

BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

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

MEETING MINUTES

Monday, October 25, 1999 2:00 PM

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

Regular Meeting

DOCUMENTS DEPT.

JAN - 4 2000

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TOM AMMIANO, PRESIDENT

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

Gloria L. Young, Clerk of the Board

BOARD COMMITTEES

Committee Membership

Audit and Government Efficiency Committee

Supervisors Kaufman, Newsom, Katz

Finance and Labor Committee

Supervisors Yee, Bierman, Ammiano

Housing and Social Policy Committee

Supervisors Teng, Bierman, Becerril

Parks and Recreation Committee

Supervisors Brown, Newsom, Leno

Public Health and Environment Committee

Supervisors Bierman, Brown, Yaki

Public Utilities and Deregulation Committee

Supervisors Ammiano, Yee, Becerril

Rules Committee

Supervisors Leno, Teng, Kaufman

Small Business, Economic Vitality and Consumer Services Committee

Supervisors Newsom, Leno, Becerril

Transportation and Land Use Committee

Supervisors Katz, Yaki, Yee

Meeting Days

1st Tuesday
1:00 PM

Wednesday
10:00 AM

1st and 3rd Tuesday
10:00 AM

2nd Tuesday
1:00 PM

2nd & 4th Thursday
1:00 PM

3rd Tuesday
1:00 PM

2nd & 4th Thursday
10:00 AM

1st and 3rd Thursday
10:00 AM

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.

ROLL CALL AND PLEDGE OF ALLEGIANCE

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

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

Supervisors Becerril, Brown, Katz, Leno - 4.

Quorum present.

Supervisor Becerril was noted present at 4:03 p.m.

Supervisor Brown was noted present at 2:02 p.m.

Supervisor Katz was noted present at 2:06 p.m.

Supervisor Leno was noted present at 2:01 p.m.

APPROVAL OF MEETING MINUTES

Supervisor Yaki, seconded by Supervisor Teng, moved to APPROVE the September 27, 1999 Meeting Minutes. The motion carried by the following vote:

Ayes: 8 - Ammiano, Bierman, Kaufman, Leno, Newsom, Teng, Yaki, Yee

Absent: 3 - Becerril, Brown, Katz

Introduction of Guests

Supervisor Ammiano introduced, welcomed and presented a commendation to the family of the late Charles "Carl" Lutz to honor him for rescuing and saving 62,000 Jewish lives from extermination by the Nazis between 1942 and 1945.

CONSENT AGENDA

Recommendations of the Finance and Labor Committee

- 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 Lofts, LLC]

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.)

Ordinance No. 288-99

FINALLY PASSED

- 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.)

Ordinance No. 289-99

FINALLY PASSED

- 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.)

Ordinance No. 290-99

FINALLY PASSED

**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.)

PASSED ON FIRST READING

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)

Resolution No. 978-99

ADOPTED

Recommendations of the Housing and Social Policy Committee

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)

Resolution No. 979-99

ADOPTED

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. (Department of Public Works)

Resolution No. 980-99

ADOPTED

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.

Resolution No. 981-99

ADOPTED

Recommendations of the Public Health and Environment Committee**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. (Department of Public Health)

Resolution No. 971-99

ADOPTED

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. (Department of Public Health)

Resolution No. 972-99

ADOPTED

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. (Department of Public Health)

Resolution No. 973-99

ADOPTED

Recommendations of the Rules Committee**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.)

Ordinance No. 273-99

FINALLY PASSED

980985 [Appointment]

Resolution appointing one member to the Hazardous Materials Advisory Committee. (Clerk of the Board)

Robert V. Trapani, Seat 6, must be health educator, new four year term ending July 1, 2003.

Resolution No. 969-99

ADOPTED

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)

Resolution No. 977-99

ADOPTED

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.

Resolution No. 982-99

ADOPTED

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.

Resolution No. 983-99

ADOPTED

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.

Resolution No. 984-99

ADOPTED

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

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.)

Ordinance No. 283-99

FINALLY PASSED

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.

Ordinance No. 284-99

FINALLY PASSED

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.

Ordinance No. 285-99

FINALLY PASSED

The foregoing items were acted upon by the following vote:

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

Absent: 1 - Becerril

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of the Audit and Government Efficiency Committee

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.)

Ordinance No. 286-99

FINALLY PASSED by the following vote:

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

Absent: 1 - Becerril

Recommendation of the Housing and Social Policy Committee**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)

Ordinance No. 287-99

FINALLY PASSED by the following vote:

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

Absent: 1 - Becerril

NEW BUSINESS**Recommendations of the Finance and Labor Committee****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.)

PASSED, ON FIRST READING by the following vote:

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

Absent: 1 - Becerril

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.)

PASSED, ON FIRST READING by the following vote:

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

Absent: 1 - Becerril

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.)

Resolution No. 970-99

ADOPTED by the following vote:

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

Absent: 1 - Becerril

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.)

Resolution No. 974-99

ADOPTED by the following vote:

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

Absent: 1 - Becerril

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.)

Resolution No. 975-99

ADOPTED by the following vote:

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

Absent: 1 - Becerril

Recommendation of the Public Health and Environment Committee

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.)

Supervisor Katz requested to be added as co-sponsor.

PASSED, ON FIRST READING by the following vote:

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

Recommendations of the Public Utilities and Deregulation Committee

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.

Supervisor Bierman requested this matter be re-referred to committee.

Supervisor Bierman, seconded by Supervisor Brown, moved that this Resolution be RE-REFERRED to the Public Utilities and Deregulation Committee. The motion carried by the following vote:

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

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.

Supervisor Katz moved to amend page 4, line 11, by inserting "review" after the word "application".

Resolution No. 976-99

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

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

Supervisor Newsom requested to be added as co-sponsor.

ADOPTED AS AMENDED by the following vote:

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

Recommendation of the Rules Committee

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.

Supervisor Teng requested this matter be continued to November 1, 1999.

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

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

Recess

The Board, at the hour of 3:37 p.m., took a brief recess.

Reconvening of the Board

The Board, at the hour of 4:03 p.m., reconvened.

All members were noted present.

SPECIAL ORDER 4:00 P.M.

991916 [City Message]

Mayor's Annual State of the City Message. (Mayor)

Mayor Willie L. Brown, Jr. appeared and spoke about "Where we were four years ago; The work we have done together since then; and the challenges we must meet in the near future."

A copy of the message is on file with the Clerk of the Board of Supervisors.

FILED.

PUBLIC COMMENT

Bob Planthold, repetitive ballot initiatives required signatures increase charter amendment;

Abdalla Megahed, homeless issues;

Bruce Allison, homemaker;

Eula Walters, Ferry Park jurisdiction;

Ernestine Weiss, butterfly park, open space appointment;

Kathy Perry, minority contracts;

Frederick Hobson, traffic accidents;

Louise Vaughn, minority contracts;

Anastasia, single room occupancy fires;

Edmun;

Robert Pender, proposed hospice on Brotherhood Way;

Constance, food giveaway programs;

David Nelson;

Gilbert Criswell, reproductive rights of men and women;

Steven, traffic accidents;

Milton Hanks, Dorothy von Beroldingen and Dianne Feinstein, loan to City;

Female speaker, lack of school signs near Tenderloin School.

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.

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?.

APPROVED by the following vote:

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

Absent: 1 - Becerril

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.

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.

Resolution No. 985-99

ADOPTED

991972 [Public Works Initiative, March 2000]
Supervisor Bierman

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

Resolution No. 986-99

ADOPTED

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.

Resolution No. 987-99

ADOPTED

**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.

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

Resolution No. 988-99

ADOPTED

**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.

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

Resolution No. 989-99

ADOPTED

**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.

Resolution No. 990-99

ADOPTED

**991978 [Commendation]
Supervisor Brown**

Resolution commending Blanche Richardson in recognition of her contributions to the literary community.

Resolution No. 991-99

ADOPTED

**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.

Supervisor Newsom requested to be added as co-sponsor.

Resolution No. 992-99

ADOPTED

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.

Resolution No. 993-99

ADOPTED

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.

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

Resolution No. 994-99

ADOPTED

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.

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

Resolution No. 995-99

ADOPTED

991985 [Needle Exchange Emergency]
Supervisors Bierman, Teng, Ammiano, Yaki, Kaufman, Katz, Brown, Newsom, Yee, Leno, Becerril

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

Motion No. M99-134

APPROVED

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. (Department of Public Works)

((DPT Order No. 171,991.))

Motion No. M99-135

APPROVED

- 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.
(Department of Public Works)

(DPW Order No. 171,993.)

Motion No. M99-136

APPROVED

- 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.

Motion No. M99-137

APPROVED

The foregoing items were acted upon by the following vote:

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

Absent: 1 - Becerril

OFF-AGENDA LEGISLATION

Introduced by Supervisors or Mayor

Ordinances

- 991999 [Underground District No. 354]
Supervisors Bierman, Brown

Ordinance creating Underground District No. 354 in the Oakdale, Palou and Newcomb area.
10/25/99, RECEIVED AND ASSIGNED to Transportation and Land Use Committee.

**992000 [Integrated Pest Management Program]
Supervisor Katz**

Ordinance amending Administrative Code Sections 39.2, 39.8, 39.5, 39.6, 39.7 and 39.8 which established the Integrated Pest Management program to exclude antimicrobial agents from coverage under the chapter; to revise posting, notification, record keeping and reporting requirements; and to clarify exemptions, including exemptions for reduced risk pesticides and to add exemptions.

(Amends Sections 39.2, 39.8, 39.5, 39.6, 39.7 and 39.8.)

10/25/99, ASSIGNED UNDER 30 DAY RULE to Public Health and Environment Committee, expires on 11/24/1999.

**991585 [Zoning, Conditional Use Authorization in Neighborhood Commercial Districts]
Supervisors Leno, Brown**

Ordinance amending Planning Code Section 303 to require additional considerations for conditional uses in locations in neighborhood commercial districts in which the use size for the proposed location exceeds the limitations contained in Section 121.2, including considerations of the intensity of activity in the district, service to the neighborhood, and respect for the scale of development in the district.

(Planning Commission Resolution No. 14918 adopted November 4, 1999, recommending approval of the proposed amendment.)

(Certificate of Determination of Exemption/Exclusion from Environmental Review dated October 28, 1999.)

8/16/99, ASSIGNED UNDER 30 DAY RULE to Transportation and Land Use Committee, expires on 9/15/1999. 8/24/99 - Transmitted to Planning Commission for public hearing and recommendation.

10/25/99, SUBSTITUTED. Submitted by Supervisor Leno in Board, bearing new title.

10/25/99, ASSIGNED to Transportation and Land Use Committee.

**991586 [Zoning, North Beach Neighborhood Commercial District, Nonresidential Use Size]
Supervisor Leno**

Ordinance amending Planning Code Sections 178 and 186.1 to require uses that exceed specified use size provisions in the North Beach Neighborhood Commercial District to obtain conditional use authorization prior to a change in use and to reduce the period of abandonment for conditional and nonconforming uses in this district from three (3) years to 18 (eighteen) months; by amending Section 121.2 to reduce the size limit of nonresidential uses located in this district to two thousand (2000) square feet for conditional use authorization and four thousand (4000) square feet for the maximum size; and by amending Section 722.21 in the North Beach Neighborhood Commercial District Zoning Control Table to reflect the use size modifications.

8/16/99, ASSIGNED UNDER 30 DAY RULE to Transportation and Land Use Committee, expires on 9/15/1999. 8/24/99 - Transmitted to Planning Commission for public hearing and recommendation.

10/25/99, SUBSTITUTED. Submitted by Supervisor Leno in Board, bearing new title.

10/25/99, ASSIGNED to Transportation and Land Use Committee.

992001 [Recreation and Parks Bond Special Election]**Supervisors Newsom, Kaufman, Leno, Ammiano, Bierman, Yaki, Teng, Becerril, Brown, Katz**

Ordinance calling and providing for a special election to be held in the City and County of San Francisco on Tuesday, March 7, 2000, for the purpose of submitting to the voters of the City and County a proposition to incur the following bonded debt of the City and County: one hundred ten million dollars (\$110,000,000) for the acquisition, construction and reconstruction of certain improvements to Recreation and Park facilities; finding that the estimated costs of such proposed project is and will be too great to be paid out of the ordinary annual income and revenue of the City and County and will require expenditures greater than the amount allowed therefor by the annual tax levy; reciting the estimated cost of such proposed projects; waiving certain requirements of Section 2.31 of the San Francisco Administrative Code relating to the introduction of public interest and necessity resolution; fixing the date of election and the manner of holding such election and the procedure for voting for or against the proposition; fixing the maximum rate of interest on such bonds and providing for the levy and collection of taxes to pay both principal and interest thereof; prescribing notice to be given of such election; consolidating the special election with the presidential primary election; establishing the election precincts, voting places and officers for the election; and waiving the word limitation on ballot propositions imposed by San Francisco Municipal Elections Code Section 510.

10/25/99, RECEIVED AND ASSIGNED to Finance and Labor Committee.

Resolutions**991882 [Marina Yacht Harbor Project Position]****Supervisors Newsom, Bierman, Brown**

Resolution urging the Department of Public Works acting in consultation with the Recreation and Park Department to identify and contract with a project point person who will be principally responsible for execution of various Marina Yacht Harbor projects; urging the Recreation and Park Department to defray the cost of this undertaking with monies from the Marina Yacht Harbor Fund; urging the Recreation and Park Commission to approve this plan; and further urging the Recreation and Park Department to appoint a Harbor Master with all due haste.

10/4/99, RECEIVED AND ASSIGNED to Parks and Recreation Committee.

10/25/99, SUBSTITUTED. Submitted by Supervisor Newsom in Board, bearing same title.

10/25/99, ASSIGNED to Parks and Recreation Committee.

992002 [Social Services Master Planning Process]**Supervisor Ammiano**

Resolution urging the Planning Department, the Department of Human Services, the Department of Public Health, and other City departments to develop a map that 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.

10/25/99, RECEIVED AND ASSIGNED to Finance and Labor Committee.

992003 [San Francisco Chronicle Proposed Sale Investigation]
Supervisors Ammiano, Bierman

Resolution urging the Attorney General of California, based on the precedent established in the State of Hawaii, to investigate the proposed sale of the San Francisco Chronicle to the Hearst Corporation and potential violations of the Federal anti trust laws and violation of the National Newspaper Preservation Act and further urging the San Francisco District Attorney to conduct a similar investigation.

10/25/99, RECEIVED AND ASSIGNED to Finance and Labor Committee.

992005 [Educational Revenue Augmentation Fund (AB 1661, SB 711)]
Mayor

Resolution specifying the amount of ad valorem property tax revenue shifted from each local agency within the City and County to the Educational Revenue Augmentation Fund established by state law in the City and County and agreeing to conditions imposed by the State for allocation to the City and County of certain state funds.

10/25/99, RECEIVED AND ASSIGNED to Finance and Labor Committee.

992006 [Six month option to lease Fire Department property at 2350 19th Avenue to San Francisco Resource Center]
Mayor

Resolution granting an option to lease certain City property under the purview of the Fire Commission to a nonprofit agency.

10/25/99, RECEIVED AND ASSIGNED to Finance and Labor Committee.

992004 [America Online Policies]
Supervisors Katz, Ammiano, Leno, Bierman

Resolution urging America Online (AOL) to create a consistent set of standards that applies to all content created by their members and to end their practice of censoring gay content much more frequently than content that includes profanities, sexual content or hate speech by non-gay members.

10/25/99, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

992007 [Grant funds for clean fuel vehicle incentive program]
Supervisors Ammiano, Newsom, Teng

Resolution authorizing the Director of Administrative Services to accept and expend \$120,000 from the Bay Area Air Quality Management District's Transportation Fund for Clean Air; and authorizing the Director of Administrative Services to accept and expend funds in future years through this program.

10/25/99, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

992008 [Mary Li Trust Fund]
Supervisors Teng, Bierman, Brown, Newsom, Katz

Resolution extending condolences and sympathy to the family of Mary Li, a 13-year old girl who was killed in the crosswalk of Bayshore Boulevard on October 22, 1999 and requesting the City and County of San Francisco to establish a trust fund for the family of Mary Li.

10/25/99, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

992009 [Mary Li automobile accident police investigation]
Supervisors Teng, Bierman, Brown, Newsom, Katz

Resolution urging a full police investigation into the cause of the automobile accident that killed 13 year old pedestrian Mary Li in the crosswalk of Bayshore Boulevard on October 22, 1999; requesting a police report by October 29, 1999; and urging the District Attorney to prosecute the driver of the vehicle that killed Mary Li to the fullest extent of the law.

10/25/99, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

992010 [Commendation]
Supervisors Ammiano, Bierman, Kaufman, Newsom, Teng, Katz, Leno

Resolution commending the late Charles "Carl" Lutz for rescuing, saving 62,000 Jewish lives from extermination by the Nazis between 1942 and 1945 and further honoring the memory this great soul for his courageous, compassionate and exemplary actions in a time of unprecedented crisis of depravity, inhumanity and social and political turmoil in world history and further praising this extraordinary human being as a role model of a world citizen who exemplified, keen intelligence and resourcefulness combined with overflowing compassion and love for fellow human beings in the face of depraved and brutal Nazi state machinery and displayed tenacious will and courage in risking his own and his family's life to rescue his fellow human beings from imminent torture, terror and death.

10/25/99, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

992011 [Commendation]
Supervisors Katz, Ammiano, Leno, Bierman, Newsom, Teng

Resolution commending the Names Project Foundation for the first major Bay Area display of the AIDS Memorial Quilt in over a decade and for their ongoing commitment to remembering those who have been lost to this disease as well as for promoting awareness, compassion and prevention in the struggle to end AIDS.

10/25/99, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**992012 [Proclamation]
Supervisors Newsom, Bierman, Becerril, Teng, Katz**

Resolution proclaiming Friday, October 29, 1999 as Drug Education Day in honor of the "Just Say Know: New Directions in Drug Education" conference.

10/25/99, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Requests for Hearing

**992013 [New Year's Eve Celebration at Golden Gate Bridge]
Supervisors Ammiano, Newsom**

Hearing on potential environmental impacts of the proposed New Year's Eve celebration at Golden Gate Bridge, including Crissy Field and surrounding areas.

10/25/99, RECEIVED AND ASSIGNED to Finance and Labor Committee.

**992014 [Police Transgender Sensitivity Training]
Supervisors Leno, Ammiano, Katz, Bierman**

Hearing to consider police sensitivity training regarding the transgender community for all members of the Police Department (in addition to recruits) and the establishment of transgender protocols for the San Francisco Police Department.

10/25/99, RECEIVED AND ASSIGNED to Housing and Social Policy Committee.

**992015 [Family Child Care Providers]
Supervisor Yee**

Hearing to consider issues faced by San Francisco Family Child Care providers, including receiving referrals from the San Francisco resource and referral agencies, receiving funds for facilities upgrades and receiving professional/business development assistance.

10/25/99, RECEIVED AND ASSIGNED to Finance and Labor Committee.

**992016 [Third Street Corridor Development]
Supervisor Yee**

Hearing to consider Planning Department's planning efforts for development along the Third Street Light Rail corridor including high density residential development, commercial development and any changes in utilization of existing industrial space.

10/25/99, RECEIVED AND ASSIGNED to Transportation and Land Use Committee.

Introduced by the President at the Request of Departments**PROPOSED ORDINANCES****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). (Department of Parking and Traffic)

(Adds Section 32.6.27.)

10/13/99, 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.)

10/14/99, 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.)

10/15/99, RECEIVED AND ASSIGNED to Transportation and Land Use Committee.

PROPOSED RESOLUTIONS

- 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)
10/15/99, 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. (Department of Public Health)
10/19/99, RECEIVED AND ASSIGNED to Public Health and Environment Committee.
- 991993** [Federal Grant to fund a feasibility study of physician prescription of methadone]
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. (Department of Public Health)
10/20/99, 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. (Department of Public Health)
10/20/99, RECEIVED AND ASSIGNED to Public Health and Environment Committee.

Requests Granted

From: Supervisor Teng

To: Chief of Police

Requesting/Inquiring: To provide a police report into the cause of the automobile accident that killed 13-year old pedestrian, Mary Li, in the crosswalk of Bayshore Boulevard on October 22, 1999.

Due: October 29, 1999

From: Supervisor Ammiano

To: City Attorney

Requesting/Inquiring: To draft unilateral amendments to the City's cable franchise agreement with AT&T based on Section 29 of the agreement, which allows for unilateral amendments to the agreement based on changes to technology that affect a large portion of the subscriber base. Such amendments should provide for open, non-discriminatory access to the Internet through AT&T's cable modem platform, with assistance from the Department of Telecommunications and Information Services (DTIS), based on responses to DTIS' Open Access Survey.

From: Supervisor Bierman

To: General Manager, Recreation and Park Department

Requesting/Inquiring: To compile a list noting which Recreation and Park facilities are accessible to disabled residents and what improvements should be made to provide access to all facilities.

From: Supervisor Leno

To: City Attorney

Requesting/Inquiring: To draft legislation amending the Planning Code to create transit-oriented neighborhood commercial districts where residential density limits are increased, height limits are increased from 40 to 50 feet, and off-street parking requirements for dwelling units and commercial uses are reduced; and to create transit intensive special use districts where off-street parking requirements for dwelling units are reduced.

From: Supervisor Leno

To: City Attorney

Requesting/Inquiring: To draft legislation amending the Planning Code to require uses that exceed specified use size provisions in the Castro and Upper Market Neighborhood Commercial Districts (NCDS) to obtain conditional use authorization prior to a change in use; to reduce the period of abandonment for conditional and nonconforming uses in these districts from three (3) years to 18 (eighteen) months; to reduce the size limit of nonresidential uses for conditional use authorization located in the Castro NCD to two thousand (2000) square feet and two thousand five hundred (2500) square feet in the Upper Market NCD and four thousand (4000) square feet for the maximum size in both of these districts.

From: Supervisor Newsom

To: City Attorney

Requesting/Inquiring: To investigate the potential for raising the fines for people "Blocking the Box," i.e. blocking traffic intersections, specifically examining the utility of increasing fines during peak traffic periods or other ways to deter "Blocking the Box".

In Memoriams

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

Jean Jacobs (By the entire Board)

Matteo Ciuffreda (Supervisor Becerril)

Mary Li (By the entire Board)

Payne Stewart (Supervisors Yaki, Newsom)

ADJOURNMENT

There being no further business, the Board at the hour of 5:13 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 November 22, 1999.

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

Gloria L. Young
Clerk of the Board