

Full Board Agendas

Click on the file numbers below to obtain background materials. These files are provided in PDF format, and you must have the Adobe Acrobat Reader to access them. [Click here for info about obtaining Acrobat \(it's free\).](#)

[Click here for all Board items' background materials \(20-30 MB PDF format file\).](#)

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, October 28, 2002
2:00 PM

Regular Meeting

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

ROLL CALL AND PLEDGE OF ALLEGIANCE

APPROVAL OF 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.

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 1 through 4

Recommendations of the Rules and Audits Committee

Present: Supervisors Hall, Gonzalez

1. 021679 [Settlement of Lawsuit]

Ordinance authorizing settlement of the lawsuit filed by Robin Dubner against the City and County of San Francisco for \$205,000; the lawsuit was filed on 12/31/97 in the U.S. District Court, Case No. 98-1075; entitled Robin Dubner v. City and County of San Francisco, et al. (City Attorney)

(No Public Benefit Recipient.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

2. 020629 [Appointment]

Resolution appointing Kevin Sharps and Paul Kangas, terms ending October 1, 2005, to the Drug Abuse Advisory Board.

Kevin Sharps, succeeding himself, seat 6, term expired, must represent the public at large or service provider, for a new three year term ending October 1, 2005;

Paul Kangas, succeeding Victoria Hunt, term expired, seat 7, must represent the public at large or a service provider, for a new three year term ending October 1, 2005.

Question: Shall this Resolution be ADOPTED?

3. 021398 [Appointment]

Resolution appointing Saif Ataya and Larisa Casillas, terms ending June 6, 2004, to the Immigrant Rights Commission.

Saif Ataya, succeeding Neyde Azevedo, term expired, seat 2, must have a demonstrated knowledge of and interest in the health, human service, educational, or employment issues that affect immigrants residing in San Francisco, for a two year term ending June 6, 2004;

Larisa Casillas, succeeding Marcos Eusebio Gutierrez, term expired, seat 5, must have a demonstrated knowledge of and interest in the health, human service, educational, or employment issues that affect immigrants residing in San Francisco, for a two year term ending June 6, 2004.

Question: Shall this Resolution be ADOPTED?

4. 021629 [Appointment]

Resolution appointing Susan Stryker and Melissa Szeto, terms to be determined, to the San Francisco Museum and Historical Society Advisory Committee.

Susan Stryker, new position, seat 1, must be a member of the public from historical organizations including, but not limited to, organizations focused on the history of ethnic or racial minorities, sexual orientations, gender or any of the various other cultural communities with San Francisco, for

a one-year term ending date to be determined pursuant to Ordinance No. 92-02; Melissa Szeto, new position, seat 2, must be a member of the public from historical organizations including, but not limited to, organizations focused on the history of ethnic or racial minorities, sexual orientations, gender or any of the various other cultural communities with San Francisco, for a one-year term ending date to be determined pursuant to Ordinance No. 92-02.

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 Department of Public Works

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

5. 021636 [Appeal, Minor Sidewalk Encroachment-1901 Hyde Street]

Motion disapproving the decision of the Department of Public Works' denial of an Encroachment Permit for 1901 Hyde Street and granting an Encroachment Permit. (Clerk of the Board)

10/15/2002, MOTION Continued to October 28, 2002.

Question: Shall this Motion be ADOPTED?

6. 021637 [Appeal, Minor Sidewalk Encroachment-1901 Hyde Street]

Motion affirming the Department of Public Works' denial of an Encroachment Permit for 1901 Hyde Street and denying an Encroachment Permit. (Clerk of the Board)

10/15/2002, MOTION Continued to October 28, 2002.

Question: Shall this Motion be ADOPTED?

Recommendations of the Finance Committee

Present: Supervisors Peskin, Daly, Maxwell

7. 021458 [Amend Police Code Section 1070.16]

Supervisors Leno, Daly

Ordinance amending San Francisco Police Code Section 1070.16 to allow adults over the age of 18 into after hours premises.

10/15/2002, CONTINUED. Continued to October 28, 2002.

Question: Shall this Ordinance be PASSED ON FIRST READING?

Present: Supervisors Peskin, Daly

8. 021236 [Amending Section 110 of the San Francisco Building Code To Increase Fees For Services]

Ordinance amending Section 110 of the San Francisco Building Code to increase fees for Department of Building Inspection services. (Building Inspection Department)

10/21/2002, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendation of the Public Works and Public Protection Committee

Present: Supervisors Sandoval, Daly

9. 020493 [Front Yard Paving]

Supervisors Sandoval, Daly, Gonzalez

Ordinance amending Sections 132 and 136 of the Planning Code to require that twenty percent of required setback areas remain unpaved and devoted to plant material, and to prohibit parking from obstructing required setbacks, and making findings of consistency with the priority policies of the Planning Code Section 101.1 and the General Plan.

(Planning Commission Resolution #16450 adopted 6/27/02 recommending approval; Certificate of Exemption/Exclusion from Environmental Review dated 6/19/02)

10/21/2002, PASSED ON FIRST READING. Supervisor Gonzalez requested to be added as a co-sponsor.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendation of the Transportation and Commerce Committee

Present: Supervisors McGoldrick, Hall, Ammiano

10. 021098 [Requiring Minimum Square Footage for Off-site Units and Clarifying Unit Requirements in Inclusionary Affordable Housing Program]

Supervisors McGoldrick, Leno, Gonzalez, Daly

Ordinance amending Planning Code Section 315.5 to provide that off-site units produced to meet the City's Inclusionary Affordable Housing Program shall be of a similar square footage to the units produced in the principle project; amending Sections 315.4 and 315.5 to change the method of calculating the requirement for number of units produced under the Inclusionary Affordable Housing Program to more closely reflect the percentages stated in the text of the Ordinance.

10/21/2002, AMENDED. Supervisor Daly moved to amend on page 6, line 12, by deleting "so that the following number of units affordable to qualifying householders shall be required."

10/21/2002, PASSED ON FIRST READING AS AMENDED. Supervisors Gonzalez and Daly requested to be added as co-sponsors.

Question: Shall this Ordinance be FINALLY PASSED?

NEW BUSINESS

Recommendations of the Health and Human Services Committee

Present: Supervisors Daly, Leno, Maxwell

11. 011498 [Identification and Use of Surplus City Property for Housing]

Supervisor Daly

Ordinance adding San Francisco Administrative Code Chapter 23A to identify and establish Board policy regarding surplus, unutilized and underutilized City real property for housing for the homeless.

5/13/2002, SUBSTITUTED. Supervisor Daly submitted a draft substitute ordinance bearing new title.

Question: Shall this Ordinance be PASSED ON FIRST READING?

12. 021462 [Amend Administrative Code Section 12B.1 and Police Code Sections 3303 and 3310] Supervisors Leno, Daly, Maxwell

Ordinance amending Articles 33, 33B and 38 of the Police Code by amending Sections 3303, 3803, and 3852 to prohibit employment discrimination against independent contractors; amending Sections 3305, 3310, and 3805 to prohibit business-to-business discrimination; amending Section 3301, 3302, 3303, 3304 and 3305 to add creed and national origin to the protected categories; amending Sections 3301, 3302 and 3305.1 to add weight and height to the protected categories; amending Sections 3303, 3305 and 3307 and adding Section 3305.2 to clarify provisions relating to discrimination for association and retaliation with persons in protected categories; amending Sections 3300B.1, 3300B.3 and 3300B.4 to add age, gender identity, place of birth, weight and height to the protected categories; and amending Sections 3302, 3304, 3305, 3305.1, 3306, 3307, 3811 and 3856 for technical changes.

Question: Shall this Ordinance be PASSED ON FIRST READING?

Recommendations of the Rules and Audits Committee

Present: Supervisors Hall, Gonzalez

13. 021720 [Appointment]

Resolution appointing Supervisors Chris Daly, Jake McGoldrick, and Gerardo Sandoval, terms ending June 30, 2004, to the Association of Bay Area Governments Executive Board.

Supervisor Chris Daly, succeeding himself, term expired, Seat No. 1, must be a member of the Board of Supervisor, for a new two-year term ending June 30, 2004;
Supervisor Jake McGoldrick, succeeding himself, term expired, Seat No. 2, must be a member of the Board of Supervisor, for a new two-year term ending June 30, 2004;
Supervisor Gerardo Sandoval, vacant seat, term expired, Seat No. 5, must be a member of the Board of Supervisor (Position alternates between the Board of Supervisors and the Mayor), for a new two-year term ending June 30, 2004.

Question: Shall this Resolution be ADOPTED?

14. 021721 [Appointment]

Resolution appointing Supervisor Jake McGoldrick, term ending November 28, 2003, to the California State Association of Counties Board of Directors.

Supervisor Jake McGoldrick, succeeding Supervisor Leland Yee, term expired, Seat No. 1, must be a member of the Board of Supervisor, for a new one-year term ending November 28, 2003.

Question: Shall this Resolution be ADOPTED?

15. 021722 [Appointment]

Resolution appointing Supervisor Gerardo Sandoval, term ending November 28, 2003, as an

alternate member to the California State Association of Counties Board of Directors.

Supervisor Gerardo Sandoval, succeeding Supervisor Jake McGoldrick, term expired, Seat No. 2, must be a member of the Board of Supervisor (alternate position), for a new one-year term ending November 28, 2003.

Question: Shall this Resolution be ADOPTED?

CALLED FROM COMMITTEE

- 16. 021454 [UCSF Mission Bay Campus - Utility Crossings and an at grade pedestrian crossing] Supervisor Leno**

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)

9/23/2002, CONTINUED. Supervisor Yee requested that this item be continued to September 30, 2002.

9/30/2002, RE-REFERRED to Public Works and Public Protection Committee. Supervisor Leno requested to be added as a co-sponsor.

10/21/2002, CALLED FROM COMMITTEE. Supervisor Yee requested this matter be scheduled for the October 28, 2002 Board meeting.

Question: Shall this Resolution be ADOPTED?

SPECIAL ORDER 3:00 P.M.

- 17. 021582 [Public Hearing - Appeal, Discretionary Review - 950 Corbett Avenue]**

Hearing of persons interested in or objecting to the Planning Director's Discretionary Review recommendation dated September 18, 2002, Case No. 2002.0706DD, approving Demolition Permit Application No. 2002.0110.6628 to demolish the existing two story one family dwelling and request for Discretionary Review of Building Permit Application No. 2002. 0110.6632, to construct a new 5 story structure containing 3 dwelling units and 4 parking spaces, in an RM-1 (Residential Mixed, Low Density) District, and a 40-X Height and Bulk district, on property located at 950 Corbett Avenue, west side between Hopkins Avenue and Market Street; Lot 013, in Assessor's Block 2799.

(Appeal filed September 25, 2002; Board final action date: November 4, 2002; companion measure to Files 021583, 021584; District 8.)

Action: _____

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

- 18. 021583 [Appeal, Discretionary Review - 950 Corbett Avenue]**

Motion approving decision of the Planning Director approving Discretionary Review Case No. 2002.0706DD, on property located at 950 Corbett Street, pursuant to Emergency Ordinance No. 186-02. (Clerk of the Board)

Question: Shall this Motion be ADOPTED?

19. 021584 [Appeal, Discretionary Review - 950 Corbett Avenue]

Motion disapproving decision of the Planning Director approving Discretionary Review Case No. 2002.0706DD, on property located at 950 Corbett Street, pursuant to Emergency Ordinance No. 186-02. (Clerk of the Board)

Question: Shall this Motion be ADOPTED?

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.

SPECIAL ORDER 3:00 P.M.

20. 021676 [Public Hearing - Appeal, Discretionary Review - 2750 Lake Street]

Hearing of persons interested in or objecting to the Planning Director's Discretionary Review recommendation dated September 27, 2002, Case No. 2002.0674D, approving Building Permit Application No. 2002.02.27.0160 proposing to construct habitable rooms over an existing one-story garage of a single-family residence in an RH-1(D) (Residential, House, One-Family Detached) District, and a 40-X Height and Bulk district, on property located at 2750 Lake Street, north side between 28th and 29th Avenues; Lot 007, in Assessor's Block 1330.

(Appeal filed October 1, 2002; Board final action date: November 12, 2002; companion measure to Files 021677, 021678; District 2.)

Action: _____

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

21. 021677 [Appeal, Discretionary Review - 2750 Lake Street]

Motion approving decision of the Planning Director approving Discretionary Review Case No. 2002.0674D, on property located at 2750 Lake Street, pursuant to Emergency Ordinance No. 186-02. (Clerk of the Board)

Question: Shall this Motion be ADOPTED?

22. 021678 [Appeal, Discretionary Review - 2750 Lake Street]

Motion disapproving decision of the Planning Director approving Discretionary Review Case No. 2002.0674D, on property located at 2750 Lake Street, pursuant to Emergency Ordinance No. 186-02. (Clerk of the Board)

Question: Shall this Motion be ADOPTED?

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.

SPECIAL ORDER 3:00 P.M.

- 23. 021680 [Public Hearing - Appeal, Discretionary Review - 1168 Folsom Street] Supervisor Hall**

Hearing of persons interested in or objecting to the Planning Director's Discretionary Review recommendation dated September 17, 2002, Case No. 2001.0661D, disapproving Building Permit Application No. 2002.02.2.9626S, proposing to construct a new building that would contain 20 dwelling units, two commercial units, and 20 parking spaces, where a warehouse structure currently stands; the site is within an SLR (Service/Light Industrial/Residential) District, and a 50-X Height and Bulk District; and an Industrial Protection Zone, on property located at 1168 Folsom Street, north side between 8th and Rausch Street; Lot 123, in Assessor's Block 3730.

(Appeal filed October 2, 2002; Board final action date: November 12, 2002; companion measure to Files 021681, 021682; District 6.)

Action: _____

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

- 24. 021681 [Appeal, Discretionary Review - 1168 Folsom Street]**

Motion approving decision of the Planning Director disapproving Discretionary Review Case No. 2001.0661D, on property located at 1168 Folsom Street, pursuant to Emergency Ordinance No. 186-02. (Clerk of the Board)

Question: Shall this Motion be ADOPTED?

- 25. 021682 [Appeal, Discretionary Review - 1168 Folsom Street]**

Motion disapproving decision of the Planning Director disapproving Discretionary Review Case No. 2001.0661D, on property located at 1168 Folsom Street, pursuant to Emergency Ordinance No. 186-02. (Clerk of the Board)

Question: Shall this Motion be ADOPTED?

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.

- 26. 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.

- 27. 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.

- 28. 021787 [Legislative Analyst Request] Supervisor Sandoval**
Motion asking the Legislative Analyst to survey other major cities to find out if they require flower-vending stands or other similar cash based businesses to keep track of all sales and what equipment or system is used.

Question: Shall this Motion be ADOPTED?

CLOSED SESSION

CONFERENCE WITH CITY ATTORNEY - Anticipated Litigation as Plaintiff or Defendant

- 29. 021747 [Anticipated Litigation - Construction-Related Disputes]**
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 regarding potential construction-related disputes.

This closed session would be permitted by Government Code Section 54956.9(b) (1) and 54956.9(c), and San Francisco Administrative Code Section 67.10(d) (2). (City Attorney)

10/21/02 - Continued to October 28, 2002.

Action: _____

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 30 through 40

- 30. 021777 [Urge Disguise Inc. Responsibility for Removal of Kung Fool Costumes] Supervisor Yee**
Resolution urging Disguise Inc. to take full responsibility for the removal of Kung Fool costumes in retail stores and to provide full refunds for costumes already purchased.
10/21/2002, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
- 31. 021778 [Authorize SF Recreation and Park to Accept and Expend \$125,925 for 15 TH!NK Electric Vehicles] Supervisor Peskin**
Resolution authorizing the San Francisco Recreation and Park Department to accept and expend a gift valued at \$125,925 from the National Park Foundation for 15 TH!NK neighbor zero emissions electric vehicles.
10/21/2002, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
- 32. 021779 [Dr. Ernie Bodai Day] Supervisor Hall**
Resolution proclaiming October 25, 2002 as "Dr. Ernie Bodai Day" in the City and County of San Francisco in honor of Dr. Bodai's achievements in the fight against breast cancer.
10/21/2002, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
- 33. 021780 [Commend Calvin Gipson] Supervisor Leno**
Resolution commending Calvin Gipson for his years of service at the San Francisco LGBT Pride Celebration Committee.
10/21/2002, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?

- 34. 021781 [Commend Renel Brooks-Moon] Supervisor Maxwell**
Resolution commending Renel Brooks-Moon for her outstanding commitment as a role model for young women and her dedication to the community.
10/21/2002, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
- 35. 021782 [Commend SF Food Bank] Supervisor Maxwell**
Resolution acknowledging the San Francisco Food Bank and the network of neighborhood-based pantries for their exemplary public services and their commitment to ensuring that no child, adult or senior citizen experiences the unwanted and debilitating effects of hunger on the edge of the nation's agricultural heartland.
10/21/2002, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
- 36. 021783 [Commend University of California San Francisco] Supervisor Sandoval**
Resolution commending the University of California San Francisco (UCSF) for working with the American Federation of State, County, and Municipal Employees (AFSCME) to resolve labor issues surrounding the future Mission Bay Campus.
10/21/2002, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
- 37. 021784 [Commend Excelsior Action Group] Supervisor Sandoval**
Resolution commending the Excelsior Action Group for their work improving the Mission Street business corridor in the Excelsior district and for organizing the Excelsior District's First Annual Safe R' Treat Halloween event.
10/21/2002, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
- 38. 021758 [Final Map for a 212 Unit Residential Condominium Project]**
Motion approving Final Map of 140 South Van Ness Avenue, A Residential Condominium Project, being a subdivision of Lot 47 in Assessor's Block No. 3514, and adopting findings pursuant to City Planning Code Section 101.1.
(No Public Benefit Recipient; DPW Order No. 173,730; District 6.)
10/18/2002, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Motion be ADOPTED?
- 39. 021769 [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.

10/21/2002, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be ADOPTED?

40. 021790 [Urge Mayor to Administer Oath to Jon Ballesteros, Planning Commission]

Supervisors Leno, Ammiano, Gonzalez, Maxwell, McGoldrick, Peskin, Sandoval, Daly

Motion respectfully urging Mayor Willie L. Brown Jr. to administer the oath of office to his three Board-approved nominees to the Planning Commission and to resubmit for approval the nomination of John Ballesteros to serve on the Planning Commission.

10/21/2002, 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: _____

41. 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 17 through noon on October 23, 2002, for reference by President to

appropriate committee on October 28, 2002.

021754 [Re-appropriating funding for three positions to operate and maintain audio, video and security systems]

Ordinance re-appropriating \$127,577 of existing funding for three positions to operate and maintain audio, video, and security systems by the Administrative Services - Convention Facilities Management for Fiscal Year 2002-2003, and Amending Annual Salary Ordinance for Fiscal Year 2002-03. (Controller)

(No Public Benefit Recipient; companion measure to File 021793.)

10/22/2002, RECEIVED AND ASSIGNED to Finance Committee.

021792 [Street Artist Certificate Fee Increase]

Ordinance amending Article 24 of the San Francisco Police Code by amending Section 2401.1 to increase the fee for a Street Artist Certificate. (Arts Commission)

(No Public Benefit Recipient.)

10/22/2002, RECEIVED AND ASSIGNED to Finance Committee.

021793 [Public Employment]

Ordinance amending Ordinance No. 175-02 (Annual Salary Ordinance 2002/03) setting rates in the 2002-003 Compensation Plan for two new classifications, establishing a budget for three positions, and deleting three positions in Convention Facilities for fiscal year 2002-03. (Human Resources Department)

(No Public Benefit Recipient.)

10/22/2002, RECEIVED AND ASSIGNED to Finance Committee.

021804 [Garbage Collection Truck Licensing Fee]

Ordinance increasing the licensing fee for garbage trucks and the amount deposited into the Mandatory Refuse Collection Service Fund by amending Section 249.6 of the San Francisco Business and Tax Regulations Code and Section 10.100-7 of the San Francisco Administrative Code and ratifying past actions taken in connection with such licensing fee. (Public Health Department)

(No Public Benefit Recipient.)

10/21/2002, ASSIGNED UNDER 30 DAY RULE to Finance Committee, expires on 11/20/2002.

PROPOSED RESOLUTIONS

Proposed resolutions received from October 17 through noon on October 23, 2002, for reference by President to appropriate committee on October 28, 2002.

021805 [Accept-Expend DOC Beverage Container Recycling Payment]

Resolution authorizing the Department of Environment to accept and expend a grant in the amount of \$450,330 from the Department of Conservation (DOC) for Fiscal Years 2001/2002 and 2002/2003 and continue to accept similar annually recurring payments. (Environment)

(No Public Benefit Recipient.)

10/17/2002, RECEIVED AND ASSIGNED to Health and Human Services Committee.

021807 [Petitions and Communications]

Petitions and Communications received from October 17, 2002 through noon on October 23, 2002 for reference by the President to Committee considering related matters or to be ordered filed by the Clerk on October 28, 2002.

From various signators, submitting Form 700 Statement of Economic Interests: (1)
Gary Hunt
Jesse Martinez

From Medical Examiner Office, submitting request to Human Rights Commission for waiver of the provisions of Administrative Code Chapters 12B and 12C for Merry X-Ray Chemical.(2)

From Clerk of the Board, submitting quarterly report on items that exceed the total appropriation for fiscal year 2002-03.(3)

From Department of Parking and Traffic, regarding traffic and safety improvements for the following intersections: Lombard and Broderick Streets, Octavia and Francisco Streets and Octavia and Gough Streets.(Reference No. 20020917-001) Copy: Supervisor Newsom(4)

From Morrison & Forester, LLP, submitting request for continuance of hearing for property located at 1668 Folsom Street. File 021680(5)

From Public Library, regarding agreement of purchase and sale of property located at 190 9th Street for use as its Support Services Center. Copy: Each Supervisor(6)

From Real Estate Division, regarding what City departments are spending on required public noticing costs for newspaper advertising. (Reference No. 20020930-066) Copy: Supervisor McGoldrick(7)

From Residential Rent Stabilization and Arbitration Board, regarding what City departments are spending on required public noticing costs for newspaper advertising. (Reference No. 20020930-056) Copy: Supervisor McGoldrick(8)

From Office of the Legislative Analyst, submitting an analysis of how other jurisdictions determine and implement their Public Works Call Center. File No. 021047, Copy: Each Supervisor(9)

From Office of the Airport, regarding current Airport screeners that must apply for the new security screener positions. Copy: Each Supervisor(10)

From Department of Building Inspection, submitting twelve cellular antenna permit applications filed for the following addresses: 848 Battery Street, 295-299 Bay Street, 530 Bush Street, 5 Embarcadero Center, 2675 Geary Boulevard, 985 Geneva Avenue, 99 Green Street, 2-98 Henry Adams Street, 1701 Jerrold Avenue, 597-599 Monterey Boulevard, 451-465 Montgomery Street, 101 Spear Street. (Reference No. 20000403-002) Copy: Supervisor Yee(11)

From Office of the Sheriff, submitting quarterly report on items that exceed the total appropriation for fiscal year 2002-03 Copy: Each Supervisor(12)

From Board of Appeals, regarding what City departments are spending on required public noticing costs for newspaper advertising. (Reference No. 20020930-031) Copy: Supervisor McGoldrick(13)

From Health Commission, submitting copy of Resolution No. 11-02, regarding the use of smokeless tobacco settlement funds approved by the Health Commission on October 1, 2002. Copy: Each Supervisor(14)

From Health Commission, submitting copy of Resolution No. 12-02, regarding licensing fee for garbage trucks and the amount deposited into the mandatory refuse collection service fund, approved by the Health Commission on October 15, 2002. Copy: Each Supervisor(15)

From Department of Human Services, regarding what City departments are spending on required public noticing costs for newspaper advertising. (Reference No. 20020930-044) Copy: Supervisor McGoldrick(16)

From SF Children and Families Commission, submitting sole source survey for fiscal year 2001-02.(17)

From SF Children and Families Commission, submitting annual report for fiscal year 2001-02.(18)

From San Mateo County Transit District, regarding Caltrain right-of-way issues. (Reference No. 20020826-003) Copy: Supervisor Maxwell(19)

From European/American Issues Forum, submitting press release regarding Zebra Victims Memorial Services on October 25th at City Hall.(20)

From Youth Commission, submitting resolution urging the Board of Supervisors to urge the S.F. School District to assess what occurred on October 11, 2002 at Thurgood Marshall Academic High School, and make a plan of action, with the input of students, teachers, parents and facility of Thurgood Marshall Academic High School to prevent such an incident from ever happening again. Copy: Each Supervisor(21)

From MUNI, regarding what City departments are spending on required public noticing costs for newspaper advertising. (Reference No. 20020930-030) Copy: Supervisor McGoldrick(22)

From S.F. Association of Realtors, submitting opposition to proposal that increases the fee for Reports of Residential Record (issued by the Department of Building Inspection) until such time as the reports can be made accurate. Copy: Each Supervisor(23)

From Steven Keller, urging immediate installation of upright flashing yellow lights on Phelan Avenue adjacent to the City College Campus.(24)

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.10 letters(25)

From concerned citizens, regarding appointments to the Planning Commission. 5 letters(26)

From James Oakes, submitting opposition to the use of fluoride in San Francisco's water system.(27)

From Matt Karnes, commenting on the unpleasant state of affairs in the Mission District in the vicinity of 16th Street between Mission and Dolores Streets.(28)

From Excelsior District Action Committee, commenting on Thurgood Marshall High School and the Superintendent of San Francisco Unified School District.(29)

From Marvin Lambert, regarding an off-leash pit bull attack on a Seeing Eye dog and owner at Sutter and Cottage Row in San Francisco. Copy: Each Supervisor(30)

From Jackie Wright, commenting on the resignation of Juliet Montevirgen as principal of Thurgood Marshall Academic High School.(31)

From Clarence Patton, regarding the brutal slaying of Gwen Araujo, a 17 year- old transgender women.(32)

NOMINATION BY THE MAYOR

Planning Commission
Bill Lee

APPOINTMENTS BY THE MAYOR

Airport Commission
Caryl Ito
Larry Mazzola

Human Rights Commission
Malcolm Heinicke
Wilfred Hsu
Larry Lee
Theresa Sparks

Health Commission
Michael Lawrence Penn

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.

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

Board meetings are cablecast on SF Cable 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.

All meetings are real-time captioned and are cablecast open-captioned on SF Cable 26.

The following services are available when requests are made by 4:00 p.m. of the Friday before the Board meeting.

Providing 48 hours' notice will help to ensure availability.

For American Sign Language interpreters, use of a reader during a meeting, or sound enhancement system, contact Ohn Myint at (415) 554-7704. The Clerk of the Board's Office TTY number is (415) 554-5227.

For a large print copy of agenda or minutes in alternative formats, contact Annette Lonich at (415) 554-7706.

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

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/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

[Return to Full Board Agendas](#)