

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, January 29, 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

Meeting Days

Audit and Government Efficiency Committee

City and School District Committee

Finance and Labor Committee

Housing and Social Policy Committee

Parks and Recreation Committee

Public Health and Environment Committee

Public Utilities and Deregulation Committee

Rules Committee

Small Business, Economic Vitality and Consumer Services Committee

Transportation and Land Use Committee

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, Sophie Maxwell, Jake McGoldrick, Mark Leno, Gavin Newsom, Aaron Peskin, Gerardo Sandoval, Leland Y. Yee.

ROLL CALL AND PLEDGE OF ALLEGIANCE

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Tom Ammiano presiding.

The meeting was called to order at 2:00 p.m. On call of the roll, all Supervisors were noted present.

Quorum present.

AGENDA CHANGES

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

Supervisor Maxwell indicated the matter relating to public hearing and ordinance concerning amendment to the India Basin Industrial Park Redevelopment Plan, Files 002092 and 001861. (See infra.)

Supervisor Gonzalez indicated the matter relating to appointment of public defender, File 010122. (See infra.)

Supervisor Ammiano indicated the matter relating to Urban Forestry Council, File 002106. (See infra.)

Supervisor Hall indicated the matters relating to fund litigation and mediation expenses for VIACOM, AT&T, and TCI appeals for the Assessor's Office, File 002087; and grant funds for the construction of the K-Ingleside light rail line and Ocean Avenue serving the Municipal Railway, File 001955. (See infra.)

CONSENT AGENDA

Recommendations of the Finance and Labor Committee

- 001796** [Creating a Special Assistant XVI position at the Board of Appeals, while Director is on medical leave]
Ordinance appropriating \$73,364 from the General Fund Reserve to fund the salary and fringe benefits of a Special Assistant XVI at the Board of Appeals, while Director is on medical leave and operating expenses, and amending Annual Salary Ordinance for fiscal year 2000-01; placing \$36,682 on reserve. (Controller)

(Companion measure to File 001797.)

Ordinance No. 16-01
FINALLY PASSED

- 001797** [Public Employment, Board of Appeals]
Ordinance amending Ordinance No. 181-00 (Annual Salary Ordinance, 2000/01) reflecting the creation of one position at the Board of Appeals. (Human Resources Department)

(Companion measure to File 001796.)

Ordinance No. 17-01
FINALLY PASSED

- 002184** [Funding for operating costs and implementation of a State required Customer Service Unit]
Supervisor Newsom

Ordinance appropriating \$780,837 to support both continuing operating costs and the implementation of a State required Customer Service Unit (\$535,537 for Child Support Service Division and \$245,300 for CSS Cases Consortium) and the creation of two positions at the Department of Child Support for fiscal year 2000-01; ratifying action previously taken. (Controller)

(Fiscal impact; Companion measure to File 002183.)

Ordinance No. 20-01
FINALLY PASSED

- 002183** [Creating two (2) positions in Child Support Services]
Ordinance amending Ordinance No. 181-00 (Annual Salary Ordinance, 2000/01) reflecting the creation of two positions in Child Support Services. (Human Resources Department)

(Fiscal impact; Companion measure to File 002184.)

Ordinance No. 19-01
FINALLY PASSED

The foregoing items were acted upon by the following vote:

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

Severed From the Consent Agenda

002087 [Fund litigation and mediation expenses for VIACOM, AT&T, and TCI appeals for the Assessor's Office]

Ordinance appropriating \$471,593 of the General Reserve to fund the litigation and mediation expenses associated with the VIACOM, AT&T, and TCI appeals for the Assessor's Office for fiscal year 2000-01. (Controller)

(Fiscal impact.)

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

SEVERED FROM CONSENT AGENDA.

Ordinance No. 18-01

FINALLY PASSED by the following vote:

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

REGULAR AGENDA

UNFINISHED BUSINESS

Appointment of President Pro Tempore

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

Recommendations of the Transportation and Land Use Committee

002106 [Urban Forestry Council]
Supervisors Leno, Katz, Bierman

Ordinance amending San Francisco Administrative Code Chapter 5 by adding Article XX111 to create an Urban Forestry Council and to delineate powers and duties for such Council.

(1/2/2001 - Supervisor Yee dissenting in Board.)

Supervisor Ammiano presented an amendment of the whole, bearing new title (technical amendment).

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

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

Ordinance amending San Francisco Administrative Code Chapter 5 by adding Article XXIII to create an Urban Forestry Council and to delineate powers and duties for such Council.

(1/2/2001 - Supervisor Yee dissenting in Board.)

PASSED ON FIRST READING AS AMENDED by the following vote:

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

The President resumed the Chair.

001955 [Grant funds for the construction of the K-Ingleside light rail line and Ocean Avenue serving the Municipal Railway]
Supervisor Newsom

Resolution authorizing the Municipal Transportation Agency to accept and expend \$7,000,000 of State assistance for Ocean Avenue and K-Ingleside street, sidewalk, and transit improvements. (Public Transportation Commission)

Supervisor Hall moved to continue this matter to February 5, 2001.

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

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

Noes: 3 - Daly, Leno, Sandoval

NEW BUSINESS**Recommendations of the Finance and Labor Committee**

- 010041 [Memorandum of Understanding Amendment No. 3 - Electrical Workers, Local 6]**
Ordinance implementing Amendment No. 3 to the 1997-2001 Memorandum of Understanding between the International Brotherhood of Electrical Workers, Local 6 and the City and County of San Francisco reconfirming the agency shop provision thereof effective July 1, 2000. (Human Resources Department)
PASSED, ON FIRST READING by the following vote:
Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Maxwell, McGoldrick, Leno, Newsom, Peskin, Sandoval, Yee
- 010042 [Memorandum of Understanding Amendment No. 3 - Glaziers, Local 718]**
Ordinance implementing Amendment No. 3 to the 1997-2001 Memorandum of Understanding between the Glaziers, Architectural Metal and Glass Workers, Local Union 718 and the City and County of San Francisco reconfirming the agency shop provision thereof effective July 1, 2000. (Human Resources Department)
PASSED, ON FIRST READING by the following vote:
Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Maxwell, McGoldrick, Leno, Newsom, Peskin, Sandoval, Yee
- 010043 [Memorandum of Understanding Amendment No. 4 - Laborers, Local 261]**
Ordinance implementing Amendment No. 4 to the 1997-2001 Memorandum of Understanding between the Laborers International Union, Local 261 and the City and County of San Francisco reconfirming the agency shop provision thereof effective July 1, 2000. (Human Resources Department)
PASSED, ON FIRST READING by the following vote:
Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Maxwell, McGoldrick, Leno, Newsom, Peskin, Sandoval, Yee
- 010044 [Memorandum of Understanding Amendment No. 3 - Machinists, Local 1414]**
Ordinance implementing Amendment No. 3 to the 1997-2001 Memorandum of Understanding between the Machinists Union, Local 1414, International Association of Machinists and Aerospace Workers, Machinists Automotive Trades District Lodge 190 and the City and County of San Francisco reconfirming the agency shop provision thereof effective July 1, 2000. (Human Resources Department)
PASSED, ON FIRST READING by the following vote:
Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Maxwell, McGoldrick, Leno, Newsom, Peskin, Sandoval, Yee
- 010045 [Memorandum of Understanding Amendment No. 2 - Pile Drivers, Local 34]**
Ordinance implementing Amendment No. 2 to the 1997-2001 Memorandum of Understanding between the Pile Drivers, Divers, Carpenters, Bridge, Wharf and Dock Builders, Local Union No. 34 and the City and County of San Francisco reconfirming the agency shop provision thereof effective July 1, 2000. (Human Resources Department)
PASSED, ON FIRST READING by the following vote:
Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Maxwell, McGoldrick, Leno, Newsom, Peskin, Sandoval, Yee

010046 [Memorandum of Understanding Amendment No. 1 - Plumbers, Local 38]

Ordinance implementing Amendment No. 1 to the 1997-2001 Memorandum of Understanding between the United Association of Journeymen and Apprentices of the Plumbing and Pipe Fitting Industry, Local No. 38 and the City and County of San Francisco reconfirming the agency shop provision thereof effective July 1, 2000. (Human Resources Department)

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Maxwell, McGoldrick, Leno, Newsom, Peskin, Sandoval, 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 moved to continue consideration to February 26, 2001.

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

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

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 moved to continue consideration to February 26, 2001.

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

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Maxwell, McGoldrick, Leno, 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.

PUBLIC COMMENT

*Abdalla Megahed, recent fire incident, dog leash for dog owner, India earthquake;
 Jim Reid, Paul Sehagan, Adam Rackowski, Michael Nulty, John, closure of Grocery Outlet, urge store be relocated, explore better use of vacated property;
 Charles, ratepayer;
 Jesus Gumban, lawsuit against school district and Municipal Railway;
 Jim Corrigan, oppose permit to use public parking spaces by Fire Department personnel;
 Jillen Doroan, urge approval of final map for The Allied Box Factory;
 Floyd Brown, lack of Municipal Railway schedules;
 Camille, parked cars, urge enforcement of drivers driving across crosswalk illegally;
 Edmund, dog litter;
 Kathy Perry, urge creation of Citywide Asthma Task Force, street cleaning needed for Egbert Street and Third Street.*

Called from Public Health and Environment Committee by Supervisor Leno

**002213 [Federal grant funds for strategic planning to reduce community and youth violence in Bayview Hunters Point and the Mission Districts]
 Supervisors Leno, Newsom, Peskin**

Resolution authorizing the Department of Public Health, Community Health Promotion and Prevention, to accept retroactively and expend first year grant funds of \$195,900 from the Substance Abuse and Mental Health Services Administration (SAMHSA) for the Community Youth Mental Health Promotion project and to enter into an agreement which includes a rights in data clause for the use of these funds; providing for ratification of action previously taken. (Public Health Department)

Supervisor Peskin requested to be added as co-sponsor.

Resolution No. 69-01

ADOPTED by the following vote:

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

**002214 [Federal grant for a mobile methadone program]
Supervisors Leno, Newsom, Daly, Peskin**

Resolution authorizing the Department of Public Health, Population Health and Prevention, Community Substance Abuse Services, to accept retroactively and expend first year grant funds of \$235,000 from the Substance Abuse and Mental Health Services (SAMHSA) and the Center for Substance Abuse Treatment (CSAT) for the mobile methadone maintenance program and to enter into an agreement which includes a rights in data clause for the use of these funds; providing for ratification of action previously taken. (Public Health Department)

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

Resolution No. 70-01

ADOPTED by the following vote:

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

**002215 [Federal grant to reduce indoor environmental triggers for asthma]
Supervisors Leno, Newsom, Peskin**

Resolution authorizing the Department of Public Health, Community Health and Safety Services, Environmental Health Services, to accept and expend grant funds of \$98,399 from the U.S. Environmental Protection Agency (EPA) for the Healthy Homes for Healthy Airways program. (Public Health Department)

Supervisor Peskin requested to be added as co-sponsor.

Resolution No. 71-01

ADOPTED by the following vote:

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

**002216 [Federal grant for a residential substance abuse program for pregnant and postpartum women]
Supervisors Leno, Newsom**

Resolution authorizing the Department of Public Health, Population Health and Prevention, Community Substance Abuse Services, to accept retroactively and expend first year grant funds of \$800,000 from the Substance Abuse and Mental Health Services Administration (SAMHSA) and the Center for Substance Abuse Treatment (CSAT) to expand the number of residential beds available to pregnant and postpartum women and to enter into an agreement which includes a rights in data clause for the use of these funds; providing for ratification of action previously taken. (Public Health Department)

Supervisor Ammiano moved to amend page two, line 15, by replacing "should be urged" with "is directed"

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

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

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

Resolution No. 72-01

ADOPTED AS AMENDED by the following vote:

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

**001538 [Grant funds for a technical assistance and capacity development demonstration project]
Supervisor Newsom**

Resolution authorizing the Department of Public Health, Population Health and Prevention, HIV Health Services, to accept retroactively and expend first year grant funds of \$993,917 from the DHHS Office of Minority Health for the technical assistance and capacity development demonstration program for HIV/AIDS related services in highly impacted minority communities, and to enter into an agreement for the use of these funds; providing for ratification of action previously taken. (Public Health Department)

Supervisor Ammiano moved to amend page two, line 10, by replacing "should be urged" with "is directed".

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

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

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

Resolution No. 68-01

ADOPTED AS AMENDED by the following vote:

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

Called from Transportation and Land Use Committee by the Board

010051 [Final map for a 31 unit mixed use condominium project]

Motion approving final map of The Allied Box Factory, a Mixed Use Development Live/Work and Commercial Condominium Project (2169 Folsom Street), being a subdivision of Lot 74, Assessor's Block No. 3573, and adopting findings pursuant to City Planning Code Section 101.1. (Public Works Department)

(DPW Order No. 172,749.)

Motion No. M01-11

APPROVED by the following vote:

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

**010121 [Bessie Carmichael Elementary School]
Supervisor Daly**

Resolution urging the San Francisco Unified School District to make the construction of a new Bessie Carmichael Elementary School a top priority.

Resolution No. 73-01

ADOPTED

010127 [Commendation - Saint Ignatius/Sacred Heart]
Supervisors Hall, Daly, Yee, Newsom

Resolution commending Saint Ignatius College Preparatory and Sacred Heart Cathedral for their continued success in fulfilling their respective missions to educate the youth of San Francisco and for their ability to successfully maintain their athletic rivalry through the annual Bruce-Mahoney Memorial Trophy competition.

Resolution No. 77-01

ADOPTED

010140 [Needle Exchange Emergency]
Supervisors Ammiano, Newsom, Yee, Leno, Daly, Peskin

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

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

Motion No. M01-9

ADOPTED

010148 [Commendation]
Supervisors Newsom, Hall, Leno

Resolution commending the GGNRA's Citizen's Advisory Committee in its action to delay rescinding the 1979 Pet Policy until stakeholders have an opportunity to confer; further urging the Superintendent of the National Park Service to form with all due haste a working group with all stakeholders, including federal and state representation and locally to include at least two members of the Board of Supervisors, representatives from advocacy groups such as the SPCA and SF Dog, representatives from the San Francisco Recreation and Park Department, and representatives from involved environmental and children's groups to examine alternatives to rescinding the Pet Policy such as time and place restrictions rather than a complete ban and to study the anticipated effect that any ban of off-leash dogs would have on the City as a whole.

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

Resolution No. 78-01

ADOPTED

010138 [Suspend 30 Day Rule]
Supervisor Gonzalez

Motion suspending Rule 5.43 of the Rules of Order of the Board of Supervisors to allow the Board of Supervisors to consider, without waiting 30 days after its introduction, Ordinance amending Administrative Code Chapter 37 "Residential Rent Stabilization and Arbitration Ordinance" by adding a new Section 37.8C "Temporary Moratorium on Rent Board processing or approval of landlord petitions for certification and passthrough of capital improvement, rehabilitation and energy conservation costs to tenants, during pendency of the Superior Court's preliminary injunction staying implementation of November 2000 Proposition H."

Motion No. M01-7

APPROVED

**010123 [Renegotiation of Modesto and Turlock Irrigation District Contracts]
Supervisors Gonzalez, Newsom, McGoldrick, Peskin**

Resolution directing the City Attorney to examine the ways in which San Francisco could terminate its obligations to provide power from the Hetch Hetchy Dam to the Modesto and Turlock Irrigation Districts as stipulated in the agreements approved in 1988 and to examine the ways in which the City could terminate its contract with Pacific Gas and Electric to distribute this power to the Modesto and Turlock Irrigation Districts, and to inform the Modesto and Turlock Irrigation Districts of San Francisco's intent to begin renegotiation of these contracts.

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

Resolution No. 74-01

ADOPTED

**010124 [1999 Affordable Housing Bonds Housing Account Transfer]
Supervisors McGoldrick, Peskin**

Resolution authorizing and directing the transfer of \$3,000,000 of the proceeds of City and County of San Francisco Taxable General Obligation Bonds (Affordable Housing) Series 1999A held in the Development Account to the Downpayment Loan Assistance Account.

Supervisor Peskin requested to be added as co-sponsor.

Resolution No. 75-01

ADOPTED

**010125 [Extension of exclusive negotiations between the Port of San Francisco and the Malrite Company]
Supervisors Peskin, Newsom, Leno, Hall**

Resolution opposing the decision by the Port of San Francisco to extend exclusive negotiations with the Malrite Company regarding Pier 45 for an additional ninety (90) days until April 15, 2001.

Supervisor Hall requested to be added as co-sponsor.

Resolution No. 80-01

ADOPTED

**010126 [Litigation]
Supervisors Peskin, Newsom, Leno**

Resolution urging the City Attorney to file a petition for certiorari in the Supreme Court of the United States, asking that Court to review the judgment of the California Supreme Court in East Bay Asian Local Development Corporation v. State of California, SO 77396, and to hold that AB 133 violates the Establishment Clause of the First Amendment of the United States Constitution.

Supervisor Leno requested to be added as co-sponsor.

Resolution No. 76-01

ADOPTED

010139 [Final map for a 19 Unit Mixed Use Condominium Project]

Motion approving final map of 1801-1807 Polk Street, a Mixed-Use Condominium Project, being a subdivision of Lot 3, Assessor's Block No. 598, and adopting findings pursuant to City Planning Code Section 101.1. (Public Works Department)

(DPW Order No. 172,762.)

Motion No. M01-8

APPROVED

010143 [Final map for a 12 Unit Live/Work Condominium Project]

Motion approving final map of 500 Bryant Street, a Live/Work Condominium Project, being a subdivision of Lot 9, Assessor's Block No. 3762, and adopting findings pursuant to City Planning Code Section 101.1. (Public Works Department)

(DPW Order No. 172,763.)

Motion No. M01-10

APPROVED

The foregoing items were acted upon by the following vote:

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

Absent: 2 - Sandoval, Yee

Severed From For Adoption Without Committee Reference Agenda

010122 [Appointment of Public Defender]

Supervisor Gonzalez

Resolution urging the Mayor to appoint Jeff Adachi, the Chief Trial Attorney in the office of the Public Defender, as Public Defender for the City and County of San Francisco.

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

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

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

Absent: 2 - Sandoval, 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."

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

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

[Brown Act Finding]

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

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

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

Imperative Resolution

010162 [Fort Funston proposed closure]
Supervisors Yee, Leno

Resolution requesting the City Attorney contact the National Park Service requesting a delay in the closure of twelve acres along the coastal bluffs at Fort Funston; requesting the Department of City Planning, the General Manager of the Recreation and Park Department, and the Director of Public Works review the pending twelve-acre closure at Fort Funston.

Resolution No. 79-01

ADOPTED by the following vote:

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

OFF-AGENDA LEGISLATION

Introduced by Supervisors or Mayor

Resolutions

010163 [Clean Ferries]
Supervisors Newsom, Gonzalez, Leno, Maxwell, Hall, Peskin

Resolution urging the Golden Gate National Recreation Area (GGNRA) and all other ferry operators to pursue cleaner marine technologies, adopt diesel emissions reduction strategies, and develop alternative fuel and ferry design demonstration projects; further urging the Bay Area Water Transit Authority (BAWTA) to establish a cleaner marine technology committee to seek financing for and develop a natural gas demonstration vessel and an alternative fuel ferry plan.

1/29/01, RECEIVED AND ASSIGNED to Public Health and Environment Committee.

010164 [Office of Ratepayer Advocates]
Supervisors Gonzalez, Sandoval, McGoldrick, Peskin, Daly

Resolution urging Governor Gray Davis to appoint a director to the state's Office of Ratepayer Advocates.

1/29/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

010165 [Lowell High School]
Supervisors Hall, Newsom

Resolution urging the San Francisco Unified School District to consider every alternative to using Eucalyptus Drive and 25th Avenue as routes of entrance and exit for construction and delivery vehicles during the construction of the new Science/Academic wing at Lowell High School.

1/29/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

010166 [Extension of Planning Commission Review Period]
Supervisor Leno

Resolution extending the prescribed time within which the Planning Commission may render its decision on a proposed ordinance to amend the Planning Code to adopt an inclusionary affordable housing program.

1/29/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

010167 [Power generating assets]
Supervisors McGoldrick, Gonzalez, Peskin, Daly

Resolution calling for Governor Davis, the California Legislature, and the California Public Utilities Commission to require that any financial assistance to utilities in the form of taxpayer monies or rate increases be accompanied by a transfer of equivalent interests in power generating assets to the State of California.

1/29/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**010168 [Antitrust violation, natural gas suppliers]
Supervisors McGoldrick, Peskin, Daly**

Resolution urging the City Attorney to instigate an investigation into possible monopolization, collusion, and fraud by suppliers of natural gas.

1/29/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**010169 [Uninsured children funding]
Supervisors Sandoval, Gonzalez, McGoldrick, Newsom**

Resolution urging the Department of Public Health to calculate the amount of money spent annually on uninsured children residing in the City of San Francisco.

1/29/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**010170 [Bond Oversight Committee]
Supervisors Yee, McGoldrick**

Resolution urging the San Francisco Public Library to create a Bond Oversight Committee for the Branch Library Bond, and requesting the San Francisco Public Library issue reports to the Board of Supervisors, the Budget Analyst's Office, the Controller, and the Mayor's Office of Public Finance on a quarterly basis which detail all expenditures from the bond funds by facility and by individual projects.

1/29/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**010171 [Clean Streets Initiative]
Supervisor Yee**

Resolution establishing the Clean Streets Initiative.

1/29/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**010172 [Parkside Elementary School and Childcare Center]
Supervisors Yee, Newsom**

Resolution urging the San Francisco Unified School District to make the rebuilding of Parkside School and construction of a new childcare center at Parkside School a top priority.

1/29/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**010173 [Standards of Conduct for Redevelopment Agency Commission]
Supervisors Ammiano, McGoldrick, Daly**

Resolution urging the San Francisco Redevelopment Agency (SFRA) Commission to adopt a policy requiring all SFRA Commissioners to disclose any communications that they have with developers, contractors and other parties or individuals who have a matter pending before the SFRA Commission and that such a public disclosure policy require that the name(s) and the substance of the contact be divulged and that such disclosure must occur before the SFRA Commission votes on the matter; and further urging the SFRA Commission to adopt a policy that is based upon SFRA staff evaluation and recommendation as well as public input which would require the public offering of all SFRA property for development and that such a process be uniform and implemented fairly.

1/29/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**010174 [Prohibit selling of naming rights of public transit stations]
Supervisors Ammiano, Newsom, Peskin**

Resolution urging the Board of Directors of BART and the Municipal Transportation Authority to prohibit the selling of the naming rights of any public transit stations, especially the Embarcadero, Montgomery, Powell and Civic Center stations, to any private entity, corporation or individual.

1/29/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**010175 [San Francisco Day Laborer Program]
Supervisors Ammiano, Daly**

Resolution urging the Director of the Department of Human Services to permanently locate the San Francisco Day Laborer Program at the 3120 Mission Street site and to negotiate with the current owners of the Department's intentions.

1/29/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**010176 [India Earthquake]
Supervisors Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee**

Resolution urging President Bush, the United States Senate and the House of Representatives to use all available resources and funds to augment and expedite existing relief efforts to earthquake victims and their families in the western state of Gujarat, India; and further wishing to express condolences to family members of those who have passed away in Bhuj, Ahmedbad, Anjar and other villages impacted by the earthquake as well as sympathy and a speedy recovery to those who have been injured by the earthquake; and further expressing sympathy to those living in the San Francisco Bay Area who have relatives in Gujarat, India that have been impacted by the earthquake.

1/29/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

010177 [Grocery Outlet]
Supervisors Ammiano, Peskin, Daly

Resolution urging Best Buy Electronics to investigate ways to maintain the continued operation of the Grocery Outlet and further urging the owners of Grocery Outlet to consider the option of remaining at the current site and renegotiate with Best Buy Electronics to work out an amenable solution.

1/29/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

010178 [Equity for Filipino Veterans of World War II]
Supervisors Daly, Sandoval, Newsom, McGoldrick, Peskin

Resolution urging President Bush and the United States Congress to amend the 1946 Rescission Act to provide equity for Filipino veterans of World War II.

1/29/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

010179 [Generic Pharmaceuticals to Sub-Saharan Africa]
Supervisors Daly, McGoldrick

Resolution urging President Bush to retain May 10, 2000 Executive Order entitled "Access to HIV/AIDS Pharmaceuticals and Medical Technologies."

1/29/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

010180 [Gujarat Earthquake]
Mayor, Supervisors Peskin, Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Sandoval, Yee

Resolution extending condolences and greatest sympathy to the people of India and those affected by the Gujarat earthquake, and further urging the citizens of San Francisco to donate resources and assistance to relief efforts established for India as a result of this natural disaster.

1/29/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

010181 [Commendation]
Supervisors Leno, Newsom, Daly, McGoldrick, Maxwell

Resolution commending Timothy Leifield for his years of leadership at the Stop AIDS Project.

1/29/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**010182 [Commendation]
Supervisor McGoldrick**

Resolution commending James Morales, the Executive Director of the Redevelopment Agency, for proposing Standards of Conduct for the Redevelopment Agency Commission and supporting the agency in adopting such standards of conduct.

1/29/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**010183 [Commendation]
Supervisors Yee, McGoldrick, Peskin**

Resolution commending Norm Mineta for his continued work on behalf of Asian Americans and on his appointment to the post of Secretary of Transportation.

1/29/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**010184 [Commendation]
Supervisor Yee**

Resolution commending Elaine Chao for her continued work on behalf of Asian Americans and her new position as Secretary of Labor.

1/29/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**010185 [Commendation]
Supervisors Yee, Hall**

Resolution commending Walgreens for its involvement in the Clean City Summit.

1/29/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**010186 [Commendation]
Supervisor Ammiano**

Resolution commending Autism/Asperger's Syndrome Coalition for Education Networking and Development (AASCEND) on the great occasion of their second annual conference, "Share the Journey" on February 10, 2001 in the City and County of San Francisco.

1/29/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**010187 [Proclamation]
Supervisors Ammiano, Daly**

Resolution proclaiming February 7, 2001 as Carolyn Nielsen Day in the City and County of San Francisco.

1/29/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**010188 [Commendation]
Supervisor Daly**

Resolution commending Laura Thomas and the San Francisco Department of Public Health for the successful application for Ryan White CARE Act Title 1 funding.

1/29/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Requests for Hearing

**010189 [City Housing, Inc.]
Supervisors Gonzalez, Ammiano, Daly**

Hearing regarding City Housing, Inc., a non-profit housing management company that receives funds from the City of San Francisco to manage Single Room Occupancy hotels.

1/29/01, RECEIVED AND ASSIGNED to Housing, Transportation and Land Use Committee.

**010190 [Small business incentives, rebates, matching funds]
Supervisor Leno**

Hearing on potential incentives, rebates, matching funds, perhaps using City's growing utilities tax as a revenue source to assist small businesses in acquiring energy efficient equipment for business operations.

1/29/01, RECEIVED AND ASSIGNED to Economic Vitality, Small Business and Social Policy Committee.

**010191 [Internet Server Farms]
Supervisor Maxwell**

Hearing to discuss the proliferation of internet server farms; and power demands and potential environmental and health impacts from internet server farms.

1/29/01, RECEIVED AND ASSIGNED to Public Health and Environment Committee. Sponsor requests this item be scheduled for consideration at the February 27, 2001 meeting.

**010192 [Off-leash Task Force Recommendation]
Supervisor Newsom**

Hearing to review the recommendations of the Recreation and Park Department's Advisory Dogs Off-leash Task Force.

1/29/01, RECEIVED AND ASSIGNED to Neighborhood Services and Parks Committee.

**010194 [Dog Control]
Supervisor Newsom**

Hearing on the San Francisco "vicious and dangerous" dog ordinance and how it intersects with the Food and Agriculture Code regarding "Breed specific" legislation preemption by state law.

1/29/01, RECEIVED AND ASSIGNED to Public Health and Environment Committee.

**010195 [Employee labor issue]
Supervisor Peskin**

Hearing to examine the practice of City employees taking days and sometimes weeks off their jobs to work on local political campaigns, including, but not limited to, an exploration of the supposed use of compensated time for this practice, as well as the impact on workplace productivity resulting from this practice.

1/29/01, RECEIVED AND ASSIGNED to Finance Committee.

**010196 [Firebomb and extortion of Chinese merchants]
Supervisors Yee, McGoldrick**

Hearing regarding the extortion and firebomb attacks on two Richmond District restaurants, the Mayflower and Seafood Restaurant, and the Tong Palace, specifically to consider actions that can be taken to hold the perpetrators accountable and protect the future safety of residents and merchants during Chinese New Year.

1/29/01, RECEIVED AND ASSIGNED to Neighborhood Services and Parks Committee.

**010197 [Use of cell phone while driving]
Supervisor Ammiano**

Hearing to inquire into ways to encourage drivers to refrain from using cell phones while driving.

1/29/01, RECEIVED AND ASSIGNED to Economic Vitality, Small Business and Social Policy Committee.

Motions

**010193 [Legislative Analyst Request]
Supervisor McGoldrick**

Motion asking the Legislative Analyst to prepare jurisdictional analysis of comprehensive long-range planning processes which include significant neighborhood and community input.

1/29/01, ASSIGNED to Board of Supervisors. Scheduled for consideration February 5, 2001.

**010198 [Legislative Analyst Request]
Supervisors Sandoval, Newsom, Hall**

Motion asking the Legislative Analyst to provide general research and analysis on San Francisco policy regarding business tax relief for businesses that are negatively impacted by major street, sidewalk and transit improvements, including, but not limited to, street repaving, redirection of traffic and public transportation, and loss of parking. Requesting the Legislative Analysts to provide comparative information on other cities' laws and policies regarding business tax relief for businesses that are negatively impacted by major street, sidewalk and transit improvements.

1/29/01, ASSIGNED to Board of Supervisors. Scheduled for Board consideration February 5, 2001.

**010199 [Legislative Analyst Request]
Supervisor Daly**

Motion asking the Legislative Analyst to look into and study the working conditions for young temporary workers, especially in the IT (Information Technology) industry.

1/29/01, ASSIGNED to Board of Supervisors. Scheduled for Board consideration February 5, 2001.

Introduced by the President at the Request of Departments**PROPOSED ORDINANCES****010149 [Jobs-Housing Linkage Program]**

Ordinance amending Article III, Chapter II, Part II of the San Francisco Municipal Code (Planning Code) by amending Sections 313, 313.1, 313.2, 313.3, 313.4, 313.5, 313.6, 313.7, 313.8, 313.9, 313.10, 313.11, 313.12, 313.13, and 313.14, to rename the "Office Affordable Housing Production Program" as the "Jobs-Housing Linkage Program," to apply the program to all new and expanded hotel space of at least 25,000 square feet, to all new and expanded entertainment space of at least 50,000 square feet, and to all other new and expanded retail space of at least 100,000 square feet; to set forth the number of housing units to be constructed for each type of development subject to this ordinance; to set forth fees for each type of development subject to this ordinance; to increase the number of housing units and fees for office developments; and by adding Section 313.15, to require a study every five years determining the demand for housing created by commercial development. (Planning Department)

(Planning Resolution No. 16044 adopted December 7, 2000 recommending the proposed amendment to the City Planning Code; Planning File No. 1999.178T.)
(Companion measure to File 010150.)

1/24/01, RECEIVED AND ASSIGNED to Finance Committee. Board President requests this item be calendared at the February 7, 2001 meeting

PROPOSED RESOLUTIONS**010110 [Lease of City-owned property at 850 Bryant Street]**

Resolution authorizing and approving lease of City-owned property located on the first floor of the Hall of Justice, 850 Bryant Street, to the Northern California Service League. (Real Estate Department)

1/19/01, RECEIVED AND ASSIGNED to Finance Committee.

010111 [Lease of City-owned property at 400 McAllister Street]

Resolution authorizing and approving lease of City-owned property located on the first floor of the Civic Center Courthouse, 400 McAllister Street, to the Northern California Service League. (Real Estate Department)

1/19/01, RECEIVED AND ASSIGNED to Finance Committee.

010145 [Sublease of Treasure Island Brig Facility for Sheriff's Department]

Resolution approving a sublease, retroactive to July 1, 2000, between the City and County of San Francisco (The "City") and the Treasure Island Development Authority (The "Authority") for certain property on Treasure Island commonly known as the Brig (Buildings 670 and 671) located at the corner of 13th and M Streets on Treasure Island, for an annual rent not to exceed \$250,000 per year. (Real Estate Department)

(Fiscal impact.)

1/24/01, RECEIVED AND ASSIGNED to Finance Committee.

- 010146 [Lease of property at 1360 Mission Street for DPH-Employee Assistance Program]**
Resolution authorizing a new lease of real property currently occupied by the City under the terms of an earlier lease at 1360 Mission Street, San Francisco, for a term of three years commencing retroactively as of July 1, 2000 at an initial monthly rent of \$8,000 per month for the Employee Assistance Program of the Department of Public Health. (Real Estate Department)
1/24/01, RECEIVED AND ASSIGNED to Finance Committee.
- 010150 [Final Negative Declaration, Jobs-Housing Linkage Ordinance]**
Resolution adopting Final Negative Declaration, finding and determining that the Jobs-Housing Linkage Ordinance will have no significant impact on the environment, and adopting and incorporating findings of Final Negative Declaration. (Planning Department)

(Final Negative Declaration adopted and issued on April 27, 1999.)
1/24/01, RECEIVED AND ASSIGNED to Finance Committee.

Requests Granted

From: Supervisor Gonzalez

To: City Attorney

Requesting/Inquiring: To draft legislation prohibiting the use of San Francisco piers or ports by any diesel-powered ferries not registered with the Bay Area Water Transit Authority by April 1, 2001. Further resolved, that the Clerk of the Board notify the Director of the Department of Public Health and all other appropriate City departments that hearing will be scheduled in the near future.

From: Supervisor Hall

To: City Attorney

Requesting/Inquiring: To draft legislation to amend the Urban Forestry Council Legislation, finally passed on January 29, 2001, amending the composition of the Council in such a way as to require at least one of the three representatives of the community to be a private property owner.

From: Supervisor Leno

To: City Attorney

Requesting/Inquiring: To draft legislation creating an Entertainment Commission to address planning, permitting and neighborhood relations for entertainment venues and events.

From: Supervisor Leno

To: City Attorney

Requesting/Inquiring: To draft legislation creating a one time indoor place of entertainment, amplified music and dancing permit using the existing permanent place of entertainment, amplified music and dancing permits to establish temporary permit criteria.

From: Supervisor Leno

To: General Superintendent, Golden Gate National Recreation Area

Requesting/Inquiring: Inquiring how the agency plans to include the Board of Supervisors, Recreation and Park Department, and off-leash, environmental and family advocacy groups in their four month deliberations regarding the Pet Policy for Golden Gate National Recreation Area properties.

Due date: February 12, 2001

From: Supervisor Maxwell

To: Director, Planning Department

Requesting/Inquiring: Requesting that appropriate staff of the Environmental Review Office and Planning Director's office attend a hearing on Tuesday, February 27 at 10 am in the Public Health and Environment Committee to discuss the enormous electrical demands, and potential environmental and health impacts from internet server farms, and that staff come prepared to discuss the following matters:

- 1. How does the Department track construction of server farms, both by new construction and conversion?*
- 2. How does the Department evaluate potential environmental and health impacts from internet server farms? Why are such projects often exempt from the Environmental Impact Review process?*
- 3. How many server farms already exist in the City? What are their addresses? How large are they?*
- 4. Ms. Gitelman provided a list of server farms reviewed since January 1999. The list does not include a telecom hotel at 6th & Townsend, but there is a huge banner on a building at that location indicating that it is a telecom hotel. Is it on the Department's list?*
- 5. Please explain why the Department is "scoping out" energy consumption issues from "server farms" in its environmental documents.*
- 6. Has the Department verified the assumptions it made regarding how electric demand would increase in the Downtown Plan EIR?*
- 7. Isn't it appropriate to immediately make all server farms a Conditional Use so that the City can monitor them and impose appropriate conditions, such as requiring maximum energy efficiency by use of the least energy intensive technology?*
- 8. Would someone from the Department please visit the site of the 1828 Egbert Street server farm, currently under construction next to several dozen residences, and come prepared to explain how that enormously out-of-scale facility ever made it through the Planning Department.*
- 9. Has anyone analyzed the impacts of the electrical field created when such huge electrical facilities are next to residences? If there are 1,000,000 square feet of server farms on two adjacent blocks near people's homes in Bayview, what type of interference is likely to occur on such things as cell phones, radio and television reception, and most importantly people's health?*
- 10. The Negative Declarations discuss job reductions at most of these sites. Does the Department have any information on how many jobs are in the new facilities versus how many jobs were in the former facilities on these sites?*
- 11. What steps has the Department taken to draw an appropriate radius around the proposed Potrero power plant site to ensure that residences are not constructed too close to that plant? How close to that facility is the 175-unit live/work project proposed on Illinois Street? Why is housing and live/work allowed down to 25th & Illinois when that is so near the power plant?*
- 12. How will the Department be handling utility installations, including server farms, in the rezoning controls for industrial areas? When will the draft be available?*
- 13. When I was campaigning, people near the Egbert facility told me that they had gotten no notice of that enormous building, which looms over residences literally 10 feet away. Would you please provide me with all notice lists for the Egbert and 200 Paul facilities already approved, as well as for the Newhall and 400 Paul facilities currently being reviewed.*
- 14. Is a server farm or other utility installation being reviewed for the former Downtown Rehearsal Studios site at 5700 3rd Street, a site which is about 1000 feet from the 200 Paul site?*

From: Supervisor Maxwell

To: Director, Planning Department

1) Requesting/Inquiring: To provide recently issued Preliminary Negative Declarations for the proposed "server farms" at 2660 Newhall Avenue and for 400 Paul Avenue.

2) Copies of environmental documents previously issued for 200 Paul Street and 1828 Egbert Avenue.

3) Supervisor Maxwell has been informed that none of those Negative Declarations has an analysis of the amount of power consumed in those facilities, nor any cumulative analysis of power demand. And that although there are at least four such facilities on adjacent blocks - 1828 Egbert, 2660 Newhall, 200 Paul and 400 Paul - and that those facilities are adjacent to residences, there is no analysis of cumulative impacts from such huge electrical facilities on nearby residents or of the cumulative power demand in that neighborhood. Supervisor Maxwell inquires of Ms. Gitelman whether it would not be wise to amend the 2660 Newhall and 400 Paul Preliminary Negative Declarations now to provide that information rather than waiting until there is an appeal.

From: Supervisor Maxwell

To: Treasurer/Tax Collector

Requesting/Inquiring: To investigate and report whether they can provide any relevant information from their records on the number of server farms or telecom hotels in the City, and if so that a representative from the Treasurer/Tax Collector's office attend a hearing on Tuesday, February 27, 2001 at 10 am in the Public Health and Environment Committee to discuss the above matter.

From: Supervisor Maxwell

To: Director, Department of the Environment

Requesting/Inquiring: To inquire whether the Office of the Environment has developed information relevant to the power demands for server farms and what steps the City can take to maximize energy efficiency; and whether that office has developed information regarding potential health and environmental impacts of server farms; and requesting that a representative of the Department attend a hearing on Tuesday, February 27, 2001 at 10 am in the Public Health and Environment Committee to discuss the above matter.

From: Supervisor Maxwell

To: Assessor

Requesting/Inquiring: To investigate and report if the rent for the server farm at 160 Harrison Street is much higher than the rent charged for the most expensive office space in the City and do their assessments reflect that value? And requesting a representative of the Assessor's Office attend a hearing on Tuesday, February 27, 2001 at 10 am in the Public Health and Environment Committee to discuss the above matter.

From: Supervisor Maxwell

To: Director, Planning Department

Requesting/Inquiring: Requesting her office be sent copies of all environmental documents and all notices for projects in District 10.

From: Supervisor Maxwell

To: Director, Planning Department

Requesting/Inquiring: Requesting copies of all correspondence regarding actions taken on live/work buildings being occupied as offices, particularly enforcement actions.

From: Supervisor McGoldrick

To: City Attorney

Requesting/Inquiring: To draft legislation implementing a Code of Ethics for all City Departments and Commissions.

From: Supervisor Newsom

To: Director, Recreation and Park Department

Requesting/Inquiring: To notify the Director that committee hearing has been called to consider the recommendations of the Advisory Off-leash Dog Task Force, and requesting a representative be ready to report on the best practices of off-leash dog areas in neighboring counties, hearing to be scheduled in the near future.

From: Supervisor Newsom

To: City Attorney

Requesting/Inquiring: To draft an opinion interpreting the recent Ninth Circuit Court of Appeals opinion stating that tenants whose co-habitants are arrested on a drug offense cannot be thrown out for the crime of association. Specifically asking that the City Attorney opine on whether parents or primary care-givers can be evicted from HUD properties when that caregiver may have known their child was using drugs when that child was arrested for this offense.

From: Supervisor Newsom

To: City Attorney

Requesting/Inquiring: To draft legislation to restrict the City purchasing of gasoline to only non-MTBE gas, with the starting date to begin at the close of any existing contracts to purchase MTBE gasoline.

From: Supervisor Newsom

To: General Manager, Recreation and Park Department

To: Director, Parking and Traffic

Requesting/Inquiring: That the General Manager of Recreation and Park Department and Director of Department of Parking and Traffic report what they plan to do to make the entrance to Golden Gate Park at Stanyan and Fell Streets safer, particularly in light of the bicycle/car collision this past Friday and given that the Department has been contemplating safety improvements for bicyclists and pedestrians for nearly two years.

From: Supervisor Newsom

To: Director, Parking and Traffic

Requesting/Inquiring: To investigate and report on what the department is doing to address the ongoing problem of sidewalk parking.

From: Supervisor Newsom

To: General Manager, Recreation and Park Department

Requesting/Inquiring: To investigate and report on the following park issues:

- 1. How the Cow Hollow Playground is patrolled; also informing Recreation and Park Department that this question stems from reports of poor maintenance and security within the park.*
- 2. When the plan for the Marina Harbor will be complete and ready for implementation; further inquiring timelines for implementation.*
- 3. To provide an update on the status of the Palace of Fine Arts restoration, complete with timelines.*

From: Supervisor Peskin

To: City Attorney

Requesting/Inquiring: To investigate and report if it is possible for the City to standardize candidate fundraising limits regardless of whether candidates are carrying campaign debt at the lowest end of the currently allowable limits, and if this is possible, to draft this legislation.

From: Supervisor Peskin

To: Director, Department of Parking and Traffic

Requesting/Inquiring: To report on the feasibility of placing four-way crosswalks, in which pedestrians on all corners cross at once, at congested intersections in the Chinatown district, as well as implementing other pedestrian safety and traffic congestion measures in this district. The response should identify opportunities regarding traffic management and pedestrian safety in Chinatown and an explanation of the process necessary to implement such opportunities.

From: Supervisor Ammiano

To: City Attorney

Requesting/Inquiring: To investigate and report on ways in which the City can require and encourage businesses to conserve energy by refraining from turning on non-essential lighting during non-business hours and further requesting the City Attorney to draft legislation if such an investigation should determine that such an imposition is consistent with Federal, State and local laws.

In the light of recent State-wide energy crisis, the investigation should:

- 1. Examine the City's current Charter and Administrative Code to determine whether the City has jurisdiction, directly or indirectly, to require businesses to refrain from turning on non-essential lighting during non-business hours.*
- 2. Examine State and Federal laws to determine whether the City or State government has jurisdiction, directly or indirectly, to require businesses to refrain from turning on non-essential lighting during non-business hours.*
- 3. Should the investigation conducted by the City Attorney determine that the City has jurisdiction to impose such requirements, then the City prepare such legislation.*
- 4. Should the investigation conducted by the City Attorney determine that either the State or Federal government has jurisdiction to impose such requirements, then the City Attorney should prepare such legislation urging the appropriate State and/or Federally elected officials to impose such a requirement.*

From: Supervisor Ammiano

To: Executive Director of the Multi-Service Center, South Shelter

To: Director of Human Services

To: Mayor's Office of Homelessness

Requesting/Inquiring: That Directors of the Multi-Service Center, South Shelter, Department of Human Services, and Mayor's Office of Homelessness investigate and report on why 44 homeless people were turned away from the Multi-Service Center, South Shelter on January 24, 2001.

The response from the Directors of the various agencies should include the following:

- 1. Corroborate that 44 homeless people were turned away at the Multi-Service Center, South Shelter, on a cold and rainy night at around 8:30 PM on January 24, 2001.*
- 2. Determine the primary cause of why the 44 people were turned away.*
- 3. Was there any effort on the part of agency staff to provide adequate referrals?*
- 4. Did agency staff inquire whether or not there were vacancies at other shelters?*
- 5. Did agency staff notify and contact the appropriate City departments for assistance?*
- 6. Were there any efforts made by agency staff or City department staff to any follow up work to determine the status of the 44 homeless people that were turned away?*
- 7. Recommendations on how best to address the primary cause of the problem as well as proposed solutions to avoid such scenarios in the future.*

From: Supervisor Daly

To: Director, Tenderloin Mental Health Clinic

Requesting/Inquiring: To investigate and report on the current state of affairs at the Tenderloin clinic operated by the Bayview-Hunters Point Foundation. This clinic provides mental health services to low income people in District Six. Supervisor Daly understands that a monitoring committee was established to figure out whether the services are actually being provided and requests an update.

In Memoriams

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

Millie Higginson (Supervisor Hall)

William Arnold Manion (Supervisor Hall)

Jeremiah Francis Daly (Supervisor Hall)

Diane Whipple (By the entire Board)

Victims of Indian Earthquake (By the entire Board)

Iris Martha O'Connor (Supervisors Daly, Hall)

ADJOURNMENT

There being no further business, the Board at the hour of 4:25 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 12, 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

