

# BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

City Hall, 401 Van Ness Ave.  
San Francisco, Ca. 94102-4532

## MEETING MINUTES

DOCUMENTS DEPT.

Monday, December 13, 1999 2:00 PM

JUN - 5 2000

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

SAN FRANCISCO  
PUBLIC LIBRARY

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**

## BOARD COMMITTEES

### Committee Membership

### Meeting Days

#### **Audit and Government Efficiency Committee**

Supervisors Kaufman, Newsom, Katz

1st Tuesday  
1:00 PM

#### **Finance and Labor Committee**

Supervisors Yee, Bierman

Wednesday  
10:00 AM

#### **Housing and Social Policy Committee**

Supervisors Teng, Bierman, Becerril

1st and 3rd Tuesday  
10:00 AM

#### **Joint School Board/Board of Supervisors Committee**

Supervisors Owens, Chong, Ammiano, Yee

Quarterly, 4th Wednesday  
3:00 PM

#### **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 is Chair, Second-named Supervisor 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.

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## 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 2:04 p.m. On call of the roll, the following Supervisors were noted absent:*

*Supervisors Becerril, Katz, Teng - 3.*

*Quorum present.*

*Supervisor Becerril was noted present at 2:05 p.m.*

*Supervisor Katz was noted present at 2:07 p.m.*

*Supervisor Teng was noted present at 2:05 p.m.*

## APPROVAL OF MEETING MINUTES

Supervisor Teng, seconded by Supervisor Yaki, moved to APPROVE the November 8, 1999 Meeting Minutes. The motion carried by the following vote:

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

### Privilege of the Floor

Supervisor Bierman, seconded by Supervisor Leno, moved to suspend Rule 4.25 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests. The motion carried by the following vote:

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

Absent: 1 - Katz

### Introduction of Guests

*Supervisor Bierman introduced and welcomed Ruth Asawa, sculptress, and several third and fourth graders from Alvarado School, who presented ceramic vases made by the students to each Supervisor in appreciation of their support for the arts in school program.*

## CONSENT AGENDA

### Recommendations of the Audit and Government Efficiency Committee

**991951 [Settlement of Lawsuit, Ideal Paint Co., Inc. vs. CCSF, and Consolidated Actions]**

Ordinance authorizing the settlement of the litigation between the City and County of San Francisco ("City") and John Shimmick Construction, Inc./Obayashi, Joint Venture, and Foundation Constructors, Inc. (collectively referred to as "Shimmick") in the lawsuits consolidated under Ideal Paint Co., Inc. vs. City and County of San Francisco, and Consolidated Actions. (City Attorney)

(S.F. Superior Court No. 967-708.)

**PASSED, ON FIRST READING**

**992107 [Settlement of Lawsuit, Darcel Grace]**

Ordinance authorizing settlement of litigation of Darcel Grace against the City and County of San Francisco by payment of \$131,050.00. (City Attorney)

(U.S. District Court No. C98-3090 CRB.)

**PASSED, ON FIRST READING**

**992108 [Settlement of Lawsuit, Sharon Norris]**

Ordinance authorizing settlement of litigation of Sharon Norris against the City and County of San Francisco by payment of \$50,000. (City Attorney)

(S.F. Superior Court No. 975-399.)

**PASSED, ON FIRST READING**

**992109 [Settlement of Lawsuit, Iokhvetta Altman, Vita Burmenko and Marianna Burmenko]**

Ordinance authorizing settlement of litigation of Iokhvetta Altman, Vita Burmenko and Marianna Burmenko against the City and County of San Francisco by payment of \$210,000. (City Attorney)

(S.F. Superior Court No. 990-594.)

**PASSED, ON FIRST READING**

**992137 [Settlement of Lawsuit, Ran Erez]**

Ordinance authorizing settlement of litigation of Ran Erez against the City and County of San Francisco by the receipt of \$102,081.45. (City Attorney)

(S.F. Superior Court No. 304-955.)

**PASSED, ON FIRST READING**

**992138 [Settlement of Lawsuit, Bobby Lee Addison]**

Ordinance authorizing settlement of litigation of Bobby Lee Addison against the City and County of San Francisco by payment of \$47,500.00 (City Attorney)

(S.F. Superior Court No. 998-450.)

**PASSED, ON FIRST READING**

**991995 [Settlement of Claim, SOMA Partners]**

Resolution approving the settlement of the unlitigated claim of SOMA Partners by payment of \$33,797. (City Attorney)

(Claim Number 99-03960.)

Resolution No. 1113-99

**ADOPTED**

**992106 [Settlement of Claim, Marc Libarle]**

Resolution approving the settlement of unlitigated claim of Marc Libarle by payment of \$80,000.00 (City Attorney)

(Unlitigated Claim No. 98-01832.)

Resolution No. 1115-99

**ADOPTED**

**992139 [Settlement of Claim, Veronica Cooke]**

Resolution approving the settlement of the unlitigated claim of Veronica Cooke by payment of \$37,000. (City Attorney)

(Claim No. 99-03490.)

Resolution No. 1117-99

**ADOPTED**

**992140 [Accepting a gift of a passenger bus for Laguna Honda Hospital]**

Resolution authorizing the Department of Public Health, Laguna Honda Hospital to accept and use a gift of equipment, a passenger bus, donated by Laguna Honda Hospital Volunteers, Inc. (Department of Public Health)

Resolution No. 1118-99

**ADOPTED**



**Recommendation of the Finance and Labor Committee**

991991 [Public Service Easement Vacation - 1098 Huron Avenue]  
Supervisor Yee

Ordinance ordering the summary of vacation and sale of the public service easement located in Assessor's Block 7145, Lot 17, which comprises a portion of 1098 Huron Avenue, making findings pursuant to the California Streets and Highways Code Chapter 4 Sections 8330 et seq. (Public Streets, Highways, and Service Easements Vacation Law, Summary Vacation), making findings of conformity with the General Plan and priority policies of Planning Code Section 101.1, and requesting official actions in connection with the vacation and sale.

*Supervisor Brown requested to be added as co-sponsor.*

Ordinance No. 329-99

**FINALLY PASSED**

**Recommendations of the Housing and Social Policy Committee**

992103 [Accepting private foundation grants to pay for a consultant contract to begin implementation of a Family Assessment Center Project to work with abused or neglected children and their families as they become involved with protective services]

Resolution authorizing the Department of Human Services to accept and expend two grants in the amounts of \$40,000 and \$110,000 from the Zellerbach Family Fund and the Stuart Foundation respectively for a consultant contract to begin the implementation of a family assessment center. (Department of Human Services)

Resolution No. 1114-99

**ADOPTED**

992190 [Federal funds to be used for San Francisco's older refugee populations; the project includes case management, interpretation and translation, escorts, health and nutrition, mental health, and in-home assistance]

Resolution authorizing the Private Industry Council of San Francisco, Inc. to accept and expend, retroactive to October 1, 1999, \$210,999 of federal refugee discretionary funds for services to older refugees in line with the Refugee County Plan. (Private Industry Council)

Resolution No. 1122-99

**ADOPTED**

992191 [Federal funds to be used for Bosnian Refugee Community Health Outreach Project]  
Supervisor Brown

Resolution authorizing the Private Industry Council of San Francisco, Inc. to accept and expend, retroactive to October 1, 1999, \$33,592 of federal refugee employment social services set aside funds for health program referral services to refugees in line with the Refugee County Plan. (Private Industry Council)

Resolution No. 1123-99

**ADOPTED**

**Recommendations of the Small Business, Economic Vitality and Consumer Services Committee****992142 [Accepting grant for soil restoration and planting at the Endangered Garden Project at the Sunnydale Pump Station]**

Resolution authorizing the Director of Cultural Affairs of the Arts Commission to retroactively accept and expend a grant in the amount of \$22,732 from the San Francisco Urban Resources Partnership which is administrated through the Natural Resources Conservation Service, the Forest Service of the United States Department of Agriculture and the Environmental Protection Agency for the restoration of the Endangered Garden Public Art Project at the Sunnydale Pump Station. (Arts Commission)

Resolution No. 1120-99

**ADOPTED**

**992143 [Accepting grant funds for the Harvey Milk Memorial Plaza Design Competition to ensure community participation in the planning and development of the project]**

Resolution authorizing the Director of the Arts Commission to accept and expend \$35,000 in State funds granted through the Transportation for Livable Communities Program of the Metropolitan Transportation Commission for the Harvey Milk Memorial Plaza Design Competition project; waiving the two percent (2%) associated indirect costs. (Arts Commission)

Resolution No. 1121-99

**ADOPTED**

**Recommendations of the Transportation and Land Use Committee****990862 [Double Parking on Municipal Railway Bus Routes Prohibited]  
Supervisors Newsom, Brown**

Ordinance amending Article 3, Chapter XI, Part II of the San Francisco Municipal Code (Traffic Code) by adding Section 53, regarding double parking on Municipal Railway bus routes.

(Adds Section 53.)

Ordinance No. 325-99

**FINALLY PASSED**

**991871 [Text amendment to Article 10 of the Planning Code in connection with the proposed Washington Square Landmark designation proposal]  
Supervisors Becerril, Bierman, Newsom**

Ordinance amending Planning Code by amending Sections 1004, 1005, 1006, and 1006.2 to provide for certificate of appropriateness approval of alterations to City-owned parks, squares, plazas or gardens on a landmark site, where the designating ordinance identifies the alterations that require such approval.

(Amends Sections 1004, 1005, 1006, and 1006.2; Planning Commission Resolution No. 14878 approving the proposed amendments to the Planning Code; Certificate of Determination of Exemption/Exclusion from Environmental Review, dated August 31, 1999.)

Ordinance No. 327-99

**FINALLY PASSED**

992021 [Operation of spare vehicles as taxicabs on New Year's Eve]  
Supervisor Newsom

Ordinance authorizing the Taxi Commission to authorize color scheme permit-holders to operate approved spare vehicles as taxicabs without a taxicab permit from the City for the period from 6:00 p.m. on December 31, 1999 through 6:00 a.m. on January 1, 2000. (Government Agency)

Ordinance No. 331-99  
**FINALLY PASSED**

992041 [Landmark Designation, 4040 Seventeenth Street]  
Supervisors Becerril, Bierman, Brown

Ordinance designating 4040 Seventeenth Street, the McCormick House, as Landmark No. 208 pursuant to Article 10 of the Planning Code.

(September 2, 1999 - Planning Commission Resolution No. 14874 adopted recommending approval.)

Ordinance No. 332-99  
**FINALLY PASSED**

992042 [Underground District No. 355]  
Supervisor Bierman

Ordinance creating Underground District No. 355 in the Third Street and Bayshore Boulevard Area.

Ordinance No. 333-99  
**FINALLY PASSED**

The foregoing items were acted upon by the following vote:

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

### Severed from Consent Agenda

991834 [Gift Acceptance, Chronicle Publishing Company, to fund red light camera]  
Mayor

Resolution authorizing the acceptance of a gift of one hundred thousand dollars (\$100,000) from the Chronicle Publishing Company to fund a red light camera at the intersection of 5th and Mission Streets.

*Supervisor Becerril requested this item be severed so the matter can be considered separately*

Resolution No. 1109-99

**SEVERED FROM CONSENT AGENDA.**

*After brief remarks, the roll was then called on the pending resolution.*

**ADOPTED by the following vote:**

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

## REGULAR AGENDA

## UNFINISHED BUSINESS

### Recommendations of the Finance and Labor Committee

991619 [Establishment of Airport Special Event Account]  
Supervisor Newsom

Ordinance amending Administrative Code by adding Section 10.114-3 to establish an Airport Promotion and Event Account; allow for the acceptance of gifts by the Airport Commission; and, authorize the Airport Commission to expend monies in account; this section shall expire on September 30, 2001. (Airport Commission)

(Fiscal impact; Adds Section 10.114-3.)

Ordinance No. 326-99

Supervisor Leno, seconded by Supervisor Kaufman, 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

*Supervisor Newsom requested to be added as co-sponsor.*

**FINALLY PASSED** by the following vote:

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

Excused: 1 - Becerril



991428 [Truth in Disclosure Act]  
Supervisor Yee

Ordinance amending Planning Code Sections 306.1 and 306.3 to require disclosure in a conditional use or variance application and notice for public hearing of the name under which the applicant intends to conduct business, and requiring that applications be signed under penalty of perjury; and authorizing the Zoning Administrator to reject and delay the re-filing of an application that includes material misstatements or omissions; amending Building Code Section 106.3 to require disclosure in a building permit application of the name under which the applicant intends to conduct business, requiring that applications be signed under penalty of perjury, and authorizing the Director of Building Inspection to cancel and delay the re-filing of an application that includes material misstatements or omissions.

(Amending Planning Code Sections 306.1 and 306.3; amends Building Code Section 106.3.)  
(Planning Commission Resolution No. 14929 adopted November 18, 1999 recommending proposed amendment with revision disclosed in the resolution. Certification of Exemption from environmental review dated September 9, 1999.)

*Supervisor Yee, seconded by Supervisor Newsom, moved that this matter be continued to December 20, 1999.*

*Supervisor Teng moved substitute motion to re-refer this matter to Committee.*

**Supervisor Teng, seconded by Supervisor Kaufman, moved that this Ordinance be RE-REFERRED to the Finance and Labor Committee. The motion carried by the following vote:**

Ayes: 6 - Becerril, Brown, Katz, Kaufman, Teng, Yaki

Noes: 5 - Ammiano, Bierman, Leno, Newsom, Yee

**Recommendation of the Housing and Social Policy Committee**

991998 [Tour Bus Restriction on a portion of 6th Avenue between Lincoln Way and Kirkham Street]  
Supervisors Teng, Becerril, Bierman, Newsom, Brown

Ordinance amending Police Code by adding Section 1183.30, establishing a tour bus restriction on a portion of 6th Avenue; setting expiration date of December 31, 2001. (Department of Parking and Traffic)

(Adds Section 1183.30.)

*Supervisor Brown requested to be added as co-sponsor.*

Ordinance No. 330-99

**FINALLY PASSED** 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**

991872 [Designation of Washington Square, limited to and comprising all of Lots 1 and 2 in Assessor's Block No. 102, as City Landmark No. 226]  
Supervisors Becerril, Bierman, Newsom, Brown

Ordinance designating Washington Square, as Landmark No. 226 pursuant to Article 10 of the Planning Code.

(Planning Commission Resolution No. 14879, which approved the landmark designation at its meeting of Sept. 9, 1999; Landmark Preservation Advisory Board Resolution No. 512 adopted April 21, 1999, initiating the landmark designation of the property and recommending Planning Commission approval; Final Landmark Designation Report dated April 1999; companion measure to Files 990140, 991871.)

Ordinance No. 328-99

**FINALLY PASSED** by the following vote:

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

**NEW BUSINESS****Recommendations of the Audit and Government Efficiency Committee**

**992043 [Administrative Code Revision, Chapters 15, 16 and 19A]  
Supervisors Kaufman, Newsom**

Ordinance amending Administrative Code, Chapters 15 (Mental Health); 16 (Officers and Employees) and 19A (Public Health) by adding new Sections 15.1 (Definitions) and 15.19 (Alcoholism Advisory Board); repealing Sections 15.6, 15.8, 15.11, 15.12, 15.12-1, 15.12-2, 15.12-3, 15.12-4, 15.12-5, 15.12-6 and 16.803; renumbering Sections 15.1, 15.3, 15.4, 15.4-1, 15.5, 16.800, 16.801, and 16.802 as Sections 15.10, 15.12, 15.13, 15.14, 15.15, 15.20, 15.21, and 15.22 respectively and renumbering Sections 15.2, 15.7-1, 15.9 and 19A.14 as Sections 15.11, 15.16, 15.17 and 15.18, respectively and amending the same, to consolidate the chapters and to eliminate out-dated and obsolete provisions; by adding a new Section 15.100 and renumbering Sections 19A.18, 19A.22, 19A.19 and 19A.36 as Sections 15.101, 15.102, 15.103, and 15.104, respectively; to create a new Article II ("Public Health Contracts") to Chapter 15; and by repealing Sections 19A.1, 19A.2, 19A.3, 19A.4, 19A.6, 19A.7, 19A.8, 19A.9, 19A.10, 19A.12, 19A.13, 19A.15, 19A.17, 19A.20, 19A.21, 19A.23, 19A.25, 19A.26, 19A.31, 19A.32, 19A.33, 19A.34, 19A.35, 19A.37, 19A.38, 19A.39 and 19A.40 to eliminate out-dated and obsolete provisions relating to contract approvals.

(Adds new Sections 15.1 and 15.19; repeals Sections 15.6, 15.8, 15.11, 15.12, 15.12-1, 15.12-2, 15.12-3, 15.12-4, 15-5, 15.12-6 and 16.803; renumbers Sections 15.1, 15.3, 15.4, 15.4-1, 15.5, 16.800, 16.801, and 16.802 as Sections 15.10, 15.12, 15.13, 15.14, 15.15, 15.20, 15.21, and 15.22; renumbers Sections 15.2, 15.7-1, 15.9 and 19A.14 as Sections 15.11, 15.16, 15.17 and 15.18; adds a new Section 15.100; renumbers Sections 19A.5, 19A.18, 19A.22, 19A.19 and 19A.36 as Sections 15.101, 15.102, 15.103, 15.104 and 15.105; to create a new Article II ("Public Health Contracts") to Chapter 15; repeals Sections 19A.1, 19A.2, 19A.3, 19A.4, 19A.6, 19A.7, 19A.8, 19A.9, 19A.10, 19A.12, 19A.13, 19A.15, 19A.17, 19A.20, 19A.21, 19A.23, 19A.25, 19A.26, 19A.31, 19A.32, 19A.33, 19A.34, 19A.35, 19A.37, 19A.38, 19A.39 and 19A.40.)

*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

**992044 [Administrative Code Revision, Chapter 17]  
Supervisors Kaufman, Newsom, Brown**

Ordinance amending Administrative Code Section 17.1 to correct a statutory reference and amending Section 17.14 regarding trial and special event rates for the use of parking facilities under the jurisdiction of the Parking and Traffic Commission.

(Amends Sections 17.1 and 17.14.)

*Supervisors Newsom, Brown 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

992045 [Administrative Code Revision, Chapter 20]  
Supervisors Kaufman, Newsom

Ordinance amending Administrative Code Sections 20.1 and 20.8 to correct references to the Department of Human Services and repealing Sections 20.1-1, 20.8-1, 20.8-2, 20.9, 20.10, 20.11, 20.20, 20.21, 20.22, 20.23, 20.24, 20.25, 20.25-2, 20.26, 20.27, 20.28, 20.30, 20.33, 20.34, 20.35, 20.36, 20.37, 20.38, 20.38-1, 20.39, 20.40, 20.40-1, 20.42, 20.43, 20.44, 20.45, 20.46, 20.47 and 20.53, regarding the Department of Human Services, to eliminate out-dated and obsolete provisions.

(Amends Sections 20.1 and 20.8; repeals Sections 20.1-1, 20.8-1, 20.8-2, 20.9, 20.10, 20.11, 20.20, 20.21, 20.22, 20.23, 20.24, 20.25, 20.25-2, 20.26, 20.27, 20.28, 20.30, 20.33, 20.34, 20.35, 20.36, 20.37, 20.38, 20.38-1, 20.39, 20.40, 20.40-1, 20.42, 20.43, 20.44, 20.45, 20.46, 20.47 and 20.53.)

*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

992046 [Administrative Code Revision, Chapter 58, Conflict of Interest Code]  
Supervisors Kaufman, Newsom

Ordinance amending Administrative Code Sections 58.1, 58.2, 58.7, 58.8, 58.9, 58.105, 58.110, 58.115, 58.120, 58.145, 58.150, 58.155, 58.170, 58.175, 58.180, 58.185, 58.190, 8.200, 58.201, 58.202, 58.205, 58.220, 58.225, 58.275, 58.315, 58.320, 58.375, 58.380, 58.385, 58.390, 58.405, deleting sections 58.9, 58.168, 58.177, 58.195, 58.198, 58.267, 58.272, 58.310, 58.232, 58.340, 58.357, 58.382, 58.383, 58.405, and 58.500, and adding new Sections 58.100, 58.140, 58.160, 58.203, 58.204, 58.206, 58.216, 58.242, 58.257, 58.295, 58.355, 58.395, 58.400, 58.410, 58.415, 58.420 to reorganize and renumber sections in alphabetical order and make other nonsubstantive technical changes; to reflect organizational changes for the Transportation Authority; and to add the Children and Families First Commission, the Taxi Commission, the Treasure Island Development Authority and the Citizens Advisory Committee to the Redevelopment Agency.

(Amends Sections 58.1, 58.2, 58.7, 58.8, 58.9, 58.105, 58.110, 58.115, 58.120, 58.145, 58.150, 58.155, 58.168, 58.170, 58.175, 58.177, 58.180, 58.185, 58.190, 58.195, 58.198, 58.200, 58.201, 58.202, 58.205, 58.220, 58.225, 58.267, 58.272, 58.275, 58.310, 58.315, 58.320, 58.323, 58.340, 58.357, 58.375, 58.380, 58.382, 58.383, 58.385, 58.390, 58.405, 58.500; adds new Sections 58.145, 58.385 and 58.400.)

*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

991709 [Reimbursement to Employees consisting of one claim in the amount of \$1,215.33]

Resolution authorizing reimbursement for cost of personal property of City and County employees damaged/stolen in the line of duty. (Controller)

Resolution No. 1108-99

**ADOPTED** by the following vote:

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



**992113 [Approving an agreement that authorizes the suspension (or tolling) of the statute of limitations on a lawsuit by the Patterson Environmental Response Trust against the City]**

Resolution approving the City Attorney's entry into a tolling agreement governing suit by Patterson Environmental Response Trust. (City Attorney)

Resolution No. 1116-99

**ADOPTED** by the following vote:

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

### **Recommendations of the Finance and Labor Committee**

**992185 [Government Funding, Superior Court]**

Ordinance rescinding and reappropriating \$17,843, professional services to salaries and fringe benefits and creating one (1) position for the Superior Court for fiscal year 1999-2000. (Controller)

(Companion measure to File 992186.)

**PASSED, ON FIRST READING** by the following vote:

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

**992186 [Public Employment, Superior Court]**

Ordinance amending Ordinance No. 209-99 (Annual Salary Ordinance, 1999-2000, reflecting the creation of one position (Class 0366 Dependency Mediation Assistant), for the Superior Court. (Department of Human Resources)

(Companion measure to File 992185.)

**PASSED, ON FIRST READING** by the following vote:

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

**992141 [Amendment of leases of real property at 1307 and 317-1317C Evans Avenue for the use of DPH Mental Health Division]**

Resolution authorizing an amendment to leases of real property at 1307 and 1317-1317C Evans Avenue, San Francisco, to increase the size of the premises by 601 square feet and establish a uniform expiration date for the Mental Health Division of the Department of Public Health. (Real Estate Department)

Resolution No. 1119-99

**ADOPTED** 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 Katz assumed the Chair for the remainder of the meeting.*

**From Finance and Labor Committee Without Recommendation****991923 [Expenditure of Community Court Program Fines]  
Supervisor Brown**

Ordinance amending Administrative Code by adding Section 10.117-124 to require the Controller to separately account for fines awarded to the City through community court dispute resolution programs and appropriating those funds to enhance public safety and the quality of life in the communities served by the community courts.

(Adds Section 10.117-124.)

*Supervisor Yee moved to amend title, line 5, by inserting "The Bayview and Taraval", page two, lines three through 8, by deleting the entire paragraph; amend page two, line 20 by inserting a new paragraph: "(c) A person shall not serve on a community court if she or he, or her or his employer, or a nonprofit agency of which she or he is a Board Member or officer, applies for, or receives, funding through Community Court program fines." and minor technical amendments.*

*Amendment failed adoption.*

**Supervisor Yee, seconded by President Ammiano, moved that this Ordinance be AMENDED. The motion FAILED by the following vote:**

Ayes: 1 - Yee

Noes: 9 - Becerril, Bierman, Brown, Katz, Kaufman, Leno, Newsom, Teng, Yaki

Absent: 1 - Ammiano

*The roll was then called on the pending ordinance.*

**PASSED ON FIRST READING by the following vote:**

Ayes: 9 - Becerril, Bierman, Brown, Katz, Kaufman, Leno, Newsom, Teng, Yaki

Noes: 1 - Yee

Absent: 1 - Ammiano

**Recommendations of the Housing and Social Policy Committee**

991265 [Amending Rent Control Ordinance to delete provision that a landlord shall not evict under the Ellis Act unless no other cause exists, specify notice requirements and place other requirements on Rent Board required under State law known as the Ellis Act.]

Ordinance amending Chapter 37 of the San Francisco Administrative Code ("Residential Rent Stabilization and Arbitration Ordinance") to further implement and conform to the Ellis Act (California Government Code Sections 7060 et seq., which provides owner rights to withdraw units from Residential Rental): by amending Section 37.9(a)(13) to remove the provision that the landlord not have other cause under Section 37.9(a) in order to evict under Section 37.9(a)(13); and by amending Section 37.9A to specify additional requirements of notice of withdrawal to the Rent Board and affected tenants, to expand the minimum period between notice and actual withdrawal of a unit from 60 days to 1 year for elderly tenants (age 62 or over) and disabled tenants (as defined in Government Code Section 12955.3) who timely notify the owner of their status, to expand the minimum period between notice and actual withdrawal from 60 days to 120 days for all other tenants, to require Rent Board recordation of a notice of constraints with the County Recorder, to require a register of all units withdrawn, to provide for compliance status investigation, to specify additional requirements for notice/offering the unit to displaced tenants if the unit is again offered for rent or lease within 10 years, and to expand the time from two years to three years for tenants (including former tenants) to sue the owner(s) for violation: and with technical nonsubstantive changes to identify the Central Permit Bureau as part of the Department of Building Inspection (Section 37.9(a)(11)), to further identify the Ellis Act, and to conform to related renumbering within Section 37.9A. (Rent Stabilization and Arbitration Board)

**PASSED, ON FIRST READING** by the following vote:

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

992197 [Renaming Hearing Officers (arbitrates rental increase disputes), as Administrative Law Judges]  
Supervisor Newsom

Ordinance amending Chapter 37 of the San Francisco Administrative Code ("Residential Rent Stabilization and Arbitration Ordinance") to reflect the Civil Service reclassification of Hearing Officers as Administrative Law Judges, by amending all references to "Hearing Officer(s) in Sections 37.2, 37.3, 37.5, 37.6, 37.7, 37.8, 37.8A, 37.8B, 37.9, and 37.10, to be references to "Administrative Law Judge(s)." (Rent Stabilization and Arbitration Board)

*Supervisor Newsom requested to be added as co-sponsor.*

**PASSED, ON FIRST READING** by the following vote:

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

**Recommendations of the Small Business, Economic Vitality and Consumer Services Committee****991918 [Liquor License, 34 Seventh Street]**

Resolution determining that the issuance of a Type 48 on-sale general public premises alcoholic beverage control license to Max R. Young and Sam R. Young for the HiBall Lounge bar and nightclub located at 34 Seventh Street, will serve the convenience 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 a condition.

Resolution No. 1110-99

**ADOPTED** by the following vote:

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

Absent: 1 - Ammiano

**991952 [Liquor License Transfer, 1001 Page Street]**

Resolution determining that the transfer of a Type 21 off-sale general alcoholic beverage control license from 5151 Mission Street to 1001 Page Street, to Majed B. Zeidan for Michael's Pit Stop, will serve the convenience 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 a condition.

Resolution No. 1111-99

**ADOPTED** by the following vote:

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

Absent: 1 - Ammiano

**991987 [Liquor Licenses, 231 Scott Street]**

Resolution determining that the issuance of a Type 9 beer and wine importer license, a Type 17 beer and wine wholesaler license and a Type 20 off-sale beer and wine alcoholic beverage control license to Carl Jaeger, for The Scott Street Portfolio, Inc. located at 231 Scott Street, will serve the convenience 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 a condition.

Resolution No. 1112-99

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

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

Absent: 1 - Ammiano

**ADOPTED** by the following vote:

Ayes: 8 - Becerril, Bierman, Brown, Katz, Kaufman, Leno, Yaki, Yee

Absent: 2 - Ammiano, Teng

Excused: 1 - Newsom

**Appointment of President Pro Tempore**

*At the request of the President Pro Tempore Katz, Supervisors Kaufman and Teng assumed the Chair at different times so Supervisor Katz could participate in the debate from the floor concerning the following three items.*



**SPECIAL ORDER 3:00 P.M.****992038 [Appeal, Sidewalk Encroachment, 3975 19th Street]**

Hearing appealing decision of the Bureau Manager, Street-Use and Mapping, Department of Public Works by its letter dated October 18, 1999, disapproving a Minor Sidewalk Encroachment Permit to legalize an existing 3' x 9' and a 18" x 3' planters located at the curbside, fronting the property at 3975 19th Street.

*Paul Furman, appellant;  
Department of Public Works representative.*

**HEARD AT PUBLIC HEARING.**

**(Only one of the following two motions should be adopted.)****992039 [Minor Sidewalk Encroachment Permit Appeal]**

Motion disapproving the Director of Public Works' denial of an encroachment permit for 3975 19th street and granting an encroachment permit.

*Supervisor Kaufman, seconded by Supervisor Teng, moved adoption.*

*Supervisor Katz moved to amend the title, line five, after "permit" by adding ", subject to condition" and line 14, after "granted" by inserting ", subject to the following condition: That the appellant make the area around the flower pot flush with the sidewalk keeping within the code".*

Motion No. M99-146

**Supervisor Katz, seconded by Supervisor Yee, moved that this Motion be AMENDED. The motion carried by the following vote:**

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

Motion disapproving the Director of Public Works' denial of an encroachment permit for 3975 19th street and granting an encroachment permit, subject to condition.

**APPROVED AS AMENDED by the following vote:**

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

**992040 [Minor Sidewalk Encroachment Permit Appeal]**

Motion affirming the Director of Public Works' denial of an encroachment permit for 3975 19th street and denying an encroachment permit.

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

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

*President Pro Tempore Katz resumed the Chair.*

## PUBLIC COMMENT

*Abdalla Megahed, homeless services, experienced workers;*  
*Jakkee Bryson, evicted from Episcopal Sanctuary shelter, election process;*  
*Eula Walters, transfer lots 202 and 203 to Recreation and Park, oppose Butterfly Museum at this site;*  
*Leland Francois, emergency shelter;*  
*Janeane Randolph, assisted living;*  
*Richard Ow, single room occupancy, Ellis Act, more housing;*  
*Robert Pender, candidate for democratic committee, Park Merced landlord proposal to install new low flush toilets;*  
*Khin Mai Aung, Bow Yan Chan, Qi Guang Yan, eviction city protest, affordable housing fund;*  
*Halli Kofactor, James Anderson, relocation assistance to tenants evicted under Ellis Act;*  
*Donna Palmer, male speaker, John James, access to AIDS drugs to third world counties;*  
*James Chaffee, public library Prop E two hours restored;*  
*Larry Edmund, What Black Parents Really Think When They Find Out Their Child Is Gay article;*  
*Female speaker.*

## CLOSED SESSION

### Conference with City Attorney - Litigation

*[Convene in Closed Session]*

*Motion that the Board of Supervisors convene in closed session with the City Attorney for the purpose of conferring with, or receiving advice from the City Attorney as permitted by Government Code regarding the following litigation:*

992195 [Anticipated Litigation]  
 Supervisor Newsom

Anticipated litigation (City anticipated to be a defendant) which may be filed as a result of the decision of the U. S. Court of Appeals for the Ninth Circuit, Lindsay v. Tacoma Pierce County, No. 98-35416, which concluded that the regulation of outdoor tobacco advertising by the Tacoma Pierce County Health Department Board of Health is preempted by the Federal Cigarette Labeling and Advertising Act. The City and County of San Francisco has local laws regulating certain tobacco advertising. This closed session would be permitted by Government Code Section 54956.9(b).

*Supervisor Yee requested this item be continued to January 10, 2000.*

**Supervisor Yee, seconded by Supervisor Yaki, moved that this Litigation be CONTINUED. The motion carried by the following vote:**

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

992266 [Potential Litigation]  
Supervisor Brown

Anticipated litigation (City anticipated to be a plaintiff) which may be filed for the purpose of halting the sale of the San Francisco Chronicle to the Hearst Corporation. This closed session would be permitted by Government Code Section 54956.9(c).

*Supervisor Yee requested this item be continued to January 10, 2000.*

**Supervisor Yee, seconded by Supervisor Yaki, moved that this Litigation be CONTINUED. The motion carried by the following vote:**

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

Absent: 1 - Ammiano

## 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.*

992226 [Commendation]  
Supervisors Brown, Bierman, Teng, Katz

Resolution commending the Mental Health Rehabilitation Facility on the occasion of its receiving the Third Place 1999 Lilly Schizophrenia Reintegration Award in the Nursing Category along with a \$1,500 grant.

*Supervisors Bierman, Teng, Katz requested to be added as co-sponsors.*

Resolution No. 1124-99

**ADOPTED**

992238 [Recycled Plastics]  
Supervisors Newsom, Bierman, Teng, Becerril, Katz, Leno

Resolution urging Pepsi Cola Corporation, and Cadbury Schweppes Corporation to use recycled plastics in its products.

*Supervisors Bierman, Teng, Becerril, Katz, Leno requested to be added as co-sponsors.*

Resolution No. 1125-99

**ADOPTED**

992240 [Sustainable Funding for School Arts and Music Task Force]  
Supervisors Teng, Bierman, Becerril, Ammiano, Katz, Yaki, Newsom, Leno

Resolution establishing a sustainable funding for School Arts and Music Task Force to make policy recommendations to the Mayor and the Board of Supervisors of the City and County of San Francisco and setting forth the membership and duties of the task force.

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

Resolution No. 1127-99

**ADOPTED**



- 992241 [Endorsing Lake Merced Task Force]  
Supervisors Teng, Ammiano, Brown, Bierman, Becerril, Kaufman, Newsom, Katz

Resolution endorsing the work of the Lake Merced Task Force and urging the Mayor, the Board of Supervisors, the Public Utilities Commission, and the Recreation and Parks Department of the City and County of San Francisco to support the work of the Lake Merced Task Force and to review the recommendations of the task force concerning Lake Merced.

*Supervisor Katz requested to be added as co-sponsor.*

Resolution No. 1128-99

**ADOPTED**

- 992242 [State Legislation, SB 1902, Japanese Imperial Army Disclosure Act of 1999]  
Supervisors Teng, Yaki, Bierman, Newsom, Katz

Resolution urging the Congress to pass SB 1902 - Japanese Imperial Army Disclosure Act of 1999 - to require the disclosure under the Freedom of Information Act classified records and documents in the possession of the U.S. Government regarding chemical and biological experiments and other wartime activities carried out by Japan during World War II, and directing the Clerk of the City and County of San Francisco to forward a copy of this resolution to California's Congressional Delegation, including Senator Dianne Feinstein, Senator Barbara Boxer, Congresswoman Nancy Pelosi and Congressman Tom Lantos; representatives in the State Legislature, including Assemblymembers Kevin Shelley, Carole Migden, and Mike Honda, and State Senators John Burton and Jackie Speier; Governor Gray Davis; and City's Lobbyists in Washington, D.C.

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

Resolution No. 1129-99

**ADOPTED**

- 992243 [Opposing State Proposition 28, Repeal of the California Children and Families Initiative]  
Supervisors Yaki, Teng, Bierman, Newsom, Becerril, Katz

Resolution opposing California State Proposition 28 that seeks to repeal Proposition 10, the California Children and Families Initiative approved by the voters in the November, 1998 General Election.

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

Resolution No. 1130-99

**ADOPTED**

- 992244 [Arion Press]  
Supervisor Yee

Resolution urging the City Departments to take all necessary actions to keep Arion Press in San Francisco and work with Arion Press to find a permanent location in San Francisco.

Resolution No. 1144-99

**ADOPTED**



- 992247 [Supporting access to AIDS drugs for Third World Countries]  
Supervisors Ammiano, Leno, Bierman, Newsom, Teng, Katz, Brown

Resolution urging the World Trade Organization (WTO) to eliminate barriers which prevent Third World countries from obtaining affordable life saving HIV-AIDS treatments and further urging the United States Federal Government, as a member of WTO, to cease its bilateral attempts to discourage developing countries from using compulsory licensing and parallel importing to address vital public health concerns.

*Supervisors Bierman, Newsom, Teng, Katz, Brown requested to be added as co-sponsors.*

Resolution No. 1131-99

**ADOPTED**

- 992248 [Social Services Long Range Planning]  
Supervisors Ammiano, Katz

Resolution urging the Planning Department, the Department of Human Services, the Department of Public Health, and other City departments to develop a map showing the concentration of existing social services in city neighborhoods; to catalog City-owned property that may be appropriate for future siting of such services; to catalog the distribution of client populations citywide; to study the feasibility of starting a long range planning process for the siting of social services that includes extensive neighborhood input, meets the needs of city residents and provides more equitable distribution of services among neighborhoods; and to recommend to the Board of Supervisors by March 1, 2000 measures to implement such a social services planning process.

*Supervisor Katz requested to be added as co-sponsor.*

Resolution No. 1143-99

**ADOPTED**

- 992249 [Commendation]  
Supervisors Kaufman, Newsom, Teng, Becerril, Bierman, Katz

Resolution commending the San Francisco Civil Service Commission on the occasion of its 100th Anniversary and the 100th continuous year of operation of the civil service merit system in the City and County of San Francisco.

*Supervisors Newsom, Teng, Becerril, Bierman, Katz requested to be added as co-sponsors.*

Resolution No. 1132-99

**ADOPTED**

- 992250 [Commendation]  
Supervisors Newsom, Teng, Becerril, Katz, Brown

Resolution commending Arion Press and urging the Mayor's Office of Economic Development to make every effort to keep Arion Press in San Francisco.

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

Resolution No. 1133-99

**ADOPTED**

992251 [Commendation]  
Supervisors Teng, Yaki, Becerril, Bierman, Katz, Brown

Resolution commending the Asian Pacific American Labor Alliance on the occasion of their 3rd Awards Dinner "Moving Forward With Vision" and declaring December 2, 1999 to be "Asian Pacific American Labor Alliance Day" in San Francisco.

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

Resolution No. 1134-99

**ADOPTED**

992252 [Commendation]  
Supervisors Katz, Leno, Ammiano, Bierman

Resolution commending Robin F. Levitt for his tireless efforts to improve safety, housing and transportation for San Franciscans and congratulating him on the adoption of Proposition 1, the Octavia Boulevard Plan, by the voters of San Francisco.

*Supervisor Bierman requested to be added as co-sponsor.*

Resolution No. 1142-99

**ADOPTED**

992253 [Commendation]  
Supervisors Brown, Newsom, Teng, Bierman, Katz

Resolution commending the Annual Bayview Hunters Point Unity Parade and Rally.

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

Resolution No. 1135-99

**ADOPTED**

992254 [Commendation]  
Supervisors Brown, Bierman, Katz

Resolution commending the Tatonka Buffalo Festival Celebration of 100 years of Bison Life in Golden Gate Park.

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

Resolution No. 1136-99

**ADOPTED**

992255 [AC Transit Temporary Bus Route]  
Supervisor Katz

Resolution approving request by AC Transit to operate its LD Route from the Transbay Terminal to Powell and Bay Streets twice daily on weekdays from approximately seven weeks beginning December 6, 1999, and ending no later than January 31, 2000, for the purpose of transporting persons to a welfare-to-work training program.

Resolution No. 1137-99

**ADOPTED**

**992267 [Final Map of 2600 18th Street, a new 24 unit residential condominium project]**

Motion approving final map of 2600 18th Street, a Residential Condominium Project, being a subdivision of Lot 2 in Assessor's Block No. 4015, and adopting findings pursuant to Planning Code Section 101.1. (Department of Public Works)

(DPW Order No. 172,062.)

Motion No. M99-147

**APPROVED**

**992268 [Final Map of the City Mews II (181 Shipley Street), a 30 unit residential condominium project.]**

Motion approving final map of the City Mews II, 1 through 28, 30 and 32 Jennifer Place (181 Shipley Street), a Residential Condominium Project, being a subdivision of Lot 154, Assessor's Block 3752, and adopting findings pursuant to Planning Code Section 101. (Department of Public Works)

(DPW Order No. 172,063.)

Motion No. M99-148

**APPROVED**

The foregoing items were acted upon by the following vote:

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

Absent: 1 - Ammiano

**Severed From For Adoption Without Committee Reference Agenda****992239 [America's Cup]**

**Supervisors Newsom, Bierman, Teng, Becerril, Katz**

Resolution supporting the proposal to bring America's Cup, the oldest and most prestigious international trophy competition for sailing, to the San Francisco Bay in 2003; recognizing the good work of the St. Francis Yacht Club; and wishing AmericaOne, especially Skipper Paul Cayard, the best of luck in winning the America's Cup.

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

Resolution No. 1126-99

**SEVERED FROM FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA.**

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

**ADOPTED by the following vote:**

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

Absent: 1 - Ammiano

992245 [Urging City Attorney to Litigate Against Merger of Chronicle and Examiner]  
Supervisors Ammiano, Bierman, Yee

Resolution urging the Office of the City Attorney, based upon testimony by the general public and the District Attorney's Office as well as the precedent established in Honolulu, Hawaii, to evaluate the appropriateness of litigation of the proposed sale of the San Francisco Chronicle to the Hearst Corporation and further urging the City Attorney to report back to the Board of Supervisors in a timely manner.

*Supervisor Yee requested this item be severed so it could be considered separately.*

**SEVERED FROM FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA.**

*Supervisor Yee requested this matter be continued to January 10, 2000.*

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

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

Absent: 1 - Ammiano

992246 [Commercial Real Property Notice of Rent Increase or Eviction]  
Supervisors Ammiano, Bierman

Resolution urging the State Legislature to amend the State's Commercial Rental Control Law, California Civil Code Sections 1954.25 et seq., to allow local governments to adopt legislation requiring real property owners to notify certain small and mid-size commercial tenants at least 120 days prior to a major rent increase or eviction without cause.

*Supervisor Kaufman requested this item be severed so it could be considered separately.*

**SEVERED FROM FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA.**

*Supervisor Bierman requested to be added as co-sponsor.*

*Supervisor Yaki requested this matter be referred to committee.*

**REFERRED to the Finance and Labor Committee.**

## IMPERATIVE AGENDA

*Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s). For such resolutions to be considered, the Board must first adopt the following two motions.*



*[Serious Injury Finding]*

Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

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

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

*[Purely Commendatory Finding]*

Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

Supervisor Teng, seconded by Supervisor Becerril, moved **ADOPTION** of the commendatory finding. The motion carried by the following vote:

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

*[Brown Act Finding]*

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

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

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

## Imperative Resolutions

### 992279 [Absentee Ballots]

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

Resolution urging the Registrar of Voters and the Department of Elections to use every effort to protect the voting rights of all San Francisco voters and the Citizens Advisory Committee on Elections to review the accessibility and customer service for all San Francisco voters and requesting the Citizens Advisory Committee to provide a report on increasing the efficiency of the Department of Elections to the Board of Supervisors in 60 days.

Resolution No. 1083-99

**ADOPTED** by the following vote:

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

992280 [Commendation]  
Supervisors Katz, Teng, Brown, Bierman, Yee, Ammiano, Leno, Newsom, Yaki, Becerril, Kaufman

Resolution congratulating the City College of San Francisco Football Team, The Rams, on winning the 1999 California Community College football championship.

Resolution No. 1138-99

ADOPTED by the following vote:

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

Absent: 1 - Ammiano

## OFF-AGENDA LEGISLATION

### Introduced by Supervisors or Mayor

### Ordinances

992281 [Subdivision Code, Conversion]  
Supervisor Bierman

Ordinance amending Subdivision Code Articles 1, 2, 3 and 9, by amending Sections 1302, 1308, 1388, and 1396, and by adding Section 1316, to prohibit tenancies-in-common where an exclusive right of occupancy exists but is not specified in the deed, to amend the annual condominium conversion requirements pertaining to tenants and owner occupants, to amend the definition of tenant, to exempt certain tenancies-in-common from the annual limit on condominium conversions, and to amend other definitions to implement these measures.

12/13/99, ASSIGNED UNDER 30 DAY RULE to Transportation and Land Use Committee, expires on 1/12/2000.

### Resolutions

992282 [Peter Macchiarini Steps]  
Supervisors Becerril, Katz, Bierman

Resolution honoring Peter Macchiarini, commemorating his contributions to the art community and dedicating the steps on the north and south sides of Kearny Street between Broadway and Vallejo Streets as the Peter Macchiarini Steps.

12/13/99, RECEIVED AND ASSIGNED to Transportation and Land Use Committee.

- 992283 [Exxon Mobil Corporation Health Care Coverage]**  
**Supervisors Leno, Ammiano, Bierman, Katz, Teng, Newsom, Yaki**

Resolution urging the newly-merged Exxon Mobil Corporation to reverse its new policies of not offering health care coverage to domestic partners of its lesbian and gay employees or prohibiting discrimination on the basis of sexual orientation and to adopt Mobil's previous policy of providing such benefits and protections.  
12/13/99, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

- 992284 [Gift Acceptance, Recreation and Park Department]**  
**Supervisors Newsom, Becerril**

Resolution accepting gifts valued at a total of \$98,500.00 from various donors for use by the Recreation and Park Department.  
12/13/99, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

- 992285 [Municipal Railway Reduced Rate for College Student]**  
**Supervisors Newsom, Katz, Bierman, Brown, Becerril, Yaki**

Resolution urging the Municipal Railway to investigate the possibility of offering a reduced student rate for enrolled university students attending college within the City and County of San Francisco and to report back to the Board of Supervisors with recommendations for such a program within eight weeks of passage of this resolution.  
12/13/99, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

- 992286 [Street Artists Permanent Selling Spaces]**  
**Supervisors Teng, Newsom**

Resolution designating five former temporary selling spaces on Grant Avenue, east side, Post to Sutter Streets, and one former temporary selling space on Grant Avenue, west side, Post to Sutter Streets, as permanent selling spaces for street artists certified by Arts Commission, City and County of San Francisco.  
12/13/99, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

992287 [Wen Ho Lee]  
Supervisors Teng, Yaki

Resolution urging government officials and the media to exercise caution and fairness in the investigation and reporting of allegations against former Los Alamos National Laboratory scientist Wen Ho Lee.

12/13/99, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

992288 [State grant funds to fund the incremental cost of six street sweepers that will operate on compressed natural gas]  
Supervisors Yaki, Bierman, Newsom

Resolution authorizing the Director of Administrative Services to accept and expend \$90,000 from the California Energy Commission for clean air vehicles; and authorizing the Director of Administrative Services to execute an agreement with the California Energy Commission whereby the City would indemnify the State from claims resulting from the City's performance of said agreement.

12/13/99, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

992289 [Assisted living facility for frail elderly on Brotherhood Way]  
Supervisors Kaufman, Brown, Newsom, Becerril, Katz, Bierman, Yaki

Resolution urging the Planning Commission to approve the proposed Elder Care Alliance assisted living facility for frail elderly on Brotherhood Way.

12/13/99, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

992290 [Campaign reporting by local independent expenditure committee]  
Supervisor Yee

Resolution urging local campaign committees that make independent expenditures to fully and timely disclose the amount and source of contributions received, and the amount and payee of all expenditures made by the committee.

12/13/99, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.



- 992291 [Commendation]  
Supervisors Leno, Bierman, Ammiano, Katz, Teng, Newsom, Yaki

Resolution commending Attorney General Bill Lockyer for changing the title of Proposition 22 from "The Definition of Marriage" Initiative to "The Limit on Marriage" Initiative and supporting Superior Court Judge James Ford's decision to uphold this title change.

12/13/99, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

- 992292 [Commendation]  
Supervisor Brown

Resolution commending Mayor Brown and the Mayor's Office on Homelessness for services provided by the City to the homeless.

12/13/99, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

- 992293 [Commendation]  
Supervisors Brown, Bierman, Newsom, Katz, Teng

Resolution commending the Community Bank of the Bay for its practice in lending capital to financially disadvantaged communities and for opening a small business loan center in the Western Addition for the benefit of the Fillmore Jazz Preservation District.

12/13/99, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

### Requests for Hearing

- 992294 [Carbon Monoxide Poisoning]  
Supervisors Leno, Bierman, Becerril, Katz

Hearing to examine the problem of carbon monoxide poisoning and to consider the need for legislation to address this problem.

12/13/99, RECEIVED AND ASSIGNED to Public Health and Environment Committee.

- 992295 [Municipal Railway Reduced College Student Rate]  
Supervisors Newsom, Katz

Hearing to consider the feasibility of offering a reduced student rate on the Municipal Railway for enrolled university students attending college within the City and County of San Francisco.

12/13/99, RECEIVED AND ASSIGNED to Finance and Labor Committee.

992296 [Child Care Needs in San Francisco]  
Supervisors Teng, Katz

Hearing to receive a status report on the implementation of the San Francisco CARES (Compensation and Retention Encourages Stability) legislation and to consider the implications of the 1999 California Child Care Portfolio for San Francisco Community.

12/13/99, RECEIVED AND ASSIGNED to Housing and Social Policy Committee.

992297 [Task Force on Homelessness]  
Supervisor Brown

Hearing to consider creating a task force to reevaluate and reestablish all City services provided to the homeless, including a review of who receives such services, beginning in January 2000.

12/13/99, RECEIVED AND ASSIGNED to Housing and Social Policy Committee.

### Motions

992224 [Rebuttal Argument, Bond, Park and Recreation Facilities]  
Supervisor Newsom

Motion authorizing rebuttal to opponent's ballot argument against Proposition \_\_, a bond measure regarding recreation and parks bond.

12/13/99, RECEIVED AND ASSIGNED to Rules Committee.

992225 [Rebuttal Argument, Bond, California Academy of Sciences]  
Supervisor Yaki

Motion authorizing rebuttal to opponent's ballot argument against Proposition \_\_, a bond measure regarding California Academy of Sciences bond.

12/13/99, RECEIVED AND ASSIGNED to Rules Committee.

992222 [Rebuttal Argument, Charter, Medical/Retirement Benefits for Members of the Board of Supervisors]  
Supervisor Ammiano

Motion authorizing rebuttal to opponent's ballot argument against Proposition \_\_, a charter amendment regarding health and retirement benefits for members of the Board of Supervisors.

12/13/99, RECEIVED AND ASSIGNED to Rules Committee.

**992223 [Rebuttal Argument, Charter, Park, Recreation and Open Space Fund]  
Supervisor Newsom**

Motion authorizing rebuttal to opponent's ballot argument against Proposition \_\_, a charter amendment regarding park, recreation and open space fund.

12/13/99, RECEIVED AND ASSIGNED to Rules Committee.

**992298 [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.

12/13/99, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**Introduced by the President at the Request of Departments**

**PROPOSED ORDINANCES**

**992218 [Landmark Designation, Doggie Diner Sign and Carousel Building at 2750 Sloat Boulevard]  
Draft ordinance designating the Doggie Diner Sign (including the adjacent Carousel Building) at 2750 Sloat Boulevard, as Landmark No. 212 pursuant to Article 10, Sections 1004 and 1004.4 of the Planning Code.**

(Planning Commission Resolution No. 14915 dated 11/4/99 which disapproved the landmark designation of the Doggie Diner; Landmark Preservation Advisory Board Resolution No. 515 adopted 7/7/99, initiating the landmark designation of the property; Landmark Preservation Advisory Board Resolution No. 518 adopted 11/17/99, appealing Planning Commission Resolution No. 14915 which disapproved the landmark designation of the above-referenced property.)

12/3/99, SCHEDULED FOR PUBLIC HEARING. Scheduled for Tuesday, January 18, 2000, at 3:00 p.m.

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

(Planning Commission Resolution No. 14915 dated 11/4/99 which disapproved the landmark designation of the Doggie Diner; Landmark Preservation Advisory Board Resolution No. 515 adopted 7/7/99, initiating the landmark designation of the property; Landmark Preservation Advisory Board Resolution No. 518 adopted 11/17/99, appealing Planning Commission Resolution No. 14915 which disapproved the landmark designation of the above-referenced property.)

12/3/99, SCHEDULED FOR PUBLIC HEARING. Scheduled for Tuesday, January 18, 2000, at 3:00 p.m.

## PROPOSED RESOLUTIONS

- 992269 [2000-2002 Children's Services Plan (Charter amendment enacted in November 1991) - The Mayor's Office of Children Youth and Their Families creates this plan each year to allocate the Children's Fund] Resolution approving the Children's Services Plan for the San Francisco Children's Fund in accordance with Charter Section 16.018. (Mayor)  
12/8/99, RECEIVED AND ASSIGNED to Finance and Labor Committee. Sponsor requests this item be scheduled for consideration at the January 5, 2000 meeting.

### Requests Granted

*From: Supervisor Newsom*

*To: Each Department Head*

*Requesting/Inquiring: To provide a description of programs and services, both direct and indirect, provided by each department for the homeless population in San Francisco and an estimated cost for each of these services and programs.*

*From: Supervisors Newsom, Katz*

*To: Director, Department of Elections*

*Requesting/Inquiring: To the future feasibility of online voting, despite the fact that this system has not yet been approved by the Secretary of State.*

*From: Supervisors Becerril, Katz*

*To: Solid Waste Management Program*

*Requesting/Inquiring: Whether the Solid Waste Management Program can establish a pilot program, similar to one that was implemented in San Jose, whereby consumers drop off used computer equipment at participating retail stores, and equipment is picked up by a recycler and sorted for resale or material recovery.*

*From: Supervisor Katz*

*To: City Attorney*

*Requesting/Inquiring: To draft legislation that will create a Technology Commission. The purpose of the Commission would be to explore the impacts of policy on the technology industry and to respond to needs of the industry.*

*From: Supervisor Katz*

*To: City Attorney*

*Requesting/Inquiring: To investigate the legal requirements for renaming an existing City street "Webby Way" on a temporary basis.*

*From: Supervisor Kaufman*

*To: City Attorney*

*Requesting/Inquiring: To amend the Administrative Code eliminating the requirement that appointees to Board commissions and task forces who are nominated by an individual Supervisor appear before the Rules Committee. Instead of a formal appearance before the Rules Committee followed by confirmation by the full Board, the nominating Supervisor will merely need provide a memo and an application completed by the appointee, to the Clerk of the Rules Committee. This amendment should cover all cases where single Board members have the authority to make appointments. It should not cover appointments that are made by the full Board which will continue to be heard before the Rules Committee.*



**In Memoriams**

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

*Jesse Navarrette (By the entire Board)*  
*Rachel Himy (Supervisor Kaufman)*  
*Cory Wolfersberger (Supervisor Ammiano)*  
*Gus S. Derdevanis (Supervisor Ammiano)*

## ADJOURNMENT

*There being no further business, the Board at the hour of 5:18 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 10, 2000.*

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