

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, February 1, 1999

2:00 PM

MAY 27 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 Supervisors Kaufman, Newsom, Katz	1 st Tuesday 1:00 p.m.
Finance and Labor Supervisors Yee, Bierman, Ammiano	Each Wednesday 10:00 a.m.
Housing and Social Policy Supervisors Teng, Bierman, Becerril	1 st & 3 rd Tuesday 10:00 a.m.
Parks and Recreation Supervisors Brown, Newsom, Leno	2 nd Tuesday 1:00 p.m.
Public Health and Environment Supervisors Bierman, Brown, Yaki	2 nd & 4 th Thursday 1:00 p.m.
Public Utilities and Deregulation Supervisors Ammiano, Yee, Becerril	3 rd Tuesday 1:00 p.m.
Rules Supervisors Leno, Teng, Kaufman	2 nd & 4 th Thursday 10:00 a.m.
Small Business, Economic Vitality and Consumer Services Supervisors Newsom, Leno, Becerril	1 st & 3 rd Thursday 10:00 a.m.
Transportation and Land Use Supervisors Katz, Yaki, Yee	2 nd & 4 th Tuesday 10:00 a.m.

First-named Supervisor is Chair, Second-named Supervisor is Vice-Chair of the Committee

Members Present: Tom Ammiano, Sue Bierman, Alicia Becerril, Amos Brown, Leslie Katz, Barbara Kaufman, Mark Leno, Gavin Newsom, Mabel Teng, Michael Yaki, Leland Y. Yee.

ROLL CALL AND PLEDGE OF ALLEGIANCE

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

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

Supervisors Becerril, Kaufman - 2.

Quorum present.

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

Supervisor Kaufman excused. (See infra.)

Supervisor Kaufman was noted present at 3:45 p.m. (See infra.)

Supervisor Kaufman Excused From Attendance

Supervisor Bierman, seconded by Supervisor Yaki, moved to excuse Supervisor Kaufman from attending today's meeting. The motion carried by the following vote:

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

Supervisor Kaufman arrived at 3:45 p.m. after appearing on jury duty service.

Privilege of the Floor

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

Supervisor Teng said a few words memorializing and thanking her senior Legislative Assistant, Taline Sanassarian, who is leaving her office to work in another branch of City government.

Supervisor Teng congratulated her assistant, Matthew Lonner, on the birth of his son, Elijah Benjamin, on January 23, 1999.

Supervisor Newsom introduced and welcomed Maria Martinez who spoke briefly on the photography exhibition, "Hidden Truth, Bloody Sunday 1972", a campaign for justice and civil rights for the people of Derry, Ireland.

APPROVAL OF MEETING MINUTES

Supervisor Newsom, seconded by Supervisor Leno, moved to approve the November 23, 1998 Meeting Minutes. The motion carried by the following vote:

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

CONSENT AGENDA

Recommendation of the Finance Committee

981923 [Golden Gate Yacht Club Lease Amendment]

Ordinance approving the First Amendment to the lease between the City and the Golden Gate Yacht Club to reduce the rental rate from 10 percent to 7.5 percent of the Club's monthly gross revenue and reducing the lease term from 40 to 30 years. (City Attorney)

On advice of the City Attorney, the title was clerically corrected to reflect the amended version of the lease amendment that the Board of Supervisors approved at its meeting of January 25, 1999.

Ordinance No. 16-99

CLERICAL CORRECTION.

Ordinance approving the first amendment to the lease between the City and the Golden Gate Yacht Club to reduce the rental rate from 10% to 7.5% of the Club's monthly gross revenue for the period March 1993 through January 1999, and reducing the lease term from 40 to 25 years. (City Attorney)

FINALLY PASSED

Recommendation of the Housing and Neighborhood Services Committee

990008 [Gift Acceptance]

Supervisor Leno

Resolution authorizing the Parking Authority to accept a gift of one hundred and forty thousand dollars (\$140,000) from the Uptown Parking Corporation, the Downtown Parking Corporation, and the Ellis and O'Farrell Parking Garage to fund a garage marketing study and plan for the City and County of San Francisco.

Resolution No. 82-99

ADOPTED

The foregoing items were acted upon by the following vote:

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

Absent: 1 - Kaufman

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of the Economic Development, Transportation, and Technology Committee

981449 [Treasure Island Development Authority]

Supervisor Yaki

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, the Chair of the committee with jurisdiction over economic development and the Chair of the committee with jurisdiction over housing; 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 an amendment of the whole.

Resolution No. 89-99

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

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

Absent: 1 - Kaufman

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, the Chair of the committee with jurisdiction over land use and the Chair of the committee with jurisdiction over housing, or their designees; 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 Teng requested to be added as co-sponsor.

ADOPTED AS AMENDED by the following vote:

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

Absent: 1 - Kaufman

Recommendations of the Parks and Recreation Committee

981973 [Park Code] Supervisor Brown

Ordinance amending Park Code to include United Nations Plaza and Hallidie Plaza as parks for purposes of Articles 3, 4 and 7 of the Park Code and adding Articles 8B and 8C to the Park Code granting the Director of Public Works the authority to manage United Nations Plaza, to perform functions described in Sections 3.03, 3.07, 3.16, 4.11, 4.12 and 4.13 of the Park Code, to make rules for the use of the plaza and to designate additional activities in the plaza for which a permit is required, and granting the Director of Property the authority to manage Hallidie Plaza, to perform functions described in Sections 3.03, 3.07, 3.16, 4.11, 4.12 and 4.13 of the Park Code, to make rules for the use of the plaza and to designate additional activities in the plaza for which a permit is required.

(Amends Section 2.01; adds Sections 8B.01, 8B.02, 8B.03, 8C.01, 8C.02, 8C.03.)

Ordinance No. 17-99

FINALLY PASSED by the following vote:

Ayes: 7 - Becerril, Brown, Katz, Leno, Newsom, Teng, Yaki

Noes: 3 - Ammiano, Bierman, Yee

Absent: 1 - Kaufman

990046 [Permits for Use of Hallidie Plaza] Supervisor Brown

Ordinance amending Administrative Code Section 2.74 to give the Recreation and Park Department or Commission authority to grant permits for recreational and first amendment activity in Hallidie Plaza and reserving to the Board of Supervisors the authority to grant permits for any other activity and to hear appeals from denials of permits by the Recreation and Park Department or Commission.

(Amends Section 2.74.)

Ordinance No. 18-99

FINALLY PASSED by the following vote:

Ayes: 7 - Becerril, Brown, Katz, Leno, Newsom, Teng, Yaki

Noes: 3 - Bierman, Yee, Ammiano

Absent: 1 - Kaufman

Appointment of President Pro Tempore

At the request of the President, Supervisor Katz assumed the Chair so the President could participate in the debate from the floor concerning the following item.

Recommendation of Rules Committee

981778 [Registration of Lobbyists]

Ordinance amending Administrative Code by amending Sections 16.520 through 16.534 to: add legislative findings; clarify definitions and add new definitions; consolidate the definition of "Lobbyist" with the thresholds for qualifying as lobbyist and the exemptions; increase the qualification threshold for contract lobbyists from \$1,000 per month to \$3,200 per quarter; increase the qualification threshold for expenditure lobbyists from \$1,000 per quarter to \$3,200 per quarter; clarify and add new exemptions; clarify that once a person qualifies as a "Lobbyist" the person is subject to the requirements and prohibitions of this Article until the person ceases all lobbyist activity and files a statement of termination; clarify the disclosure requirements applicable at the time of registration and at the time of filing quarterly activity reports; provide that all lobbyists re-register on January 15 each year; require lobbyists to disclose payments received from City officers in exchange for campaign consulting services; limit the aggregate value of gifts from lobbyists to each City officer, within three months of a lobbyist contact, to \$50; and require lobbyists to notify City officers of the value of gifts conferred; and require lobbyist to attend annual workshops conducted by the Ethics Commission. (Ethics Commission)

(Amends Sections 16.520 through 16.534.)

Supervisor Brown moved to amend page 5, lines 16 and 17 by replacing the text with the following: (P) "A person applying for, opposing or otherwise taking any position on a grading permit or a permit relating to the construction, alteration, demolition or moving of a building or to a person filing, opposing or otherwise taking a position on a parcel map or subdivision tract map; provided, however, that if a person qualifies as a lobbyist and that person takes or opposes an appeal or represents a person taking or opposing an appeal, pursuant to any procedure or authority provided by law from an administrative determination made with respect to such an application or map, that person shall be required to register as provided in Section 16.522 upon taking the appeal or filing opposition to it."

Supervisor Brown, seconded by President Ammiano, moved that this Ordinance be AMENDED. The motion carried by the following vote:

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

Supervisor Yaki moved to amend page 23, lines 9 through 16, by deleting the entire subsection (i) relating to Annual Workshop (which amends title page 1, lines 20 and 21 to read "and require the Ethics Commission to conduct quarterly workshops concerning the laws relating to lobbyists" and page 13, line 25, by deleting "; annual workshops").

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

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

Noes: 2 - Ammiano, Bierman

Ordinance amending Administrative Code by amending Sections 16.520 through 16.534 to: add legislative findings; clarify definitions and add new definitions; consolidate the definition of "Lobbyist" with the thresholds for qualifying as lobbyist and the exemptions; increase the qualification threshold for contract lobbyists from \$1,000 per month to \$3,200 per quarter; increase the qualification threshold for expenditure lobbyists from \$1,000 per quarter to \$3,200 per quarter; clarify and add new exemptions; clarify that once a person qualifies as a "Lobbyist" the person is subject to the requirements and prohibitions of this Article until the person ceases all lobbyist activity and files a statement of termination; clarify the disclosure requirements applicable at the time of registration and at the time of filing quarterly activity reports; provide that all lobbyists re-register on January 15 each year; require lobbyists to disclose payments received from City officers in exchange for campaign consulting services; limit the aggregate value of gifts from lobbyists to each City officer, within three months of a lobbyist contact, to \$50; and require lobbyists to notify City officers of the value of gifts conferred; and require the Ethics Commission to conduct quarterly workshops concerning the laws relating to lobbyists. (Ethics Commission)

(Amends Sections 16.520 through 16.534.)

PASSED ON FIRST READING AS AMENDED by the following vote:

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

The President resumed the Chair.

NEW BUSINESS

Recommendations of the Housing and Neighborhood Services Committee

982005 [Zoning Map Amendment, 949 Vermont Street]

Ordinance adopting changes in property use classification as an amendment to the Zoning Map of the City and County of San Francisco of property located at 949 Vermont Street, east side between 21st and 22nd Streets, Lot 92, Assessor's Block 4093 from a "P" (Public Use) District with an "OS" (Open Space) Height and Bulk designation to an "RH-2" (Residential, House, Two-Family) District with a "40-X" Height and Bulk designation and adopting findings pursuant to Section 101.1. of the Planning Code. (Planning Department)

(Planning Commission Resolution No. 14705 adopted September 17, 1998 recommending approval of proposed rezoning to "RH-2"; Exempt from environmental review under General Rule exclusion dated July 15, 1998.)

PASSED, ON FIRST READING by the following vote:

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

981492 [Liquor License Transfer, 536 Broadway Street]

Resolution opposing the request for the transfer of a Type 20 off-sale beer and wine alcoholic beverage control license for Muhammad Daher and Khaled Zoubi for North Beach Market, from 1262 Stockton Street to 536 Broadway Street, and determining that it will not serve the public convenience and necessity of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code.

Resolution No. 80-99

ADOPTED by the following vote:

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

982099 [Liquor License, 225 Bush Street]

Resolution determining that the issuance of a Type 9 beer and wine importer license, Type 17 beer and wine wholesaler, and Type 20 off-sale beer and wine alcoholic beverage control license to Jennifer A. Bellwoar on behalf of PrimeReserve LLC, located at 225 Bush Street, will serve the convenience of the people of the City and County of San Francisco in accordance with Section 23958.4 of the California Business and Professions Code.

Resolution No. 81-99

ADOPTED by the following vote:

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

SPECIAL ORDER 3:00 P.M.**981633 [Appeal, 2826-2828 Octavia St. Subdivision Map]**

Hearing of persons interested in or objecting to the decision of the Public Works Director dated September 14, 1998, approving Tentative Subdivision Map (subject to certain conditions and Building Inspection Code requirements), to legalize the proposed subdivision creating two substandard-sized lots in Assessor's Block 529, Lot 16, at 2826-2828 Octavia Street.

(See Files 981634, 981635, 981636.)

The Representative from the Department of Public Works indicated the appellant wished to withdraw the appeal.

No objection and hearing closed.

HEARD AT PUBLIC HEARING.

981634 [Appeal, 2826-2828 Octavia St. Subdivision Map]

Motion approving decision of the Director of Public Works, approving Tentative Subdivision Map to legalize the proposed subdivision creating two substandard-sized lots in Assessor's Block 529, Lot 16, at 2826-2828 Octavia Street. (Clerk of the Board)

(See Files 981633, 981635, 981636.)

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

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

981635 [Appeal, 2826-2828 Octavia St. Subdivision Map]

Motion disapproving decision of the Director of Public Works, approving Tentative Subdivision Map to legalize the proposed subdivision creating two substandard-sized lots in Assessor's Block 529, Lot 16, at 2826-2828 Octavia Street. (Clerk of the Board)

(See Files 981633, 981634, 981636.)

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

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

981636 [Findings - 2826-2828 Octavia St. Subdivision Map]

Motion directing the Clerk of the Board to prepare findings relating to Tentative Subdivision Map to legalize the proposed subdivision creating two substandard-sized lots in Assessor's Block 529, Lot 16, at 2826-2828 Octavia Street, for consideration by the Board at its next meeting. (Clerk of the Board)

(See Files 981633, 981634, 981635.)

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

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

SPECIAL ORDER - 3:00 PM**Board of Supervisors Sitting as a Committee of the Whole****990158 [Public Hearing]**

Hearing of persons interested in or objecting to proposed motion having the Monday, February 22, 1999 meeting of the Board of Supervisors held at the John Yehall Chin Elementary School, 350 Broadway Street, Multi-purpose Room in the Chinatown Neighborhood of San Francisco at 6:00 p.m. (Clerk of the Board)

Speaking in support: Male speaker; Jack Yee.

HEARD AT PUBLIC HEARING.

Committee of the Whole Rise and Report Without Recommendation**990061 [Off Site Meeting in Chinatown]**

Supervisors Yee, Teng

Motion having the Monday, February 22, 1999 meeting of the Board of Supervisors held at the John Yehall Chin Elementary School, 350 Broadway Street, Multi-purpose Room in the Chinatown Neighborhood of San Francisco at 6:00 p.m.

Supervisor Teng requested to be added as co-sponsor.

Motion No. M99-7

APPROVED by the following vote:

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

PUBLIC COMMENT

Carmen Ramirez, Neighborhood Alliance, invite public to "A Bridge to Understanding Our City", Saturday, February 6, 1999 at City Hall, free admission;

J. B. Saunders, civil rights, homeless services;

Daniel Pieste, newspaper articles on homeless issues;

Tate, hospital patients rights and security of possessions;

Abdalla Megahed, site for new homeless shelter;

Reubin Goodman, homeless shelter intake procedures;

Speaking in support of Child Care Partnership Act: Fran Kipnis, Maria Luz Torres, Elia Fernandez, Rosie Kennedy, Joe Wilson.

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.

- 990138 [Commendation] Supervisors Newsom, Katz, Yaki
 Resolution commending the Hidden Truths Bloody Sunday Exhibition and the families of the Bloody Sunday victims for their work to commemorate Bloody Sunday.
Supervisors Katz, Yaki requested to be added as co-sponsors.
 Resolution No. 87-99
ADOPTED
- 990139 [Board Meeting Schedule] Supervisors Teng, Katz
 Resolution rescheduling the Tuesday, February 16, 1999, regular meeting of the Board of Supervisors to Wednesday, February 17, 1999, in honor of the first day of Chinese New Year, the Year of the Rabbit.
Supervisor Katz requested to be added as co-sponsor.
 Resolution No. 83-99
ADOPTED
- 990141 [Condemning The Taliban] Supervisors Ammiano, Bierman, Katz, Brown, Leno, Yaki
 Resolution condemning the Taliban, the ruling faction of the Government of Afghanistan, for its inhumane treatment of gay people and women.
Supervisors Katz, Brown, Leno, Yaki requested to be added as co-sponsors.
 Resolution No. 88-99
ADOPTED
- 990142 [Commendation] Supervisors Leno, Ammiano, Katz, Kaufman, Brown, Teng, Bierman, Yee, Yaki, Newsom, Becerril
 Resolution commending the Gay and Lesbian Alliance Against Defamation (GLAAD) for its denunciation of the Fox Files television show segment entitled "Gay Underworld" and condemning the Fox Network for airing the anti-gay show and urging them to comply with the demands of GLAAD.
 Resolution No. 85-99
ADOPTED
- 990143 [Reward] Supervisors Brown, Leno, Katz, Yaki, Bierman, Newsom
 Resolution urging the Mayor to establish a reward for information leading to the arrest and conviction of the assailant of Arinze Anoruo.
Supervisor Newsom requested to be added as co-sponsor.
 Resolution No. 86-99
ADOPTED
- 990146 [Housing Trusts Study] Supervisor Ammiano
 Motion directing the Board of Supervisors Legislative Analyst to study housing trusts.
 Motion No. M99-8
APPROVED
- 990149 [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.
Supervisor Becerril requested to be added as co-sponsor.
 Motion No. M99-9
APPROVED

- 990150 [Final Map, McAllister Manor - 1543 McAllister Street]
 Motion approving final map of McAllister Manor - 1543 McAllister Street, a Residential Condominium Project, being a subdivision of Lot 21, Assessor's Block No. 1180, and adopting findings pursuant to the Planning Code Section 101.1. (Department of Public Works)

(DPW Order No. 171,429.)

Motion No. M99-10

APPROVED

- 990154 [Suspend 30-Day Rule - Treasure Island Leases] Supervisors Ammiano, Katz
 Motion suspending Rule 5.40 of the Rules of Order of the Board of Supervisors to allow the Board of Supervisors to consider, without waiting 30 days after its introduction, resolutions authorizing the Treasure Island Development Authority to execute leases and related agreements for housing units on Treasure Island.

Supervisor Katz requested to be added as co-sponsor.

Motion No. M99-12

APPROVED

The foregoing items were acted upon by the following vote:

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

Absent: 1 - Teng

Severed From For Adoption Without Committee Reference Agenda

- 990124 [Appointment] Supervisor Ammiano
 Resolution appointing Sue Bierman, member of the Board of Supervisors, as a representative to the Metropolitan Transportation Commission.

(Seat No. 1, for a new four-year term ending February 9, 2003.)

At the request of the Clerk, this matter was severed so that Supervisor Bierman can be excused from voting on this item.

Resolution No. 77-99

SEVERED FROM FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA.

Supervisor Yaki, seconded by Supervisor Newsom, moved to excuse Supervisor Bierman from voting. The motion carried by the following vote:

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

Absent: 1 - Teng

ADOPTED by the following vote:

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

Absent: 1 - Teng

Excused: 1 - Bierman

- 990140 [Landmark, Washington Square] Supervisors Yee, Becerril
 Resolution urging the Planning Department, Planning Commission, Arts Commission, Recreation and Parks Commission, and the Landmarks Preservation Advisory Board to expeditiously designate Washington Square a landmark.

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

Resolution No. 84-99

SEVERED FROM FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA.

Supervisor Becerril requested to be added as co-sponsor.

After a brief discussion, the roll was called on the pending resolution.

ADOPTED by the following vote:

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

Absent: 1 - Teng

990151 [Suspend 30-Day Rule - Interim Zoning Controls, Residential Units Conversion] Supervisor Bierman

Motion suspending Rule 5.40 of the Rules of Order of the Board of Supervisors to allow the Board of Supervisors to consider, without waiting 30 days after its introduction, conversion of residential rental uses in interim zoning controls.

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

Motion No. M99-11

SEVERED FROM FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA.

Supervisors Kaufman, Newsom and Yee requested to be excused from voting on this item.

Supervisor Brown, seconded by Supervisor Yaki, moved to excuse Supervisors Kaufman, Newsom and Yee from voting. The motion carried by the following vote:

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

Absent: 1 - Teng

APPROVED by the following vote:

Ayes: 7 - Ammiano, Bierman, Becerril, Brown, Katz, Leno, Yaki

Absent: 1 - Teng

Excused: 3 - Kaufman, Newsom, Yee

OFF-CALENDAR LEGISLATION

Introduced by Supervisors or Mayor

Ordinances

990167 [Zoning - Liquor Establishments] Supervisor Bierman

Ordinance amending Planning Code Section 186.1 and adding Sections 719.45 and 790.55, to prohibit liquor establishments, and to regulate existing non-conforming liquor establishments, in the Haight Street Neighborhood Commercial District, and making a determination of consistency with the priority policies of Planning Code Section 101.1.

(Amends Section 186.1; adds Sections 719.45 and 790.55.)

2/1/99, ASSIGNED UNDER 30 DAY RULE to Transportation and Land Use Committee, expires on 3/3/1999.

990168 [Rent Ordinance] Supervisors Leno, Bierman

Ordinance amending Administrative Code (Residential Rent Stabilization and Arbitration Ordinance) Section 37.2(g) to define "housing services" to include any right to have a specific number of occupants in a unit and any right to sublet or assign; and amending Section 37.9(c) to provide that so long as an originally contracting tenant continues to reside in the unit a landlord may not unreasonably withhold permission for utilization of any right to have a specific number of occupants in a unit or to sublet, and that the landlord may not unilaterally rescind any such rights.

(Amends Sections 37.2(g) and 37.9(c).)

2/1/99, ASSIGNED UNDER 30 DAY RULE to Housing and Social Policy Committee, expires on 3/3/1999.

Resolutions

- 981989** [Dioxin] **Supervisors Newsom, Leno,
Bierman**
- Resolution establishing dioxin as a high priority for immediate action for the City and County of San Francisco in order to restore water, air and total environment quality.
- 11/23/98, RECEIVED AND ASSIGNED to Health, Family, and Environment Committee.
- 1/25/99, TRANSFERRED to Public Health and Environment Committee. New committee structure.
- 2/1/99, SUBSTITUTED. By Supervisor Newsom in Board.
- 2/1/99, RECEIVED AND ASSIGNED to Public Health and Environment Committee.
- 990169** [U. S. Bureau of the Census] **Supervisors Teng, Becerril, Brown,
Katz, Leno, Newsom, Yaki,
Bierman**
- Resolution urging the Mayor to form a complete count committee, provide adequate funding to supplement the Census Bureau's outreach efforts and request City Departments and community-based organizations to promote participation in the 2000 Census; urging the Chancellor of City College and the Superintendent of the San Francisco Unified School District to promote census participation.
- 2/1/99, RECEIVED AND ASSIGNED to Housing and Social Policy Committee.
- 990170** [Year 2000 Full Count Committee - Census Count] **Supervisors Ammiano, Yee,
Bierman**
- Resolution establishing a Year 2000 Complete Count Advisory Committee to develop and coordinate a census implementation plan for the City and County of San Francisco and to act as liaison to the Census Bureau to ensure a complete count in the year 2000, establishing the membership and rules for the committee, setting a deadline for a committee recommendation on an adequate level of City funding to supplement Census Bureau's outreach efforts, and urging City Departments, City-funded community based organizations, the Chancellor of City college and the Superintendent of SF Unified School District to promote local census participation.
- 2/1/99, RECEIVED AND ASSIGNED to Housing and Social Policy Committee.
- 990171** [Project Labor Agreement] **Supervisor Brown**
- Resolution adopting the use of project labor agreements when contracting for the construction of significant public works projects.
- 1/1/99, ASSIGNED UNDER 30 DAY RULE to Finance and Labor Committee, expires on 3/3/1999.
- 990172** [Board of Supervisors Chamber Utilization] **Supervisor Katz**
- Resolution directing the Clerk of the Board of Supervisors and the City Attorney to negotiate with Walt Disney Pictures the utilization of the Board of Supervisors Chambers.
- 2/1/99, RECEIVED AND ASSIGNED to Rules Committee.
- 990173** [Grant Funds - Bay Area Trail System] **Mayor**
- Resolution authorizing the Department of Public Works (DPW) to accept and expend a grant from the Association of Bay Area Governments (ABAG) for improvements to the Bay Trail, approving the ABAG Bay Trail grant contract, authorizing the Director of DPW to execute the Bay Trail grant contract, making findings of conformity of the Bay Trail improvements with the General Plan, and urging all relevant City departments, agencies and commissions to move expeditiously in approving any Bay Trail improvements related to this ABAG grant.
- 2/1/99, RECEIVED AND ASSIGNED to Parks and Recreation Committee.

- 990174 [Language and Culturally Sensitive Services] Supervisors Yee, Becerril, Katz
Resolution urging all City and County of San Francisco departments to provide services and materials in various languages to reflect San Francisco's language and cultural diversity.
2/1/99, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 990175 [Colombian Earthquake Relief] Supervisors Becerril, Katz, Yaki, Leno, Bierman
Resolution expressing deepest sympathy to the people of Colombia and urging each City Department to determine how they can assist in the relief efforts currently underway.
2/1/99, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 990176 [State Legislation, Child Care Partnership Program] Supervisors Leno, Bierman, Katz, Becerril, Yaki
Resolution urging the California State Legislature to adopt child care partnership legislation to benefit low-income families who are currently the last priority for receiving subsidized child care funds.
2/1/99, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 990177 [Marina Parking Lot Fee Collection Pilot Program] Supervisor Newsom
Resolution urging Recreation and Parks Department and the Department of Parking and Traffic to work together to institute a pilot program of centralized fee collection boxes for week day parking in the Marina parking lot; and asking Recreation and Parks to assess the appropriate number of spaces needed for permit parking.
2/1/99, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 990178 [Kiangsu Chekiang Day] Supervisors Teng, Katz, Yaki, Bierman
Resolution commending Kiangsu Chekiang Association for its distinguished work and outstanding contributions to the community and declaring January 31, 1999 "Kiangsu Chekiang Association Day" in San Francisco.
2/1/99, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 990179 [GAPA Day] Supervisors Teng, Katz, Yaki, Leno, Bierman
Resolution commending the Gay Asian Pacific Alliance for its distinguished work, outstanding leadership and dedication to the community and declaring January 30, 1999 as "Gay Asian Pacific Alliance Day" in San Francisco.
2/1/99, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

- 990180 [Vietnamese New Year (TET), Year of the Cat] Supervisors Yee, Katz, Bierman
Resolution holding the regular meeting of the Board of Supervisors on Wednesday, February 17, 1999, in honor of the Vietnamese New Year (TET), the Year of the Cat.
2/1/99, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 990181 [Commendation] Supervisors Yee, Katz, Bierman
Resolution commending the Vietnamese Community Center of San Francisco for their Third Annual Tet Festival.
2/1/99, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 990182 [Commendation] Supervisors Bierman, Katz
Resolution commending Sherry Barto on the occasion of her retirement from the City and County of San Francisco after over thirty years of dedicated service to the mental health system.
2/1/99, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Request for Hearings

- 990183 [California Community Dispute Services Contract/Program] Supervisor Yee
Hearing to consider the California Community Dispute Services (CCDS) contract and program.
2/1/99, RECEIVED AND ASSIGNED to Finance and Labor Committee.
- 990184 [Muni Reform] Supervisor Newsom
Hearing to consider analyzing SPUR, Rescue Muni, the new Muni Task Force and other organizations' proposed key structural improvements to Muni.
2/1/99, RECEIVED AND ASSIGNED to Transportation and Land Use Committee.

Motions

- 990166 [Homeless Services] Supervisors Brown, Katz, Becerril
Motion directing the Budget Analyst to prepare a report on the efficiency and adequacy of the services the City and County of San Francisco provides to the homeless.
2/1/99, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 990185 [Board of Supervisors Audit] Supervisor Teng
Motion urging that a comprehensive management audit be performed on the Board of Supervisors and Clerk of the Board for the City and County of San Francisco.
2/1/99, RECEIVED AND ASSIGNED to Audit and Government Efficiency Committee.

Introduced by the President at the Request of Departments

PROPOSED ORDINANCES

- 990134 [Simca Harris v. CCSF, et al.]
Ordinance authorizing settlement of litigation of Simca Harris against the City and County of San Francisco by payment of \$33,383.87. (City Attorney)

(U.S. District Court No. C97-4614 PJH)
1/25/99, RECEIVED AND ASSIGNED to Audit and Government Efficiency Committee.

PROPOSED RESOLUTIONS**990122 [DPH - State Dept of Mental Health Performance Contract, FY 1998-1999]**

Resolution authorizing the Department of Public Health, Public Health Division, Community Mental Health Services, to enter into the fiscal year 1998-1999 performance contract with the State Department of Mental Health, which includes indemnification clauses and does not include patent infringement indemnification and false claims clauses. (Department of Public Health)

1/20/99, RECEIVED AND ASSIGNED to Public Health and Environment Committee.

990135 [Lake Merced Transport Project - Transfer of Land]

Resolution authorizing transfer of land (Assessor's Parcel No. 7282 described as Parcel No. 1 comprising of 36,007 square feet and Parcel 2 comprising of 2,672 square feet), to the United States of America for inclusion in the Golden Gate National Recreation Area. (Real Estate Department)

1/25/99, RECEIVED AND ASSIGNED to Finance and Labor Committee.

990152 [Purchase of 555-7th Street Building]

Resolution authorizing the exercise of the purchase option in the lease between the City and County of San Francisco ("City"), as lessee, and Burt J. Hamrol, as lessor, for the real property and building located at 555-7th Street (the "Property"); authorizing the officers of the City to enter into documents to implement said purchase; approving a Project Lease related to financing the acquisition of the property (including certain indemnities contained therein); approving a Trust Agreement between the City and a Trustee (including certain indemnities contained therein); authorizing the selection of a Trustee; approving the execution and delivery of Certificates of Participation to finance the acquisition of the property; authorizing the offer and sale of the certificates; approving the form of Official Notice of Sale, Notice of Intention to Sell, and Official Statement; approving the form of Continuing Disclosure Certificate relating to the certificates; approving the validation of the execution and delivery of certificates; adopting findings pursuant to Planning Code Section 101.1; and ratifying previous actions taken in connection therewith. (Mayor)

(Fiscal impact.)

1/27/99, RECEIVED AND ASSIGNED to Finance and Labor Committee.

990155 [Bayshore-Hester Surplus Funds Declaration]

Resolution making a declaration of a surplus in the improvement fund for the Bayshore-Hester assessment district and directing disbursement of such surplus. (Mayor)

1/27/99, RECEIVED AND ASSIGNED to Finance and Labor Committee.

990156 [Local Law Enforcement Block Grant]

**Supervisors Teng, Bierman,
Becerril**

Resolution authorizing the Mayor of the City and County of San Francisco to retroactively apply for, accept, a grant in the amount of \$2,826,976 from the U.S. Department of Justice to administer the Local Law Enforcement Block Grant Program, and waiving indirect costs. (Mayor)

1/27/99, RECEIVED AND ASSIGNED to Housing and Social Policy Committee.

990157 [CalWORKs - Child Care Contract Modification]

Resolution urging the Board of Supervisors to authorize an increase in enrollment and service level for CalWORKs Child Care by modifying the existing contract with the Children's Council of San Francisco in the amount of \$40.8 million to provide for the increase in enrollment, program costs and a number of capacity building initiatives. (Department of Human Services)

1/27/99, RECEIVED AND ASSIGNED to Finance and Labor Committee.

1/28/99, CLERICAL CORRECTION. Clerical correction to title only; delete "Urging the Board of Supervisors to authorize"; insert "Authorizing".

Board of Supervisors New Committee Assignments

President Ammiano announced the following Committee assignments, effective February 4, 1999:

Audit and Government Efficiency Committee: Supervisors Kaufman, Newsom, Katz

Finance and Labor Committee: Supervisors Yee, Bierman, Ammiano

Housing and Social Policy Committee: Supervisors Teng, Bierman, Becerril

Parks and Recreation Committee: Supervisors Brown, Newsom, Leno

Public Health and Environment Committee: Supervisors Bierman, Brown, Yaki

Public Utilities and Deregulation Committee: Supervisors Ammiano, Yee, Becerril

Rules Committee: Supervisors Leno, Teng, Kaufman

Small Business, Economic Vitality and Consumer Services Committee: Supervisors Newsom, Leno, Becerril

Transportation and Land Use Committee: Supervisors Katz, Yaki, Yee

First-named Supervisor is Chair, Second-named Supervisor is Vice-Chair, of the Committee.

Requests Granted

By Supervisors Yaki, Brown, Katz, Leno that City Attorney draft legislation which would limit the sale of handguns in San Francisco to one per individual per month.

By Supervisor Yee, that City Attorney draft legislation which would require liquor license operators who come to the Board of Supervisors for a public convenience and necessity ruling to notify neighborhood groups in the area affected by the new license, transferred license or change in license conditions.

By Supervisor Yee, that letter be sent to each department concerning services to the homeless and requesting information, via the Controller's office, as follows: what services are provided to the homeless population, the cost of these services and the source of funding for each of these services.

By Supervisor Yee, that letter be sent to the Controller concerning services to the homeless and requesting he review the reports each city department has been requested to provide to the Board of Supervisors through his office in conjunction with the Mayor's Office on Homelessness. The Controller is requested to submit a report on his review to the Board of Supervisors and Harvey Rose for consideration and analysis.

By Supervisor Ammiano, that letter be sent to the Acting Director of Public Transportation requesting a detailed analysis of public and employee health and safety concerns related to the new Marin Street Muni yard and a plan and timetable to mitigate any potential health and safety risks at the site.

By Supervisor Ammiano, that City Attorney draft legislation in conjunction with the Mayor's Office of Commute Assistance establishing new commuter choice programs for City employees, in order to take advantage of new federal tax incentives for employee transit benefits.

By Supervisor Katz, that letter be sent to Muni and other departments to explore the feasibility of selling fast passes at local ATM machines as a precursor to selling regional transit smart cards and report back to the Board on whether this can be done.

By Supervisor Katz, that letter be sent to Director, Department of Telecommunication and Information Services (DTIS) to inquire as to the availability of resources to dedicate one DTIS staff member to further develop and implement Geographic Information System (GIS) applications and to work with the Department of Public Works on this process.

By Supervisor Leno, that City Attorney determine whether the City and County of San Francisco should join the cities of Chicago, New Orleans, Bridgeport and Miami-Dade County in filing product liability suits against handgun manufacturers.

By Supervisor Newsom, that City Attorney draft ordinance which defines the form and content of the Customer Service Plans as mandated by Proposition B, November 1998.

In Memoriams

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

Arthur McCrystle, Jr. (Supervisor Bierman)
Joseph Esherrick (Supervisor Bierman)
Frances Jaffer (Supervisor Bierman)
Hector Caceres (Supervisor Yee)
Katherine Amadeo (Supervisor Katz)
William L. Maas (Supervisor Bierman)
James Edward Mays, Jr. (Supervisors Leno, Bierman)
Laramie Simpson

ADJOURNMENT

There being no further business, the Board at the hour of 4:50 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 March 29, 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

