

Board of Supervisors

# City and County of San Francisco

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



## AGENDA

**Tuesday, November 4, 2003  
2:00 PM**

### Regular Meeting

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

Gloria L. Young, Clerk of the Board

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## ROLL CALL AND PLEDGE OF ALLEGIANCE

## APPROVAL OF MEETING MINUTES

*Motion to approve the October 7, 2003 Board Minutes.*

## AGENDA CHANGES

## COMMUNICATIONS

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

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

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

# CONSENT AGENDA

*All matters listed hereunder constitute a Consent Agenda, are considered to be routine by the Board of Supervisors and will be acted upon by a single roll call vote of the Board. There will be no separate discussion of these items unless a member of the Board so requests, in which event the matter shall be removed from the Consent Agenda and considered as a separate item.*

## **Items 1 through 4**

### **Recommendations of the City Services Committee**

*Present: Supervisors Dufty, Ma*

- 1. 031507 [Accept-Expend Grant] Mayor, Supervisor Dufty**  
Resolution authorizing the Director of Emergency Services to accept and expend a grant in the amount of \$771,317 from the California Governor's Office of Emergency Services for emergency equipment, exercises, and planning.  
**Question: Shall this Resolution be ADOPTED?**
- 2. 031660 [Accept-Expend State Grant] Supervisor Dufty**  
Resolution authorizing the Chief of Police for the City and County of San Francisco to accept and expend grant funds made available through the Office of Traffic Safety for a project entitled California Seat Belt Compliance Campaign (CSBCC). (Mayor)  
(No Public Benefit Recipient.)  
**Question: Shall this Resolution be ADOPTED?**
- 3. 031712 [Accept - Expend Federal Grant] Mayor, Supervisor Dufty**  
Resolution authorizing the Mayor of the City and County of San Francisco to accept retroactively and expend a grant in the amount of \$1,173,258 from the U.S. Department of Justice, Bureau of Justice Assistance to reduce crime and increase public safety, under the FY 2003 Local Law Enforcement Block Grants Program. (Mayor)  
**Question: Shall this Resolution be ADOPTED?**

### **Recommendation of the Rules Committee**

*Present: Supervisors Hall, Dufty, Gonzalez*

- 4. 031642 [Settlement of Lawsuit - Marie Lavin]**  
Ordinance authorizing settlement of the lawsuit filed by Marie Lavin against the City and County of San Francisco for \$200,000; the lawsuit was filed on December 5, 2001, in the San Francisco Superior Court, Case No. 402019, entitled Marie Lavin v. City and County of San Francisco, Adult Probation Department. (City Attorney)  
(Public Benefit Recipient.)

10/28/2003, PASSED, ON FIRST READING.

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

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

## **REGULAR AGENDA**

## **UNFINISHED BUSINESS**

### **From the Rules Committee With Recommendation "Do Submit"**

*Present: Supervisors Hall, Dufty, Gonzalez*

5.        **031778**        **[Charter Amendment - Supplemental Compensation for Employees on Military Leave]**        **Supervisors Newsom, Hall**
- Charter amendment (First Draft) to amend Section A8.400 (h) to allow for employees called to active duty to receive supplemental compensation for a period to be specified by ordinance.
- 10/28/2003, CONTINUED. Continued to November 4, 2003.
- Question: Shall this Charter Amendment be SUBMITTED?**

## **NEW BUSINESS**

### **Recommendation of the City Services Committee**

*Present: Supervisors Dufty, Ma*

6.        **031381**        **[Liquor License Transfer, 688 Geary Street]**
- Resolution determining that the transfer of a Type 48 on-sale general public premises license from 2800 Leavenworth Street to 688 Geary Street (District 6), to Greg Lindgren and Jon Gasparini for "Club Eclipse", will 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, with conditions.
- Question: Shall this Resolution be ADOPTED?**

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

*Present: Supervisors McGoldrick, Maxwell*

7.        **022031**        **[Zoning Map Amendment]**        **Supervisor Maxwell**
- Ordinance amending Section Maps 8 and 8SU of the Zoning Map of the City and County of San Francisco for the property described as Assessor's Block 3978, Lot 1, bounded by Rhode

Island Street, 17th Street, Kansas Street and Mariposa Street, from M-1 (Light Industrial) to NC-3 (Moderate-Scale Neighborhood Commercial District) and the 17th and Rhode Island Street Grocery Store Special Use Subdistrict; adopting findings.

(9/16/03 in Board: Supervisor Maxwell submitted a substitute ordinance bearing new title; companion measure to File 022032.)

9/16/2003, SUBSTITUTED. Supervisor Maxwell submitted a substitute ordinance bearing a new title.

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

**8. 022032 [17th and Rhode Island Street Grocery Store Special Use Subdistrict] Supervisor Maxwell**

Ordinance amending the San Francisco Planning Code by adding Section 781.10 to create the 17th and Rhode Island Street Grocery Store Special Use Subdistrict, applicable to the newly rezoned NC-3 block (previously M-1) bounded by 17th Street, Rhode Island Street, Mariposa Street and Kansas Street (Assessor's Block 3978, Lot 1), to permit a neighborhood grocery store at 17th and Rhode Island and amending the Section 712 Zoning Control Table; adopting findings.

(9/16/03 in Board: Supervisor Maxwell submitted a substitute ordinance bearing new title.)  
10/7/03 in Board: Supervisor Maxwell submitted a substitute ordinance bearing same title.

9/16/2003, SUBSTITUTED. Supervisor Maxwell submitted a substitute ordinance bearing new title.

10/7/2003, SUBSTITUTED. Supervisor Maxwell submitted a substitute ordinance bearing same title.

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

**9. 031600 [Commercial Vehicle Parking in Certain Use Districts]**

Ordinance amending Traffic Code by amending Sections 63 and 63 (a) thereof, relating to commercial vehicle parking in certain use districts. (Parking and Traffic Department)

(No Public Benefit Recipient.)

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

**10. 031695 [Changing Official Width of Sidewalk]**

Ordinance amending Ordinance No. 1061 entitled "Regulating the Width of Sidewalks" by adding thereto Section 1561 to change the official sidewalk width on the south side of Market Street west of Third Street; making findings pursuant to the General Plan; and requiring relocation, modification, or both of facilities affected by the sidewalk width changes. (Public Works Department)

(No Public Benefit Recipient.)

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

**11. 031549 [Mixed-use development of affordable housing and a City office building at 10th and Market Streets] Supervisor Daly**

Resolution endorsing a term sheet describing the key terms and conditions of a mixed-use development project at 10th and Market Streets including affordable and market rate housing and a new City office building, and urging City staff to proceed with the preparation of





10/7/2003, SUBSTITUTED. Supervisor Ammiano submitted a substitute Charter amendment bearing same title.  
10/28/2003, AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.  
10/28/2003, CONTINUED. Continued to November 4, 2003 with the Board Sitting as a Committee of the Whole.  
*COMMITTEE OF THE WHOLE RISE AND REPORT WITHOUT RECOMMENDATION*  
**Question: Shall this Charter Amendment be SUBMITTED?**

## COMMITTEE REPORTS

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

*The following items will be considered by the Rules Committee at a Special Meeting on Monday, November 3, 2003. The Chair intends to request the Committee to send the following items to the Board as a committee report.*

*Items 18 through 21*

*(Pursuant to the provisions of Rule 2.28.7 of the Board's Rules of Order, at least six days must intervene between the first appearance of a proposed Charter amendment before the Board as a referral from committee and any Board order of submission to the electorate. In accordance therewith consideration of the following proposed Charter amendment appropriately may be continued at least one week.)*

18.        031543        **[Charter Amendment-Tolling Board deadlines during recess, reducing votes required when Board members are disqualified, limiting hold-over appointments, setting deadlines for police and**        **Supervisor Gonzalez**
- Charter Amendment (Third Draft) to amend the Charter of the City and County of San Francisco by amending Sections 2.103, 2.104, and Article XVII, by adding Section 4.101-1, by amending Section A8.590-5, and by amending Section 4.120, to toll deadlines for action by the Board when the Board is in recess, to reduce the number of votes required at the Board of Supervisors for various actions when one or more Board members are disqualified from voting on a matter because of a conflict of interest, to limit hold-over appointments to 60 days, to set deadlines for completing contract negotiations with police and fire employees, and to re-name the Commission on Aging as "the Commission on Aging and Adult Services."
- Question: Shall this Charter Amendment be SUBMITTED?**
19.        031560        **[Charter Amendment - Appointment of a City Engineer responsible for the design and construction management of all public buildings and public works]**        **Supervisor Ammiano**
- Charter amendment (First Draft) to amend Section 4.130 to provide for appointment of a City Engineer responsible for the design and construction management of all public buildings and public works.
- 9/23/2003, SUBSTITUTED. Supervisor Ammiano submitted a substitute Charter amendment bearing new title.
- Question: Shall this Charter Amendment be SUBMITTED?**
20.        031567        **[Charter Amendment - San Francisco Department of Public Health]**        **Supervisors Daly, Gonzalez**
- Charter Amendment (Second Draft) to repeal Section 4.110, regarding the Health Commission, and adding a new Article VIIC, to increase the autonomy and fiscal authority of the Health Commission and change the qualifications of Health Commissioners, establish a stable baseline funding level for the Department of Public Health, ensure the continued





activities.

## 25. PUBLIC COMMENT

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

## 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 26 through 32

26.       **031802**       **[Commending S.F. Youth Commission and the Youth Vote Coalition]**       **Supervisors Newsom, Dufty**
- Resolution commending the San Francisco Youth Commission and the Youth Vote Coalition for successfully creating a forum via the 2003 Youth VOTE for students to voice their concerns and to educate their peers about current issues with a particular focus on those concerning the City's children and youth.
- 10/28/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?**
27.       **031803**       **[2003 Native American Indian Heritage Month]**       **Supervisors Newsom, Dufty**
- Resolution declaring the month of November as "Native American Indian Heritage Month" in the City and County of San Francisco.
- 10/28/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?**
28.       **031804**       **[Earned Income Tax Credit Program Pre-Certification Requirements]**       **Supervisors Newsom, Dufty**
- Resolution urging our federal representatives to ensure that eligibility requirements and application procedures for the federal Earned Income Tax Credit remain as streamlined as possible, and supporting efforts to study the feasibility of implementing a local credit for low- and moderate-income working families.
- 10/28/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.



32. 031801 [Directing Budget Analyst to Undertake Analysis of Information related to Proposition N and/or "Real Housing, Real Care" Implementation Plans] Supervisor Daly

Motion directing the Office of Budget Analyst of the Board of Supervisors to analyze information submitted by the Director of Human Services and/or the Mayor's Office related to plans for implementation of Proposition N and/or "Real Housing, Real Care."

10/28/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

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

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

### 33. **IMPERATIVE AGENDA**

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

*[Serious Injury Finding]*

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

*[Purely Commendatory Finding]*

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

*[Brown Act Finding]*

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

*[Imperative Resolutions, if any]*

## **OFF-AGENDA LEGISLATION**

## **PROPOSED ORDINANCES**

*Proposed ordinances received from October 21, 2003 through October 27, 2003, for reference by President to appropriate committee on November 4, 2003.*

**031770 [General Plan Amendments]**

Ordinance amending the Rincon Hill Area Plan of the San Francisco General Plan to make the Area Plan consistent with a new Residential/Commercial Subdistrict within the Area Plan, to amend objectives related to parking, tower separation and open space requirements, to encourage additional height within the district that would allow greater residential density, and to amend various maps within the Area Plan to reflect the new subdistrict and the new height and bulk controls and new midblock pedestrian passage way configuration, and to allow the replacement of parking currently used by Federal agencies that are located on a development site within the new subdistrict; adopting findings. (Planning Department)

(No Public Benefit Recipient.)

10/22/2003, ASSIGNED UNDER 30 DAY RULE to Land Use Committee, expires on 12/4/2003.

**031771 [Zoning Map Amendment]**

Ordinance amending the San Francisco Planning Code by amending the Zoning Map of the City and County of San Francisco to change the use classification, special use district classification and the height and bulk designation of the property zoned P (Public) and bounded by Spear Street, Harrison Street, Beale Street and Folsom Street(excepting the southern portion of Block 3746), and adopting findings. (Planning Department)

(No Public Benefit Recipient.)

10/22/2003, ASSIGNED UNDER 30 DAY RULE to Land Use Committee, expires on 12/4/2003.

**031772 [Establishing a "Residential/Commercial Subdistrict" in the Rincon Hill area]**

Ordinance amending the San Francisco Planning Code by amending Section 249.1(a) to reference "Residential/Commercial Subdistrict," add Section 249.1(b)(8) to create the "Residential/Commercial Subdistrict" generally encompassing most of the property zoned P (Public) and bounded by Spear Street, Harrison Street, Beale Street, and Folsom Street (excepting the southern portion of Block 3746 and Lot 9 of Block 3745), and to add Section 249.1(e) to create special use, density, open space, parking, street frontage, site coverage, dwelling unit exposure, height, bulk standards, and tower separation standards, for the "Residential/Commercial Subdistrict"; adopting findings. (Planning Department)

(No Public Benefit Recipient.)

10/22/2003, ASSIGNED UNDER 30 DAY RULE to Land Use Committee, expires on 12/4/2003.

**031790 [Settlement of Lawsuit - Mamei Wei]**

Ordinance authorizing settlement of the lawsuit filed by Mamei Wei against the City and County of San Francisco and Ray Contreras for \$250,000; the lawsuit was filed on December 20, 2002 in U.S. District Court for the Northern District of California, Case No. C02-5887 TEH entitled Mamei Wei v. City and County of San Francisco and Ray Contreras. (City Attorney)

(Public Benefit Recipient.)

10/27/2003, RECEIVED AND ASSIGNED to Rules Committee.



(No Public Benefit Recipient.)

10/23/2003, RECEIVED AND ASSIGNED to City Services Committee.

**031776 [Contract funds to develop an on-line collaborative HIV trial training resource center] Supervisor Dufty**

Resolution authorizing the San Francisco Department of Public Health (SFDPH) to enter retroactively into an agreement with Public Health Foundation Enterprises, Inc. (PHFE), the primary contractor, and expend funds in the amount of \$74,732 for services under the agreement; for the period of September 1, 2003 to August 31, 2004. (Public Health Department)

(No Public Benefit Recipient.)

10/23/2003, RECEIVED AND ASSIGNED to City Services Committee.

**031787 [Accept-Expend Federal Grant - Special Emphasis Victim Assistance Program: Homicide] Supervisor Dufty**

Resolution authorizing the Department of the District Attorney of the City and County of San Francisco to retroactively accept and expend a grant in the amount of \$110,000 through the California Office of Criminal Justice Planning for the operation of a program entitled "Special Emphasis Victim Assistance Program: Homicide." (District Attorney)

(No Public Benefit Recipient.)

10/21/2003, RECEIVED AND ASSIGNED to City Services Committee.

**031788 [Accept-Expend Federal Grant - Special Emphasis Victim Assistance Program: Elder Abuse] Supervisor Dufty**

Resolution authorizing the Department of the District Attorney of the City and County of San Francisco to retroactively accept and expend a grant in the amount of \$155,000 through the California Office of Criminal Justice Planning for the operation of a program entitled "Elder Abuse Vertical Prosecution Program." (District Attorney)

(No Public Benefit Recipient.)

10/21/2003, RECEIVED AND ASSIGNED to City Services Committee.

**031789 [Accept-Expend Federal Grant - Special Emphasis Victim Assistance Program: Elder Abuse] Supervisor Dufty**

Resolution authorizing the Department of the District Attorney of the City and County of San Francisco to retroactively accept and expend a grant in the amount of \$110,000 through the California Office of Criminal Justice Planning for the operation of a program entitled "Special Emphasis Victim Assistance Program: Elder Abuse." (District Attorney)

(No Public Benefit Recipient.)

10/21/2003, RECEIVED AND ASSIGNED to City Services Committee.

**031826 [Airport Concession Lease]**

Resolution approving Amendment No. 3 to the Amendment No. 3 to the Travelex America Inc. Lease Agreement for Foreign Currency Exchange in the New International Terminal Building and Existing Terminal Buildings at San Francisco International Airport Lease No. 99-0449 between Travelex America, Inc. and the City and County of San Francisco, acting by and through its Airport Commission. (Airport Commission)

(No Public Benefit Recipient.)

10/24/2003, RECEIVED AND ASSIGNED to Finance and Audits Committee.

**031827 [Airport Concession Lease]**

Resolution approving Amendment No. 2 to the Boarding Areas "B" and "C" Principal Retail Concession Lease No. 98-0228 between Pacific Gateway Concessions, LLC, and the City and County of San Francisco, acting by and through its Airport Commission. (Airport Commission)

(No Public Benefit Recipient.)

10/24/2003, RECEIVED AND ASSIGNED to Finance and Audits Committee.

**031828 [Airport Revenue Bonds]**

Resolution approving the issuance of up to \$225,000,000 additional aggregate principal amount of San Francisco International Airport Second Series Revenue Refunding Bonds for the purpose of refinancing 1991 Resolution Bonds and Subordinate Bonds of the Airport Commission; Approving the issuance of San Francisco International Airport Second Series Variable Rate Revenue Bonds for the purpose of financing or refinancing certain capital improvements at San Francisco International Airport, including by refunding outstanding 1991 Resolution Bonds and Subordinate Bonds of the Airport Commission; Approving the maximum interest rates thereon; Approving the forms of certain documents relating to the Bonds; Approving XI Capital Assurance Inc. as a provider of bond insurance and reserve fund Surety Bonds and the forms of certain documents relating thereto; and Approving certain amendments to the 1991 Master Resolution. (Airport Commission)

10/24/2003, RECEIVED AND ASSIGNED to Finance and Audits Committee.

**031829 [Membership in the Bay Area Regional Immunization Registry]**

Resolution authorizing the San Francisco Board of Supervisors to enter into an agreement between the City and County of San Francisco and the County of Santa Clara for membership in the Bay Area Regional Immunization Registry. (Public Health Department)

(No Public Benefit Recipient.)

10/22/2003, RECEIVED AND ASSIGNED to City Services Committee.

**031830 [Grant of Federal Funds]**

Resolution authorizing the Municipal Transportation Agency to accept retroactively and expend \$326,512 of federal Section 5309 capital assistance toward the purchase of LRVs for San Francisco's Municipal Railway, excluding Administrative Overhead Costs. (Municipal Transportation Agency)

(No Public Benefit Recipient.)

10/24/2003, RECEIVED AND ASSIGNED to Land Use Committee.

## PROPOSED MOTIONS

*Proposed motions received from October 21, 2003 through October 27, 2003, for reference by President to appropriate committee on November 4, 2003.*

**031763 [Appointment, Public Utilities Commission]**

Motion approving the Acting Mayor's appointment of Robin Chiang to the Public Utilities Commission, for the term expiring January 15, 2004. (Mayor)

**031764 [Appointment, Public Utilities Commission]**

Motion rejecting the Acting Mayor's appointment of Robin Chiang to the Public Utilities Commission. (Mayor)

10/22/2003, RECEIVED AND ASSIGNED to Rules Committee.

**031765 [Appointment, Public Utilities Commission]**

Motion taking no position concerning the Acting Mayor's appointment of Robin Chiang to the Public Utilities Commission, for term ending January 15, 2004. (Mayor)

10/22/2003, RECEIVED AND ASSIGNED to Rules Committee.

**031766 [Appointment, Public Utilities Commission]**

Motion approving the Acting Mayor's appointment of Adam Werbach to the Public Utilities Commission, for the term expiring January 15, 2007. (Mayor)

10/22/2003, RECEIVED AND ASSIGNED to Rules Committee.

**031767 [Appointment, Public Utilities Commission]**

Motion rejecting the Acting Mayor's appointment of Adam Werbach to the Public Utilities Commission. (Mayor)

10/22/2003, RECEIVED AND ASSIGNED to Rules Committee.

**031768 [Appointment, Public Utilities Commission]**

Motion taking no position concerning the Acting Mayor's appointment of Adam Werbach to the Public Utilities Commission, for term ending January 15, 2007. (Mayor)

10/22/2003, RECEIVED AND ASSIGNED to Rules Committee.

**031780 [Appointment, Public Utilities Commission]**

Motion approving the Mayor's appointment of Clementine Clarke to the Public Utilities Commission, for the term expiring January 15, 2007. (Mayor)



10/23/2003, RECEIVED AND ASSIGNED to Rules Committee.

**031781 [Appointment, Public Utilities Commission]**

Motion rejecting the Mayor's appointment of Clementine Clarke to the Public Utilities Commission. (Mayor)

10/23/2003, RECEIVED AND ASSIGNED to Rules Committee.

**031782 [Appointment, Public Utilities Commission]**

Motion taking no position concerning the Mayor's appointment of Clementine Clarke to the Public Utilities Commission, for term ending January 15, 2007. (Mayor)

10/23/2003, RECEIVED AND ASSIGNED to Rules Committee.

**031838 [Petitions and Communications]**

Petitions and Communications received from October 21, 2003 through October 27, 2003, for reference by the President to Committee considering related matters or to be ordered filed by the Clerk on November 4, 2003.

From Fire Department, reporting on beverage and snack vending machine usage and preference at the Department. (Reference No. 20030923-033) Copy: Supervisor Peskin(1)

From Public Library, reporting on beverage and snack vending machine usage and preference at the Department. (Reference No. 20030923-037) Copy: Supervisor Peskin(2)

From Office of the Controller, submitting opinion on proposed Charter amendment to establish plans for the tax-deferred treatment of accrued compensation payable to employees. File 031547(3)

From Office of the Controller, submitting opinion on proposed Charter amendment to ensure that domestic partners are treated exactly the same as spouses for benefits under the Retirement System. File 031562(4)

From Office of the Controller, submitting opinion on proposed Charter amendment to allow employees called to active duty in the military to receive supplemental compensation pay for a period specified by the ordinance and enables the pay to be applied retroactively. File 031541(5)

From Office of the Sheriff, reporting on beverage and snack vending machine usage and preference at the Department. (Reference No. 20030923-009) Copy: Supervisor Peskin(6)

From Department of Children, Youth and Their Families, reporting on beverage and snack vending machine usage and preference at the Department. (Reference No. 20030923-060) Copy: Supervisor Peskin(7)

From Public Library, submitting copy of the Department's Efficiency Plan dated October 1, 2003. Copy: Each Supervisor(8)

From Office of Contract Administration, reporting on beverage and snack vending machine usage and preference at the Department. (Reference No. 20030923-059) Copy: Supervisor Peskin(9)

From Fire Department, submitting request for release of reserved funds (\$3,903,139) to carry out the Department's training function.(10)

From Police Department, reporting on beverage and snack vending machine usage and preference at the Department. (Reference No. 20030923-036) Copy: Supervisor Peskin(11)

From Department of Child Support Services, reporting on beverage and snack vending machine usage and preference at the Department. Copy: Supervisor Peskin(12)

From Association of Bay Area Governments (ABAG), submitting name of the Association's President and Vice President elect for the term beginning January 1, 2004 through December 31, 2006.(13)

From concerned citizens, submitting opposition to proposed legislation regarding Secondary Units and to revision of the Housing Element of the City's General Plan.(14)

From concerned citizens, submitting support for Supervisor Daly's appointments to the Public Utilities Commission.(15)

From concerned citizens, submitting opposition for Supervisor Daly's appointments to the Public Utilities Commission.(16)

From concerned citizens, submitting opposition to the 28% proposed pay increase for MUNI's executive director. File 031745(17)

From concerned citizens, submitting opposition to removal of approximately 100 eucalyptus trees on San Francisco's water shed property that's located between 280 and Skyline Boulevard in the City of Burlingame.(18)

From SF Redevelopment Agency, reporting on beverage and snack vending machine usage and preference at the Department. (Reference No. 20030923-038) Copy: Supervisor Peskin(19)

From Department of Telecommunications and Information Services, reporting on beverage and snack vending machine usage and preference at the Department. (Reference No. 20030923-052) Copy: Supervisor Peskin(20)

From Comcast Cable Communications, Inc., submitting notice of changes to customers of Comcast Cable living in San Francisco.(21)

From Department of Administrative Services, submitting quarterly report pursuant to Section 24 of the Annual Appropriation Ordinance.(22)

From Clerk of the Board, submitting quarterly report pursuant to Section 24 of the Annual Appropriation Ordinance.(23)

From Department of Human Resources, submitting report listing the economic grievance settlements approved pursuant to Chapter 10, Section 10.25-12, of the Administrative Code for the quarter July 1, 2003 through September 30, 2003.(24)

From Bob Planthold, submitting notice that the Senior Action Network opposes the "Creation of Motorcycle parking" in San Francisco.(25)

From State Board of Equalization, regarding Senate Bill 566 that authorizes cities to impose a general purpose transactions and use tax at a rate of .25% or increments thereof with the approval of a majority of the voters voting on the issue.(26)

From Residential Rent Stabilization and Arbitration Board, reporting on beverage and snack vending machine usage and preference at the Department. (Reference No. 20030923-041)  
Copy: Supervisor Peskin(27)

From Department of Administrative Services, reporting on beverage and snack vending machine usage and preference at the Department. (Reference No. 20030923-058) Copy: Supervisor Peskin(28)

From John Pollock, submitting his concern for the amount of noise and air pollution, which is emitted by CAL-Train both during the day and between the hours of 12:00 am and 5:00 am.(29)

From US Army Corps of Engineers, submitting notice of request for permit to install an outfall for a water quality structure and culvert a storm gutter system on a 1.5 acre project site located at 174 through 178 West F Street in the City of Benicia.(30)

#### APPOINTMENTS BY MAYOR

Human Rights Commission  
Shirley Dimapilis

Public Utilities Commission  
Clementine Clarke

#### APPOINTMENTS BY ACTING MAYOR

Public Utilities Commission  
Robin Chiang  
Adam Werbach

## ADJOURNMENT

### Meeting Procedures

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

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

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

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

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

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

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

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

Contact Ohn Myint at (415) 554-7704.

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



### **Disability access**

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

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

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

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

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

This advance notice will help ensure availability.

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

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

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

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

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

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

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

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

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

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

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

[Return to Full Board Agendas](#)