



Board of Supervisors

City and County of San Francisco

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



AGENDA

**Monday, October 15, 2001
2:00 PM**

Regular Meeting

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

Gloria L. Young, Clerk of the Board

ROLL CALL AND PLEDGE OF ALLEGIANCE

APPROVAL OF MEETING MINUTES

Motion to approve the August 27, 2001, Meeting Minutes.

AGENDA CHANGES

COMMUNICATIONS

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

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

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

Presentation by Dr. Sandra Nathan, Executive Director, Department of Aging and Adult Services.

CONSENT AGENDA

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

Items 1 through 10

Recommendations of the Audit, Labor and Government Efficiency Committee

Present: Supervisors Newsom, Daly

- 1. 011614 [Settlement of Legal Proceeding]**
Ordinance authorizing settlement of an administrative penalty conditionally imposed by the Department of Public Works on Adesta Communications, Inc. (City Attorney)
Question: Shall this Ordinance be PASSED ON FIRST READING?

- 2. 011670 [Settlement Of Lawsuit]**
Ordinance authorizing settlement of the lawsuit filed by Desiree Hamaoui against the City and County of San Francisco for \$60,000; the lawsuit was filed on September 20, 2000, in San Francisco Superior Court, Case No. 315-230; entitled Desiree Hamaoui v. City and County of San Francisco, et al. (City Attorney)
Question: Shall this Ordinance be PASSED ON FIRST READING?

- 3. 011717 [Settlement Of Lawsuit]**
Ordinance authorizing settlement of the lawsuit filed by Otto Arndt and Karl Heinz Arndt against the Estate of Zygmunt Arendt for payment of \$950,000 plus federal or state estate taxes, if any, to the contestants from the Estate of decedent Zygmunt Arendt; the lawsuit was filed on October 28, 1998 in San Francisco Superior Court, Case No. 270331; entitled Otto Arndt and Karl Heinz Arndt v. Ricardo Hernandez. (City Attorney)

Question: Shall this Ordinance be PASSED ON FIRST READING?

- 4. 011739 [Settlement of Lawsuit]**
Ordinance authorizing settlement of the lawsuit filed by Claude Reissner against the City and County of San Francisco for \$150,000.00; the lawsuit was filed on 6/27/00 in United States District Court, Northern District, Case No. C00-1739(SBA); entitled Claude Reissner, et al., v. City and County of San Francisco, et al. (City Attorney)

Question: Shall this Ordinance be PASSED ON FIRST READING?

- 5. 010828 [Settlement of Lawsuit]**
Ordinance authorizing settlement of the lawsuit filed by Khary Butler against the City and County of San Francisco for \$50,000.00; the lawsuit was filed on March 19, 1998 in San Francisco Superior Court, Case No. 993-756; entitled Khary Butler, et al., v. City and County of San Francisco, et al; there are no other material terms to said settlement. (City Attorney)

Question: Shall this Resolution be ADOPTED?

- 6. 011565 [Settlement of Claim]**
Resolution approving settlement of the unlitigated claim of the United States Environmental Protection Agency in an amount not to exceed \$180,000 for payment of costs of responding to contamination at Casmalia Resources Hazardous Waste Disposal Site. (City Attorney)

Question: Shall this Resolution be ADOPTED?

- 7. 011668 [Contingent Fee Agreement in Qui Tam Case re Substandard Waterworks Parts] **Supervisor Leno****
Resolution approving Contingency Fee Agreement in California ex rel. Nora Armenta v. James Jones Co., et al. (Los Angeles Superior Court No. BC 173487). (City Attorney)

Question: Shall this Resolution be ADOPTED?

Recommendation of the Housing, Transportation and Land Use Committee

Present: Supervisors McGoldrick, Peskin

- 8. 011555 [Changing Official Width of Sidewalk]**
Ordinance No. 1061 entitled "Regulating the Width of Sidewalks" is amended by adding thereto Section No. 1551 Changing the Official Sidewalk Width on a Portion of Front Street between Sacramento and California Streets, as shown on Department of Public Works drawing labeled Q-20-514 and making findings pursuant to City Planning Code Section 101.1. (Public Works Department)

10/9/2001, PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendation of the Public Health and Environment Committee

Present: Supervisors Maxwell, Yee, Leno

9. 011725 [Estimating Unmet Need for Primary Care]

Resolution authorizing the San Francisco Department of Public Health (SFDPH) to enter retroactively into a subcontract agreement in the amount of \$20,000 with the Regents of the University of California, AIDS Research Center (UCARC) to collaborate in efforts to assess unmet needs for primary care by persons receiving AIDS services in San Francisco; for the period of April 10, 2001 to April 9, 2002. (Public Health Department)

Question: Shall this Resolution be ADOPTED?

Recommendation of the Rules Committee

Present: Supervisors Gonzalez, Hall, Ammiano

10. 011603 [Appointment]

Resolution appointing Richard Charles Shadoian, Barbara Meskunas, Vito Corcia, and Melissa Dodd, terms to be determined, to the Citizens Advisory Committee on Elections. (Clerk of the Board)

Richard Charles Shadoian, new position, seat 1, must be a registered San Francisco voter with an interest and knowledge in the elections process, and show a commitment to fair and impartial elections (must also be nominated by a citizens group interested in civic participation and/or fair elections), for a new four-year term (ending date to be determined via drawing);

Barbara Meskunas, new position, seat 2, must be a registered San Francisco voter with an interest and knowledge in the elections process, and show a commitment to fair and impartial elections (must also be nominated by a citizens group interested in civic participation and/or fair elections), for a new four-year term (ending date to be determined via drawing);

Vito Corcia, new position, seat 3, must be a registered San Francisco voter with an interest and knowledge in the elections process, and show a commitment to fair and impartial elections, for a new four-year term (ending date to be determined via drawing);

Melissa Dodd, new position, seat 4, must be a registered San Francisco voter with an interest and knowledge in the elections process, and show a commitment to fair and impartial elections, for a new four-year term (ending date to be determined via drawing).

Question: Shall this Resolution be ADOPTED?

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

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of the Audit, Labor and Government Efficiency committee

Present: Supervisors Newsom, Daly, McGoldrick

- 11. 011167 [MTBE Purchase Ban]** **Supervisors Newsom, Daly, McGoldrick, Sandoval, Leno, Peskin, Maxwell**

Ordinance amending San Francisco Administrative Code by adding Chapter 12S prohibiting the bulk purchase of gasoline and/or other motor vehicle fuel containing MTBE by City Departments, effective January 1, 2002.

(Fiscal impact.)

10/1/2001, AMENDED. 10/01/01 - Supervisor Newsom, seconded by Supervisor McGoldrick moved to amend on Page 1, line 5, by replacing "February" with "January". On Page 1, line 21, delete "such as ethanol". On Page 4, line 18, delete "with a right to review and reconsideration by the Purchaser after two years upon a showing of corrective action indicating violations are not likely to reoccur." On Page 5, line 6, replace "February" with "January".

10/1/2001, PASSED ON FIRST READING AS AMENDED.

10/9/2001, CONTINUED. Supervisor Sandoval, seconded by Supervisor Gonzalez moved to continue to October 15, 2001.

Question: Shall this Ordinance be FINALLY PASSED?

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

Present: Supervisors Sandoval, Newsom, Maxwell

- 12. 010778 [Campaign and Governmental Conduct Code, Mass Mailings]** **Supervisors Leno, Newsom, Peskin**

Ordinance amending Article I, Chapter 1 of the San Francisco Campaign and Governmental Conduct Code by adding Section 1.161 to require candidates who pay for mass mailings to identify themselves on the mailings with a "paid for by" designation, and file a copy of the mass mailing along with an itemized disclosure statement with the San Francisco Ethics Commission.

10/9/2001, AMENDED. 10/9/01 - Supervisor Leno, seconded by Supervisor Peskin, moved to amend. On Page 1, line 20, replace "6" with "14". On Page 2, line 5, replace "two" with "five".

10/9/2001, PASSED ON FIRST READING AS AMENDED.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the Housing, Transportation and Land Use Committee

Present: Supervisors McGoldrick, Daly, Peskin

- 13. 011114 [Zoning Map amendment, 525 Golden Gate]** **Supervisor Ammiano**

Ordinance amending Zoning Map Sheet 2H of the City and County of San Francisco for property located at 525 Golden Gate Avenue, Lot 1 in Assessor's Block 766, to change the height district classification from 130E to 200L; adopting findings pursuant to the California Environmental Quality Act; and adopting findings that the General Plan amendment is consistent with the eight Priority Policies of Planning Code Section 101.1.

10/9/2001, AMENDED. 10/9/01 - Supervisor Ammiano, seconded by Supervisor Leno, moved to amend. On Page 1, line 19, delete the word "in".

10/9/2001, PASSED ON FIRST READING AS AMENDED.

Question: Shall this Ordinance be FINALLY PASSED?

14. 011115 [General Plan Amendment, 525 Golden Gate] Supervisor Ammiano

Ordinance amending the San Francisco General Plan in connection with approval of a City Administrative Building; adopting findings pursuant to the California Environmental Quality Act; and adopting findings that the General Plan amendment is consistent with the eight Priority Policies of Planning Code Section 101.1.

(Planning Commission Resolution #16212 adopting findings pursuant to CEQA dated 8/23/01; Planning Commission Resolution #16213 adopting General Plan amendment findings dated 8/23/01; Planning Commission Resolution #16214 adopted 8/23/01 recommending the proposed amendment; Planning Commission Resolution #16215 adopted 8/23/01 amending the Urban Design Element of the General Plan; Planning Commission Resolution #16216 adopting findings that the shadow impact will be insignificant.) (9/24/01 in Board: Supervisor Ammiano submitted a substitute ordinance bearing same title.) (Supervisor Daly dissenting in Committee.)

10/9/2001, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendation of the Neighborhood Services and Parks Committee

Present: Supervisors Yee, Hall, Sandoval

15. 011410 [Loitering At or Near Automatic Public Toilets] Supervisor Hall

Ordinance amending Part II, Chapter VIII, Article 2 of the San Francisco Municipal (Police) Code by adding Section 124-124.6 to prohibit more than one person from entering or remaining in an automatic public toilet at one time and to prohibit loitering at or near automatic public toilets.

10/9/2001, CONTINUED. Supervisor McGoldrick, seconded by Supervisor Maxwell, moved to continue to October 15, 2001.

Question: Shall this Ordinance be FINALLY PASSED?

NEW BUSINESS

Recommendation of the Audit, Labor and Government Efficiency Committee

Present: Supervisors Newsom, Daly, McGoldrick

16. 011619 [MOU Amendment No. 1, Automotive Machinists Local 1414]

Ordinance adopting and implementing Amendment No. 1 to the 2001-2003 Collective Bargaining Agreement between the Automotive Machinists, Local 1414 and the City and County of San Francisco by amending Article III.C., part 6, correcting a clerical error by deleting the Standby Pay provision. (Human Resources Department)

Question: Shall this Ordinance be PASSED ON FIRST READING?

Recommendations of the Finance Committee

Present: Supervisors Leno, Peskin, Gonzalez

17. 011566 [Sewer Emergency]

Resolution approving the expenditure of funds in the amount of \$272,846 to construct a new sewer on Tennessee Street from Cesar Chavez Street to midway toward 26th Street and on Cesar Chavez Street from 3rd Street to Tennessee Street. (Public Utilities Commission)
(Fiscal impact.)

Question: Shall this Resolution be ADOPTED?

18. 011642 [Pedestrian Safety and Street Resurfacing General Obligation Bonds]

Supervisor Ammiano

Resolution determining and declaring that the public interest and necessity demand the financing of street resurfacing, curb ramp construction, sidewalk improvement and street structure improvement projects and all other aspects necessary or convenient for the foregoing purposes, that the estimated cost of \$150,000,000 is and will be too great to be paid out of the ordinary annual income and revenue of said City and County and will require the incurring of a bonded indebtedness.

(Supervisor Gonzalez dissenting in Committee.)
(Fiscal impact.)

Question: Shall this Resolution be ADOPTED?

19. 011649 [Agreement to convey former Central Freeway Parcels to Redevelopment Agency]

Mayor

Resolution approving and authorizing an agreement with the Redevelopment Agency of the City and County of San Francisco for the sale and grant of an option to purchase certain real property formerly occupied by the Central Freeway for the purpose of affordable housing; adopting findings pursuant to the California Environmental Quality Act; adopting findings that the conveyance 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 and take certain actions in furtherance of this resolution. (Mayor)

Question: Shall this Resolution be ADOPTED?

- 20. 011650 [Agreement to sell and exchange former Central Freeway parcels] Mayor**

Resolution approving and authorizing agreements for the sale at fair market value and for the exchange of certain real property formerly occupied by the Central Freeway; adopting findings pursuant to the California Environmental Quality Act; adopting findings that the conveyance 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 and take certain actions in furtherance of this resolution. (Mayor)

Question: Shall this Resolution be ADOPTED?

- 21. 011651 [Development strategy and issuance of RFPs] Mayor**

Resolution endorsing the strategy for development of certain real property formerly occupied by the Central Freeway and the issuance of requests for proposals. (Mayor)

Question: Shall this Resolution be ADOPTED?

- 22. 011664 [Acquisition - Noise Easements]**
Resolution authorizing the acquisition of seventy (70) noise easements for sixty nine(69) properties in South San Francisco and one (1) in the unincorporated area of the County of San Mateo as part of the San Francisco Airport's Noise Insulation Program. (Real Estate Department)

Question: Shall this Resolution be ADOPTED?

- 23. 011669 [Public Utilities Commission Land Exchange]**
Resolution approving an exchange of pipeline easement land with Hayward-Oliver Owners, LLCrelated to property located in the City of Hayward, County of Alameda, State of California, and authorizing the quitclaim of the interest of the City and County of San Francisco in a strip of land 20 feet wide located along the westerly side of an existing easement area, in exchange for a grant of easement rights in a similar strip of land 20 feet wide located along the easterly side of the existing easement area plus certain additional surface use rights to City, and adopting findings pursuant to City Planning Code Section 101.1. (Real Estate Department)

Question: Shall this Resolution be ADOPTED?

Recommendation of the Public Health and Environment Committee

Present: Supervisors Maxwell,, Yee, Leno

- 24. 011724 [State Grant - Supportive Housing Initiative Act] Supervisor Leno**

Resolution authorizing the Department of Human Services to accept retroactively and expend a grant in the amount of \$3,000,000 from the California Department of Mental Health Supportive Housing Initiative Act. (Human Services Department)

Question: Shall this Resolution be ADOPTED?

Recommendations of the Rules Committee

Agreement from January 1, 2002 to December 31, 2003. (Clerk of the Board)

Question: Shall this Motion be ADOPTED?

SPECIAL ORDER 3:00 P.M.

Board of Supervisors Sitting as a Committee of the Whole

31. 011730 [Hearing - Ground Lease of Redevelopment Agency Land for Namiki Apartments]

Hearing of persons interested in or objecting to proposed resolution approving the Redevelopment Agency of the City And County of San Francisco's lease of land at Assessor's Block 675, Lot 49, commonly known As 1776 Sutter Street, to Namiki Apartments, L.P., for 50 Years for the purpose of preserving a housing development for very low and low income households. (Clerk of the Board)

Action:_____

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.

Committee of the Whole Rise and Report Without Recommendation

From Redevelopment Agency

32. 011731 [Ground Lease of Redevelopment Agency Land for Namiki Apartments]

Mayor

Resolution approving the Redevelopment Agency of the City And County of San Francisco's lease of land at Assessor's Block 675, Lot 49, commonly known As 1776 Sutter Street, to Namiki Apartments, L.P., for 50 Years for the purpose of preserving a housing development for very low and low income households. (Mayor)

Question: Shall this Resolution be ADOPTED?

33. ROLL CALL FOR INTRODUCTIONS

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

34. PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to

CLOSED SESSION

THREAT TO PUBLIC SERVICES OR FACILITIES

35. 011769 [Closed Session - Potential Threats to Public Services] Supervisor Leno

Motion that the Board of Supervisors convene in closed session with Chief of Police Lau, Fire Chief Trevino, Sheriff Hennessey, and the Airport and Water Departments to discuss potential threats to public services or facilities.

This closed session would be permitted by Government Code Sections 54954.5 and 54957 and the San Francisco Administrative Code Sections 67.8(a)(4) and 67.10(a).

Question: Shall this Motion be ADOPTED?

[Elect To Disclose]

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

[Elect Not to Disclose]

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

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

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

Items 36 through 51

36. 011754 [Community Courts Working Group] Supervisors Newsom, Daly, McGoldrick

Resolution creating a Community Courts Working Group to be comprised of various stakeholders with the charge of making recommendations to the Mayor and the Board of Supervisors and setting forth the membership and duties of the working group.

10/1/2001, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

10/9/2001, CONTINUED. Supervisor Gonzalez moved to continue to October 15, 2001.

Question: Shall this Resolution be ADOPTED?

37. 011803 [Supporting Bargaining Goals of the California Faculty Association] Supervisor Ammiano

Resolution supporting the bargaining goals of the California Faculty Association in their current troubled negotiations with the California State University.

10/9/2001, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

38. 011804 [Artwork Honoring Harvey Milk] Supervisors Gonzalez, Leno, Ammiano, Maxwell, Sandoval, Daly, Peskin, Newsom, Yee, McGoldrick, Hall

Resolution urging the Arts Commission to solicit and the City Hall building manager to determine an appropriate location for the installation of a permanent piece of artwork honoring Supervisor Harvey Milk in San Francisco City Hall.

10/9/2001, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

39. 011805 [Barry Bonds Day] Supervisor Hall

Resolution proclaiming October 27, 2001 "Barry Bonds Day" in the City and County of San Francisco.

10/9/2001, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

40. 011806 [Urging Enactment of SB 71] Supervisors Leno, Peskin

Resolution urging California Governor Gray Davis to sign SB 71, Senator John Burton's Worker's Compensation bill.

10/9/2001, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

41. 011807 [Urging High Speed Rail Authority] Supervisors Leno, Maxwell

Resolution endorsing the Caltrain Corridor Alignment and Transbay Terminal Station for program-level environmental review by the California High Speed Rail Authority, supporting completion of the Program Environmental Impact Report/Environmental Impact Statement

(EIR/EIS), and urging the California High Speed Rail Authority to work with the City and County of San Francisco and other agencies to identify and evaluate alternatives for a new Transbay Intercity Rail Crossing and direct San Francisco-Oakland-Sacramento High Speed Rail service.

10/9/2001, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

- 42. 011808 [Endorsing California Passenger Rail 20 Year Plan] Supervisors Leno, Maxwell**
Resolution endorsing the California Passenger Rail 20-Year Improvement Plan.

10/9/2001, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

- 43. 011809 [Establishing a City Contracting Task Force] Supervisor Maxwell**
Resolution establishing a City Contracting Task Force to review and make recommendation to the Board on possible legislative and budgetary actions relating to the City's policies and practices regarding contracting vital human health, safety, and affordable housing services with non-profit organizations.

10/9/2001, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

- 44. 011810 [USDA Resource Conservation and Development Program] Supervisor Maxwell**

Resolution co-sponsoring an application to the USDA Resource Conservation and Development program (RC&D) for the City and County of San Francisco.

10/9/2001, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

- 45. 011811 [Recognizing San Francisco Neighborhood Merchants] Supervisor Yee**
Resolution establishing the ongoing recognition of San Francisco's Neighborhood Merchants contributions to the economy and employment opportunities for San Francisco residents.

10/9/2001, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

- 46. 011812 [Commending - Jack Hirschman] Supervisors Gonzalez, Peskin**
Resolution commending and congratulating Jack Hirschman on his many accomplishments and on the occasion of his 68th birthday, December 13, 2001.

10/9/2001, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

- 47. 011813 [Commending - Barry Lamar Bonds] Supervisor Newsom**
Resolution commending San Francisco Giants team member, Barry Lamar Bonds, for his recent record breaking year, and specifically for breaking the single season home run record.
10/9/2001, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
- 48. 011814 [Commending - Department of Elections] Supervisor Sandoval**
Resolution commending the Department of Elections for holding its Midnight Madness Event on October 9, 2001 to encourage voter participation in the election process.
10/9/2001, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
- 49. 011835 [Falun Gong Practitioners] Supervisor Daly**
Motion directing the Clerk of the Board to send a statement to the Consul General of China expressing the Board of Supervisors' deep concern about human rights abuses of Falun Gong practitioners.
10/9/2001, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
- 50. 011840 [Budget Analyst Update of 1994 on Homeless Population] Supervisor Newsom**
Motion directing the Office of the Budget Analyst to update its 1994 Report on the cost of direct services provided to the homeless population in the City and County of San Francisco.
10/9/2001, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
- 51. 011787 [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. (Clerk of the Board)
10/9/2001, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Motion be ADOPTED?

Questions on the For Adoption Without Committee Reference Agenda: _____

52. **IMPERATIVE AGENDA**

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

[Serious Injury Finding]

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

[Purely Commendatory Finding]

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

[Brown Act Finding]

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

[Imperative Resolutions, if any]

OFF-AGENDA LEGISLATION

PROPOSED ORDINANCES

None.

PROPOSED RESOLUTIONS

Proposed resolutions received from October 4 through noon on October 10, for reference by President to appropriate committee on October 15, 2001.

011827 [Lease with Japan Airlines Company, Ltd.]

Resolution approving and authorizing the execution of a Lease with Japan Airlines

Company, Ltd., for space in Plot 50B-1 Cargo Building. (Airport Commission)

10/9/2001, RECEIVED AND ASSIGNED to Finance Committee.

011828 [Public Utilities Commission State Loan]

Resolution amending Resolution 720-99, which authorized the Public Utilities Commission to apply for and enter into loan agreements not to exceed \$50 million for the reimbursement of prior expenditures incurred for the construction of the Islais Creek/Rankin Street Transport Storage Facilities and to apply such reimbursed monies to defease certain bonds of the Clean Water Enterprise, to also authorize the application of a portion of such reimbursed monies to fund certain capital projects of the Clean Water Enterprise. (Public Utilities Commission)

10/9/2001, RECEIVED AND ASSIGNED to Finance Committee.

011829 [Grant - Substance Abuse Services]

Resolution authorizing the San Francisco Department of Public Health (SFDPH) to accept and expend retroactively a grant in the amount of \$1,105,000 from the Substance Abuse and Mental Health Services Administration (SAMHSA) and the Center for Substance Abuse Treatment (CSAT), for the period of August 1, 2001, to July 31, 2002. (Public Health Department)

10/9/2001, RECEIVED AND ASSIGNED to Public Health and Environment Committee. Department requests this item be calendared at the October 23, 2001 meeting.

011841 [Petitions and Communications]

Petitions and Communications received from October 4 through noon on October 10, for reference by the President to Committee considering related matters or to be ordered filed by the Clerk on October 15, 2001.

From Max Young, submitting request for transfer of a Type 47-liquor license to a Type 48-liquor license for property located at 473 Broadway. (1)

From Youth Commission, submitting three resolutions: commending Jina Tanner on her work with Youth in San Francisco; urging the Board of Supervisors, Police Department and Commission to mandate a Police Crisis Intervention Training Program for SF Police Officers. (2)

From Theresa Hong, submitting resolution urging the Chinese Government to end the persecution of Falun Gong practitioners. File 011750 (3)

From Department of Public Health, notifying the Board of Supervisors of a federal or state grant line item budget revision in excess of 15% requiring funding agency approval. (4)

From Office of the Assessor-Recorder, regarding the placing of Type 1 advertisements in the newspaper.(Reference No. 20010924-039) Copy: Supervisor Leno(5)

From Superior Court, regarding the placing of Type 1 advertisements in the newspaper.(Reference No. 20010924-032)Copy: Supervisor Leno (6)

From Department of Administrative Services, regarding the placing of Type 1 advertisements in the newspaper.(Reference No. 20010924-064)Copy: Supervisor Leno (7)

From Department on the Status of Women, regarding the placing of Type 1 advertisements in the newspaper.(Reference No. 20010924-071)Copy: Supervisor Leno (8)

From San Francisco Convention Facilities, regarding the placing of Type 1 advertisements in the newspaper.(Reference No. 20010924-068)Copy: Supervisor Leno (9)

From Office of the Controller Audits Division, submitting report regarding the second review of the agreement with Public Utilities Commission and the San Francisco Water Alliance to procure program management and construction management services in support of the Public Utilities Commission's Water, Power and Sewer Capital Improvement Program. (10)

From Public Library, submitting request for release of reserved funds in the amount of \$230,000 for the Radio Repeater Project and \$20,000 for the Audio/Visual Design Project Design Project.File 010551 (11)

From Budget Analyst, submitting Activity Status Report for the Quarter ending September 30, 2001. (12)

From Judicial Council of California, submitting Superior Court deposit statement for the month ending August 2001. (13)

From Department on the Status of Women, submitting report entitled "City and County of San Francisco Work-Life Policies and Practices Report" dated October 2001. (14)

From various signators, submitting Form 700 Statement of Economic Interest:(15)
Monica Lim

From Rick Thurber, commenting on the increase in litter and graffiti in San Francisco. 9 Letters (16)

From Steven Keller, submitting opposition to proposal by Dr. Jeffrey Klausner of the Department of Public Health to go after gay men that use private internet chat rooms to meet multiple, anonymous sex partners. (17)

From Solid Waste Management Program, regarding the placing of Type 1 advertisements in the newspaper.(Reference No. 20010924-063)Copy: Supervisor Leno (18)

From Civil Service Commission, regarding the placing of Type 1 advertisements in the newspaper.(Reference No. 20010924-036)Copy: Supervisor Leno (19)

From Real Estate Division, regarding the placing of Type 1 advertisements in the newspaper.(Reference No. 20010924-074)Copy: Supervisor Leno (20)

From Fine Arts Museums, regarding the placing of Type 1 advertisements in the newspaper.(Reference No. 20010924-052)Copy: Supervisor Leno (21)

From Jack Corsello and Karen Boezi, submitting opposition to proposed parking restrictions including tow-away of vehicles on Upper Terrace.Copy: Housing, Transportation and Land Use Committee (22)

From Mayor's Office of Community Development, submitting request for release of reserved funds in the amount of \$260,000 for development services in the Asian Pacific Islander community of San Francisco.File 010621 (23)

From David Dow, submitting notice of appeal for 23-25 Bartlett Street from action of the Planning Commission. (24)

From Senate Rules Committee, submitting press release regarding the Senate and Joint Committee Interim Hearings for October, November and December 2001. (25)

From Law Offices of Hersh and Hersh, submitting copy of letter sent to Super Shuttle concerning a Super Shuttle employee who refused to take a passenger in a wheelchair as a passenger unless she paid \$50 instead of the usual \$17, violating her civil rights and deprived her of the treatment to which she is entitled under the Americans with Disabilities Act. (26)

From Little House Committee, submitting support for the designation of the Filbert Street Cottages as a City Landmark. 15 Letters, Copy: Each Supervisor (27)

From John Jenkel, submitting newsletter entitled "Abuse News from the Center for the Preservation of Horses". (28)

From Jack Sarfatti, regarding the Financial District in San Francisco as the next target of bin Laden. (29)

From Lloyd Schloegel, regarding restriction on political activity for certain City office holders. File 011603 (30)

From Frederick Hobson, commenting on members of the Animal Control and Welfare Commission working together in cooperation for the safety and welfare of animals. (31)

From State Department of Fish and Game, regarding public hearings in Santa Rosa and Eureka for the Draft Environmental document for the 2084 Emergency Regulations for Coho Salmon. (32)

From concerned citizens, submitting opposition to proposed resolution urging the Chinese Government to end the persecution of Falun Gong practitioners. File 011750, 3 Letters (33)

From Dalisay Bocobo-Balunsat, submitting petition to re-open the Filipino Education Center. (34)

From concerned citizens, submitting support for proposed legislation prohibiting the bulk purchase of gasoline and/or other motor vehicle fuel containing MTBE by City Departments, effective January 1, 2002. File 011277, 2 letters (35)

From John Hoecker, submitting support for the privatization of ambulance service in San Francisco. (36)

From Kevin Fancher, submitting support for Mayor Brown's efforts to strengthen and enforce loitering and anti-harassment laws in San Francisco. (37)

From Human Right Commission, regarding the placing of Type 1 advertisements in the newspaper. (Reference No. 20010924-037) Copy: Supervisor Leno (38)

From Department of the Environment, regarding the placing of Type 1 advertisements in the newspaper. (Reference No. 20010924-024) Copy: Supervisor Leno (39)

From On Lok, submitting opposition to proposed moratorium on Wireless

Telecommunication Facilities in San Francisco.File 011277,Copy: Each Supervisor (40)

From Erik Beckjord, submitting support to close the Golden Gate Bridge to walkers and bikes, and several suggestions regarding Afghanistan and Osama bin Laden. 3 Letters (41)

From Jeff Webster, submitting request for help in evicting his roommate. (42)

From Gary Beberman, submitting support for water testing and medical response teams in San Francisco. (43)

From Richard Wilson, submitting support for proposed legislation regarding Internet filtering.File 010940 (44)

From Planning Department, submitting Certificate of Determination of Exemption/Exclusion from Environmental Review for proposed Interim Controls in the Showplace Square/Potrero Hill Area.File 011580Copy: Each Supervisor (45)

From Outer Mission Residents Association, submitting support for proposed legislation regarding Limousines for Hire Parking Regulations.File 011408 (46)

From State Department of Social Services, regarding Child Abuse Prevention, Intervention, and Treatment Revised Allocations for State fiscal year 2001/02. (47)

From Office of the Treasurer, submitting report on the Cash Difference and Overage Funds for the period ending September 30, 2001.(48)

From Immigrant Rights Commission, submitting resolution to end hate and violence against Arab and Muslim residents in San Francisco. (49)

MAYOR'S APPOINTMENT
Airport Commission
Michael Strunsky

ADJOURNMENT

Meeting Procedures

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

Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices,(Violators may be removed from the meeting room.)3) signs to be brought into the meeting or displayed in the room; and 4) standing in the Legislative Chamber.

Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA94102.

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

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

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

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

Requests for language translation at a meeting must be received no later than noon the Friday before the meeting.

AVISO EN ESPAÑOL: La solicitud para un traductor en una reunión debe recibirse antes de mediodía de el viernes anterior a la reunión. Llame a Erasmo Vazquez (415) 554-4909.

Disability access

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

The closest accessible BART Station is Civic Center, three blocks from City Hall. Accessible MUNI lines serving this location are: #47 Van Ness, and the #71 Haight/Noriega and the F Line to Market and Van Ness and the Metro stations at Van Ness and Market and at Civic Center. For more information about MUNI accessible services, call 923-6142.

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

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

For a large print copy of agenda or minutes in alternative formats, contact Annette Lonich at (415) 554-7706. The Clerk of the Board's Office TTY number for speech-hearing impaired is (415) 554-5227.

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

Know Your Rights Under the Sunshine Ordinance

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

For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Donna Hall by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 409, by phone at (415) 554-7724, by fax at (415) 554-5784 or by email at Donna_Hall@ci.sf.ca.us

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

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