



## Full Board Agendas

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, August 26, 2002

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 July 1, 2002 Meeting Minutes.*

## **AGENDA CHANGES**

### **COMMUNICATIONS**

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

- 1) Legislation*
- 2) Budget Analyst report*
- 3) Legislative Analyst report*

4) Department or Agency cover letter and/or report

5) Public correspondence

These items will be available for review at City Hall, Room 244, Reception Desk.

## **SPECIAL ORDER 2:00 P.M.**

### **COMMITTEE REPORTS**

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

#### **From the Rules and Audits Committee**

*The following items will be considered by the Rules and Audits Committee at a Special Meeting on Friday, August 23, 2002 at 10:00 a.m. The Chair intends to request the Committee to send the following items to the Board as a committee report.*

- 1. 021383 [Rebuttal Argument - Water and Sewer] Supervisor Ammiano**  
Motion authorizing rebuttal to opponent's ballot argument against Proposition E, a Charter Amendment regarding changes to public utilities related to water and sewer.  
**Question: Shall this Motion be ADOPTED?**
- 2. 021385 [Rebuttal Argument - Retirement Benefits for Police and Fire Supervisor Ammiano**  
**personnel]**  
Motion authorizing rebuttal to opponent's ballot argument against Proposition H, a Charter Amendment regarding retirement benefits for Police and Fire personnel.  
**Question: Shall this Motion be ADOPTED?**
- 3. 021387 [Rebuttal Argument - Elections Department] Supervisor Ammiano**  
Motion authorizing rebuttal to opponent's ballot argument against Proposition G, a Charter Amendment regarding assistance to the Elections Department.  
**Question: Shall this Motion be ADOPTED?**
- 4. 021389 [Rebuttal Argument - Revenue Bond Election] Supervisor Ammiano**  
Motion authorizing rebuttal to opponent's ballot argument against Proposition A, Bond Measure regarding a Revenue Bond Election.  
**Question: Shall this Motion be ADOPTED?**
- 5. 021327 [Rebuttal Argument - Entertainment Supervisors Leno, McGoldrick, Daly, Ammiano,**  
**Commission] Gonzalez, Newsom, Peskin, Sandoval**

Motion authorizing rebuttal to opponent's ballot argument against Proposition F, a Charter Amendment regarding Entertainment Commission.

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

**6. 021391 [Rebuttal Argument - Paid Parental Leave] Supervisor Daly**

Motion authorizing rebuttal to opponent's ballot argument against Proposition I, a Charter Amendment regarding paid parental leave.

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

**7. 021393 [Rebuttal Argument - Supervisors Salaries] Supervisors Gonzalez, Leno**

Motion authorizing rebuttal to opponent's ballot argument against Proposition J, a Charter Amendment regarding Supervisors salaries set by the Civil Service Commission.

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

**8. 021395 [Rebuttal Argument - Energy Self-sufficiency] Supervisors Gonzalez, Daly, Maxwell**

Motion authorizing rebuttal to opponent's ballot argument against Proposition D, a Charter Amendment regarding energy self-sufficiency.

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

**9. 021329 [Rebuttal Argument - Veterans Building Special Election] Supervisor Sandoval**

Motion authorizing rebuttal to opponent's ballot argument against Proposition C, a Bond Measure regarding Veterans Building Special Election.

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

**10. 021331 [Rebuttal Argument - Condominium Conversion Regulations] Supervisor Peskin**

Motion authorizing rebuttal ballot argument against Proposition R, an initiative ordinance regarding changes to the City's Condominium Conversion regulations.

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

## **CONSENT AGENDA**

*All matters listed hereunder constitute a Consent Agenda, are considered to be routine by the Board of Supervisors and will be acted upon by a single roll call vote of the Board. There will be no separate discussion of these items unless a member of the Board so requests, in which event the matter shall be removed from the Consent Agenda and considered as a separate item.*

### **Items 11 through 24**

## **Recommendations of the Finance Committee**

*Present: Supervisors Peskin, Daly, Maxwell*

- 11. 021403 [Airport Information Booth Contract, Fiscal Year 2002-2003]**  
Resolution approving the Controller's Certification that Airport Information Booth Services at San Francisco International Airport can practically be performed by private contractor at a lower cost than if work were performed by City employees at currently budgeted levels. (Airport Commission)  
(Public Benefit Recipient.)

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

- 12. 021410 [Accept and Expend Federal Grant]**  
Resolution authorizing the Airport Commission to accept and expend a funding increase from \$1,202,500 to \$1,695,500 from the Federal Aviation Administration ("FAA") for the SFPD-AIRPORT Bureau K-9 Explosive Detection Team. (Airport Commission)  
(Public Benefit Recipient.)

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

## **Recommendations of the Health and Human Services Committee**

*Present: Supervisors Daly, Maxwell*

- 13. 021195 [Commending San Francisco Chapter of the National Organization for Women]** **Supervisors Newsom, Daly, Peskin**  
Resolution commending the San Francisco Chapter of the National Organization for Women for its continued efforts to empower women and its continued vigilance to attempts by others to limit the reproductive choice of women.

7/15/2002, REFERRED to Health and Human Services Committee.

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

- 14. 021322 [Five year strategic plan to reduce intimate partner violence in the community]** **Supervisor Daly**  
Resolution authorizing the San Francisco Department of Public Health (SFDPH) to accept and expend retroactively a new grant in the amount of \$40,000 from the California Department of Health Services (CDHS) to develop a 5 year strategic plan to reduce intimate partner violence in the community and to enter into an agreement for the use of these funds; for the period of July 1, 2002 through September 30, 2003. (Public Health Department)

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

## **Recommendation of the Public Works and Public Protection Committee**

*Present: Supervisors Sandoval, Gonzalez*

**15. 021238 [Campaign to educate the driving public on how to yield to responding emergency vehicles - fire, police, and ambulances]**

Resolution authorizing the San Francisco Fire Department to accept and expend a new grant in the amount of \$101,366 from the Office of Traffic Safety for the "Please Abide, Move Aside" program. (Fire Department)

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

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

*Present: Supervisors Hall, Gonzalez, Sandoval*

**16. 021288 [Settlement of Lawsuit]**

Ordinance authorizing settlement of the lawsuit filed by Percival Agoncillo against the City and County of San Francisco for \$62,500; the lawsuit was filed on November 17, 1999 in San Francisco Superior Court, Case No. 307-953; entitled Percival Agoncillo v. City and County of San Francisco. (City Attorney)

(Public Benefit Recipient.)

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

**17. 021323 [Settlement of Lawsuit]**

Ordinance authorizing settlement of the lawsuit filed by Lee Reese against the City and County of San Francisco for \$72,500.00; the lawsuit was filed on February 23, 2000 in Superior Court, Case No. 310-163; entitled Lee Reese v. California Bethel AME-Church, Inc., City and County of San Francisco, et al. (City Attorney)

(Public Benefit Recipient.)

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

**18. 021449 [Settlement of Lawsuit]**

Ordinance authorizing offer of settlement of the lawsuit filed by Dillingham Construction N.A., Inc. against the City and County of San Francisco for \$350,000.00; the lawsuit was filed on March 19, 2001 in San Mateo County Superior Court, Case No. 416236; entitled Dillingham Construction N.A., Inc., et al., v. City and County of San Francisco, et al; other material terms of said settlement are that the settlement amount is to be paid through the release of such monies from the retention account for SFIA Airport Contract No. 5500.J North Connector Package in exchange for dismissal with prejudice of the lawsuit and the waiver of costs and attorneys fees. (City Attorney)

(No Public Benefit Recipient.)

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

**19. 020519 [Appointment]**

Resolution appointing Adrienne Lacau term ending September 4, 2003 and Joseph K. Tham term ending September 5, 2005 to Assessment Appeals Board No. 2.

Adrienne Lacau, succeeding Anita Bedford, resigned, seat 1, must meet the eligibility criteria set forth in Section 1624.05 of the California Revenue and Taxation Code, for the unexpired portion of a three-year term expiring September 4, 2003.

Joseph K. Tham, succeeding Albert Zecher Jr., term expired, seat 8, must meet the eligibility criteria set forth in Section 1624.05 of the California Revenue and Taxation Code, for a three-year term expiring September 5, 2005.

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

**20. 020914 [Appointing Kimberly Brandon to Port Commission]**

**Mayor**

Resolution confirming the reappointment of Ms. Kimberly Brandon to the San Francisco Port Commission, term ending May 1, 2005. (Mayor)

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

**21. 021396 [Appointment]**

Resolution appointing Benson Wong, Brian Hugh Henning, Cameron Coulter, Bob Schmitt, Michael Red, Lily Rahnema, Judith Teracina, Enola Maxwell and Joanne Hernandez terms ending September 4, 2006, to the Delinquency Prevention Commission.

Benson Wong, new position, seat 1, must be nominated by District 1 Supervisor for a new 4-year term ending September 4, 2006.

Brian Hugh Henning, new position, seat 2, must be nominated by District 2 Supervisor, for a new 4-year term ending September 4, 2006.

Cameron Coulter, new position, seat 3, must be nominated by District 3 Supervisor, for a new 4-year term ending September 4, 2006.

Bob Schmitt, new position, seat 4, must be nominated by District 4 Supervisor, for a new 4-year term ending September 4, 2006.

Michael Red, new position, seat 5, must be nominated by District 5 Supervisor, for a new 4-year term ending September 4, 2006.

Lily Rahnema, new position, seat 6, must be nominated by District 6 Supervisor, for a new 4-year term ending September 4, 2006.

Judith Teracina, new position, seat 7, must be nominated by District 7 Supervisor, for a new 4-year term ending September 4, 2006.

Vacant seat, new position, seat 8, must be nominated by District 8 Supervisor, for a new 4-year term ending September 4, 2006.

Vacant seat, new position, seat 9, must be nominated by District 9 Supervisor, for a new 4-year term ending September 4, 2006.

Enola Maxwell, new position, seat 10, must be nominated by District 10 Supervisor, for a new 4-year term ending September 4, 2006.

Joanne Hernandez, new position, seat 11, must be nominated by District 11 Supervisor, for a new 4-year term ending September 4, 2006.

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

**22. 021287 [Settlement of Claim]**

Resolution approving the Settlement of Unlitigated Claim of California Department of Forestry and Fire Protection (CDF) for \$50,000.00; Claim was filed on December 28, 2001. (City Attorney)

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

**23. 021370 [Appointment]**

Resolution appointing Diane Robinson and Carol Ruth Silver terms ending September 5, 2005 and Thomas Ramm term ending September 6, 2003 to the Assessment Appeals Board 1.

Diane Robinson, succeeding herself, term expired, seat 3, must meet the eligibility criteria set forth in Section 1624.05 of the California Revenue and Taxation Code. \*Pursuant to Section 1623 the three year term will end on the first Monday in September; for a three year term ending September 5, 2005.

Thomas Ramm, succeeding Ronald Chun, resigned, seat 4, must meet the eligibility criteria set forth in Section 1624.05 of the California Revenue and Taxation Code. \*Pursuant to Section 1623 the three year term will end on the first Monday in September; for the unexpired portion of a three year term ending September 6, 2003.

Carol Ruth Silver, succeeding Stephan Wasserman, term expired, seat 7, must meet the eligibility criteria set forth in Section 1624.05 of the California Revenue and Taxation Code. \*Pursuant to Section 1623 the three year term will end on the first Monday in September; for a three year term ending September 5, 2005.

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

**24. 021379 [Appointment]**

Resolution appointing Rick Lewis, term ending December 7, 2002, to the Community Land Trust Task Force. Residency requirement waived.

Rick Lewis, succeeding David Jay-Bonn, resigned, seat 9, must be a member of an existing community land trust organization, for the remainder of a 1 year term expiring 12/7/02.

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

*Questions on the Consent Agenda are on final passage, first reading, or adoption, as indicated: \_\_\_\_\_*

## **REGULAR AGENDA**

## **UNFINISHED BUSINESS**

### **From the Clerk**

**25. 021453 [Adopting findings related to the Conditional Use appeal on property located at 1005-1007 Geneva Avenue]**

Motion adopting findings related to the appeal of the Planning Commission's disapproval of Conditional Use Application No. 2002.0015C (which requested authorization to demolish a residential unit at the second story pursuant to Planning Code Section 712.39, and to construct a four-story mixed use building with three residential units and a ground floor commercial space in an NC-3, Moderate Scale Neighborhood Commercial, District and in a 40-X Height and Bulk District) on property located at 1005-1007 Geneva Avenue, north side of Geneva Avenue, between Paris Street and Lisbon Street (Lot 13 in Assessor's Block 6408). (Clerk of the Board)

8/19/2002, REFERRED to Board of Supervisors.

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

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

**26. 021245 [Appeal, Conditional Use, 2863 California Street]**

Motion approving decision of the Planning Commission by its Motion No. 16446, approving Conditional Use Application No. 2002.0408C, on property located at 2863 California Street, and adopting findings pursuant to Planning Code Section 101.1.

8/19/2002, CONTINUED. Continued to August 26, 2002.

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

**27. 021246 [Appeal, Conditional Use, 2863 California Street]**

Motion disapproving decision of the Planning Commission by its Motion No. 16446, approving Conditional Use Application No. 2002.0408C, on property located at 2863 California Street, and adopting findings pursuant to Planning Code Section 101.1. (Clerk of the Board)

8/19/2002, CONTINUED. Continued to August 26, 2002.

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

**28. 021247 [Findings - 2863 California Street]**

Motion directing the Clerk of the Board to prepare findings relating to proposed Conditional Use Application No. 2002.0408C, on property located 2863 California Street, for action by the Board at its next meeting. (Clerk of the Board)

8/19/2002, CONTINUED. Continued to August 26, 2002.

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

**28a. 021318 [Special Assessment Liens for Assessment of Costs]**

Resolution confirming report of Delinquent Charges for Code Enforcement cases with Delinquent Assessment of Costs, Emergency Order Fees, and Fees pursuant to the provisions of Section 102.3, 102.12, 102.17, 102.18, 102.19 et. seq., and Sections 108 and 110 Tables 1-K, and 1-G of the SF



Bldg. Code submitted by the Dir. of Building Inspection for Services Rendered by said Dept. of Costs thereof having accrued pursuant to the Code Violations referenced above.

8/19/2002, CONTINUED. Continued to August 26, 2002.

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

## **Recommendations of Rules and Audits Committee**

*Present: Supervisors Hall, Gonzalez, Sandoval*

**29. 020988 [Settlement of Lawsuit]**

Ordinance authorizing settlement of the matter of Cheryl C. Jessee v. City and County of San Francisco for \$45,000 to Cheryl C. Jessee and \$61,500 to her attorney of record, Mayo & Rogers. The lawsuit was filed on May 25, 2001, in San Francisco Superior Court, Case No. 321-661; entitled Cheryl C. Jessee v. City and County of San Francisco. (City Attorney)

(Public Benefit Recipient.)

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

**30. 021045 [Settlement of Lawsuit]**

Ordinance authorizing settlement of the lawsuit filed by Yun Fong Kwan, et al., against the City and County of San Francisco for \$90,000; the lawsuit was filed on March 22, 1999 in Superior Court, Case No. 302-154; entitled Kwan, et al. v. City and County of San Francisco, et al. (City Attorney)

(Public Benefit Recipient.)

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

**31. 021125 [Settlement of Lawsuit]**

Ordinance authorizing settlement of the lawsuits filed by one hundred and one individual plaintiffs, in two separate lawsuits known as Rooker, et al. and Weaver, et al. against the City and County of San Francisco, for \$862,581.63 in back overtime wages, \$137,951.82 in interest payments and \$378,043.46 in attorneys' fees and costs; the Rooker lawsuit was filed on March 9, 1999 in United States District Court, Case No. C99-1095 VRW, entitled Rooker, et al. v. City and County of San Francisco; the Weaver lawsuit was filed on June 27, 2000 in the United States District Court, Case No. C00-2271 VRW, entitled Weaver, et al. v. City and County of San Francisco. (City Attorney)

(Public Benefit Recipient.)

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

## **From Rules and Audits Committee Without Recommendation**

*Present: Supervisors Hall, Gonzalez, Sandoval*

- 32. 021260 [Work Group for Natural Areas Program] Supervisor Yee**  
Resolution establishing a Board of Supervisors Work Group for the Recreation and Parks Natural Areas Program.

8/19/2002, CONTINUED. Supervisor Yee requested that this item be continued to August 26, 2002.

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

- 33. 021264 [Urge Recreation and Parks Department to work with neighborhood groups] Supervisor Yee**

Resolution urging the Recreation and Parks Department to work more closely with neighborhood groups.

7/22/2002, REFERRED to Neighborhood Services and Recreation Committee. Supervisor Daly requested this matter be severed so it could be considered separately. Supervisor Daly requested this item be referred to committee.

8/19/2002, CONTINUED. Supervisor Yee requested that this item be continued to August 26, 2002.

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

### **From the Budget Committee Without Recommendation**

*Present: Supervisors Maxwell, Yee, Ammiano, McGoldrick*

- 34. 021356 [Prohibiting temporary exchanges or reclassifications to Deputy Director, or equivalent classifications or policy-making or policy-implementing positions that report directly to a Department Head, without approval of the Board of Supervisors] Supervisors Peskin, Ammiano, Daly, Gonzalez, Sandoval, McGoldrick**

Ordinance amending Section 10.1 of the Administrative Provisions of the Annual Appropriation Ordinance to prohibit temporary exchanges or reclassifications to departmental Deputy Director, or equivalent classifications or policy-making or policy-implementing positions that report directly to a Department Head, without approval of the Board of Supervisors.

8/19/2002, PASSED ON FIRST READING.

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

### **Recommendations of the Transportation and Commerce Committee**

*Present: Supervisors McGoldrick, Hall, Ammiano*

- 35. 021142 [Motorcycle Parking Zones] Supervisors Gonzalez, Daly**  
Ordinance amending San Francisco Traffic Code Sections 27 and 219 to allow the removal of non-motorcycles from designated motorcycle parking zones and to encourage the designation of new motorcycle parking zones.

8/19/2002, PASSED ON FIRST READING.

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

## NEW BUSINESS

### Recommendations of the Finance Committee

*Present: Supervisors Peskin, Daly, Maxwell*

- 36. 021418 [Planning Commission - Alternative Review Process] Supervisor Peskin**  
Emergency ordinance amending the San Francisco Planning Code by amending Section 306, and amending the San Francisco Administrative Code by amending Sections 2A.53 and 31.04, to provide for an alternative process to Planning Commission review where the Planning Commission is unable to meet because a majority of its members has not been appointed; adopting declaration of emergency under Charter Section 2.107; and setting forth period of time within which this emergency ordinance shall be operative.  
**Question: Shall this Ordinance be FINALLY PASSED?**
- 37. 021404 [Setting San Francisco's fiscal year 2002-2003 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 passthrough rate for residential tenants pursuant to chapter 37 of the administrative code for the fiscal year ending June 30, 2003. (Controller)  
**Question: Shall this Ordinance be PASSED ON FIRST READING?**
- 38. 021405 [Setting San Francisco Community College District's fiscal year 2002-2003 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, 2003. (Controller)  
**Question: Shall this Ordinance be PASSED ON FIRST READING?**
- 39. 021406 [Setting San Francisco's Unified School District's fiscal year 2002-2003 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, 2003. (Controller)  
**Question: Shall this Ordinance be PASSED ON FIRST READING?**
- 40. 021407 [Rescind funding for the Art Commission for municipal symphony concerts using property tax revenue]**

Ordinance rescinding \$31,964 in appropriation authority for the municipal symphony concerts using property tax revenue, pursuant to Charter Section 16.106(1) for the Art Commission for fiscal year 2002-03. (Controller)

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

**41. 020794 [Ellis-O'Farrell Parking Garage Bond Refinancing] Mayor**

Resolution approving and authorizing the issuance of City of San Francisco Ellis-O'Farrell Parking Corporation Parking Revenue Refunding Bonds to refund bonds previously issued by the City of San Francisco Ellis-O'Farrell Parking Corporation; providing that the principal amount of the bonds to be issued shall not exceed an amount that will produce net present value debt service savings of at least three percent; authorizing and ratifying the execution and delivery of documents reasonably necessary for the issuance, sale and delivery of such refunding bonds; and ratifying previous actions taken in connection therewith. (Mayor)

(Fiscal impact.)

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

**42. 021290 [Modification to the Professional Service Agreement for Construction Management Services for SFO AirTrain for a new total contract amount]**

Resolution approving Modification No. 7, the Close-out Modification, to Professional Services Agreement, Contract 5700CM - Construction Management Services for the AirTrain System, with PGH Wong Engineering/Luster Construction Management, in the amount of \$2,644,367 for a new total contract amount not to exceed \$32,847,364. (Airport Commission)

(Fiscal impact; Public Benefit Recipient.)

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

**43. 021313 [Branch Library General Obligation Bond Sale] Mayor**

Resolution authorizing and directing the sale of not to exceed \$23,135,000 City and County of San Francisco General Obligation Bonds (Branch Library Facilities Improvement Bonds, 2000), Series 2002B; prescribing the form and terms of said bonds; authorizing the execution, authentication and registration of said bonds; providing for the appointment of depositories and other agents for said bonds; providing for the establishment of accounts related thereto; approving the forms of official notice of sale and notice of intention to sell bonds; directing the publication of the notice of intention to sell bonds; approving the form and execution of the official statement relating thereto; approving the form of the continuing disclosure certificate; approving modifications to documents; ratifying certain actions previously taken; and granting general authority to City officials to take necessary actions in connection with the authorization, issuance, sale and delivery of said bonds. (Mayor)

(Fiscal impact.)

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

**44. 021416 [Grant Federal Funds] Mayor**

Resolution authorizing the Municipal Transportation Agency Board to accept and expend

\$15,925,000 of Federal Formula Section 5307 Capital Assistance for San Francisco capital project Motor Coach Replacement, excluding Administrative Overhead Costs. (Mayor)

(Supervisor Daly dissenting in Committee)

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

## **Recommendations of the Health and Human Services Committee**

*Present: Supervisors Daly, Maxwell*

**45. 012186 [Regulation of Diesel Backup Generators] Supervisor Daly**

Ordinance amending the San Francisco Health Code by adding a new Article 30 to: (1) establish a registration program within the Department of Public Health for diesel backup generators used by facilities in the City and County of San Francisco; (2) require new backup diesel generators to have air emission control technologies; (3) limit the operation of diesel backup generators during non-emergency situations; (4) establish a recordkeeping requirement for the operation of diesel backup generators; and (5) provide for an enforcement mechanism for violations of the requirements of this Ordinance.

2/4/2002, SUBSTITUTED. Supervisor Maxwell submitted a substitute ordinance bearing same title.

4/15/2002, RE-REFERRED to Health and Human Services Committee.

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

**46. 021223 [Senate Bill 1301 - Reproductive Privacy Act] Supervisors Newsom, Peskin, Daly**

Resolution urging the State Legislature to adopt Senate Bill 1301, introduced by Senator Sheila Kuehl, relating to an act to amend Section 2253 of the Business and Professions Code, to add Article 2.5 to Chapter 2 of Part 2 of Division 106 of, and to repeal Sections 123400, 123405, 123407, 123410, 123415, and 123430 of the Health and Safety Code, relating to reproductive privacy.

7/15/2002, REFERRED to Health and Human Services Committee.

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

## **Recommendations of the Public Works and Public Protection Committee**

*Present: Supervisors Sandoval, Gonzalez*

**47. 021095 [Notification of Solicitations] Supervisor Sandoval**

Ordinance amending the San Francisco Administrative Code by amending Section 12 D.A. 9. to require that all contract awarding authorities submit current bids, requests for proposals and solicitations to the Purchaser of Supplies of the City and County of San Francisco and cause to be posted on a Purchaser's website certain information concerning current bids, requests for proposals and solicitations.

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

- 48. 021201 [Building Code] Supervisor Sandoval**  
Ordinance repealing the San Francisco Building Code and adopting, in its entirety, a new San Francisco Building Code. (Building Inspection Department)  
(Companion measure to File 021202.)

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

- 49. 021202 [Building Code] Supervisor Sandoval**  
Resolution endorsing those changes and providing findings as to the local conditions requiring amendments to the State Building Code, as required by California Health and Safety Code. (Building Inspection Department)

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

- 50. 021203 [Electrical Code] Supervisor Sandoval**  
Ordinance repealing the San Francisco Electrical Code and adopting, in its entirety, a new San Francisco Electrical Code. (Building Inspection Department)  
(Companion measure to File 021204.)

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

- 51. 021204 [Electrical Code] Supervisor Sandoval**  
Resolution endorsing those changes and providing findings as to the local conditions requiring amendments to the State Electrical Code, as required by California Health and Safety Code. (Building Inspection Department)

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

- 52. 021205 [Housing Code] Supervisor Sandoval**  
Ordinance repealing the San Francisco Housing Code and adopting, in its entirety, a new San Francisco Housing Code. (Building Inspection Department)  
(Companion measure to File 021206.)

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

- 53. 021206 [Housing Code] Supervisor Sandoval**  
Resolution endorsing those changes and providing findings as to the local conditions requiring amendments to the State Housing Code, as required by California Health and Safety Code. (Building Inspection Department)

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

- 54. 021207 [Mechanical Code] Supervisor Sandoval**  
Ordinance repealing the San Francisco Mechanical Code and adopting, in its entirety, a new San Francisco Mechanical Code. (Building Inspection Department)  
(Companion measure to File 021208.)

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

- 55. 021208 [Mechanical Code] Supervisor Sandoval**  
Resolution endorsing those changes and providing findings as to the local conditions requiring amendments to the State Mechanical Code, as required by California Health and Safety Code. (Building Inspection Department)

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

- 56. 021209 [Plumbing Code] Supervisor Sandoval**  
Ordinance repealing the San Francisco Plumbing Code and adopting, in its entirety, a new San Francisco Plumbing Code. (Building Inspection Department)  
(Companion measure to File 021210.)

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

- 57. 021210 [Plumbing Code] Supervisor Sandoval**  
Resolution endorsing those changes and providing findings as to the local conditions requiring amendments to the State Plumbing Code for buildings, as required by California Health and Safety Code. (Building Inspection Department)

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

- 58. 021213 [Telecommunication conduit across Minna Street for SFMOMA]**  
Resolution granting revocable permission to San Francisco Museum of Modern Art (SFMOMA) to occupy a portion of the public right-of-way to excavate, install and maintain one (1) 4-inch Schedule 40 conduit across Minna Street, between 3rd and New Montgomery Streets to interconnect the SFMOMA at 151 3rd Street (Block 3722, Lot 078) with auxiliary office space at 667 Mission Street/170 Minna Street (Block 3722, Lot 067) for providing voice and data connection between the two buildings and making findings of consistency with the priority policies of Planning Code Section 101.1. (Public Works Department)

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

### **From the Public Works and Public Protection Committee Without Recommendation**

*Present: Supervisors Sandoval, Gonzalez*

**59. 021289 [Extension of Water Departmentt Contract with Westin Engineering, Inc. for construction support services, and assistance with claims analysis and dispute resolution or the S.F. Water Supervisory Control and Data Acquisition (SCADA) project beyond 10 years]**

Resolution pursuant to Charter Sec. 9.118 approving an extension of the term beyond ten years of San Francisco Public Utilities Commission's professional services contract number CS-460 with Westin Engineering, Inc. for construction support services in connection with the San Francisco Water Supervisory Control and Data Acquisition (SCADA) project to cover the duration of the related construction contract, including closeout of the construction contract. (Public Utilities Commission)

(Fiscal impact.)

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

**Recommendations of the Rules and Audits Committee**

*Present: Supervisors Hall, Gonzalez, Sandoval*

**60. 021189 [Skateboarding Task Force] Supervisors Newsom, Sandoval**

Resolution establishing a Skateboarding Task Force to provide policy recommendation, and advise the Board Of Supervisors, Recreation and Park Department, Police Department, San Francisco Unified School District, Port of San Francisco and Youth Commission regarding skateboarding policies, issues and activities, and to serve as the designated advisory body regarding skateboarding issues for the City and County of San Francisco.

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

**61. 021358 [Safe Haven for Newborns Task Force] Supervisors Hall, Sandoval**

Resolution establishing a Safe Haven for Newborns Task Force charged with determining how to implement SB 1368, which provides for the safe surrender of unwanted newborns. The Task Force shall be comprised of one representative from each of the following agencies or organizations: the Department of Public Health, the District Attorney's Office, the Fire Department, the Department of Children Youth, and their Families, the Juvenile Probation Department, the Youth Commission (or their designee), the San Francisco Unified School District, the Mental Health Board, the Department of Human Services, the Police Department, and a member of the community with expertise in the area of domestic violence.

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

**From Rules and Audits Committee Without Recommendation**

*Present: Supervisors Hall, Gonzalez, Sandoval*

**62. 020135 [Employee Claim Reimbursement]**

Resolution authorizing reimbursement of \$1,452.00 to Kathryn Hall for the cost of personal



property of a City and County employee damaged or stolen in the line of duty.

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

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

**63. 021229 [Hearing - Reinspection Fee Lines, Department of Public Health]**

Hearing of persons interested in or objecting to the report of delinquent reinspection fee costs submitted by the Director of Public Health, as modified to the date of adoption of the resolution, and creating liens and special assessments based thereon. (Clerk of the Board)

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

### **From Department of Public Health**

**64. 021215 [Unpaid DPH complaint reinspection fee liens to become special assessments to the property taxes]**

Resolution confirming the report of delinquent reinspection fee costs submitted by the Director of Public Health, as modified to the date of adoption of the resolution, and creating liens and special assessments based thereon. (Public Health Department)

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

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

**65. 021235 [Public Hearing]**

Hearing of persons interested in or objecting to report of delinquent charges for refuse collection services and nuisance removal costs submitted by the Director of Public Health as modified to the date of adoption of this resolution, and creating Special Assessments and liens based thereon. (Clerk of the Board)

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

### **From Department of Public Health**

**66. 021234 [Unpaid DPH Delinquent Refuse Service Payment Liens to become special assessments to the property taxes]**

Resolution confirming report of delinquent charges for refuse collection services and nuisance removal costs submitted by the Director of Public Health as modified to the date of adoption of this resolution, and creating Special Assessments and liens based thereon. (Public Health Department)

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

## SPECIAL ORDER 3:00 P.M.

**67. 021240 [Public Hearing - Appeal, Conditional Use, 1598 Dolores Street (Reilly's Funeral Home)]**

Hearing of persons interested in or objecting to the decision of the Planning Commission by its Motion No. 16445 dated June 20, 2002, approving Conditional Use Application No. 2000.1058C to develop two (2) residential buildings with a total of 13 dwelling units (two of which are affordable) and up to 26 off-street parking spaces, to develop a lot 5,000 square feet or more in size, within an NC-1 (Neighborhood Commercial Cluster) District, and a 40-X Height and Bulk District on property located at 1598 Dolores Street (Reilly's Funeral Home), northwest corner of Dolores and 29th Streets; Lots 7, 9, and 38, in Assessor's Block 6618.

(Appeal filed July 17, 2002; categorically exempt from the environmental review process in accordance with the State Guidelines for the implementation of CEQA and Chapter 3.1 of the San Francisco Administrative Code; Case No. 2000.1058C; companion measure to 021240, 021241, 021242, 021243, 021280; District 8.)

8/12/2002, CONTINUED. Supervisor Leno requested that this item be continued to August 26, 2002.

**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.*

**68. 021280 [Environmental Reveiw - 1598 Dolores Street]**

Motion certifying review of Final Negative Declaration relating to proposed Conditional Use of Property at 1598 Dolores Street, and adopting findings pursuant to Planning Code Section 101.1. (Clerk of the Board)

8/12/2002, CONTINUED. Continued to August 26, 2002.

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

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

**69. 021241 [Appeal, Conditional Use, 1598 Dolores Street]**

Motion approving decision of the Planning Commission by its Motion No. 16445, approving Conditional Use Application No. 2000.1058C, on property located at 1598 Dolores Street, and adopting findings pursuant to Planning Code Section 101.1.

8/12/2002, CONTINUED. Continued to August 26, 2002.

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

**70. 021242 [Appeal, Conditional Use, 1598 Dolores Street]**

Motion disapproving decision of the Planning Commission by its Motion No. 16445, approving Conditional Use Application No. 2000.1058C, on property located at 1598 Dolores Street, and adopting findings pursuant to Planning Code Section 101.1.

8/12/2002, CONTINUED. Continued to August 26, 2002.

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

**71. 021243 [Findings - 1598 Dolores Street Appeal]**

Motion directing the Clerk of the Board to prepare findings relating to proposed Conditional use Application No. 2000.1058C, on property located 1598 Dolores Street, for action by the Board at its next meeting.

8/12/2002, CONTINUED. Continued to August 26, 2002.

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

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

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

**(Pending approval of File No. 021486.)**

**72. 021455 [Committee of the Whole]**

**Supervisor Peskin**

Hearing to consider the Mayor's nominations to the Planning Commission (File Nos. 021487-021494).

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

### **Committee of the Whole Rise and Report Without Recommendation**

**73. 021487 [Appointment, Planning Commission]**

Motion approving the Mayor's nomination to Seat No. 4 of the Planning Commission, term to be determined by lot. (Mayor)

Vacant seat, new position, Seat No. 4, must be nominated by the Mayor, term to be determined by lot.

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

**74. 021491 [Appointment, Planning Commission]**

Motion rejecting the Mayor's nomination to Seat No. 4 of the Planning Commission. (Mayor)

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

**75. 021488 [Appointment, Planning Commission]**

Motion approving the Mayor's nomination to Seat No. 5 of the Planning Commission, term to be determined by lot. (Mayor)

Vacant seat, new position, Seat No. 5, must be nominated by the Mayor, term to be determined by lot.

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

**76. 021492 [Appointment, Planning Commission]**

Motion rejecting the Mayor's nomination to Seat No. 5 of the Planning Commission. (Mayor)

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

**77. 021489 [Appointment, Planning Commission]**

Motion approving the Mayor's nomination to Seat No. 6 of the Planning Commission, term to be determined by lot. (Mayor)

Vacant seat, new position, Seat No. 6, must be nominated by the Mayor, term to be determined by lot.

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

**78. 021493 [Appointment, Planning Commission]**

Motion rejecting the Mayor's nomination to Seat No. 6 of the Planning Commission. (Mayor)

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

**79. 021490 [Appointment, Planning Commission]**

Motion approving the Mayor's nomination to Seat No. 7 of the Planning Commission, term to be determined by lot. (Mayor)

Vacant seat, new position, Seat No. 7, must be nominated by the Mayor, term to be determined by lot.

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

**80. 021494 [Appointment, Planning Commission]**

Motion rejecting the Mayor's nomination to Seat No. 7 of the Planning Commission. (Mayor)

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

## COMMITTEE REPORTS

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

### From Rules and Audits Committee

*The following item will be considered by the Rules and Audits Committee at a Special Meeting on Friday, August 23, 2002. The Chair intends to request the Committee to send the following items to the Board as a committee report.*

81.     **021444 [Confirming the appointment of Michelle Sexton to the San Francisco Redevelopment Agency]**  
Resolution confirming the appointment of Michelle Sexton to the San Francisco Redevelopment Agency for the remainder of a four-year term ending September 3, 2003. (Mayor)  
**Question: Shall this Resolution be ADOPTED?**
82.     **021100 [Claudine Cheng Reappointment to the Treasure Island Development Authority]** **Mayor**  
Resolution confirming the reappointment of Ms. Claudine Cheng to the Treasure Island Development Authority, term ending April 28, 2006. (Mayor)  
**Question: Shall this Resolution be ADOPTED?**
83.     **021359 [Voting Modernization Bond Act of 2002]** **Supervisor Peskin**  
Resolution approving the application for funds under the Voting Modernization Bond Act of 2002 (Proposition 41).  
**Question: Shall this Resolution be ADOPTED?**

### From Transportation and Commerce Committee

*The following item will be considered by the Transportation and Commerce Committee at a Regular Meeting on Thursday, August 22, 2002. The Chair intends to request the Committee to send the following item to the Board as a committee report.*

84.     **020680 [Establishing a Striped Bicycle Lane on Cabrillo Street]** **Supervisor McGoldrick**  
Resolution establishing a striped bicycle lane westbound and eastbound on Cabrillo Street from Arguello Boulevard to La Playa Street.  
(6/6/02 Categorically Exempt from Environmental Review - Creation of bicycle lanes on existing rights-of-way)  
**Question: Shall this Resolution be ADOPTED?**

## 85. 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.*

## 86. 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*

### **From Rules and Audits Committee Without Recommendation**

*Present: Supervisors Hall, Gonzalez, Sandoval*

## 87. 020942 [Settlement of Lawsuit]

Ordinance authorizing settlement of the lawsuit filed by Cecelia Wade against the City and County of San Francisco for \$250,000; the lawsuit was filed on July 11, 2001 in the San Francisco Superior Court and later was transferred to the District Court of the Northern District of California, Case No. C01-3165; entitled Cecelia Wade, et al., v. City and County of San Francisco, et al. (City Attorney)  
(Public Benefit Recipient.)

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

## CLOSED SESSION

## CONFERENCE WITH CITY ATTORNEY - Existing Litigation

*Motion that the Board of Supervisors convene in closed session with the City Attorney, under the provisions of Government Code Section 54956.9 (a) and Administrative Code Section 67.8 (3), for the purpose of conferring with, or receiving advice from, the City Attorney, regarding the proposed settlement listed above.*

*After a closed session, if one occurs, the President shall (1) request the Deputy City Attorney to identify the subjects discussed in the closed session, and (2) direct the Clerk of the Board to report the vote taken*

*on any motion in the closed session.*

*[Elect To Disclose]*

*Motion that the Board finds it is in the public interest to disclose information discussed in closed session, and directs the President immediately to disclose that information.*

*[Elect Not to Disclose]*

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

## **CLOSED SESSION**

### **CONFERENCE WITH CITY ATTORNEY - Anticipated Litigation as Plaintiff or Defendant of existing Litigation**

**88. 021321 [Anticipated Litigation]**

Motion that the Board of Supervisors convene in closed session with the City Attorney for the purpose of conferring with, or receiving advice from, the City Attorney regarding anticipated litigation (City anticipated to be a plaintiff or defendant) which may occur with Television Signal Corporation and AT&T Broadband et al. regarding compliance with the City's cable television franchise and AT&T Broadband's proposed merger with Comcast. (City Attorney)

This closed session would be permitted by Government Code Section 54956.9(b) and (c) and the San Francisco Administrative code Section 67.10(d).

8/5/2002, MOTION.

8/5/2002, HEARD IN CLOSED SESSION.

8/5/2002, CONTINUED. Continued to August 19, 2002.

8/19/2002, CONTINUED. Continued to August 26, 2002.

*Motion that the Board of Supervisors convene in closed session with the City Attorney, under the provisions of Government Code Section 54956.9 (a) and Administrative Code Section 67.8 (3), for the purpose of conferring with, or receiving advice from, the City Attorney, regarding the proposed settlement listed above.*

*After a closed session, if one occurs, the President shall (1) request the Deputy City Attorney to identify the subjects discussed in the closed session, and (2) direct the Clerk of the Board to report the vote taken on any motion in the closed session.*

*[Elect To Disclose]*

*Motion that the Board finds it is in the public interest to disclose information discussed in closed session, and directs the President immediately to disclose that information.*

*[Elect Not to Disclose]*

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

## **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 89 through 116**

- 89. 021486 [Committee of the Whole] Supervisor Peskin**  
Motion scheduling a Committee of the Whole to consider the Mayor's nominations to the Planning Commission to be held on August 26, 2002 at 3:00 p.m. (File Nos. 021487-021494)  
8/19/2002, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.  
**Question: Shall this Motion be ADOPTED?**
- 89a. 021498 [Suspending the Rule of Order] Supervisor Peskin**  
Motion suspending Rule 4.37 regarding referral of appointment to Rules Committee.  
8/19/2002, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.  
**Question: Shall this Motion be ADOPTED?**
- 90. 021487 [Appointment, Planning Commission] Supervisor Peskin**  
Motion approving the Mayor's nomination to Seat No. 4 of the Planning Commission, term to be determined by lot. (Mayor)  
Vacant seat, new position, Seat No. 4, must be nominated by the Mayor, term to be determined by lot.  
8/19/2002, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.  
**Question: Shall this Motion be ADOPTED?**



**91. 021491 [Appointment, Planning Commission]**

Motion rejecting the Mayor's nomination to Seat No. 4 of the Planning Commission. (Mayor)

8/19/2002, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

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

**92. 021488 [Appointment, Planning Commission]**

Motion approving the Mayor's nomination to Seat No. 5 of the Planning Commission, term to be determined by lot. (Mayor)

Vacant seat, new position, Seat No. 5, must be nominated by the Mayor, term to be determined by lot.

8/19/2002, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

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

**93. 021492 [Appointment, Planning Commission]**

Motion rejecting the Mayor's nomination to Seat No. 5 of the Planning Commission. (Mayor)

8/19/2002, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

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

**94. 021489 [Appointment, Planning Commission]**

Motion approving the Mayor's nomination to Seat No. 6 of the Planning Commission, term to be determined by lot. (Mayor)

Vacant seat, new position, Seat No. 6, must be nominated by the Mayor, term to be determined by lot.

8/19/2002, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

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

**95. 021493 [Appointment, Planning Commission]**

Motion rejecting the Mayor's nomination to Seat No. 6 of the Planning Commission. (Mayor)

8/19/2002, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

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

**96. 021490 [Appointment, Planning Commission]**

Motion approving the Mayor's nomination to Seat No. 7 of the Planning Commission, term to be determined by lot. (Mayor)

Vacant seat, new position, Seat No. 7, must be nominated by the Mayor, term to be determined by lot.

8/19/2002, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

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

**97. 021494 [Appointment, Planning Commision]**

Motion rejecting the Mayor's nomination to Seat No. 7 of the Planning Commission. (Mayor)

8/19/2002, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

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

**98. 021466 [Design Build Contract]**

**Supervisor Maxwell**

Resolution approving award of a design build contract for the "Moscone Center Renewable Energy Power Plant".

8/19/2002, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

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

**99. 021469 [Issuance and Sale of Revenue Bonds - Folsom/Dore Multifamily Residential Rental Housing Development] Supervisor Daly**

Resolution approving, for the purposes of the Internal Revenue Code, the issuance and sale of revenue bonds by the City and County of San Francisco in an aggregate principal amount not to exceed \$19,000,000 for the Folsom/Dore multifamily residential rental housing development.

8/19/2002, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

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

**100. 021471 [Accept-Expend Robert Wood Johnson Foundation Grant]**

**Supervisor Newsom**

Resolution authoring the Department of Aging and Adult Services to accept and expend a grant in the amount of \$150,000 from the Robert Wood Johnson Foundation for a strategic planning process to develop an integrated model of service delivery for older and disabled adults.

8/19/2002, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

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

**101. 021472 [Urge Passage of AB 714]**

**Supervisor Sandoval**

Resolution urging the California State Senate to pass Assembly Bill No. 714.

8/19/2002, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

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

**102. 021473 [Support Senate Bill 1736] Supervisor Sandoval**

Resolution urging Governor Gray Davis to sign Senate Bill 1736.

8/19/2002, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

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

**103. 021474 [Support 5th International Michelin Challenge Bibendum] Supervisor Ammiano**

Resolution supporting the 5th International Michelin Challenge Bibendum to San Francisco in September, 2003, and pledging our close cooperation and support of this important event.

8/19/2002, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

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

**104. 021475 [Extending Abandoned Auto Vehicle] Supervisor Maxwell**

Resolution authorizing the extension of the one dollar (\$1) vehicle registration fee on all vehicles registered in San Francisco to be used only for the abatement, removal and disposal of abandoned vehicles pursuant to Senate Bill 1333.

8/19/2002, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

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

**105. 021476 [Extend Planning Commission Review Period] Supervisor Maxwell**

Resolution extending the prescribed time within which the Planning Commission may render its decision on a proposed ordinance to amend Article 10 of the Planning Code by adding Appendix L designating the Dogpatch Historic District and make findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan.

8/19/2002, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

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

**106. 021477 [Support Senate Bill 1125] Supervisor Newsom**

Resolution urging Governor Gray Davis to adopt Senate Bill 1125, introduced by John Burton, which will give farm workers the ability to recover appropriate monetary relief for all labor violations and will encourage surety bond companies to undertake greater scrutiny of contractors that are issued wage bonds.

8/19/2002, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

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

**107. 021478 [Use of Veterans Building] Supervisor Yee**

Resolution urging the San Francisco Posts of the American Legion ("San Francisco Posts"), as beneficiaries of the 1921 War Memorial Trust Agreement, to allow Veterans' groups that have been nationally chartered by Congress to have equal access to the San Francisco Posts' allotted space in the War Memorial Veterans Building.

8/19/2002, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

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

**108. 021479 [Commend Mabel Seto] Supervisor Sandoval**

Resolution commending the Asian Pacific American Community Center for its first fundraising event and Mabel Seto on the occasion of her birthday.

8/19/2002, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

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

**109. 021480 [Commend First SF Summit on Immigrant Rights] Supervisor Sandoval**

Resolution commending the San Francisco Immigrant Rights Commission for organizing the First San Francisco Summit on Immigrant Rights.

8/19/2002, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

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

**110. 021481 [Commend Big Brothers Big Sisters of America] Supervisors Leno, Maxwell**

Resolution commending Big Brothers Big Sisters of America (BBBS), an award-winning youth organization that allows gay and lesbian volunteers the equal opportunity to serve as one-on-one mentors to children.

8/19/2002, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

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

**111. 021482 [Commend New Bessie Carmichael Working Group] Supervisor Daly**

Resolution commending the efforts of the New Bessie Carmichael Working Group.

8/19/2002, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

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

**112. 021483 [Commend Mission Learning Center] Supervisor Daly**

Resolution commending Mission Learning Center for its commitment to the community through education, and for its impressive results in teaching children to read at their grade level.

8/19/2002, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

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

**113. 021484 [Commend Juma Ventures] Supervisor Newsom**

Resolution commending Juma Ventures for its recent distinction as a 2002 Promising and Effective Practices Network (PepNet) renewal Awardee.

8/19/2002, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

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

**114. 021495 [Oppose State Senate Bill 1918] Supervisor Daly**

Resolution opposing State Senate Bill 1918 which will redefine "pedestrians" to include riders of Segway motorized vehicles.

8/21/2002, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

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

**115. 021496 [Commend Chinese Historical Society of America] Supervisor Sandoval**

Resolution commending the Chinese Historical Society of America on the occasion of their 2002 Gala, Half of Heaven: "Chinese American women of Honor", in San Francisco on Saturday, September 14, 2002.

8/21/2002, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

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

**116. 021457 [Needle Exchange Emergency] Supervisors Ammiano, Newsom, Yee, Leno, Daly, Peskin, McGoldrick, Maxwell**

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

8/19/2002, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

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

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

**117. 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**

*None*

## **PROPOSED RESOLUTIONS**

*Proposed resolutions received from August 14 through noon on August 22, for reference by President to appropriate committee on August 26, 2002.*

### **021452 [Settlement of Claim]**

Resolution approving the settlement of the unlitigated claim filed by Elizabeth Clot against San Francisco for \$75,000; claim was filed on July 12, 2002. (City Attorney)

(Public Benefit Recipient.)

8/19/2002, RECEIVED AND ASSIGNED to Rules and Audits Committee.

**021454 [UCSF Mission Bay Campus - Utility Crossings and an at grade pedestrian crossing]**

Resolution granting revocable permission to Regents of the University of California to occupy a portion of the public right-of-ways to construct, install and maintain utility crossings and joint trenches on future 4th and Owens Streets, and on future South Common Street, for providing various services to the new UCSF Mission Bay Campus; and to construct and maintain an at grade pedestrian crossing at a future mid-block signalized intersection on future 4th Street at future private 14th Street and making findings of consistency with the City General Plan and eight priority policies of the City Planning Code Section 101.1. (Public Works Department)

8/21/2002, RECEIVED AND ASSIGNED to Public Works and Public Protection Committee.

**021497 [Petitions and Communications]**

Petitions and Communications received from August 15 through noon on August 21, for reference by the President to Committee considering related matters or to be ordered filed by the Clerk on August 26, 2002.

From concerned citizens, requesting the Board of Supervisors hold new hearings on animal testing at UCSF and do everything in the Board's power to compel ECSF to end Stephen Lisberger's cruel and outdated experiments. Approximately 100 letters and postcards(1)

From Department of Building Inspection, submitting five cellular antenna permit applications filed for the following addresses: 251 Barneveld Avenue, 2300 California Street, 188 The Embarcadero/177 Steuart Street, 334 Mason Street, 2001 37th Avenue. (Reference No. 20000403-002) Copy: Supervisor Yee(2)

From Office of the Controller, regarding the cost for the proposed contract for Budget Analyst services for the Board of Supervisors.(3)

From Frederick Hobson, submitting copy of letter sent to Supervisor Daly regarding telephone conversation on August 9, 2002.(4)

From Taxicab Commission, regarding adopted Budget for fiscal year 2002/03.(5)

From SF Convention Facilities, regarding adopted Budget for fiscal year 2002/03.(6)

From Congresswomen Nancy Pelosi, submitting support for Proposition H, related to Pension Parity for San Francisco public safety officers on the November 5, 2002 ballot. Copy: Rules Committee(7)

From Reverend John Jimenez, submitting opposition to Senate Bull 1301, regarding RU-486.File 021195(8)

From MUNI, regarding adopted Budget for fiscal year 2002/03.(9)

From Stephen Halpern, urging the Board of Supervisors to come to a resolution on the composition of the Planning Commission.(10)

From Gary Moody, submitting proposal for increasing the supply of affordable housing in San Francisco. Copy: Each Supervisor(11)

From Department of Human Resources, submitting annual report of sexual harassment complaints for fiscal year 2001/02.(12)

From Office of the Controller, Audits Division, submitting report concerning the compliance audit of the construction contract between the Airport Commission and DeSilva Gates - Ramirez, A Joint Venture for construct of Phase A of the multimodal transportation center at SF International Airport.(13)

From SF Building Management, submitting list of Sole Source Contracts for fiscal year 2001/02.(14)

From Jeff Murray, submitting copy of letter sent to Christopher Moscone regarding construction and maintenance of a retaining wall along Golding Lane.(15)

From Aztecs of North America Committee, requesting support for the campaign that seeks historical recognition of Native American Indian descendants of the Aztecs of North America.(16)

From Daryl Browne, submitting opposition to proposed resolution establishing a Board of Supervisors Work Group for the Recreation and Parks Natural Areas Program. File 021260(17)

From Office of the Legislative Analyst, submitting report regarding San Francisco's Flower Markets. Copy: Supervisor Sandoval(18)

From concerned citizens, submitting support for proposed ordinance that requires twenty percent of a residential front yard area to remain unpaved, and that parking of cars in a front yard open-space be prohibited. File 020493, 2 letters(19)

From Douglas Kadlecek, submitting ideas for a Homeless Sponsorship Program.(20)

From various City departments and other agencies, submitting Conflict of Interest Code Review Reports (Campaign and Government Conduct Code, Article III, Chapter 1). Copy: City Attorney's Office:(21)

Department of Building Inspection (Update)

Public Defender

Fine Arts Museums of San Francisco

Sheriff

Controller

Ethics Commission

From Law Library, regarding adopted Budget for fiscal year 2002/03.(22)

From SF Environment, regarding adopted Budget for fiscal year 2002/03.(23)

From Department of Public Works, regarding adopted Budget for fiscal year 2002/03.(24)

From Public Defender, regarding adopted Budget for fiscal year 2002/03.(25)

From Arts Commission, regarding adopted Budget for fiscal year 2002/03.(26)

From Hala Hijazi, submitting notice that the Old Mint floor plans prepared with Historic Structures (electronic form) is now available.(27)

From Department of Building Inspection, regarding proposed ordinance that requires publication of a cover sheet with neighborhood notices advising how to request information about the notices in multiple languages and making findings. File 020786(28)



From Department of Parking and Traffic, regarding policies and regulations relating to containerized moving and/or mobile storage companies.(29)

From Department of Parking and Traffic, submitting copy of names and addresses of all current holders of Area Y Residential Permits to Supervisor Daly, for the purpose of informing residents of recent changes to the parking restrictions. (Reference No. 20020603-004)(30)

From Department of Parking and Traffic, regarding vehicles parking on the sidewalk in the Marina.(Reference No. 20020812-002) Copy: Supervisor Daly(31)

From Department of Public Health, submitting three contamination site reports for the month of July 2002. Copy: Health and Human Services Committee(32)

From State Fish and Game Commission, regarding proposed regulatory action relative to the Harvest of Herring.(33)

From Department of Parking and Traffic, regarding what action the Department could take to assist individuals living in vehicles. (Reference No. 20020617-004) Copy: Supervisor Maxwell(34)

From Joseph Brajkovich, regarding delinquent charges for Code Enforcement cases with delinquent assessment of costs and emergency order fees. File 021318(35)

From Marvella Pierce, regarding Conditional Use Appeal on property located at 2863 California Street. File 021244(36)

From concerned citizens, regarding Conditional Use Appeal on property located at 1005-1007 Geneva Avenue. File 021276(37)

From Human Rights Commission, regarding adopted Budget for fiscal year 2002/03.(38)

From Martin Lyon, regarding street name sign that will be posted at Lake Merced Boulevard and the John Muir Drive intersection. Copy: Supervisor Hall(39)

From Office of the Assessor-Recorder, regarding adopted Budget for fiscal year 2002/03.(40)

From Treasurer/Tax Collector, submitting request for waiver of the requirements of Chapters 12B and 12C of the Administrative Code for Experian.(41)

From Department of Human Resources, regarding adopted Budget for fiscal year 2002/03.(42)

From Office of the Controller, submitting the City's application for Proposition 41 funding.(43)

From Office of the Legislative Analyst, submitting legislative analyst report on the steps required for the City and County of San Francisco to attract a Professional Women's Sports Franchise. File 020365(44)

From Department of Building Inspection, regarding adopted Budget for fiscal year 2002/03.(45)

From Department of Building Inspection, submitting annual report for fiscal year 2000/01.(46)

From Port, submitting annual report for fiscal year 2000/01.(47)

From Ethics Commission, submitting annual report for fiscal year 2000/01.(48)

From Treasurer/Tax Collector, submitting request for waiver of the requirements of Chapters 12B and 12C of the Administrative Code for Technology Unlimited, Inc.(49)

From Chief Medical Examiner, regarding adopted Budget for fiscal year 2002/03.(50)  
From Department of Parking and Traffic, regarding the feasibility of making the pedestrian crossings safer at the intersection of Mission Street, Ocean Avenue and San Juan Avenue.  
(Reference No. 20020325-019) Copy: Sandoval(51)

From Police Department, regarding adopted Budget for fiscal year 2002/03.(52)

From Animal Care and Control Department, regarding adopted Budget for fiscal year 2002/03.(53)

## **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.

Contact Ohn Myint at (415) 554-7704.

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 Ohn Myint 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@sfgov.org](mailto:Donna.Hall@sfgov.org)

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.sfgov.org/bdsupvrs/sunshine.htm>

### **Lobbyist Registration and Reporting Requirements**

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site [www.sfgov.org/ethics](http://www.sfgov.org/ethics)

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