

## Full Board Agendas

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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 - DRAFT  
Monday, July 30, 2001  
2:00 PM

### Regular Meeting

TOM AMMIANO, PRESIDENT  
CHRIS DALY, MATT GONZALEZ, TONY HALL, MARK LENO,  
SOPHIE MAXWELL, JAKE McGOLDRICK, GAVIN NEWSOM  
AARON PESKIN, GERARDO SANDOVAL, LELAND Y. YEE

Gloria L. Young, Clerk of the Board

### ROLL CALL AND PLEDGE OF ALLEGIANCE

### 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 8

Recommendations of the Audit, Labor and Government Efficiency Committee

Present: Supervisors Newsom, Daly, McGoldrick

1.           011131     [Settlement of Lawsuit]  
Ordinance authorizing settlement of the lawsuit filed by Plaintiffs Vicki Rooker, et al. against the City and County of San Francisco for \$114,054.77; the lawsuit was filed on March 9, 1999 in United States District Court, Case No. C99-1095; entitled Rooker, et al., v. City and County of San Francisco, et al; other material terms of said settlement are: (1) settlement pertains only to plaintiffs' claims that the city improperly computed plaintiffs' wages during the time period plaintiffs worked as classification 2532 paramedics; and (2) settlement proceeds to be broken out as follows: (i) \$62,703.18 in back overtime wages; (ii) \$31,351.59 in liquidated damages; and (iii) \$20,000 in attorneys' fees. (City Attorney)

Question: Shall this Ordinance be PASSED ON FIRST READING?
2.           011132     [Settlement of Lawsuit]  
Ordinance authorizing settlement of the lawsuit filed by CARMEN LeFRANC against the City and County of San Francisco for \$51,000.00; the lawsuit was filed on August 5, 1999 in San Francisco Superior Court, Case No. 305440; entitled Carmen LeFranc, et al., v. City and County of San Francisco, et al. (City Attorney)

Question: Shall this Ordinance be PASSED ON FIRST READING?
3.           011302     [Settlement of Lawsuit]  
Ordinance authorizing settlement of the lawsuit filed by Romulo Fontanilla against the City and County of San Francisco for \$95,000.00 as back pay, with the Court to decide the amount of attorney's fees and costs with a floor of \$70,000.00 and a ceiling of \$120,000.00; the lawsuit was filed on October 28, 1996 in the U.S. District Court, Case No. C96-3916 JCS; entitled Romulo Fontanilla, et al., v. City and County of San Francisco, et al. (City Attorney)

Question: Shall this Ordinance be PASSED ON FIRST READING?
4.           011193     [Settlement of Claim]  
Resolution approving the settlement of the unlitigated claim filed by Knickerbocker Properties XXXIII against San Francisco for \$44,284.24; claim was filed on 04-06-2001; additional material terms of said settlement is the signing of full and final release of the City and County of San Francisco. (City Attorney)

Question: Shall this Resolution be ADOPTED?
5.           011221     [Settlement of Claim]  
Resolution approving the settlement of the unlitigated claim filed by Christine Dean against San Francisco for \$32,000; claim was filed on October 30, 2000; additional material term of said settlement is the signing of liability against the City and County of San Francisco. (City Attorney)

Question: Shall this Resolution be ADOPTED?

Recommendations of the Finance Committee

Present: Supervisors Leno, Peskin, Gonzalez

6. 011229 [Contracting out facility security services]  
Resolution concurring with the Controller's certification that facility security services for the Municipal Transportation Agency can be practically performed by a private contractor at a lower cost than by City and County Employees. (Municipal Transportation Agency)

Question: Shall this Resolution be ADOPTED?

7. 011230 [Contracting out Convention Facilities management, operation and maintenance services]  
Resolution concurring with the Controller's certification that Convention Facilities management, operation and maintenance services can be practically performed at Bill Graham Civic Auditorium and the Moscone Center by private contractor for a lower cost than similar work services performed by City and County employees. (Administrative Services Department)

Question: Shall this Resolution be ADOPTED?

Recommendation of the Rules Committee

Present: Supervisors Gonzalez, Hall, Ammiano

8. 011319 [Appointment]  
Resolution appointing Holli Thier, term ending November 30, 2002, to the Ballot Simplification Committee.  
Holli Thier, succeeding Mary Hilton, term expired, seat 3, must represent the League of Women Voters, for a new two-year term ending November 30, 2002.

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

### Recommendations of the Finance Committee

Present: Supervisors Leno, Peskin, Gonzalez

9.           011041       [Government Funding for Fiscal Year 2001-2002] Mayor  
Annual Appropriation Ordinance appropriating all estimated receipts and all estimated expenditures for the City and County of San Francisco for fiscal year ending June 30, 2002. (Mayor)  
(Fiscal impact; Companion Files Companion to Files 011040, 011042.)
- 7/16/2001, AMENDED. 7/16/01 - Supervisor McGoldrick moved a pending amendment to amend by adding a Section 25 to read: "Quarterly Report of Departments to Board of Supervisors. Each and every department shall be required to report to the Board of Supervisors within two weeks after the end of each quarter of the fiscal year, those items appropriated where the rate of expenditure by the department during that quarter for that appropriated item on an annualized basis would exceed the total appropriation for the fiscal year for that appropriated item."
- 7/16/2001, CONTINUED ON FIRST READING. Supervisor Newsom, seconded by Supervisor Yee moved to sit as a Committee of the Whole on July 23, 2001.
- 7/23/2001, AMENDED.
- 7/23/2001, PASSED ON FIRST READING AS AMENDED.
- Question: Shall this Ordinance be FINALLY PASSED?
10.           011042       [Public Employment for Fiscal Year 2001-2002]  
Annual Salary Ordinance enumerating positions in the Annual Budget and Appropriation Ordinance for the Fiscal Year ending June 30, 2002, continuing, creating or establishing these positions; enumerating and including therein all positions created by Charter or State law for which compensations are paid from City and County funds and appropriated in the Annual Appropriation Ordinance; authorizing appointments or continuation of appointments thereto; specifying and fixing the compensations and work schedules thereof; and authorizing appointments to temporary positions and fixing compensations therefor. (Human Resources Department)  
(Fiscal impact; Companion Files Companion to Files 011040, 011041.)
- 7/16/2001, CONTINUED ON FIRST READING. Supervisor Newsom, seconded by Supervisor Yee moved to sit as a Committee of the Whole on July 23, 2001.
- 7/23/2001, AMENDED.
- 7/23/2001, PASSED ON FIRST READING AS AMENDED.
- Question: Shall this Ordinance be FINALLY PASSED?
11.           011220       [Fiscal Year 2001-2002 Patient Rates for the Department  
of Public Health]  
Ordinance amending the San Francisco Health Code by amending Section 128 thereof, to fix

Patient Rates for services furnished by Department of Public Health, retroactive to July 1, 2001. (Public Health Department)

7/23/2001, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendation of the Housing, Transportation and Land Use Committee

Present: Supervisors McGoldrick, Peskin, Daly

12. 010883 [Bicycle Lane] Supervisors McGoldrick, Peskin, Leno, Gonzalez, Maxwell
- Ordinance establishing a permanent bicycle lane on Arguello Boulevard beginning at Fulton Street and ending at Jackson Street.
- 7/23/2001, PASSED ON FIRST READING. Supervisors Leno and Gonzalez requested to be added as co-sponsors.
- Question: Shall this Ordinance be FINALLY PASSED?

Recommendation of the Rules Committee

Present: Supervisors Hall, Ammiano

13. 011165 [Citizens Advisory Committee on Elections] Supervisors Hall, Gonzalez, Sandoval, Newsom, Daly, Leno, Peskin, Maxwell
- Ordinance reconstituting the Citizens Advisory Committee on Elections by changing procedures and requirements for appointment of its members and prohibiting certain office-holding and campaign and lobbying activities by its members.
- 7/9/2001, CONTINUED. Supervisor Hall moved to continue to July 16, 2001.
- 7/16/2001, AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. Supervisor Hall, seconded by Supervisor Yee moved an amendment of the whole bearing same title.
- 7/16/2001, PASSED ON FIRST READING AS AMENDED.
- 7/23/2001, AMENDED. 7/23/01 - Supervisor Peskin, seconded by Supervisor Newsom moved to amend on Page 4, line 6 by replacing "endorse" with "support". Supervisors Leno and Peskin requested to be added as co-sponsors.
- 7/23/2001, PASSED ON FIRST READING AS AMENDED.
- Question: Shall this Ordinance be FINALLY PASSED?

CALLED FROM COMMITTEE by Supervisor Daly

14. 010845 [Dancehall Permits] Supervisor Daly  
Ordinance amending San Francisco Police Code Section 1023 to exempt permitted places of entertainment and locations holding public assembly permits from the dancehall permit requirement.

7/23/2001, CONTINUED. Supervisor Daly, seconded by Supervisor Leno moved to continued to July 30, 2001.

Question: Shall this Ordinance be PASSED ON FIRST READING?

#### NEW BUSINESS

#### Recommendations of the Audit, Labor and Government Efficiency Committee

Present: Supervisors Newsom, Daly, McGoldrick

15. 010941 [Superior Court employees, Deferred Compensation Plan] Supervisor McGoldrick  
Ordinance extending to employees of the Superior Court of California, County of San Francisco, certain benefits which ordinarily accrue from participation in the City's Deferred Compensation Plan.

Question: Shall this Ordinance be PASSED ON FIRST READING?

16. 010942 [Superior Court, Retirement System] Supervisor McGoldrick  
Ordinance extending to employees of the Superior Court of California, County of San Francisco, certain benefits which ordinarily accrue from participation in the Retirement System.

Question: Shall this Ordinance be PASSED ON FIRST READING?

17. 011093 [Pension Buy-Backs - Rollovers]  
Ordinance amending the Administrative Code by adding Section 16.61-5 authorizing the Retirement System to accept rollovers from other tax qualified plans for buy-backs. (Retirement System)

Question: Shall this Ordinance be PASSED ON FIRST READING?

#### Recommendations of the Finance Committee

Present: Supervisors Leno, Peskin, Gonzalez

18. 010059 [Catastrophic Sick Leave Program] Supervisors Ammiano, Peskin  
Ordinance repealing Section 16.9-29 of the San Francisco Administrative Code and replacing it with new Section 16.9-29A to authorize the transfer of vacation and sick leave credits to a pool of catastrophically ill employees and to individual catastrophically ill employees, and

adding new Section 16.9-29B to authorize the transfer of vacation credits to individual employees with catastrophically ill family members.

(Fiscal impact.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

19. 010826 [Business Tax and Regulations Code Amendment] Supervisor Leno  
Ordinance amending the Business Tax and Regulations Code by:  
(1) amending Sections 6.12-1, 6.18-1, and 6.18-3, and repealing Section 6.19-3, to clarify general administrative provisions of Article 6;  
(2) adding Sections 6.19-3 through 6.19-11, to establish a system of administrative penalties for specified violations of the Business Tax and Regulations Code;  
(3) adding new Sections 852.8 and 852.9, re-numbering existing Sections 852.8 and 852.9 as Sections 852.10 and 852.11, respectively, and amending Section 856, to consolidate the deadlines for renewing business registration certificates and filing annual tax returns;  
(4) amending Section 905-A, to create a graduated system of fines for persons who qualify for the small business exemption but fail to file a timely return; and,  
(5) amending Section 6.6-1, to provide that a parking lot operator is considered liable for collection of parking taxes at a location covered by his or her certificate of authority unless and until the certificate is surrendered to the Tax Collector. (Treasurer-Tax Collector)

Question: Shall this Ordinance be PASSED ON FIRST READING?

20. 011163 [Property-related Subsidies to Nonprofit Arts Organizations] Supervisors Ammiano, Leno, Peskin  
Ordinance revising the terms and conditions for the expenditure of an earlier appropriation of 1.5 million dollars to give rent, relocation, capital improvement and real property acquisition assistance to nonprofit arts organizations that are in immediate danger of being evicted or displaced by rent increases, and otherwise amending the terms of the assistance program.

Question: Shall this Ordinance be PASSED ON FIRST READING?

21. 011174 [Hotel Tax Funds] Mayor  
Ordinance amending San Francisco Business and Tax Regulations Code Section 515.01 to revise the portion of Hotel Tax Funds allocated for rent supplements for low-income households. (Mayor)

7/16/2001, SUBSTITUTED. The Mayor submitted a substitute ordinance bearing new title.

Question: Shall this Ordinance be PASSED ON FIRST READING?

22. 011084 [Emergency Repair, Hetch Hetchy San Joaquin Pipeline No. 1]  
Resolution authorizing expenditure of funds for emergency repair of corrosion in San Joaquin Pipeline No. 1 of the Hetch Hetchy Aqueduct. (Public Utilities Commission)

Question: Shall this Resolution be ADOPTED?

23. 011227 [Children's Council of San Francisco]  
Resolution urging the Board of Supervisors to authorize continuing the service level and

enrollment for CalWORKS child care by renewal of the existing contract with the Children's Council of San Francisco, a California corporation, to continue with said contract in enrollment, program costs and number of capacity building initiatives. (Human Services Department)

(Fiscal impact.)

Question: Shall this Resolution be ADOPTED?

24. 011322 [Grant - Department of the Environment] Mayor  
Resolution authorizing the Department of the Environment to accept a grant in the amount of \$7,800,000 from the California Public Utilities Commission for a small business lighting retrofit program. (Mayor)

Question: Shall this Resolution be ADOPTED?

#### Recommendations of the Rules Committee

Present: Supervisors Gonzalez, Hall, Ammiano

25. 011312 [Appointment]  
Resolution appointing Supervisor Mark Leno, term ending June 30, 2003, as an alternate member to the Association of Bay Area Governments Executive Board.  
Supervisor Mark Leno, succeeding himself, Seat No. 3, must be a member of the San Francisco Board of Supervisors (alternate), for a new two-year term ending June 30, 2003.

Question: Shall this Resolution be ADOPTED?

26. 011313 [Appointment]  
Resolution appointing Supervisor Jake McGoldrick, term ending June 30, 2003, to the Association of Bay Area Governments Executive Board.  
Supervisor Jake McGoldrick, succeeding himself, Seat No. 2, must be a member of the San Francisco Board of Supervisors, for a new two-year term ending June 30, 2003.

Question: Shall this Resolution be ADOPTED?

27. 011314 [Appointment]  
Resolution appointing Supervisor Chris Daly, term ending June 30, 2003, to the Association of Bay Area Governments Executive Board.  
Supervisor Chris Daly, succeeding Supervisor Tony Hall, resigned, Seat No. 1, must be a member of the San Francisco Board of Supervisors, for a new two-year term ending June 30, 2003.

Question: Shall this Resolution be ADOPTED?



SPECIAL ORDER 3:00 P.M.

28. 010882 [Hearing - Street Vacation of a Portion of The Embarcadero]  
Hearing of persons interested in or objecting to proposed ordinance ordering the vacation of a portion of The Embarcadero just north of Mission Street; establishing conditions for the effectiveness of the vacation; adopting findings pursuant to the California Environmental Quality Act; and adopting findings that the vacation is consistent with the City's General Plan and Eight Priority Policies of Planning Code Section 101.1; and ratifying acts and authorizing actions in furtherance of the ordinance. (Clerk of the Board)  
(Pursuant to Board of supervisors Resolution No. 519-01, approved July 6, 2001.)

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

From the Housing, Transportation and Land Use Committee Without Recommendation

Present: Supervisors McGoldrick, Daly, Peskin

29. 010812 [Street Vacation of a Portion of The Embarcadero]  
Ordinance ordering the vacation of a portion of The Embarcadero just north of Mission Street; establishing conditions for the effectiveness of the vacation; adopting findings pursuant to the California Environmental Quality Act; and adopting findings that the vacation is consistent with the City's General Plan and eight priority policies of Planning Code Section 101.1; and ratifying acts and authorizing actions in furtherance of the ordinance. (Public Works Department)  
Question: Shall this Ordinance be PASSED ON FIRST READING?

SPECIAL ORDER 3:00 P.M.

Board of Supervisors Sitting as a Committee of the Whole

30. 011347 [Hearing - Disposition and Development of Redevelopment Agency Land to Asian Inc.]  
Hearing of persons interested in or objecting to proposed resolution approving the Redevelopment Agency of the City and County of San Francisco's disposition of land at Assessor's Block 3725, Lot 101, commonly known as 474 Natoma Street, to Asian, Incorporated, a California non-profit public benefit corporation, for the purpose of developing housing for low and moderate income households. (Clerk of the Board)  
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. 011323 [Disposition and Development of Redevelopment Agency Land to Asian Inc.] Mayor  
Resolution approving the Redevelopment Agency of the City and County of San Francisco's disposition of land at Assessor's Block 3725, Lot 101, commonly known as 474 Natoma Street, to Asian, Incorporated, a California non-profit public benefit corporation, for the purpose of developing housing for low and moderate income households. (Mayor)  
Question: Shall this Resolution be ADOPTED?

SPECIAL ORDER 3:00 P.M.

Board of Supervisors Sitting as a Committee of the Whole

32. 011348 [Hearing - Ground Lease , Redevelopment Agency Land to Ocean Beach Apartments, L.P.]  
Hearing of persons interested in or objecting to proposed resolution approving the Redevelopment Agency of the City and County of San Francisco's lease of land at Assessor's Block 1596, Lot 42, commonly known as 720 La Playa Street, to Ocean Beach Apartments, L.P., for 50 years for the purpose of preserving a housing development for very low and low income households.  
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

33. 011324 [Ground Lease , Redevelopment Agency Land to Ocean Beach Apartments, L.P.] Mayor  
Resolution approving the Redevelopment Agency of the City and County of San Francisco's lease of land at Assessor's Block 1596, Lot 42, commonly known as 720 La Playa Street, to Ocean Beach Apartments, L.P., for 50 years for the purpose of preserving a housing

development for very low and low income households. (Mayor)

Question: Shall this Resolution be ADOPTED?

34. ROLL CALL FOR INTRODUCTIONS

Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, and letters of request to the City Attorney.

35. PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to

APPROVAL OF REQUESTS TO THE LEGISLATIVE ANALYST

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

36. 011382 [Legislative Analyst Request] Supervisor McGoldrick  
Motion asking the Legislative Analyst to prepare a report concerning the diversity of appointments made to Board, Commissions, and to heads of City Departments, including all such appointments made by local officials (City officials, as well as judges of the Superior Courts). This report should be broken down by age, gender, ethnicity, race, religion, national origin, sexual orientation, and disability, to the extent such data is known, and should report the composition of each board, commission, etc. according to such criteria. This report should be completed by September 15, 2001.

Question: Shall this Motion be ADOPTED?

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 37 through 45

37. 011364 [Golden Gate Park Stables Funding] Supervisor Hall  
Resolution urging the Recreation and Park Department to consider the option of reallocating existing funds sufficient to repair and improve the Golden Gate Park Stables, and then repay these funds by soliciting funds from the Golden Gate Park Concourse Authority.  
7/23/2001, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE  
AGENDA AT THE NEXT BOARD MEETING.  
Question: Shall this Resolution be ADOPTED?
38. 011365 [Golden Gate Park Stables Working Group] Supervisor Hall  
Resolution establishing a Golden Gate Park Stables Working Group to be comprised of one boarder at the Stables, one veterinarian, one person with equestrian competition experience or one person with equestrian riding teaching experience, one member of the public with a background in boarding horses or managing a horse stable, and a representative of the Recreation and Park Department. The Golden Gate Park Stables Working Group shall evaluate possible funding opportunities for capital improvement needs at the Golden Gate Park stables, and shall evaluate the most efficient and effective manner to repair and improve the stables.  
7/23/2001, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE  
AGENDA AT THE NEXT BOARD MEETING.  
Question: Shall this Resolution be ADOPTED?
39. 011367 [Declaration of Policy - Proposition P] Supervisors Maxwell, Leno, Peskin, Newsom, McGoldrick  
Resolution adopting the voter approved Declaration of Policy known as Proposition P as the official policy of the City and County of San Francisco, urging the United States Navy, the United States Environmental Protection Agency and the California Environmental Protection Agency to take all actions necessary to implement Proposition P.  
7/23/2001, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE  
AGENDA AT THE NEXT BOARD MEETING.  
Question: Shall this Resolution be ADOPTED?
40. 011368 [Reform of Prison Gang Validation Policy] Supervisor Sandoval  
Resolution urging the California Department of Corrections to reform a prison gang validation policy, which led 900 prisoners to participate in a hunger strike earlier this month.  
7/23/2001, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE  
AGENDA AT THE NEXT BOARD MEETING.  
Question: Shall this Resolution be ADOPTED?
41. 011369 [Commend - Sonia Reyes] Supervisors Maxwell, Leno  
Resolution commending Sonia Reyes who has faithfully served the City and County of San Francisco for thirty-one years.  
7/23/2001, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE  
AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

42. 011370 [Commend - S.F. Bicycle Coalition and Susan Silber] Supervisor Maxwell  
Resolution commending the San Francisco Bicycle Coalition and educator Susan Silber for opening up new worlds to SFUSD students through teaching them how to operate a bicycle safely in San Francisco.

7/23/2001, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE  
AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

43. 011360 [Needle Exchange Emergency] Supervisors Ammiano, Newsom,  
Yee, Leno, Daly, Peskin,  
McGoldrick, Maxwell

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

7/23/2001, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE  
AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be ADOPTED?

44. 011379 [Final Map for a 7 Unit Commercial Condominium  
Project]  
Motion approving the Final Map of The Millennium Market Street Center Commercial Condominium, 747-767 Market Street, San Francisco, A Commercial Condominium Project, being a subdivision of Lot 125, Assessor's Block No. 3706, and adopting findings pursuant to City Planning Code Section 101.1. (Public Works Department)

(DPW Order No. 173,088; District 6.)

7/24/2001, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE  
AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be ADOPTED?

45. 011383 [Municipal Utility District Covenant Not to Sue] Supervisor Ammiano  
Resolution approving the Municipal Utility District Covenant Not to Sue.

7/25/2001, ASSIGNED to Board of Supervisors. Scheduled for consideration July 30, 2001.

Question: Shall this Resolution be ADOPTED?

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

46. 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 July 19 through noon on July 25, for reference by President to appropriate committee on July 30, 2001.

011359 [Street Artists Program]

Ordinance amending Article 24 of the San Francisco Police Code by amending Section 2402 to remove provision establishing the maximum annual amount paid to each member of the Advisory Committee of Street Artists and Craftsmen Examiners for meetings and studio visits. (Arts Commission)

011377 [Settlement of Lawsuit]

Ordinance authorizing settlement of the lawsuit filed by Brenda Sgamba against the City and County of San Francisco for one hundred sixty-two thousand, seven hundred and fifty dollars and no cents (\$162,750.00), and to Sgamba's attorney Christopher Dolan (payable to The Dolan Law Firm) the total lump sum for costs and fees of one hundred sixty-two thousand, two hundred and fifty dollars and no cents (\$162,250.00) (for a TOTAL SUM of \$325,000.00); the lawsuit was filed on March 16, 1999 in San Francisco Superior Court, Case No. 302-011; entitled Brenda Sgamba v. City and County of San Francisco, et al. (City Attorney)

7/25/2001, RECEIVED AND ASSIGNED to Audit, Labor and Government Efficiency Committee.

011378 [Settlement of Lawsuit]

Ordinance authorizing settlement of the lawsuit filed by Robert Weidman against the City and County of San Francisco for \$27,500, plus an amount not to exceed \$20,000 for additional attorney's fee and cost; the lawsuit was filed on May 24, 2001, in the United States District Court, Case No. C99-4442 TEH; entitled Robert Weidman v. City and County of San Francisco, et al. (City Attorney)

7/25/2001, RECEIVED AND ASSIGNED to Audit, Labor and Government Efficiency Committee.

## PROPOSED RESOLUTIONS

Proposed resolutions received from July 19 through noon on July 25, for reference by President to appropriate committee on July 30, 2001.

011349 [Accept and Expend State Grant - Career Criminal Prosecution]

Resolution authorizing retroactively the District Attorney of the City and County of San Francisco to accept and expend a grant in the amount of \$197,178 made available through The Office of Criminal Justice Planning for a project entitled "Career Criminal Prosecution" to fund vertical prosecution of career criminals. (District Attorney)

7/20/2001, RECEIVED AND ASSIGNED to Economic Vitality, Small Business and Social Policy Committee.

011354 [Accept and Expend State Grant - Statutory Rape Vertical Prosecution]

Resolution retroactively authorizing the Office of the District Attorney to accept and expend a grant in the amount of \$150,000 from the California Office of Criminal Justice Planning for the operation of the Statutory Rape Vertical Prosecution Program. (District Attorney)

7/20/2001, RECEIVED AND ASSIGNED to Economic Vitality, Small Business and Social Policy Committee.

011380 [Grant for non-custodial parents program for prisoners]

Resolution authorizing the Sheriff's Department to accept and expend a grant in the amount of \$91,000 from the Private Industry Council of San Francisco for providing a non-custodial parents program for prisoners in the county jail. (Sheriff)

7/25/2001, RECEIVED AND ASSIGNED to Economic Vitality, Small Business and Social Policy Committee.

011381 [Tolling Agreement Extension with Irrigation District]

Resolution approving Tolling Agreement Extension with Modesto and Turlock Irrigation

Districts. (City Attorney)

7/24/2001, RECEIVED AND ASSIGNED to Audit, Labor and Government Efficiency Committee. A confidential letter dated July 23, 2001 is on file with the Clerk of the Board.

011384 [Contracting out Shuttle Bus Services]

Resolution approving the Controller's certification that shuttle bus services for San Francisco International Airport's Long-Term Parking lot, the employee garage and surface Lot DD can practically be performed by private contractor at a lower cost than if work were performed by City and County employees. (Airport Commission)

7/25/2001, RECEIVED AND ASSIGNED to Finance Committee.

011400 [Petitions and Communications]

Petitions and Communications received from July 19 through noon on July 25, for reference by the President to Committee considering related matters or to be ordered filed by the Clerk on July 30, 2001.

From Mary Russo McAfee, appealing decision of the Director of Public Works affirming the approval of Tentative/Parcel Map for 107 24th Avenue, formerly known as "Land of Billman". (1)

From Emergency Communications Department, regarding Graduation and Oath of Allegiance Ceremony of the POST 24 Public Safety Dispatch Course, August 22, 2001, 5:30 P.M, the Koret Auditorium (SF Library) 100 Larkin Street. Copy: Each Supervisor (2)

From Department of Public Health, regarding access to the 2000 HIV/AIDS Epidemiology Annual Report on their web site at ([www.dph.sf.ca.us/PHP/AIDSSurvUnit.htm](http://www.dph.sf.ca.us/PHP/AIDSSurvUnit.htm)) or by contacting the Department. (3)

From Roy Adams, submitting request for transfer of a Type 21 liquor license from 105 Broad Street to 98 Broad Street for "R.C.Package House". Copy: Economic Vitality, Small Business and Social Policy Committee (4)

From Office of the Treasurer and Tax Collector, submitting list of sole source contracts for fiscal year 1999/2000. (5)

From Rick Thurber, commenting on the negative impact that abuse, vandalism and neglect of property has on the quality of life, especially in the inner city. 5 Letters (6)

From concerned citizens, submitting support to place the statues of King Carlos III and Juan Bautista de Anza on the medial strip in front of Mission Dolores. File 011225, 24 Letters (7)

From Ingleside Terraces Home Association, submitting newsletter dated summer 2001. Copy: Each Supervisor (8)

From concerned citizens, submitting support to ban the sale of fur in San Francisco. 23 Letters (9)

From David Renroth, submitting various comments. 4 letters (10)

From Department of Public Health, submitting budget revision for the University of



California, Universitywide AIDS Research Program grants. File 991767, Copy: Finance Committee (11)

From Department of Public Works, submitting quarterly report for the Defective Sidewalk Repair Revolving Account for the period April 1, 2001 through June 30, 2001. (12)

From Office of the Legislative Analyst, submitting report regarding "Municipal Golf Courses" dated July 6, 2001. File 011081 (13)

From various signators, submitting Form 700 Statement of Economic Interests: (14)  
Michele Olson  
Monica Lim

From James Barnes, commenting on proposal to place a replica of "the arm and torch" of the Statue of Liberty on Treasure Island. (15)

From concerned citizens, commenting on article by Rob Morse (Chronicle, July 16, 2001) entitled "The cesspool that is the streets of San Francisco". 2 Letters (16)

From Ethics Commission, submitting support for proposed legislation to amend the San Francisco Campaign and Governmental Conduct Code to require candidates who pay for mass mailings to identify themselves on the mailings with a "paid for by" designation, and to file a copy of the mass mailing along with an itemized disclosure statement with the San Francisco Ethics Commission. File 010778 Copy: Supervisors Leno, Peskin (17)

From State Department of Health Services, submitting fiscal year 2000/01 "revised" California Healthcare for Indigents Program (CHIP) allocation tables. (18)

From Ethics Commission, submitting notice that the Executive Director is authorized to sign letters on behalf of the Chairperson of the Ethics Commission as to legislation that the Ethics Commission has considered or will consider. (19)

From State Department of Fish and Game, regarding California Fish and Game Commission's acceptance of petition to add the coho salmon, north of San Francisco, to the Official State list of endangered and threatened species. (20)

From concerned citizens, submitting opposition to the proposed "Dance Hall Permits" legislation and suggesting it be sent back to Committee for further discussion and amendments. File 010845, Copy: Each Supervisor, 3 Letters (21)

From Recreation and Park Department, regarding lease negotiations for the Golden Gate Park Stables. File 011173, Copy: Each Supervisor (22)

From Ethics Commission, submitting opposition to proposed Charter amendments regarding elections, ethics, outside council and redistricting as it relates to the Ethics Commission. File 010956, Copy: Each Supervisor (23)

From Department of Public Health, submitting report of illegal discharges of hazardous waste dated March 1, 2001. Copy: Public Health and Environment Committee (24)

From S.F. Children and Families Commission, submitting annual report with the Department's summation of accomplishments for fiscal year 2000/01. (25)

From Office of the Sheriff, regarding the steps taken to remove protesters from the Board Chambers on July 16, 2001. Copy: Each Supervisor (26)

From concerned citizens, submitting opposition to proposal to rename a portion of Phelan Avenue to Marasigan Avenue. File 011245, 2 Letters (27)

From Office of the City Attorney, submitting an update on Pacific Gas and Electric Company's Bankruptcy Case. Copy: Each Supervisor (28)

From Mayor's Office of Community Development, submitting request for release of reserved funds (\$9,256) for proposed reclassifications of four Special Assistant positions. File 010621 (29)

From Office of the Controller, Audits Division, regarding review of agreement the San Francisco Public Utilities Commission has with the San Francisco Water Alliance, to procure program management and construction management services, in support of the Public Utilities Commission's water, power and sewer capital improvement program. (30)

From District Attorney, submitting list of sole source contracts for fiscal year 1999/2000. (31)

From Senate Rules Committee, submitting appointment of Richard Katz of Sylmar as a member of the State Water Resources Control Board, term ending January 15, 2002. (32)

From Urban Counties Caucus, submitting legislative update dated July 23, 2001. (33)

From Treasurer Island Tenants, submitting request to receive the same neighborhood services as any other neighborhood in San Francisco. Copy: Each Supervisor (34)

From Environmental Action Committee of West Marin, submitting support for proposed Charter amendment regarding landfill in San Francisco Bay. File 010970 (35)

From John Jenkel, Center for the Preservation of Horses, requesting the Board of Supervisors urge the City Attorney's Office to withdraw by July 27, 2001, its motion to lift the court order protecting Hera as evidence in State vs Knoller and Noel. Copies: Each Supervisor, 2 Letters (36)

From concerned citizens, submitting support for proposed ordinance reconstituting the Citizens Advisory Committee on Elections by changing procedures and requirements for appointment of its members and prohibiting certain office-holding and campaign and lobbying activities by its members. File 011165, Copy: Each Supervisor (37)

From Department of Public Health, submitting notice that the Long Term Care Pilot Project Task Force is no longer in operation. (Reference No. 20010611-018) (38)

From California Department of Child Support Services, submitting revised federal order/notice to withhold income child support form, dated July 11, 2001. (39)

From David Bell, commenting on the results and process of granting rate increases to local municipal monopolies. (40)

From California Common Cause, suggesting that proposed Charter amendments regarding

elections, ethics, outside counsel and redistricting should be considered as separate amendments. Files 010956, 011315, 011316 Copy: Each Supervisor (41)

From Virginia Velez, commenting on the deplorable conditions in and around the BART Station at 16th and Mission Street. Copy: Each Supervisor (42)

From Office of the Treasurer, submitting report on the Cash Difference and Overage Funds, period ending June 30, 2001. (43)

From Brian Neville, suggesting that the SF Giants should pay for police security and parking control costs on property within their leased area, including public sidewalks. Copy: Each Supervisor (44)

From Paul Platt, submitting support for proposed Charter amendment regarding Revenue Bonds, Renewable Energy and Energy Conservation Projects. File 010983, Copy: Each Supervisor, 2 Letters (45)

From Action for Animals, submitting support for the establishment of a Special Prosecution Unit in the District Attorney's Office. (46)

From Ethics Commission, submitting Lobbyist Report (Summary of Earnings and Expenses) registered with the City for the second quarter (April 1 through June 30, 2001). (47)

From A T&T Broadband, submitting payment for AT&T's Quarterly Franchise Fee for the second quarter (April 1 through June 30, 2001). Copy: Each Supervisor (48)

From A T&T Broadband, submitting payment for AT&T's Quarterly CTPC Fee for the second quarter (April 1 through June 30, 2001). Copy: Each Supervisor (49)

From State Water Resources Control Board, regarding two public meetings to consider the legal classification of groundwater, August 20 and August 23, 2001 from 10:00 a.m. to 2:00 p.m. in the Central Valley Auditorium of the Cal/EPA Headquarters Building located at 1001 I Street in Sacramento. (50)

From Steve Zimmermann, regarding Standard & Poor's rating of San Francisco Public Utilities Commission, Water Revenue Bonds, Series 2001 A, due November 1, 2031. Copy: Each Supervisor (51)

From Larry Griffin, Black American Political Association of California, requesting proposed legislation reconstituting the Citizens Advisory Committee on Elections be sent back to Committee. File 011165, Copy: Each Supervisor, 2 Letters (52)

From Public Utilities Commission, submitting list of sole source contracts for fiscal year 1999/2000. (53)

From Department of California Highway Patrol, regarding the Department's effort to address the escalating problem of congestion by implementing "Clear Lanes Efficiently and Rapidly" (CLEAR), that deploys additional officers working in concert with other traffic management resources, to specific roadway segments for the purpose of quickly identifying and removing highway impediments. Copy: Each Supervisor (54)

From Mr. & Mrs. Hillson, submitting support for Traffic Code amendment that would limit the number of Residential Permit Parking permits to three (3) parking stickers per household; and suggesting stricter enforcement of this law, especially in the areas bounded by Palm,

Masonic, Euclid, and Anza Streets in the inner Richmond District of San Francisco. (55)

From Senior Action Network, submitting support for proposed Charter amendment regarding the "Livable Street Fund" on the November 2001 ballot. File 010967, Copy: Each Supervisor (56)

From John DuBois, commenting on his recent visit to San Francisco. Copy: Each Supervisor (57)

From concerned citizens, submitting support for adequate funding for the Public Health system in the city of San Francisco. Copy: Each Supervisor, 2 Letters (58)

From Association of Bay Area Governments, submitting report entitled "Regional Housing Needs Determination" for the San Francisco Bay Area, for 2001 through 2006. (59)

From Fine Arts Museums of San Francisco, submitting annual report for Fall/Winter 2000 and Spring/Summer 2001 for fiscal year ending June 30, 2001. (60)

From Department of Building Inspection, submitting annual report highlighting the Department's permit and inspection accomplishments for fiscal year 1999/2000 as well as their goals for fiscal year 2000/01. (61)

From Keala Barnes, submitting support for increase wages plus education and retention of teachers and providers for childcare providers. (62)

From Kaygey Mosk, submitting appreciation for the Board of Supervisors words of tribute to her late husband, Justice Mosk. (63)

From San Francisco International Airport, submitting resolution concurring with the Controller's certification that Shuttle Bus Service for San Francisco International Airport can be performed by a private contractor at a lower cost than if the services were performed by City and County employees, for fiscal year 2001/02. (64)

From concerned citizens, submitting support for proposed Charter amendment regarding landfill in San Francisco Bay. File 010970 Copy: Each Supervisor (65)

## ADJOURNMENT

### Meeting Procedures

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

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

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

Agenda are available on the internet at [www.ci.sf.ca.us/bdsupvrs.bos.htm](http://www.ci.sf.ca.us/bdsupvrs.bos.htm).

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

Board meetings are televised on channel 26. For video tape copies and scheduling call (415) 557-4293.

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

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

AVISO EN ESPAÑOL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

#### Disability access

The Legislative Chamber of the Board of Supervisors is in Room 250 of City Hall, 1 Dr. Carlton B. Goodlett Place. The Chamber is wheelchair accessible.

The closest accessible BART Station is Civic Center, three blocks from City Hall. Accessible MUNI lines serving this location are: #47 Van Ness, and the #71 Haight/Noriega and the F Line to Market and Van Ness and the Metro stations at Van Ness and Market and at Civic Center. For more information about MUNI accessible services, call 923-6142.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex.

The following services are available when requests are made by 4:00 p.m. of the Friday before the Board meeting: For American Sign Language interpreters, use of a reader during a meeting, or sound enhancement system, contact Violeta Mosuela at (415) 554-7704.

For a large print copy of agenda or minutes in alternative formats, contact Annette Lonich at (415) 554-7706. The Clerk of the Board's Office TTY number for speech-hearing impaired is (415) 554-5227.

In order to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products.

#### Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Donna Hall by mail to Clerk of the Board of Supervisors, 1 Dr. Carlton B. Goodlett Place, Room 244, by phone at (415) 554-7724, by fax at (415) 554-5784 or by email at [Donna\\_Hall@ci.sf.ca.us](mailto:Donna_Hall@ci.sf.ca.us)

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.ci.sf.ca.us/bdsupvrs/sunshine.htm>