Board of Supervisors

City and County of San Francisco

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



AGENDA

Monday, November 25, 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

Motion to approve the October 28, 2002 and November 4, 2002 Meeting Minutes.

AGENDA CHANGES

COMMUNICATIONS

Note: Each item on the Consent or Regular agenda may include the following documents: 1) Legislation, 2) Budget Analyst report, 3) Legislative Analyst report, 4) Department or Agency cover letter and/or report, 5) Public correspondence

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

REGULAR AGENDA

UNFINISHED BUSINESS

Vetoed by the Mayor

Consideration of Mayor's Veto

Consideration to override veto pursuant to Charter Section 2.106 of Ordinance to allow adults over the age of 18 into after hours premises.

1. 021458 [Amend Police Code Section 1070.16]

Supervisors Leno, Daly, Gonzalez

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

NOTE: This action requires two-thirds vote. The Board may not amend the ordinance and may only vote in favor or in opposition to the veto override.

The Board of Supervisors must act on the veto override within 30 days of the date of the veto. The Mayor vetoed the Ordinance on November 15, 2002. Therefore, the Board will loose the ability to override the veto unless it votes on the veto override on or before December 15, 2002.

(November 15, 2002 - Returned disapproved by Mayor; November 18, 2002 - Consideration scheduled for November 25, 2002.)

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

10/28/2002, PASSED ON FIRST READING.

11/4/2002, FINALLY PASSED. Supervisor Gonzalez requested to be added as a co-sponsor.

Action:	

Recommendations of the Finance Committee

Present: Supervisors Peskin, Daly

2. 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.)

11/18/2002, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

3. 021793 [Public Employment]

Ordinance amending Ordinance No. 175-02 (Annual Salary Ordinance 2002/03) setting rates in the 2002-2003 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.)

11/18/2002, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Present: Supervisors Peskin, Daly, Maxwell

4. 021808 [Compensation for Employees Called to Active Military Duty in **Response to International Terrorism**]

Mayor

Yee

Ordinance amending the 2002-2003 Annual Salary Ordinance to entitle City officers or employees called to active duty with a military reserve organization to receive from the City the difference between the amount of the individual's military pay and the amount the individual would have received as a City officer or employee had the individual worked his or her normal work schedule. (Mayor)

11/18/2002, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendation of the Transportation and Commerce Committee

Present: Supervisors McGoldrick, Hall, Ammiano

5. 020678 [Increase in Cap on Mean Gate Fee for Taxis and Increase Supervisors Hall, Ammiano, Taxi Faresl

Ordinance amending Sections 1079, 1135, 1135.1, and 1137 of the Police Code, and adding Section 1137.5, to increase the mean gate fee cap for taxis to \$91.50 per shift, provided that certain conditions are fulfilled, and allowing for the sunsetting of the increase under certain circumstances; increase rates of fare for taxicabs to \$2.85 for the first fifth of a mile, \$0.45 for each additional fifth of a mile or fraction thereof, and \$0.45 for each one minute of waiting or traffic delay time; require the Controller to make future determinations every even-numbered year as to the mean gate fee cap and the rates of fare for taxicabs, based on changes in the Consumer Price Index and related information submitted to the Controller by taxicab companies, with such determinations going into effect unless disapproved or modified by Board resolution; provide for offsetting increased costs to the paratransit program arising from meter fare increases; and prescribe a role for the Controller in analyzing the economic impact of prospective or actual decisions by the Taxi Commission and/or Board of Appeals to authorize the issuance of additional taxi permits, and recommending legislative adjustments to address adverse economic impacts.

11/4/2002, CONTINUED. Continued to November 12, 2002

11/12/2002, AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.

11/12/2002, REFERRED to Transportation and Commerce Committee. November 18, 2002 Special Meeting

11/18/2002, AMENDED. Amended on page 10 line 18 and page 11 line 13 by inserting after "of" the word "temporary".

11/18/2002, PASSED ON FIRST READING AS AMENDED.

Question: Shall this Ordinance be FINALLY PASSED?

Note: 11/18/2002, From Special Meeting of the Transportation and Commerce Committee, Amendment of the Whole Bearing Same Title.

NEW BUSINESS

Recommendations of the Finance Committee

Present: Supervisors Peskin, Daly, Maxwell

6. 021502 [Requiring the Mayor to submit budget estimates, proposed budgets and revenue estimates for selected departments by the first working day of May]

Supervisors McGoldrick, Daly

Ordinance amending Administrative Code Section 3.3 to eliminate the requirement that the Mayor submit a preliminary budget to the Board of Supervisors, and requiring the Mayor submit budget estimates, proposed budgets and detailed estimates of revenues for selected departments by the first working day of May, and the complete City budget by the first working day of June.

Question: Shall this Ordinance be PASSED ON FIRST READING?

7. 021801 [Airport Public Parking Services]

Resolution approving the Controller's certification that Airport Public Parking Management Services for San Francisco International Airport can practically be performed by private contractor at a lower cost than if work were performed by city employees at budgeted levels. (Airport Commission)

(Fiscal impact; Public Benefit Recipient.)

Question: Shall this Resolution be ADOPTED?

8. 021802 [Airport Employee Parking Services]

Resolution approving the Controller's certification that Employee Parking Management Services for San Francisco International Airport can practically be performed by private contractor at a lower cost than if work were performed by city employees at budgeted levels. (Airport Commission)

(Fiscal impact; Public Benefit Recipient.)

Question: Shall this Resolution be ADOPTED?

9. 021803 [Multifamily Housing Revenue Bonds (Folsom/Dore Apartments)]

Resolution authorizing the issuance and delivery of multifamily housing revenue bonds (as defined herein) in an aggregate principal amount not to exceed \$14,925,000 for the purpose of providing financing for a multifamily rental housing project; approving the form of and authorizing the execution of an indenture providing the terms and conditions of the bonds; approving the form of and authorizing the execution of a bond purchase contract providing the terms and conditions for the sale of the bonds; approving the form of and authorizing the execution of a regulatory agreement and declaration of restrictive covenants; approving the form of and authorizing the execution of an intercreditor agreement; approving the form of and authorizing the preparation and distribution of an official statement relating to the bonds; making low income housing findings; ratifying and approving any action heretofore taken in connection with the bonds and the project; approving and

authorizing the execution and delivery of any document necessary to implement this resolution; and related matters. (Mayor)

(Fiscal impact; Public Benefit Recipient.)

Question: Shall this Resolution be ADOPTED?

10. 021897 [Lease of Real Property - 1155 Market Street]

Mayor

Resolution authorizing the lease of 139,956 sq. ft. of office space in the building located at 1155 Market Street, San Francisco for the City and County of San Francisco Public Utilities Commission for consolidation of staff from various locations and authorizing the termination of an existing lease for certain office space at 1155 Market Street, San Francisco. (Mayor)

(Public Benefit Recipient.)

Question: Shall this Resolution be ADOPTED?

11. 021892 [Appropriation for Consolidation of Administrative Offices]

Mayor

Ordinance appropriating \$2,490,343 from fund balance for consolidation of administrative offices of the San Francisco Public Utilities Commission for fiscal year 2002-03. (Mayor)

(No Public Benefit Recipient; companion measure to File 021897.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

Recommendations of the Neighborhood Services and Recreation Committee

Present: Supervisors Newsom, McGoldrick

12. 020765 [Liquor License Transfer, 2650 Mason Street]

Resolution determining that the transfer of a Type 21 off-sale general alcoholic beverage control license from 501 Broderick Street to 2650 Mason Street (District 3) to Steve Chow for 7-Eleven Food Store #33006, will serve the public convenience and necessity of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code: with conditions.

Question: Shall this Resolution be ADOPTED?

13. 021537 [Liquor License Transfer, 335 Powell Street]

Resolution determining that the transfer of a Type 20 off-sale beer and wine alcoholic beverage control license from 1301 Noriega Street to St. Francis Hotel, 335 Powell Street (District 6), to Steven Grover for Liquid Assets, Inc. dba "Fine Wines International" from 1301 Noriega Street will serve the public convenience and necessity of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code; with conditions.

Question: Shall this Resolution be ADOPTED?

Recommendations of the Public Works and Public Protection Committee

Present: Supervisors Sandoval, Gonzalez

14. 021827 [Changing Official Width of Sidewalk]

Ordinance amending Ordinance No. 1061 entitled "Regulating the Width of Sidewalks" by adding thereto Section 1556 to change the official sidewalk width on a portion of 16th Street, 246.71 feet southwest of Potrero Avenue; making findings pursuant to the General Plan and Planning Code Section 101.1; and requiring relocation, modification, or both of facilities affected by the sidewalk width changes. (Public Works Department)

(No Public Benefit Recipient.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

15. 021828 [Changing Official Width of Sidewalk]

Ordinance amending Ordinance No. 1061 entitled "Regulating the Width of Sidewalks" by adding thereto Section 1557 to change the official sidewalk width on the northwest side of Treat Avenue between Alameda and Florida Streets; making findings pursuant to the General Plan and Planning Code Section 101.1; and requiring relocation, modification, or both of facilities affected by the sidewalk width changes. (Public Works Department)

(No Public Benefit Recipient.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

16. 021728 [Accept-Expend State Grant - \$598,628]

Mayor

Resolution authorizing the Mayor's Office of Criminal Justice to retroactively accept and expend a grant in the amount of \$598,628 from the Office of Criminal Justice Planning (OCJP) for the purpose of implementing local juvenile justice accountability measures through the Juvenile Accountability Incentive Block Grant program (JAIBG). (Mayor)

(Public Benefit Recipient)

Question: Shall this Resolution be ADOPTED?

17. 021729 [Accept-Expend Federal Grant - \$599,102]

Mayor

Resolution authorizing the Mayor's Office of Criminal Justice (MOCJ) to retroactively accept and expend a grant in the amount of \$599,102 from the Office of Justice Programs (OJP), Violence Against Women Office (VAWO) for the purpose of encouraging policies that treat domestic violence and sexual assault as serious violations of criminal law. (Mayor)

(Public Benefit Recipient)

Question: Shall this Resolution be ADOPTED?

18. 021816 [Enhance the safety of firefighters as required by the State Fire Supervisor Sandoval Marshal's Office]

Resolution retroactively authorizing the San Francisco Fire Department (SFFD) to accept and expend a new grant in the amount of \$409,633 from the Federal Emergency Management Agency (FEMA) to acquire 800 MHz portable radios for all firefighters working in suppression and to transfer from the California Fire Incident Reporting System (CFIRS) to the National Fire Incident Reporting System (NFIRS), for the period of September 15, 2002 through September 14, 2003.

(No Public Benefit Recipient.)

Question: Shall this Resolution be ADOPTED?

Recommendations of the Transportation and Commerce Committee

Present: Supervisors McGoldrick, Ammiano, Daly

19. 021643 [Electric Personal Assistive Mobility Devices]

Supervisors Daly, Peskin, Ammiano, McGoldrick

Ordinance amending the San Francisco Traffic Code by banning the operation of electric personal assistive mobility devices on all sidewalks in the City and County of San Francisco and in public transit stations and public transit vehicles.

Question: Shall this Ordinance be PASSED ON FIRST READING?

Present: Supervisors McGoldrick, Ammiano

20. 021797 [Ratify Port Emergency Contract]

Resolution ratifying San Francisco Port Commission emergency pier substructure repair contract. (Port)

(Fiscal impact; No Public Benefit Recipient.)

Question: Shall this Resolution be ADOPTED?

21. 021799 [Modification No. 4 to Contract No. 888 with Electric Transit Incorporated]

Resolution approving Contract Modification No. 4 to Contract No. 888 (Procurement of Articulated and Standard Trolley Coaches) with Electric Transit Incorporated in an amount not to exceed \$4,159,795.00, for a total contract amount not to exceed \$191,728,113.89, for (1) implementation of 27 MUNI-requested change notices on 273 trolley buses, (2) adjustment of the schedule to allow completion of the change notices, (3) modification of the payment schedule to accelerate training of MUNI employees, (4) an increase of 405 pounds to the weight allowance for the buses, (5) improvement in warranty response time and addition of doors to warranty; and (6) clarification of the bonding provisions. (Municipal Transportation Agency)

(Fiscal impact.)

Question: Shall this Resolution be ADOPTED?

22. 021717 [Parking Regulations, Various Locations]

Resolution enacting and rescinding parking regulations at various locations.

RESIDENTIAL PERMIT PARKING AREA "J" (TWO-HOUR TIME LIMIT, 8 AM - 5 PM, MONDAY THROUGH FRIDAY) - ESTABLISH

Waller Street, both sides, between Belvedere and Cole Streets.

RESIDENTIAL PERMIT PARKING AREA "Z" (TWO-HOUR TIME LIMIT, 8 AM - 6 PM, MONDAY THROUGH FRIDAY) - ESTABLISH

3301-3303 Mission Street, between Fair and Virginia Avenues (adds specified addresses only).

TOW-AWAY, NO STOPPING, 7 AM TO 9 AM, MONDAY THROUGH FRIDAY - RESCIND TOW-AWAY, NO STOPPING, 6 AM TO 10 AM AND 3 PM TO 7 PM, MONDAY THROUGH FRIDAY - ESTABLISH

Ulloa Street, north side, between Lenox Way and Wawona Street.

UNMETERED MOTORCYCLE PARKING, 10 AM to 4 PM, MONDAY THROUGH SATURDAY - ESTABLISH

Geary Street, north side, from 59.5 feet to 77 feet east of Larkin Street, in front of 886 Geary Street (17.5-foot zone, accommodating five motorcycle spaces).

TOW-AWAY, NO STOPPING ANYTIME - RESCIND

Natick Street, east side, from 126 feet to 135 feet south of Chenery Street (nine-foot portion of existing zone).

TOW-AWAY, NO PARKING ANYTIME - ESTABLISH

St. Charles Avenue, east side, between the County line and Niantic Avenue;

St. Charles Avenue, west side, between BART parking lot entrance (approximately 82 feet south of Niantic Avenue) and the County line;

Tennessee Street, east side, from 70 feet to 160 feet north of Cesar Chavez Street (90-foot zone); and

Ashbury Street, west side, from Downey Street to 15 feet northerly.

TOW-AWAY LANE MUST TURN RIGHT - RESCIND

6th Street, northbound at Bryant Street.

ONE HOUR PARKING, NOVEMBER TO MARCH, 9 AM - 6 PM, EXCEPT SUNDAY/APRIL TO OCTOBER, 9 AM - 10 PM, MONDAY THROUGH FRIDAY AND 9 AM - 6 PM, SATURDAY AND SUNDAY - RESCIND

PARKING METER AREA NO. 3 (ONE-HOUR PARKING TIME LIMIT, 9 AM - 6 PM, MONDAY THROUGH SATURDAY) - EXTEND

2nd Street, east side, between King and Townsend Streets.

PERPENDICULAR (90-DEGREE ANGLE) PARKING - ESTABLISH

Wisconsin Street, west side, from 124 feet north of 23rd Street to Madera Street;

Minnesota Street, east side, from 18th Street to 200 feet southerly;

Minnesota Street, west side, from 19th to 20th Streets; and,

19th Street, north side, from Minnesota Street to 95 feet easterly.

ANGLED (60-DEGREE ANGLE) PARKING - ESTABLISH

Missouri Street, east side, from 23 feet to 134 feet north of Cesar Chavez Street.

TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH

16th Street, south side, from 247 feet to 293 feet west of Potrero Avenue (46 foot zone).

Note: The Tow-Away restriction is being established to accommodate a DPW proposal to widen the sidewalk and install an automatic public toilet.

UNMETERED MOTORCYCLE PARKING - ESTABLISH

Taylor Street, west side, from 70 feet to 94 feet north of Clay Street (accommodating seven motorcycle spaces).

Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street. (Parking and Traffic Department)

(DPT Order No. 2508.)

Question: Shall this Resolution be ADOPTED?

23. 021843 [Parking Regulations, Various Locations]

Resolution enacting and rescinding parking regulations at various locations.

RESIDENTIAL PERMIT PARKING AREA "J" (2-HOUR TIME LIMIT, 8 AM TO 5 PM, MONDAY THROUGH FRIDAY) - ESTABLISH

11th Avenue, both sides, between Kirkham and Lawton Streets (1500 block). (Parking and Traffic Department)

(9/19/02: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 2494.)

Question: Shall this Resolution be ADOPTED?

From Transportation and Commerce Committee "Without Recommendation"

Present: Supervisors McGoldrick, Ammiano

24. 021727 [Authorization for the use of identification numbers in lieu of permit numbers for lawfully erected general advertising signs]

Supervisor Leno

Ordinance amending San Francisco Planning Code Chapter 6, Section 604.1(c), to modify the authority of the Director of the Planning Department to approve the use of identification numbers in lieu of the required permit numbers for general advertising signs, by deleting language that restricts the use of the substitute identification numbers to general advertising signs that existed at their current locations at the time of the Department's 1966 sign inventory.

Question: Shall this Ordinance be PASSED ON FIRST READING?

SPECIAL ORDER 3:00 P.M.

25. 021764 [Public Hearing - Appeal, Conditional Use, 965-985 Geneva Avenue and 852 Paris Street (aka Apollo Theater)]

Hearing of persons interested in or objecting to the decision of the Planning Director by Motion No. 16468 dated October 10, 2002, received by the Clerk's Office on October 23, 2002, approving conditional use application No. 2001.1126C, subject to modifications, to merge 6 lots into one lot with a total area greater than 9,999 square feet pursuant to Planning Code Section 712.11; to allow the construction of 8 dwelling units without the required off-street parking pursuant to Section 161(j); to allow a large retail store (Walgreens Phamacy) to occupy commercial space (10,000 gross square feet) on the ground floor and on a new mezzanine in excess of 5,999 square feet pursuant to Section 712.21 under Planning Department's modifications to proposed project; and adopting findings relating to the disapproval of a conditional use application to allow a large retail store (Walgreens Pharmacy) to occupy commercial space (12,800 gross square feet) on the ground floor and on a new mezzanine in excess of 5,999 square feet pursuant to Section 712.21 under the proposal submitted to the Department by the project sponsor. The project site is located in an NC-3 (Moderate-Scale Neighborhood Commercial) District and in a 65-X-Height and Bulk District, and in an RH-1 (Residential, One-Family) District in a 40-X Height and Bulk District on property

located at 965-985 Geneva Avenue and 852 Paris Street (aka Apollo Theater), north side of Geneva Avenue, between Paris and London Streets; Lots 5-10 on Assessor's Block 6409.

(Appeal filed October 23, 2002; Final Negative Declaration adopted and issued June 13, 2002; Case No. 2001.1126C; companion measure to Files 021765, 021766, 021767, 021795; District 11.)

11/18/2002, CONTINUED.	
Action:	

Pursuant to Government Code Section 65009, notice is hereby given: If you challenge the above matter in court, you may be limited to raising only those issues you or someone else raised at the public hearing described above, or in written correspondence delivered to the Board of Supervisors, (1 Dr. Carlton B. Goodlett Place, Room 244; San Francisco, CA 94102-4689) at, or prior to, the public hearing.

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

26. 021765 [Appeal, Conditional Use, 965-985 Geneva Avenue and 852 Paris Street (aka Apollo Theater)]

Motion approving decision of the Planning Director by Motion No. 16468, approving Conditional Use Application No. 2001.1126C, on property located at 965-985 Geneva Avenue and 852 Paris Street (aka Apollo Theater), and adopting findings pursuant to Emergency Ordinance No. 186-02. (Clerk of the Board)

11/18/2002, CONTINUED. Continued to November 25, 2002

Question: Shall this Motion be ADOPTED?

27. 021766 [Appeal, Conditional Use, 965-985 Geneva Avenue and 852 Paris Street (aka Apollo Theater)]

Motion disapproving decision of the Planning Director by Motion No. 16468, approving Conditional Use Application No. 2001.1126C, on property located at 965-985 Geneva Avenue and 852 Paris Street (aka Apollo Theater), and adopting findings pursuant to Emergency Ordinance No. 186-02. (Clerk of the Board)

11/18/2002, CONTINUED. Continued to November 25, 2002

Question: Shall this Motion be ADOPTED?

28. 021767 [Findings - 965-985 Geneva Avenue and 852 Paris Street (aka Apollo Theater)]

Motion directing the Clerk of the Board to prepare findings relating to proposed Conditional use Application No. 2001.1126C, on property located at 965-985 Geneva Avenue and 852 Paris Street (aka Apollo Theater), for action by the Board at its next meeting. (Clerk of the Board)

11/18/2002, CONTINUED. Continued to November 25, 2002

Question: Shall this Motion be ADOPTED?

29. 021795 [Environmental Review]

Motion certifying review of Final Negative Declaration relating to proposed Conditional Use of property at 965-985 Geneva Avenue and 852 Paris Street (aka Apollo Theater), and adopting

findings pursuant to Emergency Ordinance No. 186-02. (Clerk of the Board)

11/18/2002, CONTINUED. Continued to November 25, 2002

Question: Shall this Motion be ADOPTED?

COMMITTEE REPORTS

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

The following item will be considered by the Health and Human Services Committee at a Regular Meeting on November 21, 2002 at 1:00 p.m.The Chair intends to send this item out as a committee report.

30. 021510 [General Advertising Sign Relocation]

Supervisor Daly

Resolution authorizing Clear Channel Outdoor Inc. to seek conditional use authorization from the Planning Department to erect two, two-sided general advertising relocation signs measuring up to 14 feet wide by 48 feet high, and to install a non-illuminated "flipper box" at the general advertising sign located at 274 Brannan Street, in exchange for the elimination of the "message center" from the general advertising sign located at 274 Brannan Street and the removal of nine "8-sheet" general advertising signs in the City.

Question: Shall this Resolution be ADOPTED?

31. 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.

32. 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.

33. 021934 [Legislative Analyst Request - Business Improvements Districts]

Supervisor Newsom

Motion directing the Office of the Legislative Analyst to conduct research on Business Improvement Districts in the City and County of San Francisco and other jurisdictions nationwide.

Question: Shall this Motion be ADOPTED?

CLOSED SESSION

CONFERENCE WITH CITY ATTORNEY - Anticipated Litigation as Plaintiff or Defendant

34. 021578 [Anticipated Litigation - AT&T Broadband et al.]

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

This closed session would be permitted by Government Code Section 54956.9(b) and (c) and the San Francisco Administrative Code Section 67.10(d). (10/15/02 Continued to November 12, 2002.)

11/12/2002, CONTINUED. Continued to November 18, 2002

11/18/2002, CONTINUED. Continued to November 25, 2002

Question: Shall this Motion be ADOPTED?

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 35 through 44

35. 021923 [Support LAFCo Future Work]

Resolution requesting support of the Board of Supervisors for the Future Work Plan of the San Francisco Local Agency Formation Commission. (Clerk of the Board)

11/18/2002, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

36. 021924 [Urge DPT Pedestrian Countdown Signals]

Supervisor Newsom

Resolution urging the Department of Parking and Traffic and the San Francisco County Transportation Authority to work in collaboration in order to secure new funding streams necessary to jointly contribute toward the long-term safety gains by installing pedestrian countdown signals at the remaining 500 signalized intersections in the City and County of San Francisco.

11/18/2002, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

37. 021925 [Authorize Recreation and Park to accept grant of \$1,500,00 for renovation of Helen Wills tennis courts]

Supervisor Peskin

Resolution authorizing the San Francisco Recreation and Park Department to accept and expend a grant in the total amount of \$1,500,000 in State grant funds under the Murray-Hayden Urban Parks and Youth Service Program, from the Safe Neighborhood Parks, Clean Water, Clean Air and Coastal Protection Bond Act of 2000 for the renovation of the play area, clubhouse and tennis courts at the Helen Wills Playground.

11/18/2002, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

38. 021926 [City Attorney to investigate BAAQMD approved permit #2136] Supervisors Sandoval, Daly

Resolution requesting the City Attorney to investigate whether adequate public notice was provided by the Bay Area Air Quality Management District to the affected community regarding Permit Application #2136 for increasing fuel throughput at the Shell Oil gasoline station at 4298 Mission Street and requesting the City Attorney to take all appropriate steps to protect the City's interests, including possible filing of a timely administrative appeal regarding the issuance of the permit.

11/18/2002, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

39. 021927 [Authorize Recreation and Park to accept \$773,150 for Holly Park Play Area] Supervisor Ammiano

Resolution authorizing the Recreation and Park Department to accept and expend a grant in the total amount of \$773,150 from the National Park Service under the Fiscal Year 2002 Urban Parks and Recreation Recovery Program for the renovation of the play area at Holly Park.

11/18/2002, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

40. 021928 [Accept donation of 50 Neighborhood Electric Vehicles from Supervisor Ammiano Ford and 50 from Daimler Chrysler]

Resolution accepting a donation of fifty (50) Neighborhood Electric Vehicles from Ford Motor Company and fifty (50) electric vehicles from Daimler Chrysler to be used for the continued implementation of the City's Healthy Air and Smog Prevention Ordinance (Administrative Code Chapter 85).

11/18/2002, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

41. 021929 [Recognize Esther C. Blanchard]

Supervisor Maxwell

Resolution in recognition of Esther C. Blanchard for her commitment and dedication to her community and proclaiming Thursday, December 5, 2002 as Esther C. Blanchard Day in San Francisco.

11/18/2002, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

42. 021930 [Commend Glynn Washington]

Supervisor Maxwell

Resolution commending Glynn Washington, Administrator of the San Francisco Human Services Network, for the achievements of the San Francisco Human Services Network and for his service to our City.

11/18/2002, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

43. 021910 [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.

11/18/2002, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be ADOPTED?

44. 021881 [Final Map for a 16 Unit Residential Condominium Project]

Motion approving Final Map of 1366 Turk Street, A Residential Condominium Project, being a subdivision of Lot 4 in Assessor's Block No. 749, and adopting findings pursuant to Planning Code Section 101.1.

(No Public Benefit Recipient; DPW Order No. 173,826; District 5.)

11/20/2002, 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:						

45. 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 November 14, 2002 through noon on Nobvember 20, 2002, for reference by President to appropriate committee on November 25, 2002.

None.

PROPOSED RESOLUTIONS

Proposed resolutions received from November 14, 2002 through noon on Nobvember 20, 2002, for reference by President to appropriate committee on November 25, 2002.

021839 [Redevelopment Agency Budget Amendment for Fiscal Year 2002-2003]

Resolution approving an amendment to the Budget of the Redevelopment Agency of the City and County of San Francisco for Fiscal Year 2002-2003 by increasing the Agency's expenditure authority in an amount not to exceed \$43,100,000; authorizing the Agency's issuance of Tax Allocation Bonds, in one or more series, each in either Variable Rate or Fixed Rate Mode, in an amount not to exceed \$43,100,000; authorizing the Agency's receipt of additional Tax Increment necessary to repay the principal and interest on said bonds; and approving a Cooperation and Tax Increment Reimbursement Agreement with the Agency with respect to the Yerba Buena Center Redevelopment Project Area. (Redevelopment Agency)

11/14/2002, RECEIVED AND ASSIGNED to Finance Committee. Department requests this item be scheduled for consideration at the December 4, 2002 meeting.

021840 [Promote mental health, reduce youth violence and substance abuse in the Mission District/Bayview Hunters Point]

Resolution authorizing the San Francisco Department of Public Health (SFDPH) to accept and expend retroactively a new federal grant in the amount of \$100,000 from the Department of Justice Drug-Free Communities Support Program (DOJ) for the YouthPOWER 2 project and to enter into an agreement for the use of these funds; for the period of October 1, 2002 to September 30, 2003. (Public Health Department)

(No Public Benefit Recipient.)

11/15/2002, RECEIVED AND ASSIGNED to Health and Human Services Committee.

021841 [Behavioral Health Treatment for Homeless]

Resolution authorizing the San Francisco Department of Public Health (SFDPH) to accept and expend retroactively \$599,769 for the first year of a three year grant from the Substance Abuse and Mental Health Services Administration (SAMHSA) to provide behavioral health services for formerly homeless persons living at supportive housing sites in San Francisco and to enter into an agreement for the use of these funds; for the period of September 30, 2002 to September 29, 2003. (Public Health Department)

(Public Benefit Recipient.)

11/15/2002, RECEIVED AND ASSIGNED to Health and Human Services Committee.

021876 [Real Property Lease Option]

Resolution authorizing the exercise of an extension option at 875 Stevenson Street for various City departments. (Real Estate Department)

(No Public Benefit Recipient.)

11/19/2002, RECEIVED AND ASSIGNED to Finance Committee.

021877 [Amendment to the Operating Agreement for the Moscone Convention Center]

Resolution authorizing the Director of Convention Facilities to execute an amendment to the operating agreement increasing the agreement from \$15,015,100.00 to \$15,844,209.00. (Administrative Services Department)

(Public Benefit Recipient.)

11/20/2002, RECEIVED AND ASSIGNED to Finance Committee.

021878 [Lease of City Owned Real Property]

Resolution authorizing the lease of 2,686 sq. ft. of space at the Main Library to the Friends and Foundation of the San Francisco Public Library. (Real Estate Department)

(Public Benefit Recipient.)

11/20/2002, RECEIVED AND ASSIGNED to Finance Committee.

021879 [Official Advertising]

Resolution designating the San Francisco Independent to be the official newspaper of the City and County of San Francisco for the category of non-consecutive day official advertising, for the period commencing January 1, 2003 and ending June 30, 2003. (Purchaser)

(Public Benefit Recipient.)

11/20/2002, RECEIVED AND ASSIGNED to Finance Committee. Department requests this item be scheduled for consideration at the December 4, 2002 meeting.

021880 [Accept - Expend State Grant]

Resolution authorizing the Executive Director to apply for, accept, and expend matching grant funds from the CEC Energy Efficiency Program to install Battery Back-Up Systems (BBS) at signalized intersections with Light Emitting Diode (LED) traffic signal modules at 91 intersections throughout the City. (Parking and Traffic Department)

(No Public Benefit Recipient.)

11/20/2002, RECEIVED AND ASSIGNED to Transportation and Commerce Committee.

021882 [Lease of City Owned Real Property]

Resolution authorizing the lease of 387 sq. ft. of space at the Main Library to the Friends and Foundation of the San Francisco Public Library for the operation of a bookstore. (Real Estate Department)

(Public Benefit Recipient.)

11/20/2002, RECEIVED AND ASSIGNED to Finance Committee.

021883 [Accept-Expend Non-Profit Grant]

Resolution authorizing the Department of Human Resources to accept and expend a grant in the amount of \$25,000 from the Cooperative Personnel Services (CPS) and International Personnel Management Association (IPMA) for the implementation and utilization of innovative human resources program, "The Link Project". (Human Resources Department)

(No Public Benefit Recipient.)

11/18/2002, RECEIVED AND ASSIGNED to Transportation and Commerce Committee.

021947 [Petitions and Communications]

Petitions and Communications received from November 14, 2002 through noon on November 20, 2002 for reference by the President to Committee considering related matters or to be ordered filed by the Clerk on November 25, 2002.

From Office of the Mayor, submitting communication vetoing legislation that allows persons over 18 years old into after-hours premises. File 021458, Copy: Each Supervisor(1)

From Human Rights Commission, submitting report entitled "Backlash, Violence, Human Rights Violations and Discrimination in San Francisco in the wake of September 11, 2001".(2)

From various City departments and other agencies, submitting Conflict of Interest Code Review Reports (Campaign and Governmental Conduct Code, Article III, Chapter 1). Copy: City Attorney's Office(3)

From Department of Public Works, regarding the current workforce availability on Sundays, and what measures may be taken to increase the size of deployment of this workforce.(Reference No. 20021015-004) Copy: Supervisor Newsom(4)

From Department of Public Works, regarding the current follow-up protocols for 28-CLEAN staff to call back members of the public who have called them to report litter and/or graffiti. (Reference No. 20021015-005) Copy: Supervisor Newsom(5)

From Department of Parking and Traffic, regarding the feasibility of making Guttenberg Street a one-way street with traffic heading north. (Reference No. 20021028-005) Copy: Supervisor Sandoval(6)

From Department of Parking and Traffic, regarding the feasibility of conducting a traffic calming study in District 11. (Reference No. 20021021-006) Copy: Supervisor Sandoval(7)

From Branch Library Improvement Program, regarding ongoing and/or future plans for capital improvements of the Golden Gate Branch Library. (Reference No. 20021028-001) Copy: Supervisor Newsom(8)

From Planning Department, submitting Certificate of Determination of Exemption/Exclusion from Environmental Review for the Dogpatch Historic District. File 021476(9)

From concerned citizens, submitting support for proposed mixed-use project located at the former Apollo Theater located at 965-985 Geneva Avenue and 852 Paris Street. File 021767(10)

From Mark DeSaulnier, Contra Costa County Board of Supervisors, submitting request for a delay in proposed legislation banning the Segway Human Transporter until the results of some of the current field research pilot projects have been completed and analyzed. File 021643, Copy: Supervisors Yee, Hall, Newsom, Maxwell, McGoldrick, Gonzalez(11)

From Recreation and Park Department, regarding sale of the Neighborhood Recreation and Park Facilities Improvement Bonds, 2000.(12)

From Ethics Commission, submitting proposed regulations to exclude holidays and weekends from the number of days used to calculate late reports filed under the Campaign Consultant and Lobbyist Ordinance.Copy: Each Supervisor(13)

From Department of Public Health, regarding existing and or planned Health Department activities

in response to the West Nile Virus. (Reference No. 20021015-016) Copy: Supervisor Newsom(14)

From Bluewater Network, regarding revision to the Final Supplemental Environmental Impact Report for the San Francisco Cruise Terminal Mixed-Use Project and Brannan Street Wharf Project. File 021759(15)

From Port of San Francisco, regarding reimbursement to the Department of Public Works to clean trash or abate graffiti. (Reference No. 20021015-009) Copy: Supervisor Newsom(16)

From concerned citizens, submitting opposition to proposed project at 601 King Street. File 021442, 3 letters(17)

From Senate Rules Committee, submitting appointment of Susan Britting of Coloma and David Nawi of Sacramento as members to the State Board of Forestry and Fire Protection.(18)

From Public Utilities Commission, regarding reimbursement to the Department of Public Works to clean trash or abate graffiti. (Reference No. 20021015-013) Copy: Supervisor Newsom(19)

From Office of the City Attorney, submitting financial recovery and savings report highlighting cases that have resulted in significant financial recoveries/savings for the City during the current fiscal year that far outweigh the cost of the actions. Copy: Each Supervisor(20)

From Real Estate Division, regarding reimbursement to the Department of Public Works to clean trash or abate graffiti. (Reference No. 20021015-006) Copy: Supervisor Newsom(21)

From Public Utilities Commission, regarding proposed lease at 1155 Market Street. File 021897, Copy: Supervisor Daly(22)

From Assessor/Recorder, regarding spending on required public noticing costs for newspaper advertising. (Reference No. 20020930-022) Copy: Supervisor McGoldrick(23)

From Department of Children, Youth and Their Families, submitting request to present the "Community Needs Assessment" to the Board of Supervisors for approval. Copy: Supervisor Maxwell(24)

From Public Utilities Commission, submitting notice that PUC staff are working to repair a broken regulating gate valve that is holding back Hetch Hetchy water deliveries from San Francisco customers.(25)

From Public Utilities Commission, regarding existing and or planned PUC activities in response to the West Nile Virus. (Reference No. 20021015-015) Copy: Supervisor Newsom(26)

From Supervisor Peskin, regarding oral presentations to the Finance Committee. (27)

From Office of the Sheriff, submitting report regarding the Prisoner Telephone System. (Reference No. 20021015-024) Copy: Supervisors Gonzalez, Peskin, Sandoval, McGoldrick(28)

From Animal Care and Control, submitting request to the Human Rights Commission for waiver of Chapters 12B and 12C of the Administrative Code.(29)

From Shawn Calhoun, submitting opposition to banning the operation of electric personal assistive mobility devices (Segway) on all sidewalks in San Francisco.(30)

From Golden Gate Park Concourse Authority, submitting copy of quarterly report sent to the

Recreation and Park Commission for the Third Quarter of 2002.(31)

From Department of Public Works, submitting list of codes that are now being enforced by the Department of Public Works in order to help reduce the amount of litter in the City and County of San Francisco. (Reference No. 20021015-003) Copy: Supervisor Newsom(32)

From the Violence Prevention Research Program, submitting report entitled "Handgun Commerce in California, 1999".(33)

From Russellm Zellers, commenting on his experience with the Department of Elections. (34)

From Odd Fellows Hall Association, regarding progress made concerning effort to clean up 7th and Market Streets.(35)

From California Public Utilities Commission, submitting notice of application from Pacific, Gas and Electric Company requesting a gas rate and an electric revenue increase.(36)

From Elaine Tong, submitting objection to construction of above grade deck and stairs at 1515 18th Avenue. File 021760, Copy: Each Supervisor(37)

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 ESPA¥OL: 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