

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, October 22, 2001 2:00 PM

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

Regular Meeting

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

BOARD COMMITTEES

Committee Membership

Audit, Labor and Government Efficiency Committee

Supervisors Newsom, Daly, McGoldrick

City and School District Committee

Supervisor Maxwell, Supervisor Ammiano, Commissioner Wynns, Commissioner Mar

Economic Vitality, Small Business and Social Policy Committee

Supervisors Sandoval, Newsom, Maxwell

Finance Committee

Supervisors Leno, Peskin, Gonzalez

Housing, Transportation and Land Use Committee

Supervisors McGoldrick, Daly, Peskin

Neighborhood Services and Parks Committee

Supervisors Yee, Hall, Sandoval

Public Health and Environment Committee

Supervisors Maxwell, Yee, Leno

Public Utilities and Deregulation Committee

Supervisors Daly, Gonzalez, Ammiano

Rules Committee

Supervisors Gonzalez, Hall, Ammiano

Meeting Days

2nd & 4th Tuesday
1:00 PM

Call of the Chair

1st & 3rd Tuesday
10:00 AM

Wednesday
10:00 AM

2nd & 4th Thursday
10:00 AM

1st & 3rd Tuesday
1:00 PM

2nd & 4th Tuesday
10:00 AM

Call of the Chair

1st & 3rd Thursday
1:00 PM

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

Members Present: Tom Ammiano, Chris Daly, Matt Gonzalez, Tony Hall, Mark Leno, Sophie Maxwell, Jake McGoldrick, Gavin Newsom, Aaron Peskin, Gerardo Sandoval, Leland Y. Yee.

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:02 p.m. On call of the roll, the following Supervisor was noted absent:

Supervisor Maxwell - 1.

Quorum present.

Supervisor Maxwell was noted present at 2:03 p.m.

AGENDA CHANGES

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

Supervisor Peskin indicated the matter relating to IHSS Contract Modification Approval - Addus Healthcare, File 011561. (See infra.)

Supervisor Ammiano indicated the matter relating to Storage Container Removal and Storage, File 011673. (See infra.)

COMMUNICATIONS

CONSENT AGENDA

Items 1 through 10

Recommendations of the Audit, Labor and Government Efficiency Committee

~~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)

Ordinance No. 213-01
FINALLY PASSED

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)

Ordinance No. 212-01
FINALLY PASSED

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)

Ordinance No. 216-01
FINALLY PASSED

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)

Ordinance No. 217-01
FINALLY PASSED

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)

Ordinance No. 218-01
FINALLY PASSED

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)

Ordinance No. 219-01
FINALLY PASSED

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

011770 [Accept and Expend Federal Grant]
Mayor

Resolution authorizing the Mayor of the City and County of San Francisco to retroactively accept and expend a grant in the amount of \$2,150,710 from the U.S. Department of Justice, Bureau of Justice Assistance, to administer the Local Law Enforcement Block Grant Program. (Mayor)

Resolution No. 827-01
ADOPTED

Recommendations of the Housing, Transportation and Land Use Committee

011439 [Traffic Regulations, Various Streets]

Resolution enacting and rescinding traffic regulations on various streets.

NO LEFT TURNS, 7 AM - 9 AM AND 4 PM - 7 PM, EXCEPT SUNDAY - ESTABLISH
14th Avenue, southbound, at Fulton Street

TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH
7th Street, west side, from Market Street to 121 feet southerly (eliminates meters #4, #6, #8, #10, and #12)

TOW-AWAY, NO STOPPING ANYTIME - RESCIND
23rd Street, north side, from Vermont Street to 100 feet westerly (100-foot zone)

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

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

(DPT Order No. 2279.)

Resolution No. 817-01
ADOPTED

011557 [Stop Intersections]

Resolution designating certain intersections as "STOP" intersections.

STOP SIGNS - ESTABLISH
10th Avenue and Kirkham Street, northeast and southwest corners, stopping Kirkham Street (makes this an all-way STOP)
Silliman and University Streets, northeast and southwest corners, stopping Silliman Street (makes this an all-way STOP) (Parking and Traffic Department)

(DPT Order No. 2295.)

Resolution No. 819-01
ADOPTED

Recommendation of the Neighborhood Services and Parks Committee

011556 [Acceptance of Street for Maintenance]

Ordinance accepting for purposes of maintenance Peters Avenue, subject to specified limitations, pursuant to California Streets and Highways Code Section 1806, San Francisco Administrative Code Section 1.52, and Department of Public Works Order No. 173,091. (Public Works Department)

(District 9)

PASSED, ON FIRST READING

The foregoing items were acted upon by the following vote:

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

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of the Audit, Labor and Government Efficiency Committee

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.)

Ordinance No. 214-01

FINALLY PASSED by the following vote:

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

Recommendation of the Finance Committee

**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)

Supervisor Peskin, seconded by Supervisor Daly moved to amend.

10/22/01 - On Page 2, line 20, after "housing" insert "for low income seniors". On Page 5, line 12, delete "affordable". On Page 5, line 12 after "Plan" insert "which shall be affordable to low income seniors". On Page 6, add a further resolve clause to read: "Pursuant to Section 33433 of the California Health and Safety Code the Redevelopment Agency disposition, conveyance or transfer of the property conveyed by this resolution shall be approved by a resolution of the Board of Supervisors."

AMENDED.

Resolution No. 824-01

ADOPTED AS AMENDED by the following vote:

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

Recommendation of the Neighborhood Services and Parks Committee

**011410 [Loitering At or Near Automatic Public Toilets]
Supervisors Hall, Newsom**

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.

Ordinance No. 215-01

FINALLY PASSED by the following vote:

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

Noes: 2 - Daly, Gonzalez

NEW BUSINESS

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

**011503 [Grant Funds-James Denman Middle School]
Mayor**

Resolution authorizing the Chief of Police of the City and County of San Francisco to accept and expend grant funds made available through the Governor's Office of Criminal Justice Planning for a project entitled "James Denman Middle School Safety Program" and waiving indirect costs due to funding constraints; rescinding Resolution Number 674-00. (Mayor)

Resolution No. 818-01

ADOPTED by the following vote:

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

011667 [Liquor License Transfer, 1 Ferry Plaza, Pier 2]

Resolution determining that the transfer of a Type 51 on-sale general club license to the World Trade Club from World Trade Center #300 to its new address at No. 1 Ferry Plaza, Pier 2 (District 3), will serve the public convenience and necessity of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code.

Supervisor Peskin, seconded by Supervisor Leno, moved to continue to October 29, 2001.

CONTINUED by the following vote:

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

011671 [Agreement - Informatix, Inc. and CCSF to implement the Computer Assisted Support Enforcement System (CASES) Consortium for 34 California counties including San Francisco]

Resolution retroactively approving the Agreement and its subsequent amendment between Informatix, Inc. and City, dated May 3, 2000, for computer consulting services necessary to implement the CASES Consortium. (Child Support Services)

Resolution No. 825-01

ADOPTED by the following vote:

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

Recommendations of the Finance Committee

011436 [Official Advertising]

Resolution authorizing the Purchasing Division of the Office of Contract Administration to negotiate and enter into a sole source contract with the San Francisco Chronicle to be the official newspaper of the City and County of San Francisco for the category of consecutive day official advertising for the fiscal year ending June 30, 2002. (Purchaser)

Resolution No. 814-01

ADOPTED by the following vote:

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

011561 [IHSS Contract Modification Approval - Addus Healthcare]

Resolution approving the retroactive modification of the contract between the City and County of San Francisco and Addus Healthcare for the provision of In-Home Supportive Services for the period from July 1, 2001 to January 31, 2002, in the increased amount of \$4,182,526, for a total contract amount of \$21,379,697. (Human Services Department)

(Fiscal impact.)

(Supervisor Gonzalez dissenting in Committee)

Supervisor Leno, seconded by Supervisor McGoldrick moved to continue to October 29, 2001.

CONTINUED by the following vote:

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

011715 [Accept and Expend Federal Grant Funds Under the Airport Improvement Program (AIP)]

Resolution authorizing the Airport Commission to accept and expend grant funds in the amount of \$23,849,790.00 from the Federal Aviation Administration for the purpose of Airport Improvements: \$15,525,000 to be expended by the Facilities Operations and Maintenance Division (A.I.P 16, Project No. 01-1-3-06-0221-1601); and \$8,324,790 for Preliminary Engineering and Environmental Planning for Environmental Evaluation to be expended by the Airfield Development Bureau (A.I.P 17, Project No. 01-5-3-06-0221-0000); placing \$8,324,790 on reserve. (Airport Commission)

Resolution No. 826-01

ADOPTED by the following vote:

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

Recommendations of the Housing, Transportation and Land Use Committee**011567 [Changing the definition of a truck in the Traffic Code to limit the use of special truck loading zones to bona-fide delivery vehicles]**

Ordinance amending Sections 33.3 and 33.3.2 of the San Francisco Traffic Code, restricting the types of vehicles that may use Truck Loading Zones and Special Truck Loading Zones in parking bays along Market Street between Steuart and Octavia Streets to those with at least six wheels. (Parking and Traffic Department)

PASSED ON FIRST READING by the following vote:

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

011363 [Interim Control - Mission District]
Supervisor Ammiano

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

(Received Certificate of Exemption/Exclusion from Environmental Review dated 9/17/01)

10/22/01 - Supervisor Ammiano, seconded by Supervisor Daly presented an Amendment of the Whole.
AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.

Resolution No. 841-01

ADOPTED AS AMENDED by the following vote:

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

Noes: 1 - Hall

011437 [Stop Intersections]

Resolution designating certain intersections as "STOP" intersections.

STOP SIGNS - ESTABLISH

Miramar Avenue and Eastwood/Westwood Drives (north intersection), northeast and southwest corners, stopping Eastwood and Westwood Drives (makes this uncontrolled intersection a two-way STOP) (Parking and Traffic Department)

(DPT Order No. 2279.)

Resolution No. 815-01

ADOPTED by the following vote:

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

011438 [Parking Regulations, Various Locations]

Resolution enacting and rescinding parking regulations at various locations.

NO PARKING, 6 AM - 9 AM, MONDAY THROUGH FRIDAY, EXCEPT VEHICLES WITH VANPOOL PERMITS - RESCIND

Larkin Street, east side, from 71 feet to 92 feet south of McAllister Street (21-foot zone at meter #220, to accommodate new bus zone)

Dr. Carlton B. Goodlett Place (Polk Street), east side, from 184 feet to 208 feet south of McAllister Street (24-foot zone, at meters #310 and #312)

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

Clayton Street, both sides, between Haight and Page Streets (500 block)

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

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

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

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

DIAGONAL (60-DEGREE ANGLE) PARKING - ESTABLISH

Paul Avenue, north side, from 3rd Street to 140 feet westerly (140-foot zone)

Williams Avenue, north side, between 3rd and Lucy Streets

Williams Avenue, north side, between Lucy and Ceres Streets

PERPENDICULAR (90-DEGREE ANGLE) PARKING - ESTABLISH

Armstrong Avenue, south side, between 3rd and Keith Streets

Bancroft Avenue, north side, from 3rd Street to west terminus

Donner Avenue, south side, from 3rd Street to east terminus

Hollister Avenue, north side, from Jennings Street to a point 56 feet east of 3rd Street

Jamestown Avenue, south side, between 3rd and Keith Streets

Jamestown Avenue, south side, between Keith Street and Salinas Avenue

Le Conte Avenue, south side, between 3rd and Keith Streets

Thomas Avenue, south side, between 3rd and Lane Streets

Underwood Avenue, north side, between 3rd and Lane Streets

Van Dyke Avenue, north side, between 3rd and Keith Streets (Parking and Traffic Department)

(DPT Order No. 2279.)

Resolution No. 816-01

ADOPTED by the following vote:

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

011558 [Parking Regulations, Various Locations]

Resolution enacting and rescinding parking regulations at various locations.

PERPENDICULAR (90-DEGREE ANGLE) PARKING - ESTABLISH

Connecticut Street, east side, between 18th and 20th Streets
Mississippi Street, both sides, between 20th and 22nd Streets
Mississippi Street, east side, between Mariposa and 20th Streets
Missouri Street, both sides, between 19th and Mariposa Streets
Missouri Street, east side, between 20th and Sierra Streets
Missouri Street, west side, between 17th and Mariposa Streets
Missouri Street, west side, between 19th and 20th Streets
Pennsylvania Street, both sides, between 19th and 22nd Streets
Pennsylvania Street, west side, between 18th and Mariposa Streets
Texas Street, both sides, between 17th and 19th Streets
Texas Street, east side, between 19th and 20th Streets
Texas Street, east side, from 20th Street to a point 95 feet south of Sierra Street
Texas Street, west side, from 20th Street to a point 65 feet north of Sierra Street

RESIDENTIAL PERMIT PARKING AREA "Q" (ENTIRE AREA) - RESCIND

3rd Street, east side, between Ingerson and Jamestown Avenues (6300 block odd-numbered side)
3rd Street, west side, between Paul and Salinas Avenues (6200 block, even-numbered side)
Carr Street, both sides, between Paul and Salinas Avenues (unit block)
Crane Street, both sides, between Paul and Salinas Avenues (unit block)
Gould Street, both sides, between Paul and Salinas Avenues (unit block)
Paul Avenue, south side, between 3rd and Crane Streets (unit, 100, 200, 300, and 400 blocks)
Salinas Avenue, north side, between 3rd and Exeter Streets (unit, 100, and 200 blocks)

RESIDENTIAL PERMIT PARKING AREA "S" (2-HOUR TIME LIMIT, 8 AM - 9 PM, MONDAY THROUGH FRIDAY) - ESTABLISH

Castro Street, both sides, between 21st and Hill Streets (northern portion of 800 block)

UNMETERED MOTORCYCLE PARKING - ESTABLISH

17th Street, north side, from 43.5 feet to 72 feet east of Folsom Street (28.5-foot zone, accommodating 7 motorcycles, in front of #3084-17th Street) (Parking and Traffic Department)

(DPT Order No. 2295.)

Resolution No. 820-01

ADOPTED by the following vote:

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

011559 [Traffic Regulations, Various Streets]

Resolution enacting and rescinding traffic regulations on various streets.

NO LEFT TURN - RESCIND

NO LEFT TURN, EXCEPT MUNI AND TAXIS - ESTABLISH

Market Street, westbound, at Spear Street

TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH

Fulton Street, north side, between 48th Avenue and La Playa

La Playa, west side, from the extension of the north property line of Cabrillo Street to 60 feet southerly (60-foot zone, opposite the stem of the T-intersection)

Monterey Boulevard, south side, between Acadia Street and Circular Avenue

South Van Ness Avenue, west side, from Market Street to 80 feet southerly (80-foot zone, eliminates parking meters #2, #4, and #6)

TOW-AWAY, NO STOPPING, 7 AM - 6 PM, MONDAY THROUGH FRIDAY - ESTABLISH

39th Avenue, west side, from Quintara Street to 15 feet southerly (15-foot zone)

RIGHT LANE MUST TURN RIGHT - RESCIND

Mansell Street, westbound, at Brazil Street (Parking and Traffic Department)

(DPT Order No. 2295.)

Resolution No. 821-01

ADOPTED by the following vote:

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

011611 [Grant, Job Access and Reverse Commute (JARC) Section 37 Federal Capital Funding Assistance]

Resolution authorizing the Municipal Transportation Agency Board to accept retroactively and expend \$229,953 of Federal Job Access and Reverse Commute (JARC) Funds, Section 3037, for the San Francisco International Airport's (SFO) SFO-Southeast San Francisco Transportation Job Link Program, and including \$13,016 for Administrative Overhead Costs. (Municipal Transportation Agency)

Resolution No. 822-01

ADOPTED by the following vote:

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

011612 [Grant, Surface Transportation Program Capital Assistance for MUNI Projects]

Resolution authorizing the Municipal Transportation Agency Board to accept retroactively and expend \$53,282,382 of Federal Formula Section 5307 and Surface Transportation Program (STP) Capital Assistance for Municipal Railway Capital Projects and activities and including \$1,705,135 for Indirect Costs. (Municipal Transportation Agency)

Resolution No. 823-01

ADOPTED by the following vote:

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

Noes: 2 - Daly, Gonzalez

Recommendations of the Neighborhood Services and Parks Committee

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

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

Supervisor Ammiano, seconded by Supervisor Peskin, moved to re-refer to Committee.

RE-REFERRED to the City and School District Committee by the following vote:

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

011541 [US-Japan Peace Treaty]
Supervisors Yee, Ammiano, Daly, Sandoval

Resolution urging the government of Japan, on the 50th anniversary of the US-Japan Peace Treaty, to apologize for its wartime atrocities and provide just compensation for the surviving victims of its aggression.

(Supervisor Hall dissenting in committee)

10/22/01 - Supervisor Yee, seconded by Supervisor Sandoval moved an Amendment of the Whole.

AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.

10/22/01 - Supervisor Leno, seconded by Supervisor Maxwell moved to amend on Page 3, line 1, after "calls" insert "upon". On Page 3, line 3, replace "urges the Mayor, in his capacity as the host of the 50th anniversary festivities, to remind the participating dignitaries and guests of the unresolved issues of the Asian/Pacific War in all his public statements and remarks" with "urges respect, understanding and tolerance for all Japanese Americans so as not to revisit past injustices suffered by them".

AMENDED.

Resolution No. 842-01

ADOPTED AS AMENDED by the following vote:

Ayes: 8 - Ammiano, Daly, Gonzalez, Leno, Maxwell, McGoldrick, Sandoval, Yee
Noes: 2 - Hall, Peskin
Absent: 1 - Newsom

SPECIAL ORDER 3:00 P.M.

011869 [City Message]
Mayor

Mayor's Annual State of the City Message. (Mayor)

The Honorable Willie L. Brown, Jr., Mayor gave the Annual State of the City Address. The Mayor introduced the following officials: Doris Ward, Assessor, Susan Leal, Treasurer, Michael Hennessey, Sheriff, Kimiko Burton, Public Defender, Mitchell Katz, Director of Health and Mario Trevino, Chief, Fire Department.

FILED.

COMMITTEE REPORTS

From Rules Committee

010844 [Storage Container Removal and Storage]
Supervisors Ammiano, Gonzalez, Daly

Ordinance amending the San Francisco Public Works Code by adding Sections 1407-1416 to create procedures for the removal of personal property and storage containers from public and private property and for the storage of property and encouraging City departments to create additional free storage facilities.

NOT passed by the following vote:

Ayes: 4 - Ammiano, Daly, Gonzalez, Sandoval

Noes: 7 - Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Yee

ROLL CALL FOR INTRODUCTIONS

PUBLIC COMMENT

Abdalla Megahed, homeless shelters;
John Bardis, Mayor's budget;
Patricia Vaughey, four types of homelessness;
Charlie Peters, MTBE;
Allen Mallow, Middle Black Box Theater;
Christine Ellis, Plaza Hotel ;
Donald Green, neighborhood working group on Presidio;
Doug Hahn, Presidio National Park;
Daniel Wild, Plaza Hotel party.

APPROVAL OF REQUESTS TO THE LEGISLATIVE ANALYST

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

011867 [Legislative Analyst Request]
Supervisor Newsom

Motion requesting the office of the Legislative Analyst to conduct a report on trash receptacles and the use of best practices in other cities.

APPROVED by the following vote:

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

SPECIAL ORDER 5:00 P.M.

CLOSED SESSION

THREAT TO PUBLIC SERVICES OR FACILITIES

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).

Recess

The Board recessed at the hour of 5:23 p.m. to convene in closed session.

Deputy City Attorney Ted Lakey reported that the Board of Supervisor has met in closed session with various department heads, under provisions of Government Codes Sections 54954.5 and 54957 and San Francisco Administrative Code Sections 67.8(a)(4) and 67.10(a) for the purpose of conferring with, or receiving advice.

Persons in attendance:

*John Martin, Director, Airport;
Mitchell Katz, Director, Department of Public Health;
Mario Trevino, Chief, Fire Department;
Michael Hennessey, Sheriff;
Lucien Canton, Director, Mayor's Office of Emergency Services;
Commander Greg Shhr, Police Department;
Thera Bradshaw, Director, Emergency Communication Department;
Paul Lovette, Deputy General Manager, Safety and Training;
Ted Lakey, Deputy City Attorney;
Gloria L. Young, Clerk of the Board;
Gregoire Hobson, Deputy Clerk.*

Reconvening of the Board

The Board at the hour of 6:17 p.m. reconvened.

Calling the Roll

The following Supervisors were noted present: Supervisors Ammiano, Daly, Hall, Leno, Maxwell, Newsom, Peskin, Sandoval, Yee - 9

Noted absent: Supervisors Gonzalez, McGoldrick - 2.

Supervisor Peskin, seconded by Supervisor Hall, moved that this Motion be APPROVED. The motion carried by the following vote:

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

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

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

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 37 through 52**011854 [Transgender Resource Center]
Supervisor Leno**

Resolution supporting the creation of a transgender resource center by local non-profits who serve the lesbian, gay, bisexual and transgender communities.

Resolution No. 828-01
ADOPTED

**011855 [Pesticide Product Labels]
Supervisors Newsom, Leno**

Resolution urging the United States Environmental Protection Agency (US EPA) to require that manufacturers and registrants of pesticide products fully disclose all inert ingredients on pesticide product labels.

Resolution No. 829-01
ADOPTED

**011856 [Emergency 911 Wireless Communication Regulations]
Supervisor Newsom**

Resolution encouraging Thomas J. Surgrue, Chief of the Federal Communication Commission's (FCC) Wireless Telecommunications Bureau, to hold carriers, to the already established deployment schedule, to swiftly implement an accurate emergency location determination, in order for Emergency Medical Services (EMS) to achieve the short time intervals imperative to save lives.

Resolution No. 830-01
ADOPTED

**011857 [Avon Foundation]
Supervisors Peskin, Ammiano, Leno, Daly, Newsom, Maxwell**

Resolution recognizing the generous contribution of \$10 million by the Avon Products Foundation to expand women's health services in San Francisco and commending the San Francisco General Foundation for attracting this generous gift.

Resolution No. 831-01
ADOPTED

011858 [Fisherman's Wharf Merchants Association]
Supervisors Peskin, Leno, Newsom, Hall, Maxwell

Resolution recognizing the unprecedented partnership between the Fisherman's Wharf Merchants Association and several City departments in refurbishing the Fisherman's Wharf area.

Resolution No. 832-01
ADOPTED

011859 [Grant - Recreation and Park Department]
Supervisors Yee, Newsom

Resolution authorizing the Recreation and Park Department to accept and expend a grant in the total amount of \$50,000 from the California Integrated Waste Management Board for the South Sunset Playground improvement project.

Resolution No. 833-01
ADOPTED

011860 [Jennie A. Horn Day]
Supervisor Yee

Resolution proclaiming November 7, 2001 "Jennie A. Horn Day" in the City and County of San Francisco in honor of her retirement from the San Francisco Unified School District.

Resolution No. 834-01
ADOPTED

011861 [Margaret Garza Wells Day]
Supervisor Yee

Resolution proclaiming November 7, 2001 "Margaret Garza Wells Day" in the City and County of San Francisco in honor of her retirement from the San Francisco Unified School District.

Resolution No. 835-01
ADOPTED

011863 [Commendation]
Supervisor Maxwell

Resolution commending Senator Martha Escutia on the passage of her bill SB 702, California Environmental Health Tracking System, to track links between chronic disease and the environment.

Resolution No. 836-01
ADOPTED

011865 [Commendation]
Supervisor Sandoval

Resolution commending Carlos Moreno on his appointment to the California Supreme Court.

Resolution No. 838-01
ADOPTED

011871 [Naming Right of Way "Al Scoma Way"]
Supervisors Peskin, Newsom

Resolution recommending that the Port of San Francisco name the Right of Way north of Jefferson Street to Pier 47 as "Al Scoma Way", in recognition of Al Scoma's varied contributions to the City of San Francisco and Fisherman's Wharf over the past six decades.

Resolution No. 839-01

ADOPTED

011793 [Final Map for a 7 Unit Mixed Use Condominium Project]

Motion approving Final Map of 5301 Mission Street, a Mixed Use Condominium Project, being a subdivision of Lot 1, Assessor's Block No. 6461, and adopting findings pursuant to City Planning Code Section 101.1. (Public Works Department)

(DPW Order No. 173,208; District 11.)

Motion No. M01-155

APPROVED

011888 [Final Map for a 9 Unit Live/Work Condominium Project]

Motion approving Final Map of 1047 Mississippi Street, a Live/Work Condominium Project, being a subdivision of Lot 12, Assessor's Block No. 4224, and adopting findings pursuant to City Planning Code Section 101.1. (Public Works Department)

(DPW Order No. 173,211; District 10.)

Motion No. M01-156

APPROVED

The foregoing items were acted upon by the following vote:

Ayes: 8 - Ammiano, Daly, Hall, Maxwell, Newsom, Peskin, Sandoval, Yee

Absent: 3 - Gonzalez, Leno, McGoldrick

Severed from Adoption Without Committee Reference

011853 [Lifeline Transit Network]
Supervisors Leno, Daly, Peskin

Resolution supporting the creation of a regional lifeline transit network, urging the Metropolitan Transportation Commission (MTC) to complete the Lifeline Transit Network and fully fund its implementation in the Regional Transportation Plan (RTP) and urging MTC to adopt lifeline transportation measures for projects proposed for the Regional Transit Expansion Program (RTEP).

Supervisor Sandoval, seconded by Supervisor Maxwell moved to continue to October 29, 2001.

CONTINUED by the following vote:

Ayes: 8 - Ammiano, Daly, Hall, Maxwell, Newsom, Peskin, Sandoval, Yee

Absent: 3 - Gonzalez, Leno, McGoldrick

011862 [Tourism Stimulus]
Supervisor McGoldrick

Resolution calling on the Mayor to pursue state funds to stimulate the local tourism economy; and inviting officials of major Asian cities to visit San Francisco.

Supervisor Daly moved to refer to committee.

REFERRED to the Economic Vitality, Small Business and Social Policy Committee.

011864 [Commendation]
Supervisors Newsom, Leno

Resolution commending the Precita Eyes Mural Arts and Visitors Center for providing 25 years of Community Mural Arts in the City and County of San Francisco, and its most recent mural project, The Flower Inside Us Grows.

10/22/01 - Supervisor Newsom, seconded by Supervisor Maxwell moved an Amendment of the Whole.

AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.

Resolution commending the Precita Eyes Mural Arts and Visitors Center and Larkin Street Youth Services for providing 25 years of Community Mural Arts in the City and County of San Francisco, and its most recent mural project, The Flower Inside Us Grows.

Resolution No. 837-01

ADOPTED AS AMENDED by the following vote:

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

Absent: 2 - Gonzalez, 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.

[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."

Supervisor Daly, seconded by Supervisor Sandoval, moved. The motion carried by the following vote:

Ayes: 8 - Ammiano, Daly, Hall, Maxwell, Newsom, Peskin, Sandoval, Yee

Absent: 3 - Gonzalez, Leno, McGoldrick

[Purely Commendatory Finding]

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

Supervisor Daly, seconded by Supervisor Sandoval, moved. The motion carried by the following vote:

Ayes: 8 - Ammiano, Daly, Hall, Maxwell, Newsom, Peskin, Sandoval, Yee

Absent: 3 - Gonzalez, Leno, 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 Daly, seconded by Supervisor Sandoval, moved Brown Act Finding]

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

Ayes: 8 - Ammiano, Daly, Hall, Maxwell, Newsom, Peskin, Sandoval, Yee

Absent: 3 - Gonzalez, Leno, McGoldrick

Imperative Agenda

**011907 [Mary Welsh Byrd Day]
Supervisor Yee**

Resolution proclaiming October 25, 2001 "Mary Welsh Byrd Day" in the City and County of San Francisco in honor of her retirement from the San Francisco Unified School District.

Resolution No. 840-01

ADOPTED by the following vote:

Ayes: 8 - Ammiano, Daly, Hall, Maxwell, Newsom, Peskin, Sandoval, Yee

Absent: 3 - Gonzalez, Leno, McGoldrick

**011908 [Presidio Trust Draft Implementation Plan]
Supervisor Yee**

Resolution urging Presidio Trust to allow development or renovation only as befits a national park, to guarantee public participation in future planning processes.

Resolution No. 785-01

ADOPTED by the following vote:

Ayes: 8 - Ammiano, Daly, Hall, Maxwell, Newsom, Peskin, Sandoval, Yee

Absent: 3 - Gonzalez, Leno, McGoldrick

OFF-AGENDA LEGISLATION

Introduced by Supervisors or Mayor

Ordinances**011909 [Municipal Election]
Supervisors Peskin, Daly**

Ordinance amending Municipal Code, Elections Code by adding Section 970 to prohibit the giving or receiving of anything of value in consideration of voting, refraining from voting, or voting for or against a candidate or measure at a municipal election.

10/22/01, RECEIVED AND ASSIGNED to Rules Committee.

Resolutions**011907 [Mary Welsh Byrd Day]
Supervisor Yee**

Resolution proclaiming October 25, 2001 "Mary Welsh Byrd Day" in the City and County of San Francisco in honor of her retirement from the San Francisco Unified School District.

10/22/01, ADOPTED.

**011908 [Presidio Trust Draft Implementation Plan]
Supervisor Yee**

Resolution urging Presidio Trust to allow development or renovation only as befits a national park, to guarantee public participation in future planning processes.

10/22/01, ADOPTED.

**011910 [Multifamily Housing Revenue Bonds]
Supervisor Newsom**

Resolution authorizing the issuance and sale of multifamily housing revenue bonds by California Statewide Communities Development Authority in an aggregate principal amount not to exceed \$10,000,000 for Gough Street LLC.

10/22/01, RECEIVED AND ASSIGNED to Finance Committee.

**011911 [Runoff Absentee Ballot]
Supervisors Gonzalez, Peskin**

Resolution urging the California State Legislature to amend State election law so that persons requesting absentee ballots for the general election will also receive absentee ballots for the resulting runoff election.

10/22/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**011912 [Disaster Preparedness Testing]
Supervisor Leno**

Resolution urging the San Francisco Department of Emergency Communications and the Office of the Mayor to institute an interdepartmental disaster preparedness test, and further urging the Association of Bay Area Governments to begin similar intergovernmental disaster preparedness testing.

10/22/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**011913 [City Hall Café]
Supervisor Leno**

Resolution approving the management agreement, dated November 1, 2001, between the City of San Francisco and Mrs. Chong Sook Park, for the operation of the City Hall Café.

10/22/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**011914 [Wireless Carriers]
Supervisor Newsom**

Resolution urging the Emergency Communications Department, in collaboration with the San Francisco Telecommunications Commission, to implement 9-1-1 in the wireless carrier environment to enhance current emergency operations by the Emergency Communications Department's 911-Center.

10/22/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**011921 [Economic Stimulus Task Force]
Supervisor Newsom**

Resolution establishing an Economic Stimulus Task Force to be comprised of members of the Board of Supervisors or their designee, the Mayor's Office, and the San Francisco business and policy planning community; and subject to meet on a biweekly basis in order to expedite approved projects.

10/22/01, RECEIVED AND ASSIGNED to Rules Committee.

**011915 [Commendation]
Supervisors Gonzalez, Hall**

Resolution commending and congratulating Father Larry N. Lorenzoni, S.D.B. on the fiftieth anniversary of his ordination.

10/22/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

011916 [Commendation]
Supervisors Hall, Newsom, Leno

Resolution commending the San Francisco Public Utilities Commission, the City of Daly City, the Olympic Club, the Lake Merced Golf and County Club, and the San Francisco Golf Club for their work in reaching landmark agreements that will set in motion a plan to restore Lake Merced.

10/22/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

011917 [Commendation]
Supervisors Leno, Sandoval, Daly

Resolution commending the Mission Housing Development Corporation on its 30th Anniversary.

10/22/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

011918 [Commendation]
Supervisor Leno

Resolution commending the Eureka Valley Promotion Association on its 120th Anniversary.

10/22/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

011925 [Commend - Mexican Museum]
Supervisor Newsom

Resolution commending the Mexican Museum on its upcoming groundbreaking event to be held on October 25th, 2001.

10/22/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Requests for Hearing

011919 [Better Neighborhoods 2002 On-Street Parking Proposals]
Supervisor Ammiano

Hearing to consider Better Neighborhoods 2002 On-Street Parking Proposals.

10/22/01, RECEIVED AND ASSIGNED to Housing, Transportation and Land Use Committee.

011920 [San Francisco Biotechnology Industry]
Supervisor Maxwell

Hearing on the San Francisco biotechnology industry to focus on: (1) Creating a local business climate that attracts the industry to San Francisco; (2) Identifying the industry's role in the City's economy; (3) Incorporating biotechnology into the City's planning processes; (4) Distinguishing different types of biotechnology; and (5) Creating local health and safety protections.

10/22/01, RECEIVED AND ASSIGNED to Public Health and Environment Committee.

**011922 [Airport Working Conditions]
Supervisor Sandoval**

Hearing to examine the working conditions for employees at San Francisco International Airport and to discuss the possible federalization of airport security positions as a result of the September 11th attacks.
10/22/01, RECEIVED AND ASSIGNED to Economic Vitality, Small Business and Social Policy Committee.

Motions

**011906 [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.
10/22/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**011923 [Legislative Analyst Request]
Supervisor Newsom**

Motion asking the Office of the Legislative Analyst to provide staff assistance to the Emergency Room Diversion Task Force.
10/22/01, ASSIGNED to Board of Supervisors. Scheduled for Board consideration October 29, 2001.

**011924 [Mayor's Proposed Annual City Budget]
Supervisor Yee**

Motion amending the Rules of Order of the Board of Supervisors by adding Rule 5.29 providing that the Mayor's proposed annual City budget shall not be referred to Committee, and shall be considered by the Board of Supervisors at regular or special meetings.
10/22/01, RECEIVED AND ASSIGNED to Rules Committee.

Introduced by the President at the Request of Departments

PROPOSED ORDINANCES

011870 [Settlement of Business Tax Lawsuit]

Ordinance authorizing settlement of the lawsuit filed by Morgan Stanley Dean Witter & Co. Inc. versus the City and County of San Francisco by payment of a total amount not to exceed \$1,200,000.00; the lawsuit was filed on June 22, 2001 in San Francisco Superior Court, Case No. 322-341; entitled Morgan Stanley Dean Witter & Co. Inc., et. al. v. City and County of San Francisco; the settlement includes any claims for the 2000 tax year and plaintiffs shall not file any claims for refunds pursuant to Section 1021 of Article 12B of the San Francisco Business and Tax Regulations Code. (City Attorney)
10/17/01, RECEIVED AND ASSIGNED to Audit, Labor and Government Efficiency Committee.

- 011875 [Amendments to Conflict of Interest Code]**
Ordinance amending Article III, Chapter 1 of the San Francisco Campaign and Governmental Conduct Code by adding Sections 3.1-168, 3.1-218, 3.1-423 and 3.1-424, amending Sections 3.1-109, 3.1-110, 3.1-170, 3.1-215, 3.1-365 and 3.1-435, and repealing Section 3.1-355 to update the list of designated officials who must file financial disclosure statements and to modify the applicable disclosure requirements. (City Attorney)
10/17/01, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 11/14/2001.
- 011876 [Settlement of Lawsuit]**
Ordinance authorizing settlement of the lawsuit filed by A. Ruiz Construction Company against the City and County of San Francisco for \$200,000.00; the lawsuit was filed on July 10, 2000, in San Francisco Superior Court, Case No. 312-041; entitled A. Ruiz Construction Company v. City and County of San Francisco. (City Attorney)
10/17/01, RECEIVED AND ASSIGNED to Audit, Labor and Government Efficiency Committee.
- 011877 [Settlement of Lawsuit]**
Ordinance authorizing settlement of the lawsuit filed by 111 Chestnut Street Condominium Homeowners Association, 220 Lombard Street Condominium Homeowners Association, 240 Lombard Street Condominium Homeowners Association, Lombard Plaza Owners Association, associations representing property owners of the Parc Telegraph development, against the City and County of San Francisco for \$41,500, monitoring services of Frank Rollo, Sr., and debris removal; the lawsuit was filed on November 13, 1997 in the Superior Court of San Francisco, Case No. 991-050; entitled 111 Chestnut Condominium Homeowners Association, et al v. City and County of San Francisco, et al. (City Attorney)
10/17/01, RECEIVED AND ASSIGNED to Audit, Labor and Government Efficiency Committee.

PROPOSED RESOLUTIONS

- 011872 [Stop Intersections]**
Resolution designating certain intersections as "STOP" intersections.
- STOP SIGNS - ESTABLISH**
25th and Church Streets, northeast and southwest corners, stopping Church Street (makes this an all-way STOP)
41st Avenue and Judah Street, northeast and southwest corners, stopping Judah Street (makes this an all-way STOP)
Fairmount and Whitney Streets, northwest and southeast corners, stopping Whitney Street (making this intersection an all-way STOP)
Revere Avenue and Bay View Street, northwest corner, stopping southbound Revere Avenue (stops the stem of this T-intersection)
San Carlos and Sycamore Streets, southwest corner, stopping San Carlos Street (stops the stem of this T-intersection)
- STOP SIGNS - RESCIND**
Lincoln Way and 3rd Avenue, southeast corner, stopping northbound 3rd Avenue (Parking and Traffic Department)
- (DPT Order No. 2321.)
10/17/01, RECEIVED AND ASSIGNED to Housing, Transportation and Land Use Committee.

011873 [Traffic Regulations]

Resolution enacting and rescinding traffic regulations on various streets.

CROSSWALK CLOSURE - ESTABLISH

Lincoln Way and 3rd Avenue, west side, crossing 3rd Avenue (unmarked crosswalk to be officially closed)

TOW-AWAY, NO STOPPING ANYTIME - RESCIND

Lincoln Way, south side, from 4th Avenue to a point 100 feet west of 3rd Avenue

TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH

Lincoln Way, south side, between 3rd and 4th Avenues

Bryant Street, south side, from Beale Street to 100 feet westerly (100-foot zone)

Masonic Avenue, east side, from Frederick Street to 53 feet northerly (53-foot zone)

TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH

3rd Street, west side, from 25th Street to 198 feet northerly (198-foot zone)

3rd Street, west side, from 25th Street to 202 feet southerly (202-foot zone)

3rd Street, east side, from 60 feet to 139 feet north of Cesar Chavez Street (79-foot zone)

NO LEFT TURN - ESTABLISH

3rd Street, southbound, at Burke Avenue

TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH

3rd Street, both sides, between Evans and Fairfax Avenues

3rd Street, east side, between Innes Avenue and Newhall Street (traffic island)

3rd Street, east side, from 35 feet to 80 feet north of Jerrold Avenue (45-foot zone)

3rd Street, east side, from 90 feet to 125 feet south of Fairfax Avenue (35-foot zone)

3rd Street, east side, opposite Bancroft Avenue (across from the stem of this T-intersection)

3rd Street, west side, between Newhall Street and Kirkwood Avenue (traffic island)

3rd Street, west side, opposite Donner Avenue (across from the stem of this T-intersection)

3rd Street, west side, opposite Underwood Avenue (across from the stem of this T-intersection)

NO LEFT TURN - ESTABLISH

3rd Street, northbound, at Quesada Avenue

3rd Street, northbound, at Thornton Avenue

NO RIGHT TURN ON RED - ESTABLISH

3rd Street, southbound, at Revere Avenue / Bay View Street

TOW-AWAY, NO STOPPING ANYTIME - RESCIND

3rd Street, west side, from 47 feet to 75 feet south of Hudson Avenue (28-foot zone)

3rd Street, west side, from 74 feet to 110 feet south of Yosemite Avenue (36-foot zone)

3rd Street, west side, from Galvez Avenue to a point 83 feet south of Fairfax Avenue (130-foot zone)

3rd Street, west side, from Innes Avenue to 60 feet northerly (60-foot zone)

3rd Street, west side, from Kirkwood Avenue to 35 feet northerly (35-foot zone along sidewalk bulb) (Parking and Traffic Department)

(DPT Order No. 2321.)

10/17/01, RECEIVED AND ASSIGNED to Housing, Transportation and Land Use Committee.

011874 [Parking Regulations]

Resolution enacting and rescinding parking regulations at various locations.

DIAGONAL (60-DEGREE ANGLE) PARKING - ESTABLISH
NO PARKING ANYTIME, EXCEPT DPT ENFORCEMENT VEHICLES - ESTABLISH
10th Street, east side, from Bryant Street to 250 feet southerly (250-foot zone)

NO PARKING ANYTIME - ESTABLISH
Cook Street, along north terminus, north of Geary Boulevard, from the west curb line to 23 feet easterly (23-foot zone, adjacent to Euclid Avenue stairs)

ONE-HOUR PARKING TIME LIMIT, NOVEMBER THROUGH MARCH, 7 AM TO 6 PM, MONDAY THROUGH SATURDAY - RESCIND
2nd Street, west side, from Townsend Street to 105 feet southerly (105-foot zone, to be replaced by taxi zones)

TAXI ZONE (EFFECTIVE ON PACIFIC BELL PARK EVENT DAYS ONLY) - RESCIND
2nd Street, west side, from 9 feet to 42 feet south of Townsend Street (33-foot zone)

TAXI ZONE (EFFECTIVE ON PACIFIC BELL PARK EVENT DAYS ONLY) - ESTABLISH
2nd Street, west side, from 9 feet to 105 feet south of Townsend Street (96-foot zone)

UNMETERED MOTORCYCLE PARKING - ESTABLISH
Duboce Avenue, north side, from Steiner Street to 23 feet westerly (23-foot zone, accommodating 6 motorcycle stalls)

PERPENDICULAR (90-DEGREE ANGLE) PARKING - ESTABLISH
Channel Street, south side, from Carolina Street to 140 feet easterly (140-foot zone)
Channel Street near Carolina Street, along the west side of the fence crossing Channel Street, from the south property line of Channel Street to 110 feet northerly (110-foot zone)
Custer Avenue, both sides, between 3rd and Quint Streets

NO PARKING ANYTIME - RESCIND
Hallam Street, west side, from Brush Street to the south terminus

RESIDENTIAL PERMIT PARKING AREA "U" (1-HOUR TIME LIMIT, 8 AM - 10 PM, EVERYDAY) - ESTABLISH
Hallam Street, both sides, between Folsom Street and south terminus (unit block)
NOTE: Signs will only be installed on the west side, between Brush Street and the south terminus

RESIDENTIAL PERMIT PARKING AREA "J" (2-HOUR TIME LIMIT, 8 AM - 5 PM, MONDAY THROUGH FRIDAY) - ESTABLISH
Shrader Street, west side, between Alma and Grattan Streets (1200 block, odd-numbered side only)

TOW-AWAY, NO PARKING ANYTIME - ESTABLISH
Clearfield Drive, east side, from Sloat Boulevard to 40 feet southerly (40-foot zone)
Delgado Street, north side, from a point 48 feet east of Hyde Street to the eastern terminus
Shakespeare Street, south side, from 151 feet to 176 feet west of Rhine Street (25-foot zone opposite #120
Shakespeare Street, eliminates 1 parking space) (Parking and Traffic Department)

(DPT Order No. 2321.)

10/17/01, RECEIVED AND ASSIGNED to Housing, Transportation and Land Use Committee.

**011880 [Contract funds for study of long-term effects of HIV infection]
Supervisor Leno**

Resolution authorizing the San Francisco Department of Public Health (SFDPH) to enter retroactively into an agreement in the amount of \$69,799 with Public Health Foundation Enterprises Inc. (PHFE), the primary contractor, to fund a study of HIV Strain Diversity and Nonprogressors; for the period of July 1, 2001 to June 30, 2002. (Public Health Department)

10/12/01, RECEIVED AND ASSIGNED to Public Health and Environment Committee.

011881 [Contract between the Department of Public Health and Health Advocates, LLP to provide uncompensated care recovery services]

Resolution authorizing the Director of Public Health and the Purchaser to execute a contract between the City and County of San Francisco and Health Advocates, LLP to provide uncompensated care reimbursement recovery services. (Public Health Department)

10/16/01, RECEIVED AND ASSIGNED to Finance Committee. Department requests this item be considered at the October 24, 2001 meeting.

011882 [Study of Viagra Use Among Men Who Have Sex With Men in San Francisco]

Resolution authorizing the San Francisco Department of Public Health (SFDPH) to enter retroactively into a subcontract agreement in the amount of \$25,000 with the Regents of the University of California to participate in a project to study the use of Viagra among men who have sex with men in San Francisco; for the period of July 1, 2001 to June 30, 2002. (Public Health Department)

10/16/01, RECEIVED AND ASSIGNED to Public Health and Environment Committee.

011883 [Prop J Contract, Pacific Park Management, Inc.]

Resolution approving: (1) The Controller's certification that Employee Parking Management Services for San Francisco International Airport can practically be performed by private contractor at a lower cost than if work were performed by city employees at budgeted levels, and (2) The contract between Pacific Park Management, Inc., and the City and County of San Francisco, acting by and through its Airport Commission, to provide said services. (Airport Commission)

(Fiscal impact.)

10/16/01, RECEIVED AND ASSIGNED to Finance Committee.

011884 [Airport Operating Agreement]

Resolution approving the Airport Public Facilities Operating Agreement between Ampco System Parking and the City and County of San Francisco, acting by and through its Airport Commission. (Airport Commission)

(Fiscal impact.)

(Supervisor Peskin dissenting in Committee)

10/16/01, RECEIVED AND ASSIGNED to Finance Committee.

**011850 [Commending Congresswoman Nancy Pelosi]
Supervisors Daly, Newsom, Leno**

Resolution commending Congresswoman Nancy Pelosi on the occasion of being elected Democratic Whip of the United States House of Representatives and extending the congratulations of the Board of Supervisors.

10/15/01, RECEIVED AND ASSIGNED to Audit, Labor and Government Efficiency Committee.

011889 [Office of the Legislative Analyst Staff Vacancy]

Motion to authorize the Clerk of the Board to fill a vacancy in the Office of the Legislative Analyst for the position of Senior Legislative Analyst. (Clerk of the Board)

(Supervisor Peskin dissenting in Committee)

10/17/01, RECEIVED AND ASSIGNED to Finance Committee.

Requests Granted

From: Supervisor Ammiano

To: City Attorney

Requesting/Inquiring: Requesting assistance from the City Attorney's Office with drafting the Better Neighborhoods 2002 Proposed Changes to the Residential Permit Parking Program.

From: Supervisor Gonzalez

To: City Attorney

Requesting/Inquiring: Requesting for an ordinance repealing section 586 of the San Francisco Election Code, regarding publication of a list of Supervisors voting for and against submission of ballot arguments.

From: Supervisor Leno

To: Director, Department of Public Health

Requesting/Inquiring: In regards to City preparedness for biological, chemical or explosive terrorism and recommendations made in the Metropolitan Task Force Concept of Operations (MTFCO) and Bio-Terrorism Response Plan (BTRP) to respond to such threats:

- What would be the cost of providing additional disaster training for hospital workers and emergency response teams to meet levels recommended in the MTFCO and BTRP?*
- What would be the cost of providing sustainment funding for the continuation of the Metropolitan Medical Strike Team and what Federal Agency provided the funding for the team previously and might be lobbied for future funds?*
- How many additional hospital beds does the MTFCO and BTRP recommend that the City would need to adequately respond to a major disaster? If funding were made available to add more hospital beds, does the Department have a plan for how beds might be added. Are there any estimates for the cost of these plans?*
- What measures are being taken by the Health Department to educate private health providers about detecting Anthrax, given that we are relying on private health providers to assist with detection?*
- If DPH needs additional Anthrax vaccines from the National Pharmaceutical Stockpile, how can our elected leadership assist the Department with securing an appropriate amount?*
- Finally, is there a hospital facility in San Francisco (public or private) that might serve as a "disaster hospital", where in the event of a major disaster, large numbers of patients could easily be directed to one facility?*

From: Supervisor Leno

To: Director, Department of Emergency Communications

Requesting/Inquiring: Inquiring about a list of legislative or budgetary measures that the Department would need to fully implement the Metropolitan Task Force Concept of Operations and Bio-Terrorism Response Plan recommendations for improvements to emergency communications, including the development of rapid communication capabilities, improving the emergency communications dispatch system and other measures.

From: Supervisor Newsom

To: Director, Airport Commission

Requesting/Inquiring: Inquiring about the prospect of opening the dialogue with Southwest Airlines for reconsideration of utilizing the San Francisco International Airport as a primary hub for its domestic flights.

From: Supervisor Newsom

To: City Attorney

Requesting/Inquiring: To draft legislation establishing an implementation and monitoring process of a city MTBE purchase ban. Supervisor Newsom requests that this legislation include a city administered monitoring process ensuring the implementation of the purchase ban as well as means of incentive to promote those who supply MTBE-free gasoline for city services.

From: Supervisor Peskin

To: City Attorney

Requesting/Inquiring: To draft legislation that clarifies the City's Administrative Code to authorize the prompt collection of development exactions by the Treasurer's Office, including the Transit Impact Development Fee, the Jobs-Housing Linkage Fee, and the Childcare Provision Fee.

From: Supervisor Peskin

To: Director, Department of Public Works

Requesting/Inquiring: Inquiring about several elements of the City's process for issuance and monitoring of Street Space permits:

- Whether DPW can verify, on a biweekly basis, the current list of legitimate Street Space permits that DPT is charged with enforcing.
- To determine whether it is appropriate to include in DPW's Street Space Guidelines that the Department distributes to permit applicants: 1) explanation that Street Space Permits cannot simply be used for employee parking and 2) a review of the penalties that exist for abuse of these permits.

From Supervisor Sandoval

To: Clerk of the Board of Supervisors

Requesting/Inquiring: To write a letter to the Department of Parking and Traffic to inquire of the Community Enforcement Division as to the lack of enforcement of the street cleaning signs posted on the 300 block, east side, of Ashton Avenue, which has resulted in inadequate compliance, and a subsequent lack of street cleaning. Also requesting that the Department of Parking and Traffic reconsider the placement of street cleaning signage on the 300 block, east side, of Ashton Avenue.

From Supervisor Sandoval

To: City Attorney

Requesting/Inquiring: To draft legislation prohibiting service employees of the City from using cellular phones while driving a vehicle during hours of operations.

From Supervisor Sandoval

To: City Attorney

Requesting/Inquiring: To join the suit, along with Santa Monica and other counties, against oil companies regarding MTBE contamination. If the City Attorney refuses to join the suit, requesting that she explain her decision. Requesting the Department of Public Health test deep water aquifers in the West Basin for possible MTBE contamination.

From Supervisor Sandoval

To: Director, Department of Planning

To: Director, Department of Real Estate

Requesting/Inquiring: To examine the feasibility of acquiring for city use the All Star Domut store located at the corner of Geneva and San Jose. Potential uses for this area could include a parking area for bicycles or a community garden area.

From: Supervisor Sandoval

To: Clerk of the Board of Supervisors

Requesting/Inquiring: To write a letter to the Department of Parking and Traffic to inquire of the Community Enforcement Division as to the lack of enforcement of parking zone/area B rules and regulations. Examples specifically cited include a report of abandoned vehicles and a boat on Payson Street, between St. Charles and Chester.

From: Supervisor Sandoval

To: Clerk of the Board of Supervisors

Requesting/Inquiring: To write a letter to the Department of Parking and Traffic and the Department of Public Works to examine the proposed addition of the following safety measures:

1. Speed strips or bumps at the intersection of Josiah and Howth.

2. Speed strips or bumps at the intersection of Howth and Mt. Vernon.
3. Speed strips or bumps at the intersection of Lakeview and San Jose.
4. Stop sign(s) at the intersection of Geneva and Louisburg.
5. Four-way Stop sign(s) at the intersection of Josiah and Lakeview.

From: Supervisor Sandoval

To: Clerk of the Board of Supervisors

Requesting/Inquiring: To send a letter to the Department of Elections to inquire about election materials not available in Spanish and the Department's policy specifically relating to Spanish translation.

From: Supervisor McGoldrick

To: City Attorney

Requesting/Inquiring: To draft legislation amending the Mission Interim Controls, File No. 011363, as follows: on page 10 of the previously passed legislation, line 19, add the language "unless it is a 'community service' use (as defined in these interim controls)." The effect of this change would be to make subsection (a) (vi) on page 10 read the same as subsection (e) (I) on page 13 of the legislation as passed.

In Memoriams

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

Sande Mack (Supervisors Ammiano, Daly)

Harold Blaine Brooks, Jr. (Supervisor Maxwell)

Kristofor T. Stonesifer (Supervisor Newsom)

John J. Edmunds (Supervisor Newsom)

Pablo Hernandez Liamado (Supervisor Ammiano)

ADJOURNMENT

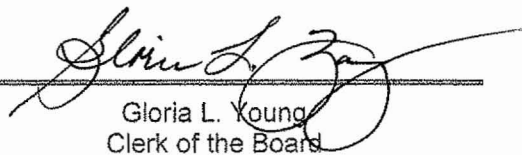
There being no further business, the Board at the hour of 7:02 p.m. adjourned.

Gloria L. Young, Clerk

N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on January 7, 2002.

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



Gloria L. Young
Clerk of the Board