

# BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

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

## MEETING MINUTES

**Monday, August 19, 2002 2:00 PM**

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

### **Regular Meeting**

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**TOM AMMIANO, PRESIDENT**  
**CHRIS DALY, MATT GONZALEZ, TONY HALL, MARK LENO,**  
**SOPHIE MAXWELL, JAKE MCGOLDRICK, GAVIN NEWSOM,**  
**AARON PESKIN, GERARDO SANDOVAL, LELAND Y. YEE**  
*Gloria L. Young, Clerk of the Board*

### BOARD COMMITTEES

#### Committee Membership

##### **Budget Committee**

Supervisors Maxwell, Peskin, Yee, Ammiano, McGoldrick

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

Supervisors Ammiano, Leno, Wynns, Mar

##### **Finance Committee**

Supervisors Peskin, Daly, Maxwell

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

Supervisors Daly, Leno, Maxwell

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

Supervisors Newsom, Leno, McGoldrick

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

Supervisors Sandoval, Yee, Gonzalez

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

Supervisors Hall, Gonzalez, Sandoval

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

Supervisors McGoldrick, Hall, Ammiano

#### Meeting Days

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

3rd Wednesday  
3:00 PM

Wednesday  
12:30 PM

1st and 3rd Thursday  
1:00 PM

2nd and 4th Thursday  
2:00 PM

1st and 3rd Tuesday  
10:00 AM

1st and 3rd Tuesday  
1:00 PM

2nd and 4th Thursday  
9:30 AM

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

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

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## ROLL CALL AND PLEDGE OF ALLEGIANCE

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

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

*Supervisors McGoldrick and Newsom - 2*

*Quorum present.*

*Supervisor McGoldrick was noted present at 2:05 p.m.*

*Supervisor Newsom was noted present at 2:06 p.m.*

## APPROVAL OF MEETING MINUTES

Supervisor Leno, seconded by Supervisor Sandoval, moved to approve the minutes of the Board of Supervisors of June 24, 2002. The motion carried by the following vote:

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

Absent: 2 - McGoldrick, Newsom

## AGENDA CHANGES

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

*Clerk of the Board informed the Board that File Nos. 021439 would need to be considered prior to File Nos. 021442.*

## SPECIAL ORDER 2:00 P.M.

## COMMITTEE REPORTS

**From Rules and Audits Committee****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.

*President Ammiano, seconded by Supervisor Leno, moved an amendment of the whole bearing same title; Supervisor moved to further amend on page 1 paragraph 4 line 2 after "Enterprise" by inserting "is facing a serious".*

**AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE by the following vote:**

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

*Supervisors Gonzalez, Hall, Yee and Newsom requested not to be listed as endorsing the Ballot Measure.*

**Motion No. M02-132**

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

Ayes: 8 - Ammiano, Daly, Gonzalez, Leno, Maxwell, McGoldrick, Peskin, Sandoval

Noes: 3 - Hall, Newsom, Yee

**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.

*Supervisor Leno, seconded by Supervisor Maxwell, moved an amendment of the whole bearing the same title.*

**AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE by the following vote:**

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

*Supervisor Gonzalez requested not to be listed as endorsing the Ballot Measure.*

**Motion No. M02-133**

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

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

**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.

**Motion No. M02-134**

**APPROVED by the following vote:**

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

**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.

*Supervisors Gonzalez, Hall, Newsom, Sandoval, and Yee requested not to be listed as endorsing the Ballot Measure.*

**Motion No.** M02-135

**APPROVED by the following vote:**

Ayes: 9 - Ammiano, Daly, Gonzalez, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval  
Noes: 2 - Hall, Yee

**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.

*Supervisors Hall, Maxwell, and Yee requested not to be listed as endorsing the Ballot Measure.*

**Motion No.** M02-129

**APPROVED by the following vote:**

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

**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.

*Supervisor Daly, seconded by Supervisor Leno, to move to amend on page 2 line 2 to delete the letter "s" from the word "chapter".*

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

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

*Supervisor Hall requested not to be listed as endorsing the Ballot Measure.*

**Motion No.** M02-136

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

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

**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.

*Supervisors Newsom and Yee requested not to be listed as endorsing the Ballot Measure.*

**Motion No.** M02-137

**APPROVED by the following vote:**

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

Noes: 2 - Newsom, Yee

**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.

*Supervisor McGoldrick, seconded by Supervisor Daly, moved to amend on page 1 paragraph 5 to delete "The City has a plan to turn this around."*

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

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

*Supervisors Hall, Newsom and Yee requested not to be listed as endorsing the Ballot Measure.*

**Motion No.** M02-138

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

Ayes: 8 - Ammiano, Daly, Gonzalez, Leno, Maxwell, McGoldrick, Peskin, Sandoval

Noes: 3 - Hall, Newsom, Yee

**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.

*Supervisors Hall and Peskin requested not to be listed as endorsing the Ballot Measure.*

**Motion No.** M02-130

**APPROVED by the following vote:**

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

Noes: 1 - Hall

**021330 [Ballot Argument - Condominium Conversion Regulations]  
Supervisors Peskin, Daly**

Motion authorizing ballot argument against Proposition R, an initiative ordinance regarding changes to the City's Condominium Conversion regulations.

*Supervisors Hall, Leno, Maxwell, Newsom, Sandoval and Yee requested not to be listed as endorsing the Ballot Measure.*

**Motion No.** M02-131

**APPROVED by the following vote:**

Ayes: 6 - Ammiano, Daly, Gonzalez, McGoldrick, Peskin, Sandoval

Noes: 5 - Hall, Leno, Maxwell, Newsom, Yee

## CONSENT AGENDA

### Recommendation of the Transportation and Commerce Committee

**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)

**Resolution No.** 570-02

**ADOPTED**

The foregoing items were acted upon by the following vote:

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

## REGULAR AGENDA

## UNFINISHED BUSINESS

**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)

**Ordinance No.** 181-02

**FINALLY PASSED by the following vote:**

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

**Recommendation of the Finance Committee****021067 [Amending Public Works Code, Street Space Occupancy Permits; Modify the Fee Collection]  
Supervisors Peskin, Newsom, Daly, Sandoval, Leno**

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.

**Ordinance No.** 180-02

**FINALLY PASSED** by the following vote:

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

**Recommendation of Rules and Audits Committee****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.

**Ordinance No.** 179-02

**FINALLY PASSED** by the following vote:

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

**NEW BUSINESS****From Budget Committee Without Recommendation**

- 021356** [Prohibiting temporary exchanges or reclassifications to 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]  
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.

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

Ayes: 7 - Ammiano, Daly, Gonzalez, Leno, McGoldrick, Peskin, Sandoval  
Noes: 4 - Hall, Maxwell, Newsom, Yee

### **Recommendations of the Neighborhood Services and Recreation Committee**

- 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.)

*Supervisor Leno moved to amend on page 1 line 24 after "Commission" by inserting "an".*

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

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

**Resolution No.** 568-02

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

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

- 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.

**Resolution No.** 569-02

**ADOPTED** by the following vote:

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

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



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

Resolution establishing a Board of Supervisors Citizens Advisory Committee for the Recreation and Park Natural Areas Program.

*Supervisor Yee requested that this item be continued to August 26, 2002.*

**Supervisor Yee, seconded by Supervisor Hall, moved that this Resolution be CONTINUED. The motion carried by the following vote:**

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

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

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

*Supervisor Yee requested that this item be continued to August 26, 2002.*

**Supervisor Yee, seconded by Supervisor Hall, moved that this Resolution be CONTINUED. The motion carried by the following vote:**

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

**Recommendation of the Transportation and Commerce Committee**

**021142 [Motorcycle Parking Zones]  
Supervisors Gonzalez, Daly, Leno**

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.

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

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

**SPECIAL ORDER 3:00 p.m.**

**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)

*Public Hearing:*

*Bob Noelke, Chief Housing Inspector, Building Inspection Department*

*Louise Booker, 591 Waller Street*

*Male speaker owner of property located on Ocean Avenue*

*President declared the public hearing closed.*

**HEARD AT PUBLIC HEARING.**

**From the Department of Building Inspection**

**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 SF Bldg. Code submitted by the Dir. of Building Inspection for Services Rendered by said Dept. of Costs thereof having accrued pursuant to the Code Violations referenced above. (Building Inspection Department)

*Continued to August 26, 2002*

**CONTINUED by the following vote:**

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

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

**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.)

*Appellants: Male speaker; William Gatsolocka; Male speaker owner of property located on Pine Street; Charles Bush; Ms. Lawton; Ms. Thornton; John Shacker; Male speaker; Male speaker; Janet Poher; Female speaker owner of property located on California Street.*

*Respondents: Gerald Green, Director of the Planning Department, representing the Planning Commission and Dan Sullivan, Sponsor representative.*

*A rebuttal period was allowed.*

*The President then declared the public hearing closed.*

**HEARD AT PUBLIC HEARING.**

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

**From the Clerk****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.

*Continued to August 26, 2002*

**CONTINUED by the following vote:**

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

**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)

*Continued to August 26, 2002*

**CONTINUED by the following vote:**

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

**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)

*Continued to August 26, 2002*

**CONTINUED by the following vote:**

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

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

*No Speakers for Appellant.*

*Speakers in Support of Sponsor: Jeremy Hall; Manny Gomez, Steven Currier; Victoria Dermeg.*

*Respondents: Gerald Green, Director of the Planning Department, representing the Planning Commission.*

*A rebuttal period was allowed.*

*The President then declared the public hearing closed.*

**HEARD AT PUBLIC HEARING.**

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

**From the Clerk****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)

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

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

Absent: 1 - Newsom

**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)

**Motion No.** M02-140

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

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

**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)

**Motion No.** M02-141

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

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

**SPECIAL ORDER 3:00 P.M.****Board of Supervisors Sitting as a Committee of the Whole****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.)

*Supervisor Daly requested that this item be continued to November 18, 2002.*

**CONTINUED by the following vote:**

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

**Committee of the Whole Rise and Report Without Recommendation****Called From Transportation and Commerce Committee by Supervisor Daly**

**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.

*Supervisor Daly requested that this item be continued to November 18, 2002.*

**CONTINUED by the following vote:**

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

**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.

*Supervisor Daly requested that this item be continued to November 18, 2002.*

**CONTINUED by the following vote:**

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

## **PUBLIC COMMENT**

*Abadalah Megahed; homelessness  
L. Roberts; homelessness  
Female Speaker; Housing issues  
Male Speaker; SFGH staff issues*

## **APPROVAL OF REQUESTS TO THE LEGISLATIVE ANALYST**

*These items may be introduced by any Supervisor seeking analysis from the Office of the Legislative Analyst on introduced legislation and for the purpose of providing assistance to Board of Supervisors' task forces and advisory committees. Requests to the Legislative Analyst shall require the affirmative vote of a majority of the members of the Board.*

**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.

**APPROVED by the following vote:**

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

## **CLOSED SESSION**

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

**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).

*Continued to August 26, 2002*

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

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

### **CONFERENCE WITH CITY ATTORNEY - Existing Litigation**

**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)

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

Ayes: 8 - Ammiano, Daly, Gonzalez, Leno, Maxwell, McGoldrick, Peskin, Sandoval

Absent: 3 - Hall, Newsom, Yee

*Recess*

*The Board recessed at the hour of 6:01 p.m to convene in closed session pursuant to the above motion.*

*Reconvening of the Board*

*The Board at the hour of 6:20 p.m. reconvened.*

*Calling the Roll*

*On call of the roll, the following Supervisors were noted present: Supervisors Ammiano, Daly, Gonzalez, Leno, Maxwell, McGoldrick, Peskin, Sandoval - 8.*

*Quorum present.*

*Report on Closed Session*

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

*Persons in attendance:*

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

*Ted Lakey, Deputy City Attorney;*

*Theresa Mueller, Deputy City Attorney*

*Gloria L. Young, Clerk of the Board;*

*Kay Gulbengay, Deputy Clerk;*

*Victor Young, Assistant Clerk.*

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

Ayes: 8 - Ammiano, Daly, Gonzalez, Leno, Maxwell, McGoldrick, Peskin, Sandoval

Absent: 3 - Hall, Newsom, Yee



*[Elect Not to Disclose]*

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

Supervisor Leno, seconded by Supervisor McGoldrick, moved. The motion carried by the following vote:

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

## 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.*

**021420 [Commend Maitri]**

**Supervisors Leno, Ammiano, McGoldrick, Maxwell, Newsom, Daly**

Resolution commending Maitri for fifteen years of service to the San Francisco AIDS community.

**Resolution No. 571-02**

**ADOPTED**

**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.

**Resolution No. 572-02**

**ADOPTED**

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

**Supervisors Gonzalez, Peskin**

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.)

**Resolution No. 573-02**

**ADOPTED**

**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.

**Resolution No. 574-02**

**ADOPTED**

**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.

**Resolution No. 575-02  
ADOPTED**

**021428 [Declaring Women's Equality Day]  
Supervisors Leno, Maxwell, McGoldrick, Newsom, Daly**

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

**Resolution No. 576-02  
ADOPTED**

**021429 [Sojourner Truth Foster Family Service Agency Day]  
Supervisors Leno, Maxwell, Newsom**

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

**Resolution No. 577-02  
ADOPTED**

**021430 [Car Free Day]  
Supervisors Maxwell, Peskin, Ammiano, Daly, Leno, Newsom**

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

**Resolution No. 578-02  
ADOPTED**

**021431 [Urge passage of Federal Prescription Drug Plan]  
Supervisors Sandoval, Daly**

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

**Resolution No. 579-02  
ADOPTED**

**021432 [Commend Centro Latino]  
Supervisors Daly, Leno**

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

**Resolution No. 580-02  
ADOPTED**

**021433 [Commend Market Street Railway]  
Supervisors Daly, Newsom, Peskin**

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.

**Resolution No. 581-02  
ADOPTED**

**021434 [Commend Filipino-American Democratic Empowerment Council]  
Supervisors Leno, Newsom, Daly**

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.

**Resolution No. 582-02  
ADOPTED**

**021435 [Commend Visitacion Valley Elementary School and Visitacion Valley Middle School]  
Supervisors Maxwell, Newsom**

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.

**Resolution No. 583-02  
ADOPTED**

**021440 [Urge California Legislature to pass AB 58]  
Supervisors Leno, Daly**

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.

**Resolution No. 584-02  
ADOPTED**

**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.

**Motion No. M02-139  
APPROVED**

**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.)

**Motion No.** M02-142

**ADOPTED**

**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.

**Resolution No.** 585-02

**ADOPTED**

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

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

Absent: 4 - Hall, McGoldrick, Newsom, Yee

**Severed From For Adoption Without Committee Reference Agenda**

*Supervisor Daly requested this matter be severed so it could be considered separately.*

**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.

*Supervisor Daly moved to amend to change the dates on lines 4 and 6 to change the date from "August 19, 2002" to "November 18, 2002".*

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

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

Absent: 1 - Newsom

Motion scheduling a Committee of the Whole to consider legislation regarding 601 King Street, to be held on November 18, 2002 at 3:00 PM.

*Supervisor Daly requested that this item be continued to November 18, 2002.*

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

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

Absent: 1 - Newsom

**OFF-AGENDA LEGISLATION**

**Introduced by Supervisors or Mayor****Ordinances****011498 [Identification and Use of Surplus City Property for Housing]  
Supervisor Daly**

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

8/13/01, RECEIVED AND ASSIGNED to Rules Committee.

1/28/02, TRANSFERRED to Rules and Audits Committee. Transferred pursuant to new committee structure.

5/13/02, SUBSTITUTED. Supervisor Daly submitted a draft substitute ordinance bearing new title.

5/13/02, ASSIGNED to Rules and Audits Committee.

6/11/02, TRANSFERRED to Health and Human Services Committee.

8/19/02, SUBSTITUTED. 8/19/02 Supervisor Daly submitted an amendment of the whole bearing new title.

8/19/02, ASSIGNED to Health and Human Services Committee.

**021338 [Third Street Alcohol Restricted Use District]  
Supervisor Maxwell**

Ordinance adding Section 782 to the Planning Code to create a Third Street Alcohol Restricted Use District prohibiting liquor establishments and regulating existing non-conforming liquor establishments; amending Section 249.14 of the Planning Code to remove inconsistent regulations regarding liquor establishments; amending Zoning Map Sheet 8SU and 10SU of the City and County of San Francisco to indicate the boundaries of the Third Street Alcohol Restricted Use District, and making findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan.

7/29/02, ASSIGNED UNDER 30 DAY RULE to Transportation and Commerce Committee, expires on 8/28/2002. 8/6/02 - Transmitted to Planning Commission for public hearing and recommendation.

8/19/02, SUBSTITUTED. Supervisor Maxwell submitted a substitute ordinance bearing new title.

8/19/02, ASSIGNED to Transportation and Commerce Committee.

**021458 [Amend Police Code Section 1070.16]  
Supervisors Leno, Daly, Gonzalez**

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

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

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

(November 15, 2002 - Returned disapproved by Mayor;

November 18, 2002 - Consideration scheduled for November 25, 2002.)

8/19/02, ASSIGNED UNDER 30 DAY RULE to Public Works and Public Protection Committee, expires on 9/18/2002.

**021459 [Amend Police Code Sections 1060.28 and 1070.27]  
Supervisors Leno, Daly, Gonzalez**

Ordinance amending San Francisco Police Code Sections 1060.28 and 1070.27 to require places of entertainment and after hours premises with a dance floor and a capacity of 500 persons or more to provide or sell at a reasonable cost earplugs to patrons.

8/19/02, ASSIGNED UNDER 30 DAY RULE to Public Works and Public Protection Committee, expires on 9/18/2002.

**021460 [Amend Police Code Sections 1060.5 and 1070.5]  
Supervisors Leno, Daly**

Ordinance amending San Francisco Police Code Section 1060.5 and 1070.5 to require 30 days notice of permit application for place of entertainment and after hours premises.

8/19/02, ASSIGNED UNDER 30 DAY RULE to Finance Committee, expires on 9/18/2002. (9/13/02 - Referred to Small Business Commission for comment and recommendation.)

**021461 [Amend Police Code Section 1024]  
Supervisors Leno, Daly, Gonzalez**

Ordinance amending Section 1024 of the San Francisco Police Code to remove references to "moral character" of applicant and to allow Chief of Police to consider criminal and permit history of applicant in determining whether to grant or deny application.

8/19/02, ASSIGNED UNDER 30 DAY RULE to Finance Committee, expires on 9/18/2002. (9/13/02 - Referred to Small Business Commission for comment and recommendation.)

**021462 [Prohibiting employment discrimination and business-to-business discrimination and making miscellaneous amendments to clarify existing discrimination provisions]  
Supervisor Leno**

Ordinance amending Section 12B.1 of the Administrative Code and Sections 3303 and 3310 of the Police Code to prohibit employment discrimination against independent contractors and other workers.

8/19/02, ASSIGNED UNDER 30 DAY RULE to Health and Human Services Committee, expires on 9/18/2002.

**021463 [Amend Police Code Sections 3305, 3307 and 3310]  
Supervisor Leno**

Ordinance amending Sections 3305, 3307 and 3310 of the Police Code to prohibit discrimination against business establishments.

8/19/02, ASSIGNED UNDER 30 DAY RULE to Health and Human Services Committee, expires on 9/18/2002.

**021464 [Amend Park Code add Section 3.19]  
Supervisor Leno**

Ordinance amending the San Francisco Park Code by adding Section 3.19 to require public notice prior to removing or girdling trees.

8/19/02, ASSIGNED UNDER 30 DAY RULE to Neighborhood Services and Recreation Committee, expires on 9/18/2002.

**021465 [Supplemental Appropriation, Larkin Youth Center]  
Supervisor Daly**

Ordinance appropriating \$176,000 from the State Revenue Stabilization Reserve for Larkin Street Youth Center for the Homeless Youth Emergency Services Programs through the Department of Human Services for fiscal year 2002-03.

8/19/02, RECEIVED AND ASSIGNED to Finance Committee.

**021467 [Amend Police Code add Section 681]  
Supervisors Yee, Peskin, Gonzalez**

Ordinance amending the San Francisco Police Code Chapter 6, by adding Section 681 to prohibit the parking of large vehicles for the purpose of displaying commercial advertising.

8/19/02, ASSIGNED UNDER 30 DAY RULE to Transportation and Commerce Committee, expires on 9/18/2002.

## **Resolutions**

**021468 [Waste Diversion Goal]  
Supervisors Ammiano, Leno, Daly, Gonzalez, Peskin**

Resolution adopting a goal of 75% landfill diversion by the year 2010 and a long term goal of zero waste, with the date set once the 75% diversion goal is met, and adopting a policy of promoting the highest and best use of discarded materials and only allowing the use of alternative daily cover to be counted as credit toward meeting the diversion goals if there are no higher and better uses available, and urging the State of California to adopt similar goals.

8/19/02, RECEIVED AND ASSIGNED to Health and Human Services Committee.

**021466 [Design Build Contract]  
Supervisors Maxwell, Daly**

Resolution approving award of a design build contract for the "Moscone Center Renewable Energy Power Plant".

(Fiscal impact.)

6/21/02, APPROVED.

8/19/02, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**021469 [Issuance and Sale of Revenue Bonds - Folsom/Dore Multifamily Residential Rental Housing Development]  
Supervisor Daly**

Resolution approving, for the purposes of the Internal Revenue Code, the issuance and sale of revenue bonds by the City and County of San Francisco in an aggregate principal amount not to exceed \$19,000,000 for the Folsom/Dore multifamily residential rental housing development.

(Fiscal impact.)

8/19/02, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**021470 [Contracting Out Budget Analyst Services]**

Resolution concurring with the Controller's certification that Budget Analyst services can be practically performed by a private contractor for lower cost than similar work services performed by City and County employees. (Clerk of the Board)

8/19/02, RECEIVED AND ASSIGNED to Finance Committee.

**021471 [Accept-Expend Robert Wood Johnson Foundation Grant]  
Supervisor Newsom**

Resolution authoring the Department of Aging and Adult Services to accept and expend a grant in the amount of \$150,000 from the Robert Wood Johnson Foundation for a strategic planning process to develop an integrated model of service delivery for older and disabled adults.

8/19/02, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**021472 [Urge Passage of AB 714]  
Supervisors Sandoval, Daly**

Resolution urging the California State Senate to pass Assembly Bill No. 714.

8/19/02, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**021473 [Support Senate Bill 1736]  
Supervisors Sandoval, Daly**

Resolution urging Governor Gray Davis to sign Senate Bill 1736.

8/19/02, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**021474 [Support 5th International Michelin Challenge Bibendum]  
Supervisor Ammiano**

Resolution supporting the 5th International Michelin Challenge Bibendum to San Francisco in September, 2003, and pledging our close cooperation and support of this important event.

8/19/02, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.



**021475 [Extending Abandoned Auto Vehicle]  
Supervisor Maxwell**

Resolution authorizing the extension of the one dollar (\$1) vehicle registration fee on all vehicles registered in San Francisco to be used only for the abatement, removal and disposal of abandoned vehicles pursuant to Senate Bill 1333.

8/19/02, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**021476 [Extend Planning Commission Review Period]  
Supervisor Maxwell**

Resolution extending the prescribed time within which the Planning Commission may render its decision on a proposed ordinance to amend Article 10 of the Planning Code by adding Appendix L designating the Dogpatch Historic District and make findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan.

8/19/02, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**021477 [Support Senate Bill 1125]  
Supervisors Newsom, Daly, Peskin, Leno**

Resolution urging Governor Gray Davis to adopt Senate Bill 1125, introduced by John Burton, which will give farm workers the ability to recover appropriate monetary relief for all labor violations and will encourage surety bond companies to undertake greater scrutiny of contractors that are issued wage bonds.

8/19/02, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**021478 [Use of Veterans Building]  
Supervisor Yee**

Resolution urging the San Francisco Posts of the American Legion ("San Francisco Posts"), as beneficiaries of the 1921 War Memorial Trust Agreement, to allow Veterans' groups that have been nationally chartered by Congress to have equal access to the San Francisco Posts' allotted space in the War Memorial Veterans Building.

8/19/02, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**021479 [Commend Mabel Seto]  
Supervisor Sandoval**

Resolution commending the Asian Pacific American Community Center for its first fundraising event and Mabel Seto on the occasion of her birthday.

8/19/02, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**021480 [Commend First SF Summit on Immigrant Rights]  
Supervisors Sandoval, Daly**

Resolution commending the San Francisco Immigrant Rights Commission for organizing the First San Francisco Summit on Immigrant Rights.

8/19/02, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**021481 [Commend Big Brothers Big Sisters of America]  
Supervisors Leno, Maxwell**

Resolution commending Big Brothers Big Sisters of America (BBBS), an award-winning youth organization that allows gay and lesbian volunteers the equal opportunity to serve as one-on-one mentors to children.

8/19/02, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**021482 [Commend New Bessie Carmichael Working Group]  
Supervisor Daly**

Resolution commending the efforts of the New Bessie Carmichael Working Group.

8/19/02, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**021483 [Commend Mission Learning Center]  
Supervisor Daly**

Resolution commending Mission Learning Center for its commitment to the community through education, and for its impressive results in teaching children to read at their grade level.

8/19/02, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**021484 [Commend Juma Ventures]  
Supervisor Newsom**

Resolution commending Juma Ventures for its recent distinction as a 2002 Promising and Effective Practices Network (PepNet) renewal Awardee.

8/19/02, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

### **Requests for Hearing**

**021485 [Ocean Beach]  
Supervisor Newsom**

Hearing to discern the current conditions of Ocean Beach, including but not limited to the level of interdepartmental coordination by the appropriate city agencies regarding: 1) Environmental cleanup of the beach; 2) Sanitation and safety of the beach; 3) Beautification efforts for the beach.

8/19/02, RECEIVED AND ASSIGNED to Neighborhood Services and Recreation Committee.

**Motions****021457 [Needle Exchange Emergency]**

Supervisors Ammiano, Newsom, Yee, Leno, Daly, Peskin, McGoldrick, Maxwell

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

8/19/02, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**021486 [Committee of the Whole]**

Supervisor Peskin

Motion scheduling a Committee of the Whole to consider the Mayor's nominations to the Planning Commission to be held on August 26, 2002 at 3:00 p.m. (File Nos. 021487-021494)

8/19/02, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**021487 [Appointment, Planning Commission]**

Motion approving the Mayor's nomination to Seat No. 4 of the Planning Commission, term to be determined by lot. (Mayor)

Vacant seat, new position, Seat No. 4, must be nominated by the Mayor, term to be determined by lot.

8/19/02, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**021488 [Appointment, Planning Commission]**

Motion approving the Mayor's nomination to Seat No. 5 of the Planning Commission, term to be determined by lot. (Mayor)

Vacant seat, new position, Seat No. 5, must be nominated by the Mayor, term to be determined by lot.

8/19/02, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**021489 [Appointment, Planning Commission]**

Motion approving the Mayor's nomination to Seat No. 6 of the Planning Commission, term to be determined by lot. (Mayor)

Vacant seat, new position, Seat No. 6, must be nominated by the Mayor, term to be determined by lot.

8/19/02, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**021490 [Appointment, Planning Commission]**

Motion approving the Mayor's nomination to Seat No. 7 of the Planning Commission, term to be determined by lot. (Mayor)

Vacant seat, new position, Seat No. 7, must be nominated by the Mayor, term to be determined by lot.

8/19/02, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**021491 [Appointment, Planning Commission]**

Motion rejecting the Mayor's nomination to Seat No. 4 of the Planning Commission. (Mayor)  
8/19/02, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**021492 [Appointment, Planning Commission]**

Motion rejecting the Mayor's nomination to Seat No. 5 of the Planning Commission. (Mayor)  
8/19/02, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**021493 [Appointment, Planning Commission]**

Motion rejecting the Mayor's nomination to Seat No. 6 of the Planning Commission. (Mayor)  
8/19/02, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**021494 [Appointment, Planning Commission]**

Motion rejecting the Mayor's nomination to Seat No. 7 of the Planning Commission. (Mayor)  
8/19/02, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**021498 [Suspending the Rules of Order]**

**Supervisor Peskin**

Motion suspending Rule 4.37 regarding referral of appointments to Rules Committee.

8/19/02, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**Introduced by the President at the Request of Departments****PROPOSED ORDINANCES****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)

8/14/02, 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.)

8/9/02, RECEIVED AND ASSIGNED to Rules and Audits Committee.

**PROPOSED RESOLUTIONS****021422 [Accept-Expend State Grant]  
Supervisor Leno**

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)

8/13/02, RECEIVED AND ASSIGNED to Neighborhood Services and Recreation Committee.

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

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)

8/13/02, 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)

8/12/02, RECEIVED AND ASSIGNED to Transportation and Commerce Committee.

**Requests Granted**

*From: Supervisor Daly*

*To: Director, Mayor's Office of Housing*

*To: Director, Office of Emergency Services*

*To: General Manager, Public Utilities Commission (PUC)*

*To: Chief, Police Department*

*To: Chief, Fire Department*

*Requesting/Inquiring: That the Directors of the Mayor's Office of Housing, Emergency Services, General Manager of PUC and the Chief of the Police and Fire Departments comment on community concerns about the Folsom/Dore Project:*

*Sewer capacity for existing businesses and the proposed development;*

*The feasibility of utility undergrounding on Dore Alley; and*

*The capacity of the Alley with the project to accommodate emergency responders.*

*From: Supervisor Hall*

*To: Recreation and Park Department*

*Requesting/Inquiring: To detail the steps necessary for the City to take in order for it to take advantage of the donation of funds from the Excelsior Running Club to measure and install markers along Lake Merced.*

**In Memoriams**

*Sandra Ng (Supervisor Yee)*

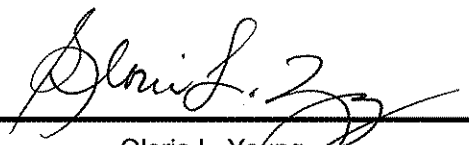
## ADJOURNMENT

*There being no further business, the Board at the hour of 6:25 p.m. adjourned.*

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

*Approved by the Board of Supervisors on September 30, 2002.*

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



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Gloria L. Young  
Clerk of the Board