

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, January 14, 2002 2:00 PM

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

Regular Meeting

*TOM AMMIANO, PRESIDENT
CHRIS DALY, MATT GONZALEZ, TONY HALL, MARK LENO,
SOPHIE MAXWELL, JAKE McGOLDRICK, GAVIN NEWSOM,
AARON PESKIN, GERARDO SANDOVAL, LELAND Y. YEE
Gloria L. Young, Clerk of the Board*

BOARD COMMITTEES

Committee Membership

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, Gonzalez

Finance Committee

Supervisors Leno, Peskin, Maxwell

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
3:00 PM

1st & 3rd Tuesday
10:00 AM

Wednesday
12:30 PM

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

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

Supervisors Daly, Gonzalez, Maxwell, Newsom - 4.

Quorum present.

Supervisors Daly, Gonzalez and Newsom were noted present at 2:01 p.m.

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

APPROVAL OF MEETING MINUTES

Motion to approve the November 19, 2001, Meeting Minutes.

Supervisor Sandoval, seconded by Supervisor Leno, moved to approve the November 19, 2001 Meeting Minutes. The motion carried by the following vote:

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

Introduction of Guest

Supervisor Peskin introduced and welcomed Captain Dillon, Taraval Station, Police Department.

President Ammiano introduced, welcomed and presented a commendation to Captain Roth, Mission Station, Police Department.

AGENDA CHANGES

The President inquired if there were any changes to the agenda members were aware of which needed to be continued, tabled or considered differently.

Supervisor Leno indicated the matters relating to the appeal of a Minor Sidewalk Encroachment Permit at 1259 Dolores Street, Files 020008, 020009 and 020010. (See infra.)

COMMUNICATIONS

CONSENT AGENDA

Items 1 through 11

Recommendations of the Audit, Labor and Government Efficiency Committee

011940 [Settlement Of Lawsuit]

Ordinance authorizing settlement of the lawsuit filed by the City and County of San Francisco against Mirant Potrero L.L.C. on June 19, 2001 in United States District Court - Northern District of California, Case No. C-01-2356 PJH; entitled City and County of San Francisco, et al., v. Mirant Potrero L.L.C.; which settlement provides that Mirant will pay the City \$100,000, and that Mirant will not operate the Peaker units located at the Potrero Power Plant, known as Units 4, 5, and 6, beyond their permitted operational hours of 877 hours per year, except as expressly permitted by or pursuant to the Bay Area Air Quality Management District Rule 9-9, Mirant's permits, and all other applicable laws, rules, regulations and order. (City Attorney)

Ordinance No. 8-02
FINALLY PASSED

012034 [Settlement of Lawsuit]

Ordinance authorizing settlement of the lawsuit filed by Peter Roybal against the City and County of San Francisco for \$120,000, with Roybal agreeing to be barred from future City employment; the lawsuit was filed on February 9, 2000, in Superior Court, State of California, Case No. 309-821; entitled Roybal v. City and County of San Francisco, et al. (City Attorney)

Ordinance No. 11-02
FINALLY PASSED

Recommendations of the Finance Committee

012188 [Grant - Department of Parking and Traffic]
Supervisor Leno

Resolution authorizing the Executive Director of the Department of Parking and Traffic (DPT) to retroactively apply for, accept, and expend funds from a cooperative agreement with the Federal Highway Administration (FHWA) for a pedestrian safety engineering study (with federal funding of \$155,735) and to execute any necessary documents.

Resolution No. 12-02
ADOPTED

- 012221 [Approval of Lease with the United States Department of Agriculture at West Field Cargo Building 1]**
Resolution approving and authorizing the execution of a Lease with the United States Department of Agriculture for space in West Field Cargo Building 1. (Airport Commission)

Resolution No. 29-02
ADOPTED

- 012232 [California Energy Commission Grant]**
Resolution authorizing the General Manager of the San Francisco Public Utilities Commission to accept and expend a grant from the California Energy Commission in the amount of \$265,000 to support lighting and HVAC retrofits at City facilities and waiving inclusion of indirect costs in the grant budget. (Public Utilities Commission)

Resolution No. 34-02
ADOPTED

Recommendations of the Public Health and Environment Committee

- 012225 [Grant - Seven Principles (REACH 2010) Project]**
Resolution authorizing the San Francisco Department of Public Health (SFDPH) to accept and expend retroactively a grant in the amount of \$900,000 for the first year of a three year grant from the Centers for Disease Control and Prevention (CDC) for the Seven Principles (REACH 2010) project and to enter into an agreement for the use of these funds; for the period of September 30, 2001 to September 29, 2002. (Public Health Department)

Resolution No. 31-02
ADOPTED

- 012226 [Supplemental Grant for projects funded under the CDC Seroepidemiology and Surveillance Cooperative Agreement]**
Resolution authorizing the San Francisco Department of Public Health (SFDPH) to accept and expend retroactively supplemental grant funds in the amount of \$361,547 for projects funded under the Seroepidemiology and Surveillance Cooperative Agreement with the Centers for Disease Control and Prevention (CDC) to analyze and disseminate results of ongoing HIV studies and support new research relating to AIDS/HIV in San Francisco; for the period of January 1, 2001 through December 31, 2001. (Public Health Department)

Resolution No. 32-02
ADOPTED

- 012259 [Improving the system of care for seriously mentally ill residents of San Francisco, including services for those with a dual disorder of mental illness and substance abuse]
Supervisor McGoldrick**

Resolution authorizing the San Francisco Department of Public Health (SFDPH), Community Mental Health Services (CMHS), to accept retroactively and expend federal SAMHSA Mental Health Block Grant funds in the total amount of \$3,198,952 from the State Department of Mental Health (SDMH) to improve the system of care for seriously emotionally disturbed children and severely mentally ill adults in San Francisco, including those with a diagnosis of a dual disorder of mental illness and substance abuse; for the period of July 1, 2001 to June 30, 2002. (Public Health Department)

Resolution No. 36-02

ADOPTED

- 012260 [Determining effectiveness of condom skills building demonstrations in reducing HIV/STD infections in study participants]**

Resolution authorizing the San Francisco Department of Public Health (SFDPH) to accept and expend retroactively a grant in the amount of \$315,828 for the first year of a three year grant from the Centers for Disease Control and Prevention (CDC) for HIV prevention intervention research on the efficacy of condom skills building and to enter into an agreement for the use of these funds; for the period of September 30, 2001 to September 29, 2002. (Public Health Department)

Resolution No. 37-02

ADOPTED

- 012262 [Coordinated and comprehensive services for youth engaged in or at high risk of committing juvenile crime]**

Resolution authorizing the San Francisco Department of Public Health (SFDPH), Community Mental Health Services (CMHS) to accept and expend retroactively funds in the amount of \$353,022 for the first year of a three year grant from the California Department of Mental Health (CDMH) and the San Francisco Private Industry Council (SFPIC) to reduce youth violence and substance abuse in San Francisco; for the period of July 1, 2001 to June 30, 2002. (Public Health Department)

Resolution No. 39-02

ADOPTED

Recommendation of Rules Committee

012126 [Appointment]

Resolution appointing Nancy Rubin, Tony Michelini, Sandy Mori, Johnathan Vernick, James Illig, Tiffany Mock-Goeman, and Salvador Menjivar, terms ending December 10, 2002, to the City Non-Profit Contracting Task Force, residency requirement waived.

Nancy Rubin, new position, seat 1, must be representative of non-profit health, affordable housing development, and human service organizations, for a new one-year term ending December 10, 2002;
Tony Michelini, new position, seat 2, must be representative of non-profit health, affordable housing development, and human service organizations, for a new one-year term ending December 10, 2002;
Sandy Mori, new position, seat 3, must be representative of non-profit health, affordable housing development, and human service organizations, for a new one-year term ending December 10, 2002;
Johnathan Vernick (residency requirement waived), new position, seat 4, must be representative of non-profit health, affordable housing development, and human service organizations, for a new one-year term ending December 10, 2002;
James Illig, new position, seat 5, must be representative of non-profit health, affordable housing development, and human service organizations, for a new one-year term ending December 10, 2002;
Tiffany Mock-Goeman (residency requirement waived), new position, seat 6, must be representative of non-profit health, affordable housing development, and human service organizations, for a new one-year term ending December 10, 2002;
Salvador Menjivar (residency requirement waived), new position, seat 7, must be representative of non-profit health, affordable housing development, and human service organizations, for a new one-year term ending December 10, 2002.

Resolution No. 27-02
ADOPTED

The foregoing items were acted upon by the following vote:

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

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of the Audit, Labor and Government Efficiency Committee

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

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

Ordinance No. 7-02

FINALLY PASSED by the following vote:

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

Recommendation of the Finance Committee

**012185 [SFUSD not provide information regarding 2002 Bond funds]
Supervisors Ammiano, McGoldrick, Leno, Maxwell, Hall, Peskin, Newsom**

Ordinance amending the San Francisco Administrative Code by adding Section 10.19-4 to require specified City departments to notify the Board of Supervisors if the San Francisco Unified School District does not provide quarterly written reports to the City on the status of the use of the 2002 school bond proceeds, as required, and to require the School District to provide the City with a written timeline and expenditure plans for each of the projects to be funded with 2002 bond funds prior to the appropriation of the bond funds in order to determine whether the appropriations of these bond funds are necessary and/or appropriate.

Ordinance No. 12-02

FINALLY PASSED 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

**001945 [Woodburning Fireplaces]
Supervisor Daly**

Ordinance amending Chapter 31, of the San Francisco Building Code by adding Section 3102.8 to ban the installation of nonapproved woodburning fireplaces and similar devices in new and remodeled buildings and by prohibiting the use of certain fuels in a woodburning appliance; exemptions are provided for woodburning appliances that are designed primarily for food preparation in new or existing restaurants or bakeries, and historic woodburning appliances installed in historic structures; adopting findings.

Ordinance No. 13-02

FINALLY PASSED by the following vote:

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

011638 [Industrial Protection Zone Special Use District Zoning Code Amendment]
Supervisors Ammiano, Maxwell, McGoldrick

Ordinance amending the Planning Code by adding Section 249.22 to create Industrial Protection Zone Special Use District that prohibits residential, live/work and office uses and adopting findings pursuant to Section 101.1.

Ordinance No. 5-02

FINALLY PASSED by the following vote:

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

011639 [Industrial Protection Zone Special Use District Zoning Map Amendment]
Supervisors Ammiano, Maxwell, McGoldrick

Ordinance adopting changes in property use classification by amending the zoning maps of the City and County of San Francisco for Industrial (M-2, M-1 and CM) zones in the area bounded by Bayshore Boulevard, Third Street, Evans Avenue, Rankin Street, Phelps Street, Oakdale Avenue, Selby Street and Helena Street.

(Preliminary Negative Declaration dated June 22, 2001, Case No. 2001.0602ETZ; Planning Commission Resolution No. 16224 adopted September 6, 2001, recommending amendment of the Industrial Protection Zone - Special Use District; companion measure to File 011638.)

Ordinance No. 6-02

FINALLY PASSED by the following vote:

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

012029 [Changing Official Width of Sidewalk - Portions of Howard and Minna Streets]

Ordinance amending Ordinance No. 1061 entitled "Regulating the Width of Sidewalks" by adding thereto Section No. 1553 to change the official sidewalk width on portions of Howard and Minna Streets between 4th and 5th Streets; making findings pursuant to City Planning Code Section 101.1; and requiring relocation, modification, or both of facilities affected by the sidewalk width changes. (Public Works Department)

Ordinance No. 9-02

FINALLY PASSED by the following vote:

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

012030 [Changing Official Width of Sidewalk - California Street between Montgomery Street]

Ordinance amending Ordinance No. 1061 entitled "Regulating the Width of Sidewalks" by adding thereto Section No. 1554 to change the official sidewalk width on the north side of California Street between Montgomery Street and 137' westerly; making findings pursuant to City Planning Code Section 101.1; and requiring relocation, modification, or both of facilities affected by the sidewalk width changes. (Public Works Department)

Ordinance No. 10-02

FINALLY PASSED by the following vote:

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

012080 [Zoning Map Change]

Ordinance amending the Zoning Map of the City and County of San Francisco for properties generally described as Assessor's Block 713, Lot 33, and Assessor's Block 720, Lots 35 and 36, located on the southwestern portion of the block bounded by O'Farrell (a.k.a. Starr King Way), and Franklin Streets, to change the Height and Bulk District Classification from 240-E and 80-B to 240-B Height and Bulk District and adopting findings pursuant to Planning Code Section 101.1. (Planning Department)

(Planning Commission Resolution No. 16233 adopted September 13, 2001, Case No. 2000.961Z; Final Negative Declaration adopted and issued on September 13, 2001.)
(Supervisor Daly dissenting in Committee.)

Ordinance No. 1-02

FINALLY PASSED by the following vote:

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

NEW BUSINESS**Recommendations of the Finance Committee****011939 [Japan Center Garage Public Parking Lease between CCSF and San Francisco Japan Center Garage Corporation]**

Resolution approving the Japan Center Garage Public Parking Lease by and between the City and County of San Francisco and the City of San Francisco Japan Center Garage Corporation. (Parking and Traffic Department)

NOT ADOPTED by the following vote:

Ayes: 5 - Leno, Maxwell, Newsom, Peskin, Yee
Noes: 6 - Ammiano, Daly, Gonzalez, Hall, McGoldrick, Sandoval

**012264 [Agreement to Purchase Lots 25 & 26 in Assessor Block 6188]
Supervisor Peskin**

Resolution approving and authorizing an agreement for the purchase of real property located on Alberta Street in Visitacion Valley, to retain as public open space for a purchase price of \$240,000; adopting findings that the conveyance is exempt from Environmental Review and is consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; and authorizing the Director of Property to execute documents, make certain modifications and take certain actions in furtherance of this resolution. (Real Estate Department)

(Fiscal impact.)

Resolution No. 40-02

ADOPTED by the following vote:

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

Recommendations of the Public Health and Environment Committee

- 012218 [HIV care and related services for women and minorities]**
Resolution authorizing the San Francisco Department of Public Health (SFDPH) AIDS Office (AO) to accept and expend retroactively a one year grant in the amount of \$1,105,000 from the DHHS Office of Minority Health (DHHS OMH) to improve AIDS related health outcomes for women and minorities and to enter into an agreement for the use of these funds; for the period of September 30, 2001 to September 29, 2002. (Public Health Department)
- Resolution No. 28-02**
ADOPTED by the following vote:
Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee
- 012224 [State Department of Rehabilitation Program Agreement]**
Resolution authorizing retroactively the San Francisco Department of Public Health to enter into a cooperative program agreement with the State Department of Rehabilitation, San Francisco District, including a required match of \$289,163, to provide vocational services to mentally-ill psychiatric clients in San Francisco; for the period of July 1, 2001 to June 30, 2004. (Public Health Department)
- Resolution No. 30-02**
ADOPTED by the following vote:
Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee
- 012230 [Transfer of approval authority of the Substance Abuse & Crime Prevention Act county plan from the Board of Supervisors to the Department of Public Health]**
Resolution delegating approval authority of the Substance Abuse & Crime Prevention Act of 2000 county plan to the Department of Public Health, in accordance with §9515b(3), Title 9, California Code of Regulations. (Public Health Department)
- Resolution No. 33-02**
ADOPTED by the following vote:
Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee
-
- 012261 [Coordinating data collection, testing, counseling, referrals, and blood collection and transport at community sites for HIV and HCV prevention]**
Resolution authorizing the San Francisco Department of Public Health (SFDPH) to accept and expend retroactively one-time funds in the amount of \$65,000 from the Centers for Disease Control and Prevention (CDC) supplemental to the CDC Prevention Cooperative Agreement U62/CCU902017-16-2 to reduce HIV and HCV risk behaviors of injection drug users and others at risk for hepatitis C and to enter into an agreement for the use of these funds; for the period of January 1, 2001 to December 31, 2002. (Public Health Department)
- Resolution No. 38-02**
ADOPTED by the following vote:
Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

From City and School District Committee With Recommendation "Do Not Pass"

**011507 [Unified School District Use of Prop A Bonds]
Supervisor Yee**

Resolution urging the San Francisco Unified School District to honor their explicit promise to the voters of the City and County of San Francisco and the Board of Supervisors before they receive the remaining portion of the 1997 Proposition A Bonds.

1/14/02 - Supervisor Yee, seconded by Supervisor Hall moved to amend. On Page 1, starting with line 24 delete "Further Resolved, That it is the policy of the Board of Supervisors that none of the balance of the 1997 Proposition A bonds for the SFUSD be approved for sale unless the SFUSD guarantees to apply these bond funds to the exact identified school projects, to be completed in the priority order that was enumerated to the Board of Supervisors in 1997; and, be it."

AMENDED.

NOT ADOPTED by the following vote:

Ayes: 3 - Hall, Newsom, Yee

Noes: 8 - Ammiano, Daly, Gonzalez, Leno, Maxwell, McGoldrick, Peskin, Sandoval

From Rules Committee "Without Recommendation"

012274 [Appointment - Public Utilities Commission]

Motion approving the Mayor's appointment of Ann Moller Caen to the Public Utilities Commission, for the term ending January 15, 2005. (Mayor)

Motion No. M02-11

APPROVED by the following vote:

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

Noes: 2 - Daly, Gonzalez

012275 [Appointment - Public Utilities Commission]

Motion rejecting the Mayor's appointment of Ann Moller Caen to the Public Utilities Commission. (Mayor)

TABLED by the following vote:

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

Noes: 2 - Daly, Gonzalez

012276 [Appointment - Public Utilities Commission]

Motion taking no position concerning the Mayor's appointment of Ann Moller Caen to the Public Utilities Commission, for term ending January 15, 2005. (Mayor)

TABLED by the following vote:

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

Noes: 2 - Daly, Gonzalez

012277 [Appointment - Public Utilities Commission]

Motion approving the Mayor's appointment of Jeffrey A. Chen to the Public Utilities Commission, for the term ending January 15, 2004. (Mayor)

Motion No. M02-12

APPROVED by the following vote:

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

012278 [Appointment - Public Utilities Commission]

Motion rejecting the Mayor's appointment of Jeffrey A. Chen to the Public Utilities Commission. (Mayor)

NOT ADOPTED by the following vote:

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

012279 [Appointment - Public Utilities Commission]

Motion taking no position concerning the Mayor's appointment of Jeffrey A. Chen to the Public Utilities Commission, for term ending January 15, 2004. (Mayor)

TABLED by the following vote:

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

SPECIAL ORDER 3:00 P.M.**012258 [Public Hearing - 155 Fifth Street]**

Hearing of the full Board of Supervisors to consider adopting a resolution to acquire the temporary construction easement by eminent domain for easterly portions of 155 Fifth Street, in Assessor's Block 3724, Lot 66 ("the Burdened Property"), by the City and County of San Francisco for completing construction to the Moscone Center Expansion Project.

1/14/02 - President Ammiano moved to continue to January 22, 2002.

CONTINUED by the following vote:

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

012238 [Construction Easement by Eminent Domain]

Supervisor Ammiano

Resolution authorizing acquisition of a temporary construction easement for easterly portions of 155 Fifth Street, in San Francisco Assessor's Block 3724, Lot 066, by eminent domain, for the Moscone Center Expansion Project.

(Companion measure to Files 012257, 012258.)

1/14/02 - President Ammiano moved to continue to January 22, 2002.

CONTINUED by the following vote:

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

SPECIAL ORDER 3:00 P.M.**020008 [Public Hearing - Minor Sidewalk Encroachment, 1259 Dolores Street]**

Hearing appealing decision of the Department of Public Works by its letter dated December 5, 2001, disapproving a Minor Sidewalk Encroachment Permit No. 01MSE-424 to encroach into the sidewalk area and to legalize the construction of a warped driveway encroaching ten (10) feet into the public right-of-way with planters on either side of the driveway fronting the property at 1259 Dolores Street.

(Filed by Cindy A. Ossias on December 20, 2001; companion measure to Files 020009, 020010; District 8.)

1/14/02 - Supervisor Leno moved to continue to January 22, 2002.

CONTINUED by the following vote:

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

(Only one of the following two motions should be adopted.)**020010 [Minor Sidewalk Encroachment Permit Appeal]**

Motion affirming the decision of the Department of Public Works' denial of a Minor Sidewalk Encroachment Permit for 1259 Dolores Street and denying an Encroachment Permit. (Clerk of the Board)

1/14/02 - Supervisor Leno moved to continue to January 22, 2002.

CONTINUED by the following vote:

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

020009 [Minor Sidewalk Encroachment Permit Appeal]

Motion disapproving the decision of the Department of Public Works' denial of a Minor Sidewalk Encroachment Permit for 1259 Dolores Street and granting an Encroachment Permit. (Clerk of the Board)

1/14/02 - Supervisor Leno moved to continue to January 22, 2002.

CONTINUED by the following vote:

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

SPECIAL ORDER 3:00 P.M.

012265 [Public Hearing - Conditional Use Appeal, 2801-2825 California Street]

Hearing of persons interested in or objecting to the decision of the Planning Commission by its Motion No. 16287 dated November 15, 2001, approving Conditional Use Application No. 2000.1190C, to mount a total of three panel antennas on the roof of an existing three-story over basement mixed use building, within an NC-2 (Small-Scale Neighborhood Commercial) Zoning District and a 40-X Height and Bulk District, pursuant to Section 711.83 of the Planning Code, on property located at 2801-2825 California Street, southwest corner at Divisadero Street; Lot 001, in Assessor's Block 1028.

Doug Larnerger, appellant;
Michael Simmer, supports appeal;
Dianna Scott; supports appeal;
Courtney Cocksan, supports appeal;
Mark Zier, supports appeal;
Ann Denelli, supports appeal;
Tracy Hughes, supports appeal;
Gordon Winspko, supports appeal;
Dave Kunsten, supports appeal;
Mark Longwood, supports appeal;
Joshua Stern, supports appeal;
John Bardis, supports appeal;
Woodrow Ichiyasi, supports appeal;
female speaker, supports appeal;

Gerald Green, Director of Planning, Planning Department

Jennifer Estes, SPRINT, project sponsor;
Dr. Peter Paulsen, SPRINT, supports project;
Andrew Mortora, SPRINT, supports project;
Carolyn Sitts, SPRINT, supports project;
Shaun Nolan, supports project;
Alex Treness, SPRINT, supports project.

HEARD AT PUBLIC HEARING.

Pursuant to Government Code Section 65009, notice is hereby given: If you challenge the above matter in court, you may be limited to raising only those issues you or someone else raised at the public hearing described above, or in written correspondence delivered to the Board of Supervisors, (1 Dr. Carlton B. Goodlett Place, Room 244; San Francisco, CA 94102-4689) at, or prior to, the public hearing.

(Only one of the following two motions should be adopted.)

012266 [Appeal, Conditional Use, 2801-2825 California Street]

Motion approving decision of the Planning Commission by its Motion No. 16287, approving Conditional Use Application No. 2000.1190C, on property located at 2801-2825 California 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

012267 [Appeal, Conditional Use, 2801-2825 California Street]

Motion disapproving decision of the Planning Commission by its Motion No. 16287, approving Conditional Use Application No. 2000.1190C, on property located at 2801-2825 California Street, and adopting findings pursuant to Planning Code Section 101.1. (Clerk of the Board)

Motion No. M02-9

APPROVED by the following vote:

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

012268 [Findings - 2801-2825 California Street]

Motion directing the Clerk of the Board to prepare findings relating to proposed Conditional use Application No. 2000.1190C, on property located at 2801-2825 California Street, for action by the Board at its next meeting. (Clerk of the Board)

Motion No. M02-10

APPROVED by the following vote:

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

SPECIAL ORDER 3:00 P.M.

012284 [Public Hearing, Appeal, Environmental Impact Report, deYoung Museum]

Hearing of persons interested in or objecting to the decision of the Planning Commission by its Motion No. 16291 dated December 6, 2001 certifying the revised Final Environmental Impact Report, Case No. 1999.455E for the proposed deYoung Museum project.

(Appeal filed December 21, 2001. Draft EIR Publication Date: July 22, 2000; Draft EIR Public Hearing Date: August 24, 2000; Draft EIR Public Comment Period: July 22, 2000 to August 29, 2000; Final EIR Certification Date: December 7, 2000; Board of Supervisors hearing on appeal of certification of Final EIR: August 20, 2001; Revised Final EIR publication date: November 20, 2001; Date of Planning Commission certification of revised Final EIR: December 6, 2001; companion measure to Files, 012285, 012286, 012287.)

Joseph Fusco, People for a New deYoung, appellant;
Christian Scott, supports appeal;
Roger Brannan, supports appeal;
Denise D'Anne, supports appeal;
Richard Hansen, supports appeal;

Gerald Green, Director of Planning, Planning Department;
Paul Maltzer, Environmental Review Officer, Planning Department.

Harry Parker, Director, deYoung Museum, project sponsor;
Jill Wynn, President, Board of Education, supports project;
Dennis Antemore, supports project;
Frankie Jacobs Gillette, supports project;
Vivian Faye Sin, supports project;
Jim Chappel, SPUR, supports project;
Paul Rennie, supports project;
Dr. Richard Lansarotti, supports project;
David Meckall, supports project;
Jeanne Grasso, supports project;
Toby Levine, supports project;

John Barby, supports project;
Brother Kelly Cullen, supports project;
Edmund, supports project.

HEARD AT PUBLIC HEARING.

Pursuant to Government Code Section 65009, notice is hereby given: If you challenge the above matter in court, you may be limited to raising only those issues you or someone else raised at the public hearing described above, or in written correspondence delivered to the Board of Supervisors, (1 Dr. Carlton B. Goodlett Place, Room 244; San Francisco, CA 94102-4689) at, or prior to, the public hearing.

(Only one of the following two motions should be adopted.)

012285 [Affirm certification of New M.H. de Young Museum EIR]

Motion affirming the certification by the Planning Commission of the Final Environmental Impact Report for the New M.H. de Young Museum Development Project located at 75 Tea Garden Drive. (Clerk of the Board)

Motion No. M02-8

APPROVED by the following vote:

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

012286 [Disapprove certification of New M.H. de Young Museum EIR]

Motion disapproving the certification by the Planning Commission of the Final Environmental Impact Report for the New M.H. de Young Museum Development Project located at 75 Tea Garden Drive. (Clerk of the Board)

TABLED by the following vote:

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

012287 [Preparation of findings to disapprove certification of the New M.H. de Young Museum EIR]

Motion directing the Clerk of the Board to prepare findings disapproving the certification by the Planning Commission of the Final Environmental Impact Report for the New M.H. de Young Museum Development Project located at 75 Tea Garden Drive. (Clerk of the Board)

TABLED by the following vote:

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

ROLL CALL FOR INTRODUCTIONS

PUBLIC COMMENT

APPROVAL OF REQUESTS TO THE LEGISLATIVE ANALYST

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

**020036 [Legislative Analyst Request]
Supervisor Daly**

Motion asking the Legislative Analyst to study the feasibility of municipal operation of the City's cable system, and to report on the plans of other jurisdictions in light of AT&T Comcast merger.

TABLED by the following vote:

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

**020037 [Legislative Analyst Request]
Supervisor Gonzalez**

Motion asking the Legislative Analyst to prepare a report on frequency and schedule of full City Council meetings and committee meetings, number of members, and number of committees for City Councils in the 20 largest cities in California excluding San Francisco.

APPROVED by the following vote:

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

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 50 through 59

**012245 [Commend - Senator Dianne Feinstein]
Supervisors Sandoval, Yee, Newsom, McGoldrick, Leno**

Resolution commending Senator Dianne Feinstein for introducing legislation to amend the Aviation Security Bill to allow lawful permanent residents who are eligible to become U.S. citizens within one year to remain in their current positions.

**Resolution No. 35-02
ADOPTED**

**020025 [24 Hour Bicycle Access on Golden Gate Bridge]
Supervisors Leno, Ammiano, Hall, Gonzalez, Peskin**

Resolution urging Golden Gate Bridge, Highway and Transportation District to reinstate 24-hour access for bicycles on Golden Gate Bridge.

**Resolution No. 41-02
ADOPTED**

**020026 [Enforcement of 1992 Energy Policy Act]
Supervisor Sandoval**

Resolution urging the United States Department of Energy to enforce the 1992 Energy Policy Act and to remove any loophole that would violate the goal of reducing gasoline consumption.

**Resolution No. 42-02
ADOPTED**

**020035 [Suspending Rules of Order]
Supervisor Ammiano**

Motion suspending Rules regarding reference to Committee of amendment to the Rules of Order, Board of Supervisors, relating to Committee Structure.

**Motion No. M02-14
APPROVED**

020034 [Amending Rules of Order to Create New Committee Structure]
Supervisor Ammiano

Motion amending Rules of Order of the Board of Supervisors of the City and County of San Francisco, by repealing 5.1 through 5.10 and replacing them with new Sections 5.1 through 5.9, thereby creating a new structure of the Board.

Motion No. M02-13

APPROVED

020038 [Final Map for a 105 Unit Residential Condominium Project]

Motion approving Final Map of The Brannan - Tower "C" (239 Brannan Street), a Residential / Commercial Condominium Project, being a subdivision of Lot 517, Assessor's Block No. 3789, and adopting findings pursuant to City Planning Code Section 101.1. (Public Works Department)

(DPW Order No. 173,335; District 6.)

Motion No. M02-4

APPROVED

020039 [Final Map for a 10 Unit Live/Work Condominium Project]

Motion approving Final Map of 1025 17th Street, a Live/Work Condominium Project, being a subdivision of Lot 23, Assessor's Block No. 3987, and adopting findings pursuant to City Planning Code Section 101.1. (Public Works Department)

(DPW Order No. 173,332; District 6.)

Motion No. M02-5

APPROVED

020044 [Final Map for a 7 Unit Residential Condominium Project]

Motion approving Final Map of 798 Stanyan Street, A Residential Condominium Project, being a subdivision of Lot 38, Assessor's Block No. 1250, and adopting findings pursuant to City Planning Code Section 101.1. (Public Works Department)

(DPW Order No. 173,328; District 5.)

Motion No. M02-6

APPROVED

020045 [Final Map for a 6 Unit Residential Condominium Project]

Motion approving Final Map of 188 Beulah Street, A Residential Condominium Project, being a subdivision of Lot 39, Assessor's Block No. 1250, and adopting findings pursuant to City Planning Code Section 101.1. (Public Works Department)

(DPW Order No. 173,327; District 5.)

Motion No. M02-7

APPROVED

The foregoing items were acted upon by the following vote:

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

Absent: 3 - Gonzalez, Newsom, Yee

Severed From Adoption Without Committee Reference

020027 [Commend - Planned Parenthood]
Supervisors Sandoval, Daly

Resolution commending Planned Parenthood Golden Gate for organizing a ceremony designed to celebrate a woman's right to reproductive choice and for providing quality health care to Bay Area residents for over seventy years.

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

1/14/02 - Supervisor Hall moved to continue to January 22, 2002.

CONTINUED by the following vote:

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

[Serious Injury Finding]

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

[Purely Commendatory Finding]

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

[Brown Act Finding]

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

OFF-AGENDA LEGISLATION

Introduced by Supervisors or Mayor**Ordinances****020061 [Banner Regulations]
Supervisor Newsom**

Ordinance amending and adding to Section 184.78 of the Public Works Code to clarify the scope of banner regulations that may be adopted by the Department of Public Works, to prohibit banners in residential districts, to require installer name and service phone numbers on all banners, to provide for processing and inspection fees for banner permits, to provide appropriate penalties for violations of Section 184.78, and to provide that bond may be required to be posted prior to receipt of a banner permit.

1/14/02, ASSIGNED UNDER 30 DAY RULE to Neighborhood Services and Parks Committee, expires on 2/13/2002.

**020062 [Elections Task Force]
Supervisors Peskin, Daly**

Ordinance amending the 2001 Elections Task Force Ordinance, Board of Supervisors file number 010840, to convene an Elections Task Force to redraw supervisorial district lines pursuant to the provisions set forth in San Francisco Charter section 13.110, as amended by the voters of the City and County of San Francisco at the November 6, 2001 election.

1/14/02, ASSIGNED to Board of Supervisors. Pursuant to File 010840, Board to sit as a Committee of the Whole on January 22, 2002, at 3:00 p.m.

Resolutions**020063 [San Francisco Community College District General Obligation Bonds]
Supervisors Leno, Newsom, Hall, Sandoval, McGoldrick**

Resolution authorizing the San Francisco Community College District to issue and sell on its own behalf its general obligation bonds approved by the voters at the November 2001 election without further action by this Board of Supervisors or any other officer of the City and County of San Francisco; ratifying certain actions previously taken; and granting general authority to City and County of San Francisco officials to take necessary actions in connection with the issuance of the general obligation bonds by the San Francisco Community College District; providing prior notice to the City and County of San Francisco for the anticipated sale and issuance of any future series of bonds.

1/14/02, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

020064 [Modification of State Grant Conditions (MCJC)]
Mayor

Resolution authorizing the Mayor's Criminal Justice Council (MCJC) modify San Francisco's comprehensive multi-agency juvenile justice plan, pursuant to Assembly Bill 1913 - known as the Schiff-Cardenas Crime Prevention Act of 2000 (CPA 2000) - in order to limit the scope of program evaluations in accordance with legislative mandates and budgetary restrictions. (Mayor)

1/14/02, RECEIVED AND ASSIGNED to Economic Vitality, Small Business and Social Policy Committee.

020065 [National Affordable Housing Trust Fund]
Supervisors Leno, Gonzalez, Daly, McGoldrick, Maxwell, Peskin

Resolution urging the U.S. Congress to enact HR2349 and S1248 creating a National Affordable Housing Trust Fund.

1/14/02, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

020066 [EIR Re-funding]
Supervisors Leno, Daly, Maxwell, McGoldrick

Resolution urging the Planning Department to address the lack of housing in San Francisco and related issues of homelessness, poverty, mental health, substance abuse and economic empowerment by restoring its original commitment to fund the Environmental Impact Review (EIR) of file 00-2108, a proposal to eliminate floor area ratio limits in C-3 zoning districts.

1/14/02, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

020067 [CALFED to purchase Dutch Slough]
Supervisor Leno

Resolution urging CALFED to purchase the Dutch Slough area of the San Francisco Bay Delta.

1/14/02, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

020068 [Establishment of Civil Unions in California]
Supervisors Leno, Peskin, Daly, McGoldrick, Gonzalez

Resolution urging the California State Assembly to enact legislation establishing civil unions.

1/14/02, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

020069 [California Statewide Communities Development Authority]
Supervisor Newsom

Resolution authorizing the issuance and sale of equipment purchase program notes by the California Statewide Communities Development Authority in an aggregate principal amount not to exceed \$6,000,000 for the University of San Francisco or an affiliate.

1/14/02, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**020070 [Regional Transportation Center]
Supervisor Newsom**

Resolution supporting a Regional Transportation Center to be developed for the City and County of San Francisco for the purpose of the education and adoption of alternative fuel vehicles to the general public.
1/14/02, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**020071 [State Constitutional Amendment 7]
Supervisors Peskin, Daly**

Resolution supporting State Constitutional Amendment 7 which would strengthen the California Public Records Act as currently proposed by State Senate President John Burton, and Assembly members Keeley, Kehoe, Papan and Shelley.
1/14/02, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**020072 [California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Bond Act of 2002]
Supervisors Sandoval, Daly, McGoldrick**

Resolution supporting the passage of the California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Bond Act of 2002 and encouraging California voters to approve this bond act on March 5, 2002.
1/14/02, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**020073 [Ocean Avenue Recreation Center]
Supervisor Sandoval**

Resolution urging the Recreation and Park Commission to consider the renaming of Ocean Avenue Recreation Center to "Minnie and Lovie Ward Recreation Center".
1/14/02, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**020074 [Naturalization Services Program]
Supervisors Maxwell, Ammiano, Daly, McGoldrick, Yee, Sandoval, Peskin, Gonzalez, Leno, Newsom**

Resolution urging Governor Gray Davis, the California State Senate, and California State Assembly to fund the Naturalization Services Program at originally appropriated levels for both the 2001-2002 and the 2002-2003 fiscal years.
1/14/02, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**020075 [Commend - Jewish Family and Children's Services Émigré Program]
Supervisors Leno, McGoldrick**

Resolution commending Jewish Family and Children's Services Émigré Program for twenty-five years of providing services for refugees and immigrants from the former Soviet Union; and proclaiming January 26, 2002 "Jewish Family and Children's Services Day" in San Francisco.

1/14/02, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**020076 [Commend - Drug Abuse Advisory Board]
Supervisor Newsom**

Resolution commending the Drug Abuse Advisory Board for its recent completion of its Fiscal Year 2001-02 Annual Recommendations and Priorities.

1/14/02, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**020078 [Wells Fargo Bank's New Remittance Service]
Supervisor Sandoval**

Resolution commending Wells Fargo Bank's outreach to the Hispanic community and their new remittance service allowing customers to wire transfer money to friends and relatives in Mexico for a flat fee.

1/14/02, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Requests for Hearing

**020079 [Management Audit of Homeless Programs]
Supervisor Daly**

Hearing to consider the Controller's management audit of homeless programs.

1/14/02, RECEIVED AND ASSIGNED to Audit, Labor and Government Efficiency Committee. Sponsor requests this item be calendared on January 22, 2002.

**020080 [Adult Probation Department]
Supervisor Daly**

Hearing to consider the recommendations made by the Controller in regard to the City's Adult Probation Department and steps taken by the Department to implement these recommendations.

1/14/02, RECEIVED AND ASSIGNED to Audit, Labor and Government Efficiency Committee.

**020081 [High Speed Rail]
Supervisor Leno**

Hearing on possible local, regional and statewide benefits of creating High Speed Rail connections between San Francisco and cities across California.

1/14/02, RECEIVED AND ASSIGNED to Housing, Transportation and Land Use Committee.

**020082 [Planning Department]
Supervisor McGoldrick**

Hearing on the progress of the Planning Department in fulfilling its plans and programs as previously presented to the Board of Supervisors to justify its 2001-2002 budget requests.
1/14/02, RECEIVED AND ASSIGNED to Finance Committee.

**020083 [Bayview Hunters Point Community Advocates]
Supervisor Sandoval**

Hearing on Bayview Hunters Point Community Advocates, et al., versus Metropolitan Transportation Commission, et. al, and the 2001 Ozone Attainment Plan. Requesting updates from the City Attorney's Office, MUNI, Metropolitan Transportation Commission, Bayview Hunters Point Community Advocates, Sierra Club, and Communities for a Better Environment.

(Bayview Hunters Point Community Advocates, et al. v. Metropolitan Transportation Commission, et al.; United States District Court, Northern District of California, Case No. C01-0750 TEH.)
1/14/02, RECEIVED AND ASSIGNED to Economic Vitality, Small Business and Social Policy Committee.

**020084 [Dept. of Environment Pesticide Reduction Report]
Supervisor Maxwell**

Hearing on the Department of the Environment's Pesticide Reduction Report.
1/14/02, RECEIVED AND ASSIGNED to Public Health and Environment Committee.

Motions

**020060 [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.
1/14/02, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**020085 [Revenue Enhancement Working Group]
Supervisor Ammiano**

Motion urging the Mayor, the Controller, the Treasurer and the City Attorney to form a Revenue Enhancement Working Group in conjunction with the Board of Supervisors to consider mechanisms to enhance collection of money owed City departments and to consider appropriate fee levels for Department services.
1/14/02, RECEIVED AND ASSIGNED to Finance Committee.

**020086 [Legislative Analyst - Budget Consideration]
Supervisor Ammiano**

Motion directing the Office of the Legislative Analyst to pursue training from the City Controller and the Board of Supervisors Budget Analyst in how the City budget and budget process work; to review recent audits published by the Budget Analyst and the Controller to identify cost-saving measures identified in audits and other reports that have not been implemented; to provide staff support to policy and fiscal committees of the Board of Supervisors during hearings on budget-related matters; and to prioritize such work over Board-approved motions or individual requests received by the Office until the FY 02-03 budget is approved by the Board of Supervisors.

1/14/02, RECEIVED AND ASSIGNED to Rules Committee.

**020087 [Auditor for November 7, 2000 and November 6, 2001 Elections]
Supervisor Gonzalez**

Motion directing the Clerk of the Board of Supervisors, in consultation with the Elections Commission and California Secretary of State and subject to approval by the Board of Supervisors, to select an auditor to retally ballots cast in the November 7, 2000 Consolidated Municipal Election and recanvass ballots cast in a random sample of precincts in the November 6, 2001 Consolidated Municipal Election.

1/14/02, RECEIVED AND ASSIGNED to Rules Committee.

Introduced by the President at the Request of Departments

PROPOSED ORDINANCES

020051 [Amending Article 2.4 of the Public Works Code and Sections 10-100.230 and 11.9 of the Administrative Code Concerning Excavation in the Public Right-of-Way; Proposed Increases in Certain Fees]

Ordinance amending Sections 2.4.2, 2.4.4, 2.4.10, 2.4.20.1, 2.4.20.2, 2.4.20.3, 4.23, 2.4.40, 2.4.41, 2.4.42, 2.4.45, 2.4.46, 2.4.50, 2.4.53, 2.4.55, 2.4.70, 2.4.80, 2.4.81, 2.4.83, and 2.4.85 of Article 2.4 of the Public Works Code, adding Sections 2.4.20.4 to Article 2.4 of the Public Works Code, and amending Sections 10.100-230 and 11.9 of the Administrative Code to modify and adopt new definitions; modify and adopt new procedures for permit application submission, permit conditions, permit modifications, and restoration of the public right-of-way; modify fees for administration of permit applications and inspection of excavations; provide for a report to the Board of Supervisors about such fees; create a process for inspection fee refunds; authorize specified City officials to enforce violations of Article 2.4; increase the maximum assessment for administrative penalties and modify procedures for assessing penalties; establish a utility conditions permit fee; and make technical conforming amendments. (Public Works Department)

(Companion measure to Files 020133, 020134.)

1/9/02, RECEIVED AND ASSIGNED to Finance Committee.

PROPOSED RESOLUTIONS

- 020046 [Bay Area Cellular Telephone Company dba AT&T Wireless Lease]**
Resolution authorizing and approving a lease of cellular transmitter space at the Fire Station 30 (inactive) at 1300 4th Street to Bay Area Cellular Telephone Company dba AT&T Wireless. (Real Estate Department)
1/9/02, RECEIVED AND ASSIGNED to Finance Committee.
- 020047 [Sprint Spectrum Limited Partnership Transmitter Lease]**
Resolution authorizing and approving a lease of cellular transmitter space at the Mental Health Rehabilitation Facility at San Francisco General Hospital to Sprint Spectrum Limited Partnership. (Real Estate Department)
1/9/02, RECEIVED AND ASSIGNED to Finance Committee.
- 020048 [Metro PCS Transmitter Lease]**
Resolution authorizing and approving a lease of cellular transmitter space at the Fire Station 40 at 2155 18th Avenue; Fire Station 6 at 135 Sanchez Street, and Fire Station 15 at 1000 Ocean Avenue, San Francisco to Metro PCS. (Real Estate Department)
1/9/02, RECEIVED AND ASSIGNED to Finance Committee.
- 020049 [Supplemental Appropriation]**
Resolution approving Supplemental Appropriation and use of Airport Narcotics Forfeiture and Asset Seizure Funds \$788,779 for Fiscal Year 2001-02. (Airport Commission)

(Fiscal impact.)
1/9/02, RECEIVED AND ASSIGNED to Finance Committee.
- 020050 [Grant for Public Library's Access News Program]**
Resolution authorizing the Department of Public Library to accept and expend a grant in the amount of \$17,204 from the California State Library as part of the Federal Library Services and Technology Act (LSTA) for continuation of the Access News Program for the blind and sight impaired patrons. (Public Library)

1/9/02, RECEIVED AND ASSIGNED to Neighborhood Services and Parks Committee.
- 020052 [IHSS Contract Modification Approval - IHSS Consortium of San Francisco]**
Supervisor Peskin

Resolution approving the modification of the contract between the City and County of San Francisco and the IHSS Consortium of San Francisco for the provision of In-Home Supportive Services for the period from February 1, 2002 to June 30, 2004, in the amount of \$18,458,757, for a total contract amount of \$47,673,130. (Human Services Department)

(Fiscal impact.)
1/9/02, RECEIVED AND ASSIGNED to Finance Committee.

Requests Granted

From: Supervisor Daly

To: Director, Planning Department

To: Director, Department of Parking and Traffic

Requesting/Inquiring: That the Directors of the Planning Department and Department of Parking and Traffic submit an update on construction on Rausch Street. Specifically, what action is being taken to mitigate construction impacts in terms of parking.

From: Supervisor Hall

To: Director, Department of Public Health

To: Director, Department of Human Services

To: Director, Mayor's Office of Community Development

To: Director, Mayor's Office of Housing

To: Director, Department on the Status of Women

To: Director, Department of Children, Youth and Their Families

To: Director, Redevelopment Agency

Requesting/Inquiring: That the Directors of Public Health, Human Services, Community Development, Housing, Status of Women, Children, Youth and Their Families and the Redevelopment Agency submit information on (within the confines of your current budget) how you would reprioritize your budget in order to double the current number of shelter beds and storage facilities currently provided for by the City?

From: Supervisor Hall

To: City Attorney

Requesting/Inquiring: To draft legislation creating a public case tracking system allowing the public easily accessible information on how many citations are issued, how many are dismissed by the courts, the reason for the dismissals, and how many are issued to multiple offenders.

~~*From: Supervisor Hall*~~

~~*To: City Attorney*~~

~~*Requesting/Inquiring: To draft legislation requiring recipients of CAAP funds to seek consultation, treatment for mental illness or substance abuse, or vocational training.*~~

From: Supervisor Hall

To: City Attorney

Requesting/Inquiring: To draft legislation urging all City departments to open and expand hours of operation for all public toilets.

From: Supervisor Hall

To: City Attorney

Requesting/Inquiring: To draft legislation prohibiting urination or defecation on the streets or sidewalks.

From: Supervisor Hall

To: City Attorney

Requesting/Inquiring: To draft legislation prohibiting sleeping on sidewalks once the City has met its obligation to provide the requisite number of shelter beds.

From: Supervisor Hall

To: City Attorney

Requesting/Inquiring: To draft legislation requiring the City to provide shelter beds equal in number to at least a minimum of .5% of the City's total population.

From: Supervisor Peskin

To: City Attorney

Requesting/Inquiring: To draft legislation that would introduce zoning controls in order to preserve the vibrant ground floor retail uses that exist in the Jackson Square area.

From: Supervisor Peskin

To: Clerk, Board of Permit Appeals

Requesting/Inquiring: To submit data about recent actions of the Board of Appeals. (See attachment)

From: Supervisor Sandoval

To: General Manager, Recreation and Park Department

Requesting/Inquiring: Requesting the titles, names and contact numbers of all employees assigned to Balboa Park.

From: Supervisor Yee

To: City Attorney

Requesting/Inquiring: To draft legislation amending the Traffic Code to expand the street closure notification process so that the residents and businesses are more adequately notified of special event street closures and athletic event street closures.

In Memoriams

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

Percival Santos (Supervisor Sandoval)

Michael Deeb (Supervisor Peskin)

Denyce Pates (Supervisor Peskin)

Patti Field (Supervisor Leno)

Maureen Conroy (Supervisors Hall, Newsom)

Kathleen Lynch (Supervisor Hall)

ADJOURNMENT


There being no further business, the Board at the hour of 7:07 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 March 4, 2002.

I, Gloria L. Young, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Minutes of said Board on the date stated and was approved as recited



Gloria L. Young
Clerk of the Board