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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, June 10, 2003
2:00 PM**

Regular Meeting

**MATT GONZALEZ, PRESIDENT
TOM AMMIANO, CHRIS DALY, BEVAN DUFTY, TONY HALL,
FIONA MA, SOPHIE MAXWELL, JAKE McGOLDRICK,
GAVIN NEWSOM, AARON PESKIN, GERARDO SANDOVAL**

Gloria L. Young, Clerk of the Board

ROLL CALL AND PLEDGE OF ALLEGIANCE

APPROVAL OF MEETING MINUTES

Motion to approve the April 29, 2003 and May 6, 2003 Meeting Minutes.

AGENDA CHANGES

COMMUNICATIONS

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

- 1) Legislation
 - 2) Budget Analyst report
 - 3) Legislative Analyst report
 - 4) Department or Agency cover letter and/or report
 - 5) Public correspondence
- These items will be available for review at City Hall, Room 244, Reception Desk.*

CONSENT AGENDA

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

Items 1 through 16

Recommendation of the Finance and Audits Committee

Present: Supervisors Peskin, McGoldrick

1. [030345](#) **[Acceptance of Gift]**
Resolution accepting a gift of \$55,000 from the Market Street Railway and authorizing said funds to be expended for the purchase of Historic Streetcar #162 from the Orange Empire Railway Museum. (Municipal Transportation Agency)

(No Public Benefit Recipient.)

Question: Shall this Resolution be ADOPTED?

2. [030540](#) **[Airport Concession Lease]**
Resolution approving the Terminal 3 Specialty Retail Store Lease between Brookstone Company, Inc., and the City and County of San Francisco, acting by and through its Airport Commission. (Airport Commission)

(Public Benefit Recipient.)

Question: Shall this Resolution be ADOPTED?

3. [030605](#) **[Modification #9 to Lease and Use Agreement with US Airways, Inc. at Terminal 1 - SF International Airport]**
Resolution approving and authorizing the execution of Modification # 9 to the Lease and Use Agreement L-82-0120 with US Airways, Inc., to reduce terminal space in Terminal 1 of San Francisco International Airport. (Airport Commission)

(Public Benefit Recipient.)

Question: Shall this Resolution be ADOPTED?

4. [030780](#) **[Lease of Real Property]**

Resolution authorizing a Sublease renewal of approximately 117,826 square feet of space at 1235 Mission Street for the Department of Human Services. (Real Estate Department)

(Fiscal impact; Public Benefit Recipient.)

Question: Shall this Resolution be ADOPTED?

5. [030822](#) **[Lease of Real Property]**

Resolution authorizing the exercise of a five year option to extend the Lease of approximately 7,725 square feet of space at 3801 3rd Street, suites 110, 210, 220 and 230 for the Department of Human Services. (Real Estate Department)

(Public Benefit Recipient.)

Question: Shall this Resolution be ADOPTED?

6. [030823](#) **[Lease of Real Property]**

Resolution authorizing the exercise of a five year option to extend the Lease of approximately 1,800 square feet of space at 3801 3rd Street, suite 205 for the Department of Human Services. (Real Estate Department)

(Public Benefit Recipient.)

Question: Shall this Resolution be ADOPTED?

7. [030880](#) **[Lease of Real Property]**

Resolution authorizing a lease renewal at 729 Filbert Street for the Department of Public Health. (Real Estate Department)

(Public Benefit Recipient.)

Question: Shall this Resolution be ADOPTED?

8. [030881](#) **[Lease of Real Property]**

Resolution authorizing a lease renewal at 2001 Van Ness Avenue/1700 Jackson Street for the Department of Public Health. (Real Estate Department)

(Public Benefit Recipient.)

Question: Shall this Resolution be ADOPTED?

Recommendations of the Rules Committee

Present: Supervisors Hall, Dufty, Gonzalez

9. [030596](#) **[Settlement of Lawsuit - Nishkian & Associates]**

Ordinance approving settlement of litigation of City and County of San Francisco against Nishkian & Associates for \$40,000. (City Attorney)

(Public Benefit Recipient.)

5/20/2003, PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

10.[030691](#) **[Settlement of Legal Proceeding]**

Ordinance approving the settlement of a claim filed by the City and County San Francisco in the bankruptcy entitled In re Metricom, Inc., United States District Court, Northern District of California, Case No. 01-53291-ASW. (City Attorney)

(Public Benefit Recipient.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

11.[030773](#) **[Settlement of Lawsuit - Loretta A. Bowie]**

Ordinance authorizing settlement of the matter of Loretta A. Bowie v. City and County of San Francisco and Louise Statzer for \$92,500. The lawsuit was filed on April 17, 2002, in San Francisco Superior Court, Case No. 406-801, and was removed to United States District Court on June 26, 2002, Case No. C 02-3082 SI; entitled Loretta A. Bowie v. City and County of San Francisco and Louise Statzer. (City Attorney)

(Public Benefit Recipient.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

12.[030774](#) **[Settlement of Lawsuit - Derrell Neal]**

Ordinance authorizing settlement of the lawsuit filed by Derrell Neal against the City and County of San Francisco for \$40,000; the lawsuit was filed on November 26, 2002 in San Francisco Superior Court, Case No. 401-659; entitled Derrell Neal, et al., v. City and County of San Francisco, et al.

(Public Benefit Recipient.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

13.[030775](#) **[Settlement of Lawsuit - YONG SHAO MA and PUI KAY CHAN]**

Ordinance authorizing settlement of the lawsuit filed by YONG SHAO MA and PUI KAY CHAN against the City and County of San Francisco for \$750,000; the lawsuit was filed on October 26, 1998 in San Francisco Superior Court, Case No. 998-809; entitled Yong Shao Ma, et al., v. City and County of San Francisco, et al. (City Attorney)

(Public Benefit Recipient.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

14.[030263](#) **[Appointment]**

Resolution appointing Elissa Eckman, Chin Chi, Sherri Franklin and Susan Kendall Wheeler, term ending April 30, 2005, to the Animal Control and Welfare Commission.

Elissa Eckman, succeeding Elissa Eckman, term expired, seat 3, must be a member representing the general public having interest and experience in animal matters; for a two year term ending April 30, 2005.

Chin Chi, succeeding June Wilson, term expired, seat 4, must be a member representing the general public having interest and experience in animal matters; for a two year term ending

April 30, 2005.

Sherri Franklin, succeeding Sherri Franklin, term expired, seat 5, must be a member representing the general public having interest and experience in animal matters; for a two year term ending April 30, 2005.

Susan Kendall Wheeler, succeeding Cheryl Bently, resigned, seat 6, must be a member representing the general public having interest and experience in animal matters; for a two year term ending April 30, 2005.

Question: Shall this Resolution be ADOPTED?

15. [030264](#) [Appointment]

Resolution appointing Dennis Yun and Dorothy Shaffer, term ending January 31, 2006 to the Mental Health Board.

Dennis Yun, succeeding Dennis Yun, term expired, seat 12, must be a consumer; for the unexpired portion of a three year term ending January 31, 2006.

Dorothy Shaffer, succeeding Dorothy Shaffer, term expired, seat 16, must be a family member; for the unexpired portion of a three year term ending January 31, 2006.

Question: Shall this Resolution be ADOPTED?

16. [030745](#) [Settlement of Claim - Thomas W. Westwood]

Resolution approving the settlement of the unlitigated claim filed on February 7, 2002 by Thomas W. Westwood against the City and County of San Francisco. (City Attorney)

(Public Benefit Recipient.)

Question: Shall this Resolution be ADOPTED?

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

REGULAR AGENDA

UNFINISHED BUSINESS

From the Clerk

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

17. [030655](#) [Appeal, Conditional Use - 2690 Harrison Street (aka 3000 23rd Street)]

Motion approving decision of the Planning Commission by its Motion No. 16546, approving Conditional Use Application No. 2000.1311EC, on property located at 2690 Harrison Street (aka 3000 23rd Street), and adopting findings pursuant to Planning Code Section 101.1. (Clerk of the Board)

5/13/2003, CONTINUED. Continued to May 20, 2003

5/20/2003, CONTINUED. Supervisor Maxwell, seconded by Supervisors Daly and Peskin, called for the question.

Question: Shall this Ordinance be PASSED ON FIRST READING?

Present: Supervisors Hall, Dufty

22. [020938](#) **[Charter Amendment - Retirement Benefits for Miscellaneous Safety Employees]** **Supervisors Ammiano, Gonzalez, Dufty, Hall, Newsom**
- Charter amendment (Fifth Draft) to amend Appendix A8.506-2 thereto, relating to retirement benefits for miscellaneous safety employees.
- (Fiscal impact.)
- 7/15/2002, CONTINUED. Continued to July 22, 2002.
- 7/22/2002, AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.
- 7/22/2002, RE-REFERRED to Rules and Audits Committee.
- 3/18/2003, SUBSTITUTED. Supervisor Ammiano submitted a substitute Charter Amendment (Fifth Draft) bearing same title.
- 4/29/2003, CONTINUED. Continued to May 6, 2003
- 5/6/2003, CONTINUED. Continued to May 20, 2003 Supervisor Newsom requested to be added as a co-sponsor.
- 5/20/2003, CONTINUED. Continued to June 10, 2003
- Question: Shall this Charter Amendment be SUBMITTED?**

Recommendation of the Budget Committee

Present: Supervisors Daly, Peskin, Maxwell, Ma, Gonzalez

23. [030628](#) **[Making Environmental Findings and Increasing Fees Charged for Inspection and Certification of Agriculture Products]** **Mayor, Supervisor Daly**
- Ordinance making environmental findings and amending the San Francisco Administrative Code to increase the fees charged by the Department of Consumer Assurance for inspection and certification of agriculture products prior to shipment. (Mayor)
- 5/20/2003, PASSED ON FIRST READING.
- Question: Shall this Ordinance be FINALLY PASSED?**

Recommendation of the City Services Committee

Present: Supervisors Dufty, Ma, Newsom

24. [030541](#) **[Abolishing a portion of official sidewalk - Lyon Street south of Bay Street]**
- Ordinance amending Ordinance No. 1061 entitled "Regulating the Width of Sidewalks" by adding thereto Section No. 1559 to abolish a portion of official sidewalk on the westerly side of Lyon Street south of Bay Street; making findings pursuant to the General Plan and Planning Code Section 101.1; and requiring relocation, modification, or both of facilities affected by the sidewalk abolishment. (Public Works Department)
- (No Public Benefit Recipient.)

5/20/2003, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendation of the Land Use Committee

Present: Supervisors McGoldrick, Maxwell, Ammiano

25. [030643](#) [Street Vacation for Metro East Project]

Ordinance ordering the summary vacation of portions of 26th Street, Michigan Street, Georgia Street and Louisiana Street; making findings pursuant to the California Streets and Highways Code, Chapter 4, Sections 8330 et seq.; adopting findings pursuant to the California Environmental Quality Act; adopting findings that the vacation is consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; and ratifying acts and authorizing actions in furtherance of the ordinance. (Real Estate Department)

(No Public Benefit Recipient.)

5/20/2003, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

NEW BUSINESS

Recommendations of the City Services Committee

Present: Supervisors Dufty, Ma, Newsom

26. [030365](#) [Funding Levels for Department of Aging and Adult Services] Supervisors Newsom, Dufty, Ma

Resolution urging the Mayor to maintain funding levels for services for older adults and adults with disabilities served by and through the Department of Aging and Adult Services.

3/18/2003, REFERRED to Budget Committee. Supervisor Hall requested that this matter be referred to Committee.

Question: Shall this Resolution be ADOPTED?

27. [030692](#) [Accept- Expend Proposition 13 Grant]

Resolution authorizing the Department of the San Francisco Public Utilities Commission to accept and expend a grant in the amount of \$1 million from the Proposition 13 account for the removal of Niles and Sunol dams. (Public Utilities Commission)

(No Public Benefit Recipient.)

Question: Shall this Resolution be ADOPTED?

28. [030746](#) [Mental health services to HIV positive women and their adult family members amendment 2]

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, Amendment Number 2, in an additional amount of \$30,000 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, 2002 to July 31, 2003. (Public Health Department)

(No Public Benefit Recipient.)

Question: Shall this Resolution be ADOPTED?

Recommendations of the Finance and Audits Committee

Present: Supervisors Peskin, McGoldrick

29. [030577](#) [Parental Leave] Supervisor Daly

Ordinance approving rules for administration, interpretation and regulation of Parental Leave as submitted by the Department of Human Resources.

(Fiscal impact.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

30. [030609](#) [Appropriate funding from the sale of certificates of participation for the Juvenile Hall Reconstruction Project] Mayor

Ordinance appropriating \$42,052,080 from the sale of certificates of participation by the Mayor's Office of Criminal Justice to fund the Juvenile Hall Reconstruction Project for fiscal year 2002-03. (Mayor)

Question: Shall this Ordinance be PASSED ON FIRST READING?

31. [030631](#) [Competitive Bid and Prevailing Wage Exemption for Job Training Program - San Francisco Conservation Corps] Supervisor Maxwell

Ordinance exempting the San Francisco Conservation Corps from the prevailing wage requirements and waiving the competitive bid requirements for the Recreation and Park Commission's award of a contract for construction of playgrounds, restoration of natural areas and implementation of erosion control measures in San Francisco parks.

Question: Shall this Ordinance be PASSED ON FIRST READING?

32. [030683](#) [Funding for the over-expenditures in the Conflicts Panel (Indigent Defense) Program] Mayor

Ordinance appropriating \$150,000 in the Child Support Services Fund and \$1,050,000 from the General Fund Reserve for a total of \$1,200,000 to cover over-expenditures in legal expenses associated with the Conflicts Panel (Indigent Defense) Program consisting of \$500,000 carried forward from FY 2001-02 and \$700,000 of FY 2002-03 for the Superior Court for fiscal year 2002-03. (Mayor)

(Fiscal impact.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

33. [030742](#) [Appropriation, \$1,600,000 - Department of Elections] Supervisor Gonzalez

Ordinance appropriating funding not to exceed \$1,600,000 from the General Fund Reserve

for professional services to implement a ranked-choice voting system for the Department of Elections for fiscal year 2002-03.

(Fiscal impact.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

34. [030845](#) [Appropriation - \$526,000, Department of Elections]

Ordinance appropriating \$526,000 from the General Fund Reserve to implement the ranked-choice voting public education plan for the Department of Elections for fiscal year 2002-03.

Question: Shall this Ordinance be PASSED ON FIRST READING?

35. [030342](#) [Accept and Expend Federal Grant Funds Under the Airport Improvement Program (AIP)]

Resolution authorizing the Airport Commission to accept and expend grant funds in a total amount of \$26,759,043 from the Federal Aviation Administration, and any subsequent amendments offered by the Federal Aviation Administration: \$24,259,043 to be expended on standard Airport improvements (A.I.P 23, Project No. 3-06-0221-23); and \$2,500,000 for Airport security improvements (A.I.P 24, Project No. 3-06-0221-24). (Airport Commission)

(Public Benefit Recipient.)

Question: Shall this Resolution be ADOPTED?

36. [030505](#) [Outreach Advertising]

Resolution designating the Asian Week to be outreach newspaper of the City and County of San Francisco for the Chinese community for outreach advertising for the fiscal year commencing July 1, 2003 and ending June 30, 2004; and designating El Mensajero and the Bay Area Reporter to be outreach newspapers for the Hispanic and Lesbian, Gay, Bisexual and Transgender communities for the fiscal year commencing July 1, 2003 and ending June 30, 2004. (Purchaser)

(Fiscal impact; No Public Benefit Recipient.)

Question: Shall this Resolution be ADOPTED?

37. [030506](#) [Official Advertising]

Resolution designating the San Francisco Independent to be the official newspaper of the City and County of San Francisco for the category of Type 2 non-consecutive day official advertising, for the fiscal year commencing July 1, 2003 and ending June 30, 2004. (Purchaser)

(Fiscal impact; No Public Benefit Recipient.)

Question: Shall this Resolution be ADOPTED?

38. [030653](#) [Mayor's Summer Food Service Program]

Resolution authorizing the Department of Children, Youth and Their Families to accept and expend a grant in the amount of \$420,350 from the United States Department of Agriculture for Mayor's Summer Food Service Program. (Mayor)

(No Public Benefit Recipient.)

Question: Shall this Resolution be ADOPTED?

39. [030693](#) **[Prevailing Wage Rates]**
Resolution fixing the prevailing wage rates for workers in public off-street parking lots, garages, or storage facilities for automobiles on property owned or leased by the City. (Civil Service Commission)
(No Public Benefit Recipient.)

Question: Shall this Resolution be ADOPTED?

40. [030730](#) **[Sale of Assessor's Block 3740, Lot 27 to Redevelopment Agency for \$10,034,140]**
Resolution approving the sale of real property commonly known as Assessor's Block 3740, Lot 27 (consisting of approximately 34,057 square feet and located along the west side of Spear Street between Folsom and Howard Streets) to the San Francisco Redevelopment Agency for \$10,034,140. (Mayor)
(Public Benefit Recipient.)

Question: Shall this Resolution be ADOPTED?

41. [030752](#) **[Purchase of Real Property at 1298 Ocean Avenue for the Public Library]** **Supervisor Sandoval**
Resolution authorizing the execution and performance of an Agreement of Purchase and Sale for Real Estate between the City and County of San Francisco and George Yasbek, a single man (the "Seller"), for the purchase of real property and improvements located at 1298 Ocean Avenue, San Francisco, for use as the Ingleside Branch Library of the San Francisco Public Library; adopting findings under the California Environmental Quality Act; and adopting the findings that the conveyance is consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1.
(Fiscal impact; Public Benefit Recipient.)

Question: Shall this Resolution be ADOPTED?

42. [030794](#) **[Exclusive Negotiating Agreement for Development of the Old Mint]** **Mayor, Supervisor Daly**
Resolution endorsing the City entering into an Exclusive Negotiating Agreement with the San Francisco Museum and Historical Society for the development of the Old Mint. (Mayor)

Question: Shall this Resolution be ADOPTED?

43. [030795](#) **[Conveyance of Old Mint]** **Mayor, Supervisor Daly**
Resolution authorizing the City to accept title to the Old Mint pursuant to a deed and programmatic agreement and adopting findings. (Mayor)

Question: Shall this Resolution be ADOPTED?

44. [030885](#) **[2003 Neighborhood Recreation and Park Facilities]**

General Obligation Bond Sale]

Resolution authorizing and directing the sale of not to exceed \$20,960,000 City and County of San Francisco General Obligation Bonds (Neighborhood Recreation and Park Facilities Improvement Bonds, 2000), Series 2003A; prescribing the form and terms of said bonds; authorizing the execution, authentication and registration of said bonds; providing for the appointment of depositories and other agents for said bonds; providing for the establishment of accounts related thereto; approving the forms of official notice of sale and notice of intention to sell bonds; directing the publication of the notice of intention to sell bonds; approving the form and execution of the official statement relating thereto; approving the form of the continuing disclosure certificate; approving modifications to documents; ratifying certain actions previously taken; and granting general authority to City officials to take necessary actions in connection with the authorization, issuance, sale and delivery of said bonds. (Mayor)

(No Public Benefit Recipient.)

Question: Shall this Resolution be ADOPTED?

From the Finance and Audits Committee Without Recommendation

Present: Supervisors Peskin, Sandoval, McGoldrick

45. [030400](#) [Approval of Lease Amendment for Waterfront Restaurant]

Resolution approving Fourth Lease Amendment to Port Lease No. L-11859 between the Port Commission and Bundox Restaurant, Inc., a California corporation ("Tenant") for the lease of real property commonly known as the Waterfront Restaurant for the term commencing on November 1, 2002 and ending January 31, 2025. (Port)

(Public Benefit Recipient.)

Question: Shall this Resolution be ADOPTED?

Recommendation of the Land Use Committee

Present: Supervisors McGoldrick, Maxwell

46. [030511](#) [Accept-Expend Foundation Grant]

Resolution authorizing the Department of Environment to accept and expend a grant in the amount of \$50,000 from the San Francisco Foundation for locating air monitoring equipment in San Francisco's Bayview Hunters Point community, placing \$10,000 on reserve.

(Environment)

(Public Benefit Recipient.)

Question: Shall this Resolution be ADOPTED?

Recommendations of the Rules Committee

Present: Supervisors Hall, Dufty, Gonzalez

47. [030660](#) [Settlement of Lawsuit - Carmi L. Johnson]

Ordinance authorizing settlement of the lawsuit filed by Carmi L. Johnson against the City

and County of San Francisco for \$85,000; the lawsuit was filed on March 2, 2001 in United States District Court, Northern District, Case No. C01-0904 SBA; entitled Carmi L. Johnson v. City and County of San Francisco, Roland Chen, Therese Madden; other material terms of said settlement are: 1. PUC to redistribute policies regarding prevention of harassment and retaliation; 2. City to provide contact individual at City Department of Human Resources for future EEO issues. (City Attorney)

(Public Benefit Recipient.)

(Supervisor Hall dissenting in committee.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

48.

[030034](#)

[Campaign Finance Reform Amendments of 2003]

Supervisor Gonzalez

Ordinance amending Article I, Chapter 1 of the Campaign and Governmental Conduct Code by amending sections 1.104, 1.114, and 1.148 to clarify and consolidate definitions; amending section 1.106 to clarify that State law is incorporated; amending section 1.108 to clarify that it applies only to candidates; amending section 1.110 to provide the Ethics Commission discretion to provide additional office hours prior to an election and to conform to minimum state law record retention periods; amending section 1.114 to apply contribution limits to affiliated entity contributions, to authorize the Ethics Commission to determine when contributions must be returned and to reduce or waive forfeiture penalties, and to clarify that limits apply to special elections; amending section 1.116 to extend loan limitations to candidates for all City elective offices and to authorize the Commission to adjust these amounts; amending section 1.122 to clarify that campaign funds may be used for officeholder expenses, to provide that certain surplus funds may be donated to charity, and that contributions transferred between a candidate's committees must be attributed to specific contributors; deleting section 1.124 on money laundering because the ordinance already incorporates state law provisions; amending section 1.126 to extend the time period city contractors are prohibited from making contributions to public officials who approve their contracts; amending section 1.128 to provide a penalty for violating an agreement to limit campaign spending; amending section 1.130 to clarify that expenditure ceilings apply in special elections and to reflect that spending limits have been adjusted for inflation; amending sections 1.134 and 1.152, deleting section 1.146 and adding a new section 1.135 to consolidate and harmonize provisions on lifting the spending limits; amending section 1.140 to correct cross-references, to require that candidates file a statement of intent to participate in public financing, to lower to \$5,000 the threshold for qualifying for public financing, and to provide additional time for qualifying for public financing, amending section 1.142 to require filing of statement of intent to participate in public financing program; amending section 1.150 to provide that repayment of public funds shall be made to the Ethics Commission, rather than the Controller, for deposit in the Election Campaign Fund; amending section 1.152 to conform language to other amended sections; amending sections 1.144 and 1.154 to extend the time for the Ethics Commission to determine whether pro-rata is required; amending section 1.162 to clarify that the notice provision applies only to mass mailings; amending section 1.163 to require recordkeeping for recorded telephone messages; amending section 1.164 to clarify references; amending section 1.168 to eliminate language suggesting that persons can obtain immunity if they do not receive a response to a request for advice within a specified period of time; amending section 1.170 to increase the penalties for violations of the Ordinance to \$5,000, to incorporate penalties described in section 1.172, and to clarify personal and joint and several liability; deleting section 1.172; and amending section 1.174 to clarify that the department of elections may decline to certify a nomination if a candidate fails to file a statement regarding acceptance or rejection of spending limits.

(No Public Benefit Recipient.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

Present: Supervisors Hall, Dufty

49. [030740](#) [Amending Rule 4.29 at Board of Supervisors meetings] **Supervisor Gonzalez**

Motion amending Rule 4.29 of the Rules of Order of the Board of Supervisors to provide that at meetings of the Board of Supervisors the recognition of public dignitaries shall occur at 2pm, and the recognition of commendations shall occur at 3pm.

Question: Shall this Motion be ADOPTED?

Present: Supervisors Hall, Dufty, Gonzalez

(Pursuant to the provisions of Rule 2.28.7 of the Board's Rules of Order, at least six days must intervene between the first appearance of a proposed Charter amendment before the Board as a referral from committee and any Board order of submission to the electorate. in accordance therewith consideration of the proposed Charter amendment appropriately may be continued at least one week.)

50. [030426](#) [Charter Amendment - Creating a Small Business Commission] **Supervisors Daly, Peskin, Dufty, Gonzalez, Hall**

Charter amendment (Second Draft) to amend the Charter by adding Section 4.134 to establish a Small Business Commission.

Question: Shall this Charter Amendment be SUBMITTED?

SPECIAL ORDER 2:50 P.M.

51. [030922](#) [Youth Commission Year End Report]
Report from the San Francisco Youth Commission. (Clerk of the Board)

Action: _____

SPECIAL ORDER 3:00 P.M.

Board of Supervisors Sitting as a Committee of the Whole

52. [030911](#) [Committee of the Whole - Bielson Hearing]
Hearing to consider the Department of Public Health's budget eliminating or reducing medical services. (Bielson Hearing) (See Public Notice posted outside the Clerk of the Board's Office, Room 244, City Hall) (Clerk of the Board)

Action: _____

SPECIAL ORDER 3:00 P.M.

53. [030886](#) **[Appeal, Mitigated Negative Declaration - O'Shaughnessy Dam at the Yosemite National Park]**
Hearing of persons interested in or objecting to the decision of the Planning Commission by its Motion No. 16573 adopted May 1, 2003, approving a mitigated negative declaration for the proposed development at O'Shaughnessy Dam at the Yosemite National Park, Tuolumne County. (Restore Hetch Hetchy and Sierra Club Appellants)
(Appeal filed May 9, 2003 and May 15, 2003 by Restore Hetch Hetchy and Sierra Club SF Chapter respectively.

Action: _____

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

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

54. [030887](#) **[Affirming adoption of the negative declaration for the O'Shaughnessy Dam Discharge Modification Project]**
Motion affirming the Planning Commission adoption of the negative declaration for the O'Shaughnessy Dam Discharge Modification Project. (Clerk of the Board)

Question: Shall this Motion be ADOPTED?

55. [030888](#) **[Reversing adoption of the negative declaration for the O'Shaughnessy Dam Discharge Modification Project]**
Motion reversing the Planning Commission adoption of the negative declaration for the O'Shaughnessy Dam Discharge Modification Project. (Clerk of the Board)

Question: Shall this Motion be ADOPTED?

56. [030889](#) **[Preparation of findings to reverse adoption of the negative declaration for the O'Shaughnessy Dam Discharge Modification Project]**
Motion directing the Clerk of the Board to prepare findings reversing the Planning Commission adoption of the negative declaration for the O'Shaughnessy Dam Discharge Modification Project. (Clerk of the Board)

Question: Shall this Motion be ADOPTED?

SPECIAL ORDER 3:00 P.M.

57. [030838](#) **[Public Hearing - Appeal, Statutory Exemption, Wharf J-10]**
Hearing of persons interested in or objecting to the decision of the Planning Department dated April 15, 2003, approving a statutory exemption from the California the California Environmental Quality Act under Public Resources Code Section 21080(b)(4). (Frank Alioto

Company, Inc. Appellant)

(Appeal filed May 6, 2003 and supplemented May 7, 2003 by Frank Alioto Company, Inc.;
Determination date of Statutory Exemption: April 15, 2003.)

Action: _____

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

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

58. [030840](#) **[Finding Appeal of the Statutory Exemption for Wharf J-10 Timely]**
Motion finding the appeal of the statutory exemption issued on April 15, 2003 for Wharf J-10 timely filed. (Clerk of the Board)
Question: Shall this Motion be ADOPTED?
59. [030839](#) **[Finding Appeal of the Statutory Exemption for Wharf J-10 Untimely]**
Motion finding the appeal of the statutory exemption issued on April 15, 2003 for Wharf J-10 not timely filed. (Clerk of the Board)
Question: Shall this Motion be ADOPTED?
60. [031045](#) **[Finding of the Statutory Exemption for Wharf J-10 Untimely but Determining to Hear and Determine the Appeal]**
Motion finding the appeal of statutory exemption issued on April 15, 2003 not timely filed but determining to hear and determine the appeal. (Clerk of the Board)
Question: Shall this Motion be ADOPTED?

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

61. [030906](#) **[Affirming the statutory exemption issued for Wharf J-10]**
Motion affirming the determination by the Planning Department that the Wharf J-10 project is statutorily exempt from the California Environmental Quality Act as specific actions necessary to prevent or mitigate an emergency. (Clerk of the Board)
Question: Shall this Motion be ADOPTED?
62. [030907](#) **[Disapproving the statutory exemption issued for Wharf J-10]**
Motion disapproving the determination by the Planning Department that the Wharf J-10 project is statutorily exempt from the California Environmental Quality Act as specific

actions necessary to prevent or mitigate an emergency. (Clerk of the Board)

Question: Shall this Motion be ADOPTED?

63. [030908](#) [Preparation of findings to disapprove statutory exemption issued for Wharf J-10]

Motion directing the Clerk of the Board to prepare findings related to the appeal of the determination by the Planning Department that the Wharf J-10 project is statutorily exempt from the California Environmental Quality Act as specific actions necessary to prevent or mitigate an emergency. (Clerk of the Board)

Question: Shall this Motion be ADOPTED?

COMMITTEE REPORTS

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

The following item will be considered by the Budget Committee at a Special Meeting on Thursday, June 5, 2003 at 9:30 a.m. The Chair intends to request the Committee to send the following item to the Board as a committee report.

From the Budget Committee

- 64. 030830 [Public Works Code Permit Fees and Assessment] Mayor**
Ordinance adding Article 2.1 of the Public Works Code to add sections 2.1.1, 2.1.2, 2.1.3, and 2.1.4 concerning permit fees and occupancy assessments, specifying procedures to establish such permit fees and assessments, amending section 2.4.45 to modify the procedures for fee review and adjustments, and making environmental findings. (Mayor)

Question: Shall this Ordinance be PASSED ON FIRST READING?

From the City Services Committee

The following item will be considered by the City Services Committee at a Special Meeting on Thursday, June 5, 2003 at 9:30 a.m. The Chair intends to request the Committee to send the following item to the Board as a committee report.

- 65. 030918 [Halloween in the Castro] Supervisors Dufty, Ammiano, Ma, Newsom**
Resolution recognizing and establishing Halloween in the Castro as an official City event, encouraging the involvement and cooperation of City Agencies to prepare for this year's Halloween and identifying the basic parameters of this event.

Question: Shall this Resolution be ADOPTED?

66. ROLL CALL FOR INTRODUCTIONS

Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, letters of request to the City Attorney and Board Members' reports on their regional body activities.

67. PUBLIC COMMENT

CONFERENCE WITH CITY ATTORNEY - Existing Litigation

City as Plaintiff and Defendant

70. 031014 [Closed Session - Existing Litigation, City as Plaintiff and Defendant]

Motion that the Board of Supervisors convene in closed session with the City Attorney for the purpose of conferring with, or receiving advice from, the City Attorney regarding the following existing litigation and administrative claims in which, in sum, Tammy Haygood challenges her removal as Director of the Department of Elections.

Government Code Section 54956.9(a) and San Francisco Administrative Code Section 67.10(d)(1) permit this closed session. Discussion in open session concerning these matters would likely and unavoidably prejudice the position of the City in the pending litigation and administrative claims listed below.

San Francisco v. Civil Service Commission of San Francisco (Tammy Haygood, Real Party In Interest), S. F. Superior Court No. CPF-02-501387 (filed July 15, 2002)

Tammy Haygood v. Michael Mendelson, et al., U. S. District Court No. C02-03433 WHA (filed July 17, 2002)

Haygood v. Mendelson, Department of Fair Employment and Housing No. E200203A1013-06-amrse (filed January, 2003)

Haygood v. San Francisco, California Department of Labor Claim (filed February, 2003 (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 existing 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 71 through 87

71. [030926](#) [Homeless Death Count]

Supervisor Newsom

Resolution urging the Medical Examiner and the Director of the Department of Public Health, in collaboration with the Mayor's Office of Homelessness, to reactivate the Homeless Death Prevention Community Advisory Board or some other appropriate policy-making group to track and analyze the death of homeless individuals.

5/20/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

72. [030930](#) **[Commend Joe Lynn]** **Supervisors Gonzalez,
Ammiano, Newsom, Maxwell,
McGoldrick, Peskin, Sandoval,
Dufty, Ma, Daly, Hall**

Resolution commending Joe Lynn, Campaign Finance Officer of the Ethics Commission for his tireless efforts in promoting the public's right to know the state of campaign finance in San Francisco.

5/20/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

73. [030931](#) **[Commend Chief Juvenile Probation Officer Jesse E. Williams Jr.]** **Supervisors Maxwell, Dufty**

Resolution commending Chief Juvenile Probation Officer Jesse E. Williams Jr. for his exemplary services and dedication to San Francisco.

5/20/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

74. [030932](#) **[Extension of Planning Commission Review Period]** **Supervisor McGoldrick**

Resolution extending the prescribed time within which the Planning Commission may render its decision on a proposed ordinance to amend the San Francisco Planning Code by amending Sections 311 and 312 to require expanded public notice of exterior alteration projects and requiring the Building and Planning Departments to issue implementing regulations within 90 days and report to the Board on the effectiveness of the ordinance no later than nine months thereafter.

5/20/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

75. [030933](#) **[SFUSD to Consider Tagalog/Filipino Language Access for Students]** **Supervisor Sandoval**

Resolution urging the San Francisco Unified School District to consider Tagalog/Filipino language access and studies as a necessary part of the school system curriculum.

5/20/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

76. [030934](#) **[Reconsideration of Board of Supervisors Raise]** **Supervisor Newsom**
Resolution requesting that the Civil Service Commission reconsider its decision to give the Board of Supervisors a \$74,735 raise.
5/20/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
77. [030935](#) **[Healthy Business Environment in Chinatown]** **Supervisors Peskin, Ma, Dufty**
Resolution supporting efforts to foster a healthy, expanding business environment in San Francisco's Chinatown during these economically challenging times.
5/20/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
78. [030936](#) **[SS Jeremiah O'Brien Day]** **Supervisors Peskin, Dufty**
Resolution declaring June 19, 2003 SS Jeremiah O'Brien Day in celebration of the 60th birthday of the sole operational survivor of the 5,000 ship armada that stormed Normandy Beachheads on D-Day.
5/20/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
79. [030937](#) **[Supporting Senate Bill 304]** **Supervisor Peskin**
Resolution supporting Senate Bill 304 and efforts in the California State Senate to foster greater competition in the retail gasoline market.
5/20/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
80. [030938](#) **[Recycled paper for catalogs]** **Supervisor Peskin**
Resolution urging the consumer catalog industry to use 50 percent post-consumer recycled paper for catalogs, to preserve natural resources, to conserve landfill space, and to reduce air and water pollution associated with the manufacturing of virgin wood-fiber paper.
5/20/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
81. [030996](#) **[Establishing initial terms of office for three members of the Entertainment Commission appointed by the Board of Supervisors]** **Supervisor Hall**
Resolution establishing initial terms of office for the three members of the Entertainment Commission appointed by the Board of Supervisors: James Meko (through June 30, 2007), Terrance Alan (through June 30, 2006), and Erik Joseph Pred (through June 30, 2005).
6/3/2002, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

- 82.** [031041](#) **[Commending San Francisco Food Bank]** **Supervisor Daly**
Resolution commending the San Francisco Food Bank for their participation in Hunger Awareness Day.

6/3/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

- 83.** [031042](#) **[Supporting National Coalition for the Homeless]** **Supervisor Daly**
Resolution supporting the National Coalition for the Homeless recommendations to combat hate crimes and/or acts of violence against people experiencing homelessness.

6/3/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

- 84.** [031043](#) **[Destruction of Non-Felony Case Files]** **Supervisor Ma**
Resolution authorizing the Office of the Public Defender to destroy non-felony case files eight years after the final disposition of the case.

6/3/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

- 85.** [031044](#) **[Commend Sing Tao Daily]** **Supervisor Sandoval**
Resolution commending the Sing Tao Daily for 65 years of outstanding service to the Chinese community in the Bay Area.

6/3/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

- 86.** [030965](#) **[Needle Exchange Emergency]** **Supervisors Ammiano, Newsom,
Daly, Peskin, McGoldrick,
Maxwell, Dufty**

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

6/3/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be ADOPTED?

- 87.** [030950](#) **[Final Map for a 10 Unit Commercial / Residential
Condominium Project]**
Motion approving Final Map of 222 Valencia Street, a Commercial / Residential Condominium Project, being a subdivision of Lot 4 in Assessor's Block No. 3533, and adopting findings pursuant to Planning Code Section 101.1. (Public Works Department)
(No Public Benefit Recipient; DPW Order No. 174,152; District 6.)

5/27/2003, 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: _____*

88. 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 28, 2003 through June 2, 2003, for reference by President to appropriate committee on June 10, 2003.

030941 [Vacation of easements in approximately 260 square foot portion of the N2 mid-block walkway (Assessor's Block 8706, Lot 2)]

Ordinance ordering the vacation of two (2) portions of the pedestrian ingress and egress easement and public utility easement in the N2 mid-block walkway (Assessor's Block 8706, Lot 2), within the Mission Bay North Redevelopment Project Area; authorizing a quitclaim of the City and County of San Francisco's rights and interest in the vacated areas; adopting

findings that such actions are consistent with the City's General Plan, the eight priority policies of City's Planning Code Section 101.1 and the Mission Bay North Redevelopment Plan; accepting Department of Public Works Order No. 174,111; and authorizing other official acts in connection with this ordinance. (Public Works Department)

(No Public Benefit Recipient; DPW Order No. 174,111.)

5/23/2003, RECEIVED AND ASSIGNED to Land Use Committee.

030948 [Ordering vacation of portion of Berry Street at Sixth Street and approving a Property Exchange Agreement in Mission Bay North]

Ordinance ordering the vacation of a 639.5 Sq. Ft. portion of Berry Street at Sixth Street within the Mission Bay Redevelopment Project Area subject to reservations of certain utility easements in the vacated area; authorizing a quitclaim of the City and County of San Francisco's rights and interest in the vacated area to Catellus Development Corporation ("Catellus"); approving the Property Exchange Agreement (Mission Bay North Plan Area) to acquire certain Catellus properties in exchange for certain City properties; adopting findings that such actions are consistent with the City's General Plan, priority policies of City's Planning Code Section 101.1 and the Mission Bay North Redevelopment Plan; accepting Department of Public Works Order No. 174,110; and authorizing official acts in connection with this ordinance. (Public Works Department)

(No Public Benefit Recipient; DPW Order No. 174,110.)

5/23/2003, RECEIVED AND ASSIGNED to Land Use Committee.

030955 [Settlement of Lawsuit - Armenta, et al., v. James Jones Co., et al.]

Ordinance authorizing settlement of the lawsuit filed by the City and County of San Francisco against the James Jones Company, Mueller Co., Tyco International and Watts industries, for a payment to the City in the amount of \$2,890,908; the lawsuit was filed on June 26, 1997 in Los Angeles County Superior Court, Case No. BC 173-487; entitled Los Angeles Department of Water and Power ex rel Armenta, et al., v. James Jones Co., et al. (City Attorney)

(No Public Benefit Recipient.)

031013 [Settlement of Lawsuit - Dillingham Construction N.A. et al., v. City and County of San Francisco, et al.]

Ordinance authorizing settlement of the lawsuit filed by Dillingham Construction N.A. against the City and County of San Francisco for \$2,400,000.00; 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 in part through the release of \$1,050,000.00 from an unpaid progress payment and the retention account held 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)

(Public Benefit Recipient.)

PROPOSED RESOLUTIONS

Proposed resolutions received from May 28, 2003 through June 2, 2003, for reference by President to appropriate committee on June 10, 2003.

030884 [Lease of Real Property]

Resolution authorizing a lease renewal at 44 Gough Street for the Department of Human Resources. (Real Estate Department)

(Public Benefit Recipient.)

5/22/2003, RECEIVED AND ASSIGNED to Finance and Audits Committee.

030927 [Accept-Expend State Grant]

Supervisor Dufty

Resolution authorizing the Sheriff's Department to accept and expend a grant in the amount of \$15,000 from the State of California Controller's Office for funding technology-related acquisitions to enhance public safety. (Sheriff)

(No Public Benefit Recipient.)

5/27/2003, RECEIVED AND ASSIGNED to City Services Committee.

030940 [Vacation of easements in approximately 260 square foot portion of the N2 mid-block walkway (Assessor's Block 8706, Lot 2)]

Resolution declaring the intention of the Board of Supervisors to vacate two (2) portions of the pedestrian ingress and egress easement and public utility easement in the N2 mid-block walkway (Assessor's Block 8706, Lot 2) within the Mission Bay North Redevelopment Project Area; setting the hearing date for all persons interested in the proposed vacation of the easement areas; and adopting findings that the vacation is consistent with the City's General Plan, the eight priority policies of City Planning Code Section 101.1 and the Mission Bay North Redevelopment Plan; accepting DPW Order No. 174,111; and authorizing other official acts in connection with this Resolution. (Public Works Department)

5/23/2003, RECEIVED AND ASSIGNED to Land Use Committee.

030947 [Mission Bay Street Vacation a portion of Berry Street at Sixth Street]

Resolution declaring the intention of the Board of Supervisors to vacate a portion of Berry Street at Sixth Street within the Mission Bay North Redevelopment Project Area; setting the hearing date for all persons interested in the proposed vacation of said street area; and adopting findings that the proposed vacation is consistent with the City's General Plan, the eight priority policies of City Planning Code section 101.1 and the Mission Bay North Redevelopment Plan. (Public Works Department)

No Public Benefit Recipient; DPW Order No. 174,110.)

5/23/2003, RECEIVED AND ASSIGNED to Land Use Committee.

030952 [STOP Intersections]

Resolution designating certain intersections as "STOP" intersections.

STOP SIGNS - ESTABLISH

Alemaný Boulevard at Justin Drive, stopping Justin Drive at Alemaný Boulevard, north intersection, making this T-intersection an all-way STOP; 15th and De Haro Streets, stopping De Haro Street, making this intersection an all-way STOP; and Eucalyptus Avenue, Junipero Serra Frontage Road and Ocean Avenue, stopping Junipero Serra Frontage Road at Ocean Avenue; and stopping Eucalyptus Avenue at Ocean Avenue, making this five-legged intersection a three-way STOP. (Parking and Traffic Department)

(5/28/03: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 2637; No Public Benefit Recipient.)

5/30/2003, RECEIVED AND ASSIGNED to Land Use Committee.

030953 [Traffic Regulations, Various Streets]

Resolution enacting and rescinding traffic regulations on various streets.

DIAMOND (TRANSIT ONLY) LANE, AT ALL TIMES - ESTABLISH

4th Street, right lane, between Minna and Mission Streets; and
4th Street, second lane from right curb lane, between Howard and Minna Streets.

DIAMOND (TRANSIT ONLY) LANE, FROM 3 PM TO 7 PM, MONDAY THROUGH FRIDAY - ESTABLISH

4th Street, right curb lane, between Clementina and Howard Streets.

STREET CLOSURE, EVERYDAY, FROM 10 AM TO 10 PM - EXTENSION OF HOURS

Claude Lane, between Bush and Sutter Streets. (This street is already closed everyday, from 10:00 AM to 3:00 PM and then again from 5:30 PM to 10:00 PM. This would simply extend the closure times to be continuous from 10:00 AM to 10:00 PM).

NO TURN ON RED - ESTABLISH

Drumm Street, southbound, at Market Street. (Parking and Traffic Department)

(5/28/03: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 2637; No Public Benefit Recipient.)

5/30/2003, RECEIVED AND ASSIGNED to Land Use Committee.

030954 [Parking Regulations, Various Locations]

Resolution enacting and rescinding parking regulations at various locations.

RESIDENTIAL PERMIT PARKING AREA "S" (2-HOUR TIME LIMIT, 8 AM - 9 PM, MONDAY THROUGH FRIDAY) - ESTABLISH

Webster Street, west side, between Haight and Page Streets (200 block); and
Guerrero Street, east side, between 18th and 19th Streets (600 block).

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

25th Street, both sides, between Alabama and Florida Streets (3000 block).

RESIDENTIAL PERMIT PARKING AREA "X" (2-HOUR TIME LIMIT, 8 AM - 6 PM, MONDAY THROUGH FRIDAY) - ESTABLISH

20th Street, south side, between Missouri and Texas Streets (1400 block).

RESIDENTIAL PERMIT PARKING AREA "Z" (2-HOUR TIME LIMIT, 8 AM - 6 PM, MONDAY THROUGH FRIDAY) - ESTABLISH

Sanchez Street, both sides, between 27th and Cesar Chavez Streets (1300 block).

RESIDENTIAL PERMIT PARKING AREA "G" (2-HOUR TIME LIMIT, 8 AM - 6 PM, MONDAY THROUGH FRIDAY) - ESTABLISH

Broderick Street, east side, between Post and Sutter Streets (1500 block, even numbers only);

Note: No signs will be posted on this block.

Broderick Street, east side, between Garden and Post Streets (1400 block);

Broderick Street, west side, between Geary Boulevard and Post Street (1400 block); and 2300 block of Post Street, both sides, between Broderick and Divisadero Streets (includes odd addresses 2325 to 2399 and even addresses 2352 to 2398 only);

TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH

26th Street, north side, from 40 feet to 245 feet west of Wisconsin Street.

RESIDENTIAL PERMIT PARKING AREA "I" (1-HOUR TIME LIMIT, 9 AM - 6 PM, MONDAY THROUGH SATURDAY) - ESTABLISH

Treat Avenue, both sides, between 24th and 25th Streets (1100 block).

TOW-AWAY, NO STOPPING, 3 PM - 7 PM, MONDAY THROUGH FRIDAY - ESTABLISH

4th Street, west side, between Clementina and Howard Streets.

TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH

Ocean Avenue, south side, from Harold Avenue to 95 feet westerly.

UNMETERED MOTORCYCLE PARKING - ESTABLISH

210-212 Noe Street, west side, 47 feet south of 15th Street (two spaces).

TOW-AWAY, NO PARKING, 6 PM TO 6 AM EVERY NIGHT, EXCEPT MUNI BUSES - ESTABLISH

Treat Avenue, west side, from 15th Street to 80 feet southerly; and

Treat Avenue, east side, from 15th Street to Harrison Street.

TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH

Geary Boulevard, south side, between Funston Avenue and Park Presidio Boulevard.

NO PARKING ANYTIME - RESCIND

TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH

Geary Boulevard, north side, between Funston Avenue and Park Presidio Boulevard.

RESIDENTIAL PERMIT PARKING AREA "N" (2-HOUR TIME LIMIT, 9 AM - 6 PM, MONDAY THROUGH FRIDAY) - ESTABLISH

Clement Street, both sides, between 14th and Funston Avenues;
Anza Street north side, between 14th and Funston Avenues; and
Anza Street, south side, between 14th Avenue and Park Presidio Boulevard.

TOW-AWAY, NO PARKING ANYTIME - ESTABLISH

17th Street, south side, from Valencia Street to 86 feet westerly; and
Valencia Street, west side, from 73 feet to 196 feet south of 17th Street.

RESIDENTIAL PERMIT PARKING AREA "B" - RESCIND

RESIDENTIAL PERMIT PARKING AREA "CC" (2-HOUR TIME LIMIT, 9 AM - 5 PM, MONDAY THROUGH FRIDAY) - ESTABLISH

Belle Avenue, both sides, between Junipero Serra Boulevard and St. Charles Avenue;
Chester Avenue, both sides, between Belle Avenue and Payson Street;
Palmetto Avenue, both sides, between Junipero Serra and Alemany Boulevards;
Payson Street, both sides, between Chester and St. Charles Avenues;
St. Charles Avenue, both sides, between Payson Street and south terminus;
Kempton Avenue, both sides, between Alemany Boulevard and Brotherhood Way;
Alemany Boulevard, north side, between St. Charles Avenue and Arch Street;
Alemany Boulevard, south side, between Worcester Avenue and Ramsell Street;
Alemany Boulevard, south side, between Junipero Serra Boulevard and
St. Charles Avenue;
Ramsell Street, both sides, between Alemany Boulevard and Palmetto Avenue;
Palmetto Avenue, north side, between Ramsell and Victoria Streets;
Niantic Avenue, west side, between Panama Street and St. Charles Avenue; and
Panama Street, both sides, between Niantic Avenue and the western terminus.
(Note: No signs will be installed on Panama Street)

RESIDENTIAL PERMIT PARKING AREA "B" (2-HOUR TIME LIMIT, 9 AM- 5 PM, MONDAY THROUGH FRIDAY) - ESTABLISH

Alemany Boulevard, north side, between Arch Street and Brotherhood Way;
Alemany Boulevard, south side, between St. Charles and Worcester Avenues; and
Arch Street, both sides, between Alemany Boulevard and Brotherhood Way.

RESIDENTIAL PERMIT PARKING AREAS "B" AND "CC" (2-HOUR TIME LIMIT, 9 AM TO 5 PM, MONDAY THROUGH FRIDAY) - ESTABLISH

Palmetto Avenue, south side, between Head and Ramsell Streets.

RESIDENTIAL PERMIT PARKING AREA "CC" (2-HOUR TIME LIMIT, 9 AM - 5 PM, MONDAY THROUGH FRIDAY) - ESTABLISH

Alemany Boulevard, south side, between Head and Ramsell Streets;
Palmetto Avenue, north side, between Victoria and Head Streets; and
Victoria Street, both sides, between Alemany Boulevard and Palmetto Avenue. (Parking and Traffic Department)

(5/28/03: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 2637; No Public Benefit Recipient.)

5/30/2003, RECEIVED AND ASSIGNED to Land Use Committee.

031015 [Third Amendment to the Management Agreement for Moscone Convention Center and Civic Auditorium]

Resolution authorizing the City Administrator to enter into a Third Amendment to the Management Agreement for Moscone Convention Center and Civic Auditorium.
(Administrative Services Department)

(Public Benefit Recipient.)

6/2/2003, RECEIVED AND ASSIGNED to Finance and Audits Committee.

031046 [Petitions and Communications]

Petitions and Communications received from May 28, 2003 through June 2, 2003, for reference by the President to Committee considering related matters or to be ordered filed by the Clerk on June 10, 2003.

From Erika Tarantino, filing notice of appeal for 3725 Buchanan Street from action of Planning Commission. (1)

From Public Utilities Commission, submitting list of grants awarded to the Public Utilities Commission in the past year. (Reference No. 20030422-006) Copy: Supervisor Newsom(2)

From Public Utilities Commission, regarding Public Utilities Commission's Capital Improvement Program. (Reference No. 20030401-005) Copy: Supervisor Ammiano(3)

From Public Utilities Commission, submitting status report on Capital Projects and the Storm Water Management Plan, Draft of Fact Sheet #1. (Reference No. 20030422-015) Copy: Supervisor Newsom(4)

From Office of the City Administrator, submitting list of real property assets as well as leasehold interests of the City and County of San Francisco, as reported to the City Administrator through the Real Estate Division. Copy: Supervisors Gonzalez, Daly(5)

From concerned citizens, submitting support for an enhancement and not a reduction to the Department of Building Inspection budget. Copy: Budget Committee(6)

From Planning Department, regarding the status of the Schlage Lock site in the Vistacion Valley neighborhood. (Reference No. 20030422-003) Copy: Supervisor Newsom(7)

From Port of San Francisco, regarding the Bryant Street Piers Project/Brannan Street Wharf, Piers 1 1/2-3-5, Piers 27-31 Recreation Project, Pier 70, China Basin Shoreline Park, Ferry Building and the Rincon Park Restaurants project. (Reference No. 20030422-018) Copy: Supervisor Newsom(8)

From Port of San Francisco, submitting copy of letter sent to the Department on the Status of Women and CEDAW Task Force regarding the impact of budget cuts on the City's equal access to City services for limited English speakers. File 030530, Copy: Each Supervisor(9)

From Department of Parking and Traffic, regarding installation of an all-way Stop control sign at the intersection of Connecticut and Peter Sammon Way (19th Street). (Reference No. 20030415-006) Copy: Supervisor Maxwell(10)

From Department of Human Services, submitting copy of letter sent to the Department on the Status of Women and CEDAW Task Force regarding the impact of budget cuts on the City's equal access to City services for limited English speakers. File 030530, Copy: Each Supervisor(11)

From Office of the Treasurer/Tax Collector, submitting annual report of businesses that filed for tax credits for the 2002 calendar year.(12)

From Department of Aging and Adult Services, concerning procedures governing risk management for City departments and recommending improvements to mitigate or avoid future risk. (Reference No. 2003025-147) Copy: Supervisor McGoldrick(13)

From Coalition for San Francisco Neighborhoods, requesting a member of the Coalition for San Francisco Neighborhoods be given a seat on the expanded Branch Library Improvement Program Advisory Committee. Copy: Supervisor McGoldrick(14)

From Bill Carlin, commenting on letter written by the Chairperson of the Natural Areas Program Citizens Advisory Committee (NAPCAC), dated May 19, 2003.(15)

From concerned citizens, submitting opposition to members of the Board of Supervisors "accepting a large salary increase" especially when the City already has a budget deficit. Copy: Each Supervisor(16)

From SF Environment, submitting a list of state and federal grants currently received by the Department of the Environment.(17)

From Metropolitan Transportation Commission, regarding proposal to appoint alternates to the Metropolitan Transportation Commission. Copy: Supervisor Ammiano(18)

From Airport Director, regarding proposed ordinance to rescind \$700,000 from the Airport's capital funds project; and appropriate \$700,000 to pay for the retention of contract custodians at the Airport. File 030804, Copy: Each Supervisor(19)

From State Public Utilities Commission, regarding decision by an administrative law judge, soliciting comments concerning the issues addressed in the Workshop Report.(20)

From Recreation and Park Department, concerning procedures governing risk management for City departments and recommending improvements to mitigate or avoid future risk. (Reference Nos. 20030325-052, 117 and 182) Copy: Supervisor McGoldrick(21)

From Recreation and Park Department, submitting annual report for the Occupational Environment, Health and Safety Program.(22)

From Planning Department, submitting Certificate of Determination of Exemption/Exclusion from Environmental Review for proposed ordinance that prohibits retail coffee stores in the Hayes-Gough Neighborhood Commercial District. File 030350(23)

From Planning Department, submitting Certificate of Determination of Exemption/Exclusion from Environmental Review for resolution approving a Cooperative Agreement between the City, the Transbay Joint Powers Authority and the State Department of Transportation ("Caltrans").(24)

From Office of the Controller, submitting Interim Annual Appropriation Ordinance for 2003/04.(25)

From Office of the Mayor, requesting the Board consider an exception to the Annual Appropriation Ordinance and the Interim Annual Salary Ordinance for 2003-2004; and authorize 88 full time new positions during the interim budget period of July 1, 2003 through July 31, 2003. Copy: Each Supervisor(26)

From Municipal Transportation Agency (MUNI), submitting request for waiver of Chapter 12B and 12C of the Administrative Code for Financial Security Assurance and U.S. Bank National Association in connection with Tranche 2 of the Breda Vehicle Lease-Leaseback Transaction.(27)

From Department of Public Health, submitting notice of public hearing regarding proposed fiscal year 2003-04 budget reductions at all public health facilities and clinics in San Francisco. File 030911(28)

From Department of Public Works, submitting list of state and federal grants awarded to the Department of Public Works in the past year. (Reference No. 20030422-007) Copy: Supervisor Newsom(29)

From Assessment Appeals Board, submitting monthly activity report for period ending May 31, 2003.(30)

From concerned citizens, regarding proposed changes to the City's General Plan.File 021661(31)

From Reuben & Alter, LLP, regarding proposed appeal for Conditional Use Authorization for property located at 40-50 Lansing Street.(32)

From Brian Banuelos, regarding homeless people camped out at the corner of 18th Street and Storrle Street. Copy: Each Supervisor(33)

From John Jenkel, commenting on various government officials. 2 letters(34)

From Lian Ladia, submitting opposition to closing a senior service program at 19th and Mission Streets. Copy: Each Supervisor(35)

From William Spencer, regarding San Francisco's budget shortfall. Copy: Each Supervisor(36)

From The Presidio Trust, regarding traffic issues at the 15th Avenue gate near the Presidio. (Reference No. 20030506-003) Copy: Supervisor Newsom(37)

From James Corrigan, commenting on proposed budget cuts. Copy: Budget Committee(38)

From Department of Human Services, regarding the department's ability to utilize federal and state welfare funds to create a local tax credit program. (Reference No. 20030411-020) Copy: Supervisor Newsom(39)

From Emergency Communications Department, concerning procedures governing risk management for City departments and recommending improvements to mitigate or avoid future risk. (Reference No. 20030325-141) Copy: Supervisor McGoldrick(40)

From Department of Children, Youth and Their Families, submitting notice that no cost was incurred due to the anti-war protest in March 2003. (Reference No. 20030325-071) Copy: Supervisor Hall(41)

From Office of the Mayor, concerning a number of reorganizations that will improve efficiency and provide budgetary savings. Copy: Supervisors Daly, Peskin, Maxwell, Ma, Gonzalez,(42)

From Municipal Transportation Agency (Muni), submitting revised proposed budget for fiscal year 2004. Copy: Budget Committee(43)

From Human Rights Commission, submitting the Disparity Analysis MBE/WBE Disparity Analysis Utilization Report for April 2003.(44)

From concerned citizens, submitting support for the implementation of the "Care Not Cash" program.File 0300848(45)

From James Chaffee, regarding the Branch Library Improvement Program Committee.(46)

From Port of San Francisco, submitting list of state and federal grants awarded to the Port in the past year. (Reference No. 20030422-10) Copy: Supervisor Newsom(47)

From S.F. Transportation Authority, submitting proposed annual budget for fiscal year 2003/04.(48)

From City Hub Neighborhood Alliance, commenting on a newspaper article in the SF Business Times regarding "chain stores" warning system.(49)

From Matthew Robinson, commenting on the price of Bart fares from San Francisco to Millbrae. Copy: Each Supervisor(50)

From Kathleen Quinn, submitting support to settle the lawsuit with Tammy Haygood, the former Director of Elections. Copy: Each Supervisor(51)

From Eileen Reyes, submitting request for a full investigation into why the Retirement Board is attempting to appoint Pacific Corporate Group as the investment company for the San Francisco Pension Fund.(52)

From Coalition for San Francisco Neighborhoods, urging the Board not to cut funding for the Mental Health Rehabilitation Facility (MHRF). Copy: Budget Committee(53)

From Carl Young, commenting on the epidemic proportion of vehicles running red-lights in San Francisco.(54)

From Lauren Bouyea, submitting support for passage of ordinance rescinding \$700,000 of unencumbered authority for the Airport Runway Configuration capital project, and appropriating \$700,000 in fund balance for custodial services for the Airport Commission for fiscal year 2002-03. File 030804(55)

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.sfgov.org/bdsupvrs.bos.htm.

THE AGENDA PACKET IS AVAILABLE AT CITY HALL, ROOM 244, RECEPTION DESK.

Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 557-4293.

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

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

Contact Ohn Myint at (415) 554-7704.

AVISO EN 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.

All meetings are real-time captioned and are cablecast open-captioned on SF Cable 26.

The following services are available when requests are made by 4:00 p.m. of the Friday before the Board meeting.

This advance notice will help ensure availability.

ú For American Sign Language interpreters or use of a reader during a meeting, contact Ohn Myint at (415) 554-7704.

ú For a large print copy of agenda or minutes in alternative formats, contact Annette Lonich at (415) 554-7706.

Assistive listening devices are available from the receptionist in the Clerk of the Board's Office, Room 244, prior to the meeting.

The Clerk of the Board's Office TTY number 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 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at Donna.Hall@sfgov.org

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

Lobbyist Registration and Reporting Requirements

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

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