



Agenda

Monday, October 7, 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

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

Recommendation of the Neighborhood Services and Recreation Committee

Present: Supervisors Newsom, Leno, McGoldrick

1. 021422 [Accept-Expend State Grant]

Supervisor Leno

Resolution authorizing the San Francisco Arts Commission to accept and expend a grant in the amount of \$109,000 from the State of California Department of Parks and Recreation for the Restoration of the James A. Garfield and the Guiseppe Verdi Monuments in Golden Gate Park. (Recreation and Park Department)

(Public Benefit Recipient)

Question: Shall this Resolution be ADOPTED?

Recommendation of the Rules and Audits Committee

Present: Supervisors Hall, Sandoval

2. 021535 [Settlement of Unlitigated Contractual Dispute]

Ordinance authorizing settlement of the unlitigated contractual dispute between the City and County of San Francisco and Health Management Systems, Inc. for a \$550,000 payment to the City and amendment to the contract. (City Attorney)

(No Public Benefit Recipient.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

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

REGULAR AGENDA

UNFINISHED BUSINESS

From the Clerk

3. 021672 [Adopting findings related to the conditional use appeal on property located at 1598 Dolores Street.]

Motion adopting findings related to the appeal of the Planning Commission's approval of Conditional Use Application No. 2000.1058C (which approved the development of two residential buildings with a total of 13 dwelling units ((two of which are affordable)) and up to 26 off-street parking spaces, and the development of a lot 5,000 square feet or more in size within an NC-1 ((Neighborhood Commercial Cluster)) District and a 40-X Height and Bulk District, for property located at 1598 Dolores Street, at the northwest corner of Dolores and 29th Streets (Lots 7, 9 and 38 in Assessor's Block 6618). (Clerk of the Board)

(Companion measure to Files 021240, 021241, 021242, 021243, 021280.)

10/2/2002, REFERRED to Board of Supervisors.

Question: Shall this Motion be ADOPTED?

4. 021673 [Adopting findings related to the conditional use appeal on property located at 2863 California Street]

Motion adopting findings related to the appeal of the Planning Commission's approval of Conditional Use Application No. 2002.0408C (which approved a proposed three story mixed-

use building without off-street parking for four residential units in a Small Scale NC-2, Neighborhood Commercial District) for property located at 2863 California Street, on the south side between Broderick and Divisadero Streets (Lot 23 in Assessor's Block 1028). (Clerk of the Board)

(Companion measure to Files 021244, 021245, 021246, 021247.)

10/2/2002, REFERRED to Board of Supervisors.

Question: Shall this Motion be ADOPTED?

Recommendations of the Finance Committee

Present: Supervisors Peskin, Daly, Maxwell

5. **020782** [Planning Code Amendment - South of Market SUD Amendments] Supervisor Daly

Ordinance amending Planning Code Sections 803.5 and 822 to include union halls as permitted principal uses in the South of Market Special Hall of Justice Legal Services District, to include Assessor's Block 3780 Lots 1 and 2 as part of the South of Market Special Hall of Justice Legal Services District, and to correct citations and zoning map page number references; amending Zoning Map Sheet 8SU of the City and County of San Francisco to include Lots 1 and 2 in Assessor's Block 3870 as part of the South of Market Special Hall of Justice Legal Services District; and making findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan.

9/30/2002, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

6. **021221** [Laws and procedures governing the enforcement of prevailing wages for workers on public work projects] Supervisors Ammiano, Daly, Peskin,
Maxwell, Leno, Gonzalez,
McGoldrick, Newsom

Ordinance amending the Administrative Code by adding subsection 6.1(H), definition of prevailing wage; amending subsection 6.22(A)(6) to include a requirement concerning subcontractor licenses; amending subsection 6.22(B) to include a requirement that all contractor and subcontractors provide workers' compensation insurance certificates; amending subsection 6.22(E) concerning application and enforcement of prevailing wage requirements and assessment of penalties and backwages; amending subsection 6.22(O) to add further contractual requirements for the employment of apprentices and to add penalties for noncompliance; adding subsection 6.22(P) concerning safety requirements for contractors and subcontractors; amending section 6.24 to expand the authority of the Office of Labor Standards Enforcement to enforce requirements of state and federal law, to enforce working conditions and apprenticeship and to assess monetary penalties and backwages against public work contractors.

9/30/2002, PASSED ON FIRST READING. Supervisors Leno, Gonzalez, McGoldrick and Newsom requested to be added as co-sponsors.

Question: Shall this Ordinance be FINALLY PASSED?

7. **021419** [MOU - San Francisco Police Officers' Association] Mayor, Supervisor Newsom
Ordinance adopting and implementing Amendment No. 1 to the 2001-2003 Collective Bargaining Agreement between the San Francisco Police Officers' Association (SFPOA) and the City and County of San Francisco by amending Sections 13 (A) and (F) to incorporate the

Resolution authorizing the Airport Commission to accept and expend a Federal Airport Improvement Program grant in the amount of \$5,291,558.00 from the U.S. Department of Transportation Federal Aviation Administration, and approving Modification Nos. 4 and 5 to Contract No. 4240.1 for preparation of environmental impact studies for the proposed runway reconfiguration project, for a total contract amount not to exceed \$16,200,730. (Airport Commission)

**(Public Benefit Recipient.)
(Supervisor Daly dissenting in Committee)**

Question: Shall this Resolution be ADOPTED?

Recommendations of the Neighborhood Services and Recreation Committee

Present: Supervisors Newsom, Leno, McGoldrick

12. 020537 [Liquor License, 1581 Webster Street, #240]

Resolution determining that the issuance of a Type 47 on-sale general eating place liquor license to Takehiko Yasuda dba "Lime Light" located at 1581 Webster Street, #240 (District 5) in exchange of the current Type 48 on-sale general public premises license, will not serve the public convenience and necessity of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code.

Question: Shall this Resolution be ADOPTED?

13. 021275 [Liquor License Transfer, 691 Portola Drive]

Resolution determining that the transfer of a Type 21 off-sale general alcoholic beverage control license to Song Kwang and Tong Sun Kim dba "Miraloma Liquors" from 683 Portola Drive to 691 Portola Drive (District 6), 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.

Question: Shall this Resolution be ADOPTED?

Recommendations of the Public Works and Public Protection Committee

Present: Supervisors Sandoval, Yee, Gonzalez

14. 020155 [Building and Planning Code Amendment]

Supervisors Yee, Sandoval

Ordinance amending San Francisco Building Code by adding Sections 104.6 through 104.6.3 and amending 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 the notices in multiple languages and making findings.

Question: Shall this Ordinance be PASSED ON FIRST READING?

15. 020784 [Resource Conservation - Batteries]

Supervisors Sandoval, McGoldrick, Yee

Ordinance amending the Resource Conservation Ordinance, Chapter 21A of the Administrative Code, to require the purchase and use of rechargeable batteries by City departments and to require other practices that will increase battery recycling by the City.

Question: Shall this Ordinance be PASSED ON FIRST READING?

Recommendations of the Rules and Audits Committee

Present: Supervisors Hall, Gonzalez, Sandoval

16. **021571** [Appointment - Telecommunications Commission] **Mayor**
Resolution approving the Mayor's appointment of Elizabeth A. Inadomi to the Telecommunications Commission, for the term ending July 1, 2005. (Mayor)

Question: Shall this Resolution be ADOPTED?

17. **021570** [Waiver Permitting City Employees to Serve as Field Election **Supervisor Ammiano**
Deputies and Otherwise Assist the Department of Elections on
November 5, 2002.]

Motion granting a waiver from the prohibition imposed by Charter section 13.104.5, to permit City employees to serve as Field Election Deputies and otherwise assist the Department of Elections on November 5, 2002.

Question: Shall this Motion be ADOPTED?

Recommendations of the Transportation and Commerce Committee

Present: Supervisors McGoldrick, Ammiano

18. **021408** [Establishment and Administration of Mission/Otis Vehicle Pool]
Resolution authorizing the Director of the Department of Administrative Services to establish the Mission/Otis Vehicle Pool, located in the Mission Street and Otis Street area of San Francisco, which shall serve the following five San Francisco departments: 1) the Department of Aging and Adult Services, 2) the Department of Building Inspection, 3) the Department of Human Resources, 4) the Department of Public Works' Bureau of Construction Management and Bureau of Engineering, and 5) the Planning Department; and authorizing the Mission/Otis Vehicle Pool to be administered by the Department of Human Services; report from the Director of the Department of Administrative Services one year from the date of approval regarding usage rates and costs. (Administrative Services Department)

Question: Shall this Resolution be ADOPTED?

19. **021508** [Agreement with the State of California for the Third Street Light
Rail Project and supplement to the Freeway Maintenance
Agreement]
**Resolution authorizing the Director of Transportation to execute a cooperative agreement with the State of California Department of Transportation (Caltrans) and the Director of Public Works to execute a supplement to the Freeway Maintenance Agreement with the State of California, Department of Transportation (Caltrans). (Municipal Transportation Agency)
(No Public Benefit Recipient.)**

Question: Shall this Resolution be ADOPTED?

20. **021534** [Grant Federal Funds]
Resolution authorizing the Municipal Transportation Agency Board to retroactively accept and expend \$66,231,753 of Federal Formula Section 5307, Congestion Mitigation and Air

Question: Shall this Motion be ADOPTED?

25. 021621 [Appointment, Planning Commission] Mayor
Motion rejecting the Mayor's nomination of Shelley Bradford Bell to Seat No. 5 of the Planning Commission. (Mayor)

Question: Shall this Motion be ADOPTED?

26. 021622 [Appointment, Planning Commission] Mayor
Motion approving the Mayor's nomination of Edgar Boyd to Seat No. 6 of the Planning Commission, term to be determined by lot. (Mayor)

Edgar Boyd, new position, Seat No. 6, must be nominated by the Mayor, term to be determined by lot.

Question: Shall this Motion be ADOPTED?

27. 021623 [Appointment, Planning Commission] Mayor
Motion rejecting the Mayor's nomination of Edgar Boyd to Seat No. 6 of the Planning Commission. (Mayor)

Question: Shall this Motion be ADOPTED?

28. 021624 [Appointment, Planning Commission] Mayor
Motion approving the Mayor's nomination of Jeffrey Chen to Seat No. 7 of the Planning Commission, term to be determined by lot. (Mayor)

Jeffrey Chen, new position, Seat No. 7, must be nominated by the Mayor, term to be determined by lot.

Question: Shall this Motion be ADOPTED?

29. 021625 [Appointment, Planning Commission] Mayor
Motion rejecting the Mayor's nomination of Jeffrey Chen to Seat No. 7 of the Planning Commission. (Mayor)

Question: Shall this Motion be ADOPTED?

30. 021626 [Appointment, Board of Appeals] Mayor
Motion approving the Mayor's nomination of Arnold Chin to Seat No. 3 of the Board of Appeals, term to be determined by lot. (Mayor)

Arnold Chin, new position, Seat No. 3, must be nominated by the Mayor, term to be determined by lot.

Question: Shall this Motion be ADOPTED?

31. 021627 [Appointment, Board of Appeals] Mayor
Motion rejecting the Mayor's nomination of Arnold Chin to Seat No. 3 of the Board of Appeals. (Mayor)

Question: Shall this Motion be ADOPTED?

32. **021628** [Appointment, Board of Appeals] **Mayor**
Motion approving the Mayor's nomination of Kathleen Harrington to Seat No. 4 of the Board of Appeals, term to be determined by lot. (Mayor)
Kathleen Harrington, Seat No. 4, must be nominated by the Mayor, term to be determined by lot.

Question: Shall this Motion be ADOPTED?

33. **021632** [Appointment, Board of Appeals] **Mayor**
Motion rejecting the Mayor's nomination of Kathleen Harrington to Seat No. 4 of the Board of Appeals. (Mayor)

Question: Shall this Motion be ADOPTED?

34. **021633** [Appointment, Board of Appeals] **Mayor**
Motion approving the Mayor's nomination of Sabrina Saunders to Seat No. 5 of the Board of Appeals, term to be determined by lot. (Mayor)
Sabrina Saunders, Seat No. 5, must be nominated by the Mayor, term to be determined by lot.

Question: Shall this Motion be ADOPTED?

35. **021634** [Appointment, Board of Appeals] **Mayor**
Motion rejecting the Mayor's nomination of Sabrina Saunders to Seat No. 5 of the Board of Appeals. (Mayor)

Question: Shall this Motion be ADOPTED?

36. **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.

37. **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

CLOSED SESSION

CONFERENCE WITH CITY ATTORNEY - Anticipated Litigation as Plaintiff or Defendant

38. 021578 [Anticipated Litigation]

Motion that the Board of Supervisors convene in closed session with the City Attorney for the purpose of conferring with, or receiving advice from, the City Attorney regarding anticipated litigation (City anticipated to be a plaintiff or defendant) which may occur with Television Signal Corporation and AT&T Broadband et al. regarding compliance with the City's cable television franchise and AT&T Broadband's proposed merger with Comcast. (City Attorney)

This closed session would be permitted by Government Code Section 54956.9(b) and (c) and the San Francisco Administrative Code Section 67.10(d).

September 30, 2002 - Continued to October 7, 2002.

Question: Shall this Motion be ADOPTED?

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

[Elect To Disclose]

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

[Elect Not to Disclose]

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

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

Items 39 through 55

39. 021648 [Recognition and celebration 100 years of Korean Immigration] Supervisor Yee
Resolution recognizing and celebrating 100 years of Korean immigration and contributions to the United States.

9/30/2002, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

40. 021649 [Support "Principles for a More Secure San Francisco"] Supervisor Peskin
Resolution supporting "Principles for a More Secure San Francisco," as proposed by the Service Employees International Union, the largest security officer union in the nation, to provide higher standards for the private security industry.

9/30/2002, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

41. 021650 [Commend ArtNica] Supervisor Sandoval
Resolution commending ArtNica for their commitment and dedication to introducing Nicaraguan Art to the Bay Area.

9/30/2002, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

42. 021651 [Commend Wells Fargo Bank] Supervisor Sandoval
Resolution commending Wells Fargo Bank for accepting identification cards issued by the Guatemalan Consulate for new account openings and banking transactions.

9/30/2002, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

43. 021652 [First Amendment to Water Supply Contract between CCSF and California Water Service Company] Supervisors Hall, Gonzalez, Maxwell, Newsom
Resolution approving and authorizing the SFPUC General Manager to sign the First Amendment to the Water Supply Contract Between the City and County of San Francisco and the City of California Water Service Company for Purposes of Conducting an Aquifer Recharge Study.

9/30/2002, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

44. 021666 [First Amendment to Water Supply Contract between CCSF and City of San Bruno] Supervisors Hall, Gonzalez, Maxwell, Newsom
Resolution approving and authorizing the SFPUC General Manager to sign the First Amendment to the Water Supply Contract Between the City and County of San Francisco and the City of San Bruno for Purposes of Conducting an Aquifer Recharge Study.

9/30/2002, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

45. 021653 [Urge Director of Planning to reexamine the process for "17 Reasons Why Sign"] Supervisor Ammiano
Resolution urging Gerald Green, Director of Planning Department, to reexamine the permitting process for the "17 Reasons Why Sign."

9/30/2002, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

46. 021654 [Commend Alzheimer's Association] Supervisor Leno

Resolution commending the Alzheimer's Association for increasing awareness and raising funds for programs and services for people living with Alzheimer's disease and declaring October 12th "Alzheimer's Association Day in San Francisco."

9/30/2002, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

47. 021655 [Commend Global Exchange, Asian Law Caucus, Sweatshop Watch, Union of Needletrades, Industrial and Textile Workers] Supervisors Sandoval, Maxwell

Resolution commending Global Exchange, Asian Law Caucus, Sweatshop Watch, and Union of Needletrades, Industrial and Textile Workers for working tirelessly on behalf of the 30,000 current and former garment workers in Saipan in their class action lawsuit to establish a code of conduct for the companies who have factories there, a monitoring system to prevent labor abuses, and a fund to pay back wages to employees and urging Levi Strauss to join in the settlement of this class action lawsuit.

9/30/2002, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

48. 021656 [Extend MUNI 14 trolley coach to Daly City BART station] Supervisor Sandoval

Resolution urging the Municipal Transportation Agency (MTA) to amend its short range transit plan to include implementation, within the next 12 months, of the extension of the MUNI 14 trolley coach route to the Daly City BART station and urging the San Francisco County Transportation Authority to prioritize this project in the countywide transportation plan and program the local, state and federal funds necessary to this end.

9/30/2002, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

49. 021657 [Accept and Expend Gift in Place to Recreation and Park Department, \$50,000.00] Supervisor Newsom

Resolution accepting and expending a gift valued at \$50,000.00 and a gift-in-place valued at approximately \$35,000.00 from the Friends and Recreation and Parks to the Recreation and Park Department for Moscone Park.

9/30/2002, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

50. 021658 [Accept and Expend Gift in Place to Recreation and Park Department, \$750,000.00] Supervisor Newsom

Resolution accepting and expending a gift-in-place valued at maximum of \$750,000.00 from the Friends of Recreation and Parks to the Recreation and Park Department to be used for the Children's Play Area located at the Julius Kahn Playground.

9/30/2002, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

- 51. 021659 [Commend North of Market Senior Services] Supervisor Daly**
Resolution commending the North of Market Senior Services for 30 years of providing essential programs and services to seniors.
9/30/2002, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
- 52. 021660 [Commend Art Octavio] Supervisors Yee, Hall**
Resolution commending Art Octavio for his commitment and service for over forty years to the City and County of San Francisco.
9/30/2002, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
- 53. 021592 [Final Map for a 9 Unit Residential Condominium Project]**
Motion approving Final Map of 741 Ellis Street, A Residential Condominium Project, being a subdivision of Lot 23 in Assessor's Block No. 740, and adopting findings pursuant to City Planning Code Section 101.1. (Public Works Department)
(No Public Benefit Recipient; DPW Order No. 173,732; Distrit 6.)
9/25/2002, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Motion be ADOPTED?
- 54. 021616 [Final Map for a 14 Unit Live/Work Condominium Project]**
Motion approving Final Map of 630 8th Street, a Live/Work Condominium Project, being a subdivision of Lot 10, Assessor's Block No. 3782, and adopting findings pursuant to City Planning Code Section 101.1. (Public Works Department)
(No Public Benefit Recipient; DPW Order No. 173,733; District 6.)
9/26/2002, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Motion be ADOPTED?
- 55. 021617 [Final Map for a 28 Unit Live/Work Condominium Project]**
Motion approving Final Map of 2412 Harrison Street, a Live/Work Condominium Project, being a subdivision of Lot 2, Assessor's Block No. 3612, and adopting findings pursuant to City Planning Code Section 101.1. (Public Works Department)
(No Public Benefit Recipient; DPW Order No. 173,734; District 9.)
9/25/2002, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Motion be ADOPTED?

Questions on the For Adoption Without Committee Reference Agenda: _____

56. 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 September 26 through noon on October 2, 2002, for reference by President to appropriate committee on October 7, 2002..

None.

PROPOSED RESOLUTIONS

Proposed resolutions received from September 26 through noon on October 2, 2002, for reference by President to appropriate committee on October 7, 2002.

021667 [Fiscal Year 2002-03 California Constitution Appropriations Limit]

Resolution establishing the appropriations limit for Fiscal Year 2002-03 pursuant to California Constitution Article XIII B. (Controller)

(No Public Benefit Recipient.)

10/2/2002, RECEIVED AND ASSIGNED to Finance Committee.

**021668 [Agreement of Purchase and Sale of Real Property Located at 190
9th Street, San Francisco]**

Resolution authorizing the execution, delivery and performance of an Agreement of Purchase and Sale for Real Estate (along with all exhibits and schedules, the "Purchase Agreement"), between the City and County of San Francisco (the "City"), and Ninth and Howard LLC, a California limited liability company (the "Seller"), (including certain indemnities contained therein), for the purchase of real property and improvements located at 190 9th Street, San Francisco, for use as the Support Services Center of the San Francisco Public Library; adopting findings under the California Environmental Quality Act; and adopting findings that the conveyance is consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1. (Real Estate Department)

(Public Benefit Recipient.)

10/2/2002, RECEIVED AND ASSIGNED to Finance Committee.

021669 [Accept - Expend Regional Funds]

Resolution authorizing the Municipal Transportation Agency to accept and expend \$540,000 of Traffic Congestion Relief Program funds for improvements to the Geneva Office Building. (Municipal Transportation Agency)

(No Public Benefit Recipient.)

10/1/2002, RECEIVED AND ASSIGNED to Transportation and Commerce Committee.

021684 [Petitions and Communications]

Petitions and Communications received from September 26 through noon on October 2, 2002 for reference by the President to Committee considering related matters or to be ordered filed by the Clerk on October 7, 2002.

From Office of the Controller, submitting report regarding external auditor's interim management letters for the City and County of San Francisco as issued by the City's independent auditors for the fiscal year ended June 30, 2002. File 021565(1)

From Office of the Controller, submitting report concerning the financial audit of the San Francisco Children and Families Commission for the fiscal year ended June 30, 2002.(2)

From the Department on the Status of Women, submitting statistics and information on youth aged 14 - 18. (Reference No. 20020805-010) Copy: Supervisor Ammiano(3)

From Public Library Commission, submitting Resolution 3/02 approving acquisition of 190 - 9th Street for use as the Library Support Services facility as adopted by the Library Commission at its September 19, 2002 meeting.(4)

From Office of the Controller, regarding assessment of procedures used by Verified Audit Circulation to conduct circulation audits of the San Francisco Independent Newspaper. Copy: Supervisor Daly(5)

From Espanola Jackson, regarding the Raker Act of 1913 and proposed appointments to the Planning Commission. Copy: Each Supervisor(6)

From Department of Children, Youth and Their Families, regarding adopted Budget for fiscal year 2002/03. (7)

From Department of Public Health, submitting request to Human Rights Commission for

waiver of Chapters 12B and 12C of the Administrative Code for Safeway Corp. and CALA Food Corp. for the continued purchase of food and food vouchers.(8)

From Department of Elections, submitting copy of letter sent to the California Secretary of State (SOS) dated August 20, 2002, concerning apparent discrepancies identified by the SOS in the original canvass of the November 2000 election. File 020911, Copy: Each Supervisor(9)

From Ethics Commission, submitting summary report of campaign consultant activity for the third quarter of 2002.(10)

From Office of the Controller, submitting 2001-02 report of any transfer of funds made pursuant to Section 3.18 of the Administrative Code, which exceeds 10 percent of the original appropriation to which the transfer is made. Copy: Each Supervisor(11)

From Ron Wolter, urging the Board of Supervisors to reject the Mayor's appointments to the Board of Appeals. Copy: Each Supervisor(12)

From Public Utilities Commission, regarding the steps taken to disband the 7th and Berry Streets homeless encampment. (Reference No. 20020729-011) Copy: Supervisor Daly(13)

From Building Inspection Commission, submitting support for proposed ordinance amending Section 2903 of the Building Code to require that single accommodation sanitary facilities in public accommodations bear signage indicating that they are usable by either sex.(14)

From Planning Department, submitting notice of public hearing for appeal concerning the environmental review of 2815 Diamond Street (Glen Park Marketplace).(15)

From Evelyn Rose, regarding the danger (fire hazard) of leaving large mounds of cut branches, logs and underbrush in Golden Gate Park.Copy: Recreation and Park Department(16)

From concerned citizens, submitting opposition to the sale of the community garden on Page Street between Buchanan and Webster Streets.File 021604(17)

From concerned citizens, commenting on the outstanding work of the District Attorney's Sixth Street Community Justice Office in helping make the community safer and increasing the quality of life for the residents of the South of Market.(18)

From Jaidin Consulting Group, LLC, regarding the appeal hearing of 2863 California Street. File 021244(19)

From Sergio Canjura, filing a formal complaint with the Human Rights Commission for the alleged violation of his human rights during a political demonstration by the SF Day Labor Program that is administered by La Raza Centro Legal. Copy: Each Supervisor, City Attorney(20)

From Editha O'Campo, commenting on the behavior of some of the bicycle riders in the Critical Mass demonstration on September 27, 2002 in San Francisco.(21)

From Department of Human Resources, submitting quarterly report on the status of the IFPTE Local 21 Special Assistant Audit and MEA Management Classification and Compensation Plan. Copy: Each Supervisor(22)

From Public Utilities Commission, submitting brochure regarding the Capital Improvement

Program.(23)

From Michele Lozano, regarding her request for a Section 8 housing voucher.

Copy: Each Supervisor(24)

From concerned citizens, submitting support for the proposed dog policy sponsored by Supervisor Yee. File 020849(25)

From SF District, Corps of Engineers, submitting notice of permit request from Alynn Woodriff to continue the installation and removal of a seasonal road crossing on the Russian Rive, via an extension of Washington School Road, near the town of Asti, in Sonoma County.(26)

From State Department of Health Services, regarding fiscal year 2002/03 CHIP/RHS County allocation.(27)

From Department of Public Health, regarding on the Health Insurance Portability and Accountability Act of 1996. (Reference No. 20020826-007) Copy: Supervisor Daly(28)

From War Memorial and Performing Arts Center, regarding adopted Budget for fiscal year 2002/03.(29)

From Office of the Legislative Analyst, submitting report regarding the potential advantages and disadvantages of enacting a biennial budget.(30)

From State Department of Finance, regarding Chapter 1127, Statutes of 2002 that requires redevelopment agencies in California to shift \$75 million in property tax revenues to K-12 schools and community colleges during the 2002-03 fiscal year.(31)

From various City departments and other agencies, submitting Conflict of Interest Code Review Reports (Campaign and Governmental Conduct Code, Article III, Chapter 1.) Copy: City Attorney's Office(32)

Board of Examiners, Plumbing and Electrical

Department on the Status of Women

Relocation Appeals Board

Mayor's Office of Community Development

Mayor's Office

Juvenile Probation Department

Small Business Commission (Business and Economic Development)

From Immigrant Rights Commission, submitting Resolution No. IRC-090902, approved by the Commission on September 9, 2002, reaffirming San Francisco's status as a City and County of Refuge and an I.N.S. Raid Free Zone.(33)

From Medical Examiner's Office, submitting annual report for the period of July 1, 2000 through June 30, 2001.(34)

From the Non-Profit Contracting Task Force, submitting report regarding Non-Profit Contracting (Resolution No. 806-01), dated September 26, 2002. File 011809, Copy: Each Supervisor (35)

From concerned citizen, submitting information regarding the Musee Mecanique at the Cliff House.(36)

From concerned citizens, requesting the Board of Supervisors hold new hearings on animal testing at UCSF and do everything in the Board's power to compel UCSF to end Stephen Lisberger's cruel and outdated experiments. Approximately 15 letters and postcards(37)

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

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