

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, June 25, 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, Gerardo Sandoval, Leland Y. Yee.

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, Newsom, Sandoval, Yee - 4.

Quorum present.

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

Supervisor Maxwell was noted present at 2:04 p.m.

Supervisor Newsom was noted present at 2:05 p.m.

Supervisor Yee was noted present at 2:06 p.m.

Introduction of Guest

President Ammiano introduced Mr. Gautam of Basu, India from the West Bengal Tranmool Congress-Calcutta.

Supervisor Leno introduced Dana, 1998 International European Song Contest Winner and presented a commendation.

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 27**Recommendations of the Audit, Labor and Government Efficiency Committee****010813 [Settlement of Lawsuit]**

Ordinance authorizing settlement of the lawsuit filed by Robert Tayac against the City and County of San Francisco for \$142,500, with Tayac agreeing to be barred from future City employment, and the Court to decide the amount of Attorney's fees and costs with a floor of \$60,000 and a ceiling of \$125,000; the lawsuit was filed on September 26, 1995, in United States District Court, Case No. C95-3424 CAL; entitled Tayac v. City and County of San Francisco, et al. (City Attorney)

Ordinance No. 138-01

FINALLY PASSED

010817 [Settlement of Lawsuit]

Ordinance authorizing settlement of the lawsuit filed by Nancy Tibbon against the City and County of San Francisco for \$102,000; the lawsuit was filed on December 13, 1999 in San Francisco, Superior Court Case No. 308-489; entitled Nancy Tibbon v. City and County of San Francisco, et al. (City Attorney)

Ordinance No. 139-01

FINALLY PASSED

010975 [Settlement of Lawsuit]

Ordinance authorizing settlement of the lawsuit filed by Michael and Debra Miron against the City and County of San Francisco for \$367,000; the lawsuit was filed on June 5, 2001 in San Mateo Superior Court, Case No. 413178; entitled Michael and Debra Miron, et al., v. City and County of San Francisco, et al. (City Attorney)

Ordinance No. 141-01

FINALLY PASSED

010564 [MOU, Automotive Machinists, Local 1414]

Mayor

Ordinance implementing an arbitration award establishing the terms of the Memorandum of Understanding between the Peninsula Automotive Mechanics Lodge No. 1414, International Association of Machinists and Aerospace Workers, AFL-CIO and the City and County of San Francisco to be effective for the period July 1, 2001 through June 30, 2003. (Mayor)

(Fiscal impact.)

Ordinance No. 136-01

FINALLY PASSED

010570 [MOU, Electrical Workers, Local 6]
Mayor

Ordinance implementing an arbitration award establishing the terms of the Memorandum of Understanding between the International Brotherhood of Electrical Workers, Local 6, American Federation of Labor and the City and County of San Francisco to be effective for the period July 1, 2001 through June 30, 2003. (Mayor)

(Fiscal impact.)

Ordinance No. 137-01
FINALLY PASSED

010984 [MOU, SEIU Local 790 Staff Nurses and Pier Diem Nurses- Amendment No. 1]
Mayor

Ordinance adopting and implementing Amendment No. 1 to the 2000-2003 Memorandum of Understanding between the Service Employees International Union, Local 790, AFL-CIO for Staff and Per Diem Nurses and the City and County of San Francisco by modifying paragraph 318 which provides for the pass-through of State of California funds to certain represented classes working at Skilled Nursing Facilities. (Mayor)

Ordinance No. 143-01
FINALLY PASSED

010985 [MOU, SEIU Locals 250, 535, & 790 - Amendment No. 1]
Mayor

Ordinance adopting and implementing Amendment No. 1 to the 2000-2003 Collective Bargaining Agreement between the Service Employees International Union, Locals 250, 535 and 790 and the City and County of San Francisco by modifying paragraph 307 which provides for the pass-through of State of California funds to certain represented classes working at Skilled Nursing Facilities. (Mayor)

Ordinance No. 144-01
FINALLY PASSED

010986 [MOU, International Federation of Professional & Technical Engineers, Local 21 (Arbitration Award)]
Mayor

Ordinance implementing an arbitration award establishing the terms of the Memorandum of Understanding between the International Federation of Professional and Technical Engineers, Local 21, AFL-CIO and the City and County of San Francisco to be effective for the period July 1, 2001 through June 30, 2003. (Mayor)

Ordinance No. 158-01
FINALLY PASSED

010987 [MOU, Deputy Sheriffs Association (Mediated Agreement)]
Mayor

Ordinance adopting and implementing the mediated agreement establishing the terms of the Memorandum of Understanding between the Deputy Sheriffs Association of San Francisco, Inc. and the City and County of San Francisco to be effective for the period July 1, 2001 through June 30, 2003. (Mayor)

Ordinance No. 145-01
FINALLY PASSED

010988 [MOU, District Attorney Investigators Association (Mediated Agreement)]
Mayor

Ordinance adopting and implementing the mediated agreement establishing the terms of the Memorandum of Understanding between the San Francisco District Attorney Investigators Association and the City and County of San Francisco to be effective for the period July 1, 2001 through June 30, 2003. (Mayor)

Ordinance No. 146-01
FINALLY PASSED

010991 [MOU, Probation Officers Association (Arbitration Award)]
Mayor

Ordinance implementing an arbitration award establishing the terms of the Memorandum of Understanding between the San Francisco Deputy Probation Officers' Association, and the City and County of San Francisco to be effective for the period July 1, 2001 through June 30, 2003. (Mayor)

Ordinance No. 149-01
FINALLY PASSED

010992 [MOU, Transport Workers Union, Local 200 (Mediated Agreement)]
Mayor

Ordinance adopting and implementing the mediated agreement establishing the terms of the Memorandum of Understanding between the Transport Workers Union of America, Local 200 (SEAM) and the City and County of San Francisco to be effective for the period July 1, 2001 through June 30, 2003. (Mayor)

Ordinance No. 150-01
FINALLY PASSED

010993 [MOU, Transport Workers Union, Local 250-A Multi-Unit (Mediated Agreement)]
Mayor

Ordinance adopting and implementing the mediated agreement establishing the terms of the Memorandum of Understanding between the Transport Workers' Union of America, Local 250-A Multi-Unit and the City and County of San Francisco to be effective for the period July 1, 2001 through June 30, 2003. (Mayor)

Ordinance No. 151-01
FINALLY PASSED

010994 [MOU, Transport Workers Union, Local 250-A Automotive Service Workers (7410) & Transit Fare Inspectors (9132)]
Mayor

Ordinance adopting and implementing the mediated agreement establishing the terms of the Memorandum of Understanding between the Transport Workers Union of America, Local 250-A AFL-CIO and the City and County of San Francisco to be effective for the period July 1, 2001 through June 30, 2003. (Mayor)

Ordinance No. 152-01
FINALLY PASSED

010995 [MOU, Teamsters Local 856 (Mediated Agreement)]
Mayor

Ordinance adopting and implementing the mediated agreement establishing the terms of the Memorandum of Understanding between the Teamsters, Local 856 and the City and County of San Francisco to be effective for the period July 1, 2001 through June 30, 2003. (Mayor)

Ordinance No. 153-01
FINALLY PASSED

010996 [MOU, Union of American Physicians and Dentists, Unit 8-CC (Mediated Agreement)]
Mayor

Ordinance adopting and implementing the mediated agreement establishing the terms of the Memorandum of Understanding between the California Federation of the Union of American Physicians and Dentists and the City and County of San Francisco for Bargaining Unit 8-CC to be effective for the period July 1, 2001 through June 30, 2003. (Mayor)

Ordinance No. 154-01
FINALLY PASSED

010997 [MOU, Union of American Physicians and Dentists, Unit 11-AA, (Mediated Agreement)]
Mayor

Ordinance adopting and implementing the mediated agreement establishing the terms of the Memorandum of Understanding between the California Federation of the Union of American Physicians and Dentists and the City and County of San Francisco for Bargaining Unit 11-AA to be effective for the period July 1, 2001 through June 30, 2003. (Mayor)

Ordinance No. 155-01
FINALLY PASSED

010998 [MOU, SEIU Locals 250, 535 & 790 - Amendment No. 2]
Mayor

Ordinance adopting and implementing Amendment No. 2 to the 2000-2003 Collective Bargaining Agreement between the Service Employees International Union, Locals 250, 535 and 790 and the City and County of San Francisco by amending Article III.A. which provides for a one-time wage adjustments to Class 2450 Pharmacist and Class 2454 Clinical Pharmacist. (Mayor)

Ordinance No. 156-01
FINALLY PASSED

011008 [Teamsters Local 856 Supervising Nurses - Amendment No. 1]
Mayor

Ordinance adopting and implementing Amendment No. 1 to the 2000-2003 Memorandum of Understanding between the City and County of San Francisco and the Freight Checkers, Clerical Employees & Helpers, Local 856 (Supervising Registered Nurses, Unit 11.B.) by adding paragraph 99a. to Section III.E. Holidays and Holiday Pay. (Mayor)

Ordinance No. 157-01
FINALLY PASSED

Recommendations of the Housing, Transportation and Land Use Committee

010933 [Stop Intersections]

Resolution designating certain intersections as "STOP" intersections.

STOP SIGNS - ESTABLISH

Thornton Avenue and Venus Street, northwest and southeast corners, stopping Venus Street (makes this uncontrolled intersection a two-way STOP) (Parking and Traffic Department)

(DPT Order No. 2225.)

Resolution No. 524-01

ADOPTED

010934 [Parking Regulations, Various Locations]

Resolution enacting and rescinding parking regulations at various locations.

DIAGONAL (45-DEGREE ANGLE) PARKING - RESCIND

Irving Street, north side, between 15th and 16th Avenues

PERPENDICULAR (90-DEGREE ANGLE) PARKING - ESTABLISH

Irving Street, north side, between 15th and 16th Avenues

Goettingen Street, east side, from Woolsey Street to a point 21 feet north of Dwight Street

Leavenworth Street, west side, from Chestnut Street to 45 feet northerly (45-foot zone)

TAXI ZONE, EXCEPT 5 AM - 10 AM AND 3 PM - 7 PM, MONDAY THROUGH FRIDAY - ESTABLISH

Howard Street, north side, from 3rd Street to 75 feet westerly (75-foot far-side zone)

TOW-AWAY, NO PARKING, 3 PM - 7 PM, MONDAY THROUGH FRIDAY - ESTABLISH

Pine Street, south side, from Sansome Street to 252 feet easterly (252-foot zone)

TAXI ZONE (EFFECTIVE ON PACIFIC BELL PARK EVENT DAYS ONLY) - ESTABLISH

2nd Street, west side, from 9 feet to 42 feet south of Townsend Street (33-foot zone)

UNMETERED MOTORCYCLE PARKING - RESCIND

2nd Street, west side, from 2 feet to 12.5 feet north of Taber Place (10.5-foot zone, accommodating 3 motorcycle spaces, to be relocated to south of Taber Place)

UNMETERED MOTORCYCLE PARKING - ESTABLISH

2nd Street, west side, from 32 feet to 44 feet south of Taber Place (12-foot zone, accommodating 3 motorcycle spaces)

Townsend Street, south side, from 10 feet to 27 feet west of 2nd Street (17-foot zone, accommodating 5 motorcycle spaces)

RESIDENTIAL PERMIT PARKING AREA "I" (1-HOUR TIME LIMIT, 9 AM - 6 PM, MONDAY THROUGH SATURDAY) - ESTABLISH

19th Street, both sides, between South Van Ness Avenue and Shotwell Street (3200 block)

20th Street, both sides, between South Van Ness Avenue and Shotwell Street (3300 block)

South Van Ness Avenue, both sides, between 19th and 20th Street (800 block)

RESIDENTIAL PERMIT PARKING AREA ("I" 2-HOUR TIME LIMIT, 9 AM - 6 PM, MONDAY THROUGH SATURDAY) - ESTABLISH.

South Van Ness Avenue, both sides, between 20th and 21st Streets (900 block) (Parking and Traffic Department)

(DPT Order No. 2225.)

Resolution No. 525-01

ADOPTED

- 010935 [Traffic Regulations, Various Streets]
Resolution enacting and rescinding traffic regulations on various streets.

NO LEFT TURN - ESTABLISH
Mississippi Street, southbound, at Cesar Chavez Street

NO LEFT TURN - RESCIND
Arguello Boulevard, southbound, at Geary Boulevard

TOW-AWAY, NO STOPPING ANYTIME - RESCIND
Clay Street, north side, from Sansome Street to 100 feet westerly (100-foot zone, to be extended)

TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH
Clay Street, north side, from Sansome Street to 146 feet westerly (146-foot zone, extends existing zone)

TOW-AWAY, NO STOPPING, 3 PM - 7 PM, MONDAY THROUGH FRIDAY - RESCIND
Pine Street, south side, from Sansome Street to 252 feet easterly (252-foot zone)

TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH (along sidewalk bulbs)
6th Street, west side, from Howard Street to 25 feet northerly (25-foot zone, removing parking meter #164)
6th Street, west side, from Mission Street to 25 feet northerly (25-foot zone, removing parking meter #62)
6th Street, west side, from Mission Street to 25 feet southerly (25-foot zone, removing parking meter #104)
(Parking and Traffic Department)

(DPT Order No. 2225.)

Resolution No. 543-01
ADOPTED

Recommendations of the Neighborhood Services and Parks Committee

- 010939 [State grant allowing the Director of Public Works to accept and expend a \$1,000,000 for beach nourishment and long-term planning activities at Ocean Beach]
Supervisors Hall, Yee, Newsom

Resolution authorizing the Director of Public Works to accept and expend a grant in the amount of \$1,000,000 from the California Public Beach Restoration Program with required local matching funds of \$150,000 for the Ocean Beach Erosion Control Project. (Public Works Department)

Resolution No. 526-01
ADOPTED

- 011048 [State grant for Recreation and Park Department Projects]
Mayor, Supervisors Hall, Newsom

Resolution authorizing the Department of Recreation and Park to apply, accept and expend grants in the total amount of \$3,644,500 from the State General Fund for Sunnyside (Monterey) Conservatory, John Muir Way Fishing Pier at Lake Merced, and Palace of Fine Arts.

Resolution No. 528-01
ADOPTED

011094 [State grant for improvements at the India Basin Open Space]
Supervisor Newsom

Resolution authorizing the Department of Recreation and Park to accept and expend a grant in the amount of \$100,000 from the California State Coastal Conservancy for improvements at the India Basin Open Space.
(Recreation and Park Department)

Resolution No. 530-01

ADOPTED

The foregoing items were acted upon by the following vote:

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

SEVERED FROM CONSENT AGENDA

010976 [Settlement of Lawsuit]

Ordinance authorizing settlement of the lawsuit entitled United States ex rel. Dante S. Galura, et al. v. San Luis Gonzaga Construction, Inc. et al., U.S. District Court, Northern District of California, Case No. C-96-2350 filed by former workers of San Luis Gonzaga Construction, Inc. the United States and City and County of San Francisco ("City") as intervenors, for enforcement of prevailing wage requirements and breach of contract; material terms of the settlement provide that the City will retain for itself \$339,048.61 in Municipal Transportation Authority and Department of Public Works contract funds that would otherwise be payable to San Luis Gonzaga Construction, Inc. ("SLGC"); former SLGC workers will receive a total of \$300,000 from SLGC as back wages and statutory attorneys fees; SLGC and its owners will cooperate with the City's ongoing investigation of contracts awarded by the Airport Commission. (City Attorney)

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

SEVERED FROM CONSENT AGENDA.

Ordinance No. 142-01

FINALLY PASSED by the following vote:

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

010989 [MOU, Municipal Attorneys' Association (Arbitration Award)]
Mayor

Ordinance implementing an arbitration award establishing the terms of the Memorandum of Understanding between the Municipal Attorneys' Association of San Francisco and the City and County of San Francisco to be effective for the period July 1, 2001 through June 30, 2003. (Mayor)

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

SEVERED FROM CONSENT AGENDA.

Ordinance No. 147-01

FINALLY PASSED by the following vote:

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

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendations of the Audit, Labor and Government Efficiency Committee

**001926 [Requiring residential hotel receipts to adult occupants]
Supervisors Newsom, Leno, Daly, Peskin**

Ordinance amending Administrative Code Chapter 41 "Residential Hotel Unit Conversion and Demolition" by amending Sections 41.9 and 41.11 to require that hotels provide each adult occupant with a receipt showing each amount and time period paid, and also showing any associated charges, and providing for enforcement; and, updating terminology in Sections 41.9 through 41.16 and 41.19 through 41.21 to reflect prior Charter changes establishing a Director and Department of Building Inspection in place of the former Superintendent and Bureau of Building Inspection.

Ordinance No. 134-01

FINALLY PASSED by the following vote:

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

**010526 [Single Room Occupancy Visitor Policy]
Supervisors Daly, Newsom, Leno, Peskin**

Ordinance amending Police Code by adding a new Section 919.1 to prohibit charges for visitors to guests and occupants of Residential Hotels, and to prohibit operators from restricting visitors to guests and occupants of Residential Hotels except in accordance with a Residential Hotel Visitor Policy approved by the Single Room Occupancy Safety and Stabilization Task Force; amending Administrative Code Sections 37.9(a)(1) and (2) to provide that a Residential Hotel occupant's failure to pay a charge prohibited by Police Code Section 919.1 shall not constitute non-payment of rent or violation of a condition or obligation of tenancy; and amending the Administrative Code by adding a new Chapter 41D to authorize the Single Room Occupancy Safety and Stabilization Task Force to establish criteria for, and to approve Residential Hotel Visitor Policies.

Ordinance No. 135-01

FINALLY PASSED by the following vote:

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

**010990 [MOU, Municipal Executives Association (Mediated Agreement)]
Mayor**

Ordinance adopting and implementing the mediated agreement establishing the terms of the Memorandum of Understanding between the San Francisco Municipal Executives Association and the City and County of San Francisco to be effective for the period July 1, 2001 through June 30, 2003. (Mayor)

Supervisor Daly dissenting in committee.

Ordinance No. 148-01

FINALLY PASSED by the following vote:

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

Noes: 1 - Daly

010965 [Settlement of Lawsuit]

Ordinance authorizing settlement of the lawsuit by Maximilian Castro against the City and County of San Francisco for \$925,000; the lawsuit was filed on December 15, 2000 in San Francisco Superior Court, Case No. 317-475; entitled Maximilian Castro, et al., v. City and County of San Francisco, et al.; other material terms of said settlement are the possible one-time payment of reasonable cost of a future surgery as determined and ordered by the Hon. Sickles James, Judge. (City Attorney)

PASSED ON FIRST READING by the following vote:

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

Recommendations of the Finance Committee

**011038 [Interim Government Funding, Fiscal Year 2001-2002]
Mayor**

Interim Annual Appropriation Ordinance appropriating all estimated receipts and all estimated expenditures for the City and County of San Francisco for fiscal year ending June 30, 2002. (Mayor)

(Fiscal impact.)

Ordinance No. 159-01

FINALLY PASSED by the following vote:

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

011039 [Interim Public Employment, Fiscal Year 2001-2002]

Interim Annual Salary Ordinance enumerating positions in the Annual Budget and Appropriation Ordinance for the Fiscal Year ending June 30, 2002, continuing, creating or establishing these positions; enumerating and including therein all positions created by Charter or State law for which compensations are paid from City and County funds and appropriated in the Annual Appropriation Ordinance; authorizing appointments or continuation of appointments thereto; specifying and fixing the compensations and work schedules thereof; and authorizing appointments to temporary positions and fixing compensations therefor. (Human Resources Department)

(Fiscal impact.)

Ordinance No. 160-01

FINALLY PASSED by the following vote:

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

NEW BUSINESS

Recommendations of the Economic Vitality, Small Business and Social Policy Committee

010924 [Liquor License Transfer, 601 Larkin Street]

Resolution determining that the transfer of a Type 21 off-sale general alcoholic beverage control license to Elias Khalil dba "Fox Liquor and Deli" from 570 Larkin Street to 601 Larkin Street, District 6, will serve the public convenience and necessity of the people of the City and County of San Francisco in accordance with Section 23958.4 of the California Business and Professions Code; with a condition.

Resolution No. 522-01

ADOPTED by the following vote:

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

010925 [Liquor License Transfer, 757 Beach Street]

Resolution determining that the transfer of a Type 21 off-sale general alcoholic beverage control license to Anuar Abu-Arafeh dba "Alcatraz Market" from 1172 Geneva Avenue to 757 Beach Street, District 2, will serve the public convenience and necessity of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code; with conditions.

Resolution No. 523-01

ADOPTED by the following vote:

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

011011 [Liquor License, 5620 Geary Boulevard]

Resolution determining that the issuance of a Type 42 on-sale beer and wine public premises license to Peter Patsay dba "J&J Wines and Spirits" located at 5620 Geary Boulevard, District 1, will serve the public convenience and necessity of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code.

Resolution No. 527-01

ADOPTED by the following vote:

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

011083 [Joint Powers Agreement with Victim Witness Assistance Program]

Resolution authorizing the San Francisco District Attorney for the period of July 1, 2001 to June 30, 2004, to contract for, accept and expend \$1,835,967 allocated from the California State Board of Control Victims of Crime Program, for a project entitled "Joint Powers Agreement with Victim and Witness Assistance Program", and waiving indirect costs due to funding constraints. (District Attorney)

Resolution No. 529-01

ADOPTED by the following vote:

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

Recommendations of the Housing, Transportation and Land Use Committee

**010668 [Planning Code Amendment, Changing the Designation of 678 Mission Street as a Category III Building]
Supervisor Peskin**

Ordinance changing the designation of 678 Mission Street from Category V (Unrated) to Category III (Contributory) pursuant to Article 11 of the Planning Code, and amending Appendix C of Article 11 to include 678 Mission Street as a Category III building, and to limit alterations to the exterior of 678 Mission Street. (Planning Department)

(Planning Commission Resolution No. 16101 adopted February 22, 2001, Case No. 2000.077G; Report submitted by California Historical Society dated September 2000 on the historic and architectural significance of 678 Mission Street.)

PASSED ON FIRST READING by the following vote:

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

**010455 [Interim Controls, Mission District]
Supervisors Ammiano, McGoldrick, Daly, Peskin**

Resolution adopting interim controls that would, in the Mission District in the area bounded by Guerrero Street, Cesar Chavez Street, Potrero Avenue and the Central Freeway, prohibit certain tourist hotels, prohibit demolition of a residential use except to construct affordable housing, require mandatory discretionary review and sign posting for a change of use, require certain new market-rate housing projects or conversions to market-rate housing to obtain conditional use authorization and allow other types of housing as a permitted use, prohibit an office or information technology use in excess of 1,500 gross square feet in areas zoned M (Industrial), and require conditional use authorization for a utility installation in areas zoned C (Commercial); that would, in the Valencia Street and 24th Street - Mission NCDs, prohibit conversions or demolitions of residential uses, prohibit information technology uses, and require conditional use for a business or professional service use of more than 2,000 square feet above the 1st story unless it is a community service; that would, in the Valencia Street NCD, permit use sizes up to 2,000 square feet as a principal use, require a conditional use for use sizes above 2,000 square feet, and prohibit new tourist hotels; that would, on Mission Street from 15th Street to Cesar Chavez Street zoned NC-C, permit use sizes up to 2,999 square feet as a principal use, require conditional use for certain use sizes above 2,999 square feet, require all lots over 40,000 square feet to obtain a conditional use authorization for all uses, prohibit conversions or demolition of residential uses, prohibit certain administrative service uses unless they are a community service, and authorize a community service on all stories, and prohibit an information technology use on the 1st and 2nd stories and permit it as a principal use on the 3rd story and above; that would, in the Northeast Mission Industrial Zone (NEMIZ), prohibit any office or information technology use in excess of 1,500 gross square feet unless it is a community service, and prohibit new live/work projects and all conversions of live/work to office; adopting findings.

(Certificate of Determination of Exemption/Exclusion from Environmental Review dated 5/17/01.)

Resolution No. 518-01

ADOPTED by the following vote:

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

010869 [Contract Modification - Diesel Coaches]

Resolution approving Modification No. 4 to Contract No. 300 with Neoplan USA Corporation in the amount of \$36,036,898.00, to exercise an Option for 24 articulated clean diesel coaches and 71 standard clean diesel coaches, including purchase of associated spare parts and incorporation of design modifications, for a total contract amount not to exceed \$128,229,473.00. (Municipal Transportation Agency)

Resolution No. 516-01

ADOPTED by the following vote:

Ayes: 8 - Ammiano, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

Noes: 2 - Daly, Gonzalez

Absent: 1 - Yee

010811 [Street Vacation of a Portion of The Embarcadero]

Resolution declaring the intention of the Board of Supervisors to vacate a portion of The Embarcadero just north of Mission Street; setting the hearing date on July 30, 2001 at 3:00 p.m. for all persons interested in the proposed vacation of the street areas; and adopting findings that the vacation is consistent with the City's General Plan and eight priority policies of Planning Code Section 101.1. (Public Works Department)

Resolution No. 519-01

ADOPTED by the following vote:

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

Absent: 1 - Yee

010823 [Agreement, S.F. PUC/Bay Conservation and Development Commission regarding public access to Islais Landing Waterfront Park]

Resolution authorizing the Department of Real Estate to execute and record an agreement imposing the public access conditions required by San Francisco Bay Conservation and Development Commission Permit Number 14-99 which allowed the expansion and rehabilitation of the Southeast Water Pollution Control Plan Booster Pump Station located at 2 Arthur Avenue and Islais Landing Waterfront Park. (Public Utilities Commission)

Resolution No. 520-01

ADOPTED by the following vote:

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

Absent: 1 - Yee

010921 [Revocable permit to close and occupy a portion of the sidewalk and parking lane during construction at 125 3rd Street]

Resolution granting revocable permission to Webcor Builders to temporarily close and occupy a portion of the sidewalk and parking lane on the northerly side of Minna Street, from 3rd Street, 206 feet easterly, during construction of the St. Regis Museum Tower at 125 3rd Street (Assessor's Block 3722, Lots 059, 061-066). (Public Works Department)

Resolution No. 521-01

ADOPTED by the following vote:

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

Absent: 1 - Yee

SPECIAL ORDER 3:00 P.M.

010875 [Public Hearing - Appeal, Conditional Use, 3620 19th Street]

Hearing of persons interested in or objecting to the decision of the Planning Commission by its Motion No. 16134, dated April 5, 2001 approving Conditional Use Application No. 99.210C, subject to certain conditions, a conditional use authorization to develop a residential project comprised of 43 dwelling units and 52 off-street parking spaces, requiring conditional use approval to develop the project as a Planned Unit Development, with exceptions from rear yard requirements and residential density standards within an RH-2 (Residential, House, Two-Family) District and an RH-3 (Residential, House, Three-Family) District and a District and a 40-X Height and Bulk District, on property located at: 3620 19th Street, bounded on the south by 19th Street, on the north by 18th Street, on the west by Oakwood Street and on the east by Guerrero Street; Lots 18, 68, 70, in Assessor's Block 3587.

6/18/01 in Board: Supervisor Peskin moved to continue to June 25, 2001, and reopen public hearing at 3:00 p.m.; companion measure to Files 010874, 010876, 010877, 010878; District 8.)

Jim Chappell, supports project;
Amed Aujella, supports project;
Dallas Haines, supports project;
Lauren Haines, supports project;
Susan Sutton, supports project;
Daniel Gundbach, supports project;
Jamie Sutton, supports project;
Nick Pasquariello, appellant
Eric Quesda, supports project;
Mr. Roth, opposes project;
John Barby, opposes project;
Jamie Pryor, opposes project;
Michael Stanton, opposes project;
Abdalla Megahed, opposes project;
Leslie Chin, supports project.

HEARD AT PUBLIC HEARING.

010876 [Appeal, Conditional Use, 3620 19th Street]

Motion approving decision of the Planning Commission by its Motion No. 16134, approving Conditional Use Application No. 99.201C, on property located at 3620 19th Street, and adopting findings pursuant to Planning Code Section 101.1. (Clerk of the Board)

TABLED by the following vote:

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

010877 [Appeal, Conditional Use, 3620 19th Street]

Motion disapproving decision of the Planning Commission by its Motion No. 16134, approving Conditional Use Application No. 99.201C, on property located at 3620 19th Street, and adopting findings pursuant to Planning Code Section 101.1. (Clerk of the Board)

6/25/01 - Supervisor Leno moved to amend on Page 1, line 4 by replacing "approving" with "which approved"; on line 5 delete "adopting findings pursuant to Planning Code Section 101.1" and replace with "approving Conditional Use Application No. 99.201C with the conditions approved by the Planning Commission as amended by new conditions imposed by the Board of Supervisors." On Page 1, line 19 add a further resolved cause to read: That the Board of Supervisors hereby approves conditional Use Application No. 99.210C, subject to the conditions imposed by the Planning Commission in its Motion No. 16134, as amended by the following conditions imposed by the Board of Supervisors:

1) Gateway building facade will be notched back from adjacent corner building. 2) Gateway building will be articulated as two masses on 19th Street creating the appearance of two separate buildings. 3) The northern portion of the Gateway building will be reduced in size. 4) Emergency vehicle access shifted west with addition of a lobby and secured indoor entrance. 5) Southern row house will be removed from west side the row of houses. 6) Second floor bedroom windows of western row of houses must face south, not west toward Oakwood. 7) The one-story access from the garage to the northern end of the courtyard will be relocated to ensure light for existing windows. 8) The eastern end of the Commons Building will be reduced in size. 9) The roofs of Mews Buildings will be pitched down to the east to reduce height at property line. 10) One Mews Building shown on the 15 March 2001 Site Plan has been removed. 11) One pair of Mews Buildings will be shifted to align directly behind existing industrial building. 12) Project shall have up to 39 dwelling units and 52 independently accessible off-street parking spaces. 13) The Project Sponsor shall designate a total of 5 units as affordable [Below Market Rate (BMR)] rental units to be constructed on the site of the principal project. 14) One of these five BMR units shall be of the Project Sponsor's choosing, while the remaining four (10 percent) of these BMR units shall reflect the unit size mix of the market rate units and shall be distributed in the following range of unit sizes: 2 two-bedroom units in the Gateway building; 1 one-bedroom unit in the Gateway building; 1 two-bedroom unit in the Commons building. 15) All five of the BMR units shall be (i) interspersed evenly throughout the project, (ii) marketed concurrently with the rental of the market-rate units in the Project and (iii) constructed of the same quality and materials as the market-rate units in the Project.

AMENDED.

Motion disapproving decision of the Planning Commission by its Motion No. 16134, which approved Conditional Use Application No. 99.201C, on property located at 3620 19th Street, and approving Conditional Use Application No. 99.201C with the conditions approved by the Planning Commission as amended by new conditions imposed by the Board of Supervisors. (Clerk of the Board)

Motion No. M01-76

Supervisor Leno, seconded by Supervisor Peskin, moved that this Motion be **APPROVED AS AMENDED**. The motion carried by the following vote:

Ayes: 9 - Ammiano, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

Noes: 2 - Daly, Gonzalez

010874 [Environmental Review]

Motion certifying review of Final Negative Declaration relating to proposed Conditional Use of Property at 3620 19th Street, and adopting findings pursuant to Planning Code Section 101.1. (Clerk of the Board)

Motion No. M01-75

APPROVED by the following vote:

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

Noes: 1 - Daly

010878 [Findings - 3620 19th Street]

Motion directing the Clerk of the Board to prepare findings relating to proposed Conditional Use Application No. 99.201C, on property located at 3620 19th Street, for action by the Board at its next meeting. (Clerk of the Board)

Motion No. M01-77

APPROVED by the following vote:

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

Noes: 1 - Daly

010977 [Public Hearing - 501-503 Laguna Street]

Hearing of persons interested in or objecting to the decision of the Planning Commission by its Motion No. 16145 dated April 19, 2001, approving Conditional Use Application No. 2001.072C, subject to certain conditions, to mount a total of three panel antennas within a single cylinder on the roof and install a base transceiver station in the basement, as part of Sprint's wireless telecommunications network at the two-story residential over commercial mixed use building within the Hayes-Gough Neighborhood Zoning District (NCD) and a 50-X Height and Bulk District, pursuant to Section 720.83 of the Planning Code, on property located at: 501-503 Laguna Street, northwest corner at Fell Street; Lot 35, in Assessor's Block 0819.

(Appeal filed on May 21, 2001; Categorically exempt from environmental review process pursuant to Class 1 exemptions of Title 14 of the California Administrative Code; companion measure to Files 010978, 010979, 010980; District 5.)

Erik Olsen, appellant;

Kate Jones, supports appeal;

Female speaker, supports appeal;

Mark Shear, supports appeal;

Gerald Green, Director of Planning, Planning Department;

Julia Friedlander, Deputy City Attorney;

Jennifer Estes, Sprint, Sponsor;

Jennifer Dugan, Sprint;

Bill Hammentt, Sprint;

Evelyn Conroy, opposed to appeal;

Frank Shiparo, opposed to appeal;

Jeffery Brown, opposed to appeal;

Male speaker, opposed to appeal;

Jim Brown, opposed to appeal;

Jim Stacy, opposed to appeal;

Carolyn Straffer, Sprint;

Linda Anderson, Sprint;

Jason Furaji, opposed to appeal;

Cal Woldner, Sprint.

HEARD AT PUBLIC HEARING.

010978 [Appeal, Conditional Use, 501-503 Laguna Street]

Motion approving decision of the Planning Commission by its Motion No. 16145, approving Conditional Use Application No. 2001.072C, on property located at 501-503 Laguna Street, northwest corner at Fell Street, and adopting findings pursuant to Planning Code Section 101.1. (Clerk of the Board)

Supervisor Gonzalez moved to continue to July 9, 2001.

CONTINUED by the following vote:

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

010979 [Appeal, Conditional Use, 501-503 Laguna Street]

Motion disapproving decision of the Planning Commission by its Motion No. 16145, approving Conditional Use Application No. 2001.072C, on property located at 501-503 Laguna Street, northwest corner at Fell Street, and adopting findings pursuant to Planning Code Section 101.1. (Clerk of the Board)

Supervisor Gonzalez moved to continue to July 9, 2001.

CONTINUED by the following vote:

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

010980 [Findings - 501-503 Laguna Street]

Motion directing the Clerk of the Board to prepare findings relating to proposed Conditional Use Application No. 2001.072C, on property located at 501-503 Laguna Street, northwest corner at Fell Street, for action by the Board at its next meeting. (Clerk of the Board)

Supervisor Gonzalez moved to continue to July 9, 2001.

CONTINUED by the following vote:

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

011058 [Public Hearing]

Hearing of persons interested in or objecting to proposed ordinance adopting and imposing schedules of sewer service charges to be paid by users for fiscal year 2001-2002 pursuant Public Works Code Articles 4.1 and 4.2. (Clerk of the Board)

HEARD AT PUBLIC HEARING.

010881 [Sewer Service Charges, Fiscal Year 2001-2002]

Mayor

Ordinance adopting and imposing schedules of sewer service charges to be paid by users for fiscal year 2001-2002 pursuant to Part II, Chapter X, Articles 4.1 and 4.2 of the San Francisco Municipal Code (Public Works Code). (Mayor)

(Transmittal date 5/29/01.)

PASSED ON FIRST READING by the following vote:

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

PUBLIC COMMENT

Abadalla Megahed, homelessness;
John Bardis, budget process;
James Chaffee, San Francisco Library;
Ozelis Evans, residential care facility;
Dr. Martin Fleishman, board and care homes;
Judy Alevenda, residential care facility;
Michael Wise, residential care facility;
Mark Gisler, residential care facility;
Female speaker, residential care facility;
Domingo Pacarca, residential care facility;
Nelvin Johnson, residential care facility;
Jesse Naniola, residential care facility.

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.

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 57 through 66

011150 [Proclamation]
Supervisors Ammiano, Maxwell

Resolution declaring June 27, 2001 "HIV Testing Day" in the City and County of San Francisco and call upon all persons at risk of HIV infection to take the test in the City and County of San Francisco.

Resolution No. 531-01
ADOPTED

011151 [Commendation]
Supervisor Ammiano

Resolution commending Mr. Carl Anthony for his exemplary accomplishments and invaluable contributions to the citizens of the nine counties of the San Francisco Bay Area and further declaring June 27, 2001 as Carl Anthony Day in the City and County of San Francisco.

Resolution No. 532-01
ADOPTED

011152 [Community Mediation Awareness Week]
Supervisor Daly

Resolution recognizing the week of June 25 - July 1, 2001 as Community Mediation Awareness Week.

Resolution No. 533-01

ADOPTED

011155 [Computer and Electronics Producers]
Supervisors Maxwell, Leno, Newsom, Peskin

Resolution urging the California State Legislature to introduce and support legislation requiring computer and electronics producers to take responsibility for reuse and recycling of their products.

Resolution No. 534-01

ADOPTED

011156 [Redevelopment Agency]
Supervisors Maxwell, Peskin

Resolution urging the San Francisco Redevelopment Agency to take such action as will accomplish the equal application of City and County development policy to all areas of the City and County including new and existing Redevelopment Project Areas.

Resolution No. 544-01

ADOPTED

011160 [Commendation]
Supervisors Peskin, Newsom, Hall

Resolution commending officers of the San Francisco Police Department's Central Station for their outstanding efforts in raising funds for children with leukemia through the "Buzz the Fuzz" fundraiser.

Resolution No. 538-01

ADOPTED

011161 [Commendation]
Supervisors Yee, Newsom, Hall, Maxwell

Resolution commending Mrs. Careth Reid, Executive Director of the Whitney Young Child Development Center, for her commitment to the children of San Francisco and congratulating her on the occasion of her retirement.

Resolution No. 539-01

ADOPTED

The foregoing items were acted upon by the following vote:

Ayes: 8 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Peskin

Absent: 3 - Newsom, Sandoval, Yee

SEVERED FROM FOR ADOPTION WITHOUT COMMITTEE REFERENCE

011157 [Families in SROs Workgroup]
Supervisors Newsom, Peskin, McGoldrick, Daly, Hall, Maxwell

Resolution commending the Department of Public Health for serving as the lead agency to the Families in SROs Workgroup and the release of its Report on Families With Children Living In Single Room Occupancy Hotels in San Francisco; and adopting the report findings in order to ameliorate problems for families with children living in SRO hotels.

Supervisor Peskin moved to amend on Page 1, line 20 replace "Marker" with "Market". Supervisor Peskin requested to be added as a co-sponsor.

AMENDED.

Resolution No. 535-01

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

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

011158 [Emergency Room Diversion Task Force]
Supervisors Newsom, Leno, Peskin, Hall, Maxwell

Resolution establishing an Emergency Room Diversion Task Force to be comprised of three working committees with the charge of making recommendations to the Mayor and the Board of Supervisors and setting forth the membership and duties of the task force.

Supervisor Maxwell moved to amend on Page 3, line 16 by adding "Two representatives of labor".

AMENDED.

Resolution No. 536-01

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

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

011159 [Health and Housing Emergency]
Supervisors Newsom, Daly, Peskin, Hall, Maxwell

Resolution supporting the San Francisco Mental Health Board's declaration of a health and housing emergency in San Francisco and urging the Health Commission, the Public Health Department, and the Mayor's Office to preserve the City's state-of-the-art services and to review current departmental procedures to be responsive to this crisis.

Supervisor Peskin moved to amend on Page 2, line 2 replace "hob" with "job".

AMENDED.

Resolution No. 537-01

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

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

IMPERATIVE AGENDA

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

[Purely Commendatory Finding]

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

Supervisor Leno, seconded by Supervisor Peskin, moved [Purely Commendatory Finding]

Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.. The motion carried by the following vote:

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

[Brown Act Finding]

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

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

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

Imperative Resolutions

011198 [Commendation]
Supervisor Ammiano

Resolution commending Deputy City Attorney Roger Hackley upon his retirement following three decades of superlative service for the City and County of San Francisco and its residents; declaring June 27, 2001 as Roger Hackley Day in the City and County of San Francisco.

Resolution No. 540-01

ADOPTED by the following vote:

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

011199 [Commendation]
Supervisors Leno, Maxwell, McGoldrick, Sandoval, Newsom, Peskin

Resolution commending Enola Maxwell for her years of community leadership.

Resolution No. 541-01

ADOPTED by the following vote:

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

Absent: 2 - Newsom, Yee

011200 [Commendation]
Supervisors Newsom, Leno

Resolution commending the hard work and dedication of Herminia Palacio, M.D. and honoring Dr. Palacio for the contributions she has made to the citizens of the City and County of San Francisco.

Resolution No. 542-01

ADOPTED by the following vote:

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

Absent: 2 - Newsom, Yee

OFF-AGENDA LEGISLATION

Introduced by Supervisors or Mayor

Ordinances

011201 [Park Code, Section 12.10 - Swimming Pool Fees]
Supervisor Daly

Ordinance amending the San Francisco Park Code by adding Section 12.10 to allow minors to swim in pools under the jurisdiction of the Recreation and Park Department free of charge.

6/25/01, ASSIGNED UNDER 30 DAY RULE to Neighborhood Services and Parks Committee, expires on 7/25/2001.

010142 [Charity Care Policy Reporting and Notice Requirement]
Supervisors Maxwell, Ammiano

Ordinance amending the San Francisco Health Code by adding Sections 129-137 to authorize the Department of Public Health to require hospitals to report on policies and amount of charity care provided and requiring patient notification of policies on charity care.

1/22/01, RECEIVED AND ASSIGNED to Public Health and Environment Committee.

6/25/01, SUBSTITUTED. Supervisor Maxwell submitted a substitute ordinance approved as to form.

6/25/01, ASSIGNED to Public Health and Environment Committee.

Resolutions

**011198 [Commendation]
Supervisor Ammiano**

Resolution commending Deputy City Attorney Roger Hackley upon his retirement following three decades of superlative service for the City and County of San Francisco and its residents; declaring June 27, 2001 as Roger Hackley Day in the City and County of San Francisco.
6/25/01, ADOPTED.

**011199 [Commendation]
Supervisors Leno, Maxwell, McGoldrick, Sandoval, Newsom, Peskin**

Resolution commending Enola Maxwell for her years of community leadership.
6/25/01, ADOPTED.

**011200 [Commendation]
Supervisors Newsom, Leno**

Resolution commending the hard work and dedication of Herminia Palacio, M.D. and honoring Dr. Palacio for the contributions she has made to the citizens of the City and County of San Francisco.
6/25/01, ADOPTED.

**011202 [City Budget Task Force]
Supervisors Newsom, Peskin, Leno**

Resolution establishing a Task Force to create a new, user-friendly budget format and a process that is policy based, policy driven, information rich and openly accountable.
6/25/01, RECEIVED AND ASSIGNED to Rules Committee.

**011203 [Live/Work Task Force]
Supervisor Ammiano**

Resolution extending the deadline for the Live/Work Task Force to report back to the Board of Supervisors to July 15, 2001 and providing that the Task Force shall sunset its operations as of July 15, 2001.
6/25/01, RECEIVED AND ASSIGNED to Rules Committee.

**011204 [Office of Adolescent Health]
Supervisors Leno, Maxwell, Newsom, McGoldrick**

Resolution urging the San Francisco Department of Public Health to create an Office of Adolescent Health.
6/25/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**011205 [Mid-Income Housing Task Force]
Supervisors Daly, McGoldrick**

Resolution establishing the Mid-Income Housing Task Force.

6/25/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**011206 [Extending Time-Live/Work units as "loft housing"]
Supervisor Hall**

Resolution extending the prescribed time within which the Planning Commission may render its decision on a proposed ordinance to amend the Planning Code to redefine "live/work" units as "loft housing".

6/25/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**011207 [Storage Space at 150 Otis Street]
Supervisors Newsom, Daly**

Resolution urging the Department of Human Services to increase the amount of storage space at 150 Otis Street from one floor to three floors.

6/25/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**011208 [SB 877, Arsenic-Treated Wood]
Supervisors Peskin, Newsom, Daly**

Resolution supporting Senate Bill 877, known as the Arsenic-Treated Wood Mandatory Labeling Act, which mandates that all arsenic-treated wood is labeled appropriately.

6/25/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**011209 [Opposing Separate Schools for Homeless Children]
Supervisors Yee, Daly**

Resolution opposing separate schools for homeless children.

6/25/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**011210 [Settlement Agreement]
Supervisors Sandoval, Daly**

Resolution urging City agencies approving building permits or taking other actions to authorize construction on the rezoned lots to make their actions consistent with the settlement agreement between New Mission Terrace Improvement Association and the developer, COMAC Investments Inc.

6/25/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**011211 [Commendation]
Supervisor Leno**

Resolution commending Dana International for her global success and community leadership.
6/25/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**011212 [Commendation]
Supervisors Maxwell, Newsom**

Resolution commending Angela and Philip Siharath for their continued commitment and dedication to the City's children, working families, and caregivers.
6/25/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**011213 [Commendation]
Supervisors Newsom, Hall**

Resolution commending the Rev. Ishmeal Burch, organizer of the annual San Francisco Juneteenth Festival and Parade honoring the independence of African American slaves in Texas and the African American community in the City and County of San Francisco.
6/25/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**011214 [Commendation]
Supervisors Peskin, Leno, Hall, Newsom**

Resolution commending the Chinese American Association of Commerce for its valuable contributions to the community on the occasion of its 21st anniversary and declaring July 28, 2001 as "Chinese American Association of Commerce Day" in San Francisco.
6/25/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Requests for Hearing

**002084 [Community Courts Model]
Supervisor Newsom**

Hearing to discuss the community courts model that has been adopted in at least a dozen areas nationwide to handle quality of life crimes such as shoplifting, prostitution, and drug use.
11/20/00, RECEIVED AND ASSIGNED to Housing and Social Policy Committee.
2/1/01, TRANSFERRED to Neighborhood Services and Parks Committee. New committee structure.
5/17/01, FILED PURSUANT TO RULE 5.38.
6/25/01, REACTIVATED PURSUANT TO RULE 5.24. Supervisor Newsom requested this matter be reactivated.
6/25/01, ASSIGNED to Neighborhood Services and Parks Committee.

**011215 [Diesel Fuel]
Supervisor Maxwell**

Hearing to discuss the City and County of San Francisco's use of diesel fuel, both stationary and mobile, and ways to reduce it.

6/25/01, RECEIVED AND ASSIGNED to Public Health and Environment Committee.

**011216 [Long-term Power Contract with Calpine Energy]
Supervisors Peskin, Daly**

Hearing to examine the long-term contract entered into by the City and County of San Francisco and Calpine Energy on May 7, 2001.

6/25/01, RECEIVED AND ASSIGNED to Audit, Labor and Government Efficiency Committee.

Motions

**011217 [On Line Agenda Packet - Board of Supervisors]
Supervisor Gonzalez**

Motion directing the Clerk of the Board of Supervisors to initiate steps necessary to have in place, within six months, an on-line agenda packet process for meeting of the full Board of Supervisors in the Board Chamber.

6/25/01, RECEIVED AND ASSIGNED to Rules Committee.

**011219 [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.

6/25/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Introduced by the President at the Request of Departments

PROPOSED ORDINANCES

011131 [Settlement of Lawsuit]

Ordinance authorizing settlement of the lawsuit filed by Plaintiffs Vicki Rooker, et al. against the City and County of San Francisco for \$114,054.77; the lawsuit was filed on March 9, 1999 in United States District Court, Case No. C99-1095; entitled Rooker, et al., v. City and County of San Francisco, et al; other material terms of said settlement are: (1) settlement pertains only to plaintiffs' claims that the city improperly computed plaintiffs' wages during the time period plaintiffs worked as classification 2532 paramedics; and (2) settlement proceeds to be broken out as follows: (i) \$62,703.18 in back overtime wages; (ii) \$31,351.59 in liquidated damages; and (iii) \$20,000 in attorneys' fees. (City Attorney)

6/20/01, RECEIVED AND ASSIGNED to Audit, Labor and Government Efficiency Committee.

011132 [Settlement of Lawsuit]

Ordinance authorizing settlement of the lawsuit filed by CARMEN LeFRANC against the City and County of San Francisco for \$51,000.00; the lawsuit was filed on August 5, 1999 in San Francisco Superior Court, Case No. 305440; entitled Carmen LeFranc, et al., v. City and County of San Francisco, et al. (City Attorney) 6/20/01, RECEIVED AND ASSIGNED to Audit, Labor and Government Efficiency Committee.

011135 [Settlement Of Lawsuit]

Ordinance authorizing settlement of the lawsuit filed by Renee Craig against the City and County of San Francisco for \$67,500.00; the lawsuit was filed on October 10, 2000 in San Francisco Superior Court, Case No. 315711; entitled Renee Craig v. City and County of San Francisco, et al. (City Attorney) 6/18/01, RECEIVED AND ASSIGNED to Audit, Labor and Government Efficiency Committee.

PROPOSED RESOLUTIONS**011128 [Grant for SFPD California Cold Hit DNA Program]**

Resolution authorizing the Chief of Police for the City and County of San Francisco to accept and expend grant funds made available through the Office of Criminal Justice Planning for a project entitled "California Cold Hit DNA Program." (Police Department) 6/19/01, RECEIVED AND ASSIGNED to Neighborhood Services and Parks Committee.

011187 [Settlement of Claim]

Resolution approving the settlement of the unlitigated claim filed by Christine Dean against San Francisco for \$32,000; claim was filed on October 30, 2000; additional material term of said settlement is the signing of a release of CF liability against the City and County of San Francisco. (City Attorney) 6/20/01, RECEIVED AND ASSIGNED to Audit, Labor and Government Efficiency Committee.

011188 [Contracting out Parking Management Services for S.F. International Airport]

Resolution approving the Controller's certification that Parking Management Services for San Francisco International Airport can practically be performed by private contractor at a lower cost for the year commencing July 1, 2001 than if work were performed by City employees at budgeted levels. (Airport Commission) 6/20/01, RECEIVED AND ASSIGNED to Finance Committee.

**011189 [State grant for Community Asthma Intervention Project]
Supervisors Leno, Maxwell**

Resolution authorizing the San Francisco Department of Public Health, Population Health and Prevention, to accept and expend a grant in the amount of \$435,000 from the California Department of Health Services, for the period March 1, 2001 to June 30, 2002. (Public Health Department) 6/20/01, RECEIVED AND ASSIGNED to Public Health and Environment Committee. Department requests this item be calendared at the June 26, 2001 meeting.

Requests Granted

From: Supervisor Daly

To: General Manager, Recreation and Park Department

Requesting/Inquiring: To report on the number of FTE staff members allocated by facility (e.g. gardeners, custodians, recreation directors).

From: Supervisor Gonzalez

To: City Attorney

Requesting/Inquiring: To draft legislation establishing a Community Land Trust Task Force which, within nine months, would present recommendations to the Board of Supervisors on steps necessary to implement Community Land Trusts in San Francisco.

From: Supervisors Hall, Newsom

To: Director, Planning Department

To: Director, Department of Parking and Traffic

Requesting/Inquiring: To determine the feasibility of amending the traffic element of the General Plan to re-designate Santa Clara Avenue from Portola to the intersection of Santa Clara Avenue and Monterey Boulevard; and then Monterey Boulevard from Santa Clara Avenue to Ridgewood Avenue from a secondary arterial street to a local/collector street.

From: Supervisor Newsom

To: General Manager, Planning Department

Requesting/Inquiring: To report on the proposed community planning process involved in modifying existing Interim Controls for development of loft construction in the South of Market Area, and the Department's lack of involvement in a inclusionary process with the residents of the South of Market Area therein.

In Memoriams

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

Justice Stanley Mosk (Supervisor Gonzalez)

John Lee Hooker (Supervisors Hall, Maxwell)

Barry Siegel (Supervisor Leno)

Fernando Manuel Urizar (Supervisor Daly)

ADJOURNMENT

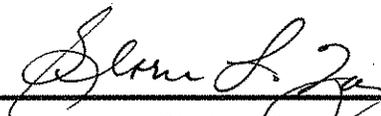
There being no further business, the Board at the hour of 6:43 p.m. adjourned.

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

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

