

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, November 18, 2003 2:00 PM

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

Regular Meeting

MATT GONZALEZ, PRESIDENT
TOM AMMIANO, CHRIS DALY, BEVAN DUFTY, TONY HALL,
FIONA MA, SOPHIE MAXWELL, JAKE McGOLDRICK,
GAVIN NEWSOM, AARON PESKIN, GERARDO SANDOVAL
Gloria L. Young, Clerk of the Board

BOARD COMMITTEES

Committee Membership

Budget Committee

Supervisors Daly, Maxwell, Peskin

City and School District Select Committee

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

City Services Committee

Supervisors Dufty, Ma, Newsom

Finance and Audits Committee

Supervisors Peskin, Sandoval, McGoldrick

Land Use Committee

Supervisors McGoldrick, Maxwell, Ammiano

Rules Committee

Supervisors Hall, Dufty, Gonzalez

Meeting Days

Thursday
1:00 PM

2nd Monday, bi-monthly
4:00 PM

Thursday
9:30 AM

Wednesday
12:30 PM

Monday
1:00 p.m.

Wednesday
9:30 AM

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

Members Present: 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 2:03 p.m. On the call of the roll, the following Supervisors Ammiano, Daly and Sandoval were noted absent.

Quorum present.

Supervisors Sandoval and Daly were noted present at 2:05 p.m. Supervisor Ammiano was previously excused. (See Infra)

Supervisor Excused from Attendance

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

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

APPROVAL OF MEETING MINUTES

Supervisor Peskin, seconded by Supervisor Maxwell, moved to approve October 21, 2003 Meeting Minutes.. The motion carried by the following vote:

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

CONSENT AGENDA

Recommendations of the City Services Committee

**031721 [Research on club-drug networks among high-risk men]
Supervisor Dufty**

Resolution authorizing the San Francisco Department of Public Health, AIDS Office (SFDPHAIDS) to accept retroactively and expend a supplemental grant award in the amount of \$37,011 from the National Institute on Drug Abuse (NIDA) for research on club-drug networks among high-risk men and to enter into an agreement for the use of these funds; for the period of March 1, 2003 to February 29, 2004. (Public Health Department)

(No Public Benefit Recipient.)

**Resolution No. 745-03
ADOPTED**

**031773 [Accept-Expend Federal Grant - Spousal Abuser Prosecution Program]
Supervisors Dufty, Daly, Newsom**

Resolution authorizing the Department of the District Attorney of the City and County of San Francisco to retroactively accept and expend a grant in the amount of \$95,033 through the California Department of Justice for a program entitled "Spousal Abuser Prosecution Program." (District Attorney)

(No Public Benefit Recipient.)

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

**Resolution No. 749-03
ADOPTED**

**031775 [Contract funds to update the single estimate of unmet need for HIV primary care in San Francisco]
Supervisors Dufty, Daly, Newsom**

Resolution authorizing the San Francisco Department of Public Health (SFDPH) to enter retroactively into an agreement with the University of California, San Francisco (UCSF) the primary contractor, and expend funds in the amount of \$22,224 for estimates of unmet need for HIV primary care in the San Francisco Eligible Metropolitan Area (EMA); for the period of September 1, 2003 to February 29, 2004. (Public Health Department)

(No Public Benefit Recipient.)

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

**Resolution No. 750-03
ADOPTED**

**031776 [Contract funds to develop an on-line collaborative HIV trial training resource center]
Supervisors Dufty, Newsom**

Resolution authorizing the San Francisco Department of Public Health (SFDPH) to enter retroactively into an agreement with Public Health Foundation Enterprises, Inc. (PHFE), the primary contractor, and expend funds in the amount of \$74,732 for services under the agreement; for the period of September 1, 2003 to August 31, 2004. (Public Health Department)

(No Public Benefit Recipient.)

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

Resolution No. 751-03

ADOPTED

**031787 [Accept-Expend Federal Grant - Special Emphasis Victim Assistance Program: Homicide]
Supervisors Dufty, Daly, Newsom**

Resolution authorizing the Department of the District Attorney of the City and County of San Francisco to retroactively accept and expend a grant in the amount of \$110,000 through the California Office of Criminal Justice Planning for the operation of a program entitled "Special Emphasis Victim Assistance Program: Homicide." (District Attorney)

(No Public Benefit Recipient.)

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

Resolution No. 752-03

ADOPTED

**031788 [Accept-Expend Federal Grant - Special Emphasis Victim Assistance Program: Elder Abuse Vertical Prosecution Program]
Supervisors Dufty, Daly, Newsom**

Resolution authorizing the Department of the District Attorney of the City and County of San Francisco to retroactively accept and expend a grant in the amount of \$155,000 through the California Office of Criminal Justice Planning for the operation of a program entitled "Elder Abuse Vertical Prosecution Program." (District Attorney)

(No Public Benefit Recipient.)

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

Resolution No. 753-03

ADOPTED

**031789 [Accept-Expend Federal Grant - Special Emphasis Victim Assistance Program: Elder Abuse]
Supervisors Dufty, Daly, Newsom**

Resolution authorizing the Department of the District Attorney of the City and County of San Francisco to retroactively accept and expend a grant in the amount of \$110,000 through the California Office of Criminal Justice Planning for the operation of a program entitled "Special Emphasis Victim Assistance Program: Elder Abuse." (District Attorney)

(No Public Benefit Recipient.)

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

Resolution No. 754-03

ADOPTED

Recommendations of the Land Use Committee

**022031 [Zoning Map Amendment]
Supervisor Maxwell**

Ordinance amending Section Maps 8 and 8SU of the Zoning Map of the City and County of San Francisco for the property described as Assessor's Block 3978, Lot 1, bounded by Rhode Island Street, 17th Street, Kansas Street and Mariposa Street, from M-1 (Light Industrial) to NC-3 (Moderate-Scale Neighborhood Commercial District) and the 17th and Rhode Island Street Grocery Store Special Use Subdistrict; adopting findings.

(9/16/03 in Board: Supervisor Maxwell submitted a substitute ordinance bearing new title; companion measure to File 022032.)

Ordinance No. 260-03

FINALLY PASSED

**022032 [17th and Rhode Island Street Grocery Store Special Use Subdistrict]
Supervisor Maxwell**

Ordinance amending the San Francisco Planning Code by adding Section 781.10 to create the 17th and Rhode Island Street Grocery Store Special Use Subdistrict, applicable to the newly rezoned NC-3 block (previously M-1) bounded by 17th Street, Rhode Island Street, Mariposa Street and Kansas Street (Assessor's Block 3978, Lot 1), to permit a neighborhood grocery store at 17th and Rhode Island and amending the Section 712 Zoning Control Table; adopting findings.

(9/16/03 in Board: Supervisor Maxwell submitted a substitute ordinance bearing new title.)

(10/7/03 in Board: Supervisor Maxwell submitted a substitute ordinance bearing same title.)

Ordinance No. 261-03

FINALLY PASSED

031600 [Commercial Vehicle Parking in Certain Use Districts]

Ordinance amending Traffic Code by amending Sections 63 and 63 (a) thereof, relating to commercial vehicle parking in certain use districts. (Parking and Traffic Department)

(No Public Benefit Recipient.)

Ordinance No. 264-03

FINALLY PASSED

031695 [Changing Official Width of Sidewalk]

Ordinance amending Ordinance No. 1061 entitled "Regulating the Width of Sidewalks" by adding thereto Section 1561 to change the official sidewalk width on the south side of Market Street west of Third Street; making findings pursuant to the General Plan; and requiring relocation, modification, or both of facilities affected by the sidewalk width changes. (Public Works Department)

(No Public Benefit Recipient.)

Ordinance No. 266-03

FINALLY PASSED

031691 [STOP Intersections]

Resolution designating certain intersections as "STOP" intersections.

STOP SIGNS - ESTABLISH

Le Conte and Meade Avenues, stopping both streets, making this intersection an All-Way STOP;

Teddy Avenue and Alpha Street, stopping Teddy Avenue at Alpha Street, making this intersection an All-Way STOP;

Leland Avenue and Peabody Street, stopping Leland Avenue and Peabody Street, making this uncontrolled T-intersection an All-Way STOP;

Broadway and Jones Street, stopping Jones Street, making this intersection an All-Way STOP;

Benton Avenue and Genebern Way, stopping westbound Benton Avenue at Genebern Way;

26th Avenue and Moraga Street, stopping 26th Avenue, making this intersection an All-Way STOP;

25th and Mississippi Streets, stopping both streets, making this uncontrolled T-intersection an All-Way STOP;

20th Avenue and Quintara Street, stopping Quintara Street traffic at 20th Avenue, making this intersection an All-Way STOP; and

Harney Way at Alana Way and Thomas Mellon Drive, stopping eastbound Harney Way Left Turn onto Alana Way. (Parking and Traffic Department)

9/25/03: 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. 2692; No Public Benefit Recipient.)

Resolution No. 742-03

ADOPTED

**031746 [Accept-Expend State Grant]
Mayor, Supervisors McGoldrick, Maxwell, Sandoval, Newsom**

Resolution authorizing the Department of Parking and Traffic to accept and expend a grant in the amount of \$199,204 from the California Office of Traffic Safety for improving school area traffic safety.

(No Public Benefit Recipient.)

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

Resolution No. 748-03

ADOPTED

Recommendations of the Rules Committee

**031690 [Settlement Of Lawsuit]
Supervisor Gonzalez**

Ordinance authorizing settlement of the lawsuit filed by Restore Hetch Hetchy against the City and County of San Francisco for \$1,700.00; the lawsuit was filed on July 24, 2003 in San Francisco Superior Court, Case No. 503-306; entitled Restore Hetch Hetchy v. San Francisco Board of Supervisors et al.; other material terms of said settlement are that the City and County of San Francisco and San Francisco Public Utilities Commission agree to remain neutral on Petitioner's efforts to seek funding for preparation of a study assessing the feasibility of restoring the Hetch Hetchy Valley. The San Francisco Public Utilities Commission reserves the right to comment on any restrictions, requirements or regulations that would be imposed on the Department by a funding source as a prerequisite to the appropriation of those funds. (City Attorney)

Supervisor Gonzalez requested to be added as sponsor.

Ordinance No. 265-03

FINALLY PASSED

031697 [Settlement of Lawsuit]

Ordinance authorizing settlement of the lawsuit filed by Lynn Andrews against the City and County of San Francisco for \$75,000; the lawsuit was filed on July 18, 2002 in San Francisco Superior Court, Case No. 410-430; entitled Lynn Andrews v. City and County of San Francisco, et al. (City Attorney)

(Public Benefit Recipient.)

Ordinance No. 267-03

FINALLY PASSED

The foregoing items were acted upon by the following vote:

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

Severed from the Consent Agenda

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

031692

[Traffic Regulations]

Resolution enacting and rescinding traffic regulations on various streets.

LEFT LANE MUST TURN LEFT - ESTABLISH

Paul Avenue, eastbound, at Bayshore Boulevard.

CROSSWALK - RESCIND

Bayshore Boulevard and Oakdale Avenue, crossing Bayshore Boulevard, south side, at Oakdale Avenue.

CROSSWALK - ESTABLISH

Bayshore Boulevard and Oakdale Avenue, crossing Bayshore Boulevard, north side.

NO RIGHT TURN AFTER BALLPARK EVENTS EXCEPT TAXIS - RESCIND**NO RIGHT TURN AFTER BALLPARK EVENTS - ESTABLISH**

3rd Street, northbound, at Townsend Street.

NO LEFT TURN - ESTABLISH

Woodside Avenue, eastbound, onto Youth Guidance Center/Laguna Honda Hospital access road.

NO LEFT TURN - ESTABLISH

Woodside Avenue, westbound, onto Idora Avenue.

CROSSWALK - RESCIND

Crossing Woodside Avenue, west side, at Idora Avenue.

CROSSWALK - RESCIND

Crossing Woodside Avenue, east side, at the Youth Guidance Center/Laguna Honda access road.

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

Judah Street, westbound at 17th Avenue. (Parking and Traffic Department)

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. 2692; No Public Benefit Recipient.)

Supervisor Daly, seconded by Supervisor McGoldrick, moved to divide the question regarding No Right Turn After Ballpark Events Except Taxis- Rescind and No Right Turn After Ballpark Events - Establish.

DIVIDED by the following vote:

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

Excused: 1 - Ammiano

Resolution enacting and rescinding traffic regulations on various streets.

LEFT LANE MUST TURN LEFT - ESTABLISH

Paul Avenue, eastbound, at Bayshore Boulevard.

CROSSWALK - RESCIND

Bayshore Boulevard and Oakdale Avenue, crossing Bayshore Boulevard, south side, at Oakdale Avenue.

CROSSWALK - ESTABLISH

Bayshore Boulevard and Oakdale Avenue, crossing Bayshore Boulevard, north side.

NO LEFT TURN - ESTABLISH

Woodside Avenue, eastbound, onto Youth Guidance Center/Laguna Honda Hospital access road.

NO LEFT TURN - ESTABLISH

Woodside Avenue, westbound, onto Idora Avenue.

CROSSWALK - RESCIND

Crossing Woodside Avenue, west side, at Idora Avenue.

CROSSWALK - RESCIND

Crossing Woodside Avenue, east side, at the Youth Guidance Center/Laguna Honda access road.

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

NO LEFT TURN - ESTABLISH

Judah Street, westbound at 17th Avenue. (Parking and Traffic Department)

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. 2692; No Public Benefit Recipient.)

Resolution No. 743-03

ADOPTED by the following vote:

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

Excused: 1 - Ammiano

031916 [Traffic Regulations]

Resolution enacting and rescinding traffic regulations on various streets.

NO RIGHT TURN AFTER BALLPARK EVENTS EXCEPT TAXIS - RESCIND

NO RIGHT TURN AFTER BALLPARK EVENTS - ESTABLISH

3rd Street, northbound, at Townsend Street. (Parking and Traffic Department)

Continued to January 6, 2004

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

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

Excused: 1 - Ammiano

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

031693 [Parking Regulations]

Resolution enacting and rescinding parking regulations at various locations.

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

Funston Avenue, west side, between California and Clement Streets (200 block).

RESIDENTIAL PERMIT PARKING AREA "H" (2-HOUR TIME LIMIT, 8 AM - 6 PM, MONDAY THROUGH FRIDAY) - ESTABLISH

Sloat Boulevard, south side, from 20th Avenue to 100 feet easterly (300 block); and 20th Avenue, both sides, between Sloat Boulevard and Ocean Avenue (2900 block).

UNMETERED MOTORCYCLE PARKING - ESTABLISH

Fulton Street, south side, at 6th Avenue (accommodates 3 unmetered parking spaces).

TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH

States Street, north side, from Corona Heights Playground to a point 26 feet westerly.

(9/25/03: 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; DPW Order No. 2692; No Public Benefit Recipient.)

Supervisor Dufty, seconded by Supervisor McGoldrick, moved to divide this item relating to States Street, north side, from Corona Heights Playground to a point 26 feet westerly Tow-Away, No Stopping Anytime - Establish.

The motion to divide this matter was passed by the following vote:

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

Excused: 1 - Ammiano

Supervisor Dufty, seconded by Supervisor Maxwell, moved to continue the divided matter to December 9, 2003.

Motion was approved without objection.

DIVIDED by the following vote:

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

Excused: 1 - Ammiano

Resolution enacting and rescinding parking regulations at various locations.

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

Funston Avenue, west side, between California and Clement Streets (200 block).

RESIDENTIAL PERMIT PARKING AREA "H" (2-HOUR TIME LIMIT, 8 AM - 6 PM, MONDAY THROUGH FRIDAY) - ESTABLISH

Sloat Boulevard, south side, from 20th Avenue to 100 feet easterly (300 block); and 20th Avenue, both sides, between Sloat Boulevard and Ocean Avenue (2900 block).

UNMETERED MOTORCYCLE PARKING - ESTABLISH

Fulton Street, south side, at 6th Avenue (accommodates 3 unmetered parking spaces).

(9/25/03: 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; DPW Order No. 2692; No Public Benefit Recipient.)

Resolution No. 744-03

ADOPTED by the following vote:

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

031917 [Parking Regulations]

Resolution enacting and rescinding parking regulations at various locations.

TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH

States Street, north side, from Corona Heights Playground to a point 26 feet westerly. (Parking and Traffic Department)

(9/25/03: 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; DPW Order No. 2692; No Public Benefit Recipient.)

Supervisor Dufty, seconded by Supervisor Maxwell, moved to continue the divided matter to December 9, 2003.

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

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

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of the Rules Committee

Recess

The Board recessed at the hour of 3:09 p.m.

Reconvening of the Board

The Board at the hour of 3:48 p.m. reconvened.

Calling the Roll

*On call of the roll, the following Supervisors were noted present:
Supervisors Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval - 8*

Quorum present.

Supervisors Daly and Newsom were noted present at 3:49 p.m.

031545 [Agreement to Exchange of Property and Settlement of Lawsuit - William F. Spiers dba Spiers Construction Company]
Supervisors Hall, Dufty

Ordinance authorizing an agreement to exchange vacant land uphill from Edgehill Park for the City's property on Portola Drive; adopting findings that the exchange agreement is categorically exempt from environmental review and is consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; authorizing the Director of Property to execute documents, make certain modifications and take certain actions in furtherance of the exchange agreement; and authorizing settlement of the lawsuit entitled City and County of San Francisco v. William F. Spiers dba Spiers Construction Company, filed on November 29, 2001 in San Francisco Superior Court, Case No. 401-800, for an injunction requiring removal of Spiers' fence blocking access to Edgehill Park, for dismissal of Spiers' cross-complaint for quiet title, and for the exchange agreement.

(Public Benefit Recipient.)

Supervisor Dufty, seconded by Supervisor Daly, moved to continue this matter to December 9, 2003.

Motion failed by the following vote:

Ayes: 4 - Daly, Dufty, Maxwell, Newsom

Noes: 6 - Gonzalez, Hall, Ma, McGoldrick, Peskin, Sandoval

Excused: 1 - Ammiano

Supervisor Daly moved to suspend the Rules of Order to allow public comment on this matter. President Gonzalez informed Supervisor Daly that the motion to suspend the Rules of Order requires an unanimous vote.

Motion failed.

Supervisor Dufty, seconded by Supervisor Daly, moved to refer this matter to the Rules Committee.

Motion failed by the following vote:

Ayes: 4 - Daly, Dufty, Ma, Newsom

Noes: 6 - Gonzalez, Hall, Maxwell, McGoldrick, Peskin, Sandoval

Excused: 1 - Ammiano

Supervisor Daly, seconded by Supervisor Dufty, moved to suspend the Rules of Order to allow for public comment on this matter.

Motion failed by the following vote:

Ayes: 6 - Daly, Dufty, Gonzalez, Maxwell, Newsom, Peskin

Noes: 4 - Hall, Ma, McGoldrick, Sandoval

Excused: 1 - Ammiano

Ordinance No. 263-03

FINALLY PASSED by the following vote:

Ayes: 8 - Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

Noes: 2 - Daly, Dufty

Excused: 1 - Ammiano

From the Rules Committee With Recommendation "Do Submit"

- 031543 [Charter Amendment-Tolling Board deadlines during recess, reducing votes required when Board members are disqualified, limiting hold-over appointments, setting deadlines for police and fire negotiations, and re-naming the Commission on Aging.]
Supervisor Gonzalez

Charter Amendment (Third Draft) to amend the Charter of the City and County of San Francisco by amending Sections 2.103, 2.104, and Article XVII, by adding Section 4.101-1, by amending Section A8.590-5, and by amending Section 4.120, to toll deadlines for action by the Board when the Board is in recess, to 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, to limit hold-over appointments to 60 days, to set deadlines for completing contract negotiations with police and fire employees, and to re-name the Commission on Aging as "the Commission on Aging and Adult Services."

NOT ORDERED SUBMITTED by the following vote:

Ayes: 5 - Daly, Gonzalez, Hall, Maxwell, Sandoval
Noes: 4 - Ma, McGoldrick, Newsom, Peskin
Absent: 1 - Dufty
Excused: 1 - Ammiano

- 031547 [Charter Amendment - Tax-deferred transfer of accrued vacation, sick leave and other compensation to employees]
Supervisors Sandoval, Daly, Gonzalez

Charter amendment (Second Draft) to add Section A8.599 to authorize the City and County to establish plans for the tax-deferred treatment of accrued compensation payable to employees.

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

ORDERED SUBMITTED by the following vote:

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

- 031562 [Charter Amendment - Retirement System benefits for domestic partners]
Supervisors Ammiano, Dufty, Daly

Charter amendment (Third Draft) to add Section 16.125 authorizing the Board of Supervisors to amend or repeal provisions of the Domestic Partnership Ordinance to effectuate the voters' intent that domestic partners be afforded the same rights and responsibilities as spouses, and by amending Section A8.500-2 so that domestic partners are treated exactly the same as spouses for benefits under the Retirement System.

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

ORDERED SUBMITTED by the following vote:

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

From the Rules Committee "Without Recommendation"

- 031542 [Charter Amendment - Reclassify Deputy Sheriffs as Safety Employees Covered Under Charter Section A8.590-1 et seq.]
Supervisors Ma, Daly, Dufty, Gonzalez

Charter amendment (Second Draft) to amend Sections A8.409 and A8.590-1 et seq. to reclassify Deputy Sheriffs as safety employees covered under Charter Section A8.590-1 et seq.

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

ORDERED SUBMITTED by the following vote:

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

- 031574 [Charter Amendment - Board of Supervisors to respond to all orders or requests for the production of City records under designated state and federal laws]
Supervisors McGoldrick, Peskin, Daly

Charter amendment (Second Draft) to add Section 16.124 to authorize the Board of Supervisors to respond on behalf of the City to all orders or requests for the production of information, records, or other tangible things held by the City, the disclosure of which could violate the rights of any individuals under the State or Federal Constitutions, where the orders or requests are made under laws previously identified by the Board.

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

ORDERED SUBMITTED by the following vote:

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

NEW BUSINESS

Recommendation of the Budget Committee

- 031793 [Financial Privacy]
Supervisor Peskin

Ordinance amending Section 2000 of Article 20 of the Business and Tax Regulation Code, the "San Francisco Financial Information Privacy Ordinance," to postpone the date upon which Article 20 is set to become operative from January 1, 2004 to July 1, 2004.

PASSED ON FIRST READING by the following vote:

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

From the Budget Committee "Without Recommendation"

Supervisor McGoldrick Excused From Voting

Supervisor Sandoval, seconded by Supervisor Ma, moved to excuse Supervisor McGoldrick, at his request, because of possible conflict of interest. The motion carried by the following vote:

Ayes: 8 - Daly, Gonzalez, Hall, Ma, Maxwell, Newsom, Peskin, Sandoval

Absent: 1 - Dufty

Excused: 2 - Ammiano, McGoldrick

**031811 [Development and Lease of Piers 27-31]
Supervisors Peskin, Gonzalez**

Resolution urging the Port Commission not to Extend the Exclusive Right to Negotiate Agreement with the Mills Corporation and to Re-issue the Request for Proposals for the Development and Lease of Piers 27-31 as a Mixed-Use Recreation Project.

Continued to November 25, 2003

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

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

Ayes: 5 - Daly, Gonzalez, Ma, Maxwell, Peskin

Noes: 4 - Dufty, Hall, Newsom, Sandoval

Excused: 2 - Ammiano, McGoldrick

Recommendations of Finance and Audits Committee

**031321 [CEQA, General Plan, Golden Gate Park Master Plan Findings - Golden Gate Park Concourse Authority Projects]
Supervisor Peskin**

Resolution adopting environmental findings pursuant to the California Environmental Quality Act, State Guidelines, and Administrative Code Chapter 31; and adopting General Plan and Planning Code Section 101.1 findings in connection with the Golden Gate Park Concourse Authority Projects.

Resolution No. 738-03

ADOPTED by the following vote:

Ayes: 7 - Dufty, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

Noes: 2 - Daly, Gonzalez

Absent: 1 - Hall

Excused: 1 - Ammiano

**031320 [Golden Gate Park Concourse Underground Parking Facility Fees]
Supervisor Peskin**

Ordinance making environmental findings and amending the San Francisco Park Code by adding Section 12.35 to establish rates for the Golden Gate Park Concourse Underground Parking Facility.

PASSED ON FIRST READING by the following vote:

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

Noes: 2 - Daly, Gonzalez

Excused: 1 - Ammiano

- 031319 [Approving ground lease to Music Concourse Community Partnership in connection with the construction and operation of an underground parking facility and amending the designation of the jurisdiction of the Golden Gate Park Concourse Authority]
Supervisors Peskin, Dufty, Sandoval**

Resolution approving and authorizing the execution and delivery of a ground lease between the City and Music Concourse Community Partnership relating to the Golden Gate Park Music Concourse underground parking facility project; amending the designation of the jurisdiction of the Golden Gate Park Concourse Authority; and requiring Music Concourse Community Partnership to provide or cause the provision of a guarantee of the remaining uncollected pledges.

(Fiscal impact.)

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

Resolution No. 737-03

ADOPTED by the following vote:

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

- 031657 [Appropriation of funding and creation of special fund for the Octavia Boulevard Project]
Supervisor Peskin**

Ordinance appropriating \$12,903,999 from the land sales to the San Francisco Redevelopment Agency and \$1,106,631 in lease revenues from the Central Freeway land parcels for a total of \$14,010,630 to fund the construction of Octavia Boulevard and related ancillary projects for the Department of Public Works for fiscal year 2003-04. (Mayor)

(Fiscal impact; No Public Benefit Recipient.)

PASSED ON FIRST READING by the following vote:

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

- 031738 [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)**

Resolution No. 747-03

ADOPTED by the following vote:

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

Recommendations of the City Services Committee

- 031103 [Parks and Recreation Department assessment of staff and monetary resources needed to maintain city parks]**
Supervisors Gonzalez, Sandoval, Daly, Dufty, Ma

Resolution urging the Parks and Recreation Commission and the Parks and Recreation Department to immediately undertake an assessment of staff and monetary resources needed to reinvigorate and maintain the city's parks at a level that promotes use and pride in all neighborhoods of the city.

Resolution No. 741-03

ADOPTED by the following vote:

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

- 030995 [Licensing and regulation of massage practitioners and businesses]**
Supervisors Daly, Peskin, Dufty, Ma, Gonzalez, Ammiano

Ordinance amending the San Francisco Police Code by repealing Article 27 (Sections 2700 through 2737), and amending the San Francisco Health Code by adding a new Article 29 (Sections 1900 through 1931), both Articles providing for the licensing and regulation of massage practitioners and businesses, and establishing an operative date for the ordinance.

PASSED ON FIRST READING by the following vote:

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

- 031866 [Waiving Police and Fire fees for Immigrant Pride Day 2003]**
Supervisors Gonzalez, Daly

Ordinance waiving fees associated with Immigrant Pride Day 2003 assessed by the San Francisco Police and Fire Departments; urging the Municipal Transportation Agency to waive its fees associated with the same event.

Continued to November 25, 2003

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

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

Recommendations of the Land Use Committee

- 031603 [Generation Solar: Residential and Commercial Solar Program]**
Supervisors Ammiano, McGoldrick, Maxwell, Daly, Gonzalez

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.)

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

PASSED ON FIRST READING by the following vote:

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

031694 [Traffic Code - Amending Section 32.1.1 to update location of Main Public Library]
Ordinance amending Section 32.1.1 of the San Francisco Traffic Code to update the location of parking restrictions on the blocks adjacent to the San Francisco Main Library. (Parking and Traffic Department)

(No Public Benefit Recipient.)

PASSED ON FIRST READING by the following vote:

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

031727 [Street Encroachment at 151 24th Avenue]
Resolution granting revocable permission to Edgar N. Bogas and Desiree Goyette-Bogas to occupy a portion of the public right-of-way to construct, install and maintain a portion of a new two car garage, including new concrete retaining walls, concrete stairs, concrete terrace, grading and landscaping, within the existing landscaped portion of the 24th Avenue public right-of-way, to access and provide off-street parking for the property at 151 24th Avenue (Block 1334, Lot 004) and making findings of consistency with the priority policies of Planning Code Section 101.1. (Public Works Department)

(No Public Benefit Recipient.)

Resolution No. 746-03

ADOPTED by the following vote:

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

031729 [Street Artist Winter Holiday Spaces]
Resolution designating temporary selling spaces in the Downtown area and at Harvey Milk Plaza for street artists certified by the Arts Commission, City and County of San Francisco, for the winter holiday season, 2003, beginning on November 15, 2003 and ending on January 15, 2004. (Arts Commission)

(No Public Benefit Recipient.)

Resolution No. 739-03

ADOPTED by the following vote:

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

Recess

The Board recessed at the hour of 3:35 p.m.

Reconvening of the Board

The Board at the hour of 4:06 p.m. reconvened.

Calling the Roll

*On call of the roll, the following Supervisors were noted present:
Supervisors Daly, Gonzalez, Hall, Maxwell, Newsom, Peskin - 6*

Quorum present.

Supervisors Ma and Dufty were noted present at 4:07 p.m.

Supervisor Sandoval was noted present at 4:08 p.m.

Supervisor McGoldrick was noted present at 4:09 p.m.

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

SPECIAL ORDER 4:00 P.M.

Board of Supervisors Sitting as a Committee of the Whole

From the Rules Committee With Recommendation "Do Submit"

**030857 [Charter Amendment - Retirement Benefits for District Attorneys, Public Defenders and Public Defender Investigators]
Supervisors Gonzalez, Sandoval, Hall, Daly**

Charter amendment (Fifth Draft) to add Section A8.506.5 thereto, to authorize the board of supervisors to contract with the board of administration of the Public Employees' Retirement System to provide increased retirement benefits for district attorneys, public defenders and public defender investigators.

*The President inquired if there was anyone who wished to address the Board.
There being no response, the President declared the Public Hearing Closed.*

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

ORDERED SUBMITTED by the following vote:

Ayes: 7 - Daly, Dufty, Gonzalez, Ma, Maxwell, McGoldrick, Sandoval
Noes: 2 - Hall, Peskin
Absent: 1 - Newsom
Excused: 1 - Ammiano

- 031819 [Charter Amendment - Tax Deferred transfer of accrued vacation, sick leave and other compensation to employees; Retirement System benefits for domestic partners]
Supervisors Sandoval, Ammiano, Dufty

Charter amendment (First Draft) by: (a) adding Section A8.599 to authorize the City and County of San Francisco to establish plans for the tax-deferred treatment of accrued compensation payable to employees, (b) adding Section 16.125, authorizing the Board of Supervisors to amend or repeal provisions of the Domestic Partnership Ordinance to effectuate the voters' intent that domestic partners be afforded the same rights and responsibilities as spouses, and by (c) amending Section A8.500-2 so that domestic partners are treated exactly the same as spouses for benefits under the Retirement System.

*The President inquired if there was anyone who wished to address the Board.
There being no response, the President declared the Public Hearing Closed.*

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

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

From the Rules Committee "Without Recommendation"

- 031561 [Charter Amendment - Allowing the City to reduce the minimum police staffing level after conducting a study of which positions could be filled by civilian personnel rather than sworn officers.]
Supervisors Ammiano, Daly, Gonzalez

Charter amendment (Third Draft) to amend Section 4.127 and to add Section 16.123, to: provide for a study of which positions in the Police Department could be filled by civilian personnel rather than sworn officers; allow the City to reduce the minimum police staffing level for each position it converts from sworn to civilian, without decreasing the number of police officers dedicated to neighborhood community policing, patrol, and investigations and without substantially interfering with the delivery of police services or the ability of the Police Department to protect the public in the event of an emergency; and, provide that no police officer shall be laid off in order to convert a position from sworn to civilian.

*The President inquired if there was anyone who wished to address the Board.
Chief Alex Fagan, San Francisco Police Department
The President inquired if there was anyone else who wished to address the Board.
There being no response, the President declared the Public Hearing Closed.*

Continued to November 25, 2003

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

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

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

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

Charter Amendment (Third Draft) to repeal Section 4.110, regarding the Health Commission, and adding a new Article VIIIIC, to increase the autonomy and fiscal authority of the Health Commission and change the qualifications of Health Commissioners, establish a stable baseline funding level for the Department of Public Health, ensure the continued operation of County hospitals, community-based public health clinics, and chronic disease and injury prevention and health promotion programs, designate universal healthcare as one of the Department's top advocacy priorities, ensure continued planning, coordination and oversight of the San Francisco Emergency Medical Services/Trauma System, guarantee culturally competent care through community-based primary care clinics, 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.

The President inquired if there was anyone who wished to address the Board.

SEIU Local 250 Representative

SEIU Representative

Norman Santon, Planning for Elders

The President inquired if there was anyone else who wished to address the Board.

There being no response, the President declared the Public Hearing Closed.

Supervisor Daly, seconded by Supervisor Dufty, moved that this Charter Amendment be RE-REFERRED. The motion carried by the following vote:

Ayes: 9 - Daly, Dufty, Gonzalez, Hall, Ma, McGoldrick, Newsom, Peskin, Sandoval

Absent: 1 - Maxwell

Excused: 1 - Ammiano

SPECIAL ORDER 4:30 P.M.**Appointment of President Pro Tempore**

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

The President resumed the Chair shortly thereafter.

031631 [Public Hearing - Appeal, Final EIR for the 300 Spear Street Project]

Hearing of persons interested in or objecting to the Planning Commission certification of the Final Environmental Impact Report Case No. 2000.1090E, dated September 4, 2003, for the proposed project at 300 Spear Street. (Appellant: Sue C. Hestor, attorney for the Rincon Hill Residents Association and the BayCrest Towers Residential Association).

(Filed 9/24/03; companion measure to Files 031632, 031633, 031634.)

Sue Hestor, Attorney for appellant

Support of appellant:

Rincon Hill Residents Representative

Roger Brandon, Douglas Arthur, Nathan McClure, Male Speaker, Henry Client

Peter Cohon, Dorothy Dana, Scott Willis, Debbie Golt, Tony Robulo, Female Speaker, Kevin Reilly, Male Speaker, Ann Dalynch, Francisco La Costa, Judy Berkowitz, Patrick Malone, Male Speaker, Tom, Alexander Chung

Larry Badiner, Acting Planning Director, and Planning Representatives reviewed with Board the Planning Commission's recommendation.

Timothy Tosta, Attorney for 300 Spear Street project sponsors

Andrew Junius, Attorney for 201 Folsom Street

Support of project sponsor:

Carl Shannon, Tishman Properties, Terrence Stair, Labor Coalition, Peter Hartman, Stan Warren SF Building Council, Rev. Thomason, Pastor Ellis Walker, Rev. Ted Frazier, Pastor Davis, Michael Terreo, Dan

Ellington, Representative from Chamber of Commerce, Stan Smith, Jim Salinas, Local 22,

Pat Leahy, Larry Fettman, Iron Workers, Member of Local 22, John Crowley, Steve Anderson, lark Manus, President, SPUR

Rebuttal Period:

Sue Hestor, Attorney for appellant

The President declared the Public Hearing Closed.

HEARD AT PUBLIC HEARING.

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

Recess

The Board recessed at the hour of 8:24 p.m.

Reconvening of the Board

The Board at the hour of 8:38 p.m. reconvened.

Calling the Roll

On call of the roll, the following Supervisors were noted present:
Supervisors Daly, Gonzalez, Hall, Maxwell, McGoldrick, Newsom, Peskin - 7

Quorum present.

(Only one of the following two motions should be adopted.)

- 031632 [Affirm certification of final environmental impact report for the 300 Spear Street Project]**
Motion affirming the Planning Commission certification of the final environmental impact report for the 300 Spear Street Project. (Clerk of the Board)
Supervisor Daly, moved to continue this matter to December 16, 2003.
Motion failed for lack of a second.
Motion No. M03-195
Supervisor Hall, seconded by Supervisor Newsom, moved that this Motion be APPROVED. The motion carried by the following vote:
Ayes: 8 - Duffy, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Sandoval
Noes: 2 - Daly, Peskin
Excused: 1 - Ammiano
- 031633 [Reverse certification of final environmental impact report for the 300 Spear Street Project]**
Motion reversing the Planning Commission certification of the final environmental impact report for the 300 Spear Street Project. (Clerk of the Board)
TABLED by the following vote:
Ayes: 10 - Daly, Duffy, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Excused: 1 - Ammiano
- 031634 [Preparation of findings to reverse certification of the of final environmental impact report for the 300 Spear Street Project]**
Motion directing the Clerk of the Board to prepare findings specifying the basis for the Board of Supervisors' reversal of the Planning Commission certification of the final environmental impact report for the 300 Spear Street Project. (Clerk of the Board)
TABLED by the following vote:
Ayes: 10 - Daly, Duffy, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Excused: 1 - Ammiano

SPECIAL ORDER 4:30 P.M.**031627 [Public Hearing - Appeal, Final EIR for the 201 Folsom Street Project]**

Hearing of persons interested in or objecting to the Planning Commission certification of the Final Environmental Impact Report Case No. 2002.1073E, dated September 4, 2003, for the proposed project at 201 Folsom Street. (Appellant: Sue C. Hestor, attorney for the Rincon Hill Residents Association and BayCrest Towers Residential Association).

(Filed 9/24/03; companion measure to Files 031628, 031629, 031630.)

Sue Hestor, Attorney for appellant

Support of appellant:

Rincon Hill Residents Representative

Roger Brandon, Douglas Arthur, Nathan McClure, Male Speaker, Henry Client

Peter Cohon, Dorothy Dana, Scott Willis, Debbie Golt, Tony Robulo, Female Speaker, Kevin Reilly, Male Speaker, Ann Dalynch, Francisco La Costa, Judy Berkowitz, Patrick Malone, Male Speaker, Tom, Alexander Chung

Larry Badiner, Acting Planning Director, and Planning Representatives reviewed with Board the Planning Commission's recommendation.

Timothy Tosta, Attorney for 300 Spear Street project sponsors

Andrew Junius, Attorney for 201 Folsom Street

Support of project sponsor:

Carl Shannon, Tishman Properties, Terrence Stair, Labor Coalition, Peter Hartman, Stan Warren SF Building Council, Rev. Thomason, Pastor Ellis Walker, Rev. Ted Frazier, Pastor Davis, Michael Terreo, Dan Ellington, Representative from Chamber of Commerce, Stan Smith, Jim Salinas, Local 22, Pat Leahy, Larry Fettman, Iron Workers, Member of Local 22, John Crowley, Steve Anderson, lark Manus, President, SPUR

Rebuttal Period:

Sue Hestor, Attorney for appellant

The President declared the Public Hearing Closed.

HEARD AT PUBLIC HEARING.

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

(Only one of the following two motions should be adopted.)

- 031628 [Affirm certification of final environmental impact report for the 201 Folsom Street Project]**
Motion affirming the Planning Commission certification of the final environmental impact report for the 201 Folsom Street Project. (Clerk of the Board)
Motion No. M03-194
Supervisor Hall, seconded by Supervisor Newsom, moved that this Motion be APPROVED. The motion carried by the following vote:
Ayes: 8 - Duffy, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Sandoval
Noes: 2 - Daly, Peskin
Excused: 1 - Ammiano
- 031629 [Reverse certification of final environmental impact report for the 201 Folsom Street Project.]**
Motion reversing the Planning Commission certification of the final environmental impact report for the 201 Folsom Street Project. (Clerk of the Board)
TABLED by the following vote:
Ayes: 10 - Daly, Duffy, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Excused: 1 - Ammiano
- 031630 [Preparation of findings to reverse certification of the of final environmental impact report for the 201 Folsom Street Project.]**
Motion directing the Clerk of the Board to prepare findings specifying the basis for the Board of Supervisors' reversal of the Planning Commission certification of the final environmental impact report for the 201 Folsom Street Project. (Clerk of the Board)
TABLED by the following vote:
Ayes: 10 - Daly, Duffy, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Excused: 1 - Ammiano

SPECIAL ORDER 6:00 P.M.

- 031783 [Public Hearing - Appeal, 32 Uranus Terrace, San Francisco Tentative Subdivision Map]**
Hearing of persons interested in or objecting to the decision of the Department of Public Works dated October 20, 2003, approving Tentative/Parcel Map to legalize the proposed construction of a two unit new condominium project in Assessor's Block 2655, Lot 03, at 32 Uranus Terrace, San Francisco.

(Filed October 23, 2003; companion measure to Files 031784, 031785, 031786; District 8.)
Ivan Winthrop, appellant
James Holloway, appellant

Support of appellant:
Madeline Lee
Peter Goss

John Martin, Department of Public Works and Larry Badiner, Acting Planning Director reviewed with the Board the recommendations of the Departments.

Stephen Collier, Attorney for the project sponsors.

Rebuttal Period:
Ivan Winthrop, Appellant

The President declared the Public Hearing Closed.
HEARD AT PUBLIC HEARING.

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

(Only one of the following two motions should be adopted.)

031784 [32 Uranus Terrace Tentative Subdivision Map]

Motion approving decision of the Director of Public Works, approving Tentative Subdivision Map to legalize the construction of a two unit new condominium project in Assessor's Block 2655, Lot 03, at 32 Uranus Terrace, San Francisco. (Clerk of the Board)

Motion No. M03-196

APPROVED by the following vote:

Ayes: 9 - Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin

Absent: 1 - Sandoval

Excused: 1 - Ammiano

031785 [32 Uranus Terrace Tentative Subdivision Map]

Motion disapproving decision of the Director of Public Works, approving Tentative Subdivision Map to legalize the construction of a two unit new condominium project in Assessor's Block 2655, Lot 03, at 32 Uranus Terrace, San Francisco. (Clerk of the Board)

TABLED by the following vote:

Ayes: 9 - Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin

Absent: 1 - Sandoval

Excused: 1 - Ammiano

031786 [Findings - 32 Uranus Terrace Tentative Subdivision Map]

Motion directing the Clerk of the Board to prepare findings relating to Tentative Subdivision Map to legalize the construction of a two unit new condominium project in Assessor's Block 2655, Lot 03, at 32 Uranus Terrace, San Francisco. (Clerk of the Board)

Motion No. M03-197

APPROVED by the following vote:

Ayes: 9 - Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin

Absent: 1 - Sandoval

Excused: 1 - Ammiano

COMMITTEE REPORTS

031766 [Appointment, Public Utilities Commission]

Motion approving the Acting Mayor's appointment of Adam Werbach to the Public Utilities Commission, for the term expiring January 15, 2007. (Mayor)

Supervisor Hall, seconded by Supervisor Dufty, moved to table this matter.

TABLED by the following vote:

Ayes: 7 - Dufty, Hall, Ma, Maxwell, McGoldrick, Newsom, Sandoval

Noes: 3 - Daly, Gonzalez, Peskin

Excused: 1 - Ammiano

031767 [Appointment, Public Utilities Commission]

Motion rejecting the Acting Mayor's appointment of Adam Werbach to the Public Utilities Commission.
(Mayor)

NOT APPROVED by the following vote:

Ayes: 7 - Dufty, Hall, Ma, Maxwell, McGoldrick, Newsom, Sandoval

Noes: 3 - Daly, Gonzalez, Peskin

Excused: 1 - Ammiano

031768 [Appointment, Public Utilities Commission]

Motion taking no position concerning the Acting Mayor's appointment of Adam Werbach to the Public Utilities Commission, for term ending January 15, 2007. (Mayor)

Supervisor Hall, seconded by Supervisor Dufty, moved to table this matter.

TABLED by the following vote:

Ayes: 7 - Dufty, Hall, Ma, Maxwell, McGoldrick, Newsom, Sandoval

Noes: 3 - Daly, Gonzalez, Peskin

Excused: 1 - Ammiano

ROLL CALL FOR INTRODUCTIONS

PUBLIC COMMENT

Abdullah Megaheed, general issues

Gloria Lismore, SF Police issues

Male Speaker, Human Rights Commission issues, Kevin Williams

Francisco DeCosta, Human Rights Commission issues, Kevin Williams

Andrew Boseman, Human Rights Commission issues, Kevin Williams

Anita Labsosar, Human Rights Commission issues, Kevin Williams

Ace Washington, Human Rights Commission issues, Kevin Williams

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.

031821 [Calling a March 2, 2004 Special Election on Regional Measure 2]

Supervisor Daly

Resolution calling for a special election to be conducted in the City and County of San Francisco on the question of whether voters shall approve a \$1 bridge toll increase on the seven state-owned bridges in the San Francisco Bay Area with the funds to be used for a Regional Traffic Relief Plan, as defined in Senate Bill 916 (Perata).

Resolution No. 755-03

ADOPTED

031822 [Accept-Expend State Grant]
Supervisor Maxwell

Resolution authorizing the Port of San Francisco to accept and expend a grant in the amount of Ninety-Five Thousand Dollars (\$95,000.00) from the State of California, Department of Boating and Waterways, Abandoned Watercraft Fund, for the removal, and disposal of abandoned, wrecked or dismantled vessels or partially submerged objects within the Port's jurisdiction.

Resolution No. 756-03
ADOPTED

031823 [Supporting Fuel Cell Pilot Project at Airport]
Supervisors McGoldrick, Newsom

Resolution urging the Airport Director to initiate with other relevant departments a Fuel Cell Pilot Project at San Francisco International Airport (SFIA) in conjunction with the U.S. Department of Transportation (USDOT), Federal Aviation Administration (FAA), and the California Public Utilities Commission (CPUC) to enhance and improve the reliability and security of critical air traffic and airport operations at SFIA.

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

Resolution No. 757-03
ADOPTED

031824 [S.S. Jeremiah O'Brien]
Supervisors Peskin, Sandoval, Hall

Resolution urging the Port of San Francisco to enter into a 10-year lease with the S.S. Jeremiah O'Brien at its current berth on Pier 45.

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

Resolution No. 758-03
ADOPTED

031809 [Final Map for a 6 Unit Residential Condominium Project]

Motion approving Final Map of 52 Sheridan Street, A Residential Condominium Project, being a subdivision of Lot 34 in Assessor's Block No. 3519, and adopting findings pursuant to Planning Code Section 101.1. (Public Works Department)

(No Public Benefit Recipient; DPW Order No. 174,500; District 6.)

Motion No. M03-198
APPROVED

031820 [Needle Exchange Emergency]
Supervisors Ammiano, Newsom, Daly, Peskin, McGoldrick, Maxwell, Duffy

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. M03-199
APPROVED

- 031825 [Authorizing preparation of a written Proponent ballot argument and rebuttal argument on the Tax-deferred Transfer of Accrued Vacation, Sick Leave and Other Compensation to Employees Charter Amendment File No. 031547 on the March 2, 2004 ballot]
Supervisor Sandoval

Motion authorizing Supervisor Gerardo C. Sandoval to submit and sign a written Proponent argument and rebuttal argument for the Tax-deferred Transfer of Accrued Vacation, Sick Leave and Other Compensation to Employees Charter Amendment File No. 031547 for publication in the voter information pamphlet for the March 2, 2004 election.

Motion No. M03-200
APPROVED

- 031849 [City's Consolidated Annual Financial Report (CAFR)]
Supervisor Daly

Resolution authorizing the Controller to print the City's Consolidated Annual Financial Report (CAFR) on an annual basis as well as posting it on the web.

Resolution No. 759-03
ADOPTED

The foregoing items were acted upon by the following vote:

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

Severed From Without Reference to Committee Agenda

It was decided to Supervisor Daly requested that this matter be severed so that it could be considered separately..

- 031850 [Public Hearing Approval]
Supervisor Hall

Resolution approving the issuance and sale of revenue bonds by the ABAG Finance Authority for Nonprofit Corporations in an aggregate principal amount not to exceed \$60,000,000 for the Music Concourse Community Partnership.

Resolution No. 740-03

ADOPTED by the following vote:

Ayes: 7 - Dufty, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Absent: 3 - Daly, Gonzalez, Newsom
Excused: 1 - Ammiano

OFF-AGENDA LEGISLATION

Introduced by Supervisors or Mayor

Ordinances**021575 [General Plan Amendments - 888 Howard Street Hotel]
Supervisors Daly, Sandoval, McGoldrick, Maxwell**

Ordinance amending the San Francisco General Plan in connection with approval of the 888 Howard Street Hotel Project by amending Map 1 (Downtown Land Use and Density Plan) and Map 5 of the Downtown Area Plan of the General Plan to reclassify the use designation of the property located at 888 Howard Street, Lot 066 in Assessor's Block 3724, from C-3-S to C-3-S(SU) and the height and bulk of the property from 160-F to 320-S; adopting findings. (Planning Department)

9/25/02, ASSIGNED UNDER 30 DAY RULE to Transportation and Commerce Committee, expires on 10/30/2002.

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

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

11/18/03, ASSIGNED to Land Use Committee.

**021577 [Planning Code Amendments in connection with 888 Howard Street Hotel Project]
Supervisors Daly, Sandoval, McGoldrick, Maxwell**

Ordinance amending the San Francisco Planning Code by amending Sections 102.9, 123, Table 124 and Section 138 and by adding new Section 247, to create a C-3-S(SU) Downtown Support Special Use District within the C-3-S zoning district to allow development of a Hotel Project with a basic and maximum floor area ratio (after purchase of all market-rate, available Transfer Development Rights within the C-3-S zoning district or contribution of an equivalent amount of money under specified conditions) of 7.5 to 1, to include the new C-3-S(SU) zoning district within the definition of "gross floor area" and to provide that the minimum open space requirement for the new C-3-S(SU) zoning district is one square foot for every 50 gross square feet of uses; adopting findings. (Planning Department)

9/25/02, ASSIGNED UNDER 30 DAY RULE to Transportation and Commerce Committee, expires on 10/23/2002.

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

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

11/18/03, ASSIGNED to Land Use Committee.

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

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

(Fiscal impact.)

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

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

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

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

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

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

(Fiscal impact.)

11/18/03, RECEIVED AND ASSIGNED to Finance and Audits Committee. Sponsor requests this item be scheduled for December 3, 2003 meeting.

**031872 [To appropriate funding for the December 2003 run-off election]
Mayor**

Ordinance appropriating \$2,016,330 from the Proposition A Implementation Project and re-appropriating \$274,000 of permanent salaries for a total of \$2,290,330 to the operating fund for temporary salaries, non-personal services, materials and supplies and services of other departments associated with the December 2003 run-off election for the Department of Elections for fiscal year 2003-04.

(Fiscal impact.)

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

**031873 [Memorandum of Understanding - Police]
Mayor**

Ordinance adopting and implementing the Memorandum of Understanding between the City and County of San Francisco and the Municipal Executives Association (Police) to be effective July 1, 2003 through June 30, 2005.

11/18/03, RECEIVED AND ASSIGNED to Budget Committee.

**031874 [Memorandum of Understanding - Fire]
Mayor**

Ordinance adopting and implementing the Memorandum of Understanding between the City and County of San Francisco and the Municipal Executives Association (Fire) to be effective July 1, 2003 through June 30, 2005.

11/18/03, RECEIVED AND ASSIGNED to Budget Committee.

**031876 [Regulation of Permit Expeditors]
Supervisors Newsom, Daly, Gonzalez**

Ordinance amending the San Francisco Campaign and Governmental Conduct Code by adding Article V, sections 5.100 to 5.135 to impose registration and disclosure requirements on permit expeditors.

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

**031878 [Establishing an Alternative Affordable Housing and Home Ownership Bond Program]
Supervisor Sandoval**

Draft Ordinance amending the San Francisco Administrative Code by adding a new Article IIIA, consisting of Sections 43.3A.1 through 43.3A.11 to establish an alternative affordable housing and home ownership bond program.

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

**031879 [Residential Rent Ordinance-Keys]
Supervisor Daly**

Ordinance amending Administrative Code Chapter 37 ("Residential Rent Stabilization and Arbitration Ordinance") by renumbering existing Section 37.13 as 37.14 and renumbering existing Section 37.14 as 37.15, and by adding new Section 37.13 to provide that: each adult occupant is entitled to a minimum of one key/key-set for the unit without charge; upon written request for extra keys/key-sets stating the reason(s) (e.g., for the convenience of the occupant, such as admitting a service provider or a delivery person or a houseguest) a landlord shall provide the requested extra keys/key-sets unless the landlord promptly denies the request in writing as unreasonable (e.g., due to unlawful occupancy or a pattern of lease violation); a request for an extra key/key-set may only be denied for good reason; unreasonable denial of an extra key/key-set constitutes a decrease in housing services; and, a landlord or a tenant may file a petition for hearing on a disputed request for an extra key/key-set, which shall be decided by an Administrative Law Judge (ALJ), with the ALJ decision appealable to the Rent Board.

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

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

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

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

Resolutions

**031881 [2004-2007 Children's Service Allocation Plan]
Supervisors Daly, Maxwell**

Resolution approving the Children's Services Allocation Plan for the Children's Fund in accordance with Section 16.108 of the San Francisco Charter.

11/18/03, RECEIVED AND ASSIGNED to Budget Committee.

**031882 [Review of Concession Opportunity]
Supervisor Peskin**

Resolution authorizing the Director of the Department of Administrative Services to issue a request for proposals 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.

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

**031883 [Mortgage Revenue Bonds]
Mayor**

Resolution declaring the intent of the City and County of San Francisco (the "City") to reimburse certain expenditures from proceeds of future bonded indebtedness; authorizing the Director of the Mayor's Office of Housing (the "Director") to submit an application and related documents to the California Debt Limit Allocations Committee ("CDLAC") to permit the issuance of qualified mortgage bonds in an aggregate principal amount not to exceed \$25,000,000; authorizing and directing the Director to deposit with the Controller's Office an amount not to exceed \$125,000 in accordance with CDLAC procedures; authorizing the Director to certify to CDLAC that the City has on deposit the required amount; authorizing the Director to pay an amount equal to the deposit to the State of California if the City fails to issue the qualified mortgage bonds; and authorizing and directing the execution of any documents necessary to implement this Resolution and of any documents necessary to implement this Resolution; and ratifying and approving any action heretofore taken in connection with the Project (as defined herein) and the application.

(No Public Benefit Recipient.)

11/18/03, RECEIVED AND ASSIGNED to Finance and Audits Committee. Sponsor requests this item be scheduled for consideration at the December 10, 2003 meeting.

**031884 [Expend Federal Funds - Fiscal Year 2003 Lead Hazard Reduction Demonstration Grant Program]
Mayor**

Resolution authorizing the Mayor of the City and County of San Francisco to expend 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 \$2,600,000, which includes indirect costs of \$30,000.

(No Public Benefit Recipient.)

11/18/03, RECEIVED AND ASSIGNED to Finance and Audits Committee. Sponsor requests this item be scheduled for consideration at the December 10, 2003 meeting.

**031885 [Settlement of Claim]
Supervisor Hall**

Resolution approving the settlement of the unlitigated claim of Louise Renne, Patrick Devlin, June Lilienthal, Virginia Leishman, Charles Meyers, Alene Meyers, Charles Levinson, and Robert Neal against San Francisco, relating to the use of tobacco settlement revenues by the Department of Public Health; material terms of said settlement are contained in the Settlement Agreement on file with the Clerk of the Board of Supervisors.

11/18/03, RECEIVED AND ASSIGNED to Rules Committee.

**031886 [Extending the Cooperative Agreement between TIDA and the U.S. Navy through which TIDA provides caretaker services at former Naval Station Treasure Island]
Mayor**

Resolution approving and authorizing the Treasure Island Development Authority to enter into the 16th modification to the Cooperative Agreement with the Navy to extend the Cooperative Agreement to September 30, 2004.

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

**031887 [Agreement to Purchase 850 Broderick Street]
Mayor**

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

(Fiscal impact; Companion measure to File 031871.)

11/18/03, RECEIVED AND ASSIGNED to Finance and Audits Committee. Sponsor requests this item be scheduled for consideration at the December 3, 2003 meeting.

**031890 [Extension of Grant Agreement]
Supervisor Daly**

Resolution authorizing the Director of Public Works or his designee to apply for one-year extensions of Federal and State grants expiring on June 30, 2004.

11/18/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**031891 [Extension of Planning Commission Review Period]
Supervisor Gonzalez**

Resolution extending for 45 additional days the prescribed time within which the Planning Commission may render its decision on a proposed ordinance to amend the San Francisco Planning Code by adding section 703.3 and by amending section 182 to make findings as to the need to regulate formula retail uses, to define formula retail uses, prohibit formula retail uses in the Hayes-Gough Neighborhood Commercial District and in the Neighborhood Commercial Cluster Districts at Cole and Carl Streets and Parnassus and Stanyan Streets, to require any building permit application for a formula retail use to comply with the notice and design review procedures of section 312 of the Planning Code, to provide that the burden to prove that a use is not a formula retail use rests with the building permit applicant or holder, and to provide that nonconforming uses in Residential Districts which are seeking to change in use to retail sales activity or retail sales establishment which is also a formula retail use must comply with the provisions of Section 703.3, and making findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan.

11/18/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**031892 [Commending Nancy Warren]
Supervisors Maxwell, Newsom**

Resolution commending Nancy Warren for her work to manage and prevent asthma in San Francisco and for her support to the San Francisco Asthma Task Force and proclaiming the 24th of November as Nancy Warren Day.

11/18/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**031893 [Gun Shows at Cow Palace]
Supervisor Sandoval**

Resolution urging the state to take appropriate action to ban gun shows at Cow Palace.
11/18/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

031894 [Declaration of November 4, 2003 Election Results]

Resolution declaring the results of the November 4, 2003 Consolidated Municipal Election. (Elections Department)
11/18/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING. 11/25/03 - Certified copy of Resolution sent to the Department of Elections.

**031847 [Ground Lease of Redevelopment Agency Land for Plaza Apartments]
Supervisor Gonzalez**

Resolution approving the Redevelopment Agency of the City and County of San Francisco's lease of land at Assessor's Block 3725, Lot 025, commonly known as 988-992 Howard Street, to Plaza Apartments Associates, L.P., a California Limited Partnership, for 55 years for the purpose of developing housing for very low-income senior households.

(Fiscal impact.)

11/10/03, RECEIVED AND ASSIGNED to Board of Supervisors. 11/15/03,11/22/03 Fee ad publication dates.
11/10/03, SCHEDULED FOR PUBLIC HEARING. Board to sit as a Committee of the Whole December 9, 2003, at 4:00 p.m

Requests for Hearing

**031875 [Hospital and Nursing Home Discharge Planning Task Force's Final Report]
Supervisor Dufty**

Hearing to consider the Hospital and Nursing Home Discharge Planning Task Force's written Final Report.
11/18/03, RECEIVED AND ASSIGNED to Rules Committee.

**031889 [DPH policy for substance abuse treatment services]
Supervisor Dufty**

Hearing to consider the need for establishing a City and Department of Public Health (DPH) policy for substance abuse treatment services for adolescents and young adults; and, the need for a continuum from treatment to transitional housing that encourages positive outcomes, involving the Department of Public Health.
11/18/03, RECEIVED AND ASSIGNED to City Services Committee.

031846 [Hearing - Ground Lease of Redevelopment Agency Land for Plaza Apartments]

Hearing of persons interested in or objecting to proposed resolution approving the Redevelopment Agency of the City and County of San Francisco's lease of land at Assessor's Block 3725, Lot 025, commonly known as 988-992 Howard Street, to Plaza Apartments Associates, L.P., a California Limited Partnership, for 55 years for the purpose of developing housing for very low-income senior households. (Clerk of the Board)
11/10/03, SCHEDULED FOR PUBLIC HEARING. Board to sit as a Committee of the Whole December 9, 2003, at 4:00 p.m.

**031877 [Police Department]
Supervisor Gonzalez**

Hearing to discuss recent allegations that the Police Department has allowed numerous complaints of police misconduct received from the Office of Citizen Complaints, as well as other types of complaints, to become misplaced and/or improperly forwarded for review and possible disciplinary action. Cases that are not forwarded within one year of receipt are subject to a statute of limitation, and are thus deemed "dead."
11/18/03, RECEIVED AND ASSIGNED to City Services Committee.

Motions

**031870 [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.
11/18/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

PROPOSED ORDINANCES

031799 [Settlement of Lawsuit - Curtis McGlothin]

Ordinance authorizing settlement of the lawsuit filed by Curtis McGlothin against the City and County of San Francisco for \$165,000; the lawsuit was filed on August 7, 2002 in San Francisco Superior Court, Case No. 411-241; entitled Curtis McGlothin, et al., v. City and County of San Francisco, et al. (City Attorney)

(Public Benefit Recipient.)

11/3/03, RECEIVED AND ASSIGNED to Rules Committee.

031807 [Settlement of Lawsuit - Teresa Lau]

Ordinance authorizing settlement of the lawsuit filed by Teresa Lau against the City and County of San Francisco for \$93,500; the lawsuit was filed on September 27, 2001 in San Francisco Superior Court, Case No. 324-939; entitled Teresa Lau, et al., v. City and County of San Francisco, et al. (City Attorney)

(Public Benefit Recipient.)

11/3/03, RECEIVED AND ASSIGNED to Rules Committee.

**031832 [Designating 2926-2948 16th Street, the Labor Temple/Redstone Building, As a Landmark Under Planning Code Article 10]
Supervisors Daly, Peskin, Gonzalez**

Ordinance Designating 2926-2948 16th Street, the Labor Temple/Redstone Building, As Landmark No. 238 pursuant to Article 10, Sections 1004 and 1004.4 of the Planning Code. (Planning Department)

(No Public Benefit Recipient.)

11/6/03, RECEIVED AND ASSIGNED to Land Use Committee.

- 031833** [Denying taxi driver permits to applicants having certain criminal convictions within four years]
Ordinance amending the San Francisco Police Code by amending Section 1089, to provide that persons having certain criminal convictions shall not be eligible to receive a taxi driver permit for four years after the date of conviction. (Taxi Commission)
- (No Public Benefit Recipient.)
11/4/03, RECEIVED AND ASSIGNED to Land Use Committee.

PROPOSED RESOLUTIONS

- 031808** [Prevailing Wage Rates]
Resolution fixing prevailing wage rates for workers performing work under City contracts for public work and improvement; workers performing work under City contracts for janitorial services; and workers in public off-street parking lots, garages, or storage facilities for automobiles on property owned or leased by the City. (Civil Service Commission)
- (No Public Benefit Recipient.)
10/31/03, RECEIVED AND ASSIGNED to Finance and Audits Committee.
- 031810** [Pedestrian Injury Surveillance]
Supervisors Dufty, Hall
- Resolution authorizing the San Francisco Department of Public Health (SFPDH), to accept retroactively and expend a grant in the amount of \$99,350 from the Centers for Disease Control and Prevention (CDC) to analyze pedestrian injury patterns and evaluate the effectiveness of countermeasures and to enter into an agreement for the use of these funds; for the period of September 1, 2003, to August 31, 2004. (Public Health Department)
- (No Public Benefit Recipient.)
11/3/03, RECEIVED AND ASSIGNED to City Services Committee.
- 031831** [Agreement to exchange real property related to the former Central Freeway parcels in the Hayes Valley neighborhood]
Resolution approving and authorizing agreements for the exchange of certain real property with the State of California; adopting findings pursuant to the California Environmental Quality Act; adopting findings that the conveyance is consistent with the City's general plan and eight priority policies of City Planning Code section 101.1; and authorizing the Director of Property to execute documents and take certain actions in furtherance of this resolution. (Real Estate Department)
- (Public Benefit Recipient.)
11/6/03, RECEIVED AND ASSIGNED to Finance and Audits Committee.

- 031844 [Contract funds for a safety trial of Tenofovir as a pre-exposure prophylaxis among high-risk men who have sex with men]**
Supervisor Dufty

Resolution authorizing the San Francisco Department of Public Health (SFPDH) to enter retroactively into an agreement with Public Health Foundation Enterprises, Inc. (PHFE), the primary contractor, and expend funds in the amount of \$100,929 for a safety trial of Tenofovir as a pre-exposure prophylaxis among high-risk men who have sex with men; for the period of October 1, 2003 to September 30, 2004. (Public Health Department)

(No Public Benefit Recipient.)

11/7/03, RECEIVED AND ASSIGNED to City Services Committee.

- 031845 [Accept-Expend Regional Grant]**
Resolution authorizing the Airport Commission to accept and expend two (2) grants totaling \$248,000 from the Bay Area Air Quality Management District (Air District) for acquisition of clean air vehicles by Airport transportation operators. (Airport Commission)

(No Public Benefit Recipient.)

11/10/03, RECEIVED AND ASSIGNED to Finance and Audits Committee.

- 031848 [Accept-Expend Federal Grant]**
Supervisor Dufty

Resolution authorizing the Sheriff's Department: to accept and expend a three-year grant in the amount of \$1,229,622 from the U.S Department of Education for providing a life skills program to women offenders. (Sheriff)

(Public Benefit Recipient.)

11/12/03, RECEIVED AND ASSIGNED to City Services Committee.

- 031851 [Transfer State funds to CMHDA for contract services to improve access to mental health treatment for children in foster care and other children placed outside of San Francisco]**

Resolution endorsing the transfer of State general funds from the State to the California Mental Health Directors Association for a contract to provide services to foster care and other Medi-Cal eligible children placed outside of San Francisco, for the period of July 1, 2003 through June 30, 2004. (Public Health Department)

(Public Benefit Recipient.)

11/12/03, RECEIVED AND ASSIGNED to Finance and Audits Committee. Department requests this item be scheduled for consideration at the November 26, 2003 meeting.

11/17/03, REFERRED TO DEPARTMENT. Referred to Youth Commission for comment and recommendation.

Requests Granted

From: Supervisors Dufty, Ma

To: City Attorney

Requesting/Inquiring: To draft an Ordinance to require that prior to the Board of Supervisors approving any ordinance or settlement involving the transfer of City-owned property a notification process pursuant to the Planning Department's Section 311 or Section 312 requirements.

In Memoriams

*Dympna Brown (Entire Board)
DeShawn Dawson (Entire Board)
Nicholas Andrew Sommerfield (Supervisor Hall)
Donald S. Lucas (Supervisors Ammiano, Dufty)*

ADJOURNMENT

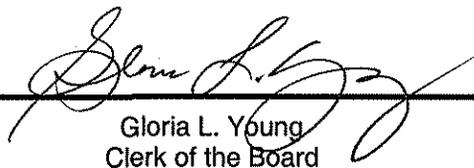
There being no further business, the Board at the hour of 11:17 p.m. adjourned.

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 December 16, 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