

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, March 25, 2003 2:00 PM

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

Regular Meeting

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

BOARD COMMITTEES

Committee Membership

Budget Committee

Supervisors Daly, Peskin, Maxwell, Ma, Gonzalez

City and School District Select Committee

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

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 2:01p.m. On call of the roll, the following Supervisor was noted absent:

Supervisor Sandoval - 1

Quorum present.

Supervisor Sandoval noted present at 2:02 p.m.

Privilege of the Floor

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

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

Supervisor Ammiano introduced, welcomed and presented a Certificate of Honor to Andrew Mandell "Mr. Diabetes" in recognition of Diabetes Day.

Supervisor Peskin introduced, welcomed and presented a Certificate of Honor to Dr. Takamoto, Department of Public Health physician in recognition of "World Tuberculosis Day".

Supervisor Newsom introduced, welcomed and presented Certificates of Honor to the members of the Convent of Sacred Heart Girls Basketball Team in recognition of winning the California State Division 5 Girls Basketball Championships.

Supervisor Hall extended congratulations to the members of the Sacred Heart Cathedral Preparatory Girls Basketball Team in recognition of their second place finish in the California State Division 3 Girls Basketball Championships.

CONSENT AGENDA

Recommendations of the Rules Committee

030249 [Settlement of Lawsuit - Paul T. Hare]

Ordinance authorizing settlement of the lawsuit filed by Paul T. Hare against the City and County of San Francisco for \$125,000.00; the lawsuit was filed on January 28, 2002 in San Francisco Superior Court, Case No. 403-930; entitled Paul T. Hare v. City and County of San Francisco. (City Attorney)

(Public Benefit Recipient.)

PASSED, ON FIRST READING

030323 [Settlement of Lawsuit - Stephen Sofos]

Ordinance authorizing settlement of the lawsuit filed by Stephen Sofos against the City and County of San Francisco for \$55,000; the lawsuit was filed on December 20, 2001 in San Francisco Superior Court, Case No. C-01-402658 entitled Stephen Sofos v. City and County of San Francisco, Terry Webster, James Sandridge, Jimmy Parrish, Horace Landers, Juvenal Villareal, et al. (City Attorney)

(Public Benefit Recipient.)

PASSED, ON FIRST READING

030257 [Appointment]

Resolution appointing Larry Costello, Bonnie Fisher, Carolyn Blair, Milton Marks III, Michael Sullivan, Juan Carrasco, and Diana Cohen terms ending April 5, 2005 to the Urban Forestry Council.

Larry Costello, new appointment, seat 1, must be a representative of the University of California Cooperative Extension or a representative of another educational organization involved with tree management, for a two-year term ending April 5, 2005;

Bonnie Fisher, new appointment, seat 2, must be a representative of the tree management profession, for a two-year term ending April 5, 2005;

Carolyn Blair, new appointment, seat 3, must be a representative of non-profit organizations involved in urban forestry or other environmentally-related issues, for a two-year term ending April 5, 2005;

Milton Marks III, new appointment, seat 4, must be a representative of non-profit organizations involved in urban forestry or other environmentally-related issues, for a two-year term ending April 5, 2005;

Michael Sullivan, new appointment, seat 6, must be a representative of the community, for a two-year term ending April 5, 2005;

Juan Carrasco, new appointment, seat 7, must be a representative of the community, for a two-year term ending April 5, 2005;

Diana Cohen, new appointment, seat 8, must be a representative of the community, for a two-year term ending April 5, 2005.

Resolution No. 194-03

ADOPTED

The foregoing items were acted upon by the following vote:

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

REGULAR AGENDA**UNFINISHED BUSINESS****Vetoed by the Mayor**

- 030132 [Funding for the investigation and litigation against Tutor-Saliba Construction]
Supervisors Peskin, Daly, Ammiano, Gonzalez, McGoldrick, Maxwell

Ordinance appropriating, retroactive to July 1, 2002, \$2,500,000 of Airport fund balance for investigation and litigation expense by the City Attorney against Tutor-Saliba Construction for fiscal year 2002-03.

(Fiscal impact.)

Ordinance No. 35-03

FINALLY PASSED by the following vote:

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

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

- 030254 [Appeal, Conditional Use - 1193 Oak Street]

Motion approving decision of the Planning Commission by its Motion No. 16504, approving Conditional Use Application No. 2002.1007C, on property located at 1193 Oak Street, and adopting findings pursuant to Planning Code Section 101.1. (Clerk of the Board)

Continued to April 1, 2003

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

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

- 030255 [Appeal, Conditional Use - 1193 Oak Street]

Motion disapproving decision of the Planning Commission by its Motion No. 16504, approving Conditional Use Application No. 2002.1007C, on property located at 1193 Oak Street, and adopting findings pursuant to Planning Code Section 101.1. (Clerk of the Board)

Continued to April 1, 2003

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

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

030256 [Findings - 1193 Oak Street]

Motion directing the Clerk of the Board to prepare findings relating to proposed Conditional use Application No. 2002.1007C, on property located 1193 Oak Street, for action by the Board at its next meeting. (Clerk of the Board)

Continued to April 1, 2003

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

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

Recommendation of the Budget Committee**030095 [Recreation and Parks -- Fees]**

Mayor

Ordinance making environmental findings and amending the San Francisco Park Code by amending Sections 7.16 and 7.18 to require a cleaning deposit and reimbursement for costs for the use of park facilities; amending Sections 12.05, 12.07, 12.20, and adding Sections 12.21, 12.22, 12.23, 12.24, 12.25, 12.26, 12.27 to increase the fees charged for the use of Recreation and Park facilities for weddings, events, picnics, photography and filming, encroachment, for parking on the Golden Gate Park Concourse and for classes at the Sharon Arts Studio; and adding Section 12.28 authorizing the Recreation and Park Commission to develop policies and procedures to allow the General Manager to reduce or waive fees in the case of demonstrated financial hardship. (Mayor)

Ordinance No. 47-03

FINALLY PASSED by the following vote:

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

Recommendations of the Finance and Audits Committee**021997 [Authorizing the transfer of Institutional Police from the Department of Public Health to the Sheriff]
Supervisors Peskin, Dufty, Ma, Newsom, Gonzalez, Maxwell**

Ordinance amending the Administrative Code by adding a new Section 1.59 to authorize the transfer of the Institutional Police Department from the Department of Public Health to the Sheriff.

(Fiscal impact.)

Ordinance No. 45-03

FINALLY PASSED by the following vote:

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

**030224 [Appropriation - Assessor-Recorder's Office]
Supervisors Dufty, Gonzalez, Daly**

Ordinance appropriating \$349,671 in surplus recording fees and re-appropriating \$194,128 in equipment, materials and supplies and professional services for a total of \$543,799 to cover shortfalls in salaries and services of other departments and for temporary salaries and fringes to address the backlog of deed processing, appraisals, permits, appeals in the Assessor-Recorder's Office for fiscal year 2002-03, placing \$40,790 on reserve by the Finance and Audit Committee.

(Fiscal impact; No Public Benefit Recipient.)

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

Ordinance No. 42-03

FINALLY PASSED by the following vote:

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

Recommendations of the Land Use Committee

**021772 [Conditional Use Revocation]
Supervisors Gonzalez, Dufty, Hall, Peskin, Ma, McGoldrick, Daly**

Ordinance amending the San Francisco Planning Code by amending Section 303 to provide for the revocation of a conditional use authorization upon a finding that the applicant provided false information in obtaining the conditional use; adopting findings under Planning Code Section 302.

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

Ordinance No. 43-03

FINALLY PASSED by the following vote:

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

**030081 [Parking Regulations, Blanken Avenue]
Supervisor Gonzalez**

Ordinance deleting Section 28.5.5 of the San Francisco Traffic Code restricting certain vehicles over 6,000 pounds on Blanken Avenue between Bayshore Boulevard and Tunnel Avenue. (Parking and Traffic Department)

Ordinance No. 46-03

FINALLY PASSED by the following vote:

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

030097 [Designate the 1338 Filbert Street Cottages as a Landmark]
Supervisors Peskin, Daly, Ammiano, Gonzalez, Sandoval, McGoldrick, Hall, Maxwell

Ordinance amending Planning Code Article 10 to designate the 1338 Filbert Street Cottages, Lots 31, 32, 33 and 34 in Assessor's Block 524, as Landmark No. 232.

Ordinance No. 53-03

FINALLY PASSED by the following vote:

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

030099 [Extending annual condominium conversion limitation]
Supervisors McGoldrick, Hall

Ordinance amending the San Francisco Subdivision Code Article 9, Section 1396 to extend the annual condominium conversion limitation for two additional years and providing for the conversion of specified buildings where a property owner submitted a subdivision application on or before January 21, 2003.

2/4/03 in Board: Supervisor McGoldrick submitted a substitute ordinance bearing new title.

Ordinance No. 48-03

FINALLY PASSED by the following vote:

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

030155 [1250 Haight Street - Special Use District to create Haight Street Senior Affordable Housing]
Supervisors Gonzalez, Daly, Ma

Ordinance amending the San Francisco Planning Code by adding Section 249.23 to create a Senior Affordable Housing Special Use District of a property described as Assessor's Block 1234, Lots 11 and 14, located at 1250 Haight Street, on the north side, between Lyon Street and Central Avenue; and adopting findings pursuant to Planning Code Section 101.1. (Planning Department)

(Companion measure to Files 030155, 030156, 030157, 030158; Planning Resolution Nos. 16500 and 16501 adopting all four proposed Planning Code and Zoning Map amendments (Reclassification Application No. 2002.0451CTZ on December 19, 2002; Motion No. 16502 approving Conditional Use Application No. 2002.0451CTZ on December 19, 2002; Certificate of Determination/Exclusion from CEQA Environmental Review dated September 10, 2002; No Public Benefit Recipient.)

(2/18/03 in Board: Supervisor Gonzalez submitted a substitute ordinance bearing same title.)

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

Ordinance No. 49-03

FINALLY PASSED by the following vote:

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

**030156 [1250 Haight Street - Special Use District to create Special Height Exception for the Haight Street Senior Affordable Housing]
Supervisors Gonzalez, Daly, Ma**

Ordinance amending the San Francisco Planning Code by adding Section 263.16 to create a special height control for the Haight Street Senior Affordable Housing Special Use District of a property described as Assessor's Block 1234, Lots 11 and 14, located at 1250 Haight Street, on the north side, between Lyon Street and Central Avenue; and adopting findings pursuant to Planning Code Section 101.1. (Planning Department)

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

Ordinance No. 50-03

FINALLY PASSED by the following vote:

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

**030157 [1250 Haight Street - Zoning Map Change from RM-1 to RM-1 and Haight Street Senior Affordable Housing SUD]
Supervisors Gonzalez, Daly, Ma**

Ordinance amending the Zoning Map of the City and County of San Francisco for change in property use classification of a property described as Assessor's Block 1234, Lots 11 and 14, located at 1250 Haight Street, on the north side, between Lyon Street and Central Avenue, from an RM-1 (Residential, Mixed, Low Density) District to an RM-1 (Residential, Mixed, Low Density) District and the Haight Street Senior Affordable Housing Special Use District; and adopting findings pursuant to Planning Code Section 101.1. (Planning Department)

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

Ordinance No. 51-03

FINALLY PASSED by the following vote:

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

**030158 [1250 Haight Street - Zoning Map Change from 40-X to 40-X and 60-X Height and Bulk District]
Supervisors Gonzalez, Daly, Ma**

Ordinance amending the Zoning Map of the City and County of San Francisco for change in property height classification of a property described as Assessor's Block 1234, Lots 11 and 14, located at 1250 Haight Street, on the north side, between Lyon Street and Central Avenue, from 40-X Height and Bulk District to 60-X Height and Bulk District; and adopting findings pursuant to Planning Code Section 101.1. (Planning Department)

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

Ordinance No. 52-03

FINALLY PASSED by the following vote:

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

Recommendations of the Rules Committee

021996 [Voter Information Pamphlet Amendments] Supervisor Gonzalez

Ordinance amending sections 500, 530 and 550 of the San Francisco Municipal Elections Code to require the Director of Elections to publish in the Voter Information Pamphlet: (1) a description of every elector's right to seek a writ of mandate or an injunction requiring any or all of the materials in the Voter Information Pamphlet to be amended or deleted, and (2) a disclaimer at the beginning of each ballot measure argument and rebuttal authorized by the Board of Supervisors explaining which members of the Board of Supervisors endorse, oppose or have taken no position on the measure; and to clarify that when the Board of Supervisors authorizes a member or members of that body to submit a ballot measure argument or rebuttal, it shall do so by motion, and it need not take any further action, including voting on or otherwise approving the actual text of the argument or rebuttal.

Ordinance No. 44-03

FINALLY PASSED by the following vote:

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

Appointment of President Pro Tempore

Appointment of President Pro Tempore

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

The President resumed the Chair shortly thereafter.

030188 [Confirming the re-appointment of Benny Yee to the San Francisco Redevelopment Agency] Mayor

Resolution confirming the re-appointment of Benny Yee to the San Francisco Redevelopment Agency for a four-year term ending September 3, 2006. (Mayor)

Supervisor Daly, seconded by Supervisor Peskin, moved to re-refer this matter to Rules Committee.

Motion failed by the following vote:

Ayes: 4 - Ammiano, Daly, McGoldrick, Peskin

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

Resolution No. 175-03

ADOPTED by the following vote:

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

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

**030190 [Confirming the re-appointment of Leroy King to the San Francisco Redevelopment Agency]
Mayor**

Resolution confirming the re-appointment of Leroy King to the San Francisco Redevelopment Agency for a four-year term ending September 3, 2006. (Mayor)

Supervisor Daly withdrew his motion to re-refer this matter to the Rules Committee.

Resolution No. 176-03

ADOPTED by the following vote:

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

**030191 [Confirming the re-appointment of Michael Hardeman to the San Francisco Port Commission]
Mayor**

Resolution confirming the appointment of Michael Hardeman to the San Francisco Port Commission for a four-year term ending May 1, 2006. (Mayor)

Supervisor Peskin, seconded by Supervisor Ammiano, moved to re-refer this matter to the Rules Committee.

RE-REFERRED to the Rules Committee by the following vote:

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

From the Rules Committee "Without Recommendation"

Appointment of President Pro Tempore

Appointment of President Pro Tempore

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

The President resumed the Chair shortly thereafter.

**030189 [Confirming the appointment of Ben Hom to the San Francisco Port Commission]
Mayor**

Resolution confirming the appointment of Ben Hom to the San Francisco Port Commission, for a four-year term ending May 1, 2006. (Mayor)

(Supervisor Hall excused from voting.)

Supervisor Hall previously excused from voting on this matter.

Supervisor Peskin, seconded by Supervisor Ammiano, moved to re-refer this matter to the Rules Committee.

RE-REFERRED to the Rules Committee by the following vote:

Ayes: 6 - Ammiano, Daly, Gonzalez, Maxwell, McGoldrick, Peskin
Noes: 4 - Dufty, Ma, Newsom, Sandoval
Excused: 1 - Hall

NEW BUSINESS

Recommendations of the Finance and Audits Committee

030301 [Clerical Corrections to Article 10a of the Bus. & Tax Reg. Code]

Supervisor Peskin

Ordinance amending Article 10a of the San Francisco Business and Tax Regulations Code by making clerical corrections to Sections 750, 751, 753 and 755.1 and amending Section 10.100-67 of the San Francisco Administrative Code by making clerical corrections to omit text intended to be deleted by Ordinance Number 71-02.

PASSED ON FIRST READING by the following vote:

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

030251 [Settlement Prior to Binding Arbitration]

Ordinance authorizing settlement of a dispute prior to binding arbitration under Section 23 of the Long-Term Power Sales Agreement with Turlock Irrigation District over San Francisco's right to restrict Turlock's ability to schedule monthly capacity factors; Turlock initiated the Section 23 dispute procedure by written notice dated October 10, 2002. (City Attorney)

(No Public Benefit Recipient.)

PASSED ON FIRST READING by the following vote:

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

030267 [Funding for emergency removal and repair of Drydock #1]

Supervisor Peskin

Ordinance re-appropriating \$1,762,549 of Port surplus capital funding from projects that have been completed, funded by a grant source, or that are low priority to fund contractual obligations for emergency removal and repair of Drydock #1 for the Port or fiscal year 2002-03, allowing for retroactivity.

(Fiscal impact.)

PASSED ON FIRST READING by the following vote:

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

021876 [Real Property Lease Option]

Resolution retroactively authorizing the exercise of an extension option at 875 Stevenson Street for various City departments. (Real Estate Department)

(Fiscal impact; No Public Benefit Recipient.)

Resolution No. 174-03

ADOPTED by the following vote:

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

Noes: 3 - Daly, Gonzalez, Ma

030243 [Ratify Port Emergency Repair Contract]

Resolution ratifying San Francisco Port Commission emergency contract for recovery and repair of marine vessel known as Drydock #1. (Port)

(Fiscal impact; No Public Benefit Recipient.)

Resolution No. 193-03

ADOPTED by the following vote:

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

030300 [Certification to Accompany Application for State Grant for Richmond Library Expansion and Renovation]

Mayor

Resolution certifying project budget, local funding, supplemental funding and public library operations pursuant to the California Reading and Literacy Improvement and Public Library Construction and Renovation Bond Act of 2000. (Mayor)

(No Public Benefit Recipient.)

Resolution No. 152-03

ADOPTED by the following vote:

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

030395 [Mortgage Credit Certificates]

Supervisors Peskin, Sandoval, Hall

Resolution authorizing an application to the California Debt Limit Allocation Committee to permit the issuance of Mortgage Credit Certificates.

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

Resolution No. 177-03

ADOPTED by the following vote:

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

Recommendations of the Land Use Committee**021885 [Repealing Police Code Section 1159 - Sightseeing Vehicle Stands]**

Ordinance repealing Police Code Section 1159, which authorizes the Department of Parking and Traffic to issue to a single entity or person a permit for a sightseeing stand on Powell Street, for the purpose of selling tickets for sightseeing tours and providing sightseeing information. (Parking and Traffic Department)

(No Public Benefit Recipient.)

PASSED ON FIRST READING by the following vote:

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

**021912 [Tour buses prohibited on portions of El Camino del Mar and 25th Avenue]
Supervisor Newsom**

Ordinance amending Police Code Section 1183.31 to prohibit the driving of tour buses on El Camino del Mar between the Presidio and 25th Avenue, and on 25th Avenue between Lake Street and El Camino del Mar.

PASSED ON FIRST READING by the following vote:

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

030207 [2161 Sutter Street - Zoning Map Change]

Ordinance amending the San Francisco Planning Code by adopting changes in property use classification as an amendment to the Zoning Map of the City and County of San Francisco for property described as Assessor's Block 0682, Lot 005, approximately 5,156 square feet in area, from an NC-2 (Small-Scale Neighborhood Commercial) District to an RM-3 (Residential, Mixed, Moderate Density) District and adopting findings pursuant to Planning Code Section 101.1. (Planning Department)

(Planning Commission Resolution No. 16514 adopting the proposed Planning Code and Zoning Map amendments on January 23, 2003; Motion No. 16515 approving Conditional Use Application No. 2001.1058C on January 23, 2003; Final Mitigated Negative Declaration adopted and issued on July 12, 2002; No Public Benefit Recipient).

REFERRED to the Land Use Committee by the following vote:

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

**030082 [Accept - Expend TFCA Regional Funds]
Supervisor Newsom**

Resolution authorizing the Municipal Transportation Agency to Accept and Expend \$1,123,364 of Transportation Fund for Clean Air Regional Funds for the three Capital Improvement Projects: the Transit Bus Traffic Signal Prioritization; Transit Bus Replacement: 15 CNG or Hybrid Electric Vehicles; and Bicycle Racks - Installation of Bicycle Racks on 50 Vehicles. (Municipal Transportation Agency)

(No Public Benefit Recipient.)

Supervisor Newsom requested to be added as sponsor.

Resolution No. 191-03

ADOPTED by the following vote:

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

021884 [Public Access Cable Television]

Resolution renewing designation of the San Francisco Community Television Corporation (SFCTC) as the non-profit responsible for the management and operation of the City's public access cable television channel, Access San Francisco, coterminous with the public access grant awarded to SFCTC by the Department of Telecommunications and Information Services (DTIS) on October 28, 2002. (Telecommunications and Information Services)

(Public Benefit Recipient.)

Amended on page 1, line 7, after "October 28, 2002" by inserting "which expires on June 30, 2005. This designation shall terminate on July 1, 2005"; and further amended on page 2, line 22, after "October 28, 2002" by inserting "and which expires on June 30, 2005". This designation shall be effective only through June 30, 2005, and shall terminate on July 1, 2005."

Supervisor Peskin, seconded by Supervisor Daly, moved that this Resolution be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. The motion carried by the following vote:

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

Resolution renewing designation of the San Francisco Community Television Corporation (SFCTC) as the non-profit responsible for the management and operation of the City's public access cable television channel, Access San Francisco, coterminous with the public access grant awarded to SFCTC by the Department of Telecommunications and Information Services (DTIS) on October 28, 2002 which expires on June 30, 2005. This designation shall terminate on July 1, 2005. (Telecommunications and Information Services)

(Public Benefit Recipient.)

Resolution No. 182-03

ADOPTED AS AMENDED by the following vote:

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

Recommendations of the Rules Committee

**030075 [Requiring regular meetings of subordinate bodies created by the Board of Supervisors]
Supervisors Hall, Gonzalez**

Motion amending the Board of Supervisors Rules of Order by adding Rule 2.27, to require the Board to include language providing for regular meetings when considering legislation creating subordinate bodies.

Motion No. M03-50

APPROVED by the following vote:

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

**030041 [Dissolving the Hazardous Materials Advisory Committee]
Supervisors Hall, Newsom**

Ordinance amending the San Francisco Health Code by repealing Sections 1103 through 1103.2, and amending Section 1103.3, to dissolve the Hazardous Materials Advisory Committee.

PASSED ON FIRST READING by the following vote:

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

**030042 [Dissolving the Skating Advisory Committee]
Supervisors Hall, Newsom**

Ordinance amending the San Francisco Administrative Code by repealing Sections 5.210 through 5.212, to dissolve the Skating Advisory Committee.

PASSED ON FIRST READING by the following vote:

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

**030043 [Dissolving the Clean Air Advisory Committee]
Supervisors Hall, Newsom**

Ordinance amending the San Francisco Administrative Code by repealing Section 85.4 and by amending Section 85.10, to dissolve the Clean Air Advisory Committee.

PASSED ON FIRST READING by the following vote:

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

**030044 [Dissolving the Video Display Terminal Advisory Committee]
Supervisors Hall, Newsom**

Ordinance amending the San Francisco Health Code by repealing Sections 1303 and 1306, to dissolve the Video Display Terminal Advisory Committee.

PASSED ON FIRST READING by the following vote:

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

**030049 [Dissolving the Long Term Care Pilot Project Task Force]
Supervisor Hall**

Resolution repealing Resolutions No. 1024-96 and 187-97, to dissolve the "Long Term Care Pilot Project Task Force."

Resolution No. 183-03

ADOPTED by the following vote:

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

**030050 [Dissolving the Abandoned Shopping Cart Task Force]
Supervisor Hall**

Resolution repealing Resolutions Nos. 357-98 and 847-98, to dissolve the "Abandoned Shopping Cart Task Force."

Resolution No. 184-03

ADOPTED by the following vote:

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

**030051 [Dissolving the Sutro Tower Health and Safety Task Force]
Supervisor Hall**

Resolution repealing Resolution No. 1068-99, to dissolve the "Sutro Tower Health and Safety Task Force."

Resolution No. 185-03

ADOPTED by the following vote:

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

**030052 [Dissolving the Pedestrian Safety and Street Resurfacing Working Group]
Supervisor Hall**

Resolution repealing Resolution No. 564-01, to dissolve the "Pedestrian Safety and Street Resurfacing Working Group."

Resolution No. 186-03

ADOPTED by the following vote:

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

**030053 [Dissolving the Mid-Income Housing Solutions Task Force]
Supervisor Hall**

Resolution repealing Resolution No. 721-01, to dissolve the "Mid-Income Housing Solutions Task Force."

Resolution No. 187-03

ADOPTED by the following vote:

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

**030054 [Dissolving the Joint Board of Education/Board of Supervisors Digital Divide Task Force]
Supervisor Hall**

Resolution repealing Resolution No. 271-00, to dissolve the "Joint Board of Education/Board of Supervisors Digital Divide Task Force."

Resolution No. 188-03

ADOPTED by the following vote:

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

**030056 [Dissolving the Airport Noise Committee]
Supervisor Hall**

Resolution repealing Resolutions No. 580-87 and 62-89, to dissolve the "Airport Noise Committee."

Resolution No. 189-03

ADOPTED by the following vote:

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

**030057 [Dissolving the Citizens' Advisory Task Force for the Central Freeway]
Supervisor Hall**

Resolution repealing Resolutions Nos. 541-92, 1019-94 and 640-95, to dissolve the "Citizens' Advisory Task Force for the Central Freeway."

Resolution No. 190-03

ADOPTED by the following vote:

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

**030150 [Dissolve Sustainable Funding for School Arts and Music Task Force]
Supervisor Hall**

Resolution repealing Resolution Nos. 1127-99 and 175-00, to dissolve the "Sustainable Funding for School Arts and Music Task Force."

Resolution No. 192-03

ADOPTED by the following vote:

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

SPECIAL ORDER 3:00 P.M.**030376 [Public Hearing - Appeal, Negative Declaration for 40-50 Lansing Street]**

Hearing of persons interested in or objecting to the Planning Commission certification of Final Mitigated Negative Declaration, File No. 2002.0446E, for a proposed 81 unit Residential Building located at 40-50 Lansing Street (aka 35 Guy Street), Block 3749, Lot 11, in San Francisco. (Clerk of the Board)

(Appeal filed February 21, 2003; Publication of Preliminary Mitigated Negative Declaration: October 19, 2002; Amended Mitigated Negative Declaration: December 30, 2002; Final Mitigated Negative Declaration adopted and issued on February 20, 2003; Planning Commission Motion No. 16530 affirming the decision to issue a Mitigated Negative Declaration dated February 20, 2003; companion measure to Files 030373, 030374, 030375; General Public Hearing Notice mailed March 12, 2003; District 6.)

Continued to April 8, 2003

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

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

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.)****030373 [Affirm adoption of the negative declaration for 40-50 Lansing Street]**

Motion affirming the Planning Commission adoption of the negative declaration for 40-50 Lansing Street. (Clerk of the Board)

Continued to April 8, 2003

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

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

030374 [Reversing adoption of the negative declaration for 40-50 Lansing Street]

Motion reversing the Planning Commission adoption of the negative declaration for 40-50 Lansing Street. (Clerk of the Board)

Continued to April 8, 2003

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

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

- 030375 [Preparation of findings to reverse adoption of the negative declaration for 40-50 Lansing Street]**
Motion directing the Clerk of the Board to prepare findings reversing the Planning Commission adoption of the negative declaration for 40-50 Lansing Street. (Clerk of the Board)

Continued to April 8, 2003

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

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

COMMITTEE REPORTS

From Land Use Committee

- 030394 [Accept-Expend Regional Grant - Department of the Environment]**
Supervisor Sandoval

Resolution authorizing the Department of the Environment to accept and expend a grant in the amount of \$440,984 from the Bay Area Air Quality Management District for retrofitting six heavy-duty vehicles to Liquid Natural Gas. (Environment)

(Public Benefit Recipient.)

Supervisor Sandoval requested to be added as sponsor.

Resolution No. 195-03

ADOPTED by the following vote:

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

ROLL CALL FOR INTRODUCTIONS

Supervisor Daly noted absent at 5:45 p.m.

PUBLIC COMMENT

*Abdullah Megahed; protesting War in Iraq
Richard Stipman; protesting War in Iraq
Richard Robertson; support of War in Iraq
Michael Orger; protesting War in Iraq; SFPD actions during demonstrations
Female Speaker; protesting War in Iraq
Karen Heisler; arrested in demonstrations and issues regarding civil liberties*

Recess

The Board recessed at the hour of 6:12 p.m.

Reconvening of the Board

The Board at the hour of 7:19 p.m. reconvened.

Calling the Roll

*On call of the roll, the following Supervisors were noted present:
Supervisors Ammiano, Dufty, Gonzalez, Ma, Maxwell, McGoldrick, Sandoval - 7*

*Quorum present.
Supervisor Hall was noted present at 7:39 p.m.
Supervisor Daly was noted present at 8:14 p.m.*

Public Comment Continued

*Male Speaker; protesting war and SFPD actions during demonstrations
Kevin; arrested in protesting war and police handling of demonstrators
Scott Bohning; protesting war and SFPD actions during demonstrations
Chris Bowman; support of legislation dissolving of task forces and Elections Commission issues; voter handbook and support of legislation regarding costs of protests
Ben Gertis; unlawful arrests; clarify role of SFPD in demonstrations and that costs should be sent to the Federal Government
Jim Siegel; City tax payer; arrested in protesting and SFPD actions during demonstrations and request DA to drop charges on those arrested to avoid lawsuits
Christine Byer; protesting war; and SFPD actions during demonstrations and request DA to drop charges on those arrested to avoid lawsuits
Mikhail Chrishman; protesting war and SFPD actions during demonstrations and request DA to drop charges on those arrested to avoid lawsuits
Carly; arrested in protesting war and SFPD actions during demonstrations
Peter Birsch; arrested as a protestor on March 21, 2003; SFPD actions during demonstrations
Tara Ryan; arrested in protesting war and SFPD actions during demonstrations; let Federal Government pay for costs
Carly Meyer; protesting war; costs associated with demonstrations; hearing on Police spending
Jorge Paralla; arrested in protesting war and SFPD actions during demonstrations
Marc Roderick; protesting war and SFPD actions during demonstrations
Melissa Malerick; arrested in protesting war and SFPD actions during demonstrations
Female Speaker; arrested in protesting war and SFPD actions during demonstrations; civil liberties
Melissa; arrested in protesting war and SFPD actions during demonstrations*

Rosa Cabrera; arrested for crossing the street and SFPD actions; taxpayers' money; request that Police Officers be prosecuted

Female Speaker; protesting war and issues surrounding demonstrations

Adam; arrested in protesting war and SFPD actions during demonstrations

Male Speaker; support of African American Reparations Act

James Chaffee; behavior of previous actions of speakers and Board of Supervisors Chamber rules and SF Public Library;

Female Journalist; SFPD actions during demonstrations

A. Duffy; find out who is to blame for issues surrounding demonstrations

Male Speaker; SFPD actions during demonstrations

Male Speaker; SFPD actions during demonstrations

Chris Brad; SFPD actions during demonstrations

Adam; SFPD actions during demonstrations

Andrea; arrested in protesting war and SFPD actions during demonstrations

Stephen; costs for demonstrations

CLOSED SESSION

CONFERENCE WITH CITY ATTORNEY - Existing Litigation

City as Defendant

030408 [Closed Session - Existing Litigation - City as Defendant]

Motion that the Board of Supervisors convene in closed session with the City Attorney for the purpose of conferring with, or receiving advice from, the City Attorney regarding the following existing litigation in which the plaintiffs, various businesses, are, in sum, challenging the constitutionality of the City's business taxing system. These plaintiffs are also seeking reimbursement of tax payments made to the City.

Government Code Section 54956.9(a) and San Francisco Administrative Code Section 67.10(d)(1) permit this closed session. Discussion in open session concerning these matters would likely and unavoidably prejudice the position of the City in the pending lawsuits listed below.

1. Macy's West, Inc.; Federated Western Properties, Inc. (successor in interest to Broadway Stores, Inc., dba Macy's); Federated Systems Group, Inc.; Macy's.com, Inc. v. City and County of San Francisco.
S. F. Superior Court No. 313-930 (filed July 27, 2000)

2. All Star Consulting, Inc.; Brown & Toland Physician Services Organization; Clark Construction Group, Inc.; Goodby, Silverstein & Partners, Inc.; Hunt Construction Group, Inc.; I Gate Capital/Chen & McGinley; Jessica McClintock, Inc.; Lehman Brothers, Inc.; Macromedia, Inc.; Preferred Trade, Inc.; S&C Motors, Inc.; and Walker Interactive Systems, Inc. v. City and County of San Francisco.
S. F. Superior Court No. 403-250 (filed January 9, 2002)

3. CNET Networks, Inc. v. City and County of San Francisco.
S. F. Superior Court No. 409-891 (filed July 5, 2002)

4. Freeman Decorating, Co. (an Iowa Corp.) and TFC Management, Inc. (a Texas Corp.) v. City and County of San Francisco.
S. F. Superior Court No. 320-869 (filed April 27, 2001)

5. Heller Ehrman White & McAuliffe LLP and Heller Ehrman White & McAuliffe, Inc. v. City and County of San Francisco.
S. F. Superior Court No. 321-383 (filed May 16, 2001)

6. Matson Intermodal Systems, Inc.; Matson Navigation Company, Inc.; Matson Logistics Solutions, Inc.; Plant Construction Company; Plant Construction Company, LP; Rite Aid Corp.; Thrifty Payless, Inc.; and NRT, Inc. v. City and County of San Francisco.
S. F. Superior Court No. 406-452 (filed April 8, 2002)

7. GMAC Commercial Mortgage Corp. v. City and County of San Francisco.
S. F. Superior Court No. 405064 (filed February 28, 2002) (City Attorney)

Supervisor Dufty, seconded by Supervisor Ma, moved to convene in Closed Session. The motion carried by the following vote:

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

Recess

The Board recessed at the hour of 8:51 p.m. to convene in closed session pursuant to the above motion.

Reconvening of the Board

The Board at the hour of 9:05 p.m. reconvened.

Calling the Roll

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

Quorum present.

Report on Closed Session

Deputy City Attorney Ted Lakey reported that the Board of Supervisors has met in closed session with the City Attorney, under the provisions of Government Code Section 54956.9 (a) for the purpose of conferring with, or receiving advice from, the City Attorney regarding the above existing litigation.

Persons in attendance:

Supervisors Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick

Julie Van Nostern, Deputy City Attorney

Owen Maitikan, Deputy City Attorney

Ted Lakey, Deputy City Attorney

Gloria L. Young, Clerk of the Board

Kay Gulbengay, Deputy Clerk

Meeting was informational only and no action was taken.

Heard in Closed Session.

[Elect To Disclose]

Motion that the Board finds it is in the public interest to disclose information discussed in closed session, and directs the President immediately to disclose that information.

[Elect Not to Disclose]

Motion that the Board finds that it is in the best interest of the public that the Board elect at this time not to disclose its closed session deliberations concerning the existing litigation listed above.

Supervisor Daly, seconded by Supervisor McGoldrick, moved not to disclose its Closed Session deliberations. The motion carried by the following vote:

Ayes: 8 - Ammiano, Daly, Duffy, Gonzalez, Hall, Ma, Maxwell, McGoldrick

Absent: 3 - Newsom, Peskin, Sandoval

CLOSED SESSION

CONFERENCE WITH CITY ATTORNEY - Existing Litigation

City as Plaintiff

**030469 [Closed Session - Existing Litigation - City as Plaintiff]
Supervisor Duffy**

Motion that the Board of Supervisors convene in closed session with the City Attorney and the Mayor for the purpose of conferring with, or receiving advice from, the City Attorney regarding the legal ramifications of mechanisms for funding the following litigation filed by the City and County of San Francisco. The litigation involves allegations of fraudulent practices on the part of City contractors involved in building the new international terminal at San Francisco International Airport.

City and County of San Francisco, et al. v. Tutor-Saliba Corporation, et al.
U.S. District Court No. C 02 5286 filed 11/1/02

Government Code Section 54956.9(a) and San Francisco Administrative Code Section 67.10(d)(1) permit this closed session. Discussion in open session concerning this matter would likely and unavoidably prejudice the position of the City in the pending litigation listed above.
(Supervisor Duffy)

TABLED by the following vote:

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

**030421 [Special Joint Meeting - Board of Supervisors and State Assemblyman Mark Leno]
Supervisor Maxwell**

Motion setting a joint meeting of the Board of Supervisors and State Assemblyman Mark Leno to be held in the Legislative Chamber at City Hall on May 9, 2003, from 1:00 P.M. to 3:00 P.M.

Motion No. M03-53

APPROVED by the following vote:

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

**030434 [Commend Senior Survival School's 10th Anniversary]
Supervisors Ma, Dufty, Daly, Newsom**

Resolution commending Senior Survival School on the occasion of its 10th Anniversary.

Supervisors Dufty, Daly and Newsom requested to be added as co-sponsors.

Resolution No. 196-03

ADOPTED by the following vote:

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

**030435 [Extend Planning Commission Review Period]
Supervisor Maxwell**

Resolution extending the prescribed time within which the Planning Commission may render its decision on a proposed ordinance to amend Section Maps 8 and 8SU of the Zoning Map of the City and County of San Francisco for the property described as Assessor's Block 3978, Lot 1 (bounded by Rhode Island Street, 17th Street, Kansas Street and Mariposa Street) from M-1 (Light Industrial) to NC-3 (Moderate-Scale Neighborhood Commercial District) and the 17th Street and Rhode Island Grocery Store Special Use Subdistrict and a companion ordinance to amend the Planning Code by adding Section 781.10 to create the 17th and Rhode Island Grocery Store Special Use Subdistrict.

Resolution No. 197-03

ADOPTED by the following vote:

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

**030436 [Proclaim March 2003 Social Worker Month in SF]
Supervisors Maxwell, Dufty, Daly, Ma**

Resolution commending the recognition of National Professional Social Worker Month and proclaiming March 2003 as Social Worker Month in San Francisco.

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

Resolution No. 198-03

ADOPTED by the following vote:

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

**030437 [Endorsing H.R. 40, African-American Reparations Act]
Supervisors Maxwell, Dufty, Ammiano, Gonzalez, Sandoval, Peskin, Ma, Daly**

Resolution endorsing House of Representatives Resolution 40 (H.R.), Congressman John Conyer's African-American Reparations Act.

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

Resolution No. 199-03

ADOPTED by the following vote:

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

**030438 [Assembly Bill 196]
Supervisors Dufty, Daly**

Resolution urging passage of AB 196.

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

Resolution No. 200-03

ADOPTED by the following vote:

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

**030439 [Extend Juvenile Justice Advisory Committee]
Supervisors Gonzalez, Dufty**

Resolution extending the Juvenile Justice Advisory Committee's term of operation for an additional three months.

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

Resolution No. 201-03

ADOPTED by the following vote:

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

030440 [Proposition N Implementation Plans]
Supervisor McGoldrick

Motion directing the Office of Budget Analyst of the Board of Supervisors to analyze information submitted by the Director of Human Services and/or the Mayor's Office related to plans for implementation of Proposition N, enacted by the voters in November 2002, by July 1, 2003.

Motion No. M03-54

APPROVED by the following vote:

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

030441 [Commend Laborers' International Union of North America]
Supervisors Sandoval, McGoldrick, Daly, Dufty, Newsom

Resolution commending the Laborers' International Union of North America (LIUNA) for celebrating 100 years of bringing social justice to the American worker.

Supervisors Daly, Dufty and Newsom requested to be added as co-sponsors.

Resolution No. 202-03

ADOPTED by the following vote:

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

030442 [Commend PUC and OMI/Excelsior Beacon Center]
Supervisor Sandoval

Resolution commending the Public Utilities Commission and the OMI/Excelsior Beacon Center for helping San Francisco residents reduce their water bills by selling high quality, 1.6 Gallons Per Flush Toilets for only \$10 on Saturday, April 5 from 8:00 a.m. to 1 p.m. at the Crocker-Amazon Park, Moscow and Geneva.

Resolution No. 203-03

ADOPTED by the following vote:

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

030443 [Senate Bill 333 - Elder Justice Act]
Supervisors Sandoval, Daly

Resolution urging the 108th Congress to pass SB 333: Elder Justice Act to provide coordination of differing federal, state, and local elder abuse programs to better protect and serve our seniors.

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

Resolution No. 204-03

ADOPTED by the following vote:

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

**030444 [Urge FCC Commissioners to attend a public hearing in SF in April 2003]
Supervisor Sandoval**

Resolution urging the Commissioners of the Federal Communication Commission and Congress members from the Bay Area to attend a public hearing in San Francisco this spring to gather public input on the upcoming changes in rules regarding media ownership by large corporations.

Resolution No. 205-03

ADOPTED by the following vote:

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

030406 [Final Map for a 9 Unit Mixed Use Condominium Project]

Motion approving Final Map of 363 Valencia Street, a Mixed Use Condominium Project, being a subdivision of Lot 11 Assessor's Block No. 3547, and adopting findings pursuant to Planning Code Section 101.1. (Public Works Department)

(No Public Benefit Recipient; DPW Order No. 174,013; District 9.)

Motion No. M03-51

APPROVED by the following vote:

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

030414 [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. M03-52

APPROVED by the following vote:

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

Severed From For Adoption Without Committee Reference

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

030417 [Hunters Point Shipyard Development Authority]

Supervisors Maxwell, Dufty, Newsom

Resolution urging the California Legislature to enact the Hunters Point Shipyard Development Authority Act of 2003.

Supervisor Maxwell requested that this matter be referred to Committee.

REFERRED to the Land Use Committee.

OFF-AGENDA LEGISLATION

Introduced by Supervisors or Mayor

Ordinances

030423 [Establishing the powers and duties of the Small Business Commission]

Ordinance amending the San Francisco Administrative Code by adding Section 2A.240, to list the powers and duties of the Small Business Commission, and by repealing Sections 5.120, 5.121, and 5.122, dealing with the former Small Business Commission, and by re-numbering Section 10.100-129 as Section 10.100-333, and providing that the ordinance shall only take effect if a charter amendment creating a Small Business Commission in the Charter is adopted at the November 2003 election.

(Companion measure to File 030426.)

.Amendment

(3/25/03 in Board: Supervisor Daly submitted a substitute ordinance, correcting an error in the short title.)

3/18/03, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 4/17/2003.

3/25/03, SUBSTITUTED. Supervisor Daly submitted a substitute ordinance, correcting an error in the short title.

3/25/03, ASSIGNED to Rules Committee.

**030476 [Construction Site Sign Requirements]
Supervisor Peskin**

Ordinance amending the San Francisco Traffic Code Section 33.1 and Public Works Code Section 724.3 relating to sign and placard requirements at construction sites.

3/25/03, ASSIGNED UNDER 30 DAY RULE to City Services Committee, expires on 4/24/2003.

**030478 [Settlement of Lawsuit - Heller Ehrman White & McAuliffe LLP]
Supervisor Gonzalez**

Ordinance authorizing settlement of the lawsuit filed by Heller Ehrman White & McAuliffe LLP, a Limited Liability Partnership, and Heller Ehrman White & McAuliffe, a California Professional Corporation, against the City and County of San Francisco for \$153,000.00; the lawsuit was filed on May 16, 2001 in San Francisco Superior Court, Case No. 321-383; entitled Heller Ehrman White & McAuliffe LLP, et al., v. City and County of San Francisco; the settlement includes any claims for the 2000 tax year.

(Public Benefit Recipient.)

3/26/03, RECEIVED AND ASSIGNED to Rules Committee.

030479 [Settlement of Lawsuit - CNET Networks, Inc.]
Supervisor Gonzalez

Ordinance authorizing settlement of the lawsuit filed by CNET Networks, Inc., against the City and County of San Francisco for \$137,541.00; the lawsuit was filed on July 5, 2002 in San Francisco Superior Court, Case No. 409-891; entitled CNET Networks, Inc. v. City and County of San Francisco; the settlement includes any claims for the 2000 tax year.

(Public Benefit Recipient.)

3/26/03, RECEIVED AND ASSIGNED to Rules Committee.

030480 [Settlement of Lawsuit - Freeman Decorating Co. and TFC Management, Inc.]
Supervisor Gonzalez

Ordinance authorizing settlement of the lawsuit filed by Freeman Decorating Co. and TFC Management, Inc., against the City and County of San Francisco for \$37,500.00; the lawsuit was filed on April 27, 2001 in San Francisco Superior Court, Case No. 320-869; entitled Freeman Decorating Co., et al., v. City and County of San Francisco; the settlement includes any claims for the 2000 tax year.

(Public Benefit Recipient.)

3/25/03, RECEIVED AND ASSIGNED to Rules Committee.

030481 [Authorization to make a binding settlement offer - Federated Western Properties, Inc.]
Supervisor Gonzalez

Ordinance authorizing the City Attorney to make an offer to allow judgment pursuant to California Code of Civil Procedure Section 998 in Macy's West, Inc.; Federated Western Properties, Inc. (successor in interest to Broadway Stores, Inc., dba Macy's); Federated Systems Group, Inc.; Macy's.com, Inc. v. City and County of San Francisco San Francisco Superior Court No. 313930, for a total amount not to exceed \$3,300,000.00; and in no event any amount that would create liability to the City pursuant to the Most Favored Nations Clause in the General Motors Corporation v. City and County of San Francisco San Francisco Superior Court No. 301510 (Court of Appeal No. A091914) and Eastman Kodak Company v. City and County of San Francisco San Francisco Superior Court No. 302983 (Court of Appeal No. A091910) ("GM cases") Settlement Agreements.

(Public Benefit Recipient.)

3/26/03, RECEIVED AND ASSIGNED to Rules Committee.

030482 [Administrative Penalties for Littering and Specified Nuisance Violations]
Supervisors McGoldrick, Peskin, Maxwell

Ordinance amending Sections 37, 38, and 63 of the Police Code, Sections 41.13, 283.1, 287 and 581 of the Health Code and Sections 170, 173, 174, 174.2, 184.63, and 724.4 of the Public Works Code to authorize the assessment of administrative penalties as an alternative to infractions for littering and specified nuisance violations; amending the Police Code by adding a new Section 39-1 to establish procedures for the imposition, review and collection of administrative penalties.

3/26/03, RECEIVED AND ASSIGNED to Budget Committee.

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

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.

3/25/03, RECEIVED AND ASSIGNED to Rules Committee.

**030485 [Changing Official Width of Sidewalk - Masonic north of Haight Street]
Supervisor Gonzalez**

Ordinance amending Ordinance No. 1061 entitled "Regulating the Width of Sidewalks" by adding thereto Section 15__ to change the official sidewalk width on the west side of Masonic north of Haight Street; making findings pursuant to the General Plan and Planning Code Section 101.1; and requiring relocation, modification, or both of facilities affected by the sidewalk width changes.

3/25/03, RECEIVED AND ASSIGNED to Land Use Committee.

Resolutions

**030486 [Sidewalk Width Change on Masonic north of Haight Street]
Supervisor Gonzalez**

Resolution urging the Department of Public Works to initiate the process for a sidewalk width change on the west side of Masonic approximately 75 feet north of Haight Street to accommodate installation of a JC Decaux public toilet facility and taking all other actions necessary to effectuate the intent of this Resolution.

(Companion measure to File 030485.)

3/25/03, RECEIVED AND ASSIGNED to Land Use Committee.

**030490 [SFUSD Facilities Master Plan]
Supervisors Ammiano, Maxwell, Ma, Dufty, Newsom**

Resolution urging the Department of Public Works (DPW) and the City Architect, in consultation with the San Francisco Unified School District (SFUSD), to suggest possible options for DPW assistance in providing expertise and services to the School District regarding facility repairs and managing construction projects pursuant to the SFUSD Facilities Master Plan.

3/25/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**030491 [School District Contract for Bus Service]
Supervisors Ammiano, Maxwell, Ma, Dufty, Newsom**

Resolution urging the Municipal Transportation Agency and the San Francisco Unified School District, in consultation with the San Francisco County Transportation Authority, to coordinate on a process by which the Municipal Transportation Agency would, as an expert consultant to the School District, (1) review current expenditures, routing and vehicles used under the School District's bus transportation service contract, (2) assist the School District in formulating future Requests for Proposals for such services, (3) advise the School District on overseeing the contract for such services, including overseeing the contractor's routing decisions, (4) assist the School District in analyzing school bus emissions and alternative fuel bus technology options for transportation services, and (5) review MUNI routing and schedules on lines frequently used by K-12 students going to and from school.

3/25/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**030492 [District Attorney Prosecutions]
Supervisor Hall**

Resolution urging the District Attorney to prosecute to the fullest extent allowed under the law those arrested on March 20, 2003 and subsequent days who flagrantly and/or repeatedly violated the law for blocking traffic and failing to follow police orders.

3/25/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**030493 [City Attorney Pursuit of Costs Associated with Protests]
Supervisor Hall**

Resolution urging the Police Department to itemize their expenses associated with the March 20, 21, and 22, 2003 protests and forward that information on to the City Attorney; and, urging the City Attorney to pursue all legal remedies against those responsible for organizing these crippling demonstrations in order to recover the costs incurred by the City and County of San Francisco that resulted.

3/25/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**030494 [Code Enforcement for Residential Housing]
Supervisors Hall, Dufty, Newsom**

Resolution authorizing the San Francisco Department of Building Inspection, Housing Inspection Services Division, in conjunction with other relevant municipal code compliance and enforcement departments of the City and County of San Francisco, to apply for, accept, administer and expend funding from the State of California's Department of Housing and Community Development, Division of Codes and Standards, in order to launch a web-based inventory of annotated digital photography documentation of Housing Code violations to be mutually contributed to and shared amongst and between City and County departments charged with compliance with and enforcement of San Francisco Municipal Code requirements for residential housing.

3/25/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**030495 [Prohibiting Motor Vehicle on Brant Alley]
Supervisor Peskin**

Resolution prohibiting motor vehicle traffic on Brant Alley.

3/25/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**030496 [Relocation of Laundry Services to Oyster Point]
Supervisors Peskin, Daly, Dufty**

Resolution urging the Department of Administrative Services and other City departments to expeditiously implement the relocation of laundry services for San Francisco General Hospital and Laguna Honda Hospital to the laundry facility at Oyster Point.

3/25/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**030497 [Accept-Expend Federal/State Grant - \$555,000]
Supervisors Daly, Peskin, Dufty, Ma, Newsom**

Resolution authorizing the Executive Director of the Department of Parking and Traffic and the Director of the Department of Public Works to accept and expend up to \$555,000 in federal and state grant funds to implement the West Approach Overhead Signage Project in the City and County of San Francisco.

(No Public Benefit Recipient.)

3/25/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Requests for Hearing

030477 [Hearing - Budget Committee Special Off-site Meetings]

Hearing before the full Board of Supervisors to consider motion scheduling special off-site meetings of the Budget Committee for the purpose of receiving community input on the City and County of San Francisco's 2003-2004 Budget. (Clerk of the Board)

3/25/03, ASSIGNED to Board of Supervisors. Pursuant to File 030499, Board to sit as a Committee of the Whole on April 8, 2003, at 3:00 PM.

**030487 [Thurgood Marshall]
Supervisor Ammiano**

Hearing, updating the outcome of the events that occurred at Thurgood Marshall.

3/25/03, RECEIVED AND ASSIGNED to City and School District Select Committee.

**030488 [Fiscal impacts of Police response during S.F. demonstrations]
Supervisor Gonzalez**

Hearing to discuss the fiscal impacts of Police response during the recent San Francisco peace demonstrations.

3/25/03, RECEIVED AND ASSIGNED to Budget Committee.

**030489 [Summer program for out-of-school youth]
Supervisor Ma**

Hearing to identify potential summer program opportunities for out-of-school youth.
3/25/03, RECEIVED AND ASSIGNED to City Services Committee.

Motions

**030498 [Committee of the Whole]
Supervisor Daly**

Motion scheduling a Committee of the Whole to consider the motion to schedule special off-site meetings of the Budget Committee, to be held on April 1st at 3:00 P.M.
3/25/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**030499 [Off-Site Budget Committee Meetings]
Supervisor Daly**

Motion scheduling special off-site meetings of the Budget Committee for the purpose of receiving community input on the City and County of San Francisco's 2003-2004 Budget.

(April 21st at the Harvey Milk Recreational Center located on 50 Scott Street,
April 24th at Joseph Lee Recreation Center located on 1395 Mendell Street,
April 28th at Who Hei Yuen Club House located on 922 Jackson Street,
May 1st at the Golden Gate Park Senior Center located on 6101 Fulton Street,
May 8th at the Sunset Recreation Center located on 28th & Lawton Streets,
May 12th at Bernal Heights Recreation Center located on 500 Moultrie Street.)

3/25/03, ASSIGNED to Board of Supervisors. Board to sit as a Committee of the Whole on April 8, 2003, at 3:00 PM.

PROPOSED ORDINANCES

PROPOSED RESOLUTIONS

**030396 [Accept/Expend Federal Funding - McKinney 2002 Continuum of Care Homeless Assistance Programs]
Supervisor Dufty**

Resolution authorizing the Department of Human Services to accept and expend a grant in the amount of \$1,916,317 from the U.S. Department of Housing and Urban Development for the McKinney Continuum of Care Homeless Assistance Programs. (Human Services Department)
3/11/03, RECEIVED AND ASSIGNED to City Services Committee.

**030397 [Accept-Expend State Grant - Supportive Housing Initiative Act]
Supervisor Newsom**

Resolution authorizing the Department of Human Services to retroactively accept and expend a grant in the amount of \$708,761 from the California Department Of Mental Health Supportive Housing Initiative Act for supportive housing targeting adults with disabilities. (Human Services Department)

(No Public Benefit Recipient.)

3/11/03, RECEIVED AND ASSIGNED to City Services Committee.

Supervisor Newsom requested to be added as sponsor.

030398 [Lease of Real Property]

Resolution approving and authorizing a lease between the City and County of San Francisco, as lessee, and Mannar Investment Company, a California Limited Partnership, as lessor, of warehouse space at 2348 Jerrold Avenue, San Francisco. (Real Estate Department)

(Public Benefit Recipient; District 10.)

3/11/03, RECEIVED AND ASSIGNED to Finance and Audits Committee.

030400 [Approval of Lease Amendment for Waterfront Restaurant]

Resolution approving Fourth Lease Amendment to Port Lease No. L-11859 between the Port Commission and Bundox Restaurant, Inc., a California corporation ("Tenant") for the lease of real property commonly known as the Waterfront Restaurant. (Port)

(Public Benefit Recipient.)

3/12/03, RECEIVED AND ASSIGNED to Finance and Audits Committee.

030404 [Modification to the Professional Service Agreement for North & South International Parking Garages, Concourse H/Airport BART Station and Rental Car Facility]

Resolution approving Modification No. 3, the Close-out Modification, of Professional Services Agreement for Contract No. 5600AE - North & South Int'l Parking Garages, Concourse H/Airport BART Station and Rental Car Facility with ED2 Int'l/MBT Architecture Joint Venture Architects in the amount of \$1,236,926, for a new total contract amount of \$23,469,626. (Airport Commission)

(No Public Benefit Recipient.)

3/14/03, RECEIVED AND ASSIGNED to Finance and Audits Committee.

- 030405 [Accept-Expend Grant for Sunol Valley Fluoridation Facility]**
Resolution authorizing the Public Utilities Commission to accept and expend a grant in the amount of \$250,000 from the California Dental Association Foundation, Inc. for the design and construction of the Sunol Valley Fluoridation Facility. (Public Utilities Commission)

(No Public Benefit Recipient.)

3/12/03, RECEIVED AND ASSIGNED to City Services Committee.

- 030407 [Expand behavioral health services system of care for children and youth in San Francisco]**
Supervisors Dufty, Ma, Newsom

Resolution authorizing the San Francisco Department of Public Health (SFPDH) to accept and expend retroactively a grant in the amount of \$1,000,000 for the first year of a six year grant from the Substance Abuse and Mental Health Services Administration (SAMHSA) to establish a comprehensive system of behavioral health services to children and youth in San Francisco and to enter into an agreement for the use of these funds; for the period of September 30, 2002 to September 29, 2003. (Public Health Department)

(Public Benefit Recipient.)

3/17/03, RECEIVED AND ASSIGNED to City Services Committee.

3/24/03, REFERRED TO DEPARTMENT. Referred to Youth Commission for review and comment.

Supervisor Dufty requested to be added as sponsor.

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

- 030409 [Grants Federal Funds - Municipal Railway]**
Supervisor Newsom

Resolution authorizing the Municipal Transportation Agency to accept and expend \$3,960,116 of federal earmarked capital assistance for MUNI's Particulate Matter Traps Procurement and Natural Gas Facility Rehabilitation Project. (Municipal Transportation Agency)

(No Public Benefit Recipient.)

3/17/03, RECEIVED AND ASSIGNED to City Services Committee.

Supervisor Newsom requested to be added as sponsor.

Requests Granted

*From: Supervisors Ammiano, Dufty
To: Superintendent, San Francisco Unified School District
Director, Public Works
Director, Department of the Environment
Director, Department of Public Health
City Attorney
Requesting/Inquiring: Inquiring about the following:*

- 1. Development of a waste and recycling audit strategy, including service level analysis, for SFUSD facilities, to develop baseline information for a new Request for Proposals for refuse and recycling collection service for the SFUSD; and*
- 2. A plan for City departments and the City Attorney to provide assistance with drafting of a Request for Proposals to rebid garbage and recycling service at the expiration of the District's current contract with Norcal Waste Systems (11/03), if desired by the District.*

*From: Supervisor Ammiano
To: Office of the Clerk of the Board
Requesting/Inquiring: Requesting a hearing at the Land Use Committee updating the outcome of the events that occurred at Thurgood Marshall.*

*From: Supervisor Daly
To: City Attorney
Requesting/Inquiring: To draft an ordinance to require that tenants be provided with a reasonable number of keys by their landlords.*

*From: Supervisor Hall
To: City Attorney
Requesting/Inquiring: To draft legislation requiring cellular phone carriers who have antennae in San Francisco to route all 911 calls directly to San Francisco's 911 center.*

*From: Supervisor Hall
To: All City Departments
Requesting/Inquiring: To please itemize the costs your department incurred as a result of last week's protest.*

*From: Supervisor Hall
To: District Attorney
Requesting/Inquiring: To report on the following:*

- 1. How many citations were issued on March 20, 21, and 22, 2003?*
- 2. How many received more than one citation?*
- 3. How many misdemeanor citations versus felony citations were issued?*
- 4. Of the citations issued, how many will the DA pursue? Please explain why the District Attorney will or will not pursue these cases?*
- 5. If the District Attorney does not intend to pursue any of these cases, should the Police Department set new guidelines for arrests? What is the point for the Police to exert effort and spend overtime if nothing is going to happen once they have done their job?*

6. *What are the penalties for the actions that were committed - can fines be imposed, can community service be imposed?*
7. *If fines can be imposed, can that money be used to repay the City's general fund?*

From: Supervisor Hall

To: City Attorney

Requesting/Inquiring: What, if any, legal recourse does the City have against the organizers of the protests to recoup its costs associated with the protests?

From: Supervisor McGoldrick

To: Office of the Controller

All City Departments

Requesting/Inquiring: Please read attached letter concerning analysis of the City's risk management efforts and a review of best practices in this area.

From Supervisor McGoldrick

To: All City Departments

Requesting/Inquiring: Recent events have highlighted the issue of whether the City's procedures governing risk management for departments are consistent with best practices by local governments. Within the context of a huge budget shortfall, it is crucial that we as a City examine how we manage risks associated with many departmental functions. There are many examples of risk management practices that could help the City limit its risks and save money that may otherwise be paid out in claims against the City, such as employment disputes, Muni traffic accidents, slip and fall incidents, police officer conduct, and other aspects of liability for which the City may bear some responsibility.

I am requesting that you identify any systematic efforts by your department to identify, evaluate, address, mitigate, and monitor risks associated with departmental activities.

Does your department currently undertake their own analysis of these issues?

If such functions are performed within your department, please identify the positions and resources dedicated to performing these functions.

Is such departmental analysis handled in centralized office within your department?

Does your department report to any centralized citywide office concerning such risk management efforts?

What agencies within City government support your department's efforts to perform these functions, and in what way are they supported?

How is risk assessed by your department on large projects or projects that cut across departmental jurisdictions and on which you must coordinate with other City departments?

Does the City keep a centralized database that would identify and prioritize risks borne by City agencies?

What role does the Office of City Attorney play in your risk management efforts?

Once risks are identified and assessed, what processes are in place to change departmental policies and practices that could mitigate such risks?

The Controller's Office will be undertaking a review of best practices for risk management processes for local government. Please also copy your responses to this inquiry to Monique Zmuda of that office. I believe that the analysis performed as a result of these inquiries will guide our efforts to improve and reform risk management for entire City government in the future.

Thank you for your cooperation in this effort.

In Memoriams

*David McGuire (Supervisors Daly, Newsom, Peskin)
Helene Gordon (Supervisor Dufty)
Rachel Corrie (Supervisor Gonzalez)
Alfonso Acampora (Supervisor Newsom)*

ADJOURNMENT

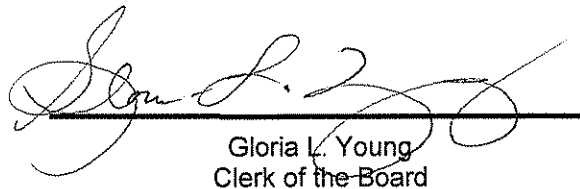
There being no further business, the Board at the hour of 9:17 p.m. adjourned.

Gloria L. Young, Clerk of the Board

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

Approved by the Board of Supervisors on April 15, 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

NEXT PAGE 337