

# Board of Supervisors

## City and County of San Francisco

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



### **AGENDA**

**Tuesday, July 15, 2003  
2:00 PM**

#### **Regular Meeting**

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

**Gloria L. Young, Clerk of the Board**

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### **ROLL CALL AND PLEDGE OF ALLEGIANCE**

### **APPROVAL OF MEETING MINUTES**

### **AGENDA CHANGES**

### **COMMUNICATIONS**

*Note: Each item on the Consent or Regular agenda may include the following documents:*

- 1) Legislation*
- 2) Budget Analyst report*
- 3) Legislative Analyst report*
- 4) Department or Agency cover letter and/or report*
- 5) Public correspondence*

*These items will be available for review at City Hall, Room 244, Reception Desk.*

### **CONSENT AGENDA**

*All matters listed hereunder constitute a Consent Agenda, are considered to be routine by the Board of Supervisors and will be acted upon by a single roll call vote of the Board. There will be no separate*

*discussion of these items unless a member of the Board so requests, in which event the matter shall be removed from the Consent Agenda and considered as a separate item.*

## **Items 1 through 6**

### **Recommendations of Finance and Audits Committee**

*Present: Supervisors Peskin, Sandoval, McGoldrick*

1.       **030884**     **[Lease of Real Property]**  
Resolution authorizing a lease renewal at 44 Gough Street for the Department of Human Resources. (Real Estate Department)  
(Public Benefit Recipient.)

**Question: Shall this Resolution be ADOPTED?**

2.       **031017**     **[Lease of Real Property]**  
Resolution authorizing a lease of approximately 51,119 square feet of space at 1650 Mission Street for the Department of Human Services for a term of five years. (Real Estate Department)  
(No fiscal impact; Public Benefit Recipient.)

**Question: Shall this Resolution be ADOPTED?**

3.       **031018**     **[Lease of Real Property]**  
Resolution authorizing a lease of approximately 13,706 square feet of space at 1650 Mission Street for the Department of Building Inspection for a term of five years. (Real Estate Department)  
(Public Benefit Recipient.)

**Question: Shall this Resolution be ADOPTED?**

*Present: Supervisors Peskin, McGoldrick*

4.       **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.)

**Question: Shall this Resolution be ADOPTED?**

5.       **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.)

**Question: Shall this Resolution be ADOPTED?**

*Present: Supervisors Peskin, Sandoval, McGoldrick*

**6. 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)

(Public Benefit Recipient.)

**Question: Shall this Resolution be ADOPTED?**

*Questions on the Consent Agenda are on final passage, first reading, or adoption, as indicated: \_\_\_\_\_*

## REGULAR AGENDA

## UNFINISHED BUSINESS

### Recommendations of the Budget Committee

*Present: Supervisors Daly, Peskin, Maxwell, Ma, Gonzalez*

**7. 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.)

5/20/2003, CONTINUED. Continued to July 8, 2003

7/8/2003, CONTINUED. Continued to July 15, 2003

**Question: Shall this Ordinance be FINALLY PASSED?**

**8. 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.

6/3/2003, SUBSTITUTED. Supervisor Peskin submitted a substitute ordinance bearing same title.

7/8/2003, AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.

7/8/2003, PASSED ON FIRST READING AS AMENDED.

**Question: Shall this Ordinance be FINALLY PASSED?**

*Present: Supervisors Daly, Peskin, Ma, Gonzalez*

**9. 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)

7/8/2003, PASSED ON FIRST READING.

**Question: Shall this Ordinance be FINALLY PASSED?**

*Present: Supervisors Daly, Peskin, Maxwell, Ma, Gonzalez*

**10. 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)

7/8/2003, PASSED ON FIRST READING.

**Question: Shall this Ordinance be FINALLY PASSED?**

*Present: Supervisors Daly, Peskin, Gonzalez*

**11. 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)

7/8/2003, PASSED ON FIRST READING.

**Question: Shall this Ordinance be FINALLY PASSED?**

*Present: Supervisors Daly, Peskin, Maxwell, Ma, Gonzalez*

**11a. 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.

**7/8/2003, CONTINUED. Continued to July 15, 2003**

**Question: Shall this Ordinance be FINALLY PASSED?**

- 12. 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)  
7/8/2003, PASSED ON FIRST READING.  
**Question: Shall this Ordinance be FINALLY PASSED?**

*Present: Supervisors Daly, Peskin, Gonzalez*

- 13. 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)  
7/8/2003, PASSED ON FIRST READING.  
**Question: Shall this Ordinance be FINALLY PASSED?**

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

*Present: Supervisors Daly, Peskin, Ma, Gonzalez*

- 14. 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)  
7/8/2003, PASSED ON FIRST READING.  
**Question: Shall this Ordinance be FINALLY PASSED?**

### **Recommendations of the Land Use Committee**

*Present: Supervisors McGoldrick, Maxwell, Ammiano*

- 15. 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.)

7/8/2003, PASSED ON FIRST READING.

**Question: Shall this Ordinance be FINALLY PASSED?**

- 16. 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.

7/8/2003, PASSED ON FIRST READING.

**Question: Shall this Ordinance be FINALLY PASSED?**

### **Recommendations of the Rules Committee**

*Present: Supervisors Hall, Gonzalez*

- 17. 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)

7/8/2003, AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.

7/8/2003, PASSED ON FIRST READING AS AMENDED.

**Question: Shall this Ordinance be FINALLY PASSED?**

- 18. 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.

7/8/2003, PASSED ON FIRST READING.

**Question: Shall this Ordinance be FINALLY PASSED?**

*Present: Supervisors Hall, Dufty, Gonzalez*

- 19. 030740 [Amending Rule 4.29 at Board of Supervisors meetings] Supervisor Gonzalez**
- Motion amending Rule 4.29 of the Rules of Order of the Board of Supervisors to provide that at meetings of the Board of Supervisors the recognition of public dignitaries may occur at anytime, and the recognition of commendations shall occur at 3:30 p.m.
- 6/10/2003, CONTINUED. Continued to June 17, 2003
- 6/17/2003, AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. Amendment of the Whole bearing new title.
- 6/17/2003, CONTINUED AS AMENDED. Continued to July 15, 2003
- Question: Shall this Motion be ADOPTED?**
- 20. 031101 [Adding Rule 1.10 to the Rules of Order] Supervisors Gonzalez, Dufty**
- 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.)
- 7/8/2003, CONTINUED. Continued to July 15, 2003
- Question: Shall this Motion be ADOPTED?**
- 21. 030632 [Ballot Measures Submitted by the Board of Supervisors, Four or More of its Members, or the Mayor] Supervisors Newsom, Hall**
- 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.)

5/13/2003, SUBSTITUTED. Supervisor Newsom submitted a substitute Charter amendment bearing new title.

7/8/2003, CONTINUED. Continued to July 15, 2003

**Question: Shall this Charter Amendment be SUBMITTED?**

**22. 020938 [Charter Amendment - Retirement Benefits for Miscellaneous Safety Employees] Supervisors Ammiano, Gonzalez, Newsom, Dufty**

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.

7/15/2002, CONTINUED. Continued to July 22, 2002.

7/22/2002, AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.

7/22/2002, RE-REFERRED to Rules and Audits Committee.

3/18/2003, SUBSTITUTED. Supervisor Ammiano submitted a substitute Charter Amendment (Fifth Draft) bearing same title.

4/29/2003, CONTINUED. Continued to May 6, 2003

5/6/2003, CONTINUED. Continued to May 20, 2003 Supervisor Newsom requested to be added as a co-sponsor.

5/20/2003, CONTINUED. Continued to June 10, 2003

6/10/2003, AMENDED.

6/10/2003, RE-REFERRED to Rules Committee.

7/8/2003, CONTINUED. Continued to July 15, 2003

**Question: Shall this Charter Amendment be SUBMITTED?**

**23. 030812 [Charter Amendment - Designating the Controller as City Services Auditor] Supervisors McGoldrick, Peskin, Ma, Dufty, Maxwell**

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.)

5/20/2003, SUBSTITUTED. Supervisor McGoldrick submitted a substitute Charter amendment bearing new title.

6/3/2003, SUBSTITUTED. Supervisor McGoldrick submitted a substitute Charter Amendment (Third Draft) bearing new title.

7/8/2003, CONTINUED. Continued to July 15, 2003

**Question: Shall this Charter Amendment be SUBMITTED?**

**24. 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.

6/24/2003, CONTINUED. Continued to July 8, 2003



7/8/2003, CONTINUED. Continued to July 15, 2003

**Question: Shall this Charter Amendment be SUBMITTED?**

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

*Present: Supervisors Hall, Dufty, Gonzalez*

25.        **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.

5/20/2003, SUBSTITUTED. Supervisor Daly submitted a substitute Charter amendment bearing new title.

7/8/2003, CONTINUED. Continued to July 15, 2003

**Question: Shall this Charter Amendment be SUBMITTED?**

26.        **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.

7/8/2003, CONTINUED. Continued to July 15, 2003

**Question: Shall this Charter Amendment be SUBMITTED?**

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

*Present: Supervisors Hall, Dufty, Gonzalez*

27.        **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.)

7/8/2003, CONTINUED. Continued to July 15, 2003

**Question: Shall this Charter Amendment be SUBMITTED?**

28.        **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.

7/8/2003, CONTINUED. Continued to July 15, 2003

**Question: Shall this Ordinance be PASSED ON FIRST READING?**

- 29. 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.

7/8/2003, PASSED ON FIRST READING.

**Question: Shall this Ordinance be FINALLY PASSED?**

## NEW BUSINESS

### Recommendations of the Budget Committee

*Present: Supervisors Daly, Peskin, Maxwell, Ma, Gonzalez*

- 30. 030786 [Annual Budget, Fiscal Year 2003-04] Mayor**  
Motion approving Annual Budget for City and County of San Francisco for Fiscal Year 2003-2004. (Mayor)

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

**Question: Shall this Motion be ADOPTED?**

- 31. 030787 [Government Funding, Fiscal Year 2003-04]**  
Annual Appropriation Ordinance appropriating all estimated receipts and all estimated expenditures for the City and County of San Francisco for fiscal year ending June 30, 2004. (Mayor)

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

**Question: Shall this Ordinance be PASSED ON FIRST READING?**

- 32. 030788 [Public Employment, Fiscal Year 2003-04]**  
Annual Salary Ordinance enumerating positions in the Annual Budget and Appropriation Ordinance for the Fiscal Year ending June 30, 2004, continuing, creating or establishing these positions; enumerating and including therein all positions created by Charter or State law for which compensations are paid from City and County funds and appropriated in the Annual Appropriation Ordinance; authorizing appointments or continuation of appointments thereto; specifying and fixing the compensations and work schedules thereof; and authorizing appointments to temporary positions and fixing compensations therefor. (Human Resources Department)

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

**Question: Shall this Ordinance be PASSED ON FIRST READING?**

### **Recommendations of the Finance and Audits Committee**

*Present: Supervisors Peskin, Sandoval, McGoldrick*

**33. 021948 [Repealing Police Code Section 162 - Regulating Fortunetellers] Supervisor Peskin**

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

(Supervisor Sandoval dissenting in Committee.)

**Question: Shall this Ordinance be PASSED ON FIRST READING?**

**34. 030379 [CEQA Findings for Cruise Terminal Mixed-Use Project]**

Resolution adopting findings pursuant to the California Environmental Quality Act (CEQA) and the State CEQA Guidelines, including a statement of overriding considerations, in connection with the proposed mixed-use Cruise Terminal Project, located on Pier 30-32, a condominium tower on a portion of Seawall Lot 330, and a public open space project in the location of Pier 34 and 36, in the Port of San Francisco, City and County of San Francisco. (Port)

**Question: Shall this Resolution be ADOPTED?**

**35. 031229 [Appropriating Funds for Brannan Street Wharf and Cruise Terminal Project at Piers 30-32]**

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

**Question: Shall this Ordinance be PASSED ON FIRST READING?**

**36. 030371 [Agreement to Sell approximately 22,600 sq. ft. of unimproved real property located at Beale and Bryant Streets and to Lease Piers 30-32 to San Francisco Cruise Terminal, LLC]**

Resolution approving and authorizing an Agreement with San Francisco Cruise Terminal, LLC for the Sale of approximately 22,600 square feet of real property located at the corner of Beale and Bryant Streets on Seawall Lot 330; approving and authorizing a 66-year Lease with San Francisco Cruise Terminal, LLC for Piers 30-32; adopting findings that the Sale is consistent with the City's General Plan and eight Priority Policies of City Planning Code

Section 101.1; and authorizing the Port's Executive Director and the City's Director of Property to execute documents, make certain modifications and take certain actions in furtherance of this Resolution. (Port)

(Public Benefit Recipient; companion measure to File 030379.)

**Question: Shall this Resolution be ADOPTED?**

- 37. 030633 [Giving the Executive Director of the Department of Parking and Traffic Authority to Promulgate Regulations Regarding Parking Revenue Equipment] Supervisor Peskin**

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

**Question: Shall this Ordinance be PASSED ON FIRST READING?**

- 38. 031050 [Purchase of Property located at 201 Leland Avenue, San Francisco for the Public Library] Mayor, Supervisors Peskin, Sandoval**

Resolution authorizing the execution and performance of an Agreement of Purchase and Sale for Real Estate for the City purchase of real property and improvements located at 201 Leland Avenue, San Francisco subject to a short term lease with the Seller, for use as the Visitacion Valley Branch Library of the San Francisco Public Library; adopting findings under the California Environmental Quality Act; and adopting findings that the conveyance is consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1. (Mayor)

(Fiscal impact; Public Benefit Recipient.)

**Question: Shall this Resolution be ADOPTED?**

### **Recommendations of the Land Use Committee**

*Present: Supervisors McGoldrick, Maxwell, Ammiano*

- 39. 030040 [Planning Code Section 249.24 - Jackson Square Special Use District] Supervisor Peskin**

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

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

**Question: Shall this Ordinance be PASSED ON FIRST READING?**

*Present: Supervisors McGoldrick, Maxwell*

- 40. 030909 [Street Artist Space Regulations]**  
Ordinance amending the San Francisco Police Code by amending Section 2405 to modify the street artist space regulations. (Arts Commission)

**Question: Shall this Ordinance be PASSED ON FIRST READING?**

- 41. 031019 [Mission Bay 16th/7th Street Jack and Bore Casing Improvements]**  
Ordinance accepting the irrevocable offer for the 16th/7th Street Jack and Bore Casing Improvements; designating said facilities for public use and maintenance purposes; adopting findings that such actions are consistent with the City's General Plan, eight priority policy findings of City's Planning Code section 101.1, and the Mission Bay South Redevelopment Plan; accepting Department of Public Works Order No. 174,027; and authorizing official acts in connection with this ordinance. (Public Utilities Commission)

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

**Question: Shall this Ordinance be PASSED ON FIRST READING?**

- 42. 030940 [Vacation of easements in approximately 260 square foot portion of the N2 mid-block walkway (Assessor's Block 8706, Lot 2)]**

Resolution declaring the intention of the Board of Supervisors to vacate two (2) portions of the pedestrian ingress and egress easement and public utility easement in the N2 mid-block walkway (Assessor's Block 8706, Lot 2) within the Mission Bay North Redevelopment Project Area; setting the hearing date for August 19, 2003, at 4:00 P.M., for all persons interested in the proposed vacation of the easement areas; and adopting findings that the vacation is consistent with the City's General Plan, the eight priority policies of City Planning Code Section 101.1 and the Mission Bay North Redevelopment Plan; accepting DPW Order No. 174,111; and authorizing other official acts in connection with this Resolution. (Public Works Department)

**Question: Shall this Resolution be ADOPTED?**

- 43. 030947 [Mission Bay Street Vacation a portion of Berry Street at Sixth Street]**

Resolution declaring the intention of the Board of Supervisors to vacate a portion of Berry Street at Sixth Street within the Mission Bay North Redevelopment Project Area; setting the hearing date for August 19, 2003, at 4:00 P.M., for all persons interested in the proposed vacation of said street area; and adopting findings that the proposed vacation is consistent with the City's General Plan, the eight priority policies of City Planning Code section 101.1 and the Mission Bay North Redevelopment Plan. (Public Works Department)

No Public Benefit Recipient; DPW Order No. 174,110.)

**Question: Shall this Resolution be ADOPTED?**

*Present: Supervisors McGoldrick, Maxwell, Ammiano*

- 44. 030197 [Supporting Senate Bill 915 and Senate Bill 916] Supervisors Newsom, Peskin**  
Resolution supporting Senate Bill 915 and Senate Bill 916, approving the Water Transit

Authority's Implementation and Operations Plan, supporting allocation of new bridge toll revenue for the Port of San Francisco's downtown ferry facilities, and adopting a position supporting proposed amendments to Senate Bill 916 for the City and County of San Francisco.

2/11/2003, REFERRED to Land Use Committee.

**Question: Shall this Resolution be ADOPTED?**

### **From the Land Use Committee "Without Recommendation"**

*Present: Supervisors McGoldrick, Maxwell, Ammiano*

**45. 031186 [Support Senate Bill 915] Supervisors Newsom, Peskin**

Resolution supporting Senate Bill 915, approving the Water Transit Authority's Implementation and Operations Plan.

**Question: Shall this Resolution be ADOPTED?**

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

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

**46. 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.

5/13/2003, SUBSTITUTED. Supervisor Ammiano submitted a substitute bearing new title.

7/8/2003, AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.

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

*COMMITTEE OF THE WHOLE RISE AND REPORT WITHOUT RECOMMENDATION*

**Question: Shall this Charter Amendment be SUBMITTED?**

**47. 030855 [Charter Amendment - Early retirement benefits to employees in classifications identified for layoffs due to the City's fiscal crisis]**

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

7/8/2003, AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.

7/8/2003, CONTINUED AS AMENDED.

**Question: Shall this Charter Amendment be SUBMITTED?**

48. 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.

7/8/2003, AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.

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

COMMITTEE OF THE WHOLE RISE AND REPORT WITHOUT RECOMMENDATION

**Question: Shall this Charter Amendment be SUBMITTED?**

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

49. 030896 [Public Hearing - Appeal, Determination of Exemption of Environmental Review - Secondary Units Legislation]

Hearing of persons interested in or objecting to the decision of the Planning Department Environmental Review Officer dated April 23, 2003, granting the Secondary Units Legislation (Board of Supervisors File No. 021598), a Statutory Exemption from the California Environmental Quality Act under State CEQA Statutes, Section 2108017; State CEQA Guidelines, Section 15282(i) and General Rule Exclusion (State CEQA Guidelines Section 15061(b)(3).

(Appeal filed May 14, 2003 by Preseve our Neighborhood; May 20, 2003 by Bud Wilson; June 2, 2003 by Coalition for SF Neighborhoods; Planning Case No. 2002.0418E.)

6/17/2003, CONTINUED. Continued to July 15, 2003

Action: \_\_\_\_\_

*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.)**

50. 030897 [Affirming the exemption/exclusion issued for Secondary Unit Ordinance]

Motion affirming the determination by the Planning Department that the Secondary Unit Ordinance is exempt/excluded from environmental review under the California Environmental Quality Act. (Clerk of the Board)

6/17/2003, CONTINUED. Continued to July 15, 2003

**Question: Shall this Motion be ADOPTED?**

**51. 030898 [Disapproving the statutory exemption/exclusion issued for the Secondary Unit Ordinance]**

Motion disapproving the determination by the Planning Department that the Secondary Unit Ordinance is statutorily exempt/excluded from environmental review. (Clerk of the Board)

6/17/2003, CONTINUED. Continued to July 15, 2003

**Question: Shall this Motion be ADOPTED?**

**52. 030899 [Preparation of findings related to the exemption/exclusion appeal for Secondary Unit Ordinance]**

Motion directing the Clerk of the Board to prepare findings related to the appeal of the determination by the Planning Department that the Secondary Unit Ordinance is exempt/excluded from the California Environmental Quality Act. (Clerk of the Board)

6/17/2003, CONTINUED. Continued to July 15, 2003

**Question: Shall this Motion be ADOPTED?**

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

**53. 031134 [Public Hearing - Appeal, Conditional Use, 270-284 Valencia Street/17 Brosnan Street]**

Hearing of persons interested in or objecting to the decision of the Planning Commission by its Motion No. 16579 dated May 15, 2003, approving Conditional Use Application No. 2002.0333C approving a conditional use authorization under (1) Planning Code Section 215, allowing the construction of 28 dwelling units in a C-M District; (2) Under Board of Supervisors' Resolution 500-02, allowing the construction of a housing project fewer than 25-percent below market rate units and; (3) Board of Supervisors' Resolution 500-02, allowing the demolition of a building in the Northeast Mission Industrial Zone that has contained Production, Distribution and Repair (PDR) businesses since August 5, 1999, on property located at 270-284 Valencia Street/17 Brosnan Street, west side of Valencia Street between 14th and Brosnan Streets; Lot 9, in Assessor's Block 3533.

(Appeal filed June 24, 2003; Determined by the Planning Department to not have a significant effect on the environment pursuant to Negative Declaration adopted and issued on January 16, 2003, and prepared pursuant to the Guidelines of the State Secretary of Resources, Sections 15064 [Determining Significant Effect], 15065 [Mandatory Findings of Significance], and 15070 [Decision to Prepare a Negative Declaration]; companion measure to Files 031135, 031136, 031137, 031138; District 6.)

**Action:** \_\_\_\_\_

*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.)

54.        031135        **[Appeal, Conditional Use - 270-284 Valencia Street/17 Brosnan Street]**  
Motion approving decision of the Planning Commission by its Motion No. 16579, approving Conditional Use Application No. 2002.0333C on property located at 270-284 Valencia/17 Brosnan Street, and adopting findings pursuant to Planning Code Section 101.1. (Clerk of the Board)  
  
Question: Shall this Motion be ADOPTED?
55.        031136        **[Appeal, Conditional Use - 270-284 Valencia Street/17 Brosnan Street]**  
Motion disapproving decision of the Planning Commission by its Motion No. 16579, approving Conditional Use Application No. 2002.0333C on property located at 270-284 Valencia/17 Brosnan Street, and adopting findings pursuant to Planning Code Section 101.1. (Clerk of the Board)  
  
Question: Shall this Motion be ADOPTED?
56.        031128        **[Environmental Review - 270-284 Valencia Street/17 Brosnan Street]**  
Motion certifying review of Final Mitigated Negative Declaration relating to proposed Conditional Use of property 270-284 Valencia Street/17 Brosnan Street. (Clerk of the Board)  
  
Question: Shall this Motion be ADOPTED?
57.        031137        **[Findings - 270-284 Valencia Street/17 Brosnan Street]**  
Motion directing the Clerk of the Board to prepare findings relating to proposed Conditional Use Application No. 2002.0333C on property located at 270-284 Valencia/17 Brosnan Street, for action by the Board at its next meeting. (Clerk of the Board)  
  
Question: Shall this Motion be ADOPTED?

## COMMITTEE REPORTS

*Reports from committees, if any, recommending emergency or urgent measures.*

*The following items will be considered by the Budget Committee at a Regular Meeting on Thursday, July 10, 2003 at 1:00 p.m. The Chair intends to request the Committee to send the following items to the Board as a committee report.)*

### From the Budget Committee

58.        030791        **[Budget Hearing and Review, FY 2003-04]**  
Motion approving the Annual Budget for San Francisco Airport for Fiscal Year 2003-2004. (Charter Section 9.100 provides the Board shall not adopt the Budget earlier than July 15,

2003 nor later than August 1, 2003.)

**Question: Shall this Motion be ADOPTED?**

**59. 031183 [Government Funding-SF Airport, Fiscal Year 2003-04]**

Annual Appropriation Ordinance appropriating all estimated receipts and all estimated expenditures for the San Francisco Airport for fiscal year ending June 30, 2004.

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

**Question: Shall this Ordinance be PASSED ON FIRST READING?**

**60. 031184 [Public Employment-SF Airport, Fiscal Year 2003-04]**

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

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

**Question: Shall this Ordinance be PASSED ON FIRST READING?**

**61. 030903 [IHSS Provider Benefits Contract Approval San Francisco IHSS Public Authority] Supervisors Dufty, Newsom**

Resolution approving the contract between the City and County of San Francisco and San Francisco In-Home Supportive Services (IHSS) Public Authority for the provision of health and dental benefits to IHSS Independent Providers for the period of July 1, 2003 to June 30, 2006, in the amount of \$56,318,103.

(Fiscal impact; No Public Benefit Recipient.)

6/24/2003, REFERRED to Budget Committee.

**Question: Shall this Resolution be ADOPTED?**

**62. 030904 [Child Care Services Contract Approval - Children's Council of San Francisco] Supervisors Dufty, Newsom**

Resolution approving the contract between the City and County of San Francisco and the Children's Council of San Francisco to provide child care services, for the period from July 1, 2003 to June 30, 2006, in the amount of \$104,579,925.

(Fiscal impact; No Public Benefit Recipient.)

6/24/2003, REFERRED to Budget Committee.

**Question: Shall this Resolution be ADOPTED?**

## **From the Rules Committee**

*The following item will be considered by the Rules Committee at a Regular Meeting on Wednesday, July 9, 2003 at 9:30 a.m. The Chair intends to request the Committee to send the following item to the Board as a committee report.*

**63. 031185 [Appointment]**

Hearing to consider appointing two members to the Ballot Simplification Committee.

2 seats being considered

Vacant seat, succeeding John Odell, term expired, seat 1, must represent the National Academy of Television Arts and Sciences. Northern California Chapter or the Northern California Broadcasters Association for the unexpired portion of a two year term ending November 30, 2004.

Vacant seat, succeeding Allyson Washburn, term expired, seat 3, must represent the League of Women Voters for the unexpired portion of a two year term ending November 30, 2004.

**Question: Shall this Resolution be ADOPTED?**

**64. ROLL CALL FOR INTRODUCTIONS**

*Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, letters of request to the City Attorney and Board Members' reports on their regional body activities.*

**65. PUBLIC COMMENT**

*An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to*

## **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.*

**66. 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.

**Question: Shall this Motion be ADOPTED?**

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

*Present: Supervisors Dufty, Newsom, McGoldrick*

- 67. 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.

5/6/2003, SUBSTITUTED. Supervisor McGoldrick submitted a substitute ordinance bearing new title.

7/8/2003, CONTINUED. Continued to July 15, 2003

**Question: Shall this Ordinance be PASSED ON FIRST READING?**

## **CLOSED SESSION**

### **City as Defendant**

- 68. 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.

7/8/2003, CONTINUED. Continued to July 15, 2003

*Action:* \_\_\_\_\_

*After a closed session, if one occurs, the President shall (1) request the Deputy City Attorney to identify the subjects discussed in the closed session, and (2) direct the Clerk of the Board to report the vote taken on any motion in the 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 anticipated litigation listed above.*

## 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.*

### **Items 65 through 76**

- 69. 031161 [Urge Real Estate Companies to Reward the Hard Work of Janitors] Supervisors Sandoval, Daly**
- 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.]
- 6/24/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 7/8/2003, CONTINUED. Continued to July 15, 2003
- Question: Shall this Resolution be ADOPTED?**
- 70. 031157 [Port Management Audit] Supervisor Daly**
- Motion directing the Budget Analyst to conduct a management audit of the Port of San Francisco on a priority basis.
- [No fiscal impact.]
- 6/24/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 7/8/2003, CONTINUED. Continued to July 15, 2003
- Question: Shall this Motion be ADOPTED?**
- 71. 031216 [Authorizing the Japantown Task Force, Inc. to directly apply for and receive SB 307 funds] Supervisor Gonzalez**
- 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.
- 7/8/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?**
- 72. 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.

7/8/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**Question: Shall this Resolution be ADOPTED?**

- 73. 031218 [Supporting Assembly Bills 906, 121, and 471 to prohibit cruise ships pollution] Supervisors Daly, Peskin**

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

7/8/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**Question: Shall this Resolution be ADOPTED?**

- 74. 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**

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

7/8/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**Question: Shall this Resolution be ADOPTED?**

- 75. 031220 [Recognizing the Vietnamese Heritage and Freedom Flag] Supervisors Ma, Daly, Dufty**

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

7/8/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**Question: Shall this Resolution be ADOPTED?**

- 76. 031221 [Proclaiming August 2003 as Child Support Awareness Month] Supervisor Maxwell**

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

7/8/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**Question: Shall this Resolution be ADOPTED?**

- 77. 031222 [Commending MSNBC] Supervisor Ammiano**

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

7/8/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**Question: Shall this Resolution be ADOPTED?**

- 78. 031223 [Recognize, commend and honor Enid Ng Lim] Supervisors Dufty, Ma, Peskin**

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

community service.

7/8/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**Question: Shall this Resolution be ADOPTED?**

**79. 031224 [Honoring the 150th anniversary of the Archdiocese of San Francisco] Supervisor Hall**

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

7/8/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**Question: Shall this Resolution be ADOPTED?**

**80. 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.

7/8/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**Question: Shall this Resolution be ADOPTED?**

*Questions on the For Adoption Without Committee Reference Agenda: \_\_\_\_\_*

**81. 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).*

*[Serious Injury Finding]*

*Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."*

*[Purely Commendatory Finding]*

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

*[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.*

*[Imperative Resolutions, if any]*

## OFF-AGENDA LEGISLATION

### PROPOSED ORDINANCES

*Proposed ordinances received from July 1, 2003 through July 7, 2003, for reference by President to appropriate committee on July 15, 2003.*

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

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

(Public Benefit Recipient.)

7/3/2003, RECEIVED AND ASSIGNED to Rules Committee.

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

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

(Public Benefit Recipient.)

7/7/2003, RECEIVED AND ASSIGNED to Rules Committee.

### PROPOSED RESOLUTIONS

*Proposed resolutions received from July 1, 2003 through July 7, 2003, for reference by President to appropriate committee on July 15, 2003.*

**031176 [Reduce sexual risk for HIV transmission in substance using men who have sex with men]**

Resolution authorizing the San Francisco Department of Public Health (SFDPH) to enter retroactively into an agreement in the amount of \$127,961 with Public Health Foundation Enterprises Inc. (PHFE), the primary contractor, to reduce the sexual risk for HIV



transmission in substance using men who have sex with men (SU-MSM), for the period of September 1, 2002, to August 31, 2003. (Public Health Department)

(No Public Benefit Recipient.)

7/1/2003, RECEIVED AND ASSIGNED to City Services Committee.

**031178 [Renew Revolving Loan Funds Agreement with State]**

Resolution authorizing the Office of the District Attorney to renew its current agreement with the California Victim Compensation and Government Claims Board, an agent of the State of California, for a revolving loan fund in the amount of \$75,000 to be used to pay for verified funeral/burial expenses and emergency relocation for victims of domestic violence and sexual assault. (District Attorney)

(No Public Benefit Recipient.)

7/3/2003, RECEIVED AND ASSIGNED to City Services Committee.

**031180 [Collaborative research study to evaluate the effectiveness of different approaches for reducing the transmission risk behaviors of HIV-infected patients, year 2.]**

Resolution authorizing the San Francisco Department of Public Health (SFDPH) to enter retroactively into an agreement in the amount of \$71,992 with The Regents of the University of California San Francisco (UCSF), the primary contractor, for a collaborative study of prevention for HIV-positive persons under the second year of an award from the DHHS Centers for Disease Control and Prevention (CDC); for the period of September 30, 2002 to September 29, 2003. (Public Health Department)

(No Public Benefit Recipient.)

7/7/2003, RECEIVED AND ASSIGNED to City Services Committee.

**031181 [Emergency Repair, 30 Van Ness Avenue Roof Replacement]**

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

(No Public Benefit Recipient.)

7/7/2003, RECEIVED AND ASSIGNED to Finance and Audits Committee.

**031182 [Grants Federal Funds - Municipal Railway]**

Resolution authorizing the Municipal Transportation Agency (MTA) Board of Directors to accept and expend \$990,029 of Federal Earmarked Capital Assistance for Design and Construction of Muni's Central Control Facility. (Municipal Transportation Agency)

7/7/2003, RECEIVED AND ASSIGNED to City Services Committee.

**031230 [Petitions and Communications]**

Petitions and Communications received from July 1, 2003 through July 7, 2003, for reference by the President to Committee considering related matters or to be ordered filed by the Clerk on July 15, 2003.

From State Senate Rules Committee, submitting reappointment of Janet Keller of Laguna Beach as member of the Water Quality Control Board, San Diego Region, term ending September 18, 2006.(1)

From State Senate Rules Committee, submitting reappointment of Cynthia Verdugo-Peralta of Yorba Linda as a member of the South Coast Air Quality Management District Board, term ending January 15, 2007.(2)

From Police Department, submitting request for waiver of Administrative Code Chapters 12B and 12C for credit Information services provided by Equifax.(3)

From Employees' Retirement System, regarding retirement benefits for District Attorneys, Public Defenders and Public Defender Investigators (Second Draft). Copy: Rules Committee(4)

From Department of Human Resources, submitting quarterly report of the classification process for Local 21 Special Assistant positions and the Management Classification and Compensation Plan Quarterly Report.(5)

From Superior Court, County of San Francisco, regarding why the District Attorney and/or the Superior Court have been unable to levy any fines against those cited during the March 4 war protests. (Reference No. 20030617-007) Copy: Each Supervisor(6)

From Committee on Information Technology, submitting list of sole source contracts for fiscal year 2002/03.(7)

From SF War Memorial and Performing Arts Center, submitting list of sole source contracts for fiscal year 2002/03.(8)

From Treasure Island Development Authority, regarding the redevelopment of the Treasure Island Project. (Reference No. 20030422-016) Copy: Supervisor Newsom(9)

From Office of the Legislative Analyst, submitting report on teacher housing initiatives, including housing subsidies employed by other jurisdictions. Copy: Supervisors Ammiano, Ma, Maxwell(10)

From Medical Examiner's Office, submitting list of sole source contracts for fiscal year 2002/03.(11)

From Office of the Treasurer, submitting report on the Cash Differences and Overages Fund for the period ending June 30, 2003.(12)

From Office of the Controller, regarding Ordinance No. 88-03, which established the Public Education Special Fund. File 030354(13)

From Office of the City Attorney, submitting list of sole source contracts for fiscal year

2002/03.(14)

From SPUR, urging the Board of Supervisors to support for SB 915, which will increase commute options. Copy: Supervisors McGoldrick, Maxwell, Ammiano(15)

From Department of Aging and Adult Services, regarding services and benefits available to City employees when they need time off to take care of elderly parents. (Reference No. 20030506-006) Copy: Supervisor Hall(16)

From Fire Department, submitting list of fee-for-services schedule.(17)

From John Kennaugh, commenting on cable cars operating at excessive speeds on Hyde Street between Vallejo and Broadway.(18)

From SF Environment, regarding the impact of the proposed budget cuts for fiscal year 2003-04. File 030530(19)

From Martin Lyon, commenting on various topics.(20)

From Miraloma Park Improvement Club, submitting support for "Care Not Cash". File 030848, Copy: Supervisor Hall(21)

From State Department of Toxic Substances Control, submitting notice of completion for cleanup activities, required in the Removal Action Workplan and the Remedial Action Plan at the Bay Area Drum Street Site.(22)

From Comcast Cable Communications, Inc., submitting notice that Comcast Cable Communications, Inc. will be sending subscribers the new video privacy policy in August.(23)

From SF Association of Realtors, submitting opposition to proposed Charter amendment, which would replace the existing appointed Rent Board with one elected at large. File 030866, Copy: Each Supervisor(24)

From US Army Corps of Engineers, submitting public notice dated June 25, 2003 regarding plans to carry out salmonid habitat enhancement projects in various streams and rivers throughout the following coastal California Counties: Alameda, Contra Costa, Del Norte, Glenn, Humboldt, Lake, Marin, Medocino, Montrey, Napa, San Benito, San Francisco, San Luis Obispo, San Mateo, Santa Clara, Santa Cruz, Siskiyou, Solano, Sonoma and Trinity.(25)

From Department of Human Services, submitting correction to information provided by the Department regarding the Department's ability to utilize federal and state welfare allocation funds to create local tax credit programs. (Reference No. 20030422-020) Copy: Supervisor Newsom(26)

From Fire Department, submitting list of sole source contracts entered into during the past fiscal year.(27)

From Office of the Controller, submitting list of sole source contracts entered into during the past fiscal year.(28)

From International Federal Professional and Technical Engineers, Local 21, submitting opposition to proposed Charter amendment regarding the Ethics Provisions. File 030681(29)

From Budget Analyst, submitting status report for the quarter ending June 30, 2003.(30)

From Office of the Legislative Analyst, submitting report regarding how other major cities require flower-vending stands or other similar cash-based businesses to keep track of all sales and what equipment or system is used. File 021787, Copy: Supervisor Sandoval(31)

From Marilyn Amini, submitting opposition to proposed legislation regarding "Secondary Units". File 021598, Copy: Each Supervisor(32)

From Office of the Legislative Analyst, submitting report regarding the regulatory process for approval of the proposed James R. Herman Cruise Ship Terminal at Piers 30 and 32, including analysis of state legislation that has been approved and may be proposed regarding this site. Copy: Each Supervisor(33)

From Ann Conley, submitting request for a Type-42 liquor license for Joie de Vivre Hospitality, Inc., dba Petite Auberge at 567 Sutter Street.(34)

From Muni, submitting draft version of Muni's fiscal year 2004-2023 Short-Range Transit Plan. Copy: Each Supervisor(35)

From Bernard Grimm, urging the Board to do whatever it takes to clean up Market Street, between 6th and 7th Streets. Copy: Each Supervisor, Police Chief(36)

## **ADJOURNMENT**

### **Meeting Procedures**

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices, (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4) standing in the Legislative Chamber.

Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

Agenda are available on the internet at [www.sfgov.org/bdsupvrs.bos.htm](http://www.sfgov.org/bdsupvrs.bos.htm).

**THE AGENDA PACKET IS AVAILABLE AT CITY HALL, ROOM 244, RECEPTION DESK.**

Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 557-4293.

Results of each Board meeting can be obtained about a half hour after the end of the meeting by telephoning (415) 554-5555.

Requests for language translation at a meeting must be received no later than noon the Friday before the meeting.

Contact Ohn Myint at (415) 554-7704.

**AVISO EN ESPAÑOL:** La solicitud para un traductor en una reunion debe recibirse antes de mediodia de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.



### **Disability access**

The Legislative Chamber of the Board of Supervisors is in Room 250 of City Hall, 1 Dr. Carlton B. Goodlett Place. The Chamber is wheelchair accessible.

The closest accessible BART Station is Civic Center, three blocks from City Hall. Accessible MUNI lines serving this location are: #47 Van Ness, and the #71 Haight/Noriega and the F Line to Market and Van Ness and the Metro stations at Van Ness and Market and at Civic Center. For more information about MUNI accessible services, call 923-6142.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex.

All meetings are real-time captioned and are cablecast open-captioned on SF Cable 26.

The following services are available when requests are made by 4:00 p.m. of the Friday before the Board meeting.

This advance notice will help ensure availability.

ú For American Sign Language interpreters or use of a reader during a meeting, contact Ohn Myint at (415) 554-7704.

ú For a large print copy of agenda or minutes in alternative formats, contact Annette Lonich at (415) 554-7706.

Assistive listening devices are available from the receptionist in the Clerk of the Board's Office, Room 244, prior to the meeting.

The Clerk of the Board's Office TTY number is (415) 554-5227.

In order to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products.

### **Know Your Rights Under the Sunshine Ordinance**

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Donna Hall by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at [Donna.Hall@sfgov.org](mailto:Donna.Hall@sfgov.org)

Citizens may obtain a free copy of the Sunshine Ordinance by contacting Ms. Hall or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at <http://www.sfgov.org/sunshine.htm>

### **Lobbyist Registration and Reporting Requirements**

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site [www.sfgov.org/ethics](http://www.sfgov.org/ethics)