

Monday, August 24, 1998

Journal of Proceedings

The Minutes of the

Board of Supervisors

City and County of San Francisco

DOCUMENTS DEPT.

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JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

Monday, August 24, 1998 - 2:00 p.m.

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

CALLING THE ROLL

The meeting was called to order at 2:05 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Ammiano, Bierman, Brown, Kaufman, Leno, Medina, Yaki, Yee - 8.

Noted absent at first roll call:

Supervisors Katz, Newsom, Teng - 3.

Quorum present.

Supervisor Katz was noted present at 3:19 p.m.

Supervisor Newsom was noted present at 2:08 p.m.

Supervisor Teng excused. (See infra.)

Supervisor Teng Excused

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

Supervisor Yaki, seconded by Supervisor Medina, moved to excuse Supervisor Teng from attendance.

Motion adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Kaufman, Leno, Medina, Yaki, Yee - 8.

Absent: Supervisors Katz, Newsom, Teng - 3.

APPROVAL OF JOURNALS

There being no errors, corrections or omissions, Supervisor Yaki, seconded by Supervisor Leno, moved that the Journals of Proceedings for Monday, June 22 and June 29, 1998 be approved.

Motion carried by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Kaufman, Leno, Medina, Yaki, Yee - 8.

Absent: Supervisors Katz, Newsom, Teng - 3.

SPECIAL ORDER 2:00 P.M.

COMMITTEE REPORTS

Recommendations of Rules Committee

Adopted

[Rebuttal to Ballot Argument Against Proposition A]

Motion submitting rebuttal to opponent's argument against Proposition A, charter amendment concerning police officers retirement plan. (Clerk of the Board)

File 98-1367, Motion No. M98-116

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Kaufman, Leno, Medina, Yaki, Yee - 8.

Absent: Supervisors Katz, Newsom, Teng - 3.

[Rebuttal to Ballot Argument Against Proposition B]
Motion submitting rebuttal to opponent's argument against Proposition B, charter amendment concerning customer service plan. (Clerk of the Board)

File 98-1368, Motion No. M98-117

Adopted by the following vote:

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

Absent: Supervisors Katz, Teng - 2.

[Rebuttal to Ballot Argument Against Proposition C]
Motion submitting rebuttal to opponent's argument against Proposition C, charter amendment concerning fire department paramedics retirement plan. (Clerk of the Board)

File 98-1369, Motion No. M98-118

Adopted by the following vote:

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

Absent: Supervisors Katz, Teng - 2.

[Rebuttal to Ballot Argument Against Proposition D]
Motion submitting rebuttal to opponent's argument against Proposition D, charter amendment concerning taxi commission. (Clerk of the Board)

File 98-1370, Motion No. M98-119

Adopted by the following vote:

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

Absent: Supervisors Katz, Teng - 2.

[Rebuttal to Ballot Argument Against Proposition F]
Motion submitting rebuttal to opponent's argument against Proposition F, stadium operator tax ordinance. (Clerk of the Board)

File 98-1371, Motion No. M98-120

Adopted by the following vote:

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

Absent: Supervisors Katz, Teng - 2.

[Rebuttal to Ballot Argument Against Proposition H]
Motion submitting rebuttal to opponent's argument against Proposition H, hotel tax surcharge ordinance. (Clerk of the Board)

File 98-1372, Motion No. M98-121

Adopted by the following vote:

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

Absent: Supervisors Katz, Teng - 2.

CONSENT CALENDAR

Recommendations of Finance Committee

Finally Passed

[Appropriation, Recreation and Park Department]

Ordinance appropriating \$426,800, Recreation and Park Department, of Culture and Recreation Special Fund Revenue balance for the dredging project - Marina Yacht Harbor, for fiscal year 1998-1999. (Mayor Willie L. Brown, Jr.)

File 98-1291, Ordinance No. 283-98

Finally passed.

Adopted

[Emergency Repair, Southeast Water Pollution Plant]

Resolution approving the expenditure of funds for the emergency work to demolish and remove the collapsed roof cover of SEWPCP Digester No. 5. - \$182,573.00. (Public Utilities Commission)

File 98-1321, Resolution No. 704-98

Adopted.

Recommendations of Rules Committee

Finally Passed

[Yee v. CCSF and Consolidated Actions]

Ordinance authorizing the settlement of the cross complaints of the City and County against cross-defendants A. Ruiz Construction Company ("Ruiz"), Haley and Aldrich ("Haley"), EPC Consultants, Inc. ("EPC"), and Underground Construction Managers ("Underground"), in the consolidated actions entitled Yee v. City and County and Consolidated Actions, for a combined settlement payment to the City in the amount of \$7,816,666. (City Attorney)

File 98-1237, Ordinance No. 279-98

(Superior Court No. 980-740.)

Finally passed.

[Board of Appeals]

Ordinance amending Part III, Municipal Code, to reduce the number of votes required to grant a rehearing from 4 to 3 when there is a vacant seat on the Board. (Board of Appeals)

File 98-1250, Ordinance No. 280-98

(Amends Section 16.)

Finally passed.

[Settlement of Grievance - MEA v. CCSF]

Ordinance authorizing settlement of class grievance regarding medical reimbursement by the Municipal Executives Association against the City and County by the payment of an amount not to exceed a combined total of \$350,000. (Department of Human Resources)

File 98-1282, Ordinance No. 281-98

Finally passed.

[Settlement, Stuart Beach v. CCSF, et al.]

Ordinance authorizing settlement of the sexual discrimination lawsuit titled Stuart Beach v. City and County, et al., and grievance filed by Stuart Beach in an amount not to exceed \$79,739.31. (City Attorney)

File 98-1283, Ordinance No. 282-98

(Superior Court No. 994-565.)

Finally passed.

[Settlement, Stephens v. City and County]

Ordinance authorizing settlement of litigation of Maria Stephens against the City and County for \$600,000. (Supervisor Ammiano)

File 98-1293, Ordinance No. 284-98

Finally passed.

Recommendations of Health, Family & Environment Committee

Adopted

[Healthy Cities Project]

Resolution supporting the San Francisco Healthy Cities CHIPPS Senior Injury Prevention Collaborative Project. (Department of Public Health)

File 98-1186, Resolution No. 690-98

Adopted.

[Contract]

Resolution authorizing the Department of Public Health, Population Health and Prevention Division, to enter into a subcontract in the amount of \$12,203 with the Northern California Cancer Center, the primary contractor, to participate in a project to improve pap smear follow-up in a high-risk underserved population and which includes indemnification, binding arbitration, and rights in data clauses and which does not include patent infringement indemnification and false claims clauses; retroactive to March 1, 1998; waiving indirect costs. (Department of Public Health)

File 98-1247, Resolution No. 691-98

Adopted.

[Authorization to Indemnify]

Resolution authorizing the City, acting through its Commission on Aging and Department of Public Health, to enter into an agreement indemnifying and holding harmless the Regents of the University of California. (Commission on the Aging)

File 98-1248, Resolution No. 692-98

Adopted.

[Used Oil Recycling Grant]

Resolution authorizing the City Administrator to accept and expend up to \$514,897 in oil recycling grant funding from the California Integrated Waste Management Board; waiving indirect costs. (City Administrator)

File 98-1255, Resolution No. 693-98

Adopted.

[Emergency Custody, Juvenile Ward of the Court]

Resolution authorizing Chief Probation Officer of the Juvenile Probation Department to renew a contract with the California Youth Authority for emergency custody of a juvenile ward of the Court from the County of San Francisco; providing for ratification of actions previously taken. (Juvenile Probation Department)

File 98-1273, Resolution No. 695-98

Adopted.

[Diagnostic Treatment Services, Juvenile Ward]

Resolution authorizing the Chief Probation Officer of the Juvenile Probation Department to renew a contract with the California Youth Authority for diagnostic and treatment services and temporary detention not to exceed 90 days; providing for ratification of actions previously taken. (Juvenile Probation Department)

File 98-1274, Resolution No. 696-98

Adopted.

[Grant - State Funds]

Resolution authorizing the acceptance and expenditure of state grant funds by the San Francisco Department of Public Health for 1998-1999. (Department of Public Health)

File 98-1289, Resolution No. 697-98

Adopted.

[Grant - State Funds/CHIP Program]

Resolution authorizing the Department of Public Health to accept and expend retroactively a grant allocation of up to \$9,150,401 for fiscal year 1998-99 funding from the State Department of Health Services for California Healthcare for Indigents Program (CHIP) funds for medical services to indigent persons, professional services, medical services contracts, materials and supplies, facilities rental, personal services, and indirect costs in the amount of \$61,210, based on 14.1% of administrative and fiscal intermediary costs. (Department of Public Health)

File 98-1290, Resolution No. 702-98

Adopted.

Recommendations of Housing and Neighborhood Services Committee

Finally Passed

[Zoning Map Amendment, Historic Sign District]

Ordinance adopting changes in property use classification as an amendment to the Zoning Map in the block bounded by Bryant Street, Fifteenth Street, Florida Street and the extension of Alameda Street, identified as Lots 6 and 7 in Assessor's Block 3923, from a M-1 (Light Industrial) District to a M-1 (Light Industrial) and Historic Sign District; finding consistency with Planning Code Section 101.1; companion measure to File 98-0449. (Supervisors Kaufman, Medina)

File 98-0766, Ordinance No. 277-98

(Planning Commission Resolution No. 14641 adopted June 11, 1998, recommending the proposed amendment to the Zoning Map.)

Finally passed.

[Historic Sign District]

Ordinance amending the Planning Code, to exempt permitted historic signs from height limits, to clarify that permitted historic signs are exempt from the height limits for signs, to define an historic sign and an Historic Sign District and renumbering the subsequent definition sections; to make technical corrections consistent with the Charter; to permit historic signs to be exempt from certain limitations on roof signs and to have moving features; to exempt historic signs from the size limit of signs visible from freeways and to allow historic signs visible from freeways to be general advertising signs; to establish the criteria and conditions of an Historic Sign District and for authorizing, by conditional use permit, signs qualifying for such designation; companion measure to File 98-0766. (Supervisors Kaufman, Medina)

File 98-0449, Ordinance No. 276-98

(Planning Commission Resolution No. 14640 adopted June 11, 1998, recommending the proposed amendment with a suggested amendment.)

(Certificate of determination of exemption from environmental review adopted May 14, 1998.)

(Amend Sections 260, 262, 604, 607, 608.5; Adds new Sections 602.9, 608.14.)

Finally passed.

[Public Artworks, Historic Landmarks]

Ordinance amending Planning Code, to add historic landmarks to the list of authorized uses of the one percent set aside for public artwork, provided however that said use for historic landmarks terminates three years from the effective date of this ordinance. (Supervisors Newsom, Medina)

File 98-0260, Ordinance No. 275-98

(Planning Commission Resolution No. 14619 adopted May 14, 1998 recommending the proposed ordinance with a suggested amendment. General Rule Exclusion from environmental review dated May 5, 1998.)

(Amends Section 149.)

Finally passed.

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

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

Absent: Supervisors Katz, Teng - 2.

REGULAR CALENDAR

UNFINISHED BUSINESS

Recommendations of Finance Committee

Finally Passed

[Patient Day Rates, Fiscal Year 1998-99]

Ordinance amending Health Code, fixing patient rates for services furnished by City and County Healthcare institutions; authorizing retroactively the effective date of July 1, 1998. (Department of Public Health)

File 98-1236, Ordinance No. 278-98

(Amends Section 128.)

Finally passed by the following vote:

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

Absent: Supervisors Katz, Teng - 2.

Recommendation of Housing and Neighborhood Services Committee

Rereferred to Committee

[Massage Establishments]

Ordinance amending Planning Code, to prohibit certain massage establishments in the North of Market Residential Special Use District, to decrease the period of permitted discontinuance of an existing massage establishment from six months to three months, and to impose conditions upon a change of ownership or operation of existing massage establishment. (Supervisors Yee, Medina)

File 98-0520, Ordinance No.

(Planning Commission Resolution No. 14652 adopted July 9, 1998 recommending the proposed amendment with a suggested amendment. General Rule Exclusion from environmental review dated June 29, 1998.)

(Amend Sections 183, 209.8, 218.1 and 249.5.)

Supervisor Kaufman, seconded by Supervisor Bierman, moved to rerefer to Housing and Neighborhood Services Committee.

Motion to rerefer to Committee adopted by the following vote:

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

Absent: Supervisors Katz, Teng - 2.

Request Granted

The Clerk was directed to refer the above matter to the Small Business Advisory Commission.

NEW BUSINESS

Recommendations of Finance Committee

Passed on First Reading

[Department of Emergency Communications]

Ordinance amending Administrative Code, to eliminate the authority of the Director of Emergency Services to manage the City's 911 communications facility, to create a Department of Emergency Communications, under a Director of Emergency Communications appointed by the Mayor, to operate the City's 911 communications facility. (Supervisor Medina)

File 98-0997, Ordinance No.

(Amends Section 7.7;
Adds Section 2A.200.)

Passed on first reading by the following vote:

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

Absent: Supervisors Katz, Teng - 2.

[Flea Market]

Ordinance amending Administrative Code, authorizing City Administrator to establish and regulate a flea market at 100 Alemany Boulevard; charging vendors at the market a fee for the privilege of selling at the market; and ratifying and approving fees collected between June 1996 and the effective date of this ordinance. (Supervisors Newsom, Medina)

File 98-1088, Ordinance No.

(Adds Sections 9.B1 through 9B.9.)

Passed on first reading by the following vote:

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

Absent: Supervisors Katz, Teng - 2.

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

Passed on First Reading as Amended

[First Offender Prostitution Program Fee]

Ordinance amending Administrative Code, authorizing the District Attorney's Office to collect fees from participants in the First Offender Prostitution Program. (District Attorney)

File 98-1286, Ordinance No.

(Adds Section 10.193-1.)

Supervisor Kaufman, seconded by Supervisor Yaki, moved an amendment of the whole bearing same title.

Amendment of the whole adopted by the following vote:

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

Absent: Supervisors Katz, Teng - 2.

Passed on first reading as amended by the following vote:

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

Absent: Supervisors Katz, Teng - 2.

Adopted

[Purchase of 345 Randolph Street Property]

Resolution authorizing the purchase of 345 Randolph Street (Assessor's Parcel Number 7118/44) for the San Francisco Public Library's Oceanview Branch Library; and adopting findings under the California Environmental Quality Act and findings pursuant to Planning Code Section 101.1. (Real Estate Department)

File 98-1280, Resolution No. 719-98

Adopted by the following vote:

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

Absent: Supervisors Katz, Teng - 2.

Recommendations of Economic Development, Transportation
and Technology Committee

Passed on First Reading

[Agreement to Decommission Power Plants]

Ordinance approving an agreement with Pacific Gas and Electric Company to decommission Hunters Point Power Plant and withdraw City's bid to purchase Hunters Point Power Plant and Potrero Power Plant. (Mayor Willie L. Brown, Jr.)

File 98-1256, Ordinance No.

Passed on first reading by the following vote:

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

Absent: Supervisors Katz, Teng - 2.

Adopted

[Golden Gate Park Concourse Authority]

Resolution authorizing the incorporation of the Golden Gate Park Concourse Authority pursuant to the Golden Gate Park Revitalization Act, approved by the voters on June 2, 1998; authorizing the set aside of certain real property to be under the Golden Gate Park Concourse Authority's jurisdiction; and approving and ratifying certain actions in connection therewith. (Supervisors Yaki, Brown, Medina)

File 98-1298, Resolution No. 715-98

Adopted by the following vote:

Ayes: Supervisors Ammiano, Brown, Kaufman, Leno, Medina, Newsom, Yaki, Yee - 8.

Noes: Supervisor Bierman - 1.

Absent: Supervisors Katz, Teng - 2.

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

[Treasure Island Development Authority]

Resolution extending the City's program of self-insurance to the activities of the Treasure Island Development Authority. (Mayor Willie L. Brown, Jr.)

File 98-1304, Resolution No. 703-98

Adopted by the following vote:

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

Absent: Supervisors Katz, Teng - 2.

[Treasure Island Public Access]

Resolution urging the Treasure Island Development Authority to study and develop a limited public access plan and report the plan to the Economic Development, Transportation and Technology Committee of the Board of Supervisors within 30 days of the passage of this resolution. (Supervisors Yaki, Brown)

File 98-1012, Resolution No. 720-98

Adopted by the following vote:

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

Absent: Supervisors Katz, Teng - 2.

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

[Energy Conservation Grant]

Resolution authorizing the General Manager of the Public Utilities Commission to apply for, accept and expend a grant of \$70,000 from the U.S. Department of Energy and the Urban Consortium Energy Task Force; ratification of action previously taken. (Public Utilities Commission)

File 98-1281, Resolution No. 698-98

Adopted by the following vote:

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

Absent: Supervisors Katz, Teng - 2.

Appointment of President Pro Tempore

At the request of the President, Supervisor Yaki assumed the Chair.

[Right-of-Way Permit, GGNRA Sewer Overflow Tunnel]

Resolution authorizing the City and County, on behalf of the Public Utilities Commission, to execute a right-of-way permit to construct, operate and maintain a sewer overflow tunnel and associated facilities within the boundaries of the Golden Gate National Recreation Area, a unit of the National Park System, United States Department of Interior; companion measure to File 98-1285. (Public Utilities Commission)

File 98-1284, Resolution No. 699-98

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Leno, Medina, Newsom, Yaki, Yee - 8.

Absent: Supervisors Katz, Kaufman, Teng - 3.

[Unlitigated Claim - National Park Service]

Resolution authorizing settlement of unlitigated claim of the United States Department of Interior, National Park Service against the City and County of San Francisco for a total settlement of \$508,709; companion measure to File 98-1284. (Public Utilities Commission)

File 98-1285, Resolution No. 700-98

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Leno, Medina, Newsom, Yaki, Yee - 8.

Absent: Supervisors Katz, Kaufman, Teng - 3.

[Mission Bay Street Vacation]

Resolution declaring the intention of the Board of Supervisors to vacate certain street areas within Mission Bay; setting the hearing date for October 19, 1998 for all persons interested in the proposed vacation of the street areas; and adopting findings that the vacation is consistent with the City's General Plan and eight priority policies of Planning Code Section 101.1. (Supervisors Yaki, Brown, Medina)

File 98-1332, Resolution No. 705-98

Supervisor Newsom Excused from Voting

Supervisor Newsom requested to be excused from voting because of possible conflict of interest.

Supervisor Medina, seconded by Supervisor Brown, moved to excuse Supervisor Newsom from voting.

Motion adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Leno, Medina, Newsom, Yaki, Yee - 8.

Absent: Supervisors Katz, Kaufman, Teng - 3.

The roll was then called on the pending resolution and it was adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Leno, Medina, Yaki, Yee - 7.

Excused: Supervisor Newsom - 1.

Absent: Supervisors Katz, Kaufman, Teng - 3.

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

[Hold Harmless Agreement, City of Vallejo]

Resolution authorizing the Port to hold the City of Vallejo harmless from all claims arising from a cooperative agreement for construction of a new public ferry terminal at Pier 43, Fisherman's Wharf. (Supervisors Yaki, Medina)

File 98-1363, Resolution No. 706-98

Adopted by the following vote:

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Ayes: Supervisors Ammiano, Bierman, Brown, Leno, Medina, Newsom, Yaki, Yee - 8.

Absent: Supervisors Katz, Kaufman, Teng - 3.

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

The President resumed the Chair.

Recommendations of Health, Family and Environment Committee

Passed on First Reading

[Jet Skis]

Ordinance amending Police Code, prohibiting the operation of personal watercraft in a 1,200-foot special use area along the San Francisco shoreline, and providing for public and private enforcement. (Supervisors Newsom, Ammiano, Bierman, Katz, Brown, Leno, Medina)

File 98-0076, Ordinance No.

(Adds Sections 47.1 through 47.7.)

Passed on first reading by the following vote:

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

Absent: Supervisors Katz, Teng - 2.

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

Adopted

[Jet Skis]

Resolution urging the City and County to encourage the other eight Bay Area counties to adopt ordinances to control the use of jet skis in their waters. (Supervisors Newsom, Brown, Ammiano, Bierman, Katz)

File 98-0597, Resolution No. 714-98

Adopted by the following vote:

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

Absent: Supervisors Katz, Teng - 2.

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

SPECIAL ORDER 3:00 P.M.

Hearing Closed

[Public Hearing]

Hearing of persons interested in or objecting to report of Delinquent Charges for Refuse Collection Services and Nuisance removal costs submitted by the Director of Public Health, as modified to the date of adoption of this resolution, and creating special assessments and liens based thereon.

File 98-1268

(NOTE: Persons intending to object to the special assessment shall review their particular cases with Health Department officials in Room 410 beginning at 1:00 P.M. When all Health Department reviews are completed, the Board shall hear unresolved objections.)

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

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

From Department of Public Health

Report Amended; Adopted

[Garbage Liens]

Resolution confirming report of delinquent charges for refuse collection services and nuisance removal costs submitted by the Director of Public Health as modified to the date of adoption of this resolution, and creating special assessments and liens based thereon. (Department of Public Health/Environmental Health Management)

File 98-1268, Resolution No. 694-98

The representative from the department submitted a handwritten report concerning the preliminary hearing and indicated an updated computer-generated report will be submitted to the Board.

Adopted by the following vote:

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

Absent: Supervisors Katz, Teng - 2.

SPECIAL ORDER 3:00 P.M.

Hearing Held

[Public Hearing]

Hearing of persons interested in or objecting to proposed acquisition of property by eminent domain, certain real property described as Lots 18, 35, 36, 37, 38, 68, 69 and 70 in Assessor's Block 3724, commonly known as 860 Howard Street, 1 Holland Court, 325 Minna Street and 150 Fourth Street, for the Moscone Center Expansion Project.

File 98-1278

(Note: The City Attorney has requested that the legislation be amended to include the following language: Resolved, That the use for which the Property is sought for the expansion of the Moscone Convention Center, is a more necessary public use than the use of a portion of Block 3724, Lot 70 by the University of California under Section 1240.610 of the California Code of Civil Procedure.)

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

Charles Doughty; Art Lipton; Jonathan; Peggy O'Lauchlan; Gerald.

Adopted as Amended

[Eminent Domain - Moscone Center 111 Project]

Resolution authorizing acquisition of Lots 18, 35, 36, 37, 38, and 69, commonly known as 860 Howard Street, Lot 68 together with the improvements thereon and commonly known as 1 Holland Court or 325 Minna Street, and Lot 70 together with the improvements thereon, commonly known as 150 Fourth Street, all in San Francisco Assessor's Block 3724, by eminent domain for the Moscone Center Expansion Project (the "Project") and to adopt findings pursuant to City Planning Code Section 101.1; companion measure to File 98-1277. (Supervisors Kaufman, Brown, Medina)

File 98-1278, Resolution No. 697-98

(Planning Commission Motion No. 14557, dated March 12, 1998 approving a Negative Declaration; Planning Commission Resolution No. 14559 dated March 12, 1998, adopting findings of conformity with the General Plan.)

Supervisor Kaufman, seconded by Supervisor Yaki, moved an amendment of the whole bearing same title.

Amendment of the whole adopted by the following vote:

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

Absent: Supervisor Teng - 1.

Adopted as amended by the following vote:

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

Absent: Supervisor Teng - 1.

PUBLIC COMMENT

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

Bob Planthold, City departments compliance, accessibility needs, city vehicles;
Gilbert Criswell, ad against gays;
Eula Walters, Ferry Park, Lots 202 and 203;
Louis Calabro, European American Issues Forum;
Tate Winslow, AIDS marijuana use;
Ana B. Arguello, massage parlor;
Garrett Jenkins, Tenderloin 2000;
Jonathan Frank, paramedic 24 hour shift;
Lorrie Beth Stonsky, paramedic 24 hour shift;
Neil Ballot, Adolph Sutro;
Wayne Sherman, accessibility exit and TV camera.

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

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

Adopted

[Boeddeker Park Cleanup and Oversight]

Resolution urging the Department of Public Works and the Police Department to improve their efforts to maintain a clean and safe area around Boeddeker Park, specifically by trimming the trees and steam cleaning the sidewalks outside the gates, and by maintaining regular police patrols in the area. (Supervisors Bierman, Ammiano, Brown, Medina, Katz, Yaki)

File 98-1382, Resolution No. 716-98

(August 17, 1998 - Introduced in Board for consideration on August 24, 1998.)

Adopted.

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

[Oppose HR 3177 and S 1482, Internet Filtering]

Resolution opposing HR 3177 (Internet Filtering Act) and S 1482 (Communications Decency Act II). (Supervisors Katz, Ammiano, Leno, Medina, Bierman, Yaki)

File 98-1383, Resolution No. 707-98

(August 17, 1998 - Introduced in Board for consideration on August 24, 1998.)

Adopted.

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

[Grant, Airport, K-9 Explosives Detention Team]

Resolution authorizing Airport Commission to accept and expend a funding increase from \$360,000 to \$708,000 or subsequent increases from the Federal Aviation Administration for the K-9 Explosives Detection Team Program. (Supervisors Kaufman, Ammiano, Medina)

File 98-1384, Resolution No. 708-98

(August 17, 1998 - Introduced in Board for consideration on August 24, 1998.)

Adopted.

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

[Federal Earned Income Tax Credit Program]

Resolution urging the California State Legislation to promote the Federal Earned Income Tax Credit Program. (Supervisors Leno, Bierman, Ammiano, Brown, Medina, Katz, Yaki)

File 98-1385, Resolution No. 709-98

(August 17, 1998 - Introduced in Board for consideration on August 24, 1998.)

Adopted.

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

[Donation of Equipment]

Resolution urging a donation of three surplus fire engines to the city of Cochabamba, Bolivia. (Supervisors Medina, Ammiano, Brown, Leno, Bierman)

File 98-1386, Resolution No. 710-98

(August 17, 1998 - Introduced in Board for consideration on August 24, 1998.)

Adopted.

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

[Commend James Gabbert]

Resolution commending James Gabbert for 41 years of leadership in San Francisco's radio and telecommunications industry. (Supervisors Leno, Newsom, Kaufman, Brown, Medina, Yaki, Bierman)

File 98-1389, Resolution No. 711-98

(August 17, 1998 - Introduced in Board for consideration on August 24, 1998.)

Adopted.

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

[Commend Emergency Response Team (NERT)]

Resolution recognizing and commending the San Francisco Fire Department's Neighborhood Emergency Response Team (NERT) program for vigilantly preparing for a disaster in the City and County of San Francisco. (Supervisors Newsom, Bierman, Ammiano, Brown, Leno, Medina, Katz, Yaki)

File 98-1390, Resolution No. 712-98

(August 17, 1998 - Introduced in Board for consideration on August 24, 1998.)

Adopted.

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

[Delinquency Prevention Commission Staff]

Resolution transferring the staff serving the Delinquency Prevention Commission from the Department of the Board of Supervisors to the Mayor's Office of Children, Youth and Their Families. (Supervisors Kaufman, Brown)

File 98-1391, Resolution No. 717-98

(August 17, 1998 - Introduced in Board for consideration on August 24, 1998.)

Adopted.

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

[Donate Ad Revenues]

Resolution urging the San Francisco Chronicle and Examiner to donate joint revenues from publication of the advertisement promoting a cure for homosexuality to the Gay Lesbian Alliance Against Defamation. (Supervisors Ammiano, Katz, Bierman, Brown, Leno, Newsom)

File 98-1392, Resolution No. 718-98

(August 17, 1998 - Introduced in Board for consideration on August 24, 1998.)

Adopted.

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

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

Absent: Supervisors Newsom, Teng - 2.

IMPERATIVE CALENDAR

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

Adopted

[Purely Commendatory Finding]

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

Supervisor Yaki, seconded by Supervisor Medina, moved adoption.

Adopted by the following vote:

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

Absent: Supervisors Newsom, Teng - 2.

[Brown Act Finding]

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

Supervisor Yaki, seconded by Supervisor Medina, moved adoption.

Adopted by the following vote:

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

Absent: Supervisors Newsom, Teng - 2.

[Imperative Resolution]

Adopted

[Proclaim San Francisco Small Business Day]

Resolution declaring September 16, 1998 San Francisco Small Business Day.

File 98-1451, Resolution No. 713-98

Supervisors Leno, Kaufman presented for immediate adoption.

Resolution adopted by the following vote:

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

Absent: Supervisors Newsom, Teng - 2.

ROLL CALL FOR INTRODUCTIONS

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

OFF-CALENDAR LEGISLATION

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

Referred to Committee

[MBE/WBE/LBE Utilization Ordinance - IV]

Substitute ordinance amending Administrative Code by adding Sections 12D.A.1 through 12D.A.21 to establish a new MBE/WBE/LBE ordinance (1) to remedy identified discrimination against certain prime contractor MBE/WBES in the City's procurement process and to eliminate the competitive disadvantage prime contractor LBES labor under in the City's procurement process and (2) to require city contracting departments to implement MBE/WBE program mandating prime contractors to use good faith efforts to use MBE/WBES when there are subcontracting opportunities in public works and professional service contracts. Supervisors Brown, Bierman presented. Referred to Economic Development, Transportation and Technology Committee.

File 98-0612.

[General Plan Amendment, Mission Bay]

Ordinance rescinding the Mission Bay Plan and approving amendments to the San Francisco General Plan. Supervisor Yaki presented. Referred to Economic Development, Transportation and Technology Committee.

File 98-1428.

[Planning Code Amendment, Mission Bay]

Ordinance amending Planning Code by amending Section 901, and figures 1 and 3 of Article 9, and adopting findings pursuant to Planning Code Section 101.1. Supervisor Yaki presented. Referred to Economic Development, Transportation and Technology Committee.

File 98-1429.

[Zoning Map, Mission Bay]

Ordinance amending zoning map of the City and County of San Francisco for property located in Mission Bay area, generally bounded by Townsend Street, Seventh Street and Interstate 280, Mariposa Street, Terry A. Francois Boulevard and Third Street, to delete the use district classifications to a cross-reference to the Mission Bay North and Mission Bay South Redevelopment Plans and adopting findings pursuant to Planning Code Section 101.1. Supervisor Yaki presented. Referred to Economic Development, Transportation and Technology Committee.

File 98-1431.

[Subdivision Code Amendment, Mission Bay]

Ordinance amending Subdivision Code by adding the Mission Bay Subdivision Code to provide for processing of subdivision and parcel maps in the Mission Bay area, generally bounded by Townsend Street, Seventh Street and Interstate 280, Mariposa Street, Terry A. Francois Boulevard and Third Street, and adopting findings pursuant to Planning Code Section 101.1. Supervisor Yaki presented. Referred to Economic Development, Transportation and Technology Committee.

File 98-1430.

[Mission Bay City Land Transfer Amendment]

Ordinance approving and authorizing the amendment and restatement of the Mission Bay land transfer agreement between the City and County, including its Port Commission, and Catellus Development Corporation; approving and authorizing the Catellus lease in connection therewith; approving indemnities and releases by the City in connection with the transactions contemplated by such documents; adopting findings pursuant to the California Environmental Quality Act; and adopting findings that such agreement is consistent with the City's General Plan and Eight priority policies of the Planning Code Section 101.1. Supervisor Yaki presented. Referred to Economic Development, Transportation and Technology Committee.

File 98-1435.

[Mission Bay Port Land Transfer Amendment]

Ordinance approving and authorizing the amendment and restatement of the Mission Bay Port Land Transfer Agreement between the City and County, through its Port Commission, and Catellus Development Corporation; approving the Agency lease in connection therewith; approving indemnities and releases by the City in connection with the transactions contemplated by such documents; adopting environmental findings pursuant to the California Environmental Quality Act; and adopting findings that such agreement is consistent with the City's General Plan and Eight Priority Policies of Planning Code Section 101.1. Supervisor Yaki presented. Referred to Economic Development, Transportation and Technology Committee.

File 98-1436.

[Public Trust Amendment, Mission Bay]

Ordinance approving and authorizing the amendment and restatement of the agreement concerning the public trust for Mission Bay, among the City and County, including its Port Commission, the State of California and Catellus Development Corporation; adopting findings that certain transfers of land contemplated by such agreement are authorized by and consistent with the provisions of state legislation set forth in Chapter 1143 of the Statutes of 1991, as amended by Chapter 86 of the Statutes of 1992 and Chapter 203 of the Statutes of 1997; adopting findings pursuant to the California Environmental Quality Act; and adopting findings that such agreement is consistent with the City's General Plan and eight priority policies of Planning Code Section 101.1. Supervisor Yaki presented. Referred to Economic Development, Transportation and Technology Committee.

File 98-1437.

[Mission Bay North Redevelopment Plan]

Ordinance approving and adopting the Redevelopment Plan for the Mission Bay North Plan Area, which is generally bounded by the north embankment of the China Basin Channel and Townsend, Third and Seventh Streets, and contains approximately 65 acres of land; approving and authorizing an Interagency Cooperation Agreement between the City and County of San Francisco and the Redevelopment Agency of the City and County of San Francisco, in furtherance of the adoption and implementation of the Redevelopment Plan; adopting findings pursuant to the California Environmental Quality Act; adopting findings that the Plan and related cooperation agreement are consistent with the City's General Plan and Eight Priority Policies of the Planning Code Section 101.1; and adopting other findings pursuant to the California Community Redevelopment Law. Supervisor Yaki presented. Referred to Board sitting as a Committee of the Whole on October 19, 1998.

File 98-1440.

[Mission Bay South Redevelopment Plan]

Ordinance approving and adopting Redevelopment Plan for the Mission Bay South Plan Area, which is generally bounded by the south embankment of the China Basin Channel and Seventh Street, Interstate 280, Mariposa Street, Terry Francois Boulevard and Third Street and contains approximately 238 acres of land; approving and authorizing an Interagency Cooperation Agreement between the City and County of San Francisco and the Redevelopment Agency of the City and County of San Francisco, in furtherance of the adoption and implementation of the Redevelopment Plan; adopting findings pursuant to the California Environmental Quality Act; adopting findings that the Plan and related cooperation agreement are consistent with the City's General Plan and Eight Priority Policies of Planning Code Section 101.1; and adopting findings pursuant to the California Community Redevelopment Law. Supervisor Yaki presented. Referred to Board sitting as a Committee of the Whole on October 19, 1998.

File 98-1441.

[Price Adjustment, Local Sale/Business Tax Revenues]

Ordinance amending Administrative Code by adding Chapter 21C, Sections 21C.1 through 21C.4, to require adjustment of priced offers for the purpose of evaluating price contracts for the purchase of commodities to reflect sales tax and gross receipts tax revenues produced by the procurement for the City, the San Francisco Unified School District, the San Francisco Community College District and the San Francisco Transportation Authority. Supervisors Kaufman, Yee, Leno, Katz, Brown, Teng, Medina, Yaki, Newsom, Ammiano presented. Referred to Finance Committee.

File 98-1442.

[Taxi Permit Fee Adjustments]

Ordinance amending Police Code Sections 2.26.1 and 2.27.1 to adjust permit and license fee schedules for motor vehicles for hire and to give a 50 percent discount for four years on permit fees for taxicabs and ramped taxicabs operating on compressed natural gas and amending Sections 1080, 1088 and 1125 to include fees authorized by those sections in permit and license fee schedules for motor vehicles for hire. Supervisor Newsom presented. Referred to Finance Committee.

File 98-1443.

[Mission Massage Parlor Interim Zoning Controls]

Substitute resolution imposing Interim Zoning Controls for a period of 18 months to establish the Mission Massage Establishment Interim Moratorium Special Use District in the area generally bounded by Guerrero Street, Fourteenth Street, Cesar Chavez Street, Potrero Avenue, San Jose Avenue and Highland Avenue which would prohibit new massage parlors unless associated with an institutional use pursuant to Section 218.1 of the Planning Code and making determination of consistency with the priority policies of Planning Code Section 101.1 (Proposition M). Supervisor Medina presented. Referred to Housing and Neighborhood Services Committee.

File 98-1303.

[CEQA Findings]

Resolution adopting environmental findings (and a statement of overriding considerations) pursuant to the California Environmental Quality Act and State Guidelines in connection with adoption of the Mission Bay North and Mission Bay South Redevelopment Plans and various other actions necessary to implement such plans. Supervisor Yaki presented. Referred to Economic Development, Transportation and Technology Committee.

File 98-1427.

[Mission Bay North Tax Allocation Agreement]

Resolution approving and authorizing a tax increment allocation pledge agreement between the City and County of San Francisco and the Redevelopment Agency of the City and County of San Francisco, concerning the pledge of net available tax increment from the Mission Bay North Plan Area for the purpose of financing public infrastructure and affordable housing units in furtherance of the implementation of the Redevelopment Plan for the Mission Bay North project; authorizing and approving the incurrence of bonded indebtedness by the Redevelopment Agency not to exceed \$190,000,000 for such purposes; adopting City policy that all available housing increment produced in the Mission Bay North Plan Area be used for the development of affordable housing on parcels to be contributed to the Redevelopment Agency; adopting findings pursuant to the California Environmental Quality Act; and adopting findings that the agreement is consistent with the City's General Plan and Eight Priority Policies of the Planning Code Section 101.1. Supervisor Yaki presented. Referred to Economic Development, Transportation and Technology Committee.

File 98-1432.

[Mission Bay South Tax Allocation Agreement]

Resolution approving and authorizing a tax increment allocation pledge agreement between the City and County of San Francisco and the Redevelopment Agency of the City and County of San Francisco, concerning the pledge of net available tax increment from the Mission Bay South Plan Area for the purpose of financing public infrastructure in furtherance of the implementation of the Redevelopment Plan for the Mission Bay South project; authorizing and approving the incurrence of bonded indebtedness by the Redevelopment Agency not to exceed \$450,000,000 for such purposes; adopting City policy that all available housing increment produced in the Mission Bay South Plan Area be used for the development of affordable housing on parcels to be contributed to the Redevelopment Agency; adopting findings pursuant to the California Environmental Quality Act; and adopting findings that the agreement is consistent with the City's General Plan and Eight Priority Policies of the Planning Code Section 101.1. Supervisor Yaki presented. Referred to Economic Development, Transportation and Technology Committee.

File 98-1433.

[Land Donation Agreement, UCSF Campus]

Resolution approving and authorizing a land donation agreement between the City and County and the Regents of the University of California, for the contribution to the Regents, at no transfer price of approximately 11.89 acres of City-owned present and former street areas, for the development of a new UCSF expansion campus in Mission Bay South; adopting findings pursuant to the California Environmental Quality Act; and adopting findings that the conveyance is consistent with the City's General Plan and Eight Priority Policies of the Planning Code Section 101.1. Supervisor Yaki presented. Referred to Economic Development, Transportation and Technology Committee.

File 98-1434.

[Administrative Jurisdiction, Mission Bay]

Resolution approving and authorizing the transfer of administrative jurisdiction over certain property in Mission Bay South described as the city facilities parcel, from which the Burton Act Trust and Public Trust shall be removed in connection with the closing of the land transfer agreements, from the Port Commission to the Director of Administrative Services; approving jurisdiction over certain Mission Bay land transfer parcels in the Port; adopting findings pursuant to the California Environmental Quality Act; and adopting findings that such transfer of jurisdiction is consistent with the City's General Plan and eight priority policies of Planning Code Section 101.1. Supervisor Yaki presented. Referred to Economic Development, Transportation and Technology Committee.

File 98-1438.

[Mission Bay Transportation Projects Agreement]

Resolution approving and authorizing the termination of the Mission Bay Transportation Projects Agreement between the City and County and Catellus Development Corporation; adopting findings pursuant to the California Environmental Quality Act; and adopting findings that such action is consistent with the City's General Plan and eight priority policies of Planning Code Section 101.1. Supervisor Yaki presented. Referred to Economic Development, Transportation and Technology Committee.

File 98-1439.

Referred to Board

[California Children/Family First Initiative]

Resolution supporting the California Children and Families First Initiative to fund early childhood health programs by adding an additional fifty cents tax to each pack of cigarettes sold in California. Supervisor Bierman presented. Referred to Board for Adoption Without Committee Reference Calendar September 14, 1998.

File 98-1444.

[Western Addition Community Meeting]

Resolution supporting holding a community meeting in the Western Addition regarding the impact of King's Market on the community and urging Police Chief Fred Lau and Mayor Willie Brown, Jr. to create a community policing program. Supervisors Brown, Leno, Newsom, Ammiano, Bierman presented. Referred to Board for Adoption Without Committee Reference Calendar September 14, 1998.

File 98-1445.

[Traffic Light, Webster and Grove Streets]

Resolution urging the Department of Parking and Traffic to expedite installation of a traffic light at Webster and Grove Streets. Supervisor Leno presented. Referred to Board for Adoption Without Committee Reference Calendar September 14, 1998.

File 98-1447.

[Transit Service to Treasure Island]

Resolution urging Muni to extend its regular transit service to Treasure Island to include Sundays in order to provide the public with transportation to "The Forgotten Holocaust of World War II" exhibit on Treasure Island. Supervisor Teng presented. Referred to Board for Adoption Without Committee Reference Calendar September 14, 1998.

File 98-1448.

Referred to Committee

[Juneteenth Fair Fee Waiver] Resolution waiving fees to be charged for police services in connection with the Juneteenth Fair Saturday and Sunday, June 21 and June 22, 1998. Supervisors Brown, Bierman presented. Referred to Finance Committee.

File 98-1446.

[Treasure Island Development Authority]

Resolution directing the Treasure Island Development Authority to amend its bylaws and articles of incorporation to expand the number of directors of the Board of Directors of the Authority to include three additional ex officio members-the then-sitting President of the Board of Supervisors, Chair of the economic development committee and Chair of the housing committee; requiring 30-days prior notice of amendments to the Authority's competitive bidding rules and procedures; urging the Authority to monitor and participate in negotiations with the Navy regarding conveyance of the base, and directing the Authority to establish a citizens advisory board within 30 days of the effective date of this resolution to be comprised of 25 persons, 14 of whom shall be appointed by the Mayor and 11 of whom shall be appointed by the Board of Supervisors. Supervisor Yaki presented. Referred to Economic Development, Transportation and Technology Committee.

File 98-1449.

[Mid-Mission Alcoholic Beverage SUD Extension]

Resolution extending Interim Zoning Controls for an additional six (6) month period to prohibit temporarily the introduction of new establishments or expansion of existing establishments selling alcoholic beverages in the Mid-Mission Alcoholic Beverage Special use District and making findings of consistency with the priority policies of Planning Code Section 101.1. Supervisor Katz presented. Referred to Housing and Neighborhood Services Committee.

File 98-1450.

Referred to Board

[Commend Hotel Nikko]

Resolution commending Hotel Nikko for its leadership in pioneering the effort to provide benefits to domestic partners. Supervisor Ammiano presented. Referred to Board for Adoption Without Committee Reference Calendar September 14, 1998.

File 98-1452.

Requests for Hearings:

[Living Wages]

Hearing to consider a living wage proposal for San Francisco. Supervisor Ammiano presented. Referred to Finance Committee.

File 98-1453.

[Garfield Park]

Hearing to consider public safety and revitalization efforts of Garfield Park. Supervisor Medina presented. Referred to Parks and Recreation Committee.

File 98-1454.

Motions:

Referred to Committee

[Board Off Site Meeting]

Substitute motion moving to have the Monday, November 9, 1998 meeting of the Board of Supervisors held at the John Yehall Chin Elementary School, 350 Broadway Street, multi-purpose room in the Chinatown neighborhood at 6:00 p.m. Supervisor Yee presented. Referred to Rules Committee.

File 98-1400.

[Mission Bay FSEIR]

Motion affirming the certification of the Final Subsequent Environmental Impact Report for the Mission Bay North and Mission Bay South Redevelopment Plans by the Planning Commission. Supervisor Yaki presented. Referred to Economic Development, Transportation and Technology Committee.

File 98-1426.

Referred to Board

[Needle Exchange Emergency]

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program. Supervisors Bierman, Teng, Ammiano, Yaki, Kaufman, Katz, Brown, Newsom, Medina, Yee, Leno presented. Referred to Board for Adoption Without Committee Reference Calendar September 14, 1998.

File 98-1455.

Introduced by the President at the Request of Departments

Ordinances Referred to Committee

File 98-1402. [Penalties, Veterinarians - Dog Licenses] Ordinance amending Health Code by amending Section 41.25 to provide for penalties for violation of Section 41.18(c) requiring notification to the licensing authority when a dog has been vaccinated for rabies. (Commission of Animal Control and Welfare) Referred to Health, Family and Environment Committee.

File 98-1403. [Veterinarians - Anti Rabies Vaccinations] Ordinance amending Health Code by amending Section 41.18, regarding Veterinarians' responsibilities for violation of anti-rabies vaccinations to require use of a form approved by the Department of Animal Care and Control to certify that a dog has been vaccinated, and notification to the Department of Animal Care and Control when such animal is vaccinated. (Commission of Animal Control and Welfare) Referred to Health, Family and Environment Committee.

File 98-1404. [Tax Rate Setting, CCSF, FY 1988-1999] Ordinance providing revenue and levying taxes for City and County purposes for the fiscal year ending June 30, 1999. (Controller) Referred to Finance Committee.

File 98-1405. [Tax Rate Setting, SFUSD, FY 1998-1999] Ordinance providing revenue and levying taxes for San Francisco Unified School District purposes for the fiscal year ending June 30, 1999. (Controller) Referred to Finance Committee.

File 98-1406. [Tax Rate Setting, SF Community College, FY 1988-99] Ordinance providing revenue and levying taxes for San Francisco Community College District purposes for the fiscal year ending June 30, 1999. (Controller) Referred to Finance Committee.

File 98-1407. [Appropriation, Art Commission] Ordinance amending the Annual Appropriation Ordinance for fiscal year 1998-1999, File Number 98-0850, Ordinance Number 242-98, to meet the requirements of the Art Commission pursuant to Charter Section 16.106. RO #98017. (Controller) Referred to Finance Committee.

File 98-1408. [Jeremiah S. Levy, v. CCSF] Ordinance authorizing settlement of litigation of Jeremiah S. Levy against the City and County of San Francisco by payment of \$135,000. (Superior Court No. 989-825). (City Attorney) Referred to Rules Committee.

File 98-1409. [Crispina Luppino, et al. v. CCSF, et al.] Ordinance authorizing settlement of litigation of Crispina Luppino against the City and County of San Francisco by payment of \$40,000. (Superior Court No. 983-774). (City Attorney) Referred to Rules Committee.

File 98-1410. [Nancy Nau-Olson v. CCSF] Ordinance authorizing settlement of litigation of Nancy Nau-Olson against the City and County of San Francisco by payment of \$35,000. (Superior Court No. 988-257). (City Attorney) Referred to Rules Committee.

File 98-1411. [Cynthia Lewis, et al., v. CCSF, et al.] Ordinance authorizing settlement of litigation of Cynthia Lewis against the City and County of San Francisco by payment of \$70,000. (Superior Court No. 984-918). (City Attorney) Referred to Rules Committee.

File 98-1412. [Museums] Ordinance amending Administrative Code by amending Chapter 28, Article 1, to provide that the Asian Art Museum and the San Francisco Airport Museum may sell, exchange or transfer works of art or other articles under certain circumstances. (Airport) Referred to Economic Development, Transportation/ Technology Committee.

Resolutions Referred to Committee

File 98-1373. [Emergency Repair, Spruce Street Sewer] Resolution approving the expenditure of funds for the emergency work to replace the structurally inadequate sewer in Spruce Street from Sacramento Street to California Street - \$78,151.74. (Public Utilities Commission) Referred to Finance Committee.

File 98-1374. [Emergency Repair, Ordway Street Sewer] Resolution approving the expenditure of funds for the emergency work to repair the structurally inadequate sewer in Ordway Street from Brussels Street to Goettingen Street - \$68,740.00. (Public Utilities Commission) Referred to Finance Committee.

File 98-1375. [Diesel Bus Purchase] Resolution approving assignment of amendment to agreement for purchase of 45 diesel buses and associated equipment and spare parts as a cooperative buying agreement between the City, AC Transit and North American Bus Industries. (Public Transportation Commission) Referred to Economic Development, Transportation and Technology Committee.

File 98-1377. [Gift Acceptance, Dept of Administrative Services] Resolution authorizing the acceptance of a gift of the loan of alternative fuel vehicles and portable charging infrastructure from General Motors/Saturn Corporation and Honda to be used by the Department of Administrative Services to demonstrate clean fuel vehicle technology. (Department of Administrative Services) Referred to Economic Development, Transportation and Technology Committee.

File 98-1378. [Emergency Repair, Clayton Street Retaining Wall] Resolution finding and declaring a public emergency exists at Clayton Street; authorizing the Director of Public Works to take necessary measures in the most expeditious manner to protect the public safety, health, welfare, and property of the Citizens of San Francisco from the dangerous condition created by failure of the retaining wall at Clayton Street; and, because of this emergency, authorizing the Director to enter into agreements of indemnity - \$347,500. (Department of Public Works) Referred to Finance Committee.

File 98-1415. [Prop J Contract, Airport Information Booth Program] Resolution approving the Controller's certification that Airport Information Booth Services at San Francisco International Airport can be practically performed by private contractor at a lower cost than if work were performed by City employees at presently budgeted levels. (Airport) Referred to Finance Committee.

File 98-1416. [Grant, Major Narcotic Vendors Prosecution Program] Resolution authorizing the District Attorney of the City and County of San Francisco to apply for, accept, and expend funds made available through the Office of Criminal Justice Planning for a project entitled "San Francisco District Attorney's Office Major Narcotic Vendors Prosecution Program", and waiving indirect costs due to funding constraints. (District Attorney) Referred to Housing and Neighborhood Services Committee.

File 98-1417. [Reinspection Fee Liens] Resolution confirming report of delinquent reinspection fee cost submitted by the Director of Public Health, as modified to the date of adoption of this resolution, and creating special assessments and liens based thereon. (Department of Public Health) Scheduled for public hearing before Board on September 14, 1998, at 3:00 p.m.

Requests Granted

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

By Supervisor Ammiano, that letter of inquiry be sent to Director, Department of Parking and Traffic, to determine potential traffic calming and signage measures which could be implemented around the Presidio to better manage tour bus traffic.

By Supervisors Leno, Bierman, Brown, Yaki that City Attorney prepare appropriate legislation creating a position for the San Francisco Department of the Environment. The person occupying the position will be primarily responsible for two duties: producing and distributing a summary analysis of the Board of Supervisors' proposed legislation to determine the impact on the San Francisco environment and coordinating and evaluating the City's air pollution control effort as it relates to regional air quality.

By Supervisors Leno, Bierman, Brown, Yaki that City Attorney prepare appropriate legislation directing the Department of the Environment prepare a brief analysis summarizing the effect on the environment of legislation being considered by the Board of Supervisors and submit its report to the Clerk of the Board for distribution to the Supervisors prior to consideration of the legislation by the appropriate committee.

By Supervisor Leno, that City Attorney draft appropriate legislation defining "interested organizations" (an organization or individual that has made a written request to the Board of Supervisors for notification of a particular hearing) and requiring the Board of Supervisors to notify interested organizations prior to holding hearings on matters of interest.

Motions Adopted

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

John Sanchez (Supervisor Bierman)
Joyce Ruger (Supervisors Brown, Leno, Newsom, Ammiano)
Michael Palm (Supervisor Leno).

Unanimously adopted by a rising vote.

ADJOURNMENT

There being no further business, the Board at the hour of 4:04 p.m. adjourned.

John L. Taylor, Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on November 23, 1998.

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

Gloria L. Young
Clerk of the Board of Supervisors

