



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

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

Board of Supervisors

City and County of San Francisco

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



AGENDA

Monday, August 19, 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 June 24, 2002 Meeting Minutes.

AGENDA CHANGES

COMMUNICATIONS

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

- 1) Legislation
- 2) Budget Analyst report
- 3) Legislative Analyst report
- 4) Department or Agency cover letter and/or report
- 5) Public correspondence

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

SPECIAL ORDER 2:00 P.M.

COMMITTEE REPORTS

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

From Rules and Audits Committee

The following items will be considered by the Rules and Audits Committee at a Special Meeting on Friday, August 16, 2002, at 10:00 AM. The Chair intends to request the Committee to send the following items to the Board as a committee report.

1. **021382** **[Ballot Argument - Water and Sewer]** **Supervisor Ammiano**
Motion authorizing proponent's ballot argument in favor of Proposition E, a Charter Amendment regarding changes to public utilities related to water and sewer.

Question: Shall this Motion be ADOPTED?

2. **021384** **[Ballot Argument - Retirement Benefits for Police and Fire personnel]** **Supervisor Ammiano**
Motion authorizing proponent's ballot argument in favor of Proposition H, a Charter Amendment regarding retirement benefits for Police and Fire personnel.

Question: Shall this Motion be ADOPTED?

3. **021386** **[Ballot Argument - Elections Department]** **Supervisor Ammiano**
Motion authorizing proponent's ballot argument in favor of Proposition G, a Charter Amendment regarding assistance to the Elections Department.

Question: Shall this Motion be ADOPTED?

4. **021388** **[Ballot Argument - Revenue Bond Election]** **Supervisor Ammiano**
Motion authorizing proponent's ballot argument in favor of Proposition A, a Bond Measure regarding a Revenue Bond Election.

Question: Shall this Motion be ADOPTED?

5. 021326 **[Ballot Argument - Entertainment Commission]** **Supervisors Leno, McGoldrick,
Daly, Ammiano, Gonzalez,
Newsom, Peskin, Sandoval**
- Motion authorizing proponent's ballot argument in favor of Proposition F, a Charter Amendment regarding Entertainment Commission.
- Question: Shall this Motion be ADOPTED?**
6. 021390 **[Ballot Argument - Paid Parental Leave]** **Supervisor Daly**
- Motion authorizing proponent's ballot argument in favor of Proposition I, a Charter Amendment regarding paid parental leave.
- Question: Shall this Motion be ADOPTED?**
7. 021392 **[Ballot Argument - Supervisors Salaries]** **Supervisors Gonzalez, Leno**
- Motion authorizing proponent's ballot argument in favor of Proposition J, a Charter Amendment regarding Supervisors salaries set by the Civil Service Commission.
- Question: Shall this Motion be ADOPTED?**
8. 021394 **[Ballot Argument - Energy Self-sufficiency]** **Supervisors Gonzalez, Daly,
Maxwell**
- Motion authorizing proponent's ballot argument in favor of Proposition D, a Charter Amendment regarding energy self-sufficiency.
- Question: Shall this Motion be ADOPTED?**
9. 021328 **[Ballot Argument - Veterans Building Special
Election]** **Supervisor Sandoval**
- Motion authorizing proponent's ballot argument in favor of Proposition C, Bond Measure regarding Veterans Building Special Election.
- Question: Shall this Motion be ADOPTED?**
10. 021330 **[Ballot Argument - Condominium Conversion
Regulations]** **Supervisor Peskin**
- Motion authorizing ballot argument against Proposition R, an initiative ordinance regarding changes to the City's Condominium Conversion regulations.
- Question: Shall this Motion be ADOPTED?**

CONSENT AGENDA

All matters listed hereunder constitute a Consent Agenda, are considered to be routine by the Board of Supervisors and will be acted upon by a single roll call vote of the Board. There will be no separate

discussion of these items unless a member of the Board so requests, in which event the matter shall be removed from the Consent Agenda and considered as a separate item.

Recommendation of the Transportation and Commerce Committee

Present: Supervisors McGoldrick, Hall, Ammiano

11. 021282 [Accept-Expend FHWA Value Pricing Pilot Program Grant]

Resolution authorizing the Executive Director of the Department of Parking and Traffic to retroactively accept and expend a grant in the amount of \$378,186.40 from the Federal Highway Administration and the California State Department of Transportation to assist in the development and administration of the City CarShare program. (Parking and Traffic Department)

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

12. 021259 [Sewer Service Charges, Fiscal Year 2002-2003] Mayor

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

8/12/2002, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendation of the Finance Committee

Present: Supervisors Peskin, Daly, Ammiano

13. 021067 [Amending Public Works Code, Street Space Occupancy Permits; Modify the Fee Collection] Supervisors Peskin, Newsom, Daly, Sandoval

Ordinance amending Public Works Code Sections 724 through 724.9 concerning street space occupancy permits to modify the fee collection structure, provide for fee refunds, assess right-of-way occupancy costs, establish minimum notice requirements, and impose other

related procedures; amending Traffic Code Section 33.1A to replace existing provisions concerning special parking restrictions with a requirement that the Department of Parking and Traffic and Department of Public Works coordinate jurisdictional activities over street space occupancy permits.

8/12/2002, PASSED, ON FIRST READING. Supervisor Sandoval requested to be added as a co-sponsor.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendation of Rules and Audits Committee

Present: Supervisors Hall, Gonzalez

- 14. 020968 [Bicycle Advisory Committee] Supervisors Gonzalez, Daly**
- Ordinance (1) amending Sections 5.130 and 5.131 of the San Francisco Administrative Code to (i) provide that each member of the Board of Supervisors shall nominate one person for appointment to the Bicycle Advisory Committee by the Board of Supervisors, (ii) require that the Bicycle Advisory Committee inform the Board of Supervisors of the committee's diversity with respect to age, ethnicity, gender, disability and sexual orientation; (iii) change the term of members of the Bicycle Advisory Committee from three years to two years, or the remaining tenure of the nominating supervisor, whichever is shorter in duration, and (iv) provide for the removal of members of the Bicycle Advisory Committee; and (2) removing all current members of the Bicycle Advisory Committee and requiring new appointments thereto in accordance with Section 5.130 of the San Francisco Administrative Code, as amended by this ordinance.
- 8/12/2002, PASSED ON FIRST READING. Supervisor Daly requested to be as added as a co-sponsor.
- Question: Shall this Ordinance be FINALLY PASSED?**

NEW BUSINESS

From Budget Committee Without Recommendation

Present: Supervisors Maxwell, Yee, Ammiano, McGoldrick

- 15. 021356 [Prohibiting temporary exchanges or reclassifications to Deputy Director, or equivalent classifications or policy-making or policy-implementing positions that report directly to a] Supervisors Peskin, Ammiano, Daly, Gonzalez, Sandoval, McGoldrick**
- Ordinance amending Section 10.1 of the Administrative Provisions of the Annual Appropriation Ordinance to prohibit temporary exchanges or reclassifications to departmental Deputy Director, or equivalent classifications or policy-making or policy-implementing

positions that report directly to a Department Head, without approval of the Board of Supervisors.

Question: Shall this Ordinance be PASSED ON FIRST READING?

Recommendations of the Neighborhood Services and Recreation Committee

Present: Supervisors Newsom, McGoldrick

- 16. 020418 [State Grant - Recreation and Park Department] Supervisors Leno, Hall**
Resolution authorizing the Recreation and Park Department to accept and expend a grant in the amount of \$250,000 from the California State Coastal Conservancy for habitat restoration and trail improvements in Glen Canyon Park.
(No Public Benefit Recipient.)

Question: Shall this Resolution be ADOPTED?

- 17. 021173 [Liquor License Transfer, 2215-2217 Union]**
Resolution determining that the transfer of a Type 21 off-sale general alcoholic beverage control license to Rimon Dabit dba "Union Street Pantry, Inc." from 2190 Union Street to 2215-2217 Union Street (District 2), will serve the convenience 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 Rules and Audits Committee

Present: Supervisors Hall, Gonzalez

- 18. 021260 [Work Group for Natural Areas Program] Supervisor Yee**
Resolution establishing a Board of Supervisors Work Group for the Recreation and Parks Natural Areas Program.

Question: Shall this Resolution be ADOPTED?

- 19. 021264 [Urge Recreation and Parks Department to work with neighborhood groups] Supervisor Yee**
Resolution urging the Recreation and Parks Department to work more closely with neighborhood groups.

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

Question: Shall this Resolution be ADOPTED?

Recommendation of the Transportation and Commerce Committee

Present: Supervisors McGoldrick, Hall, Ammiano

- 20. 021142 [Motorcycle Parking Zones] Supervisor Gonzalez**
Ordinance amending San Francisco Traffic Code Sections 27 and 219 to allow the removal of non-motorcycles from designated motorcycle parking zones and to encourage the designation of new motorcycle parking zones.
- Question: Shall this Ordinance be PASSED ON FIRST READING?**

SPECIAL ORDER 3:00 p.m.

- 21. 021319 [Public Hearing]**
Hearing of persons interested in or objecting to proposed resolution confirming report of Delinquent Charges for Code Enforcement cases with Delinquent Assessment of Costs, Emergency Order Fees, and Fees pursuant to the provisions of Section 102.3, 102.12, 102.17, 102.18, 102.19 et. seq., and Sections 108 and 110 Tables 1-K, and 1-G of the San Francisco Building Code, submitted by the Director of the Department of Building Inspection for Services Rendered by said Department of Costs thereof having accrued pursuant to the Code Violations referenced above. (Clerk of the Board)

Action: _____

From the Department of Building Inspection

- 22. 021318 [Special Assessment Liens for Assessment of Costs]**
Resolution confirming report of Delinquent Charges for Code Enforcement cases with Delinquent Assessment of Costs, Emergency Order Fees, and Fees pursuant to the provisions of Section 102.3, 102.12, 102.17, 102.18, 102.19 et. seq., and Sections 108 and 110 Tables 1-K, and 1-G of the San Francisco Building Code, submitted by the Director of the Department of Building Inspection for Services Rendered by said Department of Costs thereof having accrued pursuant to the Code Violations referenced above. (Building Inspection Department)
- Question: Shall this Resolution be ADOPTED?**

SPECIAL ORDER 3:00 P.M.

- 23. 021244 [Public Hearing - Appeal, Conditional Use, 2863 California Street]**
Hearing of persons interested in or objecting to the decision of the Planning Commission by its Motion No. 16446 dated June 20, 2002, approving Conditional Use Application No.

2002.0408C pursuant to Planning Code Sections 161(j) for a proposed three story mixed-use building without off-street parking for four residential units in a Small Scale Neighborhood Commercial District (NC-2) District, located at 2863 California Street, on the south side between Broderick and Divisadero Streets; Lot 023, in Assessor's Block 1028.

(Appeal filed July 22, 2002; categorically exempt from environmental review process pursuant to Class 3 (a) and (ac) exemptions of Title 14 of the California Administrative Code; companion measure to Files 021244, 021245, 021246, 021247; District 2.)

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.

From the Clerk

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

- 24. 021245 [Appeal, Conditional Use, 2863 California Street]**
Motion approving decision of the Planning Commission by its Motion No. 16446, approving Conditional Use Application No. 2002.0408C, on property located at 2863 California Street, and adopting findings pursuant to Planning Code Section 101.1.
Question: Shall this Motion be ADOPTED?
- 25. 021246 [Appeal, Conditional Use, 2863 California Street]**
Motion disapproving decision of the Planning Commission by its Motion No. 16446, approving Conditional Use Application No. 2002.0408C, on property located at 2863 California Street, and adopting findings pursuant to Planning Code Section 101.1. (Clerk of the Board)
Question: Shall this Motion be ADOPTED?
- 26. 021247 [Findings - 2863 California Street]**
Motion directing the Clerk of the Board to prepare findings relating to proposed Conditional use Application No. 2002.0408C, on property located 2863 California Street, for action by the Board at its next meeting. (Clerk of the Board)
Question: Shall this Motion be ADOPTED?

SPECIAL ORDER 3:00 P.M.

- 27. 021276 [Public Hearing - Appeal, Conditional Use, 1005-1007 Geneva Avenue]**
Hearing of persons interested in or objecting to the decision of the Planning Commission by its Motion No. 16440 dated June 20, 2002, disapproving Conditional Use Application No.

2002.0015C, to demolish a residential unit at the second story pursuant to Planning Code Section 712.39 and to construct a four-story mixed use building with 3 residential units and a ground floor commercial space in an NC-3 (Moderate Scale Neighborhood Commercial) District and in a 40-AX Height and Bulk District on property located at 1005-1007 Geneva Street, north side of Geneva Avenue, between Paris Street and Lisbon Street, Lot 013, in Assessor's Block No. 6408.

(Appeal filed July 18, 2002; categorically exempt from environmental review process pursuant to Class 3 (a) and (ac) exemptions of Title 14 of the California Administrative Code; Case No. 2002.0015C; companion measure to Files 021277, 021278, 021279; District 11.)

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.

From the Clerk

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

- 28. 021277 [Appeal, Conditional Use, 1005-1007 Geneva Avenue]**
Motion approving decision of the Planning Commission by its Motion No. 2002.0015C, disapproving Conditional Use Application No. 2002.0015C, on property located at 1005-1007 Geneva Avenue, and adopting findings pursuant to Planning Code Section 101.1. (Clerk of the Board)
Question: Shall this Motion be ADOPTED?
- 29. 021278 [Appeal, Conditional Use, 1005-1007 Geneva Avenue]**
Motion disapproving decision of the Planning Commission by its Motion No. 2002.0015C, disapproving Conditional Use Application No. 2002.0015C, on property located at 1005-1007 Geneva Avenue, and adopting findings pursuant to Planning Code Section 101.1. (Clerk of the Board)
Question: Shall this Resolution be ADOPTED?
- 30. 021279 [Findings - 1005-1007 Geneva Avenue]**
Motion directing the Clerk of the Board to prepare findings relating to proposed Conditional Use Application No. 2002.0015C, on property located at 1005-1007 Geneva Avenue, for action by the Board at its next meeting. (Clerk of the Board)
Question: Shall this Motion be ADOPTED?

SPECIAL ORDER 3:00 P.M.

Board of Supervisors Sitting as a Committee of the Whole

(Pending approval of File No. 021439.)

- 31.** **021442** **[Hearing - 601 King Street]**
 Hearing to consider legislation contained in File Nos. 021297 and 012042 regarding King Street.
 (Companion measure to Files 012042, 021297, 021439.)

Action: _____

Committee of the Whole Rise and Report Without Recommendation

Called From Transportation and Commerce Committee by Supervisor Daly

- 32.** **021297** **[CEQA Findings]** **Supervisor Daly**
 Resolution adopting environmental findings pursuant to the California Environmental Quality Act and State Guidelines in connection with adoption of a zoning map amendment for the 601 King Street Project.
 8/8/2002, CALLED FROM COMMITTEE.
 Question: Shall this Resolution be ADOPTED?

- 33.** **012042** **[Zoning Map Amendment - King and Townsend Streets]** **Supervisor Daly**
 Ordinance amending the San Francisco Planning Code by amending the Zoning Map of the City and County of San Francisco, Section Maps 8 and 8H, to change the use district designation of Assessor's Block 3800, Lots 1, 2, 3 and 4 and Assessor's Block 3799, Lot 7, at King and Townsend Streets near Seventh Street, from M-2 (Heavy Industrial) to SLR (Service/Light Industrial/Residential Mixed-Use District), to change the height and bulk district designation of Assessor's Block 3800, Lots 1 and 2, at King and Seventh Streets, from 50-X to 65-X, and adopting findings pursuant to Planning Code Section 101.1.
 8/8/2002, CALLED FROM COMMITTEE.
 Question: Shall this Ordinance be PASSED ON FIRST READING?

34. 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.

35. 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.

36. **021441** [Legislative Analyst Request] **Supervisor Leno**
Motion asking the Legislative Analyst research the City of Los Angeles's DISARM Program and our Adult Juvenile probation measures to determine if DISARM could be an effective model for San Francisco to ensure that individuals under probation are not allowed to possess firearms.
- Question: Shall this Motion be ADOPTED?**

CLOSED SESSION

CONFERENCE WITH CITY ATTORNEY - Anticipated Litigation as Plaintiff or Defendant

37. **021321** [Anticipated Litigation]
Motion that the Board of Supervisors convene in closed session with the City Attorney for the purpose of conferring with, or receiving advice from, the City Attorney regarding anticipated litigation (City anticipated to be a plaintiff or defendant) which may occur with Television Signal Corporation and AT&T Broadband et al. regarding compliance with the City's cable television franchise and AT&T Broadband's proposed merger with Comcast. (City Attorney)

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

8/5/2002, MOTION.

8/5/2002, HEARD IN CLOSED SESSION.

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

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.

CONFERENCE WITH CITY ATTORNEY - Existing Litigation

38. 021451 [Closed Session - Existing Litigation]

Motion that the Board of Supervisors convene in closed session with the City Attorney for the purpose of conferring with, or receiving advice from, the City Attorney regarding the following litigation against energy generators and traders for price gouging and market manipulation in which the City and County of San Francisco is a plaintiff:

PEOPLE v. DYNEGY, et al.

San Diego Superior Court No. 318189, filed 1/18/01, and now consolidated as

WHOLESALE ELECTRICITY ANTITRUST CASES I & II

U. S. District Court Nos. 02 CV 0990-RHW, and 02 CV 1000-RHW (Southern District of California)

The Closed Session is permitted by California Government Code Section 54956.9 (a) and Administrative Code (Sunshine Ordinance) Section 67.10 (d) (1), and discussion in open session concerning these matters would likely and unavoidably prejudice the position of the City in the pending litigation. (City Attorney)

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 39 through 56

- 39. 021439 [Committee of the Whole - 601 King Street] Supervisor Daly**
Motion scheduling a Committee of the Whole to consider legislation regarding 601 King Street, to be held on August 19, 2002 at 3:00 PM.
8/12/2002, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
- 40. 021420 [Commend Maitri] Supervisors Leno, Ammiano, McGoldrick, Maxwell**
Resolution commending Maitri for fifteen years of service to the San Francisco AIDS community.
8/12/2002, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
- 41. 021424 [Mr. Asher Harer Day] Supervisor Ammiano**
Resolution in recognition of Mr. Asher Harer for his dedicated service and leadership to the City and County of San Francisco and declaring August 14, 2002 Asher Harer Day in the City and County of San Francisco.
8/12/2002, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT

BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

- 42. 021425 [Accept and Expend State Grant, Recreation and Park Department - \$50,000] Supervisor Gonzalez**

Resolution authorizing the Recreation and Park Department to accept and expend a grant in the amount of \$50,000 from the California Integrated Waste Management Board (CIWMB) for the installation of recycled-content materials and equipment in Alamo Square.

(No Public Benefit Recipient.)

8/12/2002, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

- 43. 021426 [Mercy High School Day] Supervisors Hall, Newsom**

Resolution proclaiming October 5, 2002 as "Mercy High School Day" in the City and County of San Francisco in honor of the school's 50th anniversary of service to young women in San Francisco.

8/12/2002, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

- 44. 021427 [National Alcohol and Drug Addiction Recovery Month] Supervisor Newsom**

Resolution declaring September 2002 as "National Alcohol and Drug Addiction Recovery Month" in the City and County of San Francisco.

8/12/2002, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

- 45. 021428 [Declaring Women's Equality Day] Supervisors Leno, Maxwell, McGoldrick**

Resolution declaring August 26, 2002 Women's Equality Day in San Francisco.

8/12/2002, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

- 46. 021429 [Sojourner Truth Foster Family Service Agency Day] Supervisors Leno, Maxwell**

Resolution declaring Saturday, August 31, 2002 Sojourner Truth Foster Family Service Agency Day.

8/12/2002, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

- 47. 021430 [Car Free Day] Supervisors Maxwell, Peskin, Ammiano, Daly, Leno**

Resolution to proclaim Friday, September 27, 2002 as Car Free Day in San Francisco.

8/12/2002, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

- 48. 021431 [Urge passage of Federal Prescription Drug Plan] Supervisor Sandoval**

Resolution urging the United States Congress to address the crisis of the rapidly rising costs for prescription drugs.

8/12/2002, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

- 49. 021432 [Commend Centro Latino] Supervisor Daly**

Resolution commending Centro Latino for its service to the low-income elderly and immigrant community and on the occasion of its 30th Anniversary.

8/12/2002, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

- 50. 021433 [Commend Market Street Railway] Supervisor Daly**

Resolution commending the Market Street Railway non-profit for its invaluable aid and assistance to the MUNI F-line in the acquisition, restoration and maintenance of the historic street car fleet and for its promotion of public transportation.

8/12/2002, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

- 51. 021434 [Commend Filipino-American Democratic Empowerment Council] Supervisor Leno**

Resolution commending the Filipino-American Democratic Empowerment Council for their sponsorship of the First Filipino-American Democrats of America Conference and their efforts to bring political power to Filipino Americans nationwide.

8/12/2002, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

- 52. 021435 [Commend Visitacion Valley Elementary School and Visitacion Valley Middle School] Supervisor Maxwell**

Resolution commending Visitacion Valley Elementary School and Visitacion Valley Middle School for exceeding their growth targets of the Governor's Academic Performance Index (API) in all areas.

8/12/2002, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

- 53. 021440 [Urge California Legislature to pass AB 58] Supervisor Leno**
Resolution urging the California State Legislature to pass and Governor Gray Davis to sign AB 58 which extends electricity net metering for customer-based solar and wind power generation systems over ten kilowatts in size.

8/12/2002, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

- 54. 021414 [Needle Exchange Emergency] Supervisors Ammiano, Newsom, Yee, Leno, Daly, McGoldrick, Maxwell, Peskin**

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

8/12/2002, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be ADOPTED?

- 55. 021447 [Suspending the Rules of Order] Supervisor Daly**
Motion suspending Rule 4.37 regarding referral of appointments to Rules Committee.
(Companion measure to File 021446.)

8/14/2002, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

- 56. 021446 [Appointment - United Nations Plaza Working Group] Supervisor Daly**
Resolution appointing Mary Millman to vacant seat number two of the United Nations Plaza working group, and waiving the residency requirement for Ms. Millman.

8/14/2002, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

57. 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 August 8 through noon on August 14, for reference by President to appropriate committee on August 19, 2002.

021443 [Settlement of Lawsuit]

Ordinance authorizing a Code of Civil Procedure section 998 settlement offer of \$100,000.00 in the lawsuit filed by intervening plaintiff Alane Bernadette Baca against the City and County of San Francisco; the lawsuit was filed on October 4, 2001 in San Francisco Superior Court, Case No. 325-126; entitled Department of Fair Employment and Housing, et al., v. City and County of San Francisco, et al (Real Party in Interest: Alane Bernadette Baca). (City Attorney)

(Public Benefit Recipient)

8/14/2002, RECEIVED AND ASSIGNED to Rules and Audits Committee.

021449 [Settlement of Lawsuit]

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

(No Public Benefit Recipient.)

8/9/2002, RECEIVED AND ASSIGNED to Rules and Audits Committee.

PROPOSED RESOLUTIONS

Proposed ordinances received from August 8 through noon on August 14, for reference by President to appropriate committee on August 19, 2002.

021422 [Accept-Expend State Grant]

Resolution authorizing the San Francisco Arts Commission to accept and expend a grant in the amount of \$109,000 from the State of California Department of Parks and Recreation for the Restoration of the James A. Garfield and the Guiseppe Verdi Monuments in Golden Gate Park. (Recreation and Park Department)

(Public Benefit Recipient)

8/13/2002, RECEIVED AND ASSIGNED to Neighborhood Services and Recreation Committee.

021444 [Confirming the appointment of Michelle Sexton to the San Francisco Redevelopment Agency]

Resolution confirming the appointment of Michelle Sexton to the San Francisco Redevelopment Agency for the remainder of a four-year term ending September 3, 2003. (Mayor)

8/13/2002, RECEIVED AND ASSIGNED to Rules and Audits Committee. Sponsor requests this item be scheduled for consideration at the August 23, 2002 special Rules Committee meeting.

PROPOSED MOTIONS

021450 [Advisory Board Report, Union Square Business Improvement District]

Motion approving the annual report by the Advisory Board to the Union Square Business Improvement District for Fiscal Year 2001-2002. (Clerk of the Board)

8/12/2002, RECEIVED AND ASSIGNED to Transportation and Commerce Committee.

021456 [Petitions and Communications]

Petitions and Communications received from August 8 through noon on August 14, for reference by the President to Committee considering related matters or to be ordered filed by the Clerk on August 19, 2002.

From Eva Soltes, urging the Board to do all that is necessary to find the day laborers a proper hiring hall in a non-residential area of the City. (1)

From Planning Department, submitting Certificate of Determination of Exemption/Exclusion

from Environmental Review for ordinance establishing "dog play areas" in City parks. File 020849 Copy: Supervisor Yee (2)

From Mayor's Office of Housing, regarding the hearing to obtain public comment on the proposed issuance by CCSF of multifamily housing revenue refunding bonds (not to exceed \$19,000,000) for the purpose of financing a 98-unit multifamily rental housing development commonly known as Folsom/Dore Apartments, located at 1346 Folsom and 75 Dore Streets. Copy: Each Supervisor (3)

From Department of Public Works, submitting notice that appellants' signature with respect to 1005-1007 Geneva Avenue represent owners of more than 20 percent of the area involved and are therefore sufficient for appeal. File 021276 (4)

From SF Association of Realtors, submitting opposition to proposal that would double the real property transfer tax, as it applies to properties selling for \$1 million or more. (5)

From Reuben & Alter, LLP, submitting opposition to continuance of Conditional Use appeal for 1598 Dolores Street. Files 0212141, 021242, Copy: Each Supervisor (6)

From Commission of Animal Control and Welfare, submitting appreciation for the efforts of the City Attorney and Department of Animal Care and Control to improve the living conditions of animals being sold at Petco. (7)

From MUNI, submitting copy of letter sent to constituent regarding the out of service escalator at Castro Street Station. (8)

From William Boldenweck, submitting support for a Police helicopter unit. (9)

From Julien Pazderka, submitting request for a Type 47 general eating place, liquor license for dba Julie Pazderka at 659 Columbus Avenue. Copy: Neighborhood Services and Recreation Committee (10)

From Michael Ho, submitting opposition to proposed runway projects at San Francisco International Airport. (11)

From concerned citizens, regarding the Laguna Honda Hospital Replacement Project. Copy: Each Supervisor, 3 letters (12)

From concerned citizens, submitting opposition to Conditional Use of property located at 1598 Dolores Street (Reilly's Funeral Home). File 021240, 2 letters (13)

From June Wilson, regarding the eight complaints filed against Ms. Eckman and herself, as members of the Animal Control and Welfare Commission by Mr. Hobson and Ms. Bentley. Copy: Each Supervisor (14)

From concerned citizens, requesting the Board of Supervisors hold new hearings on animal testing at UCSF and do everything in the Board's power to compel ECSF to end Stephen Lisberger's cruel and outdated experiments. Approximately 100 letters and postcards (15)

From SF Housing Authority, regarding how undocumented or non-citizens moving from the Section 8 waitlist will be affected by the Quality Housing and Work Responsibility Act, into lease housing units. (Reference No. 20020708-007) Copy: Supervisor Ammiano (16)

Number not used. (17)

From Recreation and Park Department, responding to inquiry regarding the current conditions at South Park. (Reference No. 20020408-011) Copy: Supervisor Daly (18)

From Police Department, submitting request for waiver of the requirements of Chapter 12B of the Administrative Code for Equifax Credit Information Services in Atlanta, Georgia. (19)

From California Coastal National Monument, submitting fact sheet and public meeting notice dated August 2002. (20)

From California Redevelopment Association (CRA), submitting announcement for CRA's Introduction to Redevelopment Seminar on September 18-19, 2002 in Pleasanton, CA. (21)

From Department of Human Services, responding to inquiry regarding any plan or program to increase the number of CAAP recipients who are enrolled in Mandatory Rep Payee Services, CALM, SSIP, PAES (moving people out of General Assistance) or the Development of a "link card" in lieu of County Adult Assistance Program checks. (Reference No. 20020708-002) Copy: Supervisor Newsom (22)

From Fire Department, regarding staffing changes affecting uniformed personnel as passed by the Board of Supervisors on July 29, 2002. (23)

From Martin Lyon, regarding the intersection of Lake Merced/Skyline Boulevard. (24)

From Andrea O'Leary, submitting comments on the Work Group for Natural Areas Program. File 021260, Copy: Each Supervisor (25)

From Redevelopment Agency, responding to the 2001/02 Civil Grand Jury's Report on the Hunters Point Naval Shipyard. Copy: Each Supervisor (26)

From Senator Gloria Romero, regarding SB 928, Alcohol Related Emergency Services Reimbursement Act of 2002 which would charge alcohol wholesalers a five cent fee per alcoholic beverage distributed in California which would only be spent on health care associated with treating alcohol-related injuries. Copy: Each Supervisor (27)

From the Presidio Trust, responding to accusations that former employees have made that trust officials ordered workers to bury 12 barrels of hazardous materials in a 16-20 foot pit in the Presidio Park lands. (Reference No. 20020729-016) Copy: Supervisor Leno (28)

From the Presidio Trust, responding to accusations of improper disposal of toxic materials at the Presidio. (Reference No. 20020729-001) Copy: Supervisor Newsom (29)

From Department of Parking and Traffic, concerning the intersection of Arieta Avenue, Bayshore Boulevard and San Bruno Avenue. (Reference No. 20020715-001) Copy: Supervisor Maxwell (30)

From Department of Parking and Traffic, regarding the absence of street signs at the intersection of Persia and Ocean Avenues. (Reference No. 20020729-002) Copy: Supervisor Sandoval (31)

From Office of the Controller, submitting fiscal and/or management audits conducted of the War Memorial Board of Trustees by the Controller's Office. (Reference No. 20020520-003) Copy: Supervisor Daly (32)

From Ron Miguel, submitting opposition to appeal of Conditional Use of property located at 2863 California Street. File (33)

From Mayor's Office on Homelessness, regarding sleeping and/or living in vehicles in San Francisco. (Reference No. 20020617-003) Copy: Supervisor Maxwell (34)

From Martin Lyon, submitting proposal to rename the portion of Third Street (from Lefty O'Doul Bridge and U.S. Highway 101 north of Candlestick) to Bayside Boulevard. (35)

From Martin Lyon, submitting proposal to rename the arterial inside Golden Gate Park. (36)

From Department of Public Works, submitting list of Sole Source Contracts for 2001/02. (37)

From Office of the Legislative Analyst, regarding Budget hearings for fiscal year 2002/03. (38)

From Mayor's Budget Office, Office of the Controller and Board of Supervisors Budget Analyst, submitting preliminary budget outlook for 2003/04. (39)

From Department of Child Support Services, regarding adopted Budget for fiscal year 2002/03. (40)

From Employees' Retirement System, regarding adopted Budget for fiscal year 2002/03. (41)

From State Department of Transportation, regarding whether safety improvements can be made at the intersection of Lake Merced and Skyline Boulevards. (42)

From Office of the Mayor, submitting proceedings from the State Legislation Committee Meetings of May, June, July and August 2002. (43)

From Immigrant Rights Commission, submitting resolution commending La Raza Centro Legal. Copy: Each Supervisor (44)

From Planning Department, regarding proposed Inclusionary Housing Ordinance. File 021098, Copy: Each Supervisor (45)

From Todd Adams, submitting suggestions to improve some of the neighborhood problems at the corner of 15th and Guerrero Streets. Copy: Each Supervisor (46)

From Laguna Honda Hospital Replacement Program, regarding appeal of the Final Environmental Impact Report for the Laguna Honda Hospital Replacement Project. File 021248 (47)

From Yvonne Howard, regarding appeal of the Final Environmental Impact Report for the Laguna Honda Hospital Replacement Project. File 021248 (48)

From Lisa Stanziano, regarding the recent raid on a "homeless camp" near 7th and Berry Streets. (49)

From Office of the Controller, regarding adopted Budget for fiscal year 2002/03. (50)

From Office of the Mayor, regarding adopted Budget for fiscal year 2002/03. (51)

From Elizabeth Melnik, submitting resignation of herself as member on the Veterans Affairs

Commission. Copy: Each Supervisor (52)

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

**[Meeting Information](#) | [Legislation Introduced](#) | [About the Board](#) | [District Information](#)
[Clerk of the Board](#) | [Budget Analyst](#) | [Assessment Appeals Board](#)
[Legislative Analyst](#) | [Youth Commission](#) | [Home](#)**