

# BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

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

## MEETING MINUTES

Monday, January 13, 2003 2:00 PM

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

### Regular Meeting

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

### BOARD COMMITTEES

#### Committee Membership

##### **Budget Committee**

Supervisors Maxwell, Peskin, Ammiano, McGoldrick

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

Supervisors Ammiano, Wynns, Mar

##### **Finance Committee**

Supervisors Peskin, Daly, Maxwell

##### **Health and Human Services Committee**

Supervisors Daly, Maxwell

##### **Neighborhood Services and Recreation Committee**

Supervisors Newsom, McGoldrick

##### **Public Works and Public Protection Committee**

Supervisors Sandoval, Gonzalez

##### **Rules and Audits Committee**

Supervisors Hall, Gonzalez, Sandoval

##### **Transportation and Commerce Committee**

Supervisors McGoldrick, Hall, Ammiano

#### Meeting Days

2nd, 3rd and 4th Tuesday  
1:00 PM

3rd Wednesday  
3:00 PM

Wednesday  
12:30 PM

1st and 3rd Thursday  
1:00 PM

2nd and 4th Thursday  
2:00 PM

1st and 3rd Tuesday  
10:00 AM

1st and 3rd Tuesday  
1:00 PM

2nd and 4th Thursday  
9:30 AM

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

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

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## ROLL CALL AND PLEDGE OF ALLEGIANCE

## APPROVAL OF MEETING MINUTES

Supervisor Maxwell, seconded by Supervisor Newsom, moved to approve December 9, 2002 and December 16, 2002 Meeting Minutes. The motion carried by the following vote:

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

## AGENDA CHANGES

*Supervisor McGoldrick informed the Board that File No. 022047 will be heard out of order.*

*Supervisor Daly informed the Board that File Nos. 022020-002023 may be continued.*

*Supervisor Maxwell informed the Board that File No. 022041 will be heard out of order.*

## COMMUNICATIONS

*There were none.*

## CONSENT AGENDA

### Recommendations of the Finance Committee

**021939 [Extension of Agreement with City Carshare]  
Supervisors Peskin, Maxwell, Newsom, Daly**

Resolution authorizing a six month extension to the existing grant agreement between the City and County of San Francisco and City Carshare. (Parking and Traffic Department)

(No Public Benefit Recipient.)

*Supervisor Daly requested to be added as sponsor.*

**Resolution No. 15-03**

**ADOPTED**

**021975 [Accept-Expend Regional Grant]  
Supervisors Peskin, Daly**

Resolution authorizing the Airport Commission to accept and expend five (5) grants totaling \$1,089,000 from the Bay Area Air Quality Management District (Air District) for acquisition of clean air vehicles by Airport transportation operators. (Airport Commission)

(Public Benefit Recipient.)

*Supervisor Daly requested to be added as sponsor.*

**Resolution No. 16-03**

**ADOPTED**

**021978 [California Healthcare for Indigents Program (CHIP) funds for Fiscal Year 2002-03]  
Supervisors Maxwell, Daly**

Resolution authorizing adoption of the County Description of Proposed Expenditure of California Healthcare for Indigents (CHIP) funds for Fiscal Year 2002-03 and that the President or duly authorized representative of the Board of Supervisors of the City and County of San Francisco can certify the County Description of Proposed Expenditure of CHIP funds for the Fiscal Year 2002-03. (Public Health Department)

(No Public Benefit Recipient.)

*Supervisor Daly requested to be added as sponsor.*

**Resolution No. 17-03**

**ADOPTED**

### Recommendations of the Rules and Audits Committee

**021937 [Settlement of Lawsuit]  
Supervisor Gonzalez**

Ordinance authorizing settlement of the lawsuit filed by plaintiff the Department of Fair Employment and Housing and intervening plaintiff Alane Bernadette Baca against the City and County of San Francisco and Andrew Blackwell for (1) payment of \$100,000.00, including all damages, attorneys' fees and costs, (2) a credit of six (6) weeks of sick leave to intervening plaintiff Baca, and (3) the Police Department issuing a specified Department Bulletin, incorporating that Bulletin into specified EEO trainings, and beginning the process of reviewing and, where applicable, revising Department General Order 11.07; the lawsuit was filed on October 4, 2001, in San Francisco Superior Court, Case No. 325-126; entitled Department of Fair Employment and Housing, et al., v. City and County of San Francisco, et al (Real Party in Interest: Alane Bernadette Baca). (City Attorney)

(Public Benefit Recipient.)

**PASSED ON FIRST READING**

**021938 [Settlement of Lawsuit]**

Ordinance authorizing settlement of the lawsuits filed by William J. Sepatis against the City and County of San Francisco for \$100,000; the lawsuit under US District Court Case No. C00-2299 MHP filed on May 31, 2000 and the lawsuit under US District Court Case No. C00-1626 MHP filed on May 8, 2000 were consolidated, entitled William James Sepatis v. City and County of San Francisco, et al. (City Attorney)

(Public Benefit Recipient.)

**PASSED ON FIRST READING**

**021986 [Settlement of Litigation]**

Ordinance authorizing settlement of litigation by the City and County of San Francisco against Haruo Abe by accepting the total amount of \$21,250 plus interest as provided in the settlement and Mutual Release and directing its attorney to sign the dismissal with prejudice of the subject litigation upon completion of all of the terms of the settlement agreement. (Treasurer-Tax Collector)

(No Public Benefit Recipient.)

**PASSED ON FIRST READING**

**021630 [Appointment]**

Resolution appointing Mark Reader, Ilya Weber, Jymi Shores, Kent Uyehara, and Ted Loewenberg, terms to be determined, to the Skateboarding Task Force.

Mark Reader, new position, seat 1, must be a voting representative from the skateboarding community knowledgeable about the sport for a period of 5 years. Three-year term;

Ilya Weber, new position, seat 2, must be a voting representative from the in-line skating community knowledgeable about the sport for a period of 5 years. Three-year term;

Jymi Shores, new position, seat 3, must be a voting representative from the BMX or alternative biking community knowledgeable about the sport for a period of 5 years. Three-year term;

Kent Uyehara, new position, seat 4, must be a voting representative with expertise in skateboarding businesses or services. Three-year term;

Ted Loewenberg, new position, seat 5, must be a voting representative from the business community with expertise in skateboarding prevention services, property management, or insurance services. Three-year term.

Supervisor Hall absent for appointment of Mark Reader.

**Resolution No. 5-03**

**ADOPTED**

**021891 [Appointment]**

Resolution appointing Melvin Beetle, John Melone, Delbert Scott, and Lynne Armstrong, terms to be determined, to the Homeless Senior Task Force, residency requirement waived.

Melvin Beetle, new position, seat 1, must be a senior who is currently homeless or marginally housed, term to be determined;

John Melone, new position, seat 2, must be a senior who is currently homeless or marginally housed, term to be determined;

Delbert Scott, new position, seat 3, must be a senior who is currently homeless or marginally housed, term to be determined;

Lynne Armstrong (residency requirement waived), new position, seat 4, must have extensive experience providing direct services to homeless seniors, term to be determined.

**Resolution No.** 13-03

**ADOPTED**

**Recommendation of Transportation and Commerce Committee****021880 [Accept - Expend State Grant]**

Resolution authorizing the Executive Director to apply for, accept, and expend matching grant funds from the CEC Energy Efficiency Program to install Battery Back-Up Systems (BBS) at signalized intersections with Light Emitting Diode (LED) traffic signal modules at 91 intersections throughout the City. (Parking and Traffic Department)

(No Public Benefit Recipient.)

**Resolution No.** 10-03

**ADOPTED**

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

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

**Severed from the Consent Agenda**

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

**021998 [Appointment to Telecommunications Commission]**

**Mayor**

Resolution approving the Mayor's appointment of Michael Rouan to the Telecommunications Commission for the term ending July 1, 2004. (Mayor)

**Resolution No.** 20-03

**ADOPTED by the following vote:**

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

## REGULAR AGENDA

## UNFINISHED BUSINESS

### From the Clerk

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

**021873 [Conditional Use Appeal, 2444-2454 Noriega Street]**

Motion approving decision of the Planning Commission by its Motion No. 16471, approving Conditional Use Application No. 2002.0736C, on property located at 2444-2454 Noriega Street, north side of the street between 31st and 32nd Avenues, and adopting findings pursuant to Planning Code Section 101.1. (Clerk of the Board)

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

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

**021874 [Conditional Use Appeal, 2444-2454 Noriega Street]**

Motion disapproving decision of the Planning Commission by its Motion No. 16471, approving Conditional Use Application No. 2002.0736C, on property located at 2444-2454 Noriega Street, north side of the street between 31st and 32nd Avenues, and adopting findings pursuant to Planning Code Section 101.1. (Clerk of the Board)

Motion No. M03-3

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

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

**021875 [Findings - 2444-2454 Noriega Street]**

Motion directing the Clerk of the Board to prepare findings relating to proposed Conditional use Application No. 2002.0736C, on property located at 2444-2454 Noriega Street, north side of the street between 31st and 32nd Avenues, for action by the Board at its next meeting. (Clerk of the Board)

Motion No. M03-40

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

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

**Recommendations of the Finance Committee**

- 021504** [Prevailing rate of wage and displaced worker protection for workers employed in public off-street parking lots, garages, or storage facilities for automobiles on property owned or leased by the CCSF]  
**Supervisors Daly, Ammiano, Peskin, Gonzalez, McGoldrick**

Ordinance adding Section 21.25-2 to the Administrative Code to require that workers employed in public off-street parking lots, garages, or storage facilities for automobiles on property owned or leased by the City and County of San Francisco be paid the prevailing rate of wage and that such workers will have job protection with the successor contractor for a transition period after a lease, management agreement or other contractual arrangement is terminated.

*Supervisor McGoldrick requested to be added as a co-sponsor.*

**Ordinance No.** 3-03

**FINALLY PASSED** by the following vote:

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

- 021893** [Settlement of Lawsuit]  
**Supervisors Maxwell, McGoldrick**

Ordinance authorizing settlement of the lawsuit filed by the City and County of San Francisco, on behalf of the People of California, against the Williams Energy Companies; the lawsuit entitled People v. Dynegy, et al. was filed on January 18, 2001, and has been consolidated as Wholesale Electricity Antitrust Cases I & II in the United States District Court, Southern District of California, Case Nos. 02 CV 0990-RHW, CV 02-1000-RHW, 02 CV-1001 RHW; which settlement provides a modification of the long-term contracts between the State of California and Williams, transfer to the City and County of San Francisco of four electric generating turbines for use within the City, payment of approximately \$19 million to assist with siting and developing electric generating equipment in San Francisco and elsewhere; and payment to City and County of San Francisco of \$500,000 for attorney's fees and other expenses of litigation.

(No Public Benefit Recipient.)

**Ordinance No.** 1-03

**FINALLY PASSED** by the following vote:

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

**021914 [Laguna Honda Replacement Project]  
Supervisors Hall, Newsom**

Ordinance authorizing the Director of Public Works (Director) to issue a competitive request for proposals (RFP) for the services of a Construction Manager-At-Risk (CM-at-Risk) for the Laguna Honda Hospital Replacement Project, and to award a contract for such services based on best qualifications; further authorizing the Director to modify and approve the assignment of the City's current professional services contract for construction management services with Turner Construction Company/Cooper Pugeda Management, Inc., a joint venture (Turner/CPM, JV) to Cooper Pugeda Management, Inc. (CPM); and to permit Turner Construction Company to participate in the RFP for the services of a CM-at-Risk.

(No Public Benefit Recipient.)

**Ordinance No.** 4-03

**FINALLY PASSED** by the following vote:

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

**Recommendations of Health and Human Services Committee**

**021645 [Pet Guardian - Definition and Duties]  
Supervisors Gonzalez, Daly, Maxwell**

Ordinance amending Part II, Chapter V, Article 1 of the San Francisco Municipal Code (Health Code) by amending Section 41, to add the definition of "Guardian", and amending Sections 41.4, 41.5.1, 41.6, 41.7, 41.8, 41.10, 41.11, 41.12, 41.16, 41.19, 41.20, 41.22, 41.24, 42.2, and 42.3 to add the term "Guardian" where the term "Owner" is referenced.

**Ordinance No.** 5-03

**FINALLY PASSED** by the following vote:

Ayes: 8 - Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Sandoval

Noes: 3 - Ammiano, Newsom, Peskin



**020716 [Settlement of lawsuit and, as part of the settlement, amending the Rent Control Ordinance]  
Supervisors Ammiano, Maxwell**

Ordinance authorizing settlement of the lawsuit filed by residential landlords against the City and County of San Francisco to invalidate Proposition H passed in the November 2000 general election, concerning the pass through of capital improvement costs by landlords to tenants; the lawsuit was filed on November 22, 2000, in San Francisco Superior Court, Case No. 316-928 entitled Quigg v. City and County of San Francisco, et al.; and, as part of the settlement, amending the Residential Rent Stabilization and Arbitration Ordinance (Administrative Code Chapter 37) regarding permissible passthrough of bond costs from landlords to tenants by providing for 50% passthrough of the change in the landlord's property tax resulting from the repayment of general obligation bonds of the City and County of San Francisco approved by the voters in the future; and regarding permissible passthrough from landlords to residential tenants of certain costs for capital improvements, rehabilitation, energy conservation improvements, and renewable energy improvements, by codifying and expanding existing amortization schedules, by establishing specified maximum annual passthroughs at 5% of a tenant's base rent for properties with five or fewer units and at 10% of a tenant's base rent for properties with six or more units, by capping certification for work and improvements on properties with six or more residential units at 50% of landlord costs unless the tenant elects 100% passthrough of costs with a lifetime rent increase cap of 15% of base rent, by lengthening the amortization period from 10 years to 20 years for certain improvements required by law (including certain seismic improvements to unreinforced masonry buildings), by providing tenants and the Rent Board with pre-application notice of large projects, by providing that each petition totaling more than \$25,000 must pay the cost of an estimator hired by the Rent Board unless the applicant provides copies of competitive bids received or copies of time and materials billing, by providing for the Commission on the Environment to conduct hearings and recommend new passthrough provisions encouraging energy conservation improvements and renewable energy improvements, and by expanding the provisions for tenant hardship applications for relief from such passthroughs by providing that a tenant can file such an application at any time instead of only at the time the passthrough is originally approved. This Ordinance amends Sections 37.2, 37.3, and 37.7, and 37.8B, with most provisions operative May 1, 2002 or 60 days prior to passage of this Ordinance on Second Reading by the Board of Supervisors, whichever is later.

(12/9/02 in Board: Supervisor Ammiano submitted a substitute ordinance bearing new title.)

**Ordinance No.** 2-03

**FINALLY PASSED** by the following vote:

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

## NEW BUSINESS

### Recommendations of the Finance Committee

**021804 [Garbage Collection Truck Licensing Fee]**

Ordinance increasing the licensing fee for garbage trucks and the amount deposited into the Mandatory Refuse Collection Service Fund by amending Section 249.6 of the San Francisco Business and Tax Regulations Code and Section 10.100-7 of the San Francisco Administrative Code and ratifying past actions taken in connection with such licensing fee. (Public Health Department)

(No Public Benefit Recipient.)

*Supervisor Sandoval noted absent at 3:10 p.m.*

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

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

**021856 [Providing for a new complaint procedure for the enforcement of the prevailing wage requirements]  
Supervisors Ammiano, Peskin, Maxwell, Daly, McGoldrick, Dufty**

Ordinance adding Subsection 6.24(C) to San Francisco Administrative Code, Chapter 6, Article II, Section 6.24 to establish a procedure for the Labor Standards Enforcement Officer's administration of complaints in the enforcement of prevailing wage requirements.

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

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

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

*Supervisor Sandoval noted present at 3:14 p.m.*

**021911 [MOU, H-1 Fire Rescue Paramedics, Local 790]  
Mayor**

Ordinance adopting and implementing the terms of the Memorandum of Understanding between the Service Employees International Union, Local 790 for H-1 Fire Rescue Paramedics and the City and County of San Francisco to be effective for the period July 1, 2001 through June 30, 2003. (Mayor)

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

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

**021839 [Redevelopment Agency Budget Amendment for Fiscal Year 2002-2003]**

Resolution approving an amendment to the Budget of the Redevelopment Agency of the City and County of San Francisco for Fiscal Year 2002-2003 by increasing the Agency's expenditure authority in an amount not to exceed \$43,100,000; authorizing the Agency's issuance of Tax Allocation Bonds, in one or more series, each in either Variable Rate or Fixed Rate Mode, in an amount not to exceed \$43,100,000; authorizing the Agency's receipt of additional Tax Increment necessary to repay the principal and interest on said bonds; and approving a Cooperation and Tax Increment Reimbursement Agreement with the Agency with respect to the Yerba Buena Center Redevelopment Project Area; and authorizing an agreement between the Agency and the Parking Authority pertaining to the operation of the proposed Jessie Square Garage. (Redevelopment Agency)

(Fiscal impact.)

**Resolution No.** 1-03

**ADOPTED by the following vote:**

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

*Supervisor McGoldrick noted absent at 3:16 p.m.*

**021877 [Amendment to the Operating Agreement for the Moscone Convention Center]**

Resolution authorizing the Director of Convention Facilities to execute an amendment to the operating agreement increasing the agreement from \$15,015,100.00 to \$15,844,209.00. (Administrative Services Department)

(Fiscal impact; Public Benefit Recipient.)

**Resolution No.** 9-03

**ADOPTED by the following vote:**

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

Absent: 1 - McGoldrick

**021919 [Treasure Island Development Authority Cooperative Agreement with U.S. Navy]**

Resolution approving and authorizing the Treasure Island Development Authority to enter into the 15th modification to the Cooperative Agreement with the United States Navy to extend the Cooperative Agreement retroactively from October 1, 2002 to September 30, 2003. (Mayor)

(Fiscal impact.)

(No Public Benefit Recipient.)

**Resolution No.** 14-03

**ADOPTED by the following vote:**

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

Absent: 1 - McGoldrick

**Recommendations of Neighborhood Services and Recreation Committee****021320 [Liquor License, 132 Eddy Street]**

Resolution determining that the issuance of a Type 42 on-sale beer and wine public premises license to Monika Bernstein dba "Realspace Art Gallery" located at 132 Eddy Street (District 6), will serve the public convenience and necessity of the people of the City and County of San Francisco in accordance with Section 23958.4 of the California Business and Professions Code; with conditions.

**Resolution No.** 4-03

**ADOPTED by the following vote:**

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

**021800 [Liquor License, 1419-18th Street]**

Resolution determining that the issuance of a Type 20 off-sale beer and wine alcoholic beverage control license to Joel Bleskacek and John David-Malone for Potrero Market located at 1419-18th Street (District 10), will serve the public convenience and necessity of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code; with conditions.

**Resolution No.** 8-03

**ADOPTED by the following vote:**

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

**021751 [Liquor License, 615-7th Street]**

Resolution determining that the transfer of a Type 21 off-sale general alcoholic beverage control license from 490 Post Street to 615-7th Street (District 6), to Harold Hoogasian dba "Hoogasian Flowers, Inc." will serve the public convenience and necessity of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code; with conditions.

**Resolution No.** 6-03

**ADOPTED by the following vote:**

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

**021753 [Liquor License Transfer, 365 Tehama Street]**

Resolution determining that the transfer of a Type 17 (wholesaler), Type 20 (off-sale beer and wine), and Type 09 (beer and wine importer) alcoholic beverage control licenses, from 375 Tehama Street to 365 Tehama Street, District 6, to Charles H. Hine dba "Aesculapius Imports", will serve the public convenience and necessity of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code.

**Resolution No.** 7-03

**ADOPTED by the following vote:**

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

**Recommendations of the Rules and Audits Committee**

*Supervisor McGoldrick noted present at 3:21 p.m.*

*Supervisor Hall noted absent at 3:20 p.m.*

**020913 [Amending the Appointment Process for the Child Care Planning and Advisory Council and Establishing Child Care Planning Advisory Council Account]  
Supervisor Maxwell**

Ordinance amending the San Francisco Administrative Code by amending section 5.200 to: (1) provide that the Board of Supervisors appoints 15 members of the Child Care Planning and Advisory Council ("Council") and that the Board of Education, or County Superintendent of Schools, if the Board of Education delegates the appointment power to her or him, appoints 15 members of the Council and to; (2) amend compensation provisions for Council members to provide for compensation for all members who are not otherwise compensated for attending committee meetings; and amending the San Francisco Administrative Code by adding section 10.100-367 to establish the Child Care Planning and Advisory Council Fund.

*Amended on page 10, line 22 after "annually," by inserting "exclusively".*

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

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

**021815 [Publication of Annual Reports - Amend Administrative Code Sections 1.56 and 8.16]  
Supervisors Daly, Ma**

Ordinance amending Administrative Code Sections 1.56 and 8.16 to require that department heads, boards and commissions post annual reports on the City's website, and prohibiting departments, boards and commissions from publishing hard copies of such reports without approval of the Board of Supervisors.

*Supervisor McGoldrick, seconded by Supervisor Newsom, moved to continue this matter to January 21, 2003.*

*Motion failed by the following vote:*

*Ayes: - 5 Ammiano, Gonzalez, Maxwell, McGoldrick, Newsom*

*Noes:- 5 Daly, Dufty, Ma, Peskin, Sandoval*

*Absent: 1 Hall*

*Supervisor Hall noted present at 3:23 p.m.*

*Supervisor McGoldrick, seconded by Supervisor Newsom, moved to rescind the previous vote.*

*Motion carried by the following vote:*

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

*Supervisor McGoldrick, seconded by Supervisor Newsom moved to continue this matter to January 21, 2003.*

*Motion failed by the following vote:*

*Ayes: - 5 Ammiano, Gonzalez, Maxwell, McGoldrick, Newsom*

*Noes:- 6 Daly, Dufty, Hall, Ma, Peskin, Sandoval*

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

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

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

*Noes: 2 - McGoldrick, Newsom*

**021987 [Settlement of Litigation]**

Ordinance authorizing settlement of litigation by the City and County of San Francisco against Hartford Properties, a California Corporation Linda L. Servis and Helen Parduhn Marshall, individuals by accepting the total amount of \$25,000 directing its attorney to sign the Payment Agreement, Settlement and Release.  
(Treasurer-Tax Collector)

(Public Benefit Recipient.)

*Amended on page 1, line 3, after "Corporation" by inserting "Linda L. Servis"; and further amended on line 16 after "directed to" by inserting "permit"; and further amended on line 20 after "any" by inserting "uncured".*

*(New Title)*

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

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

**020350 [Corporate Property Reassessment]  
Supervisors Gonzalez, McGoldrick, Daly, Peskin**

Resolution urging the California State Legislature to place on the ballot a constitutional amendment modifying current tax code to close corporate loopholes in Proposition 13 and allow reassessment of corporate property at current value.

*Supervisors McGoldrick, Daly and Peskin requested to be added as co-sponsors.*

**Resolution No. 3-03**

**ADOPTED by the following vote:**

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

**020392 [Webpage Enhancement and Maintenance for the Board of Supervisors]  
Supervisors Sandoval, Daly**

Motion amending Rules of Order of the Board of Supervisors by adding Rule 6.22, which will direct the Clerk of the Board of Supervisors to provide and maintain enhancements to the Webpage of the Board of Supervisors, and allow individual Supervisors privately to maintain a linked Webpage to be used in furtherance of the conduct of the City's business.

*Supervisor Sandoval, seconded by Supervisor McGoldrick moved to rescind the previous vote:*

*Motion carried by the following vote:*

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

**Motion No. M03-10**

**APPROVED by the following vote:**

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

*Continued to January 21, 2003*

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

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

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

**021890 [Appointment]**

Resolution appointing Supervisor Gavin Newsom, David Heller, and Paul Giusti, indefinite terms, to the Graffiti Advisory Board.

Supervisor Gavin Newsom, new position, seat 1, must be a member of the Board of Supervisors, for an indefinite term;

David Heller, new position, seat 6, must represent small business in San Francisco, for an indefinite term;

Paul Giusti, new position, seat 7, must represent large business in San Francisco, for an indefinite term.

**Resolution No. 12-03**

**ADOPTED by the following vote:**

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

**Supervisor Ammiano Excused From Voting**

Supervisor Peskin, seconded by Supervisor McGoldrick, moved to excuse to Supervisor Ammiano from voting. The motion carried by the following vote:

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

**021991 [Appointment]**

Resolution appointing Supervisor Tom Ammiano, term ending February 9, 2007, to the Metropolitan Transportation Commission.

**Resolution No.** 18-03

**ADOPTED by the following vote:**

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

Excused: 1 - Ammiano

**Supervisor McGoldrick Excused From Voting**

Supervisor Ammiano, seconded by Supervisor Peskin, moved to excuse Supervisor McGoldrick from voting. The motion carried by the following vote:

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

**021992 [Appointment]**

Resolution appointing Supervisor Jake McGoldrick, term ending February 1, 2005, to the Bay Area Air Quality Management District Board of Directors.

**Resolution No.** 19-03

**ADOPTED by the following vote:**

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

Excused: 1 - McGoldrick



## Recommendations of Transportation and Commerce Committee

### Appointment of President Pro Tempore

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

*The President resumed the Chair shortly thereafter.*

**021883 [Accept-Expend Non-Profit Grant]**

Resolution authorizing the Department of Human Resources to accept and expend a grant in the amount of \$25,000 from the Cooperative Personnel Services (CPS) and International Personnel Management Association (IPMA) for the implementation and utilization of innovative human resources program, "The Link Project". (Human Resources Department)

(No Public Benefit Recipient.)

**Resolution No.** 11-03

**ADOPTED** by the following vote:

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

**021921 [Grant funds for the preservation and restoration of the Old Mint]**

**Mayor, Supervisors Peskin, Newsom**

Resolution authorizing the Mayor's Office of Economic Development to retroactively accept and expend a federal grant in the amount of \$498,900 for the Preservation and Restoration of the Old Mint. (Mayor)

(No Public Benefit Recipient.)

*Supervisors Peskin and Newsom requested to be added as co-sponsors.*

**Resolution No.** 2-03

**ADOPTED** by the following vote:

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

**021450 [Advisory Board Report, Union Square Business Improvement District]**

**Supervisors Peskin, Newsom**

Motion approving the annual report by the Advisory Board to the Union Square Business Improvement District for Fiscal Year 2001-2002. (Clerk of the Board)

*Supervisors Peskin and Newsom requested to be added as sponsors.*

**Motion No.** M03-6

**APPROVED** by the following vote:

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

**SPECIAL ORDER 3:00 P.M.****Board of Supervisors Sitting as a Committee of the Whole****Pending approval of File 022041**

**022040 [FY 2002-2003 and FY 2003-2004 Budgets]**  
**Supervisors Maxwell, Daly**

Hearing on FY 2002-2003 and FY 2003-2004 budgets at a Committee of the Whole on January 13, 2003. The hearing will include reports from the Controller and the Mayor's Budget Office on mid-year budget reduction proposals, the most current budget projections for the City, and potential impacts for San Francisco from the State budget shortfall.

*Continued to January 21, 2003*

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

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

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

**022020 [Public Hearing - Appeal, Supplemental EIR for the San Francisco Cruise Terminal Mixed Use Project and Brannan Street Wharf Project]**

Hearing of persons interested in or objecting to the Planning Commission certification of the Final Supplemental Environmental Impact Report, Planning Case No. 94.155E, for a proposed mixed-use cruise terminal facility/residential project, located on Piers 30-32 and Seawall Lot 330 and a public open space project, in the location of Piers 34 and 36, in the Port of San Francisco. (Clerk of the Board)

(Appeal filed December 11, 2002; companion measure to Files 022020, 022021, 022022, 022023.)

*Continued to January 21, 2003*

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

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

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

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

- 022021 [Affirming Planning Commission certification of the FSEIR for the S.F. Cruise Terminal Mixed Use Project and Brannan Street Wharf Project]**  
Motion affirming Planning Commission certification of the Final Supplemental Environmental Impact Report for a proposed mixed-use cruise terminal facility/residential project, located on Piers 30-32 and Seawall Lot 330 and a public open space project, in the location of Piers 34 and 36, in the Port of San Francisco, in the City and County of San Francisco. (Clerk of the Board)  
*Continued to January 21, 2003*  
Supervisor Daly, seconded by Supervisor Maxwell, moved that this Motion be CONTINUED. The motion carried by the following vote:  
Ayes: 10 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin  
Absent: 1 - Sandoval
- 022022 [Reversing the Planning Commission certification of the FSEIR for the S.F. Cruise Terminal Mixed Use Project and Brannan Street Wharf Project.]**  
Motion reversing the Planning Commission certification of the Final Supplemental Environmental Impact Report for a proposed mixed-use cruise terminal facility/residential project, located on Piers 30-32 and Seawall Lot 330 and a public open space project, in the location of Piers 34 and 36, in the Port of San Francisco, in the City and County of San Francisco. (Clerk of the Board)  
*Continued to January 21, 2003*  
Supervisor Daly, seconded by Supervisor Maxwell, moved that this Motion be CONTINUED. The motion carried by the following vote:  
Ayes: 10 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin  
Absent: 1 - Sandoval
- 022023 [Preparation of findings reversing the Planning Commission certification of the FSEIR for the S.F. Cruise Terminal Mixed Use Project and Brannan Street Wharf Project]**  
Motion directing the Clerk of the Board to prepare findings reversing the Planning Commission certification of the Final Supplemental Environmental Impact Report for a proposed mixed-use cruise terminal facility/residential project, located on Piers 30-32 and Seawall Lot 330 and a public open space project, in the location of Piers 34 and 36, in the Port of San Francisco, in the City and County of San Francisco. (Clerk of the Board)  
*Continued to January 21, 2003*  
Supervisor Daly, seconded by Supervisor Maxwell, moved that this Motion be CONTINUED. The motion carried by the following vote:  
Ayes: 10 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin  
Absent: 1 - Sandoval

## ROLL CALL FOR INTRODUCTIONS

## PUBLIC COMMENT

*Abdulla, Megahed; homelessness issues and congratulated President Gonzalez on being elected Board President*

*Vernon Jenkins; citizen's support in favor of moving public comment to later in the Board Agenda Female Speaker; congratulated President Gonzalez on being elected Board President*

*Michael Barrett; issues regarding information on agenda relating to items*

*Francisco DeCosta; congratulated President Gonzalez on being elected Board President; web site issues, and air quality concerns*

*John Kelly; congratulated President Gonzalez on being elected Board President; issues relating to the number of deaths of homeless people on City streets*

*Andrew Bozeman; congratulated President Gonzalez on being elected Board President; need for information being available to the public; air quality and placing of power plants;*

*Female Speaker; Save the Cliff House*

*Jim Iverson; congratulated President Gonzalez on being elected Board President;*

*Tom McDonagh; congratulated President Gonzalez on being elected Board President; web site issues; State Rapid Rail proposal; treatment of injured citizen*

*Scotty Thomas; Request of resume of agenda items*

*Larry Edmond; congratulated President Gonzalez on being elected Board President; general issues*

## APPROVAL OF REQUESTS TO THE LEGISLATIVE ANALYST

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

### 022043 [Legislative Analyst Request] Supervisors Hall, Dufty

Motion asking the Legislative Analyst to Review other municipalities (i.e. Washington D.C., Los Angeles, Seattle and New York City) and analyze what legislation and programs these cities have that encourage homeownership for first time homebuyers. Specifically, please analyze the tax credits offered by Washington D.C. to first time homebuyers.

Also, determine how the City and County of San Francisco could issue revenue bonds to create a fund accessible for San Franciscans seeking down payment and mortgage assistance.

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

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

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

**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 48 through 57****022006 [Urge Pretrial Diversion Program 50 hours of community service for first time graffiti offenders]  
Supervisors Hall, Maxwell, Peskin**

Resolution urging the Executive Director of the Pretrial Diversion program to recommend to the courts at least 50 hours of community service for first time graffiti vandalism offenders.

*Supervisor Peskin requested to be added as a co-sponsor.*

**Resolution No.** 21-03

**ADOPTED by the following vote:**

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

**022019 [Declaration of December 10, 2002 Run-off Election Results]**

Resolution declaring results of the December 10, 2002 Municipal Run-off Election. (Clerk of the Board)

**Resolution No.** 22-03

**ADOPTED by the following vote:**

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

**022034 [Urging SF Federal Legislative Delegation Allocation of HUD McKinney Funds]  
Supervisors Gonzalez, Peskin**

Resolution urging San Francisco's Federal legislative delegation to advocate for allocation of HUD McKinney funds at the 2002-03 level to support employment, education and training services to homeless services in San Francisco.

*Supervisor Peskin requested to be added as a co-sponsor.*

**Resolution No.** 23-03

**ADOPTED by the following vote:**

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

**022035 [Declare January 16, 2003 Laura Jo Ruffin Day]  
Supervisors Peskin, Newsom**

Resolution declaring January 16, 2003 Laura Jo Ruffin Day in San Francisco.

*Supervisor Newsom requested to be added as a co-sponsor.*

**Resolution No.** 24-03

**ADOPTED by the following vote:**

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

**030005 [Final Map for an 8 Unit Residential Condominium Project]**

Motion approving Final Map of 1610 Sacramento Street, a Residential Condominium Project, being a subdivision of Lot 7, Assessor's Block No. 621, and adopting findings pursuant to Planning Code Section 101.1. (Public Works Department)

(No Public Benefit Recipient; DPW Order No. 173,896.)

**Motion No.** M03-1

**APPROVED** by the following vote:

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

**030006 [Final Map for a 5 Unit Residential Condominium Project]**

Motion approving Final Map of 2077 - 2087 Taylor Street, a Residential Condominium Project, being a subdivision of Lot 2, Assessor's Block No. 92, and adopting findings pursuant to Planning Code Section 101.1. (Public Works Department)

(No Public Benefit Recipient; DPW Order No. 173,895.)

**Motion No.** M03-2

**APPROVED** by the following vote:

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

**022045 [Needle Exchange Emergency]**

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

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

**Motion No.** M03-4

**APPROVED** by the following vote:

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

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

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

**Severed from Without Reference Committee Reference Agenda**

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

**022041 [Sitting As A Committee of the Whole 1/13/03 Budget]  
Supervisor Maxwell**

Motion scheduling a Committee of the Whole on January 13, 2003, at 3:00 p.m. to hold a hearing on the FY 2002 - 2003 and FY 2003 - 2004 budgets.

*Amended on page 1 by replacing "January 13, 2003 to "January 21, 2003".*

**Motion No. M03-5**

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

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

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

*Supervisor McGoldrick, seconded by Supervisor Ammiano, moved to suspend the Rules to allow public comment on the matter.*

*Motion carried by the following vote:*

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

*Public comment was held.*

*The President declared the public comment closed.*

**022047 [Opposing USA PATRIOT Act]  
Supervisors McGoldrick, Sandoval, Daly, Peskin, Maxwell, Gonzalez**

Resolution opposing the USA PATRIOT Act and related Executive Orders.

*Continued to January 21, 2003*

*Supervisors Sandoval, Daly and Peskin requested to be added as co-sponsors.*

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

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

*Supervisor Dufty requested that this matter be severed so that the matter could be considered separately.*

**022044 [Supporting Assembly Bill 18]  
Supervisors Dufty, Ammiano, McGoldrick, Peskin**

Resolution supporting Assembly Bill 18, eliminating the preemption clause of the State Fair Employment and Housing Act.

*Continued to January 21, 2003*

*Supervisor McGoldrick requested to be added as a co-sponsor.*

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

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

## **IMPERATIVE AGENDA**

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

*[Purely Commendatory Finding]*

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

**Supervisor Ammiano, seconded by Supervisor Maxwell, moved ADOPTION of the Commendary Finding Act. The motion carried by the following vote:**

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

*[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 Ammiano, seconded by Supervisor Maxwell, moved ADOPTION of the Brown Finding. The motion carried by the following vote:**

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



**030037 [Commending the Chinese Progressive Association]**  
**Supervisors Maxwell, Peskin, Ammiano, McGoldrick, Ma, Daly**

Resolution commending the Chinese Progressive Association for their 30 years of dedication and commitment to empowering the Chinese community through grassroots organizing, community action and education and proclaiming Friday, January 17, 2003 as Chinese Progressive Association Day in San Francisco.

**Resolution No. 25-03**

**ADOPTED by the following vote:**

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

*[Purely Commendatory Finding]*

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

Supervisor Ammiano, seconded by Supervisor Maxwell, moved **ADOPTION** of the Commendary Finding Act. The motion carried by the following vote:

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

*[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 Ammiano, seconded by Supervisor Maxwell, moved **ADOPTION** of the Brown Finding. The motion carried by the following vote:

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

**030038 [Honoring Carl Saucedo]**  
**Supervisors Gonzalez, Sandoval**

Resolution honoring Carl Saucedo on the occasion of his retirement as Court Reporter.

**Resolution No. 26-03**

**ADOPTED by the following vote:**

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

## OFF-AGENDA LEGISLATION

*Motions Introduced by the President at the Request of Departments*

### Introduced by Supervisors or Mayor

#### Ordinances

- 030039 [Amend Administrative Code Article VIII, the San Francisco Museum and Historical Society Advisory Committee]  
Supervisor Peskin**

Ordinance amending Article VIII of the San Francisco Administrative Code by amending Section 2A.166 to expand the membership of the San Francisco Museum and Historical Society Advisory Committee ("Committee"), to clarify the Committee's annual reporting requirements and to establish a minimum bi-monthly meeting schedule for the Committee.

1/13/03, ASSIGNED UNDER 30 DAY RULE to Rules and Audits Committee, expires on 2/12/2003.

- 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 a portion of this District all ground floor and basement level office use be subject to conditional use authorization and in other specified portions be prohibited, 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.

1/13/03, ASSIGNED UNDER 30 DAY RULE to Transportation and Commerce Committee, expires on 2/12/2003.

- 030041 [Dissolving the Hazardous Materials Advisory Committee]  
Supervisor Hall**

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

1/13/03, RECEIVED AND ASSIGNED to Rules and Audits Committee.

**030042 [Dissolving the Skating Advisory Committee]  
Supervisor Hall**

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

1/13/03, RECEIVED AND ASSIGNED to Rules and Audits Committee.

**030043 [Dissolving the Clean Air Advisory Committee]  
Supervisor Hall**

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

1/13/03, RECEIVED AND ASSIGNED to Rules and Audits Committee.

**030044 [Dissolving the Video Display Terminal Advisory Committee]  
Supervisor Hall**

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

1/13/03, RECEIVED AND ASSIGNED to Rules and Audits Committee.

**030045 [Amending the Annual Salary Ordinance to expedite appointments by elected officials]  
Supervisor Daly**

Draft ordinance amending the Annual Salary Ordinance to provide that elected officials enumerated in Article II and Section 6.100 of the San Francisco Charter may make appointments to permanent positions upon (1) verification by the Human Resources Director that the positions have been legally established and that the appointment is consistent with the Charter and applicable Civil Service Rules and (2) certification by the Controller that sufficient funds are available; and specifying that such appointments do not require approval by the Mayor.

1/13/03, RECEIVED AND ASSIGNED to Finance Committee.

**021096 [Amending Residential Rent Stabilization and Arbitration Ordinance]  
Supervisors Gonzalez, Daly**

Ordinance amending the Residential Rent Stabilization and Arbitration Ordinance (Administrative Code Chapter 37), by amending Sections 37.2, 37.3, 37.8, 37.9, 37.9B, and 37.11A, to: clarify the definition of rental units to include units regardless of zoning or legal status; provide that parking or storage or similar facilities on the same lot may not be severed by the landlord without just cause or tenant consent, except where necessitated by serious landlord hardship or circumstances beyond the landlord's control; extend coverage of the ordinance to non-tourist tenancies in residential hotels by eliminating the 32-day residency requirement for those tenancies; change Subsection 37.3(a) "Rent Increase Limitations for Tenants in Occupancy" and Subsection 37.3(b) "Notice of Rent Increase for Tenants in Occupancy" by deleting the phrase "in occupancy" from both subsections; limit imposition of banked rent increases to 8% per year and require more specific notice; require more specific notice for rent increases authorized under California Civil Code Sections 1954.50 et seq., and require a rent arbitration hearing for certain increases not authorized by Civil Code Sections 1954.50 et seq.; prohibit rent increases or evictions solely for additional occupants, where the total number of occupants is within Housing Code occupancy limits; expand the statute of limitations from three years to five years from discovery, for refunds of rent overpayments due to null and void rent increases; clarify that all endeavors to recover possession for just cause under Section 37.9(a), must be in good faith without ulterior motive and with honest intent; require relocation expenses of \$2,000 for each authorized occupant (including any minor child) who has lived in a unit for 12 months as of the time of vacation of the unit, where the unit is to be demolished or otherwise permanently removed from housing use, or where the tenant must relocate due to capital improvements or substantial rehabilitation work or an owner-move-in eviction, with one-half paid upon notice and one-half paid within 72 hours after vacation of the unit, and with these amounts to be increased annually according to the rate of increase in the "Rent of Primary Residence" expenditure category of the Consumer Price Index (CPI); provide that a tenant's civil action against a landlord for abridgement of rights under this Chapter may also be brought against the landlord's successor in interest; certain technical corrections to conform numbering to prior Chapter 37 amendments; and, amending San Francisco Housing Code Chapter 5, Section 503(b) to make a technical correction, and amending San Francisco Housing Code Chapter 5, Section 503(d), to clarify that the protections of that Section extend to all persons by deleting the references to "families," to clarify that the Section promotes affordable housing, and to clarify that the Section protects prospective and current tenants.

6/17/02, ASSIGNED UNDER 30 DAY RULE to Health and Human Services Committee, expires on 7/17/2002.

12/31/02, FILED PURSUANT TO RULE 5.37.

1/13/03, REACTIVATED PURSUANT TO RULE 5.24. Supervisor Gonzalez requested this matter be reactivated.

1/13/03, ASSIGNED to Health and Human Services Committee.

**020114 [Requiring Early Voting in Each Supervisorial District]  
Supervisor Gonzalez**

Ordinance amending the Municipal Elections Code to require the Department of Elections to establish at least three satellite locations in each Supervisorial district for early voting during the ten calendar days immediately preceding any election held in the City and County of San Francisco.

(Fiscal impact.)

1/22/02, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 2/21/2002.

1/28/02, TRANSFERRED to Rules and Audits Committee. Transferred pursuant to new committee structure.

2/14/02, ASSIGNED UNDER 30 DAY RULE to Rules and Audits Committee, expires on 2/21/2002.

12/2/02, FILED to Rules and Audits Committee. Filed pursuant to Rule 5.37

1/13/03, REACTIVATED PURSUANT TO RULE 5.24. Supervisor Gonzalez requested this matter be reactivated.

1/13/03, ASSIGNED to Rules and Audits Committee.

### **Resolutions**

**030037 [Commending the Chinese Progressive Association]  
Supervisors Maxwell, Peskin, Ammiano, McGoldrick, Ma, Daly**

Resolution commending the Chinese Progressive Association for their 30 years of dedication and commitment to empowering the Chinese community through grassroots organizing, community action and education and proclaiming Friday, January 17, 2003 as Chinese Progressive Association Day in San Francisco.

1/13/03, ADOPTED.

**030038 [Honoring Carl Saucedo]  
Supervisors Gonzalez, Sandoval**

Resolution honoring Carl Saucedo on the occasion of his retirement as Court Reporter.

1/13/03, ADOPTED.

**030046 [Emergency Management Assistance Grants]  
Mayor, Supervisor Newsom**

Rescinding Resolution No. 193-98; Authorizing designated City and County officials to execute and file on behalf of the City and County of San Francisco applications for federal and state financial assistance under the Emergency Management Performance Grant Program, the State Domestic Preparedness Grant Program, and Public Law 107-26. (Mayor)

1/13/03, RECEIVED AND ASSIGNED to Public Works and Public Protection Committee.

**030047 [Recreation and Park--First Amendment to the Beach Chalet Lease]  
Mayor**

Resolution approving the construction of a deck at the rear of the Beach Chalet Building and authorizing an amendment to the lease for the Beach Chalet restaurant. (Mayor)

1/13/03, RECEIVED AND ASSIGNED to Finance Committee.

**030048 [Issuance and Sale of Single Family Mortgage Revenue Bonds]  
Mayor, Supervisors Peskin, Daly, Hall, Gonzalez, Maxwell**

Resolution approving, for purposes of Section 147(f) of the Internal Revenue Code of 1986, the issuance and sale of single family mortgage revenue bonds by the City and County of San Francisco in an aggregate principal amount not to exceed \$36,000,000. (Mayor)  
1/13/03, RECEIVED AND ASSIGNED to Finance Committee.

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

Resolution repealing Resolutions No. 1024-96 and 187-97, to dissolve the "Long Term Care Pilot Project Task Force."  
1/13/03, RECEIVED AND ASSIGNED to Rules and Audits Committee.

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

Resolution repealing Resolutions Nos. 357-98 and 847-98, to dissolve the "Abandoned Shopping Cart Task Force."  
1/13/03, RECEIVED AND ASSIGNED to Rules and Audits Committee.

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

Resolution repealing Resolution No. 1068-99, to dissolve the "Sutro Tower Health and Safety Task Force."  
1/13/03, RECEIVED AND ASSIGNED to Rules and Audits Committee.

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

Resolution repealing Resolution No. 564-01, to dissolve the "Pedestrian Safety and Street Resurfacing Working Group."  
1/13/03, RECEIVED AND ASSIGNED to Rules and Audits Committee.

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

Resolution repealing Resolution No. 721-01, to dissolve the "Mid-Income Housing Solutions Task Force."  
1/13/03, RECEIVED AND ASSIGNED to Rules and Audits Committee.

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

Resolution repealing Resolution No. 271-00, to dissolve the "Joint Board of Education/Board of Supervisors Digital Divide Task Force."  
1/13/03, RECEIVED AND ASSIGNED to Rules and Audits Committee.

**030055 [Dissolving the San Mateo County-City and County of San Francisco Task Force]  
Supervisor Hall**

Resolution repealing Resolution No. 876-82, to dissolve the "San Mateo County-City and County of San Francisco Task Force."

1/13/03, RECEIVED AND ASSIGNED to Rules and Audits Committee.

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

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

1/13/03, RECEIVED AND ASSIGNED to Rules and Audits Committee.

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

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

1/13/03, RECEIVED AND ASSIGNED to Rules and Audits Committee.

**030058 [Honoring Mayor Massimo Mallegni and Honorable Cultural Assessor Massimilano Simoni]  
Supervisors Ammiano, Hall**

Resolution honoring the Honorable Mayor Massimo Mallegni and the Honorable Cultural Assessor Massimilano Simoni for their participation in the "1st International Marble Mosaic Competition" which will be held in both San Francisco and Pietrasanta on September 27th and 28th, 2003.

1/13/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**030059 [Taking stand against hate crime at Women's Building]  
Supervisors Ammiano, Dufty, Daly**

Resolution taking a stand against the intolerable hate crime attacks done to the Women's Building, and asking anyone with information about the attacks to contact the Mission Police Station.

1/13/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**030060 [Supporting operations of California Coastal Commission]  
Supervisor Peskin**

Resolution supporting the continued operation of the California Coastal Commission and urging State government to modify appointment procedures of the Commission so that it may continue its good work implementing the State of California's coastal protection program in perpetuity.

1/13/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**030061 [Authorize DPT Grant of \$400,000 to establish a Motorist Information System]  
Supervisors Newsom, Dufty**

Resolution authorizing the Department of Parking and Traffic to accept and expend a grant in the amount of \$400,000 from the California Department of Transportation (Caltrans) to establish a Motorist Information System.

1/13/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**030062 [Authorize DPT Grant of \$360,000 from Hazard Elimination Program]  
Supervisor Newsom**

Resolution authorizing the Department of Parking and Traffic to accept and expend a grant in the amount of \$360,000 from the Hazard Elimination Safety Program to implement an emergency vehicle priority system at the 20 to 30 most critical intersections surrounding the five busiest fire stations in the City - the Financial District, Chinatown, Moscone Center, Civic Center and Mission Bay.

1/13/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**030063 [Urging San Francisco Redevelopment Agency Commission to change meeting day from Tuesday to Monday]  
Supervisor Gonzalez**

Resolution urging the San Francisco Redevelopment Agency Commission to move its regularly scheduled meeting time from Tuesday to Monday.

1/13/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**030064 [Urge State Legislature to adopt Domestic Rights and Responsibilities Act]  
Supervisors Ammiano, Daly, Dufty, Gonzalez, Newsom, Peskin, McGoldrick, Maxwell**

Resolution urging the State Legislature to adopt the Domestic Partner Rights and Responsibilities Act of 2003.

1/13/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**030065 [Recognizing Ging P. Bill Wong]  
Supervisor Peskin**

Resolution recognizing Mr. Ging P. Bill Wong's 36-year career at the Federal Highway Administration of the U.S. Department of Transportation and his dedicated service on their behalf to our City and declaring January 15, 2003 to be the "Bill Wong Day" in San Francisco.

1/13/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.



**030066 [Commending Coastal Conservancy]  
Supervisor Peskin**

Resolution commending the Coastal Conservancy for its financial support for Sail San Francisco 2002 and encouraging the Coastal Conservancy's support for similar future events.

1/13/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**030067 [Commending Most Reverend Ignatius Wang]  
Supervisors Ma, Hall, Gonzalez**

Resolution commending the Most Reverend Ignatius Wang on his appointment as Titular Bishop of Sitipa and Auxiliary Bishop of San Francisco.

1/13/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**030068 [Commending San Francisco University High School Girls' Volleyball Team]  
Supervisors Ma, Maxwell, Dufty**

Resolution commending the San Francisco University High School Girls' Volleyball Team for their achievements in the Bay Counties League (BCL) and the State Championships.

1/13/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**030069 [Commending Robert Wertz]  
Supervisors Newsom, Dufty**

Resolution commending Robert Wertz upon his retirement after serving the youth and families of San Francisco for over 31 years.

1/13/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**030079 [Commending San Francisco University High School Girls' Cross Country Team]  
Supervisors Ma, Maxwell, Dufty, Gonzalez**

Resolution commending the San Francisco University High School Girls' Cross Country Team for their achievements in the Bay Counties League (BCL) and the State Championships.

1/13/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**021999 [Biosciences Task Force]  
Supervisor Maxwell**

Resolution establishing a Biosciences Task Force to make policy recommendations to the Board of Supervisors and setting forth the membership and duties of the Task Force.

12/9/02, RECEIVED AND ASSIGNED to Rules and Audits Committee.

1/13/03, SUBSTITUTED. Supervisor Maxwell submitted a substitute resolution bearing same title.

1/13/03, ASSIGNED to Rules and Audits Committee.

**Requests for Hearing****030070 [San Francisco Zoological Gardens Performance Audit]  
Supervisor McGoldrick**

Hearing to consider the findings and recommendations of the performance audit of the San Francisco Zoological Gardens, completed by the Budget Analyst in January 1999, together with progress in implementing such recommendations.

1/13/03, RECEIVED AND ASSIGNED to Rules and Audits Committee.

**030071 [Cruise Ship Terminals]  
Supervisor Daly**

Hearing to examine the regulatory process for approval of the proposed Cruise Ship Terminals at Piers 30 and 32, to consider state legislation that may be proposed regarding this site, to hear about efforts in other communities to plan for cruise terminals and to provide guidance to City staff in advance of regulatory approvals at the Board of Supervisors.

1/13/03, RECEIVED AND ASSIGNED to Transportation and Commerce Committee.

**030072 [Serial Inebriate Program]  
Supervisor McGoldrick**

Hearing inquiring into the desirability of instituting a Serial Inebriate Program patterned after the interagency program operated by the City of San Diego, whereby persons who continue to repeatedly convicted of severe public inebriation as a result of engaging in behavior disruptive to the peace and tranquility of public spaces are eventually forced to make a choice between long-term incarceration and addition treatment.

1/13/03, RECEIVED AND ASSIGNED to Health and Human Services Committee.

**Motions****030073 [Legislative Analyst Request - Serial Inebriation]  
Supervisors McGoldrick, Maxwell**

Motion requesting the Legislative Analyst to analyze the best practices of other local jurisdiction with regard to dealing with the problem of serial inebriation in public and evaluating the effectiveness of such programs in reducing the incidence of repeated public inebriation by the same persons. Please consider the interagency program operated by the City of San Diego called the Serial Inebriate Program (SIP). In-depth report on this topic, delivered by May 2003.

1/13/03, ASSIGNED to Board of Supervisors. Scheduled for Board consideration January 21, 2003.

**030074 [Legislative Analyst Request - Legislators Retreats]  
Supervisors Maxwell, Daly**

Motion requesting the Legislative Analyst to research on how other cities and counties determine space and time for local legislators to conduct retreats. In particular, examine how the Cities of Richmond and Redwood City, California, and Reno, Nevada conduct legislative retreats. Sponsor requests this report by March 7, 2003.

1/13/03, ASSIGNED to Board of Supervisors. Scheduled for Board consideration January 21, 2003.

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

Motion amending the Board of Supervisors' Rules of Order by adding Rule 2.27, to require the Board to include language providing for regular meetings when considering legislation creating subordinate bodies.  
1/13/03, RECEIVED AND ASSIGNED to Rules and Audits Committee.

**030076 [Supervisors serving on outside Boards and Commissions]  
Supervisors Gonzalez, Daly**

Motion amending Rule 6.15 of the Rules of Order of the Board of Supervisors to provide that before a Supervisor may be appointed to a second outside Board of Commission (excluding the San Francisco LAFCO and the Transportation Authority) every other Supervisor shall have been given the opportunity to serve on at least one outside Board or Commission.  
1/13/03, RECEIVED AND ASSIGNED to Rules and Audits Committee.

**030077 [Legislative Analyst Request - Update File Number 011590]  
Supervisor Daly**

Motion requesting the Legislative Analyst to update File Number 011590 (Leno) related to the Digital Divide, with specific emphasis on the City's progress in addressing the Digital Divide. Please complete this report by February 13, 2003.  
1/13/03, ASSIGNED to Board of Supervisors. Scheduled for Board consideration January 21, 2003.

**030078 [Legislative Analyst Request - Cruise Ship Terminal at Piers 30 and 32]  
Supervisor Daly**

Motion requesting the Legislative Analyst to examine the regulatory process for approval of the proposed Cruise Ship Terminal at Piers 30 and 32, provide analysis of state legislation that has been approved and may be proposed regarding this site, describe efforts in other communities to plan for cruise terminals and to provide guidance to City staff in advance of regulatory approvals at the Board of Supervisors. Please provide an initial report no later than February 13, 2003 and continue working until legislation is adopted.  
1/13/03, ASSIGNED to Board of Supervisors.

**Charter Amendment**

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

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

(Fiscal impact.)

5/28/02, ASSIGNED UNDER 30 DAY RULE to Rules and Audits Committee, expires on 6/27/2002.

7/15/02, CONTINUED. Continued to July 22, 2002.

7/22/02, AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.

7/22/02, RE-REFERRED to Rules and Audits Committee.

10/21/02, SUBSTITUTED. Supervisor Ammiano submitted a substitute Charter amendment bearing same title.

10/21/02, ASSIGNED to Rules and Audits Committee.

1/13/03, ASSIGNED to Rules and Audits Committee.

1/13/03, SUBSTITUTED. Supervisor Ammiano submitted a substitute Charter Amendment (Fourth Draft) bearing same title.

## PROPOSED ORDINANCES

**021541 [Settlement of Lawsuit]**

Ordinance authorizing settlement of the lawsuit filed by Robert Haaland against the City and County of San Francisco for \$107,500; the lawsuit was filed on August 10, 1999 in San Francisco Superior Court, Case No. 305-552; entitled Robert Haaland, et al., v. City and County of San Francisco, et al. (City Attorney)

(Public Benefit Recipient.)

12/26/02, RECEIVED AND ASSIGNED to Rules and Audits 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 Public Benefit Recipient.)

12/27/02, RECEIVED AND ASSIGNED to Public Works and Public Protection Committee.

## PROPOSED RESOLUTIONS

**022018 [Accept- Expend a Bequeathal from the Estate of Mabel L. Schwartz]  
Supervisor Gonzalez**

Resolution authorizing the Department of Animal Care and Control to accept and expend a bequeathal in the amount of \$75,040.33 from the Estate of Mabel L. Schwartz (Paula J. Johnson, PR) to be used by the Department of Animal Care and Control to continue its work of helping animals and promoting their welfare. (Animal Care and Control)

(No Public Benefit Recipient.)

12/16/02, RECEIVED AND ASSIGNED to Health and Human Services Committee.

**022049 [Contracting out Laundry Services at San Francisco General Hospital]**

Resolution concurring retroactively, 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. (Public Health Department)

(Fiscal impact; No Public Benefit Recipient.)

12/18/02, RECEIVED AND ASSIGNED to Finance Committee.

**022050 [Sale of vintage streetcar to City of Issaquah, Washington]  
Supervisor Gonzalez**

Resolution approving the sale of Muni Car No. 96 to the City of Issaquah, Washington pursuant to San Francisco Administrative Code Section 10.84. (Municipal Transportation Agency)

(No Public Benefit Recipient.)

12/23/02, RECEIVED AND ASSIGNED to Finance Committee.

**021989 [Accept and Expend Federal Grant for Sheriff's Department program providing services to recently released substance abusing offenders]  
Supervisor Daly**

Resolution authorizing the Sheriff's Department to accept and expend a grant in the amount of \$498,455 from the U.S. Department of Health and Human Services, Substance Abuse and Mental Health Administration for providing a substance abuse program to recently released offenders. (Sheriff)

(Public Benefit Recipient.)

12/20/02, RECEIVED AND ASSIGNED to Health and Human Services Committee.

**022051 [Transfer State funds for contract services to improve access to mental health treatment for children in foster care /other children placed outside of San Francisco]**

Resolution endorsing the transfer of State general funds from the State to the California Mental Health Directors Association for a contract to provide services to foster care and other Medi-Cal eligible children placed outside of San Francisco, for the period of July 1, 2002 through June 30, 2003. (Public Health Department)

(Public Benefit Recipient.)

12/17/02, RECEIVED AND ASSIGNED to Finance Committee. Department requests this item be scheduled for consideration at the January 15, 2002 meeting.

**030001 [Mental health services to HIV positive women and their adult family members]  
Supervisors Ma, Dufty**

Resolution authorizing the San Francisco Department of Public Health, HIV Mental Health Program at the Center for Special Problems (SFDPH, CSP) to enter retroactively into an agreement in the amount of \$30,750 with The Regents of the University of California San Francisco (UCSF), the primary contractor, to provide outpatient mental health services to women who have HIV and their adult family members, for the period of August 1, 2002 to July 31, 2003. (Public Health Department)

(No Public Benefit Recipient.)

1/3/03, RECEIVED AND ASSIGNED to Health and Human Services Committee.

**030002 [Grants Federal Funds]**

Resolution authorizing the Municipal Transportation Agency Board to retroactively accept and expend \$1,093,110 of Federal Earmarked Capital Assistance for Construction of the Metro East Light Rail Maintenance facility, excluding Administrative Overhead Costs. (Municipal Transportation Agency)

(No Public Benefit Recipient.)

1/2/03, RECEIVED AND ASSIGNED to Transportation and Commerce Committee.

**030004 [Accept-Expend Regional Grant]**

Resolution authorizing the Director of Transportation or his designee to retroactively apply for, accept and expend \$112,000 in FY 02/03 Transportation Fund for Clean Air (TFCA) from the Bay Area Air Quality Management District (Air District) to stripe and sign bike lanes on Cabrillo Street and to execute any and all associated documents. (Parking and Traffic Department)

(No Public Benefit Recipient.)

1/7/03, RECEIVED AND ASSIGNED to Transportation and Commerce Committee.

**030014 [BART- MUNI Transfer Payment]  
Supervisors Peskin, Daly**

Resolution approving an agreement between the City and County of San Francisco and the Bay Area Rapid Transit District authorizing payment to San Francisco Municipal Railway for transfer trips provided in FY2002 and FY2003. (Municipal Transportation Agency)

(No Public Benefit Recipient.)

1/8/03, RECEIVED AND ASSIGNED to Finance Committee.

**Requests Granted**

*From: Supervisors Ammiano, Gonzalez  
To: California Secretary of State  
Requesting/Inquiring: Requesting information regarding the certification of new voter-approved voting tabulation systems, including Instant Runoff Voting.*

*From: Supervisors Ammiano, Gonzalez  
To: Executive Director, Ethics Commission  
Requesting/Inquiring: Requesting clarification regarding dissemination of public records regarding campaign finance disclosure by Ethics Commission employees.*

*From: Supervisor Daly  
To: Director, Planning Department  
Requesting/Inquiring: To draft an ordinance to require notice to occupants in addition to owners of Conditional Use Authorization hearings at the Planning Commission.*

*From: Supervisor Daly  
To: Director, Department of Telecommunications and Information Services  
To: Director, Department of Human Services  
To: Superintendent, San Francisco Unified School District  
Requesting/Inquiring: Please describe the efforts of your organization to address the Digital Divide; including recommendations, if any, for City policy makers about the Digital Divide.*

*From: Supervisor Ma  
To: Director, Planning Department  
Requesting/Inquiring: To explore the possibility of including the text "Notice of Public Hearing" on December envelopes used for mailings sent to property owners and residents within the 300 foot radius of the exterior boundaries of proposed projects indicating the time and place of the public hearing; including but not limited to, the estimated costs and time necessary to implement.*

*From: Supervisor Ma  
To: Director, Planning Department  
Requesting/Inquiring: To explore the possibility of including multilingual text on notices of public hearings posted on proposed project sites indicating a brief description of the proposed project and the time and place of the public hearing; including but not limited to, the estimated costs and time necessary to implement.*

*From: Supervisor Maxwell  
To: City Attorney  
Requesting/Inquiring: To investigate and report back on how the City and County can legally create a process for the Board of Supervisors to conduct legislative retreats in conformance with public meeting and public records laws.*

*From: Supervisor McGoldrick  
To: City Attorney  
Requesting/Inquiring: To draft legislation that:  
1) Gives the City Attorney final say in ballot description language, with the Ballot Simplification Committee serving in an advisory capacity, and with subject area expertise by DCAs brought to bear in the process, and  
2) Provide for a process of selection of an official opponent of any ballot initiative from a list of preferred categories of candidates.*

*From: Supervisor McGoldrick  
To: Director, Department of Public Works  
To: Director, Department of Parking and Traffic*

*To: Director, Planning Department*

*To: Director, Department of Building Inspection*

*Requesting/Inquiring: To report on any policy with regard to the temporary placement and/or storage of bins used for construction materials and/or construction refuse on City streets, including; whether there is any requirement for permitting before such a bin can be placed on the street; if a permit is required, whether there is a fee for obtaining such permit and the fee level(s) for such permits; how many street parking spaces are allowed to be displaced by placement of a construction bin on the street; what the time limits are, if any, for temporary placement of such bins on the street; whether there is any limit on who may place such bins on the streets, and if so what are those limits; whether there is any limit on the purpose for which such bins may be placed on the street, and if so what are those limits.*

*From: Supervisor McGoldrick*

*To: Directors of all City Departments*

*Requesting/Inquiring: Inquiring as to whether their department or any employee within their department has been contacted by any agency of the state or federal government requesting information about any person identified as an immigrant to the United States, and if so the nature of such request, and whether the department or its employees have cooperated with such request in any way, and if so the nature of such cooperation.*

*From: Supervisor McGoldrick*

*To: Chief, Police Department*

*Requesting/Inquiring: Inquiring what resources have been planned or proposed to the anti-terrorism unit announced by SFPD last year. If so, how much has been allocated to this unit, specifying what personnel and/or assets of the department are being used for this purpose including the costs of such resources to the department, and whether any General Fund dollars from the City are being used to pay those costs. The department also should specify what have been the activities of this unit, if any.*

*From: Supervisor Newsom*

*To: Director, Department of Parking and Traffic*

*Requesting/Inquiring: To provide an evaluation of pedestrian and vehicular safety improvements at the southwest corner of Bay and Lyon Streets.*

*From: Supervisor Newsom*

*To: Director, Department of Parking and Traffic*

*Requesting/Inquiring: To provide an evaluation of pedestrian and vehicular safety improvements on or around Jordan Park, with a particular emphasis on the feasibility of installing speed humps in the area.*

*From: Supervisor Newsom*

*To: City Attorney*

*Requesting/Inquiring: To draft an ordinance, which will amend the Municipal Administrative Code in order to merge the Taxicab Commission into the newly established Municipal Transportation Authority.*

*From: Supervisor Newsom*

*To: Director, Department of Technology and Information Systems (DTIS)*

*Requesting/Inquiring: To report on the feasibility of establishing a customer service telephone line for the public to access when attempting to contact any city department; including any staff positions and programmatic costs necessary to operationalize such a program.*

*From: Supervisor Newsom*

*To: Director, Emergency Communications Department*

*To: Director, Department of Technology and Information Systems (DTIS)*

*Requesting/Inquiring: To report on the status of the implementation of the 311 Non-Emergency Telephone System Strategic Plan and any other related activities.*

*From: Supervisor Newsom*



*To: General Manager, Recreation and Park Department*

*To: Director, Department of Public Works*

*Requesting/Inquiring: To report on quality of life issues surrounding the area on and surrounding the Palace of Fine Arts; specifically, a schedule of collection of trash in the area, the maintenance of the plants and grounds and any proposed timeline for the installation of a sidewalk in this area.*

*From: Supervisor Newsom*

*To: Director, Mayor's Office of Homelessness*

*To: Director, Department of Human Services*

*Requesting/Inquiring: To report on any existing or planned efforts to increase the level of security at all of the homeless shelters operated by the City and County of San Francisco.*

*From: Supervisor Peskin*

*To: Director, Mayor's Budget Office*

*Requesting/Inquiring: To report on the possibility of pursuing agreements with City employees to implement voluntary reduced workweeks. This action, which promises to lessen the City's budget shortfall, appears to be permitted in Civil Service Rule 120.28.*

### **In Memoriams**

*Dennis Wong (Entire Board)*

*Melinda J. Ohler (Entire Board)*

*Arthur Coleman (Entire Board)*

*Joseph Killian (Supervisor Ammiano)*

*Joseph (Joe) Remcho (Supervisor Dufty)*

*David Smith Fox (Supervisors Dufty, Ammiano)*

*Joe Strummer (Supervisor Gonzalez)*

*Neil Strummer (Supervisor Gonzalez)*

*Letha Tickner (Supervisor Ma)*

*Donald Ray Young (Supervisor Maxwell)*

*Ntombi Howell (Supervisors Newsom, Maxwell, Ma)*

*Emma Towle (Supervisor Sandoval)*

## ADJOURNMENT

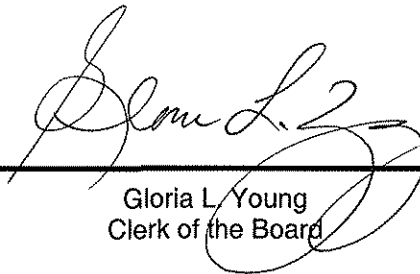
*There being no further business, the Board at the hour of 5:26 p.m. adjourned.*

*Gloria L. Young, Clerk*

*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 February 4, 2003.*

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



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Gloria L. Young  
Clerk of the Board

**NEXT PAGE 43**