

# 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, August 19, 2003 2:00 PM**  
**Legislative Chamber - Second Floor**  
**City Hall, 1 Dr. Carlton B. Goodlett Place**  
**San Francisco, CA 94102-4689**

### Regular Meeting

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**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/bdsupvrs](http://www.ci.sf.ca.us/bdsupvrs)

## BOARD COMMITTEES

### Committee Membership

#### **Budget Committee**

Supervisors Daly, Peskin, Maxwell, Ma, Gonzalez

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

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

#### **City Services Committee**

Supervisors Dufty, Ma, Newsom

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

Supervisors Peskin, Sandoval, McGoldrick

#### **Land Use Committee**

Supervisors McGoldrick, Maxwell, Ammiano

#### **Rules Committee**

Supervisors Hall, Dufty, Gonzalez

### Meeting Days

Thursday  
1:00 PM

2nd Monday, bi-monthly  
4:00 PM

Thursday  
9:30 AM

Wednesday  
12:30 PM

Monday  
1:00 PM

Wednesday  
9:30 AM

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

**Members Present:** Tom Ammiano, Bevan Dufty, Matt Gonzalez, Tony Hall, Fiona Ma, Jake McGoldrick, Gavin Newsom, Aaron Peskin.

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## ROLL CALL AND PLEDGE OF ALLEGIANCE

*The meeting was called to order at 2:02 p.m. On the call of the roll, the following Supervisors were noted absent.*

*Supervisors Daly, Maxwell and Sandoval - 3  
Quorum present.*

*Supervisors Daly, Maxwell, and Sandoval were excused from attending today's meeting. (See Infra)*

## APPROVAL OF MEETING MINUTES

Supervisor Peskin, seconded by Supervisor Newsom, moved to approve July 8, 2003 and July 15, 2003. The motion carried by the following vote:

Ayes: 8 - Ammiano, Dufty, Gonzalez, Hall, Ma, McGoldrick, Newsom, Peskin  
Excused: 3 - Daly, Maxwell, Sandoval

### Supervisors Excused from Attendance

Supervisor Peskin, seconded by Supervisor Ammiano, moved to excuse Supervisors Daly, Maxwell and Sandoval from attending today's meeting. The motion carried by the following vote:

Ayes: 8 - Ammiano, Dufty, Gonzalez, Hall, Ma, McGoldrick, Newsom, Peskin  
Excused: 3 - Daly, Maxwell, Sandoval

## CONSENT AGENDA

### Recommendation of the City Services Committee

**031105 [Amending Police Code Sections 4302 and 4303 to Define Harassment]  
Supervisors Peskin, Ma, Maxwell, Daly, Ammiano, Dufty, Gonzalez, Hall, Newsom**

Ordinance amending Police Code Sections 4302 and 4303 to (1) eliminate the requirement that before they may be protected from harassment, persons seeking access to health care facilities invoke a "buffer zone" by declaring to protestors a desire to be left alone; and (2) to define harassment of a person seeking access to a health care facility as the non-consensual and knowing approach within eight feet of another person for purposes of passing a leaflet or handbill to, display a sign to, or engage in oral protest, education or counseling with such other person in a public way or on a sidewalk area within one hundred feet of a health care facility.

(No fiscal impact.)

**Ordinance No. 214-03  
FINALLY PASSED**

**Recommendation of the Finance and Audits Committee**

**031245 [Amendment No. 1 to 2003-2005 MOU, Cement Masons, Local 580]  
Mayor**

Ordinance adopting and implementing Amendment No. 1 to the 2003-2005 Memorandum of Understanding between the Cement Masons, Local 580 and the City and County of San Francisco by amending Article III.O. to correct a clerical omission by inserting a Long-Term Disability provision. (Mayor)

**Ordinance No. 218-03  
FINALLY PASSED**

**Recommendations of the Land Use Committee**

**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.)

**Ordinance No. 217-03  
FINALLY PASSED**

**031318 [Grant of Federal Funds - Municipal Transportation Agency]  
Mayor**

Resolution authorizing the Municipal Transportation Agency to accept and expend \$22,447,850 of Federal Discretionary Capital Assistance for construction of the Third Street Corridor Track/Maintenance Facility project, excluding administrative overhead costs.

(No Public Benefit Recipient.)

**Resolution No. 548-03  
ADOPTED**

**Recommendations of the Rules Committee****031078 [Settlement of Lawsuit - John Darmanin]**

Ordinance authorizing settlement of the lawsuits filed by John Darmanin against the City and County of San Francisco for \$80,000; the lawsuits were filed on February 19, 1999 (H-19 Reinstatement) and February 5, 2003 (Enforcement of Judgment), in the San Francisco Superior Court, Case Nos. 301-118 and 502-410; entitled John Darmanin, et al. v. City and County of San Francisco, et al., and San Francisco Fire Fighters Local 798, et al. v. Demmons, et al. (City Attorney)

(Public Benefit Recipient.)

**Ordinance No. 212-03**  
**FINALLY PASSED**

**031079 [Settlement of Lawsuit - John Darmanin]**

Ordinance authorizing settlement of the lawsuit filed by John Darmanin against the City and County of San Francisco for \$105,000; the lawsuit was filed on December 29, 1997, in the United States District Court, Northern District of California, Case No. C 97-4703; entitled John Darmanin, et al., v. City and County of San Francisco, et al. (City Attorney)

(Public Benefit Recipient.)

**Ordinance No. 213-03**  
**FINALLY PASSED**

**031177 [Settlement of Lawsuit - John Eiler]**

Ordinance authorizing settlement of the lawsuit filed by John Eiler against the City and County of San Francisco for \$300,000; the lawsuit was filed on March 15, 2002 in San Francisco Superior Court, Case No. 02-405687; entitled John Eiler, et al., v. James Strain, City and County of San Francisco, et al. (City Attorney)

(Public Benefit Recipient.)

**Ordinance No. 215-03**  
**FINALLY PASSED**

**031179 [Settlement of Lawsuits - Regents of the University of California and University of California, Hastings College of the Law]**

Ordinance approving the settlement of the following lawsuits: (1) Regents of the University of California v. City and County of San Francisco, San Francisco Superior Court Case No. 311005, filed March 24, 2000; (2) Regents of the University of California v. City and County of San Francisco, San Francisco Superior Court Case No. 324662, filed September 18, 2001; (3) University of California, Hastings College of the Law v. City and County of San Francisco, San Francisco Superior Court Case No. 400550, filed October 24, 2001; and (4) Regents of the University of California and University of California, Hastings College of the Law v. City and County of San Francisco, San Francisco Superior Court Case No. 414027, filed October 24, 2002. These settlements result in payment by the City in an undetermined amount not to exceed \$155,000; potential payment by the City of an additional amount to be determined; and an agreement on the maximum future water and sewer rate charges to plaintiffs for the next three fiscal years. (City Attorney)

(Public Benefit Recipient.)

**Ordinance No. 216-03**  
**FINALLY PASSED**

**031338 [Settlement of Lawsuit - Bellaire Tower Homeowners Association]**

Ordinance authorizing settlement of the lawsuit filed by Bellaire Tower Homeowners Association against the City and County of San Francisco for \$83,862.34; the lawsuit was filed on December 31, 2001 in San Francisco Superior Court, Case No. 402-355; entitled Bellaire Tower Homeowners Association, et al. v. City and County of San Francisco, et al. (City Attorney)

(Public Benefit Recipient.)

**PASSED, ON FIRST READING**

**031254 [Settlement of Lawsuit - Evelyn Mata]**

Ordinance authorizing settlement of the lawsuit filed by Evelyn Mata against the City and County of San Francisco, San Francisco Police Department and Nancy Brewer for \$50,000; the lawsuit was filed on August 9, 2002 in San Francisco Superior Court, Case No. C-01-411318 entitled Evelyn Mata v. City and County of San Francisco, San Francisco Police Department, Nancy Brewer, et al. (City Attorney)

(Public Benefit Recipient.)

**PASSED, ON FIRST READING**

**031047 [Appointment]**

Resolution appointing Richard Ow and Jose Ricardo Bondoc, terms ending June 6, 2005 to the Immigrant Rights Commission.

Richard Ow, succeeding Emi Gusukuma, term expired, seat 6, must be an immigrant to the United States who is appointed in accordance with Section 4.101 of the Charter. In addition, members shall have a demonstrated knowledge of and interest in the health, human service, educational, or employment issues that affect immigrants residing in San Francisco, for a two year term ending June 6, 2005.

Jose Ricardo Bondoc, succeeding Joseph Nwadiibia, term expired, seat 10, must be an immigrant to the United States who is appointed in accordance with Section 4.101 of the Charter. In addition, members shall have a demonstrated knowledge of and interest in the health, human service, educational, or employment issues that affect immigrants residing in San Francisco, for a two year term ending June 6, 2005.

**Resolution No. 550-03**

**ADOPTED**

**031341 [Appointment]**

Resolution appointing Kathy Perry, term ending June 30, 2005, to the Asthma Task Force.

Kathy Perry, succeeding Carolyn Noble, resigned, seat 9, must be a representative of a hospital association or health care provider institution and is a voting member, for the unexpired portion of a two-year term ending June 30, 2005.

**Resolution No. 553-03**

**ADOPTED**

**031343 [Appointment]**

Resolution appointing Alec Lambie, Gordon Huseby, Hayes Miles and David Wilbur terms ending September 4, 2006 to the Assessment Appeals Board No. 1.

Alec Lambie, succeeding himself, term expired, seat 2, must meet the eligibility criteria set forth in Section 1624.05 of the California Revenue and Taxation Code as follows: a person shall not be eligible for nomination for membership on an assessment appeals board unless he or she has a minimum of five years' professional experience in this state as one of the following: certified public accountant or public accountant, licensed real estate broker, attorney, or property appraiser accredited by a nationally recognized professional organization; for a three year term ending September 4, 2006.

Gordon Huseby, succeeding Frank Mahoney, III, term expired, seat 5, must meet the eligibility criteria set forth in Section 1624.05 of the California Revenue and Taxation Code as follows: a person shall not be eligible for nomination for membership on an assessment appeals board unless he or she has a minimum of five years' professional experience in this state as one of the following: certified public accountant or public accountant, licensed real estate broker, attorney, or property appraiser accredited by a nationally recognized professional organization; for a three year term ending September 4, 2006.

Hayes Miles, succeeding himself, term expired, seat 6, must meet the eligibility criteria set forth in Section 1624.05 of the California Revenue and Taxation Code. ALTERNATE/HEARING OFFICER for a three year term ending September 4, 2006.

David Wilbur, succeeding Donald Kavanagh, term expired, seat 8, must meet the eligibility criteria set forth in Section 1624.05 of the California Revenue and Taxation Code. ALTERNATE/HEARING OFFICER for a three year term ending September 4, 2006.

**Resolution No. 554-03**  
**ADOPTED**

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

Ayes: 8 - Ammiano, Dufty, Gonzalez, Hall, Ma, McGoldrick, Newsom, Peskin  
Excused: 3 - Daly, Maxwell, Sandoval

**Severed from Consent Agenda**

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

**030483 [Recognition of marriages, domestic partnerships and civil unions]**

**Supervisors Daly, Dufty, Ammiano, Gonzalez, Peskin, McGoldrick, Newsom**

Ordinance amending Chapter 62 of the Administrative Code by adding Section 62.10 to extend recognition of domestic partnerships, civil unions, and other similar legal relationships to persons who lawfully enter into these agreements in other jurisdictions.

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

Ayes: 8 - Ammiano, Dufty, Gonzalez, Hall, Ma, McGoldrick, Newsom, Peskin  
Excused: 3 - Daly, Maxwell, Sandoval

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

Ayes: 8 - Ammiano, Dufty, Gonzalez, Hall, Ma, McGoldrick, Newsom, Peskin  
Excused: 3 - Daly, Maxwell, Sandoval

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

**031346 [Appointment]**

Resolution appointing Adrienne Lacau, John McGary, Donna Crowder and Richard Lee, terms expiring September 4, 2006 to the Assessment Appeals Board No. 2.

Adrienne Lacau, succeeding herself, term expired, seat 1, must meet the eligibility criteria set forth in Section 1624.05 of the California Revenue and Taxation Code for a three year term ending September 4, 2006.

John McGary, succeeding himself, term expired, seat 5, must meet the eligibility criteria set forth in Section 1624.05 of the California Revenue and Taxation Code for a three year term ending September 4, 2006.

Donna Crowder, succeeding herself, term expired, seat 6, must meet the eligibility criteria set forth in Section 1624.05 of the California Revenue and Taxation Code; ALTERNATE/HEARING OFFICER for a three year term ending September 4, 2006.

Richard Lee, succeeding Steven Cox, term expired, seat 7, must meet the eligibility criteria set forth in Section 1624.05 of the California Revenue and Taxation Code; ALTERNATE/HEARING OFFICER for a three year term ending September 4, 2006.

*Supervisor Peskin, seconded by Supervisor Ammiano, moved to continue this matter to September 16, 2003.*

*Motion failed by the following vote:*

*Ayes: 3 - Ammiano, Gonzalez, Peskin*

*Noes: 5 - Dufty, Hall, Ma, McGoldrick, Newsom*

*Excused: 3 - Daly, Maxwell, Sandoval*

**Resolution No. 555-03**

**ADOPTED by the following vote:**

**Ayes: 6 - Dufty, Gonzalez, Hall, Ma, McGoldrick, Newsom**

**Noes: 2 - Ammiano, Peskin**

**Excused: 3 - Daly, Maxwell, Sandoval**

## UNFINISHED BUSINESS

## REGULAR AGENDA

### From the Clerk

- 031376 [Adopting findings related to the conditional use appeal on the PG&E Transformer Station located on the 3400 Block of 19th Street]**  
Motion adopting findings related to the appeal of the Planning Commission's approval of Conditional Use Authorization No. 2002.0575C (which approved the installation of six panel antennas and related back-up equipment on the PG&E Transformer Station within an RH-3 (Residential House, Three-Family) District and a 50-X Height and Bulk District) located at the south side of the 3400 Block of 19th Street (Lot 104 in Assessor's Block 3596). (Clerk of the Board)

(Companion measure to Files 030553, 030554, 030555, 030556.)

**Motion No.** M03-141

**APPROVED** by the following vote:

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

Excused: 3 - Daly, Maxwell, Sandoval

- 031377 [Adopting findings related to the conditional use appeal on property located at 3725 Buchanan Street (a.k.a. 3727 Buchanan Street.)]**

Motion adopting findings related to the appeal of the Planning Commission's approval of Conditional Use Authorization No. 2002.0657C (which approved the installation of a total of eight panel antennas and related equipment on the roof of an existing commercial 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). (Clerk of the Board)

(Companion measure to Files 030956, 030957, 030958, 030959.)

**Motion No.** M03-142

**APPROVED** by the following vote:

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

Excused: 3 - Daly, Maxwell, Sandoval

## NEW BUSINESS

### Recommendations of the Finance and Audits Committee



**031244 [Glen Park Branch Library]  
Supervisor Dufty**

Ordinance approving and authorizing the Director of Property to execute an Agreement of Purchase and Sale of Real Property with Glen Park Marketplace Phoenix, LLC, for the purchase of a condominium unit in a mixed use project to be located at Diamond and Wilder Streets for use as the Glen Park branch of the San Francisco Public Library; 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, make certain modifications and take certain actions in furtherance of this Ordinance.

(Fiscal impact.)

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

Ayes: 8 - Ammiano, Dufty, Gonzalez, Hall, Ma, McGoldrick, Newsom, Peskin  
Excused: 3 - Daly, Maxwell, Sandoval

**031315 [MOU - Fire Fighters Union, Local 798 IAFF, AFL-CIO, Unit 1]  
Mayor, Supervisor Dufty**

Ordinance adopting and implementing the Memorandum of Understanding between the City and County of San Francisco and the San Francisco Fire Fighters Union, Local 798 IAFF, AFL-CIO, Unit 1, to be effective July 1, 2003 through June 30, 2005.

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

Ayes: 8 - Ammiano, Dufty, Gonzalez, Hall, Ma, McGoldrick, Newsom, Peskin  
Excused: 3 - Daly, Maxwell, Sandoval

**031316 [MOU - Fire Fighters Union, Local 798 IAFF, AFL-CIO, Unit 2]  
Mayor, Supervisor Dufty**

Ordinance adopting and implementing the Memorandum of Understanding between the City and County of San Francisco and the San Francisco Fire Fighters Union, Local 798 IAFF, AFL-CIO, Unit 2, to be effective July 1, 2003 through June 30, 2005.

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

Ayes: 8 - Ammiano, Dufty, Gonzalez, Hall, Ma, McGoldrick, Newsom, Peskin  
Excused: 3 - Daly, Maxwell, Sandoval

**031255 [Extension of Agreement For Additional Eighteen-Month Tolling of Statute of Limitations Governing Administrative Proceeding or Suit]**

Resolution approving the City Attorney's entry into a Second Extension of Tolling Agreement governing administrative proceeding or suit by the United States Environmental Protection Agency and the Casmalia Resources Site Steering Committee, effective June 6, 2003.

(No Public Benefit Recipient.)

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

Ayes: 8 - Ammiano, Dufty, Gonzalez, Hall, Ma, McGoldrick, Newsom, Peskin  
Excused: 3 - Daly, Maxwell, Sandoval

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

Resolution authorizing the Department of Parking and Traffic to retroactively apply for, accept and expend a grant in the amount of up to \$560,000 from the Federal Highway Administration with required local match of up to \$142,000 for pedestrian safety improvements, education, and evaluation under Phase 2 of an ongoing project. (Mayor)

**Resolution No.** 549-03

**ADOPTED by the following vote:**

Ayes: 8 - Ammiano, Dufty, Gonzalez, Hall, Ma, McGoldrick, Newsom, Peskin  
Excused: 3 - Daly, Maxwell, Sandoval

**From the Finance and Audits Committee "Without Recommendation"****031181 [Emergency Repair, 30 Van Ness Avenue Roof Replacement]**

Resolution concurring with and supporting the Director of the Department of Real Estate's finding and declaration of an emergency; urging the Departments of Real Estate and Public Works to take necessary measures in the most expeditious manner to protect the safety, health, welfare, and property of the citizens and employees of the City and County of San Francisco with regard to the severe leakage and drainage problems caused by the failing roof at 30 Van Ness Avenue, at an estimated cost of \$1.1 million for a new roof. (Public Works Department)

(Fiscal impact; No Public Benefit Recipient.)

**Resolution No.** 551-03

**ADOPTED by the following vote:**

Ayes: 8 - Ammiano, Dufty, Gonzalez, Hall, Ma, McGoldrick, Newsom, Peskin  
Excused: 3 - Daly, Maxwell, Sandoval

**Recommendation of the 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)

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

Ayes: 8 - Ammiano, Dufty, Gonzalez, Hall, Ma, McGoldrick, Newsom, Peskin  
Excused: 3 - Daly, Maxwell, Sandoval

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

*Recess*

*The Board recessed at the hour of 3:15 p.m.*

*Reconvening of the Board*

*The Board at the hour of 4:08 p.m. reconvened.*

*Calling the Roll*

*On call of the roll, the following Supervisors were noted present:  
Supervisors Ammiano, Dufty, Gonzalez, Ma, McGoldrick, Peskin - 6*

*Quorum present.*

*Supervisor Hall noted present at 4:11 p.m.*

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

- 030942 [Hearing - Vacation Easements within the Mission Bay North Redevelopment Project Area]**  
Hearing of persons interested in or objecting to proposed Ordinance ordering the vacation of two (2) portions of the pedestrian ingress and egress easement and public utility easement in the N2 mid-block walkway (Assessor's Block 8706, Lot 2), within the Mission Bay North Redevelopment Project Area; authorizing a quitclaim of the City and County of San Francisco's rights and interest in the vacated areas; adopting findings that such actions are consistent with the City's General Plan, the eight priority policies of City's Planning Code Section 101.1 and the Mission Bay North Redevelopment Plan; accepting Department of Public Works Order No. 174,111; and authorizing other official acts in connection with this ordinance. (Clerk of the Board)

(Companion measure to Files 030940, 030941.)

*Representative from Department of Public Works*

**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 Land Use Committee "Without Recommendation"**

- 030941 [Vacation of easements in approximately 260 square foot portion of the N2 mid-block walkway (Assessor's Block 8706, Lot 2)]  
Ordinance ordering the vacation of two (2) portions of the pedestrian ingress and egress easement and public utility easement in the N2 mid-block walkway (Assessor's Block 8706, Lot 2), within the Mission Bay North Redevelopment Project Area; authorizing a quitclaim of the City and County of San Francisco's rights and interest in the vacated areas; adopting findings that such actions are consistent with the City's General Plan, the eight priority policies of City's Planning Code Section 101.1 and the Mission Bay North Redevelopment Plan; accepting Department of Public Works Order No. 174,111; and authorizing other official acts in connection with this ordinance. (Public Works Department)

(No Public Benefit Recipient; DPW Order No. 174,111.)

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

Ayes: 7 - Ammiano, Dufty, Gonzalez, Hall, Ma, McGoldrick, Peskin

Absent: 1 - Newsom

Excused: 3 - Daly, Maxwell, Sandoval

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

- 030949 [Hearing - Vacation of portion of Berry Street at Sixth Street]  
Hearing of persons interested in or objecting to proposed Ordinance ordering the vacation of a 639.5 Sq. Ft. portion of Berry Street at Sixth Street within the Mission Bay Redevelopment Project Area subject to reservations of certain utility easements in the vacated area; authorizing a quitclaim of the City and County of San Francisco's rights and interest in the vacated area to Catellus Development Corporation ("Catellus"); approving the Property Exchange Agreement (Mission Bay North Plan Area) to acquire certain Catellus properties in exchange for certain City properties; adopting findings that such actions are consistent with the City's General Plan, priority policies of City's Planning Code Section 101.1 and the Mission Bay North Redevelopment Plan; accepting Department of Public Works Order No. 174,110; and authorizing official acts in connection with this ordinance. (Clerk of the Board)

(Companion measure to Files 030947, 030948.)

*Representative from Department of Public Works*

**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 Land Use Committee "Without Recommendation"**

- 030948 [Ordering vacation of portion of Berry Street at Sixth Street and approving a Property Exchange Agreement in Mission Bay North]**  
Ordinance ordering the vacation of a 639.5 Sq. Ft. portion of Berry Street at Sixth Street within the Mission Bay Redevelopment Project Area subject to reservations of certain utility easements in the vacated area; authorizing a quitclaim of the City and County of San Francisco's rights and interest in the vacated area to Catellus Development Corporation ("Catellus"); approving the Property Exchange Agreement (Mission Bay North Plan Area) to acquire certain Catellus properties in exchange for certain City properties; adopting findings that such actions are consistent with the City's General Plan, priority policies of City's Planning Code Section 101.1 and the Mission Bay North Redevelopment Plan; accepting Department of Public Works Order No. 174,110; and authorizing official acts in connection with this ordinance. (Public Works Department)
- (No Public Benefit Recipient; DPW Order No. 174,110.)
- PASSED ON FIRST READING by the following vote:**  
Ayes: 7 - Ammiano, Dufty, Gonzalez, Hall, Ma, McGoldrick, Peskin  
Absent: 1 - Newsom  
Excused: 3 - Daly, Maxwell, Sandoval

## COMMITTEE REPORTS

### From the City Services Committee

- 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.
- Supervisor Ma, seconded by Supervisor Dufty, moved that this Resolution be **AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE**. The motion carried by the following vote:  
Ayes: 8 - Ammiano, Dufty, Gonzalez, Hall, Ma, McGoldrick, Newsom, Peskin  
Excused: 3 - Daly, Maxwell, Sandoval
- Resolution No. 552-03**  
**ADOPTED AS AMENDED by the following vote:**  
Ayes: 8 - Ammiano, Dufty, Gonzalez, Hall, Ma, McGoldrick, Newsom, Peskin  
Excused: 3 - Daly, Maxwell, Sandoval

## ROLL CALL FOR INTRODUCTIONS

## PUBLIC COMMENT

*James Chaffee; Public Library*

*Female Speaker; HR 20*

*Ernestine Weiss; opposed to condominium project Washington Street*

*Charlotte Hash; SF Liberation Radio*

*Chris Bauman; Department of Election's issues*

*Female Speaker; complimented Supervisor Ammiano*

*Male Speaker; general issues*

*Richard Boardman; 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.*

### 031411 [Legislative Analyst Request - Cell Phone Antennae Installation Moratorium] Supervisor Sandoval

Motion requesting the Legislative Analyst to review, analyze, and make recommendations to the Board of Supervisors, regarding the feasibility of enacting a cell phone antennae installation moratorium until the City has reviewed and updated existing Planning Department's Wireless Telecommunications Services (WTS) Facilities Guidelines.

**APPROVED by the following vote:**

Ayes: 8 - Ammiano, Dufty, Gonzalez, Hall, Ma, McGoldrick, Newsom, Peskin  
Excused: 3 - Daly, Maxwell, Sandoval

### 031412 [Legislative Analyst Request - San Francisco Police Department's Crime Reporting System] Supervisors Maxwell, Newsom

Motion requesting the Legislative Analyst to research and examine the San Francisco Police Department's crime reporting system. How effective is the current system compared to cities similar to San Francisco, such as but not limited to San Jose, Austin and New York? What mechanism/s are available for San Francisco residents to report crime? How is the information gathered and used? The sponsor asks the Legislative Analyst to make recommendations on how to improve the current reporting system and how we can make better use of information gathered.

**APPROVED by the following vote:**

Ayes: 8 - Ammiano, Dufty, Gonzalez, Hall, Ma, McGoldrick, Newsom, Peskin  
Excused: 3 - Daly, Maxwell, Sandoval

**031413 [Legislative Analyst Request - Foster Care System Models]  
Supervisor Maxwell**

Motion requesting the Legislative Analyst to research on successful foster care system models in municipalities similar to San Francisco. In particular, identify incentives/support programs that have proven successful for foster parents. The report should also examine the scope of services provided, the number of children/youth served, and the cost and funding resources for such programs.

**APPROVED** by the following vote:

Ayes: 8 - Ammiano, Duffy, Gonzalez, Hall, Ma, McGoldrick, Newsom, Peskin  
Excused: 3 - Daly, Maxwell, Sandoval

**031414 [Legislative Analyst Request - Department of Children, Youth and Their Families]  
Supervisor Newsom**

Motion directing the Office of the Legislative Analyst (OLA) to conduct research on planning efforts by the Department of Children, Youth and Their Families, including its grant allocation process, its interdepartmental planning efforts, its coordinating efforts with other city departments to effectively leverage new State, federal or private resources, and any other efforts the Department utilizes in order to best eliminate duplication of services.

**Motion No.** M03-144

**APPROVED** by the following vote:

Ayes: 8 - Ammiano, Duffy, Gonzalez, Hall, Ma, McGoldrick, Newsom, Peskin  
Excused: 3 - Daly, Maxwell, 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.*

**031330 [Waiver Permitting City Employees to Assist the Department of Elections]  
Supervisor Gonzalez**

Motion granting a waiver from the prohibition imposed by Charter section 13.104.5, to permit City employees to assist the Department of Elections with the October 7, 2003, November 4, 2003, December 9, 2003 and March 2, 2004 elections.

**Motion No.** M03-140

**APPROVED**

**031417 [Accept-Expend Grant]  
Supervisors Ammiano, Duffy**

Resolution authorizing the Human Rights Commission to accept and expend a grant in the amount of \$26,000 from the Friends of the Human Rights Commission for the development of an internal database and external searchable web application for the purpose of gathering, sorting and displaying information on insurance companies throughout the United States that offer domestic partner insurance products.

**Resolution No.** 557-03

**ADOPTED**

**031418 [Evaluation of the fire and medical rescue needs of San Francisco]  
Supervisors Gonzalez, Newsom**

Resolution authorizing the City Controller to perform an evaluation of the fire and medical rescue needs of San Francisco.

**Resolution No. 558-03**

**ADOPTED**

**031419 [Encouraging telecommunication companies to invest in the local communities to whom they provide service]  
Supervisor Gonzalez**

Resolution endorsing policies to encourage investment in local telecommunications services in California, investment in local communities, and increased employment opportunities.

**Resolution No. 559-03**

**ADOPTED**

**031420 [Honoring community leader Robert Hector]  
Supervisors Gonzalez, Dufty**

Resolution declaring September 25th Robert Hector Day in commemoration of Robert Hector's lifetime dedication to providing children, youth and their families social, educational and recreational services in the City and County of San Francisco.

**Resolution No. 560-03**

**ADOPTED**

**031422 [Memorandum of Understanding between CCSF and CEC]  
Supervisor Maxwell**

Resolution approving the signing of a Memorandum of Understanding between the City and County of San Francisco (CCSF) and the California Energy Commission (CEC) to obtain support from the CEC for the implementation of the City's renewable energy, energy efficiency and distributed generation goals; and to authorize the San Francisco Public Utilities Commission (SFPUC) and the San Francisco Department of the Environment (SFE) to administer and act as co-leads for this agreement between CCSF and the CEC.

**Resolution No. 561-03**

**ADOPTED**

**031423 [Commending San Francisco International Arts Festival 2003]  
Supervisors Newsom, Dufty**

Resolution commending the San Francisco International Arts Festival 2003 collaborative project members and the Yerba Buena Center for the Arts for presenting this year's festival from September 4th through September 21st in the City and County of San Francisco.

**Resolution No. 562-03**

**ADOPTED**



**031378 [Final Map for a 5 Unit Residential Condominium Project]**

Motion approving Final Map of 1151 Church Street, A Residential Condominium Project, being a subdivision of Lot 29 in Assessor's Block No. 3650, and adopting findings pursuant to Planning Code Section 101.1.  
(Public Works Department)

(No Public Benefit Recipient; DPW Order No. 174,308; District 8.)

**Motion No.** M03-143

**APPROVED**

The foregoing items were acted upon by the following vote:

Ayes: 7 - Ammiano, Dufty, Gonzalez, Hall, Ma, McGoldrick, Peskin

Absent: 1 - Newsom

Excused: 3 - Daly, Maxwell, Sandoval

**Severed from Without Reference Committee Agenda**

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

**031416 [Acknowledging the California Supreme Court's ruling on Gay Adoptions]**

**Supervisors Ammiano, Dufty, McGoldrick, Newsom**

Resolution congratulating and thanking the California Supreme Court for their sound public policy towards the needs of children by affirming second-parent adoptions.

**Resolution No.** 556-03

**ADOPTED** by the following vote:

Ayes: 7 - Ammiano, Dufty, Gonzalez, Hall, Ma, McGoldrick, Peskin

Absent: 1 - Newsom

Excused: 3 - Daly, Maxwell, Sandoval

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

**031421 [Authorizing consulting firm to examine confidential State Board of Equalization tax records]**

**Supervisor Maxwell**

Resolution authorizing Bay Area Economics to examine sales or transaction and use tax records of the State Board of Equalization on behalf of the City and County of San Francisco pursuant to California Revenue and Taxation Code Section 7056.

*Continued to August 26, 2003*

**CONTINUED** by the following vote:

Ayes: 7 - Ammiano, Dufty, Gonzalez, Hall, Ma, McGoldrick, Peskin

Absent: 1 - Newsom

Excused: 3 - Daly, Maxwell, Sandoval

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

**031424 [Department of Children, Youth and Their Families Management Audit]  
Supervisor Newsom**

Motion directing the Office of the Controller to conduct a management audit of the Department of Children, Youth and Their Families.

*Amended on page 1, line 3, by replacing "directing" with "requesting" and on line 22, by replacing "direct" with "requests"*

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

Ayes: 8 - Ammiano, Duffy, Gonzalez, Hall, Ma, McGoldrick, Newsom, Peskin  
Excused: 3 - Daly, Maxwell, Sandoval

Motion No. M03-145

APPROVED AS AMENDED by the following vote:

Ayes: 8 - Ammiano, Duffy, Gonzalez, Hall, Ma, McGoldrick, Newsom, Peskin  
Excused: 3 - Daly, Maxwell, Sandoval

## OFF-AGENDA LEGISLATION

### Introduced by Supervisors or Mayor

#### Ordinances

**031457 [Introducing General Obligation Bond proposals 168 days before election]  
Supervisor Gonzalez**

Ordinance amending Section 2.31 of the Administrative Code to require that resolutions of necessity for proposed general obligation bonds must be introduced at the Board of Supervisors not less than 168 days before the election at which the voters could consider the proposed bond measure, rather than 169 days before the election.

8/19/03, RECEIVED AND ASSIGNED to Rules Committee.

**031462 [Appropriate funding for the Day Laborer Program]  
Supervisor Ammiano**

Ordinance re-appropriating \$75,000 from FY 2002-2003 and \$90,000 FY 2003-2004 from the Mayor's Office to the Immigrant Rights Commission, Administrative Services Department, to fund the Day Laborer Program for fiscal year 2003-04.

8/19/03, RECEIVED AND ASSIGNED to Finance and Audits Committee.

**031463 [Zoning - Large-scale Retail Use]  
Supervisors Ammiano, Dufty**

Ordinance amending the Planning Code to add section 121.6 to impose a conditional use requirement and other specified procedures for certain large-scale retail uses in excess of 90,000 square feet and to prohibit such uses if they are in excess of 120,000 square feet.

8/18/03, ASSIGNED UNDER 30 DAY RULE to Land Use Committee, expires on 9/19/2003.

**031466 [Creating Exemption for Administrative Fee for Provision of Additional Police Services Pursuant to Administrative Code Section 10B.2.]]  
Supervisor Peskin**

Ordinance amending San Francisco Police Code Section 10B.2 to create an exception for payment of an administrative fee for contracting for additional police services.

8/19/03, RECEIVED AND ASSIGNED to Finance and Audits Committee.

**031467 [Amending fees for Declarations of Domestic Partnership and amendments to a Declaration of Domestic Partnership]  
Mayor**

Ordinance amending Administrative Code Sections 8.33.1, 62.8 and 62.9 to provide that the County Clerk may impose a \$40 filing fee for all Declarations of Domestic Partnership and all Amendments to a Declaration of Domestic Partnership, and to provide for annual adjustment of those fees and of the fees for domestic partnership ceremonies to reflect changes in the Consumer Price Index.

8/19/03, RECEIVED AND ASSIGNED to Finance and Audits Committee.

## Resolutions

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

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

(Fiscal impact; Public Benefit Recipient.)

8/12/03, RECEIVED AND ASSIGNED to Land Use Committee. The Mayor submitted a substitute resolution bearing same title.

8/19/03, SUBSTITUTED.

8/19/03, ASSIGNED to Land Use Committee.

**031460 [Confirming the re-appointment of Dar Singh to the San Francisco Redevelopment Agency]  
Mayor**

Resolution confirming the re-appointment of Dar Singh to the San Francisco Redevelopment Agency for a four-year term ending September 03, 2007.

8/19/03, RECEIVED AND ASSIGNED to Rules Committee.

**031461 [Confirming the re-appointment of Michelle Sexton to the San Francisco Redevelopment Agency]  
Mayor**

Resolution confirming the re-appointment of Michelle Sexton to the San Francisco Redevelopment Agency for a four-year term ending September 3, 2007.

8/19/03, RECEIVED AND ASSIGNED to Rules Committee.

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

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

(Companion measure to File 031404.)

8/18/03, RECEIVED AND ASSIGNED to Land Use Committee.

**031465 [Grant of Federal Funds]  
Mayor**

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

(No Public Benefit Recipient.)

8/19/03, RECEIVED AND ASSIGNED to Land Use Committee.

**031468 [Lease of Real Property]  
Supervisors Hall, Peskin**

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

(Fiscal impact; Public Benefit Recipient.)

8/19/03, RECEIVED AND ASSIGNED to Finance and Audits Committee.

**031470 [Day Laborer Program]  
Supervisor Ammiano**

Resolution urging the Immigrant Rights Commission to explore and advise the Board of Supervisors on the management of the Day Laborer Program.

8/19/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**031471 [Commending members of the 2002 - 2003 Civil Grand Jury]  
Supervisors Dufty, Hall, Gonzalez, Ma, McGoldrick, Ammiano, Peskin, Newsom**

Resolution commending the members of the 2002 – 2003 Civil Grand Jury.

8/19/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**031473 [Urging Civil Service to develop staffing proposals for the Department of Elections]  
Supervisors Gonzalez, Dufty**

Resolution urging the Civil Service Commission and Department to consider and generate proposals for increasing the number of permanent positions in the Elections Department, creating permanent seasonal positions in the Department, and providing employee benefits that will encourage permanent and seasonal employees of the Department to continue their employment.

8/19/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**031475 [Commending Stern Grove Festival Association]  
Supervisors Ma, Newsom, Hall**

Resolution commending the Stern Grove Festival Association for its work planning and organizing the Stern Grove Festival in San Francisco and congratulating the Association on a successful 66th concert season.

8/19/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**031476 [Commending Old First Presbyterian Church and Doris Krauss]  
Supervisor Newsom**

Resolution commending the Old First Presbyterian Church on its 40th Year Anniversary, the rededication and renaming of its senior center to the “Doris Krauss Senior Center” and commending Doris Krauss for her 29-plus years of tireless dedication, commitment and overall contributions to the well-being of the senior population of San Francisco.

8/19/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**031477 [Commending Pets Unlimited and PAWS]  
Supervisors Newsom, Dufty, Ma**

Resolution commending Pets Unlimited and the Pets Are Wonderful Support ("PAWS") for collaboration in hosting this year's Doggone Fun Run on September 14, 2003 at Lindley Meadow in Golden Gate Park.  
8/19/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**031478 [National Alcohol and Drug Addiction Recovery Month 2003]  
Supervisors Newsom, Dufty, Ma**

Resolution declaring September 2003 as "National Alcohol and Drug Addiction Recovery Month" in the City and County of San Francisco.  
8/19/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**031479 [Extension of Planning Commission Review Period]  
Supervisor Peskin**

Resolution extending the prescribed time within which the Planning Commission may render its decision on a proposed ordinance to amend the San Francisco Planning Code by repealing Section 207.2 [Second Units] in its entirety, adding a new Section 207.2, and amending Section 209.1 to authorize one additional secondary unit limited to 750 square feet of gross floor area within an existing structure on a lot within 1250 feet of a Primary Transit Street or Transit center and also within 1250 feet of a Neighborhood Commercial or Commercial zoning district, on a lot containing a qualified historical building or where the unit is specifically designed and constructed for the elderly or persons with physical disabilities, to prohibit the owner from legalizing an illegal unit pursuant to the provisions of this ordinance, and providing that the secondary unit shall not be subject to the Rent Ordinance but requiring that a secondary unit in a multi-family building shall be subject to affordability requirements; by amending Sections 135(d), Table 151 of Section 151 and 307(g) to establish the amount of open space and parking required for these secondary units; by amending the San Francisco Traffic Code by adding Section 308.5.1 to prohibit issuance of a residential parking permit to the occupant of a secondary unit; by adding new Section 106.4.1.3 to the San Francisco Building Code to require site inspection prior to issuance of a building permit for the secondary unit to verify that no unpermitted unit exists on the property and prohibiting the issuance of a building permit or certification of occupancy for the second unit if an unpermitted unit has operated on the property within the previous ten years, unless that unit was legally demolished prior to January 1, 2003; and by amending Section 37.9 of the San Francisco Administrative Code to require relocation assistance for persons required to vacate illegal units; and adopting findings.

8/19/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**031480 [Commending California Coastal Conservancy]  
Supervisors Peskin, Newsom**

Resolution commending the California Coastal Conservancy for support of renovation, restoration, engineering, public access construction, and educational content development for exhibits in and around the South Windmill in Golden Gate Park, San Francisco.

8/19/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**Requests for Hearing****031458 [Proposed amendment Rule 2.28.1 of the Rules of Order]  
Supervisor Gonzalez**

Hearing to a proposed amendment Rule 2.28.1 of the Rules of Order of the Board of Supervisors to require that a proposed charter amendment be introduced at a Board meeting held not less than 168 days prior to the election at which it is to be considered by the electors, rather than 169 days prior to the election.

8/19/03, RECEIVED AND ASSIGNED to Board of Supervisors. Board to sit as a Committee of the Whole pending approval of Motion (File No. 031456) on August 26, 2003.

**031469 [S.F. Human Rights Commission's report on the Racial Privacy Initiative]  
Supervisors Ma, Maxwell, Dufty**

Hearing to review the San Francisco Human Rights Commission's report on the Racial Privacy Initiative and the anticipated impacts on City programs prepared in September 2002.

8/19/03, RECEIVED AND ASSIGNED to City Services Committee.

**Motions****031455 [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.

8/19/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**031456 [Amending the Rules of the Board to require proposed charter amendments to be introduced at a Board meeting held not less than 168 days prior to an election, rather than 169 days]  
Supervisor Gonzalez**

Motion amending Rule 2.28.1 of the Rules of Order of the Board of Supervisors to require that a proposed charter amendment be introduced at a Board meeting held not less than 168 days prior to the election at which it is to be considered by the electors, rather than 169 days prior to the election.

8/19/03, RECEIVED AND ASSIGNED to Board of Supervisors. Board to sit as a Committee of the Whole August 26, 2003.

**031459 [Committee of the Whole]  
Supervisor Gonzalez**

Motion scheduling a Committee of the Whole to consider a proposed amendment Rule 2.28.1 of the Rules of Order of the Board of Supervisors to require that a proposed charter amendment be introduced at a Board meeting held not less than 168 days prior to the election at which it is to be considered by the electors, rather than 169 days prior to the election, to be held on August 26, 2003 at 4:00 p.m.

8/19/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING. Board to sit as a Committee of the Whole August 26, 2003, at 4:00 p.m.

- 031472 [Approving request Clerk of the Board to carry forward \$257,563 from the FY Budget]**  
Motion approving the request of the Clerk of the Board of Supervisors to carry forward from the Fiscal Year 2002-2003 Budget, unexpended annual budget appropriations in the amount of approximately \$257,563 to provide funds for the first phase of costs associated with the legislative tracking system replacement. (Clerk of the Board)  
8/19/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 031474 [Co-Sponsorship of the World Congress on the Future of Work in March 2004]**  
**Supervisor Gonzalez**  
  
Motion approving the co-sponsorship of the World Congress on the Future of Work in March 2004.  
8/19/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

## PROPOSED ORDINANCES

- 031368 [Zoning Map Amendment in connection with Seawall Lot 330]**  
Ordinance amending Zoning Map Sheet 1H of the City and County of San Francisco for property located on a portion of Seawall Lot 330, Assessor's Block 3771 to change the height and bulk district classification from 105-F to 220-G; adopting findings pursuant to the California Environmental Quality Act; and making findings of consistency with the General Plan and the priority policies of Planning Code Section 101.1. (Planning Department)  
  
(No Public Benefit Recipient; Companion measure to File 031369.)  
8/7/03, ASSIGNED UNDER 30 DAY RULE to Land Use Committee, expires on 9/19/2003.
- 031369 [General Plan Amendment in connection with Seawall Lot 330]**  
Ordinance amending the San Francisco General Plan in connection with approvals for the proposed Bryant Street Residential Tower on Seawall Lot 330; adopting findings pursuant to the California Environmental Quality Act; and adopting findings that the General Plan amendment is consistent with the eight Priority Policies of Planning Code Section 101.1. (Planning Department)  
  
(No Public Benefit Recipient.)  
8/7/03, ASSIGNED UNDER 30 DAY RULE to Land Use Committee, expires on 9/19/2003.

## PROPOSED RESOLUTIONS

- 031360 [Contracting out Security Guard Services]**  
Resolution Concurring with the Controller's certification that security guard services provided by Zonux Security Solutions can be performed at a lower cost than similar services performed by City and County Employees. (Parking and Traffic Department)  
  
( Public Benefit Recipient.)  
8/7/03, RECEIVED AND ASSIGNED to Finance and Audits Committee.



- 031371 [Report of assessment costs for sidewalk and curb repairs - DPW Order 174,073]**  
Resolution approving report of assessment costs submitted by the Director of Public Works for sidewalk and curb repairs ordered to be performed by said Director pursuant to Sections 707 and 707.1 of the Public Works Code, the costs thereof having been paid for out of a revolving fund. (Public Works Department)
- (No Public Benefit Recipient; DPW Order 174,073; Location: 1751 Silver Avenue.)  
8/7/03, SCHEDULED FOR PUBLIC HEARING. Scheduled for September 16, 2003, at 4:00 p.m.
- 031373 [Report of assessment costs for sidewalk and curb repairs - DPW Order 174, 227]**  
Resolution approving report of assessment costs submitted by the Director of Public Works for sidewalk and curb repairs ordered to be performed by said Director pursuant to Sections 707 and 707.1 of the Public Works Code, the costs thereof having been paid for out of a revolving fund. (Public Works Department)
- (No Public Benefit Recipient; DPW Order No. 174,227; Locations: 279-283 Dolores Street; 439 Guerrero Street.)  
8/7/03, SCHEDULED FOR PUBLIC HEARING. Scheduled for September 16, 2003, at 4:00 p.m.
- 031375 [Report of assessment costs for sidewalk and curb repairs - DPW Order 174, 249]**  
Resolution approving report of assessment costs submitted by the Director of Public Works for sidewalk and curb repairs ordered to be performed by said Director pursuant to Sections 707 and 707.1 of the Public Works Code, the costs thereof having been paid for out of a revolving fund. (Public Works Department)
- (No Public Benefit Recipient; DPW Order No. 174,249; Locations: 170 Flood Avenue; 1272-1274 Page Street.)  
8/7/03, SCHEDULED FOR PUBLIC HEARING. Scheduled for September 16, 2003, at 4:00 p.m.
- 031382 [Provide assertive case management to people with HIV and substance abuse and mental disorders]  
Supervisor Dufty**
- Resolution authorizing the San Francisco Department of Public Health, AIDS Office (SFDPH, AIDS) to accept retroactively and expend a grant in the amount of \$490,947 from the Substance Abuse and Mental Health Services Administration (SAMHSA) for assertive case management for triply-diagnosed people and to enter into an agreement for the use of these funds; for the period of June 1, 2003, to May 30, 2004. (Public Health Department)
- (Public Benefit Recipient.)  
8/11/03, RECEIVED AND ASSIGNED to City Services Committee.
- 031296 [Unpaid DPH Delinquent Refuse Service Payment Liens to become special assessments to the property taxes]**  
Resolution confirming report of delinquent charges for refuse collection services and nuisance removal costs submitted by the Director of Public Health as modified to the date of adoption of this resolution, and creating Special Assessments and liens based thereon. (Public Health Department)
- 7/24/03, SCHEDULED FOR PUBLIC HEARING. Scheduled for August 26, 2003, at 4:00 p.m.
- 031298 [Unpaid DPH complaint reinspection fee liens to become special assessments to the property taxes]**  
Resolution confirming the report of delinquent reinspection fee costs submitted by the Director of Public Health, as modified to the date of adoption of the resolution, and creating liens and special assessments based thereon. (Public Health Department)
- 7/24/03, SCHEDULED FOR PUBLIC HEARING. Scheduled for August 26, 2003, at 4:00 p.m.

**031300 [Special Assessment Liens for Assessment of Costs]**

Resolution confirming report of Delinquent Charges for Code Enforcement cases with Delinquent Assessment of Costs, Emergency Order Fees, and Fees pursuant to the provisions of Section 102.3, 102.12, 102.17, 102.18 102.19 et.seq., and Sections 108 and 110 Tables 1-K, and 1-G of the San Francisco Building Code, submitted by the Director of the Department of Building Inspection for services rendered by said Department of costs thereof having accrued to pursuant to the Code Violations referenced above. (Building Inspection Department) 8/7/03, SCHEDULED FOR PUBLIC HEARING. Scheduled for August 26, 2003, at 4:00 p.m.

**Requests Granted**

*From: Supervisor Maxwell*

*To: Director, Department of Parking and Traffic*

*Requesting/Inquiring: To conduct a traffic study at the intersections of San Bruno Avenue and Silver Avenue/Bayshore Boulevard and Silver Avenue. Specifically, to investigate the feasibility of installing a more comprehensive system for directing traffic. Currently, there are no signals guiding vehicles making left and right turns. This intersection has one of the heaviest flows of traffic for both pedestrian and automobiles in District 10. New senior housing in this area will create even more foot travel, and a better system must be considered to ensure the safety of residents in this area.*

*Due: October 3, 2003*

*From: Supervisor Newsom*

*To: Director, Department of Human Resources*

*Requesting/Inquiring:*

- 1. The actual number of city employees laid off for Fiscal Year 2003-04?*
- 2. The number of employees who were targeted for layoff for Fiscal Year 2003-04?*
- 3. The number of employees that received notices but retain positions within the City?*
- 4. The number of laid off employees who are currently on hold-over rosters?*

*This data should be categorized by Department, Class and Number of Individuals per Class, including data for City Commissions for the Fiscal Year 2003-04?*

*From: Supervisor Hall*

*To: Presiding Judge of the Superior Court*

*Requesting/Inquiring: Will you direct the Civil Grant Jury to post responses to their reports by City Departments on its web page?*

**In Memoriams**

*Robert McDonnell (Entire Board)*

*Megan Louise Furth (Supervisor Dufty)*

*Marc A. Howell (Supervisor Dufty)*

*Eleanor Cecelia (Supervisor Dufty)*

## ADJOURNMENT

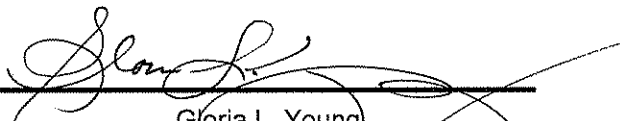
*There being no further business, the Board at the hour of 4:19 p.m. adjourned.*

*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 September 23, 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.*



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Gloria L. Young  
Clerk of the Board

