

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 5, 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, Leland Y. Yee.

Members Absent: Gerardo Sandoval.

ROLL CALL AND PLEDGE OF ALLEGIANCE

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

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

Supervisors Newsom, Peskin, Sandoval, Yee - 4.

Quorum present.

Supervisors Newsom, Peskin, Yee were noted present at 2:01 p.m.

Supervisor Sandoval was excused. (see infra)

Supervisor Sandoval Excused from Attendance

Supervisor Leno, seconded by Supervisor Daly, moved to excuse Supervisor Sandoval from attending today's 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 June 3, 2002 Meeting Minutes.

Supervisor Leno, seconded by Supervisor Yee, moved to approve meeting minutes of June 3, 2002. The motion carried by the following vote:

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

CONSENT AGENDA

Recommendations of the Finance Committee

020483 [Donation of Equipment]
Supervisor Daly

Resolution authorizing a donation of one surplus Police van to the City of Concord, California, for use in its Police Department's emergency response efforts. (Police Department)

Resolution No. 529-02
ADOPTED

021237 [Contracting out City Services]

Resolution concurring, retroactively, with the Controller's certification that assistance to certain victims of crime and education in community anti-street violence can be practically performed for the District Attorney's Victim Witness Assistance Program by a private contract at a lower cost than similar work services performed by City and County employees. (District Attorney)

(Public Benefit Recipient.)

Resolution No. 530-02
ADOPTED

Recommendation of the Transportation and Commerce Committee

**021174 [Stop Intersections]
Supervisor Newsom**

Resolution designating certain intersections as "STOP" intersections.

STOP SIGNS - ESTABLISH

17th and Shotwell Streets, stopping 17th Street at Shotwell Street, making this intersection an all-way STOP;
El Camino Del Mar and Seacliff Avenue, stopping northbound El Camino Del Mar at Seacliff Avenue, making this intersection an all-way STOP;

Girard Avenue and Silliman Street, stopping Silliman Street at Girard Avenue, making this intersection an all-way STOP;

17th and Rhode Island Streets, stopping 17th Street at Rhode Island Street, making this intersection an all-way STOP;

Octavia and Washington Streets, stopping Octavia Street at Washington Street, making this uncontrolled T-intersection a one-way STOP; and

Alameda Street and Treat Avenue, stopping eastbound Alameda Street at Treat Avenue, making this uncontrolled T-intersection a one-way STOP. (Parking and Traffic Department)

(DPW Order No. 2452.)

(6/26/02: Categorically exempt from Environmental Review Class 1(c)(9) changes in traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in use of the street.)

Resolution No. 531-02

ADOPTED

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

NEW BUSINESS

Recommendations 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)

PASSED ON FIRST READING by the following vote:

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

Noes: 1 - Ammiano

Absent: 1 - Sandoval

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 stadium advertising and naming rights and for the performance of certain capital repairs at the stadium located at Candlestick Point.

The authorization of an agreement with the San Francisco Forty Niners, Ltd., for naming rights was divided and considered separately. See File No. 021397.

DIVIDED.

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.

PASSED ON FIRST READING by the following vote:

Ayes: 8 - Ammiano, Daly, Hall, Leno, Maxwell, Newsom, Peskin, Yee
Noes: 2 - Gonzalez, McGoldrick
Absent: 1 - Sandoval

**021397 [Agreement for Naming Rights]
Supervisor Maxwell**

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

Divided from File No. 021141.

NOT PASSED ON FIRST READING by the following vote:

Ayes: 5 - Leno, Maxwell, Newsom, Peskin, Yee
Noes: 5 - Ammiano, Daly, Gonzalez, Hall, McGoldrick
Absent: 1 - Sandoval

Recommendations 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.

Supervisors Daly, Leno, and Hall requested to be added as co-sponsors.

PASSED, ON FIRST READING by the following vote:

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

021179 [Parking Regulations, Various Locations]

Resolution enacting and rescinding parking regulations at various locations.

TOW-AWAY, NO PARKING ANYTIME, 8 PM - 8 AM, EVERYDAY - ESTABLISH
Mendell Street, west side, from 93 feet to 137 feet south of Oakdale Avenue (44-foot zone); and
Mendell Street, east side, from 3rd Street to 112 feet northerly (112-foot zone).

ONE-HOUR PARKING TIME LIMIT, APRIL THROUGH OCTOBER, 7 AM TO 10 PM, MONDAY
THROUGH FRIDAY; 9 AM TO 6 PM, SATURDAY AND SUNDAY - RESCIND
ONE-HOUR PARKING TIME LIMIT, NOVEMBER THROUGH MARCH, 7 AM TO 6 PM, MONDAY
THROUGH SATURDAY - RESCIND
PARKING METERS (EXTEND PARKING METER AREA 3) - ESTABLISH
3rd Street, both sides, between King and Townsend Streets.

PARKING METERS (EXTEND PARKING METER AREA 3) - ESTABLISH
King Street, north side, from 135 feet to 212 feet and 278 feet to 346 feet west of 2nd Street (77-foot and 68-
foot zones, respectively).

RESIDENTIAL PERMIT PARKING AREA "Z" (TWO-HOUR TIME LIMIT, 8 AM - 6 PM, MONDAY
THROUGH FRIDAY) - ESTABLISH
27th Street, both sides, between Noe and Sanchez Streets (400 block).

UNMETERED MOTORCYCLE PARKING - RESCIND
UNMETERED MOTORCYCLE PARKING, 7 PM to 7 AM, DAILY - ESTABLISH
6th Street, east side, from nine feet to 30 feet south of Harrison Street, accommodating six motorcycle stalls.
4 HOUR PARKING TIME LIMIT, 8 AM TO 6 PM, MONDAY THROUGH SATURDAY - ESTABLISH
Van Ness Avenue, center parking area, from North Point Street to 300 feet northerly.

PERPENDICULAR (90-DEGREE ANGLE) PARKING - ESTABLISH
18th Street, north side, from 52 feet east of Rhode Island Street to Carolina Street.

TOW-AWAY NO STOPPING ANYTIME - ESTABLISH
Folsom Street, north side, from 3rd Street to 140 feet easterly; and
Folsom Street, north side, from 2nd Street to 140 feet easterly.

NO PARKING ANYTIME - RESCIND
TOW AWAY NO PARKING ANYTIME - ESTABLISH
Burgoyne Street, both sides, south of Pacific Avenue.

UNMETERED MOTORCYCLE PARKING - ESTABLISH
133 Palm Avenue, west side, from 263.5 feet to 270.5 feet south of Euclid Avenue (seven-foot zone in front of
133 Palm Avenue, accommodating two motorcycle stalls).

TOW AWAY NO STOPPING ANYTIME - ESTABLISH
Broderick Street, east side, from Sutter Street to 15 feet northerly; and
Sutter Street, north side, from Broderick Street to 14 feet easterly.

NO PARKING ANYTIME - ESTABLISH
Sears Street, along the south terminus, south of Sickles Avenue.

NO PARKING ANYTIME - ESTABLISH
Lyon Street, east side, from Green Street to 150 feet southerly to the terminus and from the terminus to 36 feet
westerly.

1366 Hayes Street, between the driveways of 1366 and 1370 Hayes Street (12-foot zone, accommodating two motorcycle stalls).

RESIDENTIAL PERMIT PARKING AREA "S" (TWO-HOUR TIME LIMIT, 8 AM - 9 PM, MONDAY THROUGH FRIDAY) - ESTABLISH

Sanchez Street, both sides, between Hill and Liberty Streets (portions of the 700 and 800 blocks).

RESIDENTIAL PERMIT PARKING AREA "S" (FOUR-HOUR TIME LIMIT, 8 AM - 6 PM, MONDAY THROUGH FRIDAY) - ESTABLISH

Hill Street, both sides, between Church and Sanchez Streets (300 block).

UNMETERED MOTORCYCLE PARKING - ESTABLISH

1570 -1574 Waller Street, north side, from 100 feet to 109.5 feet west of Belvedere Street (9.5 foot zone in front of 1570-1574 Waller Street, accommodating one motorcycle only). (Parking and Traffic Department)

Resolution No. 532-02

ADOPTED by the following vote:

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

COMMITTEE REPORTS

Supervisor Newsom Recused from Voting

Supervisor Maxwell, seconded by Supervisor Daly, moved to recuse Supervisor Newsom from voting on File Nos. 021292 and 021294. The motion carried by the following vote:

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

From Finance Committee

021292 [Business Tax]
Supervisor McGoldrick

Motion submitting the San Francisco Business Tax Reform Ordinance 2002 to the qualified electors of the City and County of San Francisco, at the November 5, 2002 general municipal election.

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

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

021294 [Business Tax]
Supervisor McGoldrick

Ordinance amending the Business and Tax Regulations Code to: (1) enact a new Article 12-A-1 (Gross Receipts Tax Ordinance) to impose a gross receipts tax on persons engaging in business in San Francisco as a lessor of real estate; (2) amend Article 12-A (Payroll Expense Tax Ordinance) to (i) reduce businesses' taxable payroll expense by the amount of payroll expense attributable to their San Francisco business activities taxed under Article 12-A-1 (Gross Receipts Tax Ordinance), (ii) conform Article 12-A (Payroll Expense Tax Ordinance) with the enactment of Article 12-A-1 (Gross Receipts Tax Ordinance) and amendments to Article 6 (Common Administrative Provisions), (iii) repeal the \$500 surplus business tax revenue credit set forth in Section 906E, and (iv) consolidate exemptions, definitions and other administrative provisions, as amended, that apply to Article 12-A (Payroll Expense Tax Ordinance) and other Articles of the Business and Tax Regulations Code, and place them in Article 6 (Common Administrative Provisions); (3) amend Article 12 (Business Registration Ordinance) to conform business registration requirements with the enactment of Article 12-A-1 (Gross Receipts Tax Ordinance) and amendments to Article 12-A (Payroll Expense Tax Ordinance) and Article 6 (Common Administrative Provisions); (4) amend Article 6 (Common Administrative Provisions) to (i) clarify common administrative provisions and conform them with the enactment of Article 12-A-1 (Gross Receipts Tax Ordinance) and amendments to Article 12-A (Payroll Expense Tax Ordinance) and Article 12 (Business Registration Ordinance), (ii) consolidate exemptions, definitions and other administrative provisions that apply to Article 12-A (Payroll Expense Tax Ordinance), Article 12-A-1 (Gross Receipts Tax Ordinance), Article 12 (Business Registration Ordinance) and other Articles of the Business and Tax Regulations Code, and (iii) eliminate the Board of Review; and (5) amend Section 501 of Article 7 to clarify the definition of "Permanent Residents" exempt from the tax on the transient occupancy of hotel rooms.

Supervisor McGoldrick, seconded by Supervisor Maxwell, moved that this Ordinance be TABLED. The motion carried by the following vote:

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

PUBLIC COMMENT

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.

Appointment of President Pro Tempore

At the request of the President, Supervisor Daly assumed the Chair.

021355 [Legislative Analyst Request]
Supervisor Daly

Motion asking the Legislative Analyst to study the City's Natural Areas Program, contrast and compare this program to the efforts in other cities, study and report on all resolutions and ordinances concerning the program, and interviewing all the various stakeholders who are interested in or concerned about the program.

APPROVED by the following vote:

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

The President resumed the Chair shortly thereafter.

PUBLIC COMMENT

Patricia Boyde, historical buildings;
Male speaker, homelessness;
Bernan Ma, homelessness;
Christian Milton Hanks, labor leader, recycling;
John Bardis, budget process;
Brad Burson, Chinese government;
James Chaffie, finance disclosure;
Jack Doison and male speaker, name of Candlestick Park.

CLOSED SESSION

CONFERENCE WITH CITY ATTORNEY - Anticipated Litigation as Plaintiff or Defendant

021321 [Anticipated Litigation]

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

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

Supervisor Daly, seconded by Supervisor Hall, moved. The motion carried by the following vote:

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

Recess

The Board recessed at the hour of 4:25 p.m. to convene in closed session pursuant to above motion.

Reconvening of the Board

The Board at the hour of 5:05 p.m. reconvened.

Calling the Roll

On call of the roll, the following Supervisors were noted present: Supervisors Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Yee - 10

Deputy City Attorney Ted Lakey reported that the Board of Supervisors has met in closed session with the City Attorney, under the provisions of Government Code Section 54956.9 (a) for the purpose of conferring with, or receiving advice from the City Attorney regarding pending litigation.

Persons in attendance:

*Supervisors Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Yee
Dennis Herrera, City Attorney
Ted Lakey, Deputy City Attorney
William Sanders, Deputy City Attorney
Lisa Gelb, Deputy City Attorney
Julia Friedlander, Deputy City Attorney
Brian Roberts, Principal Policy Analyst, DTIS
Lewis Loeven, Director, DTIS
Edward Harrington, Controller
Kay Gulbengay, Deputy Clerk
Victor Young, Assistant Clerk*

HEARD IN CLOSED SESSION by the following vote:

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

Continued to August 19, 2002.

CONTINUED by the following vote:

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

Supervisor Newsom, seconded by Supervisor Peskin, moved. The motion carried by the following vote:

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

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.

021336 [Consolidation of BART Election - 11/5/02]
Supervisor Ammiano

Resolution consolidating the Bay Area Rapid Transit Election for Director's Seat in District 8 and Special District Election for a Seismic Safety Bond to be held in the City and County of San Francisco on November 5, 2002 with the General Municipal Election scheduled for the same date, and providing that the election shall be the same as for the General Municipal Election.

Resolution No. 526-02

ADOPTED

021340 [Accept and Expend a Gift from Tides Foundation]
Supervisors McGoldrick, Leno, Newsom

Resolution accepting and expending a gift in place valued at approximately \$150,000 from the Tides Foundation to the Recreation and Park Department for the National AIDS Memorial Grove.

Supervisors Leno and Newsom requested to be added as co-sponsors.

Resolution No. 534-02

ADOPTED

021341 [Proclamation]
Supervisors Ammiano, Daly

Resolution declaring the week of August 3 through August 11, 2002 as Go Congress Week in the City and County of San Francisco.

Supervisor Daly requested to be added as co-sponsor.

Resolution No. 535-02

ADOPTED

021342 [Honoring Patricia Walkup]
Supervisors Gonzalez, Leno, Daly, Newsom, Peskin, McGoldrick, Ammiano, Maxwell

Resolution honoring Patricia Walkup, founder and past President of the Hayes Valley Neighborhood Association.

Resolution No. 536-02

ADOPTED

021344 [Acknowledging Third Baptist Church]
Supervisors Maxwell, Newsom

Resolution acknowledging the spiritual leadership and dedication provided by Third Baptist Church and for its numerous contributions to the people of the City and County of San Francisco on the occasion of its sesquicentennial anniversary of service.

Supervisor Newsom requested to be added as co-sponsor.

Resolution No. 537-02

ADOPTED

021345 [Urging the National Park Service, GGNRA, maintain the present configuration of the USSSF Memorial Monument.]

Supervisors Yee, Sandoval

Resolution urging the National Park Service, Golden Gate National Recreation Area, to maintain the present configuration of the USS San Francisco Memorial Monument, and urging the National Park Service to approve the erection of two additional historical plaques.

Supervisor Sandoval requested be added as a co-sponsor.

Resolution No. 538-02

ADOPTED

021346 [Proclamation]

Supervisors Yee, McGoldrick, Peskin, Newsom

Resolution proclaiming October 12, 2002 as Green Apple Books Day and celebrating the 35th Anniversary of Green Apple Books.

Supervisors Peskin and Newsom requested to be added as co-sponsors.

Resolution No. 539-02

ADOPTED

021347 [Commending Nikkei]

Supervisor Peskin

Resolution commending the accomplishments of Nikkei in San Francisco and throughout the nation and welcoming the Nikkei visitors attending the Topaz reunion.

Resolution No. 540-02

ADOPTED

021348 [Commending Shanghai Festival]

Supervisors Yee, Leno, Hall, Newsom

Resolution commending the Shanghai Festival and proclaiming the fourth week of December 2002 as Shanghai Festival Week.

Supervisors Leno, Hall, and Newsom requested to be added as co-sponsors.

Resolution No. 541-02

ADOPTED

021357 [Commending La Raza Centro Legal]

Supervisor Daly

Resolution commending La Raza Centro Legal for their outstanding commitment to the San Francisco day labor population and for their tremendously successful administration, management and operation of the San Francisco day labor program.

Resolution No. 543-02

ADOPTED

- 021334 [Needle Exchange Emergency]
Supervisors Ammiano, Newsom, Yee, Leno, Daly, Peskin, McGoldrick, Maxwell

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

Motion No. M02-122

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 - Sandoval

Severed from for Adoption Without Committee Reference

Suspend Rule 2.11 of the Rules of Order of the Board of Supervisors

Supervisor Hall, seconded by Supervisor McGoldrick, moved to suspend the Rules of Order of the Board of Supervisors. The motion carried by the following vote:

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

Absent: 1 - Sandoval

- 021301 [Opposing S2633 and HR3782]
Supervisors Leno, Daly, Gonzalez

Resolution urging the U.S. Senate to oppose the RAVE Act, S2633 (Reducing America's Vulnerability to Ecstasy Act) and urging the House of Representatives to oppose HR3782 sponsored by Congressman Doug Ose (D-CA).

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

Resolution No. 533-02

ADOPTED by the following vote:

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

Noes: 1 - Hall

Absent: 1 - Sandoval

- 021343 [Prohibition on the Sale of Naming Rights]
Supervisors Gonzalez, Hall, Daly, McGoldrick, Sandoval

Resolution urging the Recreation and Park Commission to adopt a policy prohibiting the sale or lease of naming rights of any publicly-owned facility or open space and declaring that such policy is in the public interest and shall be adopted by the City and County of San Francisco and applied to all publicly-owned property.

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

Supervisor Gonzalez requested this item be referred to committee.

REFERRED to the Finance Committee.

**021349 [Special Offsite Committee Meeting]
Supervisor Newsom**

Motion setting a special offsite meeting of the Neighborhood Services and Recreation Committee for the purpose of receiving community input concerning items including, but not limited to, toxic waste, the PTIP and other general issues at the Presidio Trust (Thursday, August 22, 2002 - 2:00 PM, at the Presidio Trust Main Post, Officers Club, 50 Moraga Avenue).

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

Motion No. M02-123

ADOPTED by the following vote:

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

Absent: 1 - Sandoval

OFF-AGENDA LEGISLATION

Introduced by Supervisors or Mayor

Resolutions

**021358 [Safe Haven for Newborns Task Force]
Supervisor Hall**

Resolution establishing a Safe Haven for Newborns Task Force charged with determining how to implement SB 1368, which provides for the safe surrender of unwanted newborns. The Task Force shall be comprised of one representative from each of the following agencies or organizations: the Department of Public Health, the District Attorney's Office, the Fire Department, the Department of Children Youth, and their Families, the Juvenile Probation Department, the Youth Commission (or their designee), the San Francisco Unified School District, the Mental Health Board, the Department of Human Services, the Police Department, and a member of the community with expertise in the area of domestic violence.

8/5/02, RECEIVED AND ASSIGNED to Rules and Audits Committee.

**021359 [Voting Modernization Bond Act of 2002]
Supervisors Peskin, Gonzalez, Daly**

Resolution approving the application for funds under the Voting Modernization Bond Act of 2002 (Proposition 41).

8/5/02, RECEIVED AND ASSIGNED to Rules and Audits Committee.

- 021360 [State grant funds of \$100,000 for a study of the coastal erosion occurring at Ocean Beach and potential methods of control]
Supervisor McGoldrick**

Resolution authorizing the Department of Public Works to accept and expend a grant in the amount of \$100,000 from the Coastal Resources Grant Program for the Ocean Beach Erosion Control Project in the City and County of San Francisco.

(No Public Benefit Recipient.)

8/5/02, RECEIVED AND ASSIGNED to Transportation and Commerce Committee. Sponsor requests this item be scheduled for consideration at the August 22, 2002 meeting.

- 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.

8/5/02, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

- 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.

8/5/02, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

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

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

8/5/02, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

- 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.

8/5/02, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**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.

8/5/02, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**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.

8/5/02, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**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.

8/5/02, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**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.

8/5/02, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

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

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

8/5/02, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**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.

8/5/02, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**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.

8/5/02, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Requests for Hearing

**021374 [COMPSTAT Model]
Supervisor Newsom**

Hearing to discern issues relating to the possible utilization of the COMPSTAT model by the San Francisco Police Department (SFPD).

8/5/02, RECEIVED AND ASSIGNED to Public Works and Public Protection Committee.

**021375 [Union Square]
Supervisor Leno**

Hearing to discuss the completion of Union Square which includes leases with cafe operators and ticket vendors, developing protocol for maintenance and security, and coordinating a concert and events schedule.

8/5/02, RECEIVED AND ASSIGNED to Finance Committee.

**021376 [MUNI Nextbus Contract]
Supervisor Leno**

Hearing with MUNI representatives to discuss the implementation of the Nextbus contract, the state of this contract, the schedule of installation, and how to expedite this process.

8/5/02, RECEIVED AND ASSIGNED to Transportation and Commerce Committee.

**021377 [Cameras in Taxi Cabs]
Supervisor Ammiano**

Hearing on the Taxi Cab Commission mandated security cameras in taxi cabs.

8/5/02, RECEIVED AND ASSIGNED to Transportation and Commerce Committee.

**021378 [Delta Dental Plan for City Employees]
Supervisor Ammiano**

Hearing on the Delta Dental Plan for City Employees.
8/5/02, RECEIVED AND ASSIGNED to Finance Committee.

**021380 [Legislative Analyst]
Supervisor Ammiano**

Hearing on the Board of Supervisors Office of Legislative Analyst.
8/5/02, RECEIVED AND ASSIGNED to Rules and Audits Committee.

Motions

**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.
8/5/02, ASSIGNED to Board of Supervisors. Scheduled for Board consideration August 12, 2002.

**021382 [Ballot Argument - Water and Sewer]
Supervisor Ammiano**

Motion authorizing proponent's ballot argument in favor of Proposition E, a Charter Amendment regarding changes to public utilities related to water and sewer.
8/5/02, RECEIVED AND ASSIGNED to Rules and Audits Committee.

**021383 [Rebuttal Argument - Water and Sewer]
Supervisor Ammiano**

Motion authorizing rebuttal to opponent's ballot argument against Proposition E, a Charter Amendment regarding changes to public utilities related to water and sewer.
8/5/02, RECEIVED AND ASSIGNED to Rules and Audits Committee.

**021384 [Ballot Argument - Retirement Benefits for Police and Fire personnel]
Supervisor Ammiano**

Motion authorizing proponent's ballot argument in favor of Proposition H, a Charter Amendment regarding retirement benefits for Police and Fire personnel.
8/5/02, RECEIVED AND ASSIGNED to Rules and Audits Committee.

**021385 [Rebuttal Argument - Retirement Benefits for Police and Fire personnel]
Supervisor Ammiano**

Motion authorizing rebuttal to opponent's ballot argument against Proposition H, a Charter Amendment regarding retirement benefits for Police and Fire personnel.
8/5/02, RECEIVED AND ASSIGNED to Rules and Audits Committee.

**021386 [Ballot Argument - Elections Department]
Supervisor Ammiano**

Motion authorizing proponent's ballot argument in favor of Proposition G, a Charter Amendment regarding assistance to the Elections Department.
8/5/02, RECEIVED AND ASSIGNED to Rules and Audits Committee.

**021387 [Rebuttal Argument - Elections Department]
Supervisor Ammiano**

Motion authorizing rebuttal to opponent's ballot argument against Proposition G, a Charter Amendment regarding assistance to the Elections Department.
8/5/02, RECEIVED AND ASSIGNED to Rules and Audits Committee.

**021388 [Ballot Argument - Revenue Bond Election]
Supervisor Ammiano**

Motion authorizing proponent's ballot argument in favor of Proposition A, a Bond Measure regarding a Revenue Bond Election.
8/5/02, RECEIVED AND ASSIGNED to Rules and Audits Committee.

**021389 [Rebuttal Argument - Revenue Bond Election]
Supervisor Ammiano**

Motion authorizing rebuttal to opponent's ballot argument against Proposition A, Bond Measure regarding a Revenue Bond Election.
8/5/02, RECEIVED AND ASSIGNED to Rules and Audits Committee.

**021390 [Ballot Argument - Paid Parental Leave]
Supervisor Daly**

Motion authorizing proponent's ballot argument in favor of Proposition I, a Charter Amendment regarding paid parental leave.
8/5/02, RECEIVED AND ASSIGNED to Rules and Audits Committee.

**021391 [Rebuttal Argument - Paid Parental Leave]
Supervisor Daly**

Motion authorizing rebuttal to opponent's ballot argument against Proposition I, a Charter Amendment regarding paid parental leave.
8/5/02, RECEIVED AND ASSIGNED to Rules and Audits Committee.

**021392 [Ballot Argument - Supervisors Salaries]
Supervisors Gonzalez, Leno**

Motion authorizing proponent's ballot argument in favor of Proposition J, a Charter Amendment regarding Supervisors salaries set by the Civil Service Commission.
8/5/02, RECEIVED AND ASSIGNED to Rules and Audits Committee.

**021393 [Rebuttal Argument - Supervisors Salaries]
Supervisors Gonzalez, Leno, Ammiano, Sandoval**

Motion authorizing rebuttal to opponent's ballot argument against Proposition J, a Charter Amendment regarding Supervisors salaries set by the Civil Service Commission.
8/5/02, RECEIVED AND ASSIGNED to Rules and Audits Committee.

**021394 [Ballot Argument - Energy Self-sufficiency]
Supervisors Gonzalez, Daly, Maxwell**

Motion authorizing proponent's ballot argument in favor of Proposition D, a Charter Amendment regarding energy self-sufficiency.
8/5/02, RECEIVED AND ASSIGNED to Rules and Audits Committee.

**021395 [Rebuttal Argument - Energy Self-sufficiency]
Supervisors Gonzalez, Daly, Maxwell**

Motion authorizing rebuttal to opponent's ballot argument against Proposition D, a Charter Amendment regarding energy self-sufficiency.
8/5/02, RECEIVED AND ASSIGNED to Rules and Audits Committee.

**021326 [Ballot Argument - Entertainment Commission]
Supervisors Leno, McGoldrick, Daly, Ammiano, Gonzalez, Newsom, Peskin, Sandoval**

Motion authorizing proponent's ballot argument in favor of Proposition F, a Charter Amendment regarding Entertainment Commission.
8/5/02, RECEIVED AND ASSIGNED to Rules and Audits Committee.

**021327 [Rebuttal Argument - Entertainment Commission]
Supervisors Leno, McGoldrick, Daly, Ammiano, Gonzalez, Newsom, Peskin, Sandoval**

Motion authorizing rebuttal to opponent's ballot argument against Proposition F, a Charter Amendment regarding Entertainment Commission.
8/5/02, RECEIVED AND ASSIGNED to Rules and Audits Committee.

**021328 [Ballot Argument - Veterans Building Special Election]
Supervisor Sandoval**

Motion authorizing proponent's ballot argument in favor of Proposition C, Bond Measure regarding Veterans Building Special Election.
8/5/02, RECEIVED AND ASSIGNED to Rules and Audits Committee.

**021329 [Rebuttal Argument - Veterans Building Special Election]
Supervisor Sandoval**

Motion authorizing rebuttal to opponent's ballot argument against Proposition C, a Bond Measure regarding Veterans Building Special Election.

8/5/02, RECEIVED AND ASSIGNED to Rules and Audits Committee.

**021330 [Ballot Argument - Condominium Conversion Regulations]
Supervisors Peskin, Daly**

Motion authorizing ballot argument against Proposition R, an initiative ordinance regarding changes to the City's Condominium Conversion regulations.

8/5/02, RECEIVED AND ASSIGNED to Rules and Audits Committee.

**021331 [Rebuttal Argument - Condominium Conversion Regulations]
Supervisor Peskin**

Motion authorizing rebuttal ballot argument against Proposition R, an initiative ordinance regarding changes to the City's Condominium Conversion regulations.

8/5/02, RECEIVED AND ASSIGNED to Rules and Audits Committee.

PROPOSED RESOLUTIONS

**021313 [Branch Library General Obligation Bond Sale]
Mayor**

Resolution authorizing and directing the sale of not to exceed \$23,135,000 City and County of San Francisco General Obligation Bonds (Branch Library Facilities Improvement Bonds, 2000), Series 2002B; prescribing the form and terms of said bonds; authorizing the execution, authentication and registration of said bonds; providing for the appointment of depositories and other agents for said bonds; providing for the establishment of accounts related thereto; approving the forms of official notice of sale and notice of intention to sell bonds; directing the publication of the notice of intention to sell bonds; approving the form and execution of the official statement relating thereto; approving the form of the continuing disclosure certificate; approving modifications to documents; ratifying certain actions previously taken; and granting general authority to City officials to take necessary actions in connection with the authorization, issuance, sale and delivery of said bonds. (Mayor)

(Fiscal impact.)

7/31/02, RECEIVED AND ASSIGNED to Finance Committee.

021314 [Department of Consumer Assurance's schedule of fees for weighing and measuring devices]

Resolution approving a schedule of fees to be charged by the Department of Consumer Assurance for testing of weighing and measuring devices initiated by written request and for reinspecting, retesting and recertifying weighing and measuring devices found to be outside the tolerances or specifications set by the California Department of Food and Agriculture upon an initial inspection prescribed by California Business and Professions Code Section 12210(a), and ratifying any such fees charged by the Department prior to this resolution.

7/30/02, RECEIVED AND ASSIGNED to Finance Committee.

021315 [Contracting out Janitorial Services]

Resolution concurring with the Controller's Certification that janitorial services can be practically performed at the Asian Art Museum under private contract at a lesser cost than similar work performed by employees of the City and County. (Asian Arts Commission)

7/29/02, RECEIVED AND ASSIGNED to Finance Committee.

021316 [Federal Grant - Municipal Transportation Agency]

Resolution authorizing the Municipal Transportation Agency Board to accept and expend \$50,000 of Federal Assistance for Emergency Preparedness Drills, excluding Administrative Overhead Costs. (Municipal Transportation Agency)

(No Public Benefit Recipient.)

7/29/02, RECEIVED AND ASSIGNED to Transportation and Commerce Committee.

021317 [Accept - Expend Local Funds]

Resolution authorizing the Municipal Transportation Agency to accept and expend \$514,664 of Carl Moyer Program funds for Municipal Railway Transit Project. (Municipal Transportation Agency)

(Public Benefit Recipient.)

7/29/02, RECEIVED AND ASSIGNED to Transportation and Commerce Committee.

021318 [Special Assessment Liens for Assessment of Costs]

Resolution confirming report of Delinquent Charges for Code Enforcement cases with Delinquent Assessment of Costs, Emergency Order Fees, and Fees pursuant to the provisions of Section 102.3, 102.12, 102.17, 102.18, 102.19 et. seq., and Sections 108 and 110 Tables 1-K, and 1-G of the SF Bldg. Code submitted by the Dir. of Building Inspection for Services Rendered by said Dept. of Costs thereof having accrued pursuant to the Code Violations referenced above. (Building Inspection Department)

7/30/02, SCHEDULED FOR PUBLIC HEARING. Scheduled for August 19, 2002, at 3:00 p.m.

Requests Granted

From: Supervisor Maxwell

To: Director, Department of Parking and Traffic

Requesting/Inquiring: To conduct a detailed engineering analysis on Oakdale Avenue between Lane Street and Griffith Street. This section of Oakdale Avenue is home to two childcare facilities, two after school programs, an elementary school, a recreation center and a playground. This area is currently a nightmare for pedestrians, especially children. Stop signs are not enough. Supervisor Maxwell requests the Department to complete a comprehensive study and provide her office with remedies which the department will implement to calm traffic in this area.

Due: October 4, 2002

From: Supervisor Newsom

To: General Manager, Muni

To: General Manager, BART

Requesting/Inquiring: That the General Managers of Muni and BART investigate and report whether Muni can locate funds, or use uncalled contracts, to perform an extensive implementation study on centralized dispatch for taxis, under the umbrella of the Paratransit Program. Also inquiring whether other agencies, such as BART could supply partial funding for this study.

From: Supervisor Yee

To: City Attorney

Requesting/Inquiring: To draft appropriate legislation on how the City may establish noise control regulations for motorized scooters.

From: Supervisor Ammiano

To: Director, Department of Public Health (Mental Health & Community Substance Abuse Services)

To: Director, Department of Human Services

To: Director, Juvenile Probation

To: Sheriff

To: Chief, Police Department

To: Superintendent, Unified School District

To: Director, Department on the Status of Women

To: Public Defender (Juvenile Division)

To: Medical Examiner

Requesting/Inquiring: That the following (Department of Public Health (Mental Health & Community Substance Abuse Services), Department of Human Services, Juvenile Probation, Sheriff, Police Department, Unified School District, Department on the Status of Women, Public Defender (Juvenile Division) and Medical Examiner provide any statistics your department has from 1998 to 2002 regarding youth aged 14-18, broken down where possible in terms of gender, sexual orientation, and Supervisorial district, in accordance with all privacy laws that are applicable. If there is no data to a particular question, please state that clearly in your response. If you have other data that might pertain to this population, please add that to your response.

1. Any statistics that may identify youth aged 14-18 who have a history of (1) sexual abuse, (2) drugs and alcohol substance abuse, (3) being runaways, and (4) physical abuse.

2. The number of visits and hospitalizations for sexual or physical assault, STD's, abortions, and teenage pregnancy.

3. Describe the techniques your Department uses to collect data on youth, which are believed to be involved in prostitution?

4. What mandates do health care and other providers follow regarding collecting information from and about at-risk youth?

5. What signs do health care and other providers watch for, particularly at General Hospital, to gain information about at-risk youth?

6. How do health care and other providers refer youth to services if they are aware of abuse?

7. Do you track those who have been referred to services?

8. Do you refer out, if so to whom?

9. What are the names of the providers you contract with to provide services to this population?

In Memoriams

Mr. Sukhpal Singh (The Entire Board)

Mrs. Gloria Turner (Supervisor Yee)

Ms. Lori Barr (Supervisor Leno)

Dr. Laszlo Tauber (Supervisor Leno)

Ms. Desiree Galena (Supervisor Leno)

Mr. Edward Turner (Supervisor Yee)

ADJOURNMENT


There being no further business, the Board at the hour of 5:07 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 17, 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