

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, September 24, 2001 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

Audit, Labor and Government Efficiency Committee

Supervisors Newsom, Daly, McGoldrick

City and School District Committee

Supervisor Maxwell, Supervisor Ammiano, Commissioner Wynns, Commissioner Mar

Economic Vitality, Small Business and Social Policy Committee

Supervisors Sandoval, Newsom, Maxwell

Finance Committee

Supervisors Leno, Peskin, Gonzalez

Housing, Transportation and Land Use Committee

Supervisors McGoldrick, Daly, Peskin

Neighborhood Services and Parks Committee

Supervisors Yee, Hall, Sandoval

Public Health and Environment Committee

Supervisors Maxwell, Yee, Leno

Public Utilities and Deregulation Committee

Supervisors Daly, Gonzalez, Ammiano

Rules Committee

Supervisors Gonzalez, Hall, Ammiano

Meeting Days

2nd & 4th Tuesday
1:00 PM

Call of the Chair

1st & 3rd Tuesday
10:00 AM

Wednesday
10:00 AM

2nd & 4th Thursday
10:00 AM

1st & 3rd Tuesday
1:00 PM

2nd & 4th Tuesday
10:00 AM

Call of the Chair

1st & 3rd Thursday
1:00 PM

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, Leland Y. Yee.

Members Absent: Gerardo Sandoval.

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:00 p.m. On call of the roll, the following Supervisors were noted absent:

Supervisors Maxwell, McGoldrick, Sandoval - 3.

Quorum present.

Supervisor Sandoval was excused. (See infra.)

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

Supervisor Maxwell was noted present at 2:02 p.m.

Supervisor Sandoval Excused from Attendance

Supervisor Leno, seconded by Supervisor Newsom, moved to excuse Supervisor Sandoval from attending this meeting. The motion carried by the following vote:

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

APPROVAL OF MEETING MINUTES

Motion to approve the October 9, and October 15, 2001, Meeting Minutes.

Supervisor Leno, seconded by Supervisor Yee, moved to approve the June 11, June 18, June 25, July 2, July 9, July 16, July 23, July 30, and August 6, 2001 Meeting Minutes. The motion carried by the following vote:

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

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.

There were none.

COMMUNICATIONS

CONSENT AGENDA

Items 1 through 3

Recommendations of the Housing, Transportation and Land Use Committee

011239 [School Passenger Loading Zones]
Supervisors McGoldrick, Leno, Maxwell

Ordinance amending San Francisco Traffic Code Section 38.I requiring the designation of white zones at all kindergarten through 12 schools for the loading and unloading of passengers during school hours.

Ordinance No. 203-01
FINALLY PASSED

011240 [School Bus Loading Zones]
Supervisors McGoldrick, Leno, Maxwell

Ordinance amending San Francisco Traffic Code Section 33.5 establishing special school bus loading zones at all kindergarten through 12 school sites.

Ordinance No. 204-01
FINALLY PASSED

011271 [Passenger zones designated as tow-away zones]
Supervisors McGoldrick, Leno, Maxwell

Ordinance amending San Francisco Traffic Code Section 38.C authorizing the towing away of vehicles parked in designated passenger loading zones.

Ordinance No. 205-01
FINALLY PASSED

The foregoing items were acted upon by the following vote:

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

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of the Neighborhood Services and Parks Committee

011179 [Federal Grant - Improvements at Civic Center-United Nations Plazas/Mid-Market]
Resolution authorizing the Director of the Department of Public Works (DPW) to accept and expend \$936,325 in federal Transportation, Community and System Preservation (TCSP) funds for improvements in Civic Center-United Nations Plazas/Mid-Market. (Public Works Department)

Resolution No. 737-01

ADOPTED by the following vote:

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

Recommendation of the Rules Committee

010840 [Elections Task Force]
Ordinance creating the Elections Task Force to redraw Board of Supervisors district lines pursuant to the provisions set forth in Charter Section 13.110(d) following the 2000 federal census; operative date September 10, 2001. (Clerk of the Board)

Ordinance No. 199-01

FINALLY PASSED by the following vote:

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

SPECIAL ORDER 3:00 P.M.

011390 [Public Hearing - Appeal, Conditional Use, 4501 Irving Street]

Hearing of persons interested in or objecting to the decision of the Planning Commission by its Motion No.16182 dated June 28, 2001, approving Conditional Use Application No. 2000.1261EC, under Sections 121.1 and 710.11 to develop a new four-story, mixed-use building, at a maximum height of forty feet, containing approximately 1,800 square feet of commercial office/retail space and eleven off-street parking spaces in the ground floor garage and ten dwelling units on a remaining three upper floors on two lots with a total area exceeding 5,000 square feet, in an NC (Neighborhood Commercial Cluster) District and a 40-X Height and Bulk District, on property located at 4501 Irving Street, southwest corner of Irving Street and 46th Avenue; Lots 47 and 49, in Assessor's Block 1801.

Public Comment:

Debra Brackett, appellant;
Jerry Mustack, supports appeal;
Eileen Bokan, supports appeal;
Ralph Edison, supports appeal;
Patricia Simpson, supports appeal;
Eva Goldsmith; supports appeal;
Gerald Green, Director of Planning, Planning Department;
John Sanger, representing project sponsor.

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.

From the Clerk**011391 [Appeal, Conditional Use, 4501 Irving Street]**

Motion approving decision of the Planning Commission by its Motion No. 16182 approving Conditional Use Application No. 2000.1261EC, on property located 4501 Irving Street, southwest corner of Irving Street and 46th Avenue, and adopting findings pursuant to Planning Code Section 101.1. (Clerk of the Board)

TABLED by the following vote:

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

011392 [Appeal, Conditional Use, 4501 Irving Street]

Motion disapproving decision of the Planning Commission by its Motion No. 16182 approving Conditional Use Application No. 2000.1261EC, on property located 4501 Irving Street, southwest corner of Irving Street and 46th Avenue, and adopting findings pursuant to Planning Code Section 101.1. (Clerk of the Board)

9/24/01 - Amendment of the Whole bearing new title presented by Supervisor Yee, seconded by Supervisor Hall.

AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.

Motion disapproving decision of the Planning Commission by its Motion No. 16182 approving Conditional Use Application No. 2000.1261EC, on property located 4501 Irving Street, southwest corner of Irving Street and 46th Avenue, and approving conditional use authorization subject to new conditions. (Clerk of the Board)

Motion No. M01-137

APPROVED AS AMENDED by the following vote:

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

011393 [Findings - 4501 Irving Street]

Motion directing the Clerk of the Board to prepare findings relating to proposed Conditional Use Application No. 2000.1261EC, on property located 4501 Irving Street, southwest corner of Irving Street and 46th Avenue, for action by the Board at its next meeting. (Clerk of the Board)

Motion No. M01-138

APPROVED by the following vote:

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

COMMITTEE REPORTS

From Rules Committee

011588 [City and School District Committee Off-Site Meetings]
Supervisor Ammiano

Motion ordering the City and School District Committee meeting of the Board of Supervisors to be held at the Irving G. Breyer Board Meeting Room, Board of Education, 555 Franklin Street, First Floor, San Francisco, on October 24, 2001 at 3:00 P.M., and again on November 14, 2001, and directing the Clerk of the Board to prepare the prior notices and postings.

Motion No. M01-139

APPROVED by the following vote:

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

ROLL CALL FOR INTRODUCTIONS

PUBLIC COMMENT

Bob Planthold, problem with Planning Commission regarding ADA requirements;
Bruce Oka, concerns regarding Planning Commission hearing;
Vernon Jenkins, minimum wage;
Amino Fond, supports legislation regarding Hate Crime Reward Fund and September 11th Day of Tolerance;
Richard Robinson, national distress;
male speaker, national distress;
Sal Rambo, San Francisco Giants;
James Chaffee, San Francisco Library Foundation has no agreement with the City;
Winifred John, supports legislation regarding Hate Crime Reward Fund and condemning all discrimination and racism;
Rod Bustiss, fire prevention in SRO hotels.

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.

011628 [Legislative Analyst Request]
Supervisor Peskin

Motion asking the Legislative Analyst to explore governmental reforms that would allow more efficient utilization of street space by construction projects, which has potential to minimize the inconvenience that local residents currently face.

APPROVED by the following vote:

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

CLOSED SESSION

011594 [Closed Session - Public Employee Performance Evaluation]

Motion that the Board of Supervisors convene in closed session with Gloria L. Young, for the purpose of evaluating her performance as Clerk of the Board of Supervisors, as permitted by Government Code Section 54957. (Clerk of the Board)

Supervisor Leno, seconded by Supervisor McGoldrick, moved to convene in closed session. The motion carried by the following vote:

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

[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.

CONFERENCE WITH CITY ATTORNEY

Motion that the Board of Supervisors convene in closed session with the City Attorney, under the provisions of Government Code Section 54956.9 (a) and Administrative Code Section 67.8 (3), for the purpose of conferring with, or receiving advice from, the City Attorney, regarding the proposed settlement listed above.

**011592 [Closed Session - Department of Elections]
Supervisor Peskin**

Motion requesting a closed hearing of the Board of Supervisors on September 24, 2001 in order for the Board to be briefed on the status of ongoing investigations of the Department of Elections.

TABLED by the following vote:

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

[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 16 through 23

**011645 [Condemning all discrimination and racism]
Supervisors Ammiano, Leno, Maxwell**

Resolution condemning all discrimination and racism directed against Arab Americans, Muslim Americans and people of Middle Eastern descent, and support the use of all legal authority, and release additional resources as necessary, to prevent and respond to discrimination, hate crimes, and harassment in all forms.

Resolution No. 739-01

ADOPTED

**011646 [September 11th Day of Tolerance]
Supervisors Leno, Maxwell, Newsom, McGoldrick**

Resolution declaring that annually September 11th shall be in San Francisco a "Day of Tolerance and Respect for Human Rights."

Resolution No. 740-01

ADOPTED

**011647 [October 2, 2001 Walk to School Day]
Supervisors Leno, Gonzalez, Maxwell, Newsom, McGoldrick**

Resolution designating October 2, 2001 as "Walk to School Day" in San Francisco.

Resolution No. 741-01

ADOPTED

**011652 [Commend - Leaders of SF Communities]
Supervisors Leno, McGoldrick, Maxwell, Newsom**

Resolution commending the leaders of San Francisco communities of faith for their response to the tragic events of September 11, 2001.

Resolution No. 742-01

ADOPTED

**011666 [United Nations Plaza Working Group]
Supervisor Daly**

Motion establishing a 15 member working group on United Nations Plaza.

Motion No. M01-140

APPROVED

The foregoing items were acted upon by the following vote:

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

Severed from for Adoption Without Committee Reference

011644 [Hate Crime Reward Fund]
Supervisor Ammiano

Resolution urging the Mayor to direct the District Attorney's Office to use the "Hate Crime Reward Fund" specifically to target those who perpetrate hate crimes against Arab Americans during this time of national crisis.

Supervisor Ammiano moved to sever so that the item could be considered separately.

9/24/01 - Amended. On lines 3 and 16 replace "District Attorney's Office" with "Police Department".
AMENDED.

Resolution urging the Mayor to direct the Police Department to use the "Hate Crime Reward Fund" specifically to target those who perpetrate hate crimes against Arab Americans during this time of national crisis.

Resolution No. 738-01

ADOPTED AS AMENDED by the following vote:

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

011615 [Rejection of Mayor's Appointment]
Supervisor Daly

Motion rejecting the Mayor's appointment of Michael DeNunzio to the Aging and Adult Services Commission.

Supervisor Hall moved to sever so that the item could be considered separately.

TABLED by the following vote:

Ayes: 9 - Ammiano, Daly, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Yee
Noes: 1 - Gonzalez
Absent: 1 - Sandoval

011618 [Rejection of Mayor's Appointment]
Supervisor Daly

Motion rejecting the Mayor's appointment of Victor Makras to the Police Commission.

Supervisor Hall moved to sever so that the item could be considered separately.

TABLED by the following vote:

Ayes: 6 - Hall, Leno, Maxwell, McGoldrick, Newsom, Yee
Noes: 4 - Ammiano, Daly, Gonzalez, Peskin
Absent: 1 - Sandoval

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.

[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.

OFF-AGENDA LEGISLATION

Introduced by Supervisors or Mayor

Ordinances

**011675 [Investigations and Grounds for Administrative Debarment]
Supervisor Peskin**

Ordinance amending Administrative Code Chapter 6 to clarify and update requirements for the solicitation of quotes under subsection 6.21(B); to clarify requirements for modifications to construction contracts under subsection 6.22(H); to add a nonabrogation clause to subsection 6.22(M); to correct the statutory references in section 6.40; to add a nonabrogation clause to subsection 6.42(E); to add a new section 6.8 severability clause; to add a new subsection 6.42(F), requiring that modifications for professional service contracts be in writing; to add an investigation requirement for violations of Chapter 6; and to extend the grounds upon which the City and County may determine a contractor to be nonresponsible to civil or criminal violations against any government entity relevant to the contractor's ability to comply with or perform under the terms and conditions of its contract with the City and County.

9/24/01, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 10/24/2001.

**011114 [Zoning Map Amendment, 525 Golden Gate]
Supervisor Ammiano**

Ordinance amending Zoning Map Sheet 2H of the City and County of San Francisco for property located at 525 Golden Gate Avenue, Lot 1 in Assessor's Block 766, to change the height district classification from 130E to 200L; adopting findings pursuant to the California Environmental Quality Act; and adopting findings that the General Plan amendment is consistent with the eight Priority Policies of Planning Code Section 101.1.

(Planning Commission Resolution #16213 adopting General Plan amendment findings dated 8/23/01; Planning Commission Resolution #16214 adopted 8/23/01 recommending the proposed amendment; Planning Commission Resolution #16215 adopted 8/23/01 amending the Urban Design Element of the General Plan; Planning Commission Resolution #16216 adopting findings that the shadow impact will be insignificant.) (9/24/01 in Board: Supervisor Ammiano submitted a substitute ordinance bearing same title) (Supervisor Daly dissenting in Committee.)

6/11/01, ASSIGNED UNDER 30 DAY RULE to Housing, Transportation and Land Use Committee, expires on 7/11/2001. 6/15/01 - Transmitted to Planning Commission for public hearing and recommendation.

9/24/01, SUBSTITUTED. Supervisor Ammiano submitted a substitute ordinance bearing same title.

9/24/01, ASSIGNED to Housing, Transportation and Land Use Committee.

**011115 [General Plan Amendment, 525 Golden Gate]
Supervisor Ammiano**

Ordinance amending the San Francisco General Plan in connection with approval of a City Administrative Building; adopting findings pursuant to the California Environmental Quality Act; and adopting findings that the General Plan amendment is consistent with the eight Priority Policies of Planning Code Section 101.1.

(Planning Commission Resolution #16212 adopting findings pursuant to CEQA dated 8/23/01; Planning Commission Resolution #16213 adopting General Plan amendment findings dated 8/23/01; Planning Commission Resolution #16214 adopted 8/23/01 recommending the proposed amendment; Planning Commission Resolution #16215 adopted 8/23/01 amending the Urban Design Element of the General Plan; Planning Commission Resolution #16216 adopting findings that the shadow impact will be insignificant.) (9/24/01 in Board: Supervisor Ammiano submitted a substitute ordinance bearing same title.) (Supervisor Daly dissenting in Committee.)

6/11/01, ASSIGNED UNDER 30 DAY RULE to Housing, Transportation and Land Use Committee, expires on 7/11/2001. 6/15/01 - Transmitted to Planning Commission for public hearing and recommendation.

9/24/01, SUBSTITUTED. Supervisor Ammiano submitted a substitute ordinance bearing same title.

9/24/01, ASSIGNED to Housing, Transportation and Land Use Committee.

**011116 [CEQA Findings, 525 Golden Gate]
Supervisor Ammiano**

Resolution affirming certification of the Final Environmental Impact Report and adopting environmental findings pursuant to the California Environmental Quality Act and State Guidelines in connection with adoption of General Plan Amendment, Zoning Map Amendment and other actions to approve development and construction of City Administrative Building located at 525 Golden Gate Avenue.

(Planning Commission Resolution #16092 adopting findings certifying FEIR dated 2/15/01; Received FEIR dated 2/15/01; Planning Commission Resolution #16212 adopting findings pursuant to CEQA dated 8/23/01.) (9/24/01 in Board: Supervisor Ammiano submitted a substitute resolution bearing same title.) (Supervisor Daly dissenting in Committee.)

6/11/01, ASSIGNED UNDER 30 DAY RULE to Housing, Transportation and Land Use Committee, expires on 7/11/2001.

9/24/01, SUBSTITUTED. Supervisor Ammiano submitted a substitute resolution bearing same title.

9/24/01, ASSIGNED to Housing, Transportation and Land Use Committee.

**011677 [Justin Herman Plaza]
Supervisor Daly**

Ordinance removing the plaque designating the name Justin Herman from the Plaza located at Market Street and the Embarcadero and directing the Recreation and Park Commission to designate a new name.

9/24/01, RECEIVED AND ASSIGNED to Housing, Transportation and Land Use Committee.

**011678 [Appropriation, Ethics Commission]
Supervisor Leno**

Ordinance re-appropriating \$38,346 of General Fund Proposition O funding for one position to perform investigations by the Ethics Commission for Fiscal Year 2001-2002, and amending Annual Salary Ordinance for Fiscal Year 2001-02.

(Companion measure to File 011679.)

9/24/01, RECEIVED AND ASSIGNED to Finance Committee. Schedule for October 24, 2001, meeting.

**011679 [Amending Annual Salary Ordinance 2001-02, Ethics Commission]
Supervisors Leno, Daly**

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

9/24/01, RECEIVED AND ASSIGNED to Finance Committee. Schedule for October 24, 2001, meeting.

Resolutions

**011680 [Continuum of Care Plan]
Supervisor Gonzalez**

Resolution amending the Continuum of Care Plan to provide that the Board of Supervisors shall appoint a representative of the veteran's advocacy community and shall appoint all neighborhood/community representatives to the Local Homeless Coordinating Board.

9/24/01, RECEIVED AND ASSIGNED to Rules Committee.

**011681 ["No U-Turn" Restriction at Locust/Sacramento Streets]
Supervisor Newsom**

Resolution establishing a "No U-Turn" restriction at the intersection of Locust and Sacramento Streets.

9/24/01, RECEIVED AND ASSIGNED to Housing, Transportation and Land Use Committee.

**011682 [Mid-Year Budget Reduction Plan]
Supervisor Newsom**

Resolution urging the Mayor's Office to direct all City Departments to submit a mid-year Budget Reduction Plan. Reductions would total 3, 5, and 10% of all baseline 2001-2002 General Fund expenditures, with a separate plan for each level of reduction. Potential reductions should be listed in order of ascending relative priority with the lowest funding priority highlighted first. All plans would be submitted by November 15, 2001, including implementation plans and schedules.

9/24/01, RECEIVED AND ASSIGNED to Audit, Labor and Government Efficiency Committee.

**011683 [Changing Economic Conditions]
Supervisor Newsom**

Resolution calling on the Mayor to establish a Special Issue Cabinet focused on the Hospitality and Tourism industry made up of members of both the private and public sector to identify initiatives to sustain the Hospitality and Tourism industry and related tax revenues. Further urging the Mayor to establish an Initiative Compliance Committee made up of senior City managers to promote the identification and adoption of cost-saving, revenue generating, and service enhancing goals for government of the City and County of San Francisco. Finally, urging the Mayor to investigate a hiring freeze to stabilize a balanced budget in the short term, and establishing a five year budget and economic development plan to ensure a balanced budget in the long term.

(10/9/01, Supervisor Newsom dissenting in committee.)

9/24/01, RECEIVED AND ASSIGNED to Audit, Labor and Government Efficiency Committee.

**011684 [Grant, Department of Public Health]
Supervisors Ammiano, Peskin**

Resolution authorizing the San Francisco Department of Public Health (SFDPH) to enter retroactively into a contract agreement in the amount of \$180,000 with the State Department of Health Services (SDHS) to provide outreach to increase the enrollment of children in the Healthy Families and Medi-Cal for Children programs; for the period of July 1, 2001 to December 31, 2001.

9/24/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**011685 [Draft Compact for a Sustainable Bay Area]
Supervisors Daly, Peskin**

Resolution endorsing regional planning and the spirit of the Draft Compact for a Sustainable Bay Area.
9/24/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**011686 [Elections Task Force use the principle of "maximum continuity"]
Supervisors Gonzalez, Maxwell**

Resolution urging the Elections Task Force use the principle of "maximum continuity" in redrawing supervisorial districts.
9/24/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**011687 [Amendment to Ellis Act]
Supervisor Hall**

Resolution urging the State Legislature to amend the Ellis Act to create an exception for our country's military service men and women.
9/24/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**011688 [Equitable Electricity Rates]
Supervisors Leno, Peskin**

Resolution urging the California Public Utilities Commission (PUC) to devise a rate structure that treats homeowner associations and other residents in multi-unit dwellings equitably with other consumers of power.
9/24/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**011689 [Extend Time for Planning Commission Decision to Create Glen Park SUD]
Supervisor Leno**

Resolution extending the prescribed time within which the Planning Commission may render its decision on proposed ordinances to amend the Planning Code to create the Glen Park Special Use District.
9/24/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**011690 [Proclamation]
Supervisor Newsom**

Resolution declaring September 2001 as "National Alcohol and Drug Addiction Recovery Month" in the City and County of San Francisco.
9/24/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**011691 [Dr. Jorge Bocobo Philippine-American Cultural Center]
Supervisor Newsom**

Resolution supporting the re-opening of the newly established Dr. Jorge Bocobo Philippine-American Cultural Center, the main project of the Foundation and the Filipino Artists, Writers, Performers, which is currently located at the Filipino Education Center.

9/24/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**011692 [Commending Coalition for Ethical Welfare Reform]
Supervisor Daly**

Resolution commending the Coalition for Ethical Welfare Reform.

9/24/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**011693 [Commending Michael Guest]
Supervisor Leno**

Resolution commending gay Foreign Service Officer Michael Guest on his appointment and confirmation as U.S. Ambassador to Romania.

9/24/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**011694 [Commending Marquez Helton]
Supervisors Maxwell, Newsom**

Resolution commending fourteen year old Marquez Helton for his selfless and heroic act on Saturday September 22, 2001.

9/24/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**011695 [Commending Department of Children, Youth and Their Families]
Supervisor Newsom**

Resolution commending the Department of Children, Youth and Their Families (DCYF) for inspiring the voices of our youth to create Youth IMPACT by funding the first comprehensive youth-led evaluation of DCYF-funded organizations.

9/24/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Requests for Hearing

**011696 [Lee Mah Electronics]
Supervisor Ammiano**

Hearing to consider the closure of Lee Mah Electronics and to hear testimony from Lee Mah workers who were laid off.

9/24/01, RECEIVED AND ASSIGNED to Audit, Labor and Government Efficiency Committee.

**011697 [Castro Area Interim Pedestrian Safety Plan]
Supervisor Leno**

Hearing to consider the Castro Area Planning and Action interim pedestrian safety plan for Harvey Milk Plaza at 17th and Castro Streets.

9/24/01, RECEIVED AND ASSIGNED to Housing, Transportation and Land Use Committee.

**011698 [First Quarter Revenue Figures]
Supervisors Leno, Maxwell**

Hearing asking the Controller to brief the Finance Committee on first quarter revenue figures and to consider the impact of our slowing economy and the events of September 11th on our local economy.

9/24/01, RECEIVED AND ASSIGNED to Finance Committee. Sponsors request this item be considered at the October 3, 2001 meeting.

**011699 [Expanding Aim High Facilities]
Supervisor Maxwell**

Hearing on the possibilities of expanding Aim High Facilities in SFUSD schools and requesting that the following questions to be discussed: (1) Can the SFUSD restore the 1998 level of funding to Aim High so that they can restore and expand facilities into SFUSD schools; (2) How can the Board of Supervisors help to facilitate the process of expanding Aim High to other SFUSD schools.

9/24/01, RECEIVED AND ASSIGNED to City and School District Committee. Sponsor requests this item be considered at the October 24, 2001 meeting.

**011700 [Revised Budget Projects]
Supervisor Maxwell**

Hearing on the revised budget projections based upon a possible national and local economic slowdown; requesting the Controller to present the fullest extent possible, revised projections for local taxes and revenues, including the hotel tax, sales tax, business tax, parking taxes and airport revenues.

9/24/01, RECEIVED AND ASSIGNED to Finance Committee.

**011701 [Performance of Office of Emergency Services]
Supervisors Newsom, Maxwell**

Hearing on the performance of the Office of Emergency Services, the Fire Department's Neighborhood Emergency Response Team (NERT), the Department of Public Works, the Department of Public Health, and the Municipal Transportation Authority and other relevant City departments to the recent events in New York and Washington D.C.

9/24/01, RECEIVED AND ASSIGNED to Audit, Labor and Government Efficiency Committee.

**011703 [Controller's Audit - Department of Building Inspection]
Supervisor Daly**

Hearing to consider the Controller's Audit of the Department of Building Inspection, and policy changes at the Department.

9/24/01, RECEIVED AND ASSIGNED to Audit, Labor and Government Efficiency Committee. Sponsor requests this item be considered at the October 9, 2001 meeting.

Motions

**011676 [Needle Exchange Emergency]
Supervisors Ammiano, Newsom, Yee, Leno, Daly, Peskin, McGoldrick, Maxwell**

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

9/24/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**011704 [Legislative Analyst Request]
Supervisors Hall, Newsom**

Motion asking the Legislative Analyst to (1) compare and contrast Seattle's "civility laws" to San Francisco's quality of life laws; (2) compare and contrast the budgets of San Francisco's and Seattle's Police Department and District Attorney's Offices; in particular, what total amount and what percentage of each budget is allocated to the enforcement and prosecution of these laws.

9/24/01, ASSIGNED to Board of Supervisors. Scheduled for Board consideration October 1, 2001 meeting

**011705 [Legislative Analyst Request]
Supervisor Leno**

Motion asking the Legislative Analyst to research on the following in order of priority: (1) Assess the cost of additional steam cleaning of sidewalks for the Castro area; (2) Assess the cost of additional street cleaning for the Castro Area; (3) Assess the cost of additional graffiti removal for the Castro Area; (4) Analyze reporting process by special patrols to the Police Department to consider possibility of clerical workers completing paper work to allow patrols to be on the street rather than filling out paper work. Special Patrol officers have reported a great deal of their time is spent filling out paper work that they believe could be done by clerical workers; (5) Assess the cost of providing additional special patrols for the Castro Area; (6) Assess the cost of providing Health Department crisis intervention outreach workers to the Castro Area; and (7) Assess the cost of providing additional lighting for Harvey Milk Plaza.

9/24/01, ASSIGNED to Board of Supervisors. Scheduled for Board consideration October 1, 2001.

Introduced by the President at the Request of Departments

PROPOSED ORDINANCES

- 011619 [MOU Amendment No. 1, Automotive Machinists Local 1414]**
Ordinance adopting and implementing Amendment No. 1 to the 2000-2003 Collective Bargaining Agreement between the Automotive Machinists, Local 1414 and the City and County of San Francisco by amending Article III.C., part 6, correcting a clerical error by deleting the Standby Pay provision. (Human Resources Department)
9/19/01, RECEIVED AND ASSIGNED to Audit, Labor and Government Efficiency Committee.
- 011670 [Settlement Of Lawsuit]**
Ordinance authorizing settlement of the lawsuit filed by Desiree Hamaoui against the City and County of San Francisco for \$60,000; the lawsuit was filed on September 20, 2000, in San Francisco Superior Court, Case No. 315-230; entitled Desiree Hamaoui v. City and County of San Francisco, et al. (City Attorney)
9/19/01, RECEIVED AND ASSIGNED to Audit, Labor and Government Efficiency Committee. Confidential letter dated August 3, 2001 is on file with the Clerk of the Board.

PROPOSED RESOLUTIONS

- 011566 [Sewer Emergency]**
Resolution approving the expenditure of funds in the amount of \$272,846 to construct a new sewer on Tennessee Street from Cesar Chavez Street to midway toward 26th Street and on Cesar Chavez Street from 3rd Street to Tennessee Street. (Public Utilities Commission)

(Fiscal impact.)
9/13/01, RECEIVED AND ASSIGNED to Finance Committee.
- 011664 [Acquisition - Noise Easements]**
Resolution authorizing the acquisition of seventy (70) noise easements for sixty nine (69) properties in South San Francisco and one (1) in the unincorporated area of the County of San Mateo as part of the San Francisco Airport's Noise Insulation Program. (Real Estate Department)
9/18/01, RECEIVED AND ASSIGNED to Finance Committee.
- 011668 [Contingent Fee Agreement in Qui Tam Case re Substandard Waterworks Parts] Supervisor Leno**

Resolution approving Contingency Fee Agreement in California ex rel. Nora Armenta v. James Jones Co., et al. (Los Angeles Superior Court No. BC 173487). (City Attorney)
9/19/01, RECEIVED AND ASSIGNED to Audit, Labor and Government Efficiency Committee. Confidential letter dated September 18, 2001 is on file with the Clerk of the Board.
- 011669 [Public Utilities Commission Land Exchange]**
Resolution approving an exchange of pipeline easement land with Hayward-Oliver Owners, LLC related to property located in the City of Hayward, County of Alameda, State of California, and authorizing the quitclaim of the interest of the City and County of San Francisco in a strip of land 20 feet wide located along the westerly side of an existing easement area, in exchange for a grant of easement rights in a similar strip of land 20 feet wide located along the easterly side of the existing easement area plus certain additional surface use rights to City, and adopting findings pursuant to City Planning Code Section 101.1. (Real Estate Department)
9/19/01, RECEIVED AND ASSIGNED to Finance Committee.

011671 [Agreement - Informatix, Inc. and CCSF to implement the Computer Assisted Support Enforcement System (CASES) Consortium for 34 California counties including San Francisco]
Resolution approving the Agreement between Informatix, Inc. and City, dated May 3, 2000, for computer consulting services necessary to implement the CASES Consortium. (Child Support Services)

(Fiscal impact.)

9/19/01, RECEIVED AND ASSIGNED to Economic Vitality, Small Business and Social Policy Committee.

Requests Granted

From: Supervisor Ammiano

To: Mayor

To: Director, Mayor's Office of Homeless

To: Director, Department of Public Health

To: Director, Department of Human Services

To: Director, Local Homeless Coordinating Board

Requesting/Inquiring: That the Mayor and the Directors of the Mayor's Office of Homeless, Department of Public Health, Department of Human Services and Local Homeless Coordinating Board comment on the formation of a Department of Homelessness to coordinate City services to homeless individuals.

From: Supervisor Hall

To: City Attorney

Requesting/Inquiring: To amend Administrative Code Section 37.9(a)(8)(i) to create an exception that allows the landlord of property using the property for his or her principal residence for 36 months to not have to reside in the property if the landlord has been called to military service during the 36 month period.

From: Supervisor Leno

To: Director, Department of Parking and Traffic

To: Director, War Memorial Board

Requesting/Inquiring: That the Director of the Department of Parking and Traffic and the Director of the War Memorial Board report on what actions they plan to take to step up security in Civic Center Garage after two patrons of the garage were physically assaulted on August 17, 2001. The men were assaulted and robbed within an elevator and filed a report (#010984529). Lighting of the garage entrance and the amount of security monitoring the garage are two areas that appear to need improvement.

From: Supervisor Maxwell

To: Director, Airport

Requesting/Inquiring: To report on measures taken to increase airport security after the September 11, 2001 terrorist attacks.

Due: October 24, 2001

From: Supervisor Maxwell

To: Sheriff

Requesting/Inquiring: To report on measures taken to increase City Hall security after the September 11, 2001 terrorist attacks.

Due: October 24, 2001

From: Supervisor McGoldrick

To: President, Planning Commission

Requesting/Inquiring: To report how changing the Public Comment period (October 12, 2000) from the beginning of the Planning Commission agenda to the end has affected public comment itself. Specifically:

- 1. What time the Public Comment period tends to occur?*
- 2. How many members of the public take the opportunity to speak under the new rules?*
- 3. Whether this is an increase or decrease from the number who commented under the previous rules?*
- 4. And whether a broad cross-section of the community currently has taken the opportunity to make a public comment under the new rules?*

From: Supervisor Newsom

To: Chief, Police Department

Requesting/Inquiring: To report on the decision by the Police Department to eliminate the Child Car Seat Safety Inspection Program.

- 1. What, if any, public outreach was conducted informing the public of this program being eliminated?*

2. *What, if any, are the Police Department's plans to implement this program in the future?*
3. *What referrals are in place to members of the public who regularly access this program?*
4. *What other partnerships exist to continue providing free child car seat safety inspections to members of the public?*

From: Supervisor Peskin

To: Director, Port

Requesting/Inquiring: To report on all month-to-month commercial leases that the Port currently manages and requesting a list of these leases, which would include basic information on each lease, at the Port's earliest convenience.

From: Supervisor Peskin

To: Director, Airport

Requesting/Inquiring: To report on the overall retention rates of entry-level security personnel at SFO, and any comparison between the retention rates of security personnel at SFO and other comparable airports throughout the United States.

From: Supervisor Peskin

To: Chief, Fire Department

Requesting/Inquiring: To report if any surplus Departmental equipment is available that could be lent to Fire Departments on the East Coast responding to the collapse of the World Trade Center. If surplus equipment is determined to be available, Supervisor Peskin requests that the Chief contact his peers from relevant Departments on the East Coast to offer the use of this equipment.

From: Supervisor Yee

To: Mayor

To: Controller

To: Budget Analyst

Requesting/Inquiring: That the Mayor's Office, Controller and Budget Analyst submit a Joint committee report within two weeks describing how the current national economic downturn, the decreasing local 'dot.com' industry and the events of September 11, 2001 could impact the revenue streams to the City and County of San Francisco. The report should address how the City can support businesses through possible temporary tax relief, possible temporary reduction of City expenditures, and pay particular attention to the impacts of the 'hospitality' industry.

From: Supervisor Leno

To: All Department Heads

Requesting/Inquiring: Does your Department place Type 1 Advertisements? If yes, what type of advertisements?

Description of Type 1 Advertisements

Type 1 Advertisements for Two or More Consecutive Days: Official advertising which must be published on two or more consecutive days, and all official advertising which is required to be published in accordance with Section 2.103 of the Charter for special meetings of the Board of Supervisors and its standing or special committees. The official newspaper must publish at least 5 days a week for Type 1 official advertising.

Due: October 10, 2001

In Memoriams

Motion that the Board adjourn its meeting this date out of respect to the memory of the following deceased:

*Balbir Sing Sohi (Supervisor Daly)
Isaac Stern (Supervisors Leno, McGoldrick, Maxwell)
Marchelle Nevels (Supervisor Maxwell)
Ivan Nevels (Supervisor Maxwell)
Shamika Smith (Supervisor Maxwell)
Doshjwavn Smith (Supervisor Maxwell)*

ADJOURNMENT

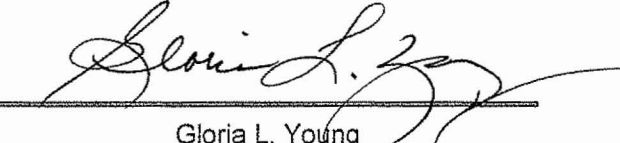
There being no further business, the Board at the hour of 4:45 p.m. adjourned.

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 October 29, 2001.

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