

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, April 16, 2001 2:00 PM

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

Regular meeting

TOM AMMIANO, PRESIDENT

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

Gloria L. Young, Clerk of the Board

BOARD COMMITTEES

Committee Membership

Audit, Labor and Government Efficiency Committee

Supervisors Newsom, Daly, McGoldrick

City and School District Committee

Supervisor Maxwell, Supervisor Ammiano, Commissioner Wynns, Commissioner Mar

Economic Vitality, Small Business and Social Policy Committee

Supervisors Sandoval, Newsom, Maxwell

Finance Committee

Supervisors Leno, Peskin, Gonzalez

Housing, Transportation and Land Use Committee

Supervisors McGoldrick, Daly, Peskin

Neighborhood Services and Parks Committee

Supervisors Yee, Hall, Sandoval

Public Health and Environment Committee

Supervisors Maxwell, Yee, Leno

Public Utilities and Deregulation Committee

Supervisors Daly, Gonzalez, Ammiano

Rules Committee

Supervisors Gonzalez, Hall, Ammiano

Meeting Days

2nd & 4th Tuesday
1:00 PM

Call of the Chair

1st & 3rd Tuesday
10:00 AM

Wednesday
10:00 AM

2nd & 4th Thursday
10:00 AM

1st & 3rd Tuesday
1:00 PM

2nd & 4th Tuesday
10:00 AM

Call of the Chair

1st & 3rd Thursday
1:00 PM

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

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

ROLL CALL AND PLEDGE OF ALLEGIANCE

The 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, all Supervisors were noted present.

Quorum present.

APPROVAL OF MEETING MINUTES

Supervisor Sandoval, seconded by Supervisor Maxwell, moved to approve the March 12, 2001 Meeting Minutes. The motion carried by the following vote:

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

Introduction of Guest

Supervisor Newsom introduced, welcomed and presented a commendation to Francesca Vietor for her leadership as the Director of the Department of the Environment.

AGENDA CHANGES

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

Supervisor Sandoval indicated the matter relating to business tax litigation funds for San Francisco youth, File 010536. (See infra.)

CONSENT AGENDA

Recommendations of the Audit, Labor and Government Efficiency Committee

010514 [Settlement of Lawsuit]

Ordinance authorizing settlement of the lawsuit filed by Sarona Collins and James Dannenberg against the City and County of San Francisco for \$125,000; the lawsuit was filed on January 26, 2000 in Superior Court, Case No. 309-463; entitled Sarona Collins and James Dannenberg, et al., v. City and County of San Francisco, et al.; the City agrees that it will attempt to expedite the payment of this settlement. (City Attorney)

PASSED, ON FIRST READING

010474 [Settlement of Claim]

Resolution approving the settlement of the unlitigated claim filed by Kathleen Kuda against San Francisco for \$87,500; claim was filed on November 3, 2000; additional material term of said settlement is the signing of a release of CF liability against the City and County of San Francisco. (City Attorney)

(Claim Number 01-01214.)

Resolution No. 299-01

ADOPTED

Recommendations of the Finance Committee

010472 [Extension of real property lease at 575 Polk Street]

Resolution authorizing exercise of option regarding an extension of a real property lease at 575 Polk Street, on behalf of the Superior Court of San Francisco. (Real Estate Department)

Resolution No. 297-01

ADOPTED

010473 [Acquisition of noise easements for insulation of four religious assembly buildings and one skilled-nursing facility]

Resolution authorizing the acquisition of 5 noise easements for properties located in the City of San Bruno. (Real Estate Department)

Resolution No. 298-01

ADOPTED

**010532 [Bicycle Transit Improvements at Cesar Chavez]
Supervisors Maxwell, Ammiano, Newsom**

Resolution approving the Cooperative Agreement between the City and County of San Francisco and the State of California Department of Transportation concerning the construction and financing of a bicycle overcrossing and at-grade pedestrian/bicycle path widening on Highway 101 at Cesar Chavez Street in San Francisco and directing and ratifying certain actions in connection with this Resolution.

Resolution No. 302-01
ADOPTED

Recommendation of the Neighborhood Services and Parks Committee

**010452 [Library Fee Amnesty Program]
Supervisors Yee, Hall, Sandoval, Daly**

Ordinance amending the San Francisco Administrative Code by adding Section 8.21-3 to authorize the Library Commission to establish a Library fee amnesty program to take place during a two-week period prior to July 1, 2001, whereby the Library Commission, after notice and public hearing, is authorized to waive all fees charged for overdue San Francisco Public Library materials based on a finding that this amnesty program is likely to promote the return of needed Library materials or promote the increased use of the Library.

Ordinance No. 64-01
FINALLY PASSED

Recommendations of the Public Health and Environment Committee

**010438 [State grant to promote healthy eating at the local and regional levels]
Supervisor Newsom**

Resolution authorizing the Department of Public Health, Community Health Services, to accept retroactively and expend grant funds of \$25,000, from the California Department of Health Services for a Project LEAN Nutrition Network project and to enter into an agreement for the use of these funds; providing for ratification of action previously taken. (Public Health Department)

Supervisor Newsom requested to be added as sponsor.

Resolution No. 293-01
ADOPTED

**010439 [Grant from the State Office of AIDS for a survey of young men residing in low-income neighborhoods]
Resolution authorizing the Department of Public Health, AIDS Office, to accept retroactively and expend grant funds of \$50,000 from the State Office of AIDS for a survey of young low-income men and to enter into an agreement for the use of these funds; providing for ratification of action previously taken. (Public Health Department)**

Resolution No. 294-01
ADOPTED

Recommendations of the Rules Committee**010212 [Appointment]**

Resolution appointing Ted Gulucksen, term ending December 22, 2004, to the Lead Hazard Reduction Citizens Advisory Committee.

Ted Gulucksen, succeeding Rebecca Graff (term expired); Seat 11, must represent tenant organization, for a new four-year term ending December 22, 2004.

Clerk to correct spelling of "Gulucksen" to read "Gullicksen".

CLERICAL CORRECTION.

Resolution appointing Ted Gullicksen, term ending December 22, 2004, to the Lead Hazard Reduction Citizens Advisory Committee.

Ted Gullicksen, succeeding Rebecca Graff (term expired); Seat 11, must represent tenant organization, for a new four-year term ending December 22, 2004.

Resolution No. 291-01

ADOPTED

010444 [Appointment]

Resolution appointing Marie Harrison, term ending April 27, 2004, to the Sunshine Ordinance Task Force.

Marie Harrison, succeeding Marie Lorraine Mallare (resigned); Seat 4, must be appointed from names submitted by New California Media and be a journalist from a racial/ethnic-minority-owned news organization, for a new two-year term ending April 27, 2003.

Clerk to correct ending term to read "2003".

CLERICAL CORRECTION.

Resolution appointing Marie Harrison, term ending April 27, 2003, to the Sunshine Ordinance Task Force.

Marie Harrison, succeeding Marie Lorraine Mallare (resigned); Seat 4, must be appointed from names submitted by New California Media and be a journalist from a racial/ethnic-minority-owned news organization, for a new two-year term ending April 27, 2003.

Resolution No. 295-01

ADOPTED

010523 [Appointment]

Resolution appointing Michele Rutherford, indefinite term, to the Children and Families Commission.

Michele Rutherford, succeeding Will Lightbourne (resigned); Seat No. 2, shall be General Manager of Human Services or his/her designee, indefinite term.

Resolution No. 301-01

ADOPTED

The foregoing items were acted upon by the following vote:

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

Severed from Consent Agenda

010548 [Gift Acceptance, Public Library]

Resolution authorizing the San Francisco Public Library to accept and expend a gift of \$31,000 from the Friends and Foundation of the San Francisco Public Library to develop specified collections of books, magazines, video/audio resources and DVD's. (Public Library)

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

SEVERED FROM CONSENT AGENDA.

Resolution No. 303-01

ADOPTED by the following vote:

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

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendations of the Finance Committee

Appointment of President Pro Tempore

At the request of the President, Supervisor Peskin assumed the Chair so the President could participate in the debate from the floor concerning the following item.

- 010437 [Settlement of business tax lawsuits; authorization to make binding settlement offers; authorization to settle unlitigated claims]
Supervisors Peskin, Leno, Hall, Maxwell, Yee

Ordinance authorizing settlement of the lawsuits filed by Eastman Kodak Company and General Motors Corporation versus the City and County of San Francisco by payment of a total amount not to exceed \$112,889.78 plus interest; the Eastman Kodak lawsuit was filed on April 22, 1999 in San Francisco Superior Court, Case No. 302983 (Court of Appeal No. A091910), entitled Eastman Kodak Company v. City and County of San Francisco; the General Motors lawsuit was filed on February 24, 1999 in San Francisco Superior Court, Case No. 301510 (Court of Appeal A091914), entitled General Motors Corporation v. City and County of San Francisco; the other material terms of the settlements are that the settlements shall include any claims for the 2000 tax year, plaintiffs shall not file any claims for refunds otherwise due pursuant to any repeal of the gross receipts tax ordinance for the 2000 tax year, the plaintiffs shall agree to join in an application for a stipulated reversal of the trial court decisions pursuant to California Code of Civil Procedure Section 128; authorizing the City Attorney to make offers to allow judgment pursuant to California Code of Civil Procedure Section 998 in various business tax cases, for a total amount not to exceed \$63,980,109.06; and further authorizing settlement of unlitigated claims, for a total amount not to exceed \$380,576.16.

(Supervisor Gonzalez dissenting in Committee.)

April 2, 2001 - Supervisor Newsom excused from voting in Board.

Supervisor Ammiano moved to amend as follows:

Page 1, line 5: reduce \$112,889.78 by 9.09% to \$102,628.10;

Page 1, line 18: reduce \$63,980,109.06 by 9.09% to \$58,164,317.15;

Page 1, line 19: reduce \$380,576.16 by 9.09% to \$345,981.79;

Page 2, line 5: reduce \$112,889.78 by 9.09% to \$102,628.10;

Page 8, line 10: reduce \$63,980,109.06 by 9.09% to \$58,164,317.15;

Page 9, line 11: reduce \$380,576.16 by 9.09% to \$345,981.79;

Add a new Section 5 to read: The Board authorizes the City Attorney to make settlement or 998 offers to any plaintiffs and claimants who agree to reduce their settlement figures by 9.09 percent, for a proportionate amount of the totals authorized in the ordinance.

And directing the City Attorney and Clerk of the Board to make any other changes to the legislation that need to be made [reserve the right to clean up language] in order to conform the remaining text of the ordinance to these amendments.

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

Ayes: 8 - Ammiano, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Peskin, Yee

Noes: 2 - Daly, Sandoval

Excused: 1 - Newsom

Ordinance authorizing settlement of the lawsuits filed by Eastman Kodak Company and General Motors Corporation versus the City and County of San Francisco by payment of a total amount not to exceed \$102,628.10 plus interest; the Eastman Kodak lawsuit was filed on April 22, 1999 in San Francisco Superior Court, Case No. 302983 (Court of Appeal No. A091910), entitled Eastman Kodak Company v. City and County of San Francisco; the General Motors lawsuit was filed on February 24, 1999 in San Francisco Superior Court, Case No. 301510 (Court of Appeal A091914), entitled General Motors Corporation v. City and County of San Francisco; the other material terms of the settlements are that the settlements shall include any claims for the 2000 tax year, plaintiffs shall not file any claims for refunds otherwise due pursuant to any repeal of the gross receipts tax ordinance for the 2000 tax year, the plaintiffs shall agree to join in an application for a stipulated reversal of the trial court decisions pursuant to California Code of Civil Procedure Section 128; authorizing the City Attorney to make offers to allow judgment pursuant to California Code of Civil Procedure Section 998 in various business tax cases, for a total amount not to exceed \$58,164,317.15; and further authorizing settlement of unlitigated claims, for a total amount not to exceed \$345,981.79.

(Supervisor Gonzalez dissenting in Committee.)

PASSED ON FIRST READING AS AMENDED by the following vote:

Ayes: 7 - Ammiano, Hall, Leno, Maxwell, McGoldrick, Peskin, Yee

Noes: 3 - Daly, Gonzalez, Sandoval

Excused: 1 - Newsom

**010512 [Settlement of Obligation Bond Issuance]
Supervisor Peskin**

Resolution providing for the issuance of not to exceed \$69,060,000 aggregate principal amount of City and County of San Francisco Settlement Obligation Bonds, Series 2001 (Business Tax Judgment); authorizing the execution, authentication and registration of said bonds; providing for an annual appropriation to pay the principal and interest thereof; providing for the appointment of depositories and other agents for said bonds; providing for the establishment of accounts relating thereto; ratifying certain actions previously taken; and granting general authority to City officials to take necessary actions in connection with the authorization, issuance, sale and delivery of said bonds.

(Fiscal impact; companion measure to File 010513.)

(Supervisor Gonzalez dissenting in Committee.)

April 2, 2001 - Supervisor Newsom excused from voting in Board.

Resolution No. 277-01

ADOPTED by the following vote:

Ayes: 6 - Ammiano, Hall, Leno, Maxwell, McGoldrick, Peskin

Noes: 4 - Daly, Gonzalez, Sandoval, Yee

Excused: 1 - Newsom

010513 [Settlement of Obligation Bond Sale]
Supervisor Peskin

Resolution authorizing and directing the sale of not to exceed \$69,060,000 City and County of San Francisco Settlement Obligation Bonds, Series 2001 (Business Tax Judgment); prescribing the form and terms of said bonds; authorizing the execution, authentication and registration of said bonds; providing for the appointment of depositories and other agents for said bonds; providing for the establishment of accounts relating thereto; approving the forms of the Official Notice of Sale and the Notice of Intention to Sell Bonds; directing the publication of the Notice of Intention to Sell Bonds; approving the form and execution of the Official Statement relating thereto; approving the form of the Continuing Disclosure Certificate; approving modifications to the documents approved herein; ratifying certain actions previously taken; and granting general authority to City officials to take necessary actions in connection with the authorization, issuance, sale and delivery of said bonds.

(Fiscal impact.)

(Supervisor Gonzalez dissenting in Committee.)

April 2, 2001 - Supervisor Newsom excused from voting in Board.

Resolution No. 278-01

ADOPTED by the following vote:

Ayes: 6 - Ammiano, Hall, Leno, Maxwell, McGoldrick, Peskin

Noes: 4 - Daly, Gonzalez, Sandoval, Yee

Excused: 1 - Newsom

From Finance Committee Without Recommendation

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.)

April 2, 2001 - Supervisor Newsom excused from voting in Board.

PASSED ON FIRST READING by the following vote:

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

Noes: 1 - Gonzalez

Excused: 1 - Newsom

The President resumed the Chair.

NEW BUSINESS

Recommendations of the Finance Committee**010249 [Government Funding, Department of Elections]**

Ordinance appropriating \$2,411,887 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; placing funds in the amount of \$800,000 on reserve; placing an additional \$251,000 of previously appropriated Fiscal Year 2000-2001 funds for the Department on reserve; providing for ratification of action previously taken. (Controller)

(Fiscal impact.)

PASSED ON FIRST READING by the following vote:

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

Appointment of President Pro Tempore

At the request of the President, Supervisors Daly and Gonzalez, at different times, assumed the Chair.

The President resumed the Chair shortly thereafter.

010529 [Cesar Chavez City Holiday]

Supervisors Sandoval, Gonzalez, Daly, McGoldrick, Maxwell, Ammiano

Ordinance amending Chapter 16, Article 1 of the San Francisco Administrative Code by adding Section 16.5 to create an official holiday for March 31st, the birthday of Cesar Chavez.

Supervisor Gonzalez moved to amend by adding subparagraph (c) as follows:

(c) The process for establishing a paid holiday for City employees is the following:

(1) For employees represented by an employee organization whose labor contract (Memorandum of Understanding, or MOU) contains the following, or a similar, provision

"[A]ny day declared to be a holiday by proclamation of the Mayor after such day has heretofore been declared a holiday by the Governor...or the President..."

the Mayor may, by proclamation, provide a paid holiday for those employees covered by the MOU.

(2) For employees represented by an employee organization whose MOU does not contain the language included in subparagraph (1) above, or if the Mayor does not exercise her or his authority under the language in subparagraph (1) above, the Mayor, through the Department of Human Resources, may meet and confer with employee representatives and propose an amendment to the MOU that will provide a paid holiday for those employees covered by the MOU. Such a proposed MOU amendment, if agreed upon by the labor organization and the Mayor, must be approved, or rejected, by the Board of Supervisors, and would become effective the following fiscal year.

(3) For employees who are not represented by an employee organization, the City, by an ordinance approved by the Board of Supervisors, may amend the Unrepresented Employees Ordinance to provide an additional paid holiday for unrepresented City employees.

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

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

Supervisor Newsom requested to be added as co-sponsor.

PASSED ON FIRST READING AS AMENDED by the following vote:

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

Noes: 1 - Hall

Absent: 1 - Yee

Recommendations of the Public Health and Environment Committee

010429 [Agreement, HIV Vaccine Clinical Trials]

Resolution authorizing the San Francisco Department of Public Health, (SFPDH), subcontractor, to enter into an agreement in the amount of \$247,970 with Public Health Foundation Enterprises, Inc. (PHFE), primary contractor, to fund the SFPDH portion for "San Francisco HIV Vaccine Clinical Trials", a unit of the HIV Vaccine Trials Network (HVTN); retroactively from the period June 1, 2000 to May 31, 2001. (Public Health Department)

Resolution No. 292-01

ADOPTED by the following vote:

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

Absent: 2 - Peskin, Yee

010449 [Contract, DPH - University of California, San Francisco]

Resolution authorizing the San Francisco Department of Public Health (SFPDH), subcontractor, to retroactively enter into an agreement in the amount of \$124,747.56 with the University of California, San Francisco (UCSF), primary contractor, for the "Behavioral, Basic and Clinical Studies of Post-Exposure Prophylaxis (PEP)" project for the period of September 30, 2000 to August 31, 2001. (Public Health Department)

Resolution No. 296-01

ADOPTED by the following vote:

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

Absent: 2 - Sandoval, Yee

SPECIAL ORDER - 3:00 P.M.

Board of Supervisors Sitting as a Committee of the Whole

010651 [Public Hearing]

Hearing to examine the process of re-drawing the district lines within San Francisco.

(April 9, 2001: Pursuant to motion adopted by the Board of Supervisors.)

Supervisor Sandoval moved to continue this matter to April 23, 2001.

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

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

Appointment of President Pro Tempore

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

The President resumed the Chair shortly thereafter.

PUBLIC COMMENT

*Robert Pender, invitation to birthday party April 29, inadequate Rent Board hearing meeting facility;
Michael Petrellis, questions the use of sexy advertising on AIDS vaccine by Department of Public Health;
James Chaffee, no private entities should be using public facilities without memorandum of understanding,
private foundation at Public Library is operating without one;
Carolyn Vancent, Linda Sato, Speak Up for Kids Day event;
Ron Smith, supports leasing Treasure Island housing for medical personnel;
Anna Perlis, more funding for animal care and control, another dog handler;
Sam Dotson, loss of temporary housing, sprinkler ordinance.*

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.

010648 [Legislative Analyst Request]
Supervisors McGoldrick, Hall

Motion asking the Legislative Analyst to prepare a report outlining the effects of making pedestrian safety the highest priority in the decision making processes of DPT (and the Municipal Transportation Agency when it takes over the functions of DPT), as well as the effects of making the benchmark for effective pedestrian safety whether the most vulnerable sections of our population have been adequately protected. This report also should study whether other jurisdictions have implemented such policy measures and whether they have been successful in lowering pedestrian injuries and deaths.

APPROVED by the following vote:

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

**010649 [Legislative Analyst Request]
Supervisors Peskin, Hall**

Motion asking the Legislative Analyst to review and report on best practices in U.S. cities to combat the proliferation of graffiti. This report should include an identification of enforcement strategies, preventive programs and direct legislative actions that have proved successful in combating graffiti, as well as a specific assessment of cities' reactions to the use of hydrochloric acid in graffiti vandalism.

Supervisor Hall requested to be added as co-sponsor.

APPROVED by the following vote:

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

Absent: 2 - Maxwell, 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.

**010624 [Southern Crossing]
Supervisors Leno, Daly, Gonzalez, Peskin**

Resolution urging the Metropolitan Transportation Commission to oppose plans for a Southern Crossing for automobile transit and to consider other transit alternatives for crossing the Bay.

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

Resolution No. 318-01

ADOPTED

**010625 [Cell Phone Use]
Supervisors McGoldrick, Daly, Gonzalez**

Resolution requesting San Francisco's representatives in the State Legislature to support amendments to the Vehicle Code to prohibit the use of hand-held cell-phones while driving a motor vehicle.

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

Resolution No. 304-01

ADOPTED

**010627 [Doggie Diner Head]
Supervisor Newsom**

Resolution urging the Department of Public Works to immediately follow through with its commitments to the maintenance and costs for the relocation and restoration of the Doggie Diner Head, including the immediate establishment of a fund for donations to be made toward the cost of restoring the Doggie Diner Head.

Resolution No. 306-01

ADOPTED

010628 [Proclamation]
Supervisors Daly, Leno, Gonzalez, Peskin

Resolution commending Bertrand Delanoe on his election as Mayor of Paris, France, and proclaiming May 1st - International Workers Day, as "Mayor Bertrand Delanoe Day" in San Francisco.

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

Resolution No. 307-01

ADOPTED

010629 [Proclamation]
Supervisors Daly, Leno

Resolution declaring May 16, 2001 as Unity Jam Day in San Francisco.

Resolution No. 308-01

ADOPTED

010630 [Commendation]
Supervisors Daly, Newsom

Resolution commending John P. Mullane, Jr. for his decades of work on behalf of the City and County of San Francisco.

Resolution No. 309-01

ADOPTED

010631 [Commendation]
Supervisors Hall, Newsom

Resolution honoring Harry J. Quinn for his dedication in serving the City and County of San Francisco Real Estate Department.

Resolution No. 310-01

ADOPTED

010632 [Commendation]
Supervisors Hall, Newsom, Gonzalez, Peskin

Resolution honoring Anthony J. DeLucchi for his dedication in serving the City and County of San Francisco Real Estate Department.

Supervisors Newsom, Gonzalez, Peskin requested to be added as co-sponsors.

Resolution No. 311-01

ADOPTED

- 010633 [Commendation]
Supervisors Leno, Newsom, Daly, Gonzalez, Peskin

Resolution commending Francesca Vietor for her leadership as the Director of the Department of the Environment.

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

Resolution No. 312-01

ADOPTED

- 010634 [Commendation]
Supervisors Leno, Newsom, Daly, Gonzalez

Resolution commending Delancey Street on its thirty years of community leadership.

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

Resolution No. 313-01

ADOPTED

- 010635 [Proclamation]
Supervisors Maxwell, Newsom, Daly, Peskin

Resolution declaring May 3rd, 2001 as World Asthma Day in San Francisco.

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

Resolution No. 314-01

ADOPTED

- 010636 [Commendation]
Supervisor Yee

Resolution commending President Xu Zhihong for his leadership of the Peking University and celebrating the occasion of the 6th anniversary of the founding of the Peking University Education Foundation.

Resolution No. 315-01

ADOPTED

- 010665 [Lease Amendment, Treasure Island Housing Preference]
Supervisors Daly, Peskin

Resolution approving and authorizing the Treasure Island Development Authority to enter into a second amendment to the Housing Sublease with the John Stewart Company to add licensed local hospital medical personnel to the categories of persons eligible for a right of first refusal leasing preference for such housing.

Supervisor Peskin requested to be added as co-sponsor.

Resolution No. 317-01

ADOPTED

The foregoing items were acted upon by the following vote:

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

Absent: 2 - Maxwell, Yee

Severed From For Adoption Without Committee Reference Agenda**010480 [Planning Department Audit]
Supervisors McGoldrick, Sandoval**

Motion requesting that a management audit of the Planning Department be added to the audit workplan, be given priority on this workplan, and be conducted at the earliest juncture.

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

SEVERED FROM FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA.

Supervisor McGoldrick moved to continue consideration to April 30, 2001.

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

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

Absent: 2 - Maxwell, Yee

**010481 [Amending proposed schedule of management audits of City and County Departments]
Supervisor McGoldrick**

Motion amending proposed schedule of management audits to be conducted of programs of City and County Departments by the Budget Analyst.

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

SEVERED FROM FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA.

Supervisor McGoldrick moved to continue consideration to April 30, 2001.

CONTINUED by the following vote:

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

Absent: 2 - Maxwell, Yee

**010536 [Business tax litigation funds for San Francisco youth]
Supervisor Sandoval**

Resolution requesting that businesses included in the settlement of the "Business Tax Litigation" spend settlement monies, other than those needed to pay for legal fees, on programs for San Francisco youth.

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

SEVERED FROM FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA.

Supervisor Sandoval requested this matter be referred to committee.

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

010626 [St. Luke's Hospital Proposed Affiliation]
Supervisor Ammiano

Resolution urging the California Attorney General to exercise his full powers under AB 254 to conduct a health impact study of any proposed affiliation involving St. Luke's Hospital, supporting the establishment of conditions for any potential affiliation agreement between St. Luke's Hospital and another hospital or health system, enumerating several such conditions, and urging the establishment of a committee to assist in monitoring the implementation of conditions.

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

SEVERED FROM FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA.

Supervisor Ammiano moved 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, Leno, McGoldrick, Newsom, Peskin, Sandoval

Absent: 2 - Maxwell, Yee

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

Resolution No. 305-01

ADOPTED AS AMENDED by the following vote:

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

Absent: 2 - Maxwell, Yee

010637 [Commendation]
Supervisor Newsom

Resolution commending Standing Against Global Exploitation (SAGE) for receiving the Oprah's Angel Network "Use Your Life" Award and a gift donation of \$100,000.

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

SEVERED FROM FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA.

Supervisor Newsom moved to amend page 1, line 5, to correct a typo to read "Oprah".

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

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

Absent: 2 - Maxwell, Yee

Resolution No. 316-01

ADOPTED AS AMENDED by the following vote:

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

Absent: 2 - Maxwell, Yee

OFF-AGENDA LEGISLATION

Introduced by Supervisors or Mayor

Ordinances

**010676 [Business Tax Litigation Repayment Fund]
Supervisor Ammiano**

Ordinance adding new Section 10.100-285 to the Administrative Code establishing a San Francisco Business Tax Litigation Repayment Fund as a category two fund for the purpose of receiving all repayments made to the City and County of San Francisco by businesses that have recovered refunds of business taxes as a result of settlement of litigation and claims against the City and County of San Francisco filed by Eastman Kodak Company, General Motors and other businesses challenging the constitutionality of the City's dual payroll expense/gross receipts tax; authorizing the Controller to accept all such repayments to the fund; and, providing that the repayments received by the fund may be used for any lawful purpose of the City and County of San Francisco.

4/16/01, RECEIVED AND ASSIGNED to Finance Committee.

**010677 [Appropriation, Office of Contract Administration]
Mayor**

Ordinance appropriating \$334,000 from the Wage and Health Care Accessibility Reserve to fund salaries, fringe benefits, materials and supplies, and professional services for the Office of Contract Administration fiscal year 2000-2001.

(Fiscal impact; Companion measure to File 010678.)

4/16/01, RECEIVED AND ASSIGNED to Finance Committee.

**010678 [Public Employment]
Mayor**

Ordinance amending Ordinance No. 181-00 (Annual Salary Ordinance, 2000/01) reflecting the creation of fourteen new positions in Administrative Services, Office of Contract Administration.

(Fiscal impact.)

4/16/01, RECEIVED AND ASSIGNED to Finance Committee.

**010679 [Special Election, Power and Water Authority Directors]
Supervisors Hall, Newsom**

Ordinance calling and providing for a special election to be held in the City and County of San Francisco on November 6, 2001, for the purpose of submitting to the voters the election of five directors to serve on the board of directors of the Power and Water Authority; consolidating the special election for all purposes with the general municipal election to be held in the City and County of San Francisco on November 6, 2001; and directing the Director of Elections to take all steps necessary to conduct the election for these positions.

4/16/01, RECEIVED AND ASSIGNED to Rules Committee.

**010680 [Special Election, Power Authority Directors]
Supervisors Hall, Newsom**

Ordinance calling and providing for a special election to be held in the City and County of San Francisco on November 6, 2001, for the purpose of submitting to the voters the election of five directors to serve on the board of directors of the Power Authority; consolidating the special election for all purposes with the general municipal election to be held in the City and County of San Francisco on November 6, 2001; and directing the Director of Elections to take all steps necessary to conduct the election for these positions.

4/16/01, RECEIVED AND ASSIGNED to Rules Committee.

Resolutions

**010681 [Lease, Beach Chalet]
Supervisor Yee**

Resolution approving and authorizing the execution and delivery of a First Amendment to Lease for the Beach Chalet allowing for the construction of a deck at the rear of the building.

4/16/01, RECEIVED AND ASSIGNED to Finance Committee.

**010682 [AB 1419, Land Transfer, Transbay Terminal]
Supervisor Ammiano**

Resolution supporting AB 1419 (Aroner), requiring Caltrans to transfer land to the San Francisco Redevelopment Agency for the implementation of the Transbay Terminal Replacement Project; mandating that Caltrans lease to the Transbay Terminal Joint Powers Authority certain parcels of land for bus storage; and requiring the San Francisco Redevelopment Agency to dedicate to the Transbay Terminal project any tax increment funds and net proceeds from the disposition of state-owned land.

4/16/01, RECEIVED AND ASSIGNED to Finance Committee.

**010683 [Business and Payroll Tax]
Supervisor Gonzalez**

Resolution declaring the Board of Supervisors' intent that if the courts strike down the "alternative tax" aspect of the City's business tax, only the payroll expense measure of the tax should be applied, and relief should be limited to granting claimants a refund of the difference between any amount actually paid under the gross receipts measure of the business tax and what they would have paid under the payroll expense measure.

4/16/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

010684 [Business Tax Litigation Funds]
Supervisors Leno, Maxwell

Resolution urging, in the case of settlement, the businesses included in the proposed settlement of the "Business Tax Litigation" to return settlement monies to the San Francisco General Fund for discretionary spending, and that the City Controller track these funds which are returned to the General Fund, reporting to the Finance Committee on a regular basis.

4/16/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

010685 [Carbon dioxide emissions]
Supervisors Gonzalez, Daly, Hall, Leno, Peskin

Resolution urging the governor and state legislature of California to direct state agencies and departments to implement a program to reduce carbon dioxide emissions, in recognition of the tremendous environmental, economic, and public health threats posed by global warming.

4/16/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

010686 [Lease amendment, Theatre Bay Area]
Supervisor Leno

Resolution approving and authorizing a First Amendment to Lease with Theatre Bay Area, a California nonprofit public benefit corporation, related to certain ticket kiosk premises located on Union Square, San Francisco, allowing for the lessee to vacate the original ticket kiosk premises, relocate temporarily to other premises and consent to the demolition of the original kiosk improvements; and authorizing and ratifying the execution and delivery by the General Manager of the Recreation and Parks Department of the First Amendment and any related documents, and the taking of such actions by said General Manager as may be necessary in furtherance of this resolution.

4/16/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

010687 [AB 1649, Fair Employment and Housing Act]
Supervisors Leno, McGoldrick, Gonzalez, Daly, Peskin

Resolution urging the Assembly to pass AB 1649 authored by Jackie Goldberg to include "gender" in the Fair Employment and Housing Act.

4/16/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

010688 [SB 308, Child Care for Eligible Children Act]
Supervisors Leno, Newsom, McGoldrick, Maxwell, Peskin

Resolution urging the California State Legislature to adopt and Governor Davis to sign SB 308 the Child Care for Eligible Children Act.

4/16/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

010689 [Inflammatory use of negative Chinese stereotypes]
Supervisors McGoldrick, Yee, Leno, Hall, Peskin

Resolution condemning the inflammatory use of negative Chinese stereotypes by news media and calling on news media to institute measure to improve relations with Chinese-Americans.

4/16/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

010690 [Electric Service review]
Supervisor Newsom

Resolution instructing the Public Utilities Commission, the Board of Supervisors Budget Analyst and the Controller's Office to assist the Board of Supervisors in determining the most effective means of providing electric service to the people of San Francisco by developing the following: 1) An analysis of the current book value of all assets of the Pacific Gas & Electric Company (PG&E); and 2) The creation of a task force to determine what are the next steps necessary in order to acquire PG&E assets.

4/16/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

010691 [Analysis of electric service options]
Supervisors Newsom, Hall

Resolution requesting the San Francisco Local Agency Formation Commission to assist the Board of Supervisors with a full analysis of public power options and conservation/energy efficiency measures so that the Board may use this information to determine the best way of providing reliable, cost effective, environmentally responsible electric service to San Francisco.

4/16/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

010692 [Development Fees]
Supervisors Peskin, Daly, Gonzalez, Leno

Resolution urging the Planning Commission to certify existing studies calculating the Average Area Purchase Price commissioned by the Mayor's Office of Housing from 1997 through 2001, adjust the in lieu development fees during this time period accordingly, and collect from developers the sum of adjusted in lieu development fees to the maximum extent legally permissible.

4/16/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

010693 [H.R. 1487, tax relief for high tech workers]
Supervisors Daly, Leno

Resolution supporting H.R. 1487, which would amend the Internal Revenue Code of 1986 to repeal the alternative minimum tax treatment of incentive stock options, thereby changing the taxable event from the exercise of stock to the sale of stock.

4/16/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

010694 [Holocaust-era lawsuits]
Supervisors Daly, Leno, Peskin

Resolution urging the United States Department of Justice, Eastman Kodak Company, Standard Oil Corporation, International Telephone and Telegraph Company, International Business Machines, and Ford Motor Corporation to release documents related to Holocaust-era lawsuits.

4/16/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

010695 [Grant, Public Utilities]
Supervisors McGoldrick, Gonzalez

Resolution authorizing the San Francisco Public Utilities Commission to accept and expend a grant in the amount of \$75,840 from the California Energy Commission to reduce peak load at Harry Tracy Water Treatment Plant.

4/16/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

010696 [Commendation]
Supervisors Hall, Yee

Resolution commending the Institute for Student Achievement for working in partnership with schools and school districts, in particular McAteer High School, to enable at-risk middle and high school students to stay in school, graduate, and go on to college or other post-secondary education, job training, or work.

4/16/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

010697 [Proclamation]
Supervisors Leno, McGoldrick, Maxwell, Newsom, Hall, Daly

Resolution declaring May 13 through 19, 2001, Juror Appreciation Week.

4/16/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

010698 [Proclamation]
Supervisors Newsom, Hall

Resolution ratifying that the Board of Supervisors declares the period between May 13th and June 17th, 2001 as "Elder Abuse Awareness Month" in the City and County of San Francisco.

4/16/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**010699 [Treasure Island Fire Training Sublease]
Supervisor Daly**

Resolution approving a sublease between the City and County of San Francisco (The "City") and the Treasure Island Development Authority (The "Authority") for property on Treasure Island generally bounded by 8th Street to the south, 10th Street to the north, M Street to the west, and N Street to the east for use as a fire training facility at an annual rent of \$1,740,000 per year.

(Fiscal impact.)

(District 6)

4/16/01, RECEIVED AND ASSIGNED to Finance Committee.

**010702 [Commendation]
Supervisors Newsom, Sandoval, Daly, Peskin**

Resolution commending the significant efforts of the San Francisco Veterans Equity Center (SFVEC), for providing social, educational, legal, recreational and other services to over 800 Filipino veterans and urging the Mayor to allocate \$250,000 an annual budget line item beginning with the Fiscal Year 2001-02 to support the continued operations of the Filipino Veterans Equity Center.

4/16/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**010703 [Commendation]
Supervisors Sandoval, Daly**

Resolution commending the organizations and individuals who spoke up for the youth of San Francisco on 'Speak Up for Kids Day' at City Hall.

4/16/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**010704 [Commendation]
Supervisor Yee**

Resolution commending Jacques Herzog and Pierre de Meuron for being awarded the 2001 Pritzker Architecture Prize.

4/16/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Charter Amendments

**010596 [Power Authority]
Supervisors Newsom, Hall**

Charter amendment (Third Draft) to repeal Section 16.103, amend Sections 4.112, 9.107 and 13.101 and to add new Sections 4.134, 4.135, 4.136, 4.137 and 4.138 and 4.139, to form a Power Authority which shall succeed to all powers and responsibilities of the Public Utilities Commission related to energy operations, propose ordinances setting energy and water efficiency goals and standards that may become effective without action by the Board of Supervisors, and to remove authority for the transfer of excess surplus utility funds from energy operations to the City's General Fund.

(Fiscal impact.)

4/2/01, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 5/2/2001.

4/9/01, SUBSTITUTED. Supervisor Newsom submitted a substitute charter amendment (Second Draft) bearing new title.

4/9/01, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 5/9/2001.

4/16/01, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 5/16/2001.

4/16/01, SUBSTITUTED. Supervisor Newsom submitted a substitute charter amendment (Third Draft), approved as to form, bearing new title.

**010597 [Power and Water Authority]
Supervisors Newsom, Hall**

Charter amendment (Third Draft) to repeal Sections 4.112 and 16.103, amend Sections 9.107 and 13.101, and add new Sections 4.134, 4.135, 4.136, 4.137, and 4.138 to: eliminate the Public Utilities Commission; form a newly established Power and Water Authority which shall succeed to all powers and responsibilities of the Public Utilities Commission, propose ordinances setting energy and water efficiency goals and standards that may become effective without action by the Board of Supervisors; and remove authority for the transfer of excess surplus utility funds to the City's General Fund.

(Fiscal impact.)

4/2/01, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 5/2/2001.

4/9/01, SUBSTITUTED. Supervisor Newsom submitted a substitute charter amendment (Second Draft) bearing new title.

4/9/01, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 5/9/2001.

4/16/01, SUBSTITUTED. Supervisor Newsom submitted a substitute charter amendment (Third Draft), approved as to form, bearing new title.

4/16/01, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 5/16/2001.

Requests for Hearing

**010705 [Pedestrian Safety]
Supervisor Hall**

Hearing to consider reports of promising pedestrian safety statistics, and to consider current programs and future proposals from the Department of Parking and Traffic and the Health Department to continue to improve pedestrian safety.

4/16/01, RECEIVED AND ASSIGNED to Housing, Transportation and Land Use Committee.

**010706 [Ambulance Services]
Supervisor Hall**

Hearing to consider citywide strategy for managing ambulances delivering patients to hospitals.
4/16/01, RECEIVED AND ASSIGNED to Public Health and Environment Committee.

**010707 [Chinese Language Public Library Collection]
Supervisor Yee**

Hearing to discuss the San Francisco Public Library's Chinese language collection, including a breakdown of the collection by branch library.
4/16/01, RECEIVED AND ASSIGNED to Neighborhood Services and Parks Committee.

**010708 [Recreation and Park Department]
Supervisor Yee**

Hearing to discuss the Recreation and Park Department's 10-year Capital Plan.
4/16/01, RECEIVED AND ASSIGNED to Neighborhood Services and Parks Committee.

**010709 [Minority and Women-owned Business Enterprises]
Supervisor Daly**

Hearing on the City's minority and women-owned enterprise program, to consider departmental compliance with the Citywide Diversity Tracking System, and to review data that documents underutilization of minority and women-owned business enterprises.
4/16/01, RECEIVED AND ASSIGNED to Finance Committee.

**010710 [Children's Fund Expenditures]
Supervisor Daly**

Hearing to investigate the Department of Children, Youth and their Families' district by district breakdown of Children's Fund expenditures for fiscal year 2000-2002.
4/16/01, RECEIVED AND ASSIGNED to Finance Committee.

**010715 [Parking at City Facilities]
Supervisor Daly**

Hearing to consider changes in City parking policies and regulations to prohibit the City from giving anyone a preference with regard to curbside parking spaces, with the exception of certain justified reasons.
4/16/01, RECEIVED AND ASSIGNED to Housing, Transportation and Land Use Committee.

**010716 [PG&E's financial obligations]
Supervisor Yee**

Hearing to receive information from the City Controller, the City Attorney, and other pertinent departments detailing PG&E's financial obligations to the City and County of San Francisco, including franchise fees and undergrounding commitments, and how the City will ensure that PG&E fulfills its obligations.
4/16/01, RECEIVED AND ASSIGNED to Finance Committee.

**010717 [PG&E's bankruptcy filing]
Supervisor Daly**

Hearing to consider the potential impact of PG&E's bankruptcy filing on the City and County of San Francisco, and to develop solutions.

4/16/01, RECEIVED AND ASSIGNED to Public Utilities and Deregulation Committee.

Motions

010700 [Special off site meetings of the Finance Committee]

Motion setting special off site meetings of the Finance Committee for the purpose of receiving community input on the City and County of San Francisco's 2001-2002 budget. (Clerk of the Board)

(Saturday, May 12, 2001, 10:00 a.m., James Denman Middle School Auditorium, 241 Oneida Street;

Wednesday, May 16, 2001, 7:00 p.m., Stonestown YMCA, Lane Senior Annex
3150 20th Avenue;

Thursday, May 17, 2001, 7 p.m., Everett Middle School, 450 Church Street;

Saturday, May 19, 2001, 12:00 p.m., Southeast Community Facility, 1800 Oakdale Avenue;

Wednesday, May 23, 2001, 7 p.m., George Moscone Elementary School, 2576 Harrison Street;

Wednesday, May 30, 2001, 5:30 p.m., Tenderloin Police Station, 301 Eddy Street;

Thursday, May 31, 2001, 6:30 p.m., Newcomer High School, 2340 Jackson Street.)

4/16/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**010701 [Time limits for public speakers who request translation assistance]
Supervisor Maxwell**

Motion amending the Rules of Order of the Board of Supervisors by adding Rule 1.2.1, which will provide twice the amount of speaking time for public speakers who request translation assistance at meetings of the Board of Supervisors and Board Committees.

4/16/01, RECEIVED AND ASSIGNED to Rules Committee.

**010718 [Youth Recognition]
Supervisor Daly**

Motion directing the Clerk of the Board of Supervisors to work with the Youth Commission and interested members of the Board of Supervisors to plan for and execute a Youth Recognition Day, to occur in the fall of each year.

4/16/01, RECEIVED AND ASSIGNED to Neighborhood Services and Parks Committee.

**010719 [Legislative Analyst Request]
Supervisor Daly**

Motion asking the Legislative Analyst to study and report on mortgage assistance programs used in other jurisdictions and the necessary steps and feasibility of establishing such as program in San Francisco.

4/16/01, ASSIGNED to Board of Supervisors. Scheduled for Board consideration April 23, 2001.

**010720 [Legislative Analyst Request]
Supervisor Daly**

Motion asking the Legislative Analyst to report on the number of baked goods that San Francisco's seniors would have to sell to earn \$36 million for affordable housing, if these baked goods are sold for \$0.25 each. 4/16/01, ASSIGNED to Board of Supervisors. Scheduled for Board consideration April 23, 2001.

**010721 [Needle Exchange Emergency]
Supervisors Ammiano, Newsom, Yee, Leno, Daly, Peskin, McGoldrick, Maxwell**

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

4/16/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Introduced by the President at the Request of Departments

PROPOSED ORDINANCES

**010515 [Fees for licenses or permits for inspections by the Department of Public Health effective July 1, 2001]
Supervisor Gonzalez**

Ordinance amending the San Francisco Municipal Code Business and Tax Regulations Code by amending Sections 35, 120, 248 and 249.1, relating to fees for licenses or permits for inspections by the Department of Public Health. (Public Health Department)

4/10/01, RECEIVED AND ASSIGNED to Finance Committee. Department requests this item be scheduled for consideration at the April 25, 2001 meeting.

**010668 [Planning Code Amendment, Changing the Designation of 678 Mission Street as a Category III Building]
Ordinance changing the designation of 678 Mission Street from Category V (Unrated) to Category III (Contributory) pursuant to Article 11 of the Planning Code, and amending Appendix C of Article 11 to include 678 Mission Street as a Category III building. (Planning Department)**

(Planning Commission Resolution No. 16101 adopted February 22, 2001, Case No. 2000.077G; Report submitted by California Historical Society dated September 2000 on the historic and architectural significance of 678 Mission Street.)

4/11/01, ASSIGNED UNDER 30 DAY RULE to Housing, Transportation and Land Use Committee, expires on 5/16/2001.

PROPOSED RESOLUTIONS

010363 [Acquisition of Noise Easements for South S.F. Unified School District]

Resolution authorizing the acquisition of six noise easements for schools owned by the South San Francisco Unified School District. (Real Estate Department)

4/10/01, RECEIVED AND ASSIGNED to Finance Committee.

- 010555 [Major encroachment Permit, 160 Harrison Street]**
Resolution granting revocable permission to Abovenet Communications, Inc. to reconstruct an existing railroad spur (elevated platform) along Main Street as access to their building located at 160 Harrison Street. (Public Works Department)
4/10/01, RECEIVED AND ASSIGNED to Neighborhood Services and Parks Committee.
- 010652 [Withdrawal of five (5) property owners in the City of Pacifica from noise insulation program and delivery of quitclaim deeds to said property owners]**
Resolution authorizing the conveyance of five (5) quitclaim deeds to property owners in the City of Pacifica to rescind Grants of Easement (noise easement deeds) previously acquired by San Francisco. (Real Estate Department)
4/10/01, RECEIVED AND ASSIGNED to Finance Committee.
- 010654 [Lease of City-owned land to S.J. Amoroso Properties]**
Resolution authorizing a ten year lease of Public Utilities Commission land between the City and County of San Francisco and S. J. Amoroso Properties, in Santa Clara County. (Public Utilities Commission)
4/6/01, RECEIVED AND ASSIGNED to Finance Committee.
- 010660 [Extension and Renewal of Nine (9) Existing Leases for Public Health]**
Resolution authorizing extension and renewal, on a month-to-month basis, not to exceed twelve months, of certain existing leases of real property required by the Department of Public Health. (Real Estate Department)
4/11/01, RECEIVED AND ASSIGNED to Finance Committee.
- 010666 [2001 Affordable Housing Bond Sale]**
Resolution authorizing and directing the sale of not to exceed \$40,000,000 of City and County of San Francisco General Obligation Bonds (Affordable Housing) Series 2001C and City and County of San Francisco Taxable General Obligation Bonds (Affordable Housing) Series 2001D; prescribing the form and terms of said Bonds; authorizing the execution, authentication and registration of said Bonds; providing the appointment of depositories and other agents for said Bonds; providing for the establishment of accounts related thereto; approving the forms of Official Notice of Sale of Bonds and Notice of Intention to Sell Bonds; directing the publication of the Notice of Intention to Sell Bonds; approving the form and execution of the Official Statement relating thereto; approving the form of the Continuing Disclosure Certificate; approving modifications to documents; ratifying certain actions previously taken; and granting general authority to City officials to take necessary actions in connection with the authorization, issuance, sale and delivery of said Bonds. (Mayor)
4/11/01, RECEIVED AND ASSIGNED to Finance Committee.
- 010667 [Airport Lease Agreement Modification for United Airlines, Inc.]**
Resolution approving Lease Modification Number Fifteen for Lease No. 82-0126 between United Airlines, Inc. and the City and County of San Francisco, acting by and through its Airport Commission. (Airport Commission)
4/11/01, RECEIVED AND ASSIGNED to Finance Committee.

010669 [Agreement of Purchase and Sale for Real Estate at 30 Van Ness Avenue (Certificates of Participation, Series 200A and Taxable Series 2001B)]

Resolution authorizing the execution and delivery of the Agreement of Purchase and Sale for Real Estate (the "Original Agreement"), as amended by a First Amendment to Agreement of Purchase and Sale for Real Estate (the "First Amendment" and together with Original Agreement, the "Purchase Agreement"), between the City and County of San Francisco (the "City"), as buyer, and the Herbst Foundation, Inc. (the "Seller"), as seller (including certain indemnities contained therein), for the purchase of real property and improvements thereon consisting of a five-story office building located at 30 Van Ness Avenue, San Francisco (collectively, the "Property"); approving the forms of an office lease between the City, as landlord, and the Seller, as tenant (the "Herbst Lease") and an office lease between the City, as landlord, and Merriman Brothers, as tenant (the "Merriman Lease") (collectively, the "Office Leases"); approving the execution and delivery of certificates of participation to finance the acquisition of and improvements to the Property; approving the form of the Project Lease between the City and a Trustee (including certain indemnities contained therein); authorizing the selection of a Trustee; approving the form of the Trust Agreement between the City and a Trustee (including certain indemnities contained therein); approving the form of the Official Notice of Sale and Notice of Intention to Sell for the Series 2001A Certificates and Taxable Series 2001B Certificates (as defined herein); approving the form of the Official Statement in preliminary and final form; approving the form of a Continuing Disclosure Certificate; authorizing the filing of a validation action validating the execution and delivery of the certificates of participation; authorizing reimbursement of certain expenditures; authorizing the payment of costs of issuance; adopting findings under the California Environmental Quality Act and findings to the City Planning Code Section 101.1; and ratifying previous actions taken in connection therewith. (Mayor)

(Fiscal impact.)

4/11/01, RECEIVED AND ASSIGNED to Finance Committee.

010670 [Grant, State Transportation Improvement Program]

Resolution authorizing the Port of San Francisco to accept and expend a grant in the amount of \$500,000 from the California Transportation Commission's State Transportation Improvement Program (STIP) for the Illinois Street Intermodal Bridge over Islais Creek, and foregoing the reimbursement of indirect costs. (Port)

4/11/01, RECEIVED AND ASSIGNED to Housing, Transportation and Land Use Committee.

Requests Granted

From: Supervisor Leno

To: City Attorney

Requesting/Inquiring: To draft legislation creating an Office of Adolescent Health for the Department of Public Health which would establish overall health improvement outcomes for adolescents, be the single point of contact for adolescent health services and issues, investigate funding options for adolescent health services from private and public sources and review the adolescent health collaborative's strategic plan to make recommendations for application of the plan in San Francisco.

From: Supervisor Leno

To: City Attorney

Requesting/Inquiring: To draft legislation which would allow City employees to take a paid, hour long leave from work to donate blood through the City's blood drive.

From: Supervisor Newsom

To: City Attorney

Requesting/Inquiring: To provide a legal opinion regarding the process by which the City and County of San Francisco may make an acquisition of the PG&E distribution system; and determine the value of the PG&E distribution system.

From: Supervisor Yee

To: Director, Department of Real Estate

Requesting/Inquiring: To survey lands near Fort Funston for the purpose of reporting which lands are available for purchase by the City. The report should include the location, size, cost, and suitability of the land for open space recreational use, including which Fort Funston lands are included in the deed and would return to the City if the reversionary clause were exercised.

From: Supervisor Ammiano

To: City Attorney

Requesting/Inquiring: To draft legislation repealing the surplus business tax revenue credit.

From: Supervisor Ammiano

To: City Attorney

Requesting/Inquiring: To form a committee charged with rewriting the City's Business Tax Code. This rewriting will serve to clarify the tax structure, and ensure the future fiscal health of the City's general fund. This committee will be charged with rewriting the business tax code in a manner that requires larger firms to pay their fair share, while protecting small business taxpayers.

From: Supervisor Ammiano

To: City Attorney

Requesting/Inquiring: To draft legislation amending the New Jobs Tax Credit such that new utility installations, including power plants that operate on carbon-based fuels and server farms, and new big box retail stores are ineligible to receive the credit. The legislation should also direct the Office of the Legislative Analyst to develop a list of business types who are unlikely to make siting decisions based on the existence of tax credits and should therefore be ineligible to receive such tax credits.

From: Supervisor Daly

To: City Attorney

Requesting/Inquiring: To draft legislation to remove Justin Herman's name from the Plaza located at Market Street and the Embarcadero.

From: Supervisor Daly

To: Controller

Requesting/Inquiring: To report on the financial assistance available to nonprofits for emergency rental and moving assistance, and utilization to date with a remaining balance.

From: Supervisor Daly

To: City Attorney

Requesting/Inquiring: To draft amendments to the appropriations providing emergency rental and moving assistance to nonprofits, so that these funds may also be used for unexpected energy rate increases.

From: Supervisor Daly

To: City Attorney

Requesting/Inquiring: To draft legislation to alter the composition of the Landmarks Preservation Board so that most of the appointments are made by the Board of Supervisors, with the remainder made by the Mayor.

From: Supervisors Daly, Newsom, Sandoval, Yee

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

Requesting/Inquiring: To provide a district by district breakdown of the Children's Fund expenditures for fiscal year 2000/01. File 010710

From: Supervisor Daly

To: Director, Port

Requesting/Inquiring: To report on the Department's response to the Youth Commission memorandum of April 12, 2001 outlining recommendations for waterfront uses. Additionally, inquiring as to all major policy and planning documents related to skateboarding on Port property.

From: Supervisor Daly

To: City Attorney

Requesting/Inquiring: To draft legislation waiving swimming pool fees for San Francisco's young people.

From: Supervisor Daly

To: Director, Youth Commission

To: Director, Mayor's Budget Office

To: General Manager, Recreation and Park Department

Requesting/Inquiring: That the Directors of the Youth Commission, Mayor's Budget Office and the General Manager, Recreation and Park Department report on the positions of the respective Departments on the policy option of waiving pool fees for San Franciscans 22 and younger.

From: Supervisor Daly

To: Director, Planning Department

Requesting/Inquiring: Requesting comments on a potential change in use for Lot 17 of Block 393 located between Folsom and Clementina Streets from residential to commercial office.

From: Supervisor Daly

To: City Attorney

Requesting/Inquiring: To draft legislation to change the use for Lot 17 of Block 393 located between Folsom and Clementina Streets from residential to commercial office.

In Memoriams

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

Walter Carpeneti (Supervisor Hall)

Wen Hsuen Sheng (Supervisor Yee)

George Burrafata (Supervisor Peskin)

ADJOURNMENT

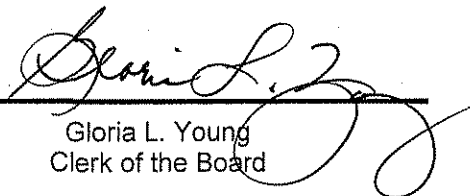
There being no further business, the Board at the hour of 6:32 p.m. adjourned.

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 4, 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



Gloria L. Young
Clerk of the Board

