan Street a Residential/Commercial Condominium Project, being a subdivision of Lot 190 in Assessor's Block No. 3774, and adopting findings pursuant to Planning Code Section 101.1. (Public Works Department)

(No Public Benefit Recipient; DPW Order No. 174,384; District 6.)

**Motion No.** M03-173

**APPROVED**

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

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

**Severed from Without Reference to Committee Agenda**

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

**031588 [Changing the name of Pardee Alley in North Beach to "Jack Micheline Place"]  
Supervisors Peskin, Gonzalez, Daly, McGoldrick**

Resolution changing the name of Pardee Alley in North Beach to "Jack Micheline Place", in recognition of the late Jack Micheline's artistic contributions to the community of North Beach and the City of San Francisco.

*Supervisor Peskin, seconded by Supervisor McGoldrick, moved to amend by replacing "Jack Micheline Place" with "Jack Micheline Alley". New Title.*

**AMENDED by the following vote:**

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

Resolution changing the name of Pardee Alley in North Beach to "Jack Micheline Alley", in recognition of the late Jack Micheline's artistic contributions to the community of North Beach and the City of San Francisco.

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

**Resolution No. 643-03**

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

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

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

**031550 [Public Hearing - Eminent Domain]  
Supervisor Peskin**

Motion directing the Board of Supervisors to hold a public hearing on October 7, 2003, at 4:00 p.m. to consider adopting a resolution of necessity for the City's proposed acquisition by eminent domain for open space of Lot 001 in Assessor's Block 0074, in San Francisco.

*Supervisor Hall, seconded by Supervisor Dufty, moved to send this matter to committee.*

*Motion failed by the following vote:*

*Ayes: 3 - Dufty, Hall, Ma*

*Noes: 8 - Ammiano, Daly, Gonzalez, Maxwell, McGoldrick, Newsom, Peskin, Sandoval*

**Motion No. M03-175**

**APPROVED by the following vote:**

Ayes: 9 - Ammiano, Daly, Gonzalez, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

Noes: 2 - Dufty, Hall

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

**031568 [Calling from the Table Legislative Item 031361 (General Assistance – In-Kind Assistance; Department of Human Services Care Fund)]  
Supervisor Newsom**

Motion calling from the table legislative item 031361 (General Assistance - In-Kind Assistance; Department of Human Services Care Fund) and directing the Clerk of the Board of Supervisors to place item 031361 (General Assistance - In-Kind Assistance; Department of Human Services Care Fund) on the calendar for the September 30th, 2003 meeting.

**Supervisor Newsom, seconded by Supervisor Hall, moved that this Motion be APPROVED. The motion FAILED by the following vote:**

Ayes: 5 - Dufty, Hall, Ma, Newsom, Peskin

Noes: 6 - Ammiano, Daly, Gonzalez, Maxwell, McGoldrick, Sandoval

## OFF-AGENDA LEGISLATION

### Introduced by Supervisors or Mayor

#### Ordinances

**030667 [Amending Residential Rent Stabilization and Arbitration Ordinance]  
Supervisors Gonzalez, Daly**

Draft ordinance amending Administrative Code Chapter 37 "Residential Rent Stabilization and Arbitration Ordinance" by amending Sections 37.3 and 37.9: to prohibit rent increases solely for the addition of occupants, even where a pre-existing rental agreement or lease specifically permits a rent increase for additional occupants, except that the landlord may petition the Rent Board for a rent increase under Section 37.8(e)(4) based on the increased cost for an additional occupant [Section 37.3(a)(11)]; and to prohibit evictions solely for the addition of occupants, up to a maximum of two occupants per habitable sleeping room, even where a pre-existing rental agreement or lease prohibits additional occupants, except where this total would exceed the number of occupants permitted under other applicable state law and/or other local codes or otherwise fail to comply with such other applicable state law and/or local codes (e.g., Planning, Housing and Building Codes) [Section 37.9(a)(2)].

4/14/03, RECEIVED AND ASSIGNED to Land Use Committee.

9/23/03, SUBSTITUTED. Supervisor Gonzalez submitted a substitute ordinance bearing new title.

9/23/03, ASSIGNED to Land Use Committee.

**031603 [Generation Solar: Residential and Commercial Solar Program]  
Supervisor Ammiano**

Ordinance requiring the Public Utilities Commission and the Department of the Environment in consultation with other City departments to implement Generation Solar, a solar program for the residential and commercial sectors.

(No Public Benefit Recipient.)

9/23/03, RECEIVED AND ASSIGNED to Land Use Committee.

**031607 [Appropriate funding from the General Reserve for Fire Engine 33]  
Supervisors Sandoval, Gonzalez, Peskin**

Ordinance appropriating \$1,600,000 from the General Fund Reserve for uniform salaries, premium pay, uniform overtime, fringe benefits, and materials and supplies and utilities to fund Fire Engine 33 for fiscal year 2003-2004.

9/23/03, RECEIVED AND ASSIGNED to Finance and Audits Committee.

**031608 [Taxicab Gate Fees]  
Supervisor Hall**

Ordinance amending Section 1135.1 of the Police Code to provide for extending from November 1, 2003 to January 1, 2004 the time for sunsetting the higher cap on taxicab gate fees if the City fails to enact an ordinance prescribing a long-term lease fee cap covering long-term lease drivers; and to authorize the Board of Supervisors by resolution to extend the times provided for in Section 1135.1 for sunsetting the higher gate fee cap.

9/23/03, RECEIVED AND ASSIGNED to Land Use Committee.

**031609 [Authorizing an alternative procedure for establishing property and business improvement districts]  
Supervisor Peskin**

Ordinance amending Article 15 of the Business and Tax Regulations Code by amending Sections 1510 and 1511 to authorize the Board of Supervisors to initiate proceedings to establish property and business improvement districts upon receipt of a petition signed by property owners responsible for 30 percent of the proposed assessment; authorizing such districts to be formed for a term of up to 20 years; authorizing such districts to encompass and assess residential property, and repealing Sections 1513 through 1591.

9/23/03, RECEIVED AND ASSIGNED to Finance and Audits Committee.

**031610 [Adding San Francisco Fire Department to those Departments that are allowed to authorize employees to drive department vehicles to and from their residences]  
Supervisor Sandoval**

Ordinance amending San Francisco Administrative Code Chapter 4 Section 4.11 to add the San Francisco Fire Department to those Departments that are allowed to authorize employees to drive department vehicles to and from their residences and to authorize the San Francisco Fire Department to use 10 vehicles in that manner.

9/23/03, RECEIVED AND ASSIGNED to Finance and Audits Committee.

**Resolutions****031611 [Review of Concession Opportunity]  
Supervisor Peskin**

Resolution authorizing the Director of the Department of Administrative Services to review the benefits of and to solicit bids for the award of an agreement for use of sites owned or occupied by the City and County of San Francisco for beverage vending services.

9/23/03, RECEIVED AND ASSIGNED to City Services Committee.

**031612 [Commending Sacred Heart Cathedral Preparatory new Student Life Center]  
Supervisors Newsom, Hall**

Resolution commending the Sacred Heart Cathedral Preparatory School on its 150th Anniversary, celebrating its legacy of graduating more than 80,000 high school students in the City and County of San Francisco and in celebrating the Grand Opening of the Daughters of Charity Foundation, Sister Teresa Piro, DC, Student Life Center.

9/23/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**031613 [Commending Japanese Community Youth Council]  
Supervisors Newsom, Dufty, Ma**

Resolution commending the Mayor's YouthWorks Program and the Mayor's Education and Employment Program on having been selected as recipients of the prestigious PEPNET Award and commending the Japanese Community Youth Council for serving as the lead agency of these two youth employment programs.  
9/23/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**031614 [Commending Starting Points Initiative]  
Supervisors Newsom, Dufty, Ma**

Resolution commending Starting Points for the completion of its San Francisco Citywide Strategic Plan for Supporting Families and its recent formation of a Family Support Council.  
9/23/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**031615 [Establishing City Planning Audit Select Committee]  
Supervisor Daly**

Motion creating a City Planning Audit Select Committee.  
9/23/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**031616 [Reappointment of Mark Dunlop to the S.F. HIV Health Services Planning Council]  
Supervisors Ammiano, Daly**

Resolution urging Mayor Willie L. Brown to re-appoint Mark Dunlop to the San Francisco HIV Health Services Planning Council.  
9/23/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**031617 [Senate Bill 774]  
Supervisor Daly**

Resolution urging Governor Gray Davis to sign Senate Bill 774, Pharmacy Syringe Sale and Disease Prevention Act.  
9/23/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**031618 [Commend Anne Stanton]  
Supervisors Daly, Dufty, Newsom**

Resolution commending Anne Stanton for her decade of work and leadership for homeless youth in San Francisco as the esteemed Executive Director of the Larkin Street Youth Services.  
9/23/02, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**031619 [Commendation for Linnea Klee]  
Supervisors Daly, Dufty, Newsom**

Resolution commending Linnea Klee for her ten years of service as Executive Director of the Children's Council of San Francisco.

9/23/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**031620 [Halloween in the Castro - Extended BART Service]  
Supervisors Dufty, Ammiano, Daly, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval**

Resolution urging the Bay Area Rapid Transit District to provide late night BART Service for the "Halloween in the Castro" event. Service would be extended from Midnight on October 31st until 2 a.m. on November 1st, 2003.

9/23/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**031621 [Selective purchasing of oil from companies purchase leases or develop oil fields in the Arctic National Wildlife Refuge]  
Supervisors Gonzalez, Peskin, Daly, Newsom**

Resolution urging the City of San Francisco to refrain from purchasing oil from companies that purchase leases or develop oil fields in the Arctic National Wildlife Refuge.

9/23/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**031622 [Commending attorneys Elliot Peters, Ethan Balogh, Dan Purcell, and Stacey Wexler for their work on the John Tennison case]  
Supervisors Gonzalez, Peskin, Daly**

Resolution commending attorneys Elliot Peters, Ethan Balogh, Dan Purcell, and Stacey Wexler for their tireless efforts to ensure that the wrongful conviction of John "J.J." Tennison was overturned.

9/23/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**031623 [African American Cultural and Entertainment Center]  
Supervisors Maxwell, Daly, Ma, Newsom, Sandoval, McGoldrick, Hall**

Resolution welcoming the African American Cultural and Entertainment Center (AACEC) to San Francisco and urging the San Francisco Port Commission to negotiate with the AACEC development team.

9/23/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.



**031624 [Commending Jack Moerschbaecher]  
Supervisors Maxwell, Daly, Dufty, Ma, Peskin, Hall, Newsom**

Resolution commending Jack Moerschbaecher, Director of the San Francisco Convention Facilities, for 20 years of outstanding service to the City and County of San Francisco and for receiving the 2003 Unsung Hero/Heroine Award from the Yerba Buena Alliance.

9/23/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**031635 [Healthy Kids Program Expansion]  
Supervisors Newsom, Dufty, Ma, Daly**

Resolution urging the Department of Public Health to advance universal health care coverage in the City and County of San Francisco by extending health insurance coverage to the uninsured young adults ages 19 to 24 through the City's Healthy Kids Program.

9/23/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

### Requests for Hearing

**031604 [Status of PUC Revenue Bond Oversight Committee]  
Supervisors Hall, Dufty**

Hearing regarding status of November 2002 Proposition P - PUC Revenue Bond Oversight Committee.  
9/23/03, RECEIVED AND ASSIGNED to Rules Committee.

**031605 [Aggressive Panhandling]  
Supervisor Gonzalez**

Hearing on the legality of Section 120-1 of the Municipal Police Code, prohibiting aggressive panhandling.  
9/23/03, RECEIVED AND ASSIGNED to Rules Committee.

**031606 [Passthrough Procedure for Utility Cost Increases]  
Supervisor Peskin**

Hearing to review passthrough procedure for utility cost increases. The hearing will cover the methodologies available in the Rules and Regulations for calculating passthroughs, including how to ensure landlord costs and incomes are properly accounted for in a passthrough so that landlords are not unfairly compensated and that tenants are charged only for those true costs associated with tenant usage.

9/23/03, RECEIVED AND ASSIGNED to Land Use Committee.

### Charter Amendments

\*

**031560 [Charter Amendment - appointment of a City Engineer responsible for the design and construction management of all public buildings and public works]  
Supervisor Ammiano**

Charter amendment (First Draft) to amend Section 4.130 to provide for appointment of a City Engineer responsible for the design and construction management of all public buildings and public works.

9/16/03, RECEIVED AND ASSIGNED to Rules Committee.

9/23/03, SUBSTITUTED. Supervisor Ammiano submitted a substitute Charter amendment bearing new title.

9/23/03, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 10/23/2003.

**031567 [Charter Amendment - San Francisco Department of Public Health]  
Supervisors Daly, Gonzalez**

Charter amendment (First Draft) to repeal Section 4.110 regarding the Health Commission and adding Article VIIC, to provide additional increase the autonomy and fiscal authority to of the Health Commission and require greater change the qualifications of Health Commissioners, establish a stable baseline funding level for the Department of Public Health, streamline administrative operations and reduce contracting bureaucracy, ensure the continued operation of County hospitals and,clinics, and programs for the chronically ill, designate universal healthcare as one of the Department's top advocacy priorityies, establish a baseline funding level for the Department of Public Health and for programs helping San Franciscans with chronic illnesses, guarantee the operation of county hospitals and clinics, establish create enhanced coordination levels for of trauma care, guarantee culturally competent care through community-based primary care clinics, require maintain operation of the Mental Health Rehabilitation Facility, and establish as a goal, pay equity for nonprofit and City workers performing similar jobs for the Department of Public Health.

9/16/03, RECEIVED AND ASSIGNED to Rules Committee.

9/23/03, SUBSTITUTED to Board of Supervisors. Supervisor Daly submitted a substitute Charter amendment bearing new title.

9/23/03, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 10/23/2003.

## PROPOSED ORDINANCES

## PROPOSED RESOLUTIONS

**031526 [Airport Concession Lease]**

Resolution approving Amendment No. 3 to the Post-Security Master Retail/Duty Free Concession in the New International Terminal Building Lease No. 99-0035 between DFS Group, L.P. and the City and County of San Francisco, acting by and through its Airport Commission. (Airport Commission)

(No Public Benefit Recipient.)

9/12/03, RECEIVED AND ASSIGNED to Finance and Audits Committee.

**031527 [Accept-Expend Regional Grant]**

Resolution authorizing the Director of Transportation or his designee to accept and expend \$157,000 in FY 03/04 Transportation Fund for Clean Air (TFCA) from the Bay Area Air Quality Management District (Air District) to stripe and sign bike lanes and purchase and install bicycle racks and to execute any and all associated documents. (Parking and Traffic Department)

(No Public Benefit Recipient.)

9/12/03, RECEIVED AND ASSIGNED to Land Use Committee.

**031528 [Street Artist Hyde Street Spaces]**

Resolution re-designating seven (7) permanent selling spaces on Hyde Street, west side, Beach to Jefferson Streets; deleting seven (7) permanent selling spaces on Hyde Street, east side, Beach to Jefferson Streets; re-designating fourteen (14) selling spaces on Hyde Street, east side, Beach to Jefferson Streets; designating two (2) additional selling spaces on Hyde Street, east side, Beach to Jefferson Streets, for street artists certified by the Arts Commission, City and County of San Francisco; and exempting said seven spaces on Hyde Street, west side, Beach to Jefferson Streets, from Police Code Section 2405(c)(16) requiring street artists to maintain a minimum of eight feet of passageway for pedestrians. (Arts Commission)

(No Public Benefit Recipient.)

9/10/03, RECEIVED AND ASSIGNED to Land Use Committee.

**031530 [Grant to improve traffic and pedestrian safety in San Francisco]  
Supervisor Duffy**

Resolution authorizing the San Francisco Department of Public Health (SFDPH) to accept and expend retroactively a grant in the amount of \$439,455 from the California Business, Transportation & Housing Agency Office of Traffic Safety (CBTHAOTS) to prevent DUI and resultant traffic injuries and to enter into an agreement for the use of these funds; for the period of October 1, 2003 to December 31, 2005. (Public Health Department)

(No Public Benefit Recipient.)

9/9/03, RECEIVED AND ASSIGNED to City Services Committee.

**031538 [Contracting out Airport Employee Parking Services]**

Resolution approving the Controller's certification that Employee Parking Management Services 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)

(Public Benefit Recipient.)

9/15/03, RECEIVED AND ASSIGNED to Finance and Audits Committee.

**031539 [Contracting out Airport Public Parking Management Services]**

Resolution approving the Controller's certification that Airport Public Parking Management Services 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)

(Public Benefit Recipient.)

9/15/03, RECEIVED AND ASSIGNED to Finance and Audits Committee.

**Requests Granted**

*From: Supervisor Gonzalez*

*To: City Attorney*

*Requesting/Inquiring: To draft a charter amendment that would allow non-citizens to vote in San Francisco municipal school board elections where it can be demonstrated that the individuals are guardians of San Francisco municipal school board students.*

*From: Supervisor Gonzalez*

*To: City Attorney*

*Requesting/Inquiring: To draft an ordinance increasing the real estate tax transfer tax to be increased to 1.5% for properties valued over \$2 million. The ordinance should designate the distribution of revenue so that one-third is set aside for land acquisition designated for the construction of low/affordable housing and the preservation of cultural spaces and the remaining two-thirds is placed in the General Fund and dispersed with priorities given to use for schools and public health.*

*From: Supervisor Gonzalez*

*To: Department of Elections*

*Requesting/Inquiring: To develop a registration mechanism for eligible non-citizens who wish to vote in San Francisco municipal school board elections.*

*From: Supervisor Peskin*

*To: All Department*

*Requesting/Inquiring: Inquiring about beverage and snack vending usage and preferences for all departments in the City and County of San Francisco. Please read the attached letter.*

**In Memoriams**

*Robert Lawrence McRoskey (Supervisors Dufty, Sandoval)*

*LeRoy Hersh (Supervisor Dufty)*

*Linda K. Bartholomew (Supervisors Dufty, Sandoval)*

## ADJOURNMENT

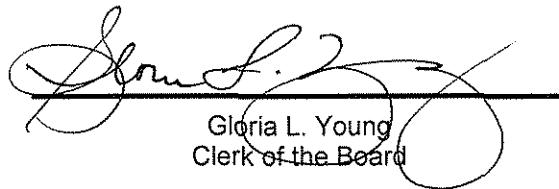
*There being no further business, the Board at the hour of 5:08 p.m. adjourned.*

*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 October 21, 2003.*

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

  
Gloria L. Young  
Clerk of the Board