

BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

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

MEETING MINUTES

Tuesday, May 13, 2003 2:00 PM

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

Special Meeting

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

Gloria L. Young, Clerk of the Board

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

BOARD COMMITTEES

Committee Membership

Budget Committee

Supervisors Daly, Peskin, Maxwell, Ma, Gonzalez

City and School District Select Committee

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

City Services Committee

Supervisors Dufty, Ma, Newsom

Finance and Audits Committee

Supervisors Peskin, Sandoval, McGoldrick

Land Use Committee

Supervisors McGoldrick, Maxwell, Ammiano

Rules Committee

Supervisors Hall, Dufty, Gonzalez

Meeting Days

Thursday
1:00 PM

2nd Monday, bi-monthl

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: 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 2:03 p.m. On the call of the roll, the following Supervisors were noted absent.

Supervisors Ammiano, Daly, Ma, Maxwell, McGoldrick - 5

Quorum present.

Supervisor McGoldrick was noted present at 2:05 p.m.

Supervisor Daly was noted present at 2:06 p.m.

Supervisors Ma and Maxwell were noted present at 2:07 p.m.

Supervisor Ammiano previously excused from the meeting. (See Infra)

Supervisor Ammiano Excused from Attendance

Supervisor Sandoval, seconded by Supervisor Newsom, moved to excuse Supervisor Ammiano from attending today's meeting. The motion carried by the following vote:

Ayes: 6 - Dufty, Gonzalez, Hall, Newsom, Peskin, Sandoval

Absent: 4 - Daly, Ma, Maxwell, McGoldrick

Excused: 1 - Ammiano

CONSENT AGENDA

Recommendations of the Rules Committee

030475 [Settlement of Lawsuit - Sohail Ali, et al.]

Ordinance authorizing settlement of the lawsuit filed by Sohail Ali against the City and County of San Francisco for \$47,500; the lawsuit was filed on April 29, 2002 in San Francisco Superior Court, Case No. 407-277; entitled Sohail Ali, et al., v. City and County of San Francisco, et al. (City Attorney)

(Public Benefit Recipient.)

Ordinance No. 93-03

FINALLY PASSED

030500 [Settlement of Lawsuit - Poppie Kouremetis]

Ordinance authorizing the City Attorney to make an offer of judgment under Federal Rule of Civil Procedure 68 of up to \$75,000 in settlement of damages, attorneys' fees, and costs in the matter of Kouremetis and County of San Francisco. The lawsuit was filed on May 13, 2002, in San Francisco Superior Court, Case No. 407852 entitled Kouremetis v. City and County of San Francisco, et al. (City Attorney)

(Public Benefit Recipient.)

Ordinance No. 94-03
FINALLY PASSED

030539 [Settlement of Lawsuit]

Ordinance authorizing settlement of the lawsuit filed by Alison Duthie and other plaintiffs against the City and County of San Francisco and other defendants for \$175,000; the lawsuit was filed on February 15, 2000 in United States District Court, Case No. C00-0539 (MEJ); entitled Alison Duthie, et al., v. City and County of San Francisco, et al. (City Attorney)

(Public Benefit Recipient.)

Ordinance No. 95-03
FINALLY PASSED

Recommendations of the Land Use Committee**030546 [STOP Intersections]**

Resolution designating certain intersections as "STOP" intersections.

STOP SIGNS - ESTABLISH

Lane Street and McKinnon Avenue, stopping westbound McKinnon Avenue at Lane Street;

Green and Taylor Streets, stopping both Green and Taylor Streets, making this uncontrolled T-intersection an all-way STOP;

20th Avenue and Kirkham Street, stopping Kirkham Street, making this intersection an all-way STOP;

Jennings Street and Thomas Avenue, stopping Jennings Street, making this intersection an all-way STOP;

Olmstead and Girard Streets, stopping Olmstead Street at Girard Street, making this intersection into an all-way STOP;

Rutland Street and Raymond Avenue, stopping Rutland Street at Raymond Avenue, making this intersection an all-way STOP;

Newhall Street and La Salle Avenue, stopping Newhall Street at La Salle Avenue; and

McKinnon Avenue and Newhall Street, stopping McKinnon Avenue at Newhall Street.

Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street. (Parking and Traffic Department)

(4/1/03: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order NO. 2597; No Public Benefit Recipient.)

Resolution No. 323-03
ADOPTED

030547 [Traffic Regulations on Various Streets]

Resolution enacting and rescinding traffic regulations on various streets.

NO RIGHT TURN ON RED - ESTABLISH

Dwight Street, eastbound, at San Bruno Avenue.

NO RIGHT TURN ON RED - ESTABLISH

Beach Blanket Babylon Boulevard (Green Street), eastbound, at Columbus Avenue.

NO LEFT TURN AND NO U-TURN - RESCIND

The Embarcadero, southbound, at Washington Street.

NO U-TURN - RESCIND

The Embarcadero, northbound, at Broadway.

NO LEFT TURN - ESTABLISH

Fulton Street, eastbound, at 43rd Avenue.

NO RIGHT TURN ON RED FROM 7 AM TO 8 PM - ESTABLISH

Geary Expressway and Laguna Street, all approaches.

NO LEFT TURN, 7:00 AM TO 9:00 AM AND 4:00 TO 6:00 PM, EXCEPT SATURDAY AND SUNDAY - RESCIND

NO LEFT TURN - ESTABLISH

Judah Street, both directions, at 14th Avenue. (Parking and Traffic Department)

(4/1/03: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 2597; No Public Benefit Recipient.)

Resolution No. 324-03

ADOPTED

The foregoing items were acted upon by the following vote:

Ayes: 7 - Dufty, Gonzalez, Hall, McGoldrick, Newsom, Peskin, Sandoval

Absent: 3 - Daly, Ma, Maxwell

Excused: 1 - Ammiano

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of the City Services Committee

030575 [State Grant - Mayor's Office of Criminal Justice]
Mayor, Supervisors Dufty, Newsom

Resolution authorizing the Mayor's Office of Criminal Justice (MOCJ) to accept and expend funds in the amount of \$2,634,179 from the State Board of Corrections, from funds made available under Assembly Bill 1913 - known as the Schiff-Cardenas Crime Prevention Act of 2000 (CPA 2000), for programs and approaches that have been demonstrated to be effective in reducing delinquency. (Mayor)

(Public Benefit Recipient.)

Resolution No. 319-03

ADOPTED by the following vote:

Ayes: 7 - Dufty, Gonzalez, Hall, McGoldrick, Newsom, Peskin, Sandoval

Absent: 3 - Daly, Ma, Maxwell

Excused: 1 - Ammiano

Recommendation of the Finance and Audits Committee

030617 [Funding for the SFPUC Capital Improvement Program, Fiscal Year 2002-03]
Mayor, Supervisors Daly, Maxwell, Dufty, Newsom

Ordinance appropriating \$66,075,000 of funding from the sale of commercial paper for capital projects and financing costs pursuant to the San Francisco Public Utilities' Commission Capital Improvement Program for fiscal year 2002-03. (Mayor)

(No Public Benefit Recipient.)

Ordinance No. 104-03

FINALLY PASSED by the following vote:

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

Excused: 1 - Ammiano

From the Finance Committee "Without Recommendation"

030689 [Pass through to residential tenants 50% of water bill charges attributable to water rate increases resulting from issuance of PUC water system revenue bonds]**Supervisors Daly, Maxwell, Dufty**

Ordinance amending Administrative Code Chapter 37 (Residential Rent Stabilization and Arbitration Ordinance) by amending Sections 37.2, 37.3, and 37.8, to provide that landlords may pass through to residential tenants fifty percent (50%) of water bill charges attributable to water rate increases resulting from the issuance of any PUC water system revenue bonds authorized at the November 5, 2002 election, where a unit is in compliance with any applicable laws requiring water conservation devices; to provide that landlords give tenants notice of any such passthrough on a Rent Board form, and that a tenant is entitled to a copy of the water bill from the landlord upon request; to provide for a line item on each water bill showing the charge per unit of water that is attributable to water rate increases resulting from issuance of such bonds, multiplied by the total units of water used by that customer during the billing cycle; to provide that where one water bill covers multiple units, the permissible passthrough per unit is calculated by dividing 50% of that line item amount by the total number of units covered by the bill (including any commercial units); to provide that any such passthrough does not become part of a tenant's base rent; to provide that a tenant may file a hardship application with the Rent Board for relief from all or part of the cost passthrough, and that if a hardship application is granted the affected landlord may utilize any available Public Utilities Commission low-income rate discount program or similar program for water bill reduction based on the tenant's hardship status; to provide that a tenant may file a petition with the Rent Board within one year of the effective date of a passthrough for determination of whether that passthrough is in compliance with the Code, and that the landlord bears the burden of proving the accuracy of the passthrough calculations in such a hearing; clarification of other Rent Ordinance provisions, in order to distinguish general obligation bonds from water revenue bonds; and technical changes in order to conform to other recent Rent Ordinance amendments.

Ordinance No. 107-03**FINALLY PASSED by the following vote:**

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

Recommendation of the Land Use Committee**020295 [Golden Triangle Light Standards as Landmark]****Supervisors McGoldrick, Peskin**

Ordinance Designating The Golden Triangle Light Standards As Landmark No. 233 Pursuant To Article 10, Sections 1004 And 1004.4 of the Planning Code.

Ordinance No. 92-03**FINALLY PASSED by the following vote:**

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

NEW BUSINESS

Recommendations of the Budget Committee

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

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

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

PASSED ON FIRST READING by the following vote:

Ayes: 8 - Daly, Dufty, Gonzalez, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Noes: 2 - Hall, Ma
Excused: 1 - Ammiano

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

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

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

PASSED ON FIRST READING by the following vote:

Ayes: 8 - Daly, Dufty, Gonzalez, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Noes: 2 - Hall, Ma
Excused: 1 - Ammiano

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

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

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

PASSED ON FIRST READING by the following vote:

Ayes: 8 - Daly, Dufty, Gonzalez, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Noes: 2 - Hall, Ma
Excused: 1 - Ammiano

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

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

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

PASSED ON FIRST READING by the following vote:

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

Noes: 2 - Hall, Ma

Excused: 1 - Ammiano

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

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

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

PASSED ON FIRST READING by the following vote:

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

Noes: 2 - Hall, Ma

Excused: 1 - Ammiano

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

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

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

PASSED ON FIRST READING by the following vote:

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

Noes: 2 - Hall, Ma

Excused: 1 - Ammiano

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

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

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

PASSED ON FIRST READING by the following vote:

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

Noes: 2 - Hall, Ma

Excused: 1 - Ammiano

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

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

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

PASSED ON FIRST READING by the following vote:

Ayes: 8 - Daly, Dufty, Gonzalez, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Noes: 2 - Hall, Ma
Excused: 1 - Ammiano

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

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

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

PASSED ON FIRST READING by the following vote:

Ayes: 8 - Daly, Dufty, Gonzalez, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Noes: 2 - Hall, Ma
Excused: 1 - Ammiano

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

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

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

PASSED ON FIRST READING by the following vote:

Ayes: 8 - Daly, Dufty, Gonzalez, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Noes: 2 - Hall, Ma
Excused: 1 - Ammiano

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

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

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

PASSED ON FIRST READING by the following vote:

Ayes: 8 - Daly, Dufty, Gonzalez, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Noes: 2 - Hall, Ma
Excused: 1 - Ammiano

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

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

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

PASSED ON FIRST READING by the following vote:

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

Noes: 2 - Hall, Ma

Excused: 1 - Ammiano

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

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

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

PASSED ON FIRST READING by the following vote:

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

Noes: 2 - Hall, Ma

Excused: 1 - Ammiano

**030714 [MOU - Laborers International Union, Local 261]
Supervisors Daly, Maxwell**

Ordinance adopting and implementing the mediated agreement establishing the Memorandum of Understanding between the City and County of San Francisco and the Laborers International Union, Local 261, to be effective July 1, 2003 through June 30, 2005. (Mayor)

Supervisor Peskin, seconded by Supervisor Daly, moved that this Ordinance be RE-REFERRED to the Budget Committee. The motion carried by the following vote:

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

Excused: 1 - Ammiano

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

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

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

PASSED ON FIRST READING by the following vote:

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

Noes: 2 - Hall, Ma

Excused: 1 - Ammiano

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

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

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

PASSED ON FIRST READING by the following vote:

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

Noes: 2 - Hall, Ma

Excused: 1 - Ammiano

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

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

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

PASSED ON FIRST READING by the following vote:

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

Noes: 2 - Hall, Ma

Excused: 1 - Ammiano

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

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

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

PASSED ON FIRST READING by the following vote:

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

Noes: 2 - Hall, Ma

Excused: 1 - Ammiano

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

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

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

PASSED ON FIRST READING by the following vote:

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

Noes: 2 - Hall, Ma

Excused: 1 - Ammiano

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

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

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

PASSED ON FIRST READING by the following vote:

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

Noes: 2 - Hall, Ma

Excused: 1 - Ammiano

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

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

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

PASSED ON FIRST READING by the following vote:

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

Noes: 2 - Hall, Ma

Excused: 1 - Ammiano

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

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

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

PASSED ON FIRST READING by the following vote:

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

Noes: 2 - Hall, Ma

Excused: 1 - Ammiano

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

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

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

PASSED ON FIRST READING by the following vote:

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

Noes: 2 - Hall, Ma

Excused: 1 - Ammiano

**030726 [MOU - Teamsters, Local 853]
Supervisors Daly, Maxwell**

Ordinance adopting and implementing the mediated agreement establishing the Memorandum of Understanding between the City and County of San Francisco and the Teamsters, Local 853, to be effective July 1, 2003 through June 30, 2005. (Mayor)

Supervisor Peskin, seconded by Supervisor Daly, moved that this Ordinance be RE-REFERRED to the Budget Committee. The motion carried by the following vote:

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

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

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

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

PASSED ON FIRST READING by the following vote:

Ayes: 8 - Daly, Dufty, Gonzalez, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Noes: 2 - Hall, Ma
Excused: 1 - Ammiano

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

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

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

PASSED ON FIRST READING by the following vote:

Ayes: 8 - Daly, Dufty, Gonzalez, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Noes: 2 - Hall, Ma
Excused: 1 - Ammiano

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

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

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

PASSED ON FIRST READING by the following vote:

Ayes: 8 - Daly, Dufty, Gonzalez, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Noes: 2 - Hall, Ma
Excused: 1 - Ammiano

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

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

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

PASSED ON FIRST READING by the following vote:

Ayes: 8 - Daly, Dufty, Gonzalez, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Noes: 2 - Hall, Ma
Excused: 1 - Ammiano

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

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

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

PASSED ON FIRST READING by the following vote:

Ayes: 8 - Daly, Dufty, Gonzalez, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Noes: 2 - Hall, Ma
Excused: 1 - Ammiano

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

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

PASSED ON FIRST READING by the following vote:

Ayes: 9 - Daly, Dufty, Gonzalez, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Noes: 1 - Hall
Excused: 1 - Ammiano

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

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

PASSED ON FIRST READING by the following vote:

Ayes: 9 - Daly, Dufty, Gonzalez, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Noes: 1 - Hall
Excused: 1 - Ammiano

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

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

(No Public Benefit Recipient.)

PASSED ON FIRST READING by the following vote:

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

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

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

PASSED ON FIRST READING by the following vote:

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

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

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

PASSED ON FIRST READING by the following vote:

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

**030675 [State Budget Priorities]
Supervisor Daly**

Resolution establishing the official position of the City and County of San Francisco on the state budget and endorsing principles for a balanced solution to the state budget crisis.

Resolution No. 339-03

ADOPTED by the following vote:

Ayes: 8 - Daly, Dufty, Gonzalez, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Noes: 2 - Hall, Newsom
Excused: 1 - Ammiano

Recommendations of the Finance and Audits Committee

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

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

(No Public Benefit Recipient.)

Supervisor Peskin, seconded by Supervisor Maxwell, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. The motion carried by the following vote:

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

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

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

PASSED ON FIRST READING AS AMENDED by the following vote:

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

**030521 [Making Environmental Findings and Re-authorizing Vehicle Registration Fee]
Mayor**

Resolution making environmental findings and re-authorizing a one dollar (\$1) fee to be paid at time of vehicle registration, renewal, or supplemental application for every vehicle registered to an address within the City and County of San Francisco, except exempt vehicles, to be used exclusively to fund law enforcement programs related to fingerprint identification of persons committing crimes while operating motor vehicles; ratifying said fees paid between January 1, 2003, and the effective date of this resolution; and authorizing the Police Department to issue a fiscal year end report to the California State Controller on the collection and use of these fees. (Mayor)

Resolution No. 321-03

ADOPTED by the following vote:

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

030536 [Amendment to Real Property Lease]

Resolution authorizing a second amendment to an existing lease of office space at 1212 Market Street, also known as 11 Grove Street, for the Department of the Environment. (Real Estate Department)

(Public Benefit Recipient; District 6.)

Resolution No. 322-03

ADOPTED by the following vote:

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

Recommendations of the Land Use Committee**021771 [Permit Required for Construction of an Impervious Surface in Front Yard]
Supervisors Sandoval, Maxwell**

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

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

PASSED ON FIRST READING by the following vote:

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

030510 [Mission Bay Park P8 Bank Stabilization - at the west end of the China Basin Channel]

Ordinance accepting the irrevocable offer for the Acquisition Facilities for Park P8 Bank Stabilization; designating said facilities for public use and maintenance purposes; adopting findings that such actions are consistent with the City's General Plan, priority policy findings of City's Planning Code section 101.1, and the Mission Bay South Redevelopment Plan; accepting Department of Public Works Order No. 174,026; and authorizing official acts in connection with this ordinance. (Public Works Department)

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

PASSED ON FIRST READING by the following vote:

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

030548 [Parking Regulations]

Resolution enacting and rescinding parking regulations at various locations.

RESIDENTIAL PERMIT PARKING AREA "S" (2-HOUR TIME LIMIT, 8 AM - 9 PM,
MONDAY THROUGH FRIDAY) - ESTABLISH

Church Street east side, between 21st and 22nd Streets (900 block); and
Church Street, west side, between 21st and Hill Streets (900 block).

NOTE: The 900 block of Church Street will be legislated to be signed as an Area "S" and Area "Z" buffer zone. The residents of Church Street will receive only Area "S" permits, but the signs on the block will eventually allow both Area "S" and "Z" permit holders to park. The signs will initially allow only "S" parking, but will be changed as the Area "Z" boundary expands and merges with Area "S".

TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH

19th Avenue, east side, from Junipero Serra Boulevard to 68 feet southerly.

PERPENDICULAR (90-DEGREE ANGLE) PARKING - ESTABLISH

Dorman Avenue, both sides, between Barneveld and Palou Avenues.

PERPENDICULAR (90-DEGREE ANGLE) PARKING - ESTABLISH

Palou Avenue, both sides, between Barneveld Avenue and Industrial Street.

TOW-AWAY, NO PARKING ANYTIME - RESCIND

Blake Street, west side, from its terminus north of Geary Boulevard to 30 feet southerly.

TOW-AWAY, NO STOPPING ANYTIME - RESCIND

RESIDENTIAL PERMIT PARKING AREA "A" (2-HOUR TIME LIMIT, 8 AM - 7 PM, MONDAY
THROUGH FRIDAY) - ESTABLISH

Broadway North Service Road, south side, from 13 to 240 feet east of Hyde Street.

TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH

Broadway North Service Road, north side, from 0 to 240 feet east of Hyde Street. (Parking and Traffic
Department)

(4/1/03: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 2597; No Public Benefit Recipient.)

Resolution No. 325-03

ADOPTED by the following vote:

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

Excused: 1 - Ammiano

SPECIAL ORDER 3:00 P.M.

030654 [Public Hearing - Appeal, Conditional Use - 2690 Harrison Street (aka 3000 23rd Street)]

Hearing of persons interested in or objecting to the decision of the Planning Commission by its Motion No. 16546 dated March 20, 2003, Case No. 2000.1311EC, relating to [A] The approval of a conditional use authorization to allow [1] The construction of dwelling units in a C-M (Heavy Commercial) zoning district pursuant to Planning Code Section 215(a), [2] The creation of housing that does not provide 25 percent of the total number of units as affordable units in the Mission District pursuant to Section A(iv) of Board of Supervisors Resolution No. 500-02 (Mission District Interim Controls), and [3] The establishment of a Non-production, Distribution, or Repair (PDR) use on a site within the Northeast Mission Industrial Zone (NEMIZ) on which a PDR use existed since August 5, 1999 pursuant to Section E(v) of the Mission District Interim Controls on property located at 2690 Harrison Street (aka 3000 23rd Street) northwest corner of 23rd Street; Lot 004, in Assessor's Block 3639.

(Appeal filed April 21, 2003; Mitigated Negative Declaration adopted and issued June 27, 2002; companion measure to Files 030655, 030656, 030657, 030658; District 9.)

Supervisors Maxwell and Sandoval noted present at 3:35 pm

Supervisor McGoldrick noted present at 3:52 pm

Appellants: Eric Quesda, Mission Anti Displacement Coalition and Sue Hestor

Female Speaker; support of appellant

Male housing developer; support of appellant

David Lupo, carpenter's union; support of appellant

Ms. Faiaro; support of appellant

Charlotte Yee; support of appellant

Female Speaker; support of appellant

Female Speaker; support of appellant

Alexandra Gonzalez; support of appellant

Female Speaker; support of appellant

Marguerita Mendoza; support of appellant

Female Speaker; support of appellant

Carol Whartley; support of appellant

Male Speaker; support of appellant

Female Speaker; support of appellant

Female Speaker; support of appellant

Male Speaker; support of appellant

Tony Alfonso; support of appellant

Dan Adams, non-profit organization; support of appellant

Rosalind Orchid, resident of Apollo Hotel; support of appellant

Debbie Gonzalez; support of appellant

Lillian Boxter; support of appellant

Female Speaker; support of appellant

Rose; support of appellant

Richard Marquette, Mission Coalition; support of appellant

Male Speaker; support of appellant

Charlie Chavez; support of appellant

Julie Ledbetter; support of appellant

Gloria Vazquez; support of appellant

Ida Gregoria, Mission Agenda; support of appellant

Speaker; support of appellant

Mr. Murphy; support of appellant

Tony; support of appellant

Monica Louza, Mission Agenda; support of appellant

Julia Freedbacher; support of appellant

Christine; support of appellant

Stephanie Rosenfeld; support of appellant

David Lopez, Mission Agenda; support of appellant
Robert Zurcher; carpenter's union; support of appellant
Kay Zelich, St. Peter's Housing; support of appellant
Sean Leonard, carpenter's union; support of appellant
Female Speaker; support of appellant
Male Speaker; support of appellant
Ada Chan; support of appellant

Gerald Green, Director of Planning, reviewed with the Board the Planning Commission's recommendation.

Board Members reviewed and discussed issues with the Department of Planning representatives.

Jim Reuben, Attorney for Project Sponsor, Donald McDonald, Architect
Prescott Gaines, co-sponsor of the project sponsor
Thomas Shuen, co-sponsor of the project sponsor
Mazie Wong; support of the project sponsor
Curtis Hagfeldt; support of the project sponsor
John Casner; support of the project sponsor
Charles Bradeker; support of the project sponsor
David Dempsey; support of the project sponsor
Barbara Garrette; support of the project sponsor
Judith Berkowitz; support of the project sponsor
Curtis Eisenberger; support of the project sponsor
Joseph Melendez; support of the project sponsor
Maria Leone; support of the project sponsor
Patricia Delgado; support of the project sponsor
Marjorie Baer; support of the project sponsor
Judy West; support of the project sponsor
Eva Hom; support of the project sponsor
Male Speaker; support of the project sponsor
Mark Forester; support of the project sponsor
Male Speaker; support of the project sponsor
Grace; support of the project sponsor
Elizabeth Shephard; support of the project sponsor
John Casner; support of the project sponsor
Kate White; support of the project sponsor
Alfredo Pedroza; support of the project sponsor
Mathew Klein; support of the project sponsor
Female Speaker; support of the project sponsor
Carolyn Deevy; support of the project sponsor
Sylvia Johnson; support of the project sponsor
Milton Gaines, co-sponsor of the project
Joe O'Donoghue; support of the project sponsor

A rebuttal period was allowed.

Appellant: Sue Hestor

The President declared the public hearing closed.

HEARD AT PUBLIC HEARING.

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

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

Supervisor Newsom noted absent at 3:33 p.m.

Supervisor Sandoval noted absent at 7:15 p.m.

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

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

Continued to May 20, 2003

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

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

Absent: 2 - Newsom, Sandoval

Excused: 1 - Ammiano

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

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

Continued to May 20, 2003

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

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

Absent: 2 - Newsom, Sandoval

Excused: 1 - Ammiano

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

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

Continued to May 20, 2003

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

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

Absent: 2 - Newsom, Sandoval

Excused: 1 - Ammiano

030658 [Environmental Review]

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

Continued to May 20, 2003

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

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

Absent: 2 - Newsom, Sandoval

Excused: 1 - Ammiano

COMMITTEE REPORTS

From the Rules Committee

030703 [Settlement of Lawsuit - Sherri Cytanovich]

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

(Public Benefit Recipient.)

PASSED ON FIRST READING by the following vote:

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

ROLL CALL FOR INTRODUCTIONS

*Supervisor Peskin noted absent at 7:26 p.m.
Supervisor Peskin noted present at 8:24 p.m.*

PUBLIC COMMENT

*John Malone; homeless issues
Male Speaker; against Prop N Care Not Cash
Calvin Davis; against Prop N Care Not Cash
Abdullah Megaheed; homeless issues
Male Speaker; urge Federal representatives to amend HJ 20
Male Speaker; against Prop N Care Not Cash
Speakers; Asthma issues
Bruce; against Prop N Care Not Cash
Kay Walker; against Prop N Care Not Cash
Harrison; against Prop N Care Not Cash
Male Speaker; general representation of all
Male Speaker; against Prop N Care Not Cash
Dean; on behalf of John Jenkel; urge Federal representatives to amend HJ 20
Female Speaker; urge Federal representatives to amend HJ 20
Jamie; urge Federal representatives to amend HJ 20
Simon; Care Not Cash
Male Speaker; President Bush issues
Calvin Hadley; against Prop N Care Not Cash
Rita Bollinger; urge Federal representatives to amend HJ 20
Chris Disent; resolution to amend against Patriot Act
Martha Cortez; general issues
I. McCallun; against Prop N Care Not Cash
Mr. Edwards; on behalf of John Jenkel; urge Federal representatives to amend HJ 20
Ms. Edwards; against Prop N Care Not Cash
Female Speaker; against Prop N Care Not Cash and urge Federal representatives to amend HJ 20
Tracey Lords; on behalf of John Jenkel urge Federal representatives to amend HJ 20
Male Speaker; on behalf of John Jenkel and Care Not Cash
Male Speaker; urge Federal representatives to amend HJ 20
Tom McDonagh; support Care not Cash and housing issues
Sylvia Johnson; general issues
John Bardis #74 to send to committee*

APPROVAL OF REQUESTS TO THE LEGISLATIVE ANALYST

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

**030809 [Legislative Analyst Request]
Supervisor Ma**

Motion requesting the Office of the Legislative Analyst (OLA) to compare and contrast how Public Guardian Offices in other major counties accommodate hospitals wanting to refer their clients for probate/Lanterman-Petris-Short (LPS) conservatorships. In addition, the OLA should review whether these counties have contracts with hospitals to "fast track" discharged patients.

Supervisor McGoldrick was noted absent 8:28 p.m.

APPROVED by the following vote:

Ayes: 7 - Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, Peskin
Absent: 3 - McGoldrick, Newsom, Sandoval
Excused: 1 - Ammiano

Recommendation of the Rules Committee

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

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

Continued to May 20, 2003

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

Ayes: 7 - Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, Peskin
Absent: 3 - McGoldrick, Newsom, Sandoval
Excused: 1 - Ammiano

CLOSED SESSION

CONFERENCE WITH CITY ATTORNEY - Existing Unlitigated Claim

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

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

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

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

Continued to May 20, 2003

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

Ayes: 7 - Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, Peskin
Absent: 3 - McGoldrick, Newsom, Sandoval
Excused: 1 - Ammiano

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.

030814 [Summer School Programs]

Supervisors Ammiano, Dufty, Ma, Daly

Resolution urging the Mayor's Office to recommend reallocating funds from under-performing programs funded through the Children's Fund to fund alternative programs to summer school programs. Furthermore, the alternative programs would be administered by the Department of Children Youth & Their Families.

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

Resolution No. 327-03

ADOPTED

**030815 [Urging SFUSD to waive fees for alternative programs to Summer School]
Supervisors Ammiano, Dufty, Ma, Daly**

Resolution urging the San Francisco Unified School District to provide free access to school sites for alternatives to summer school programs. Furthermore, urging the Mayor's Office in conjunction with the Board of Supervisors to secure funds for the Unified School District to fill any shortfall that would result from waiving rental fees.

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

Resolution No. 341-03

ADOPTED

**030816 [Commend Gay Asian Pacific Alliance]
Supervisors Dufty, Ma, Ammiano, McGoldrick**

Resolution commending the Gay Asian Pacific Alliance (GAPA) for 15 years of service to the Lesbian, Gay, Bisexual and Transgender Asian and Pacific Islander (API) community in San Francisco and declaring May 17, 2003 "GAPA Day" in the City and County of San Francisco.

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

Resolution No. 328-03

ADOPTED

**030817 [Commend SF Gay and Lesbian Tennis Federation]
Supervisors Dufty, Ammiano**

Resolution commending the San Francisco Gay and Lesbian Tennis Federation (GLTF) for its annual tournament.

Resolution No. 329-03

ADOPTED

**030819 [Support Senate Concurrent Resolution 12]
Supervisor Newsom**

Resolution urging the State Legislature to adopt Senate Concurrent Resolution 12, introduced by Senator Richard Alarcon, which would create a joint committee charged with developing a master plan to end poverty in the State of California.

Resolution No. 330-03

ADOPTED

**030820 [Accept and Expend Gift]
Supervisor Peskin**

Resolution authorizing the Director of Planning to accept and expend a gift in the amount of \$150,000 from the Jessie Square Garage Partners, LLC, an affiliate of Millennium Partners, for purposes of the gift.

Resolution No. 331-03

ADOPTED

030821 [Stop Sign Designation - Greenwich and Powell Streets]
Supervisor Peskin

Resolution urging the installation of four-way Stop signs at the intersection of Greenwich and Powell Streets.

Resolution No. 332-03

ADOPTED

030833 [Senate Bill 1005]
Supervisors Sandoval, McGoldrick

Resolution urging the California State Legislature to Pass SB 1005: The Safe Ratios Enforcement Act.

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

Resolution No. 333-03

ADOPTED

030834 [Commending Bernard Osher Foundation]
Supervisors Sandoval, Dufty

Resolution commending the Bernard Osher Foundation for awarding \$350,000 in grant funds to the Friends and Foundation of the San Francisco Library for the Branch Library Project.

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

Resolution No. 334-03

ADOPTED

030836 [OMI Family Center]
Supervisors Sandoval, Dufty, Hall

Resolution urging the Mayor to preserve mental health services within the City and County of San Francisco and services at the OMI Family Center in the face of the upcoming budget crisis.

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

Resolution No. 340-03

ADOPTED

030792 [Needle Exchange Emergency]
Supervisors Ammiano, Newsom, Daly, Peskin, McGoldrick, Maxwell, Dufty

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

Motion No. M03-80

APPROVED

The foregoing items were acted upon by the following vote:

Ayes: 7 - Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, Peskin

Absent: 3 - McGoldrick, Newsom, Sandoval

Excused: 1 - Ammiano

Severed from For Adoption Without Committee Reference

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

Appointment of President Pro Tempore

At the request of the President, Supervisor Daly 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.

**030818 [Directing the Budget Analyst to Conduct a Management Audit of the Controller's Office]
Supervisors Hall, Gonzalez, Ammiano, Dufty, Maxwell, McGoldrick, Sandoval**

Motion amending the Schedule of Audits for the Budget Analyst and directing the Budget Analyst to conduct a management audit of the Controller's Office on a priority basis

*Supervisor Peskin moved to amend on page 2, line 13 "to add the Controller's Management Audit after the completion of the Recreation and Park Department Management Audit"
Failed for lack of a second.*

Motion No. M03-81

APPROVED by the following vote:

Ayes: 6 - Daly, Dufty, Gonzalez, Hall, Ma, Maxwell

Noes: 1 - Peskin

Absent: 3 - McGoldrick, Newsom, Sandoval

Excused: 1 - Ammiano

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

Supervisor Daly requested that this matter be referred to committee.

**030828 [Housing Element of General Plan]
Supervisors McGoldrick, Daly**

Resolution requesting that the Planning Department give the highest priority to completion of environmental review for the revision of the Housing Element of the City's General Plan.

REFERRED to the Land Use Committee by the following vote:

Ayes: 7 - Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, Peskin

Absent: 3 - McGoldrick, Newsom, Sandoval

Excused: 1 - Ammiano

IMPERATIVE AGENDA

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

Supervisor Daly, seconded by Supervisor Dufty, moved ADOPTION of the Commendatory Finding Act. The motion carried by the following vote:

Ayes: 7 - Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, Peskin

Absent: 3 - McGoldrick, Newsom, Sandoval

Excused: 1 - Ammiano

[Brown Act Finding]

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

Supervisor Daly, seconded by Supervisor Dufty, moved ADOPTION of the Brown Act Finding. The motion carried by the following vote:

Ayes: 7 - Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, Peskin

Absent: 3 - McGoldrick, Newsom, Sandoval

Excused: 1 - Ammiano

**030860 [AAA School Safety Patrol's 80th Anniversary]
Supervisor Dufty**

Resolution recognizing and honoring the members of the AAA School Safety Patrol on the Patrol's 80th Anniversary.

Resolution No. 335-03

ADOPTED by the following vote:

Ayes: 7 - Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, Peskin

Absent: 3 - McGoldrick, Newsom, Sandoval

Excused: 1 - Ammiano

**030861 [AcroSports Day]
Supervisors McGoldrick, Dufty**

Resolution declaring May 18, 2003 AcroSports Day.

Resolution No. 336-03

ADOPTED by the following vote:

Ayes: 7 - Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, Peskin

Absent: 3 - McGoldrick, Newsom, Sandoval

Excused: 1 - Ammiano

OFF-AGENDA LEGISLATION

Introduced by Supervisors or Mayor

Ordinances**030845 [Appropriation - \$776,000, Department of Elections]
Supervisor Sandoval**

Ordinance appropriating \$2,416,160 from the General Fund Reserve to implement the ranked-choice voting public education plan for the Department of Elections for fiscal year 2002-03.
5/12/03, RECEIVED AND ASSIGNED to Finance and Audits Committee.

**030848 [General Assistance-In-kind Assistance]
Supervisors Newsom, Dufty, Sandoval, McGoldrick, Peskin**

Ordinance modifying the City's General Assistance (GA) Program by amending San Francisco Administrative Code Sec. 20.57 to reflect the current grant amount; amending Administrative Code Sec. 20.59.3 to provide in-kind housing, utilities and meals to homeless applicants and recipients; amending Administrative Code Sec. 20.57.1 to value housing, utilities and meals provided to homeless recipients as in-kind assistance; adding Administrative Code Sec. 20.57.6A. to provide a special needs allowance to homeless recipients; adding Administrative Code Sec. 20.60.12 to establish a baseline GA budget; adding Administrative Code Sec. 20.60.13 to require a Controller's evaluation; adding Administrative Code Sec. 20.60.14 to establish an operative date for these amendments of on or before July 1, 2003.
5/13/03, RECEIVED AND ASSIGNED to Rules Committee.

**030849 [Setting Administrative Fee for Tow of Vehicles]
Mayor**

Ordinance approving administrative fee of \$200 pursuant to Traffic Code Section 170.2-A for police costs for towing of vehicles. (Mayor)
5/13/03, RECEIVED AND ASSIGNED to Budget Committee.

**030862 [Restricted Traffic Streets]
Supervisor Hall**

Ordinance adding Traffic Code Sections 28.1.107, 28.1.108, and 28.1.109 to restrict any person from operating a vehicle with gross weight in excess of 6,000 pounds on Claremont Boulevard between Portola Drive and Taraval Street, Dewey Boulevard between Laguna Honda Boulevard and Taraval Street, and Taraval Street between 14th Avenue and Dewey Boulevard.

(5/16/03: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street.)
5/13/03, RECEIVED AND ASSIGNED to Land Use Committee.

**030868 [Elimination of Paid Ballot Arguments]
Mayor**

Ordinance amending the Municipal Elections Code to amend Sections 500, 530, 535 and 585 and deleting Sections 555, 560, 565, 570 and 830 to eliminate paid ballot arguments from the Voter Information Pamphlet. (Mayor)

5/13/03, RECEIVED AND ASSIGNED to Finance and Audits Committee. Sponsor requests this item be calendared as soon as possible.

**030869 [Tobacco Sales Permit]
Supervisor Maxwell**

Ordinance amending the San Francisco Health Code by adding Article 19H to require a permit for tobacco sales and amending the San Francisco Business and Tax Regulations Code by adding section 249.16 to set the fee for the tobacco sales permit.

5/13/03, RECEIVED AND ASSIGNED to Finance and Audits Committee.

**030870 [Repealing Airport Commission authority to approve counsel assigned to the Airport]
Supervisor Daly**

Ordinance repealing Administrative Code Section 2A.172 to eliminate the Airport Commission's authority to approve counsel assigned to the Airport by the City Attorney.

5/13/03, RECEIVED AND ASSIGNED to Finance and Audits Committee.

**030871 [General Assistance - In-Kind Assistance]
Supervisors Daly, Ma, Maxwell**

Ordinance amending Administrative Code sections 20.57, 20.59.3, and 20.57.1; adding Administrative Code sections 20.57.6A., 20.60.12, Sec. 20.60.13, and 20.60.14.

5/13/03, RECEIVED AND ASSIGNED to Rules Committee.

Resolutions

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

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

5/13/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**030851 [Contract - Department of the Environment and PG&E]
Mayor, Supervisor Gonzalez**

Resolution pursuant to Charter section 9.118(a) authorizing the Department of the Environment to enter into a contract for up to \$1,550,000.00 with Pacific, Gas and Electric Company ("PG&E") to implement a Demand Reduction Through Energy Efficiency Pilot Program in the City and County of San Francisco.

5/13/03, RECEIVED AND ASSIGNED to Finance and Audits Committee.

**030860 [AAA School Safety Patrol's 80th Anniversary]
Supervisor Dufty**

Resolution recognizing and honoring the members of the AAA School Safety Patrol on the Patrol's 80th Anniversary.

5/13/03, ADOPTED.

**030861 [AcroSports Day]
Supervisors McGoldrick, Dufty**

Resolution declaring May 18, 2003 AcroSports Day.

5/13/03, ADOPTED.

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

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

5/13/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

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

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

5/13/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

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

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

5/13/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

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

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

5/13/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

030879 [Senate Bill 60]
Supervisor McGoldrick

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

5/13/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

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

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

5/13/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

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

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

5/13/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

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

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

5/13/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Charter Amendments

**030632 [Ballot Measures Submitted by the Board of Supervisors, Four or More of its Members, or the Mayor]
Supervisors Newsom, Peskin**

Charter amendment (Second Draft) to amend 2.113 and 3.100 to provide that any proposed ordinance, bond measure, or declaration of policy submitted to the Director of Elections by the Board of Supervisors, by four or more of its members, or by the Mayor, must be submitted to the Board of Supervisors no later than 45 days before the deadline for submission of the measure to the Director of Elections, and to require that the Board of Supervisors hold a hearing on the proposed ordinance, bond measure, or declaration of policy and on any amendment thereto no later than 30 days before the deadline for submission of the measure to the Board of Directors, provided that failure of the Board of Supervisors to hold a hearing on a measure submitted by less than the full Board of Supervisors or by the Mayor shall not preclude submission of the measure to the voters.

4/15/03, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 5/15/2003.

5/13/03, SUBSTITUTED. Supervisor Newsom submitted a substitute Charter amendment bearing new title.

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

**030682 [Motion ordering an ordinance be submitted to the voters Conflict of Interest Laws]
Supervisor Ammiano**

4/22/03, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 5/22/2003.

**030852 [Charter Amendment - District offices and staff members for members of the Board of Supervisors]
Supervisor Daly**

Charter amendment (First Draft) to amend Section 2.117, to establish district offices for members of the Board of Supervisors and to eliminate the limit on the number of staff members.

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

**030853 [Charter Amendment - Board of Supervisors Proceedings]
Supervisor Gonzalez**

Charter amendment (First Draft) to amend Sections 2.103, 2.104, and Article XVII, to modify the provisions governing the proceedings of the Board of Supervisors by tolling deadlines for action by the Board when the Board is in recess, and by reducing 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.

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

**030854 [Charter Amendment - Controller as the City Services Auditor]
Supervisor Hall**

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

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

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

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

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

**030856 [Charter Amendment - Health Service System]
Supervisor Peskin**

Charter amendment (First Draft) to amend Sections 10.102, 12.200, 12.202, 12.203, A8.421, A8.422, A8.423, A8.428, and A8.432 to the San Francisco Charter.

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

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

Charter amendment (First Draft) to add Appendix A8.583 relating to retirement benefits for attorneys in the District Attorney's and Public Defender's offices and Public Defender Investigators.

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

**030858 [Charter Amendment - Rainy Day Reserve]
Supervisors Ammiano, McGoldrick**

Charter amendment (First Draft) to add Section 9.113.5 and amend Section 9.113, to create a Rainy Day (Economic Stabilization) Reserve and clarify general rules for fiscal operations.

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

**030859 [Charter Amendment - Police Commission; Office of Citizen Complaints; Police Misconduct]
Supervisors Ammiano, McGoldrick**

Charter amendment (First Draft) to amend the Charter of the City and County by amending Sections 4.109, 4.127, A8.343 and A8.344.

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

**030864 [Charter Amendment - Municipal Railway Rates]
Supervisor Daly**

Charter amendment (First Draft) to amend Sections 8A.102, 8A.106, and 8A.108 to freeze Municipal Railway rates at their January 1, 2003 levels and to change the process for approving increases in Municipal Railway rates.

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

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

Charter amendment (First Draft) to add Section 6.105 to establish a process for a Sheriff and Police Department merger.

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

**030866 [Charter Amendment - Establishing an Elected Rent Board]
Supervisor Daly**

Charter amendment (First Draft) to add a new Article VIA to establish an elected San Francisco Residential Rent Stabilization and Arbitration Board that would replace the existing appointed Rent Board.

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

**030867 [Charter Amendment - Planning and Economic Department Commission]
Supervisor Peskin**

Charter amendment (First Draft) to delete Section 4.121 and Appendix D that establish the Building Inspection Commission, and to amend Section 4.105 to establish a Planning and Economic Development Commission consisting of the current members of the Planning Commission that would manage the Department of Planning and the Department of Building Inspection.

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

Request for Hearing

**030872 [Budget Analyst's performance audit of the San Francisco Zoo]
Supervisor Ma**

Hearing to review and implement recommendations of the Budget Analyst's performance audit of the San Francisco Zoo prepared for the Board of Supervisors in January 2000.

5/13/03, RECEIVED AND ASSIGNED to Zoo Audit Select Committee. Scheduled for consideration June 3, 2003.

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

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

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

Petty & Roman v. San Francisco, et al.
S.F. Superior Court No. CPF 02-502076
Date Filed: November 26, 2002.
5/13/03, ASSIGNED to Board of Supervisors.

Motions

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

Motion authorizing the attendance of two members of the San Francisco Youth Commission at the May 22-26, 2003, Glocal Youth Parliament in Rome, Italy. (Clerk of the Board)
5/12/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**030863 [Creating a Care Not Cash Select Committee.]
Supervisor Gonzalez**

Motion creating a Care Not Cash Select Committee.
5/13/03, RECEIVED AND ASSIGNED to Rules Committee.

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

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

5/13/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

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

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

5/13/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

PROPOSED ORDINANCES

030773 [Settlement of Lawsuit - Loretta A. Bowie]

Ordinance authorizing settlement of the matter of Loretta A. Bowie v. City and County of San Francisco and Louise Statzer for \$92,500. The lawsuit was filed on April 17, 2002, in San Francisco Superior Court, Case No. 406-801, and was removed to United States District Court on June 26, 2002, Case No. C 02-3082 SI; entitled Loretta A. Bowie v. City and County of San Francisco and Louise Statzer. (City Attorney)

(Public Benefit Recipient.)

5/2/03, RECEIVED AND ASSIGNED to Rules Committee.

030774 [Settlement of Lawsuit - Derrell Neal]

Ordinance authorizing settlement of the lawsuit filed by Derrell Neal against the City and County of San Francisco for \$40,000; the lawsuit was filed on November 26, 2002 in San Francisco Superior Court, Case No. 401-659; entitled Derrell Neal, et al., v. City and County of San Francisco, et al.

(Public Benefit Recipient.)

5/2/03, RECEIVED AND ASSIGNED to Rules Committee.

030775 [Settlement of Lawsuit - YONG SHAO MA and PUI KAY CHAN]

Ordinance authorizing settlement of the lawsuit filed by YONG SHAO MA and PUI KAY CHAN against the City and County of San Francisco for \$750,000; the lawsuit was filed on October 26, 1998 in San Francisco Superior Court, Case No. 998-809; entitled Yong Shao Ma, et al., v. City and County of San Francisco, et al. (City Attorney)

(Public Benefit Recipient.)

4/30/03, RECEIVED AND ASSIGNED to Rules Committee.

030779 [Speed Limit - Fulton Street between Masonic Avenue and Stanyan Street]

Ordinance adding Section 174.05 and amending Section 175.22 of the San Francisco Traffic Code to reduce the speed limit from 30-MPH to 25-MPH on Fulton Street between Masonic Avenue and Stanyan Street.

(Parking and Traffic Department)

5/5/03, RECEIVED AND ASSIGNED to Land Use Committee.

PROPOSED RESOLUTIONS

030776 [STOP Intersections]

Resolution designating certain intersections as "STOP" intersections.

STOP SIGNS - ESTABLISH

Mangels Avenue at Genessee Street, stopping Mangels Avenue at Genessee Street, making this intersection an all-way STOP;

20th and Arkansas Streets, stopping 20th Street at Arkansas Street, making this intersection an all-way STOP; 26th and Tennessee Streets, stopping Tennessee at 26th Street, making this intersection a two-way STOP; and 12th Street at South Van Ness Avenue, stopping southbound 12th Street at South Van Ness Avenue. (Parking and Traffic Department)

(5/2/03: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 2624; No Public Benefit Recipient.)

5/5/03, RECEIVED AND ASSIGNED to Land Use Committee.

030777 [Traffic Regulations, Various Streets]

Supervisors Gonzalez, McGoldrick, Maxwell, Ammiano

Resolution enacting and rescinding traffic regulations on various streets.

BICYCLE LANES (SIX MONTH TRIAL) - ESTABLISH

Fell Street, from Baker Street to Scott Street.

STREET CLOSURE (6:00 PM TO MIDNIGHT, MONDAY THROUGH FRIDAY AND 11:00 AM TO MIDNIGHT, SATURDAY AND SUNDAY) - ESTABLISH

De Boom Street, north side, from 2nd Street to 75 feet easterly (seven-foot closure for tables and chairs, retains 14-foot access lane).

(5/2/03: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 2624; No Public Benefit Recipient.)

5/5/03, RECEIVED AND ASSIGNED to Land Use Committee.

**030778 [Parking Regulations, Various Locations]
Supervisor Newsom**

Resolution enacting and rescinding parking regulations at various locations.

TOW-AWAY, NO STOPPING, MONDAY-FRIDAY, 4:00 PM TO 6:00 PM (SIX-MONTH TRIAL) -
RESCIND

Fell Street, south side, from Baker Street to Scott Street (Fell Street bike lanes).

TOW-AWAY, NO STOPPING, MONDAY-FRIDAY, 4:00 PM TO 7:00 PM (SIX-MONTH TRIAL) -
ESTABLISH

Fell Street, south side, from Divisadero Street to 182 feet easterly (Fell Street bike lanes).

TOW-AWAY, LANE MUST TURN LEFT (SIX-MONTH TRIAL) - ESTABLISH

Fell Street, at Scott Street (Fell Street bike lanes). (Parking and Traffic Department)

(5/2/03: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 2624; No Public Benefit Recipient.)

5/1/03, RECEIVED AND ASSIGNED to Land Use Committee.

030780 [Lease of Real Property]

Resolution authorizing a Sublease renewal of approximately 117,826 square feet of space at 1235 Mission Street for the Department of Human Services. (Real Estate Department)

(Fiscal impact; Public Benefit Recipient.)

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

Requests Granted

From: Supervisor Dufty

To: City Attorney

Requesting/Inquiring: To draft an ordinance requiring that all City Parking control and Traffic signs have graffiti-resistant coating. Establishing that all new signage installed after adoption of this ordinance shall be graffiti-resistant.

From: Supervisor Maxwell

To: Department of Parking and Traffic

Requesting/Inquiring: Inquiring whether traffic lights can be metered on San Bruno Avenue at Silliman and Silver Streets to ease traffic congestion in the area.

From: Supervisor Maxwell

To: Department of Public Works

Planning Department

San Francisco Redevelopment Agency

Requesting/Inquiring: Inquiring about how the Third Street Walgreens was permitted to remove the landscaping provided in the concept plan agreed to by the Bayview Hunters Point Project Area Committee.

From: Supervisor McGoldrick

To: City Attorney

Controller

Requesting/Inquiring: To draft a measure that will establish a special fund for homeless programs, called "Cash for Care." This fund would provide matching City funding, dollar for dollar, for donations from businesses in San Francisco that are committed to changing the homeless situation on the streets or our neighborhoods. The Cash for Care Fund also would have an advisory committee composed of stakeholders from the business community, advocates for the homeless, nonprofit service providers, neighborhood associations, and City officials, who would make recommendations on spending the money in the fund.

From: Supervisor Gonzalez

To: City Attorney

Requesting/Inquiring: Requesting a closed session for the May 20, 2003 meeting of the Board of Supervisors to discuss the recent court decision regarding Care Not Cash.

In Memoriams

Margaret Contreras Alvarado (Supervisor Dufty)

Joseph Rodriguez Bisho (Supervisors Hall, Newsom)

William J. Keays (Supervisor Hall)

Joseph E. Spalasso (Supervisor Newsom)

Ted Joans (Supervisor Gonzalez)

In Memoriams

*Margaret Contreras Alvarado (Supervisor Duffy)
Joseph Rodriguez Bisho (Supervisors Hall, Newsom)
William J. Keays (Supervisor Hall)
Joseph E. Spalasso (Supervisor Newsom)
Ted Joans (Supervisor Gonzalez)*

ADJOURNMENT

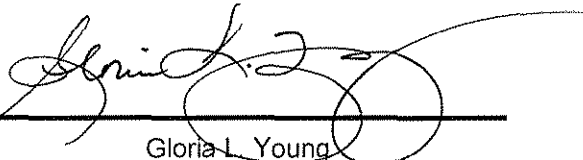
There being no further business, the Board at the hour of 8:50 p.m. adjourned.

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 June 24, 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. 8:50 pm



Gloria L. Young
Clerk of the Board