



# Board of Supervisors

## City and County of San Francisco

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



### AGENDA

**Monday, November 5, 2001  
2:00 PM**

#### **Regular Meeting**

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**TOM AMMIANO, PRESIDENT  
CHRIS DALY, MATT GONZALEZ, TONY HALL, MARK LENO,  
SOPHIE MAXWELL, JAKE McGOLDRICK, GAVIN NEWSOM,  
AARON PESKIN, GERARDO SANDOVAL, LELAND Y. YEE**

Gloria L. Young, Clerk of the Board

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## **ROLL CALL AND PLEDGE OF ALLEGIANCE**

## **APPROVAL OF MEETING MINUTES**

*Motion to approve the September 17, and September 24, 2001, Meeting Minutes.*

## **AGENDA CHANGES**

## **COMMUNICATIONS**

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

*1) Legislation*



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

**3. 011827 [Lease with Japan Airlines Company, Ltd.]**

Resolution approving and authorizing, retroactive to October 26, 2001, the execution of a Lease with Japan Airlines Company, Ltd., for space in Plot 50B-1 Cargo Building. (Airport Commission)

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

**Recommendations of the Housing, Transportation and Land Use Committee**

*Present: Supervisors Daly, Peskin*

**4. 011721 [STOP Intersections]**

Resolution designating certain intersections as "STOP" intersections.

**STOP SIGNS - ESTABLISH**

23rd and Hampshire Streets, northwest and southeast corners, stopping 23rd Street (makes this an all-way STOP)

24th and Hampshire Streets, northwest and southeast corners, stopping 24th Street (makes this an all-way STOP)

Grafton and Granada Avenues, northeast and southwest corners, stopping Grafton Avenue (makes this an all-way STOP)

Laidley and Roanoke Streets, northeast and southwest corners, stopping Roanoke Street (makes this an all-way STOP) (Parking and Traffic Department)

(DPT Order No. 2309.)

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

*Present: Supervisors McGoldrick, Daly, Peskin*

**5. 011722 [Traffic Regulations]**

**Supervisor Peskin**

Resolution enacting and rescinding traffic regulations on various streets.

**LEFT LANE MUST TURN LEFT, EXCEPT MUNI - RESCIND**

**MULTIPLE RIGHT TURN LANES - ESTABLISH**

Northpoint Street, eastbound, at The Embarcadero (Parking and Traffic Department)

(DPT Order No. 2309.)

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

*Present: Supervisors Daly, Peskin*



**Military Duty]**

Ordinance amending the 2001-2002 Annual Salary Ordinance to entitle City officers or employees called to active duty with a military reserve organization to receive from the City the difference between the amount of the individual's military pay and the amount the individual would have received as a City officer or employee had the individual worked his or her normal work schedule. (Mayor)

(Fiscal impact.)

10/29/2001, PASSED ON FIRST READING.

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

## NEW BUSINESS

### Recommendations of the Finance Committee

*Present: Supervisors Leno, Peskin, Gonzalez*

**10. 011563 [SF Public Utilities Commission Program Management Services Contract with the San Francisco Water Alliance]**

Resolution approving, retroactively, the second year renewal (FY 2001-2002) of the Public Utilities Commission Program Management Services Contract with the San Francisco Water Alliance; releasing \$3,000,000 of the Program Management Office funds. (Public Utilities Commission)

(Fiscal impact.)

(Supervisor Gonzalez dissenting in Committee)

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

**11. 011738 [Easement Exchange - Niles Reservoir in the City of Fremont]**

Resolution authorizing the exchange of easements in the Niles District of the City of Fremont thereby allowing public street access to San Francisco Public Utilities Commission Niles Reservoir Property, Alameda County Water District Property and George Emmett Revocable Trust Property, and authorizing the execution of a quitclaim deed vacating a portion of the interest of the San Francisco Public Utilities Commission in an existing tunnel easement encumbering adjacent properties. (Real Estate Department)

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

**12. 011881 [Contract between the Department of Public Health and Health Advocates, LLP to provide uncompensated care recovery services]**

Resolution authorizing the Director of Public Health and the Purchaser to execute a contract between the City and County of San Francisco and Health Advocates, LLP to provide uncompensated care reimbursement recovery services. (Public Health Department)

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

**13. 011889 [Office of the Legislative Analyst Staff Vacancy]**

Motion to authorize the Clerk of the Board to fill a vacancy in the Office of the Legislative Analyst for the position of Senior Legislative Analyst. (Clerk of the Board)

(Supervisor Peskin dissenting in Committee)

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

**14. 011828 [Public Utilities Commission State Loan]**

Resolution amending Resolution 720-99, which authorized the Public Utilities Commission to apply for and enter into loan agreements not to exceed \$50 million for the reimbursement of prior expenditures incurred for the construction of the Islais Creek/Rankin Street Transport Storage Facilities and to apply such reimbursed monies to defease certain bonds of the Clean Water Enterprise, to also authorize the application of a portion of such reimbursed monies to fund certain capital projects of the Clean Water Enterprise; placing \$3.5 million on reserve. (Public Utilities Commission)

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

**Recommendations of the Housing, Transportation and Land Use Committee**

*Present: Supervisors McGoldrick, Daly, Peskin*

**15. 011102 [Amending the Jobs Housing Linkage Program Ordinance]**

**Supervisor Gonzalez**

Ordinance amending the San Francisco Planning Code by amending Section 313.5 to change the formula used in the Jobs Housing Linkage Program to determine the number of affordable housing units a housing developer is required to build if an office developer elects to comply with the Jobs Housing Linkage Program Ordinance by payment of money or land to a housing developer.

(Planning Commission Resolution #16255 adopted 9/6/01 recommending approval)  
(Fiscal impact.)

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

**16. 011710 [Occupancy of the south side of Natoma Street during construction operations at 500 Howard Street]**

Resolution granting revocable permission to Webcor Builders to temporarily close and occupy a portion of the sidewalk and roadway areas on the southerly side of Natoma Street, westerly of 1st Street, during construction operations at 500 Howard Street (Assessor's Block 3721, Lot 011). (Public Works Department)

(District 6)

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

**17. 011714 [Occupancy of the south side of Natoma Street during construction operations at 1166 Howard Street]**

Resolution granting revocable permission to Cahill/LEM Joint Venture to temporarily close and occupy a portion of the sidewalk area on the southerly side of Natoma Street, easterly of 8th Street, during construction operations at 1166 Howard Street (Assessor's Block 3727, Lot 202). (Public Works Department)

10/25/01 Amended on page 4, line 16. After "pay" strike "a non-refundable fee of \$11,000 for the one-year duration of said occupancy" and add the following: "the actual cost of inspection to the Department of Public Works not to exceed a total amount of \$4,000" (District 6)

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

**18. 011732 [Amendment to Port Lease at 1 Ferry Plaza] Supervisor Peskin**

Resolution approving Third Amendment to Port Lease No. L-8627 with Ferry Plaza Limited Partnership, for leased premises located at 1 Ferry Plaza. (Port)

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

**19. 011781 [Occupation of McAllister Street and Fulton Street during the construction operations at 1750 Fulton Street]**

Resolution granting revocable permission to Roberts-Obayashi Corporation to temporarily close and occupy a portion of the sidewalk and parking lane for a nine (9) month period on the south side of McAllister Street, between Masonic and Central Avenues and one westbound traffic lane on Fulton Street with intermittently closure of the north sidewalk between Masonic and Central Avenue during construction operations at 1750 Fulton Street (Block 1175, Lot 010). (Public Works Department)

(District 5)

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

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

*Present: Supervisors Gonzalez, Hall, Ammiano*

**20. 011659 [Charter Amendment - Cost of Living Benefits for Retirees] Supervisors McGoldrick, Hall**

Charter amendment (First Draft) to amend Appendix A8.526-1, relating to supplemental cost of living benefits for retirees and their survivors.

(Fiscal impact.)

**Question: Shall this Charter Amendment be SUBMITTED?**

## SPECIAL ORDER 3:00 P.M.

**21. 011894 [Public Hearing - Appeal, Conditional Use, 1101 O'Farrell]**

Hearing of persons interested in or objecting to the decision of the Planning Commission by its Motion No. 16234 adopted September 13, 2001, approving a conditional use authorization (Case No. 2000.961C) through a Planned Unit Development allowing for the demolition of an existing three-story building and the construction of a new twenty three-story, 240-foot tall, approximately 308,395 square-foot, 240-unit Senior Housing Facility; and the conversion of the second floor at 1001 Franklin Street from residential space to social services/support office spaces per Sections 303 and 304 of the Planning Code for the property on Assessor's Block 713, Lot 33; and Assessor's Block 720, Lots 35 and 36 in an RM-4 (Residential, Mixed, High Density) Zoning District with an 240-G Height and Bulk District at 1101 O'Farrell Street, southwest corner of O'Farrell (a.k.a. Starr King Way) and Franklin Streets, in an area known as St. Mark's Square.

(Appeal filed October 15, 2001; Final Negative Declaration adopted and issued on September 13, 2001; companion measure to Files 011895, 011896, 011897; District District 6.)

**Action:** \_\_\_\_\_

*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.*

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

**22. 011895 [Appeal, Conditional Use, 1101 O'Farrell]**

Motion approving decision of the Planning Commission by its Motion No. 1634 approving Conditional Use Application No. 2001.961C, on property located at 1101 O'Farrell Street, and adopting findings pursuant to Planning Code Section 101.1. (Clerk of the Board)

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

**23. 011896 [Appeal, Conditional Use, 1101 O'Farrell]**

Motion disapproving decision of the Planning Commission by its Motion No. 1634 approving Conditional Use Application No. 2001.961C, on property located at 1101 O'Farrell Street, and adopting findings pursuant to Planning Code Section 101.1. (Clerk of the Board)

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

**24. 011897 [Findings - 1101 O'Farrell Street]**

Motion directing the Clerk of the Board to prepare findings relating to proposed Conditional Use Application No. 2000.961C, on property located at 1101 O'Farrell Street, for action by the Board at its next meeting. (Clerk of the Board)



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

## COMMITTEE REPORTS

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

### **From Rules Committee**

*The following items will be considered by the committee at a Regular meeting on Thursday, November 1, 2001, 1:00 P.M. The Chair intends to request the committee to send the following items to the Board as a committee report.*

25.        **010907**        **[Charter Amendment - Noncitizens on City Boards, Commissions, and Advisory Bodies]**        **Supervisor Gonzalez**
- Charter amendment (Second Draft) to amend Section 4.101 to permit noncitizens to serve on appointive boards, commissions, and advisory bodies, and to clarify existing provisions allowing nonelectors to serve on appointive boards, commissions, and advisory bodies.
- Question: Shall this Charter Amendment be SUBMITTED?**
26.        **010964**        **[Appointments to the Planning Commission and the Board of Appeals]**        **Supervisors McGoldrick, Gonzalez, Ammiano, Hall, Daly, Leno, Maxwell, Sandoval**
- Charter amendment (Second Draft) to amend Section 4.105 and 4.106 to provide that appointments to the Planning Commission and the Board of Appeals shall be shared by the Mayor and the Board of Supervisors.
- Question: Shall this Charter Amendment be SUBMITTED?**
27.        **010968**        **[Mayor's Budget deadline]**        **Supervisor McGoldrick**
- Charter amendment (Second Draft) to amend Section 9.100 to require the Mayor, beginning in 2003, to submit the proposed budget to the Board of Supervisors not later than April 15 of each year.
- Question: Shall this Charter Amendment be SUBMITTED?**
28.        **011654**        **[Public Advocate; Department of Neighborhood Empowerment]**        **Supervisor Daly**
- Charter amendment (Second Draft) to amend Section 6.100 and adding Section 6.108 and 16.121 to create the Public Advocate, establish the Department of Neighborhood Empowerment and create neighborhood councils.
- (fiscal impact)
- Question: Shall this Charter Amendment be SUBMITTED?**
29.        **011957**        **[Public Advocate]**
- Charter amendment (First Draft) to amend Section 6.100 and adding Section 6.108 to create the Public Advocate.

**Question: Shall this Charter Amendment be SUBMITTED?**

- 30. 011958 [Department of Neighborhood Empowerment]**  
Charter amendment (First Draft) to add section 16.121 to establish the Department of Neighborhood Empowerment and create neighborhood councils.

**Question: Shall this Charter Amendment be SUBMITTED?**

- 31. 011657 [Charter Amendment - Domestic Partner Benefits] Supervisor Leno**  
Charter amendment (Second Draft) to amend Appendix 8.500-2, relating to domestic partner benefits.

**Question: Shall this Charter Amendment be SUBMITTED?**

- 32. 011658 [Charter Amendment - Building Inspection Commission] Supervisor McGoldrick**  
Charter amendment (First Draft) to amend Section 4.121 to revise the allocation of appointments by the Mayor and the Board of Supervisors to the Building Inspection Commission.

**Question: Shall this Charter Amendment be SUBMITTED?**

- 33. 011660 [Charter Amendment - Runoff Voting for Elective Offices] Supervisor McGoldrick**  
Charter amendment (First Draft) to amend Sections 13.101 and 13.102 and add new Section 13.102.5 to provide for the election of the Sheriff, Treasurer, Assessor-Recorder, Public Defender, and members of the Board of Supervisors using a ranked-choice, or "instant run-off," ballot, to require that City voting systems be compatible with a ranked-choice ballot system, and setting a date and conditions for implementation.

**Question: Shall this Charter Amendment be SUBMITTED?**

## **34. ROLL CALL FOR INTRODUCTIONS**

*Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, and letters of request to the City Attorney.*

## **35. PUBLIC COMMENT**

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

## **APPROVAL OF REQUESTS TO THE LEGISLATIVE**

## ANALYST

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

- 36. 011923 [Legislative Analyst Request] Supervisor Newsom**  
Motion asking the Office of the Legislative Analyst to provide staff assistance to the Emergency Room Diversion Task Force.

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

- 37. 011988 [Legislative Analyst Request] Supervisor Sandoval**  
Motion requesting the Legislative Analysts to (1) provide general research and analysis on the feasibility of requiring San Francisco businesses to use biodegradable materials for packaging; (2) provide comparative information on other cities' laws and policies regarding businesses and the use of biodegradable packing.

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

## FOR ADOPTION WITHOUT COMMITTEE REFERENCE

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

### Items 38 through 53

- 38. 011966 [Potrero Power Plant Citizens Advisory Task Force] Supervisor Maxwell**  
Resolution amending Resolution No. 362-99, which established the Potrero Power Plant Citizens Advisory Task Force, and Resolution No. 1055-00 to extend the expiration date of the Task Force from October 31, 2001, to November 1, 2002.

10/29/2001, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

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

- 39. 011967 [Conditional Use Authorization for Internet Service Exchange] Supervisor Maxwell**  
Resolution extending for an additional six (6) month period interim controls to define internet services exchanges, include internet services exchanges within the utility installation use category and establish a requirement for a conditional use authorization for internet services exchanges in commercial and industrial zones, including without limitation, the C-1, C-2, C-3-G, C-3-S, C-M, M-1, M-2, SLI and SSO zones exclusive of lots under the jurisdiction of the San Francisco Port Commission or in a redevelopment project area with an adopted redevelopment plan under the jurisdiction of the San Francisco Redevelopment Agency Commission.

10/29/2001, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

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

**40. 011968 [Gift Acceptance] Supervisor Maxwell**

Resolution accepting and expending a gift in place valued approximately \$378,000 from the Trust for Public Land to the Recreation and Parks Department for the India Basin Shoreline Park.

10/29/2001, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

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

**41. 011969 [Multifamily Housing Revenue Bonds] Supervisor Newsom**

Resolution authorizing the issuance and sale of multifamily housing revenue bonds by California Statewide Communities Development Authority in an aggregate principal amount not to exceed \$10,000,000 for Gough Street LLC.

10/29/2001, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

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

**42. 011970 [Sexually Transmitted Diseases] Supervisor Sandoval**

Resolution urging America Online to post warnings in their chatrooms for gay and bisexual men concerning the health risks of sexually transmitted diseases.

10/29/2001, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

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

**43. 011971 [Planning Department Website Appeals Process] Supervisor Sandoval**

Resolution urging the Planning Department to provide clear and accessible information concerning the right of appeal of a Planning Commission decision or determination by the Zoning Administrator on their website.

10/29/2001, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

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

**44. 011972 [Assembly Bill 60] Supervisor Sandoval**

Resolution urging the State of California and all state agencies including the Department of Motor Vehicles to implement Assembly Bill 60.

10/29/2001, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

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

**45. 011973 [Commendation] Supervisor Gonzalez**

Resolution commending the poet Carl Rakosi on the occasion of his 98th birthday.

10/29/2001, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

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

- 46. 011974 [Commendation] Supervisors Leno, McGoldrick, Maxwell, Ammiano, Daly**

Resolution commending California Governor Gray Davis for signing Assembly Bill 25, the Equal Benefits Ordinance.

10/29/2001, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

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

- 47. 011975 [Commendation] Supervisors Maxwell, Newsom**

Resolution commending Leslie Burton Payne for his longtime dedication of service to the community of San Francisco and especially for his commitment of improving the lives of young African Americans.

10/29/2001, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

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

- 48. 011976 [Commendation] Supervisors Newsom, Peskin**

Resolution commending the parishioners of and Committee to Save Saint Brigid Church for their service and efforts to preserve the architecture and cultural history of Saint Brigid Church, and to make the neighborhood in which it stands a better, cleaner, and safer place by its preservation.

10/29/2001, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

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

- 49. 011977 [Commendation] Supervisor Sandoval**

Resolution commending Reverend Terrence L. Nichols for his continued contribution to the youth of San Francisco.

10/29/2001, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

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

- 50. 011978 [Commendation] Supervisor Sandoval**

Resolution commending Blue and Gold Fleets commitment to the Bay Area's Environmental Health by using biodiesel fuel.

10/29/2001, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

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

- 51. 011979 [Commendation] Supervisor Sandoval**

Resolution commending the Coalition for San Francisco Neighborhoods for over 29 years of service throughout the community.

10/29/2001, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

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

**52. 011980 [Commendation] Supervisor Sandoval**

Resolution commending Captain Michael Yalon for outstanding years of service as Police Captain of Taraval Police Station.

10/29/2001, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

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

**53. 011989 [Commendation] Supervisor Ammiano**

Resolution commending Ms. Erika Goncalves for her recent appointment by Governor Gray Davis to serve as the 2001-2002 student member of the California State Board of Education and for her outstanding academic achievements and leadership in the San Francisco public school system.

10/29/2001, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

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

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

**54. IMPERATIVE AGENDA**

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

*[Serious Injury Finding]*

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

*[Purely Commendatory Finding]*

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

*[Brown Act Finding]*

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

*[Imperative Resolutions, if any]*

## **OFF-AGENDA LEGISLATION**

## **PROPOSED ORDINANCES**

*Proposed ordinances received from October 25 through noon on October 31, for reference by President to appropriate committee on November 5, 2001.*

**011931 [Double Parking on Municipal Railway Bus Routes Prohibit; Fines]**

Ordinance amending Article 3, Chapter XI, Part II, Section 53(a) of the San Francisco Traffic Code removing sunset clause. (Parking and Traffic Department)

10/29/2001, RECEIVED AND ASSIGNED to Housing, Transportation and Land Use Committee.

**011932 [Speed Limit - Clarendon Avenue]**

Ordinance amending Section 176.18 of the San Francisco Traffic Code clarifying the boundaries for the 35-MPH speed limit along Clarendon Avenue (Parks and Recreation Committee)

10/29/2001, RECEIVED AND ASSIGNED to Housing, Transportation and Land Use Committee.

**011933 [Special Traffic Permit Violation Penalties]**

Ordinance amending San Francisco Traffic Code Section 194.3. to provide a graduated penalty schedule for violation of the Special Traffic Permit or for obstructing traffic without a Special Traffic Permit. (Parking and Traffic Department)

10/29/2001, RECEIVED AND ASSIGNED to Housing, Transportation and Land Use Committee.

**011934 [Amending Administrative Code to increase the cash revolving fund for Public Health]**

Ordinance amending Section 10.154 of the San Francisco Administrative Code increasing the cash revolving account for Public Health from \$25,000 to \$43,000. (Public Health Department)

10/26/2001, RECEIVED AND ASSIGNED to Finance Committee.

**011940 [Settlement Of Lawsuit]**

Ordinance authorizing settlement of the lawsuit filed by the City and County of San Francisco against Mirant Potrero L.L.C. on June 19, 2001 in United States District Court - Northern District of California, Case No. C-01-2356 PJH; entitled City and County of San Francisco, et al., v. Mirant Potrero L.L.C.; which settlement provides that Mirant will pay the City \$100,000, and that Mirant will not operate the Peaker units located at the Potrero Power Plant, known as Units 4, 5, and 6, beyond their permitted operational hours of 877 hours per year, except as expressly permitted by or pursuant to the Bay Area Air Quality Management District Rule 9-9, Mirant's permits, and all other applicable laws, rules, regulations and order. (City Attorney)

10/31/2001, RECEIVED AND ASSIGNED to Audit, Labor and Government Efficiency Committee.

## PROPOSED RESOLUTIONS

*Proposed resolutions received from October 25 through noon on October 31, for reference by President to appropriate committee on November 5, 2001.*

**011930 [Accept-Expend Federal Grant]**

Resolution Authorizing the Chief of Police for the City and County of San Francisco to retroactively accept and expend grant funds made available through the U.S. Department of Justice-Office of Justice Programs for a project entitled "Internet Crimes Against Children (ICAC) Task Force Program - San Francisco Satellite Initiative." (Police Department)

10/29/2001, RECEIVED AND ASSIGNED to Neighborhood Services and Parks Committee.

**011935 [Extending occupancy of the south side of Howard Street during construction operations at 405 Howard Street]**

Resolution granting revocable permission to Webcor Builders for a six-month extension to temporarily close and occupy a portion of the sidewalk and parking lane on the southerly side of Howard Street, between 1st and Fremont Streets, during construction operations at 405 Howard Street (Assessor's Block 3737, Lot 1). (Public Works Department)

(District 6.)

10/29/2001, RECEIVED AND ASSIGNED to Housing, Transportation and Land Use Committee.

**011936 [Grant - HIV/AIDS confidential counseling and testing]**

Resolution authorizing the San Francisco Department of Public Health (SFDPH) to accept and expend retroactively a grant in the amount of \$175,000 from the California Family Health Council, Inc. (CFHC), to enhance and expand HIV/AIDS confidential counseling and testing services in family planning agency clinics and to enter into an agreement for the use of these funds; for the period of September 1, 2001, through August 31, 2002. (Public Health Department)

10/29/2001, RECEIVED AND ASSIGNED to Public Health and Environment Committee.



**011938 [Contracting out Shelter and Intake Services]**

Resolution concurring with the Controller's certification that intake and shelter services to status offenders can be practically performed by private contractor for lower cost than similar services performed by City and County employees. (Juvenile Probation Department)

10/31/2001, RECEIVED AND ASSIGNED to Finance Committee.

**011939 [Japan Center Garage Public Parking Lease between CCSF and San Francisco Japan Center Garage Corporation]**

Resolution approving the Japan Center Garage Public Parking Lease by and between the City and County of San Francisco and the City of San Francisco Japan Center Garage Corporation. (Parking and Traffic Department)

10/31/2001, RECEIVED AND ASSIGNED to Finance Committee.

## **PROPOSED MOTIONS**

**011960 [Board proposed charter amendments and initiative ordinances to be referred to the Planning Department for environmental review]**

Motion amending the Rules of Order of the Board of Supervisors by adding Rules 2.28.1A and 2.2A to provide that Board proposed charter amendments and Board proposed initiative ordinances shall be referred to the Planning Department for environmental review as required by the California Environmental Quality Act. (City Attorney)

10/29/2001, RECEIVED AND ASSIGNED to Rules Committee.

**011993 [Petitions and Communications]**

Petitions and Communications received from October 25 through noon on October 31, for reference by the President to Committee considering related matters or to be ordered filed by the Clerk on November 5, 2001.

From San Francisco International Airport (SFO), regarding the overall retention rates of entry level security personnel at SFO and a comparison of those retention rates with security personnel at other U.S. airports. (Reference No. 20010924-014) Copy: Supervisor Peskin (1)

From San Francisco International Airport (SFO), regarding the measures taken to increase Airport security after the September 11, 2001 terrorist attacks. (Reference No. 20010924-009) Copy: Supervisor Maxwell (2)

From Department of Building Inspection, submitting two cellular antenna permit applications filed for the following addresses: 350 Judah Street and 965 Geneva Avenue. (Reference No. 20000403-002) Copy: Supervisor Yee (3)

From Office of the Controller, commenting on proposed Charter amendment that requires the Mayor, beginning in 2003, to submit the proposed budget to the Board of Supervisors not later than February 28 of each year. (4)

From Office of the Sheriff, regarding the placing of Type 1 advertisements in the newspaper. (Reference No. 20010924-021) Copy: Supervisor Leno (5)

From Department of Parking and Traffic, regarding traffic calming measures at the intersection of Palmetto Avenue and Junipero Serra Boulevard. (Reference No. 20010827-007) Copy: Supervisor Sandoval (6)

From San Francisco Local Homeless Coordinating Board, commenting on the feasibility of creating a Department of Homelessness to coordinate City services to homeless individuals. (7)

From Office of the City Attorney, regarding the final disposition of the Board of Appeals for property located at 696 Pennsylvania Avenue. Copy: Supervisor McGoldrick (8)

From Port of San Francisco, submitting a list of the Port's month-to-month property contracts, and the status of each month-to-month lease. Copy: Supervisor Peskin (9)

From Police Department, regarding the Child Safety Inspection Program. (Reference No. 20010924-012) Copy: Supervisor Newsom (10)

From State Department of Child Support Services, submitting notice that all local child support agencies are required to use the National Medical Support Notice in lieu of the Health Insurance Coverage Assignment and the Qualified Medical Child Support Order, when enforcing the health care coverage provision in a child support order upon the non-custodial parent's employer pursuant to Family Code 3760 and 3773. (11)

From Office of the Sheriff, regarding measures taken to increase security in City Hall after the September 11 terrorist attacks. (Reference No. 25010924-010) Copy: Supervisor Maxwell (12)

From Department of Building Inspection, submitting a revised Cost Schedule dated October 1, 2001. These revisions are based on changes to the Marshall Valuation Service Cost Schedule upon which the local Cost Schedule is based. (13)

From Planning Department, regarding replacement and relocation of water supply lines (Crystal Springs Pipeline #1 and #2) within the public right of way in South San Francisco to accommodate the construction of a Hook Ramp and Flyover on/off ramp from Highway 101 onto Bayshore Boulevard in South San Francisco. File 011733 (14)

From Adult Probation Department, regarding the placing of Type 1 advertisements in the newspaper. (Reference No. 20010924-054) Copy: Supervisor Leno (15)

From Department of Public Works, regarding appeal of 692-694 De Haro Street concerning the three lot subdivision project. File 010664 (16)

From Lake Street Residents Association, submitting comments regarding the Presidio Trust Draft Implementation Plan and related Draft EIS. File 011403 (17)

From Office of Homeless, Department of Human Services, Department of Public Health,

commenting on the formation of a Department of Homelessness to coordinate City services to homeless individuals. (Reference No. 20010924-004) Copy: Supervisor Ammiano (18)

From Chief Medical Examiner, submitting notice that the funding provided in the budget for fiscal year 2001/02 as adopted by the Board of Supervisors is adequate for the department to meet service levels as proposed to the Board. (19)

From Office of the Controller, Audits Division, submitting report concerning the concession audit of Korean Air. (20)

From Department of Human Resources, submitting Quarterly Reports of Economic Grievance Settlements for October 1, 2000 through September 30, 2001, as required by Section 10.25-12(c). (21)

From Office of the Legislative Analyst, submitting report regarding Bilingual Police Services in San Francisco. (22)

From Super Shuttle, responding to complaint filed by Thelma Bullock regarding her trip on September 11, 2001. (23)

From State Department of Child Support Services, submitting a revision to policy concerning a one-year limitation on retroactive support. (24)

From Joye Watson, commenting on the homeless situation in San Francisco. (25)

From Javier Puentes, submitting an inmate grievance regarding his stay at the San Francisco County Jail Facility. (26)

From Julie Patton, commenting on the unacceptable conditions of the dog run at Fulton and 36th Avenue in Golden Gate Park. (27)

From concerned citizens, regarding gasoline and clean air in California. 3 Letters (28)

From Department of Human Services, submitting the following from the CalWORKs Oversight Committee: agenda, minutes, a statistical report and several reports on initiatives. (29)

From Steven Hill, submitting support for passage of the instant runoff proposal on the March 2002 ballot. (30)

From VV, urging the Board of Supervisors to join the "National Call-In Day to end the War" on Wednesday, October 24, 2001. (31)

From SF Environment, reporting on the feasibility of requiring businesses to use biodegradable materials for packaging. (Reference No. 20010806-009) Copy: Supervisor Sandoval (32)

From Radovan Pesusic, submitting request for transfer of an Off-Sale liquor license from Museum Parc Market at 725 Folsom Street to R.J.'s Market @ Levi Plaza located at 1425 Sansome Street. Copy: Economic Vitality, Small Business & Social Policy Committee (33)

From Department of Elections, submitting list of correspondence sent to new members of the Citizen's Advisory Committee on Elections. (34)

From Erik Beckjord, submitting comment that it is time for the media to stop being used by anthrax bombers to upset the American public. (35)

From Department of Parking and Traffic, regarding request to investigate the need for improved signage at Foerster Street and Melrose Avenue in the Monterey Heights Neighborhood. Copy: Supervisor Hall (36)

Number not used. (37)

From Civil Service Commission, regarding the placing of Type 1 advertisements in the newspaper. (Reference No. 20010924-036) Copy: Supervisor Leno (38)

From Ethics Commission, regarding the placing of Type 1 advertisements in the newspaper. (Reference No. 20010924-033) Copy: Supervisor Leno (39)

From Office of the City Attorney, regarding the placing of Type 1 advertisements in the newspaper. (Reference No. 20010924-020) Copy: Supervisor Leno (40)

From Department of Public Works, regarding the placing of Type 1 advertisements in the newspaper. (Reference No. 20010924-076) Copy: Supervisor Leno (41)

From Employees' Retirement System, regarding the placing of Type 1 advertisements in the newspaper. (Reference No. 20010924-070) Copy: Supervisor Leno (42)

From Department of Consumer Assurance, regarding the placing of Type 1 advertisements in the newspaper. (Reference No. 20010924-055) Copy: Supervisor Leno (43)

From Fire Department, regarding the availability of surplus fire equipment for cities in the East Coast following the September 11, 2001 tragedy. (Reference No. 20010924) Copy: Supervisor Peskin (44)

From Office of the Controller, submitting information on funding for homeless services for fiscal year 2001-02. (Reference No. 20011001-006) Copy: Supervisor Hall (45)

From Department of Parking and Traffic, regarding improvements to the "Stop for Pedestrians" signs at the San Jose/Seneca Avenues intersection. (Reference No. 20010514-006) (46)

From San Francisco Bay Guardian, submitting opposition to proposal to build a parking garage underneath Ferry Park in San Francisco's Financial District. (47)

From Rick Thurber, commenting on the increase in litter and graffiti in San Francisco. 10 Letters (48)

From California Normal, submitting newsletter dated October 28, 2001. (49)

From Margaret Kettunen, commenting on the proposed senior housing site at St. Marks Tower at 1101 O'Farrell Street. File 011894 (50)

From Joan O'Rourke, regarding proposed Interim Controls regulating certain uses in the Showplace Square/Potrero Hill Area. File 011580 (51)

From Department of Public Health, submitting notice of a federal or state grant line item budget revision in excess of 15% requiring funding agency approval. (52)

From State Department of Fish and Game, submitting notice that the draft environmental document analyzing the Fish and Game Commission's Special Order relating to Incidental Take of Coho Salmon north of San Francisco is available for review until November 25, 2001 at various locations. (53)

From Police Department, regarding contacts between the Police Department and Coleman Advocates for Youth and Children and KTB Management Group related to dance hall permits. (Reference No. 20010820-004) Copy: Supervisor Daly (54)

From Public Utilities Commission, submitting the first quarter salaries projections for the Clean Water Program. (55)

From State Department of Health Services, submitting certification for State Financial Assistance and a table showing State Public Health Subvention Program allocations calculated pursuant to Chapter 794, Statutes of 2000 (Senate Bill 269). (56)

From Redevelopment Agency, submitting notice of the second Stakeholder meeting concerning the new African American Museum on November 8, 2001, 5:00 to 8:00 p.m. at the North Light Court in City Hall. (57)

From San Francisco District, Corps of Engineers, submitting public notice regarding procedural change for not including preliminary environmental assessments in regulatory public notices. (58)

From Planning Department, submitting Certificate of Determination of exemption/exclusion from environmental review to define Internet Services Exchange and establish requirements for Conditional Use authorizations. (59)

From Office of the City Attorney, submitting an update on Pacific Gas and Electric Company Bankruptcy Case dated October 31, 2001. Copy: Each Supervisor (60)

From Office of the Controller, submitting "Cost Allocation Plan" for fiscal year ending June 30, 2002. (61)

From State Board of Equalization, submitting notice of public hearing dates on "Property Taxpayers' Bill of Rights" on November 6 and December 20, 2001. (62)

From Cal Insurance and Associates, submitting list of schools that Junior Achievement serves in the City and County of San Francisco. Copy: Each Supervisor (63)

From Office of Contract Administration, submitting notice of public hearing in City Hall, Room 408 to consider draft interim rules implementing the Minimum Compensation Ordinance on November 9, 2001, 9 a.m. to 12 noon. (64)

From Steven Keller, submitting letter regarding AIDS. (65)

From Meyers/Nave, Riback, Silver and Wilson, submitting newsletter entitled "The Executive Summary" dated October 2001. (66)

From Department of Public Health, submitting notice that the Department will be accepting applications for the Housing Waitlist from November 5 through November 23, 2001. (67)

From Building Manager, regarding the placing of Type 1 advertisements in the newspaper.

(Reference No. 20010924-054) Copy: Supervisor Leno (68)

MAYOR'S APPOINTMENTS  
Recreation and Parks Commission  
Larry Martin

Film and Video Arts Commission  
Lidia Szajko  
Larry Mazzola, Jr.  
Jim McCullough  
Robert Morales  
Giovanna Rovetti

## ADJOURNMENT

### Meeting Procedures

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

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

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

Agenda are available on the internet at [www.ci.sf.ca.us/bdsupvrs.bos.htm](http://www.ci.sf.ca.us/bdsupvrs.bos.htm).

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

Board meetings are televised on channel 26. For video tape copies and scheduling call (415) 557-4293.

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

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

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



### Disability access

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

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

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

## Memorial Complex.

The following services are available when requests are made by 4:00 p.m. of the Friday before the Board meeting: For American Sign Language interpreters, use of a reader during a meeting, or sound enhancement system, contact Violeta Mosuela at (415) 554-7704.

For a large print copy of agenda or minutes in alternative formats, contact Annette Lonich at (415) 554-7706. The Clerk of the Board's Office TTY number for speech-hearing impaired is (415) 554-5227.

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

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

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

For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Donna Hall by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 409, by phone at (415) 554-7724, by fax at (415) 554-5784 or by email at Donna\_Hall@ci.sf.ca.us

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

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