

# BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

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

## MEETING MINUTES

Monday, July 15, 2002 2:00 PM

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

### Regular Meeting

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*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*

## BOARD COMMITTEES

### Committee Membership

#### **Budget Committee**

Supervisors Maxwell, Peskin, Yee, Ammiano, McGoldrick

#### **City and School District Committee**

Supervisors Ammiano, Leno, Wynns, Mar

#### **Finance Committee**

Supervisors Peskin, Daly, Ammiano

#### **Health and Human Services Committee**

Supervisors Daly, Leno, Maxwell

#### **Neighborhood Services and Recreation Committee**

Supervisors Newsom, Leno, McGoldrick

#### **Public Works and Public Protection Committee**

Supervisors Sandoval, Yee, Gonzalez

#### **Rules and Audits Committee**

Supervisors Hall, Gonzalez, Sandoval

#### **Transportation and Commerce Committee**

Supervisors McGoldrick, Hall, Ammiano

### Meeting Days

2nd, 3rd and 4th Tuesday  
1:00 PM

3rd Wednesday  
3:00 PM

Wednesday  
12:30 PM

1st and 3rd Thursday  
1:00 PM

2nd and 4th Thursday  
2:00 PM

1st and 3rd Tuesday  
10:00 AM

1st and 3rd Tuesday  
1:00 PM

2nd and 4th Thursday  
9:30 AM

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

**Members Present:** Tom Ammiano, Chris Daly, Matt Gonzalez, Tony Hall, Mark Leno, Sophie Maxwell, Jake McGoldrick, Gavin Newsom, Aaron Peskin, Gerardo Sandoval, Leland Y. Yee.

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

*The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Tom Ammiano presiding.*

*The meeting was called to order at 2:00 p.m. On call of the roll, all Supervisors were noted present.*

*Quorum present.*

## **APPROVAL OF MEETING MINUTES**

Supervisor Leno, seconded by Supervisor Newsom, moved to approve the May 6, 2002 Meeting Minutes. The motion carried by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

## **AGENDA CHANGES**

*The President inquired if there were any changes to the agenda members were aware of which needed to be continued, tabled, or considered differently.*

*There were none.*

## **Privilege of the floor**

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

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

## **Introduction of Guests**

*Supervisor McGoldrick introduced, welcomed and presented a Certificate of Honor to Ed Lopatin for 18 years of service as a City and County employee.*

## COMMUNICATIONS

*Letter from Willie L. Brown Jr., Mayor, dated July 15, 2002 rescinding the nominations of Hector Chinchilla, Dr. William Fay, Frances Lee, and Jon Ballesteros to the Planning Commission.*

## CONSENT AGENDA

### Recommendations of Finance Committee

**020811 [Contracting Out Own Recognizance, Pretrial Diversion, and Misdemeanant Services]  
Supervisor Hall**

Resolution approving, retroactively, the Controller's certification that own recognizance release, pretrial court diversion, and supervised misdemeanor services provided to arrested persons in the City and County of San Francisco can be practically performed by private contractors at a lower cost for the year commencing July 1, 2002 than if work were performed by City and County employees. (Sheriff)

**Resolution No. 490-02**

**ADOPTED**

**020991 [Contracting out Crime Prevention Services]**

Resolution concurring, retroactively, with the Controller's Certification that Crime Prevention Services can be practically performed by private contractor for lower cost than similar work services performed by City and County Employees. (Police Department)

**Resolution No. 493-02**

**ADOPTED**

The foregoing items were acted upon by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

## REGULAR AGENDA

## UNFINISHED BUSINESS

### From the Clerk

**020901 [Appeal, Conditional Use, 3130-3154 Noriega Street]**

Motion approving decision of the Planning Commission by its Motion No. 16390, approving Conditional Use Application No. 2001.0995CE, on property located 3130-3154 Noriega Street, and adopting findings pursuant to Planning Code Section 101.1. (Clerk of the Board)

**Supervisor Leno, seconded by Supervisor Sandoval, moved that this Motion be TABLED. The motion carried by the following vote:**

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

**020902 [Appeal, Conditional Use, 3130-3154 Noriega Street]**

Motion disapproving decision of the Planning Commission by its Motion No. 16390, approving Conditional Use Application No. 2001.0995CE, on property located 3130-3154 Noriega Street, and adopting findings pursuant to Planning Code Section 101.1. (Clerk of the Board)

(Requires eight votes.)

*Supervisor Peskin, seconded by Supervisor Leno, moved to amend the title after "Noriega Street" by inserting "and approving conditional use application No. 2001.0099 CE subject to the conditions imposed by the Planning Commission and subject to additional conditions imposed by the Board of Supervisors".*

*Add new Conditions 9,10 and 11 as follows:*

*"9. The owners of this building shall make the largest of the two bedroom units in the building subject to the City's Affordable Inclusionary Housing Ordinance.*

*10. No building permit or site permit shall be issued unless the Department of Building Inspection has received, reviewed, and approved a survey performed by a licensed surveyor showing that no point in the newly proposed building (other than ducts, flues, skylights, chimneys, mechanical equipment, ventilators, cooling towers, window-washing equipment, and other minor appurtenances necessary to the operation or maintenance of the structure itself) shall be at a higher elevation above sea level than the highest point of any portion of the parapet of the existing building known as "3100-3126 Noriega Street".*

*11. The Department of Building Inspection shall issue no Certificate of Final Completion and Occupancy for the project until it independently verifies, or confirms a surveyor's certification, by field inspection or otherwise, that the property owner has complied with the height limitation stated in Condition 10."*

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

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

Motion disapproving decision of the Planning Commission by its Motion No. 16390, approving Conditional Use Application No. 2001.0995CE, on property located 3130-3154 Noriega Street, and approving Conditional Use Application No. 2001.0099 CE with additional conditions imposed by the Board of Supervisors and adopting findings pursuant to Planning Code Section 101.1. (Clerk of the Board)

(Requires eight votes.)

**Motion No. M02-109**

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

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

**020903 [Findings - 3130-3154 Noriega Street]**

Motion directing the Clerk of the Board to prepare findings relating to proposed Conditional Use Application No. 2001.0995CE, on property located at 3130-3154 Noriega Street, for action by the Board at its next meeting. (Clerk of the Board)

**Motion No. M02-105**

**APPROVED by the following vote:**

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

**021200 [Adopting findings related to the conditional use appeal on property located at 2455 Bush Street (a.k.a 1770 Scott Street)]**

Motion adopting findings related to the appeal of the Planning Commission's approval of Conditional Use Application No. 99.0818C (which allowed the lot size to exceed 9,999 square feet ((77,056 square feet existing)), allowed the use size to exceed 3,999 square feet ((21,000 gross square feet proposed)), allowed the demolition of approximately 5,900 square feet of a two-story building fronting on Bush Street, and allowed the construction of a new two and three story replacement structure and additions of approximately 11,700 gross square feet with new locker and fitness rooms to serve the existing tennis club ((The California Tennis Club)) per Sections 121.1, 121.2, 303, 711.11, 711.21, and 711.81 of the Planning Code) for the property in an NC-2 (Small-Scale Neighborhood Commercial) District and a 40-X Height and Bulk District, located at 2455 Bush Street (a.k.a. 1770 Scott Street), between Scott and Pierce Streets in the Western Addition neighborhood (Lot 3 in Assessor's Block 680). (Clerk of the Board)

(Companion measure to Files 020769, 020770, 020771, 020772.)

*Supervisor Gonzalez presented an amendment of the whole bearing same title.*

**Supervisor Gonzalez, seconded by Supervisor Newsom, moved that this Motion be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. The motion carried by the following vote:**

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

**Motion No. M02-110**

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

Ayes: 10 - Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

Noes: 1 - Ammiano

### **Recommendations of the Budget Committee**

**021076 [Street fairs fees]**

**Mayor**

Ordinance amending Traffic Code Section 806 to charge street fairs where alcoholic beverages are served the full cost of police services, rather than 40 percent of the cost, to eliminate the \$2,500 cap on charges for police services for street fairs where alcoholic beverages are served, to eliminate ISCOTT's authority to waive payment of the cost of police services for street fairs where alcoholic beverages are served, and to provide for annual adjustment of these fees to reflect changes in the Consumer Price Index. (Mayor)

*Continued to July 22, 2002.*

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

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

**020471 [Increasing the Annual Residential Rent Ordinance Fee to a maximum of \$27.00 per unit]**

Ordinance amending Administrative Code Chapter 37A "Residential Rent Stabilization and Arbitration Fee" by amending Sections 37A.2 and 37A.6 to increase the maximum annual residential rent ordinance fee from \$19 per unit in fiscal year 2000-2001 or \$16 per unit in other years, to \$27.00 per unit; and requiring the amount of the increase to be paid in equal halves by the owner(s) and tenant(s) of each residential unit; this increase will sunset in two years. (Rent Stabilization and Arbitration Board)

**Ordinance No. 161-02**

**FINALLY PASSED by the following vote:**

Ayes: 8 - Ammiano, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Yee

Noes: 3 - Daly, Gonzalez, Sandoval

**Recommendation of the Health and Human Services Committee****020593 [Residential Rent Assistance Pilot Program]  
Supervisors Ammiano, Daly, Maxwell**

Ordinance establishing a General Fund residential rent assistance program for tenants whose federal rent subsidy in San Francisco has been reduced or revoked due to a failure to meet federal immigration status verification requirements imposed under Section 592 of the federal Quality Housing and Work Responsibility Act of 1998 ("QHWRA," Public Law 105-276, 42 U.S.C. 1436a), including tenants in San Francisco Housing Authority units and Section 8 units; providing criteria and procedures for disbursement of funding, with disbursements available commencing July 1, 2002; providing two outreach grants of \$5,000 each; and identifying companion legislation that would provide funding of \$349,000 from the City's General Fund for the first year of the Program (July 2002 through June 2003).

(Fiscal impact.)

**Ordinance No.** 162-02

**FINALLY PASSED** by the following vote:

Ayes: 10 - Ammiano, Daly, Gonzalez, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee  
Noes: 1 - Hall

**Recommendation of the Neighborhood Services and Recreation Committee****020813 [Settlement of Lawsuit]**

Ordinance authorizing settlement of the lawsuits filed by the City and County of San Francisco against City of Daly City and Olympic Club for receipt of an aggregate amount of \$150,000.00 from City of Daly City and Olympic Club; the City and County of San Francisco filed the lawsuits on January 16, 2001 and May 16, 2001, respectively, in San Francisco Superior Court (Cases No. 318-127 and 321-393); other material terms of said settlement are each defendant to pay \$75,000.00. (City Attorney)

*Supervisor Hall previously excused from voting.*

**Ordinance No.** 165-02

**FINALLY PASSED** by the following vote:

Ayes: 10 - Ammiano, Daly, Gonzalez, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee  
Excused: 1 - Hall

**Recommendation of the Rules and Audits Committee**

**020783 [Establishing the San Francisco Entertainment Commission]  
Supervisors Leno, McGoldrick, Ammiano, Gonzalez, Newsom, Peskin, Sandoval, Daly**

Ordinance: (1) amending the San Francisco Administrative Code to add a new Chapter 90 establishing the San Francisco Entertainment Commission; (2) providing for assistance from the Police Department to the Entertainment Commission for the transfer of specified permitting and licensing functions from the Police Department to the Entertainment Commission; (3) amending Article 1 of the San Francisco Police Code (i) relative to renewals of permits and licenses generally, and (ii) to transfer permitting responsibility for the use of loudspeakers or sound amplifying equipment outside buildings or out of doors from the Police Department to the Entertainment Commission; (4) amending Article 15 of the San Francisco Police Code to transfer licensing responsibility for amusements from the Police Department to the Entertainment Commission; (5) amending Article 15.1 of the San Francisco Police Code to transfer permitting responsibility for Places of Entertainment from the Police Department to the Entertainment Commission; and (6) amending Article 15.2 of the San Francisco Police Code to transfer permitting responsibility for Extended Hours Premises from the Police Department to the Entertainment Commission.

(Fiscal impact.)  
(Supervisor Hall dissenting in Committee.)

**Ordinance No.** 164-02

**FINALLY PASSED** by the following vote:

Ayes: 8 - Ammiano, Daly, Gonzalez, Leno, McGoldrick, Newsom, Peskin, Sandoval  
Noes: 3 - Hall, Maxwell, Yee

## NEW BUSINESS

### Recommendations of the Budget Committee

**020956 [Annual Budget, Fiscal Year 2002-03]  
Mayor**

Motion approving Annual Budget for City and County of San Francisco for Fiscal Year 2002-2003. (Mayor)

(Companion measure to Files 020957, 020958, 020959, 020960, 09061.)

*Supervisor Maxwell presented the Budget message for Fiscal Year 2002-2003 on behalf of the Committee.  
Continued to July 22, 2002.*

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

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

**020957 [Government Funding for Fiscal Year 2002-03]**

Annual Appropriation Ordinance appropriating all estimated receipts and all estimated expenditures for the City and County of San Francisco for fiscal year ending June 30, 2003. (Mayor)

(Fiscal impact; Companion measure to Files 020956, 020958.)

*Continued to July 22, 2002.*

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

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

**020958 [Public Employment, Fiscal Year 2002-03]**

Annual Salary Ordinance enumerating positions in the Annual Budget and Appropriation Ordinance for the Fiscal Year ending June 30, 2003, continuing, creating or establishing these positions; enumerating and including therein all positions created by Charter or State law for which compensations are paid from City and County funds and appropriated in the Annual Appropriation Ordinance; authorizing appointments or continuation of appointments thereto; specifying and fixing the compensations and work schedules thereof; and authorizing appointments to temporary positions and fixing compensations therefor. (Human Resources Department)

(Fiscal impact; Companion measure to Files 020956, 020957.)

*Continued to July 22, 2002.*

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

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

**020944 [Redevelopment Agency Budget and Bonds, Fiscal Year 2002-2003]**

Resolution approving the budget of the Redevelopment Agency of the City and County of San Francisco for fiscal year 2002-2003, as amended; and approving the issuance by the Agency of Bonds in an aggregate principal amount not to exceed \$41,500,000 for the purpose of financing Redevelopment activities in fiscal year 2002-2003.

**Resolution No.** 491-02

**ADOPTED by the following vote:**

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

**Recommendations of the Finance Committee****021070 [MOU, Amendment No. 1, Teamsters Local 853]**

**Mayor**

Ordinance adopting and implementing Amendment No. 1 to the 2001-2003 Memorandum of Understanding between the Teamsters, Local No. 853 and the City and County of San Francisco by adding a new section to Article III.F. Additional Compensation which provides for the pass-through of State of California funds to certain represented classes working at Skilled Nursing Facilities. (Mayor)

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

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

**021127 [Setting Fees for City Day Camps]**

Ordinance amending the San Francisco Park Code by adding Section 12.15, setting fees for participating in day camps run by the Recreation and Park Department. (Mayor)

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

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee



021169 [Affordable Housing Bonds Special Election]  
Mayor, Supervisors Ammiano, Daly, McGoldrick, Leno

Ordinance calling and providing for a special election to be held in the City and County of San Francisco (the "City") on November 5, 2002, for the purpose of submitting to the qualified voters of the City a proposition for the issuance of bonds by the City (or one of its agencies, departments or enterprises) in the principal amount of Two Hundred Fifty Million Dollars (\$250,000,000) to finance the acquisition, construction and/or rehabilitation of housing affordable to low- and moderate-income households and downpayment assistance to low- and moderate-income first-time homebuyers; finding that the estimated cost of the project is and will be too great to be paid out of the ordinary annual income and revenue of the City and will require expenditures greater than the amount allowed therefor by the annual tax levy; reciting the estimated cost of such proposed project; fixing the date of and the manner of holding the special election and the procedure for voting for or against the proposition; fixing the maximum rate of interest on the bonds and providing for the levy and collection of taxes to pay both principal and interest therefor; prescribing notice to be given of the special election; finding the proposed project is in conformity with the priority policies of Planning Code Section 101.1(b) and with the General Plan consistency requirement of Administrative Code Section 2A.53; consolidating the special election with the general election; establishing the election precincts, voting places and officers for the special election; waiving the word limitation on ballot propositions imposed by San Francisco Municipal Elections Code Section 510; complying with Section 53410 of the California Government Code; and incorporating the provisions of Article V of Chapter V of the San Francisco Administrative Code. (Mayor)

(Fiscal impact.)

*7/15/02 Amendment of the whole bearing a new title by Supervisor Hall.*

Supervisor Hall, seconded by President Ammiano, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. The motion carried by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

*Supervisor Ammiano moved an amendment to page 1, lines 9 and 10, to add "and authorizing landlords to pass through fifty percent (50%) of the resulting property tax increase to residential tenants"; page 4 line 6 to add "and authorize landlords to pass through to residential tenants in units subject to Chapter 37 of the San Francisco Administrative Code (the Residential Rent Stabilization and Arbitration Ordinance) 50% of the increase in the real property taxes attributable to the cost of repayment of bonds, allocated on a per unit basis".*

President Ammiano, seconded by Supervisor Newsom, moved that this Ordinance be AMENDED. The motion carried by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

Ordinance calling and providing for a special election to be held in the City and County of San Francisco (the "City") on November 5, 2002, for the purpose of submitting to the qualified voters of the City a proposition for the issuance of bonds by the City (or one of its agencies, departments or enterprises) in the principal amount of Two Hundred Fifty Million Dollars (\$250,000,000) to finance the acquisition, construction and/or rehabilitation of housing affordable to low- and moderate-income households and financial assistance to low- and moderate-income first-time homebuyers and authorizing landlords to passthrough fifty percent (50%) of the resulting property tax increase to residential tenants; finding that the estimated cost of the project is and will be too great to be paid out of the ordinary annual income and revenue of the City and will require expenditures greater than the amount allowed therefor by the annual tax levy; reciting the estimated cost of such proposed project; fixing the date of and the manner of holding the special election and the procedure for voting for or against the proposition; fixing the maximum rate of interest on the bonds and providing for the levy and collection of taxes to pay both principal and interest therefor; prescribing notice to be given of the special election; finding the proposed project is in conformity with the priority policies of Planning Code Section 101.1(b) and with the General Plan consistency requirement of Administrative Code Section 2A.53; consolidating the special election with the general election; establishing the election precincts, voting places and officers for the special election; waiving the word limitation on ballot propositions imposed by San Francisco Municipal Elections Code Section 510; complying with Section 53410 of the California Government Code; incorporating the provisions of Article V of Chapter V of the San Francisco Administrative Code; and imposing certain limitations on the use of bonds proceeds. (Mayor)

(Fiscal impact.)

*Continued to July 22, 2002 with the Board of Supervisors sitting as a Committee of the Whole.*

Supervisor Hall, seconded by Supervisor Newsom, moved that this Ordinance be CONTINUED AS AMENDED ON FIRST READING. The motion carried by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

**020987 [Agreement to Quitclaim Twenty-Three (23) Noise Easements]**

Resolution authorizing the rescission by the City and County of San Francisco of twenty-three (23) Grants of Easement previously acquired by City, for one property in the City of Pacifica and twenty-two (22) in the City of San Bruno. (Real Estate Department)

**Resolution No.** 492-02

**ADOPTED** by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

**020726 [Increasing Fee Charged to Participants in First Offender Prostitution Program]**

**Mayor**

Resolution approving increase in authorized fee for the First Offender Prostitution Program to \$1,000. (Mayor)

**Resolution No.** 482-02

**ADOPTED** by the following vote:

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Yee  
Noes: 1 - Sandoval

**021130 [Approval of Lease with the U.S. Customs Service in West Field Cargo Building 1]**

Resolution approving and authorizing the execution of a Lease with the U.S. Customs Service for space in West Field Cargo Building 1. (Airport Commission)

Resolution No. 494-02

**ADOPTED** by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

**From Finance Committee Without Recommendation****021170 [Veterans Building Special Election]**

Supervisor Sandoval

Ordinance calling and providing for a special election to be held in the City and County of San Francisco on Tuesday, November 5, 2002, for the purpose of submitting to the voters of the City and County of San Francisco a proposition to incur the following bonded debt of the City and County: One Hundred Twenty-Two Million Seven Hundred Fifty-Five Thousand Dollars (\$122,755,000) for the acquisition, rehabilitation, renovation, improvement, construction and/or reconstruction by the City and County of the San Francisco War Memorial Veterans Building, and all other works, property and structures necessary or convenient for the foregoing purposes; providing for the use of available annual revenues on deposit in the War Memorial Special Fund to reduce the property tax impact; finding that the estimated cost of such proposed project is and will be too great to be paid out of the ordinary annual income and revenue of the City and County and will require expenditures greater than the amount allowed therefor by the annual tax levy; reciting the estimated cost of such proposed project; fixing the date of election and the manner of holding such election and the procedure for voting for or against the proposition; fixing the maximum rate of interest on such bonds and providing for the levy and collection of taxes to pay both principal and interest thereof; prescribing notice to be given of such election; finding the proposed project is in conformity with the priority policies of Planning Code Section 101.1(b) and with the General Plan consistency requirement of Administrative Code Section 2A.53; consolidating the special election with the general election; establishing the election precincts, voting places and officers for the election; waiving the word limitation on ballot propositions imposed by San Francisco Municipal Elections Code Section 510; complying with Section 53410 of the California Government Code; and incorporating the provisions of Article V of Chapter V of the San Francisco Administrative Code.

(Fiscal impact.)

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

Ayes: 9 - Daly, Gonzalez, Hall, Leno, Maxwell, Newsom, Peskin, Sandoval, Yee

Noes: 2 - Ammiano, McGoldrick

**021171 [War Memorial Special Fund]**

Supervisor Sandoval

Ordinance amending Article XIII of Chapter X of the San Francisco Administrative Code regarding the War Memorial Special Fund (the "Fund") by amending Section 10.100-361 to correct outdated Administrative Code section references and clarify the uses of moneys in the Fund.

(Fiscal impact.)

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

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, Newsom, Peskin, Sandoval, Yee

Noes: 1 - McGoldrick

**021172 [Pedestrian Safety and Livable Streets Special Election]  
Supervisor Ammiano**

Ordinance calling and providing for a special election to be held in the City and County of San Francisco (the "City") on Tuesday, November 5, 2002, for the purpose of submitting to the voters of the City and County of San Francisco a proposition to incur the following bonded debt of the City and County: One Hundred Fifty Million Dollars (\$150,000,000) to finance street resurfacing, curb ramp construction, sidewalk improvement and street structure improvement projects, street signal and fire alarm call box improvement projects, street improvements for bicycle use and all other structures and improvements necessary or convenient for the foregoing purposes; finding that the estimated costs of such proposed projects are and will be too great to be paid out of the ordinary annual income and revenue of the City and County and will require expenditures greater than the amount allowed therefor by the annual tax levy; reciting the estimated cost of such proposed project; fixing the date of election and the manner of holding such election and the procedure for voting for or against the proposition; fixing the maximum rate of interest on such bonds and providing for the levy and collection of taxes to pay both principal and interest thereof; prescribing notice to be given of such election; finding the proposed project is in conformity with the priority policies of Planning Code Section 101.1(b) and with the General Plan consistency requirement of Administrative Code Section 2A.53; consolidating the special election with the general election; establishing the election precincts, voting places and officers for the election; waiving the word limitation on ballot propositions imposed by San Francisco Municipal Elections Code Section 510; complying with Section 53410 of the California Government Code; and incorporating the provisions of Article V of Chapter V of the San Francisco Administrative Code.

(Fiscal impact.)

**NOT PASSED ON FIRST READING by the following vote:**

Ayes: 7 - Ammiano, Daly, Gonzalez, Leno, Maxwell, McGoldrick, Peskin

Noes: 4 - Hall, Newsom, Sandoval, Yee

**Recommendation of Rules and Audits Committee**

**020884 [Charter Amendment - Board of Supervisors]  
Supervisors Gonzalez, Leno**

Charter amendment (Third Draft) to amend Section 2.100 to provide that the job of a member of the Board of Supervisors of the City and County of San Francisco is a full time position, and to provide that the Civil Service Commission shall set the Supervisors' salary once every five (5) years. The Civil Service Commission must consider salaries of other California City Councils and County Boards of Supervisors, and may also consider the Consumer Price Index (CPI).

*Continued to July 22, 2002.*

**Supervisor Gonzalez, seconded by Supervisor Sandoval, moved that this Charter Amendment be CONTINUED. The motion carried by the following vote:**

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

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

**020938 [Charter Amendment - Retirement Benefits for Miscellaneous Safety Employees]  
Supervisors Ammiano, Gonzalez**

Charter amendment (First Draft) to amend Appendix A8.506-2 thereto, relating to retirement benefits for miscellaneous safety employees.

(Fiscal impact.)

*Continued to July 22, 2002.*

Supervisor Gonzalez, seconded by Supervisor Sandoval, moved that this Charter Amendment be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

**020885 [Charter Amendment - Parental Leave Compensation]  
Supervisors Daly, Gonzalez, Sandoval, Maxwell**

Charter amendment (Second Draft) to amend the charter regarding compensation during parental leave. *js*

(Fiscal impact.)

*Continued to July 22, 2002.*

Supervisor Gonzalez, seconded by Supervisor Sandoval, moved that this Charter Amendment be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

**From Rules and Audits Committee with recommendation "Do Not Submit"**

**020882 [Charter Amendment - Public Advocate]  
Supervisor McGoldrick**

Charter amendment (Second Draft) to amend Section 6.100, 13.101, 13.101.5 and 13.102 and by adding Section 6.108 to create the Public Advocate.

*Continued to July 22, 2002.*

Supervisor Gonzalez, seconded by Supervisor Sandoval, moved that this Charter Amendment be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

**Referred from Rules and Audits Committee**

**021150 [Appointments, Planning Commission]  
Supervisor Ammiano**

Motion approving the Board of Supervisors President's nomination of Lisa Feldstein, Kevin Hughes, and Marilyn Sue Lee to the Planning Commission, terms to be determined by lot.

Lisa Feldstein, Seat 1, new position, must be nominated by the President of the Board of Supervisors, term to be determined by lot.

Kevin Hughes, Seat 2, new position, must be nominated by the President of the Board of Supervisors, term to be determined by lot.

Marilyn Sue Lee, Seat 3, new position, must be nominated by the President of the Board of Supervisors, term to be determined by lot.

(Nomination of Marilyn Sue Lee, seat 3, To Board Without Recommendation; Supervisor Hall dissenting.)

**Motion No.** M02-106

**APPROVED by the following vote:**

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

**021151 [Appointments, Planning Commission]  
Supervisor Ammiano**

Motion rejecting the Board of Supervisors President's appointment of Marilyn Sue Lee to the Planning Commission.

(Appointment of Marilyn Sue Lee, seat 3, To Board Without Recommendation; Supervisor Gonzalez dissenting.)

**Supervisor Sandoval, seconded by Supervisor Peskin, moved that this Motion be TABLED. The motion carried by the following vote:**

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

**021156 [Appointments, Planning Commission]  
Mayor**

Motion approving the Mayor's nomination of Jon Ballesteros and Hector Chinchilla to the Planning Commission, terms to be determined by lot. (Mayor)

Jon Ballesteros, Seat 4, new position, must be nominated by the Mayor, term to be determined by lot.

Hector Chinchilla, Seat 5, new position, must be nominated by the Mayor, term to be determined by lot.

(Nomination of Hector Chinchilla, seat 5, To Board Without Recommendation; Supervisor Hall dissenting.)

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

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

**021157 [Appointments, Planning Commission]  
Mayor**

Motion rejecting the Mayor's appointments of Hector Chinchilla, Dr. William Fay, and Frances Lee to the Planning Commission. (Mayor)

(Appointment of Hector Chinchilla, seat 5, To Board Without Recommendation; Supervisor Gonzalez dissenting.

Appointment of Dr. William Fay, seat 6, rejected; Supervisor Sandoval dissenting.

Appointment of Frances Lee, seat 7, rejected; Supervisor Sandoval dissenting.)

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

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

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

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

**021214 [Hearing - Automatic sprinklers in residential hotels]**

Hearing on the proposed ordinance amending the San Francisco Fire Code Section 9001.1.3 and the San Francisco Housing Code Section 904 to extend compliance with requirements regarding installation of automatic sprinkler systems in residential hotels, as defined in the Ordinance, to January 31, 2003; providing findings as to local conditions pursuant to the California Health and Safety Code; and making this Ordinance retroactive to June 30, 2002. (Clerk of the Board)

(Companion measure to File 021218.)

*Speakers: Ernestine Weiss, Antoinette Stableman, Joanna Hagerty, Mr. Bush, Randy Shaw, Tenderloin Housing, Rebecca Dorman, Sam Dodge, Ms. Cristina, David Rogers, P. Patel, K. Patel, David Maguire, Sam Saheed, Roger Patel, Mr. Jacque, Amy Fishman, Frederick Hobson*  
*The President then declared the hearing closed.*

**HEARD AT PUBLIC HEARING.**

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

**021218 [Requirements for automatic sprinklers in residential hotels]  
Supervisor Newsom**

Ordinance amending the San Francisco Fire Code Section 9001.1.3 and the San Francisco Housing Code Section 904 to extend compliance with requirements regarding installation of automatic sprinkler systems in residential hotels, as defined in the Ordinance, to January 31, 2003; providing findings as to local conditions pursuant to the California Health and Safety Code; and making this Ordinance retroactive to June 30, 2002.

*7/15/02 Amendment of the whole bearing a new title.*

**Supervisor Newsom, seconded by Supervisor Daly, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. The motion carried by the following vote:**

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

Ordinance amending the San Francisco Fire Code Section 9001.1.3 and the San Francisco Housing Code Section 904 to extend compliance with requirements regarding installation of automatic sprinkler systems in residential hotels, as defined in the Ordinance, to December 31, 2002; providing findings as to local conditions pursuant to the California Health and Safety Code; and making this Ordinance retroactive to June 30, 2002.

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

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

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

### **021166 [Hearing - Ground Lease of Redevelopment Agency Land for Dudley Apartments]**

Hearing of persons interested in or objecting to proposed resolution approving the Redevelopment Agency of the City and County of San Francisco's lease of land at Assessor's Block 3726, Lot 10, commonly known as 172 Sixth Street, to Mercy Housing California XXII, L.P., a California Limited Partnership, for 55 years for the purpose of developing housing for very low income households. (Clerk of the Board)

*Speakers: Marcia Rosen, Redevelopment Agency, Harvey Rose, Budget Analyst  
The President then declared the hearing closed.*

**HEARD AT PUBLIC HEARING.**

*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.*

### **021167 [Ground Lease of Redevelopment Agency Land for Dudley Apartments]**

**Mayor**

Resolution approving the Redevelopment Agency of the City and County of San Francisco's lease of land at Assessor's Block 3726, Lot 10, commonly known as 172 Sixth Street, to Mercy Housing California XXII, L.P., a California Limited Partnership, for 55 years for the purpose of developing housing for very low income households. (Mayor)

**Resolution No.** 486-02

**ADOPTED** by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

## **COMMITTEE REPORTS**

### **From Transportation and Commerce Committee**



**020916 [Amending and Extending Interim Controls Regulating Certain Uses in the Mission District]  
Supervisor Ammiano**

Resolution amending interim controls to require conditional use and expanded public notice for certain uses in the Mission District in the Area Bounded by Guerrero Street, Cesar Chavez Street, Potrero Avenue and the Central Freeway, in the Valencia Street Neighborhood Commercial District, in the 24th Street - Mission Neighborhood Commercial District, on Mission Street From 15th Street to Cesar Chavez Street Zoned NC-3, and in the NEMIZ; extending the interim controls to July 7, 2003 or until permanent controls are adopted.

(Certificate of Exemption/Exclusion from Environmental Review dated 6/25/02)  
Supervisor Hall dissenting.

*Supervisor Ammiano, seconded by Supervisor Leno, moved to amend page 3 line 6 to delete "6" and add "over seven"; page 4 line 6 to delete "nineteen" and add "thirty-five"; page 8, line 13 to add "it" at beginning of line.*

**President Ammiano, seconded by Supervisor Leno, moved that this Resolution be AMENDED. The motion carried by the following vote:**

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

**Resolution No. 500-02**

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

Ayes: 9 - Ammiano, Daly, Gonzalez, Leno, Maxwell, McGoldrick, Peskin, Sandoval, Yee

Noes: 2 - Hall, Newsom

### **Recommendation of Rules and Audits Committee**

**011656 [Charter Amendment - Public Utilities Commissioners]  
Supervisors Hall, Gonzalez**

Charter amendment (Third Draft) to amend Section 4.112 to require each Public Utilities Commissioner to meet specific qualifications for appointment, providing for appointment of new commissioners.

*Continued to July 22, 2002.*

**Supervisor Hall, seconded by Supervisor Leno, moved that this Charter Amendment be CONTINUED. The motion carried by the following vote:**

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

### **Referred Without Recommendations From Rules and Audit Committee**

**020805 [Charter Amendment - Entertainment Commission]  
Supervisors Leno, McGoldrick, Daly, Ammiano, Gonzalez, Newsom, Peskin, Sandoval**

Charter amendment (Third Draft) to amend the Charter of the City and County of San Francisco by adding section 4.117 to establish the composition of and appointment of members to the San Francisco Entertainment Commission.

*Continued to July 22, 2002.*

**Supervisor Leno, seconded by Supervisor Hall, moved that this Charter Amendment be CONTINUED. The motion carried by the following vote:**

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

**012056 [Charter Amendment - Energy Self Sufficiency]  
Supervisors Ammiano, Maxwell**

Charter amendment (Fifth Draft) to amend Section 4.112 and to add a new Chapter 8B addressing Commission governance, goals and objectives related to energy, powers of the Commission related to energy, siting of energy facilities and rates for energy services.

(Fiscal impact.)

*Supervisor Gonzalez moved to amend 8B.100 - Governance to provide for elected Commissioners.*

**Supervisor Gonzalez, seconded by Supervisor Hall, moved that this Charter Amendment be AMENDED. The motion carried by the following vote:**

Ayes: 6 - Daly, Gonzalez, Hall, Newsom, Sandoval, Yee  
Noes: 5 - Ammiano, Leno, Maxwell, McGoldrick, Peskin

*Supervisor Gonzalez moved to amend 8B.103 - Siting of Energy Facilities.*

*Supervisor Peskin moved substitute amendment which incorporated above amendment with language regarding consistent with standards in Ordinance No. 124-01.*

**Supervisor Gonzalez, seconded by Supervisor Yee, moved that this Charter Amendment be AMENDED. The motion carried by the following vote:**

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

*Supervisor Daly moved to amend section 8B.102 subsection (a).*

**Supervisor Daly, seconded by Supervisor Peskin, moved that this Charter Amendment be AMENDED. The motion carried by the following vote:**

Ayes: 8 - Daly, Gonzalez, Hall, Leno, Maxwell, Peskin, Sandoval, Yee  
Noes: 3 - Ammiano, McGoldrick, Newsom

*Supervisor Gonzalez, seconded by Supervisor Leno, moved to amend 8B.100 subsection (e) by deleting after 4.102 "(3)".*

**Supervisor Gonzalez, seconded by Supervisor Leno, moved to AMENDED. The motion carried by the following vote:**

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

Charter amendment (Sixth Draft) to amend Section 4.112 and to add a new Chapter 8B addressing Commission governance, goals and objectives related to energy, powers of the Commission related to energy, siting of energy facilities and rates for energy services.

(Fiscal impact.)

*Continued to July 22, 2002 with the Board of Supervisors sitting as a Committee of the Whole.*

**Supervisor Gonzalez, seconded by Supervisor Yee, moved that this Charter Amendment be CONTINUED AS AMENDED. The motion carried by the following vote:**

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

**021253 [Charter Amendment - Energy Self Sufficiency]  
Supervisor Gonzalez**

Charter amendment (First Draft) to amend Sections 4.112 and add a new Chapter 8B addressing Commission governance, goals and objectives related to energy, powers of the Commission related to energy, siting of energy facilities and rates for energy services.

*Supervisor Gonzalez moved to amend 8B.100 relating to governance structure.*

*Supervisor McGoldrick moved to amend to change to a simple majority vote for Board of Supervisors approval of appointment.*

**Supervisor McGoldrick, seconded by Supervisor Gonzalez, moved that this Charter Amendment be AMENDED. The motion carried by the following vote:**

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

**Supervisor Gonzalez, seconded by Supervisor Maxwell, moved to AMENDED. The motion carried by the following vote:**

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

*Supervisor McGoldrick moved to amend to change to a simple majority vote for Board of Supervisors approval of appointment.*

**Supervisor McGoldrick, seconded by Supervisor Gonzalez, moved to AMENDED. The motion carried by the following vote:**

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

*Supervisor Gonzalez moved to amend 8B.102 - Powers of Commission Related to Energy (Grid Acquisition).*

**Supervisor Gonzalez, seconded by Supervisor Maxwell, moved to AMENDED. The motion carried by the following vote:**

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

*Supervisor Gonzalez, seconded by Supervisor Yee, moved to amend 8B.100 Subsection (e) by deleting after 4.102 "(3)".*

**Supervisor Gonzalez, seconded by Supervisor Yee, moved to AMENDED. The motion carried by the following vote:**

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

*Supervisor Gonzalez moved to amend 8B.103 - Siting of Energy Facilities.*

*Supervisor Peskin moved substitute amendment which incorporated above amendment with language regarding consistent with standards in Ordinance No. 124-01.*

**Supervisor Gonzalez, seconded by Supervisor Peskin, moved to AMENDED. The motion carried by the following vote:**

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

**Supervisor Gonzalez, seconded by Supervisor Maxwell, moved that this Charter Amendment be AMENDED. The motion carried by the following vote:**

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

Charter amendment (Second Draft) to amend Sections 4.112 and add a new Chapter 8B addressing Commission governance, goals and objectives related to energy, powers of the Commission related to energy, siting of energy facilities and rates for energy services.

*Continued to July 22, 2002 with the Board of Supervisors sitting as a Committee of the Whole.*

**Supervisor Daly, seconded by Supervisor Gonzalez, moved that this Charter Amendment be CONTINUED AS AMENDED. The motion carried by the following vote:**

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

### **From Rules and Audits Committee With Recommendation Do Not Submit**

#### **021254 [Charter Amendment - Revenue Bond Authority for Energy Facilities] Supervisor Ammiano**

Charter amendment (First Draft) to add a new Section 8B.110 empowering the Board of Supervisors to issue revenue bonds for the acquisition of energy facilities.

**Supervisor McGoldrick, seconded by Supervisor Newsom, moved that this Charter Amendment be TABLED. The motion carried by the following vote:**

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

#### **020887 [Charter Amendment - Changes to Public Utilities related to water and sewer]**

Charter Amendment (Fourth Draft) to create a new Article VIII B to add Sections 8B.120 through 8B.128, deleting Section 9.111-1 and amending Section 16.103 to establish exclusive control of water and clean water utilities; rate setting standards and methods; transfer of surplus funds between utilities; independence in contracting, purchasing and hiring; revenue bonds or other financing methods.

(Fiscal impact.)

*On behalf of Supervisor Ammiano, Supervisor Maxwell moved an amendment of the whole.*

**Supervisor Maxwell, seconded by Supervisor Hall, moved that this Charter Amendment be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. The motion carried by the following vote:**

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

*Supervisor McGoldrick moved to amend Section 8B.121 (e)*

**Supervisor McGoldrick, seconded by Supervisor Maxwell, moved that this Charter Amendment be AMENDED. The motion carried by the following vote:**

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

*Supervisor Yee moved to amend on page 12, to capitalize Building, Construction, and Trades Councils.*

**Supervisor Yee, seconded by Supervisor Maxwell, moved that this Charter Amendment be AMENDED. The motion carried by the following vote:**

Ayes: 8 - Ammiano, Daly, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee  
Noes: 2 - Gonzalez, Hall  
Absent: 1 - Leno

Charter Amendment (Fifth Draft) to create a new Article VIII B to add Sections 8B.120 through 8B.127, deleting Section 9.111-1 and amending Section 16.103, to establish exclusive control of utilities; rate setting standards and methods; planning and reporting requirements; transfer of surplus funds between utilities; independence in contracting; revenue bonds or other financing methods.

(Fiscal impact.)

*Continued to July 22, 2002 with the Board of Supervisors sitting as a Committee of the Whole.*

**Supervisor Maxwell, seconded by Supervisor Yee, moved that this Charter Amendment be CONTINUED AS AMENDED. The motion carried by the following vote:**

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

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

### **020888 [Charter Amendment - Assistance to Elections Department] Supervisor Ammiano**

Charter amendment (Fifth Draft) to amend sections 13.103.5, 13.104.5, 15.100 and 6.102 to clarify that said section does not prohibit City personnel from providing to the Department of Elections services that are indistinguishable from services provided to other City departments and unrelated to the conduct of elections; authorize the Board of Supervisors to grant a waiver, applicable before, during and after election day, to the prohibition on use of City employees; eliminate the requirement that, prior to seeking a waiver from the Board of Supervisors, the Elections Commission make a finding that the Department of Elections will not have adequate staffing to conduct an election without the waiver; specify that the Sheriff is responsible for transporting voted ballots and other documents and devices used to record votes from the polls to the central counting location and approving a security plan; and eliminate some of the restrictions that apply to members of the Ethics Commission, Elections Commission, and the City Attorney.

*Continued to July 22, 2002.*

**Supervisor Newsom, seconded by Supervisor Sandoval, moved that this Charter Amendment be CONTINUED. The motion carried by the following vote:**

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

**Recommendation From Rules and Audits Committee Do Not Submit****020886 [Charter Amendment - Homeless Policy]  
Supervisor Daly**

Charter amendment (Fourth Draft) by adding Section 2.105-1 to require a vote of not less than two-thirds (2/3) of the members of the Board of Supervisors to change any enactment regarding homeless policy or services within the same fiscal year in which such enactment was adopted; to add Section 4.134 to establish a Local Homeless Coordinating Board to advise the Mayor and the Board of Supervisors on the development, implementation and evaluation of homeless policy; and to amend Section 10.104 to authorize not more than five (5) staff members for the Local Homeless Coordinating Board who shall be exempt from civil service rules.

*Continued to July 22, 2002.*

**Supervisor Sandoval, seconded by Supervisor Maxwell, moved that this Charter Amendment be CONTINUED. The motion carried by the following vote:**

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

**PUBLIC COMMENT**

*Abdalah Megahed, homelessness;  
Espinola Jackson, Civil Service Commission, status of Tammy Haygood;  
Female Speaker, children clinics  
Female Speaker, homelessness issues  
Edward Edmond, homelessness issues*

**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.*

**021227 [Legislative Analyst Request]  
Supervisor Gonzalez**

Motion asking the Legislative Analyst to survey other comparable municipalities on regulatory requirements imposed on hospitals who reduce hospital services. These requirements could be public notification, fees, or other mitigation measures.

**APPROVED** by the following vote:

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

**021198 [Legislative Analyst Request]  
Supervisor Leno**

Motion asking the Legislative Analyst to research the impact of new fees for street fairs that serve alcohol. The research should explore the impact on small and large street fairs operational ability and grant programs to non-profits if police costs are paid at 100% cost. Additionally, the office should research on what basis the decision is made for the amount of police needed for each event and how police services are provided in other cities.

*Continued to July 22, 2002.*

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

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

## **CLOSED SESSION**

### **CONFERENCE WITH CITY ATTORNEY - Anticipated Litigation as Plaintiff**

**021190 [Closed Session - Status of Potential AT&T Merger Litigation]**

Motion that the Board of Supervisors convene in closed session for the purpose of discussing the status of the potential AT&T merger litigation.

**Supervisor Daly, seconded by Supervisor Hall, moved to convene in closed session. The motion carried by the following vote:**

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

*Recess*

The Board recessed at the hour of 10:25 p.m. to convene in closed session pursuant to the above motion.

*Reconvening of the Board*

The Board at the hour of 11:04 p.m. reconvened.

*Calling the Roll*

On call of the roll, the following Supervisors were noted present: Supervisors Ammiano, Daly, Gonzalez, Hall, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee - 10.

Quorum present.

*Report on Closed Session*

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

*Persons in attendance:*

Supervisors Ammiano, Daly, Gonzalez, Hall, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee;  
Ted Lakey, Deputy City Attorney;  
Lisa Gelb, Deputy City Attorney;  
Julia Friedlander, Deputy City Attorney;  
Brian Roberts, Principal Policy Analyst, DTIS;  
Lewis Loeven, Director, DTIS;  
Denise Brady, Deputy Director, DTIS;  
Edward Harrington, Controller;  
Gloria L. Young, Clerk of the Board;  
Kay Gulbengay, Deputy Clerk;  
Victor Young, Assistant Clerk.

The meeting was informational only and no action was taken.

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

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

Continued to July 29, 2002.

Supervisor Peskin, seconded by Supervisor Daly, moved that this Litigation be CONTINUED. The motion carried by the following vote:

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



*[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.*

**Supervisor Peskin, seconded by Supervisor Daly, moved not to disclose its Closed Session deliberations. The motion carried by the following vote:**

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

## 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.*

**021193 [Extending the Planning Review Period for Secondary Units]  
Supervisor Peskin**

Resolution extending the prescribed time within which the Planning Commission may render its decision on a proposed ordinance to amend the San Francisco Planning Code by repealing Section 207.2 [Second Units] in its entirety, adding a new Section 207.2 and amending Section 209.1 to authorize one additional secondary unit limited to 750 square feet of gross floor area on a lot within 1250 feet of a Primary Transit Street or Transit center and also within 1250 feet of a Neighborhood Commercial or Commercial zoning district, on a lot containing a qualified historical building or where the unit is specifically designed and constructed for the elderly or persons with physical disabilities and to prohibit the owner from legalizing an illegal unit pursuant to the provisions of this ordinance; by amending Sections 135(d), Table 151 of Section 151 and 307(g) to establish the amount of open space and parking required for the secondary units.

**Resolution No. 495-02  
ADOPTED**

**021194 [Muwekma Ohlone Tribe]  
Supervisors Newsom, Daly, Peskin**

Resolution urging the United States Congress, the Department of the Interior and its Bureau of Indian Affairs to reaffirm and restore the Muwekma Ohlone Tribe of the San Francisco Bay Area as a Federally Acknowledged Indian Tribe.

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

**Resolution No. 489-02  
ADOPTED**

**021196 [Commending Teddy Witherington and SF LGBT Pride Committee]  
Supervisors Leno, Ammiano, Maxwell, Daly**

Resolution commending Teddy Witherington and the San Francisco Lesbian, Gay, Bisexual and Transgender Pride Committee.

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

**Resolution No. 496-02  
ADOPTED**

**021222 [Urging St. Luke's Hospital to Remain Open]  
Supervisors Ammiano, Daly**

Resolution urging St. Luke's Hospital not to close its Emergency Room, Maternity Unit, or any other patient service due to the announced Registered Nurse strike.

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

**Resolution No. 497-02**

**ADOPTED**

**021224 [Authorizing the San Francisco Department of Aging and Adult Services to accept and expend Senior Facilities Special Funding]  
Supervisors Sandoval, Peskin**

Resolution authorizing the San Francisco Department of Aging and Adult Services to accept and expend Senior Facilities Special Funding from the California State Department of Aging in the amount of \$250,000 to establish a senior center.

*Supervisor Peskin requested to be added as a co-sponsor.*

**Resolution No. 498-02**

**ADOPTED**

**021211 [Final Map for a 5 Unit Residential Condominium Project]**

Motion approving Final Map of 120 Wetmore Street, a Residential Condominium Project, being a subdivision of Lot 34, Assessor's Block No. 212, and adopting findings pursuant to City Planning Code Section 101.1. (Public Works Department)

(DPT Order No. 173,625; District 3.)

**Motion No. M02-107**

**APPROVED**

**021212 [Final Map for a 6 Unit Residential Condominium Project]**

Motion approving Final Map of 1001 - 1003 - 1005 - 1007 - 1009 - 1011 Lombard Street, a Residential Condominium Project, being a subdivision of Lot 1, Assessor's Block No. 71, and adopting findings pursuant to City Planning Code Section 101.1. (Public Works Department)

(DPT Order No. 173,624; District 2.)

**Motion No. M02-108**

**APPROVED**

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

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

Absent: 1 - Leno

**Severed from Adoption without Committee Reference**

- 021123 [Negotiations Regarding GCIU Local 4N and Independent/SF Examiner IU Local 4N and the Examiner/Independent]  
Supervisors Ammiano, Daly, Gonzalez

Resolution regarding negotiations between GCIU Local 4N and the SF Examiner/Independent.

*Supervisor Gonzalez requested this matter be severed so it could be considered separately.  
Continued to July 22, 2002.*

Supervisor Gonzalez, seconded by Supervisor Daly, moved that this Resolution be CONTINUED. The motion carried by the following vote:

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee  
Noes: 1 - Leno

- 021195 [Commending San Francisco Chapter of the National Organization for Women]  
Supervisors Newsom, Daly, Peskin, Ammiano, Leno

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.

*Supervisor Hall requested this matter be severed so it could be considered separately.  
Supervisors Peskin and Daly requested to be added as co-sponors.*

**REFERRED to the Health and Human Services Committee.**

- 021223 [Senate Bill 1301 - Reproductive Privacy Act]  
Supervisors Newsom, Peskin, Daly, Ammiano, Gonzalez

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.

*Supervisor Hall requested this matter be severed so it could be considered separately.  
Supervisor Peskin requested to be added as a co-sponsor.*

**REFERRED to the Health and Human Services Committee.**

## IMPERATIVE AGENDA

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

*[Purely Commendatory Finding]  
Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.*

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

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

*[Brown Act Finding]*

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

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

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

## Imperative Resolution

### 021258 [Commending Habitat for Humanity] Supervisor Daly

Resolution commending the groundbreaking of Habitat for Humanity, San Francisco's eight new condominiums in the South of Market and Habitat for Humanity's continuing role in providing affordable housing and promoting volunteerism and cooperation in the community.

*Supervisor Daly presented for immediate adoption.*

*Supervisor Daly moved to amend page 1, line 23, replace "South Van Ness" with "the Mission"; on page 2, line 3, replace "HHSF" with "Habitat for Humanity"*

**Resolution No.** 499-02

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

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

## OFF-AGENDA LEGISLATION

### Introduced by Supervisors or Mayor

### Ordinances

### 021259 [Sewer Service Charges, Fiscal Year 2002-2003] Mayor

Ordinance adopting and imposing schedules of sewer service charges to be paid by users for fiscal year 2002-2003 pursuant to Part II, Chapter X, Articles 4.1 and 4.2 of the San Francisco Municipal Code (Public Works Code). (Mayor)

7/15/02, SCHEDULED FOR PUBLIC HEARING. Scheduled for public hearing August 12, 2002, at 3:00 p.m.

**Resolutions****021260 [Citizens Advisory Committee for Natural Areas Program]  
Supervisor Yee**

Resolution establishing a Board of Supervisors Work Group for the Recreation and Parks Natural Areas Program.

7/15/02, RECEIVED AND ASSIGNED to Rules and Audits Committee.

**021261 [Support Preservation at Angel Island Immigration Station]  
Supervisor Peskin**

Resolution supporting a Congressional budget allocation of \$15 million to preserve and restore historical facilities at the Angel Island Immigration Station.

7/15/02, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**021262 [Appointment of Michael G. Kasolas to MTA]  
Mayor**

Resolution confirming the appointment of Michael G. Kasolas to the Board of Directors of the Metropolitan Transportation Agency, term ending March 1, 2003. (Mayor)

7/15/02, RECEIVED AND ASSIGNED to Rules and Audits Committee.

**021263 [Plaque honoring Chilean Americans]  
Supervisor Peskin**

Resolution establishing the location of a plaque provided by the Government of Chile honoring the contributions of Chilean Americans in front of the historic Sentinel Building located at Columbus Avenue and Kearny Street.

7/15/02, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

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

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

7/15/02, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**021265 [Commend Bonnie Martin]  
Supervisors Sandoval, Newsom**

Resolution commending Bonnie Martin for her work and dedication as the editor and publisher of the Gateway Gazette.

7/15/02, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**021266 [Commend Local No. 8]  
Supervisors Sandoval, Daly**

Resolution commending the International Union of Elevator Constructors Local No. 8, on the occasion of its 100 year anniversary, for a century of service to the elevator constructors of San Francisco.

7/15/02, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**021267 [Commend Frances Farrell]  
Supervisor Sandoval**

Resolution commending Frances Farrell, on the occasion of her retirement from the San Francisco Fire Commission, for decades of work for the City and County of San Francisco.

7/15/02, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**021268 [Commend St. John's Educational Thresholds]  
Supervisor Daly**

Resolution commending the St. John's Educational Thresholds Center for its 30th anniversary and decades of dedicated service to the youth of the Mission District; and commending the youth of the North Mission District for their successful work towards the creation of the first park in North Mission.

7/15/02, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

### Hearings

**021269 [Civil Grand Jury Report on the Hunters Point Shipyard]  
Supervisor Maxwell**

Hearing on the Civil Grand Jury Report on the Hunters Point Shipyard.

7/15/02, RECEIVED AND ASSIGNED to Rules and Audits Committee.

**021270 [Fiscal Year 2002-2003 Budget Process]  
Supervisor Maxwell**

Hearing on the Budget Committee's Fiscal Year 2002-2003 Budget Process.

7/15/02, RECEIVED AND ASSIGNED to Budget Committee.

**021271 [Elections Commission Strategic Plans and Proposed Budget]  
Supervisors Leno, Ammiano**

Hearing to discuss an update of the Elections Commission strategic plans for the November election, including the proposed budget.

7/15/02, RECEIVED AND ASSIGNED to Rules and Audits Committee.

**021272 [Charter Amendment Process]  
Supervisor Hall**

Hearing on the potential revisions to the process of submitting Charter amendments to the voters of the City and County of San Francisco.

7/15/02, RECEIVED AND ASSIGNED to Rules and Audits Committee.

**021273 [Rooftop sign in the Mission District]  
Supervisor Ammiano**

Hearing on the rooftop sign, "17 Reasons" located in the Mission District. The hearing shall include the Planning Departments determination of the work performed to have, or have not conformed with the scope of the Permit. If not, what Foster Media, the company that owns the rights to the sign, intends on doing to conform with the City Planning Code.

7/15/02, RECEIVED AND ASSIGNED to Transportation and Commerce Committee.

### Motions

**021257 [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.

7/15/02, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**021274 [Meeting Schedule]  
Supervisor Ammiano**

Motion revising the regular meeting schedule of the Board of Supervisors by rescheduling the Board of Supervisors meeting on July 22, 2002, at 2:00 p.m. to 1:00 p.m.

7/15/02, RECEIVED AND ASSIGNED to Board of Supervisors.

7/15/02, APPROVED.

**Motion No.** M02-111

**President Ammiano, seconded by Supervisor Daly, moved that this Motion be APPROVED. The motion carried by the following vote:**

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

Absent: 1 - Leno

### Introduced by President on Behalf of Departments

## PROPOSED ORDINANCES

**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.)

7/10/02, RECEIVED AND ASSIGNED to Public Works and Public Protection Committee.

**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.)

7/10/02, RECEIVED AND ASSIGNED to Public Works and Public Protection Committee.

**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.)

7/10/02, RECEIVED AND ASSIGNED to Public Works and Public Protection Committee.

**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.)

7/10/02, RECEIVED AND ASSIGNED to Public Works and Public Protection Committee.

**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.)

7/10/02, RECEIVED AND ASSIGNED to Public Works and Public Protection Committee.

## **PROPOSED RESOLUTIONS**



**021184 [Airport Concession Lease]**

Resolution approving the North Terminal Candy Store Lease between See's Candies, Inc. and the City and County of San Francisco, Acting by and through its Airport Commission. (Airport Commission)  
7/2/02, RECEIVED AND ASSIGNED to Finance Committee.

**021186 [Contracting out Laundry Services at Laguna Honda Hospital]**

Resolution concurring retroactively, with the Controller's certification that the laundry services can be performed for the Department of Public Health, Laguna Honda Hospital by private contractor for a lower cost than similar work performed by City and County employees. (Public Health Department)

(Fiscal impact.)

7/8/02, RECEIVED AND ASSIGNED to Finance Committee.

**021187 [Fire Code]**

**Supervisor Gonzalez**

Resolution endorsing amendments and providing findings as to the local conditions supporting those amendments to the 2001 State Fire Code, as required by California Health and Safety Code. (Fire Department)

(Companion measure to File 021135.)

7/10/02, RECEIVED AND ASSIGNED to Public Works and Public Protection Committee.

**021188 [Contracting out Shuttle Bus Service]**

Resolution approving the Controller's certification that shuttle bus services for San Francisco International Airport's Long-Term Parking Lot, the employee garage and surface Lot DD can practically be performed by private contractor at a lower cost than if work were performed by City and County employees. (Airport Commission)

7/10/02, RECEIVED AND ASSIGNED to Finance Committee.

**021192 [Study of at-risk and HIV positive youth in San Francisco]**

**Supervisors Leno, Maxwell, Daly**

Resolution authorizing the San Francisco Department of Public Health (SFDPH) to enter retroactively into an agreement in the amount of \$20,160 with The Regents of the University of California San Francisco (UCSF), the primary contractor, to participate in a study of at-risk and HIV positive youth in San Francisco, for the period of March 1, 2002, to February 28, 2003. (Public Health Department)

7/10/02, RECEIVED AND ASSIGNED to Health and Human Services Committee.

**021199 [Contracting out Paratransit Services]**

Resolution concurring with the controller's certification that paratransit services for the Municipal Transportation Agency can be practically performed by a private contractor at a lower cost than by city and county employees. (Municipal Transportation Agency)

7/10/02, RECEIVED AND ASSIGNED to Finance Committee.

**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)

7/10/02, RECEIVED AND ASSIGNED to Public Works and Public Protection Committee.

**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) 7/10/02, RECEIVED AND ASSIGNED to Public Works and Public Protection Committee.

**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) 7/10/02, RECEIVED AND ASSIGNED to Public Works and Public Protection Committee.

**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) 7/10/02, RECEIVED AND ASSIGNED to Public Works and Public Protection Committee.

**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) 7/10/02, RECEIVED AND ASSIGNED to Public Works and Public Protection Committee.

**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) 7/10/02, RECEIVED AND ASSIGNED to Public Works and Public Protection Committee.

**Requests Granted**

*From: Supervisor Maxwell*

*To: Director, Department of Parking and Traffic*

*Requesting/Inquiring: To conduct a traffic study at the intersection of San Bruno Avenue, Bayshore Blvd. and Arleta Street. Specifically, Supervisor Maxwell would like the Department of Parking and Traffic to investigate the feasibility of installing a more comprehensive system for directing traffic. Currently, traffic is regulated by a simple flashing red light. This intersection has one of the heaviest flows of traffic for both pedestrians and automobiles in District 10. The current system is absolute and a new system needs to be considered.*

*Due: August 17, 2002*

*From: Supervisors Leno, Ammiano*

*To: City Attorney*

*Requesting/Inquiring: To draft legislation requiring that the Recreation and Parks Department provide public notification before girdling of trees.*

*From: Supervisor Leno*

*To: General Manager, Recreation and Parks Department*

*Requesting/Inquiring: To outline their Public Participation Process for Capital Plans, which is cited in the recently introduced resolution to accept and expend a state grant for improvements and restoration of natural areas in Glen Park. The Board of Supervisors would like to know how the public is to participate in this process, whether the process is educational or collaborative, and what the basic outline is for the Departments participation policy.*

*From: Supervisor McGoldrick*

*To: City Attorney*

*Requesting/Inquiring: To draft an ordinance establishing Investment Protection Rules for investment of all City funds, including those in City employee retirement funds. These Investment Protection Rules would establish conflict of interest and disclosure rules for investment firms doing business with the City.*

**In Memoriams**

*In Memoriams*

*Doris Thomas (Supervisors Yee, Maxwell)*

*Albert Prince (Supervisor Maxwell)*

## ADJOURNMENT

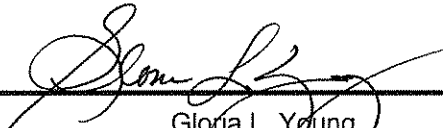
*There being no further business, the Board at the hour of 11:07 pm adjourned.*

*Gloria L. Young, Clerk*

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

*Approved by the Board of Supervisors on September 17, 2002.*

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

  
\_\_\_\_\_  
Gloria L. Young  
Clerk of the Board

**NEXT PAGE 759**