

BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

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

MEETING MINUTES

Tuesday, May 20, 2003 2:00 PM

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

Regular Meeting

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

Gloria L. Young, Clerk of the Board

Agendas of the Board of Supervisors are available on the internet at www.ci.sf.ca.us/bdsupsvrs

BOARD COMMITTEES

Committee Membership

Budget Committee

Supervisors Daly, Peskin, Maxwell, Ma, Gonzalez

City and School District Select Committee

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

City Services Committee

Supervisors Dufty, Ma, Newsom

Finance and Audits Committee

Supervisors Peskin, Sandoval, McGoldrick

Land Use Committee

Supervisors McGoldrick, Maxwell, Ammiano

Rules Committee

Supervisors Hall, Dufty, Gonzalez

Meeting Days

Thursday
1:00 PM

2nd Monday, bi-monthly

Thursday
9:30 AM

Wednesday
12:30 PM

Monday
1:00 p.m.

Wednesday
9:30 AM

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

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

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:03 p.m. On the call of the roll, the following Supervisors were noted absent.

Supervisors Ammiano, Duffy, Ma, Newsom, Sandoval - 5

Quorum present.

Supervisors Ammiano and Ma were noted present at 2:04 p.m.

Supervisors Duffy and Sandoval were noted present at 2:07 p.m.

Supervisor Newsom was noted present at 2:13 p.m.

APPROVAL OF MEETING MINUTES

Supervisor Maxwell, seconded by Supervisor Daly, moved to approve April 15, 2003 Meeting Minutes. The motion carried by the following vote:

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

Absent: 3 - Duffy, Newsom, Sandoval

Privilege of the Floor

Supervisor Maxwell, seconded by Supervisor Hall, moved to suspend Rule 4.28 of the Rules of Order of the Board of Supervisors. The motion carried by the following vote:

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

Absent: 3 - Duffy, Newsom, Sandoval

Supervisor Maxwell introduced, welcomed and presented a Certificate of Honor to Edwin Lee, Director of Public Works in recognition of Public Works Week.

COMMUNICATIONS

There were none.

CONSENT AGENDA

Recommendation of the City Services Committees

**030535 [State Grant for Enforcing Proper Disposal of Waste Tires]
Supervisors Dufty, Newsom**

Resolution authorizing the Department of the Environment to apply for, accept and expend a grant in the amount of \$189,938 from the California Integrated Waste Management Board for enforcing proper disposal of waste tires. (Environment)

(No Public Benefit Recipient.)

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

Resolution No. 358-03

ADOPTED

Recommendations of the Rules Committee

030598 [Settlement of Claim]

Resolution approving the settlement of the unlitigated claim filed by Farmers Insurance Company as subrogee of Yuk Wah Shung against San Francisco; claim was filed on January 21, 2003. (City Attorney)

(Public Benefit Recipient.)

Resolution No. 343-03

ADOPTED

030596 [Settlement of Lawsuit - Nishkian & Associates]

Ordinance approving settlement of litigation of City and County of San Francisco against Nishkian & Associates for \$40,000. (City Attorney)

(Public Benefit Recipient.)

PASSED, ON FIRST READING

030744 [Appointment]

Resolution appointing Ancel Martinez, term ending date to be determined, to the Pedestrian Safety Advisory Committee.

Ancel Martinez, new position, seat 8, must be a representative from a child advocate or school support organization for a two-year term (ending date to be determined).

Resolution No. 345-03

ADOPTED

The foregoing items were acted upon by the following vote:

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

Absent: 1 - Newsom

REGULAR AGENDA

UNFINISHED BUSINESS

From the Clerk

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

Appointment of President Pro Tempore

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

The President resumed the Chair shortly thereafter.

030655 [Appeal, Conditional Use - 2690 Harrison Street (aka 3000 23rd Street)]

Motion approving decision of the Planning Commission by its Motion No. 16546, approving Conditional Use Application No. 2000.1311EC, on property located at 2690 Harrison Street (aka 3000 23rd Street), and adopting findings pursuant to Planning Code Section 101.1. (Clerk of the Board)

Supervisor Maxwell, seconded by Supervisors Daly and Peskin, called for the question.

Continued to June 10, 2003

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

Ayes: 8 - Ammiano, Daly, Dufty, Gonzalez, Maxwell, McGoldrick, Peskin, Sandoval

Noes: 3 - Hall, Ma, Newsom

030656 [Appeal, Conditional Use - 2690 Harrison Street (aka 3000 23rd Street)]

Motion disapproving decision of the Planning Commission by its Motion No. 16546, approving Conditional Use Application No. 2000.1311EC, on property located at 2690 Harrison Street (aka 3000 23rd Street), and adopting findings pursuant to Planning Code Section 101.1. (Clerk of the Board)

Continued to June 10, 2003

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

Ayes: 8 - Ammiano, Daly, Dufty, Gonzalez, Maxwell, McGoldrick, Peskin, Sandoval

Noes: 3 - Hall, Ma, Newsom

030657 [Findings - 2690 Harrison Street (aka 3000 23rd Street)]

Motion directing the Clerk of the Board to prepare findings relating to proposed Conditional Use Application No. 2000.1311EC, on property located at 2690 Harrison Street (aka 3000 23rd Street), for action by the Board at its next meeting. (Clerk of the Board)

Continued to June 10, 2003

CONTINUED by the following vote:

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

030658 [Environmental Review]

Motion certifying review of Final Mitigated Negative Declaration relating to proposed Conditional Use of property at 2690 Harrison Street (aka 3000 23rd Street). (Clerk of the Board)

Continued to June 10, 2003

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

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

Recommendation from the Rules Committee**020938 [Charter Amendment - Retirement Benefits for Miscellaneous Safety Employees]**

Supervisors Ammiano, Gonzalez, Dufty, Hall, Newsom, Ma

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

6/10/03 Amended on page 1, after "of such contract" by adding New Paragraph "Contracts and contract amendments shall be cost-neutral and employee bargaining units shall be permitted to trade salary or other employee-paid benefits to achieve cost-neutrality. The Board of Supervisors or the Community College District is empowered to determine compliance under this section."

Continued to June 10, 2003

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

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

Recommendations of the Budget Committee

**030565 [MOU - Supervising Probation Officers, Local 3]
Mayor, Supervisors Daly, Maxwell, Dufty, Newsom**

Ordinance adopting and implementing the mediated agreement establishing the Memorandum of Understanding between the City and County of San Francisco and the Operating Engineers, Local 3 (for Supervising Probation Officers) to be effective July 1, 2003 through June 30, 2005. (Mayor)

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

Ordinance No. 96-03

FINALLY PASSED by the following vote:

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

**030566 [MOU - Operating Engineers, Local 3]
Supervisors Daly, Maxwell, Dufty, Newsom**

Ordinance adopting and implementing the mediated agreement establishing the Memorandum of Understanding between the City and County of San Francisco and the Operating Engineers, Local 3, to be effective July 1, 2003 through June 30, 2005. (Mayor)

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

Ordinance No. 97-03

FINALLY PASSED by the following vote:

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

**030567 [MOU - Plasterers and Shophands, Local 66]
Supervisors Daly, Maxwell, Dufty, Newsom**

Ordinance adopting and implementing the mediated agreement establishing the Memorandum of Understanding between the City and County of San Francisco and the Plasterers and Shophands, Local 66, to be effective July 1, 2003 through June 30, 2005. (Mayor)

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

Ordinance No. 98-03

FINALLY PASSED by the following vote:

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

**030568 [MOU - Bricklayers, Stone Masons, Terrazzo Mechanics, Marble Masons, Pointers, Caulkers and Cleaners, Local 3, and Hod Carriers, Local 36]
Supervisors Daly, Maxwell, Dufty, Newsom**

Ordinance adopting and implementing the mediated agreement establishing the Memorandum of Understanding between the City and County of San Francisco and the Bricklayers, Stone Masons, Terrazzo Mechanics, Marble Masons, Pointers, Caulkers and Cleaners, Local 3, and Hod Carriers, Local 36, to be effective July 1, 2003 through June 30, 2005. (Mayor)

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

Ordinance No. 99-03

FINALLY PASSED by the following vote:

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

**030569 [MOU - Federation of Professional and Technical Engineers, Local 21]
Supervisors Daly, Maxwell, Dufty, Newsom**

Ordinance adopting and implementing the mediated agreement establishing the Memorandum of Understanding between the City and County of San Francisco and the International Federation of Professional and Technical Engineers, Local 21, AFL-CIO, to be effective July 1, 2003 through June 30, 2005. (Mayor)

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

Ordinance No. 100-03

FINALLY PASSED by the following vote:

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

**030570 [MOU - Deputy Sheriffs' Association]
Supervisors Daly, Maxwell, Dufty, Newsom**

Ordinance adopting and implementing the mediated agreement establishing the Memorandum of Understanding between the City and County of San Francisco and the Deputy Sheriffs' Association to be effective July 1, 2003 through June 30, 2005. (Mayor)

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

Ordinance No. 101-03

FINALLY PASSED by the following vote:

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

**030571 [Unrepresented Employees]
Mayor, Supervisors Daly, Maxwell, Dufty, Newsom**

Ordinance fixing compensation for persons employed by the City and County of San Francisco whose compensations are subject to the provisions of Section A8.409 of the Charter, in jobcodes not represented by an employee organization, and establishing working schedules and conditions of employment and, methods of payment, effective July 1, 2003. (Mayor)

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

Ordinance No. 102-03

FINALLY PASSED by the following vote:

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

**030572 [MOU - MEA]
Supervisors Daly, Maxwell, Dufty, Newsom**

Ordinance adopting and implementing the mediated agreement establishing the Memorandum of Understanding between the City and County of San Francisco and the Municipal Executives' Association to be effective July 1, 2003 through June 30, 2005. (Mayor)

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

Ordinance No. 103-03

FINALLY PASSED by the following vote:

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

**030709 [MOU - Transport Workers Union, Local 250-A (7410)]
Supervisors Daly, Maxwell, Dufty, Newsom**

Ordinance adopting and implementing the mediated agreement establishing the Memorandum of Understanding between the City and County of San Francisco and the Transport Workers Union, Local 250-A (7410), to be effective July 1, 2003 through June 30, 2005. (Mayor)

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

Ordinance No. 109-03

FINALLY PASSED by the following vote:

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

**030710 [MOU - Building Inspectors' Association (for Class 6334, Chief Building Inspector)]
Supervisors Daly, Maxwell, Dufty, Newsom**

Ordinance adopting and implementing the mediated agreement establishing the Memorandum of Understanding between the City and County of San Francisco and the Building Inspectors' Association (for Class 6334, Chief Building Inspector) to be effective July 1, 2003 through June 30, 2005. (Mayor)

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

Ordinance No. 110-03

FINALLY PASSED by the following vote:

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

**030711 [MOU - Sheet Metal Workers International Union, Local 104]
Supervisors Daly, Maxwell, Dufty, Newsom**

Ordinance adopting and implementing the mediated agreement establishing the Memorandum of Understanding between the City and County of San Francisco and the Sheet Metal Workers International Union, Local 104, to be effective July 1, 2003 through June 30, 2005. (Mayor)

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

Ordinance No. 111-03

FINALLY PASSED by the following vote:

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

**030712 [MOU - (I.A.T.S.E.), Local 16]
Supervisors Daly, Maxwell, Dufty, Newsom**

Ordinance adopting and implementing the mediated agreement establishing the Memorandum of Understanding between the City and County of San Francisco and the International Alliance of Theatrical Stage Employees (I.A.T.S.E.), Local 16, to be effective July 1, 2003 through June 30, 2005. (Mayor)

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

Ordinance No. 112-03

FINALLY PASSED by the following vote:

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

**030713 [MOU - Carpenters, Local 22]
Supervisors Daly, Maxwell, Dufty, Newsom**

Ordinance adopting and implementing the mediated agreement establishing the Memorandum of Understanding between the City and County of San Francisco and the Carpenters, Local 22, to be effective July 1, 2003 through June 30, 2005. (Mayor)

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

Ordinance No. 113-03

FINALLY PASSED by the following vote:

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

**030715 [MOU - Pile Drivers, Divers, Wharf and Dock Builders, Local 34]
Supervisors Daly, Maxwell, Dufty, Newsom**

Ordinance adopting and implementing the mediated agreement establishing the Memorandum of Understanding between the City and County of San Francisco and the Pile Drivers, Divers, Wharf and Dock Builders, Local 34, to be effective July 1, 2003 through June 30, 2005. (Mayor)

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

Ordinance No. 114-03

FINALLY PASSED by the following vote:

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

**030717 [MOU - Ironworkers, Local 377]
Supervisors Daly, Maxwell, Dufty, Newsom**

Ordinance adopting and implementing the mediated agreement establishing the Memorandum of Understanding between the City and County of San Francisco and the Ironworkers, Local 377, to be effective July 1, 2003 through June 30, 2005. (Mayor)

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

Ordinance No. 116-03

FINALLY PASSED by the following vote:

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

**030718 [MOU - United Association of Journeymen and Apprentices of the Plumbing and Pipe Fitting Industry,
Local 38]
Supervisors Daly, Maxwell, Dufty, Newsom**

Ordinance adopting and implementing the mediated agreement establishing the Memorandum of Understanding between the City and County of San Francisco and the United Association of Journeymen and Apprentices of the Plumbing and Pipe Fitting Industry, Local 38, to be effective July 1, 2003 through June 30, 2005. (Mayor)

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

Ordinance No. 117-03

FINALLY PASSED by the following vote:

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

**030719 [MOU - Stationary Engineers, Local 39]
Supervisors Daly, Maxwell, Dufty, Newsom**

Ordinance adopting and implementing the mediated agreement establishing the Memorandum of Understanding between the City and County of San Francisco and the Stationary Engineers, Local 39, to be effective July 1, 2003 through June 30, 2005. (Mayor)

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

Ordinance No. 118-03

FINALLY PASSED by the following vote:

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

**030720 [MOU - Roofers, Local 40]
Supervisors Daly, Maxwell, Dufty, Newsom**

Ordinance adopting and implementing the mediated agreement establishing the Memorandum of Understanding between the City and County of San Francisco and the Roofers, Local 40, to be effective July 1, 2003 through June 30, 2005. (Mayor)

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

Ordinance No. 119-03

FINALLY PASSED by the following vote:

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

**030721 [MOU - Painter's Local Union No. 4]
Supervisors Daly, Maxwell, Dufty, Newsom**

Ordinance adopting and implementing the mediated agreement establishing the Memorandum of Understanding between the City and County of San Francisco and the Painter's Local Union No. 4, to be effective July 1, 2003 through June 30, 2005. (Mayor)

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

Ordinance No. 120-03

FINALLY PASSED by the following vote:

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

**030722 [MOU - Cement Masons, Local 580]
Supervisors Daly, Maxwell, Dufty, Newsom**

Ordinance adopting and implementing the mediated agreement establishing the Memorandum of Understanding between the City and County of San Francisco and the Cement Masons, Local 580, to be effective July 1, 2003 through June 30, 2005. (Mayor)

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

Ordinance No. 121-03

FINALLY PASSED by the following vote:

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

**030724 [MOU - International Brotherhood of Electrical Workers, Local 6]
Supervisors Daly, Maxwell, Dufty, Newsom**

Ordinance adopting and implementing the mediated agreement establishing the Memorandum of Understanding between the City and County of San Francisco and the International Brotherhood of Electrical Workers, Local 6, to be effective July 1, 2003 through June 30, 2005. (Mayor)

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

Ordinance No. 122-03

FINALLY PASSED by the following vote:

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

**030725 [MOU - Glaziers, Architectural Metal and Glass Workers Union, Local 718]
Supervisors Daly, Maxwell, Dufty, Newsom**

Ordinance adopting and implementing the mediated agreement establishing the Memorandum of Understanding between the City and County of San Francisco and the Glaziers, Architectural Metal and Glass Workers Union, Local 718, to be effective July 1, 2003 through June 30, 2005. (Mayor)

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

Ordinance No. 123-03

FINALLY PASSED by the following vote:

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

**030727 [MOU - Teamsters, Local 856]
Supervisors Daly, Maxwell, Dufty, Newsom**

Ordinance adopting and implementing the mediated agreement establishing the Memorandum of Understanding between the City and County of San Francisco and the Teamsters, Local 856, to be effective July 1, 2003 through June 30, 2005. (Mayor)

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

Ordinance No. 124-03

FINALLY PASSED by the following vote:

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

**030731 [MOU - Teamsters, Local 350]
Supervisors Daly, Maxwell, Dufty, Newsom**

Ordinance adopting and implementing the mediated agreement establishing the Memorandum of Understanding between the City and County of San Francisco and the Teamsters, Local 350, to be effective July 1, 2003 through June 30, 2005. (Mayor)

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

Ordinance No. 125-03

FINALLY PASSED by the following vote:

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

**030732 [MOU - Transport Workers Union, Local 250-A Multi-Unit]
Supervisors Daly, Maxwell, Dufty, Newsom**

Ordinance adopting and implementing the mediated agreement establishing the Memorandum of Understanding between the City and County of San Francisco and the Transport Workers Union, Local 250-A Multi-Unit, to be effective July 1, 2003 through June 30, 2005. (Mayor)

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

Ordinance No. 126-03

FINALLY PASSED by the following vote:

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

**030733 [MOU - Transport Workers Union, Local 200 (SEAM)]
Supervisors Daly, Maxwell, Dufty, Newsom**

Ordinance adopting and implementing the mediated agreement establishing the Memorandum of Understanding between the City and County of San Francisco and the Transport Workers Union, Local 200 (SEAM), to be effective July 1, 2003 through June 30, 2005. (Mayor)

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

Ordinance No. 127-03

FINALLY PASSED by the following vote:

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

**030734 [MOU - Building Inspectors' Association (for Class 6331, Building Inspector and Class 6333, Senior Building Inspector)]
Supervisors Daly, Maxwell, Dufty, Newsom**

Ordinance adopting and implementing the mediated agreement establishing the Memorandum of Understanding between the City and County of San Francisco and the Building Inspectors' Association (for Class 6331, Building Inspector and Class 6333, Senior Building Inspector) to be effective July 1, 2003 through June 30, 2005. (Mayor)

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

Ordinance No. 115-03

FINALLY PASSED by the following vote:

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

**030623 [Amending Section 106 of the San Francisco Fire Code to Increase Fees For Services]
Mayor, Supervisor Daly**

Ordinance amending Section 106 of the San Francisco Fire Code to increase fees for Fire Department services, to become operative on its effective date or on July 1, 2003 whichever is later. (Mayor)

Ordinance No. 105-03

FINALLY PASSED by the following vote:

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

**030624 [Setting fees for emergency medical services provided by the Fire Department, granting authority to Fire Department to bill for such costs, and setting forth procedures]
Mayor, Supervisor Daly**

Ordinance amending San Francisco Health Code by repealing Section 117 as obsolete; amending San Francisco Health Code Sections 119, 120, 123, 124.1 and 124.5 to: (1) delete reference to Section 117 and add reference to Sections 128 and 128.1, (2) authorize the San Francisco Fire Department to bill for fees for emergency medical services, (3) authorize the San Francisco Fire Department to investigate the ability of patients to pay for the costs of emergency medical services, (4) include the San Francisco Fire Department as a Department for which it is a crime to conceal the ability to pay, (5) include reference to the San Francisco Fire Department in section regarding prima facie evidence of reasonableness of the fees, and (6) provide for a lien on third-party proceeds for costs of San Francisco Fire Department emergency medical services; and amend San Francisco Health Code by adding Section 128.1 to set fees for emergency medical services and supplies provided by the San Francisco Fire Department and to provide for annual increase in fees based on Medical Consumer Price Index. (Mayor)

Ordinance No. 106-03

FINALLY PASSED by the following vote:

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

**030625 [Increasing the Alemany Flea Market Daily Stall Fee]
Mayor, Supervisor Daly**

Ordinance amending Section 9B.5 of the San Francisco Administrative Code by increasing the daily fee for a stall at the Alemany Flea Market from \$30 per stall to \$45 per stall. (Mayor)

(No Public Benefit Recipient.)

Ordinance No. 131-03

FINALLY PASSED by the following vote:

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

**030626 [Recreation and Parks - Fees]
Mayor, Supervisor Daly**

Ordinance making environmental findings and amending the San Francisco Park Code by amending Section 12.08 to increase parking charges on Recreation and Park property; amending Section 12.09 to increase the fees for the carousel; amending Section 12.15 to increase the fees for day camps; adding Section 12.29 to increase the fees for use of the photography center, adding Section 12.30 to increase the fees for participation in the latch key program, adding Section 12.31 requiring field trip reimbursements, adding Section 12.32 to increase the fee for resident golf cards, and adding Section 12.33 to increase fees for golf cart rental and driving range balls. (Mayor)

Ordinance No. 132-03

FINALLY PASSED by the following vote:

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

**030627 [Treasurer's charge for returned checks]
Mayor, Supervisor Daly**

Ordinance amending Administrative Code Section 10.13-1, to provide that the Treasurer may charge up to \$35.00 for each check returned to the City without payment, based upon the actual costs as determined by the Controller. (Mayor)

Ordinance No. 133-03

FINALLY PASSED by the following vote:

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

Recommendation of the Finance and Audits Committee

**030250 [Increase Lobbyist Fees and Late Filing Fines]
Supervisors Peskin, Daly**

Ordinance making environmental findings and amending the San Francisco Lobbyist Ordinance, Article II, Chapter 1, sections 2.110 and 2.145 of the San Francisco Campaign and Governmental Conduct Code, to increase registration fees from \$300.00 to \$500.00; client fees from \$50.00 to \$75.00; and late filing fines from \$25.00 per day to \$50.00 per day. (Ethics Commission)

Ordinance No. 129-03

FINALLY PASSED by the following vote:

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

Recommendations of the Land Use Committee

**021771 [Permit Required for Construction of an Impervious Surface in Front Yard]
Supervisors Sandoval, Maxwell**

Ordinance amending the San Francisco Building Code by adding Section 106.1.14 to require that a permit be issued before commencing with construction of an impervious surface, other than a driveway, in a front yard setback area and providing that violation of the permit requirement shall be an infraction subject to fines up to \$500; amending Section 110, Table 1-F to establish the permit fee.

(1/21/03 in Board: Supervisor Sandoval submitted a substitute ordinance bearing new title.

Ordinance No. 128-03

FINALLY PASSED by the following vote:

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

- 030510 [Mission Bay Park P8 Bank Stabilization - at the west end of the China Basin Channel]**
Ordinance accepting the irrevocable offer for the Acquisition Facilities for Park P8 Bank Stabilization; designating said facilities for public use and maintenance purposes; adopting findings that such actions are consistent with the City's General Plan, 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. 174,026; and authorizing official acts in connection with this ordinance. (Public Works Department)

(No Public Benefit Recipient; DPW Order No. 174,026.)

Ordinance No. 130-03

FINALLY PASSED by the following vote:

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

From the Land Use Committee "Without Recommendation"

- 030629 [United Nations Plaza]**
Supervisor Daly

Resolution accepting the final report of the U.N. Plaza Working Groups, urging that the Art Commission, Planning Commission, DPW, Mayor's Office and BART to act on the report.

NOT ADOPTED by the following vote:

Ayes: 4 - Ammiano, Daly, Dufty, Hall

Noes: 7 - Gonzalez, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

Recommendation of the Rules Committee

- 030703 [Settlement of Lawsuit - Sherri Cytanovich]**
Ordinance authorizing settlement of the lawsuit filed by Sherri Cytanovich against the City and County of San Francisco for \$100,000; the lawsuit was filed on December 8, 2001 in San Francisco Superior Court, Case No. 401-091; entitled Sherri Cytanovich, et al., v. City and County of San Francisco, et al. (City Attorney)

(Public Benefit Recipient.)

Ordinance No. 108-03

FINALLY PASSED by the following vote:

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

NEW BUSINESS

Recommendations of the Budget Committee

**030628 [Making Environmental Findings and Increasing Fees Charged for Inspection and Certification of Agriculture Products]
Mayor, Supervisor Daly**

Ordinance making environmental findings and amending the San Francisco Administrative Code to increase the fees charged by the Department of Consumer Assurance for inspection and certification of agriculture products prior to shipment. (Mayor)

PASSED ON FIRST READING by the following vote:

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

President Gonzalez recognized former Supervisors Sue Bierman and Amos Brown.

Supervisor Peskin, seconded by Supervisor Newsom, moved to continued to June 24, 2003.

Motion failed by the following vote:

Ayes: 5 - Ammiano, Hall, McGoldrick, Newsom, Peskin

Noes: 6 - Daly, Dufty, Gonzalez, Ma, Maxwell, Sandoval

Supervisor Maxwell, seconded by Supervisor McGoldrick, moved to rescind the vote.

Motion carried without objection.

**030803 [Appropriation - \$6,000,000 for the Public Education Programs]
Supervisors Daly, Ma**

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.)

President Gonzalez recognized former Supervisors Sue Bierman and Amos Brown.

Supervisor Peskin, seconded by Supervisor Newsom, moved to continued to June 24, 2003.

Motion failed by the following vote:

Ayes: 5 - Ammiano, Hall, McGoldrick, Newsom, Peskin

Noes: 6 - Daly, Dufty, Gonzalez, Ma, Maxwell, Sandoval

Supervisor Maxwell, seconded by Supervisor McGoldrick, moved to rescind the vote.

Motion carried without objection.

Continued to July 8, 2003

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

Ayes: 6 - Ammiano, Hall, Maxwell, McGoldrick, Newsom, Peskin

Noes: 5 - Daly, Dufty, Gonzalez, Ma, Sandoval

**030789 [Children and Families Commission Annual Budget, FY 2003-04]
Supervisor Daly**

Resolution accepting the Annual Budget of the Children and Families Commission of the City and County of San Francisco for fiscal year 2003-2004.

Supervisor Daly requested to be added as a sponsor.

Resolution No. 346-03

ADOPTED by the following vote:

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

Recommendations of the City Services Committee

**030541 [Abolishing a portion of official sidewalk - Lyon Street south of Bay Street]
Supervisor Newsom**

Ordinance amending Ordinance No. 1061 entitled "Regulating the Width of Sidewalks" by adding thereto Section No. 1559 to abolish a portion of official sidewalk on the westerly side of Lyon Street south of Bay Street; making findings pursuant to the General Plan and Planning Code Section 101.1; and requiring relocation, modification, or both of facilities affected by the sidewalk abolishment. (Public Works Department)

(No Public Benefit Recipient.)

PASSED ON FIRST READING by the following vote:

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

030027 [Liquor License Transfer, 725 Folsom Street]

Resolution disapproving the request for the transfer of a Type 21 off-sale general alcoholic beverage control license from 50 3rd Street to 725 Folsom Street (District 6), to Zain Assghayer dba "Museum Parc Market", and determining that it will not serve the convenience of the people of the City and County of San Francisco; in accordance with Section 23958.4 of the California Business and Professions Code.

Applicant has withdrawn the application for liquor license transfer.

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

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

**030537 [Research on club-drugs and HIV risk behavior in high-risk men]
Supervisors Dufty, Newsom**

Resolution authorizing the San Francisco Department of Public Health, AIDS Office (SFDPHAIDS) to accept retroactively and expend a grant in the amount of \$159,973 from the National Institute on Drug Abuse (NIDA) for research on club-drugs and HIV risk behavior in high-risk men and to enter into an agreement for the use of these funds; for the period of March 1, 2003 to February 29, 2004. (Public Health Department)

(No Public Benefit Recipient.)

Resolution No. 342-03

ADOPTED by the following vote:

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

Recommendation of the Land Use Committee**030643 [Street Vacation for Metro East Project]**

Ordinance ordering the summary vacation of portions of 26th Street, Michigan Street, Georgia Street and Louisiana Street; making findings pursuant to the California Streets and Highways Code, Chapter 4, Sections 8330 et seq.; adopting findings pursuant to the California Environmental Quality Act; adopting findings that the vacation is consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; and ratifying acts and authorizing actions in furtherance of the ordinance. (Real Estate Department)

(No Public Benefit Recipient.)

PASSED ON FIRST READING by the following vote:

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

Recommendation of the Rules Committee**030684 [Board of Supervisors/Clerk of the Board's Annual Budget]**

Supervisor Daly

Motion adding Rules 6.23 and 6.24 to the Rules of Order of the Board of Supervisors to provide a process for review and approval of the Board of Supervisors/Clerk of the Board's annual budget prior to submission to the Mayor.

Motion No. M03-82

APPROVED by the following vote:

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

SPECIAL ORDER 3:00 P.M.

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.

030704 [Public Hearing - Appeal, Conditional Use, 1017 Ocean Avenue]

Hearing of persons interested in or objecting to the decision of the Planning Commission by its Motion No.16558 dated March 27, 2003 approving a conditional use authorization, Case No. 2002.1231C, to install a total of three (3) panel antennas and related equipment at an existing three-story, multi-use structure (Commercial/Residential) as part of Verizon's wireless telecommunications network within a NC-2 (Small Scale Neighborhood Commercial) Zoning District, and within a 40-X Height and Bulk District, pursuant to Section 711.83 of the Planning Code, on property located at 1017 Ocean Avenue, south side between Lee and Harold Avenues; Lot 041, in Assessor's Block 6945.

(Appeal filed April 24, 2003; categorically exempt from environmental review process pursuant to Class I exemptions of Title 14 of the California Administrative Code; companion measure to Files 030705, 030706, 030707; District 11.)

Continued to June 17, 2003

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

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

(Only one of the following two motions should be adopted.)**030705 [Appeal, Conditional Use - 1017 Ocean Avenue]**

Motion approving decision of the Planning Commission by its Motion No. 16558, approving Conditional Use Application No. 2002.1231C on property located at 1017 Ocean Avenue, south side between Lee and Harold Avenues, and adopting findings pursuant to Planning Code Section 101.1. (Clerk of the Board)

Continued to June 17, 2003

Supervisor Sandoval, seconded by Supervisor Newsom, 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

030706 [Appeal, Conditional Use - 1017 Ocean Avenue]

Motion disapproving decision of the Planning Commission by its Motion No. 16558, approving Conditional Use Application No. 2002.1231C on property located at 1017 Ocean Avenue, south side between Lee and Harold Avenues, and adopting findings pursuant to Planning Code Section 101.1. (Clerk of the Board)

Continued to June 17, 2003

Supervisor Sandoval, seconded by Supervisor Newsom, 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

030707 [Findings - 1017 Ocean Avenue]

Motion directing the Clerk of the Board to prepare findings relating to proposed Conditional use Application No. 2002.1231C on property located at 1017 Ocean Avenue, south side between Lee and Harold Avenues, for action by the Board at its next meeting. (Clerk of the Board)

Continued to June 17, 2003

Supervisor Sandoval, seconded by Supervisor Newsom, 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

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.

COMMITTEE REPORTS

From the Rules Committee

Supervisor McGoldrick was noted absent at 3:47 p.m.

030716 [Confirming the appointment of Sue Bierman to the San Francisco Port Commission]

Resolution confirming the appointment of Sue Bierman to the San Francisco Port Commission, to serve the remaining four-year term, ending May 1, 2006. (Mayor)

Resolution No. 338-03

ADOPTED by the following vote:

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

Absent: 2 - McGoldrick, Sandoval

030723 [Confirming the appointment of Michela Alioto-Pier to the San Francisco Port Commission]

Resolution confirming the appointment of Michela Alioto-Pier to the San Francisco Port Commission, to serve the remaining four-year term, ending May 1, 2004. (Mayor)

Resolution No. 337-03

ADOPTED by the following vote:

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

Absent: 1 - McGoldrick

030728 [Confirming the appointment of Wilfred Hsu to the San Francisco Port Commission]

Resolution confirming the appointment of Wilfred Hsu to the San Francisco Port Commission, to serve the remaining four-year term, ending May 1, 2006. (Mayor)

Resolution No. 326-03

ADOPTED by the following vote:

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

Absent: 1 - McGoldrick

030685 [Appointment - Director of Citizen Complaints]

Mayor

Resolution confirming the appointment of Kevin Allen to the position of Director of Citizen Complaints (OCC). (Mayor)

Resolution No. 344-03

ADOPTED by the following vote:

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

Absent: 1 - McGoldrick

Supervisor McGoldrick was noted present at 3:53 p.m.

**030347 [Reauthorizing the Minority/Women/Local Business Utilization Ordinance]
Supervisors Ma, Newsom, Dufty, Maxwell, Sandoval, Ammiano**

Ordinance amending the San Francisco Administrative Code by amending Chapter 12D.A. thereof (1) to extend the Minority/Women/Local Business Utilization Ordinance to June 30, 2008 in order to continue to remedy identified discrimination against certain Prime MBE/WBE Contractors in City Contracting, to continue the City's policy of protecting Prime LBE Contractors from the economic competitive disadvantage of doing business in San Francisco, and to continue to remedy identified discrimination against certain MBE/WBE subcontractors in City Contracting by requiring City Prime Contractors to use good faith efforts to provide MBE/WBEs with opportunities to compete for City subcontracts; (2) to repeal Sections 12D.A.6(B)(9), 12D.A.8(3) and 12D.A.9(F) to eliminate the contract set aside program; (3) to revise section 12D.A.17 to include prime general services contracts in the subcontracting program; (4) to increase the economic thresholds under which disadvantaged professional service, architectural and engineering, specialty construction, and supplier firms can qualify for the remedial programs of this ordinance; (5) to preclude businesses owned by full time City employees and officers from becoming certified as an MBE, WBE or LBE; and (6) to make various technical revisions to the Minority/Women/Local Business Utilization Ordinance to conform it with existing City ordinances and administrative practices.

Supervisors Sandoval and Ammiano requested to be added as co-sponsors.

Item to be considered on the May 28, 2003 Special Board Meeting.

PASSED ON FIRST READING by the following vote:

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

ROLL CALL FOR INTRODUCTIONS

PUBLIC COMMENT

Supervisor Maxwell was noted absent at 4:25 p.m.
 Supervisor Gonzalez was noted absent at 4:30 p.m.
 Supervisor Peskin assumed the chair.
 Supervisor Gonzalez was noted present at 4:45 p.m.

Abdulla Megaheed; homeless issues
 Richard Robinson; general issues
 Ms. Holly Tam; UCSF custodian employee contract
 Male speaker; UCSF custodian employee contract
 Female Speaker; homeless issues
 Reverend Amos Brown; Baptist Ministry Council Prop N
 Robert Pender; Park Merced
 Francisco di Costa; request that Supervisors be present Public Comment
 general issues
 David Clark; restaurant issues, homeless issues and support of Prop N
 John Didonna; homeless issues
 Andrew Bozeman; budget issues
 James Carrol; opposed to Care Not Cash
 Maria Martinez; support of SB 60
 Female Speaker, member of Local 790; support of SB 60
 Hallis Romero; support SB 60
 Antonio Marquez, member of Local 250; support SB 60
 Janet Dalleyman; support of SB 60
 Doris; representative from Unite; support SB 60
 Rigo Valdez; support SB 60
 Harrison; general issues
 Antonio; general issues
 Male Speaker; general issues and roll call for federal legislation HR 114
 Female Speaker; student housing issues
 Male Speaker, on behalf of John Jenkel; amend HJ 20
 Female Speaker; war issues
 Female Speaker; roll call for federal legislation
 Female Speaker; on behalf of John Jenkel; amend HJ 20

Recess Due to Lack of Quorum
 The Board recessed at the hour of 5:16 p.m.

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

Supervisor Daly noted absent at 5:16 pm
 President Gonzalez informed the Board that there would be a 20 minute recess.
 Supervisor Peskin noted present at 5:17 p.m.

Reconvening of the Board
 The Board at the hour of 5:42 p.m. reconvened.
 Calling the Roll

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

Supervisor Daly noted present at 5:43 p.m.
Supervisor Dufty noted present at 5:52 p.m.

Public Comment Continued

Female Speaker; general issues and SF Police Issues
Female Speaker; support of Asthma legislation
Maria Istorla; support of Asthma legislation
Director of Lung Association and member of the SF Asthma Task Force; support Asthma legislation
Sylvia Johnson; general issues

Recommendation of the Rules Committee

Supervisor Hall was noted absent at 6:02 p.m.
Supervisors Dufty and Ma were noted absent at 7:17 p.m.
Supervisors Dufty and Ma were noted present at 7:26 p.m.

**030328 [Settlement of Unlitigated Claim]
Supervisors Hall, Ma**

Ordinance approving settlement of an unlitigated claim by the City and County of San Francisco, acting by and through its Airport Commission, against D. Mitchell Concessions, Inc., by approving a lease of three coffee facilities in the Domestic Terminals and the main restaurant in the International Terminal, to one or more entities formed by Glenn Meyers, Dayna Meyers, and Garrett Meyers, approving the suspension of the Minimum Annual Guarantee for two Airport restaurants, waiving the competitive solicitation requirement in San Francisco Administrative Code Section 2A.173, and authorizing the Airport Director to execute agreements in furtherance of the foregoing.

Continued to June 10, 2003

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

- Ayes: 5 - Daly, Dufty, Ma, Newsom, Peskin
- Noes: 2 - Gonzalez, McGoldrick
- Absent: 4 - Ammiano, Hall, Maxwell, Sandoval

CLOSED SESSION

CONFERENCE WITH CITY ATTORNEY - Existing Unlitigated Claim

030825 [Closed Session - Unlitigated Claim Filed by the City]

Motion that the Board of Supervisors convene in closed session with the City Attorney for the purpose of conferring with, or receiving advice from, the City Attorney regarding the following existing unlitigated claim filed by the City against D. Mitchell Concessions, Inc. alleging that Mitchell is in default on its contractual obligations at San Francisco International Airport.

Government Code Section 54956.9(b)(1) and San Francisco Administrative Code Section 67.10(d)(2) permit this closed session. Discussion in open session concerning these matters would likely and unavoidably prejudice the position of the City in the pending unlitigated claim listed below.

San Francisco v. D. Mitchell Concessions, Inc.
Unlitigated Claim
Date Initiated - 7/02 (Clerk of the Board)

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

Ayes: 7 - Daly, Duffy, Gonzalez, Ma, McGoldrick, Newsom, Peskin
Absent: 4 - Ammiano, Hall, Maxwell, Sandoval

Recess

The Board recessed at the hour of 6:03 p.m. to convene in closed session pursuant to the above motion.

Reconvening of the Board

The Board at the hour of 7:17 p.m. reconvened.

Calling the Roll

*On call of the roll, the following Supervisors were noted present:
Supervisors Daly, Dufty, Gonzalez, Ma, McGoldrick, Newsom, Peskin - 7*

Quorum present.

Report on Closed Session

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

Persons in attendance:

Supervisors Daly, Dufty, Gonzalez, Ma, McGoldrick, Newsom, Peskin

Adrienne Go, Deputy City Attorney

David Pfeifer, SFO

Ted Lakey, Deputy City Attorney

Gloria L. Young, Clerk of the Board

Kay Gulbengay, Deputy Clerk

Meeting was informational only and no action was taken.

Heard in Closed Session.

[Elect Not to Disclose]

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

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

Ayes: 7 - Daly, Dufty, Gonzalez, Ma, McGoldrick, Newsom, Peskin

Absent: 4 - Ammiano, Hall, Maxwell, Sandoval

CONFERENCE WITH CITY ATTORNEY - Existing Litigation City as Defendant (Respondent)

**030873 [Closed Session - Existing Litigation - Care Not Cash Initiative, City as Defendant (Respondent)]
Supervisor Gonzalez**

Motion that the Board of Supervisors convene in closed session with the City Attorney for the purpose of conferring with, or receiving advice from, the City Attorney regarding the following existing litigation in which the petitioners challenge the validity of Proposition N, "Care Not Cash Initiative," which was approved by the voters of San Francisco at the November 5, 2002, consolidated general election in San Francisco.

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

Pettye & Roman v. San Francisco, et al.
S.F. Superior Court No. CPF 02-502076
Date Filed: November 26, 2002.

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

Ayes: 7 - Daly, Dufty, Gonzalez, Ma, McGoldrick, Newsom, Peskin
Absent: 4 - Ammiano, Hall, Maxwell, Sandoval

Recess

The Board recessed at the hour of 6: 03 p.m. to convene in closed session pursuant to the above motion.

Reconvening of the Board

The Board at the hour of 7:17 p.m. reconvened.

Calling the Roll

*On call of the roll, the following Supervisors were noted present:
Supervisors Daly, Dufty, Gonzalez, Ma, McGoldrick, Newsom, Peskin - 7*

Quorum present.

Report on Closed Session

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

Persons in attendance:

Supervisors Daly, Dufty, Gonzalez, Ma, McGoldrick, Newsom, Peskin

*Wayne Snodgrass, Deputy City Attorney
Jennifer Williams, Deputy City Attorney
Ted Lakey, Deputy City Attorney
Gloria L. Young, Clerk of the Board
Kay Gulbengay, Deputy Clerk*

Meeting was informational only and no action was taken.

Heard in Closed Session.

[Elect Not to Disclose]

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

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

**Ayes: 7 - Daly, Dufty, Gonzalez, Ma, McGoldrick, Newsom, Peskin
Absent: 4 - Ammiano, Hall, Maxwell, Sandoval**

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

**030846 [Glocal Youth Parliament in Rome, Italy]
Supervisors Daly, Newsom**

Motion authorizing the attendance of two members of the San Francisco Youth Commission at the May 22-26, 2003, Glocal Youth Parliament in Rome, Italy. (Clerk of the Board)

Supervisor Daly requested to be added as sponsor.

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

Motion No. M03-86

APPROVED

**030850 [Board Off-site Meetings]
Supervisor Maxwell**

Motion ordering the City and School District Select Committee meeting of the Board of Supervisors be held at the Irving G. Breyer Board Meeting Room, Board of Education, 555 Franklin Street, First Floor, San Francisco, on June 16, 2003 at 4:00 P.M.; and directing the Clerk of the Board to prepare the proper notices and postings.

Motion No. M03-87

APPROVED

**030874 [Health Service Board]
Supervisor Daly**

Motion amending the Schedule of Audits for the Budget Analyst and directing the Budget Analyst to conduct a management audit of the Health Service System on a priority basis.

Motion No. M03-88

APPROVED

**030875 [Commend Armando Miranda]
Supervisor Gonzalez**

Resolution commending Armando Miranda for his extraordinarily considerate, compassionate and thorough work as deputy public defender for the San Francisco Drug Court.

Resolution No. 348-03

ADOPTED

**030876 [Commend Francis Scott Key Elementary School]
Supervisors Ma, Hall**

Resolution commending Francis Scott Key Elementary School's achievement as a recipient of the 2003 No Child Left Behind Title I Achieving Schools Award.

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

Resolution No. 349-03

ADOPTED

**030877 [PUC Project Labor Agreement]
Supervisors Maxwell, Daly**

Resolution urging the San Francisco Public Utilities Commission to include social justice components in its Project Labor Agreement for the Hetch Hetchy Water System Capital Improvement Program.

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

Resolution No. 350-03

ADOPTED

**030878 [Asthma Training]
Supervisors Maxwell, Dufty, Ma, Newsom**

Resolution to support an Initiative for Asthma Training and Posting of Asthma Emergency Protocols at City-Funded Childcare Facilities.

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

Resolution No. 351-03

ADOPTED

**030879 [Senate Bill 60]
Supervisor McGoldrick**

Resolution in support of SB 60 regarding the use of federal tax ID numbers instead of social security numbers when applying for driver's licenses.

Resolution No. 352-03

ADOPTED

**030891 [Emergency Medical Services Week]
Supervisors Newsom, Dufty, Hall, Ma**

Resolution commending all providers of Emergency Medical Services for their contributions to the citizens and visitors of San Francisco and proclaiming the week of May 18-24, 2003 as Emergency Medical Services Week in the City and County of San Francisco.

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

Resolution No. 353-03

ADOPTED

**030892 [Clean Energy Exchange with India]
Supervisors Peskin, Daly, Ma**

Resolution supporting efforts to curb global warming and to develop partnerships with communities in India that allow for the sharing of information on emission reduction programs.

Resolution No. 354-03
ADOPTED

**030893 [Union Janitors]
Supervisors Sandoval, Dufty, Daly, McGoldrick, Peskin, Ammiano, Ma, Gonzalez, Maxwell**

Resolution urging the University of California San Francisco (UCSF) to make janitorial custodians in-house employees and corporate citizens of the City and County of San Francisco to utilize union janitorial services.

Supervisors Dufty, Daly, McGoldrick, Peskin, Ammiano, Ma, Gonzalez and Maxwell requested to be added as co-sponsors.

Resolution No. 355-03
ADOPTED

030842 [Final Map for an 11 Unit Mixed Use Condominium Project]

Motion approving Final Map of 555 Irving Street, a Mixed Use Condominium Project, being a subdivision of Lot 35 Assessor's Block No. 1761, and adopting findings pursuant to Planning Code Section 101.1. (Public Works Department)

(No Public Benefit Recipient; DPW Order No. 174,113; District 5.)

Motion No. M03-83
APPROVED

030843 [Final Map for a 6 Unit Residential Condominium Project]

Motion approving Final Map of 135 Carl Street, #1 - #6, a Residential Condominium Project, being a subdivision of Lot 20 Assessor's Block No. 1272, and adopting findings pursuant to Planning Code Section 101.1. (Public Works Department)

(No Public Benefit Recipient; DPW Order No. 174,104; District 5.)

Motion No. M03-84
APPROVED

030844 [Final Map for an 18 Unit Residential Condominium Project]

Motion approving Final Map of 3490 California Street, a Residential Condominium Project, being a subdivision of Lot 65 in Assessor's Block No. 1019, and adopting findings pursuant to Planning Code Section 101.1. (Public Works Department)

(No Public Benefit Recipient; DPW Order No. 174,094; District 2.)

Motion No. M03-85
APPROVED

The foregoing items were acted upon by the following vote:

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

Severed From Without Reference to Committee Agenda

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

**030847 [Designating Fire Stations as Permissible Locations to Safely Surrender a Child 72 Hours Old or Less Without Criminal Prosecution for Child Abandonment]
Supervisor Hall**

Resolution designating San Francisco Fire Stations as permissible locations for a parent or any adult with legal custody of a child to safely surrender that child without criminal prosecution for child abandonment.

Resolution No. 347-03

ADOPTED by the following vote:

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

Absent: 3 - Ammiano, Maxwell, 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 Daly, seconded by Supervisor Peskin, moved ADOPTION of the Commendatory Finding Act. The motion carried by the following vote:

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

Absent: 3 - Ammiano, Maxwell, 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 Daly, seconded by Supervisor Peskin, moved ADOPTION of the Brown Finding Act. The motion carried by the following vote:

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

Absent: 3 - Ammiano, Maxwell, Sandoval

**030912 [Commend Conrad Benedicto]
Supervisor Sandoval**

Resolution commending Conrad Benedicto, teacher at Balboa High School, and the Wilderness Arts and Literacy Collaborative at Balboa High School.

Resolution No. 356-03

ADOPTED by the following vote:

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

**030913 [Commend John deCastro]
Supervisors Maxwell, Dufty**

Resolution commending John deCastro for his dedication and commitment to the Potrero neighborhood and proclaiming May 27, 2003 as John deCastro Day in the City and County of San Francisco.

Resolution No. 357-03

ADOPTED by the following vote:

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

OFF-AGENDA LEGISLATION

Introduced by Supervisors or Mayor

Ordinances

**020415 [Homeless Outreach]
Supervisor Newsom**

Ordinance amending S.F. Administrative Code Chapter 20 to establish a coordinated, geographically based outreach program for homeless services.

6/27/02 Local Homeless Coordinating Board did not take a position on legislation.

3/11/02, RECEIVED AND ASSIGNED to Health and Human Services Committee.

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

5/20/03, REACTIVATED PURSUANT TO RULE 5.24. Supervisor Newsom requested this matter be reactivated.

5/20/03, ASSIGNED to City Services Committee.

**020491 [Interdepartmental Coordination of Homeless Services]
Supervisor Newsom**

Ordinance amending S.F. Administrative Code Chapter 20 to create a plan for the coordination of services and accountability between the city departments and agency responsible for the delivery of services to the homeless population of San Francisco, and to establish an advisory committee to monitor city contracts for homeless shelters and drop-in centers.

6/27/02 Local Homeless Coordinating Board opposed to legislation.

3/25/02, ASSIGNED UNDER 30 DAY RULE to Health and Human Services Committee, expires on 4/24/2002.

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

5/20/03, REACTIVATED PURSUANT TO RULE 5.24. Supervisor Newsom requested this matter be reactivated.

5/20/03, ASSIGNED to City Services Committee.

**020594 [Rental Deposit Matching Fund]
Supervisor Newsom**

Ordinance amending S.F. Administrative Code Chapter 20 to create a rental deposit matching fund to assist people moving from shelter, residential treatment, or transitional housing into permanent housing.

(Fiscal impact.)

4/15/02, RECEIVED AND ASSIGNED to Finance Committee.

12/2/02, FILED PURSUANT TO RULE 5.37.

5/20/03, REACTIVATED PURSUANT TO RULE 5.24. Supervisor Newsom requested this matter be reactivated.

5/20/03, ASSIGNED to City Services Committee.

**030739 [Requiring for certain public work involving asphalt that the contractor use asphalt from the City asphalt plant]
Supervisor Peskin**

Ordinance adopting new Section 6.9 of Administrative Code Chapter 6, Article I, requiring that for certain public work involving asphalt that public work contractors use asphalt from the City asphalt plant.

(Fiscal impact.)

4/30/03, RECEIVED AND ASSIGNED to Finance and Audits Committee.

5/20/03, SUBSTITUTED. Supervisor Peskin submitted a substitute ordinance bearing new title.

5/20/03, ASSIGNED to Finance and Audits Committee.

**021726 [Regulation of mobile storage containers on the public right-of-way]
Supervisors Sandoval, Maxwell**

Ordinance adding Sections 726 et seq. of the Public Works Code to regulate placement of mobile storage containers on the public right-of-way.

10/16/02, ASSIGNED UNDER 30 DAY RULE to Public Works and Public Protection Committee, expires on 11/14/2002.

12/16/02, SUBSTITUTED. Supervisor Sandoval submitted a substitute ordinance bearing same title.

12/16/02, ASSIGNED to Public Works and Public Protection Committee.

12/31/02, REFERRED TO DEPARTMENT. Referred to Small Business Commission for review and comment.

2/4/03, TRANSFERRED to Land Use Committee. Transferred pursuant to new committee structure, 2/17/03.

3/11/03, RESPONSE RECEIVED. From department making suggestions for amending legislation.

5/20/03, SUBSTITUTED. Supervisor Sandoval submitted a substitute ordinance bearing the same title.

5/20/03, ASSIGNED to Land Use Committee.

**030914 [Re-appropriate existing funding for the over-expenditures in personnel costs, non-personal services, and workers compensation for DPH]
Mayor, Supervisor Daly**

Ordinance re-appropriating \$9,342,000 of existing departmental revenues to cover over-expenditures in personnel costs, non-personal services, and workers compensation for the San Francisco General and Laguna Honda Hospitals for the Department of Public Health for fiscal year 2002-03. (Mayor)

(Fiscal impact.)

5/20/03, RECEIVED AND ASSIGNED to Finance and Audits Committee. Sponsor requests this item be scheduled for consideration at the June 4, 2003 meeting.

**030915 [Ban on sale of carbonated beverages and certain fruit-based drinks on City property]
Supervisor Sandoval**

Ordinance adding Section 4.24 to the Administrative Code to ban the sale of carbonated beverages and certain fruit-based drinks on property owned by or under the control of the City, except under certain circumstances.

5/20/03, RECEIVED AND ASSIGNED to City Services Committee.

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

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.

5/20/03, RECEIVED AND ASSIGNED to Finance and Audits Committee.

Resolutions

030917 [City Composting]
Supervisor Sandoval

Resolution urging all City facilities that have food service operations or generate significant compostable discards and all contracted food service vendors operating on City premises to participate in composting and recycling collection programs and to use food service materials that either are recyclable or compostable; and to purchase compost and/or mulch that is made from San Francisco's composting or mulching programs.
5/20/03, RECEIVED AND ASSIGNED to City Services Committee.

030918 [Halloween in the Castro]
Supervisors Dufty, Ammiano, Ma, Newsom, McGoldrick, Daly, Maxwell

Resolution recognizing and establishing Halloween in the Castro as an official City event, encouraging the involvement and cooperation of City Agencies to prepare for this year's Halloween and identifying the basic parameters of this event.
5/20/03, RECEIVED AND ASSIGNED to City Services Committee. Clerical correction on page 2, line 10, replace lowercase "d" with uppercase "D" in the word district.

030919 [Full Day Alternatives to Summer School]
Supervisors Ammiano, Ma, Peskin, Gonzalez, Newsom, McGoldrick, Dufty

Resolution urging the Mayor to fund \$388,300 for full-day alternatives to summer school for 2003 from the Children's Fund submitted to the Board of Supervisors for its consideration on June 1, 2003.
5/20/03, RECEIVED AND ASSIGNED to Finance and Audits Committee.

030923 [Appointment - Municipal Transportation Agency]
Mayor, Supervisor Hall

Resolution confirming the appointment of Michael G. Kasolas to the Board of Directors of the Municipal Transportation Agency, term ending March 1, 2007. (Mayor)
5/20/03, RECEIVED AND ASSIGNED to Rules Committee.

030924 [Accept-Expend State Grant]
Mayor, Supervisors Dufty, Newsom

Resolution authorizing the Mayor's Office of Emergency Services to accept and expend a grant in the amount of \$179,451 from the California Governor's Office of Emergency Services for emergency operations planning. (Mayor)
5/20/03, RECEIVED AND ASSIGNED to City Services Committee.

030925 [Accept-Expend State Grant]
Mayor, Supervisors Dufty, Newsom

Resolution authorizing the Mayor's Office of Emergency Services to accept and expend a grant in the amount of \$251,674 from the California Governor's Office of Emergency Services for emergency response equipment. (Mayor)
5/20/03, RECEIVED AND ASSIGNED to City Services Committee.

**030926 [Homeless Death Count]
Supervisors Newsom, Daly**

Resolution urging the Medical Examiner and the Director of the Department of Public Health, in collaboration with the Mayor's Office of Homelessness, to reactivate the Homeless Death Prevention Community Advisory Board or some other appropriate policy-making group to track and analyze the death of homeless individuals.
5/20/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**030930 [Commend Joe Lynn]
Supervisors Gonzalez, Ammiano, Newsom, Maxwell, McGoldrick, Peskin, Sandoval, Dufty, Ma, Daly, Hall**

Resolution commending Joe Lynn, Campaign Finance Officer of the Ethics Commission for his tireless efforts in promoting the public's right to know the state of campaign finance in San Francisco.
5/20/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**030931 [Commend Chief Juvenile Probation Officer Jesse E. Williams Jr.]
Supervisors Maxwell, Dufty, Hall, Ma, Daly, Newsom**

Resolution commending Chief Juvenile Probation Officer Jesse E. Williams Jr. for his exemplary services and dedication to San Francisco.
5/20/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**030932 [Extension of Planning Commission Review Period]
Supervisor McGoldrick**

Resolution extending the prescribed time within which the Planning Commission may render its decision on a proposed ordinance to amend the San Francisco Planning Code by amending Sections 311 and 312 to require expanded public notice of exterior alteration projects and requiring the Building and Planning Departments to issue implementing regulations within 90 days and report to the Board on the effectiveness of the ordinance no later than nine months thereafter.
5/20/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**030933 [SFUSD to Consider Tagalog/Filipino Language Access for Students]
Supervisors Sandoval, Ma, Daly**

Resolution urging the San Francisco Unified School District to consider Tagalog/Filipino language access and studies as a necessary part of the school system curriculum.
5/20/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**030934 [Reconsideration of Board of Supervisors Raise]
Supervisor Newsom**

Resolution requesting that the Civil Service Commission reconsider its decision to give the Board of Supervisors a \$74,735 raise.

5/20/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**030935 [Healthy Business Environment in Chinatown]
Supervisors Peskin, Ma, Dufty, Hall, Daly, Newsom**

Resolution supporting efforts to foster a healthy, expanding business environment in San Francisco's Chinatown during these economically challenging times.

5/20/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**030936 [SS Jeremiah O'Brien Day]
Supervisors Peskin, Dufty, Hall, Newsom**

Resolution declaring June 19, 2003 SS Jeremiah O'Brien Day in celebration of the 60th birthday of the sole operational survivor of the 5,000 ship armada that stormed Normandy Beachheads on D-Day.

5/20/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**030937 [Supporting Senate Bill 304]
Supervisor Peskin**

Resolution supporting Senate Bill 304 and efforts in the California State Senate to foster greater competition in the retail gasoline market.

5/20/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**030938 [Recycled paper for catalogs]
Supervisors Peskin, Newsom**

Resolution urging the consumer catalog industry to use 50 percent post-consumer recycled paper for catalogs, to preserve natural resources, to conserve landfill space, and to reduce air and water pollution associated with the manufacturing of virgin wood-fiber paper.

5/20/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Charter Amendments

**030812 [Charter Amendment - Designating the Controller as City Services Auditor]
Supervisors McGoldrick, Peskin**

Charter amendment (Second Draft) to amend Section 3.105 and adding Appendix F to designate the Controller as the City Services Auditor, establish duties for that function, make the Controller a non-voting ex-officio member of the Board of Supervisors and all City commissions, and set aside 0.2 percent of the City's annual budget for a Controller's Audit Fund.

(Fiscal impact.)

5/20/03, SUBSTITUTED. Supervisor McGoldrick submitted a substitute Charter amendment bearing new title.
5/20/03, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 6/19/2003.

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

Charter amendment (Second 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.

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

5/20/03, SUBSTITUTED. Supervisor Daly submitted a substitute Charter amendment bearing new title.

5/20/03, ASSIGNED UNDER 30 DAY RULE.

Requests for Hearing

030945 [Budget Hearing and Review, FY 2003-04]

Hearing to consider the Annual Budget for the Rent Arbitration Board, Port, and General City Responsibility for fiscal year 2003-2004. (Clerk of the Board)

5/20/03, RECEIVED AND ASSIGNED to Budget Committee.

030946 [Budget Hearing and Review, FY 2003-04]

Hearing to consider the Annual Budget for Child Support Services, Department of Building Inspection, and the Retirement System for fiscal year 2003-2004. (Clerk of the Board)

5/20/03, RECEIVED AND ASSIGNED to Budget Committee.

030911 [Committee of the Whole - Beilenson Hearing]

Hearing to consider the Department of Public Health's budget eliminating or reducing medical services. (Beilenson Hearing) (See Public Notice posted outside the Clerk of the Board's Office, Room 244, City Hall) (Clerk of the Board)

5/20/03, SCHEDULED FOR PUBLIC HEARING. Pursuant to File 030756, Board Sitting as a Committee of the Whole on June 10, 2003 at 3:00 p.m.

5/27/03 - Received communication from Director of Health informing that DPH posted written public notice of the FY 2003-04 Budget reductions pursuant to Ca. Health & Safety Code 1442.5 (a) subject to Beilenson Hearing.

5/27/03 - Public Notice posted on Board of Supervisors kiosk.

**030920 [The State of San Francisco's Restaurant Industry - 2003]
Supervisor Dufty**

Hearing to consider the "Economics of the San Francisco Restaurant Industry" study commissioned by the Golden Gate Restaurant Association (GGRA) and the restaurant survey by the San Francisco Convention and Visitors Bureau (SFCVB). This hearing will consider possible ways San Francisco can better support and maintain our restaurant industry, as well as economic conditions and insurance costs that are threatening restaurant viability.

5/20/03, RECEIVED AND ASSIGNED to City Services Committee.

**030921 [Homeless Spending]
Supervisor Daly**

Hearing to consider spending in Fiscal Years 2002-2003 and 2003-2004 on direct services to the homeless in San Francisco.

5/20/03, RECEIVED AND ASSIGNED to Budget Committee.

Motion

**030910 [Liquor License, 39 New Montgomery Street]
Supervisors Ammiano, Newsom, Daly, Peskin, McGoldrick, Maxwell, Dufty**

Hearing to consider that the issuance of a Type 48 on-sale general public premises liquor license to The Brothers Earl, LLC (Jason Miller and Kevin Ellis) for the House of Shields, located at 39 New Montgomery Street (District 6), will serve the convenience and necessity of the people of the City and County of San Francisco.

Report

030922 [Youth Commission Year End Report]

Report from the San Francisco Youth Commission. (Clerk of the Board)

5/20/03, ASSIGNED to Board of Supervisors. Scheduled for Board consideration June 10, 2003, Special Order at 2:00 p.m.

PROPOSED ORDINANCES

030837 [Settlement of Lawsuits - Tammy Haygood]

Ordinance authorizing settlement of federal and state lawsuits and administrative proceedings between the City and County of San Francisco and Tammy Haygood filed in connection with her employment and removal as Director of the Department of Elections including a lawsuit filed on July 17, 2002 in Superior Court, State of California, Case No. CPF 02-501387, entitled City and County of San Francisco, Petitioner v. Civil Service Commission of the City and County of San Francisco, Respondent, Tammy B. Haygood, Real Party in Interest, and a lawsuit filed on July 17, 2002 in United States District Court, Case No. C02-3433 WHA, entitled Tammy B. Haygood v. Michael Mendelson, et al. The material terms of the settlement are Haygood will dismiss with prejudice all claims against San Francisco in these lawsuits and all complaints filed with the California Department of Fair Employment and Housing, the Department of Labor and any other administrative action, and Haygood will reimburse the City for payments of certain wages and benefits if she returns to City employment within two years. (City Attorney)

(Public Benefit Recipient.)

(Supervisor Dufty dissenting in committee.)

5/5/03, RECEIVED AND ASSIGNED to Rules Committee. Scheduled for public hearing June 10, 2003, at 3:00 pm.

PROPOSED RESOLUTIONS**030822 [Lease of Real Property]**

Resolution authorizing the exercise of a five year option to extend the Lease of approximately 7,725 square feet of space at 3801 3rd Street, suites 110, 210, 220 and 230 for the Department of Human Services. (Real Estate Department)

(Public Benefit Recipient.)

5/6/03, RECEIVED AND ASSIGNED to Finance and Audits Committee.

030823 [Lease of Real Property]

Resolution authorizing the exercise of a five year option to extend the Lease of approximately 1,800 square feet of space at 3801 3rd Street, suite 205 for the Department of Human Services. (Real Estate Department)

(Public Benefit Recipient.)

5/6/03, RECEIVED AND ASSIGNED to Finance and Audits Committee.

**030824 [Accept-Expend State Grant]
Supervisors Dufty, Newsom**

Resolution authorizing the Chief of Police for the City and County of San Francisco to accept and expend grant funds made available through the Governor's Office of Criminal Justice Planning for a project entitled "Suppression of Drug Abuse in Schools Program." (Police Department)

(No Public Benefit Recipient.)

5/6/03, RECEIVED AND ASSIGNED to City Services Committee.

030880 [Lease of Real Property]

Resolution authorizing a lease renewal at 729 Filbert Street for the Department of Public Health. (Real Estate Department)

(Public Benefit Recipient.)

5/9/03, RECEIVED AND ASSIGNED to Finance and Audits Committee.

030881 [Lease of Real Property]

Resolution authorizing a lease renewal at 2001 Van Ness Avenue/1700 Jackson Street for the Department of Public Health. (Real Estate Department)

(Public Benefit Recipient.)

5/9/03, RECEIVED AND ASSIGNED to Finance and Audits Committee.

**030885 [2003 Neighborhood Recreation and Park Facilities General Obligation Bond Sale]
Supervisor Newsom**

Resolution authorizing and directing the sale of not to exceed \$20,960,000 City and County of San Francisco General Obligation Bonds (Neighborhood Recreation and Park Facilities Improvement Bonds, 2000), Series 2003A; prescribing the form and terms of said bonds; authorizing the execution, authentication and registration of said bonds; providing for the appointment of depositories and other agents for said bonds; providing for the establishment of accounts related thereto; approving the forms of official notice of sale and notice of intention to sell bonds; directing the publication of the notice of intention to sell bonds; approving the form and execution of the official statement relating thereto; approving the form of the continuing disclosure certificate; approving modifications to documents; ratifying certain actions previously taken; and granting general authority to City officials to take necessary actions in connection with the authorization, issuance, sale and delivery of said bonds. (Mayor)

(No Public Benefit Recipient.)

5/12/03, RECEIVED AND ASSIGNED to Finance and Audits Committee.

Requests Granted

From: Supervisor Peskin

To: City Attorney

Requesting/Inquiring: To draft an ordinance that would lower parking fines charged by the City if revenue generated from such fines exceeds a certain threshold. The Supervisor requests that this legislation be drafted as quickly as possible, due to the coming imposition of increased parking fines. This triggered decrease in parking fines would ensure that local residents are not being punished in an onerous manner in order to bridge the city's current budget deficit.

From: Supervisor Dufty

To: San Francisco Department of Public Health

San Francisco Fire Department

Requesting/Inquiring: Inquiring whether there are any steps that the sponsors of the annual Bay to Breakers can take to better respond to cardiac emergencies by participants, including use of defibrillators.

From: Supervisor Hall

To: Department of Human Resources

Requesting/Inquiring: What would the City need to do in order to have the definition of "dependent" extended to an elderly parent(s) over the age of 70 for the purposes of health benefits, etc.? In other words, where childcare coverage is allowed for an employee - how can those benefits be extended to provide for eldercare?

In Memoriams

Barbara Shainwald Rogers (Supervisor Dufty)

Nicholas Ng (Supervisor Dufty)

Annette Brady (Supervisor Gonzalez)

Thomas Francis Stack (Supervisor Hall)

Lydia Cerone (Supervisor Hall)

ADJOURNMENT

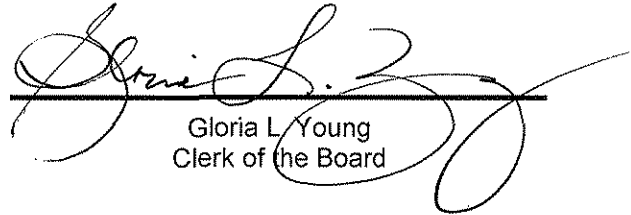
There being no further business, the Board at the hour of 7:27 p.m. adjourned.

Gloria L. Young, Clerk of the Board

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

Approved by the Board of Supervisors on July 8, 2003.

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



Gloria L. Young
Clerk of the Board

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