

# 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, February 12, 2001 2:00 PM

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

Regular Meeting

*TOM AMMIANO, PRESIDENT*

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

*Gloria L. Young, Clerk of the Board*

### BOARD COMMITTEES

#### Committee Membership

**Audit, Labor and Government Efficiency Committee**

Supervisors Newsom, Daly, McGoldrick

**City and School District Committee**

Supervisor Maxwell, Supervisor Ammiano, Commissioner Wynns, Commissioner Mar

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

Supervisors Sandoval, Newsom, Maxwell

**Finance Committee**

Supervisors Leno, Peskin, Gonzalez

**Housing, Transportation and Land Use Committee**

Supervisors McGoldrick, Daly, Peskin

**Neighborhood Services and Parks Committee**

Supervisors Yee, Hall, Sandoval

**Public Health and Environment Committee**

Supervisors Maxwell, Yee, Leno

**Public Utilities and Deregulation Committee**

Supervisors Daly, Gonzalez, Ammiano

**Rules Committee**

Supervisors Gonzalez, Hall, Ammiano

#### Meeting Days

2nd & 4th Tuesday  
1:00 PM

Call of the Chair

1st & 3rd Tuesday  
10:00 AM

Wednesday  
10:00 AM

2nd & 4th Thursday  
1:00 PM

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 96 Number 7

**Members Present:** Tom Ammiano, Chris Daly, Matt Gonzalez, Tony Hall, Sophie Maxwell, Jake McGoldrick, Mark Leno, 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 2:04 p.m. On call of the roll, all Supervisors were noted present.*

*Quorum present.*

## APPROVAL OF MEETING MINUTES

Supervisor Yee, seconded by Supervisor McGoldrick, moved to APPROVE the December 18, 2000 Meeting Minutes. The motion carried by the following vote:

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

## AGENDA CHANGES

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

*Supervisor Daly indicated the matter relating to appointment of members of the Union Square Business Improvement District, File 002151. (See infra.)*

## CONSENT AGENDA

### Recommendation of Finance Committee

**010047 [Law Enforcement Training]  
Supervisor Newsom**

Resolution authorizing the Chief of Police to execute an agreement with the State of California to obtain funding in the amount of One Hundred Three Thousand Three Hundred Fifty Eight Dollars (\$103,358) for obtaining training equipment. (Police Department)

Resolution No. 117-01  
ADOPTED

**Recommendations of the Rules Committee**

**001799 [Appointment]**

Resolution appointing Marvin Ruiz to the Lead Hazard Reduction Citizens Advisory Committee, term ending December 22, 2003; waiving residency requirement.

Marvin Ruiz, Seat 2, succeeding Peter Burns, must represent the Bureau of Building Inspection, Department of Public Works or designee, unexpired portion of four-year term ending December 22, 2003; residency requirement waived.

Resolution No. 113-01  
ADOPTED

**001750 [Appointment]**

Resolution appointing Rebecca Dandois, Cheryl Magid, Francisco Casique, and Akua Jackson, term ending August 20, 2003, and Michelle Horneff, term ending August 20, 2001, to the Lead Poisoning Prevention Citizens Advisory Committee; waiving residency requirement.

Rebecca Dandois (residency requirement waived), Seat 1, succeeding Jans Wan, must have expertise in childcare, unexpired portion of 4-year term ending August 20, 2003;  
Cheryl Magid, Seat 2, succeeding Virginia Aguilar, must have expertise in childcare, unexpired portion of 4-year term ending August 20, 2003;  
Francisco Casique (residency requirement waived), Seat 3, succeeding Sandra Carrillo, must represent a tenant organization, unexpired portion of 4-year term ending August 20, 2003;  
Michelle Horneff, Seat 14, succeeding Michael Miller, must have expertise in real estate, new 4-year term ending August 20, 2001;  
Akua Jackson (residency requirement waived), Seat 20, succeeding Basheem Allah, must have expertise in neighborhood concerns, unexpired portion of 4-year term ending August 20, 2003.

Resolution No. 112-01  
ADOPTED

The foregoing items were acted upon by the following vote:

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

**Severed from the Consent Agenda**

**002151 [Appointment]**

Resolution appointing Mark Heinzelman, Russell Keil, and Stephen Brett to the Union Square Business Improvement District Advisory Board, terms ending June 30, 2004; waiving residency requirement.

Mark Heinzelman, Seat 3, succeeding Jordan Meisner, must be property owner within the business improvement district, for unexpired portion of a five-year term ending June 30, 2004;  
 Russell Keil (residency requirement waived), Seat 5, succeeding James Flood, must be property owner within the business improvement district, for unexpired portion of a five-year term ending June 30, 2004;  
 Stephen Brett (residency requirement waived), Seat 6, succeeding Ann Paolini, must be property owner within the business improvement district, for unexpired portion of a five-year term ending June 30, 2004.

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

**SEVERED FROM CONSENT AGENDA.**

*Supervisor Daly requested this matter be continued to February 20, 2001.*

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

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

## REGULAR AGENDA

## NEW BUSINESS

### Appointment of President Pro Tempore

*At the request of the President, Supervisor Daly assumed the Chair so the President could participate in the debate from the floor concerning the following items.*

### Recommendations of the Finance Committee

#### **010150 [Final Negative Declaration, Jobs-Housing Linkage Ordinance]**

Resolution adopting Final Negative Declaration, finding and determining that the Jobs-Housing Linkage Ordinance will have no significant impact on the environment, and adopting and incorporating findings of Final Negative Declaration. (Planning Department)

(Final Negative Declaration adopted and issued on April 27, 1999.)

Supervisor Yee, seconded by President Ammiano, moved to excuse Supervisor Newsom from voting on this matter, at his request. The motion carried by the following vote:

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

*The roll was then called on the pending resolution.*

**Resolution No. 120-01**

**ADOPTED** by the following vote:

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

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]

Supervisors Ammiano, Bierman

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, 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 25,000 square feet, to all new and expanded retail space of at least 25,000 square feet, and to all new and expanded research and development space of at least 25,000 square feet; to set forth the number of housing units to be constructed for each type of development subject to this Ordinance; to increase the number of housing units and fees for office developments; and by adding Section 313.15 to require a study every five years determining the demand for housing created by commercial development.

Supervisor Yee, seconded by President Ammiano, moved to excuse Supervisor Newsom from voting on this matter, at his request. The motion carried by the following vote:

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

*Supervisor Ammiano submitted an amendment of the whole, bearing same title.*

President Ammiano, seconded by Supervisor McGoldrick, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. The motion carried by the following vote:

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

*Supervisors Peskin, Daly requested to be added as co-sponsors.*

*The roll was then called on the pending ordinance.*

PASSED ON FIRST READING AS AMENDED by the following vote:

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

*The President resumed the Chair.*

002181 [Liquor License Transfer, 85 Natoma Street]

Resolution determining that the transfer of a Type 48 on-sale general public premises alcoholic beverage control license to Raymond J. Pittman for Toma Holdings, LLC, dba "Toma" from 511 Harrison Street to 85 Natoma Street, (District 6) will serve the public convenience and necessity of the people of the City and County of San Francisco in accordance with Section 23958.4 of the California Business and Professions Code; with conditions.

Resolution No. 114-01

ADOPTED by the following vote:

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

**010048 [Grant funds for District Attorney's organized automobile fraud activity prosecution program]  
Supervisor Newsom**

Resolution authorizing retroactively the District Attorney of the City and County of San Francisco to apply for, accept and expend funds made available through the California Department of Insurance (DOI) for a project entitled "Organized Automobile Fraud Activity Interdiction ("Urban Grant") Program", and including indirect cost not to exceed 5% of grant-funded personnel costs. (District Attorney)

*Supervisor Newsom requested to be added as sponsor.*

**Resolution No.** 118-01

**ADOPTED by the following vote:**

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

**Recommendations of the Neighborhood Services and Parks Committee**

**010004 [One-year extension to temporarily close portion of sidewalk and street area on Jessie Street for construction at 680 Mission Street]**

Resolution granting a one year extension of revocable permission to Pankow Residential Building II, L.P. to temporarily close and occupy the south sidewalk and a portion of the street area on Jessie Street during construction operations at 680 Mission Street (Block 3707, Lot 26). (Public Works Department)

**Resolution No.** 115-01

**ADOPTED by the following vote:**

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

**010005 [Encroachment permit on McAllister Street for the Asian Art Museum]**

Resolution granting revocable permission to the Asian Art Museum of San Francisco to excavate, install, and occupy a portion of the right-of-way with a new transformer vault and a base isolation structural system with a perimeter moat, allowing 5'-0" of total building movement in an earthquake, at the McAllister Street frontage of the Asian Art Museum at 200 Larkin Street (Block 353, Lot 1) and adopting findings pursuant to Planning Code Section 101.1. (Public Works Department)

**Resolution No.** 116-01

**ADOPTED by the following vote:**

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

**Recommendations of the Rules Committee**

**010120 [Meeting Schedule]  
Supervisor Ammiano**

Resolution revising the regular meeting schedule of the Board of Supervisors by canceling the November 26, 2001, December 24, 2001 and December 31, 2001 meetings and by canceling all Board and Committee meetings from August 28 through September 16, 2001.

**Resolution No.** 119-01

**ADOPTED by the following vote:**

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

## Appointment of President Pro Tempore

*At the request of the President, Supervisor Leno assumed the Chair so the President could participate in the debate from the floor concerning the following items.*

002110 [Municipal Utility District Wards]  
Supervisors Ammiano, McGoldrick

Motion establishing wards for proposed Municipal Utility District Election.

Motion No. M01-13

APPROVED by the following vote:

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

Noes: 2 - Hall, Newsom

002111 [Special election for Municipal Utility District petition]  
Supervisors Ammiano, McGoldrick, Daly

Motion calling and providing for a Special Election to be held in the City and County of San Francisco and the City of Brisbane on Tuesday, November 6, 2001, for the purpose of submitting to the voters a proposal to form a Municipal Utility District for the City and County of San Francisco and the City of Brisbane; consolidating the Special Election with the General Municipal Election to be held in the City and County of San Francisco on November 6, 2001.

*Supervisor Gonzalez submitted an amendment of the whole, bearing new title.*

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

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

Motion calling and providing for a Special Election to be held in the City and County of San Francisco and the City of Brisbane on Tuesday, November 6, 2001, for the purpose of submitting to the voters a proposal to form a Municipal Utility District for the City and County of San Francisco and the City of Brisbane, to be known as the "San Francisco-Brisbane Municipal Utility District"; consolidating the Special Election with the General Municipal Election to be held in the City and County of San Francisco on November 6, 2001.

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

*The roll was then called on the main motion.*

Motion No. M01-14

APPROVED AS AMENDED by the following vote:

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

Noes: 2 - Hall, Newsom

## COMMITTEE REPORTS

### Recommendations of Housing, Transportation and Land Use Committee

**010060 [Rent passthrough]  
Supervisor Gonzalez**

Ordinance amending Administrative Code Chapter 37 "Residential Rent Stabilization and Arbitration Ordinance" by adding a new Section 37.8C "Temporary Moratorium on Rent Board processing or approval of landlord petitions for certification and passthrough of capital improvement, rehabilitation and energy conservation costs to tenants, during pendency of the Superior Court's preliminary injunction staying implementation of November 2000 Proposition H."

Supervisor Leno, seconded by Supervisor Yee, moved to excuse Supervisor Newsom from voting on this matter, at his request. The motion carried by the following vote:

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

Supervisor Leno, seconded by Supervisor Peskin, moved to excuse Supervisor Maxwell from voting on this matter, at her request. The motion carried by the following vote:

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

*Supervisor Peskin submitted an amendment of the whole, bearing new title.*

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

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

Ordinance amending Administrative Code Chapter 37 "Residential Rent Stabilization and Arbitration Ordinance" by adding a new Section 37.8C "Temporary Moratorium on Rent Board processing or approval of landlord petitions for certification and passthrough of non-seismic capital improvement, rehabilitation and energy conservation costs to tenants, during pendency of the Superior Court's preliminary injunction staying implementation of November 2000 Proposition H."

*Supervisors Peskin, Daly requested to be added as co-sponsors.*

*The roll was then called on the pending ordinance.*

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

Ayes: 7 - Ammiano, Daly, Gonzalez, McGoldrick, Leno, Peskin, Sandoval  
Noes: 2 - Hall, Yee  
Excused: 2 - Maxwell, Newsom

### **Appointment of President Pro Tempore**

*At the request of the President, Supervisors McGoldrick and Gonzalez assumed the Chair, at different times, so the President could participate in the debate from the floor concerning the following items.*

**010062 [Zoning, Live/Work Moratorium]  
Supervisors Ammiano, Daly, Maxwell, McGoldrick**

Resolution imposing interim zoning controls to prohibit construction of new live/work developments, as defined in San Francisco Planning Code Section 102.13, in the City and County of San Francisco, for a six (6) month period, and making a determination of consistency with the priority policies of Planning Code Section 101.1.

(Certificate of Determination of Exemption/Exclusion from Environmental Review dated January 30, 2001.)

**President Ammiano, seconded by Supervisor Leno, moved to excuse Supervisor Newsom from voting on this matter, at his request. The motion carried by the following vote:**

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

*The roll was then called on the pending resolution.*

**Resolution No. 111-01**

**ADOPTED by the following vote:**

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

Noes: 1 - Hall

Excused: 1 - Newsom

**010063 [Zoning, Live/Work Interim Order]  
Supervisors Ammiano, Daly, Maxwell, McGoldrick**

Resolution imposing an order prohibiting action on applications for permits or other land use entitlements to construct new live/work developments, as defined in San Francisco Planning Code Section 102.13, in the City and County of San Francisco, while the Board of Supervisors considers adoption of interim zoning controls governing such live/work development; and making a finding of consistency with the priority policies of Planning Code Section 101.1.

**President Ammiano, seconded by Supervisor Leno, moved to excuse Supervisor Newsom from voting on this matter, at his request. The motion carried by the following vote:**

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

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

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

Excused: 1 - Newsom

## **ROLL CALL FOR INTRODUCTIONS**

### **Appointment of President Pro Tempore**

*At the request of the President, Supervisor Daly assumed the Chair.*

## PUBLIC COMMENT

*Ernestine Weiss, Ferry Park, traffic study;*  
*Abdalla Megahed, gift for family of Xiana Fairchild;*  
*Eula Walters, Sunshine rule, opposes appointments of SPUR, San Francisco Beautiful to Recreation and Park;*  
*James McCrag, Jr., Dr. Amos C. Brown, Walter Johnson, Nat Mason, Peter Graham Cohn, Mike Benardo,*  
*Arnold Townsend, Mary Helen Rogers, Carmen Johnson, James Ryan, supporters of Mr. Leroy King;*  
*Norman Rolf, Dan Krause, Richard Mlynarik, Santa Clara Bart funds, Transbay Terminal Joint Powers Agency;*  
*Eric Mills, opposes live animal markets, urges funding for Animal Control and Welfare for enforcement purposes;*  
*Frederick Hobson, Vincent Hubbard incident, needs for community policing;*  
*Tracy Aubuchon, public safety;*  
*Nicholas Rosenberg, Adopt a Block program, property owner accountability;*  
*Abel, supports creation of municipal utility district, power emergency;*  
*Margaret Okuzcimi, David Llewellyn, Maria, Matt Williams, support Transbay Terminal Joint Powers Agency;*  
*Frankie Jacobs Gillette, African American History Month, accomplishments of African Americans working for the City;*  
*Roberto Mendez, Vincent Hubbard, support Leroy King;*  
*Tom Radavich, supports BART extension, Transbay Terminal project;*  
*Ross Merkirimi, supports creation of municipal utility district, urges extending goodwill to Brisbane, message to Sacramento representatives.*

*The President resumed the Chair.*

## 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.*

**010244 [Legislative Analyst Request]**  
**Supervisor Sandoval**

Motion asking the Legislative Analyst to (1) conduct a survey of all City departments to determine their use of Geographic Information System (GIS); (2) determine whether the Board of Supervisors, City departments, and the public have access to or could have access to such GIS systems; and (3) research the possible linkage of all such systems.

**APPROVED by the following vote:**

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

**010245 [Legislative Analyst Request]  
Supervisor Sandoval**

Motion asking the Legislative Analyst to survey other cities, counties, and jurisdictions about legislation enacted regarding reasonable surcharge rates for wire transfer services, such as Western Union, and MoneyGram.

**APPROVED** by the following vote:

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

**010246 [Legislative Analyst Request]  
Supervisor Ammiano**

Motion asking the Legislative Analyst to prepare a report, in consultation with the Director of Consumer Assurance, on recommended safety standards for warehouse-style stores. The report should include review of the "CBS Evening News" and "Inside Edition" exposes of accidents at warehouse-style stores and recommendations from the American Society of Safety Engineers, the Occupational Health and Safety Administration (OSHA) and Cal-OSHA regarding storage, handling and forklift use in warehouse stores.

**APPROVED** by the following vote:

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

**010227 [State Legislation, AB 25]  
Supervisors Leno, Maxwell, Ammiano, McGoldrick, Newsom, Daly**

Resolution urging the California Assembly to pass AB 25 the Equal Benefits Ordinance.

*Supervisors Newsom, Daly requested to be added as co-sponsors.*

**Resolution No.** 121-01

**ADOPTED**

**010228 [Santa Clara County BART Buy In]  
Supervisors McGoldrick, Gonzalez, Daly, Peskin, Leno, Maxwell, Newsom**

Resolution declaring City policy that San Francisco should share in any "Buy In" funds made available by Santa Clara County as part of its agreements with the Bay Area Rapid Transit District to extend BART to San Jose, that such moneys should be used to help fund San Francisco's voter-approved rail extension projects, urging further progress on the Geary Corridor fixed guideway project, and establishing principles for agreement regarding the San Jose extension and other BART extensions.

*Supervisor Newsom requested to be added as co-sponsor.*

**Resolution No.** 122-01

**ADOPTED**

**010229 [St. Mary's Medical Center Psychiatric Programs]**  
Supervisors Ammiano, Gonzalez, Maxwell, Daly

Resolution urging Catholic Healthcare West and the administration of St. Mary's Medical Center to take all steps necessary to maintain the Adult Psychiatric Partial Hospitalization and AfterCare Intensive Outpatient programs and urging the Director of Public Health to investigate whether such closures are subject to hearings of the San Francisco Health Commission pursuant to Proposition Q.

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

Resolution No. 123-01

**ADOPTED**

**010230 [State administered long-term energy contracts]**  
Supervisors Ammiano, Peskin, Daly

Resolution urging San Francisco's State Assembly, State Senate Delegations and City Lobbyist to oppose the State of California entering into any long-term state energy contracts that would in any way preclude, restrict, or inhibit San Francisco from developing its own power generation capabilities and selling that power to San Francisco residents and businesses.

*Supervisors Peskin, Daly requested to be added as co-sponsors.*

Resolution No. 124-01

**ADOPTED**

**010247 [Needle Exchange Emergency]**  
Supervisors Ammiano, Newsom, Yee, Leno, Daly, Peskin, McGoldrick

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.

*Supervisor McGoldrick requested to be added as co-sponsor.*

Motion No. M01-15

**APPROVED**

**010251 [Final Map for a 17 Unit Mixed Use Condominium Project]**

Motion approving final map of 1601 Pacific Avenue, a Mixed-Use Condominium Project, being a subdivision of Lot 1, Assessor's Block No. 595, and adopting findings pursuant to City Planning Code Section 101.1. (Public Works Department)

(DPW Order No. 172,774.)

Motion No. M01-16

**APPROVED**

The foregoing items were acted upon by the following vote:

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

Absent: 2 - Newsom, Yee

**Severed From For Adoption Without Committee Reference Agenda**

**010231 [Transbay Terminal Joint Exercise of Powers Agency]  
Mayor, Supervisor Ammiano**

Resolution authorizing the City and County of San Francisco to form a joint powers agency for the purpose of developing, designing, constructing and operating a new intermodal transit facility on and adjacent to the site of the existing Transbay Terminal, approving a form of the agreement creating the joint exercise of powers agency, urging the Bay Area Toll Authority to allocate funds to the development project, and urging the State Legislature to appropriate funds and transfer real property to support development of the new transit facility.

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

**SEVERED FROM FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA.**

*Supervisor Ammiano presented an amendment of the whole, bearing same title.*

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

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

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

*The roll was then called on the pending resolution.*

**Resolution No. 104-01**

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

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

**010232 [Ellis Act Revisions]  
Supervisors Daly, Ammiano, Gonzalez, McGoldrick**

Resolution urging members of the State Legislature to introduce amendments to the Ellis Act to prevent evictions.

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

**SEVERED FROM FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA.**

*Supervisor Hall requested this matter be sent to committee.*

**REFERRED to the Housing, Transportation and Land Use Committee.**

**010248 [Proclamation]  
Supervisor Hall**

Resolution proclaiming February 23, 2001 as Niamh Ryan Day in the City and County of San Francisco.

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

**SEVERED FROM FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA.**

*Supervisor Hall presented an amendment of the whole, bearing same title (technical amendment).*

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

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

*Supervisor Newsom requested to be added as co-sponsor.*

*The roll was then called on the pending resolution.*

**Resolution No. 125-01**

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

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

Absent: 2 - Newsom, Yee

## **OFF-AGENDA LEGISLATION**

### **Introduced by Supervisors or Mayor**

#### **Ordinances**

**010226 [Tenancies In Common]  
Supervisor Daly**

Ordinance amending the San Francisco Subdivision Code 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.

2/5/01, ASSIGNED UNDER 30 DAY RULE to Housing, Transportation and Land Use Committee, expires on 3/7/2001.

2/12/01, SUBSTITUTED. Supervisor Daly submitted an amendment of the whole, technical change to the title.

2/12/01, ASSIGNED UNDER 30 DAY RULE to Housing, Transportation and Land Use Committee, expires on 3/7/2001.

**010269 [Nuisance Code Revision]  
Supervisor Newsom**

Ordinance amending Sections 37, 92, 283, 585, 596, 598, 599, 600, 605, 607, 608, and 1604; adding Sections 580, 581, 582, 614, 615, and 616; and deleting Sections 93 to 97.6, inclusive and 606 of the San Francisco Health Code consolidating various provisions that set forth conditions that constitute a public nuisance and to declare the presence of mold and mildew and lead hazards as public nuisances; clarifying the requirements regarding the maintenance of small animals, poultry and game birds in residential districts; and establishing an administrative enforcement process for the abatement of nuisances; and increasing the minimum criminal penalties from \$25 to \$100 and the maximum criminal penalties from \$250 to \$1000 for non-compliance with a Director's Order.

2/12/01, ASSIGNED UNDER 30 DAY RULE to Public Health and Environment Committee, expires on 3/14/2001.

**010270 [Appropriation, funding for earthquake relief to India]  
Mayor, Supervisors Peskin, Newsom**

Ordinance appropriating \$100,000 from the General Fund Reserve for the Indo-American Trade and Commerce Council's Gujarat Earthquake Relief Fund for fiscal year 2000-01.  
2/12/01, RECEIVED AND ASSIGNED to Finance Committee.

**010271 [Conditional Use Appeal Procedure]  
Supervisor Peskin**

Ordinance amending Article 3 of the Planning Code by amending Section 308.1 to authorize four members of the Board of Supervisors to subscribe to a Conditional Use Appeal as an alternative to obtaining 20% of the property owners within 300 feet of the subject property. Providing for the new procedure to be applicable to decisions made by the Planning Commission on or after February 2, 2001.  
2/12/01, RECEIVED AND ASSIGNED to Housing, Transportation and Land Use Committee. 02/13/01 - Transmitted to Planning Commission for public hearing and recommendation.

**010272 [Appropriation, funding for earthquake relief to El Salvador]  
Mayor, Supervisors Sandoval, Newsom**

Ordinance appropriating \$100,000 from the General Fund Reserve for the Salvadorian Emergency Committee to provide earthquake relief for fiscal year 2000-01.  
2/12/01, RECEIVED AND ASSIGNED to Finance Committee.

**010273 [Appropriation, funding the increase of services of the Budget Analyst]  
Supervisors Ammiano, Gonzalez**

Ordinance appropriating \$218,208 of the General Reserve Fund to fund the increase of services provided by the Board of Supervisor's Budget Analyst for fiscal year 2000-01.  
2/12/01, RECEIVED AND ASSIGNED to Finance Committee.

**010274 [Business Tax Gross Receipts]  
Supervisors Gonzalez, Peskin, Maxwell, Hall, Sandoval, Daly, McGoldrick**

Ordinance amending the Business and Tax Regulations Code to (1) repeal Section 917.1 of Article 12-A and all of Article 12-B to eliminate the gross receipts method of calculating the tax on businesses; (2) enact a new Article 12 to amend business registration requirements consistent with the repeal of Article 12-B; and (3) enact a new Article 12-B to refund gross receipts-based tax payments for the 2000 tax year to the extent that such payments exceeded businesses' tax liability for such year as measured by their payroll expense.

(Fiscal impact.)

2/12/01, ASSIGNED UNDER 30 DAY RULE to Finance Committee, expires on 3/14/2001.

**010275 [Conditional Use for Dwelling Unit Mergers]  
Supervisor Gonzalez**

Ordinance amending the Planning Code by adding Section 311.1 to require Conditional Use Approval for the Merger of Dwelling Units; adopting findings pursuant to Section 101.1.

(Certificate of Determination of Exemption/Exclusion from Environmental Review dated February 28, 2001.)  
2/12/01, ASSIGNED UNDER 30 DAY RULE to Housing, Transportation and Land Use Committee, expires on 3/14/2001. 02/15/01 - Transmitted to Planning Commission for public hearing and recommendation.

**010276 [Appropriation, funding various streets and roads rehabilitation project]  
Mayor, Supervisor Newsom**

Ordinance appropriating \$9,021,349 to fund various local streets and roads rehabilitation projects for the Department of Public Works for fiscal year 2000-01.

(Fiscal impact.)

2/12/01, RECEIVED AND ASSIGNED to Finance Committee.

### Resolutions

**010277 [Solar Energy Bond]  
Supervisors Leno, Maxwell, McGoldrick, Peskin, Gonzalez, Newsom, Sandoval, Ammiano, Hall**

Resolution urging the Controller, Mayor's Office of Public Finance, Department of the Environment, Public Utilities Commission and other applicable departments to assist in crafting a solar energy bond for consideration on the November 2001 ballot to provide funding for solar power technology to be used on San Francisco public buildings and land.

2/12/01, RECEIVED AND ASSIGNED to Public Health and Environment Committee. Sponsor requests that this item be scheduled for the March 14, 2001, meeting.

**010278 [Valencia Bike Lane]  
Supervisor Leno**

Resolution establishing permanent bicycle lanes on Valencia Street.

2/12/01, RECEIVED AND ASSIGNED to Housing, Transportation and Land Use Committee.

**010279 [KPFA Radio Station]  
Supervisors Gonzalez, Daly, Peskin**

Resolution urging the Executive Committee of the Pacifica National Board to cease efforts which undermine KPFA's content and programming, democratically restructure the Pacifica Radio Network, and demand that Pacifica guarantee in writing that KPFA will not be sold without the overwhelming approval and consent of KPFA's subscribers, supporters and staff.

2/12/01, RECEIVED AND ASSIGNED to Public Utilities and Deregulation Committee.

**010280 [State Emergency Housing Assistance Loan, Multi-Service Center North]  
Mayor**

Resolution authorizing the Executive Director of the Department of Human Services to apply for, accept and expend a loan in a total amount not to exceed \$500,000 from the California Department of Housing and Community Development Emergency Housing Assistance Program for the rehabilitation of the facilities and expansion of capacity at the Multi-Service Center North which provides homeless shelter services.

2/12/01, RECEIVED AND ASSIGNED to Housing, Transportation and Land Use Committee.

**010281 [Transfer of PG&E Revenues]  
Supervisors Leno, Maxwell, Peskin, McGoldrick**

Resolution urging the California Public Utilities Commission to clarify its order establishing PG&E Corp. as the holding corporation of PG&E to require that PG&E Corp. provide cash to PG&E to allow it to meet its obligations to provide reliable electricity service at reasonable rates and further urging the Federal Energy Regulation Commission to reverse its ruling to allow ring fencing of PG&E's NEG Group.

2/12/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**010282 [Renovate, repair and maintenance of HUD subsidized apartment complexes]  
Supervisors Maxwell, Ammiano, Leno, Gonzalez, Newsom, Peskin, Daly, McGoldrick**

Resolution urging AIMCO to renovate, repair and maintain the Bayview Apartments, LaSalle Apartments, Shoreview Apartments, and All Hallows Gardens to the fullest extent possible.

2/12/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**010283 [Embarcadero Task Force]  
Supervisors Peskin, Newsom**

Resolution urging representatives of the Department of Parking and Traffic, the Transportation Authority, the Municipal Transportation Authority, the Department of Public Works, the Port of San Francisco, the Municipal Railway, the Fire Department and the Police Department in consultation with members of the public to form a Task Force to monitor existing and planned transportation improvements in the area and to assess the impacts of planned projects on traffic, parking, public transportation, and additional forms of transportation such as bicycles and pedestrians in the Embarcadero area.

2/12/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**010284 [MIOCR Demonstration Program]  
Supervisor Sandoval**

Resolution authorizing the Sheriff's Department to apply for a three-year grant in an amount not to exceed \$5,000,000 from the State Board of Corrections for Mentally Ill Offenders Crime Reduction (MIOCR) Demonstration Program; and approving the membership of the MIOCR Strategy Committee.

2/12/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**010285 [Child care initiative funding]**  
**Supervisors Sandoval, Newsom, Daly**

Resolution urging the Mayor to commit full funding for SF CARES and WAGES + in the baseline of the proposed budget for the 2001-2002 fiscal year.

2/12/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**010286 [State legislation, AB 106]**  
**Supervisor Yee**

Resolution supporting Assembly Bill 106, the Refundable Earned Income Tax Credit and urging the local delegation to the California State Assembly to support the bill.

2/12/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**010287 [363rd Infantry Regiment Battle Flags]**  
**Supervisors Yee, Newsom, Daly, McGoldrick, Hall**

Resolution urging the Mayor to work with the San Francisco Veterans Community to identify an appropriate place of prominence in City Hall for the 363rd Infantry Regiment Battle Flags, and place the flags in this location as soon as possible.

2/12/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**010288 [Potrero Power Plant Task Force Membership]**  
**Supervisors Ammiano, Newsom**

Resolution adding one (1) additional member to the Potrero Power Plant Citizen Advisory Task Force to represent Supervisorial District 10 and who shall be appointed by the Board of Supervisors.

2/12/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**010289 [School of the Americas]**  
**Supervisors Ammiano, McGoldrick**

Resolution urging President George Bush and Congress of the United States to support the closure of the United States Army School of the Americas.

2/12/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**010290 [Reduced risk pest management]**  
**Supervisor Ammiano**

Resolution endorsing the Reduced Risk Pest Management Ordinance proposed by Pesticide Alternatives of Santa Clara County.

2/12/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**010291 [Standard Code of Conduct]  
Supervisors Ammiano, Leno, McGoldrick**

Resolution urging all City Commissions to adopt and/or enforce a standard code of conduct which discourages and reprimands City officials, City Department Directors and City Commissioners from utilizing regularly scheduled public meetings to willfully attack, defame and/or slander fellow colleagues with disrespectful comments that are disparaging of one's sexual orientation, race, ethnic background, religion, gender, age or physical ability and further urging all City Commissions to adopt and/or enforce policy which discourages and reprimands individuals, who during the public comment portion of regularly scheduled meetings, issue comments that are disparaging of anyone's sexual orientation, race ethnic background, religion, gender, age or physical ability; and further urging all City Commissions to proactively discourage, reprimand and remove individuals from public meetings who verbally abuse and physically threaten members of the general public or City officials from attempting to exercise their first amendment.

2/12/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**010293 [Labor issue]  
Supervisors Daly, Peskin, Ammiano**

Resolution urging the Departments of Public Health and Human Services, and the Mayor's Office on Homelessness to protect workers at MSC-North and MSC-South.

2/12/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**010294 [Commendation]  
Supervisors Leno, Daly, Maxwell, McGoldrick, Gonzalez, Sandoval, Ammiano**

Resolution commending the Health Services System Board for including transsexual care and treatment in San Francisco health plans.

2/12/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**010295 [Commendation]  
Supervisors Leno, Daly, McGoldrick, Gonzalez, Sandoval, Ammiano**

Resolution commending Theresa Sparks for her appointment to the Human Rights Commission.

2/12/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**010296 [Commendation]  
Supervisors Maxwell, Ammiano, Daly, Gonzalez, Hall, Leno, McGoldrick, Newsom, Peskin, Sandoval, Yee**

Resolution commending the recognition of Black History Month.

2/12/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**010297 [Commendation]**  
**Supervisors Daly, Gonzalez, Peskin, McGoldrick**

Resolution commending senior and tenant advocate Maurice Dopp.

2/12/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**010298 [Independent Audits]**  
**Supervisor Newsom**

Hearing to consider the final management letters and comments for the City and County of San Francisco as issued by the City's independent auditors for the fiscal year ended June 30, 2000, in accordance with Charter Section 9.117.

2/12/01, RECEIVED AND ASSIGNED to Audit, Labor and Government Efficiency Committee. Sponsor requests this item be scheduled for consideration at the February 27, 2001 meeting.

### Requests for Hearing

**010025 [Appointments]**  
**Supervisor Ammiano**

Hearing to consider and appoint members of the general public who are interested in being appointed to the at-large positions on the Golden Gate Bridge, Highway and Transportation District.

1/2/01, RECEIVED AND ASSIGNED to Rules Committee.

2/12/01, ASSIGNED to Rules Committee.

2/12/01, SUBSTITUTED. Supervisor Ammiano submitted a substitute text.

**010305 [Davis Street Opening]**  
**Supervisor Peskin**

Hearing to consider the proposed opening of Davis Street between Washington and Clay Streets to automobile traffic in order to assess the necessity of this project toward improving transportation options in the mid-Embarcadero area and to provide community members a venue to voice their opinions on this project.

2/12/01, RECEIVED AND ASSIGNED to Housing, Transportation and Land Use Committee.

**010306 [MUNI Bus Noise]**  
**Supervisor Yee**

Hearing to consider the excessive noise created by diesel MUNI buses recently purchased, MUNI's plan of action to reduce the noise, why the design was altered after the specifications were approved, MUNI's plan to purchase additional busses from the same vendor, and corrective measures MUNI will take to prevent similar problems in the future.

2/12/01, RECEIVED AND ASSIGNED to Neighborhood Services and Parks Committee.

**010307 [Wireless Communications Facilities]  
Supervisor Ammiano**

Hearing to inquire into the feasibility of temporarily delaying the approval and processing of any new requests for the installation and expansion of all wireless communications facilities until a comprehensive policy regulating wireless communications facilities is drafted.

2/12/01, RECEIVED AND ASSIGNED to Housing, Transportation and Land Use Committee.

**010308 [Biotech Industry]  
Supervisor Daly**

Hearing to study the biotech industry and ethical and economic impacts of biotech development in San Francisco.

2/12/01, RECEIVED AND ASSIGNED to Economic Vitality, Small Business and Social Policy Committee.

**010292 [Independent Audits]  
Supervisor Newsom**

Hearing to consider the Comprehensive Annual Financial Report for the City and County of San Francisco as issued by the City's independent auditors for the fiscal year ended June 30, 2000, in accordance with Charter Section 9.117.

2/12/01, RECEIVED AND ASSIGNED to Audit, Labor and Government Efficiency Committee. Sponsor requests this item be scheduled for consideration at the February 27, 2001 meeting.

**010300 [Use of School District Facilities]  
Supervisor Ammiano**

Hearing to consider the use of School District facilities for District Offices of members of the Board of Supervisors.

2/12/01, RECEIVED AND ASSIGNED to City and School District Committee.

**010301 [CALTRANS Land Parcels]**

Hearing to consider the disposition of former CALTRANS land parcels. (San Francisco Unified School District)

2/12/01, RECEIVED AND ASSIGNED to City and School District Committee. Submitted by Commissioner Jill Wynns.

**010302 [Sustainable Funding for the School Arts and Music Task Force]**

Hearing to report on the Sustainable Funding for the School Arts and Music Task Force. (San Francisco Unified School District)

2/12/01, RECEIVED AND ASSIGNED to City and School District Committee. Submitted by Commissioner Jill Wynns.

**010303 [School Health Clinics]**

Hearing to report on School Health Clinics. (San Francisco Unified School District)

2/12/01, RECEIVED AND ASSIGNED to City and School District Committee. Submitted by Commissioner Jill Wynns.

- 010304 [City and School District Committee Meeting Schedule]**  
Hearing to consider the schedule of City and School District Committee Meetings. (San Francisco Unified School District)  
2/12/01, RECEIVED AND ASSIGNED to City and School District Committee. Submitted by Commissioner Jill Wynns.

### Motions

- 010299 [Board Off-site Meeting]**  
**Supervisors Ammiano, Maxwell**
- 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 March 14, 2001, at 3:00 P.M. and directing the Clerk of the Board to prepare notices and postings.  
2/12/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING to Board of Supervisors. Scheduled for consideration on February 20, 2001.
- 010309 [Legislative Analyst Request]**  
**Supervisor Ammiano**
- Motion asking the Legislative Analyst to provide staff support for the Potrero Plant Citizens Advisory Task Force by providing policy analyses research.  
2/12/01, ASSIGNED to Board of Supervisors. Scheduled for Board consideration February 20, 2001.
- 010310 [Municipality Utility District Formation]**  
**Supervisor Gonzalez**
- Motion declaring that in the Board's opinion the public interest or necessity demands the creation and maintenance of a municipal utility district with the same exterior boundaries as the City and County of San Francisco and the City of Brisbane, to be known as the "San Francisco-Brisbane Municipal Utility District," and directing the Clerk to refer this request to the San Francisco Local Agency Formation Commission with certain information.  
2/12/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

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

## PROPOSED ORDINANCES

- 010220 [Settlement of Lawsuit]**  
Ordinance authorizing settlement of the lawsuit filed by Donald Herbert Holcomb against the City and County of San Francisco for \$1,125,000.00; the lawsuit was filed on September 19, 1999 in San Francisco, Case No. 309395; entitled Donald Herbert Holcomb, et al., v. City and County of San Francisco, et al. (City Attorney)  
2/2/01, RECEIVED AND ASSIGNED to Audit, Labor and Government Efficiency Committee. Confidential letter dated January 17, 2001 is on file with the Clerk of the Board.

- 010249 [Government Funding, Department of Elections]**  
Ordinance appropriating \$2,538,692 from the General Fund Reserve to fund salaries, fringe benefits, other current expenses, materials and supplies, and equipment for the Department of Elections for fiscal year 2000-2001. (Controller)
- (Fiscal impact.)  
2/7/01, RECEIVED AND ASSIGNED to Finance Committee.
- 010250 [Building Code amendment, exiting from Group R occupancy buildings]**  
Ordinance amending Section 1004.2.3.2 of the San Francisco Building Code by repealing Exception 7 dealing with exiting from Group R occupancy buildings. (Building Inspection Department)  
2/7/01, RECEIVED AND ASSIGNED to Housing, Transportation and Land Use Committee.

## PROPOSED RESOLUTIONS

- 010221 [Establishing monthly contributions to Health Service System by the City and County, Unified School District, and Community College]**  
Resolution establishing monthly contribution amount to Health Service Trust Fund. (Human Resources Department)  
2/2/01, RECEIVED AND ASSIGNED to Finance Committee.
- 010223 [Transfer of state funds to improve access to mental health treatment for children in foster care and other children placed outside of San Francisco]**  
Resolution endorsing the transfer of state general funds from the state to the California Mental Health Directors Association for a contract to provide services to foster care and other Medi-Cal eligible children placed outside of San Francisco. (Public Health Department)  
2/2/01, RECEIVED AND ASSIGNED to Public Health and Environment Committee.
- 010258 [Grant funds for Juvenile Probation's Repeat Offender Prevention Program]**  
Resolution authorizing the Chief Probation Officer for the Juvenile Probation Department to accept and expend a supplemental grant in the amount of Four Hundred Eighty-Three Thousand Seven Hundred Fifty Two Dollars (\$483,752), from the State of California Board of Corrections for the Repeat Offender Prevention Program. (Juvenile Probation Department)  
2/7/01, RECEIVED AND ASSIGNED to Economic Vitality, Small Business and Social Policy Committee.
- 010259 [Contract with California Youth Authority for Diagnostic and Treatment Services for Juvenile Wards of the Court]**  
Resolution authorizing the Chief Probation Officer of the Juvenile Probation Department to renew a contract with the California Youth Authority for diagnostic and treatment services and for temporary detention not to exceed 90 days. (Juvenile Probation Department)  
2/7/01, RECEIVED AND ASSIGNED to Economic Vitality, Small Business and Social Policy Committee.
- 010260 [Contract with California Youth Authority for Emergency Services for Juvenile Wards of the Court]**  
Resolution authorizing the Chief Probation Officer of the Juvenile Probation Department to renew a contract with the California Youth Authority for emergency custody of juvenile wards of the Court from the County of San Francisco. (Juvenile Probation Department)  
2/7/01, RECEIVED AND ASSIGNED to Economic Vitality, Small Business and Social Policy Committee.

## Requests Granted

*From: Supervisors Leno, Maxwell, McGoldrick, Peskin*

*To: City Attorney*

*Requesting/Inquiring: To draft legislation creating a solar power revenue bond for November 2001 election to provide funding for solar power technology to be used on San Francisco public buildings and land.*

*From: Supervisor Maxwell*

*To: Director, Department of the Environment*

*Requesting/Inquiring: To investigate and report on the implementation of the "Sustainability Plan for San Francisco".*

*The report should include the following specific information:*

- 1. Is there an implementation schedule with prioritized projects, a timeline, and specific responsibilities?*
- 2. What immediate steps can be taken to implement the plan, particularly the Action Steps related to Energy, Climate Change, and Ozone Depletion?*
- 3. Which elements of the plan can be achieved through legislation of the Board of Supervisors?*
- 4. What elements of the plan require increased funding through the City's annual budget process?*

*Due: February 21, 2001*

*From: Supervisors Maxwell, Ammiano, Leno, Gonzalez, Newsom*

*To: City Attorney*

*Requesting/Inquiring: To draft an opinion regarding the Apartment and Investment Management Companies (AIMCO) legal requirements to renovate, repair, and maintain Bayview Apartments, LaSalle Apartments, Shoreview Apartments, and All Hallows Gardens. The opinion should include:*

- 1. To what extent is the Apartment and Investment Management Company, owners of the Bayview Apartments, LaSalle Apartments, Shoreview Apartments, and All Hallows Gardens, legally required to renovate, repair, and maintain these HUD subsidized properties? In particular, please explain legal requirements in regards to the mold, mildew, and plumbing problems reported on the above mentioned properties.*
- 2. If necessary, how can the City of San Francisco change our laws to require that AIMCO is legally required to renovate, repair, and maintain the Bayview Apartments, LaSalle Apartments, Shoreview Apartments, and All Hallows Gardens to the fullest extent possible?*
- 3. What legal recourse does the City of San Francisco have if AIMCO is not in compliance with already existing laws that require the company to renovate, repair, and maintain Bayview Apartments, LaSalle Apartments, Shoreview Apartments, and All Hallows Gardens to the fullest extent possible?*

*From: Supervisor McGoldrick*

*To: City Attorney*

*Requesting/Inquiring: To draft legislation regarding "Truth in Political Advertising" providing for two things:*

- 1. That any political campaign communications to voters include a disclaimer identifying the true source of funds used to pay for them. These requirements should be based on the requirements currently applying to paid ballot arguments that appear for or against ballot initiatives in the Voters' Handbook. See Section 560, paid arguments; fees; disclosure of true source of funds, San Francisco Election Code.*
- 2. Prohibit knowingly making false statements of fact about candidates or ballot initiatives, in the same way as current law prohibits making false statements that a person has endorsed a candidate or initiative. See Section 1.400 et seq, San Francisco Elections Code.*

*From: Supervisor Newsom*

*To: City Attorney*

*Requesting/Inquiring: To draft legislation creating a Municipal Power Board, as enabled by the City's Charter. This authority would be authorized to investigate public power, to provide that power if determined to be the most cost-effective way to deliver power to the citizens of San Francisco, and to issue revenue bonds for funding of such an endeavor. Also investigate the option of having an elected component to this Board and include that option in the draft version.*

*From: Supervisor Newsom*

*To: Director, Mayor's Budget Office*

*Requesting/Inquiring: Inquiring as to when the "Bicycle Planner I" position will be filled. Clerk to send copies of letter to Department of Human Resources, Controller, Department of Parking and Traffic, and the San Francisco Bicycle Coalition.*

*From: Supervisor Newsom*

*To: Controller*

*Requesting/Inquiring: To report on the feasibility of monthly reports on "non-budgeted" overtime from city departments that are routinely over budget on overtime. Further inquiring whether the Controller's Office intends to take such action or other action to curb overtime abuses.*

*From: Supervisor Sandoval*

*To: City Attorney*

*Requesting/Inquiring: To outline in detail the steps necessary to declare March 31st, Cesar Chavez' birthday, a paid city holiday.*

*From: Supervisor Ammiano*

*To: Director, Department of Telecommunications and Information Services*

*To: Director, Department of Public Health*

*To: Director, Planning Department*

*To: Director, Department of Building Inspection*

*Requesting/Inquiring: To notify the Directors of the following departments: Telecommunications and Information Services, Public Health, Planning, Building Inspection that committee hearing has been called to inquire into the feasibility of temporarily delaying the approval and processing of any new requests for the installation and expansion of all Wireless Communications Facilities until a comprehensive policy regulating Wireless Communications Facilities is drafted, hearing to be scheduled in the near future.*

*The hearing will inquire into the following subject areas:*

- 1. The feasibility of temporarily delaying the approval and processing of any new requests for the installation and expansion of all Wireless Communications Facilities until a comprehensive policy regulating Wireless Communications Facilities is drafted.*
- 2. Current medical and scientific studies regarding the health impact of humans, animals, and the environment of the long-term exposure to low-frequency Radio Frequency Radiation (RFR):*
  - a) RFR's non-thermal and athermal effects on cellular and intracellular activity, especially its potential to disrupt DNA, RNA and normal cell replication and repair activities*
  - b) RFR's potential role as a carcinogenic enhancer*
  - c) RFR's linkage to increase incidences of childhood leukemia*
  - d) Ways to minimize RFR's adverse health impact on residents, especially children, seniors, pregnant women, those afflicted with chronic illnesses and other vulnerable populations*
- 3. Garner input from the public, industry, and Department directors to develop a comprehensive plan and guidelines for the regulation, monitoring, registration, inventory, and siting of all Wireless Communications Facilities.*
- 4. Other related issues.*

*From: Supervisor Daly*

*To: City Attorney*

*Requesting/Inquiring: To draft legislation whereby records of "no-fault evictions" will be sealed to prevent negative credit impacts. "No-fault evictions" refer to evictions as a result of the Ellis Act or Tenancies-In-Common, and other evictions where no just cause is provided.*

*From: Supervisor Daly*

*To: Director, Port*

*Requesting/Inquiring: To investigate and report on plans for development on Piers 48/50, specifically proposals to develop a sports arena. Further, requesting copies of correspondence between the Port and potential developers, and minutes of meetings in the last 18 months where this development was discussed.*

*From: Supervisor Gonzalez*

*To: City Attorney*

*Requesting/Inquiring: To draft legislation to redefine retail zoning space, as set forth in Article 7 of the Planning Code and all other applicable sections of the Planning Code, to disallow the use of zoned retail space by business entities that do not provide a service or sale of goods which requires a physical exchange of a service or product.*

*From: Supervisor Hall*

*To: City Attorney*

*Requesting/Inquiring: To draft legislation to amend the Campaign and Governmental Conduct Code to limit campaign contributions to candidates for ward directors in the same way that campaign contributions to candidates for the Board of Supervisors are limited.*

*From: Supervisor Hall*

*To: City Attorney*

*Requesting/Inquiring: To draft legislation to amend the Campaign and Governmental Conduct Code that would prohibit all utility companies from contributing to candidates for municipal utilities ward director positions.*

*From: Supervisor Hall*

*To: Director, Department of Parking and Traffic*

*Requesting/Inquiring: To report on the feasibility of placing a stop sign at the intersection of Ocean and Santa Ana Avenues.*

*From: Supervisor Hall*

*To: Director, Department of Parking and Traffic*

*Requesting/Inquiring: To report on the feasibility of placing a stop sign at the intersection of Teresita Boulevard and Stillings Avenue.*

## **In Memoriams**

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

*Bishop Mark Hurley (Supervisor Hall)*

*Betty R. Brown (Supervisor Ammiano)*

*George Andrew Carreras II (Supervisor Leno)*

*Jack Voelker (Supervisors Maxwell, Newsom)*

*Dr. John Williams Eberhardt (Supervisor Sandoval)*

*Ronald A. Quinn (Supervisor Yee)*

*James Stagg (Supervisor Gonzalez)*

## ADJOURNMENT

*There being no further business, the Board at the hour of 6:54 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 March 26, 2001.*

*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

