

BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

*City Hall, 1 Dr. Carlton B.
Goodlett Place
San Francisco, CA 94102-4689*

MEETING MINUTES

Monday, February 28, 2000 6:00 PM

A. P. Giannini Middle School
3151 Ortega Avenue at Sunset Boulevard
San Francisco, California
Special Rescheduled 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

Finance and Labor Committee
Supervisors Yee, Bierman, Ammiano

Housing and Social Policy Committee
Supervisors Teng, Bierman, Becerril

Joint School Board/Board of Supervisors Committee
Commissioner Owens, Commissioner Chong, Supervisor Ammiano, Supervisor Yee

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

Wednesday
10:00 AM

1st and 3rd Tuesday
10:00 AM

Quarterly, 4th Wednesday
3:00 PM

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 special rescheduled session at A. P. Giannini Middle School on the above date with President Tom Ammiano presiding.

The meeting was called to order at 6:02 p.m. On call of the roll, the following Supervisor was noted absent:

Supervisor Katz - 1.

Quorum present.

Supervisor Katz was noted present at 6:24 p.m.

APPROVAL OF MEETING MINUTES

Supervisor Yaki, seconded by Supervisor Teng, moved to APPROVE the January 31, 2000 Meeting Minutes. The motion carried by the following vote:

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

The following speakers were recognized prior to opening the floor for public comment:

Jamar Grundy, urge funding and support for the Sunset Beacon Program, Student Leaders for Arts Programming;

Catherine Arguello, concerning neighborhood issues;

Dawn Stickle, loss of 24 hour mental health clinic;

Paul Kozac, neighborhood issues;

Tess Ventresca, urge more funding for youth activities and traffic signs;

Johnson Kwong, requests extra funding for the Sunset district;

Bud Wilson, urges establishment of a swim center, Lake Merced restoration, senior and teen center, and save Doggie Diner, zoning issues to preserve the neighborhood commercial businesses.

PUBLIC COMMENT

Louis Calabro, urge passage of resolution concerning death of Jake Kobel, six year old who died in a vehicle incident in Independence, Missouri (written statement submitted);
Neil Johnson, Joel Schechter, Shirley Wong, Pinky Kushner, Eric, Jack Hassel, Bryan Gooder, Ester, Nancy Phelps, Natalie Leong, female speaker, Laura, Diana Scott, female speaker, support landmarking the Doggie Diner sign and site; Milton Marks, concerning elimination of the City's street tree program;
Aria Eng, urge bond measure to ease the housing crisis;
Dennis, Local 4, donation of materials and labor to save the Doggie Diner;
Cynthia Arnold, male speaker, Jeffrey Chin, Adam Sparks, Bowman Leong, Jack Barry, male speaker, Kathleen O'Hara, oppose tenant in common proposed legislation;
Female speaker, urge housing market be open;
George Sam, retired building inspector;
Joe, support saving Doggie Diner without landmarking status, neighborhood need more parking;
Randall Wong, request half-hour parking meters and limit on parking;
Gregory, Nadalie, Lou, urge support of tennis program;
Male speaker, concern with power lines in Great Highway, traffic issues;
John Louie, concern with parking, sidewalk cleanliness, lack of foot patrol by police;
Michelle Carter, supports off-site meetings;
Michael, concern with public housing, Great Highway;
Marianna, concern about mosquitoes, smell in park area.

Note: Written statements presented during public comment are on file in the Office of the Clerk of the Board of Supervisors and are available for review in File 000020.

CONSENT AGENDA

Recommendations of the Finance and Labor Committee

000068 [Authorizing the creation of a new account in the City Treasury for the deposit of Tobacco Settlement Revenue]

Ordinance amending Administrative Code by adding Section 10.117-90 establishing the Tobacco Settlement Revenue Account. (City Attorney)

(Adds Section 10.117-90. Companion measure to File 000069)

Ordinance No. 38-00

FINALLY PASSED

000146 [Authorizing a 10-year lease between the City and Americana Apartments No. 2, a housing complex, for S.F. PUC land consisting of approximately 46,174 sq. ft. located in Fremont, Alameda County]

Resolution authorizing a 10-year lease of Public Utilities Commission land between the City and County of San Francisco and Americana Apartments No. 2 in Alameda County. (Public Utilities Commission)

Resolution No. 185-00

ADOPTED

- 000187 [Authorizing the assignment of City's leasehold interest in the sublease of an off-street parking facility (at 5200 Geary Boulevard) owned by Merrill's Drug Centers to Parking Authority, which operated the premises since 1982]
Resolution approving assignment of the City and County of San Francisco's interest in that certain lease with Merrill's Drug Centers to the Parking Authority of the City and County of San Francisco. (Real Estate Department)
Resolution No. 186-00
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

From the Clerk

(Only one of the following two motions should be adopted.)

- 992111 [Landmark Appeal, 2750 Sloat Boulevard (Doggie Diner Sign and Site)]
Motion approving decision of the Planning Commission by its Resolution No. 14915, disapproving the proposal to designate the Doggie Diner Sign, and site at 2750 Sloat Boulevard containing the Carousel Restaurant building as a landmark pursuant to Article 10 of the Planning Code. (Clerk of the Board)

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

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

- 992112 [Landmark Appeal, 2750 Sloat Boulevard (Doggie Diner Sign and Site)]
Motion disapproving decision of the Planning Commission by its Resolution No. 14915, disapproving the proposal to designate the Doggie Diner Sign, and site at 2750 Sloat Boulevard containing the Carousel Restaurant building as a landmark pursuant to Article 10 of the Planning Code.

Supervisor Yee, seconded by Supervisor Newsom, moved to adopt this motion.

After a brief period of discussion, Supervisor Yaki moved substitute motion to table all the matters relating to the Doggie Diner sign and site.

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

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

992218 [Landmark Designation, Doggie Diner Sign and Carousel Building at 2750 Sloat Boulevard]
Ordinance designating the Doggie Diner Sign and site at 2750 Sloat Boulevard, as Landmark No. 212 pursuant to Article 10, Sections 1004 and 1004.4 of the Planning Code.

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

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

992200 [Landmark Appeal, 2750 Sloat Boulevard (Doggie Diner Sign)]
Motion approving decision of the Planning Commission by its Resolution No. 14915, disapproving the proposal of the Landmarks Preservation Advisory Board to designate the Doggie Diner Sign at 2750 Sloat Boulevard as a landmark pursuant to Article 10 of the Planning Code.

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

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

992221 [Landmark Designation, Doggie Diner Sign at 2750 Sloat Boulevard]
Ordinance designating the Doggie Diner Sign at 2750 Sloat Boulevard, as Landmark No. 212 pursuant to Article 10, Sections 1004 and 1004.4 of the Planning Code.

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

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

From Housing and Social Policy Committee Without Recommendation

000151 [Pedestrian Decoy Program]
Supervisors Katz, Leno

Resolution urging the San Francisco Police Department and the Department of Parking and Traffic to establish a pedestrian decoy program to reduce the number of violations of pedestrian's right-of-way and decrease the number of pedestrian injuries and fatalities.

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

Supervisor Katz, seconded by Supervisor Leno, moved that this Resolution be RE-REFERRED to the Housing and Social Policy Committee. The motion carried by the following vote:

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

Recommendation of the Small Business, Economic Vitality and Consumer Services Committee

991878 [Regulations for Rodeo Exhibits and Shows]
Supervisors Leno, Bierman

Ordinance amending Police Code Section 1020 to require that a qualified veterinarian be present at all times during rodeo exhibitions and shows, animals be used in humane events only, and notification be sent to the Commission on Animal Control and Welfare of proposed events.

(Amends Section 1020.)
Supervisor Becerril dissenting in Committee.

Ordinance No. 37-00

FINALLY PASSED by the following vote:

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

NEW BUSINESS**Recommendations of the Small Business, Economic Vitality and Consumer Services Committee**

992341 [Liquor License Transfer, 1546 Market Street]

Resolution determining that the transfer of a Type 21 off-sale general alcoholic beverage control license from 310 Bayshore Boulevard to 1546 Market Street to Pei Xia Fung for Variety Convenience Store located at 1546 Market Street, will serve the convenience of the people of the City and County of San Francisco; with conditions.

Resolution No. 183-00

ADOPTED by the following vote:

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

000019 [Liquor License, 2650 Mason Street]

Resolution determining that the issuance of a Type 20 off-sale beer and wine alcoholic beverage control license to Lee Sanders for 7-ELEVEN INC. located at 2650 Mason Street, will serve the convenience of the people of the City and County of San Francisco; with conditions.

Resolution No. 184-00

ADOPTED by the following vote:

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

000338 [San Francisco Junior Tennis League]
Supervisors Teng, Bierman, Brown, Katz, Becerril

Resolution endorsing the establishment and development of a citywide San Francisco Junior Tennis League and urging the Department of Recreation and Parks to work collaboratively with the U. S. Tennis Association, the Youth Tennis Association, the National Junior Tennis League, the Professional Tennis Association, the San Francisco Unified School District, and other national and local organizations to bring tennis to San Francisco's children.

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

Resolution No. 187-00

ADOPTED

000340 [24 Willie Mays Plaza]
Supervisors Yaki, Bierman, Brown, Katz, Becerril

Resolution urging the Port Commission to officially rename the south side of King Street bounded by Second and Third Streets to 24 Willie Mays Plaza, and requesting the Department of Public Works to erect double signage at this location.

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

Resolution No. 189-00

ADOPTED

000341 [Michael Bernick Appointment]
Supervisors Becerril, Brown

Resolution urging the President Pro Tem of the California State Senate to confirm Michael Bernick to be Director of the State Employment Development Department.

Supervisor Brown requested to be added as co-sponsor.

Resolution No. 190-00

ADOPTED

000342 [Commendation]
Supervisors Teng, Brown, Katz, Becerril

Resolution commending the Chinese American Voters Education Committee on the occasion of their Chinese New Year celebration and declaring February 17, 2000 to be "Chinese American Voters Education Committee Day" in San Francisco.

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

Resolution No. 191-00

ADOPTED

000346 [Needle Exchange Emergency]
Supervisors Ammiano, Becerril, Bierman, Brown, Katz, Kaufman, Leno, Newsom, Teng, Yaki, Yee

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

Motion No. M00-19

APPROVED

The foregoing items were acted upon by the following vote:

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

Severed From For Adoption Without Committee Reference Agenda

000324 [Acceptance of gift and approval of easement agreement - dog head sign]
Supervisor Becerril

Resolution accepting gift of dog head sign located at 2750 Sloat Boulevard, San Francisco, California; approving easement agreement in which Sloat Garden Center grants the City and County of San Francisco a non-exclusive easement over property upon which the dog head sign is located for the term of 5 years; and agreeing to maintain and relocate the dog head sign in San Francisco's Ocean Beach neighborhood.

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

SEVERED FROM FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA.

Supervisor Becerril moved to amend page two, line 10, by inserting the word "shall" after "That the Board of Supervisors"; amend page two, lines 18 through 20, by substituting the following: "Further resolved, That following the City Attorney's review and approval of the termination provisions of Sloat Garden Center's lease to Mr. Silver Ballasteros and any consent or subordination agreement determined to be necessary by Mark Primeau, Director of Public Works, the Board of Supervisors authorizes Mark Primeau, to execute the Easement Agreement, the Gift Deed and any such consent or subordination agreement on behalf of the City".
Supervisor Becerril, seconded by Supervisor Kaufman, moved that this Resolution be **AMENDED**. The motion carried by the following vote:

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

*The roll was called on the resolution as amended and it **FAILED ADOPTION** by the following vote:*

Ayes: 8 - Becerril, Brown, Katz, Kaufman, Leno, Newsom, Teng, Yaki

Noes: 3 - Ammiano, Bierman, Yee

Supervisor Yaki, seconded by Supervisor Katz, moved to rescind the previous vote which failed to adopt the resolution as amended. The motion carried 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 requested this matter be referred to committee.

REFERRED to the Audit and Government Efficiency Committee.

000339 [John McCain]
Supervisors Teng, Bierman, Ammiano, Leno, Brown, Katz

Resolution urging Senator John McCain to apologize to the American people for using the offensive epithet "gooks" and to cease immediately from repeating it, and urging government leaders and all Americans to condemn Senator McCain's use of the racial slur.

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

Resolution No. 188-00

SEVERED FROM FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA.

Supervisor Teng presented an amendment of the whole.

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

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

Resolution urging Senator John McCain to strictly adhere to his pledge to cease using the offensive epithet "gooks" and to recognize that his use of the racial slur has broader implications in perpetuating prejudice against Asian Americans.

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

ADOPTED AS AMENDED by the following vote:

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

000345 [Transfer of File]
Supervisors Becerril, Brown

Motion transferring File No. 000260, a hearing to consider the Environmental Impact Report on the Reuse of Hunters Point Shipyard from the Finance and Labor Committee to the Transportation and Land Use Committee.

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

SEVERED FROM FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA.

Supervisor Brown requested to be added as co-sponsor.

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

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

000332 [Final Map of 2101 - 2147 and 2201 - 2231 26th Street, a two lot merger and eight lot resubdivision project]

Motion approving final map of 2101 - 2147 and 2201 - 2231 26th Street, being a merger and resubdivision of portions of Lots 8 and 9 in Assessor's Block 4327A, Lot 8 in Assessor's Block 4328A and Lot 15 in Assessor's Block No. 4329 and adopting findings pursuant to Planning Code Section 101.1 (Public Works Department)

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

SEVERED FROM FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA.

Letter received from attorney indicating applicant wishes to withdraw this map.

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

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

Absent: 1 - Bierman

OFF-AGENDA LEGISLATION

Introduced by Supervisors or Mayor

Ordinances

**000198 [Administrative Code Revision, Chapter 11, Franchises]
Supervisor Kaufman**

Ordinance amending Chapter 11 of the San Francisco Administrative Code by replacing Articles I, II, and IV in their entirety with new Articles I through VII and making minor amendments to Article III and renumbering Article III to become Article IX.

1/31/00, ASSIGNED UNDER 30 DAY RULE to Audit and Government Efficiency Committee, expires on 3/1/2000. Sponsor requests this matter be considered at the March 7, 2000 meeting.

2/28/00, SUBSTITUTED. Supervisor Kaufman submitted an amendment of the whole (substitute) in Board.

2/28/00, ASSIGNED to Audit and Government Efficiency Committee. Sponsor requests this matter be considered at the March 7, 2000 meeting.

**000354 [IHSS Public Authority, Membership of Governing Body]
Supervisor Kaufman**

Ordinance amending Section 70.2 of the San Francisco Administrative Code to clarify the process for replacing city representative on the In-Home Supportive Services Governing Body.

(Amends Section 70.2.)

2/28/00, RECEIVED AND ASSIGNED to Audit and Government Efficiency Committee. Sponsor requests this matter be considered at the April 4, 2000 meeting.

**000355 [Administrative Code Revision, Chapter 16, Articles VI and X]
Supervisor Kaufman**

Ordinance amending Chapter 16 of the Administrative Code by repealing Article VI (Travel Expenses), Sections 16.94 through 16.95, in its entirety and repealing Article X (Citizens' Award Committee), Sections 16.160 through 16.166, in its entirety.

(Repeals Article VI, Sections 16.94 through 16.95; Article X, Sections 16.160 through 16.166.)

2/28/00, ASSIGNED UNDER 30 DAY RULE to Audit and Government Efficiency Committee, expires on 3/29/2000. Sponsor requests this matter be considered at the April 4, 2000 meeting.

**000356 [Official Bonds]
Supervisor Kaufman**

Ordinance amending Chapter 16 of the Administrative Code by repealing Article IX, Sections 16.222 through 16.156 (Bonding of City officers and employees) and by adding a new Article IX, Sections 16.222 through 16.127, to provide for bonding of City officers and employees.

(Repeals Article IX, Sections 16.222 through 16.156; adds Article IX, Sections 16.222 through 16.127.)
2/28/00, ASSIGNED UNDER 30 DAY RULE to Audit and Government Efficiency Committee, expires on 3/29/2000. Sponsor requests this matter be considered at the April 4, 2000 meeting.

**000357 [Administrative Code Revision, Chapters 2A and 16]
Supervisor Kaufman**

Ordinance amending Chapters 2A and 16 of the Administrative Code by adding a new Article XIII to Chapter 2A, and by re-numbering Sections 16.3-3, 16.3-5, 16.3-6, 16.3-7, and 16.3-7.5 (relating to the Public Guardian and the Department of Consumer Assurance, Regulatory Compliance, and Agricultural Standards) as Sections 2A.210, 2A.211, 2A.212, 2A.221, and 2A.220, respectively, and amending them to correct statutory references; by renumbering Section 16.9-15 (relating to the Mayor's roster of officers and employees serving boards, commissions or committees) as new Section 2A.40; and by adding a new Article XIV to Chapter 2A, and by re-numbering Sections 16.951 and 16.952 as Sections 2A.230 and 2A.231, respectively, and by repealing Section 16.953 (all relating to the City Attorney's subpoena power).

(Adds Article XIII to Chapter 2A by re-numbering Sections 16.3-3, 16.3-5, 16.3-6, 16.3-7, and 16.3-7.5; adds Article XIV to Chapter 2A by re-numbering Sections 16.951 and 16.952; repeals Section 16.953.)
2/28/00, ASSIGNED UNDER 30 DAY RULE to Audit and Government Efficiency Committee, expires on 3/29/2000. Sponsor requests this matter be considered at the April 4, 2000 meeting.

**000358 [Campaign and Governmental Conduct Code]
Supervisor Kaufman**

Ordinance enacting the San Francisco Campaign and Governmental Conduct Code, Articles I - V, to: consolidate City laws regulating election campaigns, lobbying, the conduct of governmental officials and employees, and protection of whistleblowers who report improper government activity; conform these laws to the Charter provisions creating the Ethics Commission; clarify that whistleblowers are protected from retaliation for filing complaints with, providing information to, cooperating with, or participating in a proceeding of the Ethics Commission; clarify the procedures for investigating complaints of improper government activity; clarify that persons who unlawfully retaliate against whistleblowers are subject to administrative penalties as well as possible discipline and civil penalties; provide statutes of limitations; add legislative findings; require that the Ethics Commission submit an annual rather than semiannual report to the Board of Supervisors regarding complaints made by whistleblowers; and repealing Administrative Code Sections 16.5, 16.400 - 16.404, 16.501 - 16.519, 16.520 - 16.531, 16.535 - 16.539, 16.540 - 16.547, 16.548-1 - 16.548-6, 16.980, and 58.1 - 58.600.

(Repeals Administrative Code Sections 16.5, 16.400 - 16.404, 16.501 - 16.519, 16.520 - 16.531, 16.535 - 16.539, 16.540 - 16.547, 16.548-1 - 16.548-6, 16.980, and 58.1 - 58.600.)
2/28/00, ASSIGNED UNDER 30 DAY RULE to Audit and Government Efficiency Committee, expires on 3/29/2000. Sponsor requests this matter be considered at the April 4, 2000 meeting.

000359 [Mercury Thermometers]
Supervisors Leno, Ammiano, Bierman, Katz

Ordinance amending Police Code by adding Article 42B, prohibiting the manufacture, importation and retail sale of mercury thermometers and specifying that a violation of the prohibition is a misdemeanor.

(Adds Article 42B.)

2/28/00, ASSIGNED UNDER 30 DAY RULE to Housing and Social Policy Committee, expires on 3/29/2000.

Resolutions

000360 [Digital divide]
Supervisors Katz, Bierman

Resolution urging the Department of Telecommunications and Information Services to convene a meeting of representatives from the City and County of San Francisco, the San Francisco Unified School District, and the Bay Area information technology industry to address the digital divide and propose steps to bridge the gap between information haves and have-nots.

2/28/00, RECEIVED AND ASSIGNED to Public Utilities and Deregulation Committee.

000382 [City Administrator Appointment]
Mayor

Resolution confirming the appointment of William Lee as City Administrator.

2/28/00, RECEIVED AND ASSIGNED to Rules Committee.

000361 [Dr. Laura Schlessinger]
Supervisors Leno, Bierman, Kaufman, Becerril, Katz, Teng, Brown, Newsom, Yee, Yaki, Ammiano

Resolution urging Dr. Laura Schlessinger to refrain from making inaccurate statements about gays and lesbians that incite violence and hate; urging Paramount and ABC to discontinue airing the show if inaccurate statements continue; and urging Paramount and ABC to give equal air time to shows that accurately depict the truth about homosexuality and the lives of gays and lesbians.

2/28/00, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

000362 [State Legislation, AB 1796, Grand Jury]
Supervisors Ammiano, Bierman, Newsom, Teng

Resolution urging the California Senate and Assembly to support and pass Assembly Bill 1796, authored by Assemblyman Lou Papan, amending California Penal Code Section 890 relating to grand juries.

2/28/00, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**000363 [Public Hearing Approval, Grant Anticipation Note Program]
Supervisor Katz**

Resolution authorizing the Peninsula Corridor Joint Powers Board to increase the grant anticipation note program by \$99,000,000 in principal amount resulting in a total aggregate principal amount not to exceed \$222,500,000.

2/28/00, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**000364 [Global Women's Strike]
Supervisors Ammiano, Brown, Katz, Yaki, Bierman, Teng**

Resolution recognizing the significant contributions women have made to San Francisco and supporting the Global Women's Strike for a new millennium which values all women's work and women's lives and further urging the President of the United States as well as the Congress and House of Representatives of the United States to enact and pass legislation designating March 8th as a paid public holiday in honor of International Women's Day.

2/28/00, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**000365 [Commendation]
Supervisors Leno, Kaufman, Katz, Bierman, Newsom, Teng, Becerril, Brown**

Resolution commending Rita Semel of the Jewish Community Relations Council for her outstanding work with charitable causes.

2/28/00, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**000366 [Commendation]
Supervisors Leno, Bierman, Newsom, Teng, Brown, Katz**

Resolution commending Bay Area musicians Carlos Santana, Michael Tilson Thomas and the San Francisco Symphony, Metallica, Chanticleer, and Walter Afanasieff for their recent Grammy wins.

2/28/00, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**000367 [Commendation]
Supervisors Becerril, Bierman, Newsom, Teng, Katz**

Resolution commending Carlos Santana for his success at the Grammy's, his outstanding musical achievements for the past 30 years, and his public service and support to San Francisco community organizations.

2/28/00, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**000368 [Proclamation]
Supervisors Ammiano, Teng, Becerril, Katz**

Resolution proclaiming March 30, 2000 as "Speak Up For Kids Day At City Hall" in the City and County of San Francisco.

2/28/00, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Requests for Hearing

**000218 [Cellular/mobile phone use by motorists]
Supervisor Brown**

Hearing to consider the problem of motorists who use cellular/mobile phones and a potential ban of such use while operating a vehicle.

1/31/00, RECEIVED AND ASSIGNED to Transportation and Land Use Committee.

2/28/00, SUBSTITUTED. Submitted by Supervisor Brown

2/28/00, ASSIGNED to Transportation and Land Use Committee.

**000352 [Emergency winter shelter for homeless gay/lesbian/bisexual/transgender youth]
Supervisor Ammiano**

Hearing to consider release of reserved funds in the amount of \$54,290 to the Department of Public Health to fund an emergency winter shelter for homeless gay/lesbian/bisexual/transgender youth.

2/28/00, RECEIVED AND ASSIGNED to Finance and Labor Committee. Sponsor requests this matter be heard at a Special committee meeting on March 3, 2000 at 1:00 p.m.

**000369 [Musical room]
Supervisor Newsom**

Hearing to consider the City's enforcement in stopping the practice of "musical rooms" in the residential hotels.

2/28/00, RECEIVED AND ASSIGNED to Housing and Social Policy Committee.

**000370 [Home Depot]
Supervisor Newsom**

Hearing to explore the impact of Home Depot's proposal to build a store on Bayshore and Leland Avenue.

2/28/00, RECEIVED AND ASSIGNED to Small Business, Economic Vitality and Consumer Services Committee.

**000371 [Dance Studios]
Supervisor Yaki**

Hearing to consider the loss of dance studio space in San Francisco and what we can do to preserve, encourage and retain this vibrant part of our social landscape.

2/28/00, RECEIVED AND ASSIGNED to Housing and Social Policy Committee.

000372 [Alkyl nitrates "poppers"]
Supervisor Ammiano

Hearing to consider the public health impact of the illicit and legal distribution of alkyl nitrates, commonly known as "poppers".

2/28/00, RECEIVED AND ASSIGNED to Finance and Labor Committee.

000373 [North Mission neighborhood]
Supervisor Ammiano

Hearing to examine the quality of life and economic development of the North Mission neighborhood area which spans from 18th Street to Division and Duboce Streets and from Vermont to Guerrero Streets.

2/28/00, RECEIVED AND ASSIGNED to Finance and Labor Committee.

Motions

000374 [Legislative Analyst Request]
Supervisor Newsom

Motion asking our Legislative Analyst to examine the structure and cost of information technology within the City and County of San Francisco to make recommendations for improvement.

2/28/00, ASSIGNED to Board of Supervisors. Scheduled for Board consideration March 6, 2000.

Introduced by the President at the Request of Departments

PROPOSED ORDINANCES

000328 [Public Financing of Election Campaigns]
Supervisor Ammiano

Ordinance amending Administrative Code by adding Sections 16.549-1 through 16.549.18 to provide for public financing of election campaigns. (Ethics Commission)

(Fiscal impact; Adds Sections 16.549-1 through 16.549.18.)

2/18/00, RECEIVED AND ASSIGNED to Finance and Labor Committee.

PROPOSED RESOLUTIONS

000327 [Accepting gifts of computer software and hardware valued at \$32,750 from Environmental Systems Research Institute (ESRI) for use by DPW]

Resolution accepting gifts valued at a total of \$32,750 from Environmental Systems Research Institute (ESRI) for use by the Department of Public Works. (Public Works Department)

2/18/00, RECEIVED AND ASSIGNED to Audit and Government Efficiency Committee.

Requests Granted

From: Supervisor Newsom

To: City Attorney

Requesting/Inquiring: To research and draft, if appropriate, legislation authorizing the San Francisco Airport's landside operations to issue permits to cabs, allowing the Airport to require a percentage of vehicles within taxi companies serving the Airport be clean fuel vehicles in order to receive a permit.

From: Supervisor Yaki

To: City Attorney

Requesting/Inquiring: To draft legislation extending the sunset clause for tour bus prohibitions on 15th and El Camino Del Mar to December 31, 2001.

From: Supervisor Yaki

To: City Attorney

Requesting/Inquiring: To draft legislation extending the sunset clause for tour bus prohibitions on 25th and El Camino Del Mar to December 31, 2001.

From: Supervisor Ammiano

To: Mayor, Mayor's Office of Finance

Requesting/Inquiring: To require City Departments when submitting their annual budget to the Mayor's Office of Finance that it contains adequate funding for staff and/or resources to comply with Proposition G, November 1999, mandate to make public records and meeting minutes accessible to the general public.

From: Supervisor Ammiano

To: Director, Department of Public Health; Director, Laguna Honda Hospital

Requesting/Inquiring: To provide report relating to a recent incident which occurred on February 23, 2000 in which only one staff nurse was left to tend to 29 HIV/AIDS patients at Ward-04 during the p.m. shift at Laguna Honda Hospital.

From: Supervisor Ammiano

To: Directors (Department of Public Health, Department of Human Services, Recreation and Park Department, Chief of Police, Mayor's Office of Housing, Code Enforcement Task Force and the Department of Public Works)

Requesting/Inquiring: To notify the Directors (Department of Public Health, Department of Human Services, Recreation and Park Department, Chief of Police, Mayor's Office of Housing, Code Enforcement Task Force and the Department of Public Works) of hearing called to examine the quality of life and economic development of the North Mission neighborhood area to determine what role the City and County of San Francisco can play regarding (1) preserve and increase the availability of low and middle income housing (2) prevent SRO fires and ways to enable burned out and currently vacant SRO hotels back on line (3) examine the status of small businesses and ways to preserve and enhance the diversity of the area (4) increase and/or augment the availability and accessibility of substance abuse treatment programs (5) increase and/or augment the availability programs for the homeless (6) preserve the diverse and working class character of the neighborhood (7) examine efforts to improve public safety especially with respect to violent crimes, robbery, sexual assault, and hate crimes (8) examine existing programs for youth issues especially gang prevention, youth employment and training, recreational and cultural activities, after-school programs and tutoring services (9) improve and augment public transportation, traffic congestion, pedestrian safety and alternative modes of transportation (10) examine the status of parks and open space (11) improve street sanitation and cleanliness as well as maintenance of City owned trees and shrubs. File 000373.

From: Supervisor Ammiano

To: Director, Department of Public Health; Chief of Police

Requesting/Inquiring: To notify Director, Department of Public Health and Chief of Police of hearing to consider the public health impact of the illicit and legal distribution of alkyl nitrates, commonly known as "poppers" to focus on the following areas: (1) public health impact of the abuse of alkyl nitrates and other forms of volatile nitrates, commonly known as "poppers", especially its impact on the gay, lesbian, bisexual and transgender communities (2) potential hazardous impact upon the immune system of those living with HIV/AIDS (3) the recent commercial production of chemically altered alkyl nitrates to circumvent existing laws and selling such products in adult entertainment outlets as "video head cleaner", "leather cleaner" and "boot cleaner" (4) update public notification and labeling of such chemically altered alkyl nitrate products as potentially harmful to immune systems and in combination with other drugs such as Viagra. File 000372.

From: Supervisor Becerril

To: Clerk of the Board

Requesting/Inquiring: To report, in consultation with the City Attorney, on how to state with more certainty the process of referring items to committee based upon the content of the proposed ordinance, resolution, hearing request or other item being referred.

From: Supervisor Becerril

To: Director, Planning Department

Requesting/Inquiring: To provide information for the blocks on Polk Street from California to Union Street, the zoning classifications and any height or depth limits for building construction (Polk Street Commercial District).

From: Supervisor Becerril

To: Assessor

Requesting/Inquiring: To provide information for the blocks on Polk Street from California to Union Street, the parcel number, owner, site address, mailing address, building square footage and dimensions, lot square footage, year built, and number of units for each parcel (Polk Street Commercial District).

From: Supervisor Becerril

To: City Attorney

Requesting/Inquiring: To amend the moratorium on new liquor licenses in the Mission District to allow non-profit theaters to apply for licenses to sell wine and beer two hours before a performance, during intermission and one hour after a performance.

From: Supervisor Brown

To: Chief of Police

Requesting/Inquiring: To provide report regarding the number of traffic accidents/violations involving cellular/mobile phone use by motorist operating a motor vehicle. File 000218.

From: Supervisor Katz

To: Director, Department of Telecommunications and Information Services; Telecommunications Commission

Requesting/Inquiring: To investigate potential utilization of City web-sites for revenue generation.

In Memoriams

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

*Mary Cohn (Supervisor Kaufman)
Rabbi Jason Gaber (Supervisor Leno)
Howard Gong (By the entire Board)
Sidney Kay (Supervisor Kaufman)
Roland Schembari (Supervisor Leno)*

ADJOURNMENT

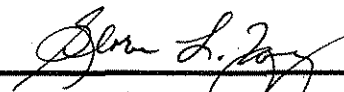
There being no further business, the Board at the hour of 8:36 p.m. adjourned.

Gloria L. Young, Clerk

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

Approved by the Board of Supervisors on March 27, 2000.

I, Gloria L. Young, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Minutes of said Board on the date stated and was approved as recited.



Gloria L. Young
Clerk of the Board