



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, April 29, 2002
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

APPROVAL OF MEETING MINUTES

Motion to approve the February 25, 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.

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 2

Recommendations of the Rules and Audits Committee

Present: Supervisors Hall, Gonzalez, Sandoval

- 1. 020474 [Settlement of Lawsuit]**

Ordinance authorizing settlement of the lawsuit filed by Homes Not Jails, Robert Haaland, Ted Gullicksen, Mara Raider, Cathleen Gray, David Acquino, Allison Lum and Miguel Wooding against the City and County of San Francisco, Sergeant Frederick Schiff and Captain John Newlin for \$22,500; the lawsuit was filed on August 10, 1999 in San Francisco Superior Court, Case No. 305-552; entitled Homes Not Jails, et al., v. City and County of San Francisco, et al; the City and County of San Francisco, Sergeant Frederick Schiff and Captain John Newlin joined in the removal of this case to the United States District Court on September 14, 1999, Case No. C99-4204 TEH; other material terms of said settlement are that the \$22,500 is the total to plaintiffs plus reasonable attorneys fees to be determined by the Court, but not less than \$35,000 and not more than \$100,000. (City Attorney)

4/22/2002, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?
- 2. 020478 [Settlement of Lawsuit]**

Ordinance approving settlement of the lawsuit filed by Aeroground, Inc. against City and County of San Francisco, et al., by payment by City and County of San Francisco to Aeroground, Inc. in the amount of \$400,000 and other terms; the lawsuit was filed on August 25, 2001, in the United States District Court, Case No. C 01-1628VRW, entitled Aeroground, Inc., vs. City and County of San Francisco; San Francisco Airport Commission; and John L. Martin, in his official capacity as Director of the San Francisco International Airport. (Airport Commission)

4/22/2002, PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

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

REGULAR AGENDA

UNFINISHED BUSINESS

Vetoed by the Mayor

Consideration to override veto pursuant to Charter Section 2.106 of Resolution imposing Interim Zoning requiring Conditional Use Authorization for Large Retail Uses.

3. 011798 [Interim Zoning Requiring Conditional Use Authorization for Large Retail Uses] Supervisor Ammiano

Resolution imposing interim zoning controls establishing a requirement for conditional use authorization for large retail uses in C-2, C-M, M-1, M-2, RSD, SLR, SLI, SPD and SSO zones, including, where permissible, lots under the jurisdiction of the San Francisco Port Commission, for a one year period and making a determination of consistency with the priority policies of Planning Code Section 101.1.

(Certificate of Exemption/Exclusion from Environmental Review dated 12/7/01)

(April 5, 2002 - VETOED by Mayor.)

(Supervisor Hall dissenting in Committee.)

Note: The Board has 30 days to act from the date the legislation was signed by the Mayor. Override of a veto requires a 2/3rds vote of the Board, the Board may either vote the legislation up or down, no amendments. The 30th day from April 5, 2002 is May 5, 2002.

11/19/2001, SUBSTITUTED. Supervisor Ammiano submitted a substitute resolution bearing new title.

3/25/2002, ADOPTED.

4/15/2002, CONTINUED. Continued to April 22, 2002.

4/22/2002, CONTINUED. Continued to April 29, 2002.

Question: Shall this Resolution be ADOPTED?

Consideration to override veto pursuant to Charter Section 2.106 of Ordinance prohibiting the construction of new Live/Work developments in San Francisco.

4. 012127 [Prohibition of New Live/Work Units] Supervisor Ammiano

Ordinance amending the San Francisco Planning Code by amending the definition of "Live/Work Unit" in Section 101.13 to clarify that the residential use and the integrated work space must be in the same unit, and by amending Section 233 to prohibit new Live/Work Units except for accessory uses authorized by Section 204.4.

(Planning Commission Resolution #16359 adopted 3/7/02 recommending disapproval. Certificate of Exemption/Exclusion from Environmental Review dated 2/28/02)
(Supervisor Hall dissenting in Committee.)

(April 19, 2002 - VETOED by Mayor.)

Note: The Board has 30 days to act from the date the legislation was signed by the Mayor. Override of a veto requires a 2/3rds vote of the Board, the Board may either vote the legislation up or down, no amendments. The 30th day from April 19, 2002 is May 19, 2002.

3/25/2002, MOTION to excuse Supervisor Newsom.

3/25/2002, PASSED ON FIRST READING.

4/8/2002, FINALLY PASSED.

Action: _____

5. 020413 [Redevelopment Agency] Supervisor Daly

Ordinance amending Administrative Code Chapter 24 "Redevelopment Agency" by declaring the Board of Supervisors to be Governing Body of the Redevelopment Agency of the City and County of San Francisco, thereby replacing the existing seven-member appointed Board, with findings in support (California Community Redevelopment Law, Health & Safety Code §§33000 et seq.); and establishing an eleven-member appointed Community Redevelopment Commission and delegating certain powers to the Commission.

3/25/2002, CONTINUED. 3/25/02 - Supervisor Daly moved to continue to April 29, 2002.

Question: Shall this Ordinance be PASSED ON FIRST READING?

Recommendations of the Finance Committee

Present: Supervisors Peskin, Daly, Ammiano

6. 020390 [Administrative Code Revision: Health Service System] Supervisor McGoldrick

Ordinance amending Chapter 16, Article XV, of Part 1 of the San Francisco Municipal (Administrative) Code by amending Section 16.703 regarding Board approval of Health Service System Plans and Contribution Rates. (Human Resources Department)

(Fiscal impact.)

4/22/2002, PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

7. 020464 [Settlement of Lawsuit]

Ordinance authorizing settlement of the lawsuit filed by New Times, Inc., San Francisco Newspaper Printing Company, Inc., Gannett Satellite Information Network, Inc., The New York Times Company, San Jose Mercury News, Inc., Los Angeles Times, Dow Jones & Company, Inc., Bay Guardian Company, Inc., and United Advertising Publications, Inc. against the City and County of San Francisco for \$85,000; the lawsuit was filed on January 5, 1999, in the United States District Court for the Northern District of California, Case No. C-99-0020 (WHA); entitled New Times, Inc., et al., v. City and County of San Francisco, et al.; other material terms of said settlement are the City's amendment of San Francisco Public Works Code Section 184.12, the Director of Public Works' promulgation of amended guidelines, and the City's approval of the First Amended and Restated Pedestal-Mounted Newsrack Agreement by and between the City And County of San Francisco and Clear Channel Adshel, Inc. (City Attorney)

(Companion measure to Files 020465, 020466.)
(Supervisor Daly dissenting in Committee.)

4/22/2002, CONTINUED. Continued to April 29, 2002.

Question: Shall this Ordinance be PASSED ON FIRST READING?

8. 020465 [Regulation of Newsracks; Amendment of Fixed Pedestal Newsrack Program]

Ordinance amending the San Francisco Public Works Code, Article 5.4, by repealing the existing Section 184.12 and enacting a new Section 184.12 regulating the placement and maintenance of newsracks on public streets, sidewalks and rights-of-way to prohibit freestanding newsracks in specified areas of the City, authorizing the creation of fixed pedestal zones in specified areas of the City, and authorizing the Director of Public Works to select and enter into agreements with vendors to provide and maintain fixed pedestal newsracks. (City Attorney)

(Supervisor Daly dissenting in Committee.)

4/22/2002, CONTINUED. Continued to April 29, 2002.

Question: Shall this Ordinance be PASSED ON FIRST READING?

9. 020466 [Contract - CCSF and Clear Channel Adshel, Inc.]

Ordinance approving the First Amended and Restated Pedestal-Mounted Newsrack Agreement By and Between the City and County of San Francisco and Clear Channel Adshel, Inc., which allows for the provision, installation, and maintenance of pedestal-mounted newsracks on public property; approving an indemnification of the contractor by the City for specified claims initiated by publishers or other specified claimants, concerning the fixed pedestal program, the fixed pedestal units, their operation, or the agreement with Clear Channel Adshel, Inc., and for specified claims including bodily injury or property damage arising from the City's performance of said agreement; and authorizing the Director of the Department of Public Works to make changes to the Department of Public Works Director's Orders incorporated by reference in the agreement with Clear Channel Adshel, Inc. (City Attorney)

(Supervisor Daly dissenting in Committee.)

4/22/2002, CONTINUED. Continued to April 29, 2002.

Question: Shall this Ordinance be PASSED ON FIRST READING?

- 10. 012003 [Retirement Benefits] Supervisors McGoldrick, Maxwell**

Ordinance amending Administrative Code Section 16.37-1 to provide for the setting of interest rates for retirement allowances.

4/22/2002, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

- 11. 020551 [Year 2002 Annual Joint Fundraising Drive Application and Designation Deadlines] Mayor**

Ordinance amending Section 16.93-4 of the San Francisco Administrative Code, which establishes March 1 of each year as the deadline for agencies who wish to participate in the Annual Joint Fundraising Drive to submit their applications, and which establishes May 1 of each year as the deadline for the Board to designate those agencies that qualify to participate in the City's Annual Drive for that year, to allow any Mayor's Fund to submit by April 15, 2002, their application to participate in the 2002 Annual Drive, and to allow the Board to designate those agencies that qualify to participate in the City's Annual Drive for 2002 by June 1, 2002. (Mayor)

4/22/2002, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

From Finance Committee Without Recommendation

Present: Supervisors Peskin, Daly, Ammiano

- 12. 020534 [MOU Amendment No. 2, Collective Bargaining between MEA and CCSF] Mayor**

Ordinance adopting and implementing Amendment No. 2 to the 2001-2003 Collective Bargaining Agreement between the Municipal Executives' Association and the City and County of San Francisco by amending Article III and adding Appendix H to incorporate the parties' agreements regarding specified wage adjustments and to correct clerical errors. (Mayor)

4/22/2002, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the Rules and Audits Committee

Present: Supervisors Hall, Gonzalez, Sandoval

- 13. 020406 [Settlement of Lawsuits and Claims] Mayor**

Ordinance approving a settlement between the International Federation of Professional and

Technical Engineers, Local 21, the Municipal Executives' Association, and the City and County of San Francisco of litigation and administrative claims concerning the assignment of classifications to bargaining units and related disputes. (Mayor)

4/22/2002, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the Public Works and Public Protection Committee

Present: Supervisors Sandoval, Yee, Gonzalez

- 14. 011788 [Street Artists Program] Supervisor Ammiano**
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.
4/22/2002, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?

NEW BUSINESS

Recommendations of the Finance Committee

Present: Supervisors Peskin, Daly, Ammiano

- 15. 020193 [Emergency Response Fee Amendments] Supervisors Peskin, Daly, Ammiano**
Ordinance amending Articles 6 and 10a of the San Francisco Business And Tax Regulations Code by amending Sections 6.1-1, 750, 751, 753, 755 and 757, deleting section 756 and adding sections 752.2 And 755.1 to clarify the application of the Code's common administrative provisions to the Emergency Response Fee; to provide for use of Emergency Response Fee Revenues for operating costs of the 911 Communication System; to update the findings supporting the fee; to increase the amount of the annual cap on fee payments per account, per service location to reflect inflation; to increase the fee rate for trunk line subscribers and add a rate for high capacity trunk line subscribers; and to eliminate the fee sunset, and amending section 10.100-67 of the San Francisco Administrative Code to allow for use of monies in the Emergency Communications 911 Emergency Response Fund for operating costs of the 911 Communication System.
(Fiscal impact.)
Question: Shall this Ordinance be PASSED ON FIRST READING?

16. 020194 [Supplemental Appropriation, Emergency Communications Department] Supervisors Peskin, Daly, Ammiano

Ordinance appropriating \$1,344,031 from the 911 Access Fee and reappropriating \$280,533 in permanent salaries for a total of \$1,624,564 to provide funding for the Civilianization Plan of the Fire/EMS communications functions and offset shortfalls in salaries and overtime for the Emergency Communications Department for fiscal year 2001-02.

(Fiscal impact; Companion measure to File 020195.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

17. 020195 [Public Employment, Emergency Communications Department] Supervisors Peskin, Daly, Ammiano

Ordinance amending Ordinance No. 171-01 (Annual Salary Ordinance 2001/02) reflecting the creation of one position at the Emergency Communications Department.

(Fiscal impact.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

SPECIAL ORDER 3:00 P.M.

18. 020479 [Public Hearing - Conditional Use Appeal, 417 31st Avenue]

Hearing of persons interested in or objecting to the decision of the Planning Commission by its Motion No.16346 dated February 14, 2002, approving Conditional Use Application No. 2001.0926C, to mount a total of three panel antennas to the belfry of an existing Church, within an NC-1 (Neighborhood Commercial Cluster) Zoning District and a 40-X Height and Bulk District, pursuant to Section 710.83 of the Planning Code, on property located at 417 31st Avenue, southwest corner of 31st Avenue and Clement Street; Lot 001, in Assessor's Block 1463.

(Filed March 18, 2002; Categorically exempt from environmental review process pursuant to exemption Classes 1, 3 and 11 of Title 14 of the California Administrative Code; Case No. 2001.0926C; companion measure to Files 020480, 020481, 020482; District 1.)

4/8/2002, CONTINUED. Continued to April 29, 2002.

Action:_____

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

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

- 19. 020480 [Appeal, Conditional Use, 417 31st Avenue]**
Motion approving decision of the Planning Commission by its Motion No. 16346, approving Conditional Use Application No. 2001.0926C, on property located at 417 31st Avenue, and adopting findings pursuant to Planning Code Section 101.1. (Clerk of the Board)

4/8/2002, CONTINUED. Continued to April 29, 2002.

Question: Shall this Motion be ADOPTED?

- 20. 020481 [Appeal, Conditional Use, 417 31st Avenue]**
Motion disapproving decision of the Planning Commission by its Motion No. 16346, approving Conditional Use Application No. 2001.0926C, on property located at 417 31st Avenue, and adopting findings pursuant to Planning Code Section 101.1. (Clerk of the Board)

4/8/2002, CONTINUED. Continued to April 29, 2002.

Question: Shall this Motion be ADOPTED?

- 21. 020482 [Findings - 417 31st Avenue]**
Motion directing the Clerk of the Board to prepare findings relating to proposed Conditional use Application No. 2001.0926C, on property located at 417 31st Avenue, for action by the Board at its next meeting. (Clerk of the Board)

4/8/2002, CONTINUED. Continued to April 29, 2002.

Question: Shall this Motion be ADOPTED?

SPECIAL ORDER 3:00 P.M.

- 22. 020520 [Public Hearing - Appeal, Conditional Use, 20 Woodside Avenue (aka 501 Laguna Honda Boulevard)]**
Hearing of persons interested in or objecting to the decision of the Planning Commission by its Motion No.16353 dated February 28, 2002, approving Conditional Use Application No. 2001.1142C, to install a total of three antennas within the bell tower of a church (St. John's United Church of Christ), and related equipment as part of a wireless communication network in a RH-1(D) (House, One-Family (Detached Dwelling)) Zoning District, and within a 40-X Height and Bulk District, pursuant to Section 209.5(b) of the Planning Code, on property located at: 20 Woodside Avenue (aka 501 Laguna Honda Boulevard) at the southeastern corner of Woodside Avenue and Laguna Honda Boulevard; Lot 001, in Assessor's Block 2888A.

(Appeal filed April 1, 2002; categorically exempt from the environmental review process pursuant to exemption Class 1 exemptions of Title 14 of the California Administrative Code; Case No. 2001.1142C; companion measure to Files 020521, 020522, 020523; District 7.)

4/22/2002, CONTINUED. Continued to April 29, 2002.

Action:_____

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

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

23. 020521 [Appeal, Conditional Use, 20 Woodside Avenue (aka 501 Laguna Honda Boulevard)]

Motion approving decision of the Planning Commission by its Motion No. 16353 approving Conditional Use Application No. 2001.1142C, on property located 20 Woodside Avenue (aka 501 Laguna Honda Boulevard), at the southeastern corner of Woodside Avenue and Laguna Honda Boulevard, and adopting findings pursuant to Planning Code Section 101.1. (Clerk of the Board)

4/22/2002, CONTINUED. Continued to April 29, 2002.

Question: Shall this Motion be ADOPTED?

24. 020522 [Appeal, Conditional Use, 20 Woodside Avenue (aka 501 Laguna Honda Boulevard)]

Motion disapproving decision of the Planning Commission by its Motion No. 16353 approving Conditional Use Application No. 2001.1142C, on property located 20 Woodside Avenue (aka 501 Laguna Honda Boulevard), at the southeastern corner of Woodside Avenue and Laguna Honda Boulevard, and adopting findings pursuant to Planning Code Section 101.1. (Clerk of the Board)

4/22/2002, CONTINUED. Continued to April 29, 2002.

Question: Shall this Motion be ADOPTED?

25. 020523 [Findings - 20 Woodside Avenue (aka 501 Laguna Honda Boulevard)]

Motion directing the Clerk of the Board to prepare findings relating to proposed Conditional Use Application No. 2001.1142C, on property located at 20 Woodside Avenue (aka 501 Laguna Honda Boulevard), at the southeastern corner of Woodside Avenue and Laguna Honda Boulevard, for action by the Board at its next meeting. (Clerk of the Board)

4/22/2002, CONTINUED. Continued to April 29, 2002.

Question: Shall this Motion be ADOPTED?

COMMITTEE REPORTS

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

From Health and Human Services Committee

The following item will be considered by the committee at a Special meeting on Monday, April 29, 2002. The Chair intends to request the committee to send the following item to the Board as a committee report.

- 26. 011448 [Internet Services Exchange] Supervisor Maxwell**
Ordinance amending the San Francisco Planning Code by amending Sections 209.6, 790.80 and 890.80 to define Internet Services Exchange as a new use within the utility installation use category; by amending Sections 178, 227, 234.2, 303, 817, 818, 907, 908, 912, and 913 to establish a requirement for a conditional use authorization for Internet Services Exchanges; by amending Section 204 to include certain Internet Service Exchanges as an accessory use; and adopting findings.

(Planning Commission Resolution No. 16265 adopted 10/25/01 recommending approval. Certificate of Exemption/Exclusion from Environmental Review dated 10/18/01; revised Exemption/Exclusion from Environmental Review dated 11/21/01)

Question: Shall this Ordinance be PASSED ON FIRST READING?

27. 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.

28. 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

Items 29 through 41

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.

- 29. 020644 [Extend Time for Planning Commission Action] Supervisor Yee**
Resolution extending the prescribed time within which the Planning Commission may render its decision on a proposed ordinance to amend the San Francisco Planning Code by adding Section 306.10 to require publication of a cover sheet with neighborhood notices advising how to request information about notices in multiple languages.

4/22/2002, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

- 30. 020645 [DHS - Access to California Law Enforcement Telecommunications System (CLETS)] Supervisor Newsom**

Resolution authorizing the San Francisco Department of Human Services direct access to the California Law Enforcement Telecommunications System (CLETS) to obtain criminal history information for the specific purpose of assessing whether or not the particular placement of a child for whom DHS has care and custody is safe and appropriate.

4/22/2002, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

- 31. 020646 [Grant Acceptance for MUNI Career Ladder Program] Supervisors McGoldrick, Maxwell, Peskin, Daly**

Resolution providing authorization to the Municipal Railway Improvement Fund to accept a grant from the State of California's Employment Development Department to establish a San Francisco MUNI Railway "Career Ladder" Program.

4/22/2002, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

- 32. 020647 [Juror Appreciation Week] Supervisors Leno, McGoldrick, Maxwell, Gonzalez**

Resolution declaring May 12 through 18, 2002, Juror Appreciation Week.

4/22/2002, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

- 33. 020648 [Lincoln High School Day] Supervisor Hall**

Resolution proclaiming May 4, 2002 as "Lincoln High School Day" in the City and County of San Francisco.

4/22/2002, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

- 34. 020649 [Urging Bechtel Corporation to withdraw their punitive legal claim] Supervisors Gonzalez, Daly**

Resolution urging Bechtel Corporation and its Bolivian subsidiary, Aguas del Tunari, to immediately withdraw their punitive legal claims in international courts against Bolivia and its people and to abstain from engaging in any further litigation or mediation claims - either within or without U.S. borders - with the South American country.

4/22/2002, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

- 35. 020650 [Commend - National Center for Lesbian Rights (NCLR)]** **Supervisors Leno, Maxwell, McGoldrick, Gonzalez**
Resolution commending the National Center for Lesbian Rights (NCLR) on their 25th Anniversary.
4/22/2002, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
- 36. 020651 [Commend - Youth Credit Union Program]** **Supervisors Leno, Maxwell, McGoldrick, Gonzalez**
Resolution commending the Youth Credit Union Program, a credit union operated by youth ages 6 to 18 with support from Mission Community Financial Assistance.
4/22/2002, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
- 37. 020652 [Commend - KUSF]** **Supervisor Hall**
Resolution commending KUSF on the occasion of their 25th Anniversary.
4/22/2002, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
- 38. 020636 [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.
4/22/2002, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Motion be ADOPTED?
- 39. 020658 [Final Map for a 7 Unit Residential Condominium Project]**
Motion approving Final Map of 2436 Great Highway, A Residential Condominium Project, being a subdivision of Lot 39, Assessor's Block No. 2378, and adopting findings pursuant to City Planning Code Section 101.1. (Public Works Department)
(DPW Order No. 173,484; District 4.)
4/24/2002, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Motion be ADOPTED?
- 40. 020659 [Final Map for a 20 Unit Live/Work Condominium Project]**
Motion approving Final Map of 700 Illinois Street, a Live/Work Condominium Project, being

a subdivision of Lot 4, Assessor's Block No. 4045, and adopting findings pursuant to City Planning Code Section 101.1. (Public Works Department)

(DPW Order No. 173,492; District 10.)

4/24/2002, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be ADOPTED?

41. 020660 [Final Map for a 17 Unit Live/Work Condominium Project]

Motion approving Final Map of 88 Guy Place, a Live/Work Condominium Project, being a subdivision of Lot 63, Assessor's Block No. 3749, and adopting finding pursuant to City Planning Code Section 101.1. (Public Works Department)

(DPW Order No. 173,493; District 6.)

4/24/2002, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be ADOPTED?

42. 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 April 18 through noon on April 24, for reference by President to appropriate committee on April 29, 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 to utilize a Bid/RFP process for the awarding of all leases and management agreements for the use or operation of parking facilities. (Parking and Traffic Department)

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

PROPOSED RESOLUTIONS

Proposed resolutions received from April 18 through noon on April 24, for reference by President to appropriate committee on April 29, 2002.

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

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

4/24/2002, RECEIVED AND ASSIGNED to Public Works and Public Protection Committee.

020634 [Japan Center Garage Public Parking Lease]

Resolution approving the proposed new Japan Center Garage Public Parking Lease by and between the City and County of San Francisco and the City of San Francisco Japan Center Garage Corporation. (Parking and Traffic Department)

4/18/2002, RECEIVED AND ASSIGNED to Finance Committee.

020635 [Lease of Property]

Resolution authorizing the lease of real property at 945 Bryant Street, San Francisco, California, for the Department of Human Services. (Real Estate Department)

(District 6.)

4/22/2002, RECEIVED AND ASSIGNED to Finance Committee.

020661 [Authorizing DPH to enter into a contract with STANFORD for research services]

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

4/24/2002, RECEIVED AND ASSIGNED to Health and Human Services Committee. Department requests this item be scheduled for consideration at the May 16, 2002 meeting.

020662 [Mental health services to HIV positive women and their adult family members]

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

4/24/2002, RECEIVED AND ASSIGNED to Health and Human Services Committee. Department requests this item be scheduled for consideration at the May 16, 2002 meeting.

020673 [Petitions & Communications]

Petitions and Communications received from April 18 through noon on April 24, for reference by the President to Committee considering related matters or to be ordered filed by the Clerk on April 29, 2002.

From Department of Environment, reporting on the positions that are listed on the MCCP reserve. (Reference No. 20020304-013) (1)

From Office of the Legislative Analyst, regarding discount prescription drugs for low-income seniors. File No. 020175 (2)

From San Francisco Redevelopment Agency, submitting an analysis of proposed Redevelopment Agency Ordinance. (Reference No. 20020318-003) Copy: Each Supervisor (3)

From Department of Public Health, submitting quarterly AIDS Surveillance Report. (4)

From concerned citizens, requesting the Board of Supervisors to implement Proposition H, the solar power financing charter amendment approved by San Francisco voters on November 6, 2001. (5)

From Ethics Commission, submitting First Quarter 2002 Lobbyist Report. (6)

From Department of Public Works, submitting Quarterly Report of the Department of Public Works Defective Sidewalk Repair Revolving Account. (7)

From Office of the Controller, submitting a cost analysis of the Ordinance Fixing

Compensation for Unrepresented Employees. (8)

From Devon Warner and Emily Drennen, regarding the San Francisco Bicycle Advisory Committee Dissolution. (9)

From Cheryl Bentley, commenting on the Rules Committee hearing to appoint commissioners to the Commission of Animal Welfare on April 16, 2002. (10)

From Office of the City Attorney, regarding Participation Agreement (2002-2) dated as of April 18, 2002 among the City and County of San Francisco, CIBC Capital Corporation, as equity investor, Muni Rail Statutory Trust 2002-2, as head lessee and sublessor, FSA Global Funding Limited, as lender, Premier International Funding Co., as payment undertaker, and State Street Bank and Trust Company of California, National Association, as trustee. File 020410 (11)

From Mark Rodriguez, commenting on a report on Ed Camacho, building manager in the Tenderloin district. Copy: Supervisor Newsom (12)

From Joe Wehrer, commenting on the Rent Control Ordinance. (13)

From Jon-Erik Beckjord, commenting on the camps in Jenin. (14)

From Bernal Housing Corporation, submitting letter to oppose the proposal to place Decaux toilets within the vicinity of the Bernal Dwellings property. Copy: Supervisor Ammiano (15)

From Office of the Controller, submitting a cost analysis of the Ordinance Fixing Compensation for Unrepresented Employees. File No. 020535 (16)

From Building Inspection Commission, regarding proposed Ordinance amending San Francisco Building Code by adding Section 104.6 through 104.6.3 and amending San Francisco Planning Code by adding Section 306.10 to require publication of a cover sheet with neighborhood notices advising how to request information about the notices in multiple languages. File No. 020155 (17)

From Department of Children, Youth and Their Families, submitting job description of 1312 Public Information Officer. (Reference No. 20020128-071) Copy: Supervisor McGoldrick (18)

From Department of Child Support Services, reporting that the Department occupies a property owned by Conner Associates. (Reference No. 20020204-73) Copy: Supervisor McGoldrick (19)

From Peter Chin, submitting support for Supervisor Hall's proposal to allow renters an option to purchase their apartments. File No. 020489 Copy: Each Supervisor (20)

From Lower Polk Neighbors, submitting support for Supervisor Newsom's proposed plan for the homeless in San Francisco. (21)

From Planning Department, submitting letter regarding availability of the environmental review document. (22)

From Planning Department, submitting Certificate of Determination of Exemption/Exclusion From CEQA Environmental Review for demolition of two-story residential building built in 1916. (23)

From Department of Human Services, reporting on the use of homeless shelters in San Francisco. (24)

From Office of the Controller, regarding the history of the City's budgeted positions for the last five years. Copy: Each Supervisors (25)

From Miraloma Park Improvement Club, commenting on the budget cuts to the Police Department. (26)

From Police Department, submitting Spending Rate Report for 3rd Quarter. (27)

From Planning Department, requesting to appear before the Finance Committee on May 1, 2002 to propose removal of reserves \$263,000 for computer equipment needed by the Department. (28)

From Office of Legislation Analysis, reporting on Intermediary Card Facilities used in major cities in the treatment of public inebriates. (29)

From San Francisco Local Homeless Coordinating Board, responding to the Survey of the Cost of Direct Services Provided to the Homeless Population, December 2001, prepared by the Budget Analyst. Copy: Each Supervisor (30)

From concerned citizens, requesting the Board hold new hearings on animal testing at UCSF and do everything in the Board's power to compel ECSF to end Stephen Lisberger's cruel and outdated experiments. Approximately 1225 letters and postcards (31)

From Aadrian K'hn, regarding the recent KRON, Channel 4's segment on the Central City Hospitality House. (32)

From concerned citizens, regarding unresolved complaints against the Department of Parking and Traffic. Copy: Supervisor Ammiano 2 Letters (33)

From Jim Nakamura, commenting on the taxi cab business in San Francisco. (34)

From Jackie Wright, regarding media myths vs. facts about San Francisco schools. (35)

From Planning Department, confirming that a proposed financing plan to leverage the private donations to build the new M.H. de Young Museum (the "Project") is consistent with the General Plan. File No. 020603 (36)

From Richard Robinson, urging the Board of Supervisors to consider Alfred Gammara for the position of the President of the Market and Powell Street Merchants' Association. (37)

From concerned citizen, commenting on the Off Leash dog policy. (38)

From California Department of Child Support Services, submitting manual of policies and procedures (MPP) update to incorporate changes from the case closure emergency rulemaking no. R-2-02-E. (39)

From Rosemary DeGregorio, regarding the change of cul de sac on Lapham Way from Supervisorial District 11 into District 10. Copy: Supervisor Sandoval, Ammiano. (40)

From Department of Elections, reporting on the inquiries requested by the Budget Committee that is subject to the approval of the Elections Commission meeting on April 22, 2002. (41)

From Patrick Wm. Connally, commenting on the Department of Human Resources in Marin County. (42)

From Emergency Communications Department, submitting Quarterly Report on Spending for FY 2001-02 - 3rd Quarter. (43)

From Office of Contract Administration, regarding Supervisor Daly's request for information on Special Assistants. Copy: Supervisor Daly (44)

From Superior Court, responding to Supervisor McGoldrick's inquiry regarding public relations personnel. Copy: Supervisor McGoldrick (45)

From Department of Child Support Services, responding to Supervisor McGoldrick's inquiry regarding public relations personnel. Reference No. 20020128-069 Copy: Supervisor McGoldrick (46)

From Abdalla Megahed, regarding Governor Davis' Homeless Summit in Sacramento. Copy: Supervisor Ammiano 2 Letters (47)

From Department of Building Inspection, regarding Supervisor Sandoval's request to draft legislation prohibiting home owners from paving over their front yards by amending Section 132(g) of the Planning Code, requesting that the legislation require that home owners permanently maintain 20% of front yards for landscaping. (Reference No. 20020225-012) Copy: Supervisor Sandoval (48)

From Raymond Wong, regarding the annual Loyalty Day Ceremony on April 28, 2002 to honor members of the San Francisco and Daly City Police and Fire Department. Copy: Each Supervisors (49)

From Senate Rules Committee, reporting Governor Davis's appointment of John W. Corbett, Richard D. Grundy, Shawn P. Harmon, and John R. Selvage and re-appointed Beverly F. Wasson to the Water Quality Control Board, North Coast Region. (50)

From Planning Department, regarding notice of availability of Preliminary Mitigated Negative Declaration and intent to adopt Mitigated Negative Declaration for the proposed project: Piers 1-1.2, 3, and 5, case file 2000.0448E. (51)

From Clerk of the Board, regarding organizations and membership cost the Board of Supervisors/Clerk of the Board's Office wishes to be a member in Fiscal Year 2002-03. Copy: Each Supervisor (52)

From Office of the Controller, submitting report on the concession audit of the Pollack Group, Ltd., doing business as Nick's Lighthouse. (53)

From Commission on the Environment, submitting Resolution No. 007-02-COE Zero Waste Goal adopted by the Commission on the Environment on April 16, 2002. Copy: Each Supervisor (54)

From Office of the Public Defender and Police Department, submitting the Departmental Budget Submission. (55)

From Port of San Francisco, regarding follow-up information relative to the Port of San Francisco budget hearing. 2 Letters (56)

From San Francisco Redevelopment Agency, regarding 2002 Income Limits issued by the Department of Housing and Urban Development and the low, moderate and affordable-income rent schedules for Rincon Tower Apartments. (57)

From Victoria Ashley, commenting on the Haygood issue. (58)

From Jackie Wright, regarding Superintendent Arlene Ackerman's presentation on the student assignment process for the 2002-03 school year. (59)

From Department of Parking and Traffic, submitting the Annual Report 2000-2001. Copy: Each Supervisor (60)

From C.D. Michel, regarding a state law that went into affect on January 1, 2001 to prohibits sale of ammunition magazines that hold over 10 rounds of ammunition. (61)

From Association of Bay Area Governments, reporting on the Board of Supervisors inquiry to contact all local governments within its jurisdiction and query them on homelessness funding and resources. Copy: Supervisor Hall (62)

From concerned citizens, regarding Albertson's Liquor License. File 020437 3 Letters (63)

From concerned citizens, submitting support for full funding of senior programs in the Department of Aging and Adult Services budget. Approximately 550 letters (64)

From David G. Miles Jr., commenting on the new policies regarding public access television time slots on channel 29. (65)

From James Albin, regarding starving orphans in Afghanistan and civil rights violations of local law enforcement agencies. (66)

From concerned citizen, submitting the Urban Counties Caucus's Legislative Update. (67)

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

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

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

Contact Ohn Myint at (415) 554-7704.

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



Disability access

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

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

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

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

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

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

Know Your Rights Under the Sunshine Ordinance

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

For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Donna Hall by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 409, by phone at (415) 554-7724, by fax at (415) 554-5784 or by email at Donna.Hall@sfgov.org

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

Lobbyist Registration and Reporting Requirements

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