

# BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

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

## MEETING MINUTES

Monday, January 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

**Audit, Labor and Government Efficiency Committee**

Supervisors Newsom, Daly, McGoldrick

**City and School District Committee**

Supervisor Maxwell, Supervisor Ammiano, Commissioner Wynns, Commissioner Mar

**Economic Vitality, Small Business and Social Policy Committee**

Supervisors Sandoval, Newsom, Gonzalez

**Finance Committee**

Supervisors Leno, Peskin, Maxwell

**Housing, Transportation and Land Use Committee**

Supervisors McGoldrick, Daly, Peskin

**Neighborhood Services and Parks Committee**

Supervisors Yee, Hall, Sandoval

**Public Health and Environment Committee**

Supervisors Maxwell, Yee, Leno

**Public Utilities and Deregulation Committee**

Supervisors Daly, Gonzalez, Ammiano

**Rules Committee**

Supervisors Gonzalez, Hall, Ammiano

### Meeting Days

2nd & 4th Tuesday  
1:00 PM

Call of the Chair  
3:00 PM

1st & 3rd Tuesday  
10:00 AM

Wednesday  
12:30 PM

2nd & 4th Thursday  
10:00 AM

1st & 3rd Tuesday  
1:00 PM

2nd & 4th Tuesday  
10:00 AM

Call of the Chair

1st & 3rd Thursday  
1:00 PM

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

Volume 97 Number 1

**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.

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## 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 Maxwell, McGoldrick, Yee - 3.*

*Quorum present.*

*Supervisor McGoldrick was noted present at 2:02 p.m.*

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

*Supervisor Yee was noted present at 2:04 p.m.*

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## APPROVAL OF MEETING MINUTES

*Motion to approve the January 7, 2002, Meeting Minutes.*

**Supervisor Peskin, seconded by Supervisor Sandoval, moved to approve the October 22, October 29, November 5 and November 13, 2001 Meeting Minutes. The motion carried by the following vote:**

**Ayes: 8 - Ammiano, Daly, Gonzalez, Hall, Leno, Newsom, Peskin, Sandoval**

**Absent: 3 - Maxwell, McGoldrick, Yee**

## 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.*

*There were none.*

## COMMUNICATIONS

## CONSENT AGENDA

### Items 1 through 10

#### Recommendations of the Audit, Labor and Government Efficiency Committee

**011940 [Settlement Of Lawsuit]**

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

**PASSED, ON FIRST READING**

**012034 [Settlement of Lawsuit]**

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

**PASSED, ON FIRST READING**

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**012036 [Gift Acceptance from Friends and Foundation of the San Francisco Public Library]**

Resolution authorizing the Public Library to accept and expend a gift in the amount of \$12,000 from the Friends and Foundation of the San Francisco Public Library to purchase materials related to the gay, lesbian, transgender and bisexual community. (Public Library)

**Resolution No. 7-02**

**ADOPTED**

**012077 [Settlement of Claim]**

Resolution approving the settlement of the unlitigated claim filed by Alma Taylor against San Francisco for \$75,000; claim was filed on 01-31-2001; additional material terms of said settlement are the signing of full and final release and dismissal of the City and County of San Francisco. (City Attorney)

**Resolution No. 8-02**

**ADOPTED**

**012117 [Extension of Agreement for Additional 18-Month Tolling of Statute of Limitations Governing Administrative Proceeding or Suit]**

Resolution approving the City Attorney's entry into an Extension of Tolling Agreement governing administrative proceeding or suit by the United States Environmental Protection Agency and the Casmalia Resources Site Steering Committee effective December 7, 2001. (City Attorney)

**Resolution No. 3-02**

**ADOPTED**

**Recommendation of the Housing, Transportation and Land Use Committee**

010787 [Howard Street Bike Lane]  
Supervisor Daly

Resolution establishing a striped bicycle lane on Howard Street between 5th Street and 11th Street, excluding a 200-foot stretch east of 9th Street; authorizing the Department of Parking and Traffic to convert the part-time tow-away zone to full-time parking.

Resolution No. 5-02  
ADOPTED

**Recommendations of the Rules Committee**

012086 [Appointment]  
Resolution appointing Christine Smith, term ending June 1, 2002, to the Transgender Civil Rights Implementation Task Force, residency requirement waived.

Christine Smith (residency requirement waived), succeeding Shawna Virago, resigned, seat 10, must be a member of the transgender community, for the unexpired portion of a two year term ending June 1, 2002.

Resolution No. 9-02  
ADOPTED

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012122 [Appointment]  
Resolution appointing Brian Wetzel, term to be determined, to the Emergency Room Diversion Task Force.

Brian Wetzel, new position, seat 15, must represent labor, term to be determined.

Resolution No. 11-02  
ADOPTED

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 Consent Agenda**

**012140 [Grant - Juvenile Accountability Block Program]  
Mayor**

Resolution authorizing the Mayor's Criminal Justice Council to retroactively accept and expend a grant in the amount of \$592,198 from the Office of Criminal Justice Planning (OCJP) for the purpose of implementing local juvenile justice accountability measures through the Juvenile Accountability Incentive Block Grant Program (JAIBG). (Mayor)

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

**RE-REFERRED to the Economic Vitality, Small Business and Social Policy Committee by the following vote:**

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

**000793 [Appointment]**

Resolution appointing Kelly Jensen, term ending April 30, 2002, to the Animal Control & Welfare Commission.

Kelly Jensen, succeeding Sheila Martin, seat 7, must be licensed veterinarian, for the unexpired portion of a two-year term ending April 30, 2002.

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

**Resolution No. 4-02**

**ADOPTED by the following vote:**

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

## REGULAR AGENDA

## UNFINISHED BUSINESS

### Recommendations of the Public Health and Environment Committee

**010491 [Expanding the authority of the Department of Animal Care and Control to issue dog licenses and enter into agreements with pet-related businesses and animal welfare organizations to issue dog licenses.]  
Supervisors Leno, Maxwell, Peskin, Newsom**

Ordinance amending the San Francisco Health Code by amending sections 41, 41.2, 41.4, 41.5, 41.15, 41.19, 41.20 and 41.22 to: (1) expand the authority of the Department of Animal Care and Control to issue dog licenses; (2) authorize the Director of Animal Care and Control to enter into agreements with persons and entities, including but not limited to, veterinarians, retailers of pet supplies and pet services and animal welfare organizations, to accept applications for, and issue dog licenses; and (3) make miscellaneous technical corrections and delete references to obsolete code sections and terms; and amending the San Francisco Business and Tax Regulations Code by amending section 221.3 to specify that dog license fees collected by the Department of Animal Care and Control be delivered to the San Francisco Animal Control and Welfare Fund.

**Ordinance No. 2-02**

**FINALLY PASSED by the following vote:**

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

**011796 [Transportation of Aggregate Materials]  
Supervisors Maxwell, Leno, Daly, Newsom**

Ordinance amending the San Francisco Administrative Code by adding a new Chapter 12T to require City Departments and contractors operating vehicles carrying dirt and other aggregate material to cover the load to prevent the entrainment of particulate material into the air during the transportation of such materials within San Francisco.

**Ordinance No.** 3-02

**FINALLY PASSED** by the following vote:

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

**Recommendation of the Rules Committee**

**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.

**Ordinance No.** 4-02

**FINALLY PASSED** by the following vote:

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

**NEW BUSINESS**

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**Recommendation of the Audit, Labor and Government Efficiency Committee**

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

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

*1/7/02 - Supervisor Peskin presented an Amendment of the Whole bearing same title.*

**AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.**

**PASSED ON FIRST READING AS AMENDED** by the following vote:

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

**Recommendations of the Finance Committee**

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

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

**PASSED ON FIRST READING** by the following vote:

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

- 012180** [Extending Cooperative Agreement between the Treasure Island Development Authority and the U.S. Navy]

Resolution approving and authorizing the Treasure Island Development Authority to enter into the 14th modification to the Cooperative Agreement with the Navy to extend the Cooperative Agreement to September 30, 2002 for an additional amount of Navy reimbursement not to exceed \$145,000, retroactive to October 1, 2001. (Mayor)

**Resolution No.** 1-02

**ADOPTED** by the following vote:

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

- 012190** [2002 SFUSD General Obligation Bond Sale]  
Supervisors Ammiano, Peskin, McGoldrick, Leno, Maxwell, Newsom

Resolution authorizing and directing the sale of not to exceed \$29,480,000 City and County of San Francisco General Obligation Bonds (Educational Facilities Bonds, 1997 - San Francisco Unified School District), Series 2002\_; prescribing the form and terms of said Bonds; authorizing the execution, authentication and registration of said Bonds; providing for the appointment of depositories and other agents for said Bonds; providing for the establishment of accounts related thereto; approving the forms of Official Notice of Sale and Notice of Intention to Sell Bonds; directing the publication of the Notice of Intention to Sell Bonds; approving the form and execution of the official statement relating thereto; approving the form and execution of the Continuing Disclosure Certificate; approving modifications to documents; ratifying certain actions previously taken; and granting general authority to City officials to take necessary actions in connection with the authorization, issuance, sale and delivery of said Bonds.

**Resolution No.** 13-02

**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**

**001945 [Woodburning Fireplaces]  
Supervisor Daly**

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

**PASSED ON FIRST READING by the following vote:**

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

Noes: 2 - Hall, Newsom

Absent: 1 - McGoldrick

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

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

**Supervisor Leno, seconded by Supervisor Peskin, moved to excuse Supervisor Newsom from voting on this matter.**

**The motion carried by the following vote:**

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

Absent: 1 - McGoldrick

**PASSED ON FIRST READING by the following vote:**

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

Absent: 1 - McGoldrick

Excused: 1 - Newsom

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

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

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

**Supervisor Leno, seconded by Supervisor Peskin, moved to excuse Supervisor Newsom from voting on this matter.**

**The motion carried by the following vote:**

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

Absent: 1 - McGoldrick

**PASSED ON FIRST READING by the following vote:**

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

Absent: 1 - McGoldrick

Excused: 1 - Newsom



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

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

**PASSED ON FIRST READING by the following vote:**

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

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

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

**PASSED ON FIRST READING by the following vote:**

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

**012080 [Zoning Map Change]**

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

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

(Supervisor Daly dissenting in Committee.)

*1/7/02 - Supervisor Peskin presented an Amendment of the Whole bearing same title.*

**AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.**

**PASSED ON FIRST READING AS AMENDED by the following vote:**

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

**Recommendations of the Rules Committee**

**011797 [Mandating Police Crisis Intervention Training and Semiannual Reporting.]  
Supervisors Ammiano, Daly**

Resolution urging the Police Commission and the San Francisco Police Department (SFPD) to mandate a Police Crisis Intervention training for the San Francisco Police Department Officers, and requiring semiannual reporting, beginning in June of 2002, regarding the status and success of the training.

**Resolution No. 6-02**

**ADOPTED by the following vote:**

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

**012087 [Appointment]**

Resolution appointing Thomas Schulz, term ending January 1, 2004, to the Elections Commission.

Thomas Schulz, new position, seat 1, must be a representative of the general public, for a new five-year term ending January 1, 2004.

(Supervisor Gonzalez dissenting in Committee.)

**Resolution No. 10-02**

**ADOPTED by the following vote:**

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

**COMMITTEE REPORTS**

**From Rules Committee**

**012219 [Declaration of November 6, 2001 Election Results]**

Resolution declaring the results of the November 6, 2001 Consolidated Municipal Election. (Elections Department)

**Resolution No. 2-02**

**ADOPTED by the following vote:**

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

**ROLL CALL FOR INTRODUCTIONS**

## PUBLIC COMMENT

*Abdalla Megahed, homeless summit, March 7, 2002;*  
*Jaclee Bryson, various topics;*  
*Walter Brannon, Laguna Honda Hospital;*  
*James Chaffee, San Francisco Public Library;*  
*Frederick Hobson, homelessness;*  
*Rul Graffis, economic crisis for cab drivers;*  
*Rev. Amos Brown, homelessness;*  
*Mark Selby, economic crisis for cab drivers;*  
*Mort Weinstein, economic crisis for cab drivers;*  
*Barry Korngold, economic crisis for cab drivers;*  
*male speaker; various topics;*  
*Floyd Brown, MUNI bus schedules not accurate;*  
*Cynthia Analon, homelessness;*  
*Peter Witt, economic crisis for cab drivers;*  
*Edmund, SRO visitor rules;*  
*Liz Bradley, economic crisis for cab drivers;*  
*Michael Levin, Old Mint.*

## 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.*

**012215 [Legislative Analyst Request]**  
**Supervisor Yee**

Motion asking the Legislative Analyst to produce a report that identifies persons nominated and appointed to City Boards and Commissions. The report should include: (1) data on gender, age, ethnicity, and term of appointment; and (2) all persons whether current or past from January 1, 1999 to the present.

*1/7/02 - Supervisor Yee presented an Amendment of the Whole bearing new title.*

**AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.**

Motion asking the Legislative Analyst to produce a report that identifies persons nominated and appointed to City Boards and Commissions. The report should include: (1) data on gender, age, ethnicity, district of residency and term of appointment; and (2) all persons whether current or past from January 1, 1999 to the present.

*1/7/02 - Supervisor Gonzalez, seconded by Supervisor Yee moved to amend. After "nominated" insert "and applications"; replace "Board of Supervisors" with "all appointing authorities"; replace "1999" with "2001".*  
**AMENDED.**

Motion asking the Legislative Analyst to produce a report that identifies persons nominated and applications and appointed by all appointing authorities to City Boards and Commissions. The report should include data on gender, age, ethnicity, district of residency and term of appointment. The report should include all persons whether current or past from January 1, 2001, to the present.

**APPROVED AS AMENDED by the following vote:**

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

## **FOR ADOPTION WITHOUT COMMITTEE REFERENCE**

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

### **Items 30 through 45**

**012243 [Accuracy and Fairness Addition to California State History Framework]  
Supervisors Yee, Daly**

Resolution urging the California State Department of Education to establish in the California State History Framework fair and accurate standards in the portrayal of the atrocities against the Chinese during the Sino-Japanese War.

**Resolution No. 15-02  
ADOPTED**

**012244 [Commend - Native American Health Center]  
Supervisors Leno, Daly, Peskin, Newsom**

Resolution commending the Native American Health Center and Friendship House Association of American Indians.

**Resolution No. 16-02  
ADOPTED**

**012246 [Commendation]  
Supervisors Sandoval, Newsom, Daly, McGoldrick**

Resolution commending the Filipino Bar Association of Northern California, the San Mateo Legal Aid Society and the City of Daly City for sponsoring a citizenship workshop to enable airport security screeners to maintain employment in their current positions once the Federal Aviation Security Bill is implemented.

**Resolution No. 17-02  
ADOPTED**

012247 [Commendation]  
Supervisors Sandoval, Newsom, McGoldrick

Resolution commending the Airport Commission and the Regional Director of the Immigration and Naturalization Service for sponsoring citizenship workshops to enable airport security screeners to maintain employment in their current positions once the Federal Aviation Security Bill is implemented.

Resolution No. 18-02  
ADOPTED

012248 [Commend - Raymond Zeng]  
Supervisors Sandoval, Newsom

Resolution commending Raymond Zeng for winning the "Using Water Wisely - It's A Way of Life" poster contest.

Resolution No. 19-02  
ADOPTED

012249 [Commend - Nguyen Le]  
Supervisors Sandoval, Newsom

Resolution commending Nguyen Le for winning the "Using Water Wisely - It's A Way of Life" poster contest.

Resolution No. 20-02  
ADOPTED

012250 [Commend - Joshua Duhon]  
Supervisors Sandoval, Newsom

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Resolution commending Joshua Duhon for winning the "Using Water Wisely - It's A Way of Life" poster contest.

Resolution No. 21-02  
ADOPTED

012251 [Commend - Robert Li]  
Supervisors Sandoval, Newsom

Resolution commending Robert Li for winning the "Using Water Wisely - It's A Way of Life" poster contest.

Resolution No. 22-02  
ADOPTED

012229 [Board Off-site Meetings]  
Supervisor Ammiano

Motion ordering the City and School District Committee meeting of the Board of Supervisors to be held at the Irving G. Breyer Board Meeting Room, Board of Education, 555 Franklin Street, First Floor, San Francisco, on January 16, 2002, at 3:00 P.M. and directing the Clerk of the Board to prepare the proper notices and postings.

Motion No. M02-01  
APPROVED

- 012233 [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.

Motion No. M02-2  
APPROVED

- 012257 [Eminent Domain Public Hearing, 155 Fifth Street]  
Supervisor Ammiano

Motion directing the Board of Supervisors to hold a public hearing on January 14, 2002, at 3:00 p.m., to consider adopting a Resolution of Necessity in connection with a proposal to acquire by eminent domain a temporary construction easement on easterly portions of 155 Fifth Street in Assessor's Block 3724, Lot 066, in San Francisco, for completing construction of the Moscone Center Expansion Project.

(Companion measure to Files 012238, 012258.)

Motion No. M02-3  
APPROVED

- 020006 [Declaration of December 11, 2001 Election Results]  
Resolution declaring the results of the December 11, 2001 Municipal Run-off Election. (Elections Department)  
Resolution No. 23-02  
ADOPTED

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The foregoing items were acted upon by the following vote:

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

### Severed from Adoption Without Committee Reference

- 012240 [Removal of Boy Scout Language]  
Supervisors Leno, Gonzalez, Daly

Resolution urging the United States Congress to remove language from the federal education bill regarding the Boy Scouts.

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

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

Resolution No. 14-02  
ADOPTED by the following vote:

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

**012241 [Request for Exemption from State Statute-Shopping Carts]  
Supervisor Newsom**

Resolution urging the California State Legislature to exempt the City and County of San Francisco from the requirements of Section 22435.7 of the Business and Professions Code, limiting the ability of local governments to establish requirements for recovery and retrieval of abandoned Shopping and Laundry Carts.

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

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

**012242 [Closure of Select Decaux Automatic Pay Toilets]  
Supervisor Newsom**

Resolution directing the San Francisco Police Department and the Department of Public Works to jointly develop a Pilot Program in which four Decaux Automatic Pay toilets sites shall close during the recommended hours of 11:00 PM to 6:00 AM in order to mitigate the illegal use of Decaux Automatic Pay Toilets for shelter and/or for illegal activity, including drug use, prostitution and acts of vandalism.

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

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

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

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

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

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*Continued to January 14, 2002.*

**CONTINUED.**

## **IMPERATIVE AGENDA**

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

*[Purely Commendatory Finding]*

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

**Supervisor McGoldrick, seconded by Supervisor Leno, moved. The motion carried by the following vote:**

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

**Absent: 1 - Peskin**

*[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.*

**[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. by the following vote:**

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

**Imperative Agenda****020015 [Declaring Most Holy Redeemer Parish Day in San Francisco]  
Supervisor Leno**

Resolution commending Most Holy Redeemer Roman Catholic Parish for one hundred years of service and declaring January 13, 2002 Most Holy Redeemer Parish Day in San Francisco.

**Resolution No.** 24-02

**ADOPTED by the following vote:**

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

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**020016 [Proclaiming Healthy Kids Day in San Francisco]  
Supervisors Leno, McGoldrick, Maxwell**

Resolution commending the start of enrollment in the new Healthy Kids Program offered through the San Francisco Health Plan, encouraging San Francisco families to obtain health coverage for their uninsured children regardless of immigration status, and proclaiming January 13, 2002 "Healthy Kids Day" in the City and County of San Francisco.

**Resolution No.** 25-02

**ADOPTED by the following vote:**

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

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



**Ordinances****020017 [Whistleblowers]  
Supervisor Gonzalez**

Ordinance amending Sections 4.100, 4.105, 4.110 and 4.115 of the San Francisco Campaign and Governmental Conduct Code to: provide protection to whistleblowers who file a written complaint with the complainant's department regarding improper government activity by a City officer or employee; provide a list of the types of complaints of improper government activity; and clarify that protections for whistleblowers apply only when the whistleblower is subject to certain adverse employment actions.

1/7/02, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 2/6/2002.

**020018 [City-owned parking garages]  
Supervisor Newsom**

Ordinance adding Section 20 to the San Francisco Police Code regulating permitted activities in City-owned parking garages.

1/7/02, ASSIGNED UNDER 30 DAY RULE to Neighborhood Services and Parks Committee, expires on 2/6/2002.

**020019 [Median Strips]  
Supervisor Newsom**

Ordinance adding Section 79 to the San Francisco Traffic Code prohibiting loitering in median strips on City highways and thoroughfares.

1/7/02, ASSIGNED UNDER 30 DAY RULE to Housing, Transportation and Land Use Committee, expires on 2/6/2002.

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**020020 [Bond Truth Act]  
Supervisor Yee**

Ordinance amending Chapter 10 of the Administrative Code by adding Article IX thereto; requiring any ballot measure submitted to the voters to include certain information; requiring public access to financing proposals for capital projects; requiring the commitment of additional funds for projects financed in part with bond proceeds; limiting the transferability of bond authority for other projects; authorizing the expiration of bond authority; requiring the Controller to enforce this Article; and all other matters related thereto.

1/7/02, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 2/6/2002.

**Resolutions****020015 [Declaring Most Holy Redeemer Parish Day in San Francisco]  
Supervisor Leno**

Resolution commending Most Holy Redeemer Roman Catholic Parish for one hundred years of service and declaring January 13, 2002 Most Holy Redeemer Parish Day in San Francisco.

1/7/02, ADOPTED.

**020016 [Proclaiming Healthy Kids Day in San Francisco]  
Supervisors Leno, McGoldrick, Maxwell**

Resolution commending the start of enrollment in the new Healthy Kids Program offered through the San Francisco Health Plan, encouraging San Francisco families to obtain health coverage for their uninsured children regardless of immigration status, and proclaiming January 13, 2002 "Healthy Kids Day" in the City and County of San Francisco.

1/7/02, ADOPTED.

**020021 [Upper Market Street Bike Improvements]  
Supervisor Leno**

Resolution urging the Department of Parking and Traffic to implement bicycle access improvements on Market Street between Castro and Dolores Streets.

1/7/02, RECEIVED AND ASSIGNED to Housing, Transportation and Land Use Committee.

**020022 [Renaming Richmond Branch Library]  
Supervisors McGoldrick, Leno, Newsom**

Resolution urging the Library Commission to consider renaming the Richmond Branch Library in honor of Senator Milton Marks in honor of his contribution to the City and County of San Francisco and in particular to his significant contribution to the health and welfare of the public library system of the City and State.

1/7/02, RECEIVED AND ASSIGNED to Neighborhood Services and Parks Committee.

**020023 [Extending Health care coverage]  
Supervisor Yee**

Resolution seeking action to extend health care coverage in San Francisco City and County.

1/7/02, RECEIVED AND ASSIGNED to Public Health and Environment Committee.

**020024 [SFUSD Compliance with the Sunshine Ordinance]  
Supervisor Yee**

Resolution urging that the San Francisco Board of Education require the San Francisco Unified School District, its officers and employees, including the Board of Education members to abide by the provisions of the San Francisco Sunshine Ordinance, Chapter 67 of the San Francisco Administrative Code.

1/7/02, RECEIVED AND ASSIGNED to Rules Committee.

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

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

1/7/02, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

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

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

1/7/02, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**020027 [Commend - Planned Parenthood]  
Supervisors Sandoval, Daly**

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

1/7/02, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**Requests for Hearing**

**020028 [School of the Arts]  
Supervisor Ammiano**

Hearing regarding the School of the Arts.

1/7/02, RECEIVED AND ASSIGNED to City and School District Committee.

~~**020029 [AT&T/Comcast Merger]  
Supervisor Daly**~~

~~Hearing to discuss the AT&T/Comcast merger and the prospect of renegotiating the City's cable franchise agreement.~~

~~1/7/02, RECEIVED AND ASSIGNED to Public Utilities and Deregulation Committee.~~

**020030 [Management of City's Property]  
Supervisor Daly**

Hearing to study the management of the City's property in light of the Controller's audit calling for a centralized approach.

1/7/02, RECEIVED AND ASSIGNED to Audit, Labor and Government Efficiency Committee.

**020031 [Cable Television Franchise Agreement]  
Supervisors McGoldrick, Daly**

Hearing to consider City's options regarding possible transfer of cable television franchise agreement. This hearing should also consider ways in which the City may improve upon the current franchise agreement in place, as well as the option of the City owning and operating the cable television system.

1/7/02, RECEIVED AND ASSIGNED to Public Utilities and Deregulation Committee.

**020032 [Draft Management Audit of Fire Department]  
Supervisor McGoldrick**

Hearing on the release of the Budget Analyst's draft Management Audit of the San Francisco Fire Department to the President of the San Francisco Chief's Association and to a Firefighter/Paramedic at the City Attorney's direction. The release of the draft report by the Fire Department directly contradicts the procedures of the Board of Supervisors.

1/7/02, RECEIVED AND ASSIGNED to Audit, Labor and Government Efficiency Committee.

**020033 [Extension of Winter Shelter Beds]  
Supervisor Newsom**

Hearing to investigate the permanent extension of winter beds in San Francisco. Specifically, the hearing will examine annualizing the Ella Hill Hutch shelter beds and the possibility of annualizing other winter shelters.

1/7/02, RECEIVED AND ASSIGNED to Housing, Transportation and Land Use Committee.

**020040 [School Based Health Programs]**

Hearing on School Based Health Programs. (City and School District Committee)

1/7/02, RECEIVED AND ASSIGNED to City and School District Committee.

**020041 [1997 Proposition A Bond Fund]**

Hearing on informational status update on 1997 Proposition A Bond Fund. (City and School District Committee)

1/7/02, RECEIVED AND ASSIGNED to City and School District Committee.

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**020042 [~~Homeless Students and Families~~]**

Hearing on the support for homeless students and families, including those living in SRO's. (City and School District Committee)

1/7/02, RECEIVED AND ASSIGNED to City and School District Committee.

**020043 [Immigrant Students and Families]**

Hearing on the support for immigrant students and families. (City and School District Committee)

1/7/02, RECEIVED AND ASSIGNED to City and School District Committee.

**Motions**

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

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

1/7/02, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

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

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

1/7/02, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

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

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

1/7/02, ASSIGNED to Board of Supervisors. Scheduled for Board consideration January 14, 2002.

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

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

1/7/02, ASSIGNED to Board of Supervisors. Scheduled for Board consideration January 14, 2002.

**Introduced by the President at the Request of Departments**

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**PROPOSED ORDINANCES**

**020002 [Changing the designation of 572 Folsom Street from a Category V Building to a Category III building]  
Supervisor Peskin**

Ordinance changing the designation of 572 Folsom Street from Category V (Unrated) to Category III (Contributory) pursuant to Article 11 of the Planning Code. (Planning Department)

12/19/01, RECEIVED AND ASSIGNED to Housing, Transportation and Land Use Committee.

**020004 [Appointing Road Commissioner]  
Supervisor Newsom**

Ordinance appointing Edwin M. Lee, Director of Public Works, Road Commissioner for the City and County of San Francisco, and repealing Ordinance 447-96. (Public Works Department)

12/24/01, SCHEDULED FOR PUBLIC HEARING. Scheduled for public hearing before Board January 28, 2002, at 3:00 p.m.

**020007 [Settlement of Lawsuit]**

Ordinance authorizing settlement of the attorneys' fees and costs in the matter of Fontanilla and County of San Francisco for \$105,000. The lawsuit was filed on October 28, 1996, in United States District Court, Case No. C96-3916 JAS; entitled Fontanilla v. City and County of San Francisco, et al. (City Attorney)  
1/2/02, RECEIVED AND ASSIGNED to Audit, Labor and Government Efficiency Committee.

**PROPOSED RESOLUTIONS****012230 [Transfer of approval authority of the Substance Abuse & Crime Prevention Act county plan from the Board of Supervisors to the Department of Public Health]**

Resolution delegating approval authority of the Substance Abuse & Crime Prevention Act of 2000 county plan to the Department of Public Health, in accordance with §9515b(3), Title 9, California Code of Regulations. (Public Health Department)  
12/13/01, RECEIVED AND ASSIGNED to Public Health and Environment Committee.

**012232 [California Energy Commission Grant]**

Resolution authorizing the General Manager of the San Francisco Public Utilities Commission to accept and expend a grant from the California Energy Commission in the amount of \$265,000 to support lighting and HVAC retrofits at City facilities and waiving inclusion of indirect costs in the grant budget. (Public Utilities Commission)  
12/13/01, RECEIVED AND ASSIGNED to Finance Committee.

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

~~Supervisor McGoldrick~~

Resolution authorizing the San Francisco Department of Public Health (SFDPH), Community Mental Health Services (CMHS), to accept and expend federal SAMHSA Mental Health Block Grant funds in the total amount of \$3,198,952 from the State Department of Mental Health (SDMH) to improve the system of care for seriously emotionally disturbed children and severely mentally ill adults in San Francisco, including those with a diagnosis of a dual disorder of mental illness and substance abuse; for the period of July 1, 2001 to June 30, 2002. (Public Health Department)  
12/18/01, RECEIVED AND ASSIGNED to Public Health and Environment Committee. Department requests this item be scheduled for consideration at the January 8, 2002, meeting.

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

Resolution authorizing the San Francisco Department of Public Health (SFDPH) to accept and expend retroactively a grant in the amount of \$315,828 for the first year of a three year grant from the Centers for Disease Control and Prevention (CDC) for HIV prevention intervention research on the efficacy of condom skills building and to enter into an agreement for the use of these funds; for the period of September 30, 2001 to September 29, 2002. (Public Health Department)  
12/18/01, RECEIVED AND ASSIGNED to Public Health and Environment Committee. Department requests this item be scheduled for consideration at the January 8, 2002, meeting.

**012261 [Coordinating data collection, testing, counseling, referrals, and blood collection and transport at community sites for HIV and HCV prevention]**

Resolution authorizing the San Francisco Department of Public Health (SFDPH) to accept and expend retroactively one-time funds in the amount of \$65,000 from the Centers for Disease Control and Prevention (CDC) supplemental to the CDC Prevention Cooperative Agreement U62/CCU902017-16-2 to reduce HIV and HCV risk behaviors of injection drug users and others at risk for hepatitis C and to enter into an agreement for the use of these funds; for the period of January 1, 2001 to December 31, 2001. (Public Health Department) 12/18/01, RECEIVED AND ASSIGNED to Public Health and Environment Committee. Department requests this item be scheduled for consideration at the January 8, 2002, meeting.

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

Resolution authorizing the San Francisco Department of Public Health (SFDPH), Community Mental Health Services (CMHS) to accept and expend retroactively funds in the amount of \$353,022 for the first year of a three year grant from the California Department of Mental Health (CDMH) and the San Francisco Private Industry Council (SFPIC) to reduce youth violence and substance abuse in San Francisco; for the period of July 1, 2001 to June 30, 2002. (Public Health Department) 12/18/01, RECEIVED AND ASSIGNED to Public Health and Environment Committee. Department requests this item be scheduled for consideration at the January 8, 2002, meeting.

**012263 [Adopting the City's Telecommunications Plan]  
Supervisor Daly**

Resolution adopting the Telecommunications Plan, as adopted and forwarded by the San Francisco Telecommunications Commission, as the City's Telecommunications Plan. (Telecommunications and Information Services) 12/17/01, RECEIVED AND ASSIGNED to Public Utilities and Deregulation Committee.

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

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

(Fiscal impact.)

12/19/01, RECEIVED AND ASSIGNED to Finance Committee.

**012280 [Agreement to Purchase Property Rights in Assessor Block 3767, Portion of Lot 4]**

Resolution approving and authorizing an agreement for the purchase of a permanent easement located at the southwest corner of Main and Bryant Streets for the Bay Bridge Pump Station for a purchase price of \$650,000; adopting findings that the conveyance is exempt from Environmental Review and is consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; and authorizing the Director of Property to execute documents, make certain modifications and take certain actions in furtherance of this resolution. (Real Estate Department)

(Fiscal impact.)

12/19/01, RECEIVED AND ASSIGNED to Finance Committee.

**012281 [Airport Concession Lease]**

Resolution approving a lease and operating agreement for operating the Self Service Luggage Cart Program, Between Smarte Carte, Inc., and the City and County of San Francisco, Acting by and through its Airport Commission. (Airport Commission)

(Fiscal impact.)

12/19/01, RECEIVED AND ASSIGNED to Finance Committee.

**012282 [2002 Water Revenue Bonds Issuance]**

Resolution approving the issuance of not to exceed \$164,000,000 aggregate principal amount of San Francisco water revenue bonds to be issued by the Public Utilities Commission of the City and County of San Francisco; affirming covenants contained in the indenture pursuant to which the water revenue bonds are issued; and authorizing the taking of appropriate actions in connection therewith; and related matters. (Public Utilities Commission)

12/19/01, RECEIVED AND ASSIGNED to Finance Committee.

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**012283 [2002 Water Revenue Refunding Bonds Issuance]**

Resolution approving the issuance of not to exceed \$100,000,000 aggregate principal amount of San Francisco water revenue refunding bonds to be issued by the Public Utilities Commission of the City and County of San Francisco; affirming covenants contained in the indenture pursuant to which the water revenue refunding bonds are issued; and authorizing the taking of appropriate actions in connection therewith; and related matters. (Public Utilities Commission)

12/19/01, RECEIVED AND ASSIGNED to Finance Committee.

**020001 [Amendment to Paratransit Broker Agreement]  
Supervisors Newsom, Peskin, Leno**

Resolution approving Amendment No. 2 to Paratransit Broker Agreement, to improve the ramped taxi program by leasing 24 ramped minivans to the Broker to be subleased to taxicab companies participating in the Paratransit Program, with guaranteed lease payments in the form of paratransit trips provided at no cost to the City; and to make other amendments updating the Agreement. (Public Transportation Commission)

12/21/01, RECEIVED AND ASSIGNED to Finance Committee.



- 020003 [Grant of up to \$500,000 from the California Integrated Waste Management Board for clean-up of illegal dumping sites in San Francisco]**  
**Supervisors McGoldrick, Peskin, Hall, Newsom**

Resolution authorizing the Director of Public Works to accept and expend a grant in the amount of \$500,000 from the California Integrated Waste Management Board for clean-up of illegal dumping sites in San Francisco. (Public Works Department)

12/31/01, RECEIVED AND ASSIGNED to Public Health and Environment Committee.

- 020005 [Awarding the Management Agreement for the Golden Gateway Garage to Five Star Parking/Elite Parking, Joint Venture]**

Resolution approving the award of the Management Agreement for the Golden Gateway Garage to Five Star Parking/Elite Parking, Joint Venture. (Parking and Traffic Department)

12/31/01, RECEIVED AND ASSIGNED to Housing, Transportation and Land Use Committee.

## PROPOSED MOTIONS

- 012274 [Appointment - Public Utilities Commission]**

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

12/18/01, RECEIVED AND ASSIGNED to Rules Committee. With direction to report back to Board by January 14, 2002.

- 012275 [Appointment - Public Utilities Commission]**

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

12/18/01, RECEIVED AND ASSIGNED to Rules Committee. With direction to report back to Board by January 14, 2002.

- 012276 [Appointment - Public Utilities Commission]**

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

12/18/01, RECEIVED AND ASSIGNED to Rules Committee. With direction to report back to Board by January 14, 2002.

- 012277 [Appointment - Public Utilities Commission]**

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

12/18/01, RECEIVED AND ASSIGNED to Rules Committee. With direction to report back to Board by January 14, 2002.

- 012278 [Appointment - Public Utilities Commission]**

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

1/18/01, RECEIVED AND ASSIGNED to Rules Committee. With direction to report back to Board by January 14, 2002.

**012279 [Appointment - Public Utilities Commission]**

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

12/18/01, RECEIVED AND ASSIGNED to Rules Committee. With direction to report back to Board by January 14, 2002.

**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**

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

*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 5:18 p.m. adjourned.*

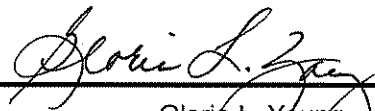
*Gloria L. Young, Clerk*

*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 February 11, 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*

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Gloria L. Young  
Clerk of the Board