

BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

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

MEETING MINUTES

Monday, June 10, 2002 2:00 PM

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

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

BOARD COMMITTEES

Committee Membership

Budget Committee

Supervisors Maxwell, Peskin, Yee, Ammiano, McGoldrick

City and School District Committee

Supervisors Ammiano, Leno, Wynns, Mar

Finance Committee

Supervisors Peskin, Daly, Ammiano

Health and Human Services Committee

Supervisors Daly, Leno, Maxwell

Neighborhood Services and Recreation Committee

Supervisors Newsom, Leno, McGoldrick

Public Works and Public Protection Committee

Supervisors Sandoval, Yee, Gonzalez

Rules and Audits Committee

Supervisors Hall, Gonzalez, Sandoval

Transportation and Commerce Committee

Supervisors McGoldrick, Hall, Ammiano

Meeting Days

2nd, 3rd and 4th Tuesday
1:00 PM

3rd Wednesday
3:00 PM

Wednesday
12:30 PM

1st and 3rd Thursday
1:00 PM

2nd and 4th Thursday
2:00 PM

1st and 3rd Tuesday
10:00 AM

1st and 3rd Tuesday
1:00 PM

2nd and 4th Thursday
9:30 AM

First-named Supervisor/Commissioner is Chair, Second-named Supervisor/Commissioner is Vice-Chair, of the Committee.

Volume 97 Number 22

Members Present: Tom Ammiano, Chris Daly, Matt Gonzalez, Mark Leno, Sophie Maxwell, Jake McGoldrick, Gavin Newsom, Aaron Peskin, Leland Y. Yee.

Members Absent: Tony Hall, Gerardo Sandoval.

ROLL CALL AND PLEDGE OF ALLEGIANCE

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Tom Ammiano presiding.

The meeting was called to order at 2:07 p.m. On call of the roll, the following Supervisors were noted absent:

Supervisors Hall, Maxwell, Sandoval - 3.

Quorum present.

Supervisor Maxwell was noted present at 2:08 p.m.

Supervisor Hall excused. (See infra)

Supervisor Sandoval excused. (See infra)

Supervisors Hall and Sandoval Excused from Attendance

Supervisor Leno, seconded by Supervisor Daly, moved to excuse Supervisors Hall and Sandoval from attending today's meeting. The motion carried by the following vote:

Ayes: 9 - Ammiano, Daly, Gonzalez, Leno, Maxwell, McGoldrick, Newsom, Peskin, Yee

Absent: 2 - Hall, Sandoval

APPROVAL OF MEETING MINUTES

Supervisor Leno, seconded by Supervisor Daly, moved to approve the April 8, 2002 Meeting Minutes. The motion carried by the following vote:

Ayes: 9 - Ammiano, Daly, Gonzalez, Leno, Maxwell, McGoldrick, Newsom, Peskin, Yee

Absent: 2 - Hall, Sandoval

Privilege of the Floor

Supervisor McGoldrick, seconded by Supervisor Peskin, moved to suspend Rule 4.28 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guest. The motion carried by the following vote:

Ayes: 9 - Ammiano, Daly, Gonzalez, Leno, Maxwell, McGoldrick, Newsom, Peskin, Yee

Absent: 2 - Hall, Sandoval

Introduction of Guests

Supervisor McGoldrick introduced, welcomed and presented a Certificate of Honor to John Gray, Deputy Sheriff.

AGENDA CHANGES

The President inquired if there were any changes to the agenda members were aware of which needed to be continued, tabled, or considered differently.

Supervisor Newsom indicated that File Nos. 020774, 020775, 020776, and 020777 be continued to June 17, 2002. (See infra)

Supervisor Yee indicated that File No. 020546 be continued to June 24, 2002. (See infra)

CONSENT AGENDA

Recommendations of the Finance Committee

012027 [Appropriation - Airport Commission Airline Passenger Facility Charge (PFC2) Revenue]
Ordinance appropriating \$18,800,000 of Passenger Facility Charge (PFC2) revenue to fund the cost of the principal and interest on bonds issued for certain eligible costs associated with the development of the new international terminal complex at the Airport Commission for fiscal year 2001-02. (Controller)

(Fiscal impact.)

Ordinance No. 95-02
FINALLY PASSED

020535 [Unrepresented Employees]
Mayor

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

(Fiscal impact.)

Ordinance No. 96-02
FINALLY PASSED

Recommendations of the Rules and Audits Committee

020757 [Settlement of Lawsuit]

Ordinance authorizing settlement of the lawsuit filed by Imogene Jones against the City and County of San Francisco for \$70,000; the lawsuit was filed on April 10, 2001 in the United States District Court, Case No. C01-1405 WHA; entitled Imogene Jones, v. City and County of San Francisco, et al. (City Attorney)

PASSED, ON FIRST READING

020760 [Settlement of Lawsuit]

Ordinance authorizing settlement of the lawsuit filed by the City and County of San Francisco and the Environmental Law Foundation against Nibco, Inc. for \$83,000; the lawsuit was filed on December 28, 1999 in the Superior Court of California for the City and County of San Francisco, CASE NO. 308832; The People of the State of California by and through San Francisco City Attorney DENNIS J. HERRERA, et al., V. Matco-Norca, et al.; other material terms of said settlement are: (1) Within 60 days from the entry of the Consent Judgment, Nibco shall provide a Proposition 65 "hang tag" or adhesive warning sign securely affixed on all brass water shut off valves it manufactures or distributes and intended for sale or use in California whose American National Standard/NSF International Standard 61, Section 8 test results for lead leached into water is greater than 5 micrograms per liter; (2) Nibco shall meet certain lead reduction targets for certain water shut off valves manufactured or distributed by Nibco that are intended for sale or use in California; (3) Within 60 days following the end of each targeted period, Nibco shall submit to the Environmental Law Foundation test result showing that the specific valves set forth in the lead reduction target that are sold or used in California meet the lead reduction level required and a certification that Nibco has not and will not offer for sale or use in California valves that do not comply with the lead reduction target. (City Attorney)

PASSED, ON FIRST READING

020825 [Settlement of Lawsuit]

Ordinance authorizing settlement of the lawsuit filed by Marvin Sexton, Jr. against the City and County of San Francisco for \$76,000; the lawsuit was filed on November 15, 2000 in United States District Court, Northern District of California, Case No. C 01-0930 WHA; entitled Marvin Sexton, Jr., v. City and County of San Francisco. (City Attorney)

(Public Benefit Recipient.)

PASSED, ON FIRST READING

020788 [Appointing Shirley Breyer Black to the MTA Board of Directors]

Mayor, Supervisor Newsom

Resolution confirming the appointment of Shirley Breyer Black to the Board of Directors of the Municipal Transportation Agency, term ending March 1, 2006. (Mayor)

Supervisor Newsom requested to be added as co-sponsor.

Resolution No. 398-02

ADOPTED

020789 [Appointing Rev. Dr. James McCray, Jr. to the MTA Board of Directors]

Mayor, Supervisor Newsom

Resolution confirming the appointment of Rev. Dr. James McCray, Jr. to the Board of Directors of the Municipal Transportation Agency, term ending March 1, 2006. (Mayor)

Supervisor Newsom requested to be added as co-sponsor.

Resolution No. 399-02

ADOPTED

020876 [Appointment]

Resolution appointing Daniel A. Tobin, term ending July 1, 2004, and John J. Malloy, Robert Dupire Nelson, Timothy C. Downs, and Carlos R. Soto, terms ending July 1, 2005, to the City-Wide Alcoholism Advisory Board.

John J. Malloy, succeeding himself, term expired, seat 1, must have professional, research, or personal interest in alcoholism, for new three-year term ending July 1, 2005;
Robert Dupire Nelson, succeeding himself, term expired, seat 3, must have professional, research, or personal interest in alcoholism, for new three-year term ending July 1, 2005;
Timothy C. Downs, succeeding himself, term expired, seat 4, must have professional, research, or personal interest in alcoholism, for new three-year term ending July 1, 2005;
Carlos R. Soto, succeeding himself, term expired, seat 5, must have professional, research, or personal interest in alcoholism, for new three-year term ending July 1, 2005;
Daniel A. Tobin, succeeding Douglas Bias, resigned, seat 9, must have professional, research, or personal interest in alcoholism, for the unexpired portion of a 3 year term ending July 1, 2004.

Resolution No. 401-02
ADOPTED

020877 [Appointment]

Resolution appointing Richard Nizzardini, term ending January 31, 2004, and Dorothy Shafer, term ending January 31, 2003, to the Mental Health Board.

Richard Nizzardini, succeeding Alex Kitzes, resigned, seat 15, must be a health professional for the unexpired portion of a three-year term ending January 31, 2004;
Dorothy Shaffer, succeeding Chester Villalba, resigned, seat 16, must be a family member, for the unexpired portion of a three-year term ending January 31, 2003.

Resolution No. 402-02
ADOPTED

The foregoing items were acted upon by the following vote:

Ayes: 9 - Ammiano, Daly, Gonzalez, Leno, Maxwell, McGoldrick, Newsom, Peskin, Yee
Absent: 2 - Hall, Sandoval

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of Rules and Audits Committee

**020412 [City to Pay for Postage of Absentee Ballots]
Supervisors Daly, Sandoval, Leno, Newsom**

Ordinance amending the Municipal Elections Code to require that San Francisco pay for postage of absentee ballots cast by San Francisco voters.

(Fiscal impact.)

Supervisor Newsom requested to be added as co-sponsor.

PASSED, ON FIRST READING by the following vote:

Ayes: 8 - Ammiano, Daly, Gonzalez, Leno, Maxwell, McGoldrick, Newsom, Peskin
Absent: 3 - Hall, Sandoval, Yee

NEW BUSINESS

Recommendations of the Finance Committee

**020707 [Appropriating Funding for the District Attorney's Salaries and Fringes from the Reserve for Hanlon Arbitration Award]
Supervisor Daly**

Ordinance appropriating \$283,764 from the Reserve for Hanlon Arbitration Award to cover salaries and fringes associated with the MOU with the Municipal Attorney's Association for the District Attorney's Office for fiscal year 2001-02. (Controller)

(Fiscal impact.)

Supervisor Daly requested to be added as sponsor.

PASSED, ON FIRST READING by the following vote:

Ayes: 8 - Ammiano, Daly, Gonzalez, Leno, Maxwell, McGoldrick, Newsom, Peskin
Absent: 3 - Hall, Sandoval, Yee

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

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

Supervisor Daly requested to be added as sponsor.

PASSED, ON FIRST READING by the following vote:

Ayes: 8 - Ammiano, Daly, Gonzalez, Leno, Maxwell, McGoldrick, Newsom, Peskin
Absent: 3 - Hall, Sandoval, Yee

020904 [Water Rates]

Ordinance approving revised schedule of rates to be charged by the San Francisco Public Utilities Commission for water service to its retail customers inside and outside the City and County of San Francisco. (Public Utilities Commission)

(Submitted 5/22/02. Charter Section 2.109 requires Board of Supervisors approval or rejection within thirty days.)

PASSED, ON FIRST READING by the following vote:

Ayes: 8 - Ammiano, Daly, Gonzalez, Leno, Maxwell, McGoldrick, Newsom, Peskin
Absent: 3 - Hall, Sandoval, Yee

**020905 [Approval of Contract Assignment and Release of Reserved Funds]
Supervisor Peskin**

Ordinance approving the assignment of existing contract for program management and construction management services in support of the San Francisco Public Utilities Commission's water power and sewer Capital Improvement Program to a joint venture consisting of Jacobs Civil, Inc. and Primus Industries, Inc., and releasing reserved funds.

(Fiscal impact.)

PASSED, ON FIRST READING by the following vote:

Ayes: 9 - Ammiano, Daly, Gonzalez, Leno, Maxwell, McGoldrick, Newsom, Peskin, Yee
Absent: 2 - Hall, Sandoval

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, effective July 1, 2002. (Parking and Traffic Department)

Supervisor Gonzalez requested the resolution be amended to request that the department provide a progress report in 18 months (amendment of the whole bearing the same title).

Supervisor Gonzalez, seconded by Supervisor McGoldrick, moved that this Resolution be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. The motion carried by the following vote:

Ayes: 9 - Ammiano, Daly, Gonzalez, Leno, Maxwell, McGoldrick, Newsom, Peskin, Yee
Absent: 2 - Hall, Sandoval

Resolution No. 396-02

ADOPTED AS AMENDED by the following vote:

Ayes: 9 - Ammiano, Daly, Gonzalez, Leno, Maxwell, McGoldrick, Newsom, Peskin, Yee
Absent: 2 - Hall, Sandoval

Recommendation of the Neighborhood Services and Recreation Committee

020477 [Liquor License Transfer, 566 Minnesota Street]

Resolution determining that the transfer of a Type 20 off-sale beer and wine alcoholic beverage control license to Daniel P. Kahn for Competition Close Outs Inc. dba "The Bargain Bank" from 601 Indiana Street to 566 Minnesota Street (District 10), will serve the convenience of the people of the City and County of San Francisco in accordance with Section 23958.4 of the California Business and Professions Code.

Resolution No. 395-02

ADOPTED by the following vote:

Ayes: 9 - Ammiano, Daly, Gonzalez, Leno, Maxwell, McGoldrick, Newsom, Peskin, Yee
Absent: 2 - Hall, Sandoval

From Neighborhood Services and Recreation Committee Without Recommendation**020546 [SFUSD to Offer Students Neighborhood School Facilities]**

Supervisor Yee

Resolution urging the San Francisco Unified School District (SFUSD) to provide adequate facilities to accommodate all public school enrollees sufficient school space in their neighborhoods.

Supervisor Yee requested this matter be continued to June 24, 2002.

Supervisor Yee, seconded by Supervisor Newsom, moved that this Resolution be CONTINUED. The motion carried by the following vote:

Ayes: 9 - Ammiano, Daly, Gonzalez, Leno, Maxwell, McGoldrick, Newsom, Peskin, Yee
Absent: 2 - Hall, Sandoval

SPECIAL ORDER 3:00 P.M.**020774 [Public Hearing - Appeal, Conditional Use, 3224-3252 Pierce Street]**

Hearing of persons interested in or objecting to the decision of the Planning Commission by its Motion No. 16372 dated April 11, 2002, approving Conditional Use Application No. 2001.1027CR to install and operate a total of six antennas on a replacement light pole and related equipment cabinets on an interior wall of the City-owned Marina Off-Street Parking Garage, within an NC-2 (Small Scale Neighborhood Commercial) Zoning District and a 40-X Height and Bulk District, pursuant to Section 711.83 of the Planning Code; and adopting a finding of consistency with the General Plan for the proposed project located at: 3224-3252 Pierce Street, east side between Lombard and Chestnut Streets; Lots 009, 010, 011, 012 and 013, in Assessor's Block 0490.

(Appeal filed May 13, 2002; categorically exempt from the environmental review process pursuant to exemption Classes 1, 3 and 11 of Title 14 of the California Administrative Code; Case No. 2001.3252CR; companion measure to Files 020774, 020775, 020776, 020777; District 2.)

Supervisor Newsom requested this matter be continued to June 17, 2002.

Supervisor Newsom, seconded by Supervisor McGoldrick, moved that this Hearing be CONTINUED. The motion carried by the following vote:

Ayes: 9 - Ammiano, Daly, Gonzalez, Leno, Maxwell, McGoldrick, Newsom, Peskin, Yee
Absent: 2 - Hall, Sandoval

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

From the Clerk**(Only one of the following two motions should be adopted.)****020775 [Appeal, Conditional Use, 3224-3252 Pierce Street]**

Motion approving decision of the Planning Commission by its Motion No. 16372, approving Conditional Use Application No. 2001.1027CR, on property located at 3224-3252 Pierce Street, and adopting findings pursuant to Planning Code Section 101.1. (Clerk of the Board)

Supervisor Newsom requested this matter be continued to June 17, 2002.

Supervisor Newsom, seconded by Supervisor McGoldrick, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 9 - Ammiano, Daly, Gonzalez, Leno, Maxwell, McGoldrick, Newsom, Peskin, Yee
Absent: 2 - Hall, Sandoval

020776 [Appeal, Conditional Use, 3224-3252 Pierce Street]

Motion disapproving decision of the Planning Commission by its Motion No. 16372, approving Conditional Use Application No. 2001.1027CR, on property located at 3224-3252 Pierce Street, and adopting findings pursuant to Planning Code Section 101.1. (Clerk of the Board)

(Requires eight votes.)

Supervisor Newsom requested this matter be continued to June 17, 2002.

Supervisor Newsom, seconded by Supervisor McGoldrick, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 9 - Ammiano, Daly, Gonzalez, Leno, Maxwell, McGoldrick, Newsom, Peskin, Yee
Absent: 2 - Hall, Sandoval

020777 [Findings - 3224-3252 Pierce Street]

Motion directing the Clerk of the Board to prepare findings relating to proposed Conditional use Application No. 2001.1027CR, on property located at 3224-3252 Pierce Street, for action by the Board at its next meeting. (Clerk of the Board)

Supervisor Newsom requested this matter be continued to June 17, 2002.

Supervisor Newsom, seconded by Supervisor McGoldrick, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 9 - Ammiano, Daly, Gonzalez, Leno, Maxwell, McGoldrick, Newsom, Peskin, Yee
Absent: 2 - Hall, Sandoval

PUBLIC COMMENT

*Male speaker, homelessness;
James Chaffee, San Francisco Public Library;
Female speaker, tennis club;
Male speaker, democracy;
Jack Dotson, funding absentee ballots;
Daisy Lee, Moonstar Restaurant, KPIX story.*

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.

**020924 [Commending the California Abortion & Reproductive Rights Action League]
Supervisors Maxwell, Daly, Leno, Newsom, Peskin**

Resolution commending the California Abortion & Reproductive Rights Action League for initiating the first ever Women of Color Reproductive Health Summit.

Supervisor Peskin requested to be added as co-sponsor.

Resolution No. 404-02

ADOPTED

**020973 [Sale of Low Cost Water-Efficient Toilets]
Supervisor Yee**

Resolution announcing the final sale this year of low-cost water-efficient toilets to San Francisco residents, to be held in the Sunset District.

Resolution No. 405-02

ADOPTED

**020974 [Installing Traffic Signals at California and Stockton Streets]
Supervisor Peskin**

Resolution urging the installation of traffic signals at the intersection of California and Stockton Streets.

Resolution No. 406-02

ADOPTED

**020975 [Supporting Long Term Placement of Bay Center at Shed A of Pier 45]
Supervisors Peskin, Hall, Newsom**

Resolution supporting the long-term placement of The Bay Center at Shed A of Pier 45 in San Francisco.

Resolution No. 414-02

ADOPTED

**020976 [Asthma Task Force Timeline Extension]
Supervisor Maxwell**

Resolution extending the Asthma Task Force timeline to February 28, 2003.

Resolution No. 407-02

ADOPTED

**020977 [Commendation]
Supervisors Maxwell, Peskin**

Resolution commending the recognition of the Juneteenth Festival.

Supervisor Peskin requested to be added as co-sponsor.

Resolution No. 408-02

ADOPTED

**020978 [Initiating the Designation of the Dogpatch Historic District]
Supervisors Maxwell, Leno, Peskin**

Resolution initiating the designation of the Dogpatch Historic District pursuant to Section 1004.1 of the Planning Code.

Resolution No. 409-02

ADOPTED

**020979 [Urging Passage of AB 2216]
Supervisor Leno**

Resolution urging the California State Legislature to pass and Governor Gray Davis to sign, AB 2216 providing domestic partners with rights regarding intestate succession.

Resolution No. 410-02

ADOPTED

**020980 [Urging Passage of the California Affordable Quantity and Quality Water Act]
Supervisor Leno**

Resolution urging the U.S. Congress to adopt and President Bush to sign Senator Barbara Boxer's California Affordable Quantity and Quality Water Act (CAL-AQQWA).

Resolution No. 411-02

ADOPTED

**020981 [Musee Mecanique]
Supervisors Hall, Peskin, Newsom**

Resolution urging the Port of San Francisco to sign an agreement with The San Francisco Museum and Historical Society for the interim use of a portion of Shed A at Pier 45 by the Musee Mecanique until a long term tenant is prepared to occupy the space.

Supervisor Newsom requested to be added as co-sponsor.

Resolution No. 415-02

ADOPTED

**020982 [Commending the SFFD Neighborhood Emergency Response Team]
Supervisors Sandoval, Newsom**

Resolution commending the San Francisco Fire Department Neighborhood Emergency Response Team for implementing the first earthquake preparedness pilot program.

Supervisor Newsom requested to be added as co-sponsor.

Resolution No. 412-02

ADOPTED

**020983 [Commending the 26th Annual Penny Pitch]
Supervisor Daly**

Resolution commending 26th Annual Penny Pitch for 25 years of service to the community of San Francisco and their dedication to supporting the St. Anthony Foundation.

Resolution No. 413-02

ADOPTED

**020965 [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.

Motion No. M02-85

APPROVED

The foregoing items were acted upon by the following vote:

Ayes: 8 - Ammiano, Daly, Gonzalez, Leno, McGoldrick, Newsom, Peskin, Yee

Absent: 3 - Hall, Maxwell, Sandoval

Severed From For Adoption Without Committee Reference Agenda

**020860 [Expressing grave concern about the recent KPIX Channel 5 news series focused on Chinese Restaurants in San Francisco]
Supervisors Peskin, McGoldrick**

Resolution expressing grave concern about negative stereotyping of Asian-American restaurants perpetuated by recent KPIX coverage and its unbalanced series on unsanitary conditions inside Chinese Restaurants in San Francisco.

Supervisor Peskin requested this matter be severed so it could be considered separately.

Supervisor Peskin requested this matter be continued to June 24, 2002.

Supervisor Peskin, seconded by Supervisor Daly, moved that this Resolution be CONTINUED. The motion carried by the following vote:

Ayes: 9 - Ammiano, Daly, Gonzalez, Leno, Maxwell, McGoldrick, Newsom, Peskin, Yee

Absent: 2 - Hall, Sandoval

OFF-AGENDA LEGISLATION**Introduced by Supervisors or the Mayor****Ordinances****021067 [Amending Public Works Code, Street Space Occupancy Permits; Modify the Fee Collection]
Supervisors Peskin, Newsom**

Ordinance amending Public Works Code Sections 724 through 724.9 concerning street space occupancy permits to modify the fee collection structure, provide for fee refunds, assess right-of-way occupancy costs, establish minimum notice requirements, and impose other related procedures; amending Traffic Code Section 33.1A to replace existing provisions concerning special parking restrictions with a requirement that the Department of Parking and Traffic and Department of Public Works coordinate jurisdictional activities over street space occupancy permits; and amending the Administrative Code to add Section 10.100-231 to establish the Public Works Street Use Fund.

**021068 [Rescinding appropriation authority for Airport capital projects, and appropriate funding for capital projects]
Supervisors Peskin, Daly**

Ordinance rescinding \$1,087,448,058 of unencumbered appropriation authority for airport capital projects and appropriating \$326,341,870 in fund equity and \$220,316,885 from future bond funds for a total of \$546,658,755 for capital projects at the Airport Commission for fiscal year 2001-02.

(Fiscal impact.)

**021069 [Designating the Drexler/Colombo Building at 1-21 Columbus Avenue and 612-624 Washington Street as a Landmark]
Supervisors Peskin, Daly, Leno, Newsom, Hall**

Ordinance designating 1-21 Columbus Avenue and 612-624 Washington Street, the Drexler/Colombo Building, Lot 4 in Block 195, as Landmark No. 237 and making findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan.

**021070 [MOU, Amendment No. 1, Teamsters Local 853]
Mayor**

Ordinance adopting and implementing Amendment No. 1 to the 2001-2003 Memorandum of Understanding between the Teamsters, Local No. 853 and the City and County of San Francisco by adding a new section to Article III.F. Additional Compensation which provides for the pass-through of State of California funds to certain represented classes working at Skilled Nursing Facilities. (Mayor)

**021071 [Amending Police Department permit and license fees]
Mayor**

Ordinance amending the San Francisco Police Code by amending Sections 2.26 and 2.27, to adjust permit and license fees for businesses regulated under the Police Code, and by adding Section 2.31, to provide for annual adjustment of these fees to reflect changes in the Consumer Price Index. (Mayor)

**021073 [Patient Rates]
Mayor**

Ordinance amending Article 3 of the San Francisco Health Code by amending Section 128 to set patient rates for services furnished by the Department of Public Health, effective July 1, 2002. (Mayor)

**021074 [Setting new fees for inspection of retail food facilities by the Health Department]
Mayor**

Ordinance amending the San Francisco Business and Tax Regulations Code, by amending Sections 35, 120, 248, and 249.1, setting fees for inspections of retail food facilities by the Department of Public Health in connection with licenses and permits, and authorizing the Controller to approve yearly cost-of-living adjustments in those fees. (Mayor)

**021075 [Ambulance fee schedule]
Mayor**

Ordinance approving a fee schedule for ambulance services provided by the San Francisco Fire Department and providing for annual adjustment of these fees to reflect changes in the Consumer Price Index. (Mayor)

**021076 [Street fairs fees]
Mayor**

Ordinance amending Traffic Code Section 806 to charge street fairs where alcoholic beverages are served the full cost of police services, rather than 40 percent of the cost, to eliminate the \$2,500 cap on charges for police services for street fairs where alcoholic beverages are served, to eliminate ISCOTT's authority to waive payment of the cost of police services for street fairs where alcoholic beverages are served, and to provide for annual adjustment of these fees to reflect changes in the Consumer Price Index. (Mayor)

**021077 [Raising license and other Animal Care and Control fees for dogs, cats, and other animals]
Mayor**

Ordinance amending the San Francisco Health Code by amending Sections 41.9, 41.10, 41.15, 41.16, 41.17, and 41.22, to raise license and other Animal Care and Control fees for dogs, cats, and other animals, and by adding Section 41.26, to provide for annual adjustment of these fees to reflect changes in the Consumer Price Index. (Mayor)

021078 [Enacting a new Police Emergency Alarm Ordinance requiring permits for alarm systems and imposing penalties for false alarms]**Mayor**

Ordinance amending the San Francisco Police Code by repealing the current Article 37 (Police Emergency Alarm Ordinance), Sections 3700 through 3710; by enacting a new Article 37 (Police Emergency Alarm Ordinance), Sections 3700 through 3720, providing for permitting of alarm systems and penalties for false alarms; and by amending Police Code Section 2.26, to set permit fees for commercial and residential alarm systems. (Mayor)

021079 [Amending fees charged by the County Clerk for various services]**Mayor**

Ordinance amending the San Francisco Administrative Code by amending Sections 8.33.1, 62.8, and 62.9, to adjust fees charged by the County Clerk for various services and to provide for annual adjustment of those fees to reflect changes in the Consumer Price Index. (Mayor)

021080 [Amending Medical Examiner's fees]**Mayor**

Ordinance amending the San Francisco Administrative Code by amending Section 8.14, to adjust fees for services provided by the Medical Examiner, and to provide for annual adjustment of these fees to reflect changes in the Consumer Price Index. (Mayor)

021081 [Setting fees for City golf courses]**Mayor**

Ordinance amending the San Francisco Park Code by adding Sections 12.12, 12.13, and 12.14, setting fees for use of City golf courses and adding Section 12.20, providing for annual adjustment of golf fees and day camp fees to reflect changes in the Consumer Price Index. (Mayor)

021082 [Adding a charge for administrative overhead when the City provides additional police and street-cleaning services to private parties]**Mayor**

Ordinance amending the San Francisco Administrative Code by amending Sections 10B.2, 10B.3, and 10B.12, to require the City to charge for administrative overhead when it contracts with private parties to provide additional police and street-cleaning services, to prohibit the waiver of fees for additional police services except by ordinance of the Board of Supervisors, and to correct a citation to the Charter. (Mayor)

021083 [Setting fees for City day camps]**Mayor**

Ordinance amending the San Francisco Park Code by adding Section 12.15, setting fees for participating in day camps run by the Recreation and Park Department. (Mayor)

Resolutions

**021049 [Lease of Property - Camelot Hotel]
Supervisors Ammiano, Daly**

Resolution authorizing and approving the lease by and between the City and County of San Francisco, for the Department of Public Health, as Tenant, and 124 Turk Street, LP, as Landlord, for the Camelot Hotel located at 124 Turk Street, San Francisco, CA 94102.

(Fiscal impact; District 6.)

**021050 [Urging U.S. Funding of International AIDS Relief]
Supervisors Leno, Maxwell, Peskin, Newsom, Daly**

Resolution urging the U.S. Congress and President George W. Bush to appropriate an additional \$500 million for global HIV/AIDS relief.

**021072 [Accept-Expend California Integrated Waste Management Board Local Government
Household Hazardous Waste Grant, Fiscal Year 2002/2003]**

Resolution authorizing the Department of the Environment to accept and expend a grant in the amount of \$69,507.24 from the California Integrated Waste Management Board for educating San Francisco residents and Conditionally Exempt Small Quantity Generators (CESQGs) about the proper disposal of universal waste lamps and to expand opportunities for residential disposal of universal waste lamps. (Environment)

**021051 [Supporting the California Clean Money Campaign]
Supervisors McGoldrick, Yee, Peskin**

Resolution supporting the California Clean Money Campaign and its efforts to qualify for the November 2004 ballot.

**021052 [Urging the City Attorney to Explore Filing Lawsuits Against Hastings College of Law]
Supervisors Peskin, Leno, Ammiano, Yee, Daly**

Resolution urging the City Attorney to explore the possibility of filing lawsuits against Hastings College of Law regarding the proposed parking garage at Golden Gate and Larkin Streets.

**021053 [Extending the Planning Review Period for Dwelling Units]
Supervisor Leno**

Resolution extending the prescribed time within which the Planning Commission may render its decision on a proposed ordinance to amend the Planning Code provisions relating to dwelling units.

**021054 [Urging the Respect of the Rights of Medical Cannabis Users/Caregivers]
Supervisors Leno, Maxwell, Ammiano, Peskin, Newsom, Daly**

Resolution urging the Federal, State, and local judiciary, when issuing search warrants, to consider and respect the rights of medical cannabis patients, caregivers, dispensaries and physicians attempting to comply with California Health and Safety Code Section 11362.5.

**021055 [Supporting SB 987, Improving Language Access to Government Services]
Supervisors Yee, Peskin, Sandoval**

Resolution supporting Senate Bill 987, improving language access to government services.

**021056 [Commending the Learning Support Services Advocates Coalition]
Supervisors Maxwell, Sandoval, McGoldrick**

Resolution commending the Learning Support Services Advocates Coalition for their exemplary efforts to expand learning support services as a permanent part of schools and successfully lobbying the San Francisco Unified School District to allocate 10 nurses and 10 social workers to SFUSD STAR schools through its general fund.

**021057 [Commending the SF Symphony's Adventures in Music Program]
Supervisors Leno, Peskin, Newsom, Sandoval**

Resolution commending San Francisco Symphony's Adventures in Music (AIM) program for its contribution to the education and development of San Francisco's children.

**021058 [Commending Sir Ian McKellen]
Supervisors Leno, Ammiano, Peskin, Newsom, McGoldrick, Daly**

Resolution commending actor Sir Ian McKellen as the Celebrity Grand Marshall of the 2002 San Francisco LGBT Pride Parade.

**021059 [Recognizing Justice for Janitors Day]
Supervisors Sandoval, Peskin, McGoldrick, Daly**

Resolution recognizing June 15, 2002 as Justice for Janitors Day.

**021060 [Commending Larry Brinkin]
Supervisors Leno, Newsom**

Resolution commending Larry Brinkin for his work as a civil rights activist.

**021061 [Commending the Honorable Joseph A. Desmond]
Supervisors Hall, Gonzalez, Newsom**

Resolution commending The Honorable Joseph A. Desmond on the occasion of his retirement from the Superior Court of San Francisco.

**021062 [Commending the University of California-Women's Health Center]
Supervisors Daly, Sandoval**

Resolution commending the University of California San Francisco on the Inauguration of the Women's Health Center and commending UCSF for its continuing leading role in providing women's health care.

**021063 [Commending the Golden Gate Lutheran Church and its Drop-In Center]
Supervisors Daly, Leno, Newsom, Sandoval**

Resolution commending the Golden Gate Lutheran Church and its drop-in center for providing an invaluable service to the community.

**021064 [Commending the Shee Theater Company]
Supervisors Daly, Newsom, Sandoval**

Resolution commending the Shee Theater Company for its goal of promoting professional women and their plays in the theater and working for gender blind equal opportunity in the theater.

Motions

**021047 [Legislative Analyst Request]
Supervisors Leno, Newsom**

Motion asking the Legislative Analyst to research the City of New Orleans online Public Works Call Center Service Request program to allow city residents to report potholes, abandoned vehicles, traffic light outage, sign damaged needs and repairs and research the feasibility of a joint online report system for the Department of Public Works and Department of Parking and Traffic.

**021048 [Legislative Analyst Request]
Supervisor Maxwell**

Motion asking the Legislative Analyst to Research on existing programs that employ school nurses at San Francisco Unified School District schools. The report should also examine the scope of services provided, the number of children/youth served and the cost and funding resources for such programs.

Requests for Hearing

020171 [Impact of Unemployment in San Francisco]

Hearing to discuss rising unemployment in San Francisco, particularly in terms of immigrants, and develop solutions.

**021065 [Animal Testing at UCSF]
Supervisors Gonzalez, Daly, Peskin, Maxwell**

Hearing on animal testing at UCSF, including but not limited to treatment and conditions of test animals, scientific validity of experiments and follow-up on the Board of Supervisors' 1998 resolution regarding UCSF and animal testing.

**021066 [Permitting Process in District 9]
Supervisor Ammiano**

Hearing on the permitting process as it applies to businesses in District 9 specific but not exclusive to Bruno's Restaurant and the Oxygen Bar.

Charter Amendments**020886 [Charter Amendment - Homeless Policy]
Supervisor Daly**

Charter amendment (Second Draft) to require a vote of not less than two-thirds (2/3) of the members of the Board of Supervisors to change any enactment regarding homeless policy or services within the same any fiscal year in which such enactment was adopted; to add Section 4.132 to establish a Local Homeless Coordinating Board to advise the Mayor and the Board of Supervisors on the development, implementation and evaluation of homeless policy; and to amend Section 10.104 to authorize not more than five (5) staff members for the Local Homeless Coordinating Board who shall be exempt from civil service rules.

Introduced by the President at the Request of Departments**PROPOSED ORDINANCES****020813 [Settlement of Lawsuit]**

Ordinance authorizing settlement of the lawsuits filed by the City and County of San Francisco against City of Daly City and Olympic Club for receipt of an aggregate amount of \$150,000.00 from City of Daly City and Olympic Club; the City and County of San Francisco filed the lawsuits on January 16, 2001 and May 16, 2001, respectively, in San Francisco Superior Court (Cases No. 318-127 and 321-393); other material terms of said settlement are each defendant to pay \$75,000.00. (City Attorney)

020942 [Settlement of Lawsuit]

Ordinance authorizing settlement of the lawsuit filed by Cecelia Wade against the City and County of San Francisco for \$250,000; the lawsuit was filed on July 11, 2001 in the San Francisco Superior Court and later was transferred to the District Court of the Northern District of California, Case No. C01-3165; entitled Cecelia Wade, et al., v. City and County of San Francisco, et al. (City Attorney)

(Public Benefit Recipient.)

PROPOSED RESOLUTIONS**020827 [Accept - Expend State Funds Grant]**

Resolution authorizing the Juvenile Probation Department of the City and County of San Francisco to, retroactively, accept and expend a grant in the amount of (one hundred twenty thousand, seven hundred, seventy-eight dollars) \$120,778.00 in funds from the State of California Board of Corrections for the Standards and Training for Local Corrections and Probation Officers Programs: stipulating adherence to standards for recruitment and training established by the Board of Corrections, and waiving any indirect costs. (Juvenile Probation Department)

020895 [Child Care Health Consultation Services to Family Childcare Providers]

Resolution authorizing the San Francisco Department of Public Health (SFDPH) to enter retroactively into an agreement in the amount of \$69,151 with The Regents of the University of California San Francisco (UCSF), the primary contractor, to extend current child care health consultation services to family childcare providers, for the period of September 1, 2001 to June 30, 2002. (Public Works Department)

- 020909 [Primary scientific oversight and coordination for ongoing AIDS research studies in Africa]**
Resolution authorizing the San Francisco Department of Public Health, AIDS Office, (SFDPH,AIDS) to enter retroactively into an agreement with The Regents of the University of California San Francisco (UCSF), the primary contractor, to accept and expend funds in the amount of \$10,623 to participate in AIDS prevention studies in Africa, for the period of March 1, 2002 to December 31, 2002. (Public Health Department)
- 020910 [Revenue Bond Election]**
Resolution calling and providing for a special election to be held in the City and County of San Francisco for the purpose of submitting to the qualified voters of said City and County on November 5, 2002 a proposition for the issuance of revenue bonds and/or other forms of revenue financing by the Public Utilities Commission in a principal amount not to exceed \$3,628,000,000 to finance the acquisition and construction of improvements to the City's water system; and consolidating said special election with the General Municipal Election to be held on November 5, 2002; finding the proposed project is in conformity with the priority of Planning Code Section 101.1(b) and the City's General Plan. (Public Utilities Commission)
- (Fiscal impact.)
- 020943 [Redevelopment Agency Budget, Fiscal Year 2002-2003]**
Resolution approving an Interim Budget of the Redevelopment Agency of the City and County of San Francisco for fiscal year 2002-2003. (Redevelopment Agency)
- (Fiscal impact.)
- 020944 [Redevelopment Agency Budget and Bonds, Fiscal Year 2002-2003]**
Resolution approving the budget of the Redevelopment Agency of the City and County of San Francisco for fiscal year 2002-2003; and approving the issuance by the Agency of Bonds in an aggregate principal amount not to exceed \$41,500,000 for the purpose of financing Redevelopment activities in fiscal year 2002-2003.

Requests Granted

From: Supervisor Daly

To: City Attorney

Requesting/Inquiring: To draft legislation to require Board approval of all contracts with lobbyists.

From: Supervisor Daly

To: Director, Mayor's Budget Office

To: Controller

To: Budget Analyst

Requesting/Inquiring: That the Director of the Mayor's Budget Office, the Controller and Budget Analyst provide a list of all contracts with greater than \$2 million in General Fund for fiscal year 2002/03. Also, requesting that this list indicate whether these contracts are no bid or were awarded through a bidding process.

From: Supervisor Daly

To: Director, Redevelopment Agency

Requesting/Inquiring: To provide an update about the progress in establishing a Mid-Market Project Area, including an update schedule for adoption of the Mid-Market Project Area at the Project Area Committee, Redevelopment Commission and Board of Supervisors.

From: Supervisors Leno, Ammiano

To: City Attorney

Requesting/Inquiring: To draft an ordinance amending the City's domestic partnership laws to:

- 1. Remove San Francisco residency as a pre-requisite for domestic partnership registration;*
- 2. Recognize domestic partnerships, same-sex marriages, and civil unions registered in other jurisdictions as valid domestic partnerships for the purposes of San Francisco law provisions;*
- 3. Create an option for couples registering as domestic partners with the City to simultaneously register with the State of California if they desire, and to set fees as necessary to cover City expenses;*
- 4. Send written notification to all domestic partners currently registered with the City that they must also register with the State of California to receive a variety of other benefits not provided by the City's domestic partner registration.*

From: Supervisor Leno

To: City Attorney

Requesting/Inquiring: To draft legislation for permit applications of newly built or renovated public buildings to require that all single stall bathrooms be unisex for the convenience of patrons.

From: Supervisor Yee

To: City Attorney

Requesting/Inquiring: To draft legislation that will amend the Planning Code to prohibit certain massage establishments, and impose conditions upon a change of ownership or operation of existing massage establishments in the Sunset district.

From: Supervisor Yee

To: City Attorney

Requesting/Inquiring: To draft appropriate legislation that would grant City employees the right to purchase service credit in the Retirement System for military service served at any time.

From: Supervisor Yee

To: City Attorney

Requesting/Inquiring: To draft appropriate legislation to amend the War Memorial Trust Agreement to allow all Nationally Chartered by Congress veteran's organizations to participate in the operation of the Veterans Building.

ADJOURNMENT

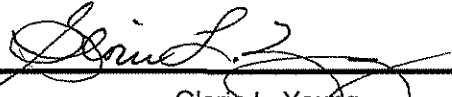
There being no further business, the Board at the hour of 3:08 p.m. adjourned.

Gloria L. Young, Clerk

N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on August 12, 2002.

I, Gloria L. Young, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Minutes of said Board on the date stated and was approved as recited



Gloria L. Young
Clerk of the Board

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