

Monday, August 10, 1998

Journal of Proceedings

The Minutes of the

Board of Supervisors

City and County of San Francisco

DOCUMENTS DEPT.

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JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

Monday, August 10, 1998 - 2:00 p.m.

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

CALLING THE ROLL

The meeting was called to order at 2:04 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Ammiano, Bierman, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee - 10.

Noted absent at first roll call:

Supervisor Brown - 1.

Quorum present.

Supervisor Brown excused. (See infra.)

Supervisor Brown Excused

The Clerk stated Supervisor Brown requested to be excused from attending today's meeting.

Supervisor Medina, seconded by Supervisor Bierman, moved to excuse Supervisor Brown from attendance.

Motion adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Brown - 1.

APPROVAL OF JOURNALS

There being no errors, corrections or omissions, Supervisor Yaki, seconded by Supervisor Medina, moved that the Journals of Proceedings for Monday, June 1 and June 8, 1998, be approved.

Motion carried by the following vote:

Ayes: Supervisors Ammiano, Bierman, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Brown - 1.

Suspension of the Rules

Supervisor Ammiano, seconded by Supervisor Katz, moved to suspend Rule 4.25 of the Rules of Order of the Board of Supervisors to grant privilege of the floor and make presentation.

Motion to suspend the rules adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Brown - 1.

Introduction of Guests
Presentations Made

Supervisor Ammiano introduced, welcomed, and presented a Certificate of Honor to Mr. Christopher Arnesen. Mr. Arnesen thanked the Board of Supervisors for the commendation and spoke briefly of his long struggle with the Immigration and Naturalization Service in his efforts to return to the United States and expressed thanks for the many support he has received.

Supervisor Teng introduced a group of local merchants and the Chinese Chamber of Commerce representative and presented each of them with a commendation for their victory in the Superior Court case of "Coalition for Healthy and Humane Business Practices v. Never Ending Quails, et al" allowing the sale of live animals for food to continue.

Supervisor Katz introduced Chancellor Del Anderson and presented her with a commendation honoring her as she retires from her post as City College of San Francisco Chancellor.

CONSENT CALENDAR

Severed from Consent Calendar

Supervisor Leno requested that the following measure be severed from the Consent Calendar and considered separately.

Recommendations of Health, Family & Environment Committee

Finally Passed

[Business Establishments/Public Accommodations]
Ordinance amending Police Code, making unlawful discrimination in business establishments and public accommodations between patrons who have domestic partners and patrons who have spouses. (Supervisors Leno, Ammiano, Katz, Bierman)

File 98-0996, Ordinance No. 265-98

(Amends Section 3305.)

Finally passed.

The Board thereupon resumed its consideration of the following items on the Consent Calendar.

Consent Calendar

Recommendations of Finance Committee

Finally Passed

[Affordable Child Care Program]
Ordinance amending Planning Code Section 314.5 to expand the sources and eligible uses of monies in the Affordable Child Care Fund, to allow monies from that fund to be used to fund any report(s) required to demonstrate the relationship between office and hotel development projects and child care demand as described in Planning Code Section 314.4, to provide for Board of Supervisors' approval of rules and regulations for the uses of that fund, and to rename that fund the "Child Care Capital Fund" to reflect the amended uses of that fund; companion measure to File 98-0519. (Supervisors Teng, Yaki, Ammiano, Leno)

File 98-0518, Ordinance No. 263-98

(Planning Commission Resolution No. 14634 adopted 6/4/98; Certificate of Exemption from Environmental Review with general rule exclusion, Section 150619(b)(3) dated 5/13/98)

Finally passed.

In connection with the above item, Supervisor Leno requested to be added as co-sponsor.

[Same Sex Domestic Violence Programs Fund]
Ordinance amending Administrative Code, to provide that fees collected for performing domestic partnership civil ceremonies shall be deposited in the Same Sex Domestic Violence Project within the Domestic Violence Program Fund. (Supervisor Kaufman, Ammiano, Teng, Newsom, Bierman, Katz, Brown, Yaki, Medina, Leno)

File 98-1157, Ordinance No. 269-98

(Amends Section 10.117-21.)

Finally passed.

In connection with the above item, Supervisor Leno requested to be added as co-sponsor.

Adopted

[Emergency Repair, 5th Street/Shipley Avenue Sewer]
Resolution approving the expenditure of funds for the emergency repair work to replace the structurally inadequate sewer on 5th Street at Shipley Avenue - \$81,756.79. (Public Utilities Commission)

File 98-1192, Resolution No. 657-98

Adopted.

Recommendations of Rules Committee

Finally Passed

[Membership List, Department of Public Works]
Ordinance amending Administrative Code, adding a certain organization to, and deleting two organizations, from the membership list of the Department of Public Works. (Department of Public Works)

File 98-1152, Ordinance No. 268-98

(Amends Section 16.6-9.)

Finally passed.

[Membership List]
Ordinance amending Administrative Code, adding certain organizations to the membership list of the Office of Public Administrator/Public Guardian/County Veterans Service Officer. (Public Administrator/Public Guardian/County Veterans Service Officer)

File 98-1063, Ordinance No. 266-98

(Adds Section 16.6-62.)

Finally passed.

Recommendations of Health, Family & Environment Committee

Finally Passed

[Domestic Violence]
Ordinance amending Administrative Code, authorizing the San Francisco Family Violence Council to establish an interagency domestic violence death review team pursuant to Penal Code Section 11163.3. (San Francisco Family Violence Council)

File 98-1078, Ordinance No. 267-98

(Adds Section 5.190-7.)

Finally passed.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Ammiano, Bierman, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Brown - 1.

REGULAR CALENDAR

UNFINISHED BUSINESS

Recommendation of Economic Development, Transportation
and Technology Committee

Finally Passed

[First Source Ordinance]

Ordinance amending Administrative Code to establish specific requirements, procedures and monitoring for first source hiring of qualified economically disadvantaged individuals for entry level positions, applicable to city contracts, city property contracts and building permits and planning approvals for commercial development projects. (Supervisors Yaki, Bierman, Katz, Medina, Ammiano, Leno)

File 98-0663, Ordinance No. 264-98

(Adds Chapter 83, Sections 83.1 through 83.18.)

Finally passed by the following vote:

Ayes: Supervisors Ammiano, Bierman, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Brown - 1.

In connection with the above item, Supervisor Leno requested to be added as co-sponsor.

NEW BUSINESS

Recommendations of finance Committee

Passed on First Reading

[Appropriation, Administrative Services]

Ordinance appropriating \$30,100,000, Administrative Services, from Convention Facilities Fund Balance to finance land acquisition, improvements, and tenant relocation for the Moscone Convention Center expansion, for fiscal year 1998-99. (Supervisor Yaki)

File 98-1179, Ordinance No.

(Fiscal Impact.)

Passed on first reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Brown - 1.

[Municipal Elections Code]

Ordinance amending Elections Code to reduce the fee for publication of ballot arguments in the voter information pamphlet from \$200 plus \$3 per word to \$200 plus \$2 per word and increase the value of signatures submitted in lieu of fees from \$.25 per signature to \$.50 per signature; effective January 1, 1999. (Supervisors Yee, Newsom)

File 98-0664, Ordinance No.

(Amends Sections 830 and 840.)

Passed on first reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Brown - 1.

[Settlement of Grievance]

Ordinance authorizing settlement of the pay grievance of Mark Dorian filed pursuant to Memoranda of Understanding between the International Federation of Professional and Electrical Engineers, Local 21, AFL-CIO, and the City and County in the amount of Eighteen Thousand Dollars (\$18,000.00). (Department of Human Resources)

File 98-1120, Ordinance No.

Passed on first reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Brown - 1.

[Sale of Real Property]

Ordinance authorizing the Public Utilities Commission to prepare and solicit invitations to bid and/or hold a public auction for the sale of the Bernal Property located in Alameda County, subject to the review and approval by the Board of Supervisors, by Resolution, and Mayor of any final sale of the Bernal Property. (Supervisor Yaki)

File 98-1254, Ordinance No.

Passed on first reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Brown - 1.

Adopted

[Vehicle Registration Fee, Police Department]

Resolution authorizing a fee of one dollar (\$1.00) to be paid at time of vehicle registration renewal, or supplemental application for vehicles registered to an address within the City and County to be used exclusively to fund police programs related to fingerprinting identification of persons committing crimes while operating motor vehicles. (Police Commission)

File 98-0059, Resolution No. 653-98

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Brown - 1.

[Emergency Repair, Buena Vista Terrace Sewer]

Resolution approving the expenditure of funds for the emergency repair work to replace the structurally inadequate sewer on Buena Vista Terrace between 14th Street and Duboce Avenue - \$217,935. (Public Utilities Commission)

File 98-1191, Resolution No. 656-98

(Fiscal Impact.)

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Brown - 1.

Recommendations of Economic Development, Transportation
and Technology Committee

Consideration Continued

[Street Tree Removal]

Ordinance amending Public Works Code to expand the public notice and appeal procedures regarding street tree removal by City agencies, commissions or departments and to establish a notification process and enforcement mechanism for violations of the Urban Forestry Ordinance; companion measure to Files 98-0992, 98-0993, 98-0994. (Supervisors Katz, Bierman, Yaki, Leno)

File 98-0991, Ordinance No.

(Amends Sections 802, 806 and 811.)

Supervisor Katz, seconded by Supervisor Leno, moved to continue consideration to September 14, 1998.

Motion to continue adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Brown - 1.

[Street Tree Removal Appeal Fee]

Ordinance amending Municipal Code, Part III, to establish a fee for filing an appeal from the decision of the Director of the Department of Public Works concerning street tree removal by a City agency, commission or department; companion measure to File 98-0991. (Supervisors Katz, Bierman, Yaki, Leno)

File 98-0992, Ordinance No.

(Amends Section 8.)

Supervisor Katz, seconded by Supervisor Leno, moved to continue consideration to September 14, 1998.

Motion to continue adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Brown - 1.

[Tree Removal from City Property]

Resolution urging all City agencies, commissions and departments to adopt notice and appeal procedures for the removal of trees that are visible from the public right-of-way and to submit reports describing methods of compliance with this resolution to the Commission on the Environment. (Supervisors Katz, Bierman, Yaki, Leno)

File 98-0993, Resolution No.

Supervisor Katz, seconded by Supervisor Leno, moved to continue consideration to September 14, 1998.

Motion to continue adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Brown - 1.

[Street Tree Removal]

Resolution urging the Port, Airport, and Redevelopment Agency Commissions to adopt notice and appeal procedures for the removal of street trees that are similar to the procedures applicable to City agencies, commissions and departments, which are set forth in pending amendments to Public Works Code Section 806; companion measure to Files 98-0991, 98-0092, 98-0093. (Supervisors Katz, Bierman, Yaki, Leno)

File 98-0994, Resolution No.

Supervisor Katz, seconded by Supervisor Leno, moved to continue consideration to September 14, 1998.

Motion to continue adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Brown - 1.

Passed on First Reading

[Restricted Parking - Construction Activity]

Ordinance amending Traffic Code, extending the date that limits on parking in construction zones should be restricted to June 30, 1999. (Supervisors Yaki, Katz, Leno, Medina, Newsom)

File 98-1201, Ordinance No.

(Amends Section 33.1A.)

Passed on first reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Brown - 1.

In connection with the above item, Supervisors Leno, Medina, Newsom requested to be added as co-sponsors.

From Economic Development, Transportation
and Technology Committee with Recommendation "Do Not Pass"

Refused Passage on First Reading

[Treasure Island Management]

Ordinance supporting the June 2, 1998 voter approval of Proposition K, declaration of policy with respect to the operation and land use management of Treasure Island. (Supervisor Yee)

File 98-0998, Ordinance No.

Refused passage on first reading by the following vote:

Ayes: Supervisors Ammiano, Yee - 2.

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Noes: Supervisors Bierman, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki - 8.

Absent: Supervisor Brown - 1.

From Economic Development, Transportation
and Technology Committee Without Recommendation

Refused Adoption

[Treasure Island Development Authority]

Resolution directing the Treasure Island Development Authority to amend its Bylaws and Articles of Incorporation to expand the number of directors of the Board of Directors of the Authority to fifteen, eleven of whom shall be comprised of the then members of the City's Board of Supervisors, or their respective designees; and four of whom shall be appointed by the Mayor. (Supervisor Ammiano)

File 98-1004, Resolution No.

Refused adoption by the following vote:

Ayes: Supervisors Ammiano, Yee - 2.

Noes: Supervisors Bierman, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki - 8.

Absent: Supervisor Brown - 1.

Recommendation of Parks and Recreation Committee

Adopted

[Bike Racks in Parks and Recreation Areas]

Resolution urging the Department of Parking and Traffic's Bicycle Program to develop a systematic plan for installing bicycle racks in parks and near large recreation centers; also to explore two or three traffic-calming pilot projects adjacent to parks during 1998-1999 and establishing an effective date. (Supervisors Newsom, Katz, Leno, Medina)

File 98-0864, Resolution No. 654-98

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Brown - 1.

In connection with the above item, Supervisors Katz, Leno, Medina, requested to be added as co-sponsors.

SPECIAL ORDER 3:00 P.M.

Hearing Closed

[Public Hearing]

Hearing of persons interested in or objecting to assessment costs submitted by the Director of Public Works for sidewalk and curb repairs ordered to be performed by said Director pursuant to Sections 707 and 707.1 of the Public Works Code, the costs thereof having been paid for out of a revolving fund.

File 98-1156

(Total cost \$13,213.20.)

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

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

From Department of Public Works

Adopted

[Assessment Costs, Sidewalk and Curb Repairs]

Resolution confirming report of assessment costs submitted by the Director of Public Works for sidewalk and curb repairs ordered to be performed by said Director pursuant to Sections 707 and 707.1 of the Public Works Code, the costs thereof having been paid for out of a Revolving Fund.

(Amended Report dated August 10, 1998 which deleted one property, submitted by Department).

File 98-1156, Resolution No. 655-98

The representative from the Department of Public Health indicated an August 10, 1998 amended report was submitted to the Board of Supervisors and requested that it be further amended to include persons who have since paid their bill and will submit an updated report for the file.

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Brown - 1.

PUBLIC COMMENT

The privilege of the floor was granted to the following persons:

Bob Planthold, accessibility;
Citania Tom, Alliance for Preserving the Truth of Sino-Japanese War;
Michael Bellefontaine, Dr. Mueller's book on HIV;
Nichols Ford, San Francisco Housing Authority;
Male speaker, Dolores Park, Mission Playground;
Katie Brackenridge, Dolores Park and Mission Playground;
Jason, Act Up, HIV;
Female speaker, milk pricing regulation;
John Thorndike, homeless relief, children killers;
Lamont, Mission Playground;
Virginia Handley, live animal markets;
Dennis McCowan, AIDS education;
Michael Levin, support tree removal where appropriate.

There being no one else wishing to speak, the President declared the public comment portion of the meeting closed.

Closed Session

Conference with City Attorney - Litigation

From the President

Adopted

[Closed Session]

Motion that the Board of Supervisors convene in closed session with the City Attorney for the purpose of conferring or receiving advice from the City Attorney regarding pending litigation as follows: (1)Janet C. Mangini v. R.J. Reynolds Tobacco Co., Case No. 939359; (2)People of the State of California v. Philip Morris, et al, Case No. 980864, as permitted by Government Code Section 54956.9(a).

(August 3, 1998 - Consideration continued to August 10, 1998.)

Supervisor Bierman, seconded by Supervisor Medina, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Katz, Kaufman, Leno, Medina, Newsom, Yaki, Yee - 9.

Absent: Supervisors Brown, Teng - 2.

Recess

The Board recessed at the hour of 4:40 p.m. to convene in closed session.

Reconvening of the Board

The Board, at the hour of 4:53 p.m. reconvened.

Calling the Roll

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

Present: Supervisors Ammiano, Bierman, Katz, Kaufman, Leno, Medina, Newsom, Yaki, Yee - 9.

Noted absent: Supervisors Brown, Teng - 2.

Quorum present.

Supervisor Brown excused. (See supra.)

Supervisor Teng was noted present at 4:54 p.m.

Report on Closed Session

The Board had met in closed session with the City Attorney for the purpose of conferring with or receiving advice from the City Attorney regarding pending litigation as follows: (1) Janet C. Mangini v. R.J. Reynolds Tobacco Co., Case No. 939359; (2) People of the State of California v. Philip Morris, et al, Case No. 980864, as permitted by Government Code Section 54956.9(a).

The meeting was informational only and no action was taken.

Adopted

Motion that the Board of Supervisors finds that it is in the best interest of the public and elects not to disclose its closed session deliberations.

Supervisor Bierman, seconded by Supervisor Medina, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Brown - 1.

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.

Adopted

[Dolores Park and Mission Playground]

Resolution urging the Police Department to recognize that a twelve hour daily presence within Dolores Park may result in movement of the criminal element to neighboring parks, such as Mission Playground, and asking the Police to act accordingly to mitigate this potential problem. (Supervisors Newsom, Bierman, Teng, Yaki, Ammiano, Katz, Leno, Medina)

File 98-1295, Resolution No. 658-98

(August 3, 1998 - Introduced in Board for consideration on August 10, 1998.)

Adopted.

In connection with the above item, Supervisors Teng, Yaki, Ammiano, Katz, Leno, Medina requested to be added as co-sponsors.

[Commendation]

Resolution commending local merchants and the Chinese Chamber of Commerce's victory in the Superior Court case of "Coalition for Healthy and Humane Business Practices v. Never Ending Quails, et al." allowing the sale of live animals for food to continue. (Supervisors Teng, Kaufman, Yaki, Medina, Newsom)

File 98-1296, Resolution No. 659-98

(August 3, 1998 - Introduced in Board for consideration on August 10, 1998.)

Adopted.

In connection with the above item, Supervisors Yaki, Medina, Newsom requested to be added as co-sponsors.

[California Milk Regulations]

Resolution urging the State to investigate California's milk pricing regulations. (Supervisors Yaki, Ammiano, Medina)

File 98-1297, Resolution No. 660-98

(August 3, 1998 - Introduced in Board for consideration on August 10, 1998.)

Adopted.

In connection with the above item, Supervisors Ammiano, Medina requested to be added as co-sponsors.

[Commendation]

Resolution commending and honoring the San Francisco Youth Enrichment Task Force (Willie's Kids) for its ten-year commitment to enriching the lives of San Francisco's youth. (Supervisors Yee, Teng, Ammiano, Katz, Medina)

File 98-1299, Resolution No. 661-98

(August 3, 1998 - Introduced in Board for consideration on August 10, 1998.)

Adopted.

In connection with the above item, Supervisors Teng, Ammiano, Katz, Medina requested to be added as co-sponsors.

[Proclaim Cancer Awareness Week]

Resolution supporting Prostate Cancer Awareness Week, September 21-27, 1998, and commending the education and outreach efforts of the Department of Public Health, community activists and the American Cancer Society. (Supervisors Bierman, Newsom, Leno, Teng, Yaki, Ammiano, Katz, Medina)

File 98-1300, Resolution No. 662-98

(August 3, 1998 - Introduced in Board for consideration on August 10, 1998.)

Adopted.

In connection with the above item, Supervisors Teng, Yaki, Ammiano, Katz, Medina requested to be added as co-sponsors.

[Commend Washington Mutual]

Resolution commending Washington Mutual for pledging \$120 billion to minority and low income citizens. (Supervisors Katz, Teng, Yaki, Ammiano, Leno, Medina)

File 98-1301, Resolution No. 663-98

(August 3, 1998 - Introduced in Board for consideration on August 10, 1998.)

Adopted.

In connection with the above item, Supervisors Teng, Yaki, Ammiano, Leno, Medina requested to be added as co-sponsors.

[Commendation]

Resolution commending the Bayview Opera House Ruth Williams Memorial Theater for its work in revitalizing the Bayview-Hunters Point Community. (Supervisors Leno, Brown, Bierman, Teng, Yaki, Ammiano, Katz, Medina, Newsom)

File 98-1302, Resolution No. 664-98

(August 3, 1998 - Introduced in Board for consideration on August 10, 1998.)

Adopted.

In connection with the above item, Supervisors Teng, Yaki, Ammiano, Katz, Medina, Newsom requested to be added as co-sponsors.

The foregoing items on the For Adoption Without Committee Reference Calendar were adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Brown - 1.

IMPERATIVE CALENDAR

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the following two motions.

Adopted

[Purely Commendatory Finding]

Motion that the Board finds by roll call vote that the resolution(s) being considered at this time are purely commendatory.

Supervisor Bierman, seconded by Supervisor Medina, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Brown - 1.

[Brown Act Finding]

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

Supervisor Bierman, seconded by Supervisor Medina, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Brown - 1.

[Imperative Resolutions]

Adopted

[Commend Del M. Anderson]

Resolution honoring Chancellor Del M. Anderson as she retires from her post as City College of San Francisco (CCSF) Chancellor.

File 98-1341, Resolution No. 665-98

Supervisors Katz, Teng, Newsom, Ammiano, Bierman, Leno, Kaufman, Yee, Medina, Yaki, Brown presented for immediate adoption.

Resolution adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Brown - 1.

[Proclaim Ed Harrington/Dan Scannell Day]

Resolution declaring August 15, 1998 as Ed Harrington and Dan Scannell Day in San Francisco and wishing both men many more years of happiness together.

File 98-1342, Resolution No. 666-98

Supervisor Kaufman presented for immediate adoption.

Resolution adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Brown - 1.

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS
NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Committee

[Mission Bay Street Vacation]

Ordinance ordering the vacation of certain street areas within Mission Bay; adopting findings pursuant to the California Environmental Quality Act; and adopting findings that such vacation of street areas is consistent with the City's General Plan and eight priority policies of Planning Code Section 101.1. Supervisor Yaki presented. Referred to Economic Development, Transportation and Technology Committee.

File 98-1333.

[Landmark, Carmel Fallon Building]

Ordinance designating 1800 Market Street, The Carmel Fallon Building, as Landmark No. 223 pursuant to Article 10 of the Planning Code. Supervisors Katz, Leno, Ammiano, Bierman presented. Referred to Economic Development, Transportation and Technology Committee.

File 98-1334.

[Information Technology Procurement]

Ordinance amending Administrative Code Sections 21B.2, 21B.3, 21B.4, 21B.5, 21B.6, 21B.8 and 21B.11 to delete the definition of "Director" and to define "Computer Store" and "COIT Staff"; to make the Purchaser responsible for emergency determinations and COIT staff responsible for certain decisions regarding procurement procedures under Chapter 21B, to require departments to purchase commodities and services available from the City-wide computer store contract from the computer store and to pay an administrative fee to the Committee on Information Technology for actual costs associated with administering the computer store contract, to clarify the requirements for software license procurements, to require the Purchaser's participation in the development of protest procedures under Chapter 21B, and to authorize the Purchaser to enter into computer store contracts. Supervisor Katz presented. Referred to Economic Development, Transportation and Technology Committee.

File 98-1335.

[Mission Bay Street Vacation]

Resolution declaring the intention of the Board of Supervisors to vacate certain street areas within Mission Bay; setting the hearing date for all persons interested in the proposed vacation of the street areas; and adopting findings that the vacation is consistent with the City's General Plan and eight priority policies of Planning Code Section 101.1. Supervisor Yaki presented. Referred to Economic Development, Transportation and Technology Committee.

File 98-1332.

[The Forgotten Holocaust of World War II Exhibit]

Resolution urging the Mayor's Office and the Treasure Island Authority to authorize a request to extend "The Forgotten Holocaust of World War II" exhibit on Treasure Island through 1999, and stating the City of San Francisco's commitment to finding a permanent home on Treasure Island or another appropriate location for this historically significant exhibit. Supervisors Teng, Yaki, Yee presented. Referred to Economic Development, Transportation and Technology Committee.

File 98-1336.

[Families in City Shelter System]

Resolution supporting a policy of giving high priority to homeless families in the City shelter system, such that no family seeking emergency shelter should be turned away or kept on the connecting point waiting list because the system is full but should instead be given emergency accommodations until shelter placement is available. Supervisors Bierman, Ammiano, Brown, Katz, Medina presented. Referred to Health, Family and Environment Committee.

File 98-1337.

Referred to Board

[Gift Acceptance, Labor Services]

Resolution authorizing the Director of the Recreation and Park Department to accept, on behalf of that department, a gift of volunteer labor services, including the cost of equipment and materials, valued in excess of \$5,000 from the Carpenters Local 22, Carpenters Local 2236, Glaziers Local 718, Plumbers Local 38, Millwrights Local 102, Painters Local 4 (District Council 8) and the San Francisco Building and Construction Trades Council to repair the Conservatory of Flowers under the coordination and direction of the Recreation and Park Department. Supervisor Brown presented. Referred to Board for Adoption Without Committee Reference Calendar August 17, 1998.

File 98-1338.

Referred to Committee

[Valencia Street Bicycle Lanes]

Resolution establishing bicycle lanes on Valencia Street on a one-year trial basis; urging the Department of Parking and Traffic to enact and rescind traffic regulations on Valencia Street in order to accommodate the bicycle lanes; and, making findings of compliance with the California Environmental Quality Act and of General Plan conformity. Supervisor Medina presented. Referred to Economic Development, Transportation and Technology Committee.

File 98-1339.

[Land and Water Conservation Fund]

Resolution urging Recreation and Park Department to take aggressive and proactive measures in pursuing, publicizing and educating our lobbyists about the availability of funds from the Land and Water Conservation Fund. Supervisor Newsom presented. Referred to Parks and Recreation Committee.

File 98-1340.

Referred to Board

[Commend Barbara Brooten]

Resolution commending Barbara Brooten for her years of service to the City and County of San Francisco and hereby proclaiming August 21, 1998 as "Barbara Brooten Day" in San Francisco. Supervisor Kaufman presented. Referred to Board for Adoption Without Committee Reference Calendar August 17, 1998.

File 98-1343.

[Commend John Marks]

Resolution commending John Marks for being selected to receive the 1998 Key Award for outstanding achievements and leadership in the Association Management Profession. Supervisors Leno, Kaufman presented. Referred to Board for Adoption Without Committee Reference Calendar August 17, 1998.

File 98-1344.

[Commend United States Congress]

Resolution commending the United States Congress for passing the Credit Union Membership Access Act. Supervisor Leno presented. Referred to Board for Adoption Without Committee Reference Calendar August 17, 1998.

File 98-1345.

[Commend John Burton]

Resolution recognizing and commending Senator John Burton and the Legislature of the State of California for passage of SB 844, the AIDS research license plate measure. Supervisors Newsom, Kaufman presented. Referred to Board for Adoption Without Committee Reference Calendar August 17, 1998.

File 98-1346.

Requests for Hearings:

[Vida y Movimiento Program]

Hearing to consider the decision to de-fund the Vida y Movimiento program of the San Francisco AIDS Foundation. Supervisor Ammiano presented. Referred to Health, Family and Environment Committee.

File 98-1347.

[Balboa BART/Muni Station]

Hearing to consider issues relating to the Balboa BART/Muni Station; such as, access to and from the station, transfer between the different transportation systems, pedestrian safety, nighttime lighting, ADA access, land use and historic resources around the station, including the Muni car barn. Supervisor Ammiano presented. Referred to Economic Development, Transportation and Technology Committee.

File 98-1348.

[CalWorks Taxi Driver Training Program]

Hearing to examine the possibility of establishing a targeted training program through CalWorks for recipients to be trained as taxi-drivers. Supervisor Newsom presented. Referred to Economic Development, Transportation and Technology Committee.

File 98-1349.

Motions:

Referred to Board

[Suspend Thirty Day Rule]

Motion suspending Rule 5.40 of the Rules of Order of the Board of Supervisors to allow the Board of Supervisors to consider, without waiting 30 days after its introduction, ordinance amending Administrative Code Chapter 12D to establish a new MBE/WBE/LBE Ordinance to (1) remedy identified discrimination against MBE/WBEs in the City's procurement process as to prime contracting; and (2) require City contracting departments to implement a local business enterprise program mandating prime contractors to use good faith efforts to use MBE/WBE/LBES when there are subcontracting opportunities in public works and professional service contracts. Supervisor Brown presented. Referred to Board for Adoption Without Committee Reference Calendar August 17, 1998.

File 98-1350.

[Needle Exchange Emergency]

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program. Supervisors Bierman, Teng, Ammiano, Yaki, Kaufman, Katz, Brown, Newsom, Medina, Yee, Leno presented. Referred to Board for Adoption Without Committee Reference Calendar August 17, 1998.

File 98-1351.

Introduced by the President at the Request of Departments

Ordinances Referred to Committee

File 98-1286. [First Offender Prostitution Program Fee] Ordinance amending Administrative Code by adding Section 10.193-1, authorizing the District Attorney's Office to collect fees from participants in the First Offender Prostitution Program. (District Attorney) Referred to Finance Committee.

Resolutions Referred to Committee

File 98-1287. [Gift Acceptance, Public Library] Resolution authorizing the City Librarian to accept and expend a gift of royalties (approximately \$1,000 per year), for San Francisco Public Library from the estate of Vee Lawnhurst and to enter into a membership agreement and to execute a Digital Home Recording ("DART") Royalties authorization with the American Society of Composers, Authors and Publishers ("ASCAP"). (Public Library) Referred to Housing and Neighborhood Svcs Committee.

File 98-1288. [Gift Acceptance, Public Library] Resolution authorizing the City Librarian to accept a gift of an ongoing income interest (approximately \$8,000 per year), in the Fritz and Lillian Dannenberg Library Fund for the San Francisco Public Library. (Public Library) Referred to Housing and Neighborhood Svcs Committee.

File 98-1289. [Acceptance/Expenditure, State Grant Funds] Resolution authorizing the acceptance and expenditure of State grant funds by the San Francisco Department of Public Health for 1998-1999. (Department of Public Health) Referred to Health, Family and Environment Committee with request it be considered at the August 13, 1998 meeting.

File 98-1290. [Grant - State] Resolution authorizing the Department of Public Health to accept and expend retroactively a grant allocation of up to \$9,150,401 for fiscal year 1998-1999 funding from the State Department of Health Services for California Healthcare for Indigents Program (CHIP) funds for medical services to indigent persons, professional services, medical services contracts, materials and supplies, facilities rental, personal services, and indirect costs in the amount of \$61,210, based on 14.1 percent of administrative and fiscal intermediary costs. (Department of Public Health) Referred to Health, Family and Environment Committee with request it be considered at the August 13, 1998 meeting.

File 98-1321. [Emergency Repair, Southeast Water Pollution Plant] Resolution approving the expenditure of funds for the emergency work to demolish and remove the collapsed roof cover of SEWPCP Digester No. 5. - \$182,573.00. (Public Utilities Commission) Referred to Finance Committee.

File 98-1322. [Contract] Resolution authorizing the Department of Public Health, Community Health Network, Primary Care Services, to enter into an agreement as subcontractor with Lutheran Social Services, the primary contractor, in the amount of \$90,994, to provide preventative and primary health care services and which includes an indemnification clause and which does not include patent infringement indemnification and false claims clauses; retroactive to October 1, 1997. (Department of Public Health) Referred to Health, Family and Environment Committee.

Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisor Teng, that letter be sent to the Public Transportation Commission requesting regular transit services to Treasure Island to accommodate visitors to "The Forgotten Holocaust of World War II" exhibit current on display as follows: (1) That Municipal Railway transit service from the Transbay Terminal to Treasure Island to include Sundays, beginning August 16, 1998 and (2) that buses run every hour, from 10:00 a.m. to 4:00 p.m.

By Supervisor Ammiano, that City Attorney draft appropriate legislation which would waive gun license fees for gun destruction by nonprofits that scrap guns for use in art projects and creating a licensing designation for a gun destruction nonprofit.

By Supervisor Ammiano, that City Attorney draft appropriate legislation which would create a Clean Air Program and staff to oversee implementation of the healthy air legislation under the Director of Administrative Services.

By Supervisor Brown, that letter be sent to Director, California Department of Corrections, indicating the Supervisor does not intend to call for hearings before the Board of Supervisors regarding the Community Correctional Facility at 111 Taylor Street.

By Supervisor Leno, that letter of inquiry be sent to Director, Department of Parking and Traffic, to determine within 30 days the impact created by the parking lot located on O'Farrell near Van Ness Avenue which serves the 1000 Van Ness AMC Theaters as follows: whether the incidence of pedestrian-automobile accidents have increased, whether traffic patterns and traffic congestion have been adversely affected by the opening of the parking lot and whether the Department of Parking and Traffic is planning remedial or other action to rectify problems resulting from the opening of the Theater parking lot.

By Supervisor Newsom, that letter of inquiry be sent to General Manager, Recreation and Park Department, to determine whether the Land and Water Conservation Fund would be an appropriate source for funding a portion of the repair and expansion of the Conservatory of Flowers.

By Supervisor Newsom, that letter of inquiry be sent to Chief of Police, Taxi Detail, concerning two compressed natural gas vehicles which Ford is planning to bring to San Francisco for a test run, and requesting whether it is possible to waive the color scheme requirement for this two month trial period so that these loaned vehicles may be shared among at least three selected taxi companies.

Motions Adopted

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

Lulann McGriff (By the entire Board)
Deacon Earl Jackson (Supervisor Brown).

Unanimously adopted by a rising vote.

ADJOURNMENT

There being no further business, the Board at the hour of 4:57 p.m. adjourned.

John L. Taylor, Clerk

N.B. This Journal of Proceedings sets 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 November 23, 1998.

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 Journal of Proceedings of the Board meeting of the date stated and that it was approved as recited.

Gloria L. Young
Clerk of the Board of Supervisors

