

# 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, November 4, 2003 2:00 PM

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

### Regular Meeting

---

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

### BOARD COMMITTEES

#### Committee Membership

##### **Budget Committee**

Supervisors Daly, Maxwell, Peskin

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

Chair Maxwell, Supervisor Ammiano, Supervisor Ma, Commissioner Cruz, Commissioner Sanchez, Co

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

Supervisors Dufty, Ma, Newsom

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

Supervisors Peskin, Sandoval, McGoldrick

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

Supervisors McGoldrick, Maxwell, Ammiano

##### **Rules Committee**

Supervisors Hall, Dufty, Gonzalez

#### Meeting Days

Thursday  
1:00 PM

2nd Monday, bi-monthly  
4:00 PM

Thursday  
9:30 AM

Wednesday  
12:30 PM

Monday  
1:00 p.m.

Wednesday  
9:30 AM

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

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

---

## ROLL CALL AND PLEDGE OF ALLEGIANCE

*The meeting was called to order at 2:06 p.m. On the call of the roll, the following Supervisor Ammiano was noted absent.*

*Quorum present.*

*Supervisor Ammiano was noted present at 2:08 p.m.*

## APPROVAL OF MEETING MINUTES

Supervisor Peskin, seconded by Supervisor Daly, moved to approve October 7, 2003 Meeting Minutes. The motion carried by the following vote:

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

## COMMUNICATIONS

*Gloria L. Young, Clerk of the Board informed the Board members that the Clerk's Office was in receipt of correspondence from the Honorable Mayor Willie L. Brown, Jr., withdrawing his appointments to the Public Utilities Commission.*

## CONSENT AGENDA

### Recommendations of the City Services Committee

**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.

**Resolution No. 729-03  
ADOPTED**

**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.)

**Resolution No. 731-03  
ADOPTED**

**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)

**Resolution No. 732-03  
ADOPTED**

**Recommendation of the Rules Committee**

**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.)

**Ordinance No. 259-03  
FINALLY PASSED**

The foregoing items were acted upon by the following vote:

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

**REGULAR AGENDA**

## UNFINISHED BUSINESS

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

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.

**ORDERED SUBMITTED** by the following vote:

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

## NEW BUSINESS

### Recommendation of the City Services Committee

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.

**Resolution No.** 728-03

**ADOPTED** by the following vote:

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

### Recommendations of the Land Use Committee

*Supervisor Ammiano noted present at 2:08 p.m.*

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.)

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

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

**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.)

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

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

**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.)

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

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

**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.)

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

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

**031549 [Mixed-use development of affordable housing and a City office building at 10th and Market Streets]  
Supervisors Daly, Dufty**

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 agreements effectuating such a project.

**Resolution No.** 730-03

**ADOPTED by the following vote:**

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

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

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

Charter amendment (Fourth Draft) to add Section A8.506.5 thereto, to authorize the board of supervisors to contract with the board of administration of the Public Employees' Retirement System to provide increased retirement benefits for district attorneys, public defenders and public defender investigators.

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

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

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

Charter amendment (Fifth Draft) to add Section A8.506.5 thereto, to authorize the board of supervisors to contract with the board of administration of the Public Employees' Retirement System to provide increased retirement benefits for district attorneys, public defenders and public defender investigators.

*Continued to November 18, 2003 with the Board Sitting as a Committee of the Whole.*

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

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

**031547 [Charter Amendment - Tax-deferred transfer of accrued vacation, sick leave and other compensation to employees]  
Supervisors Sandoval, Daly, Gonzalez**

Charter amendment (Second Draft) to add Section A8.599 to authorize the City and County to establish plans for the tax-deferred treatment of accrued compensation payable to employees.

*Continued to November 18, 2003*

**CONTINUED by the following vote:**

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

**031562 [Charter Amendment - Retirement System benefits for domestic partners]  
Supervisors Ammiano, Dufty, Daly**

Charter amendment (Third Draft) to add Section 16.125 authorizing the Board of Supervisors to amend or repeal provisions of the Domestic Partnership Ordinance to effectuate the voters' intent that domestic partners be afforded the same rights and responsibilities as spouses, and by amending Section A8.500-2 so that domestic partners are treated exactly the same as spouses for benefits under the Retirement System.

*Supervisor Peskin, seconded by Supervisor Daly, moved to combine File No. 031547 with File No. 031562.*

*Continued to November 18, 2003.*

**CONTINUED by the following vote:**

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

- 031819 [Charter Amendment - Tax Deferred transfer of accrued vacation, sick leave and other compensation to employees; Retirement System benefits for domestic partners]  
Supervisors Sandoval, Ammiano, Dufty**

Charter amendment (First Draft) by: (a) adding Section A8.599 to authorize the City and County of San Francisco to establish plans for the tax-deferred treatment of accrued compensation payable to employees, (b) adding Section 16.125, authorizing the Board of Supervisors to amend or repeal provisions of the Domestic Partnership Ordinance to effectuate the voters' intent that domestic partners be afforded the same rights and responsibilities as spouses, and by (c) amending Section A8.500-2 so that domestic partners are treated exactly the same as spouses for benefits under the Retirement System.

*The charter amendment contents of File 031547 and 031562 were combined into File No. 031819.*

*New File "Charter amendment (First Draft) by: (a) adding Section A8.599 to authorize the City and County to establish plans for the tax-deferred treatment of accrued compensation payable to employees and (b) adding Section 16.125, authorizing the Board of Supervisors to amend or repeal provisions of the Domestic Partnership Ordinance to effectuate the voters' intent that domestic partners be afforded the same rights and responsibilities as spouses, and by amending Section A8.500-2 so that domestic partners are treated exactly the same as spouses for benefits under the retirement System."*

*Continued to November 18, 2003 with the Board sitting as a Committee of the Whole.*

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

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

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

- 031542 [Charter Amendment - Reclassify Deputy Sheriffs as Safety Employees Covered Under Charter Section A8.590-1 et seq.]  
Supervisors Ma, Daly, Dufty, Gonzalez**

Charter amendment (Second Draft) to amend Sections A8.409 and A8.590-1 et seq. to reclassify Deputy Sheriffs as safety employees covered under Charter Section A8.590-1 et seq.

*Continued to November 18, 2003*

**CONTINUED by the following vote:**

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

- 031561 [Charter Amendment - Allowing the City to reduce the minimum police staffing level after conducting a study of which positions could be filled by civilian personnel rather than sworn officers.]  
Supervisor Ammiano**

Charter amendment (Second Draft) to amend Section 4.127 and to add Section 16.123, to: provide for a study of which positions in the Police Department could be filled by civilian personnel rather than sworn officers; allow the City to reduce the minimum police staffing level for each position it converts from sworn to civilian, without decreasing the number of police officers dedicated to neighborhood community policing, patrol, and investigations; and, provide that no police officer shall be laid off in order to convert a position from sworn to civilian.

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

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

Charter amendment (Third Draft) to amend Section 4.127 and to add Section 16.123, to: provide for a study of which positions in the Police Department could be filled by civilian personnel rather than sworn officers; allow the City to reduce the minimum police staffing level for each position it converts from sworn to civilian, without decreasing the number of police officers dedicated to neighborhood community policing, patrol, and investigations and without substantially interfering with the delivery of police services or the ability of the Police Department to protect the public in the event of an emergency; and, provide that no police officer shall be laid off in order to convert a position from sworn to civilian.

*Continued to November 18, 2003 with the Board Sitting as a Committee of the Whole.*

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

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

*Recess*

*The Board recessed at the hour of 3:35 p.m.*

*Reconvening of the Board*

*The Board at the hour of 4:06 p.m. reconvened.*

*Calling the Roll*

*On call of the roll, the following Supervisors were noted present:  
Supervisors Ammiano, Daly, Gonzalez, Maxwell, Newsom, Peskin - 6*

*Quorum present.*

*Supervisors Ma and Dufty were noted present at 4:07 p.m.  
Supervisor Sandoval was noted present at 4:08 p.m.  
Supervisor McGoldrick was noted present at 4:09 p.m.*

**SPECIAL ORDER 4:00 P.M.**

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

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



**031405 [Charter Amendment - Establishing a Public Education Fund]  
Supervisors Ammiano, Dufty, Daly, Ma, Sandoval**

Charter amendment (Fourth Draft) to add Sections 16.123-1 through 16.123-10, to establish a Public Education Enrichment Fund.

(Fiscal impact.)

*Speakers:*

*Arlene Ackerman, Superintendent, SFUSD; support of Public Education Fund  
Jill Winns, Commissioner, SF School Board; support of Public Education Fund  
Hydra Mendoza, parent of SFUSD children; support of Public Education Fund  
Emilio Cruz, President of the SF School Board; support of Public Education Fund  
Roger Bailey, parent of SFUSD student; support of Public Education Fund  
Female Speaker; support of Public Education Fund  
Margaret Brodtkin, Coleman Advocates  
Alice Mosely, music teacher; support of Public Education Fund  
Winnie Kelly, teacher; support of Public Education Fund  
Moirra Kelly, First Five Commission; support of Public Education Fund  
Male parent; support of Public Education Fund  
Peter Longford, Youth Commissioner; support of Public Education Fund  
Stephanie Champion, Youth Commissioner; support of Public Education Fund  
Liam Shine, Youth Commissioner; support of Public Education Fund  
Melinda Felix, CPAC; support of Public Education Fund  
Natalie Breall, Child Care Planning Council; support of Public Education Fund  
Alice Hansen, School's Help program; support of Public Education Fund  
Youth Commissioner; support of Public Education Fund  
Josh, Youth Commissioner; support of Public Education Fund  
Female Speaker; support of Public Education Fund  
Clare Waskey, parent and librarian; support of Public Education Fund  
Kay Holmes, librarian at Galileo High School; support of Public Education Fund  
Dr. Ruben Champion; former educator; support of Public Education Fund  
Rachel, Alumuni of SFUSD; support of Public Education Fund  
Director, Music of Schools Day; support of Public Education Fund*

*The President inquired if there was anyone else who wished to address the Board.  
There being no response, the President declared the Public Hearing Closed.*

*Supervisor Gonzalez, second by Supervisor Maxwell, moved to divide and create a new item reflecting "contribution amounts to the Public Education Fund Fiscal Year 2005-2006 \$12 million, 2006-2007, \$16 million, 2007-2008 \$20 million, 2008-2009 \$24 million, 2009-2010 \$30 million and deleting the sunset clause." Both items to be continued to November 18, 2003 with the Board Sitting as a Committee of the Whole.*

*Motion failed by the following vote:*

*Ayes: 4 - Gonzalez, Maxwell, Peskin, Sandoval*

*Noes: 6 - Ammiano, Daly, Dufty, Ma, McGoldrick, Newsom*

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

**ORDERED SUBMITTED by the following vote:**

**Ayes: 8 - Ammiano, Daly, Dufty, Ma, Maxwell, McGoldrick, Newsom, Sandoval**

**Noes: 2 - Gonzalez, Peskin**

**Absent: 1 - Hall**

## COMMITTEE REPORTS

### Appointment of President Pro Tempore

*Appointment of President Pro Tempore*

*At the request of the President, Supervisor Ma 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.*

- 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 fire negotiations, and re-naming the Commission on Aging.]**  
**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."

*Supervisor Ma, seconded by Supervisor Maxwell, moved to divide question relating to the Police and Fire negotiations*

*Motion failed by the following vote:*

*Ayes: 5 - Dufty, Ma, Maxwell, McGoldrick, Newsom*

*Noes: 6 - Ammiano, Daly, Gonzalez, Hall, Peskin, Sandoval*

**CONTINUED by the following vote:**

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

- 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 VIIIC, 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 operation of County hospitals, community-based public health clinics, and chronic disease and injury prevention and health promotion programs, designate universal healthcare as one of the Department's top advocacy priorities, ensure continued planning, coordination and oversight of the San Francisco Emergency Medical Services/Trauma System, guarantee culturally competent care through community-based primary care clinics, maintain operation of the Mental Health Rehabilitation Facility, and establish as a goal, pay equity for nonprofit and City workers performing similar jobs for the Department of Public Health.

*Supervisor Daly, seconded by Supervisor Ammiano, moved an amendment of the whole. (Third Draft)*

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

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

Charter Amendment (Third 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 operation of County hospitals, community-based public health clinics, and chronic disease and injury prevention and health promotion programs, designate universal healthcare as one of the Department's top advocacy priorities, ensure continued planning, coordination and oversight of the San Francisco Emergency Medical Services/Trauma System, guarantee culturally competent care through community-based primary care clinics, maintain operation of the Mental Health Rehabilitation Facility, and establish as a goal, pay equity for nonprofit and City workers performing similar jobs for the Department of Public Health.

*Continued to November 18, 2003 with the Board Sitting as a Committee of the Whole.*

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

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

**031574 [Charter Amendment - Board of Supervisors to respond to all orders or requests for the production of City records under designated state and federal laws]**  
**Supervisors McGoldrick, Peskin, Daly**

Charter amendment (Second Draft) to add Section 16.124 to authorize the Board of Supervisors to respond on behalf of the City to all orders or requests for the production of information, records, or other tangible things held by the City, the disclosure of which could violate the rights of any individuals under the State or Federal Constitutions, where the orders or requests are made under laws previously identified by the Board.

*Continued to November 18, 2003*

**CONTINUED** by the following vote:

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

**031690 [Settlement Of Lawsuit]**  
**Supervisor Gonzalez**

Ordinance authorizing settlement of the lawsuit filed by Restore Hetch Hetchy against the City and County of San Francisco for \$1,700.00; the lawsuit was filed on July 24, 2003 in San Francisco Superior Court, Case No. 503-306; entitled Restore Hetch Hetchy v. San Francisco Board of Supervisors et al.; other material terms of said settlement are that the City and County of San Francisco and San Francisco Public Utilities Commission agree to remain neutral on Petitioner's efforts to seek funding for preparation of a study assessing the feasibility of restoring the Hetch Hetchy Valley. The San Francisco Public Utilities Commission reserves the right to comment on any restrictions, requirements or regulations that would be imposed on the Department by a funding source as a prerequisite to the appropriation of those funds. (City Attorney)

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

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

**031697 [Settlement of Lawsuit]**

Ordinance authorizing settlement of the lawsuit filed by Lynn Andrews against the City and County of San Francisco for \$75,000; the lawsuit was filed on July 18, 2002 in San Francisco Superior Court, Case No. 410-430; entitled Lynn Andrews v. City and County of San Francisco, et al. (City Attorney)

(Public Benefit Recipient.)

**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

*Abdullah Megaheed; homeless issues  
Richard Robertson; general issues  
Vernon Jenkins; general issues  
Regis Rosetta, SF Gay Men's Chorus; 25th Anniversary Concert*

## 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.*

**031802 [Commending S.F. Youth Commission and the Youth Vote Coalition]  
Supervisors Newsom, Dufty, Daly, Ma**

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.

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

**Resolution No.** 733-03

**ADOPTED** by the following vote:

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

**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.

**Resolution No.** 734-03

**ADOPTED** by the following vote:

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

**031804 [Earned Income Tax Credit Program Pre-Certification Requirements]  
Supervisors Newsom, Dufty, Hall**

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.

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

**Resolution No.** 735-03

**ADOPTED by the following vote:**

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

**031805 [Supporting House Joint Resolution 45]  
Supervisors Newsom, Ma, Peskin, Dufty**

Resolution supporting House Joint Resolution 45, introduced by Congressman Mike Honda, which posthumously proclaims soldiers of Asian descent who fought in the Civil War to be honorary citizens of the United States.

**Resolution No.** 736-03

**ADOPTED by the following vote:**

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

**031800 [Legislative Assistants]  
Supervisor Daly**

Motion directing the Clerk of the Board of Supervisors to authorize filling vacancies in Board of Supervisors Legislative Offices immediately when a legislative assistant exercises her/his family leave rights and when legislative assistants depart with accrued vacation balances and directing the Clerk of the Board to introduce such appropriation measures as may be required to cover the costs of such temporary and/or permanent replacements.

**Motion No.** M03-192

**APPROVED by the following vote:**

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

**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."

**Motion No.** M03-193

**APPROVED by the following vote:**

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

**Severed From the Without Reference Committee Agenda**

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

**031806 [Extension of Planning Commission Review Period]  
Supervisor Peskin**

Resolution extending the prescribed time within which the Planning Commission may render its decision on a proposed ordinance to amend the San Francisco Planning Code by repealing Section 207.2 [Second Units] in its entirety, adding a new Section 207.2, and amending Section 209.1 to authorize one additional secondary unit limited to 750 square feet of gross floor area within an existing structure on a lot within 1250 feet of a Primary Transit Street or Transit center and also within 1250 feet of a Neighborhood Commercial or Commercial zoning district, on a lot containing a qualified historical building or where the unit is specifically designed and constructed for the elderly or persons with physical disabilities, to prohibit the owner from legalizing an illegal unit pursuant to the provisions of this ordinance, and providing that the secondary unit shall not be subject to the Rent Ordinance but requiring that a secondary unit in a multi-family building shall be subject to affordability requirements; by amending Sections 135(d), Table 151 of Section 151 and 307(g) to establish the amount of open space and parking required for these secondary units; by amending the San Francisco Traffic Code by adding Section 308.5.1 to prohibit issuance of a residential parking permit to the occupant of a secondary unit; by adding new Section 106.4.1.3 to the San Francisco Building Code to require site inspection prior to issuance of a building permit for the secondary unit to verify that no unpermitted unit exists on the property and prohibiting the issuance of a building permit or certification of occupancy for the second unit if an unpermitted unit has operated on the property within the previous ten years, unless that unit was legally demolished prior to January 1, 2003; and by amending Section 37.9 of the San Francisco Administrative Code to require relocation assistance for persons required to vacate illegal units; and adopting findings.

Supervisor Peskin, seconded by Supervisor Daly, 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

**OFF-AGENDA LEGISLATION****Introduced by Supervisors or Mayor****Ordinances**

**021598 [Ancillary Units]  
Supervisor Peskin**

Ordinance amending the San Francisco Planning Code by repealing Section 207.2 [Second Units] in its entirety, adding a new Section 207.2, and amending Section 209.1 to authorize one additional ancillary unit limited to 750 square feet of gross floor area within an existing structure on a lot within 1250 feet of a Primary Transit Street or Transit Center (as shown on the Transit Map in the Transportation Element of the San Francisco General Plan) and also within 1250 feet of a Neighborhood Commercial or Commercial zoning district, on a lot containing a qualified historical building or where the unit is specifically designed and constructed for the elderly or persons with physical disabilities, to provide that this ordinance is not intended to supersede prohibitions against ancillary units in private agreements binding homeowners, to prohibit subdivision of the main unit and the ancillary unit, to prohibit the owner from legalizing an illegal unit pursuant to the provisions of this ordinance, and providing that the ancillary unit shall not be subject to the Rent Ordinance but requiring that an ancillary unit in a multi-family building shall be subject to affordability requirements; by amending Sections 135(d), Table 151 of Section 151 and 307(g) to establish the amount of open space and parking required for these ancillary units; by amending the San Francisco Traffic Code by adding Section 308.5.1 to prohibit issuance of a residential parking permit to the occupant of an ancillary unit; by adding new Section 106.4.1.3 to the San Francisco Building Code to require site inspection prior to issuance of a building permit for the ancillary unit to verify that no unpermitted unit exists on the property and prohibiting the issuance of a building permit or certificate of occupancy for the ancillary unit if an unpermitted unit has operated on the property within the previous ten years, unless that unit was legally demolished prior to January 1, 2003; and by amending Section 37.9 of the San Francisco Administrative Code to provide that an ancillary unit constructed within an existing unit exempt from rent control shall continue to be exempt from rent control, to require that notice to vacate a unit required to be removed or demolished by a City agency shall not be given to the tenant until the landlord receives the City's notice requiring demolition or removal, and to require relocation assistance for persons required to vacate illegal units; and adopting findings.

9/23/02, ASSIGNED UNDER 30 DAY RULE to Transportation and Commerce Committee, expires on 10/23/2002.

11/20/02, REFERRED TO DEPARTMENT. Transmitted to Planning Commission for public hearing and recommendation.

2/4/03, TRANSFERRED to Land Use Committee. New committee structure 2/17/03.

4/15/03, SUBSTITUTED. Supervisor Peskin submitted a substitute ordinance bearing new title.

4/15/03, ASSIGNED to Land Use Committee.

4/21/03, REFERRED TO DEPARTMENT. Transmitted to Planning Commission for public hearing and recommendation.

4/23/03, RESPONSE RECEIVED. Certificate of Determination of Exemption/Exclusion from Environmental Review dated 4/23/03.

11/4/03, SUBSTITUTED. Supervisor Peskin submitted a substitute ordinance bearing new title.

11/4/03, ASSIGNED to Land Use Committee.

**Resolutions****031811 [Development and Lease of Piers 27-31]  
Supervisor Peskin**

Resolution urging the Port Commission not to Extend the Exclusive Right to Negotiate Agreement with the Mills Corporation and to Re-issue the Request for Proposals for the Development and Lease of Piers 27-31 as a Mixed-Use Recreation Project.

11/4/03, RECEIVED AND ASSIGNED to Budget Committee.

**031812 [Increasing civil filing and appearance fees provided in Business and Professions Code for operation of the Law Library]  
Supervisor Dufty**

Resolution increasing civil filing and appearance fees provided in Business and Professions Code Sections 6321, 6322 and 6322.1 for operation of the Law Library.  
11/4/03, RECEIVED AND ASSIGNED to Finance and Audits Committee.

**031813 [Increased funding for the San Francisco Unified School District]  
Supervisor Gonzalez**

Resolution establishing a commitment to increase funding for the San Francisco Unified School District.  
  
(Fiscal impact.)  
11/4/03, RECEIVED AND ASSIGNED to Budget Committee.

**031814 [Purchase of real property located at 438 Page Street, Assessor's Block 841, Lot 29]  
Supervisor Gonzalez**

Resolution approving and authorizing the purchase of certain real property; adopting findings pursuant to the California Environmental Quality Act; adopting findings that the conveyance is consistent with the City's general plan and eight priority policies of City Planning Code Section 101.1; and authorizing the Director of Property to execute documents and take certain actions in furtherance of this resolution.

(Fiscal impact.)  
11/4/03, RECEIVED AND ASSIGNED to Finance and Audits Committee.

**031815 [Modification and renewal of the Union Square Business Improvement District]  
Supervisor Peskin**

Resolution establishing the modification and renewal of an assessment district known as the Union Square Business Improvement District, ordering the levy and collection of assessments against property located in that district for fiscal years 2004-2005 through 2008-2009, approving an agreement with the Union Square Business Improvement District, Inc. to provide services within the District, repealing Resolution No. 1066-98, creating the Union Square Business Improvement District Advisory Board, and making environmental findings.

(Fiscal impact.)  
11/4/03, ASSIGNED to Board of Supervisors.  
11/4/03, SCHEDULED FOR PUBLIC HEARING. Scheduled for December 16, 2003, at 4:00 p.m.

**031816 [Port Lease for the Boudin Restaurant and Bakery at Fisherman's Wharf]  
Supervisors Peskin, Daly**

Resolution approving the Lease between the San Francisco Port Commission and Boudin Properties, Inc., a California corporation, for the Boudin Restaurant and Bakery located at 160 Jefferson Street at Fisherman's Wharf, for a total maximum term of forty-two years.

(Public Benefit Recipient.)  
11/4/03, RECEIVED AND ASSIGNED to Land Use Committee.



**031821 [Calling a March 2, 2004 Special Election on Regional Measure 2]  
Supervisor Daly**

Resolution calling for a special election to be conducted in the City and County of San Francisco on the question of whether voters shall approve a \$1 bridge toll increase on the seven state-owned bridges in the San Francisco Bay Area with the funds to be used for a Regional Traffic Relief Plan, as defined in Senate Bill 916 (Perata).

11/4/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING. 11/25/03 - Certified copy of Resolution sent to the Department of Elections.

**031822 [Accept-Expend State Grant]  
Supervisor Maxwell**

Resolution authorizing the Port of San Francisco to accept and expend a grant in the amount of Ninety-Five Thousand Dollars (\$95,000.00) from the State of California, Department of Boating and Waterways, Abandoned Watercraft Fund, for the removal, and disposal of abandoned, wrecked or dismantled vessels or partially submerged objects within the Port's jurisdiction.

11/4/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**031823 [Supporting Fuel Cell Pilot Project at Airport]  
Supervisors McGoldrick, Newsom**

Resolution urging the Airport Director to initiate with other relevant departments a Fuel Cell Pilot Project at San Francisco International Airport (SFIA) in conjunction with the U.S. Department of Transportation (USDOT), Federal Aviation Administration (FAA), and the California Public Utilities Commission (CPUC) to enhance and improve the reliability and security of critical air traffic and airport operations at SFIA.

11/4/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**031824 [S.S. Jeremiah O'Brien]  
Supervisors Peskin, Sandoval, Hall**

Resolution urging the Port of San Francisco to enter into a 10-year lease with the S.S. Jeremiah O'Brien at its current berth on Pier 45.

11/4/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

### **Requests For Hearing**

**031817 [City's Electricity Resource Plan]  
Supervisor Maxwell**

Hearing to receive an update on the implementation of the City's Electricity Resource Plan.

11/4/03, RECEIVED AND ASSIGNED to City Services Committee.

**031818 [Recreation and Park Department's Aquatic Plan]  
Supervisors Maxwell, Ma**

Hearing to address the concerns on the efficiency and effectiveness of Recreation and Parks Department's Aquatic Plan.

11/4/03, RECEIVED AND ASSIGNED to City Services Committee.

**Motion**

**031820 [Needle Exchange Emergency]  
Supervisors Ammiano, Newsom, Daly, Peskin, McGoldrick, Maxwell, Dufty**

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

11/4/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**031825 [Authorizing preparation of a written Proponent ballot argument and rebuttal argument on the Tax-deferred Transfer of Accrued Vacation, Sick Leave and Other Compensation to Employees Charter Amendment File No. 031547 on the March 2, 2004 ballot]  
Supervisor Sandoval**

Motion authorizing Supervisor Gerardo C. Sandoval to submit and sign a written Proponent argument and rebuttal argument for the Tax-deferred Transfer of Accrued Vacation, Sick Leave and Other Compensation to Employees Charter Amendment File No. 031547 for publication in the voter information pamphlet for the March 2, 2004 election.

11/4/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**PROPOSED ORDINANCES**

**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.)

10/22/03, 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.)

10/22/03, 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.)

10/22/03, 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.)

10/27/03, RECEIVED AND ASSIGNED to Rules Committee.

**PROPOSED RESOLUTIONS****031728 [Settlement of Claim - Zurich North America]**

Resolution approving the settlement of the unlitigated claim filed by Zurich North America against the City and County of San Francisco for \$120,000.00; the claim was filed on April 8, 2003; Claim No. 03-03317

(Public Benefit Recipient.)

10/27/03, RECEIVED AND ASSIGNED to Rules Committee.

**031769 [Grant of Regional Funds]**

Resolution authorizing the Municipal Transportation Agency to accept and expend \$4,663,431 of Assembly Bill 664 funds for Municipal Railway Transit Projects, excluding administrative overhead costs. (Municipal Transportation Agency)

(No Public Benefit Recipient.)

10/22/03, RECEIVED AND ASSIGNED to Land Use Committee.

**031773 [Accept-Expend Federal Grant - Spousal Abuser Prosecution Program]  
Supervisors Dufty, Daly, Newsom**

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 \$95,033 through the California Department of Justice for a program entitled "Spousal Abuser Prosecution Program." (District Attorney)

(No Public Benefit Recipient.)

10/21/03, RECEIVED AND ASSIGNED to City Services Committee.

**031774 [Accept-Expend State Grant]  
Supervisor Dufty**

Resolution authorizing the Office of the District Attorney to accept and expend a grant in the amount of \$127,241 from the California Office of Criminal Justice Planning for the operation of the Major Narcotic Vendors Prosecution Program. (District Attorney)

(No Public Benefit Recipient.)

10/21/03, RECEIVED AND ASSIGNED to City Services Committee.

**031775 [Contract funds to update the single estimate of unmet need for HIV primary care in San Francisco]  
Supervisors Dufty, Daly, Newsom**

Resolution authorizing the San Francisco Department of Public Health (SFDPH) to enter retroactively into an agreement with the University of California, San Francisco (UCSF) the primary contractor, and expend funds in the amount of \$22,224 for estimates of unmet need for HIV primary care in the San Francisco Eligible Metropolitan Area (EMA); for the period of September 1, 2003 to February 29, 2004. (Public Health Department)

(No Public Benefit Recipient.)

10/23/03, RECEIVED AND ASSIGNED to City Services Committee.

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

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.)

10/23/03, RECEIVED AND ASSIGNED to City Services Committee.

**031787 [Accept-Expend Federal Grant - Special Emphasis Victim Assistance Program: Homicide]  
Supervisors Dufty, Daly, Newsom**

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.)

10/21/03, RECEIVED AND ASSIGNED to City Services Committee.

**031788 [Accept-Expend Federal Grant - Special Emphasis Victim Assistance Program: Elder Abuse Vertical Prosecution Program]  
Supervisors Dufty, Daly, Newsom**

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.)

10/21/03, RECEIVED AND ASSIGNED to City Services Committee.

**031789 [Accept-Expend Federal Grant - Special Emphasis Victim Assistance Program: Elder Abuse]  
Supervisors Dufty, Daly, Newsom**

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.)

10/21/03, 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)

(Fiscal impact; No Public Benefit Recipient.)

10/24/03, 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.)

10/24/03, 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)  
10/24/03, RECEIVED AND ASSIGNED to Finance and Audits Committee.

**031829 [Membership in the Bay Area Regional Immunization Registry]  
Supervisors Dufty, Ma**

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.)

10/22/03, 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.)

10/24/03, RECEIVED AND ASSIGNED to Land Use Committee.

**PROPOSED MOTIONS****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)

10/22/03, RECEIVED AND ASSIGNED to Rules Committee. Notification to appear at Rules Committee meeting mailed on November 5, 2003.

11/10/03 - Received communication from City Attorney regarding appointment.

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

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

10/22/03, RECEIVED AND ASSIGNED to Rules Committee. Notification to appear at Rules Committee meeting mailed on November 5, 2003.

11/10/03 - Received communication from City Attorney regarding appointment.

- 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)  
10/22/03, RECEIVED AND ASSIGNED to Rules Committee. Notification to appear at Rules Committee meeting mailed on November 5, 2003.  
11/10/03 - Received communication from City Attorney regarding appointment.
- 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)  
10/22/03, RECEIVED AND ASSIGNED to Rules Committee. Notification to appear at Rules Committee meeting mailed on November 5, 2003.  
11/10/03 - Received communication from City Attorney regarding appointment.
- 031767 [Appointment, Public Utilities Commission]**  
Motion rejecting the Acting Mayor's appointment of Adam Werbach to the Public Utilities Commission. (Mayor)  
10/22/03, RECEIVED AND ASSIGNED to Rules Committee. Notification to appear at Rules Committee meeting mailed on November 5, 2003.  
11/10/03 - Received communication from City Attorney regarding appointment.
- 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)  
10/22/03, RECEIVED AND ASSIGNED to Rules Committee. Notification to appear at Rules Committee meeting mailed on November 5, 2003.  
11/10/03 - Received communication from City Attorney regarding appointment.
- 031780 [Appointment, Public Utilities Commission]**  
Motion approving the Mayor's appointment of Clemetine Clarke to the Public Utilities Commission, for the term expiring January 15, 2007. (Mayor)  
10/23/03, RECEIVED AND ASSIGNED to Rules Committee.
- 031781 [Appointment, Public Utilities Commission]**  
Motion rejecting the Mayor's appointment of Clemetine Clarke to the Public Utilities Commission. (Mayor)  
10/23/03, RECEIVED AND ASSIGNED to Rules Committee.
- 031782 [Appointment, Public Utilities Commission]**  
Motion taking no position concerning the Mayor's appointment of Clemetine Clarke to the Public Utilities Commission, for term ending January 15, 2007. (Mayor)  
10/23/03, RECEIVED AND ASSIGNED to Rules Committee.

**Requests Granted**

*From: Supervisor Sandoval*

*To: MUNI*

*Requesting/Inquiring: Requesting reconsideration of the deletion of two bus stops on the 52 Excelsior line. Attached is a copy of the petition signed by concerned riders. Response should detail the original justification for removing bus stops, what efforts were made to gather community input about the removal of the stops, and the result of communications with concerned riders about the restoration of the bus stops.*

*Also requesting the Clerk of the Board to send a copy of this letter and MUNI's response to:*

*Maria Morell*

*Ramon Morell*

*246 Edinburgh Street*

*San Francisco, CA 94112*

*From: Supervisor Maxwell*

*To: Department of Environmental*

*Department of Public Health*

*Requesting/Inquiring: Inquiring about whether staff can draft an Air Quality Plan to identify sources of air pollution throughout the City and establish a 10-year road map with measures to eliminate or mitigate pollutants in the City.*

*From: Supervisor Maxwell*

*To: Department of Parking and Traffic*

*Requesting/Inquiring: To conduct a detailed engineering analysis on Leland Avenue between Scherwin Street and Rey Street. This section of Leland Avenue is home to several childcare facilities, Visitacion Valley Elementary School, a recreation center and a playground. This area is currently a nightmare for pedestrians, especially children. Supervisor Maxwell requests the Department to complete a comprehensive study and provide her office with remedies which the department will implement to calm traffic in this area, in particular, consider in installation of speed bumps as an option.*

*From: Supervisor Maxwell*

*To: City Attorney*

*Requesting/Inquiring: To draft, with the assistance of the Department of the Environment and the Department of Public Health, an Air Quality Plan to identify sources of air pollution throughout the City and establish a 10-year road map with measures to eliminate or mitigate pollutants in the City.*

**In Memoriam**

**Jean Ellis Blumkin (Supervisor Dufty)**

**David L. Pharr (Supervisors Dufty, Ammiano)**

**Wendy Marx Ellington (Supervisors Dufty, Sandoval)**

**Connie Lee Mays Robinson (Supervisor Gonzalez) In Memoriam**

*Victor Bach (Supervisor Daly)*

*Jean Ellis Blumkin (Supervisor Dufty)*

*David L. Pharr (Supervisors Dufty, Ammiano)*

*Wendy Marx Ellington (Supervisors Dufty, Sandoval)*

*Connie Lee Mays Robinson (Supervisor Gonzalez)*



## ADJOURNMENT

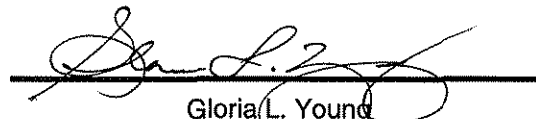
*There being no further business, the Board at the hour of 6:14 p.m. adjourned.*

*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 December 9, 2003.*

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

  
Gloria L. Young  
Clerk of the Board

**NEXT PAGE 1197**