

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, June 5, 2000 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

*ALICIA BECERRIL, SUE BIERMAN, AMOS BROWN, LESLIE KATZ,
BARBARA KAUFMAN, MARK LENO, GAVIN NEWSOM,
MABEL TENG, MICHAEL YAKI, LELAND Y. YEE*

Gloria L. Young, Clerk of the Board

BOARD COMMITTEES

Committee Membership

Audit and Government Efficiency Committee

Supervisors Kaufman, Newsom, Katz

City and School District Committee

Commissioner Owens, Commissioner Chong, Supervisor Ammiano, Supervisor Yee

Finance and Labor Committee

Supervisors Yee, Bierman, Ammiano

Housing and Social Policy Committee

Supervisors Teng, Bierman, Becerril

Parks and Recreation Committee

Supervisors Brown, Newsom, Leno

Public Health and Environment Committee

Supervisors Bierman, Brown, Yaki

Public Utilities and Deregulation Committee

Supervisors Ammiano, Yee, Becerril

Rules Committee

Supervisors Leno, Teng, Kaufman

Small Business, Economic Vitality and Consumer Services Committee

Supervisors Newsom, Leno, Becerril

Transportation and Land Use Committee

Supervisors Katz, Yaki, Yee

Meeting Days

1st Tuesday
1:00 PM

Quarterly, 4th Wednesday
3:00 PM

Wednesday
10:00 AM

1st and 3rd Tuesday
10:00 AM

2nd Tuesday
1:00 PM

2nd & 4th Thursday
1:00 PM

3rd Tuesday
1:00 PM

2nd & 4th Thursday
10:00 AM

1st and 3rd Thursday
10:00 AM

2nd and 4th Tuesday
10:00 AM

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

Members Present: Tom Ammiano, Alicia Becerril, Sue Bierman, Amos Brown, Leslie Katz, Barbara Kaufman, Mark Leno, Gavin Newsom, Michael Yaki, Leland Y. Yee.

Members Absent: Mabel Teng.

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 Becerril, Teng - 2.

Quorum present.

Supervisor Becerril was noted present at 2:38 p.m.

Supervisor Teng was excused. (See infra.)

Supervisor Teng Excused from Attendance

Supervisor Yaki, seconded by Supervisor Leno, moved to excuse Supervisor Teng from attending today's meeting. The motion carried by the following vote:

Ayes: 9 - Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Newsom, Yaki, Yee

Absent: 2 - Becerril, Teng

APPROVAL OF MEETING MINUTES

Supervisor Leno, seconded by Supervisor Bierman, moved to APPROVE the April 24, 2000 Meeting Minutes. The motion carried by the following vote:

Ayes: 9 - Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Newsom, Yaki, Yee

Absent: 2 - Becerril, Teng

AGENDA CHANGES

Supervisor Bierman indicated she intends to request the matter relating to the Subdivision Code, tenancies-in-common issue be continued. File 992881.

Supervisor Katz indicated she intends to request the major encroachment permit to relocate two statues to Dolores Street be re-referred to committee. File 000856.

Supervisor Bierman indicated she intends to move that the matter concerning AB 2479, cruelty to animals, be tabled. File 000959.

Supervisor Brown indicated he intends to move an amendment to the resolution regarding Ethiopia and Eritrea. File 001023.

Privilege of the Floor

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

Ayes: 9 - Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Newsom, Yaki, Yee

Absent: 2 - Becerril, Teng

Introduction of Guests and Presentation Made

Supervisor Newsom introduced and presented commendations to the following City employees in recognition for their 50 years or more of dedication and services to the City and County of San Francisco, upon their retirement:

Willie Eastman, Automotive Service Worker, Assistant Supervisor;

Mark Dolan, Institution Utility Worker, Laguna Honda Hospital;

Aimee Exnicios, Juvenile Probation;

Joe Corbin, Parking Meter Repair Supervisor.

CONSENT AGENDA

Recommendations of the Finance and Labor Committee

000574 [Fire Code - Increase Fees for Services]

Ordinance amending Part II, Chapter IV of the San Francisco Municipal Code (Fire Code) by amending Section 106 to increase fees for services and by amending Article 90 to require fire pumps to be capable of operating on emergency power. (Fire Department)

(Amends Section 106 and Article 90.)

Ordinance No. 137-00

FINALLY PASSED

**000629 [Carrousel Fees]
Supervisor Brown**

Ordinance amending Part II, Chapter VI of the San Francisco Municipal Code (Park Code) to set fees for rides on the Golden Gate Park Carrousel at \$.25 for children and \$1.50 for adults, which keeps the fee for children at its current level and raises the fee for adults from \$1.00 to \$1.50.

(Amends Section 12.09)

**Ordinance No. 126-00
FINALLY PASSED**

000771 [Government Funding - Assessor's Office]

Ordinance appropriating \$284,887 from the General Fund Reserve for litigation and mediation expenses associated with the VIACOM assessment appeal for the Assessor's Office for fiscal year 1999-2000. (Controller)

(Fiscal impact.)

**Ordinance No. 139-00
FINALLY PASSED**

000772 [Government Funding - Laguna Honda Hospital]

Ordinance appropriating \$9,243,481 of Tobacco Settlement Funds for architectural, engineering and construction costs for the Laguna Honda Hospital Project, for fiscal year 1999-2000; placing \$3,371,740 on reserve. (Controller)

(Fiscal impact.)

**Ordinance No. 140-00
FINALLY PASSED**

000773 [Government Funding - City Attorney]

Ordinance appropriating \$972,212 from the General Fund Reserve to fund salaries, fringe benefits, and professional and expert services for litigation of San Francisco Business Tax cases, for the City Attorney, for fiscal year 1999-2000. (Controller)

(Fiscal impact.)

**Ordinance No. 141-00
FINALLY PASSED**

000774 [Government Funding - Sheriff Department]

Ordinance appropriating \$4,695,097, including \$1,945,097 from the General Fund Reserve, \$2,500,000 from the Jail Overcrowding Reserve, and \$250,000 from City Hall Special Event Revenue to fund workers' compensation, residential treatment beds, costs associated with the new defendant tracking systems, for fiscal year 1999-2000. (Controller)

(Fiscal impact)

**Ordinance No. 142-00
FINALLY PASSED**

000775 [Government Funding - Fire Department]

Ordinance appropriating \$1,908,123 from the General Fund Reserve, \$500,000 from Fire Department Permit Fee Revenues, and rescinding and reappropriating \$1,270,259 from the departmental lease purchase budget, to fund salaries, overtime, fringe benefits, workers' compensation, uniforms and protective clothing at the Fire Department, for fiscal year 1999-2000. (Controller)

(Fiscal impact.)

Ordinance No. 143-00
FINALLY PASSED

000779 [Government Funding - San Francisco General Hospital]

Ordinance appropriating \$9,940,757 from the General Fund Reserve to cover a revenue shortfall at San Francisco General Hospital in the SB855 Disproportionate Share Payment Program, for fiscal year 1999-2000. (Controller)

(Fiscal impact.)

Ordinance No. 144-00
FINALLY PASSED

Recommendation of Rules Committee**000871 [Confirmation-Appointment to Redevelopment Agency]
Supervisor Yaki**

Resolution confirming the appointment of Kathryn C. Palamountain by the Mayor to the San Francisco Redevelopment Agency.

Resolution No. 524-00
ADOPTED

Recommendation of the Small Business, Economic Vitality and Consumer Services Committee**000391 [Increasing the rate of taxi meters from \$1.80 per mile to \$2.00 per mile]
Supervisors Newsom, Ammiano, Bierman**

Ordinance amending Police Code Section 1135 to raise the mileage rate for taxicab fares from thirty cents (\$0.30) per sixth of a mile to forty cents (\$0.40) per fifth of a mile.

(Amends Section 1135.)

Ordinance No. 136-00
FINALLY PASSED

Recommendations of the Transportation and Land Use Committee**000740 [General Plan Amendments - Executive Park Subarea Plan, Planning Case No. 2000.057M]
Supervisor Newsom**

Ordinance approving amendments to the Subarea Plan for San Francisco Executive Park in the South Bayshore Plan of the San Francisco General Plan. (Planning Department)

(Planning Commission Resolution No. 15016 dated April 6, 2000 adopting the General Plan amendments and recommends them to the Board of Supervisors; companion measure to File 000739.)

Supervisor Newsom requested to be added as co-sponsor.

Ordinance No. 138-00

FINALLY PASSED

**000796 [Bernal Heights Special Use District Permit Review and Notice]
Supervisor Newsom**

Ordinance amending Part II, Chapter II, of the San Francisco Municipal Code ("Planning Code") by amending Section 242 to provide that the review, notification and appeal procedures for residential building permits in the Bernal Heights Special Use District (SUD) be those provided in the Planning Code Section 311 for the rest of the residential districts in the City; to specify that the Elsie Street Plan and the east slope building guidelines and, by reference, the residential design guidelines be retained as design guidelines for the Bernal Heights SUD; and to delete the term, "abutting property" from the definitions of this Section. (Planning Department)

(Planning Commission Resolution No. 15020 dated April 16, 2000 recommending adoption of the Planning Code amendments as presented in the above ordinance. General Rule Exclusion from environmental review.)

Supervisor Newsom requested to be added as co-sponsor.

Ordinance No. 145-00

FINALLY PASSED

The foregoing items were acted upon by the following vote:

Ayes: 9 - Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Newsom, Yaki, Yee

Absent: 2 - Becerril, Teng

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of the Finance and Labor Committee

992281 [Subdivision Code, Conversion]
Supervisor Bierman

Ordinance amending Subdivision Code Articles 1, 2, 3 and 9, by amending Sections 1302, 1308, 1388, and 1396, and by adding Section 1316, to prohibit tenancies-in-common where an exclusive right of occupancy exists but is not specified in the deed, to amend the annual condominium conversion requirements pertaining to tenants and owner occupants, to amend the definition of tenant, to exempt certain tenancies-in-common from the annual limit on condominium conversions, to create a special lottery process for purchasing tenants; and to amend other definitions to implement these measures.

(Amends Sections 1302, 1308, 1388, and 1396; adds Section 1316.)
(Supervisor Yee excused from voting in committee.)

Supervisor Bierman requested this matter be continued to June 26, 2000.

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

Ayes: 9 - Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Newsom, Yaki, Yee
Absent: 2 - Becerril, Teng

Recommendation of the Transportation and Land Use Committee

000856 [Major encroachment permit to relocate two (2) statues to Dolores Street between 16th Street and Chula Lane]

Resolution granting revocable permission to the San Francisco Art Commission to relocate two (2) statues of Juan Batista De Anza and King Carlos from the south end of Justin Herman Plaza to the landscaped median strip on Dolores Street, between 16th Street and Chula Lane, fronting Mission Dolores and adopting findings pursuant to Planning Code Section 101.1. (Public Works Department)

Supervisor Katz requested this matter be re-referred to committee.

Supervisor Katz, seconded by Supervisor Kaufman, moved that this Resolution be RE-REFERRED to the Transportation and Land Use Committee. The motion carried by the following vote:

Ayes: 9 - Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Newsom, Yaki, Yee
Absent: 2 - Becerril, Teng

SPECIAL ORDER 3:00 P.M.**000296 [Appeal, Conditional Use, 201 Ninth Street]**

Hearing of persons interested in or objecting to the decision of the Planning Commission by its Motion No. 14936 dated January 13, 2000, approving Conditional Use Application No. 99.489C allowing the intensification of a legal nonconforming nighttime entertainment use by permitting live entertainment; and, disapproving after hours live entertainment, in an SLR (Service/Light Industrial/Residential) District and within the South of Market Mixed Use Housing District with a 50-X Height and Bulk Designation, on property located at 201 Ninth Street, Lot 82 in Assessor's Block 3729.

(Categorically exempt from environmental review process pursuant to Class 1 exemptions of Title 14 of the California Administrative Code; companion measure to Files 000297, 000298, 000299.)
(Appeal filed April 19, 2000.)

Supervisor Newsom, seconded by Supervisor Katz, moved to excuse Supervisor Leno from voting on all matters relating to the conditional use appeal on property located at 201 Ninth Street, at his request. The motion carried by the following vote:

Ayes: 10 - Ammiano, Becerril, Bierman, Brown, Katz, Kaufman, Leno, Newsom, Yaki, Yee
Absent: 1 - Teng

The privilege of the floor was granted to the following persons:

Appellants:

Director, Macy's West;

Brett Gladstone, representing appellants;

Greg Lockamy, President, AsiaSF ;

Phil Corpuz; Sharon Burch; Mark Rennie; Jamie Awad; Ray Fisher; Nicki Calma; Anja Dimacali; Paul Pendergast; Steve Chen; Chuck Jones, read three letters from neighboring establishments; John.

Respondents: Larry Badner, representing Planning Department.

A rebuttal period was allowed.

The President then declared the hearing closed.

HEARD AT PUBLIC HEARING.

Pursuant to Government Code Section 65009, notice is hereby given: If you challenge the above matter in court, you may be limited to raising only those issues you or someone else raised at the public hearing described above, or in written correspondence delivered to the Board of Supervisors, (1 Dr. Carlton B. Goodlett Place, Room 244; San Francisco, CA 94102-4689) at, or prior to, the public hearing.

From the Clerk

000297 [Appeal, Conditional Use, 201 Ninth Street]

Motion approving decision of the Planning Commission by its Motion No. 14936 approving Conditional Use Application No. 99.489C on property located at 201 Ninth Street, and adopting findings pursuant to Planning Code Section 101.1. (Clerk of the Board)

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

Ayes: 9 - Ammiano, Becerril, Bierman, Brown, Katz, Kaufman, Newsom, Yaki, Yee
 Absent: 1 - Teng
 Excused: 1 - Leno

000298 [Appeal, Conditional Use, 201 Ninth Street]

Motion disapproving decision of the Planning Commission by its Motion No. 14936 approving Conditional Use Application No. 99.489C on property located at 201 Ninth Street, and adopting findings pursuant to Planning Code Section 101.1. (Clerk of the Board)

Supervisor Katz moved to amend the title, after "Street" by inserting the following words, "; approving Conditional Use Application No. 99.489C related to 201 Ninth Street, subject to the conditions imposed by the Planning Commission in its Motion No. 14936, except that an after hours permit shall be issued for the nights starting on Thursday, Friday and Saturday until 3 a.m. only and a place of entertainment permit shall be issued for 7 days per week and further subject to additional conditions imposed by the Board of Supervisors as set forth herein;"

Amend line 16, by inserting "Further Moved, That the Board of Supervisors approves Conditional Use Application No. 99.489C on property located at 201 Ninth Street, subject to the following conditions:

a) The Board of Supervisors imposes the conditions imposed by the Planning Commission in its Motion No. 14936, except that an after hours permit shall be issued for the nights starting on Thursday, Friday and Saturday until 3 a.m. only and a place of entertainment permit shall be issued for 7 days per week.

b) The Board of Supervisors further imposes the following conditions:

1. Entry to the club shall cease at 1:45 a.m. and no new patrons allowed into the club after that time.

2. All sales of alcoholic beverages shall cease no later than 1:45 a.m.

3. The After Hours Permit shall be good only for 2 a.m. to 3 a.m. of the nights starting on Thursday, Friday and Saturday.

4. Notices must be displayed at all entrances and exits urging patrons to leave quietly, not to litter or block driveways.

5. Employees shall be posed at entrances and exits from 10:00 p.m. until the last customer has left. An assigned employee shall insure that customers leave in a quiet and orderly manner.

6. Prior to 8:00 a.m. each morning, employees shall pick up and dispose of any trash within a 100-foot radius from the premises left by patrons the night before.

7. Sufficient toilet facilities shall be made accessible to patrons and prospective patrons if lined up outside to enter the premises.

8. AsiaSF shall provide outside lighting to illuminate the adjacent street and sidewalk.

9. AsiaSF shall provide adequate ventilation so that windows/doors are not left open, resulting in noise emission from the premises.

10. AsiaSF shall insure that any indoors or outdoors activity allowed within 100 feet of a residence not exceed the acceptable noise level for residential uses under the SF Noise Ordinance between 10:00 p.m. and 6:00 a.m."

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

Ayes: 9 - Ammiano, Becerril, Bierman, Brown, Katz, Kaufman, Newsom, Yaki, Yee
 Absent: 1 - Teng
 Excused: 1 - Leno

Motion disapproving decision of the Planning Commission by its Motion No. 14936 approving Conditional Use Application No. 99.489C on property located at 201 Ninth Street; approving Conditional Use Application No. 99.489C related to 201 Ninth Street, subject to the conditions imposed by Planning Commission in its Motion No. 14936, except that an after hours permit shall be issued for the nights starting on Thursday, Friday and Saturday until 3 a.m. only and a place of entertainment permit shall be issued for 7 days per week and further subject to additional conditions imposed by the Board of Supervisors as set forth herein; and adopting findings pursuant to Planning Code Section 101.1. (Clerk of the Board)

Motion No. M00-52

APPROVED AS AMENDED by the following vote:

Ayes: 9 - Ammiano, Becerril, Bierman, Brown, Katz, Kaufman, Newsom, Yaki, Yee

Absent: 1 - Teng

Excused: 1 - Leno

000299 [Findings - 201 Ninth Street]

Motion directing the Clerk of the Board to prepare findings relating to proposed Conditional Use Application No. 99.498C on property located at 201 Ninth Street, for action by the Board at its next meeting. (Clerk of the Board)

Motion No. M00-46

APPROVED by the following vote:

Ayes: 9 - Ammiano, Becerril, Bierman, Brown, Katz, Kaufman, Newsom, Yaki, Yee

Absent: 1 - Teng

Excused: 1 - Leno

SPECIAL ORDER 3:00 P.M.**000904 [Appeal, Conditional Use, 3839 Washington Street]**

Hearing of persons interested in or objecting to the decision of the Planning Commission by its Motion No. 15031 dated April 13, 2000 approving Conditional Use Application No. 99.385C, subject to certain conditions, to develop an addition to a primary and middle school (Presidio Hill) of approximately 9,280 square feet on the existing school property, including renovating the existing two-story building of approximately 7,000 square feet, and add a third floor/penthouse of approximately 2,200 square feet; and constructing a new building, one-story over basement, of approximately 7,600 square feet, with a rooftop play area in the area of the existing play yard. The school, with the expansion, would contain a total of nine (9) classrooms; a below-grade multi-purpose room and library; accessory administrative space and dedicated rooms for art, music, foreign language, computers and science with an adjacent science garden, and with a maximum enrollment of 200 students, per Planning Code Sections 209.3(G) and 303 of the Planning Code in an RH-1 (Residential, House Districts, One-Family) with a 40-X Height and Bulk District, on property located at 3839 Washington Street, south side between Maple and Cherry Streets; Lots 1A, 24 and 25, Assessor's Block 0992.

(A certificate of Determination of Exemption/Exclusion from Environmental Review was previously issued by the Environmental Officer on March 24, 1999. An amended Certificate was issued on April 5, 2000 due to changes made to the proposed Project. The Environmental Review Officer found that the Project is exempt under CEQA (California Environmental Quality Act) State Guidelines; companion measure to Files 000905, 000906, 000907.)

(Appeal filed May 15, 2000.)

The privilege of the floor was granted to the following persons:

Appellant: Francie Petrocelli.

Respondent: Carey Davis.

HEARD AT PUBLIC HEARING.

Pursuant to Government Code Section 65009, notice is hereby given: If you challenge the above matter in court, you may be limited to raising only those issues you or someone else raised at the public hearing described above, or in written correspondence delivered to the Board of Supervisors, (1 Dr. Carlton B. Goodlett Place, Room 244; San Francisco, CA 94102-4689) at, or prior to, the public hearing.

From the Clerk**000905 [Appeal, Conditional Use, 3839 Washington Street]**

Motion approving decision of the Planning Commission by its Motion No. 15031 approving Conditional Use Application No. 99.385C on property located at 3839 Washington Street, south side between Maple and Cherry Streets, and adopting findings pursuant to Planning Code Section 101.1. (Clerk of the Board)

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

Ayes: 10 - Ammiano, Becerril, Bierman, Brown, Katz, Kaufman, Leno, Newsom, Yaki, Yee

Absent: 1 - Teng

000906 [Appeal, Conditional Use, 3839 Washington Street]

Motion disapproving decision of the Planning Commission by its Motion No. 15031 approving Conditional Use Application No. 99.385C on property located at 3839 Washington Street, south side between Maple and Cherry Streets, and adopting findings pursuant to Planning Code Section 101.1. (Clerk of the Board)

Supervisor Yaki moved to amend the title, after "Streets" by inserting the following words, "; approving Conditional Use Application No. 99.385C related to 3839 Washington Street, subject to the conditions imposed by the Planning Commission in its Motion No. 15031, and further subject to additional conditions imposed by the Board of Supervisors as set forth herein;"

Amend line 23, by inserting "Further Moved, That the Board of Supervisors approves Conditional Use Application No. 99.385C on property located at 3839 Washington Street, subject to the following conditions:

To the extent these conditions impose greater restrictions on the School than the conditions imposed by the Permit, these conditions shall control.

- 1. The Board of Supervisors imposes the conditions imposed by the Planning Commission in its Motion No. 15031.*
- 2. The Board of Supervisors further imposes the following conditions:*
 - a. Weekend daytime events shall be limited to five per year.*
 - b. Outdoor amplification shall be limited to three daytime events with advance notice to the neighbors of these three events delivered by mail or by hand to residents of the entire block bounded by Washington, Cherry, Clay and Maple Streets, as well as the south side of the 3700 block of Jackson Street.*
 - c. No advertising banners visible to the street will be placed on school property except for up to five banners per year announcing school events for no more than seven days each.*
 - d. The current commercial White Zone shall not be extended without the consent to PHAN.*
 - e. Construction is not permitted on Saturdays, except in response to a bona fide emergency or by order of the Department of Building Inspection.*
 - f. During excavation, the contractor will prohibit the lining up of dump trucks on Washington Street.*
 - g. The school shall be limited to its current year (year 2000) number (5) of F area parking permits for faculty staff and administrators.*
 - h. The school will make no application for physical expansion of the building envelope on the current site for a period of fifteen years from the completion of the proposed project except as may be required by law.*
 - i. The school shall submit an annual report to the Zoning Administrator by July 1st for the previous school year, beginning with the 2002-2003 school year and for a period of 10 years reporting the annual enrollment and number and type of weekend and evening events held during the calendar year.*

The foregoing additional conditions shall have no force or effect until the statute of limitations for the filing of any litigation or other administrative challenge to any aspect of that certain Conditional Use Permit approved pursuant to city Planning Commission Motion No. 15031, April 13, 2000 ("the permit") pursuant to Code of Civil Procedure Section 1094.6 or California Environmental Quality Act Guidelines Section 15112 shall have expired without any challenge having been filed concerning the Permit."

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

Ayes: 10 - Ammiano, Becerril, Bierman, Brown, Katz, Kaufman, Leno, Newsom, Yaki, Yee

Absent: 1 - Teng

Motion disapproving decision of the Planning Commission by its Motion No. 15031 approving Conditional Use Application No. 99.385C on property located at 3839 Washington Street, south side between Maple and Cherry Streets; approving Conditional Use Application No. 99.385C related to 3839 Washington Street, subject to the conditions imposed by the Planning Commission in its Motion No. 15031, and further subject to additional conditions imposed by the Board of Supervisors as set forth herein;" and adopting findings pursuant to Planning Code Section 101.1. (Clerk of the Board)

Motion No. M00-54

Supervisor Yaki, seconded by Supervisor Newsom, moved that this Motion be APPROVED AS AMENDED. The motion carried by the following vote:

Ayes: 10 - Ammiano, Becerril, Bierman, Brown, Katz, Kaufman, Leno, Newsom, Yaki, Yee
Absent: 1 - Teng

000907 [Findings - 3839 Washington Street]

Motion directing the Clerk of the Board to prepare findings relating to proposed Conditional Use Application No. 99.385C on property located at 3839 Washington Street, south side between Maple and Cherry Streets, for action by the Board at its next meeting. (Clerk of the Board)

Motion No. M00-47

APPROVED by the following vote:

Ayes: 10 - Ammiano, Becerril, Bierman, Brown, Katz, Kaufman, Leno, Newsom, Yaki, Yee
Absent: 1 - Teng

Appointment of President Pro Tempore

At the request of the President, Supervisor Yaki assumed the Chair for a brief period.

The President resumed the Chair shortly thereafter.

SPECIAL ORDER 3:00 P.M.

000899 [Appeal, Minor Sidewalk Encroachment, 160 Yerba Buena Avenue]

Hearing appealing decision of the Director of Public Works through DPW Order No. 172,285 approved April 28, 2000, granting a minor sidewalk encroachment permit, subject to certain conditions, to relocate the St. Francis Wood entrance column northward thirteen (13) feet in the public right-of-way at 160 Yerba Buena Avenue.

Appellants: Terry Mulberry; Lynn Hall, representing Westwood Highland Association; Dorothy Skyler, representing West of Twin Peaks Central Council; Carolyn Squirely; Carol Kosovar, representing Westwood Park Association; Margaret Lebrick; Jeanie Hill, representing Richard Katz; Jack Miller, representing Monterey Homeowners Association.

Respondents: Nick Elsner, representing Department of Public Works; Brett Gladstone, representing permittee; Michael Dunbrosky; Doren Martin, representing David S. Kim; Marc Ribeiro; Sandra Deocampo; Steve Bau; Joanne Acabado; Lawrence Fong; Leon Veltri; Paul Larson.

A rebuttal period was provided.

HEARD AT PUBLIC HEARING.

From Director of Public Works**000900 [Minor Sidewalk Encroachment Permit Appeal]**

Motion approving the decision of the Director of Public Works' approval of a minor sidewalk encroachment permit at 160 Yerba Buena Avenue, and denying the appeal. (Clerk of the Board)

Supervisor Katz moved to amend the title, line 5, after "appeal" by adding "; making findings".

Amend line 14, by inserting "Further Moved, That the Board of Supervisors makes the following findings:

- 1. Based on the testimony of the member of the Department of Public Works and members of the public heard at the Board of Supervisors on June 5, 2000, we find that the subject minor sidewalk encroachment permit is required for the safety, convenience and comfort of the public using the sidewalk. The current light pillar blocks the vision of automobiles that enter and leave the driveway at 160 Yerba Buena Avenue, and the current placement of the light pillar results in damages to vehicles which exit and enter the driveway. The Board finds that the alternative of widening the driveway does not work in that it would cause the removal of an underground TV Cable vault beneath the sidewalk.*
- 2. Based on the testimony of the Department of Public Works and members of the public heard at the Board of Supervisors on June 5, 2000, we find that the subject minor sidewalk encroachment permit is convenient for the abutting property owner Michael Acabado in conjunction with such owner's use and enjoyment of his abutting property, for the purposes stated above.*
- 3. In considering the issuance of permits under the provisions of Section 723.2 of the Public Works Code, the Board has considered the location, neighborhood pattern, anticipated pedestrian and vehicle traffic access requirement of the Fire Department, and the convenience and necessities of the owners, occupants and tenants of properties in the vicinity."*

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

Ayes: 10 - Ammiano, Becerril, Bierman, Brown, Katz, Kaufman, Leno, Newsom, Yaki, Yee
Absent: 1 - Teng

Motion approving the decision of the Director of Public Works' approval of a minor sidewalk encroachment permit at 160 Yerba Buena Avenue, and denying the appeal; making findings. (Clerk of the Board)

Motion No. M00-53

APPROVED AS AMENDED by the following vote:

Ayes: 10 - Ammiano, Becerril, Bierman, Brown, Katz, Kaufman, Leno, Newsom, Yaki, Yee
Absent: 1 - Teng

000901 [Minor Sidewalk Encroachment Permit Appeal]

Motion disapproving the decision of the Director of Public Works' approval of a minor sidewalk encroachment permit at 160 Yerba Buena Avenue, and denying the encroachment permit. (Clerk of the Board)

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

Ayes: 10 - Ammiano, Becerril, Bierman, Brown, Katz, Kaufman, Leno, Newsom, Yaki, Yee
Absent: 1 - Teng

PUBLIC COMMENT

Abdalla Megahed, requesting funding and support to create a flea market for the homeless;
Margaret Lacson, requesting funding for Filipino Task Force for AIDS;
Robert O'Malley, Haight Ashbury Street Fair, Foods not Bombs celebration;
Male speaker, flexible rent scale, affordable rent;
Eric, oppose rodeo;
James Chaffee, Post Occupancy Evaluation report produced without input from the citizens;
Nancy Traga, Carolyn Dutton, human rights violation in Mexico;
Leboria P. Smoore, probation issues in San Francisco and the African American families.

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.

001017 [Montessori Children's Center, negotiations]

Supervisors Teng, Yaki, Brown, Becerril, Bierman, Katz, Newsom, Ammiano, Leno

Resolution urging Carmel Companies to engage in meaningful negotiations with the Montessori Children's Center at 755 Font Boulevard to save the school.

Resolution No. 525-00

ADOPTED

001018 [Montessori Children's Center, eviction]

Supervisor Ammiano

Resolution urging Carmel Companies to reconsider the eviction of the Montessori's Children Center located at 755 Font Boulevard and to permit the Montessori Children's Center sufficient time to locate an alternative site.

Resolution No. 538-00

ADOPTED

001019 [Name School - Violeta "Bullet" Marasigan]

Supervisors Yee, Brown, Ammiano, Yaki

Resolution urging the San Francisco School District's School Board to name a school after Filipino Community Leader/Activist Violeta "Bullet" Marasigan.

Supervisors Brown, Ammiano, Yaki requested to be added as co-sponsors.

Resolution No. 526-00

ADOPTED

001020 [Human Rights Violation]
Supervisors Ammiano, Brown, Yaki

Resolution condemning human rights violations in the Mexican States of Chiapas, Oaxaca and Guerrero and the expulsion and harassment of international human rights workers in Mexico.

Supervisors Brown, Yaki requested to be added as co-sponsors.

Resolution No. 527-00

ADOPTED

001021 [Traffic Safety Measures]
Supervisors Ammiano, Bierman, Yaki

Resolution urging the San Francisco Department of Parking and Traffic to replace the speed bumps on Appleton Avenue between Patton and Holly Park and to designate the curb in front of the elementary school located on 155 Appleton as a passenger loading zone as well as to send get well wishes to six year old Jonathan Mora.

Supervisors Bierman, Yaki requested to be added as co-sponsors.

Resolution No. 539-00

ADOPTED

001022 [AB 212, CARES, child care and development services]
Supervisors Ammiano, Katz, Leno

Resolution urging Governor Gray Davis, the California Senate and Assembly to support and pass Assembly Bill 212, the state CARES bill authored by Assemblywoman Dion Aroner.

Resolution No. 528-00

ADOPTED

001024 [Parking for Jurors]
Supervisors Newsom, Bierman, Brown, Becerril, Ammiano, Leno.

Resolution urging the Public Utilities Commission to act with all due haste in expanding parking opportunities at 5th and Brannan Streets, with a portion of this parking specifically designated for jurors.

Supervisors Bierman, Brown, Becerril, Ammiano, Leno requested to be added as co-sponsors.

Resolution No. 540-00

ADOPTED

001025 [Non-profit retention]
Supervisors Newsom, Brown, Ammiano, Yaki, Leno

Resolution urging the Mayor to fund the Mayor's Office of Community Development's request for a flexible source of funds to help non-profits deal with escalating rents and operating costs for at least \$1 million and make funding non-profit retention a major budgetary priority.

Supervisors Brown, Ammiano, Yaki, Leno requested to be added as co-sponsors.

Resolution No. 541-00

ADOPTED

001026 [Taxi medallion waiting list information]
Supervisors Newsom, Ammiano

Resolution urging the San Francisco Tax Collector's Office, working with the Police Department's Taxi Detail and the City Attorney's Office to inform working taxi drivers about the steps required to obtain a taxi medallion by making this information available to drivers during their annual A-card renewal every year.

Supervisor Ammiano requested to be added as co-sponsor.

Resolution No. 530-00

ADOPTED

001027 [Traffic Mitigation, West Clay Street]
Supervisors Newsom, Yaki

Resolution urging the Department and Commission of Parking and Traffic to take necessary steps in mitigating traffic conditions on West Clay Street, including installing speed humps and installing no beach access signage.

Supervisor Yaki requested to be added as co-sponsor.

Resolution No. 531-00

ADOPTED

001028 [Commendation]
Supervisors Becerril, Brown

Resolution commending the Avon Breast Cancer 3-Day and its efforts to promote breast cancer awareness and prevention.

Supervisor Brown requested to be added as co-sponsor.

Resolution No. 532-00

ADOPTED

001029 [Commendation]
Supervisors Katz, Ammiano, Yaki

Resolution commending Rick Ruvolo for his outstanding dedication and commitment to the clean air program.

Supervisors Ammiano, Yaki requested to be added as co-sponsors.

Resolution No. 533-00

ADOPTED

001030 [Commendation]
Supervisors Leno, Kaufman, Bierman, Katz, Becerril, Yee, Newsom, Teng

Resolution commending Elliot Hoffman and Gail Horvath for their many contributions to the City and County of San Francisco.

Resolution No. 534-00

ADOPTED

- 001040** [Lease of Property at 2350 19th Avenue to Neighbors Resource Center, a non-profit agency providing information/referral services to monolingual Chinese residents of the Sunset District]
Supervisors Teng, Brown, Ammiano

Resolution authorizing and approving lease of City-owned property located at 2350 19th Avenue to the San Francisco Neighbors Resource Center.

Supervisors Brown, Ammiano requested to be added as co-sponsors.

Resolution No. 535-00

ADOPTED

- 001038** [Needle exchange emergency]
Supervisors Bierman, Teng, Ammiano, Yaki, Kaufman, Katz, Brown, Newsom, Yee, Leno, Becerril

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. M00-48

APPROVED

- 001041** [Final Map of 6 unit new live/work condominium project]

Motion approving final map of The Lofts, 712 Bryant Street, a Live/Work Condominium Project, being a subdivision of Lot 15, Assessor's Block No. 3760, and adopting findings pursuant to Planning Code Section 101.1. (Public Works Department)

(DPW Order No. 172,346.)

Motion No. M00-49

APPROVED

- 001042** [Final Map of a 20 unit new live/work condominium project]

Motion approving final map of 460 Natoma Street, a Live/Work Condominium Project, being a subdivision of Lot 52, Assessor's Block No. 3725, and adopting findings pursuant to Planning Code Section 101.1. (Public Works Department)

(DPW Order No. 172,345.)

Motion No. M00-50

APPROVED

The foregoing items were acted upon by the following vote:

Ayes: 10 - Ammiano, Becerril, Bierman, Brown, Katz, Kaufman, Leno, Newsom, Yaki, Yee

Absent: 1 - Teng

Severed From For Adoption Without Committee Reference Agenda

**000959 [State Legislation, AB 2479, Cruelty to Animals]
Supervisor Bierman**

Resolution urging the California State Legislature and Governor Gray Davis to approve State Assembly Bill 2479 relating to cruelty to animals.

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

SEVERED FROM FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA.

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

Ayes: 10 - Ammiano, Becerril, Bierman, Brown, Katz, Kaufman, Leno, Newsom, Yaki, Yee
Absent: 1 - Teng

**001023 [Peace negotiations]
Supervisors Brown, Ammiano**

Resolution urging the United Nations, the State Department, and President Bill Clinton to negotiate a settlement between Ethiopia and Eritrea as well as between Sierra Leone and Sankoh's Revolutionary United Front rebels in the hopes of ending the conflict, violence, destruction and famine.

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

SEVERED FROM FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA.

Supervisor Brown moved an amendment of the whole (clerical in nature).

Supervisor Brown, seconded by Supervisor Becerril, moved that this Resolution be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. The motion carried by the following vote:

Ayes: 10 - Ammiano, Becerril, Bierman, Brown, Katz, Kaufman, Leno, Newsom, Yaki, Yee
Absent: 1 - Teng

Supervisor Ammiano requested to be added as co-sponsor.

Resolution No. 529-00

ADOPTED AS AMENDED by the following vote:

Ayes: 10 - Ammiano, Becerril, Bierman, Brown, Katz, Kaufman, Leno, Newsom, Yaki, Yee
Absent: 1 - Teng

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 Yee, seconded by Supervisor Leno, moved ADOPTION of the commendatory finding. The motion carried by the following vote:

Ayes: 10 - Ammiano, Becerril, Bierman, Brown, Katz, Kaufman, Leno, Newsom, Yaki, Yee

Absent: 1 - Teng

[Brown Act Finding]

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

Supervisor Yee, seconded by Supervisor Leno, moved ADOPTION of the Brown Act finding. The motion carried by the following vote:

Ayes: 10 - Ammiano, Becerril, Bierman, Brown, Katz, Kaufman, Leno, Newsom, Yaki, Yee

Absent: 1 - Teng

Imperative Resolution

001081 [Commendation]

Supervisors Leno, Newsom, Bierman

Resolution commending the San Francisco Small Business Network upon its 16th Anniversary and its 9th annual gala reception and awards dinner and declaring June 8, 2000 "Small Business Network Day" in the City and County of San Francisco.

Supervisor Leno presented for immediate adoption.

Resolution No. 537-00

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

Ayes: 10 - Ammiano, Becerril, Bierman, Brown, Katz, Kaufman, Leno, Newsom, Yaki, Yee

Absent: 1 - Teng

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

- 000276 [Planning Code amendment to rename "Office Affordable Housing Production Program" as the "Jobs-Housing Linkage Program" and to apply the program to hotel, entertainment, and retail space according to square footage]**
Supervisor Ammiano

Ordinance amending Article III, Chapter II, Part II of the San Francisco Municipal Code (Planning Code) by amending Sections 313, 313.1, 313.2, 313.3, 313.4, 313.5, 313.6, 313.7, 313.8, 313.9, 313.10, 313.11, 313.12, 313.13, and 313.14, and by adding Section 313.15, to rename the "Office Affordable Housing Production Program" as the "Jobs-Housing Linkage Program," to apply the program to all new and expanded hotel space of at least 25,000 square feet, to all new and expanded entertainment space of at least 50,000 square feet, to all new and expanded E-commerce retail space of at least 50,000 square feet, and to all other new and expanded retail space of at least 100,000 square feet, and to all new and expanded research, development and technology business service space of at least 25,000 square feet.

(Amends Sections 313, 313.1, 313.2, 313.3, 313.4, 313.5, 313.6, 313.7, 313.8, 313.9, 313.10, 313.11, 313.12, 313.13, 313.14, and 314.1; and adds 313.15.)

6/5/00, SUBSTITUTED. Supervisor Ammiano submitted a substitute ordinance bearing new title.

6/5/00, ASSIGNED to Finance and Labor Committee. Transmitted to Planning Commission for public hearing and recommendation.

- 000277 [Planning Code amendment to rename "Office Affordable Housing Production Program" as the "Jobs-Housing Linkage Program" and to apply the program to hotel, entertainment, and retail space according to square footage]**
Supervisor Katz

Ordinance amending Article III, Chapter II, Part II of the San Francisco Municipal Code (Planning Code) by amending Sections 313, 313.1, 313.2, 313.3, 313.4, 313.5, 313.6, 313.7, 313.8, 313.9, 313.10, 313.11, 313.12, 313.13, and 313.14, and by adding Section 313.15, to rename the "Office Affordable Housing Production Program" as the "Jobs-Housing Linkage Program," to apply the program to all new and expanded hotel space of at least 25,000 square feet, to all new and expanded entertainment space of at least 50,000 square feet, to all new and expanded E-commerce retail space of at least 50,000 square feet, and to all other new and expanded retail space of at least 100,000 square feet, and to all new and expanded research, development and technology business service space of at least 25,000 square feet.

6/5/00, SUBSTITUTED. Supervisor Katz submitted a substitute ordinance bearing new title.

6/5/00, ASSIGNED to Finance and Labor Committee. Transmitted to Planning Commission for public hearing and recommendation.

- 001052 [Childcare Ordinance Amendments]**
Supervisor Ammiano

Ordinance amending Article III, Chapter II, Part II of the San Francisco Municipal Code (Planning Code) by amending Sections 314, 314.1, 314.2, 314.3, 314.4, 314.6, 314.7, and 314.8 of the Childcare ordinance to redefine "Hotel," and add a definition of research, development and technology business service space, and to apply the childcare mitigation requirement to all new and expanded research, development and technology business service space of at least 25,000 square feet.

(Amends Sections 314, 314.1, 314.2, 314.3, 314.4, 314.6, 314.7, and 314.8.)

6/5/00, RECEIVED AND ASSIGNED to Finance and Labor Committee. Transmitted to Planning Commission for public hearing and recommendation.

001053 [Childcare Ordinance Amendments]
Supervisor Katz

Ordinance amending Article III, Chapter II, Part II of the San Francisco Municipal Code (Planning Code) by amending Sections 314.1, 314.2, 314.3, 314.4, 314.6, 314.7, and 314.8 of the Childcare ordinance to redefine "Hotel," and add a definition of research, development and technology business service space, and to apply the childcare mitigation requirement to all new and expanded research, development and technology business service space of at least 25,000 square feet.

(Amends Sections Sections 314.1, 314.2, 314.3, 314.4, 314.6, 314.7, and 314.8.)

6/5/00, RECEIVED AND ASSIGNED to Finance and Labor Committee. Transmitted to Planning Commission for public hearing and recommendation.

001055 [New Media Uses]
Supervisors Katz, Yaki

Ordinance amending the San Francisco Planning Code by amending Section 102.2 to include computer based arts activities in the definition of arts activities and spaces; by amending Section 218 to include electronic commerce in the definition of retail sales and personal services and denote in which districts such use is permitted; by adding Section 222.1 to define research, development and technology business service uses and denote in which districts such uses are permitted; by amending Section 226 to include film post-production facilities and computer hardware production in the definition of manufacturing and processing; by amending Section 790.54 to include the manufacture of computer software and hardware in the definition of light manufacturing and wholesale sales in neighborhood commercial districts; by amending Section 790.104 to exclude electronic commerce from the definition of sales and services, retail in a Neighborhood Commercial District; by amending Section 790.108 to exclude business and professional services primarily conducted by use of electronic systems from the definition of service, business or professional, in the Neighborhood Commercial Districts; by adding Section 814.32 to the South Park District Zoning Control Table to add other retail, as defined in Section 890.102, as a permitted use in the South Park District; by amending Section 890.102 to include electronic commerce in the definition of sales and services, other retail, in Mixed Use Districts; by amending Section 890.111 to include certain computer based business services and research, development and technology business services in the definition of service, business in Mixed Use Districts; by amending Section 151 to add parking requirements for retail businesses exclusively using electronic commerce and for research, development and technology business service uses.

(Amends Sections 102.2, 218, 226, 790.54, 790.104, 790.108, 890.102, 890.111, 151; adds 814.32.)

6/5/00, ASSIGNED UNDER 30 DAY RULE to Transportation and Land Use Committee, expires on 7/5/2000.

**000636 [Combined Emergency Communications Center]
Supervisors Katz, Bierman**

Ordinance amending Ordinance Number 80-96, which set aside certain real property in the Margaret S. Hayward Playground for a new Combined Emergency Communications Center, to delete the requirement that the building at 1003A Turk Street, which housed the interim Emergency Command Center, be demolished; to clarify that only the upper level of the building at 1003 Turk Street, rather than the entire building, which housed the former Central Fire Alarm Station, will be demolished; to amend the requirement that new recreational facilities be constructed on the playground by allowing the nature of those facilities to be determined later by the Recreation and Park Commission after a public process; and to delete references to the former Department of Electricity and Telecommunications and substitute in their place references to the new Emergency Communications Department; adopting findings that such project is in conformity with the Master Plan and consistent with the Eight Priority Policies of Planning Code Section 101.1; and adopting and incorporating findings pursuant to the California Environmental Quality Act.

4/10/00, ASSIGNED UNDER 30 DAY RULE to Transportation and Land Use Committee, expires on 5/10/2000.

6/5/00, SUBSTITUTED. Supervisor Katz submitted a substitute ordinance in Board, bearing new title.

6/5/00, ASSIGNED to Transportation and Land Use Committee.

Resolutions

**000914 [Waiver of fees for Juneteenth Celebration]
Supervisors Brown, Bierman**

Resolution waiving fees to be charged for services from the Police Department, Fire Department, Department of Public Health and Department of Parking and Traffic associated with the Juneteenth Rodeo on June 10, 2000 and celebration on June 17-18, 2000.

5/15/00, RECEIVED AND ASSIGNED to Finance and Labor Committee.

5/22/00, TRANSFERRED to Parks and Recreation Committee.

6/5/00, SUBSTITUTED. Supervisor Brown submitted a substitute resolution bearing new title.

6/5/00, ASSIGNED to Parks and Recreation Committee.

**001056 [Appointment - Acting Director of the Department of Child Support Services]
Supervisor Ammiano**

Resolution appointing Milton Hyams as the Acting Director of the Department of Child Support Services. (Rules Committee)

6/5/00, RECEIVED AND ASSIGNED to Rules Committee.

**001057 [Mortgage Credit Certificates for low and moderate income public school teachers and principals to become first time homebuyers in San Francisco]
Supervisors Brown, Bierman**

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

6/5/00, RECEIVED AND ASSIGNED to Housing and Social Policy Committee.

001058 [Library Facilities Bonds]
Supervisors Brown, Yaki, Newsom, Bierman, Leno, Katz

Resolution determining and declaring that the public interest and necessity demand municipal improvements consisting of the acquisition, rehabilitation, renovation, improvement, construction or reconstruction by the City and County of San Francisco of library facilities and properties other than the main library, and all other works, property and structures necessary or convenient for the foregoing purposes, that the estimated cost of \$129,245,000 for said municipal improvements is and will be too great to be paid out of the ordinary annual income and revenue of said City and County and will require the incurring of a bonded indebtedness; finding the proposed project is in conformity with the priority policies of Planning Code Section 101.1(b) and with the General Plan consistency requirement of the Administrative Code Section 2A.53.

(Fiscal impact.)

6/5/00, RECEIVED AND ASSIGNED to Finance and Labor Committee.

001059 [Option Contract for the Sale of Real Property]
Supervisor Kaufman

Resolution adopting findings pursuant to the California Environmental Quality Act; declaring the Bernal property to be surplus; approving an option contract for the sale of the Bernal property to GHC Bernal Investors, LLC.

6/5/00, RECEIVED AND ASSIGNED to Finance and Labor Committee.

001060 [World Pride Celebrations in Rome]
Supervisors Ammiano, Leno, Yaki, Katz, Bierman

Resolution urging Interior Minister Enzo Bianco of the government of Italy to permit the World Pride celebration to commence as originally planned in the great city of Rome and to uphold the freedom to peaceably assemble and freedom of political expression as well as affirming the dignity and rights of lesbian, gay, bisexual and transgender individuals as members and citizens of a free and democratic nation and further urging the City Council of the great City of Rome to both permit and reappropriate funding of the World Pride Celebration in Rome.

6/5/00, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

001061 [Diagonal Parking, Castro Street]
Supervisors Leno, Bierman

Resolution urging the Department of Parking and Traffic (DPT) to expedite the process of creating diagonal parking on both sides of the 1300 and 1400 blocks of Castro Street and the Eastern side of the 1500 block of Castro Street.

6/5/00, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

001062 [New Drug Policies]
Supervisors Newsom, Brown, Leno

Resolution urging the Department of Public Health to start working on implementation strategies for the possible passage of the Substance Abuse and Crime Prevention Act 2000, a voter initiative.

6/5/00, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

001063 [Gift Acceptance, In-Kind Donation]
Supervisor Newsom

Resolution authorizing the Department of the Environment to accept in-kind services in the amount of \$60,000 from Lawrence Livermore National Laboratory (LLNL).

6/5/00, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

001064 [Expansion of NextBus Notification Signs Pilot Program]
Supervisors Becerril, Bierman

Resolution urging the Budget Conference Committee of the California Legislature to allocate \$300,000 to expand the NextBus Notification Signs Pilot Program.

6/5/00, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

001065 [AB 2412, Application of Sales and Use Tax to Internet Sales]
Supervisors Becerril, Bierman

Resolution urging the California State Legislature and Governor Davis to approve State Assembly Bill 2412 clarifying the application of sales and use tax law to internet sales.

6/5/00, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

001066 [AB 1731, Nursing Home Care]
Supervisors Becerril, Bierman

Resolution urging the State Legislature to adopt Assembly Bill 1731, which would strengthen enforcement and oversight of nursing homes to improve the quality of care.

6/5/00, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

001067 [Proclamation]
Supervisors Ammiano, Becerril

Resolution proclaiming June 14, 2000 as "Gary F. Hawthorne Day" in the City and County of San Francisco.

6/5/00, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

001068 [Juneteenth Celebration]
Supervisor Brown

Resolution commending the Annual Juneteenth Rodeo, June 10, and Festival, June 17-18, 2000.
6/5/00, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

001069 [Commendation]
Supervisors Leno, Newsom

Resolution commending Toolworks on its 25th anniversary and declaring June 15, 2000 "Toolworks Day" in the City and County of San Francisco.
6/5/00, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

001070 [Commendation]
Supervisors Leno, Bierman, Ammiano, Newsom

Resolution commending the National Queer Arts Festival 2000 and the San Francisco Symphony's American Mavericks festival for "A Salute to Lou Harrison".
6/5/00, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

001071 [Commendation]
Supervisors Leno, Bierman, Brown, Newsom

Resolution commending the San Francisco spikes soccer team for winning three gold medals, two silver medals and one bronze medal in consecutive national and international soccer tournaments since 1997 and for successfully representing San Francisco and its gay community in competitive soccer leagues and tournaments since 1986.
6/5/00, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

001072 [Commendation]
Supervisors Bierman, Newsom

Resolution commending Nenita Pascua and Renato Pascua on the occasion of their retirement after over 23 years of dedicated services to the City and County of San Francisco.
6/5/00, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Requests for Hearing**001073 [Westside Non-Public School Day Treatment Program]
Supervisor Yee**

Hearing to understand the reasons for the proposed closure of the Westside Non-Public School/Day Treatment Program and to find out where the severely emotionally disturbed youth who attend this school will be placed.
6/5/00, RECEIVED AND ASSIGNED to Finance and Labor Committee.

**001074 [Bicycle Advisory Committee Reports]
Supervisor Katz**

Hearing to consider brief Bicycle Advisory Committee (BAC) reports.
6/5/00, RECEIVED AND ASSIGNED to Transportation and Land Use Committee.

Motions**001075 [Late Bond Measure]
Supervisors Yaki, Brown, Becerril**

Motion suspending the May 15, 2000 deadline date to permit Supervisor Brown to introduce a proposed general obligation bond measure concerning library facilities and properties other than the main library in the amount of \$129,245,000 on Monday, June 5, 2000, for possible referral to the voters at the November 7, 2000 election.

6/5/00, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**001076 [Suspend 30 Day Rule - Library Facilities Bonds]
Supervisor Brown**

Motion suspending Rule 5.40 of the Rules of Order of the Board of Supervisors to allow the Board of Supervisors to consider, without declaring 30 days after its introduction, a resolution determining and declaring that the public interest and necessity demand municipal improvements consisting of the acquisition, rehabilitation, renovation, improvement, construction or reconstruction by the City and County of San Francisco of library facilities and properties other than the Main Library, and all other works, property and structures necessary or convenient for the foregoing purposes, that the estimated cost of \$129,245,000 for said municipal improvements is and will be too great to be paid out of the ordinary annual income and revenue of said City and County and will require the incurring of a bonded indebtedness; finding the proposed project is in conformity with the priority policies of Planning Code Section 101.1(b) and with the General Plan consistency requirement of Administrative Code Section 2A.53.

6/5/00, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**001077 [Legislative Analyst Request]
Supervisor Leno**

Motion asking the Legislative Analyst to report on research of other jurisdictions to support consideration of new call in dispatch for non-emergency services to relieve San Francisco's 911 dispatch from non-emergency calls.

6/5/00, ASSIGNED to Board of Supervisors. Scheduled for Board consideration June 12, 2000.

**001078 [Legislative Analyst Request]
Supervisor Leno**

Motion asking the Legislative Analyst to report on research of revised American Dental Association (ADA) and American Academy of Pediatrics (AAP) for fluoride supplementation in drinking water and to gather information on San Francisco's exposure to fluoride from all sources by the end of June 2000.

6/5/00, ASSIGNED to Board of Supervisors. Scheduled for Board consideration June 12, 2000.

Introduced by the President at the Request of Departments

PROPOSED RESOLUTIONS

000996 [Revocable permit for placement of underground communications link from the existing Kaiser facilities to its new medical office building at 2238 Geary Boulevard]

Resolution granting revocable permission to Kaiser Foundation Health Plan, Inc. to excavate across and westerly along Geary Boulevard and southerly along St. Joseph's Avenue to install and occupy a portion of the public right-of-way with twenty (20) 4-inch telecommunication conduits and three (3) communication manholes to establish a communications link from the existing Kaiser facilities to the new medical office building at 2238 Geary Boulevard and adopting findings pursuant to Planning Code Section 101.1. (Public Works Department)

5/26/00, RECEIVED AND ASSIGNED to Transportation and Land Use Committee.

000997 [State Fiscal Year 1998-2001 Combined Negotiated Net Amount and Medi-Cal Agreement]

Resolution authorizing the Department of Public Health, Community Substance Abuse Services to enter into a Combined Negotiated Net Amount and Drug Medi-Cal Agreement for the term July 1, 1998, retroactively through June 30, 2001 with the State of California, Department of Alcohol and Drug Programs in the 1999-2000 amount of \$18,228,544 as a condition of receiving State funds for substance abuse treatment; holding the State Department of Alcohol and Drug Programs harmless from any and all claims resulting from the agreement; authorizing and designating the Director of Community Substance Abuse Services to sign said agreement and to approve contract amendments for less than ten percent (10%) of the contracted amount, rescinding Resolution No. 601-98. (Public Health Department)

5/30/00, RECEIVED AND ASSIGNED to Public Health and Environment Committee.

000998 [General Plan Amendments designating 45 Hoff Street and 236-238 Vernon Street as "proposed public open space," Planning Case No. 2000.026EM]

Resolution approving amendments to the San Francisco General Plan in order to approve acquisition of Lot 19 in Assessor's Block No. 3569, also known as 45 Hoff Street, and acquisition of Lots 30, 31 in Assessor's Block No. 7075, also known as 236-238 Vernon Street, by the City and County of San Francisco, to establish a new public park in the North Mission District and to enlarge Brooks Park; incorporating by reference findings pursuant to the California Environmental Quality Act. (Planning Department)

(Fiscal impact; Case Report dated May 4, 2000 regarding proposal to amend the Recreation and Open Space Element of the General Plan; Planning Commission Resolution No. 15068 dated May 25, 2000 adopting amendment to the Recreation and Open Space Element of the General Plan; Planning Commission Resolution No. 15069 adopted May 25, 2000 finding the project in conformity with the General Plan; Certificate of Determination of Exemption/Exclusion from Environmental Review dated March 13, 2000.)

5/26/00, RECEIVED AND ASSIGNED to Finance and Labor Committee. Also see Files 000223 and 000788.

000999 [Appointment - San Francisco Health Authority]

Resolution appointing Anthony Wagner to serve as Governing Body member of the San Francisco Health Authority. (Rules Committee) (Rules Committee)

5/30/00, RECEIVED AND ASSIGNED to Rules Committee.

Requests Granted

From: Supervisor Katz

To: City Attorney

Requesting/Inquiring: To draft legislation to request the Small Business Commission and the Department of Telecommunications and Information Services work to develop a framed page on the Small Business Commission's web-site to allow small business and non-profit organizations access to free or low cost employee benefit services, such as payroll, insurance, etc., in order to take advantage of advances in technology.

From: Supervisor Katz

To: Small Business Commission and the Department of Telecommunications and Information Services

Requesting/Inquiring: The Small Business Commission and the Department of Telecommunications and Information Services work to develop a framed page on the Small Business Commission's web-site to allow small business and non-profit organizations access to free or low cost employee benefit services, such as payroll, insurance, etc., in order to take advantage of advances in technology.

From: Supervisor Becerril

To: General Manager, Municipal Railway

Requesting/Inquiring: To report on how MUNI will accommodate greater demands for public transportation during the July 4th double header game.

From: Supervisor Becerril

To: Director, Department of Parking and Traffic

Requesting/Inquiring: To report on the status of a plan for dealing with higher levels of traffic for the July 4th double header game.

From: Supervisor Becerril

To: Director, Planning Department

Requesting/Inquiring: That the Planning Department update the General Plan to make it consistent with the City's Transit First Policy as it relates to parking requirements in transit intensive areas and as to when those updates will be made.

In Memoriams

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

Tito Puente (By the entire Board)

Joseph Johnson (By the entire Board)

ADJOURNMENT

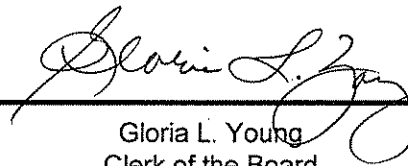
There being no further business, the Board at the hour of 5:10 p.m adjourned.

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 June 5, 2000.

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

