

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, May 14, 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 2:01 p.m. On call of the roll, the following Supervisors were noted absent:

Supervisors Maxwell, Sandoval, Yee - 3.

Quorum present.

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

Supervisor Sandoval was noted present at 2:06 p.m.

Supervisor Yee was noted present at 2:03 p.m.

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 Ammiano indicated the matters relating to Tenancies in Common and Committee of the Whole, Tenancies in Common, Files 010839 and 010870. (See infra.)

CONSENT AGENDA

Recommendations of the Finance Committee

**010105 [Geographic Information System Data License Fees]
Mayor**

Ordinance amending the San Francisco Administrative Code by adding Section 8.40 to ratify all fees previously collected by the City under the City's Geographic Information System ("GIS") data license agreements, entered into since July 1, 1998, and before the effective date of this ordinance. (Public Works Department)

**Ordinance No. 111-01
FINALLY PASSED**

**010588 [Appropriation, funding for Geographic Data Services Program]
Supervisor Leno**

Ordinance appropriating \$37,600 of Geographic Information System License Fee Revenues for the development and administration of the Geographic Data Services Program for the Department of Public Works for fiscal year 2000-01. (Mayor)

(Companion measure to File 010105.)

**Ordinance No. 114-01
FINALLY PASSED**

Recommendations of the Housing, Transportation and Land Use Committee

**010476 [Parking regulations, commercial vehicle with a gross weight in excess of 10,000 pounds]
Supervisors Yee, Sandoval**

Ordinance amending Traffic Code by amending Sections 63 and 63(a) thereof, relating to commercial vehicle parking in certain use districts. (Parking and Traffic Department)

Supervisor Sandoval requested to be added as co-sponsor.

**Ordinance No. 112-01
FINALLY PASSED**

**010487 [Double Parking]
Supervisor Newsom**

Ordinance amending Traffic Code Section 53 to extend the ordinance to October 31, 2001.

**Ordinance No. 113-01
FINALLY PASSED**

Recommendations of the Rules Committee**010485 [Appointment]**

Resolution appointing Anthony Wagner, Anthony Nicco, Walter Park, Linda Samsom, Donna Calame, Alicia Duke, Bruce Allison, Dorothy Kerr, Ruth Miller, Abby Kovalsky, Benson Nadel, Walter DeVaughn, Penney Mitchell, Daniel Martin, Ronald Smith, Sarah Lee, Cecilia London, and Margine Sako, indefinite terms, to the Hospital and Nursing Home Discharge Planning Task Force; waiving residency requirement.

Anthony Wagner, initial appointment, Seat 1, must represent the Department of Public Health, indefinite term;
 Anthony Nicco, initial appointment, Seat 2, must represent the Department of Human Services, indefinite term;
 Walter Park, initial appointment, Seat 3, must represent the Mayor's Office of Disability, indefinite term;
 Linda Samsom (residency requirement waived), initial appointment, Seat 4, must represent the Department of Aging and Adult Services, indefinite term;
 Donna Calame, initial appointment, Seat 5, must represent the IHSS Public Authority, indefinite term;
 Alicia Duke, initial appointment, Seat 6, must be from the Health Care Action Team (HAT) representing Medi-Cal and Non-Medi-Cal health care consumers, indefinite term;
 Bruce Allison, initial appointment, Seat 7, must be from the Health Care Action Team (HAT) representing Medi-Cal and Non-Medi-Cal health care consumers, indefinite term;
 Dorothy Kerr, initial appointment, Seat 8, must be from the Health Care Action Team (HAT) representing Medi-Cal and Non-Medi-Cal health care consumers, indefinite term;
 Ruth Miller, initial appointment, Seat 9, must be from the Health Care Action Team (HAT) representing Medi-Cal and Non-Medi-Cal health care consumers, indefinite term;
 Abby Kovalsky, initial appointment, Seat 10, must belong to an advocacy organization serving seniors and persons with disabilities, indefinite term;
 Benson Nadel, initial appointment, Seat 11 must belong to an advocacy organization serving seniors and persons with disabilities, indefinite term;
 Walter DeVaughn, initial appointment, Seat 12, must be from Social Workers in Senior Housing or another group representing social workers serving seniors and people with disabilities, indefinite term;
 Penney Mitchell (residency requirement waived), initial appointment, Seat 13, must be a hospital discharge planner, indefinite term;
 Daniel Martin (residency requirement waived), initial appointment, Seat 14, must be from a labor union representing health care workers serving seniors and people with disabilities, indefinite term;
 Ronald Smith, initial appointment, Seat 15, must represent private (profit or non-profit) hospitals, indefinite term;
 Sarah Lee, initial appointment, Seat 16, must represent a skilled nursing facility, indefinite term;
 Cecilia London, initial appointment, Seat 17, must represent home care service providers, indefinite term;
 Margine Sako, initial appointment, Seat 18, must represent home care service providers, indefinite term.

Resolution No. 386-01

ADOPTED

010659 [Appointment]

Resolution appointing Marjorie Ann Williams, term ending April 27, 2003, to the Sunshine Ordinance Task Force.

Marjorie Ann Williams, succeeding Sue Cauthen, term expired, Seat 11, must be a member of the public who has demonstrated interest in or has experience in the issues of citizen access and participation in local government, for a new two-year term expiring April 27, 2003.

Resolution No. 387-01

ADOPTED

010772 [Appointment]

Resolution appointing Nino Parker, term ending December 31, 2003, to the Bicycle Advisory Committee.

Nino Parker, succeeding Alex Lantsberg, resigned, Seat 3, must represent an environmental organization, a new three-year term expiring December 31, 2003.

Resolution No. 392-01

ADOPTED

The foregoing items were acted upon by the following vote:

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

Absent: 1 - Sandoval

REGULAR AGENDA

NEW 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.

The President resumed the Chair shortly thereafter.

001783 [Release of Reserve Funds, San Francisco Apartment Association (Fiscal Year 2000-2001 Budget)]
Supervisor Yee

Motion releasing \$100,000 placed on Board of Supervisors reserve for the legal assistance to property owners of limited means program.

Supervisor Ammiano, seconded by Supervisor Sandoval, moved to continue consideration to May 21, 2001.

Motion to continue failed adoption by the following vote:

Ayes: 4 - Supervisors Ammiano, Daly, Gonzalez, Sandoval

Noes: 7 - Supervisors Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Yee

Supervisor Ammiano, seconded by Supervisor Daly, moved to amend the release of reserve with condition prohibiting expenditure of funds to pursue eviction for non-payment of rent, unless eviction prevention programs providing back-rent assistance are funded to the same levels in next year's budget as they were in last year's budget.

Motion to amend failed adoption by the following vote:

Ayes: 3 - Supervisors Ammiano, Daly, Sandoval

Noes: 8 - Supervisors Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Yee

Supervisor Daly, seconded by Supervisor Ammiano, moved to state that no money be spent on notices of violations from the Department of Building Inspection, Department of Public Health, San Francisco Fire Department, Code Enforcement Task Force.

Motion to amend failed adoption by the following vote:

Ayes: 4 - Supervisors Ammiano, Daly, Peskin, Sandoval

Noes: 7 - Supervisors Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Yee

Supervisor Yee moved to amend page two, line 9, by adding the following condition: "Further Moved, That these released funds shall not be used for the purposes of tenant evictions based on owner move-ins or the Ellis Act."

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

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

The roll was then called on the main motion.

Motion No. M01-61

APPROVED AS AMENDED by the following vote:

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

Noes: 1 - Gonzalez

Absent: 1 - Daly

Appointment of President Pro Tempore

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

The President resumed the Chair shortly thereafter.

010520 [Appropriation, funding the land use and environmental reviews in South of Market and Mission District and neighborhood planning in Balboa Park]

Ordinance appropriating \$1,900,000 from surplus Planning Department fee revenue to fund land use studies and environmental reviews in South of Market (SOMA) and Mission District areas, neighborhood planning measures in Balboa Park, computer aided architectural presentations of large developments; for the Planning Commission for fiscal year 2000-2001, placing \$585,000 on reserve. (Controller)

(Fiscal impact; Companion measure to File 010521.)

PASSED ON FIRST READING by the following vote:

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

010677 [Appropriation, Office of Contract Administration]

Mayor

Ordinance appropriating \$129,667 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.)

PASSED, ON FIRST READING by the following vote:

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

010678 [Public Employment]

Mayor

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

(Fiscal impact.)

PASSED, ON FIRST READING by the following vote:

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

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 Park 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.

Resolution No. 388-01

ADOPTED by the following vote:

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

010723 [Branch Library General Obligation Bond Issuance]

Resolution providing for the issuance of not to exceed \$105,865,000 aggregate principal amount of City and County of San Francisco General Obligation Bonds (Branch Library Facilities Improvement Bonds, 2000); authorizing the execution, authentication and registration of said Bonds; providing for the levy of a tax 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 related 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. (Mayor)

Resolution No. 389-01

ADOPTED by the following vote:

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

010724 [Branch Library General Obligation Bond Sale]

Resolution authorizing and directing the sale of not to exceed \$17,665,000 City and County of San Francisco General Obligation Bonds (Branch Library Facilities Improvement Bonds, 2000) Series 2001E; prescribing the form and terms of said Bonds, authorizing the execution, authentication and registration of said Bonds; providing for the appointment of depositories and other agents for said Bonds; providing for the establishment of accounts related thereto; approving the forms of Official Notice of Sale and Notice of Intention to Sell Bonds; directing the publication of the Notice of Intention to Sell Bonds; approving the form and execution of the official statement relating thereto; approving the form 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)

Resolution No. 390-01

ADOPTED by the following vote:

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

Recommendations of the Public Health and Environment Committee

010269 [Nuisance Code Revision]

Supervisors Newsom, Leno, Sandoval,

Ordinance amending Sections 37, 92, 283, 585, 596, 598, 599, 600, 605, 607, 608, and 1604; adding Sections 580, 581, 582, 614, 615, and 616; and deleting Sections 93 to 97.6, inclusive and 606 of the San Francisco Health Code consolidating various provisions that set forth conditions that constitute a public nuisance and to declare the presence of mold and mildew and lead hazards as public nuisances; clarifying the requirements regarding the maintenance of small animals, poultry and game birds in residential districts; authorizing the Department of Public Health to recover administrative costs incurred in pursuing an abatement action as authorized by Government Code Section 25845; and establishing an administrative enforcement process for the abatement of nuisances; and increasing the minimum criminal penalties from \$25 to \$100 and the maximum criminal penalties from \$250 to \$1000 for non-compliance with a Director's Order.

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

Supervisor Newsom moved to continue this matter to May 21, 2001.

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

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

010456 [Interim Controls, Internet Services Exchanges]
Supervisor Maxwell

Resolution imposing interim zoning controls defining internet services exchanges, including internet services exchanges within the utility installation use category, establishing a requirement for a conditional use authorization for internet services exchanges in commercial and industrial zones, including without limitation, the C-1, C-2, C-3-G, C-3-S, C-M, M-1, M-2, SLI and SSO zones exclusive of lots under the jurisdiction of the San Francisco Port Commission or in a redevelopment project area with an adopted redevelopment plan under the jurisdiction of the San Francisco Redevelopment Agency Commission up to a six month period and making a determination of consistency with the priority policies of Planning Code Section 101.1.

Received Certification of Determination of Exemption/Exclusion from environmental review dated May 2, 2001.

Supervisor Maxwell moved to amend page 6, line 17, at the end of the line, strike out "best"; page 6, line 18, at the beginning of the line, strike out "available"; page 6, line 18, after the word "energy" strike out "efficiency" and replace with "efficient"; Page 6, line 19, at the end of the line, strike out "best commercially available"; page 6, line 20, at the beginning of the line strike out "technology to recapture" and replace with "recapturing" and page 6, line 20, after the word "heat" insert "as such commercially available technology evolves."

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

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

Supervisor Leno requested to be added as co-sponsor.

Supervisor Maxwell moved to continue this matter to May 21, 2001.

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

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

010737 [Esprit Park]
Supervisors Maxwell, Ammiano, Leno

Resolution authorizing the acceptance of Esprit Park under the jurisdiction of the Recreation and Park Department pursuant to an owner participation agreement in the Redevelopment Agency of the City and County of San Francisco and Esprit De Corp and stating that it is the policy of the Board of Supervisors not to use affordable housing mitigation funds to acquire open space.

(Fiscal impact.)

Supervisor Leno requested to be added as co-sponsor.

Resolution No. 391-01

ADOPTED by the following vote:

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

Noes: 1 - Gonzalez

Absent: 1 - Yee

Recommendations of Rules Committee

010714 [Appointment]

Resolution appointing James Meko, Eric Quezada, Janet Carpinelli, Jamie Rossi, Stanley Warren, Tom Radulovich, Carlos Romero, Robert Haaland, Debra Walker, and Michael Strausz, terms ending June 30, 2001, to the Live/Work Task Force; residency requirement waived.

James Meko, new appointment, Seat 1, must be a representative of neighborhood organizations representing supervisorial district 6, for a new term ending June 30, 2001;

Eric Quezada, new appointment, Seat 2, must be a representative of neighborhood organizations representing supervisorial district 9, for a new term ending June 30, 2001;

Janet Carpinelli, new appointment, Seat 3, must be a representative of neighborhood organizations representing supervisorial district 10, for a new term ending June 30, 2001;

Jamie Rossi, new appointment, Seat 4, must be a representative of a business association, for a new term ending June 30, 2001;

Stanley Warren (residency requirement waived), Vacant Seat, new appointment, Seat 5, must be a representative of organized labor, for a new term ending June 30, 2001;

Tom Radulovich, new appointment, Seat 6, must be a representative of an urban planning association, for a new term ending June 30, 2001;

Carlos Romero (residency requirement waived), new appointment, Seat 7, must be a representative of an affordable housing organization, for a new term ending June 30, 2001;

Robert Haaland, new appointment, Seat 8, must be a representative of a tenant organization, for a new term ending June 30, 2001;

Debra Walker, new appointment, Seat 9, must be a representative who is an artist or represents an arts organization, for a new term ending June 30, 2001;

Michael Strausz, new appointment, Seat 10, must be a representative who is a residential builder, for a new term ending June 30, 2001.

Resolution No. 382-01

ADOPTED by the following vote:

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

010879 [Appointments]

Motion appointing James Meko, Eric Quezada, Janet Carpinelli, Jamie Rossi, Stanley Warren, Tom Radulovich, Carlos Romero, Robert Haaland, Debra Walker, and Michael Strausz, terms ending June 30, 2001, to the Live/Work Task Force; residency requirement waived.

James Meko, new appointment, Seat 1, must be a representative of neighborhood organizations representing supervisorial district 6, for a new term ending June 30, 2001;

Eric Quezada, new appointment, Seat 2, must be a representative of neighborhood organizations representing supervisorial district 9, for a new term ending June 30, 2001;

Janet Carpinelli, new appointment, Seat 3, must be a representative of neighborhood organizations representing supervisorial district 10, for a new term ending June 30, 2001;

Jamie Rossi, new appointment, Seat 4, must be a representative of a business association, for a new term ending June 30, 2001;

Stanley Warren (residency requirement waived), Vacant Seat, new appointment, Seat 5, must be a representative of organized labor, for a new term ending June 30, 2001;

Tom Radulovich, new appointment, Seat 6, must be a representative of an urban planning association, for a new term ending June 30, 2001;

Carlos Romero (residency requirement waived), new appointment, Seat 7, must be a representative of an affordable housing organization, for a new term ending June 30, 2001;

Robert Haaland, new appointment, Seat 8, must be a representative of a tenant organization, for a new term ending June 30, 2001;

Debra Walker, new appointment, Seat 9, must be a representative who is an artist or represents an arts organization, for a new term ending June 30, 2001;

Michael Strausz, new appointment, Seat 10, must be a representative who is a residential builder, for a new term ending June 30, 2001.

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

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

SPECIAL ORDER 3:00 P.M.**002092 [Public Hearing]**

Hearing to consider proposed Ordinance approving and adopting an amendment to the Redevelopment Plan for the India Basin Industrial Park Development Project Area (Ordinance No. 26-69, amended by Ordinance Nos. 474-86, 141-87 and 416-94) to modify the use restrictions and reduce the parking and loading requirements for Lot 23 of Assessor's Block 5203 within the Redevelopment Plan Area; adopting findings pursuant to the California Environmental Quality Act; adopting findings that the Redevelopment Plan amendment is consistent with the City's General Plan and Eight Priority Policies of the City Planning Code Section 101.1; adopting other findings pursuant to the California Community Redevelopment law.

(Final Negative Declaration issued on October 18, 2000; Redevelopment Agency report dated October 2000 to the Board of Supervisors for the India Basin Industrial Park Redevelopment Plan Amendment.)

(Companion measure to File 001861.)

Supervisor Maxwell requested this matter be continued to July 9, 2001.

Supervisor Maxwell, 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

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 Redevelopment Agency

001861 [Amendment to the India Basin Industrial Park Redevelopment Plan to modify use restrictions and parking and loading requirements]

Supervisor Katz

Ordinance approving and adopting an amendment to the Redevelopment Plan for the India Basin Industrial Park Development Project Area (Ordinance No. 26-69, amended by Ordinance Nos. 474-86, 141-87 and 416-94) to modify the land use provisions and reduce the parking and loading requirements for Lot 23 of Assessor's Block 5203 within the Redevelopment Plan Area; adopting findings pursuant to the California Environmental Quality Act; adopting findings that the Redevelopment Plan Amendment is consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; adopting other findings pursuant to the California Community Redevelopment Law.

(Final Negative Declaration issued on October 18, 2000; Redevelopment Agency report dated October 2000 to the Board of Supervisors for the India Basin Industrial Park Redevelopment Plan Amendment.)

Supervisor Maxwell requested this matter be continued to July 9, 2001.

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

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

SPECIAL ORDER 3:00 P.M.

010359 [Public Hearing - Street Vacation Order, Mid-Embarcadero Roadway Project]

Hearing of persons interested in or objecting to proposed ordinance ordering the vacation of portions of the Embarcadero and Folsom Streets between Howard and Harrison Streets in connection with the Mid-Embarcadero Roadway Project; establishing conditions for the effectiveness of the vacation; adopting findings pursuant to the California Environmental Quality Act; adopting findings that the vacation is consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1 and the applicable Redevelopment Plan Area; ratifying acts and authorizing actions in furtherance of the ordinance. (Clerk of the Board)

(Pursuant to Resolution 290-01 adopted by the Board of Supervisors.)

The President inquired if there was anyone present who wished to address the Board.

There being no response, the President declared the public hearing closed.

HEARD AT PUBLIC HEARING.

From Housing, Transportation and Land Use Committee Without Recommendation**010362 [Ordering Street Vacation, Mid-Embarcadero Roadway Project]**

Ordinance ordering the vacation of portions of the Embarcadero and Folsom Streets between Howard and Harrison Streets in connection with the Mid-Embarcadero Roadway Project; establishing conditions for the effectiveness of the vacation; adopting findings pursuant to the California Environmental Quality Act; adopting findings that the vacation is consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1 and the applicable Redevelopment Plan Area; ratifying acts and authorizing actions in furtherance of the ordinance. (Port)

PASSED, ON FIRST READING by the following vote:

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

COMMITTEE REPORTS**Recommendation of the Housing, Transportation and Land Use Committee****010271 [Conditional Use Appeal Procedure]**

Supervisor Peskin

Ordinance amending Article 3 of the Planning Code by amending Section 308.1 to authorize five members of the Board of Supervisors to subscribe to a Conditional Use Appeal as an alternative to obtaining the signatures of 20% of the property owners within 300 feet of the subject property. Providing for the new procedure to be applicable to decisions made by the Planning Commission on or after February 2, 2001 and providing that the code amendments made by this ordinance shall be repealed automatically upon the effective date of legislation that would provide residential and commercial tenants with the right to appeal a conditional use decision to the board of Supervisors that is equivalent to that afforded to property owners.

Supervisor Peskin moved to amend page two, line 10 to change "bur" to read "but" and page two, line 15, after the word "area" by changing "hat" to read "that".

Supervisor Peskin, seconded by Supervisor Leno, 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

PASSED ON FIRST READING AS AMENDED by the following vote:

Ayes: 8 - Ammiano, Daly, Gonzalez, Leno, Maxwell, McGoldrick, Peskin, Sandoval
Noes: 2 - Hall, Newsom
Absent: 1 - Yee

PUBLIC COMMENT

Claudine Chang, comments on impact of movie, Pearl Harbor;
Vernon Jones, slow economy, electricity issue;
John Bardis;
John Van, voter reform;
Worldwind Dreamer, tobacco matter, poem Goodbye Camel Joe;
Joe Fusco, Golden Gate Concourse renovation plan;
Margaret Lewis, supports San Francisco Cares bill funding;
Ralph Daws, housing voucher program;
Jeffrey Leibovitz, Case Against Yuppie Radivication, tenancies in common, dirty streets, open drug dealings, drunkenness, tax revenue.

CALLED FROM COMMITTEE

010226 [Tenancies In Common]
 Supervisor Daly

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

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

Supervisor Daly, seconded by Supervisor Leno, moved that this Ordinance be RE-REFERRED to the Housing, Transportation and Land Use Committee. The motion carried by the following vote:

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

010849 [Prisoners with HIV]
 Supervisor Leno

Resolution urging the City Attorney to join the statewide injunction filed in U.S. District Court, San Francisco, by nine plaintiffs represented by Donald Specter of the Prison Law Office against the California State Corrections Department regarding insufficient treatment of prisoners with HIV.

Resolution No. 393-01
 ADOPTED

**010850 [Federal Energy Regulatory Commission]
Supervisors McGoldrick, Leno**

Resolution calling on the City Attorney to prosecute a lawsuit against the Federal Energy Regulatory Commission seeking enforcement of the provisions of the Federal Power Act requiring that prices for energy be set at "reasonable" rates.

Supervisor Leno requested to be added as co-sponsor.

Resolution No. 400-01

ADOPTED

**010851 [Proclamation]
Supervisors Leno, Hall, Newsom**

Resolution declaring Sunday, May 20, 2001 "Bay to Breakers Day" in honor of the San Francisco Examiner Bay to Breakers organizers and participants for their 90 year contribution to San Francisco culture, athletics and charity.

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

Resolution No. 394-01

ADOPTED

**010852 [Commendation]
Supervisors Newsom, Hall**

Resolution commending Hands on San Francisco for the success of its 3rd Annual Hands at Work Day held on May 5th, 2001 in San Francisco.

Supervisor Hall requested to be added as co-sponsor.

Resolution No. 395-01

ADOPTED

**010853 [Proclamation]
Supervisors Newsom, Peskin, Ammiano, Yee, Daly, Leno, Hall**

Resolution declaring May 2001 as "Asian Pacific American Heritage Month" in the City and County of San Francisco.

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

Resolution No. 396-01

ADOPTED

**010854 [Commendation]
Supervisors Peskin, Daly, Hall, Newsom**

Resolution commending Kaan Y. Chin of the San Francisco Fire Department's Public Education Section, for his outstanding effort and commitment to promoting fire safety in low-income neighborhoods of San Francisco.

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

Resolution No. 397-01

ADOPTED

010855 [Commendation]
Supervisor Yee

Resolution commending the California State Automobile Association's Employee Volunteer Program for its commitment to community services, and for being awarded the 2001 Corporate Volunteer Award from the Volunteer Center of San Francisco.

Resolution No. 398-01

ADOPTED

010865 [Vacancy Notification for S.F. Boards, Commissions, Committees, and Task Forces]
Supervisors Hall, Gonzalez, Peskin

Resolution requesting the City Library to send the "Annual Listing of Active Boards, Commissions, Committees, and Task Forces and Requirement of Membership," the "Annual Listing of Boards, Commissions, Committees, and Task Forces with Seats That Have A Term Expiring," and all other vacancy notices to every branch library in San Francisco.

Supervisor Peskin requested to be added as co-sponsor.

Resolution No. 399-01

ADOPTED

010861 [Committee of the Whole - Electric Power Generation]
Supervisor Maxwell

Motion scheduling a Committee of the Whole to consider an ordinance adopting City policy regarding the construction of new electric power generation capacity in southeast San Francisco, to be held on May 21, 2001 at 3:00 p.m.

Motion No. M01-62

APPROVED

010871 [Final Map for a 226 Unit Condominium Project]

Motion approving Final Map of Avalon Towers By The Bay, (388 Beale Street), a Residential Condominium Project, being a subdivision of Lot 91, Assessor's Block No. 3747, and adopting findings pursuant to City Planning Code Section 101.1.

(DPW Order No. 172953.)

Motion No. M01-63

APPROVED

The foregoing items were acted upon by the following vote:

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

Absent: 1 - Yee

Severed From For Adoption Without Committee Reference Agenda**010839 [Affordable Housing Bonds]
Supervisor Daly**

Resolution determining and declaring that the public interest and necessity demand the financing of (1) the development of housing affordable to low-income households in the City and County of San Francisco and (2) downpayment assistance to low and moderate income first-time homebuyers and all other aspects necessary or convenient for the foregoing purposes, that the estimated cost of \$200,000,000 is and will be too great to be paid out of the ordinary annual income and revenue of said City and County and will require the incurring of a bonded indebtedness; finding the proposed project is in conformity with the priority policies of Planning Code Section 101.1(b) and with the general plan consistency requirement of Administrative Code Section 2A.53.

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

SEVERED FROM FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA.

Supervisor Daly requested this matter be continued to May 21, 2001.

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

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

**010870 [Committee of the Whole - Tenancies in Common]
Supervisor Daly**

Motion scheduling a Committee of the Whole to consider legislation regarding Tenancies in Common, to be held on May 21, 2001 at 3:00 PM.

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

SEVERED FROM FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA.

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

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

IMPERATIVE AGENDA

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

[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."

President Ammiano, seconded by Supervisor Leno, moved ADOPTION of the serious injury finding. The motion carried by the following vote:

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

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

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

Imperative Motion

010911 [Off Site Special Rules Committee Meeting] Supervisor Ammiano

Motion scheduling a special meeting of the Rules Committee to be held on Tuesday, June 5, 2001, at the Horace Mann Academic Middle School, 3351 Twenty-Third Street, Auditorium in the Mission neighborhood of San Francisco at 7:00 p.m.

Motion No. M01-64

President Ammiano, seconded by Supervisor Leno, moved that this Motion be APPROVED. The motion carried by the following vote:

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

OFF-AGENDA LEGISLATION

Introduced by Supervisors or Mayor

Ordinances

**010848 [Health Plan Benefits - Contractors]
Mayor**

Ordinance amending the San Francisco Administrative Code by adding Chapter 12Q, encompassing Sections 12Q.1 through 12Q.11, to require contractors that provide services to the City or enter into certain leases with the City, and certain subcontractors, subtenants and parties providing services to tenants and subtenants on City property, with respect to covered employees, to offer health plan benefits to employees, to make payments to the City for use by the Department of Public Health, to make payments directly to employees under limited circumstances, or to participate in a health benefits program developed by the Director of Health. (Mayor) 5/7/01, RECEIVED AND ASSIGNED to Rules Committee.

5/14/01, SUBSTITUTED. The Mayor submitted a substitute ordinance bearing same title, and requests this item be considered at the May 17, 2001 meeting.

5/14/01, ASSIGNED to Rules Committee.

**010846 [Administrative Code Amendment, Banking Services]
Supervisor Gonzalez**

Ordinance amending the San Francisco Administrative Code to add a new Chapter 12R requiring the inclusion in agreements for banking services between the City and County of San Francisco and banks of a provision requiring the banks to cash public assistance checks without charge, regardless of whether the payee maintains an account at such bank, if the bank negotiates drafts as part of their regular banking services for its customers. 5/7/01, RECEIVED AND ASSIGNED to Rules Committee.

5/14/01, SUBSTITUTED. Supervisor Gonzalez submitted a substitute ordinance bearing new title.

5/14/01, ASSIGNED to Rules Committee.

**010883 [Bicycle Lane]
Supervisor McGoldrick**

Ordinance establishing a permanent bicycle lane on Arguello Street beginning at Fulton Avenue and ending at Jackson Street.

5/14/01, RECEIVED AND ASSIGNED to Housing, Transportation and Land Use Committee.

**010884 [Appropriation, Educational Program for Waterfront Kids]
Supervisor Sandoval**

Ordinance appropriating \$150,000 to fund a Marina Waterfront Educational Program for San Francisco youth administered by the Recreation and Park Department, for fiscal year 2000-01.

Supervisor Newsom dissenting in committee.

5/14/01, RECEIVED AND ASSIGNED to Economic Vitality, Small Business and Social Policy Committee.

**010885 [Parking Meters]
Supervisor Daly**

Ordinance requiring that all parking meters display a telephone number where broken parking meters can be reported to the Department of Parking and Traffic or parking meters with inaccurate measuring devices can be reported to the Department of Consumer Assurance.

5/14/01, ASSIGNED UNDER 30 DAY RULE to Housing, Transportation and Land Use Committee, expires on 6/13/2001.

**010887 [Human Health and Environment Protections for New Electric Generation]
Supervisor Maxwell**

Ordinance adopting minimum requirements for the protection of human health and the environment for any proposal for new electric generation at the Potrero Power Plan in Southeast San Francisco; and requiring all City officials and departments to advocate these requirements, and greater protections, in regulatory proceedings and negotiations regarding the proposal to build a new power plant at the site of the existing Potrero Power Plant; and requiring approval of the Board of Supervisors for an agreement by City officials or departments for new electric generation in Southeast San Francisco.

5/14/01, ASSIGNED to Board of Supervisors. Scheduled for consideration by the Board sitting as a Committee of the Whole, May 21, 2001 at 3:00 p.m. (pursuant to Motion, File 010861).

**010891 [Tenant Home Ownership; Condominium Type Ownership Structures]
Supervisor McGoldrick**

Ordinance amending the San Francisco Subdivision Code by amending Sections 1302, 1308, 1359, 1388, 1396, and 1396.1 and by adding Section 1316, to provide tenant home ownership and to regulate the formation of certain condominium-type ownership structures where an exclusive right of occupancy exists but is not specified in the deed, to amend the annual condominium conversion requirements pertaining to tenants and owner occupants, to amend the definition of tenant, to exempt certain tenancies-in-common from the annual limit on condominium conversions, to create a special lottery process for purchasing tenants, to create an exemption from the lottery for two unit buildings where at least one unit has been owner occupied for one year prior to application for conversion, to create a pool of 200 limited equity conversions in the condominium lottery specifically for purchasing tenants of median income or less, to increase the conversion limit to 200 units and 200 limited equity units and to make these limits permanent, and to add and amend other definitions to implement these measures.

5/14/01, RECEIVED AND ASSIGNED to Housing, Transportation and Land Use Committee.

**010901 [Housing Developments Special Election, Affordable Housing Bonds]
Supervisor Daly**

Ordinance calling and providing for a special election to be held in the City and County of San Francisco on Tuesday, November 6, 2001, for the purpose of submitting to the voters of the City and County of San Francisco a proposition to incur the following bonded debt of the City and County: Two Hundred Million Dollars (\$200,000,000) to finance and/or lease low-income housing and to provide down-payment assistance to low and moderate first-time homebuyers; finding that the estimated costs of such proposed projects are and will be too great to be paid out of the ordinary annual income and revenue of the City and County and will require expenditures greater than the amount allowed therefor by the annual tax levy; reciting the estimated cost of such proposed project; fixing the date of election and the manner of holding such election and the procedure for voting for or against the proposition; fixing the maximum rate of interest on such bonds and providing for the levy and collection of taxes to pay both principal and interest thereof; prescribing notice to be given of such election; consolidating the special election with the general election; establishing the election precincts, voting places and officers for the election; and waiving the word limitation on ballot propositions imposed by San Francisco Municipal Elections Code Section 510.

5/14/01, RECEIVED AND ASSIGNED to Finance Committee.

Resolutions**010888 [Pedestrian Safety and Street Resurfacing]
Supervisors Ammiano, Peskin, Sandoval, Hall**

Resolution establishing a Pedestrian Safety and Street Resurfacing Working Group to review existing and projected capital needs related to the backlog of pedestrian safety, disability access, bicycle safety, street resurfacing and school area safety projects; establishing the membership, staffing and scope of work for the Working Group; and establishing August 1, 2001 as the date the Working Group will provide its recommendations to the Board of Supervisors and the San Francisco County Transportation Authority regarding existing and potential funding sources, including a potential General Obligation bond issue, that are most appropriate to meet these capital needs.

5/14/01, RECEIVED AND ASSIGNED to Housing, Transportation and Land Use Committee.

**010889 [2001 Homeless Continuum of Care Plan]
Supervisor Daly**

Resolution endorsing and adopting the 2001 Homeless Continuum of Care Plan prepared by Local Homeless Coordinating Board.

5/14/01, RECEIVED AND ASSIGNED to Public Health and Environment Committee.

**010890 [City Attorney enforcement of Live/Work Ordinance]
Supervisors McGoldrick, Daly**

Resolution calling on the City Attorney to enforce the provisions of the Live/Work ordinance requiring that occupants of Live/Work units actually reside in those units.

5/14/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**010892 [Younger Americans Act, H.R. 17]
Supervisors Newsom, Daly, Hall**

Resolution supporting H.R. 17, also known as the Younger Americans Act, which creates a Council on National Youth Policy and establishes a formula-based state block grant to support local communities in their efforts to strengthen the resources that are available to youth.

5/14/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**010893 [S. 160, Treatment on Demand Assistance Act]
Supervisors Newsom, Sandoval, Daly, Leno**

Resolution supporting S. 160, the Treatment on Demand Assistance Act, which will double the funding to states for drug treatment over the next 5 years to \$6 billion in fiscal year 2006, an increase of 100% over current levels to be provided by the Substance Abuse Mental Health Services Administration (SAMHSA).

5/14/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**010894 [Unlawful demolitions]
Supervisor Newsom**

Resolution urging the Planning Commission, the Department of Building Inspection and the Board of Permit Appeals to better coordinate their efforts in complying with the law regarding all building demolitions and proper notification to the public; and to strongly consider all public recommendations forwarded through the newly reconvened Committee on Unlawful Demolitions.

5/14/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**010895 [Airport taxi trip fees]
Supervisors Newsom, Peskin, Daly, Leno**

Resolution urging the Airport Commission to recommend the enactment of an ordinance allowing a partial pass through of airport taxi trip fees to taxi passengers.

5/14/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**010896 [Lowell High School Weekend Campus entrance]
Supervisors Hall, Newsom**

Resolution urging the San Francisco Unified School District and Lowell High School to close the Meadowbrook entrance to Lowell's campus on weekends, and, alternatively, to use either the Winston Avenue entrance or Lake Merced Boulevard entrance to the campus.

5/14/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**010897 [Small Business Energy Conservation]
Supervisor Hall**

Resolution urging San Francisco's small businesses to take part in the "Flex Your Power" summer energy conservation program.

5/14/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**010898 [SB 10, The Safe Routes to School Bill]
Supervisors Leno, McGoldrick, Maxwell, Newsom, Peskin**

Resolution urging the California State Senate to pass SB10, the Safe Routes to School bill.

5/14/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**010899 [Bringing Up Healthy Kids Coalition]
Supervisors Maxwell, Leno, Newsom, Daly, Hall**

Resolution endorsing the proposal developed by the Department of Public Health's Bringing Up Healthy Kids Coalition to provide health coverage to thousands of children in working families in San Francisco, and urging the Mayor to include funding for this initiative in the proposed City Budget for FY 2001-2002.

5/14/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**010900 [HOPE VI Application, Hunter's View Public Housing Development]
Supervisors Maxwell, Peskin**

Resolution supporting the San Francisco Housing Authority in submitting a HOPE VI (Housing Opportunities for People Everywhere) grant application in the amount of \$35 million to the U.S. Department of Housing and Urban Development.

5/14/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**010902 [Commendation]
Supervisors Newsom, Peskin**

Resolution commending the Raphael House for the success of its recent fundraiser held on Thursday, May 3rd, 2001 at the Ritz Carlton Hotel, to raise monetary support for its continued efforts serving homeless families.

5/14/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**010903 [Proclamation]
Supervisors Leno, Maxwell, Newsom, Peskin**

Resolution declaring May 23, 2001 Milton and Abby Marks Day in San Francisco.

5/14/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**010904 [Commendation]
Supervisors Maxwell, Newsom**

Resolution recognizing and commending Dr. Martin Luther King, Jr. Academic Middle School's third annual Girls' Summit "Proud Young Women III" on March 16, 2001.

5/14/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**010905 [Commendation]
Supervisors Maxwell, Leno, Newsom, Peskin**

Resolution commending Dick Millet for his dedication and exemplary service to the community and proclaiming May 29, 2001 as Richard D. Millet Day in San Francisco.

5/14/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**010906 [Commendation]
Supervisors Maxwell, Peskin**

Resolution commending the dedicated men and women in the Department of Public Works for working in the public interest.

5/14/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Charter Amendments

**010907 [Charter Amendment - Noncitizens on City Boards, Commissions, and Advisory Bodies]
Supervisor Gonzalez**

Charter amendment (First Draft) to amend Section 4.101 to permit noncitizens to serve on appointive boards, commissions, and advisory bodies.

5/14/01, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 6/13/2001.

Requests for Hearing

010886 [Public Hearing]

Hearing of persons interested in or objecting to proposed ordinance adopting minimum requirements for the protection of human health and the environment for any proposal for new electric generation at the Potrero Power Plant in southeast San Francisco; and requiring all City officials and departments to advocate these requirements, and greater protections, in regulatory proceedings and negotiations regarding the proposal to build a new power plant at the site of the existing Potrero Power Plant; and requiring approval of the Board of Supervisors for an agreement by City officials or departments for new electric generation in southeast San Francisco. (Clerk of the Board)

5/14/01, SCHEDULED FOR PUBLIC HEARING. Board to sit as a Committee of the Whole on May 21, 2001, at 3:00 p.m.

**010908 [Street Space Guidelines]
Supervisor Newsom**

Hearing on the development of construction signage for the purpose of reviewing the guidelines of both the Department of Public Works and the Department of Parking and Traffic for occupancy of street space for construction related work, specifically of: (1) Street space guidelines; (2) Additional street space guidelines.

5/14/01, RECEIVED AND ASSIGNED to Neighborhood Services and Parks Committee.

**010909 [Pedestrian Safety Program, Police Department]
Supervisor Sandoval**

Hearing to examine the Police Department's current efforts and long term planning efforts relative to their Pedestrian Safety Program, Traffic Safety Program and the use of radar trailers.

5/14/01, RECEIVED AND ASSIGNED to Housing, Transportation and Land Use Committee.

**010910 [Crosswalk Flags]
Supervisor Ammiano**

Hearing to explore the possible benefits of using crosswalk flags to assist pedestrians and mitigate the dangers of crossing the street in San Francisco.

5/14/01, RECEIVED AND ASSIGNED to Housing, Transportation and Land Use Committee.

**010912 [Food Stamp Benefits]
Supervisor Daly**

Hearing to consider plans and policies of the Department of Human Services regarding electronic transfer of food stamp benefits.

5/14/01, RECEIVED AND ASSIGNED to Economic Vitality, Small Business and Social Policy Committee.

**010913 [BART Service]
Supervisor Daly**

Hearing to consider facility and ground maintenance of the Bay Area Rapid Transit in San Francisco, and to assess system capacity to meet the needs of increased ridership in San Francisco.

5/14/01, RECEIVED AND ASSIGNED to Housing, Transportation and Land Use Committee.

**010914 [Parking]
Supervisor Daly**

Hearing to consider parking on Jones Street between Golden Gate and Geary, with a focus on street cleaning changes.

5/14/01, RECEIVED AND ASSIGNED to Housing, Transportation and Land Use Committee. Sponsor requests this item be scheduled for consideration at the May 24, 2001 meeting.

**010915 [Meningitis]
Supervisors Leno, Maxwell, McGoldrick**

Hearing on ways to protect San Francisco's children and youth from meningitis.

5/14/01, RECEIVED AND ASSIGNED to Public Health and Environment Committee.

Motions

**010916 [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.

5/14/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

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

- 010812 [Street Vacation of a Portion of The Embarcadero]**
Ordinance ordering the vacation of a portion of The Embarcadero just north of Mission Street; establishing conditions for the effectiveness of the vacation; adopting findings pursuant to the California Environmental Quality Act; and adopting findings that the vacation is consistent with the City's General Plan and eight priority policies of Planning Code Section 101.1; and ratifying acts and authorizing actions in furtherance of the ordinance. (Public Works Department)
5/9/01, RECEIVED AND ASSIGNED to Housing, Transportation and Land Use Committee.
- 010838 [Inner Sunset Neighborhood Commercial District Zoning Amendment]**
Ordinance amending changes in property use classification by amending the zoning map of the City and County of San Francisco for thirty-five small-scale Neighborhood Commercial District parcels and one Neighborhood Commercial District parcel in the area of Irving Street between 5th and 19th Avenues. (Planning Department)

(Certificate of Determination of Exemption/Exclusion from Environmental Review dated June 29, 2000; Planning Commission Resolution No. 1613 adopted April 5, 2001 recommending adoption of the Zoning Map Amendments as presented in the above ordinance; Case No. 2000.407Z.)
5/3/01, RECEIVED AND ASSIGNED to Housing, Transportation and Land Use Committee.
- 010872 [Water Rates]**
Ordinance approving revised schedule of rates to be charged by the San Francisco Public Utilities Commission for water service to its retail customers inside and outside the City and County of San Francisco. (Public Utilities Commission)
5/9/01, RECEIVED AND ASSIGNED to Finance Committee. With direction to report back to Board June 4, 2001.
- 010873 [Water Rates]**
Ordinance approving revised schedule of rates to be charged by the San Francisco Public Utilities Commission for water service to its suburban resale customers. (Public Utilities Commission)
5/9/01, RECEIVED AND ASSIGNED to Finance Committee. With direction to report back to Board June 4, 2001.

PROPOSED RESOLUTIONS

- 010777 [Grant funds to DPH from Eli Lilly and Company]**
Resolution authorizing the San Francisco Department of Public Health, Population Health and Prevention, to accept and expend a grant in the amount of \$125,000 from Eli Lilly and Company for the period May 1, 2001 to April 30, 2002 and to enter into an agreement for the use of these funds. (Public Health Department)
5/8/01, RECEIVED AND ASSIGNED to Public Health and Environment Committee. Department requests this item be calendared at the May 22, 2001 meeting.

- 010811 [Street Vacation of a Portion of The Embarcadero]**
Resolution declaring the intention of the Board of Supervisors to vacate a portion of The Embarcadero just north of Mission street; setting the hearing date for all persons interested in the proposed vacation of the street areas; and adopting findings that the vacation is consistent with the City's General Plan and eight priority policies of Planning Code Section 101.1. (Public Works Department)
5/9/01, RECEIVED AND ASSIGNED to Housing, Transportation and Land Use Committee.
- 010815 [Lease of Property]**
Resolution approving a new lease of real property located at 1667 Market Street on behalf of Administrative Services, for the Department of Elections. (Real Estate Department)

(Fiscal impact; District 6)
5/2/01, RECEIVED AND ASSIGNED to Finance Committee.
5/7/01, SUBSTITUTED. Real Estate Department submitted a substitute resolution bearing new title.
5/7/01, ASSIGNED to Finance Committee.
- 010823 [Agreement, S.F. PUC/Bay Conservation and Development Commission regarding public access to Islais Landing Waterfront Park]**
Resolution authorizing the Department of Real Estate to execute and record an agreement imposing the public access conditions required by San Francisco Bay Conservation and Development Commission Permit Number 14-99 which allowed the expansion and rehabilitation of the Southeast Water Pollution Control Plan Booster Pump Station located at 2 Arthur Avenue and Islais Landing Waterfront Park. (Public Utilities Commission)
5/14/01, RECEIVED AND ASSIGNED to Finance Committee.
- 010835 [Lease of Property for DPH Mental Health]**
Resolution authorizing a new lease of real property currently occupied by the City under the terms of an earlier lease at 1380 Howard Street, San Francisco, for a term of five years and one month, commencing June 1, 2001 at an initial monthly rent of \$100,000 per month for the Mental Health Division of the Department of Public Health. (Real Estate Department)

(Fiscal impact; District 6)
5/9/01, RECEIVED AND ASSIGNED to Finance Committee.
- 010866 [Official Advertising]**
Resolution designating the San Francisco Independent to be the official newspaper of the City and County of San Francisco for specified categories of official advertising, commencing July 1, 2001. (Purchaser)
5/9/01, RECEIVED AND ASSIGNED to Finance Committee.
5/14/01, SUBSTITUTED. Purchasing Department submitted a substitute resolution bearing new title.
5/14/01, ASSIGNED to Finance Committee.
- 010867 [Outreach Advertising]**
Resolution designating the China Press to be outreach newspaper of the City and County of San Francisco for the Chinese community, and designating El Mensajero to be outreach newspaper of the City and County of San Francisco for the Hispanic community; commencing July 1, 2001, for outreach advertising. (Purchaser)
5/9/01, RECEIVED AND ASSIGNED to Finance Committee.
5/14/01, SUBSTITUTED. Purchasing Department submitted a substitute resolution bearing new title.
5/14/01, ASSIGNED to Finance Committee.

- 010868 [Establishing Trial Parking Rates as Permanent Parking Rates for City Owned Garages and Metered Facilities]
Resolution approving trial parking rates as proposed permanent parking rates at the Lombard Street Garage, the North Beach Garage, the Portsmouth Square Garage, the Japan Center Garages, the St. Mary's Square Garage, the Union Square Garage, and the Vallejo Street Garage. (Parking and Traffic Department)
5/9/01, RECEIVED AND ASSIGNED to Finance Committee.
- 010869 [Contract Modification - Diesel Coaches]
Resolution approving Modification No. 4 to Contract No. 300 with Neoplan USA Corporation in the amount of \$36,036,898.00, to exercise an Option for 24 articulated clean diesel coaches and 71 standard clean diesel coaches, including purchase of associated spare parts and incorporation of design modifications, for a total contract amount not to exceed \$128,229,473.00. (Municipal Transportation Agency)
5/9/01, RECEIVED AND ASSIGNED to Housing, Transportation and Land Use Committee.

Requests Granted

From: Supervisor McGoldrick

To: City Attorney

Requesting/Inquiring: To investigate and report on the decision of the Board of Appeals as to whether the decisions of the Board of Appeals are consistent with the ordinances which they interpret, and if not proposing a plan whereby the City Attorney will seek to enforce these laws as written.

From: Supervisors Peskin, Newsom

To: City Attorney

Requesting/Inquiring: To draft legislation that would strengthen the City's debarment procedures, detailed in Administrative Code Section 6.82. Specifically, this ordinance would mandate that entities that have committed a civil or criminal violation against local, state or federal government be debarred from conducting business with the City of San Francisco for a five-year period.

From: Supervisor Sandoval

To: Director, Department of Public Works

Requesting/Inquiring: To report regarding the acquisition of funds from the Emerald Fund, developer of Oceanview Village located at 3999 Alemany to assure that a traffic light be installed at the intersection of Alemany and Arch Street upon completion of the project.

From: Supervisor Sandoval

To: Chief, Police Department

Requesting/Inquiring: To inquire how the Police Department has communicated passage of the Urban Forestry Council ordinance to station captains and to inquire if a general order is needed so that police officers know how to respond to citizens' complaints about the illegal removal of trees.

From: Supervisor Sandoval

To: Director, Department of Parking and Traffic

Requesting/Inquiring: To report on the feasibility of installing stop signs at the intersection of Brazil and Edinburgh and the intersection of Persia and Edinburgh Streets.

From: Supervisor Sandoval

To: Director, Department of Parking and Traffic

Requesting/Inquiring: To report on the feasibility of improving the visibility of two "Stop For Pedestrian" signs located at the intersection of San Jose and Seneca Avenue, including but not limited to using reflective materials and increasing the signage size.

From: Supervisor Sandoval

To: Director, Department of Parking and Traffic

Requesting/Inquiring: To report on the feasibility of making Silver Avenue between Mission and San Bruno a no-passing zone, including but not limited to painting solid yellow lines down the middle of the street.

From: Supervisor Gonzalez

To: City Attorney

Requesting/Inquiring: To draft an ordinance requiring the San Francisco Housing Authority to submit contracting proposals to the Board of Supervisors for approval.

From: Supervisor Leno

To: City Attorney

Requesting/Inquiring: To draft an amendment to the Administrative Code clarifying that no city-owned property shall be occupied by a prospective lessee prior to review and approval by the Finance Committee and the Board of Supervisors, if required.

From: Supervisor Leno

To: City Attorney

Requesting/Inquiring: To draft a Charter amendment to use expanded revenues created from Parking Revenue Control Legislation for pedestrian safety projects (50%) and Urban Forestry Projects (50%).

In Memoriams

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

Marquese Moffett (By the entire Board)

Youths killed by gang violence: (Supervisor Maxwell)

Brian Williams; Starvel Junious; Curtis Layne; Marvel Despani; Jarvis Baker; Ed Burge "Darnell"; Quon Darden; Ty Laury "Bumpa Joe"; Kevin Brown; Oliver Spruel; Kenneth Gatheron; Quincy Hudson; George Scott; Donald Scott; Charles Walton; Cleveland Bisbee; Ricky Thomas.

ADJOURNMENT

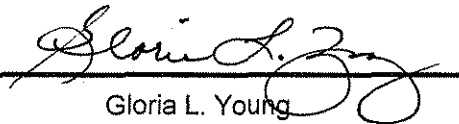
There being no further business, the Board at the hour of 6:18 p.m adjourned.

Gloria L. Young, Clerk

N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on June 11, 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