

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, November 20, 2000 2:00 PM

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

Regular Meeting

TOM AMMIANO, PRESIDENT

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

Gloria L. Young, Clerk of the Board

BOARD COMMITTEES

Committee Membership

Audit and Government Efficiency Committee

Supervisors Kaufman, Newsom, Katz

City and School District Committee

Commissioner Owens, Commissioner Chong, Supervisor Ammiano, Supervisor Yee

Finance and Labor Committee

Supervisors Yee, Bierman, Ammiano

Housing and Social Policy Committee

Supervisors Teng, Bierman, Becerril

Parks and Recreation Committee

Supervisors Brown, Newsom, Leno

Public Health and Environment Committee

Supervisors Bierman, Brown, Yaki

Public Utilities and Deregulation Committee

Supervisors Ammiano, Yee, Becerril

Rules Committee

Supervisors Leno, Teng, Kaufman

Small Business, Economic Vitality and Consumer Services Committee

Supervisors Newsom, Leno, Becerril

Transportation and Land Use Committee

Supervisors Katz, Yaki, Yee

Meeting Days

1st Tuesday
1:00 PM

Quarterly, 4th Wednesday
3:00 PM

Wednesday
10:00 AM

1st and 3rd Tuesday
10:00 AM

2nd Tuesday
1:00 PM

2nd & 4th Thursday
1:00 PM

3rd Tuesday
1:00 PM

2nd & 4th Thursday
10:00 AM

1st and 3rd Thursday
10:00 AM

2nd and 4th Tuesday
10:00 AM

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

Members Present: Tom Ammiano, Alicia Becerril, Sue Bierman, Amos Brown, Leslie Katz, Barbara Kaufman, Mark Leno, Gavin Newsom, Mabel Teng, Michael Yaki, 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 members were noted present.

Quorum present.

APPROVAL OF MEETING MINUTES

Supervisor Becerril, seconded by Supervisor Katz, moved to APPROVE the September 25, 2000 Meeting Minutes. The motion carried by the following vote:

Ayes: 11 - Ammiano, Becerril, Bierman, Brown, Katz, Kaufman, Leno, Newsom, Teng, Yaki, Yee

AGENDA CHANGES

The President inquired if there were any changes to the agenda members were aware of which needed to be acted upon differently.

Supervisors Bierman and Kaufman indicated the matter relating to interdepartmental jurisdictional transfer, File 990091. (See infra.)

Supervisor Ammiano indicated the matters relating to government funding for rent subsidies to non-profit arts organizations at risk of being evicted or displaced by rent increases, File 001809; lease of 242 acres of land located in Sunol to Mission Valley Rock Company for mining purposes, File 001698; and calling lease of land in Sunol matter from committee, File 001949. (See infra.)

CONSENT AGENDA

Recommendations of Finance and Labor Committee

- 001930 [Lease, 2500 Market Street]
Supervisors Leno, Bierman, Newsom, Ammiano, Katz, Brown

Resolution authorizing a lease of real property at 2500 Market Street on behalf of the Department of Public Health.

Supervisor Brown requested to be added as co-sponsor.

Resolution No. 1012-00

ADOPTED

- 001957 [Healthcare for Indigents Program]
Supervisors Newsom, Becerril

Resolution authorizing adoption of the County description of proposed expenditure of California Healthcare for Indigents Program (CHIP) funds for fiscal year 2000-01 and that the President or duly authorized representative of the Board of Supervisors of the City and County of San Francisco can certify the County Description of Proposed Expenditure of CHIP funds for fiscal year 2000-01. (Public Health Department)

Supervisors Newsom, Becerril requested to be added as sponsors.

Resolution No. 1016-00

ADOPTED

Recommendation of the Parks and Recreation Committee

- 001755 [State grant for the renovation/restoration of Golden Gate Park facilities]
Supervisors Leno, Newsom, Becerril, Brown

Resolution authorizing the Recreation and Park Department to apply, accept and expend a \$13,524,000 grant from the State 2000 Bond Act for the renovation and rehabilitation of Golden Gate Park. (Recreation and Park Department)

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

Resolution No. 1006-00

ADOPTED

Recommendations of the Rules Committee**991363 [Appointments]**

Resolution appointing Eula Chriss, term ending August 31, 2001, to the Maternal Child and Adolescent Health Board.

Eula Chris, Seat 6, must be a parent, unexpired portion of three-year term ending August 31, 2001.

Resolution No. 1002-00

ADOPTED

001536 [Appointment]

Resolution appointing Raymond Weisberg and Lucy Crain, terms ending December 24, 2002, to the Children and Families Commission.

Raymond Weisberg, Seat 6, succeeding Frank Chong, must represent one or more of the following: children services, public health services; behavioral health services, social services and tobacco and other substance abuse prevention and treatment services; recipients of project services included in the county strategic plan; educators specializing in early childhood development; representatives of a local child care resource or referral agency, the Child Care Planning and Advisory Council or another local child care coordinating group; representatives of a local organization for prevention or early intervention for families at risk; representatives of community-based organizations that have the goal of promoting and nurturing early childhood development; representatives of local school districts; and representatives of local medical, pediatric, or obstetric associations or societies, for unexpired portion of four-year term ending December 24, 2002;

Lucy Crain, Seat 9, succeeding Nancy Torres, must represent one or more of the following: children services, public health services; behavioral health services, social services and tobacco and other substance abuse prevention and treatment services; recipients of project services included in the county strategic plan; educators specializing in early childhood development; representatives of a local child care resource or referral agency, the Child Care Planning and Advisory Council or another local child care coordinating group; representatives of a local organization for prevention or early intervention for families at risk; representatives of community-based organizations that have the goal of promoting and nurturing early childhood development; representatives of local school districts; and representatives of local medical, pediatric, or obstetric associations or societies, for unexpired portion of four-year term ending December 24, 2002.

Resolution No. 1004-00

ADOPTED

001800 [Appointment]

Resolution appointing Janet Gillen, term ending September 30, 2003, to the Adult Day Health Care Planning Council.

Janet Gillen, Seat 14, succeeding Steve Smykowski, must represent health facility providing senior care, new three-year term ending September 30, 2003.

Resolution No. 1010-00

ADOPTED

Recommendations of the Transportation and Land Use Committee**001764 [Grant funds for City's CarShare Program]****Supervisors Leno, Bierman, Kaufman, Katz, Yaki, Newsom, Becerril, Brown**

Resolution authorizing the Executive Director of the Department of Parking and Traffic to accept and expend a grant in the amount of \$742,000 from the Federal Highway Administration and the California State Department of Transportation to assist in the development and administration of the City CarShare Program.

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

Resolution No. 1007-00**ADOPTED****001935 [Establishing penalty for violating Tour Bus Loading Zones]****Supervisor Newsom**

Resolution establishing a \$100 penalty for violating Traffic Code Section 66 (Tour Bus Loading Zones).
(Parking and Traffic Department)

(DPT Order No. 2096.)

Resolution No. 1013-00**ADOPTED****001953 [Grant funds for surveillance cameras on Municipal Railway vehicles]****Supervisors Katz, Newsom, Becerril**

Resolution authorizing retroactively the Municipal Transportation Agency to accept and expend \$1,800,000 of State assistance for surveillance cameras on Municipal Railway transit vehicles. (Public Transportation Commission)

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

Resolution No. 1014-00**ADOPTED****001954 [Grant funds for replacing aged motor coaches serving the Municipal Railway]****Supervisors Katz, Becerril**

Resolution authorizing the Municipal Transportation Agency to accept and expend \$3,203,169 of regional assistance for one Municipal Railway transit project. (Public Transportation Commission)

Supervisor Becerril requested to be added as co-sponsor.

Resolution No. 1015-00**ADOPTED**

The foregoing items were acted upon by the following vote:

Ayes: 11 - Ammiano, Becerril, Bierman, Brown, Katz, Kaufman, Leno, Newsom, Teng, Yaki, Yee

REGULAR AGENDA**UNFINISHED BUSINESS****CALLED FROM FINANCE AND LABOR COMMITTEE BY THE BOARD**

001809 [Government funding for rent subsidies to non-profit arts organizations at risk of being evicted or displaced by rent increases]

Supervisors Yaki, Newsom, Leno, Becerril, Katz, Teng

Ordinance appropriating \$3,000,000 from the General Fund Reserve to fund a grant program in the amount of \$500,000 for rent subsidies to non-profit service and advocacy organizations at risk of being evicted or displaced by rent increases, and appropriating \$2,500,000 to fund capital improvements and real property acquisitions by nonprofit organizations, through the Mayor's Office of Community Development, for fiscal year 2000-2001.

(Fiscal impact.)

Supervisor Yaki submitted an amendment of the whole bearing same title.

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

Ayes: 11 - Ammiano, Becerril, Bierman, Brown, Katz, Kaufman, Leno, Newsom, Teng, Yaki, Yee

PASSED ON FIRST READING AS AMENDED by the following vote:

Ayes: 11 - Ammiano, Becerril, Bierman, Brown, Katz, Kaufman, Leno, Newsom, Teng, Yaki, Yee

Supervisor Brown requested to be added as co-sponsor.

Supervisor Yaki moved to continue consideration to December 4, 2000.

Supervisor Yaki, seconded by Supervisor Teng, moved that this Ordinance be **CONTINUED AS AMENDED ON FINAL PASSAGE**. The motion carried by the following vote:

Ayes: 11 - Ammiano, Becerril, Bierman, Brown, Katz, Kaufman, Leno, Newsom, Teng, Yaki, Yee

NEW BUSINESS**Recommendations of the Finance and Labor Committee****990091 [Interdepartmental Jurisdictional Transfer]
Supervisors Bierman, Newsom, Leno, Ammiano, Becerril**

Ordinance transferring jurisdiction over certain real property located at Drumm Street, between Clay and Washington Streets, described generally as Assessor's Block 202, Lots 6, 14 and a portion of 15, excluding the subsurface thereof, and a portion of Assessor's Block 203, Lot 14, from the Department of Public Works to the Recreation and Park Commission; and providing that no building, improvement or structure may be constructed on the surfaces of such parcels and adjoining Assessor's Block 202, Lot 18.

November 7, 2000 from Planning Department: Certificate of Determination of Exemption/Exclusion from Environmental Review, categorical exemption, State CEQA Guidelines, Sections 15325(a), Class Number: 25.

Supervisor Yee dissenting in committee.

Supervisor Bierman, seconded by Supervisor Leno, moved to continue this matter to January 2, 2001.

Supervisor Yee moved substitute motion to re-refer this matter to committee.

Supervisor Yee, seconded by Supervisor Kaufman, moved that this Ordinance be RE-REFERRED to the Finance and Labor Committee. The motion carried by the following vote:

Ayes: 7 - Brown, Katz, Kaufman, Leno, Teng, Yaki, Yee
Noes: 4 - Ammiano, Becerril, Bierman, Newsom

**001801 [Home Ownership Assistance Loan Fund - Extra Credit Teacher Home Purchase Program]
Supervisors Becerril, Newsom, Brown**

Ordinance amending Section 10.117-76 of the Administrative Code to clarify nature of authorized loans and add additional source of funds.

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

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Ammiano, Becerril, Bierman, Brown, Katz, Kaufman, Leno, Newsom, Teng, Yaki, Yee

**001925 [Government Funding, \$250,000]
Supervisors Leno, Bierman, Newsom, Ammiano, Katz, Teng, Yaki, Brown**

Ordinance appropriating \$250,000 from the General Fund Reserve-Queer Youth Shelter to fund the housing program for the homeless lesbian, gay, bisexual, transgender, queer and questioning young adults, for the Department of Public Health for fiscal year 2000-2001.

(Fiscal impact.)

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Ammiano, Becerril, Bierman, Brown, Katz, Kaufman, Leno, Newsom, Teng, Yaki, Yee

Appointment of President Pro Tempore

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

- 001698 [Lease of 242 acres of land located in Sunol, California (under the jurisdiction of PUC) to Mission Valley Rock Company for mining purposes]
Supervisor Becerril**

Resolution adopting findings pursuant to the California Environmental Quality Act; and authorizing the Public Utilities Commission to enter into a forty-year lease with Mission Valley Rock Company for mining certain real property located in Alameda County, California. (Public Utilities Commission)

Supervisor Ammiano, seconded by Supervisor Leno, moved to continue consideration to December 11, 2000.

Motion to continue failed by the following vote:

Ayes: 2 - Ammiano, Leno

Noes: 9 - Becerril, Bierman, Brown, Katz, Kaufman, Newsom, Teng, Yaki, Yee

The roll was then called on the pending resolution.

Resolution No. 1000-00

ADOPTED by the following vote:

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

Noes: 2 - Ammiano, Leno

The President resumed the Chair.

- 001715 [This project will reduce odors and air pollution in the Bayview/Hunters Point Neighborhood from the discharge of raw digester gas into atmosphere]
Supervisor Newsom**

Resolution approving the design-build agreement for the Southeast Cogeneration Facility Contract, CS-520, not to exceed \$3,181,743. (Public Utilities Commission)

(Fiscal impact.)

Supervisor Newsom requested to be added as sponsor.

Resolution No. 1005-00

ADOPTED by the following vote:

Ayes: 11 - Ammiano, Becerril, Bierman, Brown, Katz, Kaufman, Leno, Newsom, Teng, Yaki, Yee

**001863 [Authorizing extension and renewal of license for the use of real property on behalf of the City, with Continental 155 5th Corporation (the property owner) and Wells Fargo Bank (the tenant)]
Supervisor Newsom**

Resolution authorizing an amendment to extend the term of an existing one-year license and hold harmless agreement for the excavation, shoring, underpinning and other construction activities ("Agreement") with Continental 155 5th Corporation ("Owner"), and the sole tenant in possession, Wells Fargo Bank, N.A. ("Wells Fargo") for an additional three years, to November 17, 2003, to provide the City the right to enter the real property at 155 5th Street as needed to complete construction of the Moscone Center Expansion Project ("Moscone West"), and authorizing a reciprocal agreement to provide Owner similar rights of access in relation to the Moscone West site should Owner require such access for future construction. (Real Estate Department)

Supervisor Newsom requested to be added as sponsor.

Resolution No. 1011-00

ADOPTED by the following vote:

Ayes: 11 - Ammiano, Becerril, Bierman, Brown, Katz, Kaufman, Leno, Newsom, Teng, Yaki, Yee

**001876 [Authorizing Issuance of Multifamily Housing Revenue Bonds, 8th and Howard Family Housing]
Mayor, Supervisor Newsom**

Resolution authorizing the issuance and delivery of multifamily housing revenue bonds (as defined herein) in an aggregate principal amount not to exceed \$11,750,000 for the purpose of providing financing for a multifamily rental housing project; authorizing the sale of bonds; approving the form of and authorizing the execution of an indenture providing the terms and conditions of the bonds; approving the form of and authorizing the execution of a bond purchase contract providing the terms and conditions for the sale of the bonds; approving the form of and authorizing the execution of a regulatory agreement and declaration of restrictive covenants; approving the form of and authorizing the execution of a loan agreement; approving the form of and authorizing the execution of an intercreditor agreement; approving the form of and authorizing the preparation and distribution of a preliminary official statement and the preparation and distribution of an official statement relating to the bonds; approving and authorizing the execution and delivery of any document necessary to implement this resolution; making low income housing findings; ratifying and approving any action heretofore taken in connection with the bonds and the project; and related matters.

Supervisor Newsom requested to be added as co-sponsor.

Resolution No. 1001-00

ADOPTED by the following vote:

Ayes: 11 - Ammiano, Becerril, Bierman, Brown, Katz, Kaufman, Leno, Newsom, Teng, Yaki, Yee

Recommendation of the Parks and Recreation Committee

**001906 [Use of Warm Water Cove as an off-leash dog park]
Supervisors Katz, Brown**

Ordinance requiring the Recreation and Park Department to make its best efforts to reach an agreement with the Port of San Francisco under which the Department will operate Warm Water Cove as a park that permits dogs to be off-leash, and providing for capital improvements to the park.

Supervisor Brown requested to be added as co-sponsor.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Ammiano, Becerril, Bierman, Brown, Katz, Kaufman, Leno, Newsom, Teng, Yaki, Yee

Recommendations of the Transportation and Land Use Committee**001421 [Dwelling Unit Parking Reduction in Neighborhood Commercial Districts]**

Ordinance amending Part II, Chapter II, of the San Francisco Municipal Code (Planning Code) by amending Section 161(j) to additional compatibility findings for the consideration of conditional use applications for off-street parking reductions for dwelling units in Neighborhood Commercial Districts, adopting findings pursuant to Planning Code Section 101.1. (Planning Department)

(Exempt from environmental review, not a project per CEQA Statutes, Public Resources Code Section 21065; Planning Commission Resolution No. 15905 adopted July 6, 2000, recommending approval of the proposed amendments to the Planning Code associated with the above Ordinance; Planning Case No. 2000.378T.)

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Ammiano, Becerril, Bierman, Brown, Katz, Kaufman, Leno, Newsom, Teng, Yaki, Yee

**001423 [Neighborhood Commercial District Permit Notification]
Supervisor Leno**

Ordinance amending Part II, Chapter II, of the San Francisco Municipal Code (Planning Code) by adding Section 312 to establish a 30-day mailing and posting notification requirement for building permit applications proposing demolition, new construction, alterations expanding the exterior dimensions of a building or changes of use in Neighborhood Commercial Districts, various amendments to Section 311 providing flexibility in the scheduling of discretionary review hearings and assigning the administration of Residential Design Guidelines and General Plan policies to the Director of Planning, adopting findings pursuant to Planning Code Section 101.1. (Planning Department)

(Exempt from environmental review, not a project per CEQA Statutes, Public Resources Code Section 21065; Planning Commission Resolution No. 15907 adopted July 6, 2000, recommending approval of the proposed amendments to the Planning Code associated with the above Ordinance; Planning Case No. 2000.380T.)

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Ammiano, Becerril, Bierman, Brown, Katz, Kaufman, Leno, Newsom, Teng, Yaki, Yee

**001665 [Requirements and Fees for Special Traffic Permits]
Supervisor Newsom**

Ordinance amending Section 194 of the San Francisco Traffic Code to permit the Department of Parking and Traffic to charge fees for the issuing special permits and assess penalty fees for violation of permits. (Parking and Traffic Department)

Supervisor Newsom requested to be added as sponsor.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Ammiano, Becerril, Bierman, Brown, Katz, Kaufman, Leno, Newsom, Teng, Yaki, Yee

001754 [Zoning Map Amendment, 185 Berry Street]

Ordinance amending Part II, Chapter II of the San Francisco Municipal Code (City Planning Code) by amending Zoning Map 8H to change the property height and bulk classifications for the property generally bounded by Berry to the south, Third Street to the East, Fourth Street to the west and China Basin Channel to the north, and specifically, Lot 5 in Assessor's Block 3803 from a 60-X (60 foot) Height and Bulk District to a 90-X (90 foot) Height and Bulk District, and adopting findings concerning priority policies of Planning Code Section 101.1. (Planning Department)

(Planning Commission Resolution No. 15973 adopted September 7, 2000, recommending adoption of proposed amendment; Final Environmental Report (FEIR) for the zoning map amendment approved on February 17, 2000; Addendum to the FEIR dated September 1, 2000, Case No. 98.281E.

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

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

Ayes: 11 - Ammiano, Becerril, Bierman, Brown, Katz, Kaufman, Leno, Newsom, Teng, Yaki, Yee

Ordinance amending Part II, Chapter II of the San Francisco Municipal Code (City Planning Code) by amending Zoning Map 8H to change the property height and bulk classifications for the property generally bounded by Berry to the south, Third Street to the east, Fourth Street to the west and China Basin Channel to the north, and specifically, Lot 5 in Assessor's Block 3803 from a 60-X (60 foot) Height and Bulk District to a 90-X (90 foot) Height and Bulk District, affirming the San Francisco Planning Commission's certification of a Final Environmental Impact Report (FEIR) associated with the project as adequate and complete, affirming the addendum to the FEIR and adopting findings concerning priority policies of Planning Code Section 101.1. (Planning Department)

(Planning Commission Resolution No. 15973 adopted September 7, 2000, recommending adoption of proposed amendment; Final Environmental Impact Report (FEIR) for the zoning map amendment approved on February 17, 2000; Addendum to the FEIR dated September 1, 2000, Case No. 98.281E.

PASSED ON FIRST READING AS AMENDED by the following vote:

Ayes: 11 - Ammiano, Becerril, Bierman, Brown, Katz, Kaufman, Leno, Newsom, Teng, Yaki, Yee

001203 [Revocable permit to close the sidewalk and parking lane on the north side of 17th St. during construction operations at 350 Rhode Island Street]

Resolution granting revocable permission to Swinerton and Walberg Builders to temporarily close and occupy the sidewalk and parking lane on the north side of 17th Street between Rhode Island and Kansas Streets, during construction of a four story office building at 350 Rhode Island Street (Block 3957, Lot 1) and to provide an additional four feet of space in the street for a pedestrian walkway surrounded by a pedestrian barricade. (Public Works Department)

Resolution No. 1003-00

ADOPTED by the following vote:

Ayes: 11 - Ammiano, Becerril, Bierman, Brown, Katz, Kaufman, Leno, Newsom, Teng, Yaki, Yee

**001767 [Village Parcel - Visitacion Valley]
Mayor**

Resolution authorizing, approving and ratifying actions in furtherance of the City's commitment to the revitalization of Visitacion Valley; authorizing certain contracting procedures; authorizing the Director of Real Estate to accept title to the Village Parcel; and authorizing and approving the terms of the Village Parcel Ground Lease.

Resolution No. 1008-00

ADOPTED by the following vote:

Ayes: 11 - Ammiano, Becerril, Bierman, Brown, Katz, Kaufman, Leno, Newsom, Teng, Yaki, Yee

**001794 [Granting sidewalk encroachment permit to the Asian Art Museum during construction operations at the new Asian Art Museum at 200 Larkin Street.]
Supervisor Newsom**

Resolution granting revocable permission to the Asian Art Museum of San Francisco to temporarily close and occupy the sidewalk, parking lane, and a portion of the street area on the south side of McAllister Street; the sidewalk, parking lane, and a portion of the street area on the north side of Fulton Street; the sidewalk and the parking lane on the west side of Hyde Street; and a portion of the sidewalk on the east side of Larkin Street during construction operations at the new Asian Art Museum at 200 Larkin Street (Block 353, Lot 1). (Public Works Department)

Supervisor Newsom requested to be added as sponsor.

Resolution No. 1009-00

ADOPTED by the following vote:

Ayes: 11 - Ammiano, Becerril, Bierman, Brown, Katz, Kaufman, Leno, Newsom, Teng, Yaki, Yee

From Transportation and Land Use Committee without Recommendation

001339 [Changing Official Width of Sidewalk - Automatic self-cleaning toilet, northeast corner of Haight and Cole Streets]

Ordinance amending Ordinance No. 1061 entitled "Regulating the Width of Sidewalks" by adding thereto Section 1543 to change the official sidewalk width on the east side of Cole Street north of Haight Street; making findings pursuant to Planning Code Section 101.1; and requiring relocation, modification, or both of facilities affected by the sidewalk width changes. (Public Works Department)

Failed adoption.

NOT PASSED ON FIRST READING by the following vote:

Ayes: 4 - Ammiano, Bierman, Brown, Katz

Noes: 7 - Becerril, Kaufman, Leno, Newsom, Teng, Yaki, Yee

SPECIAL ORDER 3:00 P.M.**002003 [Public Hearing - Landmark Appeal, Jewish Community Center of San Francisco Building, 3200 California Street]**

Hearing of persons interested in or objecting to the decision of the Planning Commission by its Resolution No. 16003 adopted October 5, 2000, disapproving the designation of the Jewish Community Center of San Francisco, north side between Presidio Avenue and Walnut Street within an RM-1 (Residential, Mixed, Low Density) Zoning District, the Sacramento Street Neighborhood Commercial District, and is in a 40-X Height and Bulk District on property located at 3200 California Street; Lot 6 within Assessor's Block 1021 as Landmark No. 229.

(Filed by the Art Deco Society of California on November 2, 2000; companion measure to Files 002004, 002005, 002006; Planning Case No. 1999.812L.)

Appellants: Sherri Oliver, representing Art Deco; Charles; Arnie; Lucia Bogatay; Laurie Gordan; Teresa LaQuey; Cynthia Servetnick; Phillip Diers; Marcia Maleske; Eleanor; Don Andreini; Rebecca Snear; Sheryl Birkner; Linaida Raczinorich; female.

Respondents: Gerald Green, representing Planning Department; Joshua Steinhaver; Kevin Hart; Nate Levine; John Goldman; John Rothmann; Walter Johnson; Alan Rothenberg; Sandee Blechman; Ron Miguel; Rabbi Doug Kahn; Moreau Brown; Nina Margolin; Ernestine Weiss; Ron Blatman; Jack Rebholtz; Tuffy Bental; Rick Mariano; Peter Winkelstein; Roland Washington; Morrie Klein; Misha Neimorvskaya; Pamela Osgood; Nina Neimorvskaya.

A rebuttal period was provided.

HEARD AT PUBLIC HEARING.

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

From the Clerk**(Only one of the following two motions should be adopted.)****002004 [Landmark Appeal, Jewish Community Center, 3200 California Street]**

Motion approving decision of the Planning Commission by its Resolution No. 16003, disapproving the designation of the Jewish Community Center of San Francisco, north side between Presidio Avenue and Walnut Street as Landmark No. 229 pursuant to Article 10 of the Planning Code. (Clerk of the Board)

Supervisor Kaufman moved adoption.

Motion No. M00-131

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

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

002005 [Landmark Appeal, Jewish Community Center, 3200 California Street]
Motion disapproving decision of the Planning Commission by its Resolution No. 16003, disapproving the designation of the Jewish Community Center of San Francisco, north side between Presidio Avenue and Walnut Street as Landmark No. 229 pursuant to Article 10 of the Planning Code.

Supervisor Kaufman moved to table this matter.

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

Ayes: 11 - Ammiano, Becerril, Bierman, Brown, Katz, Kaufman, Leno, Newsom, Teng, Yaki, Yee

002006 [Landmark Designation, Jewish Community Center]
Ordinance designating 3200 California Street, the Jewish Community Center of San Francisco, as Landmark No. 229 pursuant to Article 10, Sections 1004 and 1004.4 of the Planning Code. (City Attorney)

Supervisor Kaufman moved to table this matter.

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

Ayes: 11 - Ammiano, Becerril, Bierman, Brown, Katz, Kaufman, Leno, Newsom, Teng, Yaki, Yee

PUBLIC COMMENT

Eula Walters, butterfly museum;

Male speaker, Coronet Theatre, dot com companies, Mission area;

Edmund, Atlanta Georgia, AIDS;

Ernestine Weiss, butterfly museum.

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.

002024 [Amicus letter]

Supervisors Leno, Bierman

Resolution urging the San Francisco City Attorney's Office to file an amicus letter with the United States District Court in San Francisco urging the Court to deny PG&E's request to raise consumer energy bills \$3.4 billion dollars.

Supervisor Bierman requested to be added as co-sponsor.

Resolution No. 1017-00

ADOPTED

**002025 [United Farm Workers murals]
Supervisors Ammiano, Becerril, Bierman**

Resolution urging Corpis Corporation to desist from the unauthorized sales and distribution of four murals commemorating the history and struggle of the United Farm Workers located in San Francisco's Mission District entitled, "Si Se Puede!", "El Lenguaje Mundo Del Alma", "The Five Sacred Colors of Corn", and "Maestrapeace".

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

Resolution No. 1018-00

ADOPTED

**002027 [MTBE in gasoline]
Supervisors Becerril, Bierman**

Resolution urging San Francisco gas stations to stop using gasoline that contains the additive MTBE.

Supervisor Bierman requested to be added as co-sponsor.

Resolution No. 1019-00

ADOPTED

**002028 [BART 24-hour service]
Supervisors Bierman, Leno, Katz**

Resolution requesting the Metropolitan Transportation Commission (MTC) to include in its work plan a method providing for 24-hour BART service between the Northern Peninsula, San Francisco and the East Bay to meet the current and projected needs of specific demographic groups; and requesting MTC to consider rail and bus as alternative modes of transportation; requesting MTC staff to work with all appropriate local and regional transportation agencies to produce a workable plan to be presented in draft form to the MTC Board not later than six months from the date of this resolution.

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

Resolution No. 1020-00

ADOPTED

**002029 [Commendation]
Supervisors Kaufman, Bierman, Newsom, Becerril, Katz**

Resolution commending the services of the City and County of San Francisco's Department of Elections, the staff of various city departments, and all of the volunteers for the due diligence and dedication in processing the November 7, 2000, General Municipal Election ballots.

Supervisors Newsom, Becerril, Katz requested to be added as co-sponsors.

Resolution No. 1021-00

ADOPTED

002030 [Commendation]
Supervisors Teng, Newsom, Brown, Katz

Resolution commending Babe Kawaii-Bogue for her leadership, advocacy and service, and congratulating her on her election to a student representative seat on the San Francisco Board of Education.

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

Resolution No. 1022-00

ADOPTED

002034 [Suspend 30 Day Rule]
Supervisor Kaufman

Motion suspending Rule 5.42 of the Rules of Order of the Board of Supervisors to allow the Board of Supervisors to consider, without waiting 30 days after its introduction, Ordinance amending Chapter 3 of the Administrative Code by adding Section 3.7-1 regarding the budget process.

Motion No. M00-132

APPROVED

002035 [Suspend 30 Day Rule]
Supervisor Kaufman

Motion suspending Rule 5.42 of the Rules of Order of the Board of Supervisors to allow the Board of Supervisors to consider, without waiting 30 days after its introduction, Ordinance amending Chapter 8 of the Administrative Code by amending Section 8.8 regarding obsolete law books and other published materials.

Motion No. M00-133

APPROVED

002036 [Suspend 30 Day Rule]
Supervisor Kaufman

Motion suspending Rule 5.42 of the Rules of Order of the Board of Supervisors to allow the Board of Supervisors to consider, without waiting 30 days after its introduction, Ordinance amending Chapter 23 of the Administrative Code regarding real property.

Motion No. M00-134

APPROVED

002037 [Suspend 30 Day Rule]
Supervisor Kaufman

Motion suspending Rule 5.42 of the Rules of Order of the Board of Supervisors to allow the Board of Supervisors to consider, without waiting 30 days after its introduction, Ordinance amending Chapter 57 of the Administrative Code regarding the Film Commission.

Motion No. M00-135

APPROVED

002038 [Suspend 30 Day Rule]
Supervisor Kaufman

Motion suspending Rule 5.42 of the Rules of Order of the Board of Supervisors to allow the Board of Supervisors to consider, without waiting 30 days after its introduction, Ordinance amending Chapter 66 of the Administrative Code regarding the Seismic Safety Retrofit Program.

Motion No. M00-136

APPROVED

002039 [Suspend 30 Day Rule]
Supervisor Kaufman

Motion suspending Rule 5.42 of the Rules of Order of the Board of Supervisors to allow the Board of Supervisors to consider, without waiting 30 days after its introduction, Ordinance amending Chapter 66A of the Administrative Code regarding the Seismic Safety Loan Program.

Motion No. M00-137

APPROVED

The foregoing items were acted upon by the following vote:

Ayes: 6 - Ammiano, Becerril, Bierman, Katz, Kaufman, Newsom

Absent: 5 - Brown, Leno, Teng, Yaki, Yee

Severed From For Adoption Without Committee Reference Agenda

001949 [Calling lease of land in Sunol matter from committee]
Supervisors Becerril, Bierman

Motion to call from the Finance and Labor Committee File Number 001890 a resolution adopting findings pursuant to the California Environmental Quality Act and authorizing the Public Utilities Commission to enter into a forty-year lease with Mission Valley Rock Company for mining certain real property located in Alameda County, California.

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

SEVERED FROM FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA.

Supervisor Bierman requested to be added as co-sponsor.

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

Ayes: 6 - Ammiano, Becerril, Bierman, Katz, Kaufman, Newsom

Absent: 5 - Brown, Leno, Teng, Yaki, Yee

002026 [Extension of lease agreement]
Supervisors Ammiano, Newsom, Katz

Resolution urging UCSF to grant an extension of a lease agreement of property located at 1855 Folsom Street to AT&T Broadband to allow sufficient time to relocate to a new location.

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

SEVERED FROM FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA.

Supervisor Kaufman, seconded by Supervisor Katz, moved to excuse Supervisor Becerril from voting on this matter. The motion carried by the following vote:

Ayes: 6 - Ammiano, Becerril, Bierman, Katz, Kaufman, Newsom
Absent: 5 - Brown, Leno, Teng, Yaki, Yee

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

On advice of the City Attorney, this matter was continued to December 4, 2000.

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

Ayes: 5 - Ammiano, Bierman, Katz, Kaufman, Newsom
Absent: 5 - Brown, Leno, Teng, Yaki, Yee
Excused: 1 - Becerril

**002040 [Setting a public hearing, eminent domain, Ferry Building]
Supervisor Bierman**

Motion directing the Board of Supervisors to hold a public hearing on December 11, 2000, at 3:00 p.m. to consider adopting a Resolution of Necessity for the City's proposed acquisition by eminent domain of the World Trade Club's interests in that portion of the Ferry Building/World Trade Center described in the Lease between the Port and the World Trade Club dated June 13, 1977, as amended on May 19, 1980 (First Amendment), June 13, 1980 (Second Amendment), and June 13, 1986 (Third Amendment) for the Port of San Francisco's renovation of the Ferry Building.

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

SEVERED FROM FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA.

Supervisor Bierman stated the Port Commission requested this matter be tabled as an agreement has been reached.

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

Ayes: 6 - Ammiano, Becerril, Bierman, Katz, Kaufman, Newsom
Absent: 5 - Brown, Leno, Teng, Yaki, Yee

IMPERATIVE AGENDA

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

[Serious Injury Finding]

Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

Supervisor Newsom, seconded by Supervisor Katz, moved **ADOPTION** of the serious injury finding. The motion carried by the following vote:

Ayes: 6 - Ammiano, Becerril, Bierman, Katz, Kaufman, Newsom
Absent: 5 - Brown, Leno, Teng, Yaki, Yee

[Purely Commendatory Finding]

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

Supervisor Newsom, seconded by Supervisor Katz, moved **ADOPTION** of the commendatory finding. The motion carried by the following vote:

Ayes: 6 - Ammiano, Becerril, Bierman, Katz, Kaufman, Newsom
Absent: 5 - Brown, Leno, Teng, Yaki, Yee

[Brown Act Finding]

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

Supervisor Newsom, seconded by Supervisor Katz, moved **ADOPTION** of the Brown Act finding. The motion carried by the following vote:

Ayes: 6 - Ammiano, Becerril, Bierman, Katz, Kaufman, Newsom
Absent: 5 - Brown, Leno, Teng, Yaki, Yee

Imperative Resolutions

002059 [Commendation]
Supervisor Leno

Resolution commending Reverend Jim Mitulski for his years of service to the City and County of San Francisco and declaring December 1, 2000 "Reverend Jim Mitulski Day" in the City and County of San Francisco.

Resolution No. 1023-00

Supervisor Becerril, seconded by Supervisor Kaufman, moved that this Resolution be **ADOPTED**. The motion carried by the following vote:

Ayes: 6 - Ammiano, Becerril, Bierman, Katz, Kaufman, Newsom
Absent: 5 - Brown, Leno, Teng, Yaki, Yee

**002060 [Muni's choice of fuel path]
Supervisors Yaki, Becerril, Ammiano, Newsom, Katz, Leno**

Resolution urging the San Francisco Municipal Railway (Muni) to be deliberate in its decision-making and to wait until January 2001 to choose a fuel path.

Resolution No. 1024-00

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

Ayes: 6 - Ammiano, Becerril, Bierman, Katz, Kaufman, Newsom
Absent: 5 - Brown, Leno, Teng, Yaki, Yee

**002061 [Educational Revenue Augmentation Funds]
Supervisors Kaufman, Katz**

Resolution specifying the amount of ad valorem property tax revenue shifted from each local agency within the City and County to the education revenue augmentation fund established by State law in the City and County and agreeing to conditions imposed by the State for allocation to the City and County of certain State funds.

Resolution No. 1025-00

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

Ayes: 6 - Ammiano, Becerril, Bierman, Katz, Kaufman, Newsom
Absent: 5 - Brown, Leno, Teng, Yaki, Yee

OFF-AGENDA LEGISLATION

Introduced by Supervisors or Mayor

Ordinances

**002064 [Conservatory of Flowers Contracts]
Supervisor Newsom**

Ordinance authorizing the Director of Public Works to limit competitive bidding of contracts to a group of pre-qualified contractors for the rehabilitation and upgrading of the Golden Gate Park Conservatory of Flowers.
11/20/00, RECEIVED AND ASSIGNED to Parks and Recreation Committee.

**002062 [Planning - Commercial Development]
Supervisor Newsom**

Draft ordinance submitting to the voters of an ordinance amending the Planning Codes priority policies to link commercial development to transit capacity and traffic improvements and discourage displacement of community services and arts activities; redefine "Office Space" to include multimedia and computer-based services and exclude a newly-defined "Community Service" use; require new office space over 50,000 square feet to be allocated through a competitive process; limit new office development over 6,000 square feet to specified areas, including portions of the Downtown Area, Port property, existing Redevelopment areas, and the Hunters Point Naval Shipyard, and require a conditional use authorization; suspend new office development in certain areas, including portions of South of Market, the Northeast Mission Industrial Zone, and the Bayview Hunters Point Survey Area until those areas are studied and rezoned; prohibit new office development in certain areas, including portions of the Mission District and South of Market; limit the Zoning Administrator's ability to exempt a proposed new use from classification as "Office Space" through interpretation of the code; provide that the existing cap on office development would not include office space in certain government buildings or located at the Presidio, Pier 70, or the Hunters Point Naval Shipyard, direct the Board of Supervisors to conduct studies, hold hearings and consider adopting legislation to encourage office developers to dedicate 10% of the floor space in projects over 50,000 square feet to non-profit community-service organizations through various incentives; classify live-work projects as residential and authorize them only as accessory uses for artists, artisans and other craftpersons; direct the Planning Commission to consider creation of a new residential use category to be called "Loft Housing," subject to the same requirements as other residential uses; require that certain impact fees be adjusted annually; and amending the Administrative Code to require that environmental impact reports address the economic and social effects of a project on the demand for housing and displacement of affordable housing, community services, small businesses, and arts and cultural institutions.

11/20/00, ASSIGNED UNDER 30 DAY RULE to Transportation and Land Use Committee, expires on 12/20/2000.

**002063 [Planning - Office Space]
Supervisor Newsom**

Draft ordinance submitting to the voters of an ordinance amending the Planning Code to redefine "Office Space" to include multimedia businesses and "Additional Office Space" to exclude demolished square footage; require new office space over 25,000 square feet to be allocated through one or more competitive processes; change the annual office space allocation date from October to January; exempt from the office cap federal, state, local and nonprofit office space, the Presidio, Hunters Point Naval Shipyard, Treasure Island, Mission Bay, and the Port of San Francisco; add to annual office space allocation any amounts already allocated to office development in Mission Bay or office space converted to another use or not used; remove power of the Board of Supervisors to reduce the annual limit; permit specified office uses in the SLI and SLR Zoning Districts and amending the South of Market Area Plan of the General Plan to permit such office uses in the SLI and SLR Zoning Districts; suspend new office development over 25,000 square feet in the Mission District (except for the armory site) for up to two years while appropriate zoning controls for the area are developed; establish a South of Market Study Area to determine appropriate zoning controls; suspend new office development over 50,000 square feet in Potrero Hill Area for up to 2 years while appropriate zoning controls for the area are developed; adopt a policy to set new fees for office projects subject to verification through Nexus Studies; require annual reports on the City's expenditure of exactions; establish a growth management coordination position and set operative date of January 1, 2001, providing that projects with certain applications pending and completing environmental review prior to operative date may proceed under the prior law.

11/20/00, ASSIGNED UNDER 30 DAY RULE to Transportation and Land Use Committee, expires on 12/20/2000.

**002065 [Asthma Task Force]
Supervisor Becerril**

Ordinance amending Chapter 19A of the San Francisco Administrative Code by adding Article II to establish an Asthma Task Force.

11/20/00, RECEIVED AND ASSIGNED to Audit and Government Efficiency Committee.

**002066 [Pacific Bell Contract]
Supervisor Katz**

Ordinance approving contract with Pacific Bell providing for the purchase of a variety of telecommunications services.

(Fiscal impact.)

11/20/00, RECEIVED AND ASSIGNED to Public Utilities and Deregulation Committee.

**002067 [Library Fines and Fees]
Supervisor Kaufman**

Ordinance amending the San Francisco Administrative Code by adding Section 8.21-2 to authorize the Library Commission to charge certain fines and fees for the use of library materials and services and ratifying prior fines and fees.

11/20/00, ASSIGNED UNDER 30 DAY RULE to Audit and Government Efficiency Committee, expires on 12/20/2000.

**002068 [Government Funding, San Francisco General Hospital]
Mayor**

Ordinance appropriating \$1,532,400 from Reserve-designated for one-time expenditures to fund the cost of medical and laboratory equipment for the San Francisco General Hospital for fiscal year 2000-01.

(Fiscal impact.)

11/20/00, RECEIVED AND ASSIGNED to Finance and Labor Committee.

Resolutions

**002070 [Gift Acceptance, Recreation and Park Department]
Supervisors Yaki, Newsom**

Resolution accepting and expending a gift in place valued at approximately \$207,000.00 from the Strybing Arboretum Society to the Recreation and Park Department for the Strybing Arboretum.

11/20/00, RECEIVED AND ASSIGNED to Audit and Government Efficiency Committee.

**002069 [Interim Zoning Controls, Moratorium on Office Development]
Supervisor Newsom**

Resolution imposing Interim Zoning Controls to prohibit for a period of eighteen months the approval of office development in excess of 6,000 square feet in the area of the Mission District zoned for industrial use and designated the Northeast Mission Industrial Zone (NEMIZ); in the area bounded by Highway 101 on the west, Sixteenth Street on the north, Cesar Chavez Avenue to the south and the Bay to the east, excepting only Pier 70 and any area within a Redevelopment Area which allows such use; in areas of the South of Market which are not zoned C-3-0, C-3-0(SD), C-3-S, and SSO and areas zoned C-3-G and C-M located South of Market and west of Sixth Street; in all portions of any Neighborhood Commercial District or C-2 District which does not currently allow office development in excess of 6,000 square feet; and in the area bounded on the north by Harrison Street (including lots which abut the north side of Harrison Street) from Highway 101 to Sixth Street, on the east by Sixth Street, on the south by Townsend Street, and on the west by Division and Thirteenth Streets; prohibiting the approval of office development in excess of 25,000 square feet in the area bounded on the north by Townsend Street between Seventh and Eighth Streets and Division Street between Eighth and Vermont Streets, on the west by Vermont Street, on the south by Sixteenth Street, and on the east by Seventh Street.

11/20/00, RECEIVED AND ASSIGNED to Transportation and Land Use Committee. 11/29/00 - Transmitted to Planning Department for environmental review.

**002071 [Assessment Appeals Board local procedural rule modifications]
Supervisor Kaufman**

Resolution approving Assessment Appeals Board (AAB) local Procedural Rule modifications as approved by a joint meeting of AAB members, in order to conform to recent changes in California Board of Equalization Property Tax Rules, and in order to improve the efficiency of local procedures regarding completion of Journals of Proceedings: (1.) Modifying Procedural Rule Section 15 to provide that the applicant and the Assessor are each entitled to one postponement of a hearing as a matter of right, subject to certain time and waiver restrictions, and providing that the AAB Administrator may approve such postponement if specified criteria are met; (2.) Modifying Procedural Rule Section 16: to provide that the Chairperson of an AAB panel who conducts a hearing may subsequently approve that day's Journal of Proceedings in the absence of a quorum of that AAB panel; and to provide that if the Journal is not approved within 30 days by either the AAB panel or its Chairperson then the Journal will be transmitted to the Clerk of the Board of Supervisors (who is also the Clerk of the AAB) for review and approval, subject to subsequent amendment by a quorum of the involved AAB panel; and, (3.) non-substantive clarifying word changes in Sections 17 and 22.

11/20/00, RECEIVED AND ASSIGNED to Rules Committee.

**002073 [Ground lease, 240 Jones Street]
Mayor**

Resolution approving the Redevelopment Agency of the City and County of San Francisco's lease of land at Assessor's Block 339, Lot 14, commonly known as 240 Jones Street, to Mercy Properties California, for 50 years for the purpose of preserving a housing development for very low and low income households.

11/20/00, ASSIGNED to Board of Supervisors. Scheduled for consideration by Board, sitting as a Committee of the Whole, on December 11, 2000 at 3:00 p.m.

**002075 [Ground lease, 230 Eddy Street]
Mayor**

Resolution approving the Redevelopment Agency of the City and County of San Francisco's lease of land at Assessor's Block 332, Lot 4, commonly known as 230 Eddy Street, to the Tenderloin Neighborhood Development Corporation, for 50 years for the purpose of preserving a housing development for very low and low income households.

11/20/00, ASSIGNED to Board of Supervisors. Scheduled for consideration by the Board, sitting as a Committee of the Whole, on December 11, 2000 at 3:00 p.m. .

**002076 [Gift Acceptance]
Supervisors Teng, Newsom, Becerril, Brown**

Resolution authorizing the Executive Director of the Department of Parking and Traffic to accept a gift of Pedestrian Countdown Signals at 10 intersections to improve pedestrian safety.

11/20/00, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**002077 [Gift Acceptance]
Supervisors Brown, Newsom**

Resolution accepting and expending a gift in place from the Friends of McKinley Square valued at approximately \$35,000.00 for pathway improvements along the western hillside at McKinley Square.

11/20/00, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**002078 [Gulf of the Farallones National Marine Sanctuary]
Supervisors Katz, Newsom**

Resolution supporting the San Mateo County Board of Supervisors' request to the U.S. Department of Commerce to have the San Mateo County coast placed within the boundary of the Gulf of the Farallones National Marine Sanctuary.

11/20/00, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**002079 [Small Business Commission Web Page]
Supervisors Katz, Becerril, Brown**

Resolution urging the Small Business Commission ("SBC") and the Department of Telecommunications and Information Services (DTIS) to work together, in consultation with the City Attorney, to establish a section on the SBC's web page that would contain hyperlinks providing either direct or indirect access to the websites of companies offering free or discounted human resource, payroll and employee benefit services to non-profit organizations and small businesses, to investigate the possibility of charging fees to such companies for direct links from SBC's web page to their website ("hyperlink fees") and to ensure that any such web page section, and any hyperlink fees, would be established and updated in accordance with any existing or future city-wide web page or links policy.

11/20/00, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

002080 [Commendation]
Supervisors Leno, Bierman, Katz

Resolution commending CBS for banishing the Dr. Laura television show to a 2:00 a.m. time slot.
11/20/00, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

002081 [Commendation]
Supervisors Leno, Bierman, Brown, Katz

Resolution commending "Committing to Conscience" for its efforts to build a unified strategy to end the death penalty.
11/20/00, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

002082 [Commendation]
Supervisors Leno, Bierman, Newsom, Katz

Resolution commending SMMILE for distributing \$265,000 in proceeds from the Folsom Street Fair 2000 to a variety of worthy community organizations.
11/20/00, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Requests for Hearing

002083 [Mid-Market Survey Area]
Supervisor Leno

Hearing to review the status of the Redevelopment Agency's assessment of the Mid-Market Survey Area to determine the feasibility of a Redevelopment project designation.
11/20/00, RECEIVED AND ASSIGNED to Transportation and Land Use Committee.

002084 [Community Courts Model]
Supervisor Newsom

Hearing to discuss the community courts model that has been adopted in at least a dozen areas nationwide to handle quality of life crimes such as shoplifting, prostitution, and drug use.
11/20/00, RECEIVED AND ASSIGNED to Housing and Social Policy Committee.

002085 [Water Storage Needs]
Supervisor Ammiano

Hearing to inquire into current efforts to locate and procure land for San Francisco's future water storage needs for the next 50 years.
11/20/00, RECEIVED AND ASSIGNED to Finance and Labor Committee.

**002086 [Fines for Dumping]
Supervisor Brown**

Hearing to consider increasing the fines for dumping.
11/20/00, RECEIVED AND ASSIGNED to Parks and Recreation Committee.

**002072 [Public Hearing, 240 Jones Street]
Mayor**

Hearing of persons interested in or objecting to proposed resolution approving the Redevelopment Agency of the City and County of San Francisco's lease of land at Assessor's Block 339, Lot 14, commonly known as 240 Jones Street, to Mercy Properties California, for 50 years for the purpose of preserving a housing development for very low and low income households.

11/20/00, ASSIGNED to Board of Supervisors. Scheduled for Board consideration, sitting as a Committee of the Whole, on December 11, 2000 at 3:00 p.m.

**002074 [Public Hearing, 230 Eddy Street]
Mayor**

Hearing of persons interested in or objecting to proposed resolution approving the Redevelopment Agency of the City and County of San Francisco's lease of land at Assessor's Block 332, Lot 4, commonly known as 230 Eddy Street, to the Tenderloin Neighborhood Development Corporation, for 50 years for the purpose of preserving a housing development for very low and low income households.

11/20/00, ASSIGNED to Board of Supervisors. Scheduled for consideration by the Board, sitting as a Committee of the Whole, on December 11, 2000 at 3:00 p.m. .

Motions

**002088 [Legislative Analyst Request]
Supervisor Ammiano**

Motion requesting the Office of the Legislative Analyst to identify and recruit potential non-profits that specialize in community-based planning, academics with expertise in City planning and/or private architects with urban planning backgrounds to serve as a neutral mediation team to begin resolving citywide conflicts about planning, including but not limited to Propositions L and K (November 2000).

11/20/00, ASSIGNED to Board of Supervisors. Scheduled for consideration December 4, 2000.

**002089 [Legislative Analyst Request]
Supervisor Newsom**

Motion requesting the Office of the Legislative Analyst to report on the community court system, its feasibility for implementation in San Francisco, and benchmarks of existing courts in San Francisco and similarly sized cities.

11/20/00, ASSIGNED to Board of Supervisors. Scheduled for consideration December 4, 2000.

- 002090 [Needle Exchange Emergency]
Supervisors Bierman, Teng, Ammiano, Yaki, Kaufman, Katz, Brown, Newsom, Yee, Leno, Becerril

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

11/20/00, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Introduced by the President at the Request of Departments

PROPOSED ORDINANCES

- 002015 [MOU, Amendment No. 2 - International Brotherhood of Electrical Workers, Local Union No. 6]
Ordinance implementing Amendment No. 2 to the 1997-2001 Memorandum of Understanding between the International Brotherhood of Electrical Workers, Local Union No. 6 and the City and County of San Francisco by appending the following list of past practices pursuant to Article VI.C. of the Memorandum of Understanding. (Human Resources Department)
11/9/00, RECEIVED AND ASSIGNED to Finance and Labor Committee.
- 002049 [Settlement of Lawsuit]
Ordinance authorizing settlement of the lawsuit filed by Nicolette Rivera, by and through her Guardian Ad Litem, Laurie Pedalaborde against the City and County of San Francisco for \$875,000.00; the lawsuit filed on April 8, 1997 in San Francisco Superior Court, Case Number 985-887, and is entitled, "Nicolette Rivera, by and through her Guardian Ad Litem, Pedalaborde v. City and County of San Francisco". (City Attorney)
11/14/00, RECEIVED AND ASSIGNED to Audit and Government Efficiency Committee. Confidential letter dated October 25, 2000 is on file with the Clerk of the Board.
- 002050 [Settlement of Lawsuit]
Ordinance authorizing settlement of the lawsuit filed by Diane Deto against the City and County of San Francisco and Gregory Breslin for \$505,000.00; the lawsuit was filed on May 13, 1999 in San Francisco Superior Court, Case Number 303-475, and is entitled "Diane Deto, Individually and as the Successor-in-Interest to Sheila Deto, Deceased v. City and County of San Francisco and Gregory Breslin"; the case was removed to the United States District Court on June 24, 1999, where it was assigned Case Number C99-3072-CRB. (City Attorney)
11/14/00, RECEIVED AND ASSIGNED to Audit and Government Efficiency Committee. Confidential letter dated October 10, 2000 is on file with the Clerk of the Board.
- 002052 [Settlement of Lawsuit]
Ordinance authorizing settlement of the lawsuit filed by Graciela Cashion and Murdock Cashion against the City and County of San Francisco for \$340,000.00; the lawsuit was filed on June 22, 2000 in Superior, Case No. 313-098; entitled Graciela Cashion, Murdock Cashion, et., v. City and County of San Francisco, et al. (City Attorney)
11/15/00, RECEIVED AND ASSIGNED to Audit and Government Efficiency Committee. Confidential letter dated October 2, 2000 is on file with the Clerk of the Board.

PROPOSED RESOLUTIONS**002010 [Grant funds from the State Department of Public Health for mentally ill integrated services]
Supervisors Leno, Newsom**

Resolution authorizing the Department of Public Health, Community Mental Health Services, to accept retroactively and expend AB2034 grant funds of a total of \$3,961,167 from the State Department of Mental Health for integrated services for seriously mentally ill and dual/multiply diagnosed adults; providing for ratification of action previously taken. (Public Health Department)

11/8/00, RECEIVED AND ASSIGNED to Finance and Labor Committee. Department requests this item be calendared at the November 29, 2000 meeting.

11/15/00, SUBSTITUTED.

11/15/00, ASSIGNED to Finance and Labor Committee.

**002012 [Grant funds to assist in the development and administration of the City CarShare Program]
Supervisors Leno, Newsom**

Resolution authorizing the Executive Director of the Department of Parking and Traffic to accept and expend a grant in the amount of \$742,000 from the Federal Highway Administration and the California State Department of Transportation to assist in the development and administration of the City CarShare Program. (Parking and Traffic Department)

11/9/00, RECEIVED AND ASSIGNED to Transportation and Land Use Committee.

Supervisors Leno, Newsom requested to be added as sponsors.

002014 [Contracting out Airport parking facility management services]

Resolution approving to exercise first one-year option extending the term of ABC Parking, Inc. operating agreement. (Airport Commission)

11/9/00, RECEIVED AND ASSIGNED to Finance and Labor Committee.

**002016 [Federal grant to provide life skills for prisoners in the county jail]
Supervisors Leno, Newsom**

Resolution authorizing the Sheriff's Department to accept and expend a grant in the amount of \$1,259,470 from the U.S. Department of Education for providing a life skills program for prisoners in the county jail. (Sheriff)

11/9/00, RECEIVED AND ASSIGNED to Housing and Social Policy Committee.

Supervisors Leno, Newsom requested to be added as sponsors.

002048 [Approving San Joaquin River Group Authority Joint Powers Agreement and Division Agreement]

Resolution approving the San Joaquin River Group Authority Joint Exercise of Powers Agreement and Division Agreement and authorizing the President and General Manager of the Public Utilities Commission to execute these agreements on behalf of the City and County of San Francisco. (Public Utilities Commission)

11/14/00, RECEIVED AND ASSIGNED to Finance and Labor Committee.

- 002051 [Granting sidewalk encroachment permit to Charles Pankow Builders, Ltd. during construction operations at 77 Dow Place]**
Resolution granting revocable permission to Charles Pankow Builders, Ltd. to temporarily close and occupy a portion of street area on Dow Place during construction operations at 77 Dow Place (Block 3750, Lot 2). (Public Works Department)

(DPW Order No. 172,606.)
11/14/00, RECEIVED AND ASSIGNED to Transportation and Land Use Committee.
- 002054 [Granting sidewalk encroachment permit to Turner Construction Company during construction operations at 560 Mission Street]**
Resolution granting revocable permission to Turner Construction Company to temporarily close and occupy a portion of the sidewalk and parking lane on the easterly side of Anthony Street, between Mission and Jessie Streets, and a portion of the street area on the southerly side of Jessie Street, during construction operations at 560 Mission Street (Block 3708, Lots 15, 17 and 18). (Public Works Department)
11/14/00, RECEIVED AND ASSIGNED to Transportation and Land Use Committee.
- 002055 [Municipal Transportation Agency Board Compensation]**
Resolution establishing compensation for the Municipal Transportation Agency Board of Directors commencing on August 1, 2000 in the amount of \$300 for each meeting attended, not to exceed \$10,800 per fiscal year. (Public Transportation Commission)
11/15/00, RECEIVED AND ASSIGNED to Finance and Labor Committee.

PROPOSED MOTION

- 002053 [Golden Gate/Neighborhood Park Bond Award]**
Supervisor Newsom
- Motion awarding Bonds and fixing definitive interest rates for \$17,060,000 General Obligation Bonds (Golden Gate Park Improvements, 1992) and Series 2000E; \$14,060,000 General Obligation Bonds (Neighborhood Recreation and Park Facilities Improvement Bonds, 2000) Series 2000F. (Mayor)
11/15/00, RECEIVED AND ASSIGNED to Finance and Labor Committee.
Supervisor Newsom requested to be added as sponsor.

Requests Granted

From: Supervisors Leno, Bierman

To: City Attorney

Requesting/Inquiring: To draft an ordinance amending Section 1, Part II, Chapter II, Section 320 of the San Francisco Planning Code to define office space.

(1) "Office Space" shall mean space within a structure intended or primarily suitable for occupancy by persons or entities which perform for their own benefit or provide to others at that location the following services, either to the general public or to the business community.

(a) professional, banking, insurance, management, consulting, technical, advertising, public relations, computer and data processing services, sales and design services and similar professional services or the office functions of manufacturing and warehouse business;

(b) multimedia (which shall not include movie production or film studios) software development, web design, electronic commerce, research and development, information technology and other computer based technology;

(c) all uses encompassed within the definition of "offices" at Section 219 of this code;

(d) all uses encompassed within the definition of "administrative services" at Section 790.106 or Section 890.106 of this code;

(e) all "business of professional services" as described at Section 790.108 of this code where those services are not provided directly to the public;

(f) all "professional services" as defined at Section 890.108 of this code excepting only those uses which are limited to the Chinatown Mixed Use Districts, and

(g) all business, services, as described at Section 890.111 of this code which are conducted in space designated for office use under the San Francisco Building Code and which are not excluded pursuant to subsection (2) below.

(2) "Office space" shall not include:

(a) retail use;

(b) repair of goods;

(c) any facility customarily used for furnishing medical services, except that physicians or other individuals offices and uses accessory thereto shall be considered office space;

(ad) showcases or any other space intended and primarily suitable for the display of goods, and

(be) space in telecommunications switching facilities or internet switching stations where such use occupies not less than 90% of the entire space designated for this activity.

From: Supervisor Teng

To: City Attorney

Requesting/Inquiring: To draft legislation amending the Planning Code to exempt from the definition of "office space," for the purpose of the annual limit on office development: any office space occupied by a nonprofit organization that has obtained tax-exempt status under the Internal Revenue Code Sections 501(c)(3), 501(c)(4), or 501(c)(5), provided that such office space is rented to the nonprofit organization at 50% of the projected market rent for a period of no less than 25 years.

From: Supervisor Yee

To: Director, Department of Elections

Requesting/Inquiring: Requesting that staff provide the Board of Supervisors with the department's protocol for ensuring that all of the necessary equipment, including voting systems, ballots, ballot boxes, etc., are both delivered to the polling places and picked up from the polling places and brought back to the Department of Elections. And further requesting that the Department of Elections provide the Board of Supervisors with a written response to the attached letter from Grace Evangelical Lutheran Church.

From: Supervisor Brown

To: General Manager, Recreation and Park Department

Requesting/Inquiring: To investigate and report on the total number of Park Patrol officers at McLaren and Crocker Amazon Parks. Additionally, the Supervisor would like the General Manager to state the policies that

are in place regarding dumping.

To: General Manager and members, Public Utilities Commission

From: Supervisor Ammiano

Requesting/inquiring: To notify the General Manager that hearing has been called to inquire into current efforts to locate and procure land for San Francisco's future water storage needs for the next 50 years and will be scheduled before the Finance and Labor Committee in the near future. File 002085

The parameters of the hearing will be as follows:

1. To inquire into current efforts to locate and procure land for San Francisco's future water storage needs for the next 50 years.
2. To inquire into whether the Public Utilities Commission has sufficient staff, expertise, funding and resources to conduct a successful search to augment and increase San Francisco's water storage capacity.
3. To inquire into the projected increase in population and demand for additional water and water storage capacity for the next 50 years.
4. To inquire into the potential impact of the demand for additional water.
5. To inquire into whether the existing ecosystems and preservation of the local character of a town has been incorporated into the efforts to search for additional water storage.
6. Other related issues.

To: City Attorney

From: Supervisor Katz

Requesting/Inquiring: To determine if there are any means by which access to public records can be limited when it is obviously for a commercial rather than public purpose i.e. to solicit business for an event planner from those renting public facilities.

In Memoriams

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

Chris Robertson (Supervisor Leno)

Chia-Chun Yao (Supervisor Yee)

William Arbitman (Supervisor Katz)

ADJOURNMENT

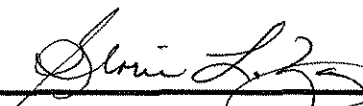
There being no further business, the Board at the hour of 6:05 p.m. adjourned.

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 January 16, 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