



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, May 6, 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 March 4, March 7, and March 11, 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.

CONSENT AGENDA

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

Recommendation of the Transportation and Commerce Committee

Present: Supervisors McGoldrick, Hall, Ammiano

- 1. 020243 [Grant- MUNI Connector Project]**
Resolution authorizing the Municipal Transportation Agency to accept and expend \$3,325,000 of Regional Measure One Funds for Municipal Railway Transit Project. (Municipal Transportation Agency)

Question: Shall this Resolution be ADOPTED?

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

REGULAR AGENDA

UNFINISHED BUSINESS

From the Clerk

2. 020667 [Adopting findings related to the conditional use appeal on property located at 417-31st Avenue]

Motion adopting findings related to the appeal of the Planning Commission's approval of Conditional Use Application No. 2001.0926C (which authorized, subject to certain conditions, the mounting of three panel antennas to the belfry of an existing Church) within an NC-1 (Neighborhood Commercial Cluster) Zoning District and a 40-X Height and Bulk District, pursuant to Section 710.83 of the Planning Code, on property located at 417-31st Avenue, southwest corner of 31st Avenue and Clement Street (Lot 001 in Assessor's Block 0819. (Clerk of the Board)

(Companion measure to Files 020479, 020480, 020481, 020482.)

5/1/2002, REFERRED to Board of Supervisors.

Question: Shall this Motion be ADOPTED?

Recommendations of the Finance Committee

Present: Supervisors Peskin, Daly, Ammiano

3. 020193 [Emergency Response Fee Amendments]

**Supervisors Peskin, Daly,
Ammiano, Newsom**

Ordinance amending Articles 6 and 10a of the San Francisco Business And Tax Regulations Code by amending Sections 6.1-1, 750, 751, 753, 755 and 757, deleting section 756 and adding sections 752.2 And 755.1 to clarify the application of the Code's common administrative provisions to the Emergency Response Fee; to provide for use of Emergency Response Fee Revenues for operating costs of the 911 Communication System; to update the findings supporting the fee; to increase the amount of the annual cap on fee payments per account, per service location to reflect inflation; to increase the fee rate for trunk line subscribers and add a rate for high capacity trunk line subscribers; and to eliminate the fee sunset, and amending section 10.100-67 of the San Francisco Administrative Code to allow for use of monies in the Emergency Communications 911 Emergency Response Fund for operating costs of the 911 Communication System.

(Fiscal impact.)

4/29/2002, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

4. 020194 [Supplemental Appropriation, Emergency Communications Department]

**Supervisors Peskin, Daly,
Ammiano, Newsom**

Ordinance appropriating \$1,344,031 from the 911 Access Fee and reappropriating \$280,533 in permanent salaries for a total of \$1,624,564 to provide funding for the Civilianization Plan of the Fire/EMS communications functions and offset shortfalls in salaries and overtime for the Emergency Communications Department for fiscal year 2001-02.

(Fiscal impact; Companion measure to File 020195.)

4/29/2002, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

- 5. 020195 [Public Employment, Emergency Communications Department]** **Supervisors Peskin, Daly, Ammiano, Newsom**

Ordinance amending Ordinance No. 171-01 (Annual Salary Ordinance 2001/02) reflecting the creation of one position at the Emergency Communications Department.

(Fiscal impact.)

4/29/2002, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

- 6. 020464 [Settlement of Lawsuit]**

Ordinance authorizing settlement of the lawsuit filed by New Times, Inc., San Francisco Newspaper Printing Company, Inc., Gannett Satellite Information Network, Inc., The New York Times Company, San Jose Mercury News, Inc., Los Angeles Times, Dow Jones & Company, Inc., Bay Guardian Company, Inc., and United Advertising Publications, Inc. against the City and County of San Francisco for \$85,000; the lawsuit was filed on January 5, 1999, in the United States District Court for the Northern District of California, Case No. C-99-0020 (WHA); entitled New Times, Inc., et al., v. City and County of San Francisco, et al.; other material terms of said settlement are the City's amendment of San Francisco Public Works Code Section 184.12, the Director of Public Works' promulgation of amended guidelines, and the City's approval of the First Amended and Restated Pedestal-Mounted Newsrack Agreement by and between the City And County of San Francisco and Clear Channel Adshel, Inc. (City Attorney)

(Companion measure to Files 020465, 020466.)

(Supervisor Daly dissenting in Committee.)

4/22/2002, CONTINUED. Continued to April 29, 2002.

4/29/2002, CONTINUED ON FIRST READING. Continued to May 6, 2002 to convene in closed session.

Question: Shall this Ordinance be PASSED ON FIRST READING?

- 7. 020465 [Regulation of Newsracks; Amendment of Fixed Pedestal Newsrack Program]**

Ordinance amending the San Francisco Public Works Code, Article 5.4, by repealing the existing Section 184.12 and enacting a new Section 184.12 regulating the placement and maintenance of newsracks on public streets, sidewalks and rights-of-way to prohibit freestanding newsracks in specified areas of the City, authorizing the creation of fixed pedestal zones in specified areas of the City, and authorizing the Director of Public Works to select and enter into agreements with vendors to provide and maintain fixed pedestal newsracks. (City Attorney)

(Supervisor Daly dissenting in Committee.)

4/22/2002, CONTINUED. Continued to April 29, 2002.

4/29/2002, CONTINUED ON FIRST READING. Continued to May 6, 2002 to convene in closed session.

Question: Shall this Ordinance be PASSED ON FIRST READING?

8. 020466 [Contract - CCSF and Clear Channel Adshel, Inc.]

Ordinance approving the First Amended and Restated Pedestal-Mounted Newsrack Agreement By and Between the City and County of San Francisco and Clear Channel Adshel, Inc., which allows for the provision, installation, and maintenance of pedestal-mounted newsracks on public property; approving an indemnification of the contractor by the City for specified claims initiated by publishers or other specified claimants, concerning the fixed pedestal program, the fixed pedestal units, their operation, or the agreement with Clear Channel Adshel, Inc., and for specified claims including bodily injury or property damage arising from the City's performance of said agreement; and authorizing the Director of the Department of Public Works to make changes to the Department of Public Works Director's Orders incorporated by reference in the agreement with Clear Channel Adshel, Inc. (City Attorney)

(Supervisor Daly dissenting in Committee.)

4/22/2002, CONTINUED. Continued to April 29, 2002.

4/29/2002, CONTINUED ON FIRST READING. Continued to May 6, 2002 to convene in closed session.

Question: Shall this Ordinance be PASSED ON FIRST READING?

CONFERENCE WITH CITY ATTORNEY - Existing Litigation

9. 020668 [Existing Litigation - City as Defendant]

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 the following existing litigation in which the plaintiffs, various businesses, are, in sum, challenging the constitutionality of the City's Pedestal-Mounted Newsrack (Pedmount) Program, as permitted by Government Code Section 54956.9(a) and Administrative Code Section 67.8(a)(3):

New Times, Inc., et al (New Times, Inc., San Francisco Newspaper Printing Company, Inc., Gannett Satellite Information Network, Inc., The New York Times Company, San Jose Mercury News, Inc., Los Angeles Times, Dow Jones & Company, Inc., Bay Guardian Company, Inc., and United Advertising Publications, Inc.) v. City and County of San Francisco, et al.

United States District Court, No. C-99-0020 (WHA)

Date Filed: 1/5/99 (City Attorney)

Action: _____

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

[Elect To Disclose]

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

[Elect Not to Disclose]

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

Recommendation of the Health and Human Services Committee

Present: Supervisors Daly, Leno, Maxwell

- 10. 011448 [Internet Services Exchange] Supervisors Maxwell, Daly**
- Ordinance amending the San Francisco Planning Code by amending Sections 209.6, 790.80 and 890.80 to define Internet Services Exchange as a new use within the utility installation use category; by amending Sections 178, 227, 234.2, 303, 817, 818, 907, 908, 912, and 913 to establish a requirement for a conditional use authorization for Internet Services Exchanges; by amending Section 204 to include certain Internet Service Exchanges as an accessory use; and adopting findings.
- (Planning Commission Resolution No. 16265 adopted 10/25/01 recommending approval. Certificate of Exemption/Exclusion from Environmental Review dated 10/18/01; revised Exemption/Exclusion from Environmental Review dated 11/21/01)
- 4/29/2002, CONTINUED ON FIRST READING. Continued to May 6, 2002.
- Question: Shall this Ordinance be PASSED ON FIRST READING?**

Recommendation of Neighborhood Services and Recreation Committee

Present: Supervisors Newsom, Leno, McGoldrick

- 11. 020437 [Liquor License Transfer, 1750 Fulton Street]**
- Resolution determining that the transfer of a Type 21 off-sale general alcoholic beverage control license to Albertson's Inc. from 17 Kearny Street to the new Albertson's store located at 1750 Fulton Street (District 5), 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.
- 4/22/2002, CONTINUED. Continued to May 6, 2002.
- Question: Shall this Resolution be ADOPTED?**

NEW BUSINESS

Recommendations of the Finance Committee

Present: Supervisors Peskin, Daly, Ammiano

- 12. 020468 [MOU Amendment No. 4, SEIU, AFL-CIO Locals 250, 535, and 790]**
Ordinance adopting and implementing Amendment No. 4 to the 2000-2003 Collective Bargaining Agreement between the City and County of San Francisco and the Service Employees International Union, AFL-CIO, Locals 250, 535 and 790 by amending Article IV.D (Additional Compensation and Premium Pay) to provide for POST and/or Educational Premium pay for employees assigned to classification 2580 (Medical Examiner Investigator). (Human Resources Department)
- Question: Shall this Ordinance be PASSED ON FIRST READING?**
- 13. 020475 [Appropriation - City Attorney Affirmative Litigation Program]**
Ordinance appropriating, retroactively, \$508,673 from the code enforcement settlement on 351 California Street and \$442,741 from the reserve for the Hanlon Arbitration Award, for a total of \$951,414, for the Affirmative Litigation Program in the City Attorney's Office in fiscal year 2001-02. (Controller)
- (Fiscal impact.)
- Question: Shall this Ordinance be PASSED ON FIRST READING?**
- 14. 020535 [Unrepresented Employees] Mayor**
Ordinance fixing compensation for persons employed by the City and County of San Francisco whose compensations are subject to the provisions of Section A8.409 of the Charter, in jobcodes not represented by an employee organization, and establishing working schedules and conditions of employment and, methods of payment, effective July 1, 2002. (Mayor)
- (Fiscal impact.)
- Question: Shall this Ordinance be PASSED ON FIRST READING?**
- 15. 020494 [Parking Meter Management System] Supervisor Ammiano**
Resolution authorizing the Executive Director of the Department of Parking and Traffic to execute an agreement between the City and County of San Francisco and Serco Management Services, Inc. for a Parking Meter Management System.
- (Fiscal impact.)
(Supervisor Daly dissenting in Committee.)
- Question: Shall this Resolution be ADOPTED?**
- 16. 020495 [Certification of Lower Cost of Services] Supervisor Ammiano**
Resolution concurring with the Controller's certification that a proposed agreement with Serco Management Services, Inc. for a Parking Meter Management System which includes collection and coin counting services, can practically be performed by a private contractor for a lower cost than similar services performed by City and County employees.

(Fiscal impact; Companion measure to File 020494.)
(Supervisor Daly dissenting in Committee.)

Question: Shall this Resolution be ADOPTED?

- 17. 020615 [Grant - Mayor's Office of Community Development] Mayor**
Resolution approving the 2002 Community Development Program. Authorizing the Mayor, on behalf of the City and County of San Francisco, to accept and expend the City's 2002 Community Development Block Grant (CDBG) entitlement from the U. S. Department of Housing and Urban Development, and Program Income of \$33,722,231 which include indirect costs of \$160,000, and approving expenditure schedules for recipient departments and agencies and for indirect costs; placing \$175,510 on reserve. (Mayor)

Question: Shall this Resolution be ADOPTED?

- 18. 020616 [Grant - Emergency Shelter] Mayor**
Resolution approving the 2002 Emergency Shelter Grants Program and Expenditure Schedule; and authorizing the Mayor on behalf of the City and County of San Francisco to accept, and expend a \$879,000 entitlement under the Emergency Shelter Grants Program from the U. S. Department of Housing and Urban Development. (Mayor)

Question: Shall this Resolution be ADOPTED?

- 19. 020617 [Grant - HOME Program] Mayor**
Resolution authorizing the Mayor of the City and County of San Francisco to accept and expend a grant from the U. S. Department of Housing and Urban Development for a total amount of \$7,865,000 for the Home Program authorized under Title II of the National Affordable Housing Act of 1990, Public Law Number 101-625, and approving the Home Program description as described in the 2002 Action Plan for San Francisco's Consolidated Plan. Indirect costs associated with the acceptance of these grant funds will be paid by the Community Development Block Grant funds; placing \$20,000 on reserve. (Mayor)

Question: Shall this Resolution be ADOPTED?

Recommendation of the Neighborhood Services and Recreation Committee

Present: Supervisors Newsom, Leno, McGoldrick

- 20. 020496 [Bail Schedule] Supervisor Newsom**
Resolution urging the presiding judge of the Superior Court to convene the Judge's Bail Committee in consultation with the San Francisco Police Department and the San Francisco Sheriff's Department to assess the bail schedule in order to determine what adjustments are needed to bring San Francisco in line with other Bay Area counties.

Question: Shall this Resolution be ADOPTED?

Recommendations of the Transportation and Commerce Committee

Present: Supervisors McGoldrick, Ammiano

21. 012131 **[Ramped Taxi]** **Supervisor Maxwell**

Ordinance amending Section 1148.1 of the Police Code to reduce, from five to three years, the time after receipt of a ramped taxi permit that the permittee is precluded from accepting a different motor vehicle for hire permit; and requiring six months' notice of the permittee's intent to leave the ramped taxi program.

Question: Shall this Ordinance be PASSED ON FIRST READING?

22. 012132 **[Garcia and Maggini Warehouse as a Landmark]** **Supervisor Maxwell**

Ordinance designating 128 King Street, the Garcia and Maggini Warehouse, as Landmark No. 229 pursuant to Article 10, Sections 1004 and 1004.4 of the Planning Code.

Question: Shall this Ordinance be PASSED ON FIRST READING?

23. 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.

24. 020677 **[Legislative Analyst Request]** **Supervisor Gonzalez**

Motion asking the Legislative Analyst to prepare a report on educational programs provided to youth offenders detained in juvenile facilities similar to the City and County of San Francisco's Youth Guidance Center. The report shall detail "best practices" used in other major metropolitan areas. Metropolitan areas used in the report may have population and youth crime statistics similar to those in San Francisco.

Question: Shall this Motion be ADOPTED?

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

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

Items 25 through 42

- 25. 020645 [DHS - Access to California Law Enforcement Telecommunications System (CLETS)]** **Supervisor Newsom**
- Resolution authorizing the San Francisco Department of Human Services direct access to the California Law Enforcement Telecommunications System (CLETS) to obtain criminal history information for the specific purpose of assessing whether or not the particular placement of a child for whom DHS has care and custody is safe and appropriate.
- 4/22/2002, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 4/29/2002, CONTINUED. Continued to May 6, 2002.
- Question: Shall this Resolution be ADOPTED?**
- 26. 020646 [Grant Acceptance for MUNI Career Ladder Program]** **Supervisors McGoldrick, Maxwell, Peskin, Daly, Newsom, Leno**
- Resolution providing authorization to the Municipal Railway Improvement Fund to accept and expend a grant from the State of California's Employment Development Department to establish a San Francisco MUNI Railway "Career Ladder" Program.
- 4/22/2002, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 4/29/2002, AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. Amendment of the whole bearing a new title.
- 4/29/2002, CONTINUED AS AMENDED.
- Question: Shall this Resolution be ADOPTED?**
- 27. 020683 [Proclamation]** **Supervisor Yee**
- Resolution declaring September 21, 2002 WildAid Day in the City and County of San Francisco and recognizing WildAid's efforts to protect endangered wildlife and their habitats throughout California, the United States, and the World.
- 4/29/2002, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?**
- 28. 020684 [Department of Child Support Services]** **Supervisor Yee**
- Resolution in recognition of the Department of Child Support Services of San Francisco.
- 4/29/2002, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?**
- 29. 020685 [Senate Bill 573]** **Supervisor Yee**
- Resolution supporting Senate Bill 573, extending health care coverage to include

acupuncture.

4/29/2002, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

30. 020686 [Proclamation] Supervisor Yee

Resolution proclaiming the month of May, 2002, as Mental Health Month in the City and County of San Francisco.

4/29/2002, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

31. 020687 [Urging the San Francisco Examiner and San Francisco Independent to bargain in good faith] Supervisors McGoldrick, Peskin, Ammiano, Sandoval, Gonzalez, Maxwell, Daly

Resolution urging the publisher and management of the San Francisco Examiner and San Francisco Independent newspapers to bargain in good faith with prepress employees to reach a fair and equitable collective bargaining agreement.

4/29/2002, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

32. 020688 [Urging the Federal Energy Regulatory Commission to extend the price mitigation measures] Supervisors Leno, McGoldrick

Resolution urging the Federal Energy Regulatory Commission to extend the September 30, 2002 date established for ending the price mitigation measures in the California wholesale electric market in order to protect consumers from unreasonable prices, and further urging the Commission to extend the May 1, 2002 filing deadline for a market redesign proposal to allow time for the Independent System Operator (ISO) to engage in a rational market redesign process with its stakeholders.

4/29/2002, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

33. 020689 [Assembly Bill 3029] Supervisor Leno

Resolution urging the California State Assembly to pass and Governor Gray Davis to sign AB 3029 (Darrel Steinberg) creating rules in consumer arbitration.

4/29/2002, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

34. 020690 [Proclamation] Supervisors Maxwell, Newsom

Resolution declaring May 7, 2002 as World Asthma Day in San Francisco.

4/29/2002, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT

BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

- 35. 020691 [Hispanic Heritage Baseball Museum] Supervisor Hall**
Resolution welcoming the Hispanic Heritage Baseball Museum and urging all City Officials to support the steps necessary for building the museum in San Francisco.
4/29/2002, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
- 36. 020692 [Commemorating Asian Pacific American Heritage Month] Supervisor Yee**
Resolution commemorating Asian Pacific American Heritage Month.
4/29/2002, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
- 37. 020693 [Commending Volunteers of Rebuilding Together] Supervisor Maxwell**
Resolution commending the dedicated volunteers of "Rebuilding Together" for their commitment to serving the low-income and homeowners and nonprofits in the City and County of San Francisco.
4/29/2002, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
- 38. 020694 [Commending United Parcel Services] Supervisor Maxwell**
Resolution commending United Parcel Services for their dedication and commitment to serving their community.
4/29/2002, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
- 39. 020695 [Commending Noe Valley Voice] Supervisors Leno, Newsom**
Resolution commending the Noe Valley Voice for 25 years of service.
4/29/2002, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
- 40. 020696 [Commending Access Media and the Community Television Corporation] Supervisors Leno, Ammiano, Maxwell**
Resolution commending Access Media and the Community Television Corporation.
4/29/2002, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

- 41. 020703 [Supporting Assembly Bill 2972] Supervisor Daly**
Resolution acknowledging support of Assembly Bill 2972 (Aroner) which will allow targeting of youth ages 18-24 for state funded housing programs.

5/1/2002, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

- 42. 020674 [Final Map for a 7 Unit Mixed Use Condominium Project]**
Motion approving Final Map of 4851 - 4855 Mission Street, a Mixed Use Condominium Project, being a subdivision of Lot 29, Assessor's Block No. 6272, and adopting findings pursuant to City Planning Code Section 101.1. (Public Works Department)

(DPW Order No. 173,499; District 11.)

5/1/2002, 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: _____

43. 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 April 25 through noon on May 1, for reference by President to appropriate committee on May 6, 2002.

None.

PROPOSED RESOLUTIONS

Proposed resolutions received from April 25 through noon on May 1, for reference by President to appropriate committee on May 6, 2002.

020665 [Conveyance of Water Pipeline Easement in Exchange for 2.5 Acres in San Mateo County]

Resolution approving and authorizing the conveyance of a water pipeline easement in exchange for approximately 2.5 acres in San Mateo County; adopting findings that the exchange is exempt from Environmental Review and is consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; and authorizing the Director of Property to execute documents, make certain modifications and take certain actions in furtherance of this resolution. (Real Estate Department)

4/30/2002, RECEIVED AND ASSIGNED to Finance Committee.

020669 [Approving Implementation Plan of the Substance Abuse and Crime Prevention Act of 2000]

Resolution authorizing adoption of the San Francisco County Plan for the Substance Abuse and Crime Prevention Act of 2000 for Fiscal Year 2002-2003. (Public Health Department)

5/1/2002, RECEIVED AND ASSIGNED to Health and Human Services Committee. Department requests this item be calendared at the May 16, 2002 meeting.

020705 [Parking Regulations, Various Locations]

Resolution enacting and rescinding parking regulations at various locations.

NO PARKING ANYTIME - ESTABLISH

Geneva Avenue, south side, from Louisburg Street to 18 feet westerly (18-foot zone).

RESIDENTIAL PERMIT PARKING AREA "W" (1-HOUR TIME LIMIT, 8 AM - 6 PM, MONDAY THROUGH FRIDAY) - ESTABLISH

22nd Street, both sides, between Bryant and York Streets (2700 block).

NO PARKING ANYTIME - RESCIND

Anderson Street, south terminus, in front of 798 Anderson Street.

TOW-AWAY, NO PARKING ANYTIME - ESTABLISH

Anderson Street, south terminus, in front of 798 Anderson Street.

UNMETERED MOTORCYCLE PARKING - ESTABLISH

4th Avenue, east side, from 120 feet to 130 feet south of Cornwall Street, in front of 216 - 4th Avenue.

TOW-AWAY, NO PARKING ANYTIME - ESTABLISH

Mendell Street, west side, from 93 feet to 137 feet south of Oakdale Avenue.

TOW-AWAY, NO PARKING ANYTIME - ESTABLISH

Mendell Street, east side, from 3rd Street to 112 feet northerly.

NO PARKING ANYTIME - ESTABLISH

Congo Street, north side, from Bosworth to 40 feet westerly.

NO PARKING ANYTIME - ESTABLISH

Bacon Street, north side, from the west property line of Bowdoin Street to 42 feet easterly.

NO PARKING ANYTIME - ESTABLISH

Holyoke Street, east side from Campbell Street to 40 feet southerly.

NO PARKING ANYTIME - RESCIND

Mojave Street, between Bradford Street and Peralta Avenue, both sides.

TOW-AWAY, NO PARKING ANYTIME - ESTABLISH

Mojave Street, both sides, between Bradford Street and Peralta Avenue.

TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH

Folsom Street, north side, from 2nd Street to 140-feet easterly (removes five meters).

TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH

Folsom Street, north side, from 3rd Street to 140-feet easterly (removes two meters).

METERED MOTORCYCLE PARKING - ESTABLISH

Hyde Street, west side, from 2 feet to 30 feet south of Ellis Street, in front of 359 Hyde Street (replacing meter #329 and adjacent red zone with eight motorcycle stalls).

METERED COMPACT PARKING STALL - ESTABLISH

10th Street, west side, from 180 feet to 195 feet north of Harrison Street, in front of 360 10th Street (at Meter #342).

UNMETERED COMPACT PARKING STALL - ESTABLISH

17th Street, south side, from 8 feet to 23 feet east of Shotwell Street, (15-foot zone in front of 3141 17th Street, accommodating one compact stall).

NO PARKING ANYTIME - RESCIND

Charter Oak Avenue, east side, from Helena Street up to and including the south terminus (including frontage along I-280 freeway).

NO PARKING ANYTIME - ESTABLISH

Charter Oak Avenue, east side, from Helena Street to the south terminus.

1-HOUR PARKING - ESTABLISH

Jessie Street, south side, between Mint and 6th Streets (Parking and Traffic Department) (DPT Order No. 2422.)

5/1/2002, RECEIVED AND ASSIGNED to Transportation and Commerce Committee.

020706 [Traffic Regulations, Various Streets]

Resolution enacting and rescinding traffic regulations on various streets.

MUNI BUS ZONES - ESTABLISH

North Point Street, south side, from The Embarcadero to 80 feet westerly (80-foot zone near-side zone) (This legislatively reinstates a bus zone that was never physically removed).

NO LEFT TURN, 7 A.M. - 9 A.M. AND 4 P.M. - 6 P.M., MONDAY THROUGH FRIDAY - ESTABLISH

Geneva Avenue, both directions at Paris Street.

NO RIGHT TURN - RESCIND

Bayshore Boulevard, southbound, onto Arleta Way.

BUS ZONE - RESCIND

Folsom Street, south side, from 3rd Street to 80-feet easterly (Bus zone will be relocated to new boarding island).

BUS ZONE - RESCIND

Folsom Street, south side, from 2nd Street to 100-feet westerly. (Bus zone will be relocated to new boarding island).

TOW-AWAY, NO STOPPING ANYTIME FROM 3 PM - 7 PM, EVERYDAY - ESTABLISH

Masonic Avenue, west side, form 150 feet to 300 feet north of Geary Boulevard.

STOP SIGNS - ESTABLISH

Jerrold Avenue and Napoleon Street, stopping Napoleon Street, the stem of the T-intersection at Jerrold Avenue, making this uncontrolled T-intersection a one-way STOP.

STOP SIGNS - ESTABLISH

Loomis Street and Oakdale Avenue, stopping Oakdale Avenue at Loomis Street, making this intersection an all-way STOP.

STOP SIGNS - ESTABLISH

31st Avenue and Quintara Street, stopping 31st Avenue and Quintara Street, making this intersection an all-way STOP.

TOW-AWAY, NO STOPPING, 7 AM to 9 AM, MONDAY THROUGH FRIDAY - ESTABLISH

McAllister Street, south side from Van Ness Avenue to 125 feet westerly. (affects meters # 501, 503, 505, 507, 509 & 511).

STOP SIGNS - ESTABLISH

32nd Avenue at Pacheco Street, stopping 32nd Avenue, making this intersection an all-way STOP. (Parking and Traffic Department)

(DPT Order No. 2422.)

5/1/2002, RECEIVED AND ASSIGNED to Transportation and Commerce Committee.

PROPOSED MOTIONS

020670 [Board Off-site Meetings]

Supervisor Ammiano

Motion ordering the City and School District Committee meeting of the Board of Supervisors be held at the Irving G. Breyer Board Meeting Room, Board of Education, 555 Franklin Street, First Floor, San Francisco, on June 19, 2002 at 3:00 P.M.; and directing the Clerk of the Board to prepare the proper notices and postings.

5/1/2002, RECEIVED AND ASSIGNED to Rules and Audits Committee.

020711 [Petitions and Communications]

Petitions and Communications received from April 25 through noon on May 1, for reference by the President to Committee considering related matters or to be ordered filed by the Clerk on May 6, 2002.

From Department of Parking and Traffic, regarding the feasibility of installing a four-way Stop sign at the intersections of Madrone Avenue and Ulloa Street, and at 16th Avenue and Noriega Street. (Reference No. 20020311-004) Copy: Supervisor Hall(1)

From Japantown Task Force, Inc., expressing concern over the Board of Supervisor's proposal to declare governance over the San Francisco Redevelopment Agency. File 020413 Copy: Each Supervisor(2)

From concerned citizens, requesting the Board of Supervisors conduct an investigation into an attempt being made by some members of the Retirement Board to replace the current investment firm, Cambridge Consultants to Pacific Corporate Group. Copy: Supervisors

Ammiano, Gonzalez, McGoldrick, 10 letters(3)

From Public Utilities Commission, regarding grant from the U.S. EPA (\$75,000) to fund the feasibility of a decentralized on-site stormwater treatment plant in the former Hunters Point Naval Shipyard; requesting it be scheduled before the Health and Human Services Committee as soon as possible. (4)

From Office of the Mayor, regarding City and County General Obligation Refunding Bonds, Series 2002-R1 to refinance, at lower interest rates, any outstanding general obligation bonds which produce savings of a least 3% on a net present value basis.Copy: Finance Committee(5)

From Budget Analyst, submitting report identifying the budgeted and actual Salary and Overtime expenditures for each department and their percentages and variances for fiscal year 2000/01 and fiscal year 2001/02, as well as projections of Salary and Overtime expenditures for the current fiscal year. (6)

From Department of Human Services, submitting information on services provided in homeless shelters in San Francisco and the hours of operation of those shelters. (Reference No. 20020219-004) Copy: Supervisor Newsom(7)

From Office of the Controller, regarding nine-month budget status report based on revenues received and appropriations expended through March 31, 2002. Copy: Each Supervisor(8)

From Diane Aubry, submitting copy of letter sent to the Redevelopment Agency thanking Amy Neches, Senior Project Mgr. for obtaining parking spaces for the BMR units at 301 Bryant Street. (9)

From AT&T Broadband, regarding programming adjustment being made to AT&T Broadband's cable services in the rebuilt areas of San Francisco, effective May 29, 2002.(10)

From Helynna Brooke and Kate Walker, submitting copy of memo sent to Mental Health Board members regarding upcoming Board of Supervisor's Town Hall and Budget Committee meetings.Copy: Budget Committee(11)

From Linda Zaretsky, Save Our Services Committee, submitting support for full funding for Hospitality House's Tenderloin Self-Help Center, an agency that provides vital and unduplicated services in the Tenderloin and Central City. Copy: Each Supervisor(12)

From concerned citizens, submitting support for merger of Department of Parking and Traffic and Muni, effective July 1, 2002; as passed by the voters of the City and County of San Francisco. Copy: Each Supervisor, 4 letters(13)

From Chief Medical Examiner, submitting overtime report, pursuant to Section 18.13 of the Administrative Code.(14)

From Frederick Hobson, submitting an immediate disclosure request for Supervisor Ammiano's appointment schedule while acting as Supervisor, commencing with January 1, 2001.(15)

From Frederick Hobson, submitting an immediate disclosure request for Supervisor Hall's appointment schedule while acting as Supervisor, commencing on the day and hour of appointment.(16)

From Mayor's Office on Homelessness, submitting notice that the Mayor's Office on Homelessness, Mayor's Budget Office and Department of Human Services will keep three winter shelter sites open until June 30, 2002. (Reference No. 20020325-001) Copy: Supervisor Ammiano(17)

From Office of the City Attorney, regarding proposed settlement of Piedmont Newsrack Litigation. Files 020464, 020465 and 020466 Copy: Each Supervisor (18)

From Public Utilities Commission, submitting declaration of an emergency for the Main Lift Pumps at the Southeast Water Pollution Control Plant. Copy: Each Supervisor(19)

From Recreation and Park Department, submitting list of sole source contracts entered into during fiscal year 2000/01.(20)

From Department of Public Works, regarding cost estimates for the construction of a new juvenile hall facility. (Reference Nos. 20020325-011, 012, 013, 014, 015, 016, 017 and 018) Copy: Supervisor Sandoval(21)

From Patrick Monette-Shaw, regarding proposed budget cut in HIV/AIDS Housing for fiscal year 2002/03. Copy: Each Supervisor(22)

From Office of the City Attorney, submitting copy of letter sent to the Superintendent of the Golden Gate National Recreation Area (GGNRA) at the behest of the Board of Supervisors demanding that the GGNRA comply with the terms of the agreement dated April 29, 1975 between the City and the National Park Service relating to the transfer of City land to the United States for inclusion in the GGNRA.(23)

From Planning Department, submitting Certificate of Determination of Exemption/Exclusion from CEQA Environmental Review for 1346 Folsom and 75 Dore Streets.(24)

From Northwest Bernal Alliance, regarding request from Supervisor Ammiano for new Decaux toilets in several locations in and around Cesar Chavez Street. Copy: Supervisor Ammiano(25)

From Austin Shelton, submitting support for Supervisor Newsom's homeless plan. Copy: Each Supervisor(26)

From Office of the Assessor-Recorder, regarding the use of Special Assistant positions in City Departments. (Reference No. 20020304-027) Copy: Supervisor Daly (27)

From Muni, submitting report on the justification of employees who worked overtime in excess of 16% of their regularly scheduled straight time, excluding transit operators and transit supervisors; pursuant to Administrative Code Section 18.13-1.(28)

From Office of the Controller, submitting nine-month budget status report for fiscal year 2001/02.(29)

From Office of the Mayor, regarding the use of Special Assistant positions in City Departments. (Reference No. 20020304-069) Copy: Supervisor Daly)(30)

From Dr. Hary Duh, submitting opposition to proposed closure of the inpatient pediatric ward at San Francisco General Hospital.(31)

From Peter Warfield, requesting the Board urge the Library Commission to make its top priority books, space for books and open hours. Copy: Each Supervisor(32)

From concerned citizens, submitting opposition to proposed antenna facility at 5200 Geary Boulevard. 2 letters(33)

From Department of Child Support Services, submitting annual report of membership organizations for the Department in fiscal year 2002/03.(34)

From Trutanich and Michel, LLP, submitting a pre-litigation demand regarding the "Trigger-Lock" Ordinance. (35)

From Valerie Sommer, submitting support to overturn any policy approved by the Recreation and Park Commission that would eliminate off leash dogs at Dolores Park.(36)

From District Attorney, submitting departmental budget information for fiscal year 2002/03. Copy: Budget Committee(37)

From Budget Analyst, submitting acknowledgement of letter from the Planning Department responding to the Budget Analyst draft management audit report.(38)

From Budget Analyst, submitting memorandum regarding City employed public relations personnel.(39)

From Budget Analyst, submitting copy of letter sent to San Francisco Local Homeless Coordinating Board concerning the Budget Analyst's December 31, 2001 report entitled Survey of the Cost of Direct Services Provided to the Homeless Population.(40)

From Office of the Mayor, submitting request that departments absorb salary increases within the prior year General Fund allocation.(41)

From Pacific Gas and Electric, submitting notice of application for a Gas and Electric Revenue Increase to fund the California Alternate Rates for Energy Program.(42)

From Lane Roth, commenting on the homeless situation in San Francisco.(43)

From Jethro Busch, requesting the Board reconsider proposed Eviction legislation sponsored by Supervisor Daly.File 011575(44)

From Department of Public Health, submitting annual report of membership organizations for the Department in fiscal year 2002/03.(45)

From Thomas Marbois, urging the Board to create legislation that would give hospice care workers free parking in San Francisco.(46)

From City College of San Francisco, regarding the rules and practices regulating the use, installation and removal of wire glass that currently exist for City buildings and private developments. Copy: Supervisor Hall(47)

From Office of the County Clerk, regarding the use of Special Assistant positions in City

Departments. (Reference No. 20020304-060) Copy: Supervisor Daly(48)

From Department of Building Inspection, regarding request for legislation prohibiting homeowners from paving over their front yards by amending Section 132(g) of the Planning Code. (Reference No. 20020225-012) Copy: Supervisor Sandoval(49)

From Office of the Controller, regarding Proposition J Certifications for fiscal year 2002/03.(50)

From Marina Neighborhood Association, submitting copy of letter sent to Recreation and Park Commission opposing various concepts included in the Marina Harbor Plan. Copy: Each Supervisor(51)

From Shannon Seaberg, commenting on the recent firing of Tammy Haygood as Director of the Department of Elections. Copy: Each Supervisor(52)

From concerned citizens, submitting opposition to proposed contract between the City and Clear Channel Adshel, Inc.Files 020464, 020465, 020466, 3 letters(53)

From Victor Kirby, submitting opposition to the proposed Home Depot on Bayshore Boulevard. File 011798(54)

From Building Inspection Commission, submitting support for proposed ordinance amending Fire Code Section 9001.1.3 and Housing Code Section 904 to modify the requirements regarding installation of automatic sprinkler systems in residential hotels. File 020443(55)

From concerned citizens, submitting petition requesting Albertson's Grocery Store at Fulton at Masonic Avenue is issued a liquor license with restrictions. File 020437(56)

From Arts Commission, regarding the use of Special Assistant positions in City Departments.(Reference No. 20020304-023) Copy: Supervisor Daly(57)

From concerned citizens, requesting the Board hold new hearings on animal testing at UCSF and do everything in the Board's power to compel ECSF to end Stephen Lisberger's cruel and outdated experiments. Approximately 400 postcards(58)

From concerned citizens, submitting support for full funding (two million dollars) of senior programs in the Department of Aging and Adult Services budget. Approximately 100 postcards(59)

From Frederick Hobson, submitting copy of letter from the Ethics Commission determining that there is no reason to believe that a violation of State or City law relating to campaign finance, lobbying, conflicts of interest or governmental ethics occurred in Ethics Complain No. 19-011212.(60)

From Fahim Shafik, submitting request for an off-sale general liquor license for Anchorage Liquor and Deli at 500 Beach Street, Suite 61. Copy: Neighborhood Services and Recreation Committee(61)

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

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

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

Contact Ohn Myint at (415) 554-7704.

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



Disability access

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

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

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

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

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

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

Know Your Rights Under the Sunshine Ordinance

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

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

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

Lobbyist Registration and Reporting Requirements

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

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