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# 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

**Tuesday, May 28, 2002  
2:00 PM**

#### **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

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

## **AGENDA CHANGES**

## **COMMUNICATIONS**

*Note: Each item on the Consent or Regular agenda may include the following documents:  
1) Legislation*

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

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

## **CONSENT AGENDA**

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

### **Items 1 through 10**

#### **Recommendations of the Finance Committee**

*Present: Supervisors Peskin, Daly, Ammiano*

1.       **020191**       **[Supplemental Appropriation, Board of Supervisors]**               **Supervisor Daly**  
Ordinance releasing the \$500,000 Finance Committee Reserve for the Transbay Terminal Study and reappropriating the same from the Planning Department to the Board of Supervisors for fiscal year 2001-02.

(Fiscal impact.)

2/11/2002, SUBSTITUTED. Supervisor Daly submitted a substitute ordinance bearing new title.

5/20/2002, PASSED, ON FIRST READING.

**Question: Shall this Ordinance be FINALLY PASSED?**

2.       **020490**       **[Gift - South (Murphy) Windmill in Golden Gate Park]**               **Supervisors McGoldrick, Hall,  
Sandoval, Newsom**

Ordinance authorizing the Recreation and Park Department to negotiate and enter into sole-source contracts with Lucas Verbij, Hoogmade/BV, Netherlands, and Mark De Jong, Bloemendal Construction Company, San Francisco for restoration of the South (Murphy) Windmill in Golden Gate Park and accepting a gift of funds from the Campaign to Save the Golden Gate Park Windmills.

(Fiscal impact.)

5/20/2002, PASSED, ON FIRST READING.

**Question: Shall this Ordinance be FINALLY PASSED?**

#### **Recommendations of the Health and Human Services Committee**

*Present: Supervisors Daly, Leno*

- 3. 020543 [Grant - District Attorney 's REACT Task Force for the Investigation and Prosecution of High Technology Crimes] Supervisor Leno**

Resolution authorizing the District Attorney to retroactively accept and expend a grant in the maximum amount of \$75,000 per year from the California Office of Criminal Justice Planning for investigation and prosecution of high technology crimes. (District Attorney)

**Question: Shall this Resolution be ADOPTED?**

- 4. 020661 [Authorizing DPH to enter into a contract with STANFORD for research services]**

Resolution authorizing the San Francisco Department of Public Health, Community Health Network of San Francisco, Laguna Honda Hospital (CHN, LHH) to enter retroactively into an agreement which includes an indemnification clause, with The Board of Trustees of the Leland Stanford Junior University (STANFORD), the primary contractor, and expend funds in the amount of \$2,500 for research services, for the period of September 1, 2001 to June 30, 2002. (Public Health Department)

**Question: Shall this Resolution be ADOPTED?**

- 5. 020662 [Mental health services to HIV positive women and their adult family members]**

Resolution authorizing the San Francisco Department of Public Health, HIV Mental Health Program at the Center for Special Problems (SFDPH, CSP) to enter retroactively into an agreement in the amount of \$18,450 with The Regents of the University of California San Francisco (UCSF), the primary contractor, to provide outpatient mental health services to women who have HIV and their adult family members, for the period of August 1, 2001 to July 31, 2002. (Public Health Department)

**Question: Shall this Resolution be ADOPTED?**

### **Recommendations of the Public Works and Public Protection Committee**

*Present: Supervisors Sandoval, Yee, Gonzalez*

- 6. 020517 [Grant - Police Department Local Forensic Laboratory Improvement Program]**

Resolution authorizing the Chief of Police for the City and County of San Francisco to retroactively accept and expend grant funds made available through the Governor's Office of Criminal Justice Planning (OCJP) for a project entitled, "Local Forensic Laboratory Improvement Program (LFLIP)". (Police Department)

**Question: Shall this Resolution be ADOPTED?**

- 7. 020624 [Grant - Community Gun Violence Prosecution Program]**

Resolution authorizing the Department of the District Attorney of the City and County of San Francisco to retroactively accept and expend a grant in the amount of \$360,000 through the United States Department of Justice, Bureau of Justice Assistance, for a project entitled "Community Gun Violence Prosecution Program", and waiving indirect costs due to funding constraints. (District Attorney)

**Question: Shall this Resolution be ADOPTED?**

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

*Present: Supervisors Hall, Gonzalez, Sandoval*

**8. 020671 [Appointment]**

Resolution appointing Dr. Philip R. Day, Jr., Edward Harrington, Sarah Hart, Leo Fermin, and Richard Sullivan, terms ending June 5, 2005, to the Treasury Oversight Committee.

Dr. Philip R. Day, Jr., succeeding himself, term expired, seat 1, must be the Chancellor of the Community College District or his/her designee, for the unexpired portion of a four year term expiring June 5, 2005;

Edward Harrington, succeeding himself, term expired, seat 2, must be the County Controller, for the unexpired portion of a four year term expiring June 5, 2005;

Sarah Hart, succeeding Enrique Navas, term expired, seat 3, must be the County Superintendent of Schools or his/her designee, for the unexpired portion of a four year term expiring June 5, 2005;

Leo Fermin, succeeding himself, term expired, seat 4, must represent the public at large, for the unexpired portion of a four year term expiring June 5, 2005;

Richard Sullivan, succeeding himself, term expired, seat 5, must represent the public at large, for the unexpired portion of a four year term expiring June 5, 2005.

**Question: Shall this Resolution be ADOPTED?**

### **Recommendations of the Transportation and Commerce Committee**

*Present: Supervisors McGoldrick, Ammiano*

**9. 012133 [Pedestrian Safety Advisory Committee]**

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

Ordinance amending Chapter 5 of the San Francisco Administrative Code by adding Article IV Sections 5.20 and 5.21 establishing a Pedestrian Safety Advisory Committee.

5/20/2002, PASSED, ON FIRST READING.

**Question: Shall this Ordinance be FINALLY PASSED?**

*Present: Supervisors McGoldrick, Hall, Ammiano*

**10. 020054 [Parking Regulations, portions of Clay and Laurel Street] Supervisor Newsom**

Ordinance adding Section 32.6.31 to the San Francisco Traffic Code, regarding parking regulations on portions of Clay and Laurel Street. (Parking and Traffic Department)

(4/11/02 Categorically Exempt from Environmental Review - existing highways and streets)

5/20/2002, PASSED, ON FIRST READING.

**Question: Shall this Ordinance be FINALLY PASSED?**

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

## **REGULAR AGENDA**

## **UNFINISHED BUSINESS**

### **Recommendation of the Finance Committee**

*Present: Supervisors Peskin, Daly, Ammiano*

**11. 020535 [Unrepresented Employees] Mayor**

Ordinance fixing compensation for persons employed by the City and County of San Francisco whose compensations are subject to the provisions of Section A8.409 of the Charter, in jobcodes not represented by an employee organization, and establishing working schedules and conditions of employment and, methods of payment, effective July 1, 2002. (Mayor)

(Fiscal impact.)

5/6/2002, PASSED, ON FIRST READING.

5/13/2002, CONTINUED ON FINAL PASSAGE. Continued to May 20, 2002.

5/20/2002, CONTINUED ON FINAL PASSAGE.

**Question: Shall this Ordinance be FINALLY PASSED?**

### **From Transportation and Commerce Committee Without Recommendation**

*Present: Supervisors McGoldrick, Hall, Ammiano*

- 12. 011729 [Residential Parking Permits] Supervisor Newsom**  
Ordinance amending San Francisco Traffic Code Section 308 to limit the number of residential parking permits issued to a single address. (Parking and Traffic Department)  
(4/15/02 Categorically Exempt from Environmental Review - non-physical exemption)
- 2/25/2002, SUBSTITUTED. Supervisor Newsom submitted a substitute ordinance bearing same title.  
5/20/2002, CONTINUED. Continued to May 28, 2002.
- Question: Shall this Ordinance be PASSED ON FIRST READING?**

## NEW BUSINESS

### Recommendations of the Health and Human Services Committee

*Present: Supervisors Daly, Hall*

- 13. 020300 [Public Toilets] Supervisor Hall**  
Resolution urging the Mayor to request that the Department of Public Works, the Recreation and Park Department and any other city departments with public restrooms to open such facilities and to the greatest extent possible establish new public restroom facilities.
- Question: Shall this Resolution be ADOPTED?**
- Present: Supervisors Daly, Leno, Maxwell*
- 14. 020399 [Grant - Public Utilities Commission]**  
Resolution authorizing the Department of Public Utilities Commission to accept and expend a grant in the amount of \$75,000 from the Environmental Protection Agency for a feasibility study on decentralized wastewater treatment at the Hunters Point Naval Shipyard; placing \$75,000 on reserve. (Public Utilities Commission)
- Question: Shall this Resolution be ADOPTED?**
- Present: Supervisors Daly, Leno*
- 15. 020566 [Grant - Public Defender's Office] Supervisor Maxwell**  
Resolution authorizing the Public Defender's Office to accept and expend a grant in the amount of \$160,000 from the Governor's Office of Criminal Justice planning to help indigent inmates file motions to establish their innocence.
- 4/15/2002, REFERRED to Health and Human Services Committee.
- Question: Shall this Resolution be ADOPTED?**

*Present: Supervisors Daly, Leno, Maxwell*

- 16. 020598 [Homeless Seniors] Supervisor Daly**  
Resolution endorsing the creation of Homeless Shelters, transitional housing strategies and housing solutions appropriate for senior homeless populations within the City and County of San Francisco.

**Question: Shall this Resolution be ADOPTED?**

- 17. 020762 [Directing the Clerk of the Board to Distribute Reports] Supervisor Daly**  
Motion directing the Clerk of the Board to distribute reports requested by the Board of Supervisors from the Controller, Budget Analyst and Legislative Analyst on homeless expenditures and best practices to various City departments heads, elected officials and other policymakers.

**Question: Shall this Motion be ADOPTED?**

### **Recommendation of the Public Works and Public Protection Committee**

*Present: Supervisors Sandoval, Gonzalez*

- 18. 020268 [Requiring the Airport Commission to submit settlements and claims related to construction contracts in excess of \$100,000 to the Board of Supervisors for approval] Supervisor Sandoval**  
Ordinance amending Administrative Code Sections 10.25-10 and 10.25-11 to eliminate the exemption from Board of Supervisors approval for settlements of construction contracts under the jurisdiction of the Airport Commission, and making such settlements in excess of \$100,000 subject to approval by the Board of Supervisors.

**Question: Shall this Ordinance be PASSED ON FIRST READING?**

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

*Present: Supervisors Hall, Gonzalez*

- 19. 012130 [Regulation of Mass Mailings] Supervisor Leno**  
Ordinance amending Article I, Chapter 1 of the San Francisco Campaign and Governmental Conduct Code by amending section 1.161 to require candidates who pay for mass mailings to file, within five working days after the date of the mailing, an itemized disclosure statement with the San Francisco Ethics Commission.

**Question: Shall this Ordinance be PASSED ON FIRST READING?**

*Present: Supervisors Hall, Gonzalez, Sandoval*

**20. 020596 [Candidate Qualification Statements] Supervisor Gonzalez**

Ordinance amending the Municipal Elections Code to permit candidates for Assessor-Recorder and Public Defender who qualify for a runoff election to submit a new candidate qualification statement for the runoff election.

**Question: Shall this Ordinance be PASSED ON FIRST READING?**

**21. 020637 [Establishing a San Francisco Museum and Historical Society Advisory Committee] Supervisor Peskin**

Ordinance amending Article VIII of the San Francisco Administrative Code by adding Section 2A.166 to establish the San Francisco Museum and Historical Society Advisory Committee as an advisory committee to the Board of Supervisors and the Board of Trustees of the Fine Arts Museums of San Francisco.

**Question: Shall this Ordinance be PASSED ON FIRST READING?**

**22. 020351 [Small School Policy] Supervisors Gonzalez, Sandoval, Leno, McGoldrick**

Resolution supporting the San Francisco Board of Education's resolution establishing an autonomous small school policy for the San Francisco Unified School District.

3/4/2002, REFERRED to City and School District Committee. Supervisor Sandoval requested this matter be severed so it could be considered separately. Supervisors Sandoval, Leno and McGoldrick requested to be added as co-sponsors. Supervisor Yee requested this matter be sent to committee.

**Question: Shall this Resolution be ADOPTED?**

**23. 020679 [Reappointment of Ramon Romero to the San Francisco Redevelopment Agency] Mayor**

Resolution confirming the reappointment of Ramon Romero to the San Francisco Redevelopment Agency for the remainder of a four-year term ending September 3, 2005. (Mayor)

**Question: Shall this Resolution be ADOPTED?**

*Present: Supervisors Hall, Gonzalez*

**24. 020710 [Settlement of Claim]**  
Resolution approving the settlement of the unlitigated claim filed by June Crabtree against San Francisco for \$100,000; claim was filed on March 29, 2001. (City Attorney)  
(Public Benefit Recipient.)

**Question: Shall this Resolution be ADOPTED?**

*Present: Supervisors Hall, Gonzalez, Sandoval*

**25. 020670 [Board Off-site Meetings] Supervisor Ammiano**  
Motion ordering the City and School District Committee meeting of the Board of Supervisors



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

**Question: Shall this Motion be ADOPTED?**

**26. 020676 [Amending the Board's Process for Considering Appointments to the Planning Commission and the Board of Appeals]**

Motion amending Rule 2.31 of the Rules of Order of the Board of Supervisors of the City and County of San Francisco to amend the process for the Board's consideration of appointments to the Planning Commission and the Board of Appeals, consistent with Charter Sections 4.105 and 4.106. (Clerk of the Board)

(Requires eight votes to pass.)

**Question: Shall this Motion be ADOPTED?**

## COMMITTEE REPORTS

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

*The following items will be considered by the Finance Committee at a regular meeting on Wednesday, May 22, 2002, at 12:30 PM. The Chair intends to request the Committee to send the following items to the Board as committee reports.*

### **From Finance Committee**

**27. 020755 [Pension Buy-Backs-Rollovers/Transfers] Supervisor Daly**

Ordinance authorizing the Retirement System to accept rollovers and transfers from qualified and non-qualified tax plans for buybacks. (Retirement System)

**Question: Shall this Ordinance be FINALLY PASSED?**

**28. 020708 [Lease of Real Property] Supervisors Peskin, Daly**

Resolution authorizing the lease of 18,862 sq. ft. of space at 1740 Folsom Street for the Sheriff's Department to consolidate training facilities. (Real Estate Department)

(Public Benefit Recipient; District 6.)

**Question: Shall this Resolution be ADOPTED?**

**29. 020709 [Lease of Real Property] Supervisors Peskin, Daly**

Resolution authorizing the lease of 4,997 sq. ft. of space at 555 7th Street to the San Francisco PreTrial Diversion Project. (Real Estate Department)

(Public Benefit Recipient; District 6.)

**Question: Shall this Resolution be ADOPTED?**

**30. 020704 [Appropriating Funding for Moving the Sheriff to 1740 Folsom Street] Supervisors Peskin, Daly**

Ordinance appropriating \$351,858 from Federal funding for housing prisoners for one-time expenses associated with moving the Sheriff's training and other departmental services to 1740 Folsom Street fiscal year 2001-02. (Controller)

**Question: Shall this Ordinance be PASSED ON FIRST READING?**

**31. 020761 [Certification to Accompany Application for State Grant for Excelsior Library Renovation]**

Resolution certifying project budget, local funding, supplemental funding and public library operations pursuant to the California Reading and Literacy Improvement and Public Library Construction and Renovation Bond Act of 2000. (Public Library)

**Question: Shall this Resolution be ADOPTED?**

*The following item will be considered by a Special Meeting of the Health and Human Services Committee on May 28, 2002 at 11:30 a.m. The Chair intends to request the Committee to send the following item to the Board as committee report.*

**From Health and Human Services Committee**

**32. 020727 [Endorsing the Health Commission Position on Budget Cuts] Supervisors Daly, McGoldrick, Gonzalez, Sandoval, Ammiano**

Resolution endorsing the position of the San Francisco Health Commission that cuts in the budget for the Department of Public Health are unwise, and urging the Mayor's Budget Office to submit a June 1st budget that includes full funding for the Health Department, including funding for "add-backs" and full funding for HIV/AIDS programs.

**Question: Shall this Resolution be ADOPTED?**

**33. 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.*

**34. 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.*

- 35. 020763 [Legislative Analyst Request] Supervisor Daly**  
Motion asking the Legislative Analyst to prepare a study to identify the most appropriate role of law enforcement in addressing homelessness, specifically focused on how misdemeanors and infractions is advisable, appropriate diversion programs or innovative approaches, and the cost of using law enforcement to respond to homeless people.

5/20/2002, CONTINUED. Continued to May 28, 2002.

**Question: Shall this Motion be ADOPTED?**

- 36. 020869 [Legislative Analyst Request] Supervisor Newsom**  
Motion asking the Legislative Analyst to prepare a report comparing the policies, best practices and procedures of the top performing homicide and robbery divisions of large city Police Departments nationwide.

**Question: Shall this Motion be ADOPTED?**

## CLOSED SESSION

### CONFERENCE WITH CITY ATTORNEY - Anticipated Litigation

- 37. 020898 [Anticipated Litigation with City as Plaintiff]**  
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 where City is anticipated to be Plaintiff.

This closed session would be permitted by California Government Code Section 54956.9(c) and San Francisco Administrative Code Section 67.10(d)(2). (City Attorney)

*Action:* \_\_\_\_\_

## CONFERENCE WITH CITY ATTORNEY - Existing Litigation

- 38. 020840 [Existing Litigation - Pacific Gas and Electric Company] Supervisor Maxwell**

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 bankruptcy matter (Chapter 11) in which the City and County of San Francisco is an active participant:

In Re: PACIFIC GAS AND ELECTRIC COMPANY, Debtor  
U. S. Bankruptcy Court, Northern District of California, No. 01-30923 DM  
Federal I. D. No. 94-0742640  
Date Filed: 4/6/01

This closed session would be permitted by California Government Code Section 54956.9(c), and San Francisco Administrative Code Section 67.10(d)(2). (City Attorney)

Action: \_\_\_\_\_

- 39. 020891 [Existing Litigation - One Market Plaza]**

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 two property tax cases in which the City and County of San Francisco is an active participant:

IBM Personal Pension Plan v. the City and County of San Francisco and the Assessment Appeals Board for the City and County of San Francisco;  
San Francisco Superior Court, Case No. 404897; date filed: 2/25/02.

City and County of San Francisco v. Assessment Appeals Board of the City and County of San Francisco (IBM Personal Pension Plan, Real Party In Interest);  
San Francisco Superior Court, Case No. 500887; date filed 5/10/02.

This closed session would be permitted by California Government Code Section 54956.9(c) and San Francisco Administrative Code Section 67.10(d)(2). (City Attorney)

Action: \_\_\_\_\_

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

*[Elect To Disclose]*

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

*[Elect Not to Disclose]*

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

## **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 40 through 55**

- 40. 020857 [Recognizing the achievements at Thurgood Marshall Academic High School] Supervisor Yee**  
Resolution recognizing the accomplishments and achievements of the students, faculty and administration at Thurgood Marshall Academic High School in San Francisco.  
5/20/2001, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.  
**Question: Shall this Resolution be ADOPTED?**
- 41. 020858 [Urging the SF Board of Education to Support Resolution No. 21-22A7] Supervisor Maxwell**  
Resolution urging the Board of Education to support Resolution No. 21-22A7, in support of health, psychological and social services for children of the San Francisco Unified School District.  
5/20/2002, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.  
**Question: Shall this Resolution be ADOPTED?**
- 42. 020859 [Healthy Families Program] Supervisor Yee**  
Resolution urging Governor Gray Davis to reconsider postponing expansion of the Healthy Families Program.  
5/20/2002, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.  
**Question: Shall this Resolution be ADOPTED?**
- 43. 020860 [Condemning negative stereotyping of Asian Americans by KPIX] Supervisors Peskin, McGoldrick**  
Resolution condemning negative stereotyping of Asian-Americans perpetuated by recent KPIX coverage and their unfair, unbalanced and irresponsible series on unsanitary conditions inside Chinese restaurants in San Francisco, and urging KPIX to immediately cease airing the series until KPIX pursues fair and balanced coverage of this issue.

5/20/2002, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**Question: Shall this Resolution be ADOPTED?**

- 44. 020861 [Urging the U.S. Congress to adopt Wild Heritage Wilderness Act of 2002] Supervisors Leno, Peskin, Daly, Maxwell, McGoldrick**

Resolution urging the U.S. Congress to adopt and President Bush to sign Senator Barbara Boxer's California Wild Heritage Wilderness Act of 2002.

5/20/2002, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**Question: Shall this Resolution be ADOPTED?**

- 45. 020862 [Prevent closure of the SF General Hospital Renal Center] Supervisor Yee**

Resolution seeking to prevent closure of the San Francisco General Hospital Renal Center.

5/20/2002, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**Question: Shall this Resolution be ADOPTED?**

- 46. 020863 [Commending Balboa High School] Supervisor Sandoval**

Resolution commending Balboa High School for winning the "Best Roundtable" award at the San Francisco Public Utilities Commission Environmental Summit.

5/20/2002, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**Question: Shall this Resolution be ADOPTED?**

- 47. 020864 [Commending Ben Wildman-Tobriner] Supervisor Sandoval**

Resolution commending Ben Wildman-Tobriner for setting a new North Coast Section swimming record in the 50-yard freestyle.

5/20/2002, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**Question: Shall this Resolution be ADOPTED?**

- 48. 020865 [Commending Partners Ending Domestic Abuse] Supervisors Leno, Newsom, Maxwell, Peskin, Daly, McGoldrick, Yee**

Resolution commending Partners Ending Domestic Abuse, a non-profit volunteer organization, and declaring June 5, 2002 Partners Ending Domestic Abuse Day in San Francisco.

5/20/2002, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**Question: Shall this Resolution be ADOPTED?**

- 49. 020866 [Commending Congregation Sha'ar Zahav] Supervisors Leno, Peskin, Daly, Ammiano**

Resolution commending Congregation Sha'ar Zahav for their contributions to the San Francisco Jewish community over the past 25 years.

5/20/2002, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**Question: Shall this Resolution be ADOPTED?**

- 50. 020867 [Commending Theatre Rhinoceros] Supervisors Leno, Ammiano, Daly, Peskin**

Resolution commending Theatre Rhinoceros for their educational and artistic contributions to the San Francisco cultural and LGBT communities over the past 25 years.

5/20/2002, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**Question: Shall this Resolution be ADOPTED?**

- 51. 020868 [Commending John O' Connell High School] Supervisor Daly**

Resolution commending students at John O'Connell High School on the occasion of being named "Best Group Presentation" at the San Francisco Public Utilities Commission Environmental Summit for Youth.

5/20/2002, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**Question: Shall this Resolution be ADOPTED?**

- 52. 020841 [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.

5/20/2002, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**Question: Shall this Motion be ADOPTED?**

- 53. 020850 [Final Map for a 7 Unit Commercial / Residential Condominium Project] Supervisor Maxwell**

Motion approving Final Map of 2546 3rd Street a Commercial / Residential Condominium Project, being a subdivision of Lots 8 and 9 in Assessor's Block No. 4172, and adopting findings pursuant to City Planning Code Section 101.1. (Public Works Department)

(DPW Order No. 173,538; District 10.)

5/20/2002, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**Question: Shall this Motion be ADOPTED?**

- 54. 020870 [Calendar Item No. 020626] Supervisor Yee**

Motion to direct the Clerk of the Board to calendar a motion that would order File No. 020626 returned to the Board.

5/20/2002, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**Question: Shall this Motion be ADOPTED?**

- 55. 020899 [Suspend Rule 2.28.1 Regarding the Requirement for Introduction of a Proposed Charter Amendment at a Regular Board Meeting Not Less than 169 days Prior to an Election] Supervisor Ammiano**

Motion to suspend Board of Supervisors Rules of Order, Rule 2.28.1, pursuant to Rule 4.37, to permit the introduction of a proposed Charter amendment to amend Appendix A8.506-2 relating to retirement benefits for miscellaneous safety employees.

5/22/2002, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**Question: Shall this Motion be ADOPTED?**

*Questions on the For Adoption Without Committee Reference Agenda: \_\_\_\_\_*

## **56. 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 May 16 through noon on May 21, for reference by President to appropriate committee on May 28, 2002.*

**020834 [License Agreement with American Society of Composers, Authors and Publishers]**

Ordinance authorizing the Director of Administrative Services to enter into the Local Government Licensing Agreement negotiated between the International Municipal Lawyers' Association and the American Society of Composers, Authors and Publishers to license music uses by the City under an license subject to automatic annual renewal for an annual Base License Fee plus 1% of revenue from events in which gross revenue exceeds \$25,000. (Administrative Services Department)

5/20/2002, RECEIVED AND ASSIGNED to Finance Committee.

### PROPOSED RESOLUTIONS

*Proposed resolutions received from May 16 through noon on May 21, for reference by President to appropriate committee on May 28, 2002.*

**020773 [Interdepartmental Jurisdictional Transfer of Property (Phelps Street Land Transfer)]** **Mayor**

Resolution transferring jurisdiction from the Public Utilities Commission to the Municipal Transportation Agency the real property identified as a portion of Assessor's Parcel No. 5262/9 for a substation for the San Francisco Municipal Transportation Agency's Third Street Light Rail Project; Adopting findings pursuant to the California Environmental Quality Act; and adopting Findings that the transfer of jurisdiction is consistent with the City's General Plan and the Eight Priority Policies of the Planning Code Section 101.1. (Mayor)

5/15/2002, RECEIVED AND ASSIGNED to Finance Committee.

**020839 [Accept - Expend Federal Funding - Stewart B. McKinney Supportive Housing 2001 Grant]**

Resolution authorizing the Department of Human Services to accept and expend a grant in the amount of \$8,483,623 from the U.S. Department of Housing and Urban Development for Stewart B. McKinney Supportive Housing Program. (Human Services Department)

(Public Benefit Recipient)

5/20/2002, RECEIVED AND ASSIGNED to Health and Human Services Committee.

**020892 [Mortgage Revenue Bonds]** **Mayor**

Resolution declaring the intent of the City and County of San Francisco (the "City") to reimburse certain expenditures from proceeds of future indebtedness; authorizing the Director of the Mayor's Office of Housing (the "Director") to submit an application and related documents to the California Debt Limit Allocations Committee to permit the issuance of qualified mortgage bonds in an amount not to exceed \$19,000,000; authorizing the Mayor's Office of Housing to direct the Controller's Office to hold in trust an amount not to exceed \$95,000; authorizing the Director to certify that the City has on deposit the required amount; authorizing the Mayor's Office of Housing to pay an amount equal to the deposit to the State of California if the City fails to issue the qualified mortgage bonds; and authorizing and directing the execution of any documents necessary to implement this Resolution and of any documents necessary to implement this Resolution; and ratifying and approving any action heretofore taken in connection with the Project (as defined herein) and the application.  
(Mayor)

5/21/2002, RECEIVED AND ASSIGNED to Finance Committee.

**020894 [Petitions and communications]**

Petitions and Communications received from May 16 through noon on May 21, for reference by the President to Committee considering related matters or to be ordered filed by the Clerk on May 28, 2002.

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 35 letters and postcards(1)

From Office of Contract Administration, submitting request for release of reserved funds (\$125,000) to fund a computerized contract document archival and management system.(2)

From American Civil Liberties Union Foundation of Northern California, commenting on proposed legislation regarding the homeless population in San Francisco. Files 020292, 020019,Copy: Each Supervisor (3)

From Department of Parking and Traffic, reporting the date and nature of the last white zone designation at 834 Jones Street. (Reference No. 20020415-002) Copy: Supervisor Newsom(4)

From Real Estate Division, submitting copy of notice sent to constituent that proposed lease to install an antennae and transmitter at the Pierce Street Garage will be held in abeyance, and will not be sent to the Board at this time because of information that there is significant opposition to placing telecommunication equipment at this site.(5)

From Department of Public Works, regarding the existing encroachment/improvements at 447-451 Burnett Avenue (Dixie Alley frontage).(6)

From Office of the Controller, requesting responses to the recommendations of the 2000/01 Civil Grand Jury Report.(7)

From San Francisco Mental Health Board, submitting notice of annual reception with the members of the Board of Supervisors and their staff on May 16, 2002.(8)

From West of Twin Peaks Central Council, submitting meeting minutes for April 22, 2002.Copy: Each Supervisor(9)

From Office of the Controller, submitting report entitled "Homeless Services" the City lacks

commonly accepted goals and an effective plan for its homeless services, dated May 15, 2002. Copy: Each Supervisor(10)

From US Army Corps of Engineers, regarding permit from Sugarloaf Farming Corporation for a permit to place fill material at 27600 Seaview Road, Cazadero in Sonoma County.(11)

From Asian Art Museum, submitting explanation of Departmental Budget Submission. Copy: Budget Committee(12)

Number not used. (13)

From State Department of Child Support Services, regarding Alaska's Bank Change from State of Alaska Child Support program.(14)

From Abdalla Megahed, submitting copy of letter he received from Governor Davis.(15)

From concerned citizens, requesting the Board of Supervisors conduct an investigation into an attempt being made by some members of the Retirement Board to replace the current investment firm of Cambridge Consultants to Pacific Corporate Group. Approximately 40 letters(16)

From Recreation and Park Department, submitting request for release of reserved funds (\$513,846) to ensure that the Department complete a review of the current agreement with the Haight Ashbury Recycling Center. Copy: Finance Committee(17)

From Office of the City Attorney, submitting memorandum regarding recent developments relating to Pacific Gas and Electric Company. Copy: Each Supervisor(18)

From Senate Rules Committee, submitting re-appointment of Stan Dixon of Ferndale and Gary Rynearson of Arcata as members of the State Board of Forestry and Fire Protection.(19)

From Office of the Legislative Analyst, submitting report comparing the best practices and/or models on Cash Assistance Programs utilized in Alameda County and other surrounding Bay Area counties. Copy: Each Supervisor(20)

From Office of the Legislative Analyst, submitting report on the best practices for integrating social services into the processing of quality of life offenses. Copy: Each Supervisor(21)

From Office of the Controller, submitting departmental performance measures that were either discussed in Budget Committee hearings during May, and/or included in a list of questions and comments sent to the Controller's Office by Supervisor Peskin's Office. Copy: Budget Committee(22)

From Planning Department, submitting notice of hearing on appeal for 965 Geneva Avenue (Apollo Theater) on June 13, 2002 in City Hall, room 400 at 1:30 p.m.(23)

From District Attorney, regarding the job duties and responsibilities for all special assistants in the District Attorney's Office. (Reference No. 20020304-019) Copy: Supervisor Daly(24)

From State Department of Transportation, submitting report on the illegal discharge of hazardous waste, which could cause substantial injury to the public health or safety, pursuant to Health and Safety Code Section 25180.7.(25)

From San Francisco Homeless Coordinating Board, commenting on several pieces of proposed legislation regarding the homeless population in San Francisco. Files 020491, 012134, 020299, 011680, Copy: Supervisors Newsom, Gonzalez(26)

From Office of the City Administrator, submitting resolution from the Potrero Power Plant Citizens Advisory Task Force opposing the Mirant application to the California Energy Commission to build a new Unit 7 facility at the present Potrero Power Plant. Copy: Each Supervisor(27)

From Department of Public Works, regarding the "Reduced Bed Capacity Study" for the Juvenile Hall Replacement Project. (Reference No. 20020325-011, 012, 013, 014, 015, 016, 017 and 018) Copy: Supervisor Sandoval(28)

From Metropolitan Transportation Commission, submitting annual report for 2001.(29)

From Jarrell Sieff, submitting request for a type 20 off-sight liquor license for Tanabata Imports Inc. at Pier 23, Foreign Trade Zone 3 - The Embarcadero. Copy: Neighborhood Services & Recreation Committee(30)

From concerned citizens, submitting opposition to proposed facility at 5200 Geary Boulevard. 2 letters, File 020835 (31)

From Commission of Animal Control and Welfare, submitting opposition to Recreation and Park Department's Dog Policy. Copy: Each Supervisor(32)

From concerned citizens, commenting on fire engine sirens blowing day and night in the area of Post and Leavenworth Streets. 2 letters(33)

From concerned citizens, submitting support for full funding (two million dollars) of senior programs in the Department of Aging and Adult Services.4 letters(34)

From Raymond Wong, submitting notice of Memorial Day Ceremony at the San Francisco National Cemetery at the Presidio, starting at 10 am on May 27, 2002.(35)

From State Public Utilities Commission, submitting notice that Pacific Gas and Electric Company (PG&E) recently filed two applications that ask for changes in electric and gas revenues effective January 1, 2003.(36)

From Robert Blum, filing notice of appeal for 5200 Geary Boulevard from action of Planning Commission. File 020835 (37)

From Clerk of the Board of Supervisors, regarding litigation involving One Market Plaza.(38)

From State Board of Corrections, regarding proposed May revision of fiscal year 2002/03 Budget Act.(39)

From Charles Smith, submitting copy of letter sent to the Metropolitan Transportation Commission opposing the alternatives which have been put forward by the Metropolitan Transportation Commission (MTC) staff to handle traffic and commuting in the Bay Area far into the future.(40)

From Department of Public Health, regarding the amount of funding dedicated to housing for youth aged 18-24. (Reference No. 20020422-005) Copy: Supervisor Daly(41)

From Federal Reserve Bank of San Francisco Protection Services, submitting opposition to the replacement of the community coordinator position, as well as the NERT Coordinator position, with civilian, non-uniformed coordinators. Copy: Each Supervisor(42)

From Robert Spoor, submitting support for Recreation and Park Department's Dog Policy. Copy: Each Supervisor (43)

From Frank Markowitz, regarding the federally funded Pedestrian Safety Study.(44)

## **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](http://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](http://www.sfgov.org/ethics)

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