

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 7, 2002 2:00 PM

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

Regular Meeting

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

BOARD COMMITTEES

Committee Membership

Budget Committee

Supervisors Maxwell, Peskin, Yee, Ammiano, McGoldrick

City and School District Committee

Supervisors Ammiano, Leno, Wynns, Mar

Finance Committee

Supervisors Peskin, Daly, Maxwell

Health and Human Services Committee

Supervisors Daly, Leno, Maxwell

Neighborhood Services and Recreation Committee

Supervisors Newsom, Leno, McGoldrick

Public Works and Public Protection Committee

Supervisors Sandoval, Yee, Gonzalez

Rules and Audits Committee

Supervisors Hall, Gonzalez, Sandoval

Transportation and Commerce Committee

Supervisors McGoldrick, Hall, Ammiano

Meeting Days

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

3rd Wednesday
3:00 PM

Wednesday
12:30 PM

1st and 3rd Thursday
1:00 PM

2nd and 4th Thursday
2:00 PM

1st and 3rd Tuesday
10:00 AM

1st and 3rd Tuesday
1:00 PM

2nd and 4th Thursday
9:30 AM

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

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

ROLL CALL AND PLEDGE OF ALLEGIANCE

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

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

Supervisors Leno, McGoldrick, Newsom - 3

Quorum present.

Supervisors Leno, McGoldrick, Newsom were noted present at 2:01 p.m.

AGENDA CHANGES

Supervisor Yee requested that File Nos. 021618 - 021634 be heard out of order.

Privilege of the Floor

Supervisor Sandoval, seconded by Supervisor Daly, moved to suspend Rule 4.28 of the Rules of Order of the Board of Supervisors to grant privilege of the floor for a presentation. The motion carried by the following vote:

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

Supervisor Sandoval introduced, welcomed and presented a Certificate of Honor to Linus Bubba Black, Custodian in City Hall for 25 years.

CONSENT AGENDA

Recommendation of the Neighborhood Services and Recreation Committee

**021422 [Accept-Expend State Grant]
Supervisor Leno**

Resolution authorizing the San Francisco Arts Commission to accept and expend a grant in the amount of \$109,000 from the State of California Department of Parks and Recreation for the Restoration of the James A. Garfield and the Guiseppe Verdi Monuments in Golden Gate Park. (Recreation and Park Department)

(Public Benefit Recipient)

Resolution No. 694-02

ADOPTED

Recommendation of the Rules and Audits Committee

**021535 [Settlement of Unlitigated Contractual Dispute]
Supervisor Gonzalez**

Ordinance authorizing settlement of the unlitigated contractual dispute between the City and County of San Francisco and Health Management Systems, Inc. for a \$550,000 payment to the City and amendment to the contract. (City Attorney)

(No Public Benefit Recipient.)

Supervisor Gonzalez requested to be added as sponsor.

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

From the Clerk

- 021672 [Adopting findings related to the conditional use appeal on property located at 1598 Dolores Street.]**
 Motion adopting findings related to the appeal of the Planning Commission's approval of Conditional Use Application No. 2000.1058C (which approved the development of two residential buildings with a total of 13 dwelling units (two of which are affordable)) and up to 26 off-street parking spaces, and the development of a lot 5,000 square feet or more in size within an NC-1 ((Neighborhood Commercial Cluster)) District and a 40-X Height and Bulk District, for property located at 1598 Dolores Street, at the northwest corner of Dolores and 29th Streets (Lots 7, 9 and 38 in Assessor's Block 6618). (Clerk of the Board)

(Companion measure to Files 021240, 021241, 021242, 021243, 021280.)

Amended on page 3, lines 18 and 19, by deleting "The project would also maintain the present availability of on street parking with the proposal of a single curb out and garage on 29th Street."

Supervisor Maxwell, seconded by Supervisor Leno, moved that this Motion be AMENDED. The motion carried by the following vote:

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

Motion No. M02-175

APPROVED AS AMENDED by the following vote:

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

- 021673 [Adopting findings related to the conditional use appeal on property located at 2863 California Street]**
 Motion adopting findings related to the appeal of the Planning Commission's approval of Conditional Use Application No. 2002.0408C (which approved a proposed three story mixed-use building without off-street parking for four residential units in a Small Scale NC-2, Neighborhood Commercial District) for property located at 2863 California Street, on the south side between Broderick and Divisadero Streets (Lot 23 in Assessor's Block 1028). (Clerk of the Board)

(Companion measure to Files 021244, 021245, 021246, 021247.)

Supervisor Yee was noted absent at 2:20 p.m.

Motion No. M02-176

APPROVED by the following vote:

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

Recommendations of the Finance Committee

- 020782 [Planning Code Amendment - South of Market SUD Amendments]**
Supervisor Daly

Ordinance amending Planning Code Sections 803.5 and 822 to include union halls as permitted principal uses in the South of Market Special Hall of Justice Legal Services District, to include Assessor's Block 3780 Lots 1 and 2 as part of the South of Market Special Hall of Justice Legal Services District, and to correct citations and zoning map page number references; amending Zoning Map Sheet 8SU of the City and County of San Francisco to include Lots 1 and 2 in Assessor's Block 3870 as part of the South of Market Special Hall of Justice Legal Services District; and making findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan.

Ordinance No. 207-02

FINALLY PASSED by the following vote:

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

**021221 [Laws and procedures governing the enforcement of prevailing wages for workers on public work projects]
Supervisors Ammiano, Daly, Peskin, Maxwell, Leno, Gonzalez, McGoldrick, Newsom, Sandoval**

Ordinance amending the Administrative Code by adding subsection 6.1(H), definition of prevailing wage; amending subsection 6.22(A)(6) to include a requirement concerning subcontractor licenses; amending subsection 6.22(B) to include a requirement that all contractor and subcontractors provide workers' compensation insurance certificates; amending subsection 6.22(E) concerning application and enforcement of prevailing wage requirements and assessment of penalties and backwages; amending subsection 6.22(O) to add further contractual requirements for the employment of apprentices and to add penalties for noncompliance; adding subsection 6.22(P) concerning safety requirements for contractors and subcontractors; amending section 6.24 to expand the authority of the Office of Labor Standards Enforcement to enforce requirements of state and federal law, to enforce working conditions and apprenticeship and to assess monetary penalties and backwages against public work contractors.

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

Ordinance No. 208-02

FINALLY PASSED by the following vote:

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

**021419 [MOU - San Francisco Police Officers' Association]
Mayor, Supervisor Newsom**

Ordinance adopting and implementing Amendment No. 1 to the 2001-2003 Collective Bargaining Agreement between the San Francisco Police Officers' Association (SFPOA) and the City and County of San Francisco by amending Sections 13 (A) and (F) to incorporate the parties' agreement to clarify their intent with regard to compensation for canine officers and to correct clerical errors. (Mayor)

Ordinance No. 209-02

FINALLY PASSED by the following vote:

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

Recommendation of the Transportation and Commerce Committee

**021503 [Amend Subdivision Code Section 1308]
Supervisors McGoldrick, Ammiano, Gonzalez**

Ordinance amending the San Francisco Subdivision Code by amending Section 1308 to provide that a tenant may also be an owner of record of the property and to remove the requirement that a tenant have an exclusive right to occupy a unit; amending Section 1316 to address the formation of tenancies in common in buildings of seven units or more; and making this Ordinance retroactive to November 1, 2002.

Ordinance No. 203-02

FINALLY PASSED by the following vote:

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

NEW BUSINESS

Recommendations of the Finance Committee

**021417 [Eliminating the Mayor's Office Cash Revolving Fund]
Mayor**

Ordinance amending the San Francisco Administrative Code by repealing Section 10.148, to eliminate the Mayor's Office cash revolving fund. (Mayor)

PASSED ON FIRST READING by the following vote:

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

**021526 [New Mission Bay Branch Library]
Mayor**

Ordinance approving and authorizing the Director of Property to execute an Agreement of Purchase and Sale of Real Property with the Redevelopment Agency of the City and County of San Francisco for the purchase of a new Mission Bay Branch Library of the San Francisco Public Library to be constructed and located on land that is referred to herein as Parcel N3a-1 fronting on 4th Street between Berry Street and the Mission Creek Channel within the Mission Bay North Redevelopment Plan Area; and authorizing the Director of Property to execute documents, make certain modifications and take certain actions in furtherance of this Ordinance. (Mayor)

(Fiscal impact.)

Amended on page 7, line 6, after "agency" by inserting "for library design costs".

Supervisor Peskin, seconded by Supervisor Leno, moved that this Ordinance be AMENDED. The motion carried by the following vote:

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

PASSED ON FIRST READING AS AMENDED by the following vote:

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

021291 [Accept-Expend Federal Grant]

Resolution authorizing the Airport Commission to accept and expend a Federal Airport Improvement Program grant in the amount of \$5,291,558.00 from the U.S. Department of Transportation Federal Aviation Administration, and approving Modification Nos. 4 and 5 to Contract No. 4240.1 for preparation of environmental impact studies for the proposed runway reconfiguration project, for a total contract amount not to exceed \$16,200,730. (Airport Commission)

(Public Benefit Recipient.)
(Supervisor Daly dissenting in Committee)

Amended on page 2, line 11, by replacing "or" with "and". Further amended on page 2, line 11, by deleting "to be enforceable".

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

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

Resolution No. 674-02

ADOPTED AS AMENDED by the following vote:

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

Recommendations of the Neighborhood Services and Recreation Committee**020537 [Liquor License, 1581 Webster Street, #240]**

Resolution determining that the issuance of a Type 47 on-sale general eating place liquor license to Takehiko Yasuda dba "Lime Light" located at 1581 Webster Street, #240 (District 5) in exchange of the current Type 48 on-sale general public premises license, will not serve the public convenience and necessity of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code.

Resolution No. 690-02

ADOPTED by the following vote:

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

021275 [Liquor License Transfer, 691 Portola Drive]

Resolution determining that the transfer of a Type 21 off-sale general alcoholic beverage control license to Song Kwang and Tong Sun Kim dba "Miraloma Liquors" from 683 Portola Drive to 691 Portola Drive (District 6), will serve the convenience of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code.

Resolution No. 692-02

ADOPTED by the following vote:

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

Recommendations of the Public Works and Public Protection Committee

**020155 [Building and Planning Code Amendment]
Supervisors Yee, Sandoval, Leno, Gonzalez**

Ordinance amending San Francisco Building Code by adding Sections 104.6 through 104.6.3 and amending the San Francisco Planning Code by adding Section 306.10 to require publication of a cover sheet with neighborhood notices advising how to request information about the notices in multiple languages and making findings.

Supervisor Peskin requested that this item be continued to October 15, 2002.

Supervisor Peskin, seconded by Supervisor Leno, moved that this Ordinance be CONTINUED ON FIRST READING. The motion carried by the following vote:

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

Absent: 2 - McGoldrick, Yee

**020784 [Resource Conservation - Batteries]
Supervisors Sandoval, McGoldrick, Yee, Gonzalez, Daly**

Ordinance amending the Resource Conservation Ordinance, Chapter 21A of the Administrative Code, to require the purchase and use of rechargeable batteries by City departments and to require other practices that will increase battery recycling by the City.

Supervisors Gonzalez and Daly requested to be added as a co-sponsors.

PASSED ON FIRST READING by the following vote:

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

Absent: 1 - Yee

Recommendations of the Rules and Audits Committee

**021571 [Appointment - Telecommunications Commission]
Mayor**

Resolution approving the Mayor's appointment of Elizabeth A. Inadomi to the Telecommunications Commission, for the term ending July 1, 2005. (Mayor)

Resolution No. 697-02

ADOPTED by the following vote:

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

Absent: 1 - Yee

**021570 [Waiver Permitting City Employees to Serve as Field Election Deputies and Otherwise Assist the Department of Elections on November 5, 2002.]
Supervisor Ammiano**

Motion granting a waiver from the prohibition imposed by Charter section 13.104.5, to permit City employees to serve as Field Election Deputies and otherwise assist the Department of Elections on November 5, 2002.

Supervisor Maxwell, seconded by Supervisor Leno, moved that this Motion be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. The motion carried by the following vote:

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

Absent: 1 - Yee

Motion granting a waiver from the prohibition imposed by Charter section 13.104.5, to permit City employees to serve as Field Election Deputies and otherwise assist the Department of Elections on November 5, 2002 and December 10, 2002.

Motion No. M02-165

APPROVED AS AMENDED by the following vote:

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

Recommendations of the Transportation and Commerce Committee

021408 [Establishment and Administration of Mission/Otis Vehicle Pool]

Resolution authorizing the Director of the Department of Administrative Services to establish the Mission/Otis Vehicle Pool, located in the Mission Street and Otis Street area of San Francisco, which shall serve the following five San Francisco departments: 1) the Department of Aging and Adult Services, 2) the Department of Building Inspection, 3) the Department of Human Resources, 4) the Department of Public Works' Bureau of Construction Management and Bureau of Engineering, and 5) the Planning Department; and authorizing the Mission/Otis Vehicle Pool to be administered by the Department of Human Services; report from the Director of the Department of Administrative Services one year from the date of approval regarding usage rates and costs. (Administrative Services Department)

Resolution No. 693-02

ADOPTED by the following vote:

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

021508 [Agreement with the State of California for the Third Street Light Rail Project and supplement to the Freeway Maintenance Agreement]

Resolution authorizing the Director of Transportation to execute a cooperative agreement with the State of California Department of Transportation (Caltrans) and the Director of Public Works to execute a supplement to the Freeway Maintenance Agreement with the State of California, Department of Transportation (Caltrans). (Municipal Transportation Agency)

(No Public Benefit Recipient.)

Resolution No. 695-02

ADOPTED by the following vote:

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

021534 [Grant Federal Funds]

Resolution authorizing the Municipal Transportation Agency Board to retroactively accept and expend \$66,231,753 of Federal Formula Section 5307, Congestion Mitigation and Air Quality (CMAQ) and Surface Transportation Program (STP) Capital Assistance for San Francisco capital projects and activities, including Administrative Overhead Costs. (Municipal Transportation Agency)

(No Public Benefit Recipient.)

Resolution No. 696-02

ADOPTED by the following vote:

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

COMMITTEE REPORTS

From Health and Human Services Committee

- 021597 [Urging the U.S. Congress to Oppose War with Iraq]
Supervisors Leno, Peskin, Ammiano, Daly, Sandoval, McGoldrick, Gonzalez, Maxwell

Resolution urging the U.S. Congress to oppose military action in Iraq.

Supervisors Leno, Peskin, Ammiano, Daly, Sandoval, McGoldrick, Gonzalez and Maxwell

Resolution No. 688-02

ADOPTED by the following vote:

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

Noes: 2 - Hall, Newsom

Absent: 1 - Yee

From Rules and Audits Committee

- 021618 [Appointment, Planning Commission]
Mayor

Motion approving the Mayor's nomination of Michael Antonini to Seat No. 4 of the Planning Commission, term to be determined by lot. (Mayor)

Michael Antonini, new position, Seat No. 4, must be nominated by the Mayor, term to be determined by lot.

Motion No. M02-169

APPROVED by the following vote:

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

Noes: 1 - McGoldrick

- 021619 [Appointment, Planning Commission]
Mayor

Motion rejecting the Mayor's nomination of Michael Antonini to Seat No. 4 of the Planning Commission. (Mayor)

Supervisor Leno, seconded by Supervisor Newsom, moved that this Motion be TABLED. The motion carried by the following vote:

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

**021620 [Appointment, Planning Commission]
Mayor**

Motion approving the Mayor's nomination of Shelley Bradford Bell to Seat No. 5 of the Planning Commission, term to be determined by lot. (Mayor)

Shelley Bradford Bell, new position, Seat No. 5, must be nominated by the Mayor, term to be determined by lot.

Motion No. M02-170

APPROVED by the following vote:

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

**021621 [Appointment, Planning Commission]
Mayor**

Motion rejecting the Mayor's nomination of Shelley Bradford Bell to Seat No. 5 of the Planning Commission. (Mayor)

Supervisor Leno, seconded by Supervisor Newsom, moved that this Motion be TABLED. The motion carried by the following vote:

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

**021622 [Appointment, Planning Commission]
Mayor**

Motion approving the Mayor's nomination of Edgar Boyd to Seat No. 6 of the Planning Commission, term to be determined by lot. (Mayor)

Edgar Boyd, new position, Seat No. 6, must be nominated by the Mayor, term to be determined by lot.

Motion No. M02-171

APPROVED by the following vote:

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

**021623 [Appointment, Planning Commission]
Mayor**

Motion rejecting the Mayor's nomination of Edgar Boyd to Seat No. 6 of the Planning Commission. (Mayor)

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

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

**021624 [Appointment, Planning Commission]
Mayor**

Motion approving the Mayor's nomination of Jeffrey Chen to Seat No. 7 of the Planning Commission, term to be determined by lot. (Mayor)

Jeffrey Chen, new position, Seat No. 7, must be nominated by the Mayor, term to be determined by lot.

NOT APPROVED by the following vote:

Ayes: 4 - Hall, Maxwell, Newsom, Yee

Noes: 7 - Ammiano, Daly, Gonzalez, Leno, McGoldrick, Peskin, Sandoval

**021625 [Appointment, Planning Commission]
Mayor**

Motion rejecting the Mayor's nomination of Jeffrey Chen to Seat No. 7 of the Planning Commission. (Mayor)

Supervisor McGoldrick, seconded by Supervisor Gonzalez, moved that this Motion be TABLED. The motion carried by the following vote:

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

**021626 [Appointment, Board of Appeals]
Mayor**

Motion approving the Mayor's nomination of Arnold Chin to Seat No. 3 of the Board of Appeals, term to be determined by lot. (Mayor)

Arnold Chin, new position, Seat No. 3, must be nominated by the Mayor, term to be determined by lot.

Motion No. M02-172

APPROVED by the following vote:

Ayes: 7 - Hall, Leno, Maxwell, Newsom, Peskin, Sandoval, Yee

Noes: 4 - Ammiano, Daly, Gonzalez, McGoldrick

**021627 [Appointment, Board of Appeals]
Mayor**

Motion rejecting the Mayor's nomination of Arnold Chin to Seat No. 3 of the Board of Appeals. (Mayor)

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

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

**021628 [Appointment, Board of Appeals]
Mayor**

Motion approving the Mayor's nomination of Kathleen Harrington to Seat No. 4 of the Board of Appeals, term to be determined by lot. (Mayor)

Kathleen Harrington, Seat No. 4, must be nominated by the Mayor, term to be determined by lot.

Motion No. M02-173

APPROVED by the following vote:

Ayes: 6 - Hall, Leno, Maxwell, Newsom, Sandoval, Yee

Noes: 5 - Ammiano, Daly, Gonzalez, McGoldrick, Peskin

**021632 [Appointment, Board of Appeals]
Mayor**

Motion rejecting the Mayor's nomination of Kathleen Harrington to Seat No. 4 of the Board of Appeals.
(Mayor)

Supervisor Leno, seconded by Supervisor Newsom, moved that this Motion be TABLED. The motion carried by the following vote:

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

**021633 [Appointment, Board of Appeals]
Mayor**

Motion approving the Mayor's nomination of Sabrina Saunders to Seat No. 5 of the Board of Appeals, term to be determined by lot. (Mayor)

Sabrina Saunders, Seat No. 5, must be nominated by the Mayor, term to be determined by lot.

Motion No. M02-174

APPROVED by the following vote:

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

**021634 [Appointment, Board of Appeals]
Mayor**

Motion rejecting the Mayor's nomination of Sabrina Saunders to Seat No. 5 of the Board of Appeals. (Mayor)

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

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

ROLL CALL FOR INTRODUCTIONS

PUBLIC COMMENT

*Larry Williams; support legislation relating to SF Security Officers
Jose Martinez; support legislation relating to SF Security Officers
Janice Austin; support legislation relating to SF Security Officers
Rodney Towns; smoke and alcohol free parks
Male Speaker; encourage people to vote
Louis Dillon; support war with Iraq
James Chaffee; SF Public Library*

CLOSED SESSION

CONFERENCE WITH CITY ATTORNEY - Anticipated Litigation as Plaintiff or Defendant

021578 [Anticipated Litigation - AT&T Broadband et al.]

Motion that the Board of Supervisors convene in closed session with the City Attorney for the purpose of conferring with, or receiving advice from, the City Attorney regarding anticipated litigation (City anticipated to be a plaintiff or defendant) which may occur with Television Signal Corporation and AT&T Broadband et al. regarding compliance with the City's cable television franchise and AT&T Broadband's proposed merger with Comcast. (City Attorney)

This closed session would be permitted by Government Code Section 54956.9(b) and (c) and the San Francisco Administrative Code Section 67.10(d).

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

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

Heard in Closed Session

Recess

The Board recessed at the hour of 3:26 p.m. to convene in closed session pursuant to above motion.

Reconvening of the Board

The Board at the hour of 3:55 p.m. reconvened.

Calling the Roll

On call of the roll, the following Supervisors were noted present: Supervisors Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin - 9

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

Persons in attendance:

Supervisors Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin

Ted Lakey, Deputy City Attorney

William Sanders, Deputy City Attorney

Lisa Gelb, Deputy City Attorney

Julia Friedlander, Deputy City Attorney

Brian Roberts, Principal Policy Analyst, DTIS

Lewis Loeven, Director, DTIS

Denise Brady, Deputy Director DTIS

Edward Harrington, Controller

Gloria L. Young, Clerk of the Board

Kay Gulbengay, Deputy Clerk

Supervisor Daly noted absent at 3:51 p.m.

Continued to October 15, 2002

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

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

Absent: 2 - Daly, Yee

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

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

- 021648 [Recognition and celebration 100 years of Korean Immigration]
Supervisors Yee, Peskin, Sandoval, Daly, McGoldrick**

Resolution recognizing and celebrating 100 years of Korean immigration and contributions to the United States.
Supervisors Daly, McGoldrick, Sandoval and Peskin requested to be added as co-sponsors.

Resolution No. 698-02

ADOPTED

- 021650 [Commend ArtNica]
Supervisors Sandoval, Daly, Gonzalez**

Resolution commending ArtNica for their commitment and dedication to introducing Nicaraguan Art to the Bay Area.

Supervisors Gonzalez and Daly requested to be added as a co-sponsors.

Resolution No. 699-02

ADOPTED

- 021651 [Commend Wells Fargo Bank]
Supervisors Sandoval, Gonzalez**

Resolution commending Wells Fargo Bank for accepting identification cards issued by the Guatemalan Consulate for new account openings and banking transactions.

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

Resolution No. 700-02

ADOPTED

- 021652 [First Amendment to Water Supply Contract between CCSF and California Water Service Company]
Supervisors Hall, Gonzalez, Maxwell, Newsom**

Resolution approving and authorizing the SFPUC General Manager to sign the First Amendment to the Water Supply Contract Between the City and County of San Francisco and the City of California Water Service Company for Purposes of Conducting an Aquifer Recharge Study.

Resolution No. 701-02

ADOPTED

- 021666 [First Amendment to Water Supply Contract between CCSF and City of San Bruno]
Supervisors Hall, Gonzalez, Maxwell, Newsom**

Resolution approving and authorizing the SFPUC General Manager to sign the First Amendment to the Water Supply Contract Between the City and County of San Francisco and the City of San Bruno for Purposes of Conducting an Aquifer Recharge Study.

Resolution No. 708-02

ADOPTED

**021654 [Commend Alzheimer's Association]
Supervisors Leno, Sandoval**

Resolution commending the Alzheimer's Association for increasing awareness and raising funds for programs and services for people living with Alzheimer's disease and declaring October 12th "Alzheimer's Association Day in San Francisco."

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

Resolution No. 702-02

ADOPTED

**021655 [Commend Global Exchange, Asian Law Caucus, Sweatshop Watch, Union of Needletrades, Industrial and Textile Workers]
Supervisors Sandoval, Maxwell, Leno, Gonzalez, Daly, McGoldrick**

Resolution commending Global Exchange, Asian Law Caucus, Sweatshop Watch, and Union of Needletrades, Industrial and Textile Workers for working tirelessly on behalf of the 30,000 current and former garment workers in Saipan in their class action lawsuit to establish a code of conduct for the companies who have factories there, a monitoring system to prevent labor abuses, and a fund to pay back wages to employees and urging Levi Strauss to join in the settlement of this class action lawsuit.

Supervisors Gonzalez, McGoldrick, Daly, and Leno requested to be added as co-sponsors.

Resolution No. 703-02

ADOPTED

**021656 [Extend MUNI 14 trolley coach to Daly City BART station]
Supervisors Sandoval, Daly**

Resolution urging the Municipal Transportation Agency (MTA) to amend its short range transit plan to include implementation, within the next 12 months, of the extension of the MUNI 14 trolley coach route to the Daly City BART station and urging the San Francisco County Transportation Authority to prioritize this project in the countywide transportation plan and program the local, state and federal funds necessary to this end.

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

Resolution No. 712-02

ADOPTED

**021657 [Accept and Expend Gift in Place to Recreation and Park Department, \$50,000.00]
Supervisor Newsom**

Resolution accepting and expending a gift valued at \$50,000.00 and a gift-in-place valued at approximately \$35,000.00 from the Friends of Recreation and Parks to the Recreation and Park Department for Moscone Park.

(No Public Benefit Recipient.)

Resolution No. 704-02

ADOPTED

**021658 [Accept and Expend Gift in Place to Recreation and Park Department, \$750,000.00]
Supervisor Newsom**

Resolution accepting and expending a gift-in-place valued at maximum of \$750,000.00 from the Friends of Recreation and Parks to the Recreation and Park Department to be used for the Children's Play Area located at the Julius Kahn Playground.

(No Public Benefit Recipient.)

Resolution No. 705-02

ADOPTED

**021659 [Commend North of Market Senior Services]
Supervisors Daly, Leno, Peskin, Sandoval**

Resolution commending the North of Market Senior Services for 30 years of providing essential programs and services to seniors.

Supervisors Leno, Peskin, and Sandoval requested to be added as co-sponsors.

Resolution No. 706-02

ADOPTED

**021660 [Commend Art Octavio]
Supervisors Yee, Hall, Sandoval**

Resolution commending Art Octavio for his commitment and service for over forty years to the City and County of San Francisco.

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

Resolution No. 707-02

ADOPTED

021592 [Final Map for a 9 Unit Residential Condominium Project]

Motion approving Final Map of 741 Ellis Street, A Residential Condominium Project, being a subdivision of Lot 23 in Assessor's Block No. 740, and adopting findings pursuant to City Planning Code Section 101.1. (Public Works Department)

(No Public Benefit Recipient; DPW Order No. 173,732; Distrit 6.)

Motion No. M02-166

APPROVED

021616 [Final Map for a 14 Unit Live/Work Condominium Project]

Motion approving Final Map of 630 8th Street, a Live/Work Condominium Project, being a subdivision of Lot 10, Assessor's Block No. 3782, and adopting findings pursuant to City Planning Code Section 101.1. (Public Works Department)

(No Public Benefit Recipient; DPW Order No. 173,733; District 6.)

Motion No. M02-167

APPROVED

021617 [Final Map for a 28 Unit Live/Work Condominium Project]

Motion approving Final Map of 2412 Harrison Street, a Live/Work Condominium Project, being a subdivision of Lot 2, Assessor's Block No. 3612, and adopting findings pursuant to City Planning Code Section 101.1. (Public Works Department)

(No Public Benefit Recipient; DPW Order No. 173,734; District 9.)

Motion No. M02-168

APPROVED

The foregoing items were acted upon by the following vote:

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

Absent: 1 - Yee

Severed From For Adoption Without Committee Reference Agenda**021649 [Support "Principles for a More Secure San Francisco"]**

Supervisors Peskin, Daly, Sandoval

Resolution supporting "Principles for a More Secure San Francisco," as proposed by the Service Employees International Union, the largest security officer union in the nation, to provide higher standards for the private security industry.

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

Supervisors Sandoval and Daly requested to be added as co-sponsors.

Continued to November 4, 2002.

CONTINUED by the following vote:

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

Absent: 1 - Yee

021653 [Urge Director of Planning to reexamine the process for "17 Reasons Why Sign"]

Supervisors Ammiano, Daly

Resolution urging Gerald Green, Director of Planning Department, to reexamine the permitting process for the "17 Reasons Why Sign."

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

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

Supervisor Ammiano requested this item be referred to Committee.

REFERRED to the Transportation and Commerce Committee.

OFF-AGENDA LEGISLATION**Introduced by Supervisors or Mayor**

Ordinances

- 021687 [Designate the Old U.S. Mint At 88 Fifth Street As a Landmark Under Planning Code Article 10]
Supervisor Peskin**

Ordinance Designating 88 Fifth Street, The Old U.S. Mint, Block 3704, Lot 11, As Landmark No. 236 Pursuant To Article 10, Sections 1004 And 1004.4 of the Planning Code.

10/7/02, RECEIVED AND ASSIGNED to Transportation and Commerce Committee.

Resolutions

- 021686 [Initiate the Designation of the Old U.S. Mint as a Landmark]
Supervisor Peskin**

Resolution initiating the designation of a Landmark of the Old U.S. Mint bounded by Fifth, Jessie, Mint and Mission Streets, Block 3704, Lot 11, pursuant to Section 1004.1 of the San Francisco Planning Code.

10/7/02, RECEIVED AND ASSIGNED to Transportation and Commerce Committee.

- 021688 [Amend Res. No. 910-01 Efforts of the San Francisco Bay Area - Olympic Games]
Supervisors Peskin, Leno, Newsom, Hall, McGoldrick, Sandoval**

Resolution amending Resolution No. 910-01, commending the efforts of the San Francisco Bay Area Sports Organizing Committee (BASOC) in achieving the status of finalist in the USOC's competition to select a U.S. Candidate City for the 2012 Olympic Games; removing the qualification that the City's obligations under the Joinder Agreement are contingent upon BASOC not being in default of any of its obligations under the BASOC Agreement; approving and authorizing the Mayor to execute such agreements, including a Host City Agreement, as are consistent with the terms and conditions included in the Host City Agreement issued by the IOC for the 2008 Olympic Games, should the International Olympic Committee (IOC) choose San Francisco in 2005 as the Host City for the 2012 Summer Olympic Games; and approving the First Amendment to the BASOC Agreement giving the City the right to require BASOC to fund any bid deposit.

10/7/02, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

- 021689 [Support SFFD - National Fire Prevention Week - 10/12/02]
Supervisors Sandoval, Newsom, McGoldrick**

Resolution supporting the San Francisco Fire Department Open House for National Fire Prevention Week taking place on Saturday, October 12, 2002.

10/7/02, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

- 021690 [Recognize Dr. Harry Weinstein]
Supervisors Ammiano, Sandoval, McGoldrick**

Resolution in recognition of Dr. Harry Weinstein for his excellence in teaching, research and community leadership in the field of home health.

10/7/02, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**021691 [Urge INS to reunite the family and change procedures and rules]
Supervisors Ammiano, Daly, Peskin, Sandoval, McGoldrick**

Resolution urging the Immigration and Naturalization Service (INS) to do what is necessary to reunite the family and urging the INS and Department of Justice to change their procedures and rules so that similar separations do not occur in the future.

10/7/02, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**021692 [Commend SF Food Bank]
Supervisors Leno, Daly, Peskin, Sandoval, Newsom, McGoldrick**

Resolution commending the San Francisco Food Bank for over 15 years of service to feeding the hungry members of the San Francisco community.

10/7/02, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**021693 [Commend Jewish Bulletin of Northern California]
Supervisors Leno, Peskin, Newsom, McGoldrick**

Resolution commending the Jewish Bulletin of Northern California for printing gay and lesbian union announcements since 1997 and for recently deciding to include them under the same heading of "Weddings" with heterosexual marriage announcements.

10/7/02, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**021694 [Commend California Outdoor Rollerskating Association]
Supervisor Leno**

Resolution commending the California Outdoor Rollerskating Association for their public service and their efforts in promoting San Francisco as the host city for the Olympic Games in 2012.

10/7/02, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**021695 [Commend Elton John AIDS Foundation]
Supervisors Leno, Newsom, Sandoval**

Resolution commending the Elton John AIDS Foundation and declaring Wednesday, October 16th, 2002, Elton John AIDS Foundation Day in the City of San Francisco.

10/7/02, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**021696 [Commend Tenderloin Neighborhood Development Corporation]
Supervisors Leno, Daly, Maxwell, Newsom, Peskin, McGoldrick, Sandoval**

Resolution commending Tenderloin Neighborhood Development Corporation (TNDC) for their commitment to providing affordable housing in downtown San Francisco.

10/7/02, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**021697 [Commend Producers Of Civil Wrongs and Rights: Fred Korematsu Story]
Supervisors Leno, Newsom, Gonzalez, Peskin, Sandoval, McGoldrick**

Resolution commending the producers, director, and editors of the documentary film, Of Civil Wrongs and Rights: The Fred Korematsu Story, on their Emmy Awards for film direction and editing.

10/7/02, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**021698 [Commend North of Market Planning Coalition]
Supervisors Daly, McGoldrick, Sandoval**

Resolution commending the North of Market Planning Coalition for 25 years of advocacy for the diverse North of Market community.

10/7/02, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**021699 [DPT Accept and Expend Grant - \$169,262]
Mayor**

Resolution authorizing the Executive Director of the Department of Parking and Traffic to apply for retroactively, accept and expend up to \$169,262 in California Department of Transportation Environmental Justice and Community-Based Planning Program funds for the 24th Street and Tenderloin Pedestrian Safety and Access Planning Project. (Mayor)

(No Public Benefit Recipient.)

10/7/02, RECEIVED AND ASSIGNED to Transportation and Commerce Committee.

**021700 [DPT Accept and Expend Grant - \$98,762.00]
Mayor**

Resolution authorizing the Executive Director of the Department of Parking and Traffic to apply for retroactively, accept, and expend \$98,762.00 in California State "Safe Routes to Schools" funds, with required local match of \$11,238.00. (Mayor)

(No Public Benefit Recipient.)

10/7/02, RECEIVED AND ASSIGNED to Transportation and Commerce Committee.

**021701 [DPT Accept and Expend Grant - \$397,962]
Mayor**

Resolution authorizing the Executive Director of the Department of Parking and Traffic to apply for retroactively, accept, and expend up to \$398,000 in California State Department of Transportation Pedestrian Safety Funds for the North Mission/Tenderloin Pedestrian Safety Project. (Mayor)

(No Public Benefit Recipient.)

10/7/02, RECEIVED AND ASSIGNED to Transportation and Commerce Committee.

Requests for Hearing

**021702 [Animal Care and Control]
Supervisor Sandoval**

Hearing to discuss the policies and practices of the Department of Animal Care and Control.
10/7/02, RECEIVED AND ASSIGNED to Public Works and Public Protection Committee.

**021703 [Street Space Permit Implementation]
Supervisor Peskin**

Hearing to review progress made toward implementation of Street Space Permit reform (File 021067) passed by the Board of Supervisors on August 12, 2002. This hearing will focus on an update from the Department of Public Works (DPW), Department of Building Inspection (DBI), and Department of Parking and Traffic (DPT) regarding the status of revised fee collection, enhanced enforcement, improved signage and a local hotline for local residents with concerns about specific street permits.
10/7/02, RECEIVED AND ASSIGNED to Finance Committee.

**021704 [Controller's Report on the City's Annual Budget Process]
Supervisor Peskin**

Hearing to review the Controller's report on the City's annual budget process, and its findings regarding potential improvements to the budget process.
10/7/02, RECEIVED AND ASSIGNED to Finance Committee. Sponsor requests this item be scheduled for consideration at the October 16, 2002 meeting.

**021705 [Mayor's Budget Instructions for Fiscal Year 2003-04]
Supervisor Peskin**

Hearing on budget instructions promulgated by the Mayor's Office to City Departments for fiscal year 2003-04 budget. This hearing will be scheduled in advance of the release of these budget instructions and will include presentation from the Mayor's Budget Director on economic parameters that will guide the budget instructions, and provide for Board and public input into these instructions.
10/7/02, RECEIVED AND ASSIGNED to Finance Committee.

**021706 [Biennial Budgeting]
Supervisor Maxwell**

Hearing on the report by the Office of Legislative Analyst on Biennial Budgeting.
10/7/02, RECEIVED AND ASSIGNED to Finance Committee.

**021707 [Whistleblower Reports Within DBI]
Supervisor Hall**

Hearing on the Department of Building Inspection and recent whistleblower reports within the Department.
10/7/02, RECEIVED AND ASSIGNED to Rules and Audits Committee.

**021708 [Obesity and Diabetes Prevention]
Supervisors Leno, Maxwell**

Hearing to consider the San Francisco Public Health Department and School District strategies for addressing obesity and diabetes prevention among adolescents.

10/7/02, RECEIVED AND ASSIGNED to Health and Human Services Committee.

Motions

**021685 [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.

10/7/02, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**021709 [Committee of the Whole - 2012 Olympic Bid]
Supervisor Peskin**

Motion scheduling a Committee of the Whole on October 15, 2002, at 3:00 PM to consider legislation amending Resolution No. 910-01, commending the efforts of the San Francisco Bay Area Sports Organizing Committee (BASOC) in achieving the status of finalist in the competition to select a U. S. Candidate City for the 2012 Olympic Games, removing the qualification that the City's obligations under the agreement are contingent upon BASOC not being in default of any of its obligations under the agreement, approving and authorizing the Mayor to execute agreements consistent with the terms and conditions in the Host City Agreement issued for the 2008 Olympic Games, and approving the First Amendment to the BASOC Agreement giving the City the right to require BASOC to fund any bid deposit.

10/7/02, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING. Board to sit as a Committee of the Whole on October 15, 2002, at 3:00 p.m.

PROPOSED RESOLUTIONS

021668 [Agreement of Purchase and Sale of Real Property Located at 190 9th Street, San Francisco]

Resolution authorizing the execution, delivery and performance of an Agreement of Purchase and Sale for Real Estate (along with all exhibits and schedules, the "Purchase Agreement"), between the City and County of San Francisco (the "City"), and Ninth and Howard LLC, a California limited liability company (the "Seller"), (including certain indemnities contained therein), for the purchase of real property and improvements located at 190 9th Street, San Francisco, for use as the Support Services Center of the San Francisco Public Library; adopting findings under the California Environmental Quality Act; and adopting findings that the conveyance is consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1. (Real Estate Department)

(Public Benefit Recipient.)

10/2/02, RECEIVED AND ASSIGNED to Finance Committee.

**021669 [MTA Accept and Expend Regional Funds - \$540,000]
Supervisor Sandoval**

Resolution authorizing the Municipal Transportation Agency to accept and expend \$540,000 of Traffic Congestion Relief Program funds for improvements to the Geneva Office Building. (Municipal Transportation Agency)

(No Public Benefit Recipient.)

10/1/02, RECEIVED AND ASSIGNED to Transportation and Commerce Committee.

Requests Granted

From: Supervisor Ammiano

To: City Librarian, Public Library

Requesting/Inquiring: Requesting that the City Librarian consider naming a Branch Library after former State Senator Mr. Milton Marks.

From: Supervisor Daly

To: City Attorney

Requesting/Inquiring: To draft separate ordinances that would:

- 1. Provide for a gift ban for all elected officials.*
- 2. Prohibit the use of public funds for the printing or mailing of greeting cards.*

From: Supervisor Hall

To: Director, Department of Public Health

To: Director, Department of Human Services

To: Director, Mayor's Office of Community Development

To: Director, Mayor's Office of Housing

To: Director, Department on the Status of Women

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

To: Director, Redevelopment Agency

Requesting/Inquiring: That the Directors of the Department of Public Health, Human Services, Community Development, Mayor's Office of Housing, Department on the Status of Women, Department of Children, Youth and Their Families and the Redevelopment Agency report what funds are allocated to organizations (according to the "Survey of the Cost of Direct Services Provided to the Homeless Population") that provide direct services to the homeless population, with a copy of each organization's annual budget. Moreover, please determine what standards each organization employs when determining who receives the services offered.

From: Supervisor Hall

To: Presiding Judge, Superior Court

Requesting/Inquiring: Inquiring why San Francisco Superior Court is cutting back their services (by closing a half-hour earlier) while increasing the cost of their services?

From: Supervisor Hall

To: Executive Director, Association of Bay Area Governments (ABAG)

Requesting/Inquiring: To contact the proper representative for each California City and County affiliated with the Association of Bay Area Governments (ABAG) and ask them to provide the following information:

- 1. How much, per fiscal year, do you spend on direct homeless services?*
- 2. Do you conduct a homeless count; and, if so, what are your most recent numbers?*
- 3. How many shelter beds for homeless citizens do you have in your city/county?*

From: Supervisors Leno, Maxwell

To: City Attorney

Requesting/Inquiring: To draft legislation which would allow developers to be credited for affordable housing projects they build in advance of independent market rate projects.

From: Supervisor Newsom

To: Director, Department of Human Services

Requesting/Inquiring: To report on current contracts under the Housing and Homeless division, specifically by:

- 1. Type of services or service categories contracted.*
- 2. Evaluation of the outcomes identified in each contract, including subcontracts.*
- 3. Evaluation of any performance measurements of said contracts and subcontracts.*

*From: Supervisor Newsom
To: Director, Department of Human Services
To: Director, Mayor's Office on Homelessness
Requesting/Inquiring: Requesting a review of the contract for M.S.C. South operations. The review should present overall goals of the contract as well as the specific outcomes expected of the service provider.*

*From: Supervisor Sandoval
To: United States Bankruptcy Judge Dennis Montali
Requesting/Inquiring: Inquiring how Pacific, Gas and Electric Company could spend over \$1,000,000 on the campaign to defeat Measure I in the November 2001 election after having filed for bankruptcy.*

*From: Supervisor Sandoval
To: Director, Planning Department
Requesting/Inquiring: To report on the progress of the San Francisco Outdoor Lighting Plan, for which the Department requested and received a \$50,000 grant in the previous two fiscal years.*

*From: Supervisor Sandoval
To: General Manager, KNTV Channel 11
Requesting/Inquiring: To investigate and report on the location and number of households that have lost reception for NBC since the switch from KRON took place on January 1, 2002; and how KNTV intends to remedy the situation.*

*From: Supervisor Yee
To: City Attorney
Requesting/Inquiring: That the City Attorney sends a letter to the San Francisco Board of Education demanding under the Public Records Act all contracts, invoices, cancelled checks or other documentation that pertains to the expenditure or commitment to expend monies allocated under the 1997 Proposition A Bond be forwarded to the Clerk of the Board of Supervisors, the Office of the Budget Analyst and the Controller's Office. This request is a result of a lack of response promised by Mr. Tony Irons, Chief Operating Officer of the San Francisco Unified School District at the Finance Committee meeting on December 19, 2001. At that meeting Mr. Irons indicated that he would provide before Christmas the necessary invoices and other documentation explaining the reduction from \$11 million to \$9.4 million from the proposition A Bond. This request was also detailed in a letter to Mr. Tony Irons on December 20, 2001.*

*From: Supervisor Yee
To: City Attorney
Requesting/Inquiring: to draft legislation that will require all surplus revenue generated by Hetch Hetchy operations, contracts, land leases, or other Hetch Hetchy revenue generators be dedicated to the future needs of the Hetch Hetchy system.*

In Memoriams

*Alfred Wilsey (By the entire Board)
Alfred J. Nelder (By the entire Board)
Raymond Howell (Supervisor Peskin)
Rose Goldstein (Supervisor McGoldrick)
Eric V. Williams (Supervisor Ammiano)
Mr. Chi Ywai Hung (Supervisor Yee)
Pete Lapid (Supervisor Yee)
Gordon Chan (Supervisor Yee)
Bob Tibbits (Supervisor Peskin)*

ADJOURNMENT

There being no further business, the Board at the hour of 3:57 p.m. adjourned.

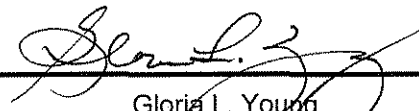
Gloria L. Young, Clerk

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 November 4, 2002.

12, 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

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