

# 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, August 12, 2003 2:00 PM**  
**Legislative Chamber - Second Floor**  
**City Hall, 1 Dr. Carlton B. Goodlett Place**  
**San Francisco, CA 94102-4689**

### Regular Meeting

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

*Gloria L. Young, Clerk of the Board*

Agendas of the Board of Supervisors are available on the internet at [www.ci.sf.ca.us/bdsupvrs](http://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-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, Fiona Ma, Sophie Maxwell, Jake McGoldrick, Gavin Newsom.

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## ROLL CALL AND PLEDGE OF ALLEGIANCE

*The meeting was called to order at 2:02 p.m. On the call of the roll, the following Supervisors were noted absent.*

*Supervisors Ammiano and McGoldrick - 2  
Quorum present.*

*Supervisors Ammiano and McGoldrick were noted present at 2:03 p.m.  
Supervisors Hall, Peskin and Sandoval were excused from attending today's meeting. (See Infra)*

## APPROVAL OF MEETING MINUTES

Supervisor Dufty, seconded by Supervisor Maxwell, moved to approve June 24, 2003 Meeting Minutes. The motion carried by the following vote:

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

### Supervisors Hall, Peskin and Sandoval Excused from Attendance

Supervisor McGoldrick, seconded by Supervisor Dufty, moved to excuse Supervisors Hall, Peskin and Sandoval from attending today's meeting. The motion carried by the following vote:

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

## CONSENT AGENDA

### Recommendation of the Budget Committee

**030637 [Extending Redevelopment Agency's Times for Incurring and Repaying Debt]  
Supervisor Gonzalez**

Ordinance approving, for the redevelopment plans listed below, the elimination of the existing time limits in each plan for establishment of loans, advances and indebtedness: (1) the Western Addition Area A-2 Redevelopment Plan, (2) the Yerba Buena Center Redevelopment Plan, (3) the Rincon Point - South Beach Redevelopment Plan, and (4) the Embarcadero-Lower Market (Golden Gateway) Redevelopment Plan. (Mayor)

5/2/03: Exempt from CEQA Non-physical exemption CEQA Guidelines Section 15060(c)(8) and Section 15378; Fiscal impact.

**Ordinance No. 211-03  
FINALLY PASSED**

### Recommendations of the City Services Committee

**031176 [Reduce sexual risk for HIV transmission in substance using men who have sex with men]  
Supervisors Dufty, Gonzalez**

Resolution authorizing the San Francisco Department of Public Health (SFPDH) to enter retroactively into an agreement in the amount of \$127,961 with Public Health Foundation Enterprises Inc. (PHFE), the primary contractor, to reduce the sexual risk for HIV transmission in substance using men who have sex with men (SU-MSM), for the period of September 1, 2002, to August 31, 2003. (Public Health Department)

(No Public Benefit Recipient.)

**Resolution No. 535-03  
ADOPTED**

**031178 [Renew Revolving Loan Funds Agreement with State]  
Supervisor Dufty**

Resolution authorizing the Office of the District Attorney to renew its current agreement with the California Victim Compensation and Government Claims Board, an agent of the State of California, for a revolving loan fund in the amount of \$75,000 to be used to pay for verified funeral/burial expenses and emergency relocation for victims of domestic violence and sexual assault. (District Attorney)

(No Public Benefit Recipient.)

**Resolution No. 536-03  
ADOPTED**

- 031180 [Collaborative research study to evaluate the effectiveness of different approaches for reducing the transmission risk behaviors of HIV-infected patients, year 2]**  
**Supervisor Dufty**

Resolution authorizing the San Francisco Department of Public Health (SFPDH) to enter retroactively into an agreement in the amount of \$71,992 with The Regents of the University of California San Francisco (UCSF), the primary contractor, for a collaborative study of prevention for HIV-positive persons under the second year of an award from the DHHS Centers for Disease Control and Prevention (CDC); for the period of September 30, 2002 to September 29, 2003. (Public Health Department)

(No Public Benefit Recipient.)

**Resolution No. 514-03**

**ADOPTED**

- 031182 [Grants Federal Funds - Municipal Railway]**  
**Supervisor Dufty**

Resolution authorizing the Municipal Transportation Agency (MTA) Board of Directors to accept and expend \$990,029 of Federal Earmarked Capital Assistance for Design and Construction of Muni's Central Control Facility. (Municipal Transportation Agency)

**Resolution No. 515-03**

**ADOPTED**

- 031210 [Contract approval - Municipal Transportation Quality Review]**  
Resolution approving the award and execution of San Francisco Municipal Railway Contract Number CCO 02-866, Municipal Transportation Quality Review, to Nelson\Nygaard Consulting Associates, to conduct the Quality Review required under Charter Section 8A.107, for a total contract amount not to exceed \$49,489, and for a term not to exceed one year with an option to extend up to an additional two years to cover the next review period. (Municipal Transportation Agency)

(No Public Benefit Recipient.)

**Resolution No. 539-03**

**ADOPTED**

- 031212 [Agreement - Informatix, Inc. and CCSF]**  
Resolution approving the Agreement between Informatix, Inc. and City of County of San Francisco for computer consulting services necessary to implement the Computer Assisted Support Enforcement System (CASES) Consortium for forty one California counties, including San Francisco. (Child Support Services)

(No Public Benefit Recipient.)

**Resolution No. 540-03**

**ADOPTED**

### **Recommendations of the Finance and Audits Committee**

**031195 [Memorandum of Understanding re PERS Contract Amendment]**  
**Mayor, Supervisors Sandoval, Ma, Duffy**

Ordinance adopting and implementing the Memorandum of Understanding between the City and County of San Francisco and the Municipal Executives' Association regarding the amendment of the contract with the Public Employees' Retirement System to provide the County's Sheriffs with the retirement benefits known as 3% @ 55. (Mayor)

**Ordinance No. 210-03**  
**FINALLY PASSED**

**030743 [Lease, Parking Agreement and Negative Declaration for Piers 1½, 3 and 5]**  
**Supervisor Peskin**

Resolution approving and authorizing a 66-year Lease with San Francisco Waterfront Partners, LLC for Piers 1½, 3 and 5, Approving Related Parking Agreement, and Adopting Findings of Mitigated Negative Declaration pursuant to California Environmental Quality Act.

(Public Benefit Recipient.)

**Resolution No. 524-03**  
**ADOPTED**

**030890 [Lease Agreement with Imperial Parking]**

Resolution approving lease agreement with Imperial Parking (U.S.), and the City and County of San Francisco operating by and through the San Francisco Port Commission to operate a surface parking lot at Seawall Lot 330, Embarcadero between Bryant and Beale Streets. (Port)

(No Public Benefit Recipient.)

**Resolution No. 526-03**  
**ADOPTED**

**Recommendations of the Land Use Committee**

**031165 [STOP Intersections]**

Resolution designating certain intersections as "STOP" intersections.

**STOP SIGNS - ESTABLISH**

38th Avenue and Irving Street, stopping Irving Street at 38th Avenue, making this an all-way STOP; 22nd Avenue and Ortega Street, stopping Ortega Street at 22nd Avenue, making this an all-way STOP; and 21st Avenue and Irving Street, stopping Irving Street at 21st Avenue, making this an all-way STOP. (Parking and Traffic Department)

(6/2703: 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. 2652; No Public Benefit Recipient.)

**Resolution No. 531-03**  
**ADOPTED**

**031166 [Traffic Regulations, Various Streets]**

Resolution enacting and rescinding traffic regulations on various streets.

LEFT LANE MUST TURN LEFT EXCEPT MUNI - ESTABLISH  
19th Avenue, northbound, at Junipero Serra Boulevard.

ONE WAY STREET (NORTHBOUND) - ESTABLISH  
Guttenberg Street, between Hanover and Mission Streets.

LEFT LANE MUST TURN LEFT - ESTABLISH  
7th Avenue, northbound, at Lawton Street. (Parking and Traffic Department)

(6/27/03: 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. 2652; No Public Benefit Recipient.)

**Resolution No.** 532-03

**ADOPTED**

**031167 [Parking Regulations, Various Locations]**

Resolution enacting and rescinding parking regulations at various locations.

**TAXI ZONE - ESTABLISH**

4th Street, west side, from Minna Street to 150 feet southerly (150-foot Taxi Zone).

**TOW-AWAY LANE MUST TURN RIGHT - ESTABLISH****TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH**

4th Street, southbound, from 150 feet south of Minna Street to Howard Street.

**TOUR BUS LOADING ZONE - ESTABLISH**

Howard Street, north side, from 120 feet to 445 feet west of 4th Street (325-foot white zone).

**TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH**

Howard Street, north side, from 4th Street to 120 feet westerly.

**TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH**

Howard Street, north side, from 445 feet to 570 feet west of 4th Street (125-foot zone).

**TOW-AWAY, NO PARKING ANYTIME - ESTABLISH**

Minna Street, south side, from 4th Street to 615 feet westerly.

**NO PARKING ANYTIME - REVOKE**

Minna Street, south side, from 230 feet west of 4th Street to 385 feet westerly (385-foot zone).

**TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH**

Turk Street, south side, from Divisadero Street to 95 feet westerly.

**RESIDENTIAL PERMIT PARKING AREA "J" (2-HOUR TIME LIMIT, 7 AM - 9 PM, MONDAY THROUGH SUNDAY) - ESTABLISH**

Shrader Street, both sides, between Haight and Page Streets.

**TOW-AWAY, NO STOPPING ANYTIME - RESCIND**

7th Avenue, east side, from 40 feet to 180 feet north of Lawton Street.

**RESIDENTIAL PERMIT PARKING AREA "N" (2-HOUR TIME LIMIT, 9 AM - 6 PM, MONDAY THROUGH FRIDAY) - ESTABLISH**

Funston Avenue, west side, between Clement Street and Geary Boulevard (300 block).

**2-HOUR PARKING TIME LIMIT, 7 AM TO 6 PM, EXCEPT SUNDAY - RESCIND****RESIDENTIAL PERMIT PARKING AREA "N" (2-HOUR TIME LIMIT, 9 AM - 6 PM, MONDAY THROUGH FRIDAY) - ESTABLISH**

14th Avenue, east side, between Clement Street and Geary Boulevard.

**TOW-AWAY, NO PARKING ANYTIME - ESTABLISH**

Cesar Chavez Street south side, from 200 feet to 295 feet east of Kansas Street (in front of 2323 Cesar Chavez Street); and

Cesar Chavez Street, south side, from 402 feet to 638 feet east of Kansas Street (in front of 2323 Cesar Chavez Street).

RESIDENTIAL PERMIT PARKING AREA "R" (2-HOUR TIME LIMIT, 9 AM - 6 PM,  
MONDAY THROUGH SATURDAY) - ESTABLISH

Turk Street, north side, between Buchanan and Laguna Streets;  
Laguna Street, west side, between Eddy and Turk Streets;  
Eddy Street, both sides, between Buchanan and Laguna Streets; and  
Larch Way, both sides, between Buchanan and Laguna Streets.

Note: Larch Way is a private drive within the Yerba Buena Plaza East Housing Development that will not be signed, but residents will be eligible for permits.

RESIDENTIAL PERMIT PARKING AREA "Z" (2-HOUR TIME LIMIT, 8 AM - 6 PM,  
MONDAY THROUGH FRIDAY) - ESTABLISH

Church Street, both sides, between 26th and Clipper Streets (1300 block).

45-DEGREE ANGLED PARKING - ESTABLISH

2600 Block of Harrison Street, east side, from 23rd Street to a point 187 feet south of 22nd Street  
(approximately 20 feet south of existing bicycle lane)

TOW-AWAY, NO PARKING ANYTIME - ESTABLISH

Ritch Street, east side, from 92 feet to 131 feet north of Brannan Street; and  
Ritch Street, east side, from 165 feet to 196 feet north of Brannan Street.

TOW-AWAY, NO STOPPING ANYTIME - RESCIND

TOW-AWAY, NO STOPPING DURING CANDLESTICK PARK EVENTS - ESTABLISH  
Jamestown Avenue, south side, between Ingalls and Redondo Streets.

COMPACT VEHICLES ONLY - ESTABLISH

Northern end of 20th Avenue, north of Lake Street, from west curb to 20 feet easterly (two spaces  
perpendicular to terminus). (Parking and Traffic Department)

(6/27/03: 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. 2652; No Public Benefit Recipient.)

Resolution No. 533-03

ADOPTED

## **Recommendations of the Rules Committee**

**031078 [Settlement of Lawsuit - John Darmanin]**

Ordinance authorizing settlement of the lawsuits filed by John Darmanin against the City and County of San Francisco for \$80,000; the lawsuits were filed on February 19, 1999 (H-19 Reinstatement) and February 5, 2003 (Enforcement of Judgment), in the San Francisco Superior Court, Case Nos. 301-118 and 502-410; entitled John Darmanin, et al. v. City and County of San Francisco, et al., and San Francisco Fire Fighters Local 798, et al. v. Demmons, et al. (City Attorney)

(Public Benefit Recipient.)

**PASSED, ON FIRST READING**



**031079 [Settlement of Lawsuit - John Darmanin]**

Ordinance authorizing settlement of the lawsuit filed by John Darmanin against the City and County of San Francisco for \$105,000; the lawsuit was filed on December 29, 1997, in the United States District Court, Northern District of California, Case No. C 97-4703; entitled John Darmanin, et al., v. City and County of San Francisco, et al. (City Attorney)

(Public Benefit Recipient.)

**PASSED, ON FIRST READING**

**031177 [Settlement of Lawsuit - John Eiler]**

Ordinance authorizing settlement of the lawsuit filed by John Eiler against the City and County of San Francisco for \$300,000; the lawsuit was filed on March 15, 2002 in San Francisco Superior Court, Case No. 02-405687; entitled John Eiler, et al., v. James Strain, City and County of San Francisco, et al. (City Attorney)

(Public Benefit Recipient.)

**PASSED, ON FIRST READING**

**031179 [Settlement of Lawsuits - Regents of the University of California and University of California, Hastings College of the Law]**

Ordinance approving the settlement of the following lawsuits: (1) Regents of the University of California v. City and County of San Francisco, San Francisco Superior Court Case No. 311005, filed March 24, 2000; (2) Regents of the University of California v. City and County of San Francisco, San Francisco Superior Court Case No. 324662, filed September 18, 2001; (3) University of California, Hastings College of the Law v. City and County of San Francisco, San Francisco Superior Court Case No. 400550, filed October 24, 2001; and (4) Regents of the University of California and University of California, Hastings College of the Law v. City and County of San Francisco, San Francisco Superior Court Case No. 414027, filed October 24, 2002. These settlements result in payment by the City in an undetermined amount not to exceed \$155,000; potential payment by the City of an additional amount to be determined; and an agreement on the maximum future water and sewer rate charges to plaintiffs for the next three fiscal years. (City Attorney)

(Public Benefit Recipient.)

**PASSED, ON FIRST READING**

**030606 [Appointment]**

Resolution appointing Karen Cohn, term ending June 30, 2005 to the Asthma Task Force. Residency requirement waived.

Karen Cohn, (residency requirement waived) succeeding Jennifer Mann, seat 20, must be a representative of the Department of Public Health and is a voting member, for the unexpired portion of a two year term ending June 30, 2005.

**Resolution No. 523-03**

**ADOPTED**

**030750 [Appointment]**

Resolution appointing Madison Kilpatrick, Scott Williams, L. Michael Costas, Richard Morten, Lori Yamauchi, Reed Benet, Theresa Feely, Joe Raguso, Dr. Mike Le, Karen Pierce, Janice Bolaffi, Peter Cohen, and Corinne Woods, terms to be determined, to the Biosciences Task Force.

Madison Kilpatrick, new position, seat 1, must be from a business association for a term to be determined.

Scott Williams, new position, seat 2, have expertise in the bioscience industry for a term to be determined.

L. Michael Costas, new position, seat 3, must be from a bioscience company for a term to be determined.

Richard Morten, new position, seat 4, must be from an urban planning association for a term to be determined.

Lori Yamauchi, new position, seat 5, must be from an educational institution with expertise in the biosciences and bioscience industry for a term to be determined.

Reed Benet, new position, seat 7, must be from a private real estate firm that represents companies seeking bioscience space in the Bay Area for a term to be determined.

Theresa Feely, new position, seat 8, must be from an organization that specializes in job training and placement for a term to be determined.

Joe Raguso, new position, seat 10, must represent a neighborhood organization from the South of Market for a term to be determined.

Dr. Mike Le, new position, seat 11, must represent a neighborhood organization from Potrero Hill/Dogpatch for a term to be determined.

Karen Pierce, new position, seat 12, must represent a neighborhood organization in Bayview Hunters Point for a term to be determined.

Janice Bolaffi, new position, seat 14, must represent a neighborhood organization in the City and County of San Francisco for a term to be determined.

Peter Cohen, new position, seat 15, must represent a neighborhood organization in the City and County of San Francisco for a term to be determined.

Corinne Woods, new position, seat 16, must represent a neighborhood organization in the City and County of San Francisco for a term to be determined.

**Resolution No. 525-03**

**ADOPTED**

**031024 [Appointment]**

Resolution appointing Rebecca Anne Turner, term ending January 31, 2004 to the Mental Health Board.

Rebecca Anne Turner, succeeding Richard Nazzardini, resigned, seat 15, must be a health professional, for the unexpired portion of a three year term ending January 31, 2004.

**Resolution No. 527-03**

**ADOPTED**

**031084 [Appointment]**

Resolution appointing Walter DeVaughn, term ending September 30, 2005 to the Adult Day Health Care Planning Council.

Walter DeVaughn, succeeding himself, term expired, seat 1, must be a person over 55 years of age who has a demonstrated interest in the special health and social needs of the elderly and who is representative of organizations dedicated primarily to the needs of older persons, including those of low income and racial and ethnic minorities, for a three year term ending September 30, 2005.

**Resolution No. 529-03**

**ADOPTED**

**031190 [Appointment]**

Resolution appointing Marylouise Lovett, term ending March 31, 2004 to the Commission on Aging Advisory Council.

Marylouise Lovett, succeeding Reeva Olsen, resigned, seat 3, must be a nominee of Supervisor Maxwell for the unexpired portion of a two-year term ending March 31, 2004.

**Resolution No. 537-03**

**ADOPTED**

**031199 [Reappointment of Sunil Daluvoy to the Telecommunications Commission]**

**Mayor**

Resolution confirming the reappointment of Sunil Daluvoy to the Telecommunications Commission, term ending July 1, 2006. (Mayor)

**Resolution No. 516-03**

**ADOPTED**

**031200 [Reappointment of Kimberlee Bogen to the Telecommunications Commission]**

**Mayor**

Resolution confirming the reappointment of Kimberlee Bogen to the Telecommunications Commission, term ending July 1, 2006. (Mayor)

**Resolution No. 517-03**

**ADOPTED**

**031231 [Appointment]**

Resolution appointing Ellouise Patton, term ending September 4, 2006 to the Delinquency Prevention Commission.

Ellouise Patton, succeeding Enola Maxwell, deceased, seat 10, must be nominated by District 10 Supervisor for the unexpired portion of a 4-year term ending September 4, 2006.

**Resolution No. 541-03**

**ADOPTED**

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

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

Excused: 3 - Hall, Peskin, Sandoval

## **REGULAR AGENDA**

## UNFINISHED BUSINESS

### From the Clerk

- 031306 [Adopting findings related to the conditional use appeal on property located at 40-50 Lansing Street]**  
Motion adopting findings related to the appeal of the Planning Commission's approval of Conditional Use Application No. 2002.0446CEV (which allowed the construction of an 84-foot tall residential building within an R (Residential) District pursuant to Planning Code Section 152, and allowed the construction of a building with full lot coverage in the Rincon Hill Special Use District pursuant to Planning Code Section 249.1(b)(1)(C) in an RC-4 District, an 84-R Height and Bulk District and the Rincon Special Use District/Residential Subdistrict) on property located at 40-50 Lansing Street (a.k.a. 35 Guy Place) (Lot 11 in Assessor's Block 3749). (Clerk of the Board)

(Companion measure to Files 031037, 031038, 031039, 031040, 031090.)

*Amended on page 3, line 15 to delete the word "two" and insert the word "three"; on page 3, after line 24 insert FURTHER MOVED, That the project sponsor guarantees the installation of street lighting on Guy Place and Lansing Street that is adequate to ensure safety and neighborhood character. This lighting shall meet all standards established by the San Francisco Public Utilities Commission, San Francisco Department of Public Works, Landmarks Preservation Advisory Board and San Francisco Planning Commission. This street lighting shall be operational prior to the completion of the project.*

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

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

**Motion No. M03-132**

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

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

- 031335 [Adopting findings related to the appeal of the CEQA determination by the Planning Department for the Secondary Unit Ordinance]**

Motion adopting findings related to the appeal of the determination by the Planning Department that the Secondary Unit Ordinance is exempt/excluded from the California Environmental Quality Act. (Clerk of the Board)

*08/12/03 - Amended on page 1 line 11 to replace "030838" with "030896"; and on page 1, line 25 to replace "030838" with "030896".*

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

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

**Motion No. M03-134**

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

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

## NEW BUSINESS

### Recommendations of the City Services Committee

- 031105 [Amending Police Code Sections 4302 and 4303 to Define Harassment]  
Supervisors Peskin, Ma, Maxwell, Daly, Ammiano, Dufty, Gonzalez, Hall, Newsom

Ordinance amending Police Code Sections 4302 and 4303 to (1) eliminate the requirement that before they may be protected from harassment, persons seeking access to health care facilities invoke a "buffer zone" by declaring to protestors a desire to be left alone; and (2) to define harassment of a person seeking access to a health care facility as the non-consensual and knowing approach within eight feet of another person for purposes of passing a leaflet or handbill to, display a sign to, or engage in oral protest, education or counseling with such other person in a public way or on a sidewalk area within one hundred feet of a health care facility.

(No fiscal impact.)

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

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

- 031076 [Support of Proposed Skate Park at Potrero del Sol Park]  
Supervisors Newsom, Dufty, Ma, Ammiano

Resolution supporting the Skateboarding Task Force and the Recreation and Park Department's recommendation to build a skate park at the Potrero del Sol Park; and urging the Department to improve bathroom facilities at the Park.

(No fiscal impact.)

**Resolution No.** 528-03

**ADOPTED** by the following vote:

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

- 031138 [Liquor Licenses, 399 4th Street]

Resolution determining that the transfer of a Type 20 off-sale beer and wine alcoholic beverage control license from 5423 Geary Boulevard to 399 4th Street for Whole Foods Market California, Inc. dba "Whole Foods Market" (District 6), and issuance of a Type 42 on-sale beer and wine public premises license to the same applicant, 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.

**Resolution No.** 530-03

**ADOPTED** by the following vote:

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

### Recommendation of the 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.

*Continued to September 16, 2003.*

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

Ayes: 6 - Dufty, Gonzalez, Ma, Maxwell, McGoldrick, Newsom  
Noes: 2 - Ammiano, Daly  
Excused: 3 - Hall, Peskin, Sandoval

**From the Finance and Audits Committee "Without Recommendation"**

**031361 [General Assistance-In-Kind Assistance; Department of Human Services Care Fund]  
Supervisors Hall, Newsom**

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; and amending the San Francisco Administrative Code by adding Section 10.100-77, to establish a Department of Human Services Care Fund, defining terms, identifying revenues, restricting permissible uses, providing for verification and adjustment of appropriations, and limiting expenditures in excess of the fund cap.

Supervisor McGoldrick dissenting.

*Continued to September 16, 2003.*

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

Ayes: 5 - Dufty, Ma, Maxwell, McGoldrick, Newsom  
Noes: 3 - Ammiano, Daly, Gonzalez  
Excused: 3 - Hall, Peskin, Sandoval

**Recommendations of the Finance and Audits Committee**

**031238 [Establishing a Department of Human Services Care Fund]  
Supervisors Hall, Newsom, Peskin**

Ordinance amending the San Francisco Administrative Code by adding Section 10.100-77, to establish a Department of Human Services Care Fund, defining terms, identifying revenues, restricting permissible uses, providing for verification and adjustment of appropriations, and limiting expenditures in excess of the fund cap.

(Fiscal impact.)

*Continued to September 16, 2003.*

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

Ayes: 5 - Duffy, Ma, Maxwell, McGoldrick, Newsom

Noes: 3 - Ammiano, Daly, Gonzalez

Excused: 3 - Hall, Peskin, Sandoval

**031240 [Establishing Cash for Care Special Account]  
Supervisor McGoldrick**

Ordinance amending Section 10.100 of the San Francisco Administrative Code to establish the Cash for Care Special Account to receive, administer and fund programs for the homeless of San Francisco.

(Fiscal impact.)

*Continued to September 16, 2003.*

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

Ayes: 8 - Ammiano, Daly, Duffy, Gonzalez, Ma, Maxwell, McGoldrick, Newsom

Excused: 3 - Hall, Peskin, Sandoval

**031241 [Expanding Eligibility to Participate in Annual Joint Fundraising Drive]  
Supervisor McGoldrick**

Ordinance amending Section 16.93-2 of the San Francisco Administrative Code to allow the Cash for Care Special Account to participate in the annual joint fundraising drive.

*Continued to September 16, 2003.*

**CONTINUED by the following vote:**

Ayes: 8 - Ammiano, Daly, Duffy, Gonzalez, Ma, Maxwell, McGoldrick, Newsom

Excused: 3 - Hall, Peskin, Sandoval

**031245 [Amendment No. 1 to 2003-2005 MOU, Cement Masons, Local 580]  
Mayor**

Ordinance adopting and implementing Amendment No. 1 to the 2003-2005 Memorandum of Understanding between the Cement Masons, Local 580 and the City and County of San Francisco by amending Article III.O. to correct a clerical omission by inserting a Long-Term Disability provision. (Mayor)

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

Ayes: 8 - Ammiano, Daly, Duffy, Gonzalez, Ma, Maxwell, McGoldrick, Newsom

Excused: 3 - Hall, Peskin, Sandoval

**031170 [Airport Lease with U.S. Government for office space]**

Resolution approving, retroactive to November 1, 2002, a Lease with the U.S. Government for office space to be occupied by the Transportation Security Administration at the International Terminal. (Airport Commission)

(Public Benefit Recipient.)

**Resolution No.** 534-03

**ADOPTED by the following vote:**

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

Excused: 3 - Hall, Peskin, Sandoval

**Recommendations of the Land Use Committee****031211 [Changing Official Width of Sidewalk]**

Ordinance Amending Ordinance No. 1061 entitled "Regulating the Width of Sidewalks" by adding thereto Section No. 1560 to change the official sidewalk width on the west side of Illinois Street between 18th and 19th Streets; making findings pursuant to the General Plan and Planning Code Section 101.1; and addressing 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: 8 - Ammiano, Daly, Dufty, Gonzalez, Ma, Maxwell, McGoldrick, Newsom

Excused: 3 - Hall, Peskin, Sandoval

**031202 [Sublease Amendment with the John Stewart Company related to Treasure Island Housing]  
Mayor**

Resolution approving and authorizing the Executive Director for the Treasure Island Development Authority to enter into an amendment to a sublease with the John Stewart Company to change the premises, to adjust the rent schedule and to adjust the development fee. (Mayor)

(No Public Benefit Recipient.)

**Resolution No.** 518-03

**ADOPTED by the following vote:**

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

Excused: 3 - Hall, Peskin, Sandoval

**031203 [Sublease Amendment with Community Housing Partnership for Treasure Island Housing]  
Mayor**

Resolution approving and authorizing the Executive Director for the Treasure Island Development Authority to enter into an amendment to a sublease with Community Housing Partnership to amend the premises to include six additional housing units. (Mayor)

(No Public Benefit Recipient.)

**Resolution No.** 519-03

**ADOPTED by the following vote:**

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

Excused: 3 - Hall, Peskin, Sandoval



**Recommendations of the Rules Committee**

- 030483 [Recognition of marriages, domestic partnerships and civil unions]  
Supervisors Daly, Dufty, Ammiano, Gonzalez, Peskin, McGoldrick, Newsom

Ordinance amending Chapter 62 of the Administrative Code by adding Section 62.10 to extend recognition of domestic partnerships, civil unions, and other similar legal relationships to persons who lawfully enter into these agreements in other jurisdictions.

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

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

- 021951 [Establishing Multi-disciplinary Task Force on Childhood Nutrition]  
Supervisors Maxwell, Hall, Dufty

Resolution establishing a multi-disciplinary task force on childhood nutrition and physical activity.

*Amend on page 3, delete line 7 and replace it with "one (1) member who is a young person between the ages of 12 and 23"; and delete lines 14 and 15 and replace with "one (1) member from an organization helping all children regardless of physical, medical, or psychiatric disabilities obtain access to medical care and information."*

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

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

Resolution No. 522-03

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

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

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

- 031209 [Hearing - Ground Lease of Redevelopment Agency Land for Jordan Apartments]

Hearing of persons interested in or objecting to proposed resolution approving (1) a ground lease of land at 820 O'Farrell Street (Assessor's Block 0716, Lot 003) from the San Francisco Redevelopment Agency to Jordan Housing Corporation, a California nonprofit public benefit corporation ("JHC"), for \$1.00 per year plus \$129,999 per year of deferred rent for sixty-five (65) years with an option to renew for an additional thirty-four (34) years, and (2) the sale of improvements thereon for \$2,050,000 to JHC for the purpose of rehabilitating, owning and operating housing for very low income households. (Clerk of the Board)

*Speakers: Olson Lee, Redevelopment Agency*

**HEARD AT PUBLIC HEARING** by the following vote:

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

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

## Committee of the Whole Rise and Report Without Recommendation

### 031208 [Ground Lease of Redevelopment Agency Land for Jordan Apartments] Mayor

Resolution approving (1) a ground lease of land at 820 O'Farrell Street (Assessor's Block 0716, Lot 003) from the San Francisco Redevelopment Agency to Jordan Housing Corporation, a California nonprofit public benefit corporation ("JHC"), for \$1.00 per year plus \$129,999 per year of deferred rent for sixty-five (65) years with an option to renew for an additional thirty-four (34) years, and (2) the sale of improvements thereon for \$2,050,000 to JHC for the purpose of rehabilitating, owning and operating housing for very low income households.

(Fiscal impact.)

Resolution No. 538-03

ADOPTED by the following vote:

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

## SPECIAL ORDER 3:00 P.M.

### Supervisor Newsom Excused from Voting

Supervisor Daly, seconded by Supervisor Maxwell, moved to excuse Supervisor Gavin Newsom, at his request, because of possible conflict of interest, from voting on the following items: Files 031265, 031266, 031267, 031268, 031232, 031233, 031234, 031236, 031235. The motion carried by the following vote:

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

### 031265 [Appeal, Mitigated Negative Declaration - 2026 Lombard Street]

Hearing of persons interested in or objecting to the decision of the Planning Commission by its Motion No. 16595 adopted June 12, 2003, approving a mitigated negative declaration for the proposed development at 2026 Lombard Street.

(Appeal filed July 14, 2003 by Stephen M. Williams, Esq.; companion measure to Files 031266, 031267, 031268.)

*Continued to September 16, 2003*

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

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

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

### **From the Clerk**

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

**031266 [Affirming adoption of the negative declaration for 2026 Lombard Street]**

Motion affirming the Planning Commission adoption of the negative declaration for 2026 Lombard Street.  
(Clerk of the Board)

*Supervisor Gavin Newsom Excused From Voting*  
*Continued to September 16, 2003*

**CONTINUED by the following vote:**

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

**031267 [Reversing adoption of the negative declaration for 2026 Lombard Street]**

Motion reversing the Planning Commission adoption of the negative declaration for 2026 Lombard Street.

*Supervisor Gavin Newsom Excused From Voting*  
*Continued to September 16, 2003*

**CONTINUED by the following vote:**

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

**031268 [Preparation of findings to reverse adoption of the negative declaration for 2026 Lombard Street]**

Motion directing the Clerk of the Board to prepare findings reversing the Planning Commission adoption of the negative declaration for 2026 Lombard Street Project. (Clerk of the Board)

*Supervisor Gavin Newsom Excused From Voting*  
*Continued to September 16, 2003*

**CONTINUED by the following vote:**

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

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

**031232 [Public Hearing - Appeal, Conditional Use - 2026 Lombard Street]**

Hearing of persons interested in or objecting to the decision of the Planning Commission by its Motion No. 16596 dated June 12, 2003 approving a conditional use authorization, Case No. 2002.0497C, to allow the construction of an approximately 49,000 square foot 97 room tourist hotel with 78 off-street parking spaces on a lot containing approximately 13,600 square feet, pursuant to Planning Code Sections 712.11, 712.21, 712.55 and 303, in an NC-3 (Moderate Scale Neighborhood Commercial) District and a 40-X Height and Bulk District, located at 2026 Lombard Street, north side between Fillmore and Webster Streets, Lot 025 in Assessor's Block 0492.

(Appeal filed July 14, 2003 by Stephen M. Williams, Esq. The project received a Preliminary Mitigated Negative Declaration (PMND) from the Planning Department on March 29, 2003. The PMND was appealed; Planning upheld the PMND on June 12, 2003; companion measure to Files 031232, 031233, 031234, 031235, 031236; District 2).

*Supervisor Gavin Newsom Excused From Voting  
Continued to September 16, 2003*

**CONTINUED by the following vote:**

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

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

**From the Clerk****(Only one of the following two motions should be adopted.)****031233 [Appeal, Conditional Use - 2026 Lombard Street]**

Motion approving decision of the Planning Commission by its Motion No. 16596 approving Conditional Use Application No. 2002.0497C, on property located at 2026 Lombard Street, and adopting findings pursuant to Planning Code Section 101.1. (Clerk of the Board)

*Supervisor Gavin Newsom Excused From Voting  
Continued to September 16, 2003*

**CONTINUED by the following vote:**

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

**031234 [Appeal, Conditional Use - 2026 Lombard Street]**

Motion disapproving decision of the Planning Commission by its Motion No. 16596 approving Conditional Use Application No. 2002.0497C, on property located at 2026 Lombard Street, and adopting findings pursuant to Planning Code Section 101.1. (Clerk of the Board)

*Supervisor Gavin Newsom Excused From Voting  
Continued to September 16, 2003*

**CONTINUED by the following vote:**

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

**031236 [Environmental Review - 2026 Lombard Street]**

Motion certifying review of Final Mitigated Negative Declaration relating to proposed Conditional Use of property at 2026 Lombard Street. (Clerk of the Board)

*Supervisor Gavin Newsom Excused From Voting*

*Continued to September 16, 2003*

**CONTINUED by the following vote:**

Ayes: 7 - Ammiano, Daly, Dufty, Gonzalez, Ma, Maxwell, McGoldrick

Excused: 4 - Hall, Newsom, Peskin, Sandoval

**031235 [Findings - 2026 Lombard Street]**

Motion directing the Clerk of the Board to prepare findings relating to proposed Conditional Use Application No. 2002.0497C, on property located at 2026 Lombard Street, for action by the Board at its next meeting. (Clerk of the Board)

*Supervisor Gavin Newsom Excused From Voting*

*Continued to September 16, 2003*

**CONTINUED by the following vote:**

Ayes: 7 - Ammiano, Daly, Dufty, Gonzalez, Ma, Maxwell, McGoldrick

Excused: 4 - Hall, Newsom, Peskin, Sandoval

## **ROLL CALL FOR INTRODUCTIONS**

## **PUBLIC COMMENT**

*James Chaffee, misuse of Library funds*

*Bruce Allison, Coalition on Homelessness, oppose finger imaging*

*Christine, comments on HJ Resolution 20*

*David Lopez, quality of life issues*

*Lisa Berger, concerns regarding confidentiality laws*

*Erin Evans, Act-up, concerns regarding Prop N and drug use*

## **CLOSED SESSION**

## **CONFERENCE WITH CITY ATTORNEY**

### **City as Defendant**

**Convene in Closed Session**

Supervisor Ammiano, seconded by Supervisor Duffy, moved to convene in closed session;. The motion carried by the following vote:

Ayes: 8 - Ammiano, Daly, Duffy, Gonzalez, Ma, Maxwell, McGoldrick, Newsom

Excused: 3 - Hall, Peskin, Sandoval

**031347 [Closed Session - Existing Litigation, City as Defendant]**

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, in sum, plaintiff challenges the constitutionality of the City's Minority/Women/Local Business Utilization Program.

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 litigation listed below.

Schram Construction, Inc. v. San Francisco, S. F. Superior Court No. CGC 03 421249 (filed June 10, 2003)  
(City Attorney)

**HEARD IN CLOSED SESSION by the following vote:**

Ayes: 8 - Ammiano, Daly, Duffy, Gonzalez, Ma, Maxwell, McGoldrick, Newsom

Excused: 3 - Hall, Peskin, Sandoval

*Recess*

*The Board recessed at the hour of 3:40 p.m. to convene in closed session pursuant to the above motion.*

*Reconvening of the Board*

*The Board at the hour of 4:10 p.m. reconvened.*

*Calling the Roll*

*On the call of the roll, the following Supervisors were noted present:  
Supervisors Daly, Dufty, Gonzalez, Ma, Maxwell, and Newsom.*

*Quorum present.*

*Supervisors Ammiano and McGoldrick noted present at 3:55 p.m.*

*Report on the Closed Session*

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

*Persons in Attendance:*

*Supervisors Ammiano, Daly, Dufty, Gonzalez, McGoldrick, Ma, Maxwell, and Newsom.*

*Ted Lakey, Deputy City Attorney*

*Theresa Stricker, Deputy City Attorney*

*Buck Delventhal, Deputy City Attorney*

*Virginia Harmon, Director, Human Rights*

*Michael Leong*

*Hank Ibser*

*Kay Gulbengay, Acting Clerk of the Board, Board of Supervisors*

*Mary Red, Acting Deputy Clerk, Board of Supervisors*

*Meeting was informational only and no action was taken.*

*[Elect Not to Disclose]*

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

**Supervisor Ammiano, seconded by Supervisor Dufty, moved. The motion carried by the following vote:**

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

**Excused: 3 - Hall, Peskin, Sandoval**

**FOR ADOPTION WITHOUT COMMITTEE REFERENCE**

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

**031328 [Commending SF Clean City Coalition, SF Chamber of Commerce and the Department of Public Works]  
Supervisors Dufty, Ma, Newsom**

Resolution commending the creation of a public-private partnership between the San Francisco Clean City Coalition, the San Francisco Chamber of Commerce and the Department of Public Works (DPW) for the development of an innovative performance evaluation program called StreetFacts. The Board of Supervisors encourages the Mayor, DPW, other city agencies, the San Francisco Clean City Coalition, and the San Francisco Chamber of Commerce to partner in the collection of StreetFacts data and in developing strategies towards the overall improvement of street cleanliness, beauty, and safety in San Francisco.

**Resolution No. 542-03**

**ADOPTED**

**031329 [Controller's Office to conduct comprehensive surveys regarding the effects of health and human service budget cuts]  
Supervisors Dufty, Daly, Ma**

Resolution requesting the City Controller's Office to conduct comprehensive surveys on the effect of any proposed and final health and human service budget cuts on San Franciscans receiving services from both faith and community-based non-profit contractors as well as City agencies, and on the alternatives to such services and the populations most affected by these service cuts.

**Resolution No. 543-03**

**ADOPTED**

**031331 [Opposing Proposition 54]  
Supervisors Sandoval, Ammiano, Gonzalez, Dufty, Daly, McGoldrick, Ma, Newsom**

Resolution opposing Proposition 54 on the October 7, 2003 ballot which would bar most state agencies from collecting individual racial and ethnic data.

**Resolution No. 544-03**

**ADOPTED**

**031355 [Revenue bonds for the 601 King Street Apartments]  
Supervisors Maxwell, Daly**

Resolution authorizing the issuance and sale of revenue bonds by the ABAG Finance Authority for Nonprofit Corporation in an aggregate principal amount not to exceed \$49,800,000 for the 601 King Street Apartments.

**Resolution No. 521-03**

**ADOPTED**

**031356 [Multifamily housing revenue bonds for the Project as defined herein]  
Supervisor Daly**

Resolution authorizing the issuance and sale of multifamily housing revenue bonds by the California Statewide Communities Development Authority in an aggregate principal amount not to exceed \$30,000,000 for the Project (as defined herein).

**Resolution No. 520-03**

**ADOPTED**



**031358 [Commending Cathay Post No. 384]**  
**Supervisors Sandoval, McGoldrick, Ma**

Resolution commending the Cathay Post No. 384 for increasing awareness about issues concerning Chinese American veterans and bringing recognition to their military service achievements.

**Resolution No.** 545-03  
**ADOPTED**

**031359 ["Know your Rights Day"]**  
**Supervisors Sandoval, Daly, McGoldrick, Ma, Peskin**

Resolution urging the Board of Education to integrate a 'Know Your Rights Day' intended to educate students about their rights, into the San Francisco Unified School District's (SFUSD) schedule.

**Resolution No.** 546-03  
**ADOPTED**

**031309 [Needle Exchange Emergency]**  
**Supervisors Ammiano, Newsom, Daly, Peskin, McGoldrick, Maxwell, Duffy**

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.** M03-133  
**APPROVED**

**031350 [Final Map for a 5 Unit Residential Condominium Project]**

Motion approving Final Map of 1171 Oak Street, A Residential Condominium Project, being a subdivision of Lot 26 in Assessor's Block No. 1218, and adopting findings pursuant to Planning Code Section 101.1. (Public Works Department)

(No Public Benefit Recipient; DPW Order No. 174,300; District 8.)

**Motion No.** M03-135  
**APPROVED**

**031351 [Final Map for a 51 Unit Live/Work Condominium Project]**

Motion approving Final Map of 200 Townsend Street Lofts, 200 Townsend Street, A Live/Work Condominium Project, being a subdivision of Lot 165 in Assessor's Block No. 3787, and adopting findings pursuant to Planning Code Section 101.1. (Public Works Department)

(No Public Benefit Recipient; DPW Order No. 174,302; District 6.)

**Motion No.** M03-136  
**APPROVED**

**031352 [Final Map for a 24 Unit Live/Work Condominium Project]**

Motion approving Final Map of 599 3rd Street, a Live/Work Condominium Project, being a subdivision of Lot 23 in Assessor's Block No. 3775, and adopting findings pursuant to Planning Code Section 101.1. (Public Works Department)

(No Public Benefit Recipient; DPW Order No. 174,301; District 6.)

**Motion No.** M03-137

**APPROVED**

**031353 [Final Map for an 8 Unit Live/Work Condominium Project]**

Motion approving Final Map of 1025 Minna Street, a Live/Work Condominium Project, being a subdivision of Lot 110, Assessor's Block No. 3511, and adopting findings pursuant to Planning Code Section 101.1. (Public Works Department)

(No Public Benefit Recipient; DPW Order No. 174,307; District 6.)

**Motion No.** M03-138

**APPROVED**

**031354 [Final Map for a 16 Unit Residential Condominium Project]**

Motion approving Final Map of 300 Linden Avenue, a Residential Condominium Project, being a subdivision of Lot 48, Assessor's Block No. 817, and adopting findings pursuant to Planning Code Section 101.1. (Public Works Department)

(No Public Benefit Recipient; DPW Order No. 174,299; District 6.)

**Motion No.** M03-139

**APPROVED**

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

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

Excused: 3 - Hall, Peskin, Sandoval

**Severed From Without Reference to Committee Agenda**

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

**031330 [Waiver Permitting City Employees to Assist the Department of Elections]  
Supervisor Gonzalez**

Motion granting a waiver from the prohibition imposed by Charter section 13.104.5, to permit City employees to assist the Department of Elections with the October 7, 2003, November 4, 2003, December 9, 2003 and March 2, 2004 elections.

*Continued to August 19, 2003*

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

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

Excused: 3 - Hall, Peskin, Sandoval

## IMPERATIVE AGENDA

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

*[Purely Commendatory Finding]*

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

**Supervisor Ammiano, seconded by Supervisor Daly, moved ADOPTION of the commendatory. The motion carried by the following vote:**

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

*[Brown Act Finding]*

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

**Supervisor Ammiano, seconded by Supervisor Daly, moved ADOPTION of the Brown Act findings. The motion carried by the following vote:**

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

**031398 [Commending San Francisco Police Inspectors]**

**Supervisors Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval**

Resolution commending San Francisco Police Inspectors Lea Militello and Pat Correa for exemplary courage on duty while under attack.

**Resolution No. 547-03**

**ADOPTED by the following vote:**

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

## OFF-AGENDA LEGISLATION

### Introduced by Supervisors or Mayor

**Ordinances****031395 [Funding from the General Reserve and re-appropriate salaries to fund the October 2003 Recall Election]****Mayor**

Ordinance appropriating \$3,520,300 from the General Fund Reserve and re-appropriating \$150,000 of permanent salaries for a total of \$3,670,300 for temporary salaries, overtime, fringe benefits, non personal services, materials and supplies, and services of other departments associated with the October 2003 recall election for Elections Department for fiscal year 2003-2004.

8/12/03, RECEIVED AND ASSIGNED to Finance and Audits Committee.

**031396 [Appropriate funding to offset the loss of parking revenue for not charging parking in Golden Gate Park]****Supervisor Daly**

Ordinance appropriating \$500,000 from the General Fund Reserve and rescinding \$700,000 in parking revenues and \$200,000 of professional services to offset the loss of parking revenue for not charging for parking in Golden Gate Park for Recreation and Parks Department for fiscal year 2003-2004.

8/12/03, RECEIVED AND ASSIGNED to Finance and Audits Committee.

**031399 [Stow Lake and Spreckels Lake restoration, sole source contract]****Mayor, Supervisor Hall**

Ordinance authorizing the Recreation and Park Department to negotiate and enter into a sole-source contract with Aquatic Environments, Inc., Alamo, California, to dredge Stow Lake and Spreckels Lake, install aeration and circulation equipment and repair the Lake edge.

8/13/03, RECEIVED AND ASSIGNED to Finance and Audits Committee.

**031400 [MOU Amendment No 1 - International Brotherhood of Electrical Workers, Local 6]****Mayor**

Ordinance adopting and implementing Amendment No. 1 to the Memorandum of Understanding between the City and County of San Francisco and the International Brotherhood of Electrical Workers, Local 6, by adding paragraph 149a, which provides for a premium to certain classes providing signal operations at the Department of Parking and Traffic, which was inadvertently omitted from the MOU, to be effective July 1, 2003 through June 30, 2005.

8/12/03, RECEIVED AND ASSIGNED to Finance and Audits Committee.

**031401 [Improving coordination between the San Francisco Police Department and the Office of Citizen Complaints]****Supervisor Gonzalez**

Ordinance amending the Administrative Code by adding a new Chapter 96, establishing requirements governing the authority and duties of the Police Department, the Office of Citizen Complaints and the Police Commission with respect to investigations by the Office of Citizen Complaints, including reporting on the status of sustained cases, minimum requirements for disclosure of documents by the Police Department, providing the Office of Citizen Complaints with subpoena power against third parties, imposing training requirements for police officers on whistleblower protection laws, and for police commissioners on public safety officer discipline, and adding uncodified provisions to require the Police Commission to consider revisions to the Early Warning System and study restricting promotions for officers disciplined for misconduct; require the Police Department and the Office of Citizen Complaints to meet and report on the development of a shared case tracking system; and require current police commissioners to receive training on public safety officer discipline.

(Public Benefit Recipient.)

8/12/03, RECEIVED AND ASSIGNED to City Services Committee.

**031402 [Extension of the First Source Hiring Program]****Supervisors Maxwell, Dufty, Newsom, Ammiano, McGoldrick**

Ordinance amending the San Francisco Administrative Code by amending Section 83.18 to extend the expiration date of the provisions of the First Source Hiring Program by one year.

3/12/03, RECEIVED AND ASSIGNED to City Services Committee. Sponsor requests this item be scheduled for consideration at the August 21, 2003 meeting, and then be submitted to the full Board as a committee report for the August 26, 2003 meeting.

**031406 [Building Code - Technical Corrections/Clarifications]****Supervisor Daly**

Ordinance amending the Building Code to effect technical corrections/ clarifications to Section 3102.8, by adding provisions previously included in the Code regarding woodburning appliances, Section 101.20, by adding provisions previously included in the Code regarding the operation of the Central Permit Bureau, Section 106.1, by deleting provisions regarding permit requirements that were previously removed from the Code, Section 106.3.2, by adding provisions previously included in the Code regarding submittal documents for permit applications, Section 103.3.1, 103.3.2, 103.3.3, 103.3.4, and 103.3.5 by deleting provisions regarding unlawful residential demolition and adding the provisions regarding unlawful residential demolition that were previously included in the Code, Section 205 by deleting the definition of demolition, by amending Figure 16B-1, Sections 105.4.2, 105.4.3.1, 107.1.1, 108.5.6, 1003.3.3.2, 1001A, 1304.A.1, 1307A.2, 1311A.1, 1313A.3, 1314A.2, 1316A.1, 1308A.3, 1605.4.3, 1604B.2.3, 1605B.3, 1605B.8, 1606B, 1604C, 1608C.5, 1611C.3.1, 1611C.4.2, 1611C.6.1, 1611C.6.2, 1611C.2.2.2, Table 16C-D, 1701.5, 3403.2.1.2, 3407.1, 3407.2.3, 3407.4.3, 3407.5.3.4, 3407.5.3.5, 3408.3.2, 1605.4.3, 1605.5, 106.4.4, 409.9.1, 1602C.6.1, 1602C.6.2, 3303.9.2, 3403.2.1.1, and 1605.4.1 to correct typographical errors, and making findings in accordance with California Health and Safety Code Section 17958.5 as to the local climatic, topological and geological reasons for amending the State Building Code.

8/12/03, ASSIGNED UNDER 30 DAY RULE to Land Use Committee, expires on 9/11/2003.

**031407 [Workforce Housing Initiative]  
Supervisor Newsom**

Draft ordinance amending Part II, Chapter II, of the San Francisco Municipal Code (City Planning Code) is hereby amended as follows and that the following actions be taken in furtherance of those amendments and that this ordinance be referred to as the "Workforce Housing Initiative".

8/13/03, ASSIGNED UNDER 30 DAY RULE to Land Use Committee, expires on 9/11/2003.

**Resolutions**

**031403 [Lease of Real Property]  
Supervisors Ammiano, Dufty**

Resolution authorizing renewal of a lease of real property at 1360 Mission Street, Suite 401, for continued use by the Department of Public Health, STD Program Administrative Headquarters. (Real Estate Department)

(Public Benefit Recipient.)

**031404 [Development of Property Located at Broadway and Battery Streets For Affordable Housing]  
Mayor, Supervisors Peskin, Dufty**

Resolution authorizing the mayor's office of housing to enter into a lease disposition and development agreement and below market long-term ground lease with Chinatown Community Development Center, a nonprofit public benefit corporation, for the development of affordable housing, together with a child care center, neighborhood-serving commercial space, and associated parking on real property located on the south side of Broadway between Battery and Front streets; affirming the Planning Commission's adoption of the mitigated negative declaration for the project; adopting environmental findings under the California Environmental Quality Act; and adopting findings that the project is consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1

(Public Benefit Recipient.)

8/12/03, RECEIVED AND ASSIGNED to Land Use Committee. The Mayor submitted a substitute resolution bearing same title.

**031416 [Acknowledging the California Supreme Court's ruling on Gay Adoptions]  
Supervisors Ammiano, Dufty, McGoldrick, Newsom**

Resolution congratulating and thanking the California Supreme Court for their sound public policy towards the needs of children by affirming second-parent adoptions.

8/12/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**031417 [Accept-Expend Grant]  
Supervisors Ammiano, Dufty**

Resolution authorizing the Human Rights Commission to accept and expend a grant in the amount of \$26,000 from the Friends of the Human Rights Commission for the development of an internal database and external searchable web application for the purpose of gathering, sorting and displaying information on insurance companies throughout the United States that offer domestic partner insurance products.

8/12/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**031418 [Evaluation of the fire and medical rescue needs of San Francisco]  
Supervisors Gonzalez, Newsom**

Resolution authorizing the City Controller to perform an evaluation of the fire and medical rescue needs of San Francisco.

8/12/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**031419 [Encouraging telecommunication companies to invest in the local communities to whom they provide service]  
Supervisor Gonzalez**

Resolution endorsing policies to encourage investment in local telecommunications services in California, investment in local communities, and increased employment opportunities.

8/12/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**031420 [Honoring community leader Robert Hector]  
Supervisors Gonzalez, Dufty**

Resolution declaring September 25th Robert Hector Day in commemoration of Robert Hector's lifetime dedication to providing children, youth and their families social, educational and recreational services in the City and County of San Francisco.

8/12/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**031421 [Authorizing consulting firm to examine confidential State Board of Equalization tax records]  
Supervisor Maxwell**

Resolution authorizing Bay Area Economics to examine sales or transaction and use tax records of the State Board of Equalization on behalf of the City and County of San Francisco pursuant to California Revenue and Taxation Code Section 7056.

8/12/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**031422 [Memorandum of Understanding between CCSF and CEC]  
Supervisor Maxwell**

Resolution approving the signing of a Memorandum of Understanding between the City and County of San Francisco (CCSF) and the California Energy Commission (CEC) to obtain support from the CEC for the implementation of the City's renewable energy, energy efficiency and distributed generation goals; and to authorize the San Francisco Public Utilities Commission (SFPUC) and the San Francisco Department of the Environment (SFE) to administer and act as co-leads for this agreement between CCSF and the CEC.

8/12/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**031423 [Commending San Francisco International Arts Festival 2003]  
Supervisors Newsom, Dufty**

Resolution commending the San Francisco International Arts Festival 2003 collaborative project members and the Yerba Buena Center for the Arts for presenting this year's festival from September 4th through September 21st in the City and County of San Francisco.

8/12/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**031357 [Confirming the appointment of Wilbert Din to the Municipal Transportation Agency Board of Directors]  
Mayor**

Resolution confirming the appointment of Wilbert Din to the Board of Directors of the Municipal Transportation Agency, term ending March 1, 2007.

8/6/03, RECEIVED AND ASSIGNED to Rules Committee.

### **Requests For Hearing**

**031397 [Firefighter Safety Technology]  
Supervisor Dufty**

Hearing to consider new firefighter safety technology that is being adopted as a best practice in other California cities and across the nation.

8/12/03, RECEIVED AND ASSIGNED to City Services Committee.

**031408 [Police Department's Crime Reporting System]  
Supervisor Maxwell**

Hearing on the Police Department's crime reporting system: (1) How effective is the current system compared to cities similar to San Francisco? (2) In particular, what mechanism/s are available for San Francisco Residents to report crime? (3) How can we improve it to make it more accessible and user-friendly? (4) How does the Police Department gather and use this information?

8/12/03, RECEIVED AND ASSIGNED to City Services Committee.



**031409 [Education Program]  
Supervisors Newsom, Dufty**

Hearing to discern the possibility of the San Francisco officials working with UC representatives to discuss ways to save the education program.

8/12/03, RECEIVED AND ASSIGNED to City Services Committee.

**031410 [Public Utilities Commission's Agreement No. CS-524]  
Supervisor Peskin**

Hearing regarding Public Utilities Commission's continuation of Agreement No. CS-524, Program Management Services, with the Water Infrastructure Partners (WIP) with a report from Harlan Kelly of the Public Utilities Commission.

8/12/03, RECEIVED AND ASSIGNED to Finance and Audits Committee.

**Motions**

**031411 [Legislative Analyst Request - Cell Phone Antennae Installation Moratorium]  
Supervisor Sandoval**

Motion requesting the Legislative Analyst to review, analyze, and make recommendations to the Board of Supervisors, regarding the feasibility of enacting a cell phone antennae installation moratorium until the City has reviewed and updated existing Planning Department's Wireless Telecommunications Services (WTS) Facilities Guidelines.

8/12/03, ASSIGNED to Board of Supervisors. Scheduled for Board consideration August 19, 2003.

**031412 [Legislative Analyst Request - San Francisco Police Department's Crime Reporting System]  
Supervisors Maxwell, Newsom**

Motion requesting the Legislative Analyst to research and examine the San Francisco Police Department's crime reporting system. How effective is the current system compared to cities similar to San Francisco, such as but not limited to San Jose, Austin and New York? What mechanism/s are available for San Francisco residents to report crime? How is the information gathered and used? The sponsor asks the Legislative Analyst to make recommendations on how to improve the current reporting system and how we can make better use of information gathered.

8/12/03, ASSIGNED to Board of Supervisors. Scheduled for Board consideration August 19, 2003.

**031413 [Legislative Analyst Request - Foster Care System Models]  
Supervisor Maxwell**

Motion requesting the Legislative Analyst to research on successful foster care system models in municipalities similar to San Francisco. In particular, identify incentives/support programs that have proven successful for foster parents. The report should also examine the scope of services provided, the number of children/youth served, and the cost and funding resources for such programs.

8/12/03, ASSIGNED to Board of Supervisors. Scheduled for Board consideration August 19, 2003.

**031414 [Legislative Analyst Request - Department of Children, Youth and Their Families]  
Supervisor Newsom**

Motion directing the Office of the Legislative Analyst (OLA) to conduct research on planning efforts by the Department of Children, Youth and Their Families, including its grant allocation process, its interdepartmental planning efforts, its coordinating efforts with other city departments to effectively leverage new State, federal or private resources, and any other efforts the Department utilizes in order to best eliminate duplication of services.

8/12/03, ASSIGNED to Board of Supervisors. Scheduled for Board consideration August 19, 2003.

**031424 [Department of Children, Youth and Their Families Management Audit]  
Supervisor Newsom**

Motion directing the Office of the Controller to conduct a management audit of the Department of Children, Youth and Their Families.

8/12/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

### **Charter Amendment**

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

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

(Fiscal impact.)

8/12/03, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 9/11/2003.

## **PROPOSED ORDINANCES**

**031333 [Making Environmental Findings and Increasing Street Artist Certificate Fee]**

Ordinance making required environmental findings and amending Article 24 of the San Francisco Police Code by amending Section 2404.1 to increase the fee for a Street Artist Certificate and amending Section 2404.2 to clarify the fee setting procedure. (Arts Commission)

7/30/03, RECEIVED AND ASSIGNED to Finance and Audits Committee.

8/6/03, RESPONSE RECEIVED. Statutorily exempt from CEQA pursuant to CEQA Guidelines Section 15273(a), Rates, Tolls, Fares and Charges.

**031338 [Settlement of Lawsuit - Bellaire Tower Homeowners Association]**

Ordinance authorizing settlement of the lawsuit filed by Bellaire Tower Homeowners Association against the City and County of San Francisco for \$83,862.34; the lawsuit was filed on December 31, 2001 in San Francisco Superior Court, Case No. 402-355; entitled Bellaire Tower Homeowners Association, et al. v. City and County of San Francisco, et al. (City Attorney)

(Public Benefit Recipient.)

8/4/03, RECEIVED AND ASSIGNED to Rules Committee.

## PROPOSED RESOLUTIONS

**031253 [Contracting out Convention Facilities management, operation and maintenance services]**

Resolution concurring with the Controller's certification that Convention Facilities management, operation and maintenance services can be practically performed at Bill Graham Civic Auditorium and the Moscone Center by private contractor for a lower cost than similar work services performed by City and County employees. (Administrative Services Department)

7/23/03, RECEIVED AND ASSIGNED to Finance and Audits Committee.

**031270 [Contracting out Paratransit Services]**

Resolution concurring with the Controller's determination that paratransit services for the Municipal Transportation Agency can be practically performed by a private contractor at a lower cost than by City and County employees. (Public Transportation Commission)

(Public Benefit Recipient.)

7/25/03, RECEIVED AND ASSIGNED to Finance and Audits Committee.

**031271 [Grant of Easements in Santa Clara County]**

Resolution authorizing the grant of easements to the Santa Clara Valley Transportation Authority over property in the County of Santa Clara under the jurisdiction of the San Francisco Public Utilities Commission; adopting findings that the conveyance is consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; adopting findings pursuant to the California Environmental Quality Act; authorizing the Director of Property to execute documents, make certain modifications and take certain actions in furtherance of this resolution; and ratifying acts and authorizing actions in furtherance of this resolution. (Real Estate Department)

(Public Benefit Recipient.)

7/25/03, RECEIVED AND ASSIGNED to Finance and Audits Committee.

**031285 [Grant of Easements in San Mateo County]**

Resolution authorizing a grant of easements to the State of California over property in the County of San Mateo under the jurisdiction of the San Francisco Public Utilities Commission; adopting findings that the conveyance is consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; adopting findings pursuant to the California Environmental Quality Act; ratifying acts and authorizing actions in furtherance of this resolution; and authorizing the Director of Property to execute documents, make certain modifications and take certain actions in furtherance of this resolution. (Real Estate Department)

(Public Benefit Recipient.)

7/25/03, RECEIVED AND ASSIGNED to Finance and Audits Committee.

**031307 [Extending provisional appointments]**

Resolution approving extension to June 30, 2004 of provisional appointments of employees in classifications 1270 Departmental Personnel Officer, 1272 Senior Departmental Personnel Officer, 1458 Legal Secretary I, 1460 Legal Secretary II, 1820 Junior Administrative Analyst, and 1932 Assistant Storekeeper. (Human Resources Department)

(No Public Benefit Recipient.)

7/24/03, RECEIVED AND ASSIGNED to Finance and Audits Committee.

**031332 [Real Property License Agreement]**

Resolution authorizing a City-wide 800 MHz Radio System license agreement at the VA Medical Center, 4150 Clement Street, San Francisco for the Emergency Communications Department. (Real Estate Department)

(Public Benefit Recipient.)

7/30/03, RECEIVED AND ASSIGNED to Finance and Audits Committee.

**031334 [Lease of Real Property]**

Resolution authorizing a lease renewal of 1,496 sq. ft. for an Optometrist Office at 34 Van Ness Avenue, a City owned building commonly known as 30 Van Ness. (Real Estate Department)

(Public Benefit Recipient.)

7/29/03, RECEIVED AND ASSIGNED to Finance and Audits Committee.

**031336 [Study of at-risk and HIV positive youth in San Francisco]  
Supervisors Dufty, Newsom**

Resolution authorizing the San Francisco Department of Public Health (SFPDH) to enter retroactively into an agreement in the amount of \$19,800 with The Regents of the University of California San Francisco (UCSF), the primary contractor, to participate in a study of at-risk and HIV positive youth in San Francisco, for the period of March 1, 2003, to February 29, 2004. (Public Health Department)

(No Public Benefit Recipient.)

8/1/03, RECEIVED AND ASSIGNED to City Services Committee.

**031337 [Emergency Medical Services Fund Reimbursement]  
Supervisor Dufty**

Resolution authorizing the San Francisco Department of Public Health, Emergency Medical Services (SFPDH, EMS) to accept and expend retroactively funds in the amount of \$920,650 from the Emergency Medical Services Fund (EMSF) to reimburse providers for emergency medical services rendered during the period of July 1, 2002 to June 30, 2004, and for administrative costs associated with this program. (Public Health Department)

(No Public Benefit Recipient.)

7/31/03, RECEIVED AND ASSIGNED to City Services Committee.

**031339 [Lease of Real Property]**

Resolution authorizing the renewal of a lease of real property at 755 and 759 South Van Ness Avenue for continued use by the Department of Public Health, Community Behavioral Health Services. (Real Estate Department)

(Public Benefit Recipient.)

8/4/03, RECEIVED AND ASSIGNED to Finance and Audits Committee.

**Requests Granted**

*From: Supervisor Newsom*

*To: Department of Children Youth and Their Families*

*Requesting/Inquiring: Please report on the following:*

- 1. What are the current funding levels dedicated from the Children's Fund and the General Fund respectively for each of the departmental four quality of life benchmarks?*
- 2. What are the funding levels for each of the benchmarks by the following three age groups: (0-5), (6-13) and (14-18)?*
- 3. What, if any, is the current role of the Mayor's Children's Cabinet in the overall planning efforts by DCYF?*
- 4. In your departmental planning efforts, what do you propose for eliminating duplication of services and/or identifying gaps in services or community needs where monies may be redirected?*
- 5. To what extent do you coordinate interdepartmentally in order to best leverage local resources, in particular, mandated resources such as the Children's Baseline and the Children's Fund?*

*From: Supervisor Daly*

*To: Director, Human Services*

*Director, Public Health*

*Requesting/Inquiring: Please advise on any changes to the Medi-Cal Eligibility rules pursuant to state regulation (see attached). Also, please advise on any efforts San Francisco is making to continue San Franciscans enrollment in Medi-Cal.*

**In Memoriams**

*Alex Gong (Entire Board)*

*Christopher Smith (Supervisor Duffy)*

*Robert C. Moyce (Supervisor Duffy)*

*Al Corona (Supervisor Duffy)*

*Carol Nelson (Supervisors Duffy, Maxwell)*

*Juanita Turner (Supervisor Gonzalez)*

*Mary Anne Bulen (Supervisor Gonzalez)*

*Michael Francis Dowling (Supervisor Ma)*

*Andrea Martin (Supervisor Newsom)*

## ADJOURNMENT

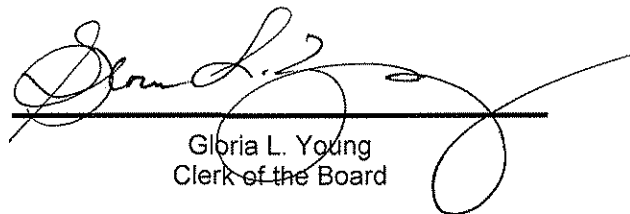
*There being no further business, the Board at the hour of 4:27 p.m. adjourned.*

*Gloria L. Young, Clerk of the Board*

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

*Approved by the Board of Supervisors on September 16, 2003.*

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



Gloria L. Young  
Clerk of the Board

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