

# BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

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

## MEETING MINUTES

Tuesday, July 8, 2003 2:00 PM  
Legislative Chamber - Second Floor  
City Hall, 1 Dr. Carlton B. Goodlett Place  
San Francisco, CA 94102-4689

### Regular Meeting

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

*Gloria L. Young, Clerk of the Board*

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

### BOARD COMMITTEES

#### Committee Membership

##### **Budget Committee**

Supervisors Daly, Peskin, Maxwell, Ma, Gonzalez

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

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

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

Supervisors Dufty, Ma, Newsom

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

Supervisors Peskin, Sandoval, McGoldrick

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

Supervisors McGoldrick, Maxwell, Ammiano

##### **Rules Committee**

Supervisors Hall, Dufty, Gonzalez

#### Meeting Days

Thursday  
1:00 PM

2nd Monday, bi-monthly  
4:00 PM

Thursday  
9:30 AM

Wednesday  
12:30 PM

Monday  
1:00 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, Aaron Peskin, Gerardo Sandoval.

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## ROLL CALL AND PLEDGE OF ALLEGIANCE

*The meeting was called to order at 2:04 p.m. On the call of the roll, the following Supervisors were noted absent.*

*Supervisors McGoldrick, Newsom - 2*

*Quorum present.*

*Supervisor McGoldrick was noted present at 2:05 p.m.  
Supervisor Newsom was excused from attending today's meeting.*

## APPROVAL OF MEETING MINUTES

Supervisor Dufty, seconded by Supervisor McGoldrick, moved to approve May 20, 2003, May 28, 2003 and June 3, 2003 Meeting Minutes. The motion carried by the following vote:

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

### Supervisor Newsom Excused from Attendance

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

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

## CONSENT AGENDA

### Recommendations of the Rules Committee

**030258 [Appointment]**

Resolution appointing Betty Packard, term ending November 30, 2004 to the Ballot Simplification Committee.

Betty Packard, succeeding herself, term expired, seat 2, must represent the National Academy of Television Arts and Sciences. Northern California Chapter or the Northern California Broadcasters Association for a two year term ending November 30, 2004.

**Resolution No. 442-03**

**ADOPTED**

**031131 [Appointment]**

Resolution appointing James Hutchinson, term ending December 22, 2003 to the Lead Hazard Reduction Citizens Advisory Committee. Residency requirement waived.

James Hutchinson (residency requirement waived), succeeding Marvin Ruiz, resigned, seat 2, must represent the Bureau of Building Inspection, DPW, or designee for the unexpired portion of a 4 year term ending December 22, 2003.

**Resolution No. 451-03**

**ADOPTED**

### Recommendations of the City Services Committee

**031016 [Study of HIV prevention in beerhalls in Harare, Zimbabwe]**

**Supervisor Dufty**

Resolution authorizing the San Francisco Department of Public Health, AIDS Office (SFDPH, AIDS) to enter retroactively into the second year of an agreement with The Regents of the University of California San Francisco (UCSF), the primary contractor, and to accept and expend funds in the amount of \$39,774 to participate in a randomized trial of HIV prevention in beerhalls in Harare, Zimbabwe, for the period of May 1, 2003, to April 30, 2004. (Public Health Department)

(No Public Benefit Recipient.)

**Resolution No. 448-03**

**ADOPTED**

**031082 [Accept-Expend State Grant]  
Supervisor Dufty**

Resolution authorizing the San Francisco Police Department to retroactively accept and expend a grant in the amount of \$167,908 from the California Office of Traffic Safety (OTS) for an Occupant Protection Program. (Police Department)

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

**Resolution No. 450-03**

**ADOPTED**

**Recommendations of the Land Use Committee**

**030952 [STOP Intersections]  
Supervisor Sandoval**

Resolution designating certain intersections as "STOP" intersections.

**STOP SIGNS - ESTABLISH**

Alemanly Boulevard at Justin Drive, stopping Justin Drive at Alemanly Boulevard, north intersection, making this T-intersection an all-way STOP; 15th and De Haro Streets, stopping De Haro Street, making this intersection an all-way STOP; and Eucalyptus Avenue, Junipero Serra Frontage Road and Ocean Avenue, stopping Junipero Serra Frontage Road at Ocean Avenue; and stopping Eucalyptus Avenue at Ocean Avenue, making this five-legged intersection a three-way STOP. (Parking and Traffic Department)

(5/28/03: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 2637; No Public Benefit Recipient.)

**Resolution No. 443-03**

**ADOPTED**

**030953 [Traffic Regulations, Various Streets]**

Resolution enacting and rescinding traffic regulations on various streets.

DIAMOND (TRANSIT ONLY) LANE, AT ALL TIMES - ESTABLISH  
4th Street, right lane, between Minna and Mission Streets; and  
4th Street, second lane from right curb lane, between Howard and Minna Streets.

DIAMOND (TRANSIT ONLY) LANE, FROM 3 PM TO 7 PM, MONDAY THROUGH FRIDAY -  
ESTABLISH  
4th Street, right curb lane, between Clementina and Howard Streets.

STREET CLOSURE, EVERYDAY, FROM 10 AM TO 10 PM - EXTENSION OF HOURS  
Claude Lane, between Bush and Sutter Streets. (This street is already closed everyday, from 10:00 AM to 3:00 PM and then again from 5:30 PM to 10:00 PM. This would simply extend the closure times to be continuous from 10:00 AM to 10:00 PM).

NO TURN ON RED - ESTABLISH  
Drumm Street, southbound, at Market Street. (Parking and Traffic Department)

(5/28/03: Categorically exempt from Environmental Review Class I(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 2637; No Public Benefit Recipient.)

**Resolution No.** 444-03  
**ADOPTED**

**030954 [Parking Regulations, Various Locations]**

Resolution enacting and rescinding parking regulations at various locations.

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

Webster Street, west side, between Haight and Page Streets (200 block); and Guerrero Street, east side, between 18th and 19th Streets (600 block).

RESIDENTIAL PERMIT PARKING AREA "W" (1-HOUR TIME LIMIT, 8 AM - 6 PM, MONDAY THROUGH FRIDAY) - ESTABLISH

25th Street, both sides, between Alabama and Florida Streets (3000 block).

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

20th Street, south side, between Missouri and Texas Streets (1400 block).

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

Sanchez Street, both sides, between 27th and Cesar Chavez Streets (1300 block).

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

Broderick Street, east side, between Post and Sutter Streets (1500 block, even numbers only);

Note: No signs will be posted on this block.

Broderick Street, east side, between Garden and Post Streets (1400 block);

Broderick Street, west side, between Geary Boulevard and Post Street (1400 block); and

2300 block of Post Street, both sides, between Broderick and Divisadero Streets (includes odd addresses 2325 to 2399 and even addresses 2352 to 2398 only);

TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH

26th Street, north side, from 40 feet to 245 feet west of Wisconsin Street.

RESIDENTIAL PERMIT PARKING AREA "I" (1-HOUR TIME LIMIT, 9 AM - 6 PM, MONDAY THROUGH SATURDAY) - ESTABLISH

Treat Avenue, both sides, between 24th and 25th Streets (1100 block).

TOW-AWAY, NO STOPPING, 3 PM - 7 PM, MONDAY THROUGH FRIDAY - ESTABLISH

4th Street, west side, between Clementina and Howard Streets.

TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH

Ocean Avenue, south side, from Harold Avenue to 95 feet westerly.

UNMETERED MOTORCYCLE PARKING - ESTABLISH

210-212 Noe Street, west side, 47 feet south of 15th Street (two spaces).

TOW-AWAY, NO PARKING, 6 PM TO 6 AM EVERY NIGHT, EXCEPT MUNI BUSES - ESTABLISH

Treat Avenue, west side, from 15th Street to 80 feet southerly; and

Treat Avenue, east side, from 15th Street to Harrison Street.

TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH

Geary Boulevard, south side, between Funston Avenue and Park Presidio Boulevard.

NO PARKING ANYTIME - RESCIND

TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH

Geary Boulevard, north side, between Funston Avenue and Park Presidio Boulevard.

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

Clement Street, both sides, between 14th and Funston Avenues;

Anza Street north side, between 14th and Funston Avenues; and  
Anza Street, south side, between 14th Avenue and Park Presidio Boulevard.

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

17th Street, south side, from Valencia Street to 86 feet westerly; and  
Valencia Street, west side, from 73 feet to 196 feet south of 17th Street.

**RESIDENTIAL PERMIT PARKING AREA "B" - RESCIND**

**RESIDENTIAL PERMIT PARKING AREA "CC" (2-HOUR TIME LIMIT, 9 AM - 5 PM, MONDAY THROUGH FRIDAY) – ESTABLISH**

Belle Avenue, both sides, between Junipero Serra Boulevard and St. Charles Avenue;  
Chester Avenue, both sides, between Belle Avenue and Payson Street;  
Palmetto Avenue, both sides, between Junipero Serra and Alemany Boulevards;  
Payson Street, both sides, between Chester and St. Charles Avenues;  
St. Charles Avenue, both sides, between Payson Street and south terminus;  
Kempton Avenue, both sides, between Alemany Boulevard and Brotherhood Way;  
Alemany Boulevard, north side, between St. Charles Avenue and Arch Street;  
Alemany Boulevard, south side, between Worcester Avenue and Ramsell Street;  
Alemany Boulevard, south side, between Junipero Serra Boulevard and  
St. Charles Avenue;  
Ramsell Street, both sides, between Alemany Boulevard and Palmetto Avenue;  
Palmetto Avenue, north side, between Ramsell and Victoria Streets;  
Niantic Avenue, west side, between Panama Street and St. Charles Avenue; and  
Panama Street, both sides, between Niantic Avenue and the western terminus.

(Note: No signs will be installed on Panama Street)

**RESIDENTIAL PERMIT PARKING AREA "B" (2-HOUR TIME LIMIT, 9 AM- 5 PM, MONDAY THROUGH FRIDAY) - ESTABLISH**

Alemany Boulevard, north side, between Arch Street and Brotherhood Way;  
Alemany Boulevard, south side, between St. Charles and Worcester Avenues; and  
Arch Street, both sides, between Alemany Boulevard and Brotherhood Way.

**RESIDENTIAL PERMIT PARKING AREAS "B" AND "CC" (2-HOUR TIME LIMIT, 9 AM TO 5 PM, MONDAY THROUGH FRIDAY) - ESTABLISH**

Palmetto Avenue, south side, between Head and Ramsell Streets.

**RESIDENTIAL PERMIT PARKING AREA "CC" (2-HOUR TIME LIMIT, 9 AM – 5 PM, MONDAY THROUGH FRIDAY) – ESTABLISH**

Alemany Boulevard, south side, between Head and Ramsell Streets;  
Palmetto Avenue, north side, between Victoria and Head Streets; and  
Victoria Street, both sides, between Alemany Boulevard and Palmetto Avenue. (Parking and Traffic Department)

(5/28/03: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 2637; No Public Benefit Recipient.)

**Resolution No.** 445-03

**ADOPTED**

**031054 [Accept and Expend State Grant]  
Mayor, Supervisor Sandoval**

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 state Transportation Development Act (TDA) Article 3 funds totaling \$704,000 for FY 2003-04 for various pedestrian and bicycle projects in the City and County of San Francisco. (Mayor)

(No fiscal impact; No Public Benefit Recipient.)

**Resolution No.** 449-03

**ADOPTED**

**PASS THE CONSENT AGENDA by the following vote:**

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

## **REGULAR AGENDA**

## **UNFINISHED BUSINESS**

### **From the Clerk**

**031129 [Adopting findings - Appeal of the CEQA determination by the Planning Department for the Wharf J-10 project]**

Motion adopting findings related to the appeal of the determination by the Planning Department that the Wharf J-10 project was statutorily exempt from the California Environmental Quality Act as specific actions necessary to prevent or mitigate an emergency. (Clerk of the Board)

(Companion measure to Files 030838, 030839, 030840, 030906, 030907, 030908, 031045.)

**Motion No.** M03-107

**APPROVED by the following vote:**

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



**031173 [Adopting findings related to the conditional use appeal on property located at 1017 Ocean Avenue]**

Motion adopting findings related to the appeal of the approval of the Planning Commission of Conditional Use Application No. 2002.1231C (which authorized, subject to conditions, the installation of three panel antennas on a stair penthouse located at an existing three-story multi-use structure (commercial/residential) as part of the wireless telecommunications network operated by Verizon Wireless) within an NC-2 (Small-Scale Neighborhood Commercial) Zoning District and a 40-X Height and Bulk District, pursuant to Section 711.83 of the Planning Code, on property located at 1017 Ocean Avenue, south side between Lee and Harold Avenues (Lot 041 in Assessor's Block 6945). (Clerk of the Board)

(Companion measure to Files 030704, 030705, 030706, 030707.)

**APPROVED by the following vote:**

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

**Recommendation of the Budget Committee****030803 [Appropriation - \$6,000,000 for the Public Education Programs]  
Supervisors Daly, Ma, Dufty**

Ordinance appropriating \$2,000,000 of Delinquent Payroll Tax Revenue and \$4,000,000 from the State Revenue Stabilization Reserve for a total of \$6,000,000 for public education programs for fiscal year 2002-03.

(Fiscal impact; Supervisors Peskin and Maxwell dissenting in committee.)

*Continued to July 15, 2003*

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

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

**Recommendations of the Finance and Audits Committee****030582 [Sale of City Real Property]  
Supervisors Peskin, Gonzalez, Ma**

Ordinance amending Section 23.3 of the Administrative Code to provide that the sale of City real property shall be at a sales price of at least 100 percent of the Director of Property's appraised value of the real property, rather than the current 90 percent requirement, except for sales resulting from public auctions or competitive bidding.

**Ordinance No.** 179-03

**FINALLY PASSED by the following vote:**

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

**030870 [Repealing Airport Commission authority to approve counsel assigned to the Airport]  
Supervisors Daly, Gonzalez**

Ordinance repealing Administrative Code Section 2A.172 to eliminate the Airport Commission's authority to approve counsel assigned to the Airport by the City Attorney.

**Ordinance No.** 180-03

**FINALLY PASSED** by the following vote:

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

**Recommendations of the Rules Committee**

**030741 [Charter Amendment - Commission on the Environment]  
Supervisors Maxwell, Gonzalez, Sandoval**

Charter Amendment (First Draft) to amend Section 4.118 to clarify the jurisdiction of the San Francisco Commission on the Environment.

*Continued to July 15, 2003*

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

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

**031013 [Settlement of Lawsuit - Dillingham Construction N.A. et al., v. City and County of San Francisco, et al.]**

Ordinance authorizing settlement of the lawsuit filed by Dillingham Construction N.A. against the City and County of San Francisco for \$2,400,000.00; the lawsuit was filed on March 19, 2001 in San Mateo County Superior Court, Case No. 416236; entitled Dillingham Construction N.A., Inc., et al., v. City and County of San Francisco, et al; other material terms of said settlement are that the settlement amount is to be paid in part through the release of \$1,050,000.00 from an unpaid progress payment and the retention account held for SFIA Airport Contract No. 5500.J North Connector Package in exchange for dismissal with prejudice of the lawsuit and the waiver of costs and attorneys fees. (City Attorney)

(Public Benefit Recipient.)

**Ordinance No.** 181-03

**FINALLY PASSED** by the following vote:

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

**NEW BUSINESS**

**Recommendations of the Budget Committee**

**030980 [Establishing an Administrative Services Vehicle Leasing Program Fund]  
Mayor, Supervisor Peskin**

Ordinance amending the San Francisco Administrative Code by adding Section 10.100-9, to establish an Administrative Services Vehicle Leasing Program Fund. (Mayor)

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

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

**030982 [Setting Controller's fees for issuing a property tax certificate or a replacement W-2 form]  
Mayor**

Ordinance amending the San Francisco Administrative Code by adding Section 8.41, to authorize the Controller to collect a fee of \$40 for issuing a property tax certificate under Government Code Section 66492 and a fee of \$20.00 for issuing a replacement W-2 form. (Mayor)

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

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

**030986 [Patient Rates, Fiscal Year 2003-04]  
Mayor**

Ordinance amending Section 128 of the San Francisco Health Code to revise selective patient rates for Mental Health services furnished by the Department of Public Health, retroactive to July 1, 2003. (Mayor)

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

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

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

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

(Supervisor Peskin dissenting in Committee.)

*Continued to July 15, 2003*

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

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

**030992 [Amending Administrative Code Section 10.100-218.]  
Mayor**

Ordinance amending Administrative Code Section 10.100-218 to (1) permit unencumbered tobacco settlement revenues received by the City and deposited into the Tobacco Settlement Revenue Sub-account prior to the date of issuance of the City's bonded indebtedness authorized by the voters pursuant to Proposition A of November of 1999 to be used for a transfer to the General Fund in fiscal year 2003-2004 for the payment of certain Department of Public Health expenses and (2) provide a guarantee of payment from the City's General Fund in the event that less than \$100,000,000 of tobacco settlement revenues are available to be expended on the Laguna Honda Hospital reconstruction project. (Mayor)

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

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

**030916 [Imposing permit fee surcharge on permits subject to appeal before the Board of Appeals]  
Supervisors Peskin, Daly**

Ordinance amending the Administrative Code by adding a new Article 10G, imposing a surcharge on permits issued by the Department of Building Inspection, the Taxi Commission, the Police Department and the Department of Public Works, and imposing a surcharge on fees imposed by the Planning Department for review of permits where such permits are subject to appeal before the Board of Appeals.

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

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

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

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

**030988 [Setting Administrative Fee for Tow of Vehicles]  
Mayor**

Ordinance approving administrative fee of \$194 pursuant to Traffic Code Section 170.2-A for police costs for towing of vehicles. (Mayor)

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

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

**030971 [PERS Contract Amendment]  
Mayor, Supervisor Sandoval**

Resolution of Intention to Approve an Amendment to Contract Between the Board of Administration, California Public Employees' Retirement System, and the Board of Supervisors, City and County of San Francisco. (Mayor)

**Resolution No.** 446-03

**ADOPTED by the following vote:**

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

**030985 [Redevelopment Agency Budget and Bonds, Fiscal Year 2003-2004]  
Mayor, Supervisor Daly**

Resolution approving the Budget of the Redevelopment Agency of the City and County of San Francisco for fiscal year 2003-2004; and approving the Issuance by the Agency of Bonds in an aggregate principal amount not to exceed \$61,000,000 for the purpose of financing Redevelopment activities in fiscal year 2003-2004.  
(Mayor)

**Resolution No.** 447-03

**ADOPTED** by the following vote:

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

**031132 [Treasure Island Development Authority Budget, Fiscal Year 2003-2004]  
Supervisor Daly**

Resolution approving the Budget of the Treasure Island Development Authority for fiscal year 2003-2004.  
(Budget Committee)

(Public Benefit Recipient.)

**Resolution No.** 452-03

**ADOPTED** by the following vote:

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

**From the Budget Committee "Without Recommendation"**

**030981 [Increasing the Emergency Response Fee imposed on telephone subscribers]  
Mayor**

Ordinance amending Article 10A of the Business and Tax Regulations Code by amending Sections 753 and 755 to increase the per-line Emergency Response Fee imposed on telephone subscribers, as well as the maximum total fee that may be imposed on a subscriber. (Mayor)

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

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

**Recommendations of the Land Use Committee**

**021586 [Acceptance of Street for Maintenance Purposes]**

Ordinance accepting for maintenance purposes Illinois Street from 25th Street to Marin Street, subject to specified limitations, pursuant to California Streets and Highways Code section 1806, San Francisco Administrative Code section 1.52, and Department of Public Works Order No. 173,794. (Public Works Department)

(No fiscal impact; No Public Benefit Recipient.)

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

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

**030678 [Prohibiting subsurface development on property adjacent to the Embarcadero, owned by the City and dedicated as open space]  
Supervisor Peskin**

Ordinance prohibiting subsurface development on certain real property located at Drumm Street, between Clay and Washington Streets, described generally as Assessor's Block 202, Lots 6, 14 and a portion of 15, and a portion of Block 203, Lot 14, partial jurisdiction over which has previously been transferred from the Department of Public Works to the Recreation and Park Commission, and transferring to the Recreation and Park Commission the subsurface area of property previously transferred.

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

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

**030793 [Opposition to the Proposed Potrero Unit 7 Power Plant]  
Supervisors Maxwell, Ammiano, Daly, McGoldrick, Peskin, Sandoval**

Resolution opposing the proposed Potrero Unit 7 power plant project and urging City officials and departments not to enter into any agreements that may be required to facilitate or enable the siting, licensing, approval or construction of the proposed Potrero Unit 7 power plant and urging the City Attorney to actively oppose the Potrero Unit 7 project in all forums.

**Resolution No. 458-03**

**ADOPTED by the following vote:**

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

**030997 [Cooperative Agreement for Transbay Terminal Project]  
Supervisors Daly, Hall, Ammiano**

Resolution approving a Cooperative Agreement between the City and County of San Francisco, the Transbay Joint Powers Authority and the State of California for the acquisition of vacant State-owned property comprising portions of the former Route 480 and Embarcadero Freeway Right-of-Way, and including the Transbay Terminal and its Loop Ramps, for purposes of the Transbay Terminal Project; and making findings of consistency with the General Plan and eight priority policies of Planning Code section 101.1, and environmental findings.

(No Public Benefit Recipient.)

**Resolution No. 441-03**

**ADOPTED by the following vote:**

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

**Recommendations of the Rules Committee**

**030652 [Amendments to the Municipal Elections Code]**

Ordinance amending the Municipal Elections Code to amend Sections 110, 200, 250, 260, 300, 360, 370, 500, 510, 530, 535, 550, 590, 595, and 800, add Sections 225 and 270, and delete Section 930 to: conform the Municipal Elections Code to recent changes in the Charter; change the deadlines for submission of materials for publication in the Voter Information Pamphlet; specify the public examination periods for each category of material submitted for publication in the Voter Information Pamphlet; modify the deadlines for delivery of the Voter Information Pamphlet prior to each general and special election; specify language for inclusion in the Voter Information Pamphlet concerning ballot measures which concern the same subject matter and which may have conflicting provisions; explicitly incorporate the State law that applies to local ballot designations; explicitly state the rules concerning ballot printing after the death of a candidate; impose a 100-word limit on bond measure statements; add definitions; correct outdated code references; codify departmental practice; and clarify ambiguous language. (Elections Department)

**AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE** by the following vote:

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

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

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

**030994 [Filing Electronic Copies of Campaign Statements]  
Supervisor Ammiano**

Ordinance amending Article I, Chapter 3 of the Campaign and Governmental Conduct Code, by amending Sections 1.305, 1.310 and 1.315, and adding Section 1.312, to require political committees to file electronic copies of supplemental independent expenditure reports that must be filed on paper with the Commission; authorize the Ethics Commission to require political committees to file electronic copies of any other campaign disclosure statements that must be filed on paper with the Commission; require political committees to continue to file electronic copies of campaign disclosure statements, regardless of the committee's level of financial activity, until the committee files a statement of termination; eliminate redundant definitions; and increase the late filing fine from \$10 per day to \$25 per day.

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

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

**031101 [Adding Rule 1.10 to the Rules of Order]  
Supervisors Gonzalez, Duffy, Newsom, Peskin**

Motion adding Rule 1.10 to the Rules of Order of the Board of Supervisors to provide that Supervisors, and the Mayor, are urged to submit to the Board of Supervisors for public hearing all proposed ballot measures that four or more Supervisors, or the Mayor, are planning to submit directly to the voters, including general obligation or revenue bond measures under sections 9.106 and 9.107 of the City Charter; and urging the circulators of initiative ballot measures to participate in public hearings on their measures at the Board of Supervisors.

(No fiscal impact.)

*Continued to July 15, 2003*

**CONTINUED** by the following vote:

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

**From the Rules Committee "Without Recommendation"****030848 [General Assistance-In-kind Assistance]  
Supervisors Newsom, Dufty, Sandoval, McGoldrick, Peskin**

Ordinance modifying the City's General Assistance (GA) Program by amending San Francisco Administrative Code Sec. 20.57 to reflect the current grant amount; amending Administrative Code Sec. 20.59.3 to provide in-kind housing, utilities and meals to homeless applicants and recipients; amending Administrative Code Sec. 20.57.1 to value housing, utilities and meals provided to homeless recipients as in-kind assistance; adding Administrative Code Sec. 20.57.6A. to provide a special needs allowance to homeless recipients; adding Administrative Code Sec. 20.60.12 to establish a baseline GA budget; adding Administrative Code Sec. 20.60.13 to require a Controller's evaluation; adding Administrative Code Sec. 20.60.14 to establish an operative date for these amendments of on or before July 1, 2003.

*Continued to July 15, 2003*

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

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

**030871 [General Assistance - In- Kind Assistance]  
Supervisors Daly, Ma, Maxwell**

Ordinance amending Administrative Code sections 20.57, 20.59.3, and 20.57.1; adding Administrative Code sections 20.57.6A., 20.60.12, Sec. 20.60.13, and 20.60.14.

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

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

**Recommendation of the Rules Committee****020938 [Charter Amendment - Retirement Benefits for Miscellaneous Safety Employees]  
Supervisors Ammiano, Gonzalez, Newsom, Dufty, Hall, Sandoval**

Charter Amendment (Seventh Draft) to amend Appendix A8.506-2 thereto, relating to retirement benefits for miscellaneous safety employees.

6/18/03 Amendment of the whole bearing same title.

*Continued to July 15, 2003*

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

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



**From the Rules Committee With Recommendation "Do Not Submit"**

- 030865 [Charter Amendment -Transferring the Police Department's functions, assets and operations to the Sheriff]  
Supervisor Daly

Charter amendment (Third Draft) to amend Section 6.105 and providing for the repeal of Section 4.109, to transfer the Police Department's functions, assets and operations to the Sheriff.

*Continued to July 15, 2003*

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

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

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

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

*Continued to July 15, 2003*

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

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

**From the Rules Committee "Without Recommendation"**

- 030859 [Charter Amendment - Police Commission; Office of Citizen Complaints; Police Misconduct]  
Supervisors Ammiano, McGoldrick, Gonzalez

Charter amendment (Second Draft) to amend the Charter of the City and County by amending Sections 4.109, 4.127, A8.343 and A8.344, governing the appointment and removal of Police Commissions, the terms of the commissioners, authorizing the director of the OCC to file disciplinary charges, and other disciplinary provisions.

(Supervisor Hall dissenting in Committee.)

*Continued to July 15, 2003*

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

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

**SPECIAL ORDER 3:00 P.M.**

## Board of Supervisors Sitting as a Committee of the Whole

**030858 [Charter Amendment - Rainy Day Reserve]  
Supervisors Ammiano, McGoldrick, Newsom**

Charter Amendment (Third Draft) to add Section 9.113.5 and amend Section 9.113, to create a Rainy Day (Economic Stabilization) Reserve and clarify general rules for fiscal operations.

*Supervisor Peskin, seconded by Supervisor Maxwell, moved to continue this matter to July 15, 2003.*

*Motion failed by the following vote:*

*Ayes: 5 - Daly, Ma, Maxwell, Peskin, Sandoval*

*Noes: 5 - Ammiano, Dufty, Gonzalez, Hall, McGoldrick,*

*Absent: 1 - Newsom*

**ORDERED SUBMITTED by the following vote:**

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

Excused: 1 - Newsom

## SPECIAL ORDER 3:00 P.M.

**030961 [Public Hearing - Appeal, Categorical Exemption, 948-950 Lombard Street]**

Hearing of persons interested in or objecting to the decision of the Planning Department dated May 7, 2003, approving a categorical exemption from the California Environmental Quality Act ("CEQA"), as provided in the CEQA Guidelines, 14 California Code of Regulations Sections 15301, 15303, and 15331.

(F. Joseph Butler, Architect, Appellant; Appeal filed May 27, 2003.)

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

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

**HEARD AT PUBLIC HEARING.**

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

## From the Clerk

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

**031164 [Tabling the appeal of the categorical exemption issued for 948-950 Lombard Street]**

Motion tabling the appeal of the determination by the Planning Department that the proposed project located at 948-950 Lombard Street is categorically exempt from the California Environmental Quality Act as a minor alteration of an existing structure, new construction or conversion of small structures, and restoration of an historical resource. (Clerk of the Board)

**Motion No.** M03-109

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

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

Absent: 1 - Sandoval

Excused: 1 - Newsom

**031021 [Affirming the categorical exemption issued for 948-950 Lombard Street]**

Motion affirming the determination by the Planning Department that the proposed project located at 948-950 Lombard Street is categorically exempt from the California Environmental Quality Act as a minor alteration of an existing structure, new construction or conversion of small structures, and restoration of an historical resource. (Clerk of the Board)

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

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

Absent: 1 - Sandoval

Excused: 1 - Newsom

**031022 [Disapproving the categorical exemption issued for 948-950 Lombard Street]**

Motion disapproving the determination by the Planning Department that the proposed project located at 948-950 Lombard Street is categorically exempt from the California Environmental Quality Act as a minor alteration of an existing structure, new construction or conversion of small structures, and restoration of an historical resource. (Clerk of the Board)

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

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

Absent: 1 - Sandoval

Excused: 1 - Newsom

**031023 [Preparation of findings to disapprove categorical exemption issued for 948-950 Lombard Street]**

Motion directing the Clerk of the Board to prepare findings disapproving the determination by the Planning Department that the proposed project located at 948-950 Lombard Street is categorically exempt from the California Environmental Quality Act as a minor alteration of an existing structure, new construction or conversion of small structures, and restoration of an historical resource. (Clerk of the Board)

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

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

Absent: 1 - Sandoval

Excused: 1 - Newsom

## COMMITTEE REPORTS

### From the Rules Committee

**030632 [Ballot Measures Submitted by the Board of Supervisors, Four or More of its Members, or the Mayor]  
Supervisor Newsom**

Charter amendment (Third Draft) to amend 2.113 and 3.100 to provide that any proposed ordinance or declaration of policy submitted to the Director of Elections by the Board of Supervisors, by four or more of its members, or by the Mayor, must be submitted to the Board of Supervisors no later than 45 days before the deadline for submission of the measure to the Director of Elections, and to require that the Board of Supervisors hold a hearing on the proposed ordinance or declaration of policy and on any amendment thereto no later than 30 days before the deadline for submission of the measure to the Director of Elections, provided that failure of the Board of Supervisors to hold a hearing on a measure submitted by less than the full Board of Supervisors or by the Mayor shall not preclude submission of the measure to the voters.

(No fiscal impact.)

*Continued to July 15, 2003*

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

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

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

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

**Supervisor Ammiano, seconded by Supervisor Duffy, moved that this Charter Amendment be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. The motion carried by the following vote:**

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

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

*Continued to July 15, 2003 with the Board Sitting as a Committee of the Whole.*

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

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

**030812 [Charter Amendment - Designating the Controller as City Services Auditor]  
Supervisors McGoldrick, Peskin, Ma, Dufty, Maxwell, Sandoval, Hall**

Charter amendment (Fifth Draft) to amend Section 3.105 and to add Appendix F to designate the Controller as the City Services Auditor, establish duties for that function, and set aside two-tenths of one percent of the City's annual budget for a Controller's Audit Fund.

(Fiscal impact.)

*Continued to July 15, 2003*

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

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

**030855 [Charter Amendment - Early retirement benefits to employees in classifications identified for layoffs due to the City's fiscal crisis]**

Charter amendment (Second Draft) to add Sections A8.401 and A8.522 to provide early retirement benefits to eligible employees. (Mayor)

**AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE by the following vote:**

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

Charter amendment (Third Draft) to add Sections A8.401 and A8.522 to provide early retirement benefits to eligible employees. (Mayor)

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

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

**030857 [Charter Amendment - Retirement Benefits for District Attorneys, Public Defenders and Public Defender Investigators]  
Supervisor Gonzalez**

Charter amendment (Second Draft) to add Appendix A8.583 relating to retirement benefits for attorneys in the District Attorney's and Public Defender's offices and Public Defender Investigators.

6/18/03 Amendment of the whole bearing same title.

**Supervisor Sandoval, seconded by Supervisor Daly, moved that this Charter Amendment be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. The motion carried by the following vote:**

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

Charter amendment (Third Draft) to add Appendix A8.583 relating to retirement benefits for attorneys in the District Attorney's and Public Defender's offices and Public Defender Investigators.

7/8/03 Amendment of the whole bearing same title.

*Continued to July 15, 2003 with the Board Sitting as a Committee of the Whole.*

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

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

## ROLL CALL FOR INTRODUCTIONS

## PUBLIC COMMENT

*Abdulla Megaheed; homeless issues*  
*Jose Morales; support of elected Rent Board*  
*Bonnie; keep Fire Engine Station 33 open*  
*Female Speaker; keep Fire Engine Station 33 open*  
*Marilyn Ammini; Secondary Unit legislation issues*  
*Male Speaker; issues relating to Chamber procedures*  
*Francisco Di Costas; toxic issues*  
*Joseph Edwards; speaking on behalf of John Jenkel*  
*Male Speaker; speaking on behalf of John Jenkel*  
*Jim Corrigan; Fire Department budget issues*  
*Charlotte Nash; request support to keep SF Liberation Radio Station*  
*Karen Hatch; request support to keep SF Liberation Radio Station*  
*Stephen Schubler; request support to keep SF Liberation Radio Station*  
*Larry Shot; request support to keep SF Liberation Radio Station*  
*Mike; request support Bayview Hunter's Point Radio Station and*  
*Tracy Newsom; support elected Rent Board*  
*Diana Malarksy; rent issues*  
*Bill Rambo; appreciation of City employees who assisted him*  
*Female Speaker; Patriot Act*

## APPROVAL OF REQUESTS TO THE LEGISLATIVE ANALYST

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

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

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

[No fiscal impact.]

*Continued to July 22, 2003*

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

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

**From the City Services Committee "Without Recommendation"**

**030737 [Preservation of Emergency Nature of Shelter; Prevention of Displacement, Prioritization, or Set-Asides of Shelter Beds Based Solely on Income]  
Supervisors McGoldrick, Daly**

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

*Continued to July 15, 2003*

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

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

**CLOSED SESSION**

**City as Defendant**

**031172 [Closed Session - Anticipated Litigation As Defendant]  
Supervisor McGoldrick**

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 that, based on existing facts and circumstances, there is significant exposure to litigation against the City (City anticipated to be a defendant) regarding the proposed ordinance to preserve the emergency nature of the City's shelter system, to prevent displacement of an individual from a shelter bed based solely on that individual's income, and to prohibit prioritization or set-asides of shelter beds based on income.

This closed session would be permitted by Government Code Section 54956.9(b) (1), and San Francisco Administrative Code Section 67.10(d) (2), and discussion in open session concerning this matter would likely and unavoidably prejudice the position of the City if litigation is filed.

*Continued to July 15, 2003*

**Supervisor McGoldrick, seconded by Supervisor Hall, moved that this Litigation be CONTINUED. The motion carried by the following vote:**

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

## **CLOSED SESSION**

### **City as Defendant**

**031171 [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 litigation filed against the City and County of San Francisco by plaintiffs who have challenged the validity of an appeal from a Planning Commission decision granting a conditional use authorization, which decision was reversed by the Board of Supervisors on appeal, regarding a proposed demolition of an existing motel (Lanai Motel) and construction of a four story tourist hotel at 2361 Lombard St.

Realty Equities, Inc. v. San Francisco  
San Francisco Superior Court No. 314-332, filed 8/14/00

The Closed Session is permitted by California Government Code Section 54956.9 (a) and Administrative Code (Sunshine Ordinance) Section 67.10 (d) (1), and discussion in open session concerning this matter would likely and unavoidably prejudice the position of the City in the pending litigation. (City Attorney)

**TABLED by the following vote:**

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



*Recess*

*The Board recessed at the hour of 5:26 p.m. to convene in closed session pursuant to the above motion.*

*Reconvening of the Board*

*The Board at the hour of 6:37 p.m. reconvened.*

*Calling the Roll*

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

*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 Hall, Gonzalez, Ma, McGoldrick, Peskin, Sandoval - 6*

*Supervisor Dufty noted absent at 6:09 p.m.  
Supervisor Daly noted absent at 6:12 p.m.  
Supervisor Ammiano noted absent at 6:22 p.m.  
Supervisor Maxwell noted absent at 6:24 p.m.*

*Audrey Pearson, Deputy City Attorney  
Lori Giorgi, 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 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 McGoldrick, seconded by Supervisor Sandoval, moved not disclose its Closed Session Deliberations. The motion carried by the following vote:**

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

Absent: 4 - Ammiano, Daly, Duffy, Maxwell

Excused: 1 - Newsom

## 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.*

**031158 [BART-SFO Extension]  
Supervisors Peskin, Duffy, Daly**

Resolution commending the completion of the BART-SFO Airport Extension.

[No fiscal impact.]

Resolution No. 453-03

**ADOPTED**

**031159 [Stockton Street Enhancement Plan]  
Supervisor Peskin**

Resolution urging the Department of Parking and Traffic and the Department of Public Works to implement the Stockton Street Enhancement Plan.

[No fiscal impact.]

Resolution No. 454-03

**ADOPTED**

**031160 [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.

[No fiscal impact.]

**Resolution No.** 455-03

**ADOPTED**

**031162 [Student Adjustment Act H.R. 1684]  
Supervisors Sandoval, Dufty, Daly**

Resolution urging the California Congressional delegation to pass the Student Adjustment Act (H.R. 1684) which authorizes the cancellation of removal and the adjustment of status for certain immigrant youths who are college bound and are long term United States residents and permit States to determine State residency for purposes of higher education without regard to immigration status.

**Resolution No.** 456-03

**ADOPTED**

**031148 [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.

[No fiscal impact.]

**Motion No.** M03-108

**APPROVED**

**031174 [Commending Canon Barcus Community House]  
Supervisor Daly**

Resolution commending Canon Barcus Community House for its outstanding care and community service in managing after school and teen programs, case management, vocational support, and on-site health clinic and property management.

**Resolution No.** 457-03

**ADOPTED**

**031175 [Commending Robert Martin]  
Supervisor Daly**

Resolution commending Robert Martin and the staff of the Tenth Street and the Church Street Compassion and Care Center for providing safe access, sympathetic care, and numerous services to San Franciscans who use medical cannabis to alleviate pain and suffering from serious illnesses.

**Resolution No.** 440-03

**ADOPTED**

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

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

Excused: 1 - Newsom

**Severed from For Adoption Without Committee Reference**

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

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

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

[No fiscal impact.]

*Continued to July 15, 2003*

**CONTINUED by the following vote:**

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

Absent: 4 - Ammiano, Daly, Dufty, Maxwell

Excused: 1 - Newsom

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

**031157 [Port Management Audit]  
Supervisors Daly, Peskin**

Motion directing the Budget Analyst to conduct a management audit of the Port of San Francisco on a priority basis.

[No fiscal impact.]

*Continued to July 15, 2003*

**CONTINUED by the following vote:**

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

## **IMPERATIVE AGENDA**

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

*[Purely Commendatory Finding]*

*Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.*

**Supervisor Sandoval, seconded by Supervisor McGoldrick, moved. The motion carried by the following vote:**

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

*[Brown Act Finding]*

*Motion that the Board find by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.*

**Supervisor Sandoval, seconded by Supervisor McGoldrick, moved. The motion carried by the following vote:**

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

**031207 [Commending GAPA's (Gay Asian Pacific Alliance)] "Runway 15]  
Supervisor Dufty**

Resolution commending GAPA's (Gay Asian Pacific Alliance) "Runway 15".

**ADOPTED by the following vote:**

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

## OFF-AGENDA LEGISLATION

### Introduced by Supervisors or Mayor

#### Ordinances

**031193 [Historic District Street Signs]  
Supervisor Peskin**

Ordinance adding Traffic Code Section 8 to require that the Department of Parking and Traffic provide information indicating the designated historic district on all street signs located within a historic district. 7/8/03, RECEIVED AND ASSIGNED to Land Use Committee.

**031194 [Recreation and Park Commission to procure construction and design/build services in connection with the California Academy of Sciences project]  
Mayor**

Ordinance authorizing the Recreation and Park Commission to award contracts for construction and/or design/build services in connection with the reconstruction of the California Academy of Sciences. (Mayor) 7/8/03, RECEIVED AND ASSIGNED to Land Use Committee. Companion Files 031197, 031198

**031195 [Memorandum of Understanding re PERS Contract Amendment]  
Mayor, Supervisors Sandoval, Ma, Dufty**

Ordinance adopting and implementing the Memorandum of Understanding between the City and County of San Francisco and the Municipal Executives' Association regarding the amendment of the contract with the Public Employees' Retirement System to provide the County's Sheriffs with the retirement benefits known as 3% @ 55. (Mayor) 7/8/03, RECEIVED AND ASSIGNED to Finance and Audits Committee.

#### Resolutions

**031196 [CitiStat technology system]  
Supervisors Newsom, Dufty**

Resolution urging the Department of Telecommunications and Information Services to investigate the feasibility of implementing a CitiStat technology system for the City and County of San Francisco. 7/8/03, RECEIVED AND ASSIGNED to City Services Committee.

**031197 [California Academy of Sciences Project Approval]**  
**Mayor**

Resolution approving the construction of the California Academy of Sciences project in Golden Gate Park pursuant to section 4.113 of the San Francisco Charter; adopting findings pursuant to the California Environmental Quality Act; and adopting findings that the project is consistent with the city's general plan, the Golden Gate Park master plan, and eight priority policies of city Planning Code section 101.1. (Mayor)  
7/8/03, RECEIVED AND ASSIGNED to Land Use Committee. Companion Files 031194, 031198

**031198 [CEQA Findings in Connection with the California Academy of Sciences Project]**  
**Mayor**

Resolution affirming the Planning Commission's certification of the California Academy of Sciences Final Environmental Impact and adopting environmental findings (and a statement of overriding considerations) pursuant to the California Environmental Quality Act, State Guidelines, and Administrative Code Chapter 31 in connection with the California Academy of Sciences project. (Mayor)  
7/8/03, RECEIVED AND ASSIGNED to Land Use Committee. Companion Files 031194, 031197

**031199 [Reappointment of Sunil Daluvoy to the Telecommunications Commission]**  
**Mayor**

Resolution confirming the reappointment of Sunil Daluvoy to the Telecommunications Commission, term ending July 1, 2006. (Mayor)  
7/8/03, RECEIVED AND ASSIGNED to Rules Committee.

**031200 [Reappointment of Kimberlee Bogen to the Telecommunications Commission]**  
**Mayor**

Resolution confirming the reappointment of Kimberlee Bogen to the Telecommunications Commission, term ending July 1, 2006. (Mayor)  
7/8/03, RECEIVED AND ASSIGNED to Rules Committee.

**031202 [Sublease Amendment with the John Stewart Company related to Treasure Island Housing]**  
**Mayor**

Resolution approving and authorizing the Executive Director for the Treasure Island Development Authority to enter into an amendment to a sublease with the John Stewart Company to change the premises, to adjust the rent schedule and to adjust the development fee. (Mayor)

(No Public Benefit Recipient.)

7/8/03, RECEIVED AND ASSIGNED to Land Use Committee.

**031203 [Sublease Amendment with Community Housing Partnership for Treasure Island Housing]  
Mayor**

Resolution approving and authorizing the Executive Director for the Treasure Island Development Authority to enter into an amendment to a sublease with Community Housing Partnership to amend the premises to include six additional housing units. (Mayor)

(No Public Benefit Recipient.)

7/8/03, RECEIVED AND ASSIGNED to Land Use Committee.

**031208 [Ground Lease of Redevelopment Agency Land for Jordan Apartments]  
Mayor**

Resolution approving (1) a ground lease of land at 820 O'Farrell Street (Assessor's Block 0716, Lot 003) from the San Francisco Redevelopment Agency to Jordan Housing Corporation, a California nonprofit public benefit corporation ("JHC"), for \$1.00 per year plus \$129,999 per year of deferred rent for sixty-five (65) years with an option to renew for an additional thirty-four (34) years, and (2) the sale of improvements thereon for \$2,050,000 to JHC for the purpose of rehabilitating, owning and operating housing for very low income households.

(Fiscal impact.)

7/8/03, RECEIVED AND ASSIGNED to Board of Supervisors.

7/8/03, SCHEDULED FOR PUBLIC HEARING. Board to sit as a Committee of the Whole on August 12, at 3:00 p.m.

**031216 [Authorizing the Japantown Task Force, Inc. to directly apply for and receive SB 307 funds]  
Supervisors Gonzalez, Dufty**

Resolution authorizing the Japantown Task Force, Inc. to directly apply for and receive SB 307 funds and to prepare the specific plan and be the community planning entity for San Francisco's Japantown, as defined in SB 307.

7/8/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**031217 [Urging the San Francisco Fire Department to provide a written plan to ensure 24-hour service to all residents of Districts 7 and 11 served by Engine 33]  
Supervisor Hall**

Resolution urging the San Francisco Fire Department to provide a written plan to ensure 24-hour service to all residents of Districts 7 and 11 served by Engine 33 during the seismic retrofitting of Station 33 as well as assuring the residents of the re-opening of the station after the retrofit.

7/8/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**031218 [Supporting Assembly Bills 906, 121, and 471 to prohibit cruise ships pollution]  
Supervisors Daly, Peskin, McGoldrick**

Resolution supporting Assembly Bills 906, 121 and 471 to prohibit cruise ship pollution in California.

7/8/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.



- 031219 [Urging San Francisco Fire Department to keep Engine 33 operational and its crew intact during the seismic retrofitting of Station 33]**  
**Supervisors Sandoval, Gonzalez, McGoldrick, Ammiano, Peskin**

Resolution urging the San Francisco Fire Department to keep Engine 33 operational and its crew intact during the seismic retrofitting of Station 33.

7/8/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

- 031220 [Recognizing the Vietnamese Heritage and Freedom Flag]**  
**Supervisors Ma, Daly, Dufty, Peskin, Newsom**

Resolution recognizing the Vietnamese Heritage and Freedom Flag as the symbol of the Vietnamese American community.

7/8/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

- 031221 [Proclaiming August 2003 as Child Support Awareness Month]**  
**Supervisors Maxwell, Dufty, Newsom**

Resolution proclaiming August 2003 as Child Support Awareness Month in the City and County of San Francisco.

7/8/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

- 031222 [Commending MSNBC]**  
**Supervisors Ammiano, Peskin, Dufty**

Resolution commending MSNBC for firing Michael Savage for anti-gay comments.

7/8/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

- 031223 [Recognize, commend and honor Enid Ng Lim]**  
**Supervisors Dufty, Ma, Peskin, Newsom**

Resolution to recognize, commend and honor Enid Ng Lim for her lifetime of civic and community service.

7/8/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

- 031224 [Honoring the 150th anniversary of the Archdiocese of San Francisco]**  
**Supervisors Hall, Peskin, Newsom**

Resolution commending and honoring the 150th anniversary of the Archdiocese of San Francisco on July 29, 2003.

7/8/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**031225 [Apply For-State/Regional Grant]  
Supervisor Ammiano**

Resolution authorizing the City Administrator to apply for a grant in the amount of \$864,000 from the Bay Area Air Quality Management District for the purpose of implementing programs to improve air quality.

(No Public Benefit Recipient.)

7/8/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**031111 [Reauthorizing the Sales and Use Tax for Transportation]  
Supervisors Daly, Gonzalez, Ammiano, Peskin, Duffy, Maxwell, Ma, Sandoval, McGoldrick**

Resolution approving a New Transportation Expenditure Plan and calling and providing for a special election to be held on November 4, 2003, to be consolidated with the General Municipal Election already scheduled for November 4, 2003, for the purpose of submitting to the voters an ordinance amending Sections 1401, 1402, 1403, 1404, 1405, 1406, 1408, 1413, 1414, and 1415 of, and adding Section 1419 to, Article 14 of the Business and Tax Regulations Code of the City and County of San Francisco so as to (1) authorize implementation of a New Transportation Expenditure Plan, directing the transactions and use tax ("sales and use tax") revenues to specific transportation improvements over the next 30 years and making provisions for the adoption of future expenditure plan updates; (2) continue collection of the sales and use tax at the existing level of one-half of one percent during implementation of the New Transportation Expenditure Plan and its updates; (3) continue in effect the San Francisco County Transportation Authority as the independent agency to administer the tax and oversee implementation of the projects; (4) authorize the San Francisco County Transportation Authority to issue limited tax bonds as needed, in a total outstanding aggregate amount not to exceed \$1,880,000,000 and which is payable from the revenue generated hereunder; (5) approve the California Constitution Article XIII B Appropriations Limit of \$485,175,000; (6) forbid the enjoining of collection of the tax; and (7) make recipient departments responsible for certifying that the tax revenues will not be substituted for property tax funds for existing programs.

7/8/03, SUBSTITUTED. Supervisor Daly submitted a substitute resolution bearing new title.

7/8/03, ASSIGNED to Finance and Audits Committee. Companion File 031201

### Requests for Hearing

**031205 [Juvenile Justice Advisory Committee]  
Supervisor Gonzalez**

Hearing requesting for the Juvenile Advisory Committee to present their findings.

7/8/03, RECEIVED AND ASSIGNED to Rules Committee.

**031206 [Community Land Trust Task Force]  
Supervisor Gonzalez**

Hearing to allow members of Community Land Trust Task Force, members of the San Francisco Community Land Trust Collaborative and other interested parties to present information on the community land trust model as a potential addition to the City's affordable housing strategy.

7/8/03, RECEIVED AND ASSIGNED to Rules Committee.

**031209 [Hearing - Ground Lease of Redevelopment Agency Land for Jordan Apartments]**

Hearing of persons interested in or objecting to proposed resolution approving (1) a ground lease of land at 820 O'Farrell Street (Assessor's Block 0716, Lot 003) from the San Francisco Redevelopment Agency to Jordan Housing Corporation, a California nonprofit public benefit corporation ("JHC"), for \$1.00 per year plus \$129,999 per year of deferred rent for sixty-five (65) years with an option to renew for an additional thirty-four (34) years, and (2) the sale of improvements thereon for \$2,050,000 to JHC for the purpose of rehabilitating, owning and operating housing for very low income households. (Clerk of the Board)  
7/8/03, SCHEDULED FOR PUBLIC HEARING. Board to sit as a Committee of the Whole August 12, 2003, at 3:00 p.m.

**Motions****031191 [Needle Exchange Emergency]**

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

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

**031201 [California Environmental Quality Act Findings]**

**Supervisor Daly**

Motion adopting findings pursuant to the California Environmental Quality Act in connection with approval of a New Transportation Expenditure Plan and Sales Tax Reauthorization.

7/8/03, RECEIVED AND ASSIGNED to Finance and Audits Committee. Sponsor requests this item be scheduled for consideration at the July 23, 2003 meeting.  
Companion File 031111

**031204 [Legislative Analyst Request]**

**Supervisor Gonzalez**

Motion requesting the Legislative Analyst to describe current public restroom requirements for business of various sizes and uses for San Francisco and other major cities.

7/8/03, ASSIGNED to Board of Supervisors.

**Charter Amendments**

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

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

4/22/03, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 5/22/2003.

5/13/03, SUBSTITUTED. Supervisor Ammiano submitted a substitute bearing new title.

5/13/03, ASSIGNED UNDER 30 DAY RULE.

7/8/03, AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.

7/8/03, CONTINUED AS AMENDED. Continued to July 15, 2003 with the Board Sitting as a Committee of the Whole.

**030855 [Charter Amendment - Early retirement benefits to employees in classifications identified for layoffs due to the City's fiscal crisis]**

Charter amendment (Second Draft) to add Sections A8.401 and A8.522 to provide early retirement benefits to eligible employees. (Mayor)

5/13/03, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 6/12/2003.

7/8/03, AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.

7/8/03, CONTINUED AS AMENDED.

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

Charter amendment (Third Draft) to add Appendix A8.583 relating to retirement benefits for attorneys in the District Attorney's and Public Defender's offices and Public Defender Investigators.

7/8/03 Amendment of the whole bearing same title.

5/13/03, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 6/12/2003.

7/8/03, AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.

7/8/03, CONTINUED AS AMENDED. Continued to July 15, 2003 with the Board Sitting as a Committee of the Whole.

## PROPOSED RESOLUTIONS

**031120 [Contracting Out Airport Information Booth Services]**

Resolution approving the Controller's Certification that Airport Information Booth Services at San Francisco International Airport can practically be performed by private contractor at a lower cost than if work were performed by City employees at currently budgeted. (Airport Commission)

(Public Benefit Recipient.)

6/20/03, RECEIVED AND ASSIGNED to Finance and Audits Committee.

**031121 [Contracting Out Shuttle Bus Service]**

Resolution approving the Controller's certification that shuttle bus service for San Francisco International Airport's Long-Term Parking Lot, the employee garage and surface Lot DD can practically be performed by private contractor at a lower cost than if work were performed by City and County employees. (Airport Commission)

(Public Benefit Recipient.)

6/20/03, RECEIVED AND ASSIGNED to Finance and Audits Committee.

**031122 [Modification to the Professional Services Agreement for Construction Management Services for the AirTrain System at SFO]**

Resolution approving Modification No. 8, the Close-out Modification, of Professional Services Agreement for Contract No. 5700CM – Construction Management Services for the AirTrain System with PGH Wong Engineering/Luster Construction Management, in the amount of \$650,000, for a new total contract amount of \$33,497,367. (Airport Commission)

(Fiscal impact; Public Benefit Recipient.)

6/20/03, RECEIVED AND ASSIGNED to Finance and Audits Committee.

**031123 [Explore the effects of antiretroviral therapy (HAART) on cancer incidence in persons with AIDS] Supervisors Dufty, Newsom**

Resolution authorizing the San Francisco Department of Public Health, AIDS Office (SFDPH, AIDS) to accept and expend retroactively a grant in the amount of \$85,335 from the National Institute of Allergy and Infectious Diseases (NIAID), to explore the effect of highly active antiretroviral therapy (HAART) on cancer incidence in persons with AIDS and to enter into an agreement for the use of these funds; for the period of May 1, 2003, to October 31, 2004. (Public Health Department)

(No Public Benefit Recipient.)

6/19/03, RECEIVED AND ASSIGNED to City Services Committee.

**031124 [Laundry Services At San Francisco General Hospital]**

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

(No Public Benefit Recipient.)

6/19/03, RECEIVED AND ASSIGNED to Finance and Audits Committee.

**031125 [Services for indigent patients at the S.F. General Hospital Trauma Center] Supervisors Dufty, Newsom**

Resolution authorizing the San Francisco Department of Public Health, San Francisco County EMS Agency (SFDPH) to accept retroactively and expend a one year grant in the amount of \$587,034 from the California Emergency Medical Services Authority (CEMSA) to support the Trauma Center at San Francisco General Hospital and to enter into an agreement for the use of these funds; for the period of July 1, 2002 to June 30, 2003. (Public Health Department)

(No Public Benefit Recipient.)

6/19/03, RECEIVED AND ASSIGNED to City Services Committee.

**031165 [STOP Intersections]**

Resolution designating certain intersections as "STOP" intersections.

**STOP SIGNS - ESTABLISH**

38th Avenue and Irving Street, stopping Irving Street at 38th Avenue, making this an all-way STOP; 22nd Avenue and Ortega Street, stopping Ortega Street at 22nd Avenue, making this an all-way STOP; and 21st Avenue and Irving Street, stopping Irving Street at 21st Avenue, making this an all-way STOP. (Parking and Traffic Department)

(6/27/03: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 2652; No Public Benefit Recipient.)

6/27/03, RECEIVED AND ASSIGNED to Land Use Committee.

**031166 [Traffic Regulations, Various Streets]**

Resolution enacting and rescinding traffic regulations on various streets.

**LEFT LANE MUST TURN LEFT EXCEPT MUNI - ESTABLISH**

19th Avenue, northbound, at Junipero Serra Boulevard.

**ONE WAY STREET (NORTHBOUND) - ESTABLISH**

Guttenberg Street, between Hanover and Mission Streets.

**LEFT LANE MUST TURN LEFT - ESTABLISH**

7th Avenue, northbound, at Lawton Street. (Parking and Traffic Department)

(6/27/03: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 2652; No Public Benefit Recipient.)

6/27/03, RECEIVED AND ASSIGNED to Land Use Committee.

**031167 [Parking Regulations, Various Locations]**

Resolution enacting and rescinding parking regulations at various locations.

**TAXI ZONE - ESTABLISH**

4th Street, west side, from Minna Street to 150 feet southerly (150-foot Taxi Zone).

**TOW-AWAY LANE MUST TURN RIGHT - ESTABLISH****TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH**

4th Street, southbound, from 150 feet south of Minna Street to Howard Street.

**TOUR BUS LOADING ZONE - ESTABLISH**

Howard Street, north side, from 120 feet to 445 feet west of 4th Street (325-foot white zone).

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

Howard Street, north side, from 4th Street to 120 feet westerly.

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

Howard Street, north side, from 445 feet to 570 feet west of 4th Street (125-foot zone).

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

Minna Street, south side, from 4th Street to 615 feet westerly.

**NO PARKING ANYTIME - REVOKE**

Minna Street, south side, from 230 feet west of 4th Street to 385 feet westerly (385-foot zone).

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

Turk Street, south side, from Divisadero Street to 95 feet westerly.

**RESIDENTIAL PERMIT PARKING AREA "J" (2-HOUR TIME LIMIT, 7 AM - 9 PM, MONDAY THROUGH SUNDAY) - ESTABLISH**

Shrader Street, both sides, between Haight and Page Streets.

**TOW-AWAY, NO STOPPING ANYTIME - RESCIND**

7th Avenue, east side, from 40 feet to 180 feet north of Lawton Street.

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

Funston Avenue, west side, between Clement Street and Geary Boulevard (300 block).

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

14th Avenue, east side, between Clement Street and Geary Boulevard.

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

Cesar Chavez Street south side, from 200 feet to 295 feet east of Kansas Street (in front of 2323 Cesar Chavez Street); and

Cesar Chavez Street, south side, from 402 feet to 638 feet east of Kansas Street (in front of 2323 Cesar Chavez Street).

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

Turk Street, north side, between Buchanan and Laguna Streets;  
Laguna Street, west side, between Eddy and Turk Streets;  
Eddy Street, both sides, between Buchanan and Laguna Streets; and  
Larch Way, both sides, between Buchanan and Laguna Streets.

Note: Larch Way is a private drive within the Yerba Buena Plaza East Housing Development that will not be signed, but residents will be eligible for permits.

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

Church Street, both sides, between 26th and Clipper Streets (1300 block).

45-DEGREE ANGLED PARKING - ESTABLISH

2600 Block of Harrison Street, east side, from 23rd Street to a point 187 feet south of 22nd Street (approximately 20 feet south of existing bicycle lane)

TOW-AWAY, NO PARKING ANYTIME - ESTABLISH

Ritch Street, east side, from 92 feet to 131 feet north of Brannan Street; and  
Ritch Street, east side, from 165 feet to 196 feet north of Brannan Street.

TOW-AWAY, NO STOPPING ANYTIME - RESCIND

TOW-AWAY, NO STOPPING DURING CANDLESTICK PARK EVENTS - ESTABLISH

Jamestown Avenue, south side, between Ingalls and Redondo Streets.

COMPACT VEHICLES ONLY - ESTABLISH

Northern end of 20th Avenue, north of Lake Street, from west curb to 20 feet easterly (two spaces perpendicular to terminus). (Parking and Traffic Department)

(6/27/03: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 2652; No Public Benefit Recipient.)

6/27/03, RECEIVED AND ASSIGNED to Land Use Committee.

**031168 [Develop placement alternatives for African-American individuals residing in Institutions for Mental Disease]**

**Supervisors Dufty, Newsom**

Resolution authorizing the San Francisco Department of Public Health, Behavioral Health Services (SFDPH, BHS) to accept and expend retroactively a grant in the amount of \$399,444 from the California Department of Mental Health (CDMH) to develop model strategies and protocols for African-Americans institutionalized for mental disease; for the period of June 16, 2003, to June 30, 2004. (Public Health Department)

(No Public Benefit Recipient.)

6/27/03, RECEIVED AND ASSIGNED to City Services Committee. Department requests this item be scheduled for consideration at the June 26, 2003 meeting.



**031169 [Reimbursable Professional Services Agreement with Siemens Dematic Group]**

Resolution approving the Reimbursable Professional Services Agreement with Siemens Dematic Group for the project management and construction management services in the estimated amount of \$2,160,000. (Airport Commission)

(Fiscal impact; Public Benefit Recipient.)

6/27/03, RECEIVED AND ASSIGNED to Finance and Audits Committee.

**031170 [Airport Lease with U.S. Government for office space]**

Resolution approving a Lease with the U.S. Government for office space to be occupied by the Transportation Security Administration at the International Terminal. (Airport Commission)

(Public Benefit Recipient.)

6/27/03, RECEIVED AND ASSIGNED to Finance and Audits Committee.

**In Memoriams**

*Richard Iglehart (Supervisor Dufty)*

*Mary Louise McGinty (Supervisor Dufty)*

*Helen E. Leggo (Supervisor Dufty)*

*Benjamin J. Baum (Supervisor Dufty)*

*William Lewis "Red" Slissman (Supervisor Dufty)*

*Ken Glenn Hoover (Supervisor Dufty)*

*Simine D. Mozaffarian (Supervisor Newsom)*

*John Patrick Whooley (Supervisor Newsom)*

*Sam Jordan (Supervisors Maxwell, Newsom)*

*Scott E. Adsit (Entire Board)*

## ADJOURNMENT

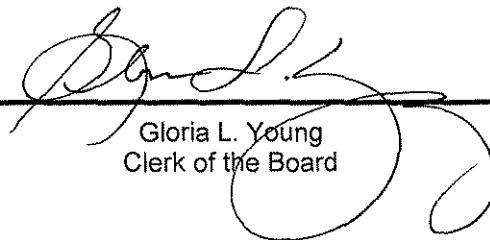
*There being no further business, the Board at the hour of 6:45 p.m. adjourned.*

*Gloria L. Young, Clerk of the Board*

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

*Approved by the Board of Supervisors on August 19, 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 785A**