

Full Board Agendas
Board of Supervisors

City and County of San Francisco

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



AGENDA

**Monday, December 9, 2002
2:00 PM**

Regular Meeting

**TOM AMMIANO, PRESIDENT
CHRIS DALY, MATT GONZALEZ, TONY HALL,
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 November 12, 2002 and November 18, 2002 Meeting Minutes.

AGENDA CHANGES

COMMUNICATIONS

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

- 1) Legislation*
- 2) Budget Analyst report*
- 3) Legislative Analyst report*

4) Department or Agency cover letter and/or report

5) Public correspondence

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

SPECIAL ORDER 2:00 P.M.

- 1. 021968 [Second Annual Youth Recognition Day]**
Second Annual Youth Recognition Day Presentation. (Clerk of the Board)

Action: _____

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 2 through 7

Recommendation of the Finance Committee

Present: Supervisors Peskin, Maxwell

2. 021836 [Contracting out Status Offender Shelter and Intake Services]

Resolution concurring with the Controller's certification that Intake and Shelter Services to Status Offenders can be practically performed by private contractor for lower cost than similar services performed by city and county employees. (Juvenile Probation Department)

(Fiscal impact; Public Benefit Recipient.)

Question: Shall this Resolution be ADOPTED?

Recommendations of the Health and Human Services Committee

Present: Supervisors Daly, Maxwell

3. 021798 [Integrated and innovative uses of surveillance data for sexually transmitted diseases]

Resolution authorizing the San Francisco Department of Public Health (SFDPH) to accept and expend retroactively a new three year grant in the amount of \$160,000 for the first year from the Centers for Disease Control and Prevention (CDC) to identify and develop integrated and innovative uses of surveillance data for sexually transmitted diseases and to enter into an agreement for the use of these funds; for the period of September 30, 2002 to September 29, 2003. (Public Health Department)

(No fiscal impact; No Public Benefit Recipient.)

Question: Shall this Resolution be ADOPTED?

4. 021809 [HIV/AIDS confidential counseling and testing services in family planning agency clinics]

Supervisor Leno

Resolution authorizing the San Francisco Department of Public Health (SFDPH) to accept and expend retroactively a grant in the amount of \$186,000 from the California Family Health Council, Inc. (CFHC), to enhance and expand HIV/AIDS confidential counseling and testing services in family planning agency clinics and to enter into an agreement for the use

of these funds; for the period of September 1, 2002, through August 31, 2003. (Public Health Department)

(No Public Benefit Recipient.)

Question: Shall this Resolution be ADOPTED?

Recommendations of the Rules and Audits Committee

Present: Supervisors Hall, Gonzalez

5. 021829 [Settlement of Lawsuit]

Ordinance authorizing settlement of the lawsuit filed by the City and County of San Francisco against Nonprofits' Insurance Alliance of California for receipt of an aggregate amount of \$26,380.14 from Nonprofits' Insurance Alliance of California; the City and County of San Francisco filed the lawsuit on March 29, 2002 in San Francisco Superior Court (Case No. 406-211). (City Attorney)

(No Public Benefit Recipient.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

Present: Supervisors Hall, Gonzalez, Sandoval

6. 021946 [Appointment]

Resolution appointing Benson Nadell and Dorothy Kerr, terms ending on September 30, 2005, to the Adult Day Health Care Planning Council, residency requirement waived.

Benson Nadell (residency requirement waived), succeeding Ruth Morales, term expired, seat 8, must represent a person over 55 years of age who has a demonstrated interest in the special health and social needs of the elderly and who is a representative of organizations dedicated primarily to the needs of older persons, including those of low income and racial and ethnic minorities, for the unexpired portion of a 3-year term ending September 30, 2005;
Dorothy Kerr, succeeding Joan Slaughter, term expired, seat 9, must represent a person over 55 years of age who has a demonstrated interest in the special health and social needs of the elderly and who is a representative of organizations dedicated primarily to the needs of older persons, including those of low income and racial and ethnic minorities, for the unexpired portion of a 3-year term ending September 30, 2005.

Question: Shall this Resolution be ADOPTED?

7. 021723 [Appointment]

Resolution appointing Karin Hu, Joan Roughgarden, Edward Conner, Carol Arnold, Paul Castleman, Charlotte Hill, Mary McAllister, Jack Laws, Matthew Sniffen, and Patrick Skain, terms ending December 1, 2003 to the Citizens Advisory Committee for Natural Areas Program (NAPCAC).

Karin Hu, new position, seat 1, must be knowledgeable in issues related to natural areas, including environmental interest advocacy; academic ecology; open space restoration; and water and soil erosion. The term shall expire on December 1, 2003 when the Committee sunsets unless otherwise extended by the Board of Supervisors.

Joan Roughgarden, new position, seat 2, must be knowledgeable in issues related to natural areas, including environmental interest advocacy; academic ecology; open space restoration; and water and soil erosion. The term shall expire on December 1, 2003 when the Committee sunsets unless otherwise extended by the Board of Supervisors.

Edward Conner, new position, seat 3, must be knowledgeable in issues related to natural areas, including environmental interest advocacy; academic ecology; open space restoration; and water and soil erosion. The term shall expire on December 1, 2003 when the Committee sunsets unless otherwise extended by the Board of Supervisors.

Carol Arnold, new position, seat 4, must be knowledgeable in issues related to natural areas, including environmental interest advocacy; academic ecology; open space restoration; and water and soil erosion. The term shall expire on December 1, 2003 when the Committee sunsets unless otherwise extended by the Board of Supervisors.

Paul Castleman, new position, seat 5, must be interested in access to and use of public parks and open space, including: recreational uses; persons interested in trees and plants in public parks and open space; youth activities; and representation of neighborhoods that contain public parks and open space. The term shall expire on December 1, 2003 when the Committee sunsets unless otherwise extended by the Board of Supervisors.

Charlotte Hill, new position, seat 6, must be interested in access to and use of public parks and open space, including: recreational uses; persons interested in trees and plants in public parks and open space; youth activities; and representation of neighborhoods that contain public parks and open space. The term shall expire on December 1, 2003 when the Committee sunsets unless otherwise extended by the Board of Supervisors.

Mary McAllister, new position, seat 7, must be interested in access to and use of public parks and open space, including:recreational uses; persons interested in trees and plants in public parks and open space; youth activities; and representation of neighborhoods that contain public parks and open space.The term shall expire on December 1, 2003 when the Committee sunsets unless otherwise extended by the Board of Supervisors.

Jack Laws, new position, seat 8, must be interested in access to and use of public parks and open space, including:recreational uses; persons interested in trees and plants in public parks and open space; youth activities; and representation of neighborhoods that contain public parks and open space.The term shall expire on December 1, 2003 when the Committee sunsets unless otherwise extended by the Board of Supervisors.

Matthew Sniffen, new position, seat 9, must be appointed at large.The term shall expire on December 1, 2003 when the Committee sunsets unless otherwise extended by the Board of Supervisors.

Patrick Skain, new position, seat 10, must be appointed at large.The term shall expire on December 1, 2003 when the Committee sunsets unless otherwise extended by the Board of Supervisors.

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

8. 021969 [Adopting findings related to the conditional use appeal on property located at 965-985 Geneva Avenue and 852 Paris Street (aka Apollo Theater)]

Motion adopting findings related to the appeal of the Planning Director's approval of Conditional Use Application No. 2001.1126C, which approved the merger of six lots into one lot with a total area greater than 9,999 square feet pursuant to Planning Code Section 712.11, allowed the construction of eight dwelling units without the required off-street parking pursuant to Section 161(j), allowed a large retail store (Walgreens Pharmacy) to occupy commercial space (10,000 gross square feet) on the ground floor and on a new mezzanine in excess of 5,999 square feet pursuant to Section 712.21 under Planning Department's modification to the proposed project, in an NC-3 (Moderate Scale Neighborhood Commercial) District and in a 65-X Height and Bulk District, and in an RH-1 (Residential, One-Family) District in a 40-X height and Bulk District on property located at 965-985 Geneva Avenue and 852 Paris Street (aka Apollo Theater), north side of Geneva Avenue, between Paris and London Streets (Lots 5-10 on Assessor's Block 6409). (Clerk of the Board)

(Companion measure to Files 021764, 021765, 021766, 021767, 021795.)

(11/18/02 - Supervisor Peskin previously excused from voting.)

12/3/2002, REFERRED to Board of Supervisors.

Question: Shall this Motion be ADOPTED?

Recommendations of the Finance Committee

Ordinance amending Ordinance No. 1061 entitled "Regulating the Width of Sidewalks" by adding thereto Section 1556 to change the official sidewalk width on a portion of 16th Street, 246.71 feet southwest of Potrero Avenue; 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 width changes. (Public Works Department)

(No Public Benefit Recipient.)

11/25/2002, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

12. 021828 [Changing Official Width of Sidewalk]

Ordinance amending Ordinance No. 1061 entitled "Regulating the Width of Sidewalks" by adding thereto Section 1557 to change the official sidewalk width on the northwest side of Treat Avenue between Alameda and Florida Streets; 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 width changes. (Public Works Department)

(No Public Benefit Recipient.)

11/25/2002, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendation of the Transportation and Commerce Committee

Present: Supervisors McGoldrick, Ammiano, Daly

13. 021643 [Electric Personal Assistive Mobility Devices (Segway)]

**Supervisors Daly, Peskin,
Ammiano, McGoldrick,
Gonzalez**

Ordinance amending the San Francisco Traffic Code by banning the operation of electric personal assistive mobility devices (Segway) on all sidewalks in the City and County of San Francisco and in public transit stations and public transit vehicles.

11/25/2002, PASSED ON FIRST READING. Supervisor Gonzalez requested to be added as a co-sponsor.

Question: Shall this Ordinance be FINALLY PASSED?

From Transportation and Commerce Committee "Without Recommendation"

Present: Supervisors McGoldrick, Ammiano

14. **021727** **[Authorization for the use of identification numbers in lieu of permit numbers for lawfully erected general advertising signs]** **Supervisor Leno**

Ordinance amending San Francisco Planning Code Chapter 6, Section 604.1(c), to modify the authority of the Director of the Planning Department to approve the use of identification numbers in lieu of the required permit numbers for general advertising signs, by deleting language that restricts the use of the substitute identification numbers to general advertising signs that existed at their current locations at the time of the Department's 1966 sign inventory.

11/25/2002, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

NEW BUSINESS

Recommendations of the Finance Committee

Present: Supervisors Peskin, Maxwell

- 15. 020663 [Extension of Sunset Clause - Utilization of Bid/RFP Process for Awarding of Parking Authority Leases and Management Contracts]**

Ordinance amending Section 17.11 (a) of the San Francisco Administrative Code to extend the authorization of the Parking Authority and the Municipal Transportation Agency to utilize a Bid/RFP process for the awarding of all leases and management agreements for the use or operation of parking facilities; the Department shall report to the Board by June 1, 2003, on the development and use of performance measures. (Parking and Traffic Department)

Question: Shall this Ordinance be PASSED ON FIRST READING?

- 16. 021339 [Financial Information Privacy] Supervisors Peskin, Daly**

Ordinance amending the San Francisco Business and Tax Regulations Code to enact a new Article 20 to provide for the protection of private financial information.

Question: Shall this Ordinance be PASSED ON FIRST READING?

- 17. 021879 [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 non-consecutive day official advertising, for the period commencing January 1, 2003 and ending June 30, 2003. (Purchaser)

(Public Benefit Recipient.)

Question: Shall this Resolution be ADOPTED?

18. 021796 [Port Security Services Civil Service Exclusion]

Resolution approving the Controller's certification that Port Area Security Services for the Port of San Francisco can be practically performed by a private contractor at a lower cost than if the work were performed by City employees at budgeted levels. (Port)

(Fiscal impact; No Public Benefit Recipient.)

Question: Shall this Resolution be ADOPTED?

19. 021894 [Multifamily Housing Revenue Bonds - Carter Terrace] Supervisor Maxwell

Resolution authorizing the issuance and delivery of multifamily housing revenue bonds (as defined herein) in an aggregate principal amount not to exceed \$17,000,000 for the purpose of providing financing for a multifamily rental housing project; approving the form of and authorizing the execution of an indenture providing the terms and conditions of the bonds; approving the form of and authorizing the execution of a bond purchase contract providing the terms and conditions for the sale of the bonds; approving the form of and authorizing the execution of a regulatory agreement and declaration of restrictive covenants; approving the form of and authorizing the execution of a loan agreement; approving the form of and authorizing the execution of an intercreditor agreement; approving the form of and authorizing the preparation and distribution of an official statement relating to the bonds; making low income housing findings; ratifying and approving any action heretofore taken in connection with the bonds and the project; approving and authorizing the execution and delivery of any document necessary to implement this resolution; and related matters.

(Public Benefit Recipient.)

Question: Shall this Resolution be ADOPTED?

20. 021893 [Settlement of Lawsuit] Supervisor Maxwell

Ordinance authorizing settlement of the lawsuit filed by the City and County of San Francisco, on behalf of the People of California, against the Williams Energy Companies; the lawsuit entitled People v. Dynegey, et al. was filed on January 18, 2001, and has been consolidated as Wholesale Electricity Antitrust Cases I & II in the United States District Court, Southern District of California, Case Nos. 02 CV 0990-RHW, CV 02-1000-RHW, 02 CV-1001 RHW; which settlement provides a modification of the long-term contracts between the State of California and Williams, transfer to the City and County of San Francisco of four electric generating turbines for use within the City, payment of approximately \$19 million to assist with siting and developing electric generating equipment

SPECIAL ORDER 3:00 P.M.

26. 021872 [Public Hearing - Conditional Use Appeal,2444-2454 Noriega Street]

Hearing of persons interested in or objecting to the decision of the Planning Commission by its Motion No. 16471 dated October 17, 2002, approving Conditional Use Application No. 2002.0736C pursuant to Section 711.83 of the Planning Code, to allow the installation of three antennas within a rooftop mounted cylinder radome, one GPS antenna mounted to the roof, and install four associated equipment cabinets within the ground floor storage room of the one-story commercial building at 2444-2454 Noriega Street, as part of a wireless telecommunications network operated by Metro PCS located in a NC-2 (Small-Scale Neighborhood Commercial) District and a 40-X Height and Bulk District on property located at 2444-2454 Noriega Street; north side of the street between 31st and 32nd Avenues; Lot 004F, in Assessor's Block 2018.

(Appeal filed November 15, 2002; categorically exempt from the environmental review process pursuant to Class 1 exemptions of Title 14 of the California Administrative Code; companion measure to Files 021873, 021874, 021875; District 4.)

Action:_____

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

From the Clerk

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

27. **021873** **[Conditional Use Appeal, 2444-2454 Noriega Street]**
Motion approving decision of the Planning Commission by its Motion No. 16471, approving Conditional Use Application No. 2002.0736C, on property located at 2444-2454 Noriega Street, north side of the street between 31st and 32nd Avenues, and adopting findings pursuant to Planning Code Section 101.1. (Clerk of the Board)

Question: Shall this Motion be ADOPTED?

28. **021874** **[Conditional Use Appeal, 2444-2454 Noriega Street]**
Motion disapproving decision of the Planning Commission by its Motion No. 16471, approving Conditional Use Application No. 2002.0736C, on property located at 2444-2454 Noriega Street, north side of the street between 31st and 32nd Avenues, and adopting findings pursuant to Planning Code Section 101.1. (Clerk of the Board)

Question: Shall this Motion be ADOPTED?

29. **021875** **[Conditional Use Appeal, 2444-2454 Noriega Street]**
Motion directing the Clerk of the Board to prepare findings relating to proposed Conditional use Application No. 2002.0736C, on property located at 2444-2454 Noriega Street, north side of the street between 31st and 32nd Avenues, for action by the Board at its next meeting. (Clerk of the Board)

Question: Shall this Motion be ADOPTED?

SPECIAL ORDER 3:00 P.M.

Board of Supervisors Sitting as a Committee of the Whole

Note: The President intends to entertain a motion to continue consideration of Items 30 and 31 to December 16, 2002 at 3:00 P.M. due to notification

- 30. 021935 [Hearing - Acquisition of Property by Eminent Domain]**
Hearing of persons interested in or objecting to proposed resolution authorizing the

acquisition of portions of Lot 24 in Assessor’s Block 5474, located at Keith Street and LeConte Avenue, and adjacent portions of Keith Street and LeConte Avenue by eminent domain, for the construction of a substation for the Third Street Light Rail Project. (Clerk of the Board)

(Companion measure to Files 021904, 021917.)

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.

Committee of the Whole Rise and Report Without Recommendation

- | | | | |
|------------|---------------|---|---------------------------|
| 31. | 021917 | [Acquisition of Property by Eminent Domain] | Supervisor Maxwell |
| | | Resolution authorizing the acquisition of portions of Lot 24 in Assessor’s Block 5474, located at Keith Street and LeConte Avenue, and adjacent portions of Keith Street and LeConte Avenue, by eminent domain, for the construction of a substation for the Third Street Light Rail Project. | |

(Fiscal impact.)

Question: Shall this Resolution be ADOPTED?

32. 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.

33. 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.

- 34. 021965 [Legislative Analyst Request] Supervisor Gonzalez**
Motion asking the Legislative Analyst to prepare a survey of human resource departments in other cities and/or counties which use "position-control" system to track the number of vacant positions and the duration of vacancies. The survey should include, but not limited to, the effect of "position-control" on filling vacant positions and preventing the transfer of salary appropriations for other uses.

Question: Shall this Motion be ADOPTED?

CLOSED SESSION

CONFERENCE WITH CITY ATTORNEY - Anticipated Litigation as Plaintiff or Defendant

35. 021578 [Anticipated Litigation - Comcast]

Motion that the Board of Supervisors convene in closed session with the City Attorney for the purpose of conferring with, or receiving advice from, the City Attorney regarding anticipated litigation (City anticipated to be a plaintiff or defendant) which may occur with Television Signal Corporation and Comcast regarding compliance with the City's cable television franchise. (City Attorney)

This closed session would be permitted by Government Code Section 54956.9(b) and (c) and the San Francisco Administrative Code Section 67.10(d).
(10/15/02 Continued to November 12, 2002.)

11/12/2002, CONTINUED. Continued to November 18, 2002

11/18/2002, CONTINUED. Continued to November 25, 2002

11/25/2002, CONTINUED. Continued to December 9, 2002

Question: Shall this Motion be ADOPTED?

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

[Elect To Disclose]

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

[Elect Not to Disclose]

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

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 36 through 47

- 36.** **021952** **[Urge Congress to extend unemployment benefits to jobless]** **Supervisors McGoldrick, Leno, Yee**
Resolution urging Congress to extend unemployment benefits to jobless individuals who qualify.

11/25/2002, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE
AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

- 37.** **021953** **[Urge Bay Area Air Quality Management District to provide translation services]** **Supervisor Sandoval**
Resolution urging the Bay Area Air Quality Management District ("BAAQMD") to make communications accessible to affected community members with limited English proficiency to ensure that all members of the affected community can participate in the decision-making process; and urging members of the Board of Supervisors who also sit on the BAAQMD Board of Directors to promote and support the adoption of rules, policies and practices that mandate language assistance.

11/25/2002, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE

AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

- 38. 021954 [Urge City Attorney to join federal lawsuit in support of non-citizen airport screeners] Supervisors Sandoval, Gonzalez, Daly, Peskin, Newsom, Yee, Ammiano, McGoldrick**

Resolution urging the City Attorney of the City and County of San Francisco to join the federal lawsuit filed by the American Civil Liberties Union and Service Employees International Union 790 on behalf of 5 airport screeners at San Francisco International Airport challenging the constitutionality of Aviation Security Bill, S. 1447.

11/25/2002, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE
AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

- 39. 021955 [Extend City Contracting Task Force] Supervisor Maxwell**
Resolution extending the City Contracting Task Force Timeline to July 1, 2003.

11/25/2001, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE
AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

- 40. 021956 [Authorize Issuance and Sale of Multifamily Housing Revenue Bonds for Robinson Affordable Housing, Inc. Project at 1340 Hudson Avenue] Supervisor Maxwell**

Resolution authorizing the issuance and sale of multifamily housing revenue bonds by California Statewide Communities Development Authority in an aggregate principal amount not to exceed \$22,000,000 for Robinson Affordable Housing, Inc. or an affiliate.

11/25/2002, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE
AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

- 41. 021957 [Urge California Department of Industrial Relations to protect rights of messengers] Supervisor Daly**
 Resolution urging the California Department of Industrial Relations to enforce state employment law in the messenger industry to protect rights of messengers.
- 11/25/2002, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE
 AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?**
- 42. 021958 [Urge Federal government to participate in funding of the seismic upgrade for the Old Mint] Supervisors Daly, Peskin, Ammiano, Newsom, Maxwell, Sandoval, McGoldrick**
 Resolution urging the Federal government to participate in funding of the seismic upgrade and restoration program for the Old Mint by appropriating \$10 million over the next three years, and also urging the California State Legislature to appropriate a comparable amount of \$10 million from Proposition 40 funds to further its restoration.
- 11/25/2002, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE
 AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?**
- 43. 021959 [Commend Kimberley M. Knox] Supervisor Hall**
 Resolution commending Kimberley M. Knox for her efforts in coordinating the recent Nature by Design Environmental Trade show and promoting environmental awareness.
- 11/25/2002, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE
 AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?**
- 44. 021960 [Commend Alison Mickels] Supervisor Maxwell**
 Resolution commending Alison Mickels for her efforts at the recent Nature by Design Environmental Trade Show.

*Questions on the For Adoption Without Committee Reference
Agenda: _____*

48. 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 November 21, 2002 through noon on December 4, 2002, for reference by President to appropriate committee on December 9, 2002.

020663 [Extension of Sunset Clause - Utilization of Bid/RFP Process for Awarding of Parking Authority Leases and Management Contracts]

Ordinance amending Section 17.11 (a) of the San Francisco Administrative Code to extend the authorization of the Parking Authority and the Municipal Transportation Agency to utilize a Bid/RFP process for the awarding of all leases and management agreements for the use or operation of parking facilities; the Department shall report to the Board by June 1, 2003, on the development and use of performance measures. (Parking and Traffic Department)

4/24/2002, RECEIVED AND ASSIGNED to Finance Committee.

11/26/2002, ASSIGNED to Finance Committee.

11/26/2002, SUBSTITUTED. Parking and Traffic Department submitted a substitute ordinance bearing new title.

021885 [Repealing Police Code Section 1159 - Sightseeing Vehicle Stands]

Ordinance repealing Police Code Section 1159, which authorizes the Department of Parking and Traffic to issue to a single entity or person a permit for a sightseeing stand on Powell Street, for the purpose of selling tickets for sightseeing tours and providing sightseeing information. (Parking and Traffic Department)

(No Public Benefit Recipient.)

11/25/2002, RECEIVED AND ASSIGNED to Public Works and Public Protection Committee.

021886 [Parking Regulations, portions of Hyde Street]

Ordinance adding Section 32.6.34 to the San Francisco Traffic Code, regarding parking regulations on portions of Hyde Street. (Parking and Traffic Department)

(No Public Benefit Recipient.)

11/25/2002, RECEIVED AND ASSIGNED to Transportation and Commerce Committee.

021937 [Settlement of Lawsuit]

Ordinance authorizing settlement of the lawsuit filed by plaintiff the Department of Fair Employment and Housing and intervening plaintiff Alane Bernadette Baca against the City and County of San Francisco and Andrew Blackwell for (1) payment of \$100,000.00, including all damages, attorneys' fees and costs, (2) a credit of six (6) weeks of sick leave to intervening plaintiff Baca, and (3) the Police Department issuing a specified Department Bulletin, incorporating that Bulletin into specified EEO trainings, and beginning the process of reviewing and, where applicable, revising Department General Order 11.07; the lawsuit was filed on October 4, 2001, in San Francisco Superior Court, Case No. 325-126; entitled Department of Fair Employment and Housing, et al., v. City and County of San Francisco, et al (Real Party in Interest: Alane Bernadette Baca). (City Attorney)

(Public Benefit Recipient.)

11/27/2002, RECEIVED AND ASSIGNED to Rules and Audits Committee.

021938 [Settlement of Lawsuit]

Ordinance authorizing settlement of the lawsuits filed by William J. Sepatis against the City and County of San Francisco for \$100,000; the lawsuit under US District Court Case No. C00-2299 MHP filed on May 31, 2000 and the lawsuit under US District Court Case No. C00-1626 MHP filed on May 8, 2000 were consolidated, entitled William James Sepatis v. City and County of San Francisco, et al. (City Attorney)

(Public Benefit Recipient.)

11/27/2002, RECEIVED AND ASSIGNED to Rules and Audits Committee.

021941 [Creating Underground District No. 359 on Octavia Street]

Ordinance approving Underground District No. 359 On Octavia Street. (Public Works Department)

(No Public Benefit Recipient.)

11/27/2002, RECEIVED AND ASSIGNED to Transportation and Commerce Committee.

PROPOSED RESOLUTIONS

Proposed resolutions received from November 21, 2002 through noon on December 4, 2002, for reference by President to appropriate committee on December 9, 2002.

021796 [Port Security Services Civil Service Exclusion]

Resolution approving the Controller's certification that Port Area Security Services for the Port of San Francisco can be practically performed by a private contractor at a lower cost than if the work were performed by City employees at budgeted levels. (Port)

(Fiscal impact; No Public Benefit Recipient.)

10/25/2002, RECEIVED AND ASSIGNED to Finance Committee.

11/21/2002, SUBSTITUTED. Port submitted a substitute resolution bearing new title.

11/21/2002, ASSIGNED to Finance Committee.

021830 [Grant Funds to Develop Vulnerability Assessments]

Resolution authorizing the General Manager of the San Francisco Public Utilities Commission to apply for, accept and expend grants amounting to \$230,000 from the United States Environmental Protection Agency (USEPA) for vulnerability assessment. (Public Utilities Commission)

(No Public Benefit Recipient.)

11/27/2002, RECEIVED AND ASSIGNED to Health and Human Services Committee.

021884 [Public Access Cable Television]

Resolution renewing designation of the San Francisco Community Television Corporation (SFCTC) as the non-profit responsible for the management and operation of the City's public

access cable television channel, Access San Francisco, coterminous with the public access grant awarded to SFCTC by the Department of Telecommunications and Information Services (DTIS) on October 28, 2002. (Telecommunications and Information Services)

(Public Benefit Recipient.)

11/27/2002, RECEIVED AND ASSIGNED to Public Works and Public Protection Committee.

021936 [Medical services for prison inmates referred from institutions of the California Department of Corrections]

Resolution authorizing the San Francisco Department of Public Health, Community Health Network of San Francisco (CHNSF), to enter retroactively into an agreement, which includes an indemnification clause, with The State of California, Department of Corrections (CDC), and accept reimbursement in the amount of \$225,000 for medical services provided to inmates referred from the Correctional Training Facility (CTF) and the California Medical Facility (CMF); for the period of March 1, 2002, to June 30, 2003. (Public Health Department)

(No Public Benefit Recipient.)

021939 [Extension of Agreement with City Carshare]

Resolution authorizing a six month extension to the existing grant agreement between the City and County of San Francisco and City Carshare. (Parking and Traffic Department)

(No Public Benefit Recipient.)

11/27/2002, RECEIVED AND ASSIGNED to Transportation and Commerce Committee.

021967 [Accept-Expend Foundation Grant]

Resolution authorizing the Department of Human Services to accept and expend a two-year grant in the amount of \$95,000 from the CalWORKS/Child Welfare Partnership Project for improving coordination between the department's Child Welfare and Welfare-To-Work

programs. (Human Services Department)

(No Public Benefit Recipient.)

11/26/2002, RECEIVED AND ASSIGNED to Health and Human Services Committee.

021973 [Consultant Contract for New Central Subway phase of Third St. Light Rail Transit Project]

Resolution approving the award of Municipal Railway Contract No. CS-138, Professional Engineering and Other Support Services for Muni Metro Third Street Light Rail Project:New Central Subway, with the Joint Venture of Parsons Brinckerhoff Quade & Douglas, Inc. and PGH Wong Engineering, Inc., to provide necessary professional engineering and other support services in an amount not to exceed \$29,800,000, and for a term not to exceed five years. (Municipal Transportation Agency)

(No Public Benefit Recipient.)

12/4/2002, RECEIVED AND ASSIGNED to Transportation and Commerce Committee.

021974 [Issuance of Clean Water Revenue Bonds, 2003 Refunding Series A]

Resolution approving the issuance of not to exceed \$485,000,000 aggregate principal amount of Clean Water Revenue Bonds, 2003 Refunding Series A to be issued by the Public Utilities Commission of the City and County of San Francisco; and authorizing the taking of appropriate actions in connection therewith and related matters. (Public Utilities Commission)

(No Public Benefit Recipient.)

12/4/2002, RECEIVED AND ASSIGNED to Finance Committee. Department requests this item be scheduled for consideration at the December 11, 2002 meeting.

021975 [Accept-Expend Regional Grant]

Resolution authorizing the Airport Commission to accept and expend five (5) grants totaling \$1,089,000 from the Bay Area Air Quality Management District (Air District) for acquisition of clean air vehicles by Airport transportation operators. (Airport Commission)

12/4/2002, RECEIVED AND ASSIGNED to Finance Committee.

021976 [Accept-Expend Federal/State Pass Through Grant]

Resolution authorizing the Department of Public Library to accept and expend a grant in the amount of \$13,815 from the California State Library as part of the Federal Library Services and Technology Act (LSTA) for reimbursing tuition expenses of library employees pursuing a degree or certificate in library science at an institution of higher education. (Public Library)

(No Public Benefit Recipient.)

12/4/2002, RECEIVED AND ASSIGNED to Neighborhood Services and Recreation Committee.

021978 [California Healthcare for Indigents Program (CHIP) funds for Fiscal Year 2002-03]

Resolution authorizing adoption of the County Description of Proposed Expenditure of California Healthcare for Indigents (CHIP) funds for Fiscal Year 2002-03 and that the President or duly authorized representative of the Board of Supervisors of the City and County of San Francisco can certify the County Description of Proposed Expenditure of CHIP funds for the Fiscal Year 2002-03. (Public Health Department)

(No Public Benefit Recipient.)

12/4/2002, RECEIVED AND ASSIGNED to Health and Human Services Committee.

021979 [Petitions and Communications]

Petitions and Communications received from November 21, 2002 through noon on December 4, 2002 for reference by the President to Committee considering related matters or to be ordered filed by the Clerk on December 9, 2002.

From Department of Parking and Traffic, commenting on the Central Freeway Replacement Project.(Reference No. 20021028-009)Copy: Supervisor Daly (1)

From Department of Public Works, regarding the Central Freeway Replacement

Project.(Reference No. 20021028-007)Copy: Supervisor Daly (2)

From Muni, reporting on any existing or proposed measures to reimburse the Department of Public Works to clean trash or abate graffiti from any properties leased by the City for their agency.(Reference No. 2002105-011)Copy: Supervisor Newsom(3)

From Muni, reporting on the feasibility of extending the 52-bus line from its terminus at Geneva and Mission to Balboa Park BART station.(Reference No. 20021021-004)Copy: Supervisor Sandoval (4)

From Muni, regarding the cleaning of Muni's Green Division.(Reference No. 20021021-005)Copy: Supervisor Sandoval (5)

From Muni, reporting on the feasibility of conducting a traffic calming study in District 11.(Reference No. 20021021-006)Copy: Supervisor Sandoval (6)

From Muni, reporting on the feasibility of extending the 14 Mission line to Balboa Park BART station.(Reference No. 20021021-007)Copy: Supervisor Sandoval (7)

From Human Rights Commission, regarding how much is spent on required public noticing costs for newspaper advertising.(Reference No. 20020930-020)Copy: Supervisor McGoldrick (8)

From Office of the Controller, responding to questions regarding the Unreinforced Masonry Building Fund.(Reference No. 20021021-003)Copy: Supervisor Newsom (9)

From Office of the Assessor-Recorder, submitting list of property owners on 8th Street between Howard and Folsom Streets.(Reference No. 20021112-012)Copy: Supervisor Daly (10)

From AT&T Broadband, regarding program adjustment to the current AT&T Broadband channel line-up. (11)

From Abe Garfield, submitting opposition to the proposed rezoning project of the area bounded by 4th, Welch, Freelon and Zoe Streets.File 020549 (12)

From Jennifer Rogers, submitting request for a Type 42 liquor license for Jennifer Rogers and Kerri Stephens dba "Varnish Fine Art LLC" at 77 Natoma Street. (13)

From Lloyd Schloegel, commenting on draft Environmental Impact Report for property located at 300 Spear Street. (14)

From Lloyd Schloegel, commenting on draft Environmental Impact Report for property located at 201 Folsom Street. (15)

From Department of Parking and Traffic, regarding "the feasibility of any planned efforts to implement curb cuts on Broadway Street between Webster and Fillmore Streets."(Reference No. 20020930-011)Copy: Supervisor Newsom (16)

From Fire Department, submitting request for release of reserved funds in the amount of \$2,039,000 from the 1986 Fire Protection Bonds for the installation of five motorized valve operators.Copy: Finance Committee (17)

From Fire Department, submitting request for release of salaries for five training officers. (18)

From Department of Administrative Services, regarding how much is spent on required public noticing costs for newspaper advertising.(Reference No. 20020930-047) Copy: Supervisor McGoldrick (19)

From Human Rights Commission, regarding how much is spent on required public noticing costs for newspaper advertising.(Reference No. 20020930-020) Copy: Supervisor McGoldrick (20)

From Martin Winderl, commenting on problems (election engineering) at his polling place located at 3351 23rd Street in the last election.Copy: Each Supervisor, John Arntz, Bill Lee (21)

From First 5 San Francisco, regarding the Commission's participation in the Safe Haven for Newborns Task Force.(Reference No. 20021112-004)Copy: Supervisor Hall (22)

From Office of the City Attorney, regarding amendment to the California Political Reform Act regarding announcement of Conflict of Interest, effective January 1, 2003.Copy: Each Supervisor (23)

From Department of Public Health, submitting annual report for fiscal year 2001/02. (24)

From SF Environment, regarding existing and/or planned departmental activities in response to the West Nile Virus.(Reference No. 20021015-018)Copy: Supervisor Newsom (25)

From Public Utilities Commission, regarding how much is spent on required public noticing costs for newspaper advertising.(Reference No. 20020930-052) Copy: Supervisor McGoldrick(26)

From Britex Fabrics, submitting support for making the Old Mint a San Francisco museum. (27)

From Budget Analyst, regarding public noticing costs for newspaper advertising.(Reference No. 20020930-076)Copy: Supervisor McGoldrick (28)

From Department of Public Works, submitting notice that appellants' signatures with respect to 2444-2454 Noriega Street represent owners of more that 20% of the area involved and is therefore sufficient for appeal.File 021872 (29)

From Eric Woodward, requesting continuance on the proposed 4th/ Freelon Street Project.File 020549 (30)

From Office of the County Clerk, regarding public noticing costs for newspaper advertising.(Reference No. 20020930-059)Copy: Supervisor McGoldrick (31)

From Commission of Animal Control and Welfare, submitting opposition to San Francisco school children attending the Grand National Rodeo. (32)

From Mission Anti-Displacement Coalition, requesting a neighborhood briefing by planning staff before any proposed projects are considered for the five eastern neighborhoods in San Francisco. (33)

From Office of the Controller, submitting a cost analysis of an amendment to the Memorandum of Understanding (MOU) between the City and County of San Francisco and

the Fire Rescue Paramedics represented by SEIU Local 790. Copy: Each Supervisor (34)

From Planning Department, submitting notification of an environmental review for 4465-4467 24th Street Rezoning Ordinance. Copy: Each Supervisor (35)

From Department of Animal Care and Control, submitting request to Human Rights Commission for waiver of Chapters 12B and 12C of the Administrative Code for Radiation Detection Company so staff can perform radiographs to diagnose the animals at the Department of Animal Care and Control. (36)

From Office of the Controller, Audits Division, submitting report concerning the financial audit of the Statement of Cash and Investments of the Office of the Treasurer and Tax Collector for the fiscal year ended June 30, 2002. (37)

From State Department of Fish and Game, Wildlife Conservation Board, submitting copy of meeting minutes for August 22, 2002. (38)

From AT&T Broadband, submitting AT&T Broadband's 2003 Video Cable price increases for Analog and Digital package tiers. (39)

From Department of Human Services, regarding responsibility for implementing Senate Bill 1421. (Reference No. 20021112-001) Copy: Supervisor Newsom (40)

From Office of the Controller, Audits Division, submitting report concerning the financial statement audit of the Repeat Offender Prevention Program of the Juvenile Probation Commission for the period from July 1, 1998 through June 30, 2002. (41)

From Philip D'Agostino, regarding his dispute with AT&T Broadband cable services. (42)

From Human Rights Commission, submitting copy of the Human Rights Commission Executive Director's Quarterly Report. (43)

From concerned citizens, submitting opposition to the proposed Segway ban in San Francisco. File 021643, 4 letters (44)

From Department of Elections, submitting Certification of Election Results for the November 5, 2002 election. (45)

From Paul Homchick, commenting on the proposed Special Use Zoning District at Fourth and Freelon Streets. File 020549 (46)

From various signators, submitting Form 700 Statement of Economic Interests: (47)

Renee Pittin

David Canepa

Mark Leno

Nathan Purkiss

Robert Hartnagel

From Arnold Meyers, submitting support for resolution that bans MUNI from purchasing anymore diesel buses for San Francisco. Copy: Each Supervisor (48)

From concerned citizens, commenting on incident involving off-duty SF Police officers and two citizens. File 021964, 4 letters (49)

From Shelley Carroll, submitting support for proposed ordinance that establishes a General Advertising Sign Relocation procedure in San Francisco. File 021949 (50)

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 UCSF to end Stephen Lisberger's cruel and outdated experiments. Approximately 15 letters and postcards (51)

From Marsha Levy, submitting opposition to proposed name change from pet ownership to pet guardianship. File 021645 (52)

From Edward Soss, submitting opposition to police officers spending hours every month sitting in traffic courtrooms at 850 Bryant Street in order to testify on a traffic citation when they should be out on the streets protecting the public. (53)

From Winston de Zilahy, submitting support for an audit of the San Francisco Police Department by Harvey Rose and Associates. (54)

From Department of Parking and Traffic, submitting notice that items on the Transportation and Commerce Committee's agenda for the December 12, 2002 meeting have been posted. (55)

From Jeff Oksengendler, submitting petition www.petitiononline.com/extendui/petition.html in support of extending emergency unemployment benefits. (56)

From Erik Beckjord, submitting support for banning cell phone use in cars. (57)

From Suzanne Martin, submitting support for proposed legislation regarding changing "pet ownership to pet guardianship." File 021645 (58)

ADJOURNMENT

Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers

ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices, (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4) standing in the Legislative Chamber.

Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

Agenda are available on the internet at www.ci.sf.ca.us/bdsupvrs.bos.htm.

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

Board meetings are 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 reunión debe recibirse antes de mediodía de el viernes anterior a la reunión. 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. Providing 48 hours' notice will help to ensure availability.

For American Sign Language interpreters, use of a reader during a meeting, or sound enhancement system, contact Ohn Myint at (415) 554-7704. The Clerk of the Board's Office TTY number is (415) 554-5227.

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

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/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