

Full Board Agendas

Board of Supervisors

City and County of San Francisco

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

sf city seal



AGENDA

Monday, February 5, 2001

2:00 PM

Regular Meeting

TOM AMMIANO, PRESIDENT
CHRIS DALY, MATT GONZALEZ, TONY HALL, MARK LENO,
SOPHIE MAXWELL, JAKE McGOLDRICK, GAVIN NEWSOM
AARON PESKIN, GERARDO SANDOVAL, LELAND Y. YEE

Gloria L. Young, Clerk of the Board

ROLL CALL AND PLEDGE OF ALLEGIANCE

AGENDA CHANGES

COMMUNICATIONS

Note: Each item on the Consent or Regular agenda may include the following documents:

- 1) Legislation
- 2) Budget Analyst report
- 3) Legislative Analyst report
- 4) Department or Agency cover letter and/or report
- 5) Public correspondence

These items will be available for review at City Hall, Room 244, Reception Desk.

CONSENT AGENDA

All matters listed hereunder constitute a Consent Agenda, are considered to be routine by the Board of Supervisors and will be acted upon by a single roll call vote of the Board. There will be no separate discussion of these items unless a member of the Board so requests, in which event the matter shall be removed from the Consent Agenda and considered as a separate item.

Items 1 through 6

Recommendations of the Finance and Labor Committee

Present: Supervisors Yee, Ammiano, Leno

1. 010041 [Memorandum of Understanding Amendment No. 3 - Electrical Workers, Local 6]
Ordinance implementing Amendment No. 3 to the 1997-2001 Memorandum of Understanding between the International Brotherhood of Electrical Works, Local 6 and the City and County of San Francisco reconfirming the agency shop provision thereof effective July 1, 2000. (Human Resources Department)
1/29/2001, PASSED, ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?
2. 010042 [Memorandum of Understanding Amendment No. 3 - Glaziers, Local 718]
Ordinance implementing Amendment No. 3 to the 1997-2001 Memorandum of Understanding between the Glaziers, Architectural Metal and Glass Workers, Local Union 718 and the City and County of San Francisco reconfirming the agency shop provision thereof effective July 1, 2000. (Human Resources Department)
1/29/2001, PASSED, ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?
3. 010043 [Memorandum of Understanding Amendment No. 4 - Laborers, Local 261]
Ordinance implementing Amendment No. 4 to the 1997-2001 Memorandum of Understanding between the Laborers International Union, Local 261 and the City and County of San Francisco reconfirming the agency shop provision thereof effective July 1, 2000. (Human Resources Department)
1/29/2001, PASSED, ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?
4. 010044 [Memorandum of Understanding Amendment No. 3 - Machinists, Local 1414]

Ordinance implementing Amendment No. 3 to the 1997-2001 Memorandum of Understanding between the Machinist Union, Local 1414, International Association of Machinists and Aerospace Workers, Machinists Automotive Trades District Lodge 190 and the City and County of San Francisco reconfirming the agency shop provision thereof effective July 1, 2000. (Human Resources Department)

1/29/2001, PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

5. 010045 [Memorandum of Understanding Amendment No. 2 - Pile Drivers, Local 34]

Ordinance implementing Amendment No. 2 to the 1997-2001 Memorandum of Understanding between the Pile Drivers, Divers, Carpenters, Bridge, Wharf and Dock Builders, Local Union No. 34 and the City and County of San Francisco reconfirming the agency shop provision thereof effective July 1, 2000. (Human Resources Department)

1/29/2001, PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

6. 010046 [Memorandum of Understanding Amendment No. 1 - Plumbers, Local 38]

Ordinance implementing Amendment No. 1 to the 1997-2001 Memorandum of Understanding between the United Association of Journeymen and Apprentices of the Plumbing and Pipe Fitting Industry, Local No. 38 and the City and County of San Francisco reconfirming the agency shop provision thereof effective July 1, 2000. (Human Resources Department)

1/29/2001, PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

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

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendations of the Transportation and Land Use Committee

Present: Supervisors Katz, Yaki, Yee

7. 002106 [Urban Forestry Council] Supervisors Leno, Katz, Bierman
Ordinance amending San Francisco Administrative Code Chapter 5 by adding Article XX111
to create an Urban Forestry Council and to delineate powers and duties for such Council.
(1/2/2001 - Supervisor Yee dissenting in Board.)
- 1/2/2001, PASSED ON FIRST READING. Supervisor Yee moved to rerefer this matter to
committee. Motion lost for lack of a second.
- 1/16/2001, AMENDED. Supervisor Leno moved to amend Section 5.231. Scope of Authority
(d) The Council's scope of authority is completely advisory and educational in nature and
will have no authority to legislate.
- 1/16/2001, PASSED ON FIRST READING AS AMENDED.
- 1/22/2001, AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.
Supervisor Ammiano moved an amendment of the whole, bearing new title (technical
amendments).
- 1/22/2001, PASSED ON FIRST READING AS AMENDED.
- 1/29/2001, AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.
Supervisor Ammiano presented an amendment of the whole, bearing new title (technical
amendment).
- 1/29/2001, PASSED ON FIRST READING AS AMENDED.
- Question: Shall this Ordinance be FINALLY PASSED?
8. 001955 [Grant funds for the construction of the K-Ingleside light Supervisor Newsom
rail line and Ocean Avenue serving the Municipal
Railway]
Resolution authorizing the Municipal Transportation Agency to accept and expend
\$7,000,000 of State assistance for Ocean Avenue and K-Ingleside Street, sidewalk, and transit
improvements. (Public Transportation Commission)
- 1/2/2001, SEVERED FROM CONSENT AGENDA. Supervisor Newsom requested this
matter be severed so it could be considered separately.
- 1/2/2001, CONTINUED. Supervisor Newsom requested this matter be continued to January
16, 2001.
- 1/16/2001, CONTINUED. Supervisor Newsom requested this matter be continued to January
29, 2001.
- 1/29/2001, CONTINUED. Supervisor Hall moved to continue this matter to February 5,
2001.
- Question: Shall this Resolution be ADOPTED?

NEW BUSINESS

Recommendations of the Finance and Labor Committee

Present: Supervisors Leno, Peskin, Gonzalez

9. 002145 [S. F. International Airport Advertising Program Lease]
Resolution approving San Francisco International Airport Advertising Program Lease between Transportation Media, Inc. (a division of Eller Media) and the City and County of San Francisco, acting by and through its Airport Commission; requiring notice to the Finance Committee of any proposed advertising program expansion. (Airport Commission)

Question: Shall this Resolution be ADOPTED?

10. 010053 [Lease of property at 1421 Broderick Street for Department of Public Health to operate a residential care facility for persons who need 24-hour care and supervision]
Resolution authorizing and approving the lease by and between the City and County of San Francisco, for the Department of Public Health, as tenant, and Seto Family Trust, as landlord, for the property located at 1421 Broderick Street. (Real Estate Department)

Question: Shall this Resolution be ADOPTED?

11. 010104 [Settlement of Grievance, Local 21]
Resolution authorizing settlement of the grievance filed by Glenn Alston and the International Federation of Professional and Technical Engineers, Local 21, AFL-CIO ("Local 21"), on behalf of 16 Civilian Fire Inspectors pursuant to the Memoranda of Understanding between Local 21 and the City and County of San Francisco in the aggregate amount of \$81,625.52. (Human Resources Department)

Question: Shall this Resolution be ADOPTED?

12. ROLL CALL FOR INTRODUCTIONS

Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, and letters of request to the City Attorney.

13. PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak. The President or the Board may limit the total testimony to 30 minutes.

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.

14. 010193 [Legislative Analyst Request] Supervisor McGoldrick
Motion asking the Legislative Analyst to prepare jurisdictional analysis of comprehensive long-range planning processes which include significant neighborhood and community input.
Question: Shall this Motion be ADOPTED?
15. 010198 [Legislative Analyst Request] Supervisors Sandoval, Newsom
Motion asking the Legislative Analyst to provide general research and analysis on San Francisco policy regarding business tax relief for businesses that are negatively impacted by major street, sidewalk and transit improvements, including, but not limited to, street repaving, redirection of traffic and public transportation, and loss of parking. Requesting the Legislative Analysts to provide comparative information on other cities' laws and policies regarding business tax relief for businesses that are negatively impacted by major street, sidewalk and transit improvements.
Question: Shall this Motion be ADOPTED?
16. 010199 [Legislative Analyst Request] Supervisor Daly
Motion asking the Legislative Analyst to look into and study the working conditions for young temporary workers, especially in the IT (Information Technology) industry.
Question: Shall this Motion be ADOPTED?

CLOSED SESSION

CONFERENCE WITH CITY ATTORNEY - Existing Litigation

17. 010081 [Existing 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 the following existing litigation in which the plaintiffs and claimants, various businesses, are, in sum, challenging the constitutionality of the City's business taxing system. These plaintiffs and claimants are also seeking reimbursement of tax payments made to the City:
- Eastman Kodak Company v. San Francisco
San Francisco Superior Court No. 302-983
Date filed: 4/22/99
- General Motors Corporation v. San Francisco
San Francisco Superior Court No. 301-510
- EOP-580 California Street, L.L.C., et al. v. San Francisco
San Francisco Superior Court No. 315-704
- General Motors Corporation, et al. v. San Francisco
San Francisco Superior Court No. 312-487
- Hewlett-Packard, et al. v. San Francisco

San Francisco Superior Court No. 306-787

The Neiman Marcus Group, Inc. v. San Francisco
San Francisco Superior Court No. 310-061

Panther Creek Leasing, Inc. et al. v. San Francisco
San Francisco Superior Court No. 307-873

Providian Financial Corporation, et al. v. San Francisco
San Francisco Superior Court No. 316-461

Signature Network, Inc., et al. v. San Francisco
San Francisco Superior Court No. 312-489

Union Pacific Railroad Co., et al. v. San Francisco
San Francisco Superior Court No. 309-421

Various other related cases and claims against San Francisco filed by other businesses.

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

1/22/2001, MOTION to convene in closed session.

1/22/2001, CONTINUED. Supervisor Peskin requested this matter be continued to February 5, 2001.

Action: _____

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

[Elect To Disclose]

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

[Elect Not to Disclose]

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

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

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

Items 18 through 43

18. 010164 [Office of Ratepayer Advocates] Supervisors Gonzalez, Sandoval, McGoldrick
Resolution urging Governor Gray Davis to appoint a director to the state's Office of Ratepayer Advocates.
1/29/2001, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
19. 010165 [Lowell High School] Supervisor Hall
Resolution urging the San Francisco Unified School District to consider every alternative to using Eucalyptus Drive and 25th Avenue as routes of entrance and exit for construction and delivery vehicles during the construction of the new Science/Academic wing at Lowell High School.
1/29/2001, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
20. 010166 [Extension of Planning Commission Review Period] Supervisor Leno
Resolution extending the prescribed time within which the Planning Commission may render its decision on a proposed ordinance to amend the Planning Code to adopt an inclusionary affordable housing program.
1/29/2001, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
21. 010167 [Power generating assets] Supervisors McGoldrick, Gonzalez
Resolution calling for Governor Davis, the California Legislature, and the California Public Utilities Commission to require that any financial assistance to utilities in the form of taxpayer monies or rate increases be accompanied by a transfer of equivalent interests in power generating assets to the State of California.
1/29/2001, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
22. 010168 [Antitrust violation, natural gas suppliers] Supervisor McGoldrick
Resolution urging the City Attorney to instigate an investigation into possible monopolization, collusion, and fraud by suppliers of natural gas.
1/29/2001, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

23. 010169 [Uninsured children funding] Supervisors Sandoval, Gonzalez
Resolution urging the Department of Public Health to calculate the amount of money spent annually on uninsured children residing in the City of San Francisco.

1/29/2001, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE
AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

24. 010170 [Bond Oversight Committee] Supervisor Yee
Resolution urging the San Francisco Public Library to create a Bond Oversight Committee for the Branch Library Bond, and requesting the San Francisco Public Library issue reports to the Board of Supervisors, the Budget Analysts Office, the Controller, and the Mayor's Office of Public Finance on a quarterly basis which detail all expenditures from the bond funds by facility and by individual projects.

1/29/2001, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE
AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

25. 010171 [Clean Streets Initiative] Supervisor Yee
Resolution establishing the Clean Streets Initiative.

1/29/2001, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE
AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

26. 010172 [Parkside Elementary School and Childcare Center] Supervisor Yee
Resolution urging the San Francisco Unified School District to make the rebuilding of Parkside School and construction of a new childcare center at Parkside School a top priority.

1/29/2001, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE
AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

27. 010173 [Standards of Conduct for Redevelopment Agency Commission] Supervisor Ammiano

Resolution urging the San Francisco Redevelopment Agency (SFRA) Commission to adopt a policy requiring all SFRA Commissioners to disclose any communications that they have with developers, contractors and other parties or individuals who have a matter pending before the SFRA Commission and that such a public disclosure policy require that the name(s) and the substance of the contact be divulged and that such disclosure must occur before the SFRA Commission votes on the matter; and further urging the SFRA Commission to adopt a policy that is based upon SFRA staff evaluation and recommendation as well as public input which would require the public offering of all SFRA property for development and that such a process be uniform and implemented fairly.

1/29/2001, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE

AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

28. 010174 [Prohibit selling of naming rights of public transit stations] Supervisors Ammiano, Newsom
Resolution urging the Board of Directors of Bart and the Municipal Transportation Authority to prohibit the selling of the naming rights of any public transit stations, especially the Embarcadero, Montgomery, Powell and Civic Center stations, to any private entity, corporation or individual.
1/29/2001, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE
AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
29. 010175 [San Francisco Day Laborer Program] Supervisor Ammiano
Resolution urging the Director of the Department of Human Services to permanently locate the San Francisco Day Laborer Program at the 3120 Mission Street site and to negotiate with the current owners of the Department's intentions.
1/29/2001, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE
AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
30. 010176 [India Earthquake] Supervisors Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee
Resolution urging President Bush, the United States Senate and the House of Representatives to use all available resources and funds to augment and expedite existing relief efforts to earthquake victims and their families in the western state of Gujarat, India; and further wishing to express condolences to family members of those who have been passed away in Bhuj, Ahmedbad, Anjar and other villages impacted by the earthquake as well as sympathy and a speedy recovery to those who have been injured by the earthquake; and further expressing sympathy to those living in the San Francisco Bay Area who have relatives in Gujurat, India that have been impacted by the earthquake.
1/29/2001, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE
AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
31. 010177 [Grocery Outlet] Supervisor Ammiano
Resolution urging Best Buy Electronics to investigate ways to maintain the continued operation of the Grocery Outlet and further urging the owners of Grocery Outlet to consider the option of remaining at the current site and renegotiate with Best Buy Electronics to work out an amenable solution.
1/29/2001, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE
AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?

32. 010178 [Equity for Filipino Veterans of World War II] Supervisors Daly, Sandoval, Newsom
Resolution urging President Bush and the United States Congress to amend the 1946 Rescission Act to provide equity for Filipino veterans of World War II.
1/29/2001, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
33. 010179 [Generic Pharmaceuticals to Sub-Saharan Africa] Supervisor Daly
Resolution urging President Bush to retain May 10, 2000 Executive Order entitled "Access to HIV/AIDS Pharmaceuticals and Medical Technologies."
1/29/2001, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
34. 010180 [Gujarat Earthquake] Mayor, Supervisors Peskin, Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Sandoval, Yee
Resolution extending condolences and greatest sympathy to the people of India and those affected by the Gujarat earthquake, and further urging the citizens of San Francisco to donate resources and assistance to relief efforts established for India as a result of this natural disaster.
1/29/2001, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
35. 010181 [Commendation] Supervisors Leno, Newsom, Daly, McGoldrick, Maxwell
Resolution commending Timothy Leifield for his years of leadership at the Stop AIDS Project.
1/29/2001, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
36. 010182 [Commendation] Supervisor McGoldrick
Resolution commending James Morales, the Executive Director of the Redevelopment Agency, for proposing Standards of Conduct for the Redevelopment Agency Commission and supporting the agency in adopting such standards of conduct.
1/29/2001, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?

37. 010183 [Commendation] Supervisor Yee
Resolution commending Norm Mineta for his continued work on behalf of Asian Americans and on his appointment to the post of Secretary of Transportation.
1/29/2001, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
38. 010184 [Commendation] Supervisor Yee
Resolution commending Elaine Chao for her continued work on behalf of Asian Americans and her new position as Secretary of Labor.
1/29/2001, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
39. 010185 [Commendation] Supervisor Yee
Resolution commending Walgreens for its involvement in the Clean City Summit.
1/29/2001, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
40. 010186 [Commendation] Supervisor Ammiano
Resolution commending Autism/Asperger's Syndrome Coalition for Education Networking and Development (AASCEND) on the great occasion of their second annual conference, "Share the Journey" on February 10, 2001 in the City and County of San Francisco.
1/29/2001, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
41. 010187 [Proclamation] Supervisor Ammiano
Resolution proclaiming February 7, 2001 as Carolyn Nielsen Day in the City and County of San Francisco.
1/29/2001, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
42. 010188 [Commendation] Supervisor Daly
Resolution commending Laura Thomas and the San Francisco Department of Public Health for the successful application for Ryan White CARE Act Title 1 funding.
1/29/2001, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?

43. 010206 [Commendation] Supervisor Sandoval
Resolution commending the San Francisco Piper's Club for its continuing efforts to educate San Francisco residents about the Uilleann Pipes, encouraging the learning of the instrument, and helping to preserve it from extinction.

1/31/2001, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE
AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

Questions on the For Adoption Without Committee Reference
Agenda: _____

44. IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s).

[Serious Injury Finding]

Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

[Purely Commendatory Finding]

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

[Brown Act Finding]

Motion that the Board find by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

[Imperative Resolutions, if any]

OFF-AGENDA LEGISLATION

PROPOSED ORDINANCES

Proposed ordinances received from January 25 through noon on January 31, for reference by

President to appropriate committee on February 5, 2001.

010160 [Settlement of Litigation]
Ordinance authorizing settlement of the lawsuits filed by Golden Eagle Insurance Co. and Martha Johnson against the City and County of San Francisco for the total amount of \$150,000; the lawsuits were filed on August 17, 1998 and August 25, 1998 in San Francisco Superior Court, Case Nos. 997-242 and 997-465; entitled Golden Eagle Insurance Co. v. City and County of San Francisco, et al. and Martha Johnson v. City and County of San Francisco, et al. (City Attorney)
1/29/2001, RECEIVED AND ASSIGNED to Audit, Labor and Government Efficiency.
Confidential letter dated December 6, 2000 is on file with the Clerk of the Board.

010208 [Government funding, Hetch Hetchy's power purchases]
Ordinance appropriating \$25,400,000 of Hetch Hetchy operating funds to fund the purchase of power to meet municipal and contractual obligations for fiscal year 2000-01. (Controller)
1/31/2001, RECEIVED AND ASSIGNED to Finance and Labor Committee.

PROPOSED RESOLUTIONS

Proposed resolutions received from January 25 through noon on January 31, for reference by President to appropriate committee on February 5, 2001.

010147 [Children's Services Plan]
Resolution approving the FY 2001-2002 to update the 2000-2002 Children's Services Plan for the San Francisco Children's Fund in accordance with Charter Section 16.108. (Mayor)
1/26/2001, RECEIVED AND ASSIGNED to Neighborhood Services and Parks Committee.

010159 [State grant, Long Term Care Innovation]
Resolution authorizing the Department of Aging and Adult Services to accept and expend a grant in the amount of \$1,711,753 from the California Department of Aging to develop a web-based information system for integrating community-based long term care services. (Adult and Aging Services)
1/29/2001, RECEIVED AND ASSIGNED to Economic Vitality, Small Business and Social Policy Committee.

010161 [Airport Concession Lease]
Resolution approving the Boarding Area "F" Cosmetic and Toiletries Lease between Buth-Na-Bodhaige, Inc. dba The Body Shop, and the City and County of San Francisco, acting by and through its Airport Commission. (Airport Commission)
1/29/2001, RECEIVED AND ASSIGNED to Finance Committee.

010201 [Contingent Fee Agreement in Electric Power Litigation]

Resolution approving contingency fee agreement in People of the State of California by and through San Francisco City Attorney Louise H. Renne v. Dynege Power Marketing, Inc., et al. (City Attorney)

1/31/2001, RECEIVED AND ASSIGNED to Audit, Labor and Government Efficiency.

010202 [Lead Litigation Contingency Fee Agreement]

Resolution approving contingency fee agreement in County of Santa Clara, et al. v. Atlantic Richfield Company, et al. (City Attorney)

1/31/2001, RECEIVED AND ASSIGNED to Audit, Labor and Government Efficiency.

010207 [State grant for continuation of the Public Library's Access News Program for blind and sight impaired patrons]

Resolution authorizing San Francisco Public Library to accept and expend a grant of \$25,000 from California State Library, Public Library Projects for Access News Program.

1/31/2001, RECEIVED AND ASSIGNED to Neighborhood Services and Parks Committee.

010210 [Petitions and Communications]

Petitions and communications received from January 25 through noon on January 31, for reference by the President to Committee considering related matters or to be ordered filed by the Clerk on February 5, 2001.

From Purchasing Department, regarding the status of the City's current contracts for outreach and official advertising services. File 001556 (1)

From Redevelopment Agency, regarding negotiations between the Redevelopment Agency, the Blackstone Group, and the Rincon Tenants Association "regarding the preservation of as many units as possible in the Below Market Rate Program at Rincon Towers." (Reference No. 2001204-008) Copy: Supervisors Daly, Leno, Ammiano (2)

From James Chaffee, commenting on funding for district branch libraries. (3)

From State Department of Child Support Services, submitting testimony from Director Curtis L. Child's on his short and long term vision for restructuring the child support program. (4)

From Steven Keller, responding to an article in the San Francisco Chronicle (dated January 24, 2001) regarding "Rebound Epidemic" feared as HIV rate jumps in San Francisco. (5)

From Dawn Clements, regarding Dawn Clements, Qui Tam Plaintiff v. Oechsle International Advisors, et al (Alameda County Superior Court, Case Number 830914-5). Copy: Finance members and clerk (6)

From Office of the Controller, Audits Division, submitting report concerning the construction contract between the Department of Public Works and the joint venture of Ranger Pipelines, Inc./D'Arcy & Harty Construction. (7)

From Human Rights Commission, submitting support for passage of Assembly Bill 25 that would increase the legal rights, economic benefits, and responsibilities of domestic partners

in California, introduced by Assemblywoman Carole Migden. Copy: Each Supervisor (8)

From AT&T, submitting AT&T's Quarterly Franchise Fee for the 4th quarter 2000 (2 checks \$54,066.03 and \$1,297,854.59), in compliance with Section 8(a) of the Cable Television Franchise agreement between Television Signal Corporation and the City and County of San Francisco. Copy: Accounting (9)

From Office of the Controller, regarding Memorandum of Understanding between the Service Employees International Union Local 790 Fire Rescue Paramedics and the City and County of San Francisco. File 01-017, Copy: Audit, Labor and Government Efficiency Committee (10)

From Office of the Controller, Audits Division, submitting report concerning the audit of franchise fees of Pacific Gas and Electric for the period from January 1, 1999 through December 31, 1999. Copy: Violeta (11)

From Department of Building Inspection, submitting two cellular antenna permit applications for the following addresses: 201 6th Street, 1177 Harrison Street. (Reference No. 2000403-002) (12)

From SF Association of Realtors, submitting support for Supervisor Leno's amendment to the "Urban Forestry Council." File 002106 (13)

From SF Association of Realtors, submitting opposition to suspension of the 30-day rule to allow immediate consideration of any proposed ordinance without an uncontrovertible finding that an emergency exists justifying such suspension. File 010138 (14)

From Richard Hack, submitting several issues he would like to see addressed by the new Board. (15)

From Office of the Mayor, submitting the State Legislation Committee response to 1999/2000 Civil Grand Jury Report. (16)

From State Department of Alcoholic Beverage Control, submitting petition to remove conditions on liquor license issued to Randa and Salman, doing business as "Health Haven" at 621 Divisadero Street. Copy: Economic Vitality, Small Business and Social Policy Committee (17)

From United States Campaign to Ban Landmines, submitting request for response of questionnaire regarding developing a national campaign plan for the next four years. Copy: Each Supervisor (18)

From Police Department, submitting request for release of reserve funds (\$700,828) to supplement its hiring plan. Copy: Finance members and clerk (19)

From Department of Public Health, submitting request to Human Rights Commission for waiver of provisions of Chapters 12B and 12C of Administrative Code. (20)

From William Henslin, Jr., regarding Internet "Server Farms" and their demand for electricity. File 010191, Copy: Each Supervisor (21)

From James Chaffee, commenting on the Bill & Melinda Gates Foundation grant to the San Francisco Public Library. Copy: Each Supervisor (22)

From Heather Sterner, submitting opposition to selling names of Muni stops to private businesses. File 010174 (23)

From Dean Pappageorge, regarding alleged police brutality on a handicapped person. (24)

From California State Association of Parliamentarians, submitting notice of workshop on "correct meeting procedures, according to newly revised Robert's Rules of Order" to assist in participation in meeting effectively on February 10, 2001 at 2345 24th Avenue (Taraval Police Station). (25)

From Department of Human Resources, confirming that funding provided in the budget for fiscal year 2000-2001 as adopted by the Board of Supervisors is adequate to meet service levels as proposed to the Board. (26)

From Office of the Sheriff, submitting request for release of reserved funds (\$501,096) from the Workers Compensation fund in the 2000/01 budget. File 010030 (Reference No. 01-007) (27)

From Aroza Simpson, regarding alternative places that can be used as rehearsal space for artist. File 001889 (28)

From Brian Wallace, commenting on proposed legislation to allow legal residents to vote. (29)

From various signators, submitting Form 700 Statement of Economic Interests: Robert Eshelman (30)

From May Fong, submitting opposition to Municipal Code, Part III, Section 6.17-2 regarding imposing a monthly penalty of five percent of the amount of a underreported tax and up to twenty percent where such underreporting is due to negligence or intentional disregard of the rules and regulations. File 990305 (31)

From Joanna Chestnut, submitting opposition to building permit appeal brought by the Broderick Street neighbors for the renovation of building at 1615 Broderick Street for the Epiphany Center to start a transitional home for women and their young children. Copy: Each Supervisor (32)

From Planning Department, submitting information on legislation regarding general advertising sign requirements. Copy: Housing, Transportation and Land Use Committee File 002196 (33)

From R.R. Miller, submitting opposition to paying a ten dollar fee to enter the San Francisco Zoo. (34)

From Lou Olean, submitting opposition to the proposed closing of the "Grocery Outlet" at the corner of Harrison and Division Streets. Copy: Supervisor Daly (35)

From concerned citizens, commenting on off-leash dogs in the Golden Gate National Park Area of San Francisco. Files 010116, 010117, 6 letters Copy: Each Supervisor (36)

From Frederick Hobson, commenting on his experience with the San Francisco Police Department. (37)

From Nossaman, Guthner, Know and Elliot, LLP, regarding appointment of Ann Veneman as

Secretary of U.S. Department of Agriculture in President George W. Bush's cabinet. (38)

From Bob Scott, submitting notice of a symposium regarding "Rightsizing Local and Regional Government" on Monday, February 5, 2001 at the Sheraton Universal Hotel in Los Angeles. (39)

From Steven Hill, regarding change of location for workshop on "Election Reform" meeting to February 3, 2001 at 1850 Mission Street, 2nd floor, Herman Gallegos room. Copy: Each Supervisor (40)

ADJOURNMENT

Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying. Thus applause and booing are both contrary to Board requirements. The ringing and use of cell phones, pagers and similar sound-producing electronic devices is prohibited. Violators may be removed from the meeting room. The Board does not permit signs to be brought into the meeting or displayed in the room.

Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

Agenda are available on the internet at www.ci.sf.ca.us/bdsupvrs.bos.htm.

THE AGENDA PACKET IS AVAILABLE AT CITY HALL, ROOM 244, RECEPTION DESK.

Board meetings are televised on channel 26. For video tape copies and scheduling call (415) 557-4293.

Results of each Board meeting can be obtained about a half hour after the end of the meeting by telephoning (415) 554-5555.

Requests for language translation at a meeting must be received by the Clerk of the Board of Supervisors at least 48 hours before the meeting. For meetings on a Monday or a Tuesday, the request must be made by noon of the last business day of the preceding week.

Disability access

The Legislative Chamber of the Board of Supervisors is in Room 250 of City Hall, 1 Dr. Carlton B. Goodlett Place. The Chamber is wheelchair accessible.

The closest accessible BART Station is Civic Center, three blocks from City Hall. Accessible MUNI lines serving this location are: #42 Downtown Loop, and the #71 Haight/Noriega and the F Line to Market and Van Ness and the Metro stations at Van Ness and Market and at Civic Center. For more information about MUNI accessible services, call 923-6142.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex.

The following services are available when requests are made by 4:00 p.m. of the Friday before the Board meeting: For American Sign Language interpreters, use of a reader during a meeting, or sound enhancement system, contact Violeta Mosuela at (415) 554-7704.

For a large print copy of agenda or minutes in alternative formats, contact Annette Lonich at (415) 554-7706.

In order to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products. Please help the City to accommodate these individuals.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For more information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Donna Hall by mail to Clerk of the Board of Supervisors, 1 Dr. Carlton B. Goodlett Place, Room 244, by phone at (415) 554-7724, by fax at (415) 554-5784 or by email at Donna_Hall@ci.sf.ca.us

Citizens interested in obtaining a free copy of the Sunshine Ordinance can request a copy from Ms. Hall or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at <http://www.ci.sf.ca.us/bdsupvrs/sunshine.htm>