

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, September 30, 2003 2:00 PM

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

Regular Meeting

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

BOARD COMMITTEES

Committee Membership

Budget Committee

Supervisors Daly, Maxwell, Peskin

City and School District Select Committee

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

City Services Committee

Supervisors Dufty, Ma, Newsom

Finance and Audits Committee

Supervisors Peskin, Sandoval, McGoldrick

Land Use Committee

Supervisors McGoldrick, Maxwell, Ammiano

Rules Committee

Supervisors Hall, Dufty, Gonzalez

Meeting Days

Thursday
1:00 PM

2nd Monday, bi-monthly
4:00 PM

Thursday
9:30 AM

Wednesday
12:30 PM

Monday
1:00 p.m.

Wednesday
9:30 AM

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

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

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:05 p.m. On the call of the roll, the following Supervisor was noted absent.

Supervisor Ammiano - 1

Quorum present.

Supervisor Ammiano was noted present at 2:12 p.m.

APPROVAL OF MEETING MINUTES

Supervisor Newsom, seconded by Supervisor Dufty, moved to approve August 26, 2003 Meeting Minutes. The motion carried by the following vote:

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

Absent: 1 - Ammiano

CONSENT AGENDA

Recommendations of the City Services Committee

**031382 [Provide assertive case management to people with HIV and substance abuse and mental disorders]
Supervisors Dufty, Daly**

Resolution authorizing the San Francisco Department of Public Health, AIDS Office (SFDPH, AIDS) to accept retroactively and expend a grant in the amount of \$490,947 from the Substance Abuse and Mental Health Services Administration (SAMHSA) for assertive case management for triply-diagnosed people and to enter into an agreement for the use of these funds; for the period of June 1, 2003, to May 30, 2004. (Public Health Department)

(Public Benefit Recipient.)

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

Resolution No. 614-03

ADOPTED by the following vote:

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

Absent: 1 - Ammiano

**031444 [Contract funds for SFHIV Vaccine Clinical Trials Unit, 2003 to 2004]
Supervisors Dufty, Daly**

Resolution authorizing the San Francisco Department of Public Health (SFDPH) to enter retroactively into an agreement in the amount of \$405,101 with Public Health Foundation Enterprises Inc. (PHFE), the primary contractor, to fund the fourth year of the SFDPH portion for "San Francisco HIV Vaccine Clinical Trials", a unit of the HIV Vaccine Trials Network (HVTN); for the period of June 1, 2003 to May 31, 2004. (Public Health Department)

(No Public Benefit Recipient.)

Resolution No. 624-03

ADOPTED by the following vote:

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

**031453 [FY 2003-2004 State grant funds to the Department of Public Health from the California Department of Health Services]
Supervisors Dufty, Daly**

Resolution authorizing the acceptance and expenditure of State recurring grant funds by the San Francisco Department of Public Health for FY 2003-2004. (Public Health Department)

(No Public Benefit Recipient.)

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

Resolution No. 625-03

ADOPTED by the following vote:

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

**031454 [Treatment of Latent Tuberculosis Infection in refugees newly arriving in San Francisco.]
Supervisors Dufty, Daly**

Resolution authorizing the San Francisco Department of Public Health, Newcomers Health Program (SFDPH, Newcomers) to accept and expend retroactively a new continuing grant in the initial amount of \$45,000, from the State Department of Health Services, Refugee Health (DHS, RH) to improve treatment of Latent Tuberculosis Infection (LTBI) in refugees newly arriving in San Francisco; for the period of August 1, 2003, to June 30, 2004. (Public Health Department)

(No Public Benefit Recipient.)

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

Resolution No. 626-03

ADOPTED by the following vote:

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

**031493 [Accept-Expend Federal Grant]
Supervisor Dufty**

Resolution authorizing the San Francisco Fire Department to accept and expend a grant in the amount of \$211,975 from the Federal Emergency Management Agency (FEMA) to acquire 208 one-hour Self-Contained Breathing Apparatus (SCBA) Air Bottles, a mobile breathing air compressor unit, and a portable auxiliary communication repeater unit. (Fire Department)

(No Public Benefit Recipient.)

Resolution No. 652-03

ADOPTED by the following vote:

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

Absent: 1 - Ammiano

Recommendations of the Finance and Audits Committee

**031317 [MOU - Police Officers' Association (SFPOA)]
Mayor, Supervisor Dufty**

Ordinance adopting and implementing the Memorandum of Understanding between the City and County of San Francisco and the San Francisco Police Officers' Association (SFPOA), to be effective July 30, 2003 through June 30, 2007.

(Fiscal impact.)

Ordinance No. 236-03

FINALLY PASSED by the following vote:

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

Absent: 1 - Ammiano

031383 [Setting San Francisco's fiscal year 2003-2004 property tax rate and establishing pass-through rate for residential tenants]

Ordinance providing revenue and levying property taxes for City and County purposes and establishing pass-through rate for residential tenants pursuant to Chapter 37 of the Administrative Code for the fiscal year ending June 30, 2004. (Controller)

Ordinance No. 232-03

FINALLY PASSED by the following vote:

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

Absent: 1 - Ammiano

031388 [Setting San Francisco's Unified School District's FY 2003-2004 property tax rate to be included in the City's overall property tax rate]

Ordinance providing revenue and levying property taxes for San Francisco Unified School District's purposes for the fiscal year ending June 30, 2004. (Controller)

Ordinance No. 233-03

FINALLY PASSED by the following vote:

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

Absent: 1 - Ammiano

031393 [Setting S.F. Community College District's fiscal year 2003-2004 property tax rate to be included in the City's overall property tax rate]

Ordinance providing revenue and levying property taxes for San Francisco Community College District purposes for the fiscal year ending June 30, 2004. (Controller)

Ordinance No. 234-03

FINALLY PASSED by the following vote:

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

Absent: 1 - Ammiano

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

Supervisors Daly, Sandoval

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.

Ordinance No. 241-03

FINALLY PASSED by the following vote:

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

Absent: 1 - Ammiano

**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.

Ordinance No. 239-03

FINALLY PASSED by the following vote:

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

Absent: 1 - Ammiano

031425 [Appropriate funding for the Art Commission for municipal symphony concerts using property tax revenue]

Ordinance appropriating \$23,273 for the municipal symphony concerts using property tax revenue, pursuant to Charter Section 16.106(1) for the Art Commission for fiscal year 2003-04. (Controller)

Ordinance No. 235-03

FINALLY PASSED by the following vote:

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

Absent: 1 - Ammiano

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)

Resolution No. 646-03

ADOPTED by the following vote:

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

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.)

Resolution No. 647-03

ADOPTED by the following vote:

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

Recommendations of the Land Use Committee**031439 [Speed Limit - Potrero Avenue between Brannan and Cesar Chavez Streets]**

Ordinance adding Section 174.13 and removing Section 175.07 of the San Francisco Traffic Code to reduce the speed limit from 30-mph to 25-mph on Potrero Avenue between Brannan and Cesar Chavez Streets. (Parking and Traffic Department)

(No Public Benefit Recipient.)

Ordinance No. 243-03

FINALLY PASSED by the following vote:

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

031504 [Accept - Expend Federal Grant]

Supervisor Peskin

Resolution authorizing the Port of San Francisco to accept and expend a grant in the amount of \$3,475,000 from the United States Transportation Security Administration for the purpose of enhancing facility and operational security at the Port's cruise, ferry and cargo terminals.

(No Public Benefit Recipient.)

Resolution No. 653-03

ADOPTED by the following vote:

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

Recommendations of the Rules Committee**031432 [Settlement of Lawsuit - Arcadia Machine & Tool Inc. et al.]**

Ordinance authorizing the partial settlement of the lawsuit filed by the San Francisco City Attorney against certain manufacturers, distributors and dealers of firearms, and their trade associations; the settling defendants are Traders Sports, Inc., Southern Ohio Gun Distributors, Ellett Brothers Inc., and MKS Supply Inc.; these settling defendants agree to the entry of stipulated judgments that will reform their firearm distribution practices, and to pay \$70,000; the lawsuit was filed on May 25, 1999 in San Francisco Superior Court, Case No. 303-753, and later coordinated with similar actions in the San Diego Superior Court as part of J.C.C.P. 4095; entitled People of the State of California ex rel Herrera et al. v. Arcadia Machine & Tool Inc. et al. (City Attorney)

(No Public Benefit Recipient.)

Ordinance No. 242-03

FINALLY PASSED by the following vote:

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

031511 [Settlement of Claim - Eric M. Hansen]

Resolution approving the settlement of the unlitigated claim filed by Eric M. Hansen against San Francisco for \$52,500; claim was filed on October 8, 2002. (City Attorney)

(Public Benefit Recipient.)

Resolution No. 654-03

ADOPTED by the following vote:

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

031531 [Appointment]

Resolution appointing Renu Nanda, term ending December 31, 2005 to the Child Care Planning and Advisory Council. Residency requirement waived.

Renu Nanda, (residency requirement waived) succeeding Marie Lee, resigned, seat 3, must be a nominee of District 3 Supervisor selected from: parent advisory councils of public and private child care programs; associations of child care centers, family day care providers and Head Start; public interest organizations including but not limited to the Child Care Law Center; community organizations; the Bay Area Employer Work and Family Coalition; and members of labor organizations and local organizations that fall within the definition of "Community representative"; for the unexpired portion of a 3 year term ending December 31, 2005.

Resolution No. 656-03

ADOPTED by the following vote:

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

031515 [Settlement of Lawsuit - Jonathan Johnson]

Ordinance authorizing settlement of the lawsuit filed by Jonathan Johnson against the City and County of San Francisco for \$150,000; the lawsuit was filed on June 11, 2001 in San Francisco Superior Court, Case No. 322-080; entitled Jonathan Johnson, et al., v. City and County of San Francisco, et al; other material terms of said settlement are the waiver of the San Francisco General Hospital medical lien in the amount of \$29,281.37. (City Attorney)

(Public Benefit Recipient.)

PASSED ON FIRST READING by the following vote:

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

031532 [Appointment]

Resolution appointing William Henning, term ending November 19, 2004 to the Bicycle Advisory Committee.

William Henning, new position, seat 7, must be a nominee of District 7 Supervisor; for the unexpired portion of a two-year term ending November 19, 2004.

Resolution No. 657-03

ADOPTED by the following vote:

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

Severed From Consent Agenda

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

031447 [Accept-Expend State Grant]

Supervisors Duffy, Daly

Resolution authorizing the Department of the Environment to accept and expend a grant in the amount of \$25,000 from the California Integrated Waste Management Board for a project that will incorporate recycled tire rubber surfaces in the Golden Gate Concourse Underground Parking Facility. (Environment)

(Public Benefit Recipient.)

Supervisor Peskin, seconded by Supervisor Duffy, moved to amend on page 2 after "Further Resolved" by adding "That subject to the approval of Golden Gate Concourse Underground Parking Facility by the Board of Supervisors"

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

AMENDED by the following vote:

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

Resolution No. 648-03

ADOPTED AS AMENDED by the following vote:

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

REGULAR AGENDA

UNFINISHED BUSINESS

From the Clerk

031599 [Adopting findings related to the tentative subdivision map appeal on property located at 600 Portola Drive]

Motion adopting findings related to the appeal of the decision of the Department of Public Works approving tentative map to authorize the construction of an eighteen unit new condominium mixed-use project at 600 Portola Drive (Lot 1 in Assessor's Block 2892). (Clerk of the Board)

(Companion measure to Files 031364, 031365, 031366, 031367.)

Motion No. M03-177

APPROVED by the following vote:

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

031625 [Adopting findings related to the conditional use appeal on property located at 2026 Lombard Street]

Motion adopting findings related to the appeal of the Planning Commission's approval of Conditional Use Application No. 2002.0497C (which allowed 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 Section 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 Street (Lot 025 in Assessor's Block 0492). (Clerk of the Board)

(Companion measure to Files 031232, 031233, 031234, 031235, 031236.)

Supervisor Newsom was previously excused from voting.

Motion No. M03-179

APPROVED by the following vote:

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

031626 [Adopting findings related to the conditional use appeal on property located at 378 10th Avenue (also known as 389 9th Avenue and/or 4500 Geary Boulevard)]

Motion adopting findings related to the appeal of the Planning Commission's approval of Conditional Use Authorization No. 2002.0430C (which approved the installation of six panel antennas and related equipment on an approximately 53-foot tall commercial building as part of the AT&T Wireless Services telecommunications network within an NC-3 (Moderate-Scale Neighborhood Commercial Zoning) District and a 40-X Height and Bulk District), pursuant to Section 712.83 of the Planning Code, on property located at 378 10th Avenue (also known as 389 9th Avenue and/or 4500 Geary Boulevard), on the northwest corner of 9th Avenue and Geary Boulevard (Lot 035 in Assessor's Block 1441). (Clerk of the Board)

Motion No. M03-180

APPROVED by the following vote:

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

Absent: 1 - Ammiano

Recommendations of the Finance and Audits Committee**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)

Ordinance No. 240-03

NOT FINALLY PASSED by the following vote:

Ayes: 4 - Hall, Newsom, Peskin, Sandoval

Noes: 6 - Daly, Duffy, Gonzalez, Ma, Maxwell, McGoldrick

Absent: 1 - Ammiano

Supervisor Mc Goldrick moved to rescind the previous vote.

Motion carried without objection.

Ordinance No. 240-03

FINALLY PASSED by the following vote:

Ayes: 7 - Ammiano, Hall, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

Noes: 4 - Daly, Duffy, Gonzalez, Ma

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

Mayor

Ordinance appropriating \$3,232,983 from the General Fund Reserve and re-appropriating \$150,000 of permanent salaries for a total of \$3,382,983 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.

Supervisor Ammiano noted present at 2:12 p.m.

Ordinance No. 238-03

FINALLY PASSED by the following vote:

Ayes: 9 - Ammiano, Duffy, Gonzalez, Hall, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

Noes: 2 - Daly, Ma

NEW BUSINESS

Recommendations of the Finance and Audits Committee

031489 [Emergency Repairs]

Resolution authorizing, retroactively, the expenditure of funds for emergency repairs of the Early Intake Switchback Road at Hetch Hetchy, at an estimated cost of \$2,000,000. (Public Utilities Commission)

Supervisor McGoldrick dissenting in Committee.
(No Public Benefit Recipient.)

Resolution No. 651-03

ADOPTED by the following vote:

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

Appointment of President Pro Tempore

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

031525 [Agreement for Tolling of Statute of Limitations Governing Lawsuit]

Resolution approving the City Attorney's entry into a tolling agreement governing suit by plaintiff Natasha Madaris entitled Natasha Madaris v. San Francisco Unified School District and City and County of San Francisco, Case No. 417-848. (City Attorney)

Resolution No. 655-03

ADOPTED by the following vote:

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

Recommendations of the City Services Committee

030808 [Motorcycle Sidewalk Parking Policy]

Supervisors Gonzalez, Dufty, Daly

Resolution urging the Department of Parking and Traffic to prioritize the accommodation of scooters and motorcycles in the Department's planning and enforcement policies, to consistently ticket cars parked on sidewalks, and to create adequate motorcycle parking.

Supervisor Daly, seconded by Supervisor Sandoval, moved an amendment of the whole and further amended.

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

AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE by the following vote:

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

Resolution No. 669-03

ADOPTED AS AMENDED by the following vote:

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

031401 [Improving coordination between the San Francisco Police Department and the Office of Citizen Complaints]
Supervisors Gonzalez, Dufty, Daly

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.

No Public Benefit Recipient

PASSED ON FIRST READING by the following vote:

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

Recommendations of the Land Use Committee

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.

PASSED ON FIRST READING by the following vote:

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

**031490 [Angle Parking]
Supervisor Daly**

Ordinance amending San Francisco Traffic Code Sections 55 and 132 to prohibit any person from parking or standing a vehicle other than at the angle of the curb or edge of roadway indicated by signs or markings, and to provide for penalties. (Parking and Traffic Department)

(No Public Benefit Recipient.)

PASSED ON FIRST READING by the following vote:

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

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

Privilege of the Floor

Supervisor Newsom, seconded by Supervisor Dufty, moved to suspend Rule 4.28 of the Rules of Order of the Board of Supervisors to grant the privilege of the floor to the following guests. The motion carried by the following vote:

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

Supervisor Newsom welcomed, introduced and presented Certificates of Honor to members of the SFPD who have received Medals of Honor.

COMMITTEE REPORTS

031556 [Investigate the closure of Real Food Co. on 24th Street in Noe Valley]
Supervisors Dufty, Ma, Hall

Resolution requesting NLRB and DBI and other appropriate agencies to investigate the closure of Real Food Co. on 24th Street in Noe Valley.

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

Resolution No. 658-03

ADOPTED by the following vote:

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

ROLL CALL FOR INTRODUCTIONS

PUBLIC COMMENT

Abdulla Megaheed; homeless issues
Melanie Kramer; SFPD issues regarding a chicken
James Chaffee; Library issues
Vernon Jenkins; general issues
Brian Murphy Flynn; owner of 701 Lombard Street opposed to Eminent Domain
Mathew Sheridan; opposed to 701 Lombard Street Eminent Domain
Kay Murphy Flynn; opposed to 701 Lombard Street Eminent Domain
John Dadonna; general issues
Sal Lucinatti; opposed to 701 Lombard Street Eminent Domain
Patricia Franklin; opposed to 701 Lombard Street Eminent Domain
Keith Wilson; opposed to 701 Lombard Street Eminent Domain
Marsha Crossman; opposed to 701 Lombard Street Eminent Domain
Lynn Jefferson; opposed to 701 Lombard Street Eminent Domain
Marsha Gardner, North Beach Chamber of Commerce; opposed to 701 Lombard Street Eminent Domain
James Luke, resident of North Beach; opposed to 701 Lombard Street Eminent Domain
Erin; drop charges regarding Queer Rights Activists
Female speaker; drop charges regarding Queer Rights Activists
Female Speaker; drop charges regarding Queer Rights Activists
Rocky Palli; opposed to 701 Lombard Street Eminent Domain
Bob Castle; rights for American Service men and women
Dennis Hodges; opposed to 701 Lombard Street Eminent Domain
Phil Mamooth; opposed to 701 Lombard Street Eminent Domain
Annette O'Neill; opposed to 701 Lombard Street Eminent Domain
Owner of 701 Lombard Street, withdrew appeal of CEQA Environmental Exemption
Larry Evan; general issues, medical marijuana

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.

**031612 [Commending Sacred Heart Cathedral Preparatory new Student Life Center]
Supervisors Newsom, Hall**

Resolution commending the Sacred Heart Cathedral Preparatory School on its 150th Anniversary, celebrating its legacy of graduating more than 80,000 high school students in the City and County of San Francisco and in celebrating the Grand Opening of the Daughters of Charity Foundation, Sister Teresa Piro, DC, Student Life Center.

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

Resolution No. 659-03

ADOPTED

**031613 [Commending Japanese Community Youth Council]
Supervisors Newsom, Dufty, Ma**

Resolution commending the Mayor's YouthWorks Program and the Mayor's Education and Employment Program on having been selected as recipients of the prestigious PEPNET Award and commending the Japanese Community Youth Council for serving as the lead agency of these two youth employment programs.

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

Resolution No. 660-03

ADOPTED

**031614 [Commending Starting Points Initiative]
Supervisors Newsom, Dufty, Ma**

Resolution commending Starting Points for the completion of its San Francisco Citywide Strategic Plan for Supporting Families and its recent formation of a Family Support Council.

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

Resolution No. 661-03

ADOPTED

**031615 [Establishing City Planning Audit Select Committee]
Supervisor Daly**

Motion creating a City Planning Audit Select Committee.

Motion No. M03-178

APPROVED

**031617 [Senate Bill 774]
Supervisor Daly**

Resolution urging Governor Gray Davis to sign Senate Bill 774, Pharmacy Syringe Sale and Disease Prevention Act.

**Resolution No. 662-03
ADOPTED**

**031618 [Commend Anne Stanton]
Supervisors Daly, Dufty, Newsom**

Resolution commending Anne Stanton for her decade of work and leadership for homeless youth in San Francisco as the esteemed Executive Director of the Larkin Street Youth Services.

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

**Resolution No. 663-03
ADOPTED**

**031619 [Commendation for Linnea Klee]
Supervisors Daly, Dufty, Newsom**

Resolution commending Linnea Klee for her ten years of service as Executive Director of the Children's Council of San Francisco.

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

**Resolution No. 664-03
ADOPTED**

**031620 [Halloween in the Castro - Extended BART Service]
Supervisors Dufty, Ammiano, Daly, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin,
Sandoval**

Resolution urging the Bay Area Rapid Transit District to provide late night BART Service for the "Halloween in the Castro" event. Service would be extended from Midnight on October 31st until 2 a.m. on November 1st, 2003.

**Resolution No. 665-03
ADOPTED**

**031621 [Selective purchasing of oil from companies purchase leases or develop oil fields in the Arctic National
Wildlife Refuge]
Supervisors Gonzalez, Peskin, Daly, Newsom**

Resolution urging the City of San Francisco to refrain from purchasing oil from companies that purchase leases or develop oil fields in the Arctic National Wildlife Refuge.

Supervisors Peskin, Daly and Newsom requested to be added as co-sponsors.

**Resolution No. 666-03
ADOPTED**

- 031622 [Commending attorneys Elliot Peters, Ethan Balogh, Dan Purcell, and Stacey Wexler for their work on the John Tennison case]
Supervisors Gonzalez, Peskin, Daly

Resolution commending attorneys Elliot Peters, Ethan Balogh, Dan Purcell, and Stacey Wexler for their tireless efforts to ensure that the wrongful conviction of John "J.J." Tennison was overturned.

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

Resolution No. 667-03

ADOPTED

- 031624 [Commending Jack Moerschbaecher]
Supervisors Maxwell, Daly, Dufty, Ma, Peskin, Hall, Newsom

Resolution commending Jack Moerschbaecher, Director of the San Francisco Convention Facilities, for 20 years of outstanding service to the City and County of San Francisco and for receiving the 2003 Unsung Hero/Heroine Award from the Yerba Buena Alliance.

Supervisors Peskin, Hall and Newsom requested to be added as co-sponsors.

Resolution No. 668-03

ADOPTED

The foregoing items were acted upon by the following vote:

Ayes: 9 - Daly, Dufty, Gonzalez, Hall, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

Absent: 2 - Ammiano, Ma

Severed from Without Reference to Committee Agenda

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

- 031623 [African American Cultural and Entertainment Center]
Supervisors Maxwell, Daly, Ma, Newsom, Sandoval, McGoldrick, Hall

Resolution welcoming the African American Cultural and Entertainment Center (AACEC) to San Francisco and urging the San Francisco Port Commission to negotiate with the AACEC development team.

REFERRED to the Finance and Audits Committee.

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

- 031616 [Reappointment of Mark Dunlop to the S.F. HIV Health Services Planning Council]
Supervisors Ammiano, Daly

Resolution urging Mayor Willie L. Brown to re-appoint Mark Dunlop to the San Francisco HIV Health Services Planning Council.

REFERRED to the Rules Committee.

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

**031635 [Healthy Kids Program Expansion]
Supervisors Newsom, Dufty, Ma, Daly**

Resolution urging the Department of Public Health to advance universal health care coverage in the City and County of San Francisco by extending health insurance coverage to the uninsured young adults ages 19 to 24 through the City's Healthy Kids Program.

REFERRED to the Finance and Audits Committee.

OFF-AGENDA LEGISLATION

Introduced by Supervisors or Mayor

Ordinances

**031652 [Requiring for all public work involving asphalt that asphalt be purchased from the City asphalt plant]
Supervisor Peskin**

Ordinance adopting new Subsection 6.22(Q) of Administrative Code Chapter 6, Article I, requiring that for all public work involving asphalt that public work contractors purchase the asphalt from the City asphalt plant.
9/30/03, RECEIVED AND ASSIGNED to City Services Committee.

**031655 [Post-Employment Restrictions for Former City Employees]
Supervisor Newsom**

Draft ordinance adding Chapter 8, Activities of Former Officers and Employees, to Article III of the Campaign and Governmental Conduct Code; moving Section 3.545 of the Campaign and Governmental Conduct Code to Section 3.800; and adding prohibitions to prevent former City employees, for a period of two years, from communicating on behalf of any other person or entity, other than the City and County of San Francisco, with an elected public official who was the former employee's appointing authority or City employees who are current appointees of that appointing authority.

9/30/03, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 10/30/2003.

**031656 [Campaign Consultants Lobbying Current and Former Clients]
Supervisor Newsom**

Draft ordinance amending Article II, Chapter I, Section 2.100, adding Section 2.117 to Article II, Chapter I, and adding Section 1.545 to Article I, Chapter 5 of the Campaign and Governmental Conduct Code to prohibit campaign consultants and employees of campaign consultants from lobbying current and former clients.

9/30/02, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 10/30/2003.

**031657 [Appropriate funding for the construction of Octavia Boulevard]
Supervisor Dufty**

Ordinance appropriating \$12,903,999 from the land sales to the San Francisco Redevelopment Agency and \$1,106,631 in lease revenues from the Central Freeway land parcels for a total of \$14,010,630 to fund the construction of Octavia Boulevard and related ancillary projects for the Department of Public Works for fiscal year 2003-04. (Mayor)

(No Public Benefit Recipient.)

9/30/03, RECEIVED AND ASSIGNED to Finance and Audits Committee.

**031658 [Appropriate State and Federal funding for the CalWORKs, Medi-Cal, IHSS and Foster Care programs]
Mayor**

Ordinance appropriating \$2,399,795 of CalWORKs, Medi-Cal, IHSS and Foster Care funding to fill 28.67 vacant FTEs including deletion of 9.38 FTEs and creation of 9.38 FTEs, purchase one-time materials and supplies, and provide stipends to emancipated foster youth for the Department of Human Services and Amending Annual Salary Ordinance for Fiscal Year 2003-04. (Mayor)

(No Public Benefit Recipient.)

9/30/03, RECEIVED AND ASSIGNED to Finance and Audits Committee.

031659 [Public Employment]

Ordinance amending Ordinance No. 171-01 (Annual Salary Ordinance 2003/04) reflecting the abolishment of 14 positions (9.38 FTEs) and the creation of 14 positions (9.38 FTEs) at the Department of Human Services. (Human Resources Department)

(No Public Benefit Recipient.)

9/30/03, RECEIVED AND ASSIGNED to Finance and Audits Committee.

Resolutions

**031651 [Creation of Motorcycle Parking]
Supervisors Gonzalez, Dufty**

Resolution urging the Department of Parking and Traffic (DPT) to create 3,759 motorcycle parking spaces and implement a trial bicycle and motorcycle traffic calming parking space within a 120 day time period.

9/30/03, RECEIVED AND ASSIGNED to City Services Committee.

**031660 [Accept-Expend State Grant]
Supervisor Dufty**

Resolution authorizing the Chief of Police for the City and County of San Francisco to accept and expend grant funds made available through the Office of Traffic Safety for a project entitled California Seat Belt Compliance Campaign (CSBCC). (Mayor)

(No Public Benefit Recipient.)

9/30/03, RECEIVED AND ASSIGNED to City Services Committee.

**031673 [Urging Governor Davis to sign Senate Bill 2]
Supervisor Sandoval**

Resolution urging Governor Davis to sign Health Insurance Act of 2003, also known as SB 2, which would expand the current employer-based health care system to provide health coverage to over one million uninsured Californians.

9/30/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**031674 [2003 Domestic Violence Awareness Month]
Supervisors Newsom, Dufty, Peskin, Ma**

Resolution ratifying that the Board of Supervisors declares the month of October 2003 as "Domestic Violence Awareness Month" in the City and County of San Francisco.

9/30/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**031675 [Urging 108th Congress to Tie National School Lunch Program Eligibility to Regional Indicators and To Increase California's Reimbursement Rate]
Supervisor Maxwell**

Resolution urging 108th U.S. Congress to link National School Lunch Eligibility Criteria to Regional Poverty Indicators and to increase the Program's Reimbursement Rate.

9/30/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**031677 [Commendation of the San Francisco Asian Peace Officers' Association]
Supervisors Ma, Dufty, Peskin, Newsom**

Resolution commending the San Francisco Asian Peace Officers' Association for their dedication and commitment to the community.

9/30/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**031678 [Commemorating the 50th Anniversary of the Korean War]
Supervisors Ma, Peskin, Newsom**

Resolution commemorating the 50th anniversary of the Korean War.

9/30/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**031679 [Commendation of National Day of the People's Republic of China]
Supervisors Ma, Dufty**

Resolution recognizing the contributions of the Chinese community to commerce, culture and diversity and declaring October 1, 2003 as the "54th National Day of the People's Republic of China" in the City and County of San Francisco.

9/30/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**031680 [Showers at Lowell High School]
Supervisor Hall**

Resolution urging the San Francisco Unified School District to consult with, and obtain the approval of, the Crestlake Property Owners Association, the Lakeshore Acres Improvement Club, the Lakeside Homes Association, the Lakeside Property Owner's Association, the Merced Manor Property Owner's Association, the West of Twin Peaks Central Council, and the District Seven Advisory Council before implementing a plan to allow homeless individuals to use shower facilities at Lowell High School.

9/30/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**031681 [Commending Saint Thomas the Apostle Catholic Church]
Supervisor McGoldrick**

Resolution commending Saint Thomas the Apostle Catholic Church for its significant contribution to the community and proclaiming October 19, 2003 Saint Thomas the Apostle Catholic Church Day.

9/30/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**031682 [Koshland Park--Gift-in-Place]
Supervisors Gonzalez, Dufty, Peskin, Newsom**

Resolution accepting a gift in place valued at approximately \$200,000 from the Friends of Recreation and Parks, a non-profit organization, to the Recreation and Park Department of Koshland Park.

9/30/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**031683 [Urging 108th U.S. Congress to pass the AgJobs Act of 2003]
Supervisor Sandoval**

Resolution urging 108th U.S Congress to pass the AgJobs Act of 2003 for seasonal immigrant farm workers.

9/30/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**031684 [Commending the Committee for the Confucius Memorial Ceremony]
Supervisors Ma, Peskin**

Resolution commending the Committee for the Confucius Memorial Ceremony for their dedication to recognizing the teachings of Confucius.

9/30/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

031623 [African American Cultural and Entertainment Center]
Supervisors Maxwell, Daly, Ma, Newsom, Sandoval, McGoldrick, Hall

Resolution welcoming the African American Cultural and Entertainment Center (AACEC) to San Francisco and urging the San Francisco Port Commission to negotiate with the AACEC development team.

9/23/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

9/30/03, REFERRED to Finance and Audits Committee.

031616 [Reappointment of Mark Dunlop to the S.F. HIV Health Services Planning Council]
Supervisors Ammiano, Daly

Resolution urging Mayor Willie L. Brown to re-appoint Mark Dunlop to the San Francisco HIV Health Services Planning Council.

9/23/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

9/30/03, REFERRED to Rules Committee.

031635 [Healthy Kids Program Expansion]
Supervisors Newsom, Dufty, Ma, Daly

Resolution urging the Department of Public Health to advance universal health care coverage in the City and County of San Francisco by extending health insurance coverage to the uninsured young adults ages 19 to 24 through the City's Healthy Kids Program.

9/23/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

9/30/03, REFERRED to Finance and Audits Committee.

Requests for Hearings

031654 [SFPD's Community Relations Efforts]
Supervisor Maxwell

Hearing to address the San Francisco Police Department's community relations efforts.

9/30/03, RECEIVED AND ASSIGNED to City Services Committee.

031667 [Committee of the Whole - Human Rights Commission Appointment]
Supervisor Peskin

Hearing to consider the Mayor's appointment of Vernon Grigg to the Human Rights Commission.

10/1/03, SCHEDULED FOR PUBLIC HEARING to Board of Supervisors. Board Sitting as a Committee of the Whole pending approval of File Numbers 031663, 031664, and 031665 on October 7, 2003 at 4:00 p.m.

**031653 [Annual Review and Approval of the Board of Supervisors/Clerk of the Board Annual Budget Guidelines and Draft Budget]
Supervisor Daly**

Hearing to consider the annual review and approval of the Board of Supervisors/Clerk of the Board Annual Budget Guidelines and Draft Budget prior to submittal to the Mayor.

9/30/03, RECEIVED AND ASSIGNED to Budget Committee.

Motions

**031666 [Committee of the Whole]
Supervisor Peskin**

Motion scheduling a Committee of the Whole to consider the Mayor's appointment of Vernon Grigg to the Human Rights Commission to be held on October 7, 2003 at 4:00 p.m. (File Numbers 031663, 031664, and 031665).

10/1/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**031650 [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.

9/30/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

031663 [Appointment - Human Rights Commission]

Motion approving the Mayor's appointment of Vernon Grigg to the Human Rights Commission for the term ending September 2, 2004. (Mayor)

10/1/03, RECEIVED AND ASSIGNED to Board of Supervisors.

031664 [Appointment - Human Rights Commission]

Motion rejecting the Mayor's appointment of Vernon Grigg to the Human Rights Commission for the term ending September 2, 2004. (Mayor)

10/1/03, RECEIVED AND ASSIGNED to Board of Supervisors.

031665 [Appointment - Human Rights Commission]

Motion taking no position concerning the Mayor's appointment of Vernon Grigg to the Human Rights Commission, for term ending September 2, 2004. (Mayor)

10/1/03, RECEIVED AND ASSIGNED to Board of Supervisors.

**031676 [Legislative Analyst Request]
Supervisors Dufty, Ma, Ammiano, Gonzalez**

Motion requesting the Legislative Analyst's Office to study the non-profit collective/cooperative medical cannabis cultivation and distribution model recently employed by the Wo/men's Alliance for Medical Marijuana (WAMM) in Santa Cruz, and to analyze the feasibility and ramifications of implementing such a model in San Francisco.

9/30/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Charter Amendments

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

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

(Fiscal impact.)

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

9/30/03, SUBSTITUTED. Supervisor Ammiano submitted a substitute Charter amendment bearing new title.

9/30/03, ASSIGNED to Rules Committee. Referred to the Youth Commission on October 7, 2003.

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

Charter amendment (Second Draft) to add Section 16.125 authorizing the Board of Supervisors to amend or repeal provisions of the Domestic Partnership Ordinance to effectuate the voters' intent that domestic partners be afforded the same rights and responsibilities as spouses, and adding Section A8.500-3 so that domestic partners are treated exactly the same as spouses for benefits under the Retirement System.

9/16/03, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 10/16/2003.

9/30/03, SUBSTITUTED. Supervisor Ammiano submitted a substitute Charter amendment bearing new title.

9/30/03, ASSIGNED to Rules Committee.

PROPOSED ORDINANCES

031600 [Commercial Vehicle Parking in Certain Use District]

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

9/18/03, RECEIVED AND ASSIGNED to Land Use Committee.

PROPOSED RESOLUTIONS

- 031598 [First Amendment to Lease of SFPUC Property for Operation of a Public Golf Course and Related Facilities]**
Resolution authorizing a First Amendment to Lease of Public Utilities Commission Land between the City and County of San Francisco and Crystal Springs Golf Partners, L.P., in San Mateo County. (Public Utilities Commission)

(Public Benefit Recipient.)
9/18/03, RECEIVED AND ASSIGNED to Finance and Audits Committee.
- 031601 [Authorizing the Teeter Tax Losses Reserve Fund to be governed by Revenue and Taxation Code Section 4703.2 for fiscal year 2002-2003 and thereafter]**
Resolution authorizing the Teeter Tax Losses Reserve Fund to be governed by Revenue and Taxation Code Section 4703.2 for fiscal year ending June 30, 2003 and thereafter. (Controller)

(No Public Benefit Recipient.)
9/19/03, RECEIVED AND ASSIGNED to Finance and Audits Committee. Department requests this item be scheduled for consideration at the October 1, 2003 meeting.
- 031602 [Substance Abuse and Crime Prevention Act of 2000 - Implementation Plan]
Supervisor Newsom**

Resolution authorizing adoption of the San Francisco County Plan for the Substance Abuse and Crime Prevention Act of 2000 for Fiscal Year 2003-2004. (Public Health Department)

(Public Benefit Recipient.)
9/16/03, RECEIVED AND ASSIGNED to City Services Committee.

Requests Granted

From: Supervisor Daly

To: City Attorney

Requesting/Inquiring: To draft an ordinance to register more voters based on New York City's Pro-Vote law.

From: Supervisor Daly

To: City Attorney

Requesting/Inquiring: To draft an ordinance to prohibit campaign consultants from lobbying the Board of Supervisors, the Mayor or City departments and commissions.

From: Supervisor Daly

To: City Attorney

Requesting/Inquiring: To draft an ordinance to cede a budget and general guidelines to the Local Homeless Coordinating Board. This group, not elected officials, could decide on shelters, drug treatment, hotel beds, welfare rules and sanctions.

From: Supervisor Daly

To: City Attorney

Requesting/Inquiring: To draft an ordinance to preserve neighborhood scale by creating a district-wide environmental study of traffic and pollution related to housing done ahead of time of wider area. Neighborhood groups would have a voice at the front end when general building limits are hammered out. But once the rules and limits are set, the potential for delays, uncertainty and rising costs would be ended.

From: Supervisor Daly

To: Director, Treasure Island Development Authority

To: General Manager, Recreation and Park Department

Requesting/Inquiring: For the Director of Treasure Island and the General Manager of Recreation and Park to work together to advise on lessons learned from Treasure Island's Little League field and the steps needed to develop more fields.

From: Supervisor Daly

To: City Attorney

Requesting/Inquiring: To draft an ordinance requiring signs for reporting offenders and to require warnings go out with garbage bills.

From: Supervisor Daly

To: City Attorney

Requesting/Inquiring: To draft an ordinance to increase the number of small local businesses that contract with the city as a way of promoting development and sustaining long-term investment. San Francisco currently has more than 60,000 small businesses but fewer than 20 percent of them have primary city contracts with the city.

From: Supervisor Daly

To: Director, Department of Parking and Traffic

Requesting/Inquiring: To respond to comments from the San Francisco Chronicle related to traffic enforcement. (See Attached.)

From: Supervisor Hall

To: Director, Planning Department

Requesting/Inquiring: What steps or suggestions does the Department have for notifying all of San Francisco's homeowners about public meetings dealing with the Housing Element and the pending secondary unit legislation? Is it feasible for the Planning Department to send notice to all recipients of water bills or property tax bills?

From: Supervisor Hall

To: City Attorney

Requesting/Inquiring: To draft an opinion explaining whether or not homeowner association CC&R's "trump" provisions of the proposed Housing Element and the pending ordinance on secondary units.

From: Supervisor Maxwell

To: City Attorney

Requesting/Inquiring: To draft an ordinance that would address requirements for siting combustion turbines in the City, taking into consideration both the City process and commitments the City could make to address the concerns of the community, including the process for developing mitigation.

In Memoriams

Mort Bass (Supervisor Daly)

Arnette Watson (Supervisor Daly)

R. Jeffrey Hayward (Supervisor Dufty)

Edward Said (Supervisor Gonzalez)

Phyllis Porter (Supervisor Hall)

Richard Parrino (Supervisor Hall)

Ru-Jin Li (Supervisor Ma)

Sheila Hill-Fajors (Supervisor Maxwell)

ADJOURNMENT

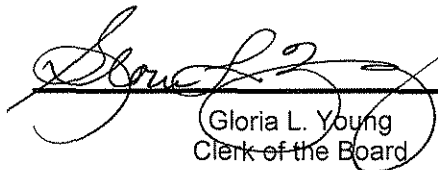
There being no further business, the Board at the hour of 4:56 p.m. adjourned.

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 October 21, 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