

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 26, 2001 2:00 PM

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

Regular Meeting

TOM AMMIANO, PRESIDENT
CHRIS DALY, MATT GONZALEZ, TONY HALL, MARK LENO,
SOPHIE MAXWELL, JAKE MCGOLDRICK, GAVIN NEWSOM
AARON PESKIN, GERARDO SANDOVAL, LELAND Y. YEE
Gloria L. Young, Clerk of the Board

BOARD COMMITTEES

Committee Membership

Audit, Labor and Government Efficiency Committee

Supervisors Newsom, Daly, McGoldrick

City and School District Committee

Supervisor Maxwell, Supervisor Ammiano, Commissioner Wynns, Commissioner Mar

Economic Vitality, Small Business and Social Policy Committee

Supervisors Sandoval, Newsom, Maxwell

Finance Committee

Supervisors Leno, Peskin, Gonzalez

Housing, Transportation and Land Use Committee

Supervisors McGoldrick, Daly, Peskin

Neighborhood Services and Parks Committee

Supervisors Yee, Hall, Sandoval

Public Health and Environment Committee

Supervisors Maxwell, Yee, Leno

Public Utilities and Deregulation Committee

Supervisors Daly, Gonzalez, Ammiano

Rules Committee

Supervisors Gonzalez, Hall, Ammiano

Meeting Days

2nd & 4th Tuesday
1:00 PM

Call of the Chair

1st & 3rd Tuesday
10:00 AM

Wednesday
10:00 AM

2nd & 4th Thursday
1:00 PM

1st & 3rd Tuesday
1:00 PM

2nd & 4th Tuesday
10:00 AM

Call of the Chair

1st & 3rd Thursday
1:00 PM

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

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

ROLL CALL AND PLEDGE OF ALLEGIANCE

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

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

Quorum present.

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 Ammiano indicated the matter relating to amendment to the India Basin Industrial Park Redevelopment Plan to modify use restrictions and parking and loading requirements, Files 002092 and 001861. (See infra.)

CONSENT AGENDA

Recommendations of the Audit, Labor and Government Efficiency Committee

010006 [Settlement of Lawsuit]

Ordinance authorizing settlement of the lawsuit filed by Lesha Taylor and Melanie Vaughn against the City and County of San Francisco for \$100,000; the lawsuit was filed on March 24, 1999 in San Francisco Superior Court, Case No. 302210; entitled Taylor et al. v. City and County of San Francisco, et al. (City Attorney)

Ordinance No. 31-01

FINALLY PASSED

010028 [Settlement of Lawsuit]

Ordinance authorizing settlement of the lawsuit filed by David L. Birkholz, An Incompetent, et al. versus the City the County of San Francisco for \$50,000.00; the lawsuit was filed on 6/22/95 in Superior Court of San Francisco, Case No. 970-567; entitled David L. Birkholz, An Incompetent, et al. v. State of California, City and County of San Francisco, et al; material terms of said settlement are: in consideration of City making payment of \$50,000.00 to the plaintiff, the plaintiff agrees to dismiss the suit against the City and County of San Francisco and all the individually named City employee defendants. (City Attorney)

Ordinance No. 32-01

FINALLY PASSED

010160 [Settlement of Litigation]

Ordinance authorizing settlement of the lawsuits filed by Golden Eagle Insurance Co. and Martha Johnson against the City and County of San Francisco for the total amount of \$150,000; the lawsuits were filed on August 17, 1998 and August 25, 1998 in San Francisco Superior Court, Case Nos. 997-242 and 997-465; entitled Golden Eagle Insurance Co. v. City and County of San Francisco, et al. and Martha Johnson v. City and County of San Francisco, et al. (City Attorney)

Ordinance No. 35-01

FINALLY PASSED

010107 [Memorandum of Understanding, Local 790 Fire Rescue Paramedics]

Ordinance adopting and implementing the terms of a Memorandum of Understanding between the Service Employees International Union, AFL-CIO, Local 790, and the City and County of San Francisco for the H-1 Fire Rescue Paramedics to be effective for the period July 1, 1999 through June 30, 2001. (Human Resources Department)

(Fiscal impact.)

Ordinance No. 34-01

FINALLY PASSED

Recommendation of the Finance Committee**010161 [Airport Concession Lease]**

Resolution approving, retroactively, the Boarding Area "F" Cosmetic and Toiletries Lease between Buth-Na-Bodhaige, Inc. dba The Body Shop, and the City and County of San Francisco, acting by and through its Airport Commission. (Airport Commission)

Resolution No. 166-01

ADOPTED

Recommendation of the Housing, Transportation and Land Use Committee

010054 [Termination of existing sewer easement and acceptance of replacement sewer easement between Tandang Sora Street and 4th Street]

Ordinance authorizing the termination of an existing sewer easement and the acceptance of the grant of a replacement sewer easement between Tandang Sora Street and 4th Street, and adopting findings pursuant to City Planning Code Section 101.1. (Real Estate Department)

Ordinance No. 33-01

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

REGULAR AGENDA

UNFINISHED BUSINESS

Appointment of President Pro Tempore

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

Recommendation of the Finance and Labor Committee

001557 [Visitacion Valley Interim Controls]
Supervisors Ammiano, Bierman, Yee, Peskin, Daly

Resolution imposing Interim Zoning Controls for a period of twelve (12) months by applying the zoning controls applicable in NC-3 Districts that are contained in Municipal Code Part II, Chapter II (Planning Code) Section 712 to Assessor's Blocks 5087, 5100, and 5101, and Block 5099, Lot 14, by limiting the maximum non-residential use size to sixty-five thousand (65,000) square feet on Assessor's Blocks 5087, 5100 and 5101 and Block 5099, Lot 14, and in the adjacent NC-3 District located on Bayshore Boulevard and bounded by Arleta Avenue on the north and the terminus of the City and County of San Francisco to the south; and adopting findings pursuant to Planning Code Section 101.1

(October 6, 2000 - Certificate of Determination of Exemption/Exclusion From Environmental Review, exempt status, general rule exclusion (State Guidelines, Section 15061(b)(3)).

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

Resolution No. 159-01

ADOPTED by the following vote:

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

The President resumed the Chair.

NEW BUSINESS

Recommendation of the Audit, Labor and Government Efficiency Committee

**001638 [Controller's Audit, Marina Yacht Harbor]
Supervisor Newsom**

Resolution urging the Recreation and Park Department to implement, with all due haste, the recommendations stemming from the Controller's 2000 San Francisco Marina Small Craft Harbor Report.

(Supervisor McGoldrick dissenting in committee)

Supervisor McGoldrick, seconded by Supervisor Yee, moved to re-refer this matter to committee.

Motion to re-refer to committee failed adoption by the following vote:

*Ayes: 5 - Ammiano, Golzalez, McGoldrick, Sandoval, Yee
Noes: 6 - Daly, Hall, Leno, Maxwell, Newsom, Peskin*

Supervisor Peskin moved to amend page two, between lines 3 and 4, by inserting "Further resolved, That nothing in this resolution condones the construction of breakwaters (in the East or West portions) in the harbor; and, be it".

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

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

Supervisor McGoldrick requested that this matter be continued to March 5, 2001.

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

**Ayes: 7 - Ammiano, Gonzalez, Maxwell, McGoldrick, Peskin, Sandoval, Yee
Noes: 4 - Daly, Hall, Leno, Newsom**

Recommendations of the Finance Committee

**010061 [Substance Abuse and Crime Prevention Trust Fund and Designation of Lead Agency]
Mayor, Supervisors Newsom, Maxwell, Hall, McGoldrick, Daly, Leno, Peskin**

Ordinance adding Section 10.100-221 of the San Francisco Administrative Code establishing fund for deposit of sums received under the Substance Abuse and Crime Prevention Act of 2000, and designating the Department of Public Health as the lead agency for administration of the fund.

PASSED, ON FIRST READING by the following vote:

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

**010272 [Appropriation, funding for earthquake relief to El Salvador]
Mayor, Supervisors Sandoval, Newsom**

Ordinance appropriating \$100,000 from the General Fund Reserve for the Salvadorian Emergency Committee to provide earthquake relief for fiscal year 2000-01.

PASSED, ON FIRST READING by the following vote:

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

Recommendation of the Neighborhood Services and Parks Committee

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

Ordinance authorizing the Director of Public Works to limit competitive bidding of contracts to a group of pre-qualified contractors for the rehabilitation and upgrading of the Golden Gate Park Conservatory of Flowers.

PASSED, ON FIRST READING by the following vote:

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

Recommendations of the Rules Committee

**010010 [Ban on old-growth wood]
Supervisors Katz, Bierman, Leno, Newsom**

Ordinance amending San Francisco Administrative Code by reenacting Chapter 12I which prohibits the City from using, requisitioning or purchasing any tropical hardwoods, tropical hardwood products, virgin redwood, or virgin redwood products.

(Reenacts Sections 12I.1 through 12I.11.)

Supervisor Newsom requested to be added as co-sponsor.

PASSED, ON FIRST READING by the following vote:

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

**010025 [Appointments]
Supervisor Ammiano**

Resolution appointing Joseph Blue, Robert McDonnell, Leah Shahum, and Maryanne Harrison, indefinite terms subject to review and affirmation by the Board of Supervisors in January of each odd numbered year, to the Golden Gate Bridge, Highway and Transportation District.

(Supervisor Gonzalez dissenting on the appointment of Robert McDonnell, Seat 2.)

Supervisor Leno requested the appointment concerning Maryanne Harrison, Seat number four, be divided so it could be considered separately. See File 010369.

DIVIDED.

Resolution appointing Joseph Blue, Robert McDonnell, and Leah Shahum, indefinite terms subject to review and affirmation by the Board of Supervisors in January of each odd numbered year, to the Golden Gate Bridge, Highway and Transportation District.

(Joseph Blue, succeeding Barbara Kaufman, [Seat No. 1, must represent the public at large] for an indefinite term subject to review and affirmation by the Board of Supervisors in January of each odd numbered year; Robert McDonnell, succeeding John Moylan, [Seat No. 2, must represent the public at large] for an indefinite term subject to review and affirmation by the Board of Supervisors in January of each odd numbered year; Leah Shahum, succeeding Robert McDonnell, [Seat No. 3, must represent the public at large] for an indefinite term subject to review and affirmation by the Board of Supervisors in January of each odd numbered year.)

(Supervisor Gonzalez dissenting on the appointment of Robert McDonnell in committee.)

The roll was then called on the balance of the appointments.

Resolution No. 160-01

ADOPTED AS DIVIDED by the following vote:

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

010369 [Appointment]

Resolution appointing Maryanne Harrison, indefinite term subject to review and affirmation by the Board of Supervisors in January of each odd numbered year, to the Golden Gate Bridge, Highway and Transportation District.

(MaryAnne Harrison, succeeding Robert Ross, [Seat No. 4, must represent the public at large] for an indefinite term subject to review and affirmation by the Board of Supervisors in January of each odd numbered year.)

Divided from File 010025.

Resolution No. 180-01

ADOPTED AS DIVIDED by the following vote:

Ayes: 6 - Ammiano, Gonzalez, Hall, McGoldrick, Sandoval, Yee

Noes: 5 - Daly, Maxwell, Leno, Newsom, Peskin

010152 [Appointment]

Resolution appointing Supervisor Aaron Peskin, term ending February 1, 2005, to the Bay Area Air Quality Management District Board of Directors.

(Supervisor Aaron Peskin, succeeding former Supervisor Amos Brown, [Seat No. 1, must be a member of the Board of Supervisors] for a new 4-year term ending February 1, 2005.)

Supervisor Newsom, seconded by Supervisor Leno, moved to excuse Supervisor Peskin from voting on this matter.

The motion carried by the following vote:

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

Resolution No. 161-01

ADOPTED by the following vote:

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

Excused: 1 - Peskin

010153 [Appointment]

Resolution appointing Supervisor Leland Yee and Supervisor Jake McGoldrick, term ending November 28, 2001, to the California State Association of Counties Board of Directors.

(Supervisor Leland Yee, succeeding former Supervisor Michael Yaki, [Seat No. 1, must be a member of the Board of Supervisors], for the unexpired portion of a one-year term ending November 28, 2001;
Supervisor Jake McGoldrick, succeeding Supervisor Leland Yee, [Seat No. 2, alternate member, must be a member of the Board of Supervisors], for the unexpired portion of a one-year term ending November 28, 2001.)

Supervisor Newsom, seconded by Supervisor Peskin, moved to excuse Supervisors McGoldrick and Yee from voting on this matter. The motion carried by the following vote:

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

Resolution No. 162-01

ADOPTED by the following vote:

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

Excused: 2 - McGoldrick, Yee

010154 [Appointment]

Resolution appointing Supervisor Tony Hall, term ending June 30, 2001, to the Association of Bay Area Governments Executive Board.

(Supervisor Tony Hall, succeeding former Supervisor Michael Yaki, [Seat No. 1, must be member of Board of Supervisors], for the unexpired portion of a two-year term ending June 30, 2001.)

(Supervisor Hall excused from voting in committee.)

Supervisor Newsom, seconded by Supervisor Leno, moved to excuse Supervisor Hall from voting on this matter. The motion carried by the following vote:

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

Resolution No. 163-01

ADOPTED by the following vote:

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

Excused: 1 - Hall

010155 [Appointment]

Resolution appointing Supervisor Tony Hall, term ending June 30, 2002, to the Peninsula Corridor Study Joint Powers Board.

(Supervisor Tony Hall, succeeding Supervisor Tom Ammiano, [Seat No. 1, must be a member of the Board of Supervisors], for the unexpired portion of a two-year term ending June 30, 2002.)

(Supervisor Hall excused from voting in committee.)

Supervisor Newsom, seconded by Supervisor Leno, moved to excuse Supervisor Hall from voting on this matter. The motion carried by the following vote:

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

Absent: 1 - Hall

Resolution No. 164-01

ADOPTED by the following vote:

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

010156 [Appointment]

Resolution appointing Supervisor Leland Yee, for an indefinite term, to the San Francisco Bay Conservation and Development Commission.

(Supervisor Leland Yee, succeeding former Supervisor Sue Bierman, [Seat No. 1, must be a member of the Board of Supervisors], for an indefinite term.)

Supervisor Peskin, seconded by Supervisor Gonzalez, moved to excuse Supervisor Yee from voting on this matter. The motion carried by the following vote:

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

Resolution No. 165-01

ADOPTED by the following vote:

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

010157 [Appointment]

Resolution appointing Supervisor Tom Ammiano, term ending February 9, 2003, to the Metropolitan Transportation Commission.

(Supervisor Tom Ammiano, succeeding former Supervisor Sue Bierman, [Seat No. 1, must be a member of the Board of Supervisors] for the unexpired portion of a four-year term ending February 9, 2003.)

(Supervisor Ammiano excused from voting in committee.)

Supervisor Peskin, seconded by Supervisor McGoldrick, moved to excuse Supervisor Ammiano from voting on this matter. The motion carried by the following vote:

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

Resolution No. 146-01

ADOPTED by the following vote:

Ayes: 9 - Daly, Gonzalez, Hall, Maxwell, McGoldrick, Leno, Newsom, Peskin, Yee
Absent: 1 - Sandoval
Excused: 1 - Ammiano

010158 [Appointment]

Resolution appointing Supervisor Tom Ammiano, term ending January 31, 2003, to the Board of Directors, Golden Gate Bridge Highway and Transportation District.

(Supervisor Tom Ammiano, succeeding himself, [Seat No. 6, must be a member of the Board of Supervisors], for an indefinite term subject to review and affirmation by the Board of Supervisors in January of each odd numbered year.)

(Supervisor Ammiano excused from voting in committee.)

Supervisor Peskin, seconded by Supervisor McGoldrick, moved to excuse Supervisor Ammiano from voting on this matter. The motion carried by the following vote:

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

Resolution No. 155-01

ADOPTED by the following vote:

Ayes: 9 - Daly, Gonzalez, Hall, Maxwell, McGoldrick, Leno, Newsom, Peskin, Yee
Absent: 1 - Sandoval
Excused: 1 - Ammiano

010214 [Appointment]

Resolution appointing Supervisor Leland Yee, term ending January 31, 2003, to the Board of Directors, Golden Gate Bridge Highway and Transportation District.

(Supervisor Leland Yee, succeeding former Supervisor Mabel Teng, [Seat No. 5, must be a member of the Board of Supervisors] for an indefinite term subject to review and affirmation by the Board of Supervisors in January of each odd numbered year.)

Supervisor Newsom, seconded by Supervisor Peskin, moved to excuse Supervisor Yee from voting on this matter. The motion carried by the following vote:

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

Resolution No. 156-01

ADOPTED by the following vote:

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

010215 [Appointment]

Resolution appointing Supervisor Gavin Newsom, term ending January 31, 2003, to the Board of Directors, Golden Gate Bridge Highway and Transportation District.

(Supervisor Gavin Newsom, succeeding former Supervisor Michael Yaki, [Seat No. 7, must be a member of the Board of Supervisors] for an indefinite term subject to review and affirmation by the Board of Supervisors in January of each odd numbered year.)

Supervisor McGoldrick, seconded by Supervisor Daly, moved to excuse Supervisor Newsom from voting on this matter. The motion carried by the following vote:

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

Resolution No. 157-01

ADOPTED by the following vote:

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

010216 [Appointment]

Resolution appointing Supervisor Mark Leno, term ending January 31, 2003, to the Board of Directors, Golden Gate Bridge Highway and Transportation District.

(Supervisor Mark Leno, succeeding former Supervisor Barbara Kaufman, [Seat No. 8, must be a member of the Board of Supervisors] for an indefinite term subject to review and affirmation by the Board of Supervisors in January of each odd numbered year.)

Supervisor McGoldrick, seconded by Supervisor Daly, moved to excuse Supervisor Leno from voting on this matter. The motion carried by the following vote:

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

Resolution No. 158-01

ADOPTED by the following vote:

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

010217 [Appointment]

Resolution appointing Supervisor Jake McGoldrick, term ending June 30, 2001, to the Association of Bay Area Governments Executive Board.

(Supervisor Jake McGoldrick, succeeding former Supervisor Amos Brown, [Seat No. 2, must be member of Board of Supervisors], for the unexpired portion of a two-year term ending June 30, 2001.)

Supervisor Leno, seconded by Supervisor Maxwell, moved to excuse Supervisor McGoldrick from voting on this matter. The motion carried by the following vote:

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

Resolution No. 167-01

ADOPTED by the following vote:

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

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

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

(Final Negative Declaration issued on October 18, 2000; Redevelopment Agency report dated October 2000 to the Board of Supervisors for the India Basin Industrial Park Redevelopment Plan Amendment.)
(Companion measure to File 001861.)

Supervisor Maxwell requested that this matter be continued to April 2, 2001.

Supervisor Maxwell, seconded by Supervisor Yee, 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

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

From Redevelopment Agency**001861 [Amendment to the India Basin Industrial Park Redevelopment Plan to modify use restrictions and parking and loading requirements]
Supervisor Katz**

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

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

Supervisor Maxwell requested that this matter be continued to April 2, 2001.

Supervisor Maxwell, seconded by Supervisor Yee, 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

PUBLIC COMMENT

Speaking in support of Ronnie Davis and Mayor Brown regarding the San Francisco Housing Authority: Amos Brown, Abdalla Megahed, Sulaka, William Vitalie, Raymond Nichols, Arthur Shapiro, Benny Wright, Matt Mason, Mrs. Yee, John Gold, Mercy Washington, Jeffrey Phillips, Will Right, Estelle Paulo, Latina Washington, male speaker, Ed Kittrell, female speaker, Ms. Washington, Shirley Bird, Ken Banford, Rosie Smith, Watson Low, Raymond Ross, Clarene Brown, Rubin Smith, Kevin Ronstad, Sister Barbara Washington, female speaker, Joe O'Donaghue, Vincent Washington, male speaker, Anita Ortiz, Marie Harrison, Don, Lenette White, Evangelist Johnson, female speaker, male speaker, Scott Edison, Katherine Sneed, Ed McRoy, male speaker, Shawn Richards, James Pride, Carol Ogildy, Eric, Bruce, female speaker, Michael, Joyce Armstrong, female speaker, C. Washington.

*John Jenkel, mauling dog incident, urge transfer care of Hera to SPCA;
Eula Walters, Ernestine Weiss, oppose opening of Davis Street;
Gilbert Criswell, supports appointment of Joe Blue;
Floyd Brown, quality of life issues;
Edmund, housing;
Terry Shore, supports environmentally friendly ferries.*

APPROVAL OF REQUESTS TO THE LEGISLATIVE ANALYST

These items may be introduced by any Supervisor seeking analysis from the Office of the Legislative Analyst on introduced legislation and for the purpose of providing assistance to Board of Supervisors' task forces and advisory committees. Requests to the Legislative Analyst shall require the affirmative vote of a majority of the members of the Board.

**010349 [Legislative Analyst Request]
Supervisor Sandoval**

Motion asking the Legislative Analysts to provide general research and analysis on San Francisco policy regarding business tax relief for businesses that reduce their power usage in the interest of conserving electricity; and to provide comparative information on other cities' laws and policies regarding business tax relief for businesses that reduce their power usage.

APPROVED by the following vote:

Ayes: 8 - Ammiano, Daly, Gonzalez, Hall, Maxwell, McGoldrick, Leno, Peskin
Absent: 3 - Newsom, Sandoval, Yee

CLOSED SESSION - CONFERENCE WITH CITY ATTORNEY - EXISTING LITIGATION**010081 [Existing Litigation]**

Motion that the Board of Supervisors convene in closed session with the City Attorney for the purpose of conferring with, or receiving advice from, the City Attorney regarding the following existing litigation in which the plaintiffs and claimants, various businesses, are, in sum, challenging the constitutionality of the City's business taxing system. These plaintiffs and claimants are also seeking reimbursement of tax payments made to the City:

Eastman Kodak Company v. San Francisco
San Francisco Superior Court No. 302-983
Date filed: 4/22/99

General Motors Corporation v. San Francisco
San Francisco Superior Court No. 301-510

EOP-580 California Street, L.L.C., et al. v. San Francisco
San Francisco Superior Court No. 315-704

General Motors Corporation, et al. v. San Francisco
San Francisco Superior Court No. 312-487

Hewlett-Packard, et al. v. San Francisco
San Francisco Superior Court No. 306-787

The Neiman Marcus Group, Inc. v. San Francisco
San Francisco Superior Court No. 310-061

Panther Creek Leasing, Inc. et al. v. San Francisco
San Francisco Superior Court No. 307-873

Providian Financial Corporation, et al. v. San Francisco
San Francisco Superior Court No. 316-461

Signature Network, Inc., et al. v. San Francisco
San Francisco Superior Court No. 312-489

Union Pacific Railroad Co., et al. v. San Francisco
San Francisco Superior Court No. 309-421

Various other related cases and claims against San Francisco filed by other businesses.

This closed session would be permitted by Government Code Section 54956.9(c), and San Francisco Administrative Code Section 67.10(d). (City Attorney)

Supervisor Leno, seconded by Supervisor Peskin, moved to convene in closed session. The motion carried by the following vote:

Ayes: 9 - Ammiano, Daly, Gonzalez, Hall, Maxwell, McGoldrick, Leno, Peskin, Sandoval
Absent: 1 - Yee
Excused: 1 - Newsom

Present:

*Supervisors Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Peskin, Sandoval, Yee - 10.
Supervisor Newsom was excused by previous action of the Board. See February 5, 2001 Meeting Minutes.
Louise H. Renne, City Attorney;
Ed Harrington, Controller;
Susan Leal, Treasurer;
Karen Snell, outside counsel;
Deputy City Attorneys Julie Van Nostern, Joe Quinn, Malcolm Carson, Owen Martikan, Ted Lakey;
Gloria L. Young, Clerk of the Board;
Jean Lum, Deputy Clerk.
Tape No. 01 007.*

HEARD IN CLOSED SESSION.

Supervisor Leno requested this matter be continued to March 5, 2001.

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

**Ayes: 8 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Peskin
Absent: 3 - Newsom, Sandoval, Yee**

Recess

The Board recessed at the hour of 5:50 p.m. to convene in closed session pursuant to the above motion.

Reconvening of the Board

The Board at the hour of 7:03 p.m. reconvened.

Calling the Roll

On call of the roll, the following Supervisors were noted present:

Supervisors Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Peskin - 8.

Noted absent:

Supervisors Newsom, Sandoval, Yee - 3.

Quorum present.

Report on Closed Session

Deputy City Attorney Ted Lakey reported that the Board of Supervisors met in closed session with the City Attorney, under the provisions of Government Code Section 54956.9(c) and Administrative Code Section 67.10(d), for the purpose of conferring with, or receiving advice from, the City Attorney regarding the above pending litigation.

The meeting was informational only and no action was taken.

[Elect Not to Disclose]

Motion that the Board finds that it is in the best interest of the public that the Board elect at this time not to disclose its closed session deliberations concerning the anticipated litigation listed above.

Supervisor McGoldrick, seconded by Supervisor Leno, moved to not disclose its closed session deliberations. The motion carried by the following vote:

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

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.

010329 [David Brower Center]
Supervisor Newsom

Resolution supporting the concept of an environmental center housing activist organizations and providing services for the environmental community such as that envisioned by the David Brower Center project.

Resolution No. 169-01
ADOPTED

010330 [News Helicopters]
Supervisors Ammiano, Peskin

Resolution urging Bay Area news helicopters of KRON TV-4, KPIX TV-5 and KGO TV-7 to exercise courtesy and restraint when using helicopters to pursue stories over San Francisco neighborhoods, especially at night and in the early morning when residents are sleeping.

Supervisor Peskin requested to be added as co-sponsor.

Resolution No. 170-01
ADOPTED

010331 [Domestic Partners]
Supervisors Ammiano, Leno, Daly

Resolution urging Governor Davis and the State Legislature to pass legislation allowing state-recognized domestic partners to pursue wrongful death lawsuits.

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

Resolution No. 171-01
ADOPTED

**010332 [Ferry operations]
Supervisors Gonzalez, Peskin, Leno**

Resolution urging the Golden Gate National Recreation Area in current and future requests for proposals and contracts for all ferry operations to require the use of environmentally friendly hybrid solar-electric, wind-powered ferries; encourage those ferry operators to phase out petroleum-derived-fuel-powered ferries by 2005, and give preference to ferry designs with low wake wash, shallow draft and quieter noise characteristics than conventional diesel to lessen impacts on marine mammals, aquatic life and shorelines.

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

Resolution No. 178-01

ADOPTED

**010334 [Commendation]
Supervisors Maxwell, Newsom, Leno, Daly**

Resolution commending the San Francisco African American Tobacco Free Project (SFAATFP) and the forty African American religious institutions representing Bay Area churches, temples, and mosques (hereinafter referred to as the "Fabulous Forty"), for their endless effort to free their community from the deadly grasp of nicotine addiction, and their decision not to accept any funding from tobacco companies.

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

Resolution No. 172-01

ADOPTED

**010335 [Proclamation]
Supervisors Maxwell, Ammiano, Hall, McGoldrick, Newsom, Peskin**

Resolution declaring March 1, 2001 as American Red Cross Day in San Francisco.

Resolution No. 173-01

ADOPTED

**010336 [Commendation]
Supervisors Newsom, Peskin**

Resolution commending the launch of the Senior Surfers Suferlab in the Aquatic Park Senior Center.

Supervisor Peskin requested to be added as co-sponsor.

Resolution No. 174-01

ADOPTED

**010337 [Commendation]
Supervisors Daly, Newsom, Peskin**

Resolution commending Judge Lillian Sing for her pioneering work on behalf of Chinese Americans and in support of affirmative action, and extending best wishes.

Supervisor Peskin requested to be added as co-sponsor.

Resolution No. 175-01

ADOPTED

010339 [A Day of Love and Sorrow]
Supervisors Leno, McGoldrick, Maxwell, Newsom, Peskin, Daly

Resolution remembering the hundreds of individuals who died homeless in our community over the years and declaring March 11, 2001 "A day of love and sorrow, remembering the 138 men, women, and children who died homeless in San Francisco in 2000."

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

Resolution No. 177-01

ADOPTED

010350 [Needle Exchange Emergency]
Supervisors Ammiano, Newsom, Yee, Leno, Daly, Peskin, McGoldrick

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. M01-25

APPROVED

The foregoing items were acted upon by the following vote:

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

Absent: 2 - Newsom, Yee

Severed From For Adoption Without Committee Reference Agenda

010328 [List of organizations for membership in the Park, Recreation and Open Space Advisory Committee]
Supervisors Newsom, Peskin

Resolution ratifying the list of recommended organizations for membership in the Park, Recreation, and Open Space Advisory Committee as required by Proposition C and approved by the Recreation and Park Commission.

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

SEVERED FROM FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA.

Supervisor Gonzalez moved technical amendment and to delete duplicate names as follows: Page one, line 20, delete the "s" after "Park"; page two, lines 15, delete "Chinatown Committee For Better, Parks & Recreations,"; page two, line 17, delete "Friends & Neighbors of Aptos Park,"; page two, line 25, delete "Friends of Duboce Park"; page three, line 12, delete "Friends of Mountain Lake Park,".

Supervisor Gonzalez, 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, Peskin, Sandoval

Absent: 2 - Newsom, Yee

Supervisor Peskin requested to be added as co-sponsor.

Resolution No. 168-01

ADOPTED AS AMENDED by the following vote:

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

Absent: 2 - Newsom, Yee

**010333 [Citizen Advisory Committee to Port Commission]
Supervisors Hall, Newsom**

Resolution urging the San Francisco Port Commission to fairly consider and evaluate all proposals and recommendations developed by the various Citizen Advisory Committees as the Port Commission finalizes its decisions on the waterfront development.

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

SEVERED FROM FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA.

Supervisor Peskin moved technical amendment to page one, line 11, by replacing "eleven" with "twelve" and amend line 16, after "Street Pier Committee," by inserting "the Environmental Quality Advisory Committee,"

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

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

Resolution No. 179-01

ADOPTED AS AMENDED by the following vote:

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

**010338 [Proclamation]
Supervisors Gonzalez, Peskin, Daly**

Resolution declaring July 25, 2001 as Commander Milton Wolff and Abraham Lincoln Brigade Day in the City and County of San Francisco.

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

SEVERED FROM FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA.

Supervisor Gonzalez presented an amendment of the whole, bearing same title (technical amendment).

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

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

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

Resolution No. 176-01

ADOPTED AS AMENDED by the following vote:

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

OFF-AGENDA LEGISLATION

Introduced by Supervisors or Mayor

Ordinances

**010348 [Money Wire Transfer Service]
Supervisor Sandoval**

Draft ordinance amending Part II, Chapter VIII, of the San Francisco Municipal Code (Police Code) by adding Sections 650-650.5 to Article 9, prohibiting persons that transmit money from charging an unreasonable fee.
2/20/01, RECEIVED AND ASSIGNED to Economic Vitality, Small Business and Social Policy Committee.
Sponsor requests this item be scheduled for consideration at the March 20, 2001 meeting.
2/26/01, SUBSTITUTED. Supervisor Sandoval submitted a draft ordinance in Board.
2/26/01, ASSIGNED to Economic Vitality, Small Business and Social Policy Committee.

**010370 [Appropriation, Aging and Adult Services]
Supervisor Daly**

Ordinance appropriating \$1,000,000 for senior program needs and \$1,000,000 for infrastructure needs identified by Aging and Adult Services needs assessment survey, and amending the Annual Salary Ordinance to create two (2) positions for fiscal year 2000-01.

(Fiscal impact.)
2/26/01, RECEIVED AND ASSIGNED to Finance Committee.

**010371 [Public Employment]
Supervisor Daly**

Ordinance amending Ordinance No. 181-00 (Annual Salary Ordinance, 2000/01) reflecting the creation of two new positions in Aging and Adult Services.

(Fiscal impact.)
2/26/01, RECEIVED AND ASSIGNED to Finance Committee.

Resolutions**010372 [Treasure Island Cooperative Agreement]
Mayor**

Resolution approving and authorizing the Treasure Island Development Authority to enter into the 13th Modification to the Cooperative Agreement with the Navy to extend the Cooperative Agreement to June 30, 2001 for an additional amount of Navy reimbursement not to exceed \$145,000.
2/26/01, RECEIVED AND ASSIGNED to Finance Committee.

**010373 [Sunol Quarry]
Supervisor Daly**

Resolution urging the San Francisco Public Utilities Commission to discontinue plans for a quarry in Sunol that will result in safety and health impacts to students of Sunol Glen School and environmental desecration.
2/26/01, RECEIVED AND ASSIGNED to Public Utilities and Deregulation Committee.

**010374 [Emergency Work, John Muir Drive]
Supervisors Hall, Newsom**

Resolution declaring a public emergency at John Muir Drive as a result of the unstable conditions caused by heavy rains and directing and authorizing the Director of the Department of Public Works to take necessary measures in the most expeditious manner to prevent or mitigate loss of or damage to the sewer transport system at John Muir Drive between Skyline Boulevard and Lake Merced Boulevard. (Public Works Department)
2/26/01, RECEIVED AND ASSIGNED to Public Health and Environment Committee.

**010375 [Norcal bulk item collection]
Supervisors McGoldrick, Hall**

Resolution urging the Department of Public Works to require that Norcal Systems resume regularly scheduled collection of bulk items and urging DPW to negotiate for the inclusion of a commitment to such regular bulk item collection as a part of their contract with the City of San Francisco.
2/26/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**010376 [U.S. Census litigation]
Supervisors Yee, Ammiano, Sandoval, Leno, Hall**

Resolution urging the City Attorney to seek leave of court to permit the City to participate in the litigation challenging the new U.S. Commerce Department rule.
2/26/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**010377 [Federal ban on project labor agreements]
Supervisors Ammiano, Daly**

Resolution urging President Bush to rescind his executive order banning Project Labor Agreements (PLAs) on all construction projects involving federal money and affirming the City and County of San Francisco's support of PLAs as a useful tool for safeguarding fair and equitable labor practices.

2/26/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**010378 [TEFRA Public Hearing Approval]
Supervisor Daly**

Resolution authorizing the execution and delivery of certificates of participation by the California Statewide Communities Development Authority in an aggregate principal amount not to exceed \$7,500,000 for Golden Gate Council of American Youth Hostels, Inc., or an affiliate.

2/26/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**010379 [Permanent Partner Immigration Act]
Supervisors Leno, Ammiano, Gonzalez, Maxwell, McGoldrick, Daly, Newsom**

Resolution urging the United States Congress to adopt the "Permanent Partner Immigration Act" in the next Congressional session, which would add the term "permanent partner" to section of immigration law that provides immigration rights to legally married couples, and would allow gay and lesbian citizens to sponsor their partners as U.S. residents.

2/26/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**010380 [Legal Immigrant Family Equality Act]
Supervisors Leno, Sandoval, Gonzalez, Maxwell, McGoldrick, Daly, Newsom**

Resolution urging the United States Congress to extend the "Legal Immigrant Family Equality Act" after its April 30th termination, allowing spouses and children of applicants for Immigrant Visas to continue to hold temporary visas while applications for Immigrant Visas are being processed.

2/26/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**010381 [Warren Alquist Act, power plants]
Supervisors Maxwell, Daly, Peskin**

Resolution urging State Senators John Burton and Jackie Speier, Assemblywoman Carole Migden, and Assemblyman Kevin Shelley to ensure that there is no amendment to the Warren-Alquist Act that would weaken the City's or its citizens' right to act as an intervenor in the California Energy Commission (CEC) certification process of new or expanded power plants.

2/26/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

010382 [Emission Reduction Credits]
Supervisors Maxwell, Daly, Peskin, Leno

Resolution urging the Bay Area Quality Management District (BAAQMD) to reject application by Pacific Gas and Electric (PG&E) to acquire Interchangeable Emission Reduction Credits for the Hunters Point and Potrero Hill Power Plants.

2/26/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

010383 [Power plant certification]
Supervisors Maxwell, Daly

Resolution urging Governor Gray Davis to ensure that all environmental, health and safety, and public participation regulations are maintained in the California Energy Commission (CEC) certification process of new or expanded power plants.

2/26/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

010384 [Commendation]
Supervisor McGoldrick

Resolution commending the Lysaya Children's Dance Ensemble for its continued pursuit of intercultural understanding and international good will.

2/26/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

010385 [Proclamation]
Supervisors Ammiano, Daly, Hall

Resolution expressing profound gratitude to Archbishop Romero for the humanity he invoked in all of us, and declaring March 24, 2001 to be Archbishop Oscar Arnulfo Romero Day.

2/26/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

010386 [Commendation]
Supervisors Leno, Daly, Hall, Gonzalez, Sandoval, McGoldrick, Peskin, Newsom

Resolution commending Coleman Advocates for Youth on their 25th anniversary.

2/26/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

010387 [Commendation]
Supervisors Leno, Maxwell, Newsom, Peskin, Gonzalez, McGoldrick, Sandoval

Resolution commending the Friends of the Urban Forest on their 20th anniversary.

2/26/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**010388 [Commendation]
Supervisors Leno, Newsom**

Resolution commending Muscle Systems Civic Center Gym for over twenty years of service to the community.
2/26/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Requests for Hearing

**010389 [Grant Building]
Supervisor Daly**

Hearing to explore whether Seligman Western Enterprises, the out-of-state owners of the Grant Building at 1095 Market Street, received special consideration from the City in any way.
2/26/01, RECEIVED AND ASSIGNED to Economic Vitality, Small Business and Social Policy Committee.

**010390 [Labor Standards and Prevailing Wages]
Supervisor Daly**

Hearing to review the City's enforcement of Labor Standards and Prevailing Wages at job sites in San Francisco, and to consider additional ways to strengthen this enforcement.
2/26/01, RECEIVED AND ASSIGNED to Audit, Labor and Government Efficiency Committee.

**010391 [Information technology and City's web site]
Supervisor Daly**

Hearing to explore ways to improve the information technology of San Francisco and the City's web site.
2/26/01, RECEIVED AND ASSIGNED to Economic Vitality, Small Business and Social Policy Committee.

**010392 [San Francisco Housing Authority]
Supervisor Gonzalez**

Hearing to consider San Francisco Housing Authority criteria for supporting, establishing or defunding resident self sufficiency programs.
2/26/01, RECEIVED AND ASSIGNED to Housing, Transportation and Land Use Committee.

Motions

**010393 [Legislative Analyst Request]
Supervisor McGoldrick**

Motion asking the Legislative Analysts to provide the cost and feasibility of providing a written report summarizing the testimony and evidence compiled during and the conclusions resulting from committee hearings on matters of significant public policy.
2/26/01, ASSIGNED to Board of Supervisors. Scheduled for Board consideration March 5, 2001.

**010394 [Legislative Analyst Request]
Supervisor Peskin**

Motion asking the Legislative Analysts to assess the impacts of rescinding the Gross Receipts Tax on the City's budget and its current programs and to explore alternate means of collecting revenue from corporations doing business in the City and County of San Francisco.

2/26/01, ASSIGNED to Board of Supervisors. Scheduled for Board consideration March 5, 2001.

**010395 [Legislative Analyst Request]
Supervisors Hall, Newsom**

Motion asking the Legislative Analysts to compare San Francisco's zoning appeal process and planning code with the City of Milwaukee's zoning appeal process, zoning code, and planning code.

2/26/01, ASSIGNED to Board of Supervisors. Scheduled for Board consideration March 5, 2001.

**010396 [Office of District Community Services]
Supervisor Ammiano**

Motion directing the Clerk of the Board of Supervisors to organize and staff an Office of District Community Services.

2/26/01, RECEIVED AND ASSIGNED to Rules Committee.

010366 [Orderly Transition of Board Members]

Motion amending the Rules of Order of the Board of Supervisors of the City and County of San Francisco to add Rule 6.2, which would allow for an orderly transition of outgoing and newly elected members of the Board of Supervisors. (Clerk of the Board)

2/26/01, RECEIVED AND ASSIGNED to Rules Committee.

Introduced by the President at the Request of Departments

PROPOSED ORDINANCES

010314 [Settlement of Lawsuit]

Ordinance authorizing settlement of litigation of City and County of San Francisco against Main Street California dba TGI Friday's for \$1,300,000. (City Attorney)

(S.F. Superior Court No. 997-764; eminent domain action commenced on September 10, 1998 entitled "City and County of San Francisco v. WCB More II Ltd. Partnership, et al.)

2/21/01, RECEIVED AND ASSIGNED to Audit, Labor and Government Efficiency Committee.

010353 [Settlement of Lawsuit]

Ordinance authorizing settlement of litigation of San Mateo County Transit District against City and County of San Francisco for \$18,638,562 plus interest. (City Attorney)

(Superior Court No. 405-695; date action filed: July 28, 1998.)

2/21/01, RECEIVED AND ASSIGNED to Audit, Labor and Government Efficiency Committee.

- 010354 [Settlement of litigation involving the condemnation by SamTrans and BART of the City's water pipeline easement for the BART SFO extension]**
Ordinance authorizing settlement of litigation of San Mateo County Transit District against City and County of San Francisco by an exchange of easements and the relocation of the City's water pipeline. (City Attorney)
- (San Mateo Superior Court No. 406-647; date action filed: July 28, 1998.)
2/21/01, RECEIVED AND ASSIGNED to Audit, Labor and Government Efficiency Committee.
- 010360 [Zoning Map Amendment - Arco Way]**
Ordinance amending the San Francisco Planning Code by amending the Zoning Map of the City and County of San Francisco, Section Map 11, to change the use district designation of Assessor's Block 3154, Lots 24, 25, 26, 27, 28, 32, 37, 38, 39, and 51 on Arco Way from P (Public District) to RH-1 (Residential, House, One-Family District) and adopting findings pursuant to Planning Code Section 101.1. (Planning Department)
- (Planning Commission Resolution No. 16058 adopted December 14, 2000 recommending adoption of the amendment (Case No. 200.052RZ) as presented in the proposed ordinance; Planning Commission Motion No. 16057 affirming the decision to issue a Negative Declaration, as prepared by the Planning Department and amended on December 14, 2000; Negative Declaration adopted and issued December 14, 2000.)
2/20/01, RECEIVED AND ASSIGNED to Housing, Transportation and Land Use Committee.
- 010362 [Ordering Street Vacation, Mid-Embarcadero Roadway Project]**
Ordinance ordering the vacation of portions of the Embarcadero and Folsom Streets between Howard and Harrison Streets in connection with the Mid-Embarcadero Roadway Project; establishing conditions for the effectiveness of the vacation; adopting findings pursuant to the California Environmental Quality Act; adopting findings that the vacation is consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1 and the applicable Redevelopment Plan Area; ratifying acts and authorizing actions in furtherance of the ordinance. (Port)
- 2/21/01, RECEIVED AND ASSIGNED to Housing, Transportation and Land Use Committee.

PROPOSED RESOLUTIONS

- 010319 [Easement deed, City owned property in Alameda County]**
Resolution authorizing and approving the granting of easement rights over City owned real property known as Parcels 1224(2), 1272, and a portion of Parcel 1271(3) of Bay Division Pipeline Nos. 1 and 2 right of way and a portion of abandoned Chestnut Street in Newark, Alameda County ("City's Property") to Enterprise Drive LLC ("Grantee"). (Real Estate Department)
- 2/15/01, RECEIVED AND ASSIGNED to Housing, Transportation and Land Use Committee.
- 010351 [Grant to acquire compressed natural gas (CNG) light duty, high mileage vehicles for permitted airport operators]**
Supervisors Newsom, Leno
- Resolution authorizing the Airport Commission to accept and expend a grant in the amount of \$100,000 from the Bay Area Air Quality Management District (Air District) for acquisition of compressed natural gas (CNG) vans by Airport permittees. (Airport Commission)
- 2/21/01, RECEIVED AND ASSIGNED to Finance Committee.

**010352 [Grant to acquire compressed natural gas (CNG) light duty vehicles for permitted airport operators]
Supervisors Newsom, Leno**

Resolution authorizing the Airport Commission to accept and expend a grant in the amount of \$99,000 from the Bay Area Air Quality Management District (Air District) for acquisition of compressed natural gas (CNG) autos and vans by Airport permittees. (Airport Commission)

2/21/01, RECEIVED AND ASSIGNED to Finance Committee.

010355 [Lease Amendment, 1650 Mission Street]

Resolution authorizing an amendment to lease real property at 1650 Mission Street for the Department of Aging and Adult Services. (Real Estate Department)

(Fiscal impact.)

2/21/01, RECEIVED AND ASSIGNED to Finance Committee.

010356 [TRW Contract Modification No. 6 - Software and Professional Services for the Combined Emergency Communication Center]

Resolution authorizing the E-911 Project Director to execute a modification to the contract with TRW in the amount of \$536,210. (Mayor)

(Fiscal impact.)

2/21/01, RECEIVED AND ASSIGNED to Finance Committee.

010361 [Street Vacation Intent, Mid-Embarcadero Roadway Project]

Resolution declaring the intention of the Board of Supervisors to vacate portions of the Embarcadero and Folsom Streets between Howard and Harrison Streets in connection with the Mid-Embarcadero Roadway Project; setting the hearing date for all persons interested in the proposed vacation of the street areas; and adopting findings that the vacation is consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1 and the applicable Redevelopment Plan Area. (Port)

2/21/01, RECEIVED AND ASSIGNED to Housing, Transportation and Land Use Committee.

010364 [Gift Acceptance, DPH-San Francisco General Hospital]

Resolution authorizing the Department of Public Health, San Francisco General Hospital, to accept and expend a gift bequeathed to San Francisco General Hospital from the estate of Lemar Hoaglin. (Public Health Department)

2/21/01, RECEIVED AND ASSIGNED to Audit, Labor and Government Efficiency Committee.

Requests Granted

From: Supervisor McGoldrick

To: All City Departments

Requesting/Inquiring: Requesting all city departments to provide the Board with a copy of their original 2001/02 proposed budget requests, their current draft 2001/02 budget requests, including their descriptions of plans and programs and summaries prepared for the 2001/02 budget.

From: Supervisor McGoldrick

To: All City departments

Requesting/Inquiring: Requesting that all city departments for which a performance audit has been requested in the past ten years report on how their department has responded to the audit and otherwise significantly improved efficiencies in their department.

From: Supervisor Newsom

To: Director, Department of Parking and Traffic

Requesting/Inquiring: Inquires about the following:

- 1. The status of the University Terrace permit parking to exclude dormitory students from parking there; and*
- 2. The size of the signage at Laguna and Washington Streets; whether that signage is standard size and whether it could be made bigger.*

From: Supervisors Sandoval, Gonzalez

To: City Attorney

Requesting/Inquiring: To draft legislation requiring utility companies such as PG&E to place liens on the residences of customers who are unable to pay their bills, in lieu of interrupting service to those customers.

From: Supervisor Yee

To: Director, Department of Public Health

Requesting/Inquiring: To provide a comparison analysis of the air pollution created by the options of immediately purchasing diesel buses to replace the aging bus fleet or deferring new bus purchase until clean natural gas vehicles can be acquired.

Due: March 5, 2001

From: Supervisor Yee

To: General Manager, Muni

Requesting/Inquiring: To investigate and report on the feasibility of purchasing smaller buses to run during low usage hours of operation in order to increase energy efficiency and reduce costs of operation.

From: Supervisor Ammiano

To: City Attorney

Requesting/Inquiring: To draft legislation, including amendments to the Rules of Order of the Board of Supervisors, to impose term limits for citizen service on boards and commissions.

From: Supervisor Daly

To: City Attorney

Requesting/Inquiring: To draft legislation to protect public housing tenants by requiring one-for-one replacement for public housing units and other protections.

*From: Supervisor Daly
To: Director, Purchasing Department
Requesting/Inquiring: To investigate and report on the City's enforcement of labor standards and prevailing wages at job sites in San Francisco, and asking for recommendations on additional ways to strengthen their enforcement.*

*From: Supervisor Daly
To: City Attorney
Requesting/Inquiring: To draft legislation to establish a Citywide Technology Policy.*

*From: Supervisor Daly
To: City Attorney
Requesting/Inquiring: To draft legislation to assess sewer rates for Single Room Occupancy (SRO) hotels comparable to residential apartment buildings, not tourist hotels, as is currently the case.*

*From: Supervisor Daly
To: City Attorney
Requesting/Inquiring: To draft legislation to exempt Single Room Occupancy (SRO) hotels from Hotel Tax.*

*From: Supervisors Daly, Hall, Peskin
To: City Attorney
Requesting/Inquiring: To draft legislation to enact Proposition K policies (1998) with regard to Treasure Island.*

*From: Supervisor Gonzalez
To: City Attorney
Requesting/Inquiring: To draft legislation protecting art spaces as defined in Planning Code Section 102.2 by amending the Planning Code to create a special class for non-profit arts organizations.*

*From: Supervisors Hall, Leno, Peskin
To: Publisher, Official Tourist Guide to San Francisco
Requesting/Inquiring: Inquires about the following:
a. Why is the Holocaust Memorial, located at the Legion of Honor, excluded from the official tourist guide?
b. What can be done to remedy this situation in future official tourist guides to San Francisco?*

*From: Supervisor Leno
To: All City Departments
Requesting/Inquiring: That all City departments submit a list of items they intend to bring before the Finance Committee that may require any type of retroactive approval of funds, and encourage them to bring forth any such items as soon as possible to avoid delaying or jeopardizing Finance Committee approval.*

*From: Supervisor Maxwell
To: Director, Department of Public Health
Requesting/Inquiring: To report on the department's plan to address the health and environmental needs of the residents of Bayview Hunters Point, particularly those items outlined in Dr. Katz's presentation before the Health Commission in February 2001.
Due: March 27, 2001*

From: Supervisor Maxwell

To: City Attorney

Requesting/Inquiring: To draft legislation appropriating \$160,000 from the General Fund Reserve to engage in a one-year contract with a registered environmental health specialist for all City and County of San Francisco Federal and State Superfund sites.

This position will monitor all Federal and State sites located within the City and County of San Francisco, serve as the community liaison and provide community notification in event of emergency at these sites, and identify other possible Superfund sites. He/she will report to the Department of Public Health and appear at all appropriate Board of Supervisors Public Health and Environment Committee meetings.

Due: March 12, 2001

From: Supervisor Maxwell

To: City Attorney

Requesting/Inquiring: To draft legislation whereby all vehicles transporting dirt or any substance that releases airborne particulate matter are covered on all City and County of San Francisco streets.

Due: March 19, 2001

In Memoriams

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

Robert Scott (Supervisor Maxwell)

Raymond F. Harless (Supervisor Hall)

Terrence O'Flaherty (Supervisors Peskin, Hall)

Eileen Murphy (By the entire Board)

All City and County of San Francisco residents who have died of cancer, asthma or other illness caused by preventable environmental conditions. (Supervisor Maxwell)

ADJOURNMENT

There being no further business, the Board at the hour of 7:03 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 April 2, 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