

Agenda & Minutes Archive

Board of Supervisors

City and County of San Francisco

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

City Seal



AGENDA

Monday, October 25, 1999

2:00 PM

Regular Meeting

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

Gloria L. Young, Clerk of the Board

ROLL CALL AND PLEDGE OF ALLEGIANCE

APPROVAL OF MEETING MINUTES

COMMUNICATIONS

CONSENT AGENDA

All matters listed hereunder constitute a Consent Agenda, are considered to be routine by the Board of Supervisors and will be acted upon by a single roll call vote of the Board. There will be no separate discussion of these items unless a member of the Board so requests, in which event the matter shall be removed from the Consent Agenda and considered as a separate item.

Items 1 through 20

Recommendations of the Finance and Labor Committee

Present: Supervisors Yee, Bierman, Ammiano

1. 991757 [Vacation of portion of Dow Place to be used for fire truck turnaround, open space/parking in connection with residential project being developed by adjacent property owner, 77 Dow Place

Ordinance ordering the summary street vacation of a portion of the western end of Dow Place; adopting findings pursuant to the California Streets and Highways Code, Chapter 4, Sections 8330 Et Seq. (Public Streets, Highways, and Service Easement Law, Summary Vacation); and adopting findings of conformity with the General Plan and priority policies of Planning Code Section 101.1. (Real Estate Department)

(Categorically exempt from Environmental Review under Class 1 (Minor alteration of existing street/sidewalk) and Class 5 (Minor alteration of land use limitations) of State Environmental Review Guidelines; companion measure to File 991758.)

10/18/1999, PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

2. 991758 [Proposed sale of portion of Dow Place to 77 Dow Place Lofts, LLC at a fair market value of approximately \$247,000.00]

Ordinance authorizing the sale of property, a portion of western end of Dow Place, and adopting findings pursuant to Planning Code Section 101.1. (Real Estate Department)

(Companion measure to File 991757.)

10/18/1999, PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

3. 991828 [Government Funding, Gift to City of Taipei to fund earthquake relief efforts] Supervisors Teng, Yaki, Kaufman, Bierman, Becerril, Ammiano, Brown, Katz, Leno, Newsom, Yee

Ordinance appropriating \$250,000 from the General Fund Reserve for an emergency gift to the City of Taipei to fund earthquake relief efforts, including \$200,000 in unrestricted funding and \$50,000 in funding for children's services, through the Office of the Mayor, for fiscal year 1999-2000.

(Fiscal impact.)

10/18/1999, PASSED, ON FIRST READING. Supervisors Ammiano, Brown, Katz, Leno, Newsom, Yee requested to be added as co-sponsors.

Question: Shall this Ordinance be FINALLY PASSED?

4. 991880 [Government Funding, State Relief Funds]

Mayor, Supervisor Newsom

Ordinance appropriating \$3,101,242 in state relief funds for local governments to offset a shortfall in the state allocation of tobacco tax fund revenues to San Francisco and to provide funding for the California Healthcare for Indigents Program, at the Department of Public Health, for fiscal year 1999-2000.

(Fiscal impact.)

Question: Shall this Ordinance be FINALLY PASSED?

Present: Supervisors Yee, Bierman

5. 991860 [Extension and modification of PTC/Municipal Railway Lease at 23rd and Illinois Streets for storage of street cars, materials and equipment at a monthly rate of \$31,800]

Resolution authorizing an extension and modification of an existing lease of real property at Twenty Third and Illinois Streets for the Public Transportation Commission, Municipal Railway. (Real Estate Department)

Question: Shall this Resolution be ADOPTED?

Recommendations of the Housing and Social Policy Committee

Present: Supervisors Teng, Bierman

6. 991908 [State Grant to fund a Spousal Abuser Prosecution Program which assists the District Attorney's Office in prosecuting domestic violence offenses]

Resolution authorizing retroactively the District Attorney of the City and County of San Francisco to apply for, accept and expend funds in the amount granted by the California Department of Justice for a project entitled "Spousal Abuser Prosecution Program" for the twelve months of a given fiscal year, and waiving applicable indirect costs due to funding constraints. (District Attorney)

Question: Shall this Resolution be ADOPTED?

7. 991909 [Accept and expend Federal grant funds for the Pioneer Park Project, including wheelchair access to Coit Tower and other improvements]

Resolution authorizing the Director of Public Works to accept and expend \$350,000 in Federal Transportation Equity Act for the 21st Century (TEA21) funds granted through the Transportation for Livable Communities Program of the Metropolitan Transportation Commission for the Pioneer Park Project with the required local matching funds of \$40,250. (Public Works Department)

Question: Shall this Resolution be ADOPTED?

8. 991910 [Accept and expend grant funds for a project to process eligibility determinations and claims submitted under the District Attorney's Victim and Witness Assistance Program]

Resolution authorizing the District Attorney to retroactively contract for, accept and expend funds in the amount of \$549,530, and waive indirect costs due to funding constraints, which have been allocated from the State Board of Control Victims of Crime Program, an agent of the State of California, for a project entitled "Joint Powers Agreement with Victim and Witness Assistance Program" for the twelve month period of July 1, 1999 through June 30, 2000.

Question: Shall this Resolution be ADOPTED?

Recommendations of the Public Health and Environment Committee

Present: Supervisors Bierman, Brown, Yaki

9. 991759 [State Grant: AIDS Drug Assistance Program]

Resolution authorizing the Department of Public Health, Population Health and Prevention Division, to accept retroactively and expend a grant in the amount of \$171,002 from the State Office of AIDS, for the AIDS Drug Assistance Program and to enter into an agreement which does not include patent infringement indemnification and false claims clauses; waiving indirect costs and providing for ratification of action previously taken. (Public Health Department)

Question: Shall this Resolution be ADOPTED?

10. 991765 [State Grant: Y2K Hazardous Materials Project]

Resolution authorizing the Department of Public Health, Population Health and Prevention Division, to accept and expend retroactively grant funds in the amount of \$46,816 from the Office of Emergency Services for the Y2K Hazardous Materials Project and to enter into an agreement which does not include patent infringement indemnification and false claims clauses; waiving indirect costs and providing for ratification of action previously taken. (Public Health Department)

Question: Shall this Resolution be ADOPTED?

11. 991767 [Private Grant: Universitywide AIDS Research Program]

Resolution authorizing the Department of Public Health, Population Health and Prevention Division, to accept retroactively and expend a grant in the amount of \$145,421 from the University of California Universitywide AIDS Research Program (UARP) and to enter into an agreement which includes rights in data clauses and does not include patent infringement indemnification and false claims clauses; providing for ratification of action previously taken. (Public Health Department)

Question: Shall this Resolution be ADOPTED?

Recommendations of the Rules Committee

Present: Supervisors Leno, Teng

12. 990406 [Third Assessment Appeals Board]

Supervisor Kaufman

Ordinance amending Administrative Code Sections 2B.1 through 2B.7 and 2B.13 to create a third Assessment Appeals Board and to make nonsubstantive clarifying revisions.

(Amends Sections 2B.1 through 2B.7 and 2B.13.)

10/18/1999, PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

13. 980985 [Appointment]

Hearing to consider appointing members to the Hazardous Materials Advisory Committee. (Clerk of the Board)

2 Seats Being Considered:

Seat 2, must represent industry, new four year term ending July 1, 2002;

Seat 6, must be health educator, new four year term ending July 1, 2002.

Question: Shall this Resolution be ADOPTED?

14. 991858 [Appointment, San Francisco Health Authority]

Resolution appointing Nathan Nayman and Frederick Hobson to serve as Governing Body Members of the San Francisco Health Authority. (Clerk of the Board)

Question: Shall this Resolution be ADOPTED?

15. 991956 [Appointment]

Resolution appointing two members to the Park and Open Space Advisory Committee.

Jane Winslow, (Seat 20, must be nominee of Supervisor Kaufman), for a new two-year term ending July 15, 2001;

Gabrielle Thormann, (Seat 17, must be nominee of Supervisor Teng, from list of organizations), for a new two year term ending July 15, 2001.

Question: Shall this Resolution be ADOPTED?

16. 991957 [Appointment]

Resolution appointing one member to the Hazardous Materials Advisory Committee.

Catania Galvan, succeeding herself, (Seat 16, open seat, no requirement), for new four-year term expiring July 1, 2003.

Question: Shall this Resolution be ADOPTED?

17. 991958 [Appointment]

Resolution appointing one member to the Bicycle Advisory Committee.

Steven Bodzin, (Seat 5, succeeding Susan Hester, must represent bicycle organization) new three-year term ending December 31, 2002.

Question: Shall this Resolution be ADOPTED?

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

Present: Supervisors Newsom, Leno, Becerril

18. 991326 [Discrimination Against Iranian Americans in City Contracting and Amending the Definition to include Iranian Americans with Arab Americans] Supervisor Brown

Ordinance amending Administrative Code by amending Sections 12D.A2 and 12D.A5 thereof, to amend Board findings regarding discrimination against Iranian Americans in city contracting, and to amend the definition of the terms "minority", "minorities", or "minority person" to group Iranian Americans with Arab Americans.

(Amends Sections 12D.A2 and 12D.A5.)

10/18/1999, PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

19. 991587 [Horse drawn vehicle legislation amendment to provide additional safeguards and protections for the use of horse-drawn vehicle animals] Supervisor Newsom

Ordinance amending Police Code Article 7.1, Section 500.3 to change the exceptions to the permitting requirements of this article; by amending Section 501 to change the definition of qualified veterinarian and to add definitions for mechanical evaluator, qualified trainer and special event; by amending Section 502 to set forth some of the criteria the Chief of Police will consider in approving a "stand"; by amending Section 502.5 to refer to the proper code section setting forth license and permit fees; by amending Section 505 to allow animal control officers to review permits, licenses and other information, to make exception for minimum number of days of operation due to weather conditions, to change the advance notice requirements for special events, and to change the locations in which horse-drawn vehicles may load and unload passengers; by amending Section 506 to allow advertising on horse-drawn vehicles; and by amending Section 507 to provide for animal care and control to receive animal fitness reports, inspect horse-drawn vehicle animals and to approve the equipment used on the animals, and to change the standard on the use of whips.

10/18/1999, PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

20. 991588 [Carriage horses retired from service] Supervisor Newsom

Ordinance amending Police Code Section 507.1 which establishes a policy of the City and County of San Francisco requiring that horses retired from service by carriage owners be treated humanely.

10/18/1999, PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Questions on the Consent Agenda are on final passage, first reading, or adoption, as indicated:

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of the Audit and Government Efficiency Committee

Present: Supervisors Kaufman, Newsom, Katz

21. 991645 [Administrative Code Revision, Chapter 6]

Supervisor Kaufman

Ordinance amending Chapter 6 of the San Francisco Administrative Code to delete out-dated references and obsolete provisions; to re-organize, re-number and consolidate existing provisions for a revised Chapter 6, to add provisions defining terms relevant to public works contracting; to add provisions clarifying the requirements and procedures for competitive bidding and the award of public work and related temporary professional service contracts; to increase the threshold for competitive bidding and award of public work contracts to \$100,000; to revise the procedures for and increase to \$250,000 emergency contracting authority; to add new procedures for job order contracts, as needed contracts, elevator, escalator and fire alarm service contracts and convention facility public work contracts; to clarify penalties and procedures for violations of Chapter 6 and the submission of false claims.

(Deletes and revises Chapter 6.)

10/12/1999, CONTINUED. Supervisor Kaufman requested this matter be continued to October 18, 1999.

10/18/1999, AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. Supervisor Kaufman presented an amendment of the whole.

10/18/1999, PASSED ON FIRST READING AS AMENDED.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendation of the Housing and Social Policy Committee

Present: Supervisors Teng, Bierman, Becerril

22. 991683 [Fire Code]

Ordinance re-enacting the 1998 San Francisco Fire Code on a permanent basis with modification that Section 7701.7.1, relating to the manufacture, assembly and testing of explosive materials be readopted; reaffirming endorsement of San Francisco amendments and findings of local conditions. (Fire Department)

10/18/1999, AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. Supervisor Teng presented an amendment of the whole.

10/18/1999, PASSED ON FIRST READING AS AMENDED.

Question: Shall this Ordinance be FINALLY PASSED?

NEW BUSINESS

Recommendations of the Finance and Labor Committee

Present: Supervisors Yee, Bierman, Ammiano

23. 991861 [Appropriating State and Federal funds to expand child welfare services, food stamp program and to provide aid payments for the Cash Assistance Program for Immigrants]

Ordinance appropriating retroactively, \$8,556,104 of State and Federal Revenues to fund augmentation of

Child Welfare Services, aid payments for the Cash Assistance Program for Immigrants (CAPI), expand food stamps outreach and eligibility determination and create 19.5 positions at the Department of Human Services, and adjust revenue appropriations as necessary, for fiscal year 1999-2000. (Controller)

(Fiscal impact; Companion measure to File 991862.)

Question: Shall this Ordinance be FINALLY PASSED?

24. 991862 [Salary Ordinance Amendment, Dept. of Human Services]

Ordinance amending Ordinance No. 209-99 (Annual Salary Ordinance, 1999/2000), reflecting the creation of 19.5 positions at the Department of Human Services. (Controller)

(Fiscal impact; Companion measure to File 991861.)

Question: Shall this Ordinance be FINALLY PASSED?

Present: Supervisors Yee, Bierman

25. 991712 [Amendment(s) to the architectural and engineering agreement for the Moscone Center Expansion Project]

Resolution authorizing the Director of Administrative Services to execute amendment(s) to design agreement increasing the agreement sum from \$9,526,326.38 to \$14,026,326.38. (City Administrator)

(Fiscal impact.)

10/12/1999, RE-REFERRED to Finance and Labor Committee. Supervisor Yee requested this matter be re-referred to committee.

Question: Shall this Resolution be ADOPTED?

Present: Supervisors Yee, Bierman, Ammiano

26. 991769 [Recreation and Park Department Bonds] Supervisors Newsom, Kaufman, Leno, Ammiano, Bierman, Yaki, Teng, Becerril, Brown, Katz

Resolution determining and declaring that the public interest and necessity demand municipal improvements consisting of the acquisition, rehabilitation, renovation, improvement, construction or reconstruction by the City and County of San Francisco of parks and recreation facilities and properties, and all other works, property and structures necessary or convenient for the foregoing purposes, that the estimated cost of \$110,000,000 for said municipal improvements is and will be too great to be paid out of the ordinary annual income and revenue of said City and County and will require the incurring of a bonded indebtedness; finding the proposed project is in conformity with the priority policies of Planning Code Section 101.1(b) and with the General Plan consistency requirement of Administrative Code Section 2A.53.

(Fiscal impact.)

Question: Shall this Resolution be ADOPTED?

27. 991770 [California Academy of Science Bonds] Supervisors Yaki, Ammiano, Newsom, Brown, Becerril, Leno, Kaufman, Katz, Bierman, Teng, Yee

Resolution determining and declaring that the public interest and necessity demand municipal improvements consisting of the acquisition, rehabilitation, renovation, improvement, construction or reconstruction by the City and County of San Francisco of the California Academy of Sciences, and all other works, property and structures necessary or convenient for the foregoing purposes, that the estimated cost of \$87,445,000 for said municipal improvements is and will be too great to be paid out of the ordinary annual income and revenue of said City and County and will require the incurring of a bonded indebtedness; finding the proposed project is in conformity with the priority policies of Planning Code Section 101.1(b) and with the General Plan consistency requirement of Administrative Code Section 2A.53.

(Fiscal impact.)

Question: Shall this Resolution be ADOPTED?

Recommendation of the Public Health and Environment Committee

Present: Supervisors Bierman, Brown, Yaki

28. 991873 [Landmark designation of the Madame C. J. Walker Home for Girls and Women, located at 2066 Pine Street in Lot 8 of Assessor's Block 651, as City Landmark No. 211] Supervisors Becerril, Bierman, Brown, Yaki, Katz

Ordinance designating the Madame C. J. Walker Home for Girls and Women, as Landmark No. 211 pursuant to Article 10, Sections 1004 and 100.4 of the Planning Code.

(Planning Commission Resolution No. 14880, which approved the landmark designation at its meeting of Sept. 9, 1999; Landmark Preservation Advisory Board Resolution No. 14880 adopted June 16, 1999, initiating the landmark designation of the property and recommending Planning Commission approval; Landmark Designation Report dated June 1999.)

Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the Public Utilities and Deregulation Committee

Present: Supervisors Ammiano, Yee

29. 991550 [Use of the Public Access Channel] Supervisor Bierman

Resolution designating the public access channel for exclusive public access use; directing the cable operator to remove the California Channel (State Legislature) and the Kaleidoscope Channel (commercial programming directed to the disabled community) from the public access channel effective December 1, 1999; and urging the Department of Telecommunications and Information Services (DTIS) to work with the cable operator to schedule California Channel programming on the government cable access Channel 54 or another channel on the cable system.

Question: Shall this Resolution be ADOPTED?

30. 991806 [RCN Telecom Services of California's Cable Franchise Application] Supervisor Katz

Resolution authorizing and urging the Department of Telecommunications and Information Services (DTIS) to request and review information from RCN Telecom Services of California, Inc. (RCN) necessary to complete its franchise application review or as may be required pursuant to State, federal or local law including but not limited to the San Francisco Administrative Code and California Government Code; urging DTIS to prepare an ordinance proposing revisions to the Administrative Code provisions regarding the issuance of cable franchises for the Board's consideration; urging DTIS to notify RCN of the proposal to update the Administrative Code; urging the Telecommunication Commission to hold a public hearing regarding the possible terms and conditions of an RCN Franchise that would best serve community needs; urging DTIS to solicit input from other City departments regarding appropriate terms and conditions of an RCN Franchise that would best meet City government and community needs; urging DTIS and the Telecommunication Commission to report their findings to the Board; finding that nothing in the resolution prevents DTIS from discussing terms of a franchise with RCN; finding that time is of the essence regarding the RCN Franchise application; and urging that DTIS and the Telecommunications Commission make the RCN Franchise application a priority.

Question: Shall this Resolution be ADOPTED?

Recommendation of the Rules Committee

Present: Supervisors Leno, Teng

31. 991117 [Board Off Site Meeting, December 6, 1999] Supervisor Teng

Motion moving to have the December 6, 1999 meeting of the Board of Supervisors convened at Herbert Hoover Middle School located at 2290 14th Avenue in the West Portal/Sunset neighborhood of San Francisco at 6:00 p.m.

Question: Shall this Motion be ADOPTED?

SPECIAL ORDER 4:00 P.M.

32. 991916 [City Message]
Mayor's Annual State of the City Message. (Mayor)
Action: _____

33. ROLL CALL FOR INTRODUCTIONS

Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, and letters of request to the City Attorney.

34. PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted

the same number of minutes to speak. The President or the Board may limit the total testimony to 30 minutes.

APPROVAL OF REQUESTS TO THE LEGISLATIVE ANALYST

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

35. 991989 [Legislative Analyst Request] Supervisor Bierman

Motion requesting the Legislative Analyst to determine what cities have rent control, and what is the link to the population and vacancy ratios? How many such studies have been done, and what have they revealed? How much have they cost? What data were used and what other sources of data are available?.

Question: Shall this Motion be ADOPTED?

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.

Items 36 through 50

36. 991971 [Knight Initiative] Supervisors Ammiano, Leno, Katz, Bierman

Resolution urging the Archdiocese of San Francisco and other California archdioceses to withdraw financial contributions in support of the Knight Initiative and further encouraging the Archdiocese to pastor to their lesbian, gay, bisexual and transgender parishioners.

10/18/1999, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

37. 991972 [Public Works Initiative, March 2000] Supervisor Bierman

Resolution opposing the Public Works Initiative proposed for the statewide ballot in March, 2000.

10/18/1999, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

38. 991974 [Tolling Agreement with Regents of the University of California (Water and Wastewater Rates)] Supervisor Kaufman

Resolution approving tolling agreement with Regents of the University of California.

10/18/1999, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

39. 991975 [Domestic Violence Prevention Framework] Supervisors Kaufman, Bierman, Katz, Newsom
Resolution recognizing the San Francisco Collaborative organized to prevent abuse and its participating agencies: Men Overcoming Violence, San Francisco Neighborhood Legal Assistance Foundation and the Health Promotion Section of the Department of Public Health, for their efforts to further community based prevention of intimate partner violence through their Domestic Violence Prevention Framework.
10/18/1999, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
40. 991976 [Proclamation] Supervisors Ammiano, Bierman, Katz, Newsom
Resolution proclaiming October 24, 1999 as "Tune In to KPFA Day" and further urging the Pacifica Foundation to restore democratic control of KPFA Radio to KPFA staff and its listeners.
10/18/1999, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
41. 991977 [Proclamation] Supervisors Bierman, Ammiano, Becerril, Brown, Katz, Kaufman, Leno, Newsom, Teng, Yaki, Yee
Resolution proclaiming October 23, 1999, Sara Ishikawa Day in San Francisco.
10/18/1999, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
42. 991978 [Commendation] Supervisor Brown
Resolution commending Blanche Richardson in recognition of her contributions to the literary community.
10/18/1999, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
43. 991979 [Commendation] Supervisors Brown, Newsom
Resolution recognizing Dr. and Mrs. Victor L. Medearis and the Double Rock Baptist Church in recognition of the 50th Pastoral Anniversary.
10/18/1999, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
44. 991980 [Commendation] Supervisor Leno
Resolution commending the Reverend Jeff R. Johnson for outstanding service as pastor of First United Lutheran Church and wishing him well in his new role as Pastor of University Lutheran Church in Berkeley.
10/18/1999, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT

THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

45. 991981 [Commendation] Supervisors Teng, Bierman, Katz, Newsom
Resolution commending the Filipino Architects, Contractors, and Engineers on the occasion of their 10th Anniversary dinner and declaring October 15, 1999 to be "Filipino Architects, Contractors, and Engineers Day" in San Francisco.

10/18/1999, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

46. 991982 [Commendation] Supervisors Teng, Katz, Newsom
Resolution commending Manny and Lillie Wong, and Tiger and Jean Wong on the occasion of the reopening of the Sam Wong Hotel and declaring October 16, 1999 to be "Sam Wong Hotel Day" in San Francisco.

10/18/1999, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

47. 991985 [Needle Exchange Supervisors Bierman, Teng, Ammiano, Yaki, Kaufman, Katz, Brown, Newsom,
Emergency] 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.

10/18/1999, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be ADOPTED?

48. 991986 [Final map of 1095 Natoma Street for an 8 unit condominium project]
Motion approving final map of 1095 Natoma Street, a Residential Condominium Project, being a merger and a resubdivision of Lots 46 and 47 in Assessor's Block No. 3511, and adopting findings pursuant to Planning Code Section 101.1. (Public Works Department)
(DPT Order No. 171,991.)

10/19/1999, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be ADOPTED?

49. 991990 [Final Map of 1415 Indiana Street, an 18 unit new live/work condominium project]
Motion approving final map of 1415 Indiana Street, a Live/Work Condominium Project, being a resubdivision of Lot 17 in Assessor's Block No. 4293, and adopting findings pursuant to Planning Code Section 101.1. (Public Works Department)
(DPW Order No. 171,993.)

10/20/1999, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT

THE NEXT BOARD MEETING.

Question: Shall this Motion be ADOPTED?

50. 991992 [Suspend 30 Day Rule - Repetitive Ballot Initiatives]

Supervisor Yaki

Motion suspending Rule 5.43 of the Rules of Order of the Board of Supervisors to allow the Board of Supervisors to consider, without waiting 30 days after its introduction, proposed Charter amendment that would increase the number of required signatures to place repetitive initiatives on the ballot.

10/20/1999, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be ADOPTED?

Questions on the For Adoption Without Committee Reference
Agenda: _____

51. 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).

[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."

[Purely Commendatory Finding]

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

[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.

[Imperative Resolutions, if any]

OFF-AGENDA LEGISLATION

PROPOSED ORDINANCES

Proposed ordinances received from October 13 through noon on October 20, for reference by President to appropriate committee on October 25, 1999.

991950 [Parking Regulations, portion of South Van Ness Avenue]

Ordinance amending Traffic Code by adding Section 32.6.27 regarding parking regulations on a portion of South Van Ness Avenue (east side of South Van Ness Avenue, from 12th Street to 110 feet southerly, from 6:00 a.m. to 8:00 p.m., Monday through Friday). (Parking and Traffic Department)

(Adds Section 32.6.27.)

10/13/1999, RECEIVED AND ASSIGNED to Transportation and Land Use 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.)

10/14/1999, RECEIVED AND ASSIGNED to Audit and Government Efficiency Committee.

991953 [Conditional Use Abatement]

Ordinance amending Planning Code by amending Section 303 to clarify the appeal delay in the effective date of a conditional use approval and to provide a process for abating conditional uses which violate their conditions of approval or become a public nuisance. The process would involve a public hearing with appeals to consider revoking the conditional use permit, modifying conditions of approval or taking other abatement action. (Planning Department)

(Amends Section 303.)

(Categorically exempt from environmental review as a non-physical matter pursuant to Section 15061(b)(1) of the State CEQA Guidelines; Planning Resolution of Intent No. 14877 adopted September 9, 1999, initiating the proposed amendment; Planning Resolution No. 14892 adopted October 7, 1999, recommending adoption of the proposed amendment.)

10/15/1999, RECEIVED AND ASSIGNED to Transportation and Land Use Committee.

PROPOSED RESOLUTIONS

Proposed resolutions received from October 13 through noon on October 20, for reference by President to appropriate committee on October 25, 1999.

991947 [Accepting gift of law books with an estimated value of \$7,608 for the City Attorney's Office from the former law office Bronson, Bronson & McKinnon]

Resolution authorizing the City Attorney's Office to accept a gift from the former law office of Bronson, Bronson & McKinnon of law books for the library in the City Attorney's Office. (City Attorney)

10/15/1999, RECEIVED AND ASSIGNED to Audit and Government Efficiency Committee.

991988 [Authorizing DPH to enter into an agreement with the Regents of the University of California, Univesitywide AIDS research program]

Resolution authorizing the Department of Public Health, Community Health Promotion and Prevention, to enter retroactively into a subcontract agreement in the amount of \$31,950 with the Regents of the University of California San Francisco, the primary contractor, to provide evaluation of the Youth United Through Health Education (Yuthe) Program, which includes a rights in data clause and which does not include patent infringement indemnification and false claims clauses; providing for ratification of action previously taken. (Public Health Department)

10/19/1999, RECEIVED AND ASSIGNED to Public Health and Environment Committee.

991993 [Federal Grant to fund a feasibility study of physician prescription of methadone] Supervisor Newsom

Resolution authorizing the Department of Public Health, Population Health and Prevention, Community Substance Abuse Services, to accept retroactively and expend a grant in the amount of \$100,000 from the Center for Substance Abuse Treatment (CSAT), Substance Abuse and Mental Health Services (SAMHSA), for a methadone by physician prescription feasibility study and to enter into an agreement which does not include patent infringement indemnification and false claims clauses; providing for ratification of action previously taken. (Public Health Department)

10/20/1999, RECEIVED AND ASSIGNED to Public Health and Environment Committee.

991994 [Authorizing DPH to enter into a subcontract agreement with the Regents of the University of California to provide home safety services to San Francisco seniors]

Resolution authorizing the Department of Public Health, Community Health Promotion and Prevention, to enter retroactively into a subcontract agreement in the amount of \$66,134 with the Regents of the University of California, the primary contractor, to provide home safety services to San Francisco seniors, which does not include patent infringement indemnification and false claims clauses; providing for ratification of action previously taken. (Public Health Department)

10/20/1999, RECEIVED AND ASSIGNED to Public Health and Environment Committee.

991996 [Petitions and Communications]

Petitions and Communications received from October 13 through noon on October 20, for reference by the President to the Committee considering related matters or to be ordered filed by the Clerk on October 25, 1999.

From concerned citizens, submitting support for the proposed study of the Rent Control Ordinance. File 99-1412, Finance and Labor Committee 5 Letters (1)

From Department of Parking and Traffic, regarding enforcement of moving violations near school areas in the City. (Reference 19990913-004) Copy: Supervisor Katz (2)

From Office of the Mayor, responding to the Treasure Island Report from the Civil Grand Jury for 1998-1999. (3)

From Office of the Sheriff, submitting request for waiver of the requirements of Chapter 12B and 12C of the Administrative Code. (4)

From Office of the Treasurer/Tax Collector, submitting report of Cash Difference and Overage Funds for the period ending September 30, 1999. (5)

From National Tuberculosis Center, submitting Budget Revision, Grant Code HCHSHSTBC-GR regarding subobject transfer of funds. (6)

From Gebo Jera, submitting support for residents having bird feeders outside their windows. (7)

From Department of Public Works, regarding an addition to a previously proposed underground district on Third Street from the northerly line of Innes Avenue to the southerly line of Jerrold Avenue. (8)

From B. Vaughan, regarding the Salvation Army and the issue of extending benefits to domestic partners. (9)

From Audio Video Reporting Services, regarding AVR working with the Board of Supervisors when there is a particular Supervisor involved in a high profile case in the media in the Bay area. (10)

From Department of Public Works, regarding the Names Project and the Department of Public Works working together to install a historical plaque in front of the building located at 2362-A Market Street. Copy: Supervisors Bierman, Katz (11)

From Majed B. Zeidan, requesting transfer of an off-sale general liquor license from 5151 Mission Street to "Michael's Pit Stop" at 1001 Page Street. Small Business, Economic Vitality and Consumer Services Committee (12)

From K. Roger Bean, regarding request for the IRS to conduct an investigation of the LDS Church to determine whether its tax-exempt status should be revoked. File 99-1430 (13)

From Department of Public Health, submitting Hazardous Waste Release Report (Proposition 65) for fiscal year 1999-2000. Public Health and Environment Committee (14)

From Pacific Bell, submitting copy of notification letter to California Public Utilities Commission, regarding cellular base sites at 500 Howard Street, One Halladie Plaza, 99 Green Street, 2036 Lombard Street, and 390 Fremont Street. (15)

From Gabriel R. Yanez, regarding service on the #48 MUNI line. (16)

From concerned citizens, submitting support for a multi-level parking garage in the Hall of Justice area (7th and Bryant). 8 Letters (17)

From Bryan James, regarding the historical and cultural destruction of Jackson Square. (18)

From Therese Koller, regarding the Mayor and the Art Commission and the Mayor and his staff. 3 Letters (19)

From San Francisco Tenants Union, regarding 1995 vs. 1998 "Codes" and Mr. Chiu, Department of Building Inspection. Copy Supervisors Teng, Bierman, Becerril, File 99-0788 (20)

From San Francisco Tenants Union, regarding the 1998 Fire Code. Files 99-1682, 99-1683 Housing and Social Policy Committee (21)

From Budget Analyst, regarding Section 21(a) of the agreement for Professional Budget Analyst Services between the City and County of San Francisco, Board of Supervisors and the Joint Venture contractor of Stanton W. Jones, Debra A. Newman, Rodriguez, Perez Dellgado & Company Certified Public Accountants/Harvey M. Rose Accountancy Corporation Certified Public Accountants, Mah & Louie Certified Public Accounts. Copy: Each Supervisor (22)

From David I. Steinberg, regarding Senator William Knight and his son David Knight and "the Knight Initiative". (23)

From Walt Perko, regarding the #28 Muni bus line schedule. Copy: Muni (24)

From USDA, submitting notice that the Regional Conservation Forum will meet this fall and the National Conservation Summit in mid December 1999. (25)

From Office of the City Attorney, regarding work assignment 0000059, Medicinal Marijuana Policies. Copy: Supervisor Leno (26)

From Erik Beckjord, regarding various subjects; the high cost of living in San Francisco, population control, and proposing the Mayor will take up removing shopping carts from the homeless after the election. 3 Letters (27)

From Clerk of the Board of Supervisors, submitting a revised and updated draft Rules of Order. Copy: Supervisor Becerril (28)

From Department of Human Resources, submitting Administrative Change to the Annual Salary Ordinance No. 209-99, for fiscal year 1999/00. (29)

From Café de la Presse, submitting opposition to the proposed "Living Wage Ordinance". File 99-0252, Finance and Labor Committee (30)

From Small Business Advisory Commission, submitting copy of letter sent to the Treasurer endorsing the pilot program to provide online business registration renewal. (31)

From Warehouse Union Local 6, regarding the death/murder of Rexanne Battershell, a member of Local 6 who perished in the King Hotel fire, and urging the Board of Supervisors to create enough safe, affordable housing in San Francisco. (32)

From Rita and Robert Read, regarding MUNI Park at Carl and Cole Streets, Portable Toilets. Copy: Muni (33)

From Small Business Advisory Commission, submitting support for proposed Ordinance requiring that horses retired from service by carriage owners be treated humanly. File 99-1588, Copy: Each Supervisor (34)

From International Federation of Professional and Technical Engineers, Local 21, urging the Board to delete the provision contained in the Parks and Recreation Charter amendment, regarding a provision that would, in effect, take work away from the civil service staff that are currently performing it and give it to private consultants. File 99-1940, Rules Committee, Copy: Each Supervisor (35)

From Center for the Preservation of Horses, John Jenkel, regarding retirement of horses by carriage horse owners and amendments to provide additional safeguards and protection for the use of horse-drawn vehicle animals. 3 Letters (36)

From Carl R. Jaeger, submitting request for a beer and wine wholesale liquor license and a off- sale beer and wine liquor license for "The Scott Street Portfolio of Fine Wines" located at 231 Scott Street #1. Small Business, Economic Vitality and Consumer Services Committee (37)

From John deCastro, submitting support for making Live/Work projects conform to residential rules as it relates to lot coverage, conformance with neighborhood character and affordable housing. Files 99-1646, 99-1647, Finance and Labor Committee (38)

From Supervisor Leland Yee, submitting appointment of Peggy Gilleran to the Mental Health Board , Seat No. 5, term ending January 31, 2002 and Richard Baxter for appointment to the Youth Commission. Rules Committee 2 Letters (39)

From Gebo Jera, submitting opposition to Muni employees parking their cars in the Duboce bikeway. Copy: Muni (40)

From Tax Collector, submitting Bureau of Delinquent Revenue Quarterly Report for the period July 1, 1999 through September 30, 1999. (41)

From Department of Public Health, submitting Quarterly AIDS Surveillance Report for the period July 1, 1999 through September 30, 1999. (42)

From Barbara Kucer, submitting support for N.E.R.T. Training. (43)

From Solid Waste Management Program, submitting report on current programs, including recycling, that help to divert computers and computer parts from city landfills, and successful programs in other counties. Copy: Supervisor Becerril (44)

From Ruth Marblestone, submitting opposition to the way homeless encampments are being dismantled. File 99-1921, Finance and Labor Committee (45)

From Mabel James, regarding non-payment for work performed as a MUNI employee. (46)

From J. Guiers, submitting support for the removal of shopping carts from the homeless. (47)

From Sam Henry, urging the Planning Commission and the Board of Supervisors require any new store opening in our City to reflect the character of the neighborhood with appropriate legislation. (48)

From Gene Pepi, regarding Supervisor Ammiano running as a write-in candidate for Mayor. (49)

From Office of the Treasurer and Tax Collector, regarding appointment of a representative appointed by the Board of Supervisors for the Treasury Oversight Committee. Rules Committee (50)

ADJOURNMENT

Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying. Thus applause and booing are both contrary to Board requirements. The Board does not permit signs to be brought into the meeting or displayed in the room.

Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

Agenda are available on the internet at www.ci.sf.ca.us/bdsupvrs.bos.htm.

THE AGENDA PACKET IS AVAILABLE FOR REVIEW AT CITY HALL, ROOM 244, RECEPTION DESK.

Board meetings are televised on channel 26. For video tape copies and scheduling call (415) 557-4293.

Results of each Board meeting can be obtained about a half hour after the end of the meeting by telephoning (415) 554-5555.

Requests for foreign language translation at a meeting must be received by the Clerk of the Board of Supervisors at least 48 hours before the meeting. For meetings on a Monday or a Tuesday, the request must be made by noon of the last business day of the preceding week.

Disability access

The Legislative Chamber of the Board of Supervisors is in Room 250 of City Hall, 1 Dr. Carlton B. Goodlett Place. The Chamber is wheelchair accessible.

The closest accessible BART Station is Civic Center, three blocks from City Hall. Accessible MUNI lines serving this location are: #42 Downtown Loop, and the #71 Haight/Noriega and the F Line to Market and Van Ness and the Metro stations at Van Ness and Market and at Civic Center. For more information about MUNI accessible services, call 923-6142.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex.

The following services are available when requests are made by 4:00 p.m. of the Friday before the Board meeting: For American Sign Language interpreters, use of a reader during a meeting, or sound enhancement system, contact Violeta Mosuela at (415) 554-7704.

For a large print copy of agenda or minutes in alternative formats, contact Annette Lonich at (415) 554-7706.

In order to assist the City's efforts to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products. Please help the City to accommodate these individuals.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For more information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Donna Hall by mail to Clerk of the Board of Supervisors, 1 Dr. Carlton B. Goodlett Place, Room 244, by phone at (415) 554-7724, by fax at (415) 554-5163 or by email at Donna_Hall@ci.sf.ca.us

Citizens interested in obtaining a free copy of the Sunshine Ordinance can request a copy from Ms. Hall or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at <http://www.ci.sf.ca.us/bdsupvrs/sunshine.htm>