BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

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

MEETINGEMENUTES

Monday, December 4, 2000 2:00 PM

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

Regular Meeting

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

Gloria L. Young, Clerk of the Board

BOARD COMMITTEES

| Committee Membership | Meeting Days |
|---|-------------------------------------|
| Audit and Government Efficiency Committee Supervisors Kaufman, Newsom, Katz | 1st Tuesday 1:00 PM |
| City and School District Committee Commissioner Owens, Commissioner Chong, Supervisor Ammiano, Supervisor Yee | Quarterly, 4th Wednesday 3:00 PM |
| Finance and Labor Committee Supervisors Yee, Bierman, Ammiano | Wednesday 10:00 AM |
| Housing and Social Policy Committee Supervisors Teng, Bierman, Becerril | 1st and 3rd Tuesday 10:00 AM |
| Parks and Recreation Committee Supervisors Brown. Newsom, Leno | 2nd Tuesday 1:00 PM |
| Public Health and Environment Committee Supervisors Bierman, Brown, Yaki | 2nd & 4th Thursday 1:00 PM |
| Public Utilities and Deregulation Committee Supervisors Ammiano, Yee, Becerril | 3rd Tuesday 1:00 PM |
| Rules Committee Supervisors Leno, Teng, Kaufman | 2nd & 4th Thursday 10:00 AM |
| Small Business, Economic Vitality and Consumer Services Committee Supervisors Newsom, Leno, Becerril | 1st and 3rd Thursday 10:00 AM |
| Transportation and Land Use Committee Supervisors Katz, Yaki, Yee | 2nd and 4th Tuesday 10:00 AM |

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

Members Present:

Tom Ammiano, Alicia Becerril, Sue Bierman, Amos Brown, Leslie Katz, Barbara Kaufman, Mark Leno, Gavin Newsom, Mabel Teng, Michael Yaki, Leland Y. Yee

ROLL CALL AND PLEDGE OF ALLEGIANCE

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

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

Supervisor Teng - 1.

Quorum present.

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

APPROVAL OF MEETING MINUTES

Supervisor Yaki, seconded by Supervisor Becerril, moved to APPROVE the October 2, October 10, and October 16, 2000 Meeting Minutes. The motion carried by the following vote:

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

AGENDA CHANGES

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

Supervisor Ammiano indicated the matter relating to Visitacion Valley Interim Controls, File 001557. (See infra.)

Supervisor Teng indicated the matter relating to Notice of Permit Applications for Sutro Tower, File 001762. (See infra.)

Supervisor Kaufman indicated the matter relating to Establishing a budget for the San Francisco Local Agency Formation Commission (LAFCo) for fiscal year 2000-01, File 001995. (See infra.)

COMMUNICATIONS

The Clerk of the Board stated this office received a communication from the San Francisco Local Agency Formation Commission, submitting copy of the Municipal Utility District (MUD) petition and a copy of the certification by the Department of Elections that the MUD petition did contain sufficient valid signatures. File 002111. (See infra.)

CONSENT AGENDA

Recommendations of the Audit and Government Efficiency Committee

001846 [Settlement of Lawsuit]

Ordinance authorizing settlement of the lawsuit filed by Schram Construction, Inc. against the City and County of San Francisco for \$246,250.00; the lawsuit was filed on November 29, 1999 in San Francisco Superior Court, Case No. 308165; entitled Schram Construction, Inc. v. City and County of San Francisco. (City Attorney)

PASSED, ON FIRST READING

001847 [Settlement of Lawsuit]

Ordinance authorizing settlement of the lawsuit filed by Peter Kashtanoff against the City and County of San Francisco for \$70,000; the lawsuit was filed on February 18, 1999 in San Francisco Superior Court, Case No. 301335; entitled Peter Kashtanoff v. City and County of San Francisco, et al; other material terms of said settlement are that the City provide a letter of explanation stating that the plaintiff's separation was due to the ending of the provisional position. (City Attorney)

PASSED, ON FIRST READING

001936 [Settlement of Lawsuit]

Ordinance authorizing settlement of litigation of Pacific Gas & Electric Company against all persons, filed July 12, 1999, \$553,783.58. (City Attorney)

(McEnerney action entitled "Pacific Gas & Electric Company v. All Persons," S.F. Superior Court No. 44536.)

PASSED, ON FIRST READING

001813 [Gift acceptance of photo-enforcement cameras]

Supervisors Yaki, Newsom

Resolution authorizing the acceptance of a gift of eleven photo-enforcement cameras from the State of California, Department of Transportation.

Resolution No.

1030-00

ADOPTED

Recommendations of the Finance and Labor Committee

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

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

Ordinance No.

282-00

FINALLY PASSED

001925

[Government Funding, \$250,000]

Supervisors Leno, Bierman, Newsom, Ammiano, Katz, Teng, Yaki, Brown

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

(Fiscal impact.)

Ordinance No.

285-00

FINALLY PASSED

Recommendation of the Parks and Recreation Committee

001906

[Use of Warm Water Cove as an off-leash dog park]

Supervisors Katz, Brown

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

Ordinance No.

284-00

FINALLY PASSED

Recommendations of the Transportation and Land Use Committee

001421 [Dwelling Unit Parking Reduction in Neighborhood Commercial Districts]

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

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

Ordinance No. 278-00 FINALLY PASSED

001423 [Neighborhood Commercial District Permit Notification] Supervisor Leno

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

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

Ordinance No. 279-00 FINALLY PASSED

001665 [Requirements and Fees for Special Traffic Permits]

Supervisor Newsom

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

Ordinance No. 280-00 FINALLY PASSED

The foregoing items were acted upon by the following vote:

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of the Audit and Government Efficiency Committee

001355 [Suspend the enforcement of Burma Ordinance]

Supervisor Newsom

Ordinance amending Part I of the San Francisco Municipal Code (Administrative Code), by repealing Chapter 12J (Sections 12J.1 through 12J.9), regarding doing business with Burma.

(Amends Chapter 12J, Sections 12J.1 through 12J.9.)

Supervisor Newsom moved an amendment of the whole, bearing new title.

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

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

Ordinance amending Article X of the San Francisco Administrative Code, by adding Chapter 12J.10, to suspend enforcement of the Ordinance prohibiting the City from doing business with Burma.

(Adds Chapter 12J.10.)

PASSED ON FIRST READING AS AMENDED by the following vote:

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

Appointment of President Pro Tempore

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

Recommendation of the Finance and Labor Committee

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

Resolution imposing Interim Zoning Controls for a period of twelve months (12) 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

Supervisor Ammiano requested this matter be continued to February 26, 2001, to provide time for the Planning Department to complete the transportation study.

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

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

The President resumed the Chair.

CALLED FROM FINANCE AND LABOR COMMITTEE BY THE BOARD

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

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

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

(Fiscal impact.)

Supervisor Bierman requested to be added as co-sponsor.

Ordinance No. 283-00

FINALLY PASSED by the following vote:

Recommendation of the Housing and Social Policy Committee

001762 [Notice of Permit Applications for Sutro Tower] Supervisors Teng, Bierman, Becerril

Ordinance amending Part II, Chapter II, of the San Francisco Municipal Code (Planning Code) by adding Section 306.9 thereto, requiring notice of applications for building permits for Sutro Tower to be sent to all property owners within a 1,000 foot radius of the Tower's site.

(Planning Commission Resolution No. 16045 adopted December 7, 2000 recommending approval of the above Ordinance; Certificate of Determination of Exemption/Exclusion from Environmental Review dated November 30, 2000.)

Supervisor Teng requested this matter be continued to December 11, 2000.

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

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

Recommendation of the Transportation and Land Use Committee

001754 [Zoning Map Amendment, 185 Berry Street]

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

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

Ordinance No. 281-00

FINALLY PASSED by the following vote:

NEW BUSINESS

Recommendations of the Audit and Government Efficiency Committee

001155 [Cell Phones and Pagers Prohibited]

Supervisors Yaki, Brown

Ordinance adding Chapter 67A and Section 67A.1 to the San Francisco Administrative Code to prohibit the audible ringing and use of cell phones and similar sound-producing electrical devices at and during public meetings of the City and County of San Francisco, and providing that the ringing and use of cell phones, pagers and similar sound-producing electrical devices, when so prohibited, shall constitute disorderly conduct, and may result in the expulsion and/or removal of the possessor of the offending device from the meeting.

(Adds Chapter 67A and Section 67A.1.)

Supervisor Brown requested to be added as co-sponsor.

PASSED ON FIRST READING by the following vote:

Ayes: 9 - Ammiano, Becerril, Brown, Katz, Kaufman, Leno, Teng, Yaki, Yee

Noes: 2 - Bierman, Newsom

001549 [Administrative Code Revision, Health Service System] Supervisors Kaufman, Newsom

Ordinance amending Chapter 16, Article XV, of Part I of the San Francisco Municipal Code (Administrative Code), by amending Sections 16.700 and 16.701, regarding participation in the Health Service System, and amending Chapter 16, Article IX, by renumbering Section 16.157 as Section 16.703, regarding Board approval of Health Service System plans and contribution rates.

Supervisor Newsom requested to be added as co-sponsor.

PASSED, ON FIRST READING by the following vote:

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

001627 [Criminal Tax Penalties]

Supervisors Kaufman, Newsom

Ordinance amending Article 6 of Part III of the San Francisco Municipal Code (Business and Tax Regulations Code) by repealing Sections 6.19-1, 6.19-2, and 6.19-3, relating to criminal penalties for certain violations; by renumbering Sections 6.19-4, 6.19-5, and 6.19-6 as new Sections 6.19-1, 6.19-2, and 6.19-3, respectively; and barring any future prosecutions.

Supervisor Newsom requested to be added as co-sponsor.

PASSED, ON FIRST READING by the following vote:

001721 [Moneys Received by Municipal Court] Supervisor Kaufman

Ordinance amending Article X of the San Francisco Administrative Code by deleting Article X (Sections 10.57 through 10.69) in its entirety.

Supervisor Kaufman submitted an amendment of the whole, which changes the title only.

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

Ayes: 9 - Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Newsorn, Teng, Yee Absent: 2 - Becerril, Yaki

Ordinance amending Article X of the San Francisco Administrative Code by repealing Article X (Sections 10.57 through 10.69) in its entirety.

Supervisor Newsom requested to be added as co-sponsor.

PASSED ON FIRST READING AS AMENDED by the following vote:

Ayes: 9 - Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Newsom, Teng, Yee Absent: 2 - Becerril, Yaki

001761 [Establishing the Department of Children, Youth and Their Families] Supervisors Kaufman, Newsom, Becerril

Ordinance amending Chapter 2A of Part One of the San Francisco Municipal Code (Administrative Code), to add Article XV Section 2A.232 establishing the Department of Children, Youth and Their Families, enumerating the duties of the Department and incorporating within Section 2A.232 the duties of the Department as established in other Sections of the Administrative Code; amending and renumbering Section 3.50 regarding the reporting of allocation of funds and services by gender; and by repealing Section 3.50 of Part One of the San Francisco Municipal Code (Administrative Code).

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

PASSED, ON FIRST READING by the following vote:

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

001802 [Amending and repealing provisions providing for reimbursement to officers and employees using private vehicles for City business] Supervisors Kaufman, Newsom

Ordinance amending Part I, Chapter 10, Article IV, of the San Francisco Municipal Code (Administrative Code), by amending and re-numbering Section 10.31, dealing with authorization for City officers and employees to receive compensation for use of privately-owned automobiles for official routine duty or service, and repealing Sections 10.32 through 10.36, providing procedures for such compensation.

Supervisor Newsom requested to be added as co-sponsor.

PASSED, ON FIRST READING by the following vote:

001803 [Raising the dollar limit for small debts that may be referred to an outside collection agency from \$2,500 to \$4,000; authorizing the Bureau of Delinquent Revenue Collection to recover collection costs, including attorney's fees]

Supervisors Kaufman, Newsom

Ordinance amending Part I, Chapter 10, Article V, of the San Francisco Municipal Code (Administrative Code), by amending Section 10.39-1, raising the dollar limit for small debts that may be referred to an outside collection agency, and adding Section 10.40-1, authorizing the Bureau of Delinquent Revenue Collection to recover collection costs.

Supervisor Newsom requested to be added as co-sponsor.

PASSED, ON FIRST READING by the following vote:

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

001804 [Reducing from 10 years to 3 years the amount of time the City must hold unidentified tax collections before the money is turned over to the City pursuant to State law]

Supervisors Kaufman, Newsom

Ordinance amending Part I, Chapter 10, Article VII, of the San Francisco Municipal Code (Administrative Code), by amending Section 10.46, to reduce from 10 years to 3 years the amount of time the City must hold unidentified tax collections before the monies escheat to the City under State law.

Supervisor Newsom requested to be added as co-sponsor.

PASSED, ON FIRST READING by the following vote:

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

[Changing references from "Assessor" to "Assessor-Recorder," and making other changes to clean up provisions relating to numbering of lots and blocks for assessment purposes] Supervisors Kaufman, Newsom

Ordinance amending Part I, Chapter 10, Article XI, of the San Francisco Municipal Code (Administrative Code), by amending Section 10.70 through 10.73, to change references from "Assessor" to "Assessor-Recorder," and to make other changes to clean up provisions relating to numbering of lots and blocks for assessment purposes.

Supervisor Newsom requested to be added as co-sponsor.

PASSED, ON FIRST READING by the following vote:

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

001806 [Repealing the Administrative Code provisions setting up the City's Risk Management Program] Supervisors Kaufman, Newsom

Ordinance amending Chapter 10 of Part I of the San Francisco Municipal Code (Administrative Code), by repealing Article XII, Sections 10.74 through 10.78, establishing the Risk Management Program.

Supervisor Newsom requested to be added as co-sponsor.

PASSED, ON FIRST READING by the following vote:

001807 [Repealing financing provisions for Civic Center Garage] Supervisors Kaufman, Newsom

Ordinance amending Part I Chapter 10, of the San Francisco Municipal Code (Administrative Code), by repealing Article XIV (Sections 10.118 through 10.124), providing a financing mechanism for the Civic Center Garage.

Supervisor Newsom requested to be added as co-sponsor.

PASSED, ON FIRST READING by the following vote:

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

Recommendations of the Finance and Labor Committee

001958 [Government funding, Public Utilities Commission, for water pollution control plant remediation projects]

Supervisor Newsom

Ordinance appropriating a total of \$5,000,000 from the Mission Bay project and the San Francisco Clean Water Department fund balance to fund the construction of odor control remediation projects at the southeast water pollution control plant, for the Public Utilities Commission, for fiscal year 2000-01; placing \$5,000,000 on reserve. (Controller)

(Fiscal impact.)

Supervisor Newsom requested to be added as sponsor.

PASSED, ON FIRST READING by the following vote:

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

001960 [Government funding, Airport capital improvement projects] Supervisor Newsom

Ordinance appropriating \$39,690,612 of various Bond fund balances to capital improvement projects at the Airport Commission for fiscal year 2000-2001. (Controller)

(Fiscal impact.)

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

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

PASSED ON FIRST READING by the following vote:

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

Appointment of President Pro Tempore

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

001995 [Establishing a budget for the San Francisco Local Agency Formation Commission (LAFCo) for fiscal vear 2000-01]

Ordinance appropriating \$754,250 of the General Fund Reserve to fund the adoption of the San Francisco Local Agency Formation Commission (LAFCo) budget in accordance with the Government Code Section 56381, for the Board of Supervisors for fiscal year 2000-01; placing \$400,000 on reserve. (Clerk of the Board)

(Fiscal impact.)

Supervisor Ammiano moved to amend by releasing a total of \$150,000 now, as follows:

\$69,650 for Temporary Salaries;

\$5,850 for Fringe Benefits;

\$2,000 for Membership Fees;

\$3,500 for Advertising;

\$32,750 for Other Current Expenses;

\$6,250 for Materials and Supplies;

\$25,000 for Services of the City Attorney;

\$5,000 for Services of Other Departments;

and place \$604,250 on Board of Supervisors reserve.

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

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

Ordinance appropriating \$754,250 of the General Fund Reserve to fund the adoption of the San Francisco Local Agency Formation Commission (LAFCo) budget in accordance with the Government Code Section 56381, for the Board of Supervisors for fiscal year 2000-01; placing \$604,250 on reserve. (Clerk of the Board)

(Fiscal impact.)

PASSED ON FIRST READING AS AMENDED by the following vote:

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

The President resumed the Chair.

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

Resolution authorizing the Department of Public Health, Community Mental Health Services, to accept retroactively and expend AB2034 grant funds of a total of \$3,961,167 from the State Department of Mental Health for integrated services for seriously mentally ill and dual/multiply diagnosed adults; providing for ratification of action previously taken; placing \$490,667 on reserve. (Public Health Department)

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

Resolution No. 1033-00

ADOPTED by the following vote:

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

002014 [Contracting out Airport parking facility management services]

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

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

1034-00 Resolution No. ADOPTED by the following vote:

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

Excused: 1 - Becerril

Recommendations of the Housing and Social Policy Committee

001490 [Firearm Strict Liability Act]

Supervisors Becerril, Leno, Yaki, Bierman, Teng, Brown, Newsom

Ordinance amending Article 35 of the Police Code by repealing existing Sections 3500 through 3512 and adding new Sections 3500 through 3503 to impose strict liability on gun manufacturers, importers and dealers for injuries and deaths caused by firearms and which occur within the City and County of San Francisco.

Supervisor Brown requested to be added as co-sponsor.

PASSED, ON FIRST READING by the following vote:

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

001676 [Hotel Tax Exemption, Shared Rental Rooms]

Supervisor Bierman

Ordinance amending Article 7 of Part III of the San Francisco Municipal Code (Transient Occupancy Tax) by amending Section 506 to provide that for hotels which rent shared rooms the hotel tax exemption shall be based on the rent charged per person and retroactively repealing the Sunset Clause applicable to the hotel tax exemption.

PASSED, ON FIRST READING by the following vote:

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

001896 [State grant funds to undertake the Police Department's "Decoy Shoulder Tap Program" for reducing the availability of alcohol to minors]

Supervisor Newsom

Resolution authorizing the Chief of Police for the City and County of San Francisco to retroactively accept and expend a grant in the amount of \$20,000 from the California Department of Alcoholic Beverage Control for a project entitled the Decoy Shoulder Tap Program. (Police Department)

Supervisor Bierman dissenting in Committee.

Resolution No. 1031-00 ADOPTED by the following vote:

001975 [Federal Funds, Local Law Enforcement Block Grant] Supervisors Brown, Teng, Bierman, Becerril

Resolution authorizing the Mayor of the City and County of San Francisco to retroactively accept and expend a grant in the amount of \$2,259,329 from the U.S. Department of Justice to administer the Local Law enforcement Block Grant Program.

1032-00 Resolution No. ADOPTED by the following vote:

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

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

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

Supervisor Becerril requested to be added as co-sponsor.

Resolution No. 1035-00 ADOPTED by the following vote:

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

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

001784 [Liquor License Transfer, 681 3rd Street]

Resolution determining that the temporary transfer of a Type 21 off-sale general alcoholic beverage control license to Kim, Joseph Yong Kyu dba "3rd & Townsend Corner Store" from 698 3rd Street to its temporary location at 681 3rd Street until construction operation at 698 3rd Street is completed, will serve the public convenience and necessity of the people of the City and County of San Francisco in accordance with Section 23958.4 of the California Business and Professions Code; with conditions.

1028-00 Resolution No. ADOPTED by the following vote:

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

001785 [Liquor License, 730-732 Broadway]

Resolution determining that the issuance of a Type 48 on-sale general public premises liquor license in exchange for a Type 47 on-sale general eating place liquor license to Greg Lindgren and Jon Gasparini for the Alps Hotel Corporation ("Des Alps"), located at 730-732 Broadway, will serve the public convenience and necessity of the people of the City and County of San Francisco in accordance with Section 23958.4 of the California Business and Professions Code; with conditions.

1029-00 Resolution No. ADOPTED by the following vote:

Recommendations of the Transportation and Land Use Committee

001763 [CEQA Findings - Jewish Community Center Project] Supervisors Kaufman, Katz, Leno, Teng, Newsom, Yaki, Becerril, Brown, Ammiano, Yee

Resolution affirming certification of the Jewish Community Center of San Francisco Final Environmental Impact Report by the Planning Commission and adopting environmental findings (and a Statement of Overriding Considerations) pursuant to the California Environmental Quality Act and State Guidelines in connection with the Jewish Community Center Project.

11/14/00 - Planning Commission Motion #16027 dated November 9, 2000 recommending approval of the Final Environmental Impact Report.

Resolution No.

1027-00

ADOPTED by the following vote:

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

001759 [Establish California Street and Presidio Avenue Community Center SUD] Supervisors Kaufman, Katz, Leno, Teng, Newsom, Yaki, Becerril, Brown, Ammiano, Yee

Ordinance amending Part II, Chapter II of the San Francisco Municipal Code (Planning Code) by adding Section 249.21 to establish the California Street and Presidio Avenue Community Center Special Use District, and adopting findings.

11/14/00 - Planning Commission Resolution #16029 dated November 9, 2000 recommending approval of proposed Planning Code amendment.

PASSED, ON FIRST READING by the following vote:

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

001760 [Zoning Map Amendment]

Supervisors Kaufman, Katz, Leno, Teng, Newsom, Yaki, Becerril, Brown, Ammiano

Ordinance amending the Zoning Map of the City and County of San Francisco for property located on the Southeastern portion of the block bounded by California, Walnut, and Sacramento Streets and Presidio Avenue, to change the height and use district classification from 40-X to 65-X and designate the site as a Special Use District and adopting findings.

11/14/00 - Planning Commission Resolution #16030 dated November 9, 2000 recommending approval of proposed Zoning Map amendment.

PASSED, ON FIRST READING by the following vote:

SPECIAL ORDER 3:00 P.M.

001998 [Public Hearing, Appeal, Environmental Impact Report, 557-4th Street]

Hearing of persons interested in or objecting to the decision of the Planning Commission by its Motion No. 15974 dated September 7, 2000, certifying the Final Environmental Impact Report, Case File No. 1998.953E, for the proposed 557 4th Street project, located between Welsh and Freelon Streets.

(Assessor's Block 3776, Lots 119 and 62.) (Appeal filed October 10, 2000.)

Appellants: Sue Hestor; Georgia Brittan; Lloyd Schloegel.

Respondents: Hillary Gitelman, representing Planning Department; John Sanger; Joe Donaghue; Joe Cassidy.

A rebuttal period was held. **HEARD AT PUBLIC HEARING.**

From the Clerk

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

001999 [Affirming Certification of 557-4th Street EIR]

Motion affirming the certification of the Final Environmental Impact Report for the development project located at 557-4th Street by the Planning Commission. (Clerk of the Board)

Supervisor Katz moved to continue this matter to December 11, 2000.

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

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

002000 [Disapproving Certification of 557-4th Street EIR]

Motion disapproving the certification of the Final Environmental Impact Report for the development project located at 557-4th Street by the Planning Commission. (Clerk of the Board)

Supervisor Katz moved to continue this matter to December 11, 2000.

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

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

002001 [Preparation of Findings to Disapprove Certification of 557-4th Street EIR]

Motion directing the Clerk of the Board to prepare findings disapproving the certification of the Final Environmental Impact Report for the development project located at 557-4th Street by the Planning Commission. (Clerk of the Board)

Supervisor Katz moved to continue this matter to December 11, 2000.

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

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.

SPECIAL ORDER 3:00 P.M.

Board of Supervisors Sitting as a Committee of the Whole

002043 [Public Hearing - Air Rights Sale of Land for 1166-1188 Howard Street]
Mayor

Hearing of persons interested in or objecting to proposed resolution approving the Redevelopment Agency of the City and County of San Francisco's sale of air rights at Assessor's Block 758, Lot 28, commonly known as 1166-1188 Howard Street, to the 1166 Howard Street Associates, an affiliate of the Tenderloin Neighborhood Development Corporation and Citizen's Housing Corporation, for the purpose of preserving a housing development for very low and low income households.

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

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

Craig Alderman

HEARD AT PUBLIC HEARING.

Committee of the Whole Rise and Report Without Recommendation

002044 [Air rights sale, 1166-1188 Howard Street]
Mayor

Resolution approving the Redevelopment Agency of the City and County of San Francisco's sale of air rights at Assessor's Block 758, Lot 28, commonly known as 1166-1188 Howard Street, to the 1166 Howard Street Associates, an affiliate of the Tenderloin Neighborhood Development Corporation and Citizen's Housing Corporation, for the purpose of preserving a housing development for very low and low income households.

Resolution No. 1037-00

ADOPTED by the following vote:

Ayes: 8 - Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Newsom, Teng

Absent: 2 - Yaki, Yee Excused: 1 - Becerril

PUBLIC COMMENT

Abdalla Megahed, homeless issues, gun violence.

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.

002088

[Legislative Analyst Request]

Supervisor Ammiano

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

Supervisor Kaufman moved to amend by deleting the words "and recruit".

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

Ayes: 8 - Ammiano, Bierman, Brown, Kaufman, Leno, Newsom, Teng, Yee Absent: 3 - Becerril, Katz, Yaki

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

APPROVED AS AMENDED by the following vote:

Ayes: 8 - Ammiano, Bierman, Brown, Kaufman, Leno, Newsom, Teng, Yee Absent: 3 - Becerril, Katz, Yaki

002089

[Legislative Analyst Request]

Supervisor Newsom

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

APPROVED by the following vote:

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

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.

002076 [Gift Acceptance]

Supervisors Teng, Newsom, Becerril, Brown

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

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

Resolution No.

1038-00

ADOPTED

002077 [Gift Acceptance]

Supervisors Brown, Newsom

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

Supervisor Newsom requested to be added as co-sponsor.

1039-00 Resolution No.

ADOPTED

002078 [Gulf of the Farallones National Marine Sanctuary]

Supervisors Katz, Newsom

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

Supervisor Newsom requested to be added as co-sponsor.

Resolution No.

1040-00

ADOPTED

002079 [Small Business Commission Web Page]

Supervisors Katz, Becerril, Brown

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

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

Resolution No.

1041-00

ADOPTED

002080 [Commendation]

Supervisors Leno, Bierman, Katz

Resolution commending CBS for banishing the Dr. Laura television show to a 2:00 a.m. time slot.

Supervisor Katz requested to be added as co-sponsor.

Resolution No.

1042-00

ADOPTED

002081 [Commendation]

Supervisors Leno, Bierman, Brown, Katz

Resolution commending "Committing to Conscience" for its efforts to build a unified strategy to end the death penalty.

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

Resolution No.

1043-00

ADOPTED

002082 [Commendation]

Supervisors Leno, Bierman, Newsom, Katz

Resolution commending SMMILE for distributing \$265,000 in proceeds from the Folsom Street Fair 2000 to a variety of worthy community organizations.

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

Resolution No.

1044-00

ADOPTED

002090 [Needle Exchange Emergency]

Supervisors Bierman, Teng, Ammiano, Yaki, Kaufman, Katz, Brown, Newsom, Yee, Leno, Becerril

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

Motion No.

M00-143

APPROVED

002095 [Parcel map, Mission Bay]

Motion approving parcel map, Planned Development, Mission Bay (Blocks S26a and S28), an 8 lot subdivision project, being Phase 1 of a subdivision of Lot 1 in Assessor's Block 8721, and adopting findings pursuant to the General Plan and City Planning Code Section 101.1 and the Mission Bay South Redevelopment Plan and Plan Documents. (Mayor)

Motion No.

M00-139

APPROVED

002097 [Final map of a 142 unit new residential condominium project]

Motion approving final map of The Residences at the Four Seasons Hotel 747-767 Market Street, San Francisco, a Residential Highrise Condominium Project, being a subdivision of Lot 126, Assessor's Block No. 3706, and adopting findings pursuant to City Planning Code Section 101.1. (Public Works Department)

(DPW Order No. 172,670.)

Motion No.

M00-138

APPROVED

002098 [Final map for a 7 unit condominium project]

Motion approving final map of 6050 Geary Boulevard, a Commercial and Residential Condominium Project, being a subdivision of Lot 24, Assessor's Block No. 1456, and adopting findings pursuant to City Planning Code Section 101.1. (Public Works Department)

(DPW Order No. 172,621.)

Motion No.

M00-140

APPROVED

002099 [Final map for a 17-lot subdivision project]

Motion approving final map of St. Francis Bay Condominiums, a 17-Lot Subdivision Project, being a merger and resubdivision of Lot 88 and a portion of Lot 90, Assessor's Block No. 4991, and adopting findings pursuant to City Planning Code Section 101.1. (Public Works Department)

(DPW Order No. 172,645.)

Motion No.

M00-141

APPROVED

002100 [Final map for a live/work condominium project]

Motion approving final map of 85 Natoma Street, a Live/Work Condominium Project, being a subdivision of Lot 90, Assessor's Block No. 3721, and adopting findings pursuant to City Planning Code Section 101.1. (Public Works Department)

(DPW Order No. 172,689.)

Motion No.

M00-142

APPROVED

The foregoing items were acted upon by the following vote:

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

Severed From For Adoption Without Committee Reference Agenda

002026 [Extension of lease agreement]

Supervisors Ammiano, Newsom, Katz

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

Supervisor Becerril requested this matter be severed so it could be considered separately. SEVERED FROM FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA.

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

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

Resolution No. 1036-00

ADOPTED by the following vote:

Ayes: 9 - Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Newsom, Teng, Yee

Absent: 1 - Yaki Excused: 1 - Becerril

OFF-AGENDA LEGISLATION

Introduced by Supervisors or Mayor

Ordinances

001944 [Government Funding, \$89,000, Department of Environment]

Supervisors Ammiano, Bierman, Leno

Ordinance appropriating \$89,000 from the General Fund Reserve for the Department of Environment to fund the community window on the cleanup of the Hunters Point Shipyard that serves as the central location for the community on information, cleanup and emergency alert, for fiscal year 2000-01.

10/30/00, RECEIVED AND ASSIGNED to Finance and Labor Committee.

12/4/00, SUBSTITUTED. Supervisor Ammiano submitted a substitute ordinance bearing new title.

12/4/00, ASSIGNED to Finance and Labor Committee. Sponsor requests this item be scheduled for consideration at the December 6, 2000 meeting.

[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.) 10/23/00, ASSIGNED UNDER 30 DAY RULE to Transportation and Land Use Committee, expires on 11/22/2000.

12/4/00, SUBSTITUTED. Supervisor Katz submitted a substitute ordinance, approved as to form, bearing new title. Sponsor requests this item be scheduled for consideration at the December 14, 2000 meeting. 12/4/00, ASSIGNED to Transportation and Land Use Committee.

001951 [Proposed Conflict of Interest Code Amendments] Supervisor Newsom

Ordinance amending Article III, Chapter 1 of the San Francisco Campaign and Governmental Conduct Code by adding Sections 3.1-109, 3.1-242, 3.1-252, 3.1-268, 3.1-312 and 3.1-422, amending Sections 3.1-120, 3.1-150, 3.1-155, 3.1-170, 3.1-175, 3.1-190, 3.1-195, 3.1-205, 3.1-215, 3.1-230, 3.1-235, 3.1-245; 3.1-250, 3.1-270, 3.1-275, 3.1-280, 3.1-285, 3.1-310, 3.1-320, 3.1-335, 3.1-345, 3.1-350, 3.1-355, 3.1-365, 3.1-375, 3.1-395, 3.1-410, 3.1-430, 3.1-440, and 3.1-445, and repealing Sections 3.1-115, 3.1-125, 3.1-200, 3.1-225, 3.1-370, 3.1-380, and 3.1-385 to update the list of designated employees who must file financial disclosure statements and to modify the applicable disclosure requirements. (City Attorney)

10/31/00, RECEIVED AND ASSIGNED to Rules Committee.

12/4/00, SUBSTITUTED. Supervisor Newsom submitted a substitute ordinance bearing new title. 12/4/00, ASSIGNED to Rules Committee.

002104 [Inventory of City property]

Supervisor Ammiano

Ordinance directing the Director of Property to create an inventory of City property that may be appropriate for temporary and occasional use by nonprofit arts and cultural organizations.

12/4/00, RECEIVED AND ASSIGNED to Finance and Labor Committee.

002105 [Prohibiting mass release of balloons]

Supervisor Katz

Ordinance adding Section 42C to Part II, Chapter VIII of the San Francisco Municipal Code to prohibit the mass release of balloons to the atmosphere in the City and County of San Francisco and to require sellers of gaseous helium for filling balloons and sellers of helium-filled balloons to post or provide notifications to purchasers of the contents of this Ordinance.

12/4/00, ASSIGNED UNDER 30 DAY RULE to Public Health and Environment Committee, expires on 1/3/2001.

002106 [Urban Forestry Council] Supervisor Katz

Ordinance amending San Francisco Municipal Code Part 1 (Administrative Code) Chapter 5 by adding Article XX111 to create an Urban Forestry Council and to delineate powers and duties for such Council. 12/4/00, RECEIVED AND ASSIGNED to Public Health and Environment Committee.

002107 [Planning Code, dwelling units, conditional use approval] Supervisors Leno, Katz

Ordinance amending Part II, Chapter II of the San Francisco Municipal Code (Planning Code) by amending Section 253 that currently requires conditional use approval for residential construction over 40 feet in residential districts with height limits over 40 feet to add an exception for projects that include at least 12 percent affordable units, amending Section 304 to prohibit Planned Unit Developments (PUD) in RH-1 Districts, to permit PUD in the South of Market Base District and on lots of 10,000 square feet or larger throughout the City where otherwise permitted to add certain objectives to the standards for PUD; and making a determination of consistency with the priority policies of Planning Code Section 101.1(B). 12/4/00, ASSIGNED UNDER 30 DAY RULE to Transportation and Land Use Committee, expires on

002108 [Planning Code, dwelling units, floor area and density ratios] Supervisor Leno

Ordinance amending Part II, Chapter II of the San Francisco Municipal Code (Planning Code) by amending Section 124 to eliminate floor area ratio limits for residential construction in certain C-3 Zoning Districts, amending Sections 215 and 216 to increase the maximum density ratio for dwelling units and group housing allowed in certain C and M Districts; and making a determination of consistency with the priority policies of Planning Code Section 101.1(B).

12/4/00, ASSIGNED UNDER 30 DAY RULE to Transportation and Land Use Committee, expires on 1/3/2001. 12/09/00 - Transmitted to Planning Commission for public hearing and recommendation.

1/3/2001. 12/08/00 - Transmitted to Planning Commission for public hearing and recommendation.

Resolutions

002096 [Lease of property at 165 Capp Street for homeless drop in and referral center] Supervisor Ammiano

Resolution authorizing a lease of real property at 165 Capp Street on behalf of the Department of Human Services.

12/4/00, RECEIVED AND ASSIGNED to Finance and Labor Committee.

002109 [Transit Coordination] Supervisor Newsom

Resolution urging the Municipal Transportation Agency to take the necessary steps to allow cross-jurisdictional transit to provide transportation linkage between downtown San Francisco and the Presidio and further urging the Metropolitan Transportation Commission to take a leadership role in coordinating this effort between the various entities in furtherance of the Commission's official duties.

12/4/00, RECEIVED AND ASSIGNED to Transportation and Land Use Committee.

002112 [Settlement of Claim, Pacific Bell]

Supervisor Katz

Resolution authorizing settlement of 14 claims against Pacific Bell in the amount of \$825,000 for overcharges between September 1987 and February 1998.

12/4/00, RECEIVED AND ASSIGNED to Audit and Government Efficiency Committee.

002113 [Stop Signs]

Supervisors Teng, Katz

Resolution urging the Department of Parking and Traffic to install stop signs on Rivera Street at its intersection with 17th Avenue to improve the traffic safety in the area and to install the stop signs within 30 days after the Mayor signs the legislation.

12/4/00, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

002114 [Gift Acceptance]

Supervisors Yaki, Katz, Becerril, Newsom

Resolution accepting gifts valued at a total of \$65,173.22 from various donors for use by the Department of Public Health.

12/4/00, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

002115 [Grant Fund]

Supervisors Yaki, Katz, Becerril, Brown

Resolution authorizing the City Administrator and the Director of the Department of the Environment to accept and expend \$900,000 from the Bay Area Air Quality Management District's Transportation Fund for Clean Air and authorizing the City Administrator and the Director of the Department of the Environment to execute agreements with the Bay Area Air Quality Management District, whereby, the City would indemnify the District from claims resulting from the City's performance of said agreements.

002103 [Traffic Regulations, Various Streets] Supervisor Katz

Resolution enacting and rescinding traffic regulations on various streets:

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TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH (Along Sidewalk Bulbouts)
3rd Street, west side, from Kirkwood Avenue to 35 feet northerly
3rd Street, west side, from Kirkwood Avenue to 85 feet southerly
3rd Street, east side, from Kirkwood Avenue to 35 feet southerly
3rd Street, west side, from LaSalle Avenue to 35 feet northerly
3rd Street, west side, from LaSalle Avenue to 24 feet southerly
3rd Street, east side, from LaSalle Avenue to 85 feet northerly
3rd Street, east side, from LaSalle Avenue to 35 feet southerly
3rd Street, west side, from McKinnon Avenue to 35 feet northerly
3rd Street, west side, from McKinnon Avenue to 24 feet southerly
3rd Street, east side, from McKinnon Avenue to 24 feet northerly
3rd Street, east side, from McKinnon Avenue to 35 feet southerly
3rd Street, west side, from Newcomb Avenue to 35 feet northerly
3rd Street, west side, from Newcomb Avenue to 24 feet southerly
3rd Street, east side, from Newcomb Avenue to 24 feet northerly
3rd Street, east side, from Newcomb Avenue to 35 feet southerly
3rd Street, west side, from Oakdale Avenue to 35 feet northerly
3rd Street, west side, from Oakdale Avenue to 85 feet southerly
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TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH (Along Sidewalk Bulbouts)

3rd Street, west side, from Palou Avenue to 35 feet northerly

3rd Street, east side, from Oakdale Avenue to 24 feet northerly 3rd Street, east side, from Oakdale Avenue to 55 feet southerly

3rd Street, west side, from Palou Avenue to 35 feet southerly

3rd Street, east side, from Palou Avenue to 60 feet northerly

3rd Street, east side, from Palou Avenue to 35 feet southerly

3rd Street, west side, from Quesada Avenue to 35 feet northerly

3rd Street, west side, from Quesada Avenue to 20 feet southerly

3rd Street, east side, from Quesada Avenue to 20 feet northerly

3rd Street, east side, from Quesada Avenue to 35 feet southerly

3rd Street, west side, from Revere Avenue to 40 feet northerly

3rd Street, west side, from Revere Avenue to 82 feet southerly

3rd Street, east side, from Revere Avenue to 27 feet northerly

3rd Street, east side, from Revere Avenue to 38 feet southerly

NO LEFT TURNS - ESTABLISH

3rd Street, both directions, at Kirkwood Avenue

3rd Street, both directions, at LaSalle Avenue

3rd Street, both directions, at McKinnon Avenue

3rd Street, both directions, at Oakdale Avenue

3rd Street, southbound, at Palou Avenue

3rd Street, southbound, at Quesada Avenue

3rd Street, both directions, at Revere Avenue

3rd Street, both directions, at Shafter Avenue

3rd Street, both directions, at Thomas Avenue

(DPT Order No. 2111.)

12/4/00, RECEIVED AND ASSIGNED to Transportation and Land Use Committee.

002116 [Chris Robertson investigation]

Supervisors Ammiano, Katz, Leno

Resolution urging the District Attorney and the San Francisco Police Department to expedite a full investigation of the death of Christopher Robertson.

12/4/00, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

002117 [Potrero Power Plant Citizens Advisory Task Force]

Supervisors Ammiano, Katz

Resolution extending the operating date of the Potrero Power Plant Citizens Advisory Task Force to October 31, 2001.

12/4/00, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

002118 [Divestment from Burma]

Supervisors Ammiano, Katz

Resolution urging the City Treasurer and the governing board of the City's pension and retirement system to divest the City's investment portfolio from companies investing in Burma except those whose sole business is in the fields of health care or media.

12/4/00, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

002119 [Brisbane Recycling Company Labor Dispute]

Supervisor Ammiano

Resolution encouraging Brisbane Recycling Company Incorporated to immediately cease and desist from further violation of its employees rights and further urging Brisbane Recycling to reinstate with back pay, workers that had been wrongfully terminated as well as to honor its employees wishes to immediately commence negotiations with Operating Engineers Local 3.

12/4/00, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

002120 [Firearm safety license]

Supervisors Becerril, Brown, Katz

Resolution supporting Assembly Majority Leader Kevin Shelley's proposed measure which would require California's handgun owners to secure a firearm safety license.

002121 [Gift Acceptance]

Supervisors Brown, Katz, Newsom

Resolution accepting and expending a gift in place valued at approximately \$300,000.00 from the Trust for Public Land to the Recreation and Park Department for Hans Schiller Plaza of the Visitacion Valley Greenway. 12/4/00, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

002122 [Balboa swimming pool fee waiver]

Supervisor Brown

Resolution urging the San Francisco Recreation and Park Commission to waive all fees to minors ages 17 and under for three years at the Balboa Swimming Pool.

12/4/00, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

002123 [St. Luke's Hospital and Sutter Health]

Supervisor Brown

Resolution supporting St. Luke's Hospital affiliation with Sutter Health.

12/4/00, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

002124 [Stop Signs]

Supervisor Katz

Resolution urging the Department of Parking and Traffic to install stop signs in all directions at the intersection of Division Street, San Bruno, and 9th Street.

12/4/00, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

002125 [Turning Point Academy]

Supervisors Newsom, Katz, Becerril, Brown

Resolution acknowledging Turning Point Academy as an alternative source of academic and vocational education training for minors residing in California who have committed an offense.

12/4/00, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

002126 [Alternative Fuel Buses]

Supervisor Katz

Resolution in support of an alternative fuel school buses resolution being considered by the Board of Education of the San Francisco Unified School District, requiring all school bus services contracted to or used by the San Francisco Unified School District be powered by a low emission alternative fuel such as natural gas, and urging the School Board to pass the resolution.

002127 [Commendation]

Supervisors Newsom, Teng, Yee, Katz, Becerril, Brown

Resolution congratulating Riordan High School varsity football team on its win of the West Catholic Athletic League title.

12/4/00, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

002128 [Commendation]

Supervisors Bierman, Katz, Newsom

Resolution thanking Diana Ming Chan and Clarence K. Chan for their generous contribution of \$500,000.00 to the children of San Francisco and thanking their son, Harrison M. Leong, for adding \$8,000.00 to the fund. 12/4/00, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

002129 [Commendation]

Supervisors Yee, Newsom

Resolution commending the Alpha Rams Omegas on their contributions to the Chinese community and celebrating their 50th anniversary.

12/4/00, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

002130 [Commendation]

Supervisor Yee

Resolution commending retired Captain Thomas G. Dempsey on his retirement from the Board of Directors of the San Francisco Police Credit Union after 42 years of dedication to creating the San Francisco Police Credit Union, volunteering his time to expand the Credit Union, and guiding the San Francisco Credit Union to become an institution in the Sunset District.

12/4/00, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

002131 [Commendation]

Supervisors Katz, Kaufman, Becerril, Leno, Newsom

Resolution commending G. Rhea Serpan, retiring president and CEO of the San Francisco Chamber of Commerce, for his distinguished service to San Francisco and its business community.

Requests for Hearing

002134 [Short-term Airport Demand-Management Solutions]

Supervisor Newsom

Hearing to discuss methods of reducing delays at the Airport, including, but not limited to: (1) using technology such as the Approach Lighting System Sequence Flasher II, satellite based technology and the SOIA Localizer; (2) regional airport demand management, including proposed ferry service between SFO and Oakland Airports;

(3) operational enhancements and systems management measures to increase efficiency of existing infrastructure; (4) efficient scheduling of flights.

12/4/00, RECEIVED AND ASSIGNED to Finance and Labor Committee.

002135 [Japantown Bowl Interior Alterations]

Supervisor Yaki

Hearing to ask Kintetsu Enterprises Co. to explain recent actions involving the alteration/demolishing of the Japantown Bowl interior, performed without a permit from the Department of Building Inspection. 12/4/00, RECEIVED AND ASSIGNED to Transportation and Land Use Committee.

002136 [Department of Public Health; San Francisco General Hospital]

Supervisor Ammiano

Hearing to consider the current financial status of San Francisco General Hospital and the Department of Public Health.

12/4/00, RECEIVED AND ASSIGNED to Finance and Labor Committee.

002137 [Drug treatment in lieu of jail]

Supervisor Brown

Hearing on District Attorney Terence Hallinan's plan for Proposition 38 funds (drug treatment in lieu of jailing), specifically seeking a detailed and comprehensive plan from the District Attorney, including possible locations throughout the City as well as the agencies being considered to administer drug treatment. This plan should also incorporate cultural, ethnic, and age considerations.

12/4/00, RECEIVED AND ASSIGNED to Public Health and Environment Committee.

002138 [1999 Housing Inventory]

Supervisor Leno

Hearing to consider the Planning Department's 1999 Housing Inventory to determine whether the list includes live/work projects which have opened as office buildings.

12/4/00, RECEIVED AND ASSIGNED to Transportation and Land Use Committee.

002139 [Golden Gate National Recreation Area]

Supervisor Leno

Hearing to consider the Golden Gate National Recreation Area Citizen Advisory Commission's proposal to ban off-leash use for dogs in all areas of the GGNRA.

12/4/00, RECEIVED AND ASSIGNED to Parks and Recreation Committee.

002140 [Transbay Survey Area]

Supervisor Leno

Hearing to review the status of the Redevelopment Agency's assessment of the Transbay Survey Area to determine the feasibility of a Redevelopment project designation.

12/4/00, RECEIVED AND ASSIGNED to Transportation and Land Use Committee.

Motions

002111 [Special election for Municipal Utility District petition]

Supervisor Ammiano

Motion calling and providing for a Special Election to be held in the City and County of San Francisco and the City of Brisbane on Tuesday, November 6, 2001, for the purpose of submitting to the voters a proposal to form a Municipal Utility District for the City and County of San Francisco and the City of Brisbane; consolidating the Special Election with the General Municipal Election to be held in the City and County of San Francisco on November 6, 2001.

12/4/00, RECEIVED AND ASSIGNED to Finance and Labor Committee.

002110 [Municipal Utility District Wards]

Supervisor Ammiano

Motion establishing wards for proposed Municipal Utility District Election. 12/4/00, RECEIVED AND ASSIGNED to Finance and Labor Committee.

002141 [Legislative Analyst Request]

Supervisor Newsom

Motion requesting the Legislative Analyst to study demand management strategies of major airports and assess which strategies could be used in San Francisco.

12/4/00, ASSIGNED to Board of Supervisors. Scheduled for Board consideration December 11, 2000.

Introduced by the President at the Request of Departments

PROPOSED ORDINANCES

001795 [Approving contract for electric service at Treasure Island]

Ordinance approving the contract between the City and County of San Francisco and the United States, through the Department of Energy Western Area Power Administration, for the delivery of low cost electric power for use at Treasure Island on file with the Clerk of the Board of Supervisors in File No. 001795; approving indemnifying and holding harmless the United States against claims arising from the activities of the City under the contract; and waiving requirement of Section 21.35 of the San Francisco Administrative Code that every contract contain a statement regarding liability of claimants for submitting false claims; and waiving requirement of Section 21.19 of the San Francisco Administrative Code that every contract contain a statement regarding guaranteed maximum costs. (Public Utilities Commission)

(Fiscal impact.)

11/22/00, RECEIVED AND ASSIGNED to Finance and Labor Committee.

001796 [Creating a Special Assistant XVI position at the Board of Appeals, while Director is on medical leave]

Ordinance appropriating \$98,915 from the General Fund Reserve to fund the salary and fringe benefits of a Special Assistant XV at the Board of Appeals, while Director is on medical leave and operating expenses, and amending Annual Salary Ordinance for fiscal year 2000-01. (Controller)

(Companion measure to File 001797.)

11/22/00, RECEIVED AND ASSIGNED to Finance and Labor Committee.

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).

11/22/00, RECEIVED AND ASSIGNED to Finance and Labor Committee.

001798 [Extension of Sunset Clause - Utilization of Bid/RFP process for awarding of Parking Authority lease and management contracts]

Supervisor Newsom

Ordinance amending Section 17.11(a) of the San Francisco Administrative Code to extend the authorization of the Parking Authority to utilize a Bid/RFP process for the awarding of all leases and management agreements for the use or operation of parking facilities. (Parking and Traffic Department)

11/22/00, RECEIVED AND ASSIGNED to Finance and Labor Committee.

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

Ordinance appropriating \$1,245,909 of the General Reserve-Litigation to fund the litigation and mediation expenses associated with the VIACOM, AT&T, and TCI appeals and development and implementation of reengineering plan for the Assessor's Office for fiscal year 2000-01. (Controller)

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

12/1/00, SUBSTITUTED. From Controller, Funding Sources on page 1, line 13 should have reflected "G" for grant funded; same title.

PROPOSED RESOLUTIONS

001584 [Grant funds for viral hepatitis prevention integration] Supervisors Leno, Newsom

Resolution authorizing the Department of Public Health, Community Health Epidemiology and Disease Control, to accept retroactively and expend grant funds of \$174,841 from the Centers for Disease Control and Prevention to integrate viral hepatitis prevention into existing prevention services using a multi-infection prevention approach, and to enter into an agreement for the use of these funds; providing for ratification of action previously taken. (Public Health Department)

11/21/00, RECEIVED AND ASSIGNED to Public Health and Environment Committee.

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

001585 [Police Department law enforcement training] Supervisor Newsom

Resolution authorizing the Chief of Police to execute an agreement with the State of California to obtain funding in the amount of Five Hundred Thousand Dollars (\$500,000) for driving and use of force training simulators. (Police Department)

11/22/00, RECEIVED AND ASSIGNED to Housing and Social Policy Committee.

002093 [Grant from the Federal Center for Substance Abuse Treatment to assist HIV infected urban poor] Supervisors Leno, Newsom

Resolution authorizing the Department of Public Health, Community Substance Abuse Services and Housing and Urban Health, to accept retroactively and expend first year grant funds of \$496,520 from the Center for Substance Abuse Treatment (CSAT) for Action Point-II HIV Treatment Capacity Expansion 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)

11/28/00, RECEIVED AND ASSIGNED to Public Health and Environment Committee. Department requests this item be scheduled for the December 14, 2000 meeting.

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

Requests Granted

From: Supervisor Newsom

To: Director, Department of Parking and Traffic

Requesting/Inquiring: To investigate and report what steps it is taking to mitigate traffic in light of the anticipated increase in traffic on the City streets due to implementation of the Fast Track pass on both the Golden Gate and Bay Bridges.

From: Supervisor Yaki

To: City Attorney

Requesting/Inquiring: To investigate and report what penalties may be assessed against Kintetsu Enterprises Co. of America for the illegal removal of fixtures, and alteration/demolishing of the Japantown Bowl interior, and determining what remedies are available for the restoration of the affected equipment and lanes.

From: Supervisor Ammiano

To: City Attorney

Requesting/Inquiring: Requesting that the City Attorney work with Municipal Railway (MUNI) to determine whether MUNI's option to purchase 175 buses from Neoplan could be extended for six months to allow the city's alternative fuel pilot program to begin in January and whether the FTA would allow use of the current option to purchase alternative fuel vehicles.

From: Supervisor Ammiano

To: City Attorney

Requesting/Inquiring: To draft legislation to establish a Committee consisting of representatives from the Mayor's Office, the Board of Supervisors, appropriate City Departments and interested members of the public to oversee development of a bond proposal to rebuild San Francisco General Hospital and facilities in the Community Health Network for consideration by the voters in the November 6, 2001 election.

From: Supervisor Becerril

To: Director, Department of Parking and Traffic

Requesting/Inquiring: To report on the status and information gathered concerning the installation of bicycle lanes along Polk Street as part of a six month pilot program. What feedback has been obtained by the Department and does the Department plan to maintain this bicycle lane in the future?

From: Supervisor Brown

To: Director, Department of Parking and Traffic

Requesting/Inquiring: To report on the feasibility of providing permanent mechanical sweeper support directly following regular street cleaning on the corner of Thrift and Summit Streets.

This request is made in response to the complaints and concerns of residents reacting to the eyesore of built up debris "pushed along" onto this unique corner.

From: Supervisor Brown

To: Director, Department of Parking and Traffic

Requesting/Inquiring: To report on the feasibility of placing a much needed stop sign at the intersection of Mission Street and Santa Rosa Street in order to improve traffic safety in that area. This inquiry is made in light of numerous complaints about excessive speed. A stop sign at this intersection would slow down traffic.

From: Supervisor Leno

To: Director, Redevelopment Agency

Requesting/Inquiring: Requesting an update on negotiations between the Redevelopment Agency, The Blackstone Group, and the Rincon Tenants Association following the hearings conducted by Supervisor Katz regarding the preservation of as many units as possible in the Below Market Rate Program at Rincon Towers. File 000659

From: Supervisors Leno, Ammiano, Katz

To: City Attorney

Requesting/Inquiring: To draft a supplemental appropriation funding a feasibility study on bringing the International Museum of Gay and Lesbian History to San Francisco.

In Memoriams

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

Judy King (By full Board)
Richard LeBlond (By full Board)
Jack Block (Supervisor Kaufman)
Michael Muther (Supervisors Katz, Kaufman)
Minnie Chin (Supervisor Yaki)
Christopher Robertson (Supervisor Ammiano)
Way Ho Lee (Supervisor Ammiano)

ADJOURNMENT

There being no further business, the Board at the hour of 4:28 p.m adjourned.

Gloria L. Young, Clerk

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

Approved by the Board of Supervisors on January 16, 2001.

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

Gloria L. Young Clerk of the Board