

BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

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

MEETING MINUTES

Tuesday, July 22, 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

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 p.m.

Wednesday
9:30 AM

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

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

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:09 p.m. On the call of the roll, the following Supervisors were noted absent.

Supervisors Ammiano, Dufty, Maxwell, McGoldrick - 4

Quorum present.

Supervisors Maxwell, Ammiano were noted present at 2:12 p.m.

Supervisor McGoldrick noted present at 2:14 p.m.

Supervisor Dufty noted present at 2:15 p.m.

APPROVAL OF MEETING MINUTES

Supervisor Newsom, seconded by Supervisor Maxwell, moved to approved June 10, 2003 Meeting Minutes. The motion carried by the following vote:

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

Absent: 2 - Dufty, Hall

CONSENT AGENDA

Recommendations of the Rules Committee

030955 [Settlement of Lawsuit - Armenta, et al., v. James Jones Co., et al.]

Ordinance authorizing settlement of the lawsuit filed by the City and County of San Francisco against the James Jones Company, Mueller Co., Tyco International and Watts industries, for a payment to the City in the amount of \$2,890,908; the lawsuit was filed on June 26, 1997 in Los Angeles County Superior Court, Case No. BC 173-487; entitled Los Angeles Department of Water and Power ex rel Armenta, et al., v. James Jones Co., et al. (City Attorney)

(No Public Benefit Recipient.)

PASSED, ON FIRST READING

031080 [Settlement of Lawsuit - S.F. Baykeeper, et al. v. CCSF. et al.]

Ordinance authorizing settlement of attorney's fees and costs in the lawsuit filed by Waterkeepers Northern California dba San Francisco Baykeeper, Arc Ecology, and the San Francisco League of Conservation Voters against the City and County of San Francisco, and John L. Martin, Paul Maltzer and Kandace Bender in their official capacities, for \$145,000.00 in attorney's fees and \$4,298.13 in costs; the lawsuit was filed on August 8, 2002 in San Francisco Superior Court, Case No. 501511; entitled Waterkeepers Northern California, et al., v. City and County of San Francisco, et al. (City Attorney)

(Public Benefit Recipient.)

PASSED, ON FIRST READING

031081 [Settlement of Lawsuit - Mesha Irizarry]

Ordinance authorizing settlement of the lawsuit filed by Mesha Irizarry against the City and County of San Francisco for \$500,000; the lawsuit was filed on January 30, 2002 in the United States District Court, Case No. C02-0534 SBA; entitled Mesha Irizarry, et al., v. City and County of San Francisco, et al. (City Attorney)

(Public Benefit Recipient.)

PASSED, ON FIRST READING

Recommendation of Finance and Audits Committee**031095 [Contract Prop J: Facility Security Services]**

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

(Public Benefit Recipient.) [No fiscal impact.]

Resolution No. 487-03

ADOPTED

The foregoing items were acted upon by the following vote:

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

Absent: 2 - Dufty, Hall

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendations of the Budget Committee

Supervisor Hall noted absent at 2:12 p.m.

030787 [Government Funding, Fiscal Year 2003-04]

Annual Appropriation Ordinance appropriating all estimated receipts and all estimated expenditures for the City and County of San Francisco for fiscal year ending June 30, 2004. (Mayor)

(Charter Section 9.100 provides the Board shall not adopt the Budget earlier than July 15, 2003 nor later than August 1, 2003.)

Ordinance No. 194-03

FINALLY PASSED by the following vote:

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

Absent: 2 - Duffy, Hall

030788 [Public Employment, Fiscal Year 2003-04]

Annual Salary Ordinance enumerating positions in the Annual Budget and Appropriation Ordinance for the Fiscal Year ending June 30, 2004, continuing, creating or establishing these positions; enumerating and including therein all positions created by Charter or State law for which compensations are paid from City and County funds and appropriated in the Annual Appropriation Ordinance; authorizing appointments or continuation of appointments thereto; specifying and fixing the compensations and work schedules thereof; and authorizing appointments to temporary positions and fixing compensations therefor. (Human Resources Department)

(Charter Section 9.100 provides the Board shall not adopt the Budget earlier than July 15, 2003 nor later than August 1, 2003.)

Ordinance No. 195-03

FINALLY PASSED by the following vote:

Ayes: 8 - Ammiano, Daly, Gonzalez, Ma, Maxwell, McGoldrick, Peskin, Sandoval

Noes: 1 - Newsom

Absent: 2 - Duffy, Hall

**030991 [Establishing Parking Meter and Permit Parking Areas --Recreation and Park Property]
Mayor**

Ordinance amending the Traffic Code by adding Sec. 201.5 to establish Parking Meter Area Number Five; amending Sec. 201 to authorize the General Manager of the Recreation and Park Department to establish parking meter zones within Parking Meter Area Five subject to approval of the Recreation and Park Commission; amending Sec. 203.6 to set Parking Meter Rates in Parking Meter Area Number Five and to authorize the Recreation and Park Commission to reduce the meter rate not more than 50% lower than that set by the Board of Supervisors; amending Sec. 213 to provide that monies collected from meters located on park land be credited to an account for use by the Recreation and Park Department; adding Park Code Article 14 to establish permit parking on Park Property; and amending Park Code Sec. 6.10 to provide for penalties for violating Article 14. (Mayor)

Continued to July 29, 2003

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

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

From the City Services Committee "Without Recommendation"**030737 [Preservation of Emergency Nature of Shelter; Prevention of Displacement, Prioritization, or Set-Asides of Shelter Beds Based Solely on Income]
Supervisors McGoldrick, Daly**

Ordinance adding Article II to Chapter 20 of the San Francisco Administrative Code to preserve the emergency nature of the City's shelter system; to prevent displacement of an individual from a shelter bed based solely on that individual's income, and to prohibit prioritization or set-asides of shelter beds based on income.

Ordinance No. 198-03

FINALLY PASSED by the following vote:

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

Recommendations of the Finance and Audits Committee

**021948 [Repealing Police Code Section 162 - Regulating Fortunetellers]
Supervisors Peskin, Ma**

Ordinance repealing Section 162 of the San Francisco Police Code relating to advertising by fortunetellers; adding Sections 1300 to 1321 to the San Francisco Police Code requiring fortunetellers to obtain a permit, setting forth permit procedures, regulating business by prohibiting deceptive acts and requiring receipts, rate schedules, and identification cards, requiring permit number on advertisements, allowing license inspections, and setting forth the penalty for violations of these sections; and amending San Francisco Police Code Section 2.26 and 2.27 setting forth permit and licensing fees.

(Supervisor Sandoval dissenting in Committee.)

Ordinance No. 196-03

FINALLY PASSED by the following vote:

Ayes: 8 - Ammiano, Daly, Gonzalez, Ma, Maxwell, McGoldrick, Newsom, Peskin

Noes: 3 - Dufty, Hall, Sandoval

**030633 [Giving the Executive Director of the Department of Parking and Traffic Authority to Promulgate Regulations Regarding Parking Revenue Equipment]
Supervisor Peskin**

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

Supervisor Hall, seconded by Supervisor Dufty, requested to rescind the previous vote.

Motion carried without objection.

Ordinance No. 197-03

FINALLY PASSED by the following vote:

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

031229 [Appropriating Funds for Brannan Street Wharf and Cruise Terminal Project at Piers 30-32]

Ordinance appropriating \$9,324,000 in sales proceeds from the Seawall Lot 330 and \$20,376,000 from the condo sales proceeds for a total of \$29,700,000 for the development of the Brannan Street Wharf and the Pier 30-32 Cruise Terminal Project, for Port for fiscal year 2003-2004, placing \$29,700,000 on reserve by the Finance and Audits Committee. (Port)

Ordinance No. 202-03

FINALLY PASSED by the following vote:

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

Recommendations of the Land Use Committee

**030040 [Planning Code Section 249.24 - Jackson Square Special Use District]
Supervisors Peskin, Newsom**

Ordinance amending the Planning Code to add section 249.24 to establish the Jackson Square Special Use District, amending the Zoning Map Sectional Map No. 1 SU to show the boundaries of this District, requiring that within this District ground floor office use be subject to conditional use authorization as specified, requiring that within this District adult entertainment enterprises be prohibited, modifying the abandonment period for permitted conditional uses in this District, and making findings of consistency with the General Plan and priority policies of Planning Code section 101.1.

(Planning Commission Resolution Nos. 16577 and 16578 recommending approval of proposed legislation with modifications, dated May 8, 2003.)

Ordinance No. 203-03

FINALLY PASSED by the following vote:

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

030909 [Street Artist Space Regulations]

Ordinance amending the San Francisco Police Code by amending Section 2405 to modify the street artist space regulations. (Arts Commission)

Ordinance No. 199-03

FINALLY PASSED by the following vote:

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

031019 [Mission Bay 16th/7th Street Jack and Bore Casing Improvements]

Ordinance accepting the irrevocable offer for the 16th/7th Street Jack and Bore Casing Improvements; designating said facilities for public use and maintenance purposes; adopting findings that such actions are consistent with the City's General Plan, eight priority policy findings of City's Planning Code section 101.1, and the Mission Bay South Redevelopment Plan; accepting Department of Public Works Order No. 174,027; and authorizing official acts in connection with this ordinance. (Public Utilities Commission)

(No Public Benefit Recipient; Findings of DPW Order No. 174027 dated June 9, 2003.)

Ordinance No. 201-03

FINALLY PASSED by the following vote:

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

Recommendations of the Rules Committee

**030866 [Charter Amendment - Establishing an Elected Rent Board]
Supervisor Daly**

Charter amendment (Second Draft) to add a new Article VIA to establish an elected San Francisco Residential Rent Stabilization and Arbitration Board that would replace the existing appointed Rent Board.

NOT ORDERED SUBMITTED by the following vote:

Ayes: 3 - Ammiano, Daly, Gonzalez

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

**030740 [Amending Rule 4.29 at Board of Supervisors meetings]
Supervisor Gonzalez**

Motion amending Rule 4.29 of the Rules of Order of the Board of Supervisors to provide that at meetings of the Board of Supervisors the recognition of public dignitaries may occur at anytime, and the recognition of commendations shall occur at 3:30 p.m.

Motion No. M03-124

APPROVED by the following vote:

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

NEW BUSINESS

Recommendations of the Finance and Audits Committee

**031102 [Memorandum of Understanding re PERS Contract Amendment]
Mayor, Supervisors Dufty, Ma, Sandoval, McGoldrick, Daly, Newsom**

Ordinance adopting and implementing the Memorandum of Understanding between the City and County of San Francisco and the Deputy Sheriffs' Association regarding the amendment of the contract with the Public Employees' Retirement System to provide the County's Sheriffs with the retirement benefits known as 3% @ 55.

(Fiscal impact.)

PASSED ON FIRST READING by the following vote:

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

**031115 [PERS Contract Amendment]
Mayor, Supervisors Dufty, Ma, Sandoval, McGoldrick, Daly, Newsom**

Ordinance authorizing an Amendment to Contract Between the Board of Administration, California Public Employees' Retirement System, and the Board of Supervisors, City and County of San Francisco.

PASSED ON FIRST READING by the following vote:

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

**030505 [Outreach Advertising]
Supervisor Ma**

Resolution designating the Asian Week, the China Press, the World Journal and the Chinese Times to be outreach newspapers of the City and County of San Francisco for the Chinese community; El Reportero, El Latino and El Mensajero to be outreach newspapers of the City and County of San Francisco for the Hispanic community; the Bay Area Reporter to be the outreach newspaper of the City and County of San Francisco for the Lesbian/Gay/Bisexual/Transgender community; and the San Francisco Bay View to be outreach newspaper of the City and County of San Francisco for the African American community, for outreach advertising for the fiscal year commencing July 1, 2003 and ending June 30, 2004. (Purchaser)

(Fiscal impact; No Public Benefit Recipient.)

Resolution No. 486-03

ADOPTED by the following vote:

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

031124 [Laundry Services At San Francisco General Hospital]

Resolution concurring with the Controller's certification that the laundry services can be performed for the Department of Public Health, San Francisco General Hospital by private contractor for a lower cost than similar work performed by City and County employees.

(No Public Benefit Recipient.)

Resolution No. 488-03

ADOPTED by the following vote:

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

Absent: 2 - Daly, Sandoval

**030851 [Contract - Department of the Environment and PG&E]
Mayor, Supervisor Gonzalez**

Resolution pursuant to Charter section 9.118(a) authorizing the Department of the Environment to enter into a contract for up to \$1,560,000 with Pacific, Gas and Electric Company ("PG&E") to implement a Demand Reduction Through Energy Efficiency Pilot Program in the City and County of San Francisco.

Resolution No. 481-03

ADOPTED by the following vote:

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

Absent: 2 - Daly, Sandoval

Recommendations of the Land Use Committee

**030351 [Planning Code Section 312 - Retail coffee store or pharmaceutical and personal toiletries use]
Supervisors Gonzalez, Daly, Hall**

Ordinance amending Planning Code Section 312 to require that a change in use to a retail coffee store, as defined in Planning Code Section 790.102(n), or to a pharmaceutical and personal toiletries use, as defined in Planning Code Section 790.102(c), or the addition of a prescription drug service where none previously existed within 3 years of an application for an addition, be subject to the notification and review procedures of Section 312, and making findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan.

(Certificate of Determination of Exemption/Exclusion from Environmental Review dated 5/23/03; Planning Commission Resolution No. 16594, adopted June 5, 2003, recommending approval.)

PASSED ON FIRST READING by the following vote:

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

**030998 [Sunsetting of higher cap on taxicab gate fees if City fails to enact long-term lease fee cap]
Supervisor Hall**

Ordinance amending Section 1135.1 of the Police Code to provide for extending from August 1, 2003 to November 1, 2003 the time for sunsetting the higher cap on taxicab gate fees if the City fails to enact an ordinance prescribing a specific long-term lease fee cap covering all long-term lease drivers.

PASSED ON FIRST READING by the following vote:

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

Recommendations of the Rules Committee

**031153 [Establishing a Construction Risk Management Committee]
Supervisor Dufty**

Ordinance establishing a Construction Risk Management Committee to authorize and monitor the performance of City's OCIPs.

[No fiscal impact.]

PASSED ON FIRST READING by the following vote:

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

**031114 [Amending Rule 4.29 of the Rules of Order]
Supervisor Gonzalez**

Motion amending Rule 4.29 of the Rules of Order of the Board of Supervisors to provide that public hearings on appeals shall be scheduled at 4 p.m. rather than 3 p.m., and providing a system for scheduling these appeals when more than one appears on a Board calendar.

(No fiscal impact.)

Motion No. M03-122

APPROVED by the following vote:

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

SPECIAL ORDER 3:00 P.M.

Board of Supervisors Sitting as a Committee of the Whole

**030681 [Charter Amendment-Ethics provisions to move various provisions into ordinances, to enact new provisions, to make technical changes, and to clarify ambiguities in existing provisions]
Supervisor Ammiano**

Charter amendment (Sixth Draft) to amend Sections 4.108, 4.109, 15.100, 15.103, 15.105, 16.118 and Article XVII, deleting Sections 15.104, 15.106, 15.108, C8.105 and adding Section 18.115 and Appendix Sections C9.101, C9.102, C9.103, C9.104, C9.105, C9.106, C9.107, C9.108, C9.109, C9.110, C9.111, C9.112, C9.113, C9.114, C9.115, C9.116, C9.117, C9.118, C9.119, C9.120, C9.121, C9.122, C9.123, C9.124, C9.125, C9.126 and C9.127 to enact new conflict of interest provisions, to make technical changes, to move various provisions into ordinances, and to clarify existing provisions.

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

ORDERED SUBMITTED by the following vote:

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

SPECIAL ORDER 3:00 P.M.

030956 [Public Hearing - Appeal, Conditional Use, 3725 Buchanan Street (a.k.a. 3727 Buchanan Street)]

Hearing of persons interested in or objecting to the decision of the Planning Commission by its Motion No. 16571 dated May 1, 2003 approving a conditional use authorization, Case No. 2002.0657C, to mount a total of eight panel antennas and related equipment on the roof of an existing building as part of Verizon's wireless telecommunications network within an NC-2 (Small Scale Neighborhood Commercial) Zoning District, Scenic SSD (Special Sign District) and a 40-X Height and Bulk District on property located at 3725 Buchanan Street (a.k.a. 3727 Buchanan Street), on the west side between Beach and North Point Streets; Lot 004, in Assessor's Block 0445A.

(Appeal filed May 29, 2003; Categorically exempt from the environmental review process (CEQA) pursuant to exemption Classes 1, 3 and 11 of Title 14 of the California Administrative Code; companion measure to Files 030957, 030958; 030959; District 2.)

Jacqueline Clemens, speaking on behalf of the appellant, Erika Tarantino

Barbara Janeff, support of appellant
Madeline Camisa, support of appellant
Male Speaker, support of appellant
Male Speaker, support of appellant
Alexandra Revello, support of appellant
Erika Tarantino, appellant
Marti Hibsichman, support of appellant
Tom Bosnick, support of appellant
Patricia Bowder, speaking for a neighbor, support of appellant
Jeff Rayburn, support of appellant
Patricia Dolson, support of appellant
Male Speaker, support of appellant
David, support of appellant
Sol Varin, support of appellant
Joan Girardo, Marina Associates, support of appellant
Gloria Fontanello, support of appellant

Gerald Green, Director of the Department of Planning reviewed with the Board the Planning Commission's decision.

Board Members reviewed and discussed issues with representatives of the Planning Department.

Jennifer Donnelly, representing the project sponsor
Paul Burton, Verizon Wireless, project sponsor
Kenny Silverman, Radio Engineer for Verizon Wireless, support of project sponsor
Peter Mosert, Site Manager for Verizon Wireless, support of project sponsor
William F. Hammond, Engineer

A rebuttal period was allowed.

Jacqueline Clemens, speaking on behalf of the appellant, Erika Tarantino

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

There being no response, the President declared the public hearing closed.

HEARD AT PUBLIC HEARING.

Pursuant to Government Code Section 65009, notice is hereby given: If you challenge the above matter in court, you may be limited to raising only those issues you or someone else raised at the public hearing described above, or in written correspondence delivered to the Board of Supervisors, (1 Dr. Carlton B. Goodlett Place, Room 244; San Francisco, CA 94102-4689) at, or prior to, the public hearing.

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

Board Members reviewed and discussed issues with representatives of the Planning Department, the Deputy City Attorney and the project sponsors.

030957 [Appeal, Conditional Use - 3725 Buchanan Street (a.k.a. 3727 Buchanan Street)]

Motion approving decision of the Planning Commission by its Motion No. 16571, approving Conditional Use Application No. 2002.0657C on property located at 3725 Buchanan Street (a.k.a. 3727 Buchanan Street), on the west side between Beach and North Point Streets, and adopting findings pursuant to Planning Code Section 101.1. (Clerk of the Board)

Supervisor Newsom, seconded by Supervisor Hall, moved that this Motion be TABLED. The motion carried by the following vote:

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

030958 [Appeal, Conditional Use - 3725 Buchanan Street (a.k.a. 3727 Buchanan Street)]

Motion disapproving decision of the Planning Commission by its Motion No. 16571, approving Conditional Use Application No. 2002.0657C on property located at 3725 Buchanan Street (a.k.a. 3727 Buchanan Street), on the west side between Beach and North Point Streets, and adopting findings pursuant to Planning Code Section 101.1. (Clerk of the Board)

Motion No. M03-118

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

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

030959 [Findings - 3725 Buchanan Street (a.k.a. 3727 Buchanan Street)]

Motion directing the Clerk of the Board to prepare findings relating to proposed Conditional Use Application No. 2002.0657C on property located at 3725 Buchanan Street (a.k.a. 3727 Buchanan Street), for action by the Board at its next meeting. (Clerk of the Board)

Motion No. M03-119

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

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

SPECIAL ORDER 3:00 P.M.**Appointment of President Pro Tempore**

At the request of the President, Supervisor McGoldrick assumed the Chair.

The President resumed the Chair shortly thereafter

031037 [Public Hearing - Appeal, Conditional Use, 40-50 Lansing Street (a.k.a. 35 Guy Place)]

Hearing of persons interested in or subject to the decision of the Planning Commission by its Motion No. 16572 dated May 1, 2003, approving Conditional Use Application No. 2002.0446CEV, subject to certain conditions, allowing the construction of an 84-foot tall residential building within an R (Residential) District pursuant to Planning Code Section 152; and allowing the construction of a building with full lot coverage in the Rincon Hill Special Use District pursuant to Planning Code Section 249.1(b)(1)(C) in an RC-4 District, a 84-R Height and Bulk District and the Rincon Hill Special Use District/Residential Subdistrict located at 40-50 Lansing Street (a.k.a. 35 Guy Place), Lot 11, in Assessor's Block 3749.

(Appeal filed June 2, 2003; Determined by the Planning Department to not have a significant effect on the environment pursuant to the Negative Declaration adopted and issued on April 22, 2003, and prepared pursuant to the Guidelines of the State Secretary of Resources, Sections 15064 (Determining Significant Effect), 15065 (Mandatory Findings of Significance), and 15070 (Decision to Prepare a Negative Declaration); companion measure to Files 031038, 031039, 031040, 031090; District 6.)

Mr. Stephen Williams, representing the appellants

Yardana Arroya, support of appellant
Kevin Newby, support of appellant
Anna, support of appellant
David Castillo, support of appellant
Kristin Lloyd, support of appellant
Owen Smith, support of appellant
Trina Boban, support of appellant
Douglas Arthur, support of appellant
Theresa Hosa, support of appellant
Richard Hilton, support of appellant
Becky O'Malley, support of appellant
Reid Larent, support of appellant
Chad Catters, support of appellant
Barbara Jew, support of appellant
George B, support of appellant
Joann Seal, support of appellant
Robert Reilly, support of appellant
Female Speaker, support of appellant
Doug Stafford, support of appellant
Paula Roth, support of appellant
Mary Ann Robertson, support of appellant
Cliff Roth, support of appellant
Patrick Glove, support of appellant
Michael Butler, support of appellant
Carolyn Brown, support of appellant
Chris Jackson, support of appellant
Robert Scott, support of appellant
Sarah O'Malley, support of appellant

Lawrence Badiner, Zoning Administer, Department of Planning reviewed with the Board the Planning Commission's recommendations.

Andrew Junius, Project Sponsor and Architect for the project sponsor

Kate White, support of project sponsor
Jeff Maddox, support of project sponsor
Andrew Ganzisky, support of project sponsor
Mr. Harney, support of project sponsor
Rob Gregoff, support of project sponsor
Steven Aiello, support of project sponsor

Vernon Jenkins, general housing issues

Rebuttal period was allowed.

Stephen Williams, representing the appellants

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

There being no response, the President declared the public hearing closed.

HEARD AT PUBLIC HEARING.

Pursuant to Government Code Section 65009, notice is hereby given: If you challenge the above matter in court, you may be limited to raising only those issues you or someone else raised at the public hearing described above, or in written correspondence delivered to the Board of Supervisors, (1 Dr. Carlton B. Goodlett Place, Room 244; San Francisco, CA 94102-4689) at, or prior to, the public hearing.

From the Clerk

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

031038 [Appeal, Conditional Use - 40-50 Lansing Street (a.k.a. 35 Guy Place)]

Motion approving decision of the Planning Commission by its Motion No. 16572, approving Conditional Use Application No. 2002.0446CEV on property located at 40-50 Lansing Street (a.k.a. 35 Guy Place), and adopting findings pursuant to Planning Code Section 101.1. (Clerk of the Board)

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

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

031039 [Appeal, Conditional Use - 40-50 Lansing Street (a.k.a. 35 Guy Place)]

Motion disapproving decision of the Planning Commission by its Motion No. 16572, approving Conditional Use Application No. 2002.0446CEV on property located at 40-50 Lansing Street (a.k.a. 35 Guy Place), and adopting findings pursuant to Planning Code Section 101.1. (Clerk of the Board)

#1

Supervisor Daly, seconded by Supervisor McGoldrick, moved to amend the Planning Commission's decision by:

Removing 6 units from the top floor, set-back 2 units from (second floor) on the southern side of the building and removing the loading dock.

Motion failed by the following vote:

Ayes: 4 - Ammiano, Daly, Gonzalez, McGoldrick

Noes: 7 - Dufty, Hall, Ma, Maxwell, Newsom, Peskin, Sandoval

Board members reviewed with the Developer, Henry Lambert financial issues regarding the project.

Supervisor Hall, seconded by Supervisor Peskin, moved to amend the Planning Commission's decision to remove 4 units from the 7th & 8th southerly side of the building.

#2

Supervisor Daly, seconded by Supervisor Ammiano, moved to amend the previous amendment to include removing the loading dock.

Motion failed by the following vote:

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

Noes: 6 - Dufty, Hall, Ma, Maxwell, Newsom, Sandoval

#3

Supervisor Hall, seconded by Supervisor Peskin, moved to amend the Planning Commission's decision to remove 4 units from the 7th & 8th southerly side of the building.

Motion carried by the following vote:

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

Noes: 4 - Ammiano, Daly, Gonzalez, McGoldrick

#4

Supervisor Daly, seconded by Supervisor Newsom, moved to amend the previous amendment to include sufficient street lighting.

The motion carried without objection.

#5

Supervisor Peskin, seconded by Supervisors Daly and Ammiano, moved to further amend to include removing loading dock.

Motion carried by the following vote:

Ayes: 6 - Dufty, Hall, Ma, Maxwell, McGoldrick, Peskin

Noes: 5 - Ammiano, Daly, Gonzalez, Newsom, Sandoval

Supervisor Newsom, seconded by Supervisor Ma, moved that this Motion be AMENDED. The motion carried by the following vote:

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

Noes: 1 - Gonzalez

Supervisor Newsom, seconded by Supervisor Ma, moved that this Motion be APPROVED AS AMENDED. The motion carried by the following vote:

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

Noes: 1 - Gonzalez

031040 [Findings - 40-50 Lansing Street (a.k.a. 35 Guy Place)]

Motion directing the Clerk of the Board to prepare findings relating to proposed Conditional Use Application No. 2002.0446CEV on property located at 40-50 Lansing Street (a.k.a. 35 Guy Place), for action by the Board at its next meeting. (Clerk of the Board)

Motion No. M03-120

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

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

031090 [Environmental Review - 40-50 Lansing Street (a.k.a. 35 Guy Place)]

Motion certifying review of Final Mitigated Negative Declaration relating to proposed Conditional Use of property at 40-50 Lansing Street (a.k.a. 35 Guy Place). (Clerk of the Board)

Motion No. M03-121

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

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

SPECIAL ORDER 3:00 P.M.

Supervisor Daly was noted absent at 9:00 p.m.

Supervisors Peskin, Newsom, Ma, Sandoval were noted absent at 9:05 p.m

Supervisor Newsom was noted present at 9:29 p.m.

Supervisors Peskin, Ma were noted present at 9:55 p.m.

030553 [Public Hearing - Appeal, Conditional Use - 19th Street PG&E Transformer Station]

Hearing of persons interested in or objecting to the decision of the Planning Commission by its Motion No. 16534 dated February 27, 2003 approving a conditional use authorization, Case No. 2002.0575C, to install six panel antennas and related back-up equipment on the PG&E Transformer Station, pursuant to Planning Code Section 209.6(b), within an RH-3 (Residential, House, Three-Family) District and a 50-X Height and Bulk District, located at South side of the 3400 Block of 19th Street; Lot 104, in Assessor's Block 3596.

(Appeal filed March 31, 2003; categorically exempt from environmental review process pursuant to Class I exemptions of Title 14 of the California Administrative Code; companion measure to File 030554, 030555, 030556; District 9.)

Mr. Todd Curtis, Appellant

Female Speaker, support of appellant

Kim Allen, support of appellant

Nicolas Allstein, support of appellant

Female Speaker, support of appellant

Male Speaker, support of appellant

Wayne Newton, support of appellant

George Rebel, support of appellant

Male Speaker, support of appellant

Female Speaker, support of appellant

Male Speaker, support of appellant

Julian Babardes, support of appellant

Kieran Maroney, support of appellant

Gerald Green, Director of Department of Planning reviewed with the Board the Planning Commission's recommendations.

John Martin, DPW reviewed the process for the verification of the signatures.

Jim Heard, PG&E questioned the process in which the appeal was filed.

Chris Duran, project sponsor

John Martin, DPW reviewed the process for the verification of the signatures.

Supervisor Gonzalez requested clarification from the Deputy City Attorney, regarding the process of the filing of the appeal. The Deputy City Attorney indicated that no permits have been issued and that the project sponsor had not been prejudiced by hearing the appeals at this time.

Rebuttal period was allowed.

Todd Curtis, representing the appellants

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

There being no response, the President declared the public hearing closed.

HEARD AT PUBLIC HEARING.

Pursuant to Government Code Section 65009, notice is hereby given: If you challenge the above matter in court, you may be limited to raising only those issues you or someone else raised at the public hearing described above, or in written correspondence delivered to the Board of Supervisors, (1 Dr. Carlton B. Goodlett Place, Room 244; San Francisco, CA 94102-4689) at, or prior to, the public hearing.

From the Clerk**(Only one of the following two motions should be adopted.)****030554 [Appeal, Conditional Use - 19th Street PG&E Transformer Station]**

Motion approving decision of the Planning Commission by its Motion No. 16534, approving Conditional Use Application No. 2002.0575C, on the PG&E Transformer Station located at the south side of the 3400 Block of 19th Street, and adopting findings pursuant to Planning Code Section 101.1. (Clerk of the Board)

Supervisor Ammiano moved that this Motion be **TABLED**. The motion carried by the following vote:

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

030555 [Appeal, Conditional Use - 19th Street PG&E Transformer Station]

Motion disapproving decision of the Planning Commission by its Motion No. 16534, approving Conditional Use Application No. 2002.0575C, on the PG&E Transformer Station located at the south side of the 3400 Block of 19th Street, and adopting findings pursuant to Planning Code Section 101.1. (Clerk of the Board)

Motion No. M03-116

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

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

030556 [Findings - 19th Street PG&E Transformer Station]

Motion directing the Clerk of the Board to prepare findings relating to proposed Conditional use Application No. 2002.0575C, on the PG&E Transformer Station located at the south side of the 3400 Block of 19th Street, for action by the Board at its next meeting. (Clerk of the Board)

Motion No. M03-117

Supervisor Ammiano moved that this Motion be **APPROVED**. The motion carried by the following vote:

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

ROLL CALL FOR INTRODUCTIONS

PUBLIC COMMENT

Abdullah Megaheed, homeless issues
Male Speaker, assault on a muni bus
Female Speaker, support legislation regarding SF Liberation Radio
Charlotte Hatch, support legislation regarding SF Liberation Radio
Steven Schubert, SF Liberation Radio
Ann Fibush, homeless issues
Male Speaker, SF Liberation Radio
Vernon Jenkins, general issues

APPROVAL OF REQUESTS TO THE LEGISLATIVE ANALYST

These items may be introduced by any Supervisor seeking analysis from the Office of the Legislative Analyst on introduced legislation and for the purpose of providing assistance to Board of Supervisors' task forces and advisory committees. Requests to the Legislative Analyst shall require the affirmative vote of a majority of the members of the Board.

031154 [Legislative Analyst Request - CITYSTAT Technology Systems]
Supervisors Newsom, Dufty, Hall, Ma

Motion directing the Office of the Legislative Analyst to conduct research on CITYSTAT technology systems, including an analysis of how the other major cities, including New York, Chicago, Phoenix and Baltimore, have implemented a CITYSTAT program.

[No fiscal impact.]

APPROVED by the following vote:

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

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.

031161 [Urge Real Estate Companies to Reward the Hard Work of Janitors]
Supervisors Sandoval, Daly, Peskin

Resolution urging real estate companies in San Francisco to employ cleaning companies that provide decent and fair wages, adequate health benefits, full-time work and union involvement without fear of retribution.

[No fiscal impact.]

Resolution No. 490-03
ADOPTED

031191 [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. M03-123

APPROVED

The foregoing items were acted upon by the following vote:

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

Absent: 2 - Daly, Sandoval

Severed From Without Committee Reference Agenda

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

031252 [San Francisco Liberation Radio 93.7 FM and diversity in media ownership]
Supervisors Gonzalez, Daly, Dufty, Ammiano, Peskin, Maxwell

Resolution supporting San Francisco Liberation Radio 93.7 FM and urging Federal, State, and Local officials to support policies and practices that encourage diverse local non-commercial media.

Amended to change "97.3" to 93.7"

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

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

Absent: 2 - Daly, Sandoval

Supervisor McGoldrick requested that this matter be referred to Committee as amended.

REFERRED to the City Services Committee.

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

031251 [Commending Holt A. Cheng, MD]
Supervisor Ma

Resolution commending Holt A. Cheng, MD for his lifelong dedication and commitment to medical education and for his related work in the medical field.

Supervisor Ma recognized the son of Dr. Cheng.

Resolution No. 480-03

ADOPTED by the following vote:

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

Absent: 2 - Daly, Sandoval

IMPERATIVE AGENDA

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

OFF-AGENDA LEGISLATION

Introduced by Supervisors or Mayor

Ordinances

**031273 [Signs and handbills]
Supervisor Ma**

Ordinance amending the Public Works Code by amending Sections 184.56, 184.57, 184.60, 184.64, 184.66, 184.70, 184.74, 184.75, and 184.78, adding Section 184.79, and repealing Sections 184.58, 184.59, and 184.71, of Articles 5.6 and 5.7, to prohibit the posting of signs on lamp posts and utility poles, amend the definition of Sign, remove the requirement that persons register to distribute Handbills, remove certain publication requirements, provide for a billing procedure and civil penalties for depositing Handbills in violation of certain restrictions, requiring Handbills to be placed on private property consistent with the Director's rules, move the provision listing historic lamp posts to the portion of the Code regulating banners, amend the title to Article 5.6, and other related changes.

7/22/03, ASSIGNED UNDER 30 DAY RULE to Land Use Committee, expires on 8/21/2003.

**031274 [Conservatory of Flowers - Fees]
Supervisor McGoldrick**

Ordinance making environmental findings and amending the San Francisco Park Code by adding Section 12.34 to establish the admission fees for the Conservatory of Flowers.

7/22/03, RECEIVED AND ASSIGNED to Finance and Audits Committee. 8/9/03, 8/16/03 Fee ad publication dates.

**031275 [Sole Source Contractual Procedures]
Supervisor Newsom**

Ordinance amending sections 21.02 and 21.5 of the San Francisco Administrative Code and adding Sections 21.19-1 and 67.40 of the Administrative Code to: (1) define a contract, sole source, and sole source contract; (2) specify the criteria governing the award of contracts to sole sources; (3) require Solicitations and contracts to state the term of the contract; (4) require the terms of contracts to not exceed the term stated in the Solicitation; (5) require departments to report all sole source contracts in effect during the fiscal year; and (6) require the Clerk of the Board of Supervisors to report each year to the Board of Supervisors on departments' compliance with the obligation to report sole source contracts.

7/23/03, RECEIVED AND ASSIGNED to Rules Committee.

Resolutions

**031276 [Approving ballot and hearing procedures for renewal of the Union Square Business Improvement District]
Supervisor Peskin**

Resolution establishing ballot and hearing procedures governing ballots cast by property owners of property located within the boundaries of the Business Improvement District known as the "Union Square Business Improvement District" for the purpose of deciding whether to renew the assessment for the Union Square Business Improvement District for an additional five year term.

7/22/03, ASSIGNED UNDER 30 DAY RULE to Finance and Audits Committee, expires on 8/21/2003.

**031277 [Authorize renewal and modification of the Union Square Business Improvement District]
Supervisor Peskin**

Resolution declaring the intention of the Board of Supervisors to authorize renewal and modification of boundaries of a property-based business improvement district known as the "Union Square Business Improvement District," to order the levy and collection of a multi-year assessment, and setting a time and place for a public hearing thereon.

7/22/03, ASSIGNED UNDER 30 DAY RULE to Finance and Audits Committee, expires on 8/21/2003.

**031278 [Accept-Expend Federal Grant, Department of Parking and Traffic]
Mayor**

Resolution authorizing the Department of Parking and Traffic to retroactively apply for, accept and expend a grant in the amount of \$560,000 from the Federal Highway Administration with required local match of \$140,000 for pedestrian safety improvements, education, and evaluation under Phase 2 of an ongoing project. (Mayor)

7/22/03, RECEIVED AND ASSIGNED to Finance and Audits Committee.

**031287 [Donate "Harold the Truck"]
Supervisor Daly**

Resolution authorizing the San Francisco Arts Commission to donate "Harold the Truck" to the South of Market Cultural Center.

7/22/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

- 031288 [Rescinding Board of Supervisors Resolution No. _____, File No. 031220]
Supervisors Gonzalez, Ammiano, Hall, McGoldrick, Peskin, Dufty**

Resolution rescinding the resolution regarding the Vietnamese Heritage and Freedom Flag, Board of Supervisors File No. 031220.

7/22/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

- 031289 [Urging HRC to continue to collect evidence regarding discrimination against minority and women owned businesses in private contracting markets]
Supervisor Gonzalez**

Resolution urging the Human Rights Commission to continue to collect evidence regarding discrimination against minority and women owned businesses in private contracting markets in the Bay Area.

7/22/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

- 031290 [Declaring Seat #5 on the Commission on Aging Advisory Council to be vacant]
Supervisor Ma**

Resolution declaring that Seat #5 on the Commission on Aging Advisory Council (incumbent Edmund Jew) is vacant.

7/22/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

- 031291 [Public hearing approval]
Supervisor Newsom**

Resolution authorizing the issuance and sale of revenue bonds by ABAG Finance Authority for Nonprofit Corporations in an aggregate principal amount not to exceed \$16,000,000 for Tides Inc., or an affiliate.

7/22/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

- 031293 [Urging that Lend Lease and/or Bovis enter into an agreement with the Northern California Carpenters Regional Council for the construction of the new Cruise Terminal Project]
Supervisor Sandoval**

Resolution urging that Lend Lease and/or its sister company Bovis enter into an agreement with the Northern California Carpenters Regional Council so that the construction of the new Cruise Terminal Project, located on Pier 30-32, and its associated projects might proceed in accordance with the remarkable history and tradition which the members of the United Brotherhood of Carpenters and Joiners of America and Local 22 continue to exemplify in their service to the City of San Francisco.

7/22/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**031301 [Commending the Ocean Beach Neighbors and Merchants]
Supervisors Ma, Hall, Newsom**

Resolution recognizing and commending the neighbors and merchants of Ocean Beach around Judah and La Playa for their continuing service to the community and commitment to improve the safety, cleanliness and enjoyment of the streets bordering the Ocean Beach Promenade and Great Highway.

7/22/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**031302 [Commending the Ocean Beach Task Force]
Supervisors Ma, Hall, Newsom**

Resolution commending the Ocean Beach Task Force for their commitment and service to the preservation of Ocean Beach as a natural, cultural and recreational resource.

7/22/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**031303 [San Francisco City Guides Day]
Supervisors Peskin, Newsom**

Resolution declaring October 23, 2003 "San Francisco City Guides Day" in San Francisco.

7/22/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**031304 [Working Group to Identify Funding to Minimize Teacher Layoffs]
Supervisor Ammiano**

Resolution urging the Mayor's Budget Office, City departments and the San Francisco Unified School District to form a working group to identify funding necessary to minimize teacher layoffs in the SFUSD FY 2003-04 budget and urging the working group to report its recommendations to the Mayor and the Board of Supervisors not later than August 5, 2003.

7/22/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**031305 [Extending the regular meetings of the Homeless Senior Task Force]
Supervisor Daly**

Resolution amending Resolution No. 682-02 to extend the regular meetings of the Homeless Senior Task Force for an additional four months.

7/22/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Requests for Hearing

**031279 [Housing Impediments to Fair Housing]
Supervisor Daly**

Hearing on the Disability section of the Housing Impediments to Fair Housing report that will be generated by the Mayor's Office on Housing as a result of the Comprehensive Housing Affordability Strategy (CHAS) process.

7/22/03, RECEIVED AND ASSIGNED to Land Use Committee.

**031280 [Recreation and Park Department Permit Process]
Supervisor Ma**

Hearing to discern the Recreation and Park Department's permit process for public use of its parks for athletic activities, including, but not limited to, adult and youth soccer leagues.

7/22/03, RECEIVED AND ASSIGNED to City Services Committee.

**031281 [Residential housing]
Supervisor McGoldrick**

Hearing on issues raised by demolition of existing residential housing and replacement by larger projects, including effects on affordability of residential housing units and on the character of existing neighborhoods. This hearing also will consider legislative options for addressing such issues.

7/22/03, RECEIVED AND ASSIGNED to Land Use Committee.

**031282 [Parking garages and lots]
Supervisor McGoldrick**

Hearing on problems in collecting payments from parking garages and lots due under the parking tax. This hearing also will address problems with certification of verification equipment.

7/22/03, RECEIVED AND ASSIGNED to City Services Committee.

**031283 [Emergency Planning in San Francisco]
Supervisor Newsom**

Hearing on the state of emergency planning and emergency response preparedness in the City and County of San Francisco.

7/22/03, RECEIVED AND ASSIGNED to City Services Committee.

Motion

**031284 [Legislative Analyst Request]
Supervisors Ma, Dufty, Ammiano, Maxwell, Sandoval, Newsom, Daly**

Motion directing the Office of the Legislative Analyst to conduct research on model municipal practices with respect to establishing appropriate and/or shared sites for cellular antennas.

7/22/03, ASSIGNED to Board of Supervisors. Scheduled for consideration July 29, 2003.

- 031294 [Authorizing preparation of a written Proponent ballot argument and rebuttal ballot argument for Charter Amendments and other Measures for submittal to the voters at the November 4, 2003]
Supervisor Gonzalez**

Motion authorizing preparation of a written Proponent ballot argument and rebuttal ballot argument for Charter Amendments and other Measures approved by the Board of Supervisors for submittal to the voters at the November 4, 2003.

7/22/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

- 031292 [Authorizing preparation of a written Proponent ballot argument and rebuttal argument on approving a New Transportation Expenditure Plan]
Supervisor Sandoval**

Motion authorizing Supervisor Gerardo C. Sandoval to submit and sign a written Proponent argument and rebuttal argument for the resolution approving a New Transportation Expenditure Plan File No. 031111 for publication in the voter information pamphlet for the November 4, 2003 election.

7/22/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

PROPOSED ORDINANCES

- 031211 [Changing Official Width of Sidewalk]**

Ordinance Amending Ordinance No. 1061 entitled "Regulating the Width of Sidewalks" by adding thereto Section No. 1560 to change the official sidewalk width on the west side of Illinois Street between 18th and 19th Streets; making findings pursuant to the General Plan and Planning Code Section 101.1; and addressing relocation, modification, or both of facilities affected by the sidewalk width changes. (Public Works Department)

(No Public Benefit Recipient.)

7/11/03, RECEIVED AND ASSIGNED to Land Use Committee.

- 031213 [Amending Residential Rent Stabilization and Arbitration Ordinance]**

Ordinance amending Administrative Code Chapter 37 (Residential Rent Stabilization and Arbitration Ordinance) by amending Section 37.4 to provide that if one of the two regular landlord members is unavailable to vote, that member's specific alternate shall be seated and vote, but if that member's specific alternate is also unavailable to vote, the other landlord alternate shall (if available) be seated and vote as a substitute alternate; if one of the two regular tenant members is unavailable to vote, that member's specific alternate shall be seated and vote, but if that member's specific alternate is also unavailable to vote, the other tenant alternate shall (if available) be seated and vote as a substitute alternate; this would modify the current Code that provides each of the two regular landlord members with a specific alternate, but no mechanism for the two landlord alternates to substitute for one another; likewise, this would modify the current Code that provides each of the two regular tenant members with a specific alternate, but no mechanism for the two tenant alternates to substitute for one another. (Rent Stabilization and Arbitration Board)

7/14/03, RECEIVED AND ASSIGNED to Land Use Committee.

PROPOSED RESOLUTIONS

031210 [Contract approval - Municipal Transportation Quality Review]

Resolution approving the award and execution of San Francisco Municipal Railway Contract Number CCO 02-866, Municipal Transportation Quality Review, to Nelson\Nygaard Consulting Associates, to conduct the Quality Review required under Charter Section 8A.107, for a total contract amount not to exceed \$49,489, and for a term not to exceed one year with an option to extend up to an additional two years to cover the next review period. (Municipal Transportation Agency)

(No Public Benefit Recipient.)

7/10/03, RECEIVED AND ASSIGNED to City Services Committee.

031212 [Agreement - Informatix, Inc. and CCSF]

Resolution approving the Agreement between Informatix, Inc. and City of County of San Francisco for computer consulting services necessary to implement the Computer Assisted Support Enforcement System (CASES) Consortium for forty one California counties, including San Francisco. (Child Support Services)

(No Public Benefit Recipient.)

7/14/03, RECEIVED AND ASSIGNED to City Services Committee.

Requests Granted

From: Supervisor Maxwell

To: City Attorney

Requesting/Inquiring: To draft legislation to expand the mission and term of the Potrero Power Plant Citizens Advisory Task Force to address the San Francisco Electricity Resource Plan and its implementation as it affects the Central Waterfront.

In Memoriams

June A. Dyer (Supervisor Hall)

Yvonne Eugenie Rouquette Eche (Supervisor Dufty)

Genevieve Jensen (Supervisor Dufty)

Ruth Seigel (Supervisor Dufty)

David Yee (Supervisor Ma)

ADJOURNMENT

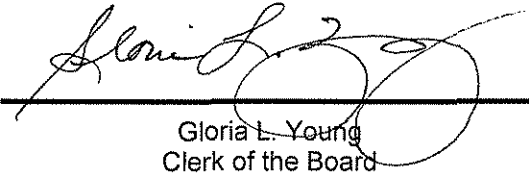
There being no further business, the Board at the hour of 11:03 p.m. adjourned.

Gloria L. Young, Clerk of the Board

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

Approved by the Board of Supervisors on August 26, 2003.

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



Gloria L. Young
Clerk of the Board

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