

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, December 16, 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, BEVAN DUFTY, MATT GONZALEZ, TONY HALL,
FIONA MA, SOPHIE MAXWELL, JAKE MCGOLDRICK,
GAVIN NEWSOM, AARON PESKIN, GERARDO SANDOVAL
Gloria L. Young, Clerk of the Board*

BOARD COMMITTEES

Committee Membership

Budget Committee

Supervisors Maxwell, Peskin, Ammiano, McGoldrick

City and School District Committee

Supervisors Ammiano, Wynns, Mar

Finance Committee

Supervisors Peskin, Daly, Maxwell

Health and Human Services Committee

Supervisors Daly, Maxwell

Neighborhood Services and Recreation Committee

Supervisors Newsom, McGoldrick

Public Works and Public Protection Committee

Supervisors Sandoval, Gonzalez

Rules and Audits Committee

Supervisors Hall, Gonzalez, Sandoval

Transportation and Commerce Committee

Supervisors McGoldrick, Hall, Ammiano

Meeting Days

2nd, 3rd and 4th Tuesday
1:00 PM

3rd Wednesday
3:00 PM

Wednesday
12:30 PM

1st and 3rd Thursday
1:00 PM

2nd and 4th Thursday
2:00 PM

1st and 3rd Tuesday
10:00 AM

1st and 3rd Tuesday
1:00 PM

2nd and 4th Thursday
9:30 AM

First-named Supervisor/Commissioner is Chair, Second-named Supervisor/Commissioner is Vice-Chair, of the Committee.

Members Present: Tom Ammiano, Bevan Dufty, Matt Gonzalez, Tony Hall, Fiona Ma, Sophie Maxwell, Jake McGoldrick, Gavin Newsom, Aaron Peskin, Gerardo Sandoval.

Members Absent: Chris Daly.

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:04 p.m. On call of the roll, the following Supervisors were noted absent:

Supervisors Daly, Dufty, McGoldrick - 3

Quorum present.

Supervisor Dufty was noted present at 2:10 p.m.

Supervisor McGoldrick was noted present at 2:15 p.m.

APPROVAL OF MEETING MINUTES

Supervisor Peskin, seconded by Supervisor Maxwell, moved to approve November 25, 2002 Meeting Minutes. The motion carried by the following vote:

Ayes: 8 - Ammiano, Gonzalez, Hall, Ma, Maxwell, Newsom, Peskin, Sandoval

Absent: 3 - Daly, Dufty, McGoldrick

Supervisor Daly Excused from Attendance

Supervisor Peskin, seconded by Supervisor Maxwell, moved to excuse Supervisor Daly from attending today's meeting. The motion carried by the following vote:

Ayes: 8 - Ammiano, Gonzalez, Hall, Ma, Maxwell, Newsom, Peskin, Sandoval

Absent: 3 - Daly, Dufty, McGoldrick

Privilege of the Floor

Supervisor Maxwell, seconded by Supervisor Gonzalez, moved suspend Rule 4.28 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests. The motion carried by the following vote:

Ayes: 10 - Ammiano, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

Absent: 1 - Daly

Supervisor Maxwell introduced, welcomed and presented Certificates of Honor to Gerald Lee and Gwendolyn McCreia employees of United Parcel Service.

COMMUNICATIONS

There were none.

CONSENT AGENDA

Recommendation of the Health and Human Services Committee

**021829 [Settlement of Lawsuit]
Supervisor Gonzalez**

Ordinance authorizing settlement of the lawsuit filed by the City and County of San Francisco against Nonprofits' Insurance Alliance of California for receipt of an aggregate amount of \$26,380.14 from Nonprofits' Insurance Alliance of California; the City and County of San Francisco filed the lawsuit on March 29, 2002 in San Francisco Superior Court (Case No. 406-211). (City Attorney)

(No Public Benefit Recipient.)

Supervisor Gonzalez requested to be added as sponsor.

Ordinance No. 239-02

FINALLY PASSED by the following vote:

Ayes: 9 - Ammiano, Dufty, Gonzalez, Hall, Ma, Maxwell, Newsom, Peskin, Sandoval

Absent: 2 - Daly, McGoldrick

Severed From the Consent Agenda

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

**021840 [Promote mental health, reduce youth violence and substance abuse in the Mission District/Bayview Hunters Point]
Supervisors Daly, Dufty**

Resolution authorizing the San Francisco Department of Public Health (SFDPH) to accept and expend retroactively a new federal grant in the amount of \$100,000 from the Department of Justice Drug-Free Communities Support Program (DOJ) for the YouthPOWER 2 project and to enter into an agreement for the use of these funds; for the period of October 1, 2002 to September 30, 2003. (Public Health Department)

(No Public Benefit Recipient.)

Supervisor Dufty requested to be added as a co-sponsor.

Resolution No. 844-02

ADOPTED by the following vote:

Ayes: 8 - Ammiano, Dufty, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin

Noes: 2 - Gonzalez, Sandoval

Absent: 1 - Daly

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendations of the Finance Committee

- 020663** [Extension of Sunset Clause - Utilization of Bid/RFP Process for Awarding of Parking Authority Leases and Management Contracts]
Supervisor Gonzalez

Ordinance amending Section 17.11 (a) of the San Francisco Administrative Code to extend the authorization of the Parking Authority and the Municipal Transportation Agency to utilize a Bid/RFP process for the awarding of all leases and management agreements for the use or operation of parking facilities; the Department shall report to the Board by June 1, 2003, on the development and use of performance measures. (Parking and Traffic Department)

Supervisor Gonzalez requested to be added as sponsor.

Ordinance No. 236-02

FINALLY PASSED by the following vote:

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

- 021339** [Financial Information Privacy]
Supervisors Peskin, Daly, Maxwell, McGoldrick, Gonzalez

Ordinance amending the San Francisco Business and Tax Regulations Code to enact a new Article 20 to provide for the protection of private financial information.

Supervisor Gonzalez requested to be added as a co-sponsor.

Ordinance No. 237-02

FINALLY PASSED by the following vote:

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

Recommendation of the Health and Human Services Committee

021645 [Pet Guardian - Definition and Duties]
Supervisors Gonzalez, Daly, Maxwell

Ordinance amending Part II, Chapter V, Article 1 of the San Francisco Municipal Code (Health Code) by amending Section 41, to add the definition of "Guardian", and amending Sections 41.4, 41.5.1, 41.6, 41.7, 41.8, 41.10, 41.11, 41.12, 41.16, 41.19, 41.20, 41.22, 41.24, 42.2, and 42.3 to add the term "Guardian" where the term "Owner" is referenced.

Continued to January 13, 2003

Supervisor Gonzalez, seconded by Supervisor Newsom, moved that this Ordinance be CONTINUED. The motion carried by the following vote:

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

Recommendation of the Public Works and Public Protection Committee

021814 [Repealing local assault weapons prohibition]
Supervisors Gonzalez, Peskin, Maxwell

Ordinance repealing Article 35A of the City and County of San Francisco Police Code, relating to the possession, sale, or transfer of assault weapons, in light of subsequent legislation by the State of California to regulate the possession, sale, transfer, manufacture, importation, distribution, and transportation of assault weapons.

Ordinance No. 238-02

FINALLY PASSED by the following vote:

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

Recommendation of the Rules and Audits Committee**021723 [Appointment]
Supervisor Gonzalez**

Resolution appointing Karin Hu, Joan Roughgarden, Edward Conner, Carol Arnold, Paul Castleman, Charlotte Hill, Mary McAllister, Jack Laws, Matthew Sniffen, and Patrick Skain, terms ending December 1, 2003 to the Citizens Advisory Committee for Natural Areas Program (NAPCAC).

Karin Hu, new position, seat 1, must be knowledgeable in issues related to natural areas, including environmental interest advocacy; academic ecology; open space restoration; and water and soil erosion. The term shall expire on December 1, 2003 when the Committee sunsets unless otherwise extended by the Board of Supervisors.

Joan Roughgarden, new position, seat 2, must be knowledgeable in issues related to natural areas, including environmental interest advocacy; academic ecology; open space restoration; and water and soil erosion. The term shall expire on December 1, 2003 when the Committee sunsets unless otherwise extended by the Board of Supervisors.

Edward Conner, new position, seat 3, must be knowledgeable in issues related to natural areas, including environmental interest advocacy; academic ecology; open space restoration; and water and soil erosion. The term shall expire on December 1, 2003 when the Committee sunsets unless otherwise extended by the Board of Supervisors.

Carol Arnold, new position, seat 4, must be knowledgeable in issues related to natural areas, including environmental interest advocacy; academic ecology; open space restoration; and water and soil erosion. The term shall expire on December 1, 2003 when the Committee sunsets unless otherwise extended by the Board of Supervisors.

Paul Castleman, new position, seat 5, must be interested in access to and use of public parks and open space, including: recreational uses; persons interested in trees and plants in public parks and open space; youth activities; and representation of neighborhoods that contain public parks and open space. The term shall expire on December 1, 2003 when the Committee sunsets unless otherwise extended by the Board of Supervisors.

Charlotte Hill, new position, seat 6, must be interested in access to and use of public parks and open space, including: recreational uses; persons interested in trees and plants in public parks and open space; youth activities; and representation of neighborhoods that contain public parks and open space. The term shall expire on December 1, 2003 when the Committee sunsets unless otherwise extended by the Board of Supervisors.

Mary McAllister, new position, seat 7, must be interested in access to and use of public parks and open space, including: recreational uses; persons interested in trees and plants in public parks and open space; youth activities; and representation of neighborhoods that contain public parks and open space. The term shall expire on December 1, 2003 when the Committee sunsets unless otherwise extended by the Board of Supervisors.

Jack Laws, new position, seat 8, must be interested in access to and use of public parks and open space, including: recreational uses; persons interested in trees and plants in public parks and open space; youth activities; and representation of neighborhoods that contain public parks and open space. The term shall expire on December 1, 2003 when the Committee sunsets unless otherwise extended by the Board of Supervisors.

Matthew Sniffen, new position, seat 9, must be appointed at large. The term shall expire on December 1, 2003 when the Committee sunsets unless otherwise extended by the Board of Supervisors.

Patrick Skain, new position, seat 10, must be appointed at large. The term shall expire on December 1, 2003 when the Committee sunsets unless otherwise extended by the Board of Supervisors.

Supervisor Gonzalez requested to be added as sponsor.

Resolution No. 843-02

ADOPTED by the following vote:

Ayes: 10 - Ammiano, Duffy, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

Absent: 1 - Daly

Recommendation of Transportation and Commerce Committee

021643 [Electric Personal Assistive Mobility Devices (Segway)]
Supervisors Daly, Peskin, Ammiano, McGoldrick, Gonzalez, Maxwell, Ma

Ordinance amending the San Francisco Traffic Code by banning the operation of electric personal assistive mobility devices (Segway) on all sidewalks in the City and County of San Francisco and in public transit stations and public transit vehicles.

Supervisor Ma requested to be added as a co-sponsor.

Ordinance No. 241-02

FINALLY PASSED by the following vote:

Ayes: 8 - Ammiano, Dufty, Gonzalez, Ma, Maxwell, McGoldrick, Peskin, Sandoval

Noes: 2 - Hall, Newsom

Absent: 1 - Daly

NEW BUSINESS**Recommendations of the Finance Committee**

021504 [Prevailing rate of wage and displaced worker protection for workers employed in public off-street parking lots, garages, or storage facilities for automobiles on property owned or leased by the CCSF].
Supervisors Daly, Ammiano, Peskin, Gonzalez

Ordinance adding Section 21.25-2 to the Administrative Code to require that workers employed in public off-street parking lots, garages, or storage facilities for automobiles on property owned or leased by the City and County of San Francisco be paid the prevailing rate of wage and that such workers will have job protection with the successor contractor for a transition period after a lease, management agreement or other contractual arrangement is terminated.

Supervisor Gonzalez requested to be added as a co-sponsor.

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Ammiano, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

Absent: 1 - Daly

**021914 [Laguna Honda Replacement Project]
Supervisors Hall, Newsom**

Ordinance authorizing the Director of Public Works (Director) to issue a competitive request for proposals (RFP) for the services of a Construction Manager-At-Risk (CM-at-Risk) for the Laguna Honda Hospital Replacement Project, and to award a contract for such services based on best qualifications; further authorizing the Director to modify and approve the assignment of the City's current professional services contract for construction management services with Turner Construction Company/Cooper Pugeda Management, Inc., a joint venture (Turner/CPM, JV) to Cooper Pugeda Management, Inc. (CPM); and to permit Turner Construction Company to participate in the RFP for the services of a CM-at-Risk.

(No Public Benefit Recipient.)

Supervisor Newsom requested to be added as a co-sponsor.

PASSED ON FIRST READING by the following vote:

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

021324 [Airport Concession Lease]

Resolution approving the Domestic Terminals Automated Teller Machine Lease A between Wells Fargo Bank, N.A. and the City and County of San Francisco, acting by and through its Airport Commission. (Airport Commission)

(Public Benefit Recipient.)

Resolution No. 842-02

ADOPTED by the following vote:

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

**021974 [Issuance of Clean Water Revenue Bonds, 2003 Refunding Series A]
Supervisor Gonzalez**

Resolution approving the issuance of not to exceed \$462,660,000 aggregate principal amount of Clean Water Revenue Bonds, 2003 Refunding Series A to be issued by the Public Utilities Commission of the City and County of San Francisco; provided that issuance of the bonds would result in net debt service savings of at least 3 percent or \$12,028,350; and authorizing the taking of appropriate actions in connection therewith and related matters. (Public Utilities Commission)

(No Public Benefit Recipient.)

Supervisor Gonzalez requested to be added as sponsor.

Resolution No. 850-02

ADOPTED by the following vote:

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

021878 [Lease of City Owned Real Property]

Resolution authorizing the lease of 2,686 sq. ft. of space at the Main Library to the Friends and Foundation of the San Francisco Public Library. (Real Estate Department)

(Public Benefit Recipient.)

Resolution No. 846-02

ADOPTED by the following vote:

Ayes: 9 - Ammiano, Dufty, Gonzalez, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

Absent: 2 - Daly, Hall

021882 [Lease of City Owned Real Property]

Resolution authorizing the lease of 387 sq. ft. of space at the Main Library to the Friends and Foundation of the San Francisco Public Library for the operation of a bookstore. (Real Estate Department)

(Public Benefit Recipient.)

Resolution No. 847-02

ADOPTED by the following vote:

Ayes: 9 - Ammiano, Dufty, Gonzalez, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

Absent: 2 - Daly, Hall

021920 [HOME Program Funds]

Mayor, Supervisor Gonzalez

Resolution approving amendments to procedures for allocating federal home program funds. (Mayor)

Supervisor Gonzalez requested to be added as a co-sponsor.

Resolution No. 849-02

ADOPTED by the following vote:

Ayes: 10 - Ammiano, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

Absent: 1 - Daly

Recommendation of the Health and Human Services Committee**021841 [Behavioral Health Treatment for Homeless]**

Supervisors Daly, Dufty, Gonzalez, Newsom

Resolution authorizing the San Francisco Department of Public Health (SFDPH) to accept and expend \$599,769 for the first year of a three year grant from the Substance Abuse and Mental Health Services Administration (SAMHSA) to provide behavioral health services for formerly homeless persons living at supportive housing sites in San Francisco and to enter into an agreement for the use of these funds; for the period of September 30, 2002 to September 29, 2003. (Public Health Department)

(Public Benefit Recipient.)

Supervisors Dufty, Gonzalez and Newsom requested to be added as co-sponsors.

Resolution No. 845-02

ADOPTED by the following vote:

Ayes: 10 - Ammiano, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

Absent: 1 - Daly

SPECIAL ORDER 3:00 P.M.

021993 [Board of Supervisors Seniority]

Lottery to determine the seniority of the new members of the Board of Supervisors. (Clerk of the Board)

(Pursuant to Board of Supervisors Rule 6.21.)

The Clerk of the Board read the names of the Supervisors-elect, each on a separate slip of paper and placed each one into individual plastic containers, placed them into a drum, locked the drum and spun it around. One by one, the Clerk of the Board withdrew one of the capsules and the read the name.

The following is the order in which the names were to read to determine the seniority order for the purposes of selecting office space, Chamber seat, parking space and compensated positions:

Supervisor-elect Bevan Dufty

Supervisor-elect Fiona Ma

SPECIAL ORDER 3:00 P.M.

Board of Supervisors Sitting as a Committee of the Whole

021935 [Hearing - Acquisition of Property by Eminent Domain]

Hearing of persons interested in or objecting to proposed resolution authorizing the acquisition of portions of Lot 24 in Assessor's Block 5474, located at Keith Street and LeConte Avenue, and adjacent portions of Keith Street and LeConte Avenue by eminent domain, for the construction of a substation for the Third Street Light Rail Project. (Clerk of the Board)

(Companion measure to Files 021904, 021917.)

Joe Speaks, Municipal Transportation Authority.

President declared the public hearing closed.

HEARD AT PUBLIC HEARING.

Committee of the Whole Rise and Report Without Recommendation

021917 [Acquisition of Property by Eminent Domain]
Supervisor Maxwell

Resolution authorizing the acquisition of portions of Lot 24 in Assessor's Block 5474, located at Keith Street and LeConte Avenue, and adjacent portions of Keith Street and LeConte Avenue, by eminent domain, for the construction of a substation for the Third Street Light Rail Project.

(Fiscal impact.)

Resolution No. 848-02

ADOPTED by the following vote:

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

COMMITTEE REPORTS

From Health and Human Services Committee

Appointment of President Pro Tempore

At the request of the President, Supervisor Sandoval assumed the Chair so the President could participate in the debate from the floor concerning the following item.

The President resumed the Chair shortly thereafter.

**020716 [Settlement of lawsuit and, as part of the settlement, amending the Rent Control Ordinance]
Supervisors Ammiano, Maxwell**

Ordinance authorizing settlement of the lawsuit filed by residential landlords against the City and County of San Francisco to invalidate Proposition H passed in the November 2000 general election, concerning the pass through of capital improvement costs by landlords to tenants; the lawsuit was filed on November 22, 2000, in San Francisco Superior Court, Case No. 316-928 entitled Quigg v. City and County of San Francisco, et al.; and, as part of the settlement, amending the Residential Rent Stabilization and Arbitration Ordinance (Administrative Code Chapter 37) regarding permissible passthrough of bond costs from landlords to tenants by providing for 50% passthrough of the change in the landlord's property tax resulting from the repayment of general obligation bonds of the City and County of San Francisco approved by the voters in the future; and regarding permissible passthrough from landlords to residential tenants of certain costs for capital improvements, rehabilitation, energy conservation improvements, and renewable energy improvements, by codifying and expanding existing amortization schedules, by establishing specified maximum annual passthroughs at 5% of a tenant's base rent for properties with five or fewer units and at 10% of a tenant's base rent for properties with six or more units, by capping certification for work and improvements on properties with six or more residential units at 50% of landlord costs unless the tenant elects 100% passthrough of costs with a lifetime rent increase cap of 15% of base rent, by lengthening the amortization period from 10 years to 20 years for certain improvements required by law (including certain seismic improvements to unreinforced masonry buildings), by providing tenants and the Rent Board with pre-application notice of large projects, by providing that each petition totaling more than \$25,000 must pay the cost of an estimator hired by the Rent Board unless the applicant provides copies of competitive bids received or copies of time and materials billing, by providing for the Commission on the Environment to conduct hearings and recommend new passthrough provisions encouraging energy conservation improvements and renewable energy improvements, and by expanding the provisions for tenant hardship applications for relief from such passthroughs by providing that a tenant can file such an application at any time instead of only at the time the passthrough is originally approved. This Ordinance amends Sections 37.2, 37.3, and 37.7, and 37.8B, with most provisions operative May 1, 2002 or 60 days prior to passage of this Ordinance on Second Reading by the Board of Supervisors, whichever is later.

(12/9/02 in Board: Supervisor Ammiano submitted a substitute ordinance bearing new title.)

Supervisor Maxwell requested to be added as a co-sponsor.

PASSED ON FIRST READING by the following vote:

Ayes: 9 - Ammiano, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

Noes: 1 - Duffy

Absent: 1 - Daly

ROLL CALL FOR INTRODUCTIONS

PUBLIC COMMENT

Ernestine Weiss; general issues and override costs
Abdulla Megaheed; homelessness issues
Male Speaker; welcomed Supervisor Dufty, 19th Avenue & Holloway
Paul Castleman; newly appointed to Citizen's Advisory Committee for Natural Areas Program
James Chaffee; SF Library issues
Michael O'Donnell; requested the Board to review an ordinance relating to Admin Code
Raul; regarding SBC hiring of janitorial at Pac Bell Ball Park
John Aldonna; general issues
Ms. Bradigan; individuals living in vehicles
Male Speaker; individuals living in vehicles
Francesco Costa; fiscal constraint, grants and placing a power plant in Presidio
John Kelly; tax on alcohol and shelters for the elderly
Andrew Bozeman; welcomed Supervisors Dufty and Ma and issues regarding power plants in Hunter's Point
Tom McDonagh; privacy issues, welcomed Supervisors Dufty and Ma
Eileen Brogan; SPEAK
Male Speaker; homeless issues

Recommendation of Finance Committee

021893 [Settlement of Lawsuit]
Supervisors Maxwell, McGoldrick

Ordinance authorizing settlement of the lawsuit filed by the City and County of San Francisco, on behalf of the People of California, against the Williams Energy Companies; the lawsuit entitled People v. Dynegy, et al. was filed on January 18, 2001, and has been consolidated as Wholesale Electricity Antitrust Cases I & II in the United States District Court, Southern District of California, Case Nos. 02 CV 0990-RHW, CV 02-1000-RHW, 02 CV-1001 RHW; which settlement provides a modification of the long-term contracts between the State of California and Williams, transfer to the City and County of San Francisco of four electric generating turbines for use within the City, payment of approximately \$19 million to assist with siting and developing electric generating equipment in San Francisco and elsewhere; and payment to City and County of San Francisco of \$500,000 for attorney's fees and other expenses of litigation.

(No Public Benefit Recipient.)

Supervisor Newsom noted absent at 4:45 p.m.

PASSED ON FIRST READING by the following vote:

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

CLOSED SESSION

CONFERENCE WITH CITY ATTORNEY

Existing Litigation - City as Plaintiff

Supervisor Gonzalez, seconded by Supervisor Maxwell, moved to convene in Closed Session. The motion carried by the following vote:

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

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

Recess

The Board recessed at the hour of 4:46 p.m. to convene in closed session pursuant to the above motion.

Reconvening of the Board

The Board at the hour of 4:59 p.m. reconvened.

Calling the Roll

On call of the roll, the following Supervisors were noted present: Supervisors Ammiano, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval - 9

Quorum present.

Report on Closed Session

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

Persons in attendance:

*Supervisors Ammiano, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Ted Lakey, Deputy City Attorney;
Theresa Mueller, Deputy City Attorney;
Gloria L. Young, Clerk of the Board;
Kay Gulbengay, Deputy Clerk*

The was informational only and no action was taken.

[Elect Not to Disclose]

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

Supervisor Sandoval, seconded by Supervisor Hall, moved not to disclose its Closed Session deliberations. The motion carried by the following vote:

**Ayes: 9 - Ammiano, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Absent: 2 - Daly, Newsom**

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.

**022000 [Authorize to accept and expend gift of \$1,000.00 from First Baptist Church]
Supervisors Newsom, Gonzalez**

Resolution authorizing the City and County to accept and expend a gift in the amount of \$1,000.00 from the first Baptist Church for Emergency Services.

Supervisor Gonzalez requested to be added as a co-sponsor.

Resolution No. 851-02

ADOPTED

**022001 [Urge City of Sacramento to overturn decision regarding sidewalks]
Supervisors Peskin, Gonzalez**

Resolution urging the City of Sacramento to withdraw its petition to the U.S. Supreme Court seeking to overturn a decision finding that access to sidewalks is within the program access requirements of Title II of the Americans with Disabilities Act of 1990.

Supervisor Gonzalez requested to be added as a co-sponsor.

Resolution No. 852-02

ADOPTED

**022002 [Urge DPT and SF County Transportation Authority to work in collaboration for the installation of pedestrian countdown signals]
Supervisors Newsom, Dufty**

Resolution urging the Department of Parking and Traffic and the San Francisco County Transportation Authority to work in collaboration in order to secure new funding streams necessary to jointly contribute toward the long-term safety gains by installing pedestrian countdown signals at the remaining 500 signalized intersections in the City and County of San Francisco.

Supervisor Dufty requested to be added as a co-sponsor.

Resolution No. 861-02

ADOPTED

**022004 [Commending participants of Crocker Amazon Playground Build Day]
Supervisor Sandoval**

Resolution commending all of the community members, organizations, and businesses who helped make the November 2, 2002 Crocker Amazon Playground Build Day a success.

Resolution No. 854-02

ADOPTED

- 022007** [Wishing Stan Warren well in his recovery]
Supervisors Ammiano, Newsom, Dufty, Hall, Maxwell

Resolution wishing Stan Warren well in his recovery from surgery.
Supervisors Dufty, Hall and Maxwell requested to be added as co-sponsors.
Resolution No. 856-02
ADOPTED

- 022008** [Urge Pacific Bell to contract with responsible janitorial contractor]
Supervisors Ammiano, Gonzalez, Maxwell

Resolution urging SBC Pacific Bell to join the rest of San Francisco's responsible corporations by contracting with a responsible janitorial contractor immediately in order to ensure their cleaning companies pay decent wages, provide affordable family health coverage, and respect workers' freedom to form a union.
Supervisors Gonzalez and Maxwell requested to be added as co-sponsors.
Resolution No. 857-02
ADOPTED

- 022009** [MOU between CCSF and US Department of Energy for the implementation of the City's renewable energy]
Supervisor Ammiano

Resolution approving the signing of a Memorandum of Understanding between the City and County of San Francisco (CCSF) and the United States Department of Energy Seattle Office (DOE) to obtain support from DOE for the implementation of the City's renewable energy, energy efficiency and distributed generation goals, and to authorize the San Francisco Public Utilities Commission (SFPUC) and the San Francisco Department of the Environment (SFE) to administer and act as co-leads for this agreement between CCSF and DOE.

(No Public Benefit Recipient.)

Resolution No. 858-02
ADOPTED

- 022010** [Commending UCSF]
Supervisor Maxwell

Resolution commending UCSF for its leadership, innovation, and commitment to removing mercury from our environment.
Resolution No. 859-02
ADOPTED

- 021994** [Needle Exchange Emergency]
Supervisors Ammiano, Newsom, Daly, Peskin, McGoldrick, Maxwell, Dufty

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program. (Clerk of the Board)
Supervisor Dufty requested to be added as a co-sponsor.
Motion No. M02-203
APPROVED

022016 [Final Map for an 84 Unit Residential/Commercial Condominium Project]

Motion approving Final Map of Hawthorne Place, a Residential/Commercial Condominium Project, being a subdivision of Lot 92 in Assessor's Block No. 3750, and adopting findings pursuant to Planning Code Section 101.1. (Public Works Department)

(No Public Benefit Recipient; DPW Order No. 173,854; District 6.)

Motion No. M02-205

APPROVED

022017 [Final Map for a 14 Unit Live/Work Condominium Project]

Motion approving Final Map of 239 8th Street, a Live/Work Condominium Project, being a subdivision of Lot 161, Assessor's Block No. 3730, and adopting findings pursuant to Planning Code Section 101.1. (Public Works Department)

(No Public Benefit Recipient; DPW Order No. 173,736; District 6.)

Motion No. M02-206

APPROVED

The foregoing items were acted upon by the following vote:

Ayes: 9 - Ammiano, Dufty, Gonzalez, Hall, Ma, Maxwell, Newsom, Peskin, Sandoval

Absent: 2 - Daly, McGoldrick

Severed From Without Reference to Committee Agenda

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

**022003 [Authorize application to permit Mortgage Credit Certificates and Mortgage Revenue Bonds]
Supervisors Newsom, Peskin**

Resolution authorizing an application to the California Debt Limit Allocation Committee to permit the issuance of Mortgage Certificates and Mortgage Revenue Bonds.

Mayor's representative responded to questions by members of the Board.

Supervisor Peskin requested to be added as a co-sponsor.

Resolution No. 853-02

ADOPTED by the following vote:

Ayes: 9 - Ammiano, Dufty, Gonzalez, Hall, Ma, Maxwell, Newsom, Peskin, Sandoval

Absent: 2 - Daly, McGoldrick

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

**022005 [Authorizing Peninsula Corridor Joint Powers Board to increase Grant Anticipation Note Program]
Supervisor Maxwell**

Resolution authorizing the Peninsula Corridor Joint Powers Board to increase the Grant Anticipation Note Program by \$231,000,000 in principal amount resulting in a total authorized aggregate principal amount of \$453,500,000 outstanding at any one time.

Resolution No. 855-02

ADOPTED by the following vote:

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

Supervisor Gonzalez, seconded by Supervisor Peskin, moved to rescind the previous vote.

The motion to rescind the previous vote was adopted by the following vote:

*Ayes: 9 - Ammiano, Dufty, Gonzalez, Hall, Hall, Ma, Maxwell, Newsom, Peskin, Sandoval
Absent: 2 - Daly, McGoldrick*

Susan Stark, Member of the Peninsula Corridor Joint Powers Board responded to questions raised by members of the Board.

Resolution No. 855-02

ADOPTED by the following vote:

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

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

**022006 [Urge Pretrial Diversion Program 50 hours of community service for first time graffiti offenders]
Supervisors Hall, Maxwell**

Resolution urging the Executive Director of the Pretrial Diversion program to recommend to the courts at least 50 hours of community service for first time graffiti vandalism offenders.

Continued to January 13, 2003.

Supervisor Maxwell requested to be added as a co-sponsor.

CONTINUED by the following vote:

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

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

022014 [Directing Clerk of the Board to provide public notice of budgetary decisions]
Supervisor Ammiano, Gonzalez.

Motion directing the Clerk of the Board of Supervisors to take specified actions to facilitate public notice of budgetary decisions by the Board of Supervisors causing the closure of, or affecting the level of medical service provided at, health care facilities of the City and County of San Francisco.

Amended on page 2, line 5 after the words "any proposed final budget" by adding "or any proposed amendment to an approved budget"; and further amended on page 2, line 13, after the words "location at which the," by adding the word "full".

President Ammiano, seconded by Supervisor Gonzalez, moved that this Motion be AMENDED. The motion carried by the following vote:

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

Supervisor Gonzalez requested to be added as a co-sponsor.

Motion No. M02-204

APPROVED AS AMENDED by the following vote:

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

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 Dufty, seconded by Supervisor Gonzalez, moved ADOPTION of the Commendary Finding Act. The motion carried by the following vote:

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

[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 Dufty, seconded by Supervisor Gonzalez, moved ADOPTION of the Brown Finding Act. The motion carried by the following vote:

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

022028 [Commending John Avalos]
Supervisors Sandoval, Gonzalez, Maxwell, Dufty

Resolution commending John Avalos for his work empowering children, youth and families in San Francisco.

Resolution No. 860-02

ADOPTED by the following vote:

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

OFF-AGENDA LEGISLATION

Introduced by Supervisors or Mayor

Ordinances

022027 [Conflict of Interest Code Amendments]
Ordinance amending sections 3.1-109, 3.1-110, 3.1-120, 3.1-135, 3.1-140, 3.1-145, 3.1-150, 3.1-155, 3.1-170, 3.1-175, 3.1-195, 3.1-230, 3.1-240, 3.1-245, 3.1-250, 3.1-260, 3.1-265, 3.1-270, 3.1-275, 3.1-310, 3.1-315, 3.1-320, 3.1-335, 3.1-345, 3.1-350, 3.1-360, 3.1-365, 3.1-375, 3.1-390, 3.1-395, 3.1-430, 3.1-435, and 3.1-445; deleting section 3.1-330 of the Campaign and Governmental Conduct Code; and adding section 3.1-169 to the Campaign and Governmental Conduct Code to update the list of designated employees who must file financial disclosure statements and to modify the applicable disclosure requirements. (City Attorney)
12/16/02, ASSIGNED UNDER 30 DAY RULE to Rules and Audits Committee, expires on 1/12/2003.

022029 [To appropriate funding for a business tax amnesty program]
Supervisor McGoldrick

Ordinance appropriating \$998,992 from the General Fund Reserve to the Treasurer/Tax Collector for the purpose of promoting and administering a business tax amnesty program, for fiscal year 2002-03, placing \$701,494 on reserve.

12/16/02, RECEIVED AND ASSIGNED to Finance Committee.

**022030 [Major Exterior Alterations to Residential Buildings]
Supervisors McGoldrick, Ammiano, Maxwell**

Ordinance amending the San Francisco Building Code by amending Section 103.3 to define "demolition" to mean only the complete removal of the structure, to define "major exterior alteration" as the removal of 75 percent or more of the exterior walls of a building or 50 percent or more of the building façade facing the street, and to impose the following additional requirements on major exterior alteration projects: expanded application requirements, inspector verification of existing conditions, prohibition on commencement of work until 15 days after permit issuance, limitations on the renewal or extension of the permit beyond three years, and establishment of penalties for violation of the requirements; amending the San Francisco Building Code by repealing Section 106.3.2.2, requiring notice of the application for a demolition permit; amending the San Francisco Planning Code by amending Sections 311 and 312 to require expanded public notice of major exterior alteration projects; requiring the Building and Planning Departments to issue implementing regulations within 90 days and report to the Board on the effectiveness of the ordinance no later than nine months thereafter; and adopting findings.

12/16/02, ASSIGNED UNDER 30 DAY RULE to Public Works and Public Protection Committee, expires on 1/15/2003.

**022031 [Zoning Map Amendment]
Supervisor Maxwell**

Ordinance amending Section Maps 8 and 8SU of the Zoning Map of the City and County of San Francisco for the property described as Assessor's Block 3978, Lot 1, bounded by Rhode Island Street, 17th Street, Kansas Street and Mariposa Street, from M-1 (Light Industrial) to NC-3 (Moderate-Scale Neighborhood Commercial District) and the 17th and Rhode Island Street Grocery Store Special Use Subdistrict.

(Companion measure to File 022032.)

12/16/02, ASSIGNED UNDER 30 DAY RULE to Transportation and Commerce Committee, expires on 1/15/2003.

**022032 [17th and Rhode Island Street Grocery Store Special Use Subdistrict]
Supervisor Maxwell**

Ordinance amending the San Francisco Planning Code by adding Section 781.10 to create the 17th and Rhode Island Grocery Store Special Use Subdistrict, applicable to the newly rezoned NC-3 block (previously M-1) bounded by 17th Street, Rhode Island Street, Mariposa Street and Kansas Street (Assessor's Block 3978, Lot 1), to permit a neighborhood grocery store at 17th and Rhode Island and amending the Section 712 Zoning Control Table; adopting findings.

12/16/02, ASSIGNED UNDER 30 DAY RULE to Transportation and Commerce Committee, expires on 1/15/2003.

**022033 [Grant Applications]
Supervisor Sandoval**

Ordinance amending San Francisco Administrative Code Section 10.170 to provide that all applications submitted by the City for federal, State, or other grants requesting funding for fifty thousand dollars or more for any project or program shall be subject to approval by the Board of Supervisors by resolution and placed on the For Adoption Without Committee Reference portion of the Board of Supervisors' Agenda.

12/16/02, ASSIGNED UNDER 30 DAY RULE to Rules and Audits Committee, expires on 1/15/2003.

**021726 [Regulation of mobile storage containers on the public right-of-way]
Supervisor Sandoval**

Ordinance adding Sections 726 et seq. of the Public Works Code to regulate placement of mobile storage containers on the public right-of-way.

10/16/02, ASSIGNED UNDER 30 DAY RULE to Public Works and Public Protection Committee, expires on 11/14/2002.

12/16/02, ASSIGNED to Public Works and Public Protection Committee.

12/16/02, SUBSTITUTED. Supervisor Sandoval submitted a substitute ordinance bearing same title.

**022046 [RCN Proposed OVS Franchise]
Supervisor Hall**

Draft Ordinance granting a 13 year franchise to RCN Telecom Services, Inc. for use of the public rights of way within the City and County of San Francisco to provide open video system services, cable internet services and other services upon payment of five percent of gross revenues to the City and County of San Francisco.

12/16/02, ASSIGNED UNDER 30 DAY RULE to Public Works and Public Protection Committee, expires on 1/15/2003.

Resolutions

**022028 [Commending John Avalos]
Supervisors Sandoval, Gonzalez, Maxwell, Dufty**

Resolution commending John Avalos for his work empowering children, youth and families in San Francisco.
12/16/02, ADOPTED.

**022034 [Urging SF Federal Legislative Delegation Allocation of HUD McKinney Funds]
Supervisor Gonzalez**

Resolution urging San Francisco's Federal legislative delegation to advocate for allocation of HUD McKinney funds at the 2002-03 level to support employment, education and training services to homeless services in San Francisco.

12/16/02, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**022035 [Declare January 16, 2003 Laura Jo Ruffin Day]
Supervisor Peskin**

Resolution declaring January 16, 2003 Laura Jo Ruffin Day in San Francisco.

12/16/02, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**022044 [Supporting Assembly Bill 18]
Supervisors Dufty, Ammiano**

Resolution supporting Assembly Bill 18, eliminating the preemption clause of the State Fair Employment and Housing Act.

12/16/02, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Request For Hearings

**022036 [Department of Parking and Traffic Annual Report]
Supervisor McGoldrick**

Hearing to receive annual report of the Department of Parking and Traffic's progress in placing pedestrian signage and ladder cross-walks near school sites, senior centers and other sites utilized by vulnerable pedestrian populations as directed by Resolution No. 730-01 passed on September 2001.

12/16/02, RECEIVED AND ASSIGNED to Transportation and Commerce Committee.

**022037 [Non-profit Service Providers]
Supervisor Hall**

Hearing to discuss (1) how many non-profit organizations that receive funds from the City and County of San Francisco have collective bargaining agreements with their employees and what benefits these employees receive; (2) the salaries of the directors/managers of the non-profit organizations; (3) total budgets of these not-for-profit service providers as compared to their administrative costs; and, (4) methods and strategies to ensure that money allocated to non-profit service providers by the City and County of San Francisco is spent efficiently and to ensure accountability.

12/16/02, RECEIVED AND ASSIGNED to Finance Committee.

**022038 [Equitable Distribution of funds by the DHS]
Supervisor Sandoval**

Hearing on the equitable and appropriate distribution of funds by the Department of Human Services.

12/16/02, RECEIVED AND ASSIGNED to Finance Committee.

**022039 [Public Safety Policies Regarding Individuals Living in their Vehicles]
Supervisor Sandoval**

Hearing on public safety policies regarding individuals living in their vehicles.

12/17/02, RECEIVED AND ASSIGNED to Public Works and Public Protection Committee.

**022040 [FY 2002-2003 and FY 2003-2004 Budgets]
Supervisor Maxwell**

Hearing on FY 2002-2003 and FY 2003-2004 budgets at a Committee of the Whole on January 13, 2003. The hearing will include reports from the Controller and the Mayor's Budget Office on mid-year budget reduction proposals, the most current budget projections for the City, and potential impacts for San Francisco from the State budget shortfall.

12/16/02, ASSIGNED to Board of Supervisors. Board to sit as a Committee of the Whole on January 13, 2003.

Motions

022026 [Amending the Rules of Order of the San Francisco Board of Supervisors]

Motion amending Rules 1.1, 2.9, 2.18, 3.7, 3.8, 3.11, and 5.35 of the Rules of Order of the Board of Supervisors to reflect the change of the regular meeting day from Monday to Tuesday and deadlines related thereto. (Clerk of the Board)

12/16/02, RECEIVED AND ASSIGNED to Rules and Audits Committee.

**022041 [Sitting As A Committee of the Whole 1/13/03 Budget]
Supervisor Maxwell**

Motion scheduling a Committee of the Whole on January 13, 2003, at 3:00 p.m. to hold a hearing on the FY 2002 - 2003 and FY 2003 - 2004 budgets.

12/16/02, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**022043 [Legislative Analyst Request]
Supervisor Hall**

Motion asking the Legislative Analyst to Review other municipalities (i.e. Washington D.C., Los Angeles, Seattle and New York City) and analyze what legislation and programs these cities have that encourage homeownership for first time homebuyers. Specifically, please analyze the tax credits offered by Washington D.C. to first time homebuyers.

Also, determine how the City and County of San Francisco could issue revenue bonds to create a fund accessible for San Franciscans seeking down payment and mortgage assistance.

12/16/02, ASSIGNED to Board of Supervisors. Scheduled for Board consideration January 13, 2003.

**022045 [Needle Exchange Emergency]
Supervisors Ammiano, Newsom, Daly, Peskin, McGoldrick, Maxwell, Dufty**

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

12/16/02, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

PROPOSED ORDINANCES

021986 [Settlement of Litigation]

Ordinance authorizing settlement of litigation by the City and County of San Francisco against Haruo Abe by accepting the total amount of \$21,250 plus interest as provided in the settlement and Mutual Release and directing its attorney to sign the dismissal with prejudice of the subject litigation upon completion of all of the terms of the settlement agreement. (Treasurer-Tax Collector)

(No Public Benefit Recipient.)

12/10/02, RECEIVED AND ASSIGNED to Rules and Audits Committee.

021987 [Settlement of Litigation]

Ordinance authorizing settlement of litigation by the City and County of San Francisco against Hartford Properties, a California Corporation and Helen Parduhn Marshall, individuals by accepting the total amount of \$25,000 directing its attorney to sign the Payment Agreement, Settlement and Release. (Treasurer-Tax Collector)

(Public Benefit Recipient.)

12/10/02, RECEIVED AND ASSIGNED to Rules and Audits Committee.

PROPOSED RESOLUTIONS

021981 [Stop Intersections]

Resolution designating certain intersections as "STOP" intersections.

STOP SIGNS - ESTABLISH

Avila and Beach Streets, stopping Beach Street at Avila Street, making this intersection an all-way STOP.

34th Avenue and Rivera Street, stopping 34th Avenue at Rivera Street, making this intersection an all-way STOP.

28th Avenue and Ulloa Street, stopping 28th Avenue at Ulloa Street, making this intersection an all-way STOP.

46th Avenue and Ortega Street, stopping 46th Avenue at Ortega Street, making this intersection an all-way STOP.

42nd Avenue and Ortega Street, stopping 42nd Avenue at Ortega Street, making this intersection an all-way STOP.

44th Avenue and Ortega Street, stopping Ortega Street at 44th Avenue, making this intersection an all-way STOP.

Italy Avenue and Lisbon Street, stopping Lisbon Street at Italy Avenue, making this intersection an all-way STOP.

Huron Street and Lawrence Avenue, stopping Huron Street at Lawrence Avenue, making this intersection an all-way STOP.

43rd Avenue and Ortega Street, stopping 43rd Avenue at Ortega Street, making this intersection an all-way STOP.

23rd Avenue and Kirkham Street, stopping Kirkham Street at 23rd Avenue, making this intersection an all-way STOP. (Parking and Traffic Department)

(12/3/03: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 2538; No Public Benefit Recipient.)

12/5/02, RECEIVED AND ASSIGNED to Transportation and Commerce Committee.

021982 [Traffic Regulations, Various Streets]

Resolution enacting and rescinding traffic regulations on various streets.

ONE-WAY (WESTBOUND) STREET - ESTABLISH

Tehama Street, from Gallagher Lane to 5th Street.

NO LEFT TURN INTO DRIVEWAY - ESTABLISH

643 and 649 Bay Street, westbound, between Columbus Avenue and Leavenworth Street. (Parking and Traffic Department)

(12/3/02: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 2538; No Public Benefit Recipient.)

12/5/02, RECEIVED AND ASSIGNED to Transportation and Commerce Committee.

021983 [Parking Regulations, Various Locations]

Resolution enacting and rescinding parking regulations at various locations.

NO PARKING ANYTIME - RESCIND

TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH

Faxon Avenue, east side, from Ocean Avenue to 170 feet northerly.

TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH

San Jose Avenue, south side, from 52 feet to 95 feet south of Theresa Street;

Mason Street, west side, from Beach Street to 22 feet southerly; and

California Street, both sides, from Van Ness Avenue to 55 feet westerly.

TOW-AWAY, NO STOPPING ANYTIME - RESCIND

Mission Street, south side, from 60 feet to 140 feet east of 11th Street.

NO PARKING ANYTIME - RESCIND

TOW-AWAY, NO PARKING ANYTIME - ESTABLISH

Meacham Place, both sides, from Post Street to south terminus.

UNMETERED MOTORCYCLE PARKING - ESTABLISH

Taylor Street, east side, from 3 feet to 6.5 feet south of the driveway at 1434 Taylor Street (3.5-foot zone, accommodating one motorcycle parking stall).

NO PARKING ANYTIME - RESCIND

TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH

Plymouth Avenue, east side, from Ocean Avenue to 96 feet northerly.

PARKING METER AREA NO. 3 (1-HOUR PARKING TIME LIMIT, 9 AM - 6 PM, MONDAY THROUGH SATURDAY) - ESTABLISH

24th Street, north side, from 65 feet to 107 feet west of Castro Street; and

24th Street, south side, from Castro Street to 143 feet westerly.

NO PARKING ANYTIME, 7 AM to 6 PM, EXCEPT SUNDAYS - RESCIND

Powell Street, east side, from 10 feet to 55 feet south of Pine Street (to establish a green zone in its place).

PARKING METER AREA NO. 3 (1-HOUR PARKING TIME LIMIT, 9 AM - 6 PM, MONDAY THROUGH SATURDAY) - ESTABLISH

Bosworth Street, north side, between Arlington and Diamond Streets (approximately nine spaces).

RESIDENTIAL PERMIT PARKING AREA "D" (2-HOUR TIME LIMIT, 7 AM - 6 PM, MONDAY THROUGH FRIDAY) - ESTABLISH

Arlington Street, east side, between Bosworth and Wilder Streets.

2-HOUR (SIGNED) PARKING RESTRICTIONS, 3-MONTH TRIAL - ESTABLISH

Bosworth Street, south side, between I-280 southbound on-ramp and Lyell Street; and

Bosworth Street, north side, between Arlington and Lyell Streets.

NO PARKING ANYTIME - RESCIND

TOW-AWAY, NO PARKING ANYTIME - ESTABLISH

Tehama Street, both sides, between 5th Street and Gallagher Lane

ANGLED (45 DEGREE ANGLE) PARKING - RESCIND

ANGLED (60 DEGREE ANGLE) PARKING - ESTABLISH

2400 block of Broadway, north side, between Pierce and Steiner Streets

RESIDENTIAL PERMIT PARKING AREA "Y" (2-HOUR TIME LIMIT, APRIL TO OCTOBER, 9 AM TO 10 PM, MONDAY THROUGH FRIDAY, 9 AM TO 6 PM, SATURDAY AND SUNDAY; NOVEMBER TO MARCH, 9 AM TO 6 PM, MONDAY THROUGH SATURDAY) - ESTABLISH
200 block of Brannan Street, south side, between Colin P. Kelly, Jr. and Delancey Streets.

RESIDENTIAL PERMIT PARKING AREA "Z" (2-HOUR TIME LIMIT, 8 AM - 6 PM, MONDAY THROUGH FRIDAY) - ESTABLISH
Cesar Chavez Street, south side, from Guerrero Street to 84 feet easterly (include addresses 3627, 3631 and 3635 Cesar Chavez Street only).

RESIDENTIAL PERMIT PARKING AREA "V" (2-HOUR TIME LIMIT, 8 AM - 6 PM, MONDAY THROUGH FRIDAY) - ESTABLISH
Mount Vernon Avenue, both sides, between Del Monte and Ellington Avenues (portion of the Unit block); and Ellington Avenue, both sides, between Mount Vernon Avenue and east terminus (Unit block)

RESIDENTIAL PERMIT PARKING AREA "U" (1-HOUR TIME LIMIT, 8 AM - 10 PM, EVERYDAY) - ESTABLISH
147 Stillman Street, (adds specific address only)

TOW-AWAY, NO PARKING ANYTIME - ESTABLISH
100 block of Bache Street, south terminus, from 10 feet east of the west property line to 22 feet easterly (22-foot zone).

UNMETERED MOTORCYCLE PARKING - ESTABLISH
Gallagher Lane, east side, from 2.5 feet to 20 feet south of Tehama Street (accommodating five spaces).

1-HOUR PARKING TIME LIMIT, 7 AM TO 6 PM, EXCEPT SUNDAY - ESTABLISH
Gallagher Lane, east side, from 18 feet to 120 feet north of Clementina Street. (Parking and Traffic Department)

(12/3/02: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 2538; No Public Benefit Recipient.)

12/5/02, RECEIVED AND ASSIGNED to Transportation and Commerce Committee.

021984 [HIV Care and Related Services for Women and Minorities]

Resolution authorizing the San Francisco Department of Public Health (SFPDH) AIDS Office (AO) to accept and expend retroactively the second year of a grant in the amount of \$650,000 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, 2002 to September 29, 2003. (Public Health Department)

(Public Benefit Recipient.)

12/11/02, RECEIVED AND ASSIGNED to Health and Human Services Committee. Department requests this item be scheduled for consideration at the December 19, 2002 meeting

12/12/02, TRANSFERRED to Finance Committee.

021985 [Expand Treatment for Homeless Addicts]

Resolution authorizing the San Francisco Department of Public Health (SFDPH) to accept and expend retroactively a grant in the amount of \$499,999 for the first year of a three year grant from the Substance Abuse and Mental Health Services Administration (SAMHSA) to establish the homeless addict vocational and educational network (HAVEN) and to enter into an agreement for the use of these funds; for the period of September 30, 2002 to September 29, 2003. (Public Health Department)

(Public Benefit Recipient.)

12/11/02, RECEIVED AND ASSIGNED to Health and Human Services Committee.

Requests Granted

From: Supervisor Maxwell

To: City Attorney

Requesting/Inquiring: To draft legislation necessary to initiate joint meetings with those legislators who represent the City and County of San Francisco. (See Attachment.)

From: Supervisor Maxwell

To: City Attorney

Requesting/Inquiring: To report on the California Polanco Act, and specifically on its potential application by the City and County of San Francisco for brownfield sites.

Due: January 15, 2003

From: Supervisor Peskin

To: City Attorney

Requesting/Inquiring: To draft legislation to require that live phone calls made on behalf of political campaigns must divulge their funding source. This legislation would expand an existing ordinance that requires recorded phone messages made on behalf of political campaigns to divulge their funding source (Ordinance 011909).

From: Supervisor Sandoval

To: Director, Department of Human Services

Requesting/Inquiring: To explain the reason behind the lack of recipients of DHS funds in District 11 and how the department plans to address this issue in the future.

From: Supervisor Sandoval

To: Director, Mayor's Office on Homelessness

To: Director, Department of Public Works

To: Director, Department of Parking and Traffic

To: Chief, Police Department

Requesting/Inquiring: That hearing on public safety policies regarding individuals living in vehicles has been requested and will be calendared in the near future.

From: Supervisor Gonzalez

To: City Attorney

Requesting/Inquiring: To draft a charter amendment which would amend charter section 4.104 by reducing the number of votes required for passing an item before the Board of Supervisors, over-riding a mayoral veto or upholding an appeal of a Planning Commission decision which is brought before the Board of Supervisors if a member of the Board of Supervisors is found, by the City Attorney's office, to have a conflict-of-interest which prevents that member from voting on the issue.

From: Supervisor Hall

To: Clerk of the Board

Requesting/Inquiring: To explain the effect on the Clerk's Office if one Board meeting a month moved its start time from 2:00 p.m. to 5:00 p.m., and the effect on the Clerk's Office if Public Comment was moved to 6:30 p.m. as a Special Order once a month.

From: Supervisor Hall

To: City Attorney

Requesting/Inquiring: To draft a motion calling for a special order Public Comment portion of the agenda for 6:30 p.m. at the Board's February 4, 2003 meeting.

From: Supervisor Hall

To: Controller

Requesting/Inquiring: To lists all the not-for-profit-service providers who receive funds from the City and County, and the corresponding Department that appropriates those funds:

From: Supervisor Hall

To: City Departments that appropriate funds to not-for-profit-service providers

Requesting/Inquiring: That City Departments that appropriate funds to not-for-profit-service providers report how much funding is appropriated for each not-for-profit-service provider to which you appropriate funds, what the total budget is for each not-for-profit-service providers, what the administrative costs are for each not-for-profit-service providers, what the 3 lowest paid workers and 3 highest paid workers make for each not-for-profit-service providers, whether or not the not-for-profit-service provider's employees have a collective bargaining agreement, and whether or not these employees receive benefits.

From: Supervisor Hall

To: Controller

To: General Manager, Recreation and Park Department

Requesting/Inquiring: Please list the revenue and expenditures for the last five years for the Downtown Park Fund. What parks have been created and/or improved?

From: Supervisor Hall

To: Director, Department of Telecommunications and Information Services (DTIS); and Telecommunications Commission

Requesting/Inquiring: To analyze the ordinance in File No. 021825 (RCN OVS Franchise Proposal) and report back to the Board of Supervisors within 60 days from today.

From: Supervisor Hall

To: Director, Planning Department

To: Director, Redevelopment Agency

To: Director, Port

To: General Manager, Muni

Requesting/Inquiring: To draft a memorandum detailing the duties and functions of your department's long term planner, and explain how each of these planners works with other long term planners in different city departments.

From: Supervisor Hall

To: City Attorney

Requesting/Inquiring: To review current City Code that ensures accountability and efficient spending of City funds, and draft recommendations for improving this language.

From: Supervisor Hall

To: Superintendent, Board of Education

Requesting/Inquiring: To report on plans to maximize San Francisco's efforts to receive grants under the recently passed Proposition 49.

From: Supervisor Hall

To: General Manager, Recreation and Park Department

Requesting/Inquiring: To provide a list of all the City's park and recreation facilities and the hours in which supervised recreation is offered. Also, provide the policies and/or regulations which teams and organizations must follow to reserve athletic facilities, as well as the corresponding fees.

From: Supervisor Ma

To: Director, Department of Public Works

Requesting/Inquiring: To explore the status of expanding the use of the currently limited yellow-striped pedestrian crosswalks to senior centers; including but not limited to, the number of senior centers that would

be affected and the estimated costs and time necessary to implement these crosswalks.

From: Supervisor Ma

To: Director, Department of Telecommunications and Information Services (DTIS)

Requesting/Inquiring: To review and report on the portion of viewing hours on the City's public access cable television channel, Access San Francisco, allotted to nonprofit community organizations and groups.

In Memoriams

Marjorie Antenore (Supervisor Ammiano)

Michael McFadden (Supervisors Dufty, Hall, Newsom, Maxwell)

ADJOURNMENT

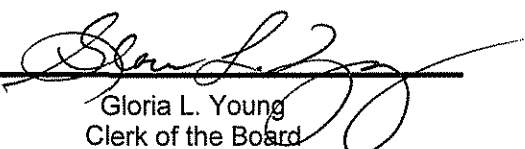
There being no further business, the Board at the hour of 5:00 p.m. adjourned.

Gloria L. Young, Clerk of the Board

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 January 13, 2003.

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