

BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

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

MEETING MINUTES

DOCUMENTS DEPT.

Monday, May 10, 1999 2:00 PM

AUG 03 1999

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

SAN FRANCISCO
PUBLIC LIBRARY

Regular Meeting

TOM AMMIANO, PRESIDENT
ALICIA BECERRIL, SUE BIERMAN, AMOS BROWN, LESLIE KATZ,
BARBARA KAUFMAN, MARK LENO, GAVIN NEWSOM,
MABEL TENG, MICHAEL YAKI, LELAND Y. YEE
Gloria L. Young, Clerk of the Board

BOARD COMMITTEES

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

First-named Supervisor 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 2:04 p.m. On call of the roll, the following Supervisors were noted absent:

Supervisors Becerril, Katz - 2.

Quorum present.

Supervisor Becerril was noted present at 2:09 p.m.

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

APPROVAL OF MEETING MINUTES

Supervisor Yaki, seconded by Supervisor Kaufman, moved to ADOPT the April 5 and April 12, 1999 Meeting Minutes. The motion carried by the following vote:

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

Privilege of the Floor

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

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

Supervisor Leno introduced three fifth graders from Cesar Chavez School who spoke in support of the Peaceful Streets anti-gun program, where guns are turned into works of art.

Supervisor Leno presented a certificate of honor to John Riker for his leadership role in the Peaceful Streets program.

CONSENT AGENDA

Recommendations of the Audit and Government Efficiency Committee

990727 [Margaret Koran, v. San Francisco Municipal Railway]
Ordinance authorizing settlement of claim of Margaret Koran against the Municipal Railway by payment of \$45,000. (City Attorney)

(Equal Employment Opportunities Commission Charge No. 370-96-0562.)

PASSED, ON FIRST READING

990733 [Reward Authorization]
Ordinance authorizing payment of reward to Doe One. (Mayor)

PASSED, ON FIRST READING

990786 [Charles Tucker, et al. v. CCSF, et al.]
Ordinance authorizing settlement of litigation of Charles Tucker against the City and County of San Francisco by payment of \$63,262. (City Attorney)

(S.F. Superior Court No. 988-868.)

PASSED, ON FIRST READING

990787 [Leslie Thurston v. CCSF, et al.]
Ordinance authorizing settlement of litigation of Leslie Thurston against the City and County of San Francisco by payment of \$1,287,500. (City Attorney)

(S.F. Superior Court No. 991-807.)

PASSED, ON FIRST READING

990807 [Diana Puig, et al v. CCSF, et al.]
Ordinance authorizing settlement of litigation of Diana Puig against the City and County of San Francisco by payment of \$60,000. (City Attorney)

(S.F. Superior Court - Unlimited Jurisdiction Case No. 987-635.)

PASSED, ON FIRST READING

990542 [Gift Acceptance, Department of Public Health]
Resolution accepting a gift from New Life Clinics of clinical hypnotherapy treatment services for smoking cessation, weight control and stress management for City employees, their adult relatives and friends.
(Department of Public Health)

Resolution No. 421-99

ADOPTED

990711 [Settlement of Claim, Jeanne Lynch]

Resolution approving the settlement of the unlitigated claim of Jeanne Lynch by payment of \$75,000. (City Attorney)

(Claim Number 99-01039.)

Resolution No. 423-99

ADOPTED

**990748 [Annual Audit]
Supervisor Kaufman**

Resolution selecting independent auditors for the Controller's Office and the separately audited departments of the City and authorizing a three-year contract with the consortium of accounting firms.

Resolution No. 429-99

ADOPTED

990799 [Settlement of Claim, Michael Clarke]

Resolution approving the settlement of the unlitigated claim of Michael Clarke by payment of \$65,000. (City Attorney)

(Claim Number 99-01005.)

Resolution No. 438-99

ADOPTED

Recommendations of the Finance and Labor Committee**990506 [Appropriation, DPH-Laguna Honda Hospital]
Mayor**

Ordinance appropriating \$5,599,962 from the General Fund Reserve to offset the revenue shortfall for the current year of the Laguna Honda Hospital for fiscal year 1998-1999.

(Fiscal impact.)

Ordinance No. 122-99

FINALLY PASSED

990667 [Appropriation, Dept. of Building Inspection]

Ordinance appropriating \$1,490,724, Department of Building Inspection, of Building Inspection fund balance for professional services and equipment purchases including equipment and upgrades for Y2K compliance and improvements to the Department's local area network, for fiscal year 1998-1999. (Department of Building Inspection)

(Fiscal impact.)

Ordinance No. 126-99

FINALLY PASSED

990668 [Appropriation, Planning Department]

Ordinance appropriating \$541,530, Planning Department, for professional services and equipment purchase including computer upgrades for fiscal year 1998-1999; placing \$50,000 on reserve. (Planning Department)

(Fiscal impact.)

Ordinance No. 127-99

FINALLY PASSED

990669 [Appropriation, Dept. of Public Works]

Ordinance appropriating \$146,195, Department of Public Works, for a capital improvement project (installation of two traffic signals) to cover ten percent (10%) overage as per Administrative Code, Section 6.6, providing for ratification of action previously taken, for fiscal year 1998-1999. (Department of Public Works)

Ordinance No. 128-99

FINALLY PASSED

990725 [Lease of Property, 225 Valencia Street]

Resolution authorizing the lease of real property at 225 Valencia Street, 1st and 2nd Floors, for the Department of Human Services. (Real Estate Department)

Resolution No. 428-99

ADOPTED

990769 [Emergency Repair, Polk Street Brick Sewer]

Resolution approving the expenditure of funds for the emergency work to replace the structurally inadequate brick sewer on Polk Street from Grove Street to McAllister Street - \$98,330. (Public Utilities Commission)

Resolution No. 431-99

ADOPTED

990770 [Emergency Repair, Harrison Street Sewer]

Resolution approving the expenditure of funds for the emergency work to replace the structurally inadequate sewer on Harrison Street from 5th Street to 6th Street and to modify the existing Merlin-Morris Pump Station - \$599,077. (Public Utilities Commission)

(Fiscal impact.)

Resolution No. 432-99

ADOPTED

990771 [Emergency Repair, Green Street Sewer]

Resolution approving the expenditure of funds for the emergency work to replace the structurally inadequate brick sewer on Green Street from Polk Street to Van Ness Avenue - \$178,121. (Public Utilities Commission)

Resolution No. 433-99

ADOPTED

- 990772 [Emergency Repair, 60 Scenic Way Easement Sewer]**
Resolution approving the expenditure of funds for the emergency work to replace the structurally inadequate easement sewer on 60 Scenic Way at 26th Avenue - \$73,074. (Public Utilities Commission)
Resolution No. 434-99
ADOPTED
- 990773 [Emergency Repair, Howard/First Streets Sewer]**
Resolution approving the expenditure of funds for the emergency work to replace the structurally inadequate sewer at the intersection of Howard and First Streets - \$113,800. (Public Utilities Commission)
Resolution No. 435-99
ADOPTED
- 990774 [Emergency Repair, Polk Street Brick Sewer]**
Resolution approving the expenditure of funds for the emergency work to replace the structurally inadequate brick sewer on Polk Street from Sutter Street to Bush Street - \$310,650. (Public Utilities Commission)

(Fiscal impact.)
Resolution No. 436-99
ADOPTED
- 990775 [Emergency Repair, Van Ness Avenue Brick Sewer]**
Resolution approving the expenditure of funds for the emergency work to replace the structurally inadequate brick sewer on Van Ness Avenue from McAllister Street to Golden Gate Avenue - \$237,490. (Public Utilities Commission)

(Fiscal impact.)
Resolution No. 437-99
ADOPTED

Recommendations of the Housing and Social Policy Committee

- 990723 [Contract, Sheriff - Ben Dorcy]**
Resolution authorizing the San Francisco Sheriff's Department to enter into an Agreement with Mr. Ben Dorcy for mandatory certified CPR and First Aid training, which agreement provides for mutual indemnification from claims or other damages which arise as a result of performance under said agreement. (Sheriff)
Resolution No. 426-99
ADOPTED
- 990724 [Contract, Sheriff - George Bach-Y-Rita, M.D.]**
Resolution authorizing the San Francisco Sheriff's Department to enter into a professional services agreement with George Bach-Y-Rita, M.D., which provides for indemnification of Dr. Bach-Y-Rita from compensatory damages for negligent formation of his professional opinion as to psychological suitability of applicants for employment as Deputy Sheriffs in San Francisco County. (Sheriff)
Resolution No. 427-99
ADOPTED

990750 [Grant - State]
Mayor

Resolution authorizing the District Attorney of the City and County of San Francisco to retroactively apply for, accept and expend funds in the amount of \$110,110 made available through the Office of Criminal Justice Planning for a project entitled "Violence Against Women Vertical Prosecution - Elder Abuse" for the period of March 1, 1999 through February 28, 2000; and waiving indirect costs due to funding constraints.

Resolution No. 418-99

ADOPTED

Recommendation of the Public Health and Environment Committee

990405 [Environmentally Preferable Purchasing Ordinance]
Supervisors Katz, Bierman, Brown, Ammiano, Becerril

Ordinance amending Administrative Code by adding Chapter 21F (Sections 21F.1 through 21F.11) to establish an environmentally preferable purchasing (EPP) program in the Department of Administrative Services-Solid Waste Management Program; establishing criteria for evaluating chemically-based custodial, fleet maintenance, or facility maintenance products ("chemical products") used by City departments; assessing the City's use of chemical products; establishing a pilot program to determine the effectiveness of using preferred chemical products; and recommending to the Board of Supervisors whether to implement additional legislation to require all departments to use preferred chemical products.

(Adds Chapter 21F, Sections 21F.1 thru 21F.11.)

Ordinance No. 121-99

FINALLY PASSED

Recommendations of the Transportation and Land Use Committee

990621 [Weight Restriction, Portion of Monterey Boulevard]

Ordinance amending Traffic Code by adding Section 28.1.105, establishing a weight restriction on a portion of Monterey Boulevard (Monterey Boulevard, between Ridgewood and Santa Clara Avenues). (Department of Parking and Traffic)

(Adds Section 28.1.105.)

Ordinance No. 123-99

FINALLY PASSED

990660 [Landmark Designation, 2099 Pacific Avenue]

Ordinance designating 2099 Pacific Avenue, Schubert Hall (Lot 23 in Assessor's Block 591), as Landmark No. 224 pursuant to Article 10, Sections 1004 and 1004.4 of the Planning Code. (Planning Department)

(Planning Commission Resolution No. 14755 adopted December 17, 1998, approving the landmark designation; Landmarks Preservation Advisory Board Resolution No. 508 adopted November 4, 1998 initiating the landmark designation of the property and recommending Planning Commission approval; Final landmark designation report adopted November 4, 1998 by the Landmarks Preservation Advisory Board.)

Ordinance No. 124-99

FINALLY PASSED

**990661 [Landmark Designation, Golden Gate Bridge]
Supervisor Kaufman**

Ordinance designating the Golden Gate Bridge (entire bridge structure beginning at the southern anchorage at the Presidio up to and including the north tower at the Marin County border), as Landmark No. 222 pursuant to Article 10, Sections 1004 and 1004.4 of the Planning Code. (Planning Department)

(Planning Commission Resolution No. 14754 adopted December 17, 1998, approving the landmark designation; Landmarks Preservation Advisory Board Resolution No. 507 adopted July 15, 1998 initiating the landmark designation of the property and recommending Planning Commission approval; Landmark designation report adopted July 15, 1998 by the Landmarks Preservation Advisory Board.)

Ordinance No. 125-99

FINALLY PASSED

The foregoing items were acted upon by the following vote:

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

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of the Finance and Labor Committee

990671 [SEIU Equity Pay, Fiscal Year 1999-2000]
Supervisors Brown, Teng

Ordinance implementing an agreement adjusting the compensation of certain classifications pursuant to the Memorandum of Understanding between the Service Employees International Union, AFL-CIO, Locals 790, 535 and 250 and the City and County of San Francisco, to be effective July 1, 1999. (Department of Human Resources)

(Fiscal impact.)

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

Ordinance No. 129-99

FINALLY PASSED by the following vote:

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

Noes: 1 - Kaufman

NEW BUSINESS

Recommendations of the Audit and Government Efficiency Committee

990583 [Administrative Code Revision]
Supervisor Kaufman

Ordinance amending Chapter 2 of Part 1 of the San Francisco Municipal Code (Administrative Code) by amending Section 2.1-1 (Board Powers), Section 2.6-1 (Lease Approvals), and Section 2.6-2 (Interpreting Services) and by repealing Section 2.3 (Chief Assistant Board Clerk), Section 2.6 (Pollution Control Policy), Section 2.6-4 (Clerk of the Board), Section 2.6-5 (Board Staff), Section 2.6-6 (Contract Approvals), Section 2.9 (Attendance at Board Meetings), Section 2.19 (Director of Property), Section 2.20 (Independent Appraisers), Section 2.21 (Order for Services), Section 2.23-9 (Striking Employees), Section 2.23.11 (Employee Relations Director), Section 2.82 (Publication of Legislation), and amending Chapter 2A of the San Francisco Administrative Code by amending Section 2A.160 (Academy of Sciences) and by repealing Section 2A.19 (Controller's Reports) and Section 2A.20 (Controller's Audits); amending Chapter 2B of the San Francisco Administrative Code by repealing Section 2B.19 (Biannual Evaluation); and amending Chapter 3 of the San Francisco Administrative Code by amending Section 3.2 (Definitions) and Section 3.22 (Long-Term Financing).

(Amends Administrative Code Sections 2.1-1, 2.6-1, 2.6-2, 3.2 and 3.22; repeals Sections 2.3, 2.6, 2.6-4, 2.6-5, 2.6-6, 2.9, 2.19, 2.20, 2.21, 2.23-9, 2.23.11, 2.82, 2A.160, 2A.19, 2A.20, 2B.19.)

Supervisor Kaufman moved to amend by removing reference to "repealing Sections 2A.19 and 2A.20".

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

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

Ordinance amending Chapter 2 of Part 1 of the San Francisco Municipal Code (Administrative Code) by amending Section 2.1-1 (Board Powers), Section 2.6-1 (Lease Approvals), and Section 2.6-2 (Interpreting Services) and by repealing Section 2.3 (Chief Assistant Board Clerk), Section 2.6 (Pollution Control Policy), Section 2.6-4 (Clerk of the Board), Section 2.6-5 (Board Staff), Section 2.6-6 (Contract Approvals), Section 2.9 (Attendance at Board Meetings), Section 2.19 (Director of Property), Section 2.20 (Independent Appraisers), Section 2.21 (Order for Services), Section 2.23-9 (Striking Employees), Section 2.23.11 (Employee Relations Director), Section 2.82 (Publication of Legislation), and amending Chapter 2A of the San Francisco Administrative Code by amending Section 2A.160 (Academy of Sciences); amending Chapter 2B of the San Francisco Administrative Code by repealing Section 2B.19 (Biannual Evaluation); and amending Chapter 3 of the San Francisco Administrative Code by amending Section 3.2 (Definitions) and Section 3.22 (Long-Term Financing).

(Amends Administrative Code Sections 2.1-1, 2.6-1, 2.6-2, 3.2 and 3.22; repeals Sections 2.3, 2.6, 2.6-4, 2.6-5, 2.6-6, 2.9, 2.19, 2.20, 2.21, 2.23-9, 2.23.11, 2.82, 2A.160, 2B.19.)

PASSED ON FIRST READING AS AMENDED by the following vote:

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

990584 [Bonds and Indebtedness]
Supervisor Kaufman

Ordinance amending Chapter 2 of Part I of the Municipal Code (Administrative Code), by amending Sections 2.30, 2.30-1, 2.31, 2.33, 2.34, and 2.60, and by repealing Sections 2.32, 2.36-1, 2.37, 2.40, 2.50, and 2.61, to update provisions regarding bonded and other long-term indebtedness.

(Amends Sections 2.30, 2.30-1, 2.31, 2.33, 2.34, and 2.60; repeals Sections 2.32, 2.36-1, 2.37, 2.40, 2.50, and 2.61.)

PASSED, ON FIRST READING by the following vote:

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

990585 [Charter Amendments]
Supervisor Kaufman

Ordinance amending Chapter 2 of Part I of the Municipal Code (Administrative Code), by amending Section 2.24, and amending Article V of the Municipal Elections Code, by adding Section 501, to transfer the provisions governing the publication and format of proposed Charter amendments.

(Amends Section 2.24; Article V of the Municipal Elections Code, adds Section 501.)

PASSED, ON FIRST READING by the following vote:

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

990586 [Street Closures]
Supervisor Kaufman

Ordinance amending Part 1 Chapter 2, Article VIII, of the San Francisco Municipal Code (Administrative Code) by repealing Section 2.70 through 2.76 and amending Part II, Chapter XI of the San Francisco Municipal Code (Traffic Code) by adding Article 20, Sections 700 through 715, to transfer the provisions governing the temporary use or occupancy of public streets.

(Repeals Administrative Code Section 2.70 through 2.76; adds Traffic Code Article 20, Sections 700 through 715.)

Supervisor Kaufman moved an amendment (technical amendment to correct article and section numbers).

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

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

Ordinance amending Part 1 Chapter 2, Article VIII, of the San Francisco Municipal Code (Administrative Code) by repealing Section 2.70 through 2.76 and amending Part II, Chapter XI of the San Francisco Municipal Code (Traffic Code) by adding Article 21, Sections 800 through 815, to transfer the provisions governing the temporary use or occupancy of public streets.

(Repeals Administrative Code Section 2.70 through 2.76; adds Traffic Code, Article 21, Sections 800 through 815.)

PASSED ON FIRST READING AS AMENDED by the following vote:

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

Recommendations of the Finance and Labor Committee

990681 [Prop J Contract, Legal Process Server Services]

Resolution concurring with the Controller's certification that legal process server services can be practically performed for the District Attorney, Family Support Bureau, by a private contractor for a lower cost than similar services performed by City and County employees. (District Attorney)

Resolution No. 422-99

ADOPTED by the following vote:

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

990720 [Lease of Property, 30 Van Ness Avenue]

Resolution authorizing a lease at 30 Van Ness Avenue (3rd Floor), for the Employee Retirement System. (Real Estate Department)

Resolution No. 417-99

ADOPTED by the following vote:

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

990721 [Prop J Contract, Facility Security Services]

Resolution concurring retroactively, with the Controller's certification that facility security services for the Public Transportation Commission can be practically performed by a private contractor at a lower cost than by City and County employees. (Public Transportation Commission)

Resolution No. 425-99

ADOPTED by the following vote:

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

990726 [Appropriation, Emergency Communications Department]

Ordinance appropriating \$2,773,766, Emergency Communications Department, City Wide Communication Series 1998-I and 1999-I Bond proceeds and interest income, for the purchase of Motorola mobile desktop radio units and accessories, and installation of a fiber optic Metropolitan Area Network (MAN) for fiscal year 1998-1999. (Mayor)

(Fiscal impact.)

PASSED, ON FIRST READING by the following vote:

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

990762 [Roof Equipment License Agreement]

Resolution authorizing a retroactive roof equipment license extension agreement for 555 California Street for the Municipal Railway. (Real Estate Department)

Resolution No. 430-99

ADOPTED by the following vote:

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

Recommendation of the Housing and Social Policy Committee**990493 [Saturday Night Special]**

Supervisors Leno, Brown, Newsom, Teng

Ordinance amending Police Code Section 613.1 to correct reference to date of manufacture of one type of "Saturday Night Special."

(Amends Section 613.1.)

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

PASSED, ON FIRST READING by the following vote:

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

SPECIAL ORDER 3:00 P.M.**990907 [Public Health]**

Supervisor Ammiano

State of the City's Health Report from Director, Department of Public Health.

Dr. Mitchell H. Katz appeared and presented his report orally and in writing.

FILED.

SPECIAL ORDER 4:00 P.M.**990766 [Public Hearing]**

Hearing of persons interested in or objecting to proposed Resolutions approving or disapproving abandonment of a portion of the Municipal Railway service on Line 33-Stanyan and establishment of substitute service.

The departmental representative gave a brief presentation before the privilege of the floor was granted to the following speakers:

Male speaker; Jim Evans.

(Only one of the following two resolutions should be adopted.)**990718 [MUNI Service, Line 33-Stanyan]**

Resolution approving abandonment of a portion of the service on Line 33-Stanyan; establishment of substitute service. (Public Transportation Commission)

(Companion measure to File 990719.)

Resolution No. 424-99

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

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

Absent: 1 - Brown

990719 [MUNI Service, Line 33-Stanyan]

Resolution disapproving abandonment of a portion of the service on Line 33-Stanyan; disapproving establishment of substitute service. (Public Transportation Commission)

(Companion measure to File 990718.)

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

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

Absent: 1 - Brown

ROLL CALL FOR INTRODUCTIONS**PUBLIC COMMENT**

J. B. Saunders, ethnic cleansing of Black Americans in San Francisco;
Eula Walters, Blocks 202 and 203, Ferry Park;
Daniel Pieste, free speech, criticisms of legislators;
Shannan Coughlin, Department of Public Health staffing policy;
William C. Brady, Coalition to Save Public Health;
Ronald Johnson, Mission and Van Ness Flea Market eviction;
Marianne O'Connell, re-investigation of Jane O'Connell Municipal Railway accident ;
Vicky Semones, Municipal Railway accident , oppose preempt switches;
Susan Bartawzki, Jane O'Connell Municipal Railway accident ;
David Pasquarelli, Act Up, oppose needle exchange emergency;
Jim Keener, oppose Sisters of Perpetual Indulgence form of free speech;
Todd Swindell, lack of alternative food for jail inmates, oppose AIDS drug treatments;
Richard Cornwall, healthier sex education and sexually transmitted disease reduction;
Street resident, ease up on issuing citations to homeless, equal enforcement;
Male speaker, oppose personal attacks but supports free speech;
Female speaker, needs clarification on substance abuse or substance abuse with HIV;
Michael Petrellis, oppose needle exchange emergency, decline in AIDS cases;
Abdalla Megahed, Mother's Day, State of Public Health report.

CLOSED SESSION

Conference with City Attorney - Litigation

[Convene in Closed Session]

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

990905 [Anticipated Litigation]

Potential litigation as plaintiff against gun and ammunition manufacturers, distributors and retailers as permitted by Government Code Section 54956.9(c). (City Attorney)

Supervisor Katz, seconded by Supervisor Becerril, moved ADOPTION to convene in closed session. The motion carried by the following vote:

Ayes: 10 - Ammiano, Becerril, Bierman, Brown, Katz, Kaufman, Ieno, Newsom, Yaki, Yee

Absent: 1 - Teng

HEARD IN CLOSED SESSION.

Recess

The Board recessed at the hour of 5:13 p.m. to convene in closed session pursuant to above motion.

Reconvening of the Board

The Board, at the hour of 5:36 p.m., reconvened.

Calling the Roll

On call of the roll, the following Supervisors were noted present: Supervisors Ammiano, Bierman, Becerril, Brown, Katz, Kaufman, Leno, Newsom, Yaki, Yee - 10.

Noted Absent: Supervisor Teng - 1.

Quorum present

Report on Closed Session

Deputy City Attorney Tom Owens reported that the Board has met in closed session with the City Attorney regarding above pending litigation, as permitted by Government Code Section 54956.9(a).

The meeting was informational only and no action was taken.

[Elect Not to Disclose]

Motion that the Board finds that it is in the best interest of the public that the Board elect at this time not to disclose its closed session deliberations concerning the above matter.

Supervisor Yaki, seconded by Supervisor Leno, moved ADOPTION to not disclose its closed session deliberations. The motion carried by the following vote:

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

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.

990873 [Redevelopment Survey Area]

Supervisors Brown, Bierman, Katz

Resolution amending Resolution No. 26-95 to formally designate the name of the Redevelopment survey area as the Bayview Hunters Point Survey Area.

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

Resolution No. 439-99

ADOPTED

990882 [Grant Funds]

Supervisors Yee, Bierman, Katz

Resolution authorizing the City and County to accept a grant for the Office of the Public Defender in the amount of \$98,857 from the State of California Office of Criminal Justice Planning for the Vertical Representation of Indigent Defendants program.

Supervisor Katz requested to be added as co-sponsor.

Resolution No. 419-99

ADOPTED

990883 [State Legislation, SB 494, Bay Trail Network Funding]

Supervisors Leno, Bierman, Newsom, Katz

Resolution supporting SB 494 to fund a competitive local grant program to extend and maintain the San Francisco Bay Trail network.

Supervisor Katz requested to be added as co-sponsor.

Resolution No. 420-99

ADOPTED

990884 **[Highway 280 Soundwall Construction Project]**
Supervisor Leno

Resolution urging the Department of Public Works to fund a project study report for a soundwall construction project along Highway 280 adjacent to St. Mary's Park.

Resolution No. 440-99

ADOPTED

990886 **[Commendation]**
Supervisors Brown, Kaufman, Bierman, Katz, Leno, Newsom, Teng

Resolution commending Ms. Onika McGriff for the loyalty, honesty and dedication she displayed while serving as a legislative aide.

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

Resolution No. 442-99

ADOPTED

990887 **[Commendation]**
Supervisors Yee, Katz, Newsom

Resolution commending Mae E. Threadgill for her career in education and service with the San Francisco Unified School District, congratulating her on her retirement, and proclaiming June 4, 1999 Mae E. Threadgill Day.

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

Resolution No. 443-99

ADOPTED

990888 **[Proclamation]**
Supervisors Becerril, Katz, Teng

Resolution declaring April 30 Children's Day - El Dia De Los Ninos.

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

Resolution No. 444-99

ADOPTED

990889 **[Commendation]**
Supervisors Leno, Katz, Ammiano

Resolution commending Rabbi Jane Rachel Litman for her work with Congregation Sha'ar Zahav.

Supervisor Ammiano requested to be added as co-sponsor.

Resolution No. 445-99

ADOPTED

- 990890 [Commendation]
Supervisors Leno, Kaufman, Bierman, Teng, Newsom, Becerril, Ammiano, Katz, Yaki

Resolution honoring Jo Schuman Silver and the cast of Beach Blanket Babylon.

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

Resolution No. 446-99

ADOPTED

- 990891 [Commendation]
Supervisors Newsom, Katz

Resolution commending Raymond Abinanti for his long-standing, distinguished and dedicated service to the City and County of San Francisco with the Departments of Electricity, Public Works and Parking and Traffic.

Supervisor Katz requested to be added as co-sponsor.

Resolution No. 447-99

ADOPTED

- 990892 [Proclamation]
Supervisors Teng, Yee, Ammiano, Bierman, Becerril, Katz, Newsom, Yaki

Resolution congratulating Public Advocates, Inc. on twenty eight years of legal work in the public's interest and declaring May 13, 1999, to be "Public Advocates, Inc. Day" in San Francisco.

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

Resolution No. 448-99

ADOPTED

- 990896 [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. M99-50

APPROVED

The foregoing items were acted upon by the following vote:

Ayes: 9 - Ammiano, Becerril, Bierman, Brown, Kaufman, Leno, Newsom, Yaki, Yee

Absent: 2 - Katz, Teng

Severed From For Adoption Without Committee Reference Agenda

990885 [Commendation]

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

Resolution commending the Rev. Jesse Jackson, Dr. Rev. Joan Brown Campell and the Mission of United States Religious leaders for securing the release of the three American soldiers who had been held in captivity by Yugoslavian authorities for more than a month and urging President Clinton and NATO to seize upon President Milosevic's decision to release those prisoners as an opportunity to pursue peace and diplomacy in lieu of continued hostilities with Belgrade.

Supervisor Brown requested that this item be severed so he could make a clerical correction.

Resolution No. 441-99

SEVERED FROM FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA.

Supervisor Brown, seconded by Supervisor Yaki, moved to amend to correct the spelling of "Yugoslavian" wherever it appears in the legislation. The motion carried by the following vote:

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

Absent: 1 - Teng

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

ADOPTED AS AMENDED by the following vote:

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

Absent: 1 - Teng

IMPERATIVE AGENDA

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

[Purely Commendatory Finding]

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

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

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

Absent: 1 - Teng

[Brown Act Finding]

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

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

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

Absent: 1 - Teng

Imperative Resolution**990933 [Commendation]**

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

Resolution honoring the National Center for Lesbian Rights for their outstanding work on behalf of lesbian rights and for their celebration of lesbians who have provided leadership and guidance to our community.

Resolution No. 449-99

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

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

Absent: 1 - Teng

OFF-CALENDAR LEGISLATION

Introduced by Supervisors or Mayor

Ordinances

**990818 [Annual Residential Rent Control Fee Increase]
Supervisors Ammiano, Bierman**

Ordinance amending Administrative Code Sections 37A.1, 37A.2, 37A.6, 37A.8, 37A.9, 37A.10 and 37A.11 to increase annual maximum residential rent control fees from \$10 to \$16 per unit; providing that an owner seeking recovery of the fee shall deduct it from security deposit interest payments owed the tenant, except that the owner may directly bill the tenant if interest is paid annually; providing for owner banking and future collection of the fee from the tenant; repealing obsolete Sections 37A.8 and 37A.9 and renumbering Sections 37A.10 and 37A.11 as 37A.8 and 37A.9; and with other technical changes.

(Amends Sections 37A.1, 37A.2, 37A.6, 37A.8, 37A.9, 37A.10 and 37A.11; repeals Sections 37A.8 and 37A.9; renumbers Sections 37A.10 and 37A.11.)

4/26/99, ASSIGNED UNDER 30 DAY RULE to Housing and Social Policy Committee, expires on 5/26/1999.
5/10/99, SUBSTITUTED.

5/10/99, ASSIGNED UNDER 30 DAY RULE.

**990934 [Appropriation, Dept. of Children, Youth and Families]
Supervisors Ammiano, Bierman**

Ordinance appropriating \$150,000, Department of Children, Youth and Families, from the General Fund Reserve to fund the New Conservatory Theatre Center, providing arts and health education programs for San Francisco youth, for fiscal year 1998-1999.

5/10/99, RECEIVED AND ASSIGNED to Finance and Labor Committee.

**990935 [Public Nuisance]
Supervisor Brown**

Ordinance amending Police Code by adding Article 48 (Sections 4800 through 4802) establishing that any vehicle used to solicit an act of prostitution, or to acquire or attempt to acquire a controlled substance is a nuisance and subject to seizure and forfeiture.

(Adds Article 48, Sections 4800, 4801, 4802.)

5/10/99, ASSIGNED UNDER 30 DAY RULE to Housing and Social Policy Committee, expires on 6/9/1999.

**990936 [MOU Amendment, Police Officers Association]
Mayor, Supervisor Brown**

Ordinance implementing Amendment No. 3 to the 1996-2001 Memorandum of Understanding between the San Francisco Police Officers' Association and the City and County of San Francisco to amend salary provisions for represented classes and to authorize action to rectify prior retirement status for former Airport Police Officers, effective July 1, 1999.

(Fiscal impact.)

5/10/99. RECEIVED AND ASSIGNED to Finance and Labor Committee.

Resolutions

**990937 [Peninsula Watershed Golf Course Prohibition]
Supervisors Ammiano, Katz, Leno, Newsom, Yaki, Yee**

Resolution prohibiting inclusion of a golf course as an element of the Peninsula Watershed Management Plan and prohibiting construction of a new golf course at any location in the Peninsula Watershed.

5/10/99, RECEIVED AND ASSIGNED to Parks and Recreation Committee.

**990938 [Advisory Off-Leash Dogs Task Force, Extend Date]
Supervisor Brown**

Resolution amending Resolution No. 846-98, to extend the sunset date of the Advisory Dogs Off-leash Task Force from March 24, 1999 to May 27, 1999 so that such task force can consider and recommend an effective off-leash policy, consider alternative ways to creatively finance the costs associated with increasing the number of dog off-leash areas in neighborhood parks, and consider and recommend how the City can effectively and fairly enforce its laws and regulations pertaining to dogs.

5/10/99, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**990939 [Pedestrian Crossing Signal Time]
Supervisor Teng**

Resolution urging the Department of Parking and Traffic to implement traffic signal timings using a pedestrian walking speed of 2.5 feet per second when such timings do not create levels of congestion in excess of the standards of the City's congestion management program street network or require an environmental impact analysis according to the California Environmental Quality Act and to submit a report on the status of this implementation to the Board of Supervisors within three months.

5/10/99, RECEIVED AND ASSIGNED to Transportation and Land Use Committee.

**990940 [Street Artists Selling Spaces]
Supervisor Teng**

Resolution designating six temporary selling spaces on Union Street, north side, at Stockton Street; three selling spaces on Stockton Street, east side, at Columbus Avenue; and six selling spaces on Green Street, north side, at Columbus Avenue, for Street Artists certified by the Art Commission, City and County of San Francisco; designation commencing with displacement of twenty-one spaces on Hyde Street, east side, Beach to Jefferson Streets, due to renovation of Haslett Warehouse (Wharfside Building); exempting said six spaces on Union Street, north side, at Stockton Street, from the provisions of Police Code Section 2405(C)(1), requiring street artists to sell not more than four and one-half feet from the curb line of a sidewalk, and the provisions of Police Code Section 2405 (C)(8)(3), requiring street artists to sell not adjacent to a curb designated as a bus zone; exempting said three spaces on Stockton Street, east side, at Columbus Avenue, from the provisions of Police Code Section 2405(C)(11), requiring street artists to sell not within five feet of the display of another street artist; exempting one of said three spaces on Stockton Street, east side, at Columbus Avenue, and five of said six spaces on Green Street, north side, at Columbus Avenue, from the provisions of Police Code Section 2405(C)(6), requiring street artists to sell not within twelve feet of any building entrance; and terminating said six spaces on Union Street, north side, at Stockton Street; said three spaces on Stockton Street, east side, at Columbus Avenue; and said six spaces on Green Street, north side, at Columbus Avenue, upon completion of renovation of Haslett Warehouse and restoration of said twenty-one spaces on Hyde Street, east side, Beach to Jefferson Streets.

5/10/99, RECEIVED AND ASSIGNED to Small Business, Economic Vitality and Consumer Services Committee.

**990941 [School Garden Projects]
Supervisors Ammiano, Katz, Teng**

Resolution supporting the development of a centralized support center in the San Francisco Unified School District to coordinate and strengthen school garden projects and urging the San Francisco Unified School District to cooperate with community based organized organizations to develop and implement the garden project support center.

5/10/99, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**990942 [Mission Branch Library]
Supervisors Becerril, Bierman, Katz, Ammiano**

Resolution acknowledging that the Mission Branch Library deserves landmark status and urging the Landmarks Preservation Advisory Board to consider landmark designation.

5/10/99, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**990943 [State Legislation, AB 1413, Highway Outdoor Advertising]
Supervisor Becerril**

Resolution endorsing California Assembly Bill 1413 (Shelley) and acknowledging and accepting provisions in the bill that require San Francisco to indemnify the State against any liability with regard to the placement of advertising displays on street furniture adjacent to State and Federal highways in San Francisco.

5/10/99, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**990944 [Raising Lake Merced Water Level]
Supervisors Teng, Newsom, Yaki, Becerril, Kaufman, Ammiano, Katz, Bierman**

Resolution urging the Public Utilities Commission to raise the water level of Lake Merced by immediately seeking the necessary concurrence from the Department of Fish and Game and the Golden Gate Audubon Society to discharge excess imported surface water into Lake Merced, urging the Department of Fish and Game and the Golden Gate Audubon Society to provide their concurrence and to do so as expeditiously as possible, and instructing the Public Utilities Commission to report to the Board of Supervisors no later than one month from the passage of this resolution as to what progress has been made to complete this request.

5/10/99, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**990945 [Chinese Embassy, Belgrade]
Supervisors Yee, Ammiano**

Resolution urging the San Francisco's Congressional Delegation to urge President William Jefferson Clinton to publicly disclose the details and findings of the investigations regarding the bombing of the Chinese Embassy in Belgrade on May 7, 1999.

5/10/99, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**990946 [Preemption Traffic Signal]
Supervisors Yaki, Katz, Ammiano**

Resolution urging the Department of Parking and Traffic and Muni officials to develop signage at City intersections which preemptive signals have been installed and to conduct an intensive safety review of the latest string of accidents to investigate how and why these accidents occurred and how to prevent further accidents from happening.

5/10/99, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

990947 [State Legislation, AB 919, Land Use, Affordable Housing]
Supervisor Becerril

Resolution urging the California State Legislature and Governor Davis to approve State Assembly Bill 919 to encourage the development of housing affordable to low and moderate income households.

5/10/99, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

990948 [State Legislation, Proposition 187, Immigrants]
Supervisors Bierman, Ammiano, Brown, Leno, Yaki, Yee, Teng, Becerril, Katz

Resolution urging Governor Gray Davis not to mediate the legality of Proposition 187 but instead to withdraw the appeal initiated under former Governor Wilson and allow the Federal District Court's ruling to be the final word on Proposition 187.

5/10/99, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

990949 [State Legislation, AB 394, Acute Care Nurse to Patient Ratios]
Supervisors Brown, Bierman, Ammiano

Resolution urging the California Legislature to pass Assembly Bill 394, relating to nurse to patient ratios.

5/10/99, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

990950 [State Legislation, Oppose AB 1482, Animal Care and Control Standards Delay]
Supervisor Leno

Resolution urging the California State Legislature to oppose AB 1482, which would delay implementation of humane animal care and control standards.

5/10/99, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

990951 [State Legislation, AB 71, Carpool Lane Use]
Supervisor Newsom

Resolution supporting AB 71, which will extend the use of carpool lanes to inherently low-emission vehicles (ILEV'S) which display special license plates, regardless of the number of passengers.

5/10/99, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**990952 [Commendation]
Supervisors Brown, Teng**

Resolution commending Claire Shea for her outstanding commitment to the Outer Mission community and declaring Saturday, May 15, 1999, "Claire Shea Day" in San Francisco.

5/10/99, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**990953 [Commendation]
Supervisors Leno, Bierman, Becerril, Katz, Newsom, Teng, Ammiano**

Resolution commending John Ricker and Peaceful Streets for working to prevent gun violence in San Francisco and supporting Peaceful Street's gun turn-in program.

5/10/99, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**990954 [Commendation]
Supervisor Yee**

Resolution commending King Ming Lam on being awarded the honor of Eagle Scout.

5/10/99, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**990955 [Commendation]
Supervisor Yee**

Resolution commending Steven Andrew Hong on being awarded the honor of Eagle Scout.

5/10/99, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Requests for Hearing

**990956 [City Hall Third and Fourth Floor Spaces]
Supervisor Ammiano**

Hearing to examine the under usage of the third and fourth floor space of City Hall and to determine ways to maximize the utilization of existing space.

5/10/99, RECEIVED AND ASSIGNED to Finance and Labor Committee.

990957 **[Public Access to City's Golf Courses]**
Supervisor Brown

Hearing to consider whether or not rules and regulations need to be created to insure that the general public has adequate access to the City's golf courses in light of the number of tournaments presently being played on such courses and the adverse impacts such tournaments have on public access.

5/10/99, RECEIVED AND ASSIGNED to Parks and Recreation Committee.

990958 **[Teen Pregnancy, Unprotected Sex, Sexually Transmitted Diseases]**
Supervisor Leno

Hearing to investigate the issue of teen pregnancy, unprotected sex and transmission of sexually transmitted diseases among youth in San Francisco.

5/10/99, RECEIVED AND ASSIGNED to Public Health and Environment Committee.

Motions

990959 **[Budget Analyst Review]**
Supervisors Leno, Katz, Becerril, Ammiano

Motion directing the Board of Supervisors Budget Analyst to review the decision of the San Francisco Department of Public Health to charge patients for medication.

5/10/99, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Introduced by the President at the Request of Departments

PROPOSED ORDINANCES

990913 **[Amendment to MOU, Local 261, Class 7501]**

Ordinance implementing Amendment No. 2 to the 1997-2001 Memorandum of Understanding between the Laborers Local 261 and the City and County of San Francisco by adding a provision to establish the step increase schedule for Class 7501 employees as set forth in the Memorandum of Understanding Article 111.K, effective July 1, 1999. (Department of Human Resources)

5/5/99, RECEIVED AND ASSIGNED to Finance and Labor Committee.

990914 **[Amendment to MOU, Local 216]**

Ordinance implementing Amendment No. 1 to the 1998-2001 Memorandum of Understanding between the Teamsters Local 216 and the City and County of San Francisco to correct clerical omissions by: 1) adding a provision for a minimum period of time and rate of pay for certain overtime assignments; 2) incorporating rule changes by the City's Retirement Board regarding crediting of accrued sick leave for retirement purposes; and 3) adding language regarding contributions to the employee tuition reimbursement fund as set forth in the Memorandum of Understanding, effective July 1, 1999. (Department of Human Resources)

5/5/99, RECEIVED AND ASSIGNED to Finance and Labor Committee.

990915 [Amendment to MOU, Local 6, Class 7371]

Ordinance implementing Amendment No. 1 to the 1997-2001 Memorandum of Understanding between the International Brotherhood of Electrical Workers Local 6 and the City and County of San Francisco to establish salary schedules and salary step placement provisions for the newly created classification, Class 7371 Electrical Transit Mechanic, effective July 1, 1999. (Department of Human Resources)

(Fiscal impact.)

5/5/99, RECEIVED AND ASSIGNED to Finance and Labor Committee.

990916 [Employee Health Coverage]

Ordinance amending Administrative Code Section 16.157, approving Health Service System plans and rates of contribution as adopted by the Health Service Board. (Department of Human Resources)

5/5/99, RECEIVED AND ASSIGNED to Finance and Labor Committee.

990917 [Appropriation, Airport]

Ordinance appropriating \$57,111,485, Airport Commission, of various Bond fund balances and interest earned to fund capital improvement projects, including construction of the new underground West Field Detention Pond, the Concourse H/Airtrain Station, and other approved infrastructure projects in the Airport's capital plan, for fiscal year 1998-1999. (Airport Commission)

(Fiscal impact.)

5/5/99, RECEIVED AND ASSIGNED to Finance and Labor Committee.

990918 [Water Rates]

Ordinance approving revised schedule of service fees to be charged by the San Francisco Public Utilities Commission to retail water customers in San Francisco and suburban areas. (Public Utilities Commission)

5/5/99, RECEIVED AND ASSIGNED to Finance and Labor Committee. With direction to report back to Board May 24, 1999.

5/10/99, SUBSTITUTED.

5/10/99, ASSIGNED to Finance and Labor Committee.

990919 [Sewer Service Charge]

Ordinance adopting and imposing schedules of sewer service charges to be paid by users for fiscal year 1999-2000 pursuant to Public Works Code Articles 4.1 and 4.2. (Public Utilities Commission)

(Certificate of Determination of Exemption/Exclusion from Environmental Review dated 5/4/99.)

5/5/99, SCHEDULED FOR PUBLIC HEARING to Board of Supervisors. Scheduled for May 24, 1999.

990921 [Bond Special Election]

Ordinance calling and providing for a special election to be held in the City and County of San Francisco on Tuesday, November 2, 1999, for the purpose of submitting to the voters of the City and County of San Francisco a proposition to incur bonded and/or other evidences of indebtedness of the City and County in the principal amount of \$437,045,000 for the acquisition, construction and/or reconstruction of a health care and assisted living or other type of continuing care facility or facilities to replace Laguna Honda Hospital; providing for the use of tobacco settlement revenues and for the use of State and/or Federal funds received by the City and County that are designated to fund such new facility or facilities; finding that the estimated cost 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 project; 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/or other evidences of indebtedness and providing for the levy and collection of taxes to pay both principal and interest thereof; prescribing notice to be given of such 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. (Department of Public Health)

(Fiscal impact: Companion measure to File 990910.)

5/5/99, ASSIGNED UNDER 30 DAY RULE to Finance and Labor Committee, expires on 6/9/1999.

990924 [Water Rates]

Ordinance approving revised schedule of rates to be charged by the San Francisco Public Utilities Commission for water service to its suburban resale customers. (Public Utilities Commission)

(Fiscal impact.)

5/5/99, RECEIVED AND ASSIGNED to Finance and Labor Committee. With direction to report back to Board May 24, 1999.

PROPOSED RESOLUTIONS**990865 [Grant - Federal]**

Resolution authorizing the Public Transportation Commission to accept and expend \$127,466,316 of Federal Surface Transportation Program, (STP), and Section 5307 Capital Assistance for Six Municipal Railway Capital Projects, including \$1,357,700 for administrative overhead costs. (Public Transportation Commission)
4/28/99, RECEIVED AND ASSIGNED to Transportation and Land Use Committee.

990866 [Boating Safety]

Resolution authorizing the San Francisco Police Department to participate in the California Department of Boating and Waterways Safety and Enforcement Financial Aid Program. (Police Commission)
4/29/99, RECEIVED AND ASSIGNED to Housing and Social Policy Committee.

990868 [Eminent Domain, "Hawk Hill" - Open Space Acquisition]

Resolution authorizing acquisition of Lots 13 through 17, in Assessor's Block 2338A, Lots 4 through 13 in Assessor's Block 2338, Lots 2 through 7 in Assessor's Block 2337 (Hawk Hill Natural Area), all in San Francisco, by eminent domain for the Open Space Program, and adopting findings under Planning Code Section 101.1. (Real Estate Department)

(Fiscal impact: Categorically exempt from the environmental review process under a General Rule Exclusion, pursuant to California Environmental Quality Act (CEQA); Planning Commission Resolution No. 14014 adopted April 25, 1996, adopting findings of conformity with the Recreation and Open Space Element of the Master Plan.)

5/10/99, SCHEDULED FOR PUBLIC HEARING. Scheduled for June 28, 1999, at 3:00 p.m.

990875 [Revocable Permit, Pacific Bell Park Construction Operations]

Resolution granting revocable permission to Huber, Hunt and Nichols, Inc. Construction Company to temporarily close and occupy the east sidewalk and a portion of the street area on 3rd Street between King and Berry Streets and the south sidewalk and a portion of the street area on King Street between 2nd and 3rd Streets to conduct construction operations at the Pacific Bell Park (Block 3794, Lot 28). (Department of Public Works)

5/3/99, RECEIVED AND ASSIGNED to Transportation and Land Use Committee.

990876 [Grant - State]

Resolution authorizing the Executive Director of the Port of San Francisco to accept and expend \$400,000 of State funds from the California Department of Boating and Waterways for Marina Pollution Prevention and Water Quality Improvements at the Hyde Street Fishing Harbor, and forgoing reimbursement of indirect costs; and authorizing the Port of San Francisco to hold the State of California harmless as required in the grant agreement. (Port)

5/7/99 - Clerically corrected by clerk page 1 line 7 and page 4 line 3, replace "foregoing" with "forgoing".

5/3/99, RECEIVED AND ASSIGNED to Transportation and Land Use Committee.

5/7/99, CLERICAL CORRECTION. 5/7/99 - Clerically corrected by clerk page 1 line 7 and page 4 line 3, replace "foregoing" with "forgoing".

990898 [Stop Intersections]

Resolution designating certain intersections as "STOP" intersections:

STOP SIGNS - ESTABLISH

21st and Castro Streets, northeast and southwest corners, stopping 21st Street (makes this uncontrolled intersection a two-way STOP)

Detroit Street and Mangels Avenue, northwest and southeast corners, stopping Detroit Street (makes this uncontrolled intersection a two-way STOP)

Blanken and Peninsula Avenues, all corners, stopping all approaches (makes this uncontrolled intersection an all-way STOP)

Gillette and Lathrop Avenues, northwest corner, stopping southbound Gillette Avenue (makes this uncontrolled T-intersection a one-way STOP)

Lathrop and Tocoloma Avenues, all corners, stopping all approaches (makes this uncontrolled intersection an all-way STOP)

Nueva and Blanken Avenues, northwest and southeast corners, stopping Nueva Avenue (makes this uncontrolled intersection a two-way STOP)

Nueva and Lathrop Avenues, northwest corner, stopping southbound Nueva Avenue (makes this uncontrolled T-intersection a one-way STOP)

Peninsula and Lathrop Avenues, northwest and southeast corners, stopping Peninsula Avenue (makes this uncontrolled intersection a two-way STOP) (Department of Parking and Traffic)

5/4/99, RECEIVED AND ASSIGNED to Transportation and Land Use Committee.

990899 [Parking Regulations, Various Locations]

Resolution enacting and rescinding parking regulations at various locations:

NO PARKING ANYTIME - RESCIND

TOW-AWAY, NO PARKING ANYTIME - ESTABLISH

Fella Place, both sides, between Pine and Bush Streets

RESIDENTIAL PERMIT PARKING AREA "J" (2-HOUR TIME LIMIT, 8 AM - 6 PM, MONDAY THROUGH FRIDAY) - ESTABLISH

8th Avenue, both sides, between Irving and Judah Streets (1300 block) (Department of Parking and Traffic)

5/4/99, RECEIVED AND ASSIGNED to Transportation and Land Use Committee.

990900 [Traffic Regulations, Various Streets]

Resolution enacting and rescinding traffic regulations on various streets:

BICYCLE LANES - ESTABLISH

7th Street, east curb lane (northbound only), between Bryant and Townsend Streets
San Bruno Avenue, both curb lanes (both directions), between Mansell Street and Campbell Avenue
Polk Street, west curb lane (southbound only), between Grove and Hayes Streets

TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH

Polk Street, west side, between Hayes and Lech Walesa Streets

NO LEFT TURN - ESTABLISH

Turk Street, eastbound, at Broderick Street

NO TURN ON RED - ESTABLISH

South Van Ness Avenue, northbound, at Market Street

ONE-WAY STREET - ESTABLISH

Landers Street, northbound, between 14th and 15th Streets (Department of Parking and Traffic)
5/4/99, RECEIVED AND ASSIGNED to Transportation and Land Use Committee.

990901 [Grant - Federal]

Resolution authorizing the Public Transportation Commission to accept and expend \$28,171,395 of Federal Surface Transportation Program (STP), and Section 5307 Capital Assistance for four Municipal Railway capital projects and One Department of Parking and Traffic capital project, including \$369,702 for administrative overhead costs. (Public Transportation Commission)
5/4/99, RECEIVED AND ASSIGNED to Transportation and Land Use Committee.

990902 [Lease of Property]

Resolution approving extension and second modification of commercial lease for Parcel No. 2 at the Moscone Center Garage (257 Third Street between Folsom and Howard Streets). (Real Estate Department)
5/4/99, RECEIVED AND ASSIGNED to Finance and Labor Committee.

990908 [Lease of Real Property]

Resolution authorizing a lease of real property at 1975-1999 Bryant Street for the Department of Parking and Traffic. (Real Estate Department)
5/5/99, RECEIVED AND ASSIGNED to Finance and Labor Committee.

990909 [Renewal, Long Term Provisional Appointments]

Resolution approving the renewal of provisional appointments through December 31, 1999, for employees in classes for which no eligible list exists and who have been employed in the class more than three years, pursuant to San Francisco Charter Section 10.105 and upon certification by the Human Resources Director that, for reasons beyond her control, the Department has been unable to conduct examinations for these positions. (Department of Human Resources)

5/5/99, RECEIVED AND ASSIGNED to Finance and Labor Committee.

990910 [Laguna Honda General Obligation Bond Debt]

Resolution determining and declaring that public interest and necessity demand the acquisition, construction and/or reconstruction by the City and County of San Francisco of a health care and assisted living or other type of continuing care facility or facilities to replace Laguna Honda Hospital and all other works, property and structures necessary or convenient for the foregoing purposes, including funding for infrastructure or other improvements to such new facility or facilities, and that the estimated cost of \$437,045,000 for such municipal improvements 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 the incurring of bonded and/or other evidences of indebtedness. (Department of Public Health)

(Fiscal impact; Companion measure to File 990921.)

5/5/99, ASSIGNED UNDER 30 DAY RULE to Finance and Labor Committee, expires on 6/9/1999.

PROPOSED MOTIONS**990867 [Public Hearing - Eminent Domain]**

Supervisor Bierman

Motion directing the Board of Supervisors to hold a public hearing on June 28, 1999, at 3:00 p.m. to consider adopting a resolution of necessity for the City's proposed acquisition by eminent domain for the Open Space Program of Lots 13 through 17 in Assessor's Block 2338A, Lots 4 through 13 in Assessor's Block 2338, and Lots 2 through 7 in Assessor's Block 2337, all in San Francisco. (Real Estate Department)

(Property known as "Hawk Hill", in the vicinity of 14th Avenue and Rivera, near Herbert Hoover Middle School. Fiscal impact; Companion measure to Files 990868 and 990869.)

5/10/99, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Requests Granted

By Supervisor Becerril, that letter be sent to the Director, City Planning, to determine the status and anticipated completion date of a report on Neighborhood Commercial Zoning controls are required in Section 701.2 of the Planning Code.

By Supervisor Brown, that letter be sent to the City Attorney requesting legislation be drafted which would amend the Administrative Code to provide that the City and County of San Francisco performs a biannual study of its Rent Control and Arbitration Ordinance and to provide that a detailed economic report be performed before the passage of any significant additions or deletions to the aforementioned ordinance.

By Supervisors Katz, Kaufman, Becerril, Newsom, that letter be sent to the City Attorney, Clerk of the Board and the Department of Elections to review and develop a recommended uniform policy for making legislative amendments so that there is a consistent policy used by the City to indicate proposed legislative additions and deletions. This recommended policy should be consistent with the procedures used by the Department of Elections in the voter's information pamphlets for proposed charter amendments and ballot initiatives.

By Supervisor Katz, that letter be sent to the City Attorney requesting legislation be drafted and/or determine necessary steps for enabling non-profit entities that contract with the City to provide services to be able to buy into and/or have reduced rates for enrolling employees in the Health Service System.

In Memoriams

Joseph Rosenblatt (Supervisor Kaufman)

Rebecca B. Stark (Supervisor Brown)

Norma Goldstein (Supervisor Katz)

Jane O'Connell (By the entire Board)

ADJOURNMENT

There being no further business, the Board at the hour of 5:37 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 July 12, 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