

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, August 12, 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, Maxwell

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.

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

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 2:00 p.m. On call of the roll, the following Supervisor was noted absent:

Supervisor Sandoval - 1.

Quorum present.

Supervisor Sandoval was noted present at 2:01p.m.

APPROVAL OF MEETING MINUTES

Supervisor Maxwell, seconded by Supervisor Gonzalez, moved to approve the minutes of the Board of Supervisors of June 10 and June 17, 2002. The motion carried by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

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 Leno requested File Nos. 021240, 021241, 021242, 021280 and 021243 be continued to August 26, 2002. (See infra.)

Privilege of the Floor

Supervisor McGoldrick, seconded by Supervisor Leno, moved. The motion carried by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

Introduction of Guest

Supervisor McGoldrick introduced, welcomed and presented a Certificate of Honor to a representative from the Lincoln Golf Course celebrating their 100 Year Anniversary.

CONSENT AGENDA

Recommendations of the Health and Human Services Committee

- 021192 [Study of at-risk and HIV positive youth in San Francisco]
Supervisors Leno, Maxwell, Daly

Resolution authorizing the San Francisco Department of Public Health (SFDPH) to enter retroactively into an agreement in the amount of \$20,160 with The Regents of the University of California San Francisco (UCSF), the primary contractor, to participate in a study of at-risk and HIV positive youth in San Francisco, for the period of March 1, 2002, to February 28, 2003. (Public Health Department)

Supervisor Daly requested to be added as a co-sponsor.

Resolution No. 551-02

ADOPTED

- 021231 [Recurring FY2002-2003 State grant funds to DPH from the California Department of Health Services]
Resolution authorizing the acceptance and expenditure of State grant funds by the San Francisco Department of Public Health for FY 2002-2003. (Public Health Department)

Resolution No. 553-02

ADOPTED

- 021232 [Study of HIV prevention in beerhalls in Harare, Zimbabwe]
Supervisor Maxwell

Resolution authorizing the San Francisco Department of Public Health (SFDPH) to enter retroactively into an agreement in the amount of \$36,991 with The Regents of the University of California San Francisco (UCSF), the primary contractor, to participate in a randomized trial of HIV prevention in beerhalls in Harare, Zimbabwe, for the period of May 1, 2002, to April 30, 2003. (Public Health Department)

Resolution No. 554-02

ADOPTED

- 021233 [Support and enhance podiatry, nutrition, and diabetic nurse educator services at the Potrero Hill Health Center]
Supervisor Maxwell

Resolution authorizing the San Francisco Department of Public Health (SFDPH) to accept and expend retroactively a new grant in the amount of \$75,000 from the Franklin Benevolent Corporation (FBC) to expand on-site direct patient care services for vulnerable and high-risk patients at the Potrero Hill Health Center and to enter into an agreement for the use of these funds; for the period of July 1, 2002 through June 30, 2003. (Public Health Department)

Resolution No. 555-02

ADOPTED

Recommendations of the Rules and Audits Committee

020988 [Settlement of Lawsuit]

Ordinance authorizing settlement of the matter of Cheryl C. Jessee v. City and County of San Francisco for \$45,000 to Cheryl C. Jessee and \$61,500 to her attorney of record, Mayo & Rogers. The lawsuit was filed on May 25, 2001, in San Francisco Superior Court, Case No. 321-661; entitled Cheryl C. Jessee v. City and County of San Francisco. (City Attorney)

(Public Benefit Recipient.)

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

021045 [Settlement of Lawsuit]

Ordinance authorizing settlement of the lawsuit filed by Yun Fong Kwan, et al., against the City and County of San Francisco for \$90,000; the lawsuit was filed on March 22, 1999 in Superior Court, Case No. 302-154; entitled Kwan, et al. v. City and County of San Francisco, et al. (City Attorney)

(Public Benefit Recipient.)

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

021125 [Settlement of Lawsuit]

Ordinance authorizing settlement of the lawsuits filed by one hundred and one individual plaintiffs, in two separate lawsuits known as Rooker, et al. and Weaver, et al. against the City and County of San Francisco, for \$862,581.63 in back overtime wages, \$137,951.82 in interest payments and \$378,043.46 in attorneys' fees and costs; the Rooker lawsuit was filed on March 9, 1999 in United States District Court, Case No. C99-1095 VRW, entitled Rooker, et al. v. City and County of San Francisco; the Weaver lawsuit was filed on June 27, 2000 in the United States District Court, Case No. C00-2271 VRW, entitled Weaver, et al. v. City and County of San Francisco. (City Attorney)

(Public Benefit Recipient.)

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

021262 [Appointment of Michael G. Kasolas to MTA]

Mayor

Resolution confirming the appointment of Michael G. Kasolas to the Board of Directors of the Metropolitan Transportation Agency, term ending March 1, 2003. (Mayor)

Resolution No. 556-02

ADOPTED

021099 [Susan Po-Rufino Reappointment to Treasure Island Development Authority]

Mayor

Resolution confirming the reappointment of Ms. Susan Po-Rufino to the Treasure Island Development Authority, term ending April 28, 2006. (Mayor)

Resolution No. 547-02

ADOPTED

**021158 [Reappointment to Telecommunications Commission]
Mayor**

Resolution approving the Mayor's reappointment of Major General James M. Myatt to the Telecommunications Commission, for the term ending July 1, 2005. (Mayor)

**Resolution No. 549-02
ADOPTED**

**021350 [Appointment - Telecommunications Commission]
Mayor, Supervisor Daly**

Resolution approving the Mayor's appointment of Sunil V. Daluvoy to the Telecommunications Commission, for the term ending July 1, 2003. (Mayor)

Supervisor Daly requested to be added as co-sponsor.

**Resolution No. 557-02
ADOPTED**

020833 [Appointment]

Resolution appointing Vera Haile, Tamara Ribas, Houston Zheng, terms ending June 6, 2004; and Hugh Wang, term ending June 6, 2003 to the Immigrant Rights Commission.

Vera Haile, succeeding herself, term expired, seat 1, must have a demonstrated knowledge of and interest in the health, human service, educational, or employment issues that affect immigrants residing in San Francisco for a two year term ending June 6, 2004;

Tamara Ribas, succeeding Richard Ow, term expired, seat 3, must have a demonstrated knowledge of and interest in the health, human service, educational, or employment issues that affect immigrants residing in San Francisco for a two year term ending June 6, 2004;

Hugh Wang, succeeding Vram Kouramajian, resigned, seat 7, must be an immigrant to the United States who is appointed in accordance with Section 4.101 of the Charter. In addition, members shall have a demonstrated knowledge of and interest in the health, human service, educational, or employment issues that affect immigrants residing in San Francisco for the unexpired portion of a two year term ending June 6, 2003;

Houston Zheng, succeeding himself, term expired, seat 9, must be an immigrant to the United States who is appointed in accordance with Section 4.101 of the Charter. In addition, members shall have a demonstrated knowledge of and interest in the health, human service, educational, or employment issues that affect immigrants residing in San Francisco for a two year term ending June 6, 2004;

**Resolution No. 545-02
ADOPTED**

021039 [Settlement of Claim]

Resolution approving the settlement of the unlitigated claim filed by Alyce M. Satten against San Francisco for \$40,000; claim was filed on June 4, 2001. (City Attorney)

(Public Benefit Recipient.)

**Resolution No. 546-02
ADOPTED**

021124 [Settlement of Claim]

Resolution approving the settlement of the unlitigated claim filed by Arnulfo O. Felin against San Francisco for \$27,619.65; claim was filed on April 16, 2001; additional material terms of said settlement are none. (City Attorney)

(Public Benefit Recipient.)

Resolution No. 548-02

ADOPTED

Recommendation of the Transportation and Commerce Committee**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.

Ordinance No. 177-02

FINALLY PASSED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

REGULAR AGENDA**UNFINISHED BUSINESS****Recommendation of the Finance Committee****011178 [Motor Vehicle for Hire Permit Filing Fees and License Fees]**

Ordinance amending Sections 2.26.1 and 2.27.1 of the Police Code to amend schedules for motor vehicle for hire permit filing fees and license fees. (Taxi Commission)

Ordinance No. 176-02

FINALLY PASSED by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

From Finance Committee Without Recommendation

**021141 [Agreement for Stadium Advertising]
Supervisor Maxwell**

Ordinance approving and authorizing an agreement with the San Francisco Forty Niners, Ltd., for the sale of stadium advertising and for the performance of certain capital repairs at the stadium located at Candlestick Point.

Ordinance No. 178-02

FINALLY PASSED by the following vote:

Ayes: 10 - Ammiano, Daly, Gonzalez, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee
Noes: 1 - Hall

NEW BUSINESS

Recommendations of the Finance Committee

**021067 [Amending Public Works Code, Street Space Occupancy Permits; Modify the Fee Collection]
Supervisors Peskin, Newsom, Daly, Sandoval, Leno**

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.

Supervisor Sandoval requested to be added as a co-sponsor.

PASSED, ON FIRST READING by the following vote:

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Leno, McGoldrick, Newsom, Peskin, Sandoval, Yee
Absent: 1 - Maxwell

021184 [Airport Concession Lease]

Resolution approving the North Terminal Candy Store Lease between See's Candies, Inc. and the City and County of San Francisco, Acting by and through its Airport Commission. (Airport Commission)

Resolution No. 550-02

ADOPTED by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

021230 [Airport Concession Support Program Lease]

Resolution approving, retroactive to September 11, 2001, the Airport Concession Support Program between Action Cellular-Cellular Phone Rental Service Lease; Andale SFO - New International Terminal Food and Beverage Lease; Bank of America - Domestic Banking Services Lease; Bayport Concessions LLC dba Willow Street Woodfired Pizza - New International Terminal Food and Beverage Lease; Books, Inc. - North Terminal Bookstore Lease; Buth-Na-Bodhaige, Inc. dba The Body Shop - Boarding Area "F" Cosmetic and Toiletries Lease; CalStar Retail, Inc. - Boarding Area "F" Newsstand Lease and North Terminal Candy Cart/Kiosk Lease; Clear Channel Airports - Airport Advertising Program Lease and SFO Cyber Room Technology Showcase Lease; D. Mitchell Concessions dba Harry Denton's - New International Terminal Food and Beverage Lease; D-Lew Enterprises dba Il Fornaio - New International Terminal Food and Beverage Lease; Deli-Up Enterprises, LLC - New International Terminal Food and Beverage Lease; Discovery Channel Stores - New International Terminal Nature Theme Store Lease; Ebisu, Inc. - New International Terminal Food and Beverage Lease; Emporio Rulli - New International Terminal Food and Beverage Lease; Fung Lum Express, LLC - New International Terminal Food and Beverage Lease; Gotham Foods Two, LLC dba Firewood Café - New International Terminal Food and Beverage Lease; Harbor Airport, LLC dba Harbor Village - New International Terminal Food and Beverage Lease; Host International, Inc. - North Terminal Concession Opportunity Lease, Boarding Areas "B" and "C" Bookstores Lease, New International Terminal Aviation Store Lease, and North Terminal Hub Principal Retail Concession Lease; Lori's Diner International - New International Terminal Food and Beverage Lease; Nidal Nazzal dba Burger Joint - New International Terminal Food and Beverage Lease; North Terminal Shines - Shoeshine Service Lease; OSI-MB-Boarding Area "F" Executive Writing Instruments Lease; Pacific Gateway Concessions, LLC - Boarding Areas "B" and "C" Principal Retail Concession Lease; Pacific Golf Partners, LLC - New International Terminal Golf Shop Lease; Polk-Townsend and Associates dba Café Metro - New International Terminal Food and Beverage Lease; Rosedale-Wilsons dba Wilsons Leather - North Terminal Concourse Fine Leather Goods Lease; San Francisco Museum of Modern Art - New International Terminal Museum Store Lease; See's Candies, Inc. - North Terminal Candy Store Lease (upon execution of the Lease); SFO Hairport - New International Terminal Hair Salon Lease; Smarte Carte - Public Lockers and Over-the-Counter Baggage Lease; Tomokazu Japanese Cuisine (SFO), Inc. - New International Terminal Food and Beverage Lease; Travelex America, Inc. - ATM Lease A in the New International Terminal, ATM Lease B in the New International Terminal, and Foreign Currency Lease; U-Threads - Boarding Area "F" Collegiate Apparel Lease; WH Smith Hotel Services - New International Terminal Bookstore/Café Lease; and Yoko, Inc. dba Osho Japanese Cuisine - New International Terminal Food and Beverage Lease and the City and County of San Francisco, Acting by and through its Airport Commission. (Airport Commission)

Supervisor Peskin, seconded by Supervisor Maxwell, moved to amend on page 6 line 8 by adding after the word "date." the following "In the event the tenant exercises such option, then the lease rent payable by the tenant during the option term shall be adjusted to equal market rent, as determined by the Airport Director. In no event will the rent payable in the option term be less than the rent payable by the tenant in the last year of the base term of the lease. Following such determination, if the tenant is unwilling to pay such market rent, the tenant shall be entitled to withdraw its exercise of the option" and further amended by adding "Duty Free Shop" in the title.

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

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

Resolution approving, retroactive to September 11, 2001, the Airport Concession Support Program between Action Cellular-Cellular Phone Rental Service Lease; Andale SFO - New International Terminal Food and Beverage Lease; Bank of America - Domestic Banking Services Lease; Bayport Concessions LLC dba Willow Street Woodfired Pizza - New International Terminal Food and Beverage Lease; Books, Inc. - North Terminal Bookstore Lease; Buth-Na-Bodhaige, Inc. dba The Body Shop - Boarding Area "F" Cosmetic and Toiletries Lease; CalStar Retail, Inc. - Boarding Area "F" Newsstand Lease and North Terminal Candy Cart/Kiosk Lease; Clear Channel Airports - Airport Advertising Program Lease and SFO Cyber Room Technology Showcase Lease; D. Mitchell Concessions dba Harry Denton's - New International Terminal Food and Beverage Lease; D-Lew Enterprises dba Il Fornaio - New International Terminal Food and Beverage Lease; Deli-Up Enterprises, LLC - New International Terminal Food and Beverage Lease; Discovery Channel Stores - New International Terminal Nature Theme Store Lease; Ebisu, Inc. - New International Terminal Food and Beverage Lease; Emporio Rulli - New International Terminal Food and Beverage Lease; Fung Lum Express, LLC - New International Terminal Food and Beverage Lease; Gotham Foods Two, LLC dba Firewood Café - New International Terminal Food and Beverage Lease; Harbor Airport, LLC dba Harbor Village - New International Terminal Food and Beverage Lease; Host International, Inc. - North Terminal Concession Opportunity Lease, Boarding Areas "B" and "C" Bookstores Lease, New International Terminal Aviation Store Lease, and North Terminal Hub Principal Retail Concession Lease; Lori's Diner International - New International Terminal Food and Beverage Lease; Nidal Nazzal dba Burger Joint - New International Terminal Food and Beverage Lease; North Terminal Shines - Shoeshine Service Lease; OSI-MB-Boarding Area "F" Executive Writing Instruments Lease; Pacific Gateway Concessions, LLC - Boarding Areas "B" and "C" Principal Retail Concession Lease; Pacific Golf Partners, LLC - New International Terminal Golf Shop Lease; Polk-Townsend and Associates dba Café Metro - New International Terminal Food and Beverage Lease; Rosedale-Wilsons dba Wilsons Leather - North Terminal Concourse Fine Leather Goods Lease; San Francisco Museum of Modern Art - New International Terminal Museum Store Lease; See's Candies, Inc. - North Terminal Candy Store Lease (upon execution of the Lease); SFO Hairport - New International Terminal Hair Salon Lease; Smarte Carte - Public Lockers and Over-the-Counter Baggage Lease; Tomokazu Japanese Cuisine (SFO), Inc. - New International Terminal Food and Beverage Lease; Travelex America, Inc. - ATM Lease A in the New International Terminal, ATM Lease B in the New International Terminal, and Foreign Currency Lease; U-Threads - Boarding Area "F" Collegiate Apparel Lease; WH Smith Hotel Services - New International Terminal Bookstore/Café Lease; and Yoko, Inc. dba Osho Japanese Cuisine - New International Terminal Food and Beverage Lease; Duty Free Shop - New International Terminal Duty Free Shop Lease and the City and County of San Francisco, Acting by and through its Airport Commission. (Airport Commission)

Resolution No. 552-02

Supervisor Peskin, seconded by Supervisor Maxwell, moved that this Resolution be ADOPTED AS AMENDED. The motion carried by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

Recommendations of Rules and Audits Committee

**020968 [Bicycle Advisory Committee]
Supervisors Gonzalez, Daly**

Ordinance (1) amending Sections 5.130 and 5.131 of the San Francisco Administrative Code to (i) provide that each member of the Board of Supervisors shall nominate one person for appointment to the Bicycle Advisory Committee by the Board of Supervisors, (ii) require that the Bicycle Advisory Committee inform the Board of Supervisors of the committee's diversity with respect to age, ethnicity, gender, disability and sexual orientation; (iii) change the term of members of the Bicycle Advisory Committee from three years to two years, or the remaining tenure of the nominating supervisor, whichever is shorter in duration, and (iv) provide for the removal of members of the Bicycle Advisory Committee; and (2) removing all current members of the Bicycle Advisory Committee and requiring new appointments thereto in accordance with Section 5.130 of the San Francisco Administrative Code, as amended by this ordinance.

Supervisor Daly requested to be as added as a co-sponsor.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

020747 [Employee Claim Reimbursement]

Resolution authorizing reimbursement in the amount of \$1,321.86 to Jane Ma for the cost of personal property of a City and County employee damaged or stolen in the line of duty. (Public Health Department)

Resolution No. 544-02

ADOPTED by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

Recess

The Board, at the hour of 2:53 p.m., took a brief recess.

Reconvening of the Board

The Board, at the hour of 3:00 p.m., reconvened.

SPECIAL ORDER 3:00 P.M.

021240 [Public Hearing - Appeal, Conditional Use, 1598 Dolores Street (Reilly's Funeral Home)]

Hearing of persons interested in or objecting to the decision of the Planning Commission by its Motion No. 16445 dated June 20, 2002, approving Conditional Use Application No. 2000.1058C to develop two (2) residential buildings with a total of 13 dwelling units (two of which are affordable) and up to 26 off-street parking spaces, to develop 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 on property located at 1598 Dolores Street (Reilly's Funeral Home), northwest corner of Dolores and 29th Streets; Lots 7, 9, and 38, in Assessor's Block 6618.

(Appeal filed July 17, 2002; categorically exempt from the environmental review process in accordance with the State Guidelines for the implementation of CEQA and Chapter 3.1 of the San Francisco Administrative Code; Case No. 2000.1058C; companion measure to 021240, 021241, 021242, 021243, 021280; District 8.)

Supervisor Leno requested that this item be continued to August 26, 2002.

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

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Peskin, Sandoval, Yee

Noes: 1 - Newsom

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.

021241 [Appeal, Conditional Use, 1598 Dolores Street]

Motion approving decision of the Planning Commission by its Motion No. 16445, approving Conditional Use Application No. 2000.1058C, on property located at 1598 Dolores Street, and adopting findings pursuant to Planning Code Section 101.1.

Supervisor McGoldrick requested this item be continued due to the fact that appellant was unable to attend the meeting.

Jim Rubin, Attorney for the sponsor expressed his concern in granting a continuance.

Supervisor Leno asked the Deputy City Attorney, if the sponsors who were present, could give public comment and then continue the item to August 26, 2002.

Deputy City Attorney, Ted Lakey informed the Board that both sides should be present in order to allow for a rebuttal period.

Continued to August 26, 2002.

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

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Peskin, Sandoval, Yee
Noes: 1 - Newsom

021242 [Appeal, Conditional Use, 1598 Dolores Street]

Motion disapproving decision of the Planning Commission by its Motion No. 16445, approving Conditional Use Application No. 2000.1058C, on property located at 1598 Dolores Street, and adopting findings pursuant to Planning Code Section 101.1.

Continued to August 26, 2002.

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

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Peskin, Sandoval, Yee
Noes: 1 - Newsom

021280 [Environmental Review - 1598 Dolores Street]

Motion certifying review of Final Negative Declaration relating to proposed Conditional Use of Property at 1598 Dolores Street, and adopting findings pursuant to Planning Code Section 101.1. (Clerk of the Board)

Continued to August 26, 2002.

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

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Peskin, Sandoval, Yee
Noes: 1 - Newsom

021243 [Findings - 1598 Dolores Street Appeal]

Motion directing the Clerk of the Board to prepare findings relating to proposed Conditional Use Application No. 2000.1058C, on property located 1598 Dolores Street, for action by the Board at its next meeting.

Continued to August 26, 2002.

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

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Peskin, Sandoval, Yee
Noes: 1 - Newsom

SPECIAL ORDER 3:00 P.M.**021248 [Public Hearing - Appeal, Final Environmental Impact Report for the Laguna Honda Hospital Replacement Project]**

Hearing of persons interested in or objecting to the Planning Commission certification of the Final Environmental Impact Report, Planning File No. 2000.005E, for the Laguna Honda Hospital Replacement Project at Assessor's Block 2842, Lot 7, generally bounded by Laguna Honda Boulevard, Clarendon Avenue, and Woodside Avenue.

(Appeal filed July 16, 2002; companion measure to 021249, 021250, 021251.)

Appellants: Barbara Goode; Tina McGovern; Male Speaker, Yvonne Howard; Suzanne McAwee; John Zella; Ann Poirier; Timothy Poirier

Respondents: Gerald Green, Director, Planning Department; Paul Maltzer, Planning Department, Dr. Edward Chow, President of Health Commission, Anne Kronnenberg, Acting Director, Department of Public Health; Ron Smith; Bob Weil; Evelyn Anstin; Patrick Devlin; Dr. Terry Hill; Laura Blue; Robert Christmas; Gilbert DeLa Mina; Evernease McKnight; Salvage; Alex Bounth; Julie Granger; Linda S. Mitteness, Ph.D; Donna J. Caravelli; Joan Braconi; Berline Wong; Ellen Paul; John Paul; Roger Ridgway

A rebuttal period was allowed.

The President then declared the Public hearing on this item closed.

HEARD AT PUBLIC HEARING.

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.

Rebuttal

021249 [Affirm certification of Laguna Honda Hospital Replacement FEIR]

Motion affirming the certification by the Planning Commission of the Final Environmental Impact Report for the Laguna Honda Hospital Replacement Project at Assessor's Block 2842, Lot 7, generally bounded by Laguna Honda Boulevard, Clarendon Avenue, and Woodside Avenue. (Clerk of the Board)

Motion No. M02-124

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

Ayes: 10 - Ammiano, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee
Absent: 1 - Daly

021250 [Disapprove certification of Laguna Honda Hospital Replacement FEIR]

Motion disapproving the certification by the Planning Commission of the Final Environmental Impact Report for the Laguna Honda Replacement Project at Assessor's Block 2842, Lot 7, generally bounded by Laguna Honda Boulevard, Clarendon Avenue, and Woodside Avenue. (Clerk of the Board)

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

Ayes: 10 - Ammiano, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee
Absent: 1 - Daly

021251 [Preparation of findings to disapprove certification of Laguna Honda Hospital Replacement FEIR]
Motion directing the Clerk of the Board to prepare findings disapproving the certification by the Planning Commission of the Final Environmental Impact Report for the Laguna Honda Replacement Project at Assessor's Block 2842, Lot 7, generally bounded by Laguna Honda Boulevard, Clarendon Avenue, and Woodside Avenue. (Clerk of the Board)

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

Ayes: 10 - Ammiano, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee
Absent: 1 - Daly

SPECIAL ORDER 3:00 P.M

021281 [Public Hearing]

Hearing of persons interested in or objecting to proposed ordinance adopting and imposing schedules of sewer service charges to be paid by users for fiscal year 2002-2003 pursuant to Part II, Chapter X, Articles 4.1 and 4.2 of the San Francisco Municipal Code (Public Works Code). (Clerk of the Board)

HEARD AT PUBLIC HEARING.

021259 [Sewer Service Charges, Fiscal Year 2002-2003]

Mayor

Ordinance adopting and imposing schedules of sewer service charges to be paid by users for fiscal year 2002-2003 pursuant to Part II, Chapter X, Articles 4.1 and 4.2 of the San Francisco Municipal Code (Public Works Code). (Mayor)

Supervisor Hall, seconded by Supervisor Leno, moved that this Ordinance be PASSED ON FIRST READING. The motion carried by the following vote:

Ayes: 10 - Ammiano, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee
Absent: 1 - Daly

Recess

The Board, at the hour of 2:35 p.m., took a brief recess.

Reconvening of the Board

The Board, at the hour of 2:45 p.m., reconvened.

PUBLIC COMMENT

*Jack Dodson, various issues
Tenant at SF International Airport; Airport leases
Female Speaker; homelessness
Joe O'Donoghue; conditional use appeal*

APPROVAL OF REQUESTS TO THE LEGISLATIVE ANALYST

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

**021381 [Legislative Analyst Request]
Supervisor Leno**

Motion asking the Legislative Analyst to research on the City of New York's plans for building code changes for high rise structures. The purpose of this research is to compare proposed changes in New York City with existing San Francisco codes to identify possible improvements to our city's building codes governing high rise structures as well as emergency response equipment and procedures.

Supervisor Daly, seconded by Supervisor Leno, moved that this Motion be APPROVED. The motion carried by the following vote:

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, Newsom, Peskin, Sandoval, Yee
Absent: 1 - McGoldrick

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.

**021361 [Urge GGNRA make available information on ANPR process]
Supervisor Yee**

Resolution urging the National Park Service, GGNRA, to make available to those requesting information on the ANPR process, documents showing the design, methodology, and protocols for analyzing Public Comment, the telephone survey, and any other Technical Information that will be supplied to the Federal panel for the ANPR process regarding Pet Management in the GGNRA.

**Resolution No. 558-02
ADOPTED**

**021362 [Accept and expend funds for "Nature by Design" Trade Show]
Supervisor Yee**

Resolution accepting the raising of funds and receipt of door prizes for expenditure for and at the "Nature by Design" Trade Show, through the Mayor's Office of Economic Development.

**Resolution No. 559-02
ADOPTED**

**021363 [Commend Nagi Daifullah]
Supervisors Yee, Sandoval**

Resolution commending the courage and legacy of farm worker Nagi Daifullah.

Supervisor Sandoval requested to be added as a co-sponsor.

Resolution No. 560-02

ADOPTED

**021364 [Issuance and Sale of Revenue Bonds - Carter Terrace Multifamily Residential Rental Housing
Development]
Supervisor Maxwell**

Resolution approving, for purposes of the Internal Revenue Code, the issuance and sale of revenue bonds by the City and County of San Francisco in an aggregate principal amount not to exceed \$17,000,000 for the Carter Terrace multifamily residential rental housing development.

Resolution No. 542-02

ADOPTED

**021365 [Urge Governor Davis to make SB 2065, State Law]
Supervisors Maxwell, Leno, Sandoval**

Resolution urging the State Legislature and Governor Davis to make SB 2065, California's low level radioactive waste reporting requirement, into state law.

Supervisor Sandoval requested to be added as a co-sponsor.

Resolution No. 561-02

ADOPTED

**021366 [Supporting amendment of Anti-SLAPP law]
Supervisor Gonzalez**

Resolution urging the California Legislature to pass and the Governor to sign SB 1651, the amendment to change Section 426.16 of the Anti-SLAPP law to prevent rogue corporations from using this law to obstruct lawsuits filed by concerned citizens.

Resolution No. 562-02

ADOPTED

**021367 [Commend Federal ruling release of names detained]
Supervisor Daly**

Resolution commending the Federal ruling mandating the release of the names of individuals who have been detained as part of the investigation of the September 11 terrorist attacks.

Resolution No. 563-02

ADOPTED

**021371 [Commemorate ADA of 1990]
Supervisors Leno, Maxwell, Sandoval**

Resolution commemorating the 12th anniversary of the Americans with Disabilities Act of 1990.

Supervisor Sandoval requested to be added as a co-sponsor.

Resolution No. 564-02

ADOPTED

**021372 [Accept and expend funds to implement the West Approach Retrofit Project]
Supervisor Daly**

Resolution authorizing the Executive Director of the Department of Parking and Traffic and the Director of the Department of Public Works to accept and expend federal and state grant funds up to \$2,560,000 as reimbursement for providing design and construction engineering support to the California Department of Transportation (Caltrans) for its seismic retrofit projects in the City and County of San Francisco, including the I-80 Western approach Retrofit Project.

Resolution No. 565-02

ADOPTED

**021373 [Urge Governor Davis to enact AB 60]
Supervisor Sandoval**

Resolution urging Governor Davis to work with the California State Assembly to enact Assembly Bill 60 as soon as possible.

Resolution No. 566-02

ADOPTED

021325 [Final Map for a 30 Unit Live/Work Condominium Project]

Motion approving Final Map of 1310 Minnesota Street, a Live/Work Condominium Project, being a subdivision of Lot 79, Assessor's Block No. 4228, and adopting finding pursuant to City Planning Code Section 101.1. (Public Works Department)

(DPW Order No. 173,664 ; District 10.)

Motion No. M02-125

APPROVED

021399 [Final Map for a 48 Unit Live/Work Condominium Project]

Motion approving Final Map of 1325 Indiana Street, a Live/Work Condominium Project, being a subdivision of Lot 78, Assessor's Block No. 4228, and adopting finding pursuant to City Planning Code Section 101.1. (Public Works Department)

(DPW Order No. 173,665 ; District 10.)

Motion No. M02-126

APPROVED

021400 [Final Map for a 134 Unit Residential Condominium Project]
 Motion approving Final Map of Fulton Masonic (1750 Fulton Street), a Residential Condominium Project, being a subdivision of Lot 10 in Assessor's Block No. 1175, and adopting findings pursuant to City Planning Code Section 101.1. (Public Works Department)

(DPW Order No. 173,652 ; District 5.)

Motion No. M02-127

APPROVED

021401 [Final Map for a 7 Unit Mixed Use Condominium Project]
 Motion approving Final Map of 181 South Park, a Mixed Use Condominium Project, being a subdivision of Lot 26 in Assessor's Block No. 3775, and adopting findings pursuant to City Planning Code Section 101.1. (Public Works Department)

(DPW Order No. 173,666; District 6.)

Motion No. M02-128

APPROVED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

Severed From For Adoption Without Committee Reference Agenda

021368 [Issuance and Sale of Revenue Bonds - Folsom/Dore Multifamily Residential Rental Housing Development]
Supervisor Daly

Resolution approving, for the purposes of the Internal Revenue Code, the issuance and sale of revenue bonds by the City and County of San Francisco in an aggregate principal amount not to exceed \$19,000,000 for the Folsom/Dore multifamily residential rental housing development.

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

Supervisor Daly requested that this item be referred to Committee.

REFERRED to the Finance Committee.

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). For such resolutions to be considered, the Board must first adopt the following two motions.

[Purely Commendatory Finding]

Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

Supervisor Leno, seconded by Supervisor McGoldrick, moved ADOPTION of the commendatory finding. The motion carried by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

[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.

Supervisor Leno, seconded by Supervisor McGoldrick, moved ADOPTION of the Brown Act finding. The motion carried by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

021415 [Commend President Hugo Chavez]
Supervisor Daly

Resolution commending the administration of President Hugo Chavez for its commitment to democracy.

Resolution No. 567-02

Supervisor Leno, seconded by Supervisor McGoldrick, moved that this Resolution be ADOPTED. The motion carried by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

OFF-AGENDA LEGISLATION

Introduced by Supervisors or Mayor

Ordinances

021417 [Eliminating the Mayor's Office Cash Revolving Fund]
Mayor

Ordinance amending the San Francisco Administrative Code by repealing Section 10.148, to eliminate the Mayor's Office cash revolving fund. (Mayor)

8/12/02, RECEIVED AND ASSIGNED to Finance Committee.

**021418 [Planning Commission - Alternative Review Process]
Supervisor Peskin**

Emergency ordinance amending the San Francisco Planning Code by amending Section 306, and amending the San Francisco Administrative Code by amending Sections 2A.53 and 31.04, to provide for an alternative process to Planning Commission approval where the Planning Commission is unable to meet because a majority of its members has not been appointed; adopting declaration of emergency under Charter Section 2.107; and setting forth period of time within which this emergency ordinance shall be operative.

8/12/02, RECEIVED AND ASSIGNED to Transportation and Commerce Committee.

**021419 [MOU - San Francisco Police Officers' Association]
Mayor**

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 parties' agreement to clarify their intent with regard to compensation for canine officers and to correct clerical errors. (Mayor)

8/12/02, RECEIVED AND ASSIGNED to Finance Committee.

Resolutions

**021416 [Grant Federal Funds]
Mayor**

Resolution authorizing the Municipal Transportation Agency Board to accept and expend \$15,925,000 of Federal Formula Section 5307 Capital Assistance for San Francisco capital project Motor Coach Replacement, excluding Administrative Overhead Costs. (Mayor)

(Supervisor Daly dissenting in Committee)

8/12/02, RECEIVED AND ASSIGNED to Transportation and Commerce Committee. Sponsor requests this item be scheduled for consideration at the August 22, 2002 meeting.

8/13/02, TRANSFERRED to Finance Committee.

**021420 [Commend Maitri]
Supervisors Leno, Ammiano, McGoldrick, Maxwell, Newsom, Daly**

Resolution commending Maitri for fifteen years of service to the San Francisco AIDS community.

8/12/02, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**021421 [Accept-Expend Robert Wood Johnson Foundation Grant]
Supervisor Newsom**

Resolution authorizing the Department of Aging and Adult Services to accept and expend a grant in the amount of \$150,000 from the Robert Wood Johnson Foundation for a strategic planning process to develop an integrated model of service delivery for older and disabled adults.

8/12/02, RECEIVED AND ASSIGNED to Health and Human Services Committee.

**021423 [Lease of Real Property]
Mayor**

Resolution authorizing a new lease of real property at 2525-16th Street on behalf of the Department of Elections. (Mayor)

(Public Benefit Recipient; District 6.)
8/12/02, RECEIVED AND ASSIGNED to Finance Committee.

**021424 [Mr. Asher Harer Day]
Supervisor Ammiano**

Resolution in recognition of Mr. Asher Harer for his dedicated service and leadership to the City and County of San Francisco and declaring August 14, 2002 Asher Harer Day in the City and County of San Francisco.
8/12/02, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**021425 [Accept and Expend State Grant, Recreation and Park Department - \$50,000]
Supervisors Gonzalez, Peskin**

Resolution authorizing the Recreation and Park Department to accept and expend a grant in the amount of \$50,000 from the California Integrated Waste Management Board (CIWMB) for the installation of recycled-content materials and equipment in Alamo Square.

(No Public Benefit Recipient.)
8/12/02, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**021426 [Mercy High School Day]
Supervisors Hall, Newsom**

Resolution proclaiming October 5, 2002 as "Mercy High School Day" in the City and County of San Francisco in honor of the school's 50th anniversary of service to young women in San Francisco.
8/12/02, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**021427 [National Alcohol and Drug Addiction Recovery Month]
Supervisor Newsom**

Resolution declaring September 2002 as "National Alcohol and Drug Addiction Recovery Month" in the City and County of San Francisco.
8/12/02, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

021428 [Declaring Women's Equality Day]
Supervisors Leno, Maxwell, McGoldrick, Newsom, Daly

Resolution declaring August 26, 2002 Women's Equality Day in San Francisco.
8/12/02, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

021429 [Sojourner Truth Foster Family Service Agency Day]
Supervisors Leno, Maxwell, Newsom

Resolution declaring Saturday, August 31, 2002 Sojourner Truth Foster Family Service Agency Day.
8/12/02, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

021430 [Car Free Day]
Supervisors Maxwell, Peskin, Ammiano, Daly, Leno, Newsom

Resolution to proclaim Friday, September 27, 2002 as Car Free Day in San Francisco.
8/12/02, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

021431 [Urge passage of Federal Prescription Drug Plan]
Supervisors Sandoval, Daly

Resolution urging the United States Congress to address the crisis of the rapidly rising costs for prescription drugs.
8/12/02, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

021432 [Commend Centro Latino]
Supervisors Daly, Leno

Resolution commending Centro Latino for its service to the low-income elderly and immigrant community and on the occasion of its 30th Anniversary.
8/12/02, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

021433 [Commend Market Street Railway]
Supervisors Daly, Newsom, Peskin

Resolution commending the Market Street Railway non-profit for its invaluable aid and assistance to the MUNI F-line in the acquisition, restoration and maintenance of the historic street car fleet and for its promotion of public transportation.
8/12/02, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**021434 [Commend Filipino-American Democratic Empowerment Council]
Supervisors Leno, Newsom, Daly**

Resolution commending the Filipino-American Democratic Empowerment Council for their sponsorship of the First Filipino-American Democrats of America Conference and their efforts to bring political power to Filipino Americans nationwide.

8/12/02, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**021435 [Commend Visitacion Valley Elementary School and Visitacion Valley Middle School]
Supervisors Maxwell, Newsom**

Resolution commending Visitacion Valley Elementary School and Visitacion Valley Middle School for exceeding their growth targets of the Governor's Academic Performance Index (API) in all areas.

8/12/02, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**021445 [Study of Hetch Hetchy Restoration]
Supervisors Peskin, Ammiano, Daly**

Resolution authorizing San Francisco to participate in a public and independent study of the feasibility of restoring the Hetch Hetchy Valley in Yosemite National Park while meeting the objectives of the Public Utilities Commission's Capital Improvement Plan, including the needs to repair aging infrastructure, reduce exposure to natural threats, accommodate changing regulations and meet future demand.

8/12/02, RECEIVED AND ASSIGNED to Finance Committee. Sponsors request this item be scheduled for consideration at the August 21, 2002, meeting.

Requests for Hearing

**021436 [Collection of Impact Fees]
Supervisor Maxwell**

Hearing regarding the City's collection of developer impact fees. Request presentations by the City departments integral to the assessment, collection, and use of the fees, including Planning, Building Inspection, Treasurer, and Mayor's Office of Housing, to ensure that there is full collection.

8/12/02, RECEIVED AND ASSIGNED to Finance Committee.

**021437 [City Service of Municipal Energy Load]
Supervisor Maxwell**

Hearing on the PG&E challenges to the City's ability to serve as "municipal load" tenants on City property.

8/12/02, RECEIVED AND ASSIGNED to Finance Committee.

**021438 [Stern Grove/Pine Lake Renovation Plans]
Supervisor Yee**

Hearing regarding the renovation plans for Stern Grove and Pine Lake.

8/12/02, RECEIVED AND ASSIGNED to Neighborhood Services and Recreation Committee.

Motions**021414 [Needle Exchange Emergency]****Supervisors Ammiano, Newsom, Yee, Leno, Daly, McGoldrick, Maxwell, Peskin**

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

8/12/02, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

021439 [Committee of the Whole - 601 King Street]**Supervisor Daly**

Motion scheduling a Committee of the Whole to consider legislation regarding 601 King Street, to be held on August 19, 2002 at 3:00 PM.

8/12/02, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

021440 [Urge California Legislature to pass AB 58]**Supervisors Leno, Daly**

Resolution urging the California State Legislature to pass and Governor Gray Davis to sign AB 58 which extends electricity net metering for customer-based solar and wind power generation systems over ten kilowatts in size.

8/12/02, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

021441 [Legislative Analyst Request]**Supervisor Leno**

Motion asking the Legislative Analyst research the City of Los Angeles's DISARM Program and our Adult Juvenile probation measures to determine if DISARM could be an effective model for San Francisco to ensure that individuals under probation are not allowed to possess firearms.

8/12/02, ASSIGNED to Board of Supervisors. Scheduled for Board consideration August 19, 2002.

PROPOSED ORDINANCES**021323 [Settlement of Lawsuit]**

Ordinance authorizing settlement of the lawsuit filed by Lee Reese against the City and County of San Francisco for \$72,500.00; the lawsuit was filed on February 23, 2000 in Superior Court, Case No. 310-163; entitled Lee Reese v. California Bethel AME-Church, Inc., City and County of San Francisco, et al. (City Attorney)

(Public Benefit Recipient.)

8/7/02, RECEIVED AND ASSIGNED to Rules and Audits Committee.

- 021404 [Setting San Francisco's fiscal year 2002-2003 property tax rate and establishing pass-through rate for residential tenants]**
Ordinance providing revenue and levying property taxes for City and County purposes and establishing pass-through rate for residential tenants pursuant to Chapter 37 of the Administrative Code for the fiscal year ending June 30, 2003. (Controller)
8/7/02, RECEIVED AND ASSIGNED to Finance Committee. Department requests this item be scheduled for consideration at the August 21, 2002 meeting.
- 021405 [Setting San Francisco Community College District's fiscal year 2002-2003 property tax rate to be included in the City's overall property tax rate]**
Ordinance providing revenue and levying property taxes for San Francisco Community College District purposes for the fiscal year ending June 30, 2003. (Controller)
8/7/02, RECEIVED AND ASSIGNED to Finance Committee. Department requests this item be scheduled for consideration at the August 21, 2002 meeting.
- 021406 [Setting San Francisco's Unified School District's fiscal year 2002-2003 property tax rate to be included in the City's overall property tax rate]**
Ordinance providing revenue and levying property taxes for San Francisco Unified School District's purposes for the fiscal year ending June 30, 2003. (Controller)
8/7/02, RECEIVED AND ASSIGNED to Finance Committee. Department requests this item be scheduled for consideration at the August 21, 2002 meeting.
- 021407 [Rescind funding for the Art Commission for municipal symphony concerts using property tax revenue]**
Ordinance rescinding \$31,964 in appropriation authority for the municipal symphony concerts using property tax revenue, pursuant to Charter Section 16.106(1) for the Art Commission for fiscal year 2002-03. (Controller)
8/7/02, RECEIVED AND ASSIGNED to Finance Committee. Department requests this item be scheduled for consideration at the August 21, 2002 meeting.

PROPOSED RESOLUTIONS

- 021322 [Five year strategic plan to reduce intimate partner violence in the community]**
Supervisor Daly

Resolution authorizing the San Francisco Department of Public Health (SFDPH) to accept and expend retroactively a new grant in the amount of \$40,000 from the California Department of Health Services (CDHS) to develop a 5 year strategic plan to reduce intimate partner violence in the community and to enter into an agreement for the use of these funds; for the period of July 1, 2002 through September 30, 2003. (Public Health Department)
8/1/02, RECEIVED AND ASSIGNED to Health and Human Services Committee.
- 021324 [Airport Concession Lease]**
Resolution approving the Domestic Terminals Automated Teller Machine Lease A between Wells Fargo Bank, N.A. and the City and County of San Francisco, acting by and through its Airport Commission. (Airport Commission)

(Public Benefit Recipient.)
8/7/02, RECEIVED AND ASSIGNED to Finance Committee.

- 021403 [Airport Information Booth Contract, Fiscal Year 2002-2003]**
Resolution approving the Controller's Certification that Airport Information Booth Services at San Francisco International Airport can practically be performed by private contractor at a lower cost than if work were performed by City employees at currently budgeted levels. (Airport Commission)
- (Public Benefit Recipient.)
8/7/02, RECEIVED AND ASSIGNED to Finance Committee.
- 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. (Administrative Services Department)
- 8/7/02, RECEIVED AND ASSIGNED to Transportation and Commerce Committee.
- 021410 [Accept and Expend Federal Grant]**
Resolution authorizing the Airport Commission to accept and expend a funding increase from \$1,202,500 to \$1,695,500 from the Federal Aviation Administration ("FAA") for the SFPD-AIRPORT Bureau K-9 Explosive Detection Team. (Airport Commission)
- (Public Benefit Recipient.)
8/7/02, RECEIVED AND ASSIGNED to Finance Committee.

Requests Granted

From: Supervisor Yee

To: City Attorney

Requesting/Inquiring: To draft appropriate legislation on how the City and County of San Francisco can remove adult news racks and ban future news racks from residential areas and mandate that adult news racks be at least 1000 feet away from schools and playgrounds.

From: Supervisor Daly

To: Director, Department of Parking and Traffic

Requesting/Inquiring: Requesting the Director to comment on sidewalk parking in the Marina. (See attached.)

From: Supervisor Daly

To: General Manager, Public Utilities Commission

Requesting/Inquiring: Requesting the General Manager to comment on the Waiver of Contracting Rules. (See attached.)

In Memoriams

Gerald Gunther (Supervisor Gonzalez)

Robert Barnes (The Entire Board)

Ming Chun (Supervisor Yee)

Phil Smith (Supervisor McGoldrick)

ADJOURNMENT

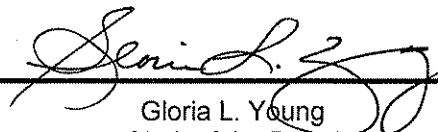
There being no further business, the Board at the hour of 4:55 p.m. adjourned.

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 September 23, 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

NEXT PAGE 863