

BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

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

MEETING MINUTES

Monday, November 22, 1999 2:00 PM

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

Regular Meeting

DOCUMENTS DEPT.

JUN - 5 2000

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TOM AMMIANO, PRESIDENT

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

Gloria L. Young, Clerk of the Board

BOARD COMMITTEES

Committee Membership

Audit and Government Efficiency Committee
Supervisors Kaufman, Newsom, Katz

Finance and Labor Committee
Supervisors Yee, Bierman, Ammiano

Housing and Social Policy Committee
Supervisors Teng, Bierman, Becerril

Joint School Board/Board of Supervisors Committee
Supervisors Owens, Chong, Ammiano, Yee

Parks and Recreation Committee
Supervisors Brown, Newsom, Leno

Public Health and Environment Committee
Supervisors Bierman, Brown, Yaki

Public Utilities and Deregulation Committee
Supervisors Ammiano, Yee, Becerril

Rules Committee
Supervisors Leno, Teng, Kaufman

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

Transportation and Land Use Committee
Supervisors Katz, Yaki, Yee

Meeting Days

1st Tuesday
1:00 PM

Wednesday
10:00 AM

1st and 3rd Tuesday
10:00 AM

Quarterly, 4th Wednesday
3:00 PM

2nd Tuesday
1:00 PM

2nd & 4th Thursday
1:00 PM

3rd Tuesday
1:00 PM

2nd & 4th Thursday
10:00 AM

1st and 3rd Thursday
10:00 AM

2nd and 4th Tuesday
10:00 AM

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

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

ROLL CALL AND PLEDGE OF ALLEGIANCE

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

The meeting was called to order at 2:03 p.m. On call of the roll, all eleven Supervisors were noted present.

Quorum present.

APPROVAL OF MEETING MINUTES

Supervisor Teng, seconded by Supervisor Becerril, moved to APPROVE the October 25, 1999 Meeting Minutes. The motion carried by the following vote:

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

CONSENT AGENDA

Recommendations of the Housing and Social Policy Committee

990494 [Fair Housing Implementation Ordinance, Administrative Code]
Supervisors Teng, Bierman, Becerril

Ordinance amending Administrative Code by adding Chapter 87, Sections 87.1 through 87.11, to describe federal, state and local fair housing laws which protect certain classes of individuals from housing discrimination that may occur through zoning laws, land use authorizations, funding decisions and other activities of local government; and to require and facilitate local compliance with such laws and promote housing opportunities for residents of San Francisco.

(Adds Chapter 87, Sections 87.1 through 87.11.)

Ordinance No. 303-99

FINALLY PASSED

**990495 [Fair Housing Requirements for Conditional Uses, Planning Code]
Supervisors Teng, Bierman, Becerril**

Ordinance amending Planning Code, Article 3, Section 303 to provide that, in considering applications for conditional uses for "dwellings" in which "protected class members" (each as defined in Administrative Code Chapter 87) are likely to reside, the Planning Commission shall comply with the requirements of Chapter 87 of the Administrative Code.

(Amends Section 303.)

(Planning Commission Resolution No. 14839 adopted June 10, 1999 recommending the proposed amendment. Certification of Exemption from environmental review dated May 20, 1999.)

Ordinance No. 304-99

FINALLY PASSED

**990496 [Fair Housing Requirements for Variances, Planning Code]
Supervisors Teng, Bierman, Becerril**

Ordinance amending Planning Code, Article 3, Section 305 to provide that, in considering applications for variances for "dwellings" in which "protected class members" (each as defined in Administrative Code Chapter 87) are likely to reside, the Zoning Administrator and the Board of Appeals shall comply with the requirements of Chapter 87 of the Administrative Code.

(Amends Section 305.)

(Planning Commission Resolution No. 14839 adopted June 10, 1999 recommending the proposed amendment. Certification of Exemption from environmental review dated May 20, 1999.)

Ordinance No. 305-99

FINALLY PASSED

**990497 [Fair Housing Requirements for Board of Appeals, Municipal Code Part III]
Supervisors Teng, Bierman, Becerril**

Ordinance amending Municipal Code, Part III, by amending Section 8 to provide that in considering appeals related to "dwellings" in which "protected class members" (each as defined in Administrative Code Chapter 87) are likely to reside, the Board of Appeals shall comply with the requirements of Chapter 87 of the Administrative Code.

(Amends Section 8.)

Ordinance No. 306-99

FINALLY PASSED

**990498 [Fair Housing Requirements for Permits, Municipal Code Part III]
Supervisors Teng, Bierman, Becerril**

Ordinance amending Municipal Code, Part III, by amending Section 26 to provide that in granting, denying, revoking or refusing to revoke any permit related to "dwellings" in which "protected class members" (each as defined in San Francisco Administrative Code Chapter 87) are likely to reside, the granting or revoking power shall comply with the requirements of Chapter 87 of the Administrative Code.

(Amends Section 26.)

Ordinance No. 307-99

FINALLY PASSED

**990499 [Fair Housing Requirements for Subdivision Approvals]
Supervisors Teng, Bierman, Becerril**

Ordinance amending Subdivision Code by adding Section 1302A to provide that all decisions made regarding the control and approval of subdivision developments containing "dwellings" in which "protected class members" (each as defined in San Francisco Administrative Code Chapter 87) are likely to reside, the applicable City department or official shall comply with the requirements of Chapter 87 of the Administrative Code.

(Adds Section 1302A.)

Ordinance No. 308-99

FINALLY PASSED

**990500 [Fair Housing Requirements for Permits, Public Works Code]
Supervisors Teng, Bierman, Becerril**

Ordinance amending Public Works Code by adding Article 1, Section 1 to provide that in issuing permits for "dwellings" in which "protected class members" (each as defined in Administrative Code Chapter 87) are likely to reside, the Department of Public Works shall comply with the requirements of Chapter 87 of the Administrative Code.

(Adds Article 1, Section 1.)

Ordinance No. 309-99

FINALLY PASSED

990501 [Fair Housing Requirements for Permits, Building Code]
Supervisors Teng, Bierman, Becerril

Ordinance amending Building Code by adding Section 106.1 to provide that, in issuing permits for "dwellings" in which "protected class members" (each as defined in Administrative Code Chapter 87) are likely to reside, the Department of Building Inspection shall comply with the requirements of Chapter 87 of the Administrative Code.

(Adds Section 106.1.)

Ordinance No. 310-99

FINALLY PASSED

991685 [Plumbing Code]

Ordinance re-enacting the 1998 San Francisco Plumbing Code on a permanent basis without modification; reaffirming endorsement of San Francisco amendments and findings of local conditions. (Department of Building Inspection)

Ordinance No. 313-99

FINALLY PASSED

991687 [Mechanical Code]

Ordinance re-enacting the 1998 San Francisco Mechanical Code on a permanent basis without modification; reaffirming endorsement of San Francisco amendments and findings of local conditions. (Department of Building Inspection)

Ordinance No. 314-99

FINALLY PASSED

991689 [Electrical Code]

Ordinance re-enacting the 1998 San Francisco Electrical Code on a permanent basis without modification; reaffirming endorsement of San Francisco amendments and findings of local conditions. (Department of Building Inspection)

Ordinance No. 315-99

FINALLY PASSED

991691 [Housing Code]

Ordinance re-enacting the 1998 San Francisco Housing Code on a permanent basis without modification; reaffirming endorsement of San Francisco amendments and findings of local conditions. (Department of Building Inspection)

Ordinance No. 316-99

FINALLY PASSED

991693 [Building Code]

Ordinance re-enacting the 1998 San Francisco Building Code on a permanent basis without modification; reaffirming endorsement of San Francisco amendments and findings of local conditions. (Department of Building Inspection)

Ordinance No. 317-99

FINALLY PASSED

992049 [Building and Housing Codes]

Supervisor Teng

Ordinance amending Building Code Section 105.2.8.4 to reinstate the language of the 1995 San Francisco Building Code regarding homeowner's financial qualifications for moratorium on abatement action using updated section reference number; amending Housing Code Section 401 to reinstate item number 11 deleted in error from the definition of "nuisance" and to make a nonsubstantive editorial correction, by amending Section 909 to correct incomplete code section references and to correct typographical error; amending Sections 909 and 910 regarding smoke and heat detectors and alarm system by reinstating the language of the 1995 San Francisco Housing Code to require these items for certain existing buildings containing five or more dwelling units.

(Amends Building Code Section 105.2.8.4; amends Housing Code Sections 401, 909 and 910.)

Ordinance No. 320-99

FINALLY PASSED

Recommendations of the Rules Committee**980984 [Appointments]**

Resolution appointing one member to the Park and Open Space Advisory Committee. (Clerk of the Board)

Howard Wong, Seat 11, succeeding Ailene Herold-Coffino, must be nominee of Supervisor Becerril from organization list, new two year term ending July 15, 2000.

Resolution No. 1060-99

ADOPTED

991396 [Appointments]

Resolution appointing one member to Sunshine Ordinance Task Force.

Judy Appel, Seat 1, succeeding Nicole Wong, must be attorney nominated by Society of Professional Journalists, for portion of unexpired two-year term ending April 27, 2000.

Resolution No. 1081-99

ADOPTED

992115 [Appointment]

Resolution appointing one member to Park and Open Space Advisory Committee.

Ned York, Seat 16, succeeding Gregory Rocca, must be nominee of Supervisor Newsom, new two-year term ending July 15, 2001.

Resolution No. 1069-99

ADOPTED

992116 [Appointment]

Resolution appointing one member to Lead Poisoning Prevention Citizens Advisory Committee.

Sandra Carrillo, Seat 3, succeeding herself, must represent a tenant organization, new four-year term ending August 20, 2003.

Resolution No. 1070-99

ADOPTED

Recommendations of the Transportation and Land Use Committee**991585 [Zoning, Conditional Use Authorization in Neighborhood Commercial Districts]
Supervisors Leno, Brown, Becerril**

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

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

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

Supervisor Becerril requested to be added as co-sponsor.

Ordinance No. 311-99

FINALLY PASSED

**991586 [Zoning, North Beach Neighborhood Commercial District, Nonresidential Use Size]
Supervisors Leno, Brown, Becerril**

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

(Planning Commission Resolution No. 14919 adopted November 4, 1999, recommending approval of the proposed amendment.)

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

Ordinance No. 312-99
FINALLY PASSED

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

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

(Adds Section 32.6.27.)

Ordinance No. 318-99
FINALLY PASSED

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

Ordinance creating Underground District No. 354 in the Oakdale, Palou and Newcomb area.

Ordinance No. 319-99
FINALLY PASSED

The foregoing items were acted upon by the following vote:

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

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendations of the Finance and Labor Committee

992001 [Recreation and Parks Bond Special Election]

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

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

Ordinance No. 298-99

FINALLY PASSED by the following vote:

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

Appointment of President Pro Tempore

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

The President resumed the Chair shortly thereafter.

991852 [Lease and Use Agreement Modifications to allow eight (8) airlines to relocate all international flight operations from Central Terminal Building to a new International Terminal Building as part of the Airport Master Plan Expansion Program]

Resolution approving modifications the terms of Airline/Airport Lease and Use Agreements between the City and various airlines to allow such airlines to relocate international flight operations to the New International Terminal. (Airport Commission)

Supervisor Kaufman, seconded by Supervisor Katz, moved to excuse Supervisor Becerril from voting at her request. The motion carried by the following vote:

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

Supervisor Bierman requested this matter be continued to December 20, 1999.

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

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

Excused: 1 - Becerril

991853 [New lease and operating agreements to allow eighteen (18) airlines to relocate all international flight operations from Central Terminal Building to a new International Terminal Building as part of the Airport Master Plan Expansion Program]

Resolution approving the terms of lease and operating agreements between the City and various airlines to allow such airlines to relocate international flight operations to the New International Terminal. (Airport Commission)

Supervisor Kaufman, seconded by Supervisor Katz, moved to excuse Supervisor Becerril from voting at her request. The motion carried by the following vote:

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

Supervisor Bierman requested this matter be continued to December 20, 1999.

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

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

Excused: 1 - Becerril

Appointment of President Pro Tempore

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

Recommendations of the Rules Committee

991939 [Health and Retirement Benefits for Members of the Board Charter Amendment]

Supervisors Ammiano, Bierman

Charter amendment (Second Draft) amending Appendix A8.425 and A8.502 and deleting A8.501, relating to medical and retirement benefits for members of the board of supervisors.

Second Draft

ORDERED SUBMITTED by the following vote:

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

The President resumed the Chair.

991940 [Park and Open Space Fund Ballot Measure]
Supervisors Newsom, Brown

Charter amendment (Third Draft) repealing in its entirety Section 16.107, which creates a Park and Open Space Fund and by adopting, in its place a new Section 16.107 which creates a Park, Recreation and Open Space Fund, authorizes the issuance of revenue bonds for acquisition and/or improvement of real properties, and provides a framework for future improvements in the operations of the Recreation and Park Department.

(Fiscal impact.)

Third Draft

ORDERED SUBMITTED by the following vote:

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

Appointment of President Pro Tempore

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

From Rules Committee Without Recommendation

991938 [Instant Runoff Voting Charter Amendment]
Supervisors Ammiano, Leno

Charter amendment (First Draft) amending Section 13.101, repealing the current Section 13.102 and adding a new Section 13.102, to provide for the election of the Mayor, Sheriff, District Attorney, City Attorney, Treasurer, Assessor-Recorder, Public Defender, and members of the Board of Supervisors using a ranked-choice, or "instant run-off," ballot.

Supervisor Ammiano requested this matter be re-referred to the Rules Committee.

President Ammiano, seconded by Supervisor Kaufman, moved that this Charter Amendment be RE-REFERRED to the Rules Committee. The motion carried by the following vote:

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

The President resumed the Chair.

NEW BUSINESS

Recommendations of the Finance and Labor Committee

992019 [Amendment to the Police Officers Association 1996-2001 MOU regarding an Airport Canine Bomb Detection Premium for members assigned to the Airport Bureau]

Ordinance implementing Amendment No. 4 to the 1996-2001 Memorandum of Understanding between the San Francisco Police Officers Association and the City and County of San Francisco adding language regarding an Airport Canine/Bomb Detection Premium of \$105.00 biweekly, effective July 24, 1999. (Department of Human Resources)

PASSED, ON FIRST READING by the following vote:

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

992020 [Settlement of Pay Grievance, Locals 790, 535, and 250]

Ordinance authorizing settlement of the pay grievance of Service Employees International Union, AFL-CIO Local 790, 535, and 250 on behalf of its affected members filed pursuant to the Memoranda of Understanding between the Service Employees International Union, AFL-CIO, Local 790, 535 and 250 and the City and County of San Francisco in an amount not to exceed \$360,000. (Department of Human Resources)

PASSED, ON FIRST READING by the following vote:

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

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

Mayor

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

Resolution No. 1058-99

ADOPTED by the following vote:

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

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

Mayor

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

Resolution No. 1064-99

ADOPTED by the following vote:

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

992072 [Settlement of Grievance, Local 790, 535, and 250]

Ordinance authorizing settlement of the compensatory time off/night differential grievance of Service Employees International Union, AFL-CIO, Local 790 on behalf of its affected members filed pursuant to the Memoranda of Understanding between the Service Employees International Union, AFL-CIO, Local 790 and the City and County of San Francisco in an amount not to exceed \$125,000.00. (Department of Human Resources)

PASSED, ON FIRST READING by the following vote:

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

Appointment of President Pro Tempore

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

992082 [Sutro Tower Health and Safety Task Force]
Supervisors Ammiano, Teng, Leno, Bierman

Resolution establishing a Sutro Tower Health and Safety Task Force to make policy recommendations to the Mayor and Board of Supervisors and setting forth the membership and duties of the task force.

*Supervisor Ammiano, seconded by Supervisor Yee, moved to amend by adding the following two members:
One member representing Sutro Tower tenant in general;
One member representing Sutro Tower tenant in television or radio broadcasting;
and technical correction to reinstate a member to include the superintendent of the San Francisco Unified School District in place of the "San Francisco Department of Education".*

*Supervisor Yaki, seconded by Supervisor Kaufman, moved substitute amendment as follows:
One member to include the Director of Telecommunications and Information Services or his/her representative;
One member representing a Sutro Tower tenant who does not own or partially own Sutro Tower Incorporated and who further represents a television broadcasting company that has 55 percent or more of its prime-time programming tailored to and targeting minority communities;
One member representing Sutro Tower tenant who does not own or partially own Sutro Tower Incorporated and who further represents a radio broadcasting company which has 55 percent or more of its prime-time programming tailored to and targeting minority communities; and technical correction to reinstate a member to include the superintendent of the San Francisco Unified School District in place of the "San Francisco Department of Education".*

After further discussion and request by Supervisor Ammiano, Supervisor Yaki moved another substitute amendment as follows:

*To increase the membership to 28 members by adding the following:
One member to include the Director of Telecommunications and Information Services or his/her representative;
One member representing Sutro Tower tenant who does not own or partially own Sutro Tower ;
Two members representing Sutro Tower tenant who does not own or partially own Sutro Tower Incorporated and who further represents a television and or radio broadcasting company that has 55 percent or more of its prime-time programming tailored to and targeting minority communities;
One member to include the superintendent of the San Francisco Unified School District in place of the "San Francisco Department of Education" (technical correction);
One member appointed by Forest Knolls Neighbors Association;
One member appointed by Galewood Circle Homeowner's Association.*

Resolution No. 1068-99

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

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

Supervisor Yaki requested to be added as co-sponsor.

ADOPTED AS AMENDED by the following vote:

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

The President resumed the Chair.

Recommendations of the Housing and Social Policy Committee

- 991829 [To establish a Children and Families First Department to be managed by the Children and Families First Commission]
Supervisors Teng, Becerril

Ordinance amending Administrative Code Section 86.1 to establish a Children and Families First Department and require the Children and Families First Commission and Department of Children, Youth and Their Families (DCYF) to enter into a memorandum of understanding setting forth the administrative services DCYF will provide for the Commission and Department; by amending Section 86.2 to authorize the Commission to hire an executive director and additional staff if permitted by the budget; and by amending Section 86.3 to correct drafting errors.

(Amends Sections 86.1, 86.2 and 86.3.)

Supervisor Becerril requested to be added as co-sponsor.

PASSED, ON FIRST READING by the following vote:

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

- 991998 [Tour Bus Restriction on a portion of 6th Avenue between Lincoln Way and Kirkham Street]
Supervisors Teng, Becerril, Bierman, Newsom

Ordinance amending Police Code by adding Section 1183.30, establishing a tour bus restriction on a portion of 6th Avenue. (Department of Parking and Traffic)

Supervisor Newsom requested to be added as co-sponsor.

Supervisor Teng requested letter be sent to the Police Department, district station, upon the effective date of the ordinance, to request enforcement of the ban.

No objection and Clerk directed to comply.

PASSED, ON FIRST READING by the following vote:

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

- 992071 [Agreement with the State Department of Social Services to participate in the State's Child Welfare Waiver Demonstration Project and to use funds for innovative service provisions to reduce out-of-home placements and/or divert children to family settings]

Resolution authorizing retroactively a Memorandum of Understanding between the City and County of San Francisco and the California Department of Social Services for participation by the City and County of San Francisco, Department of Human Services in the Intensive Services Component of the State's Child Welfare Waiver Demonstration Project and authorizing Will Lightbourne to execute agreement. (Department of Human Services)

Resolution No. 1066-99

ADOPTED by the following vote:

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

SPECIAL ORDER 3:00 P.M.**992067 [Appeal, Minor Sidewalk Encroachment, 795 Pine Street (Fella Place)]**

Hearing appealing decision of the Department of Public Works by its letter dated October 19, 1999, disapproving a Minor Sidewalk Encroachment Permit No. 99MSE-404, to encroach into the sidewalk area and to legalize the construction of 8 concrete planters (20" square) placed at approximately 8 foot intervals along Fella Place, fronting the property at 795 Pine Street.

Speakers: Barbara Moy, Department of Public Works; Jay Wallace, Attorney, Sanger and Olson, representing owners, Dr. and Mrs. Dado.

HEARD AT PUBLIC HEARING.

(Only one of the following two motions should be adopted.)**992068 [Minor Sidewalk Encroachment Permit Appeal]**

Motion disapproving the Director of Public Works' denial of an encroachment permit for 795 Pine Street (Fella Place) and granting an encroachment permit.

Motion No. M99-142

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

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

992069 [Minor Sidewalk Encroachment Permit Appeal]

Motion affirming the Director of Public Works' denial of an encroachment permit for 795 Pine Street (Fella Place) and denying an encroachment permit.

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

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

COMMITTEE REPORTS**From Rules Committee Without Recommendation**

991983 [Repetitive Initiative Measure Charter Amendment]
Supervisor Yaki

Charter amendment (First Draft) amending Section 14.101 to raise the signature requirement for initiative measures addressing in whole or in part the same or substantially same subject as another initiative measure adopted by the voters within 24 months prior to the filing of the notice of intent to circulate.

(10/25/99, Motion 99-137 adopted by the Board to waive Board of Supervisors 30 day Rule 5.43.)

Supervisor Yaki requested this matter be re-referred to the Rules Committee.

Supervisor Yaki, seconded by Supervisor Kaufman, moved that this Charter Amendment be RE-REFERRED to the Rules Committee. The motion carried by the following vote:

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

Appointment of President Pro Tempore

At the request of the President, Supervisor Yee assumed the Chair for the remainder of the meeting.

Recommendation of Rules Committee

992136 [Appointment]

Resolution appointing one member to Park and Open Space Advisory Committee.

Carolene Marks, Seat 14, succeeding herself, must be nominee of Supervisor Kaufman, from list of organizations, new two-year term ending July 15, 2001.

Resolution No. 1079-99

ADOPTED by the following vote:

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

Absent: 1 - Ammiano

Recommendations of Public Health and Environment Committee

991855 [Grant from the Corporation for Supportive Housing to partially fund service and operating expenses at the Pacific Bay Inn and the Windsor Hotel (Single Room Occupancy hotels) serving chronically homeless persons]

Resolution authorizing the Department of Public Health, Population Health and Prevention Division, to accept retroactively and expend a grant in the amount of \$625,000 from the Corporation for Supportive Housing and to enter into an agreement which does not include patent infringement indemnification and false claims clauses; providing for ratification of action previously taken and waiving indirect costs. (Department of Public Health)

Resolution No. 1061-99

ADOPTED by the following vote:

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

Absent: 1 - Ammiano

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

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

Resolution No. 1062-99

Supervisor Yaki, seconded by Supervisor Teng, moved to excuse Supervisor Becerril from voting at her request. The motion carried by the following vote:

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

ADOPTED by the following vote:

Ayes: 9 - Bierman, Brown, Katz, Kaufman, Leno, Newsom, Teng, Yaki, Yee
Absent: 1 - Ammiano
Excused: 1 - Becerril

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

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

Supervisor Newsom requested to be added as co-sponsor.

Resolution No. 1063-99

ADOPTED by the following vote:

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

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

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

Resolution No. 1057-99

Supervisor Leno, seconded by Supervisor Kaufman, moved to excuse Supervisor Becerril from voting at her request. The motion carried by the following vote:

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

ADOPTED by the following vote:

Ayes: 9 - Bierman, Brown, Katz, Kaufman, Leno, Newsom, Teng, Yaki, Yee
Absent: 1 - Ammiano
Excused: 1 - Becerril

992023 [Federal Grant to fund the Raise African American Infant Survival Program]

Resolution authorizing the Department of Public Health, Population Health and Prevention, Community Health Promotion and Prevention, to accept and expend a grant in the amount of \$272,846 from the Centers for Disease Control and Prevention for the Raise African American Infant Survival Program and to enter into an agreement which does not include patent infringement indemnification and false claims clauses; providing for ratification of action previously taken. (Department of Public Health)

Resolution No. 1065-99

ADOPTED by the following vote:

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

992077 [Authorizing grant for a Trauma System Evaluation Project to strengthen and possibly formalize the relationship between San Francisco and San Mateo counties trauma care systems]

Resolution authorizing the Department of Public Health, Community Health and Safety Services, to accept retroactively and expend a grant in the amount of \$49,826 from the State Emergency Medical Services Authority for trauma system evaluation and to enter into an agreement which includes rights in data clauses and does not include patent infringement indemnification and false claims clauses; providing for ratification of action previously taken. (Department of Public Health)

Resolution No. 1067-99

ADOPTED by the following vote:

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

PUBLIC COMMENT

Eula Walters, supporting transfer of two parcels to Ferry Park;

Abdalla Megahed, concern regarding misleading reports of the Egyptian airline crash and employing homeless workers in flea market;

Rodney, opposed to domestic partner legislation and the delay of the leases at the Airport;

Vericon Cauley, thanks for transgender legislation;

Rosalyn Montgomery, supporting transgender legislation;

Tia Englund, supporting transgender legislation;

LeChara Johnson, transgender issues, supporting transgender legislation;

Monica Weiss, transgender job discrimination;

Larry Edmond, homeless shelter, Stanford in the Rose Bowl;

Nancy Gin, retired city employee, problems with health service system particularly for retired city employees;

Jakkee Bryson, opposed to age limit to sing for the opera, need for hearing on homeless issues, public comment at the beginning of the meeting;

Elizabeth Kirshner, supporting pedestrian safety legislation.

APPROVAL OF REQUESTS TO THE LEGISLATIVE ANALYST

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

**992135 [Legislative Analyst Request]
Supervisor Becerril**

Motion asking the Legislative Analyst to report on what policies selected United States cities have in place that regulate the location, hours and activities of late night eating and drinking and entertainment establishments; such as, New York, Chicago and other urban centers known for their night life.

APPROVED by the following vote:

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

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.

**992122 [Donation of Used Vehicle]
Supervisor Teng**

Resolution donating a used armored vehicle to the United States Department of the Interior, National Park Service, Park Police at Fort Mason.

Resolution No. 1071-99

ADOPTED

**992124 [Central Vietnam Floods]
Supervisors Yee, Bierman, Katz**

Resolution extending condolences, sympathy and concern to the flood victims in Central Vietnam and urging the residents of the City and County of San Francisco to participate in humanitarian aid efforts.

Supervisor Katz requested to be added as co-sponsor.

Resolution No. 1072-99

ADOPTED

992126 [Commendation]
Supervisors Leno, Bierman, Katz, Yee, Newsom

Resolution commending the Multicultural Aids Resource Center of California for convening "A Call to Oneness - A Conference on Compassion on HIV Disease" and proclaiming December 1, 1999 "World AIDS Day".

Supervisor Newsom requested to be added as co-sponsor.

Resolution No. 1074-99

ADOPTED

992127 [Commendation]
Supervisors Teng, Katz, Yaki, Kaufman, Bierman, Ammiano, Newsom, Leno, Becerril, Brown

Resolution commending the service of City and County volunteers who dedicated their time and efforts to counting ballots during the elections of the City and County of San Francisco on November 2, 1999.

Resolution No. 1075-99

ADOPTED

992128 [Commendation]
Supervisors Teng, Katz, Yaki, Kaufman, Bierman, Newsom, Becerril, Brown

Resolution commending the service of Anson B. Moran for his contributions and dedication to the Public Utilities Commission of the City and County of San Francisco.

Resolution No. 1076-99

ADOPTED

992130 [Proclamation]
Supervisors Becerril, Katz, Newsom

Resolution declaring November 18, 1999, "Great American Smokeout Day" in the City and County of San Francisco.

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

Resolution No. 1078-99

ADOPTED

992134 [Needle Exchange Emergency]
Supervisors Bierman, Teng, Ammiano, Yaki, Kaufman, Katz, Brown, Newsom, Yee, Leno, Becerril

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

Motion No. M99-143

APPROVED

The foregoing items were acted upon by the following vote:

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

Absent: 1 - Ammiano

Severed From For Adoption Without Committee Reference Agenda

992123 [Natural Gas Fueled Buses]
Supervisors Yaki, Bierman, Newsom, Teng, Katz

Resolution urging the Golden Gate Bridge, Highway and Transportation District to purchase natural gas fueled transit buses to replace existing diesel buses as they are retired from service by the district.

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

SEVERED FROM FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA.

Supervisor Yaki requested this matter be referred to the Transportation and Land Use Committee.

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

REFERRED to the Transportation and Land Use Committee.

992125 [Jostens, Inc. marketing practices and unethical business operation]
Supervisors Yee, Bierman

Resolution urging the San Francisco Board of Education to take appropriate action in response to the unfair marketing practices and unethical business operation of Jostens, Inc. and urging Jostens, Inc. to offer rebates to students that bought class rings.

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

Resolution No. 1073-99

SEVERED FROM FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA.

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

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

Absent: 1 - Ammiano

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

ADOPTED AS AMENDED by the following vote:

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

Absent: 1 - Ammiano

992129 [Commendation]
Supervisors Yee, Ammiano, Bierman

Resolution commending Lowell High School Journalist Sarah Pearce, the Lowell Advisor Paul Kandell, Lowell High School Assistant Principal John Mahoney and Assistant Superintendent John Quinn for their work and dedication regarding Jostens, Inc. and high school graduation memorabilia.

Supervisor Yee requested this matter be severed so it could be considered separately.

Resolution No. 1077-99

SEVERED FROM FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA.

Supervisor Yee, 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 - Yaki, Yee, Becerril, Bierman, Brown, Katz, Kaufman, Leno, Newsom, Teng

Absent: 1 - Ammiano

Resolution commending Lowell High School Journalists Sarah Pearce, Stephen Feyer and Lisa Macabasco, the Lowell Advisors Paul Kandell and Katharyne Swan, Lowell High School Assistant Principal John Mahoney and Assistant Superintendent John Quinn for their work and dedication regarding Jostens, Inc. and high school graduation memorabilia.

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

ADOPTED AS AMENDED by the following vote:

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

Absent: 1 - Ammiano

992133 [Rule 2.33.7 Waiver]
Supervisor Yaki

Motion waiving the requirement of Rule 2.33.7 of the Board of Supervisors Rules of Order requiring that at least six days must intervene between the first appearance of a proposed charter amendment before the Board as a referral from committee and any Board order of submission to the electorate with respect to the repetitive initiative proposed charter amendment.

(Companion measure to File 991983.)

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

SEVERED FROM FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA.

Supervisor Yaki, seconded by Supervisor Newsom, moved that this Motion be **TABLED**. The motion carried by the following vote:

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

Absent: 1 - Ammiano

IMPERATIVE AGENDA

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

[Purely Commendatory Finding]

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

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

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

Absent: 1 - Ammiano

[Brown Act Finding]

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

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

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

Absent: 1 - Ammiano

Imperative Resolution

992151 [Commendation]
Supervisors Kaufman, Newsom

Resolution commending and thanking Nancy Whelan for her four and one-half years of service to the San Francisco Municipal Railway and the City and County of San Francisco and wishing her well in all of her future endeavors.

Resolution No. 1080-99

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

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

OFF-AGENDA LEGISLATION

Introduced by Supervisors or Mayor

Ordinances

991991 [Public Service Easement Vacation - 1098 Huron Avenue]
Supervisor Yee

Ordinance ordering the summary of vacation and sale of the public service easement located in Assessor's Block 7145, Lot 17, which comprises a portion of 1098 Huron Avenue, making findings pursuant to the California Streets and Highways Code Chapter 4 Sections 8330 et seq. (Public Streets, Highways, and Service Easements Vacation Law, Summary Vacation), making findings of conformity with the General Plan and priority policies of Planning Code Section 101.1, and requesting official actions in connection with the vacation and sale.

11/22/99, RECEIVED AND ASSIGNED to Finance and Labor Committee.

**992043 [Administrative Code Revision, Chapters 15, 16 and 19A]
Supervisors Kaufman, Newsom**

Ordinance amending Administrative Code, Chapters 15 (Mental Health); 16 (Officers and Employees) and 19A (Public Health) by adding new Sections 15.1 (Definitions) and 15.19 (Alcoholism Advisory Board); repealing Sections 15.6, 15.8, 15.11, 15.12, 15.12-1, 15.12-2, 15.12-3, 15.12-4, 15.12-5, 15.12-6 and 16.803; renumbering Sections 15.1, 15.3, 15.4, 15.4-1, 15.5, 16.800, 16.801, and 16.802 as Sections 15.10, 15.12, 15.13, 15.14, 15.15, 15.20, 15.21, and 15.22 respectively and renumbering Sections 15.2, 15.7-1, 15.9 and 19A.14 as Sections 15.11, 15.16, 15.17 and 15.18, respectively and amending the same, to consolidate the chapters and to eliminate out-dated and obsolete provisions; by adding a new Section 15.100 and renumbering Sections 19A.18, 19A.22, 19A.19 and 19A.36 as Sections 15.101, 15.102, 15.103, and 15.104, respectively; to create a new Article II ("Public Health Contracts") to Chapter 15; and by repealing Sections 19A.1, 19A.2, 19A.3, 19A.4, 19A.6, 19A.7, 19A.8, 19A.9, 19A.10, 19A.12, 19A.13, 19A.15, 19A.17, 19A.20, 19A.21, 19A.23, 19A.25, 19A.26, 19A.31, 19A.32, 19A.33, 19A.34, 19A.35, 19A.37, 19A.38, 19A.39 and 19A.40 to eliminate out-dated and obsolete provisions relating to contract approvals.

(Adds new Sections 15.1 and 15.19; repeals Sections 15.6, 15.8, 15.11, 15.12, 15.12-1, 15.12-2, 15.12-3, 15.12-4, 15-5, 15.12-6 and 16.803; renumbers Sections 15.1, 15.3, 15.4, 15.4-1, 15.5, 16.800, 16.801, and 16.802 as Sections 15.10, 15.12, 15.13, 15.14, 15.15, 15.20, 15.21, and 15.22; renumbers Sections 15.2, 15.7-1, 15.9 and 19A.14 as Sections 15.11, 15.16, 15.17 and 15.18; adds a new Section 15.100; renumbers Sections 19A.5, 19A.18, 19A.22, 19A.19 and 19A.36 as Sections 15.101, 15.102, 15.103, 15.104 and 15.105; to create a new Article II ("Public Health Contracts") to Chapter 15; repeals Sections 19A.1, 19A.2, 19A.3, 19A.4, 19A.6, 19A.7, 19A.8, 19A.9, 19A.10, 19A.12, 19A.13, 19A.15, 19A.17, 19A.20, 19A.21, 19A.23, 19A.25, 19A.26, 19A.31, 19A.32, 19A.33, 19A.34, 19A.35, 19A.37, 19A.38, 19A.39 and 19A.40.)

11/1/99, ASSIGNED UNDER 30 DAY RULE to Audit and Government Efficiency Committee, expires on 12/2/1999.

11/22/99, ASSIGNED UNDER 30 DAY RULE to Audit and Government Efficiency Committee, expires on 12/2/1999.

11/22/99, SUBSTITUTED. Submitted by Supervisor Kaufman in Board.

**992152 [Administrative Code Revision - Chapter 35]
Supervisor Kaufman**

Ordinance amending Administrative Code by repealing Chapter 35 (Home-ownership Assistance Program) in its entirety.

(Repeals Chapter 35, sections 35.1 through 35.73.)

11/22/99, ASSIGNED UNDER 30 DAY RULE to Audit and Government Efficiency Committee, expires on 12/22/1999. With request it be considered at the January meeting.

**992153 [Police Code, itemized receipts for goods purchased]
Supervisors Leno, Newsom**

Ordinance amending Police Code by adding Section 458, requiring retail establishments to issue itemized receipts for goods purchased and providing for penalties and fines.

(Adds Section 458.)

11/22/99, ASSIGNED UNDER 30 DAY RULE to Housing and Social Policy Committee, expires on 12/22/1999.

**992154 [Suspension of Muni fares]
Supervisor Newsom**

Ordinance approving the suspension of fares on Muni from December 31, 1999 at 8:00 p.m. to no later than 6:00 a.m. on January 1, 2000.

11/22/99, RECEIVED AND ASSIGNED to Finance and Labor Committee.

**992155 [General Obligation Bond Accountability Ordinance]
Supervisor Yee**

Ordinance amending Administrative Code by adding Article VIII, Sections 2.70 through 2.74 to Chapter 2 to provide a procedure for submission of general obligation bond accountability reports and specifying the content of said reports.

(Adds Article VIII, Sections 2.70 through 2.74.)

11/22/99, ASSIGNED UNDER 30 DAY RULE to Finance and Labor Committee, expires on 12/22/1999.

**992156 [Underground District No. 350 Amendment]
Supervisor Bierman**

Ordinance amending Ordinance No. 184-99 to redefine Underground District No. 350 on Folsom Street, from 16th Street to Cesar Chavez Street, by adding certain property thereto.

(Adds 23rd Street from Folsom Street to Treat Street.)

11/22/99, RECEIVED AND ASSIGNED to Transportation and Land Use Committee.

Resolutions

**992157 [Transgender Civil Rights Implementation Task Force]
Supervisors Leno, Ammiano, Katz**

Resolution establishing the Transgender Civil Rights Implementation Task Force to make recommendations to the Mayor and the Board of Supervisors and setting forth the membership and duties of the task force.

11/22/99, RECEIVED AND ASSIGNED to Housing and Social Policy Committee.

**992158 [Citywide Longer Pedestrian Crossing Time]
Supervisors Teng, Becerril**

Resolution urging the Department of Parking and Traffic to expand its signal re-timing programs in the Geary Boulevard, 19th Avenue and North of Market area by implementing traffic signal timings using a pedestrian walking speed of 2.5 feet per second on a citywide basis and requesting the Department of Parking and Traffic to submit a report to the Board of Supervisors on the status of this implementation every six months.

11/22/99, RECEIVED AND ASSIGNED to Housing and Social Policy Committee.

992159 [Civil Filing Fee Increase]
Supervisor Becerril

Resolution increasing civil filing and appearance fees (from \$24 to \$27) provided in Business and Professions Code Sections 6321, 6322 and 6322.1 for operation of the Law Library.
11/22/99, RECEIVED AND ASSIGNED to Finance and Labor Committee.

992160 [Transportation Development Article 3 Grant Funds]
Supervisor Katz

Resolution authorizing the Department of Parking and Traffic to reallocate \$286,649 in Transportation Development Act (TDA) Article 3 funds (to stripe bike lanes on the various streets, as recommended in the San Francisco Bicycle Plan).
11/22/99, RECEIVED AND ASSIGNED to Transportation and Land Use Committee.

992161 [Bay Area Air Quality Management District Grant]
Supervisor Katz

Resolution authorizing the Department of Parking and Traffic to accept and expend a grant in the amount of \$250,800 from the Transportation Fund for Clean Air in the Bay Area for striping of bike lanes in various locations and waiving indirect costs.
11/22/99, RECEIVED AND ASSIGNED to Transportation and Land Use Committee.

992162 [Regional Transportation Improvement Program Grant Funds]
Supervisor Katz

Resolution authorizing the Director of the Department of Public Works and the Executive Director of Parking and Traffic to accept and expend a grant in the amount of \$1,280,786 in Regional Transportation Improvement Program funds for various transportation capital projects.
11/22/99, RECEIVED AND ASSIGNED to Transportation and Land Use Committee.

992163 [Grant - Federal Funds]
Supervisor Katz

Resolution authorizing the Executive Director of Parking and Traffic and Director of Public Works to accept and expend up to \$840,389 in Transportation Equity Act for the 21st Century funds for various transportation enhancement projects with required local matching funds of \$109,004.
11/22/99, RECEIVED AND ASSIGNED to Transportation and Land Use Committee.

992164 [Gift Acceptance]
Supervisors Newsom, Brown

Resolution accepting gifts valued at a total of \$688,050.00 from various donors for use by the Recreation and Park Department.
11/22/99, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

992165 [Directory Assistance]
Supervisors Newsom, Katz

Resolution urging the California Public Utilities Commission (CPUC) to reconsider their decision made on Thursday November 18, 1999 to increase the cost of a directory assistance call from 25 cents to 46 cents and approve an alternate decision introduced by Commissioner Carl W. Wood that sets forth Pacific Bell Directory Assistance rates at a lower rate and a higher number of free residential call allowances than the previous decision proposed by Administrative Law Judge Galvin.

11/22/99, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

992166 [Conversion of low-income and affordable housing to market rate housing]
Supervisors Ammiano, Katz

Resolution urging the San Francisco Housing Authority and the Redevelopment Agency to use all of their resources to prevent conversion of low-income and affordable housing to market rate housing at "All Hallows Gardens," "Bayview Apartments," "LaSalle," and "Shoreview Apartments," and further urging the owners of these developments, the "Apartment Investment and Management Company," not to withdraw from Federal mortgage subsidy program until ownership can be transferred to an entity that will preserve this housing stock as affordable family rental housing in perpetuity.

11/22/99, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

992167 [AWARE Program]
Supervisors Becerril, Kaufman, Katz, Newsom, Teng

Resolution announcing and endorsing the establishment of the AWARE Program in the City and County of San Francisco.

11/22/99, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

992168 [Testing of fire resistant intumescent paint]
Supervisor Becerril

Resolution urging the Department of Building Inspection and the Fire Department to conduct tests to determine the effectiveness of fire resistant intumescent paint.

11/22/99, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

992169 [Commendation]
Supervisors Leno, Newsom, Teng, Katz

Resolution commending the Rev. Jimmy Creech for his bravery in standing up for lesbian and gay members of his congregation who choose to marry.

11/22/99, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

992170 [Commendation]
Supervisor Leno

Resolution commending Lynn Luow on his 50th birthday for his many years of service to the community in education and philanthropic work.

11/22/99, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

992171 [Proclamation]
Supervisors Bierman, Teng, Katz

Resolution declaring December 6, 1999 as San Francisco Mime Troupe Day in San Francisco, and congratulating the Mime Troupe on their 40th anniversary.

11/22/99, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

992172 [Commendation]
Supervisors Brown, Newsom, Teng, Katz

Resolution commending Bayview Hunters Point Health and Environmental Resource Center on the occasion of its Grand Opening Celebration.

11/22/99, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

992173 [Commendation]
Supervisors Brown, Newsom, Teng, Katz

Resolution commending the Black Adoption Placement and Research Center for its efforts to place African American foster children in permanent homes.

11/22/99, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

992174 [Commendation]
Supervisors Brown, Newsom, Teng, Katz

Resolution commending California Bank and Trust for its donation to the San Francisco Black Chamber of Commerce.

11/22/99, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

992184 [Commendation]
Supervisors Newsom, Leno, Bierman, Teng, Katz

Resolution commending Finocchio's and the Finocchio Family.

11/22/99, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Requests for Hearing

**992178 [Alemany Farmer's Market Land Use]
Supervisor Newsom**

Hearing to consider the use of land at the Alemany Farmer's Market on weekdays.
11/22/99, RECEIVED AND ASSIGNED to Transportation and Land Use Committee.

**992179 [Implementation of Proposition E, Municipal Transportation Agency]
Supervisor Newsom**

Hearing to consider the implementation of Proposition E, November 1999, Municipal Transportation Agency.
11/22/99, RECEIVED AND ASSIGNED to Transportation and Land Use Committee.

**992180 [Department of Building Inspection Enforcement Procedures and Prioritization Policies]
Supervisor Yee**

Hearing to consider the Department of Building Inspection enforcement procedures and prioritization policies (are all complaints followed up; how is it determined which complaints are followed up; are all complaints logged into the computer system; what is the timeline for responding to complaints; how are there cases in existence in which neighbors have been complaining for three years and matters have remained unresolved; are there any circumstances under which a notice for inspection is hand addressed; under what circumstances does this occur; how many hand addressed notices have been issued in the past 12 months; what does the department have in place to guard against individuals using the department's enforcement powers for harassment and personal gain, as has been alleged in the Mission District and several other neighborhoods?)
11/22/99, RECEIVED AND ASSIGNED to Housing and Social Policy Committee.

**992181 [Painted Crosswalks and Other Street Markings]
Supervisor Yee**

Hearing to consider the cost to the City to paint crosswalks and other street markings to guide pedestrians and vehicles safety throughout the City, particularly in the Outer Sunset/Parkside areas.
11/22/99, RECEIVED AND ASSIGNED to Finance and Labor Committee.

**992182 [Permanent Housing Placements for Ellis Eviction Tenants]
Supervisor Ammiano**

Hearing to consider granting senior and disabled tenants displaced by Ellis evictions priority in permanent housing placements within non-profit housing organizations, public housing and Section Eight housing.
11/22/99, RECEIVED AND ASSIGNED to Finance and Labor Committee.

Motions

- 992183 [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.

11/22/99, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

PROPOSED ORDINANCES

Introduced by the President at the Request of Departments

- 992107 [Settlement of Lawsuit, Darcel Grace]
Ordinance authorizing settlement of litigation of Darcel Grace against the City and County of San Francisco by payment of \$131,050.00. (City Attorney)
- (U.S. District Court No. C98-3090 CRB.)
11/10/99, RECEIVED AND ASSIGNED to Audit and Government Efficiency Committee. A confidential cover letter dated October 18, 1999 is on file with the Clerk of the Board.
- 992108 [Settlement of Lawsuit, Sharon Norris]
Ordinance authorizing settlement of litigation of Sharon Norris against the City and County of San Francisco by payment of \$50,000. (City Attorney)
- (S.F. Superior Court No. 975-399.)
11/10/99, RECEIVED AND ASSIGNED to Audit and Government Efficiency Committee. A confidential cover letter dated November 4, 1999 is on file with the Clerk of the Board.
- 992109 [Settlement of Lawsuit, Iokhvetta Altman, Vita Burmenko and Marianna Burmenko]
Ordinance authorizing settlement of litigation of Iokhvetta Altman, Vita Burmenko and Marianna Burmenko against the City and County of San Francisco by payment of \$210,000. (City Attorney)
- (S.F. Superior Court No. 990-594.)
11/10/99, RECEIVED AND ASSIGNED to Audit and Government Efficiency Committee. A confidential cover letter dated October 15, 1999 is on file with the Clerk of the Board.
- 992137 [Settlement of Lawsuit, Ran Erez]
Ordinance authorizing settlement of litigation of Ran Erez against the City and County of San Francisco by the receipt of \$102,081.45. (City Attorney)
- (S.F. Superior Court No. 304-955.)
11/17/99, RECEIVED AND ASSIGNED to Audit and Government Efficiency Committee. A confidential cover letter dated October 8, 1999 is on file with the Clerk of the Board.

- 992138 [Settlement of Lawsuit, Bobby Lee Addison]
Ordinance authorizing settlement of litigation of Bobby Lee Addison against the City and County of San Francisco by payment of \$47,500.00 (City Attorney)
- (S.F. Superior Court No. 998-450.)
11/17/99, RECEIVED AND ASSIGNED to Audit and Government Efficiency Committee. A confidential cover letter dated September 13, 1999 is on file with the Clerk of the Board.

PROPOSED RESOLUTIONS

- 992102 [Approving a subcontract with the University of California to designate the Project Director of the HIV Drug Access Study]
Resolution authorizing the Department of Public Health, the collaborating institution responsible for the scientific conduct of the "HIV Drug Access Study" to enter into a subcontract in the amount of \$14,149 with the University of California, the primary contractor, which does not include patent infringement indemnification and false claims clauses; retroactive to February 24, 1999. (Department of Public Health)
11/10/99, RECEIVED AND ASSIGNED to Public Health and Environment Committee.
- 992103 [Accepting private foundation grants to pay for a consultant contract to begin implementation of a Family Assessment Center Project to work with abused or neglected children and their families as they become involved with protective services]
Resolution authorizing the Department of Human Services to accept and expend two grants in the amounts of \$40,000 and \$110,000 from the Zellerbach Family Fund and the Stuart Foundation respectively for a consultant contract to begin the implementation of a family assessment center. (Department of Human Services)
11/10/99, RECEIVED AND ASSIGNED to Housing and Social Policy Committee.
- 992104 [Accepting State grant for development of programs designed to reduce jail crowding, crime and criminal justice costs while addressing the needs of mentally ill offenders during imprisonment and upon release]
Supervisor Brown
- Resolution authorizing the Sheriff's Department to accept a grant in the amount of \$5,000,000 from the State Board of Corrections and expend the amount of \$910,148 for Mentally Ill Offender Crime Reduction Demonstration Grant. (Sheriff)
11/10/99, RECEIVED AND ASSIGNED to Finance and Labor Committee.
- 992105 [Accepting a grant to be used for education materials for "Save Money and the Environment Too" waste prevention campaign]
Resolution authorizing the City Administrator of the City and County of San Francisco to accept and expend \$5,000.00 from the California Integrated Waste Management Board. (Administrative Services Department)
11/10/99, RECEIVED AND ASSIGNED to Public Health and Environment Committee.

- 992106 **[Settlement of Claim, Marc Libarle]**
Resolution approving the settlement of unlitigated claim of Marc Libarle by payment of \$80,000.00 (City Attorney)

(Unlitigated Claim No. 98-01832.)
11/10/99, RECEIVED AND ASSIGNED to Audit and Government Efficiency Committee. A confidential cover letter dated August 30, 1999 is on file with the Clerk of the Board.
- 992113 **[Approving an agreement that authorizes the suspension (or tolling) of the statute of limitations on a lawsuit by the Patterson Environmental Response Trust against the City]**
Resolution approving the City Attorney's entry into a tolling agreement governing suit by Patterson Environmental Response Trust. (City Attorney)
11/16/99, RECEIVED AND ASSIGNED to Audit and Government Efficiency Committee. A confidential cover letter dated November 2, 1999 is on file with the Clerk of the Board.
- 992139 **[Settlement of Claim, Veronica Cooke]**
Resolution approving the settlement of the unlitigated claim of Veronica Cooke by payment of \$37,000. (City Attorney)

(Claim No. 99-03490.)
11/17/99, RECEIVED AND ASSIGNED to Audit and Government Efficiency Committee. A confidential cover letter dated October 26, 1999 is on file with the Clerk of the Board.
- 992140 **[Accepting a gift of a passenger bus for Laguna Honda Hospital]**
Resolution authorizing the Department of Public Health, Laguna Honda Hospital to accept and use a gift of equipment, a passenger bus, donated by Laguna Honda Hospital Volunteers, Inc. (Department of Public Health)
11/17/99, RECEIVED AND ASSIGNED to Audit and Government Efficiency Committee.
- 992141 **[Amendment of leases of real property at 1307 and 317-1317C Evans Avenue for the use of DPH Mental Health Division]**
Resolution authorizing an amendment to leases of real property at 1307 and 1317-1317C Evans Avenue, San Francisco, to increase the size of the premises by 601 square feet and establish a uniform expiration date for the Mental Health Division of the Department of Public Health. (Real Estate Department)
11/17/99, RECEIVED AND ASSIGNED to Finance and Labor Committee.
- 992142 **[Accepting grant for soil restoration and planting at the Endangered Garden Project at the Sunnydale Pump Station]**
Resolution authorizing the Director of Cultural Affairs of the Arts Commission to retroactively accept and expend a grant in the amount of \$24,000 from the San Francisco Urban Resources Partnership which is administrated through the Natural Resources Conservation Service, the Forest Service of the United States Department of Agriculture and the Environmental Protection Agency for the restoration of the Endangered Garden Public Art Project at the Sunnydale Pump Station. (Arts Commission)
11/17/99, RECEIVED AND ASSIGNED to Small Business, Economic Vitality and Consumer Services Committee.

992143 [Accepting grant funds for the Harvey Milk Memorial Plaza Design Competition to ensure community participation in the planning and development of the project]

Resolution authorizing the Director of the Arts Commission to accept and expend \$35,000 in State funds granted through the Transportation for Livable Communities Program of the Metropolitan Transportation Commission for the Harvey Milk Memorial Plaza Design Competition project; waiving the two percent (2%) associated indirect costs. (Arts Commission)

11/17/99, RECEIVED AND ASSIGNED to Small Business, Economic Vitality and Consumer Services Committee.

Requests Granted

From: Supervisor Yee

To: City Attorney

Requesting/Inquiring: To draft legislation amending the Administrative Code to include waiving towing and storage fees for all victims of stolen vehicles, not just residents of the City and County of San Francisco.

From: Supervisor Anniano

To: Director, Mayor's Office of Housing; Director, Department of Human Services; San Francisco Housing Authority

Requesting/Inquiring: To notify a hearing has been called to consider granting senior and disabled tenants displaced by Ellis evictions priority in permanent housing placements within non-profit housing organizations, public housing and Section Eight housing. File 992182.

From: Supervisor Leno

To: City Attorney

Requesting/Inquiring: To draft an ordinance requiring businesses within City and County of San Francisco to post the Human Rights Commission Employment Non-Discrimination notice in a clear and visible manner for all management and employees to see.

From: Supervisors Brown, Becerril

To: Director of Public Health

Requesting/Inquiring: To establish a program of education, detection and treatment of prostate cancer and its affects on the African American community, in conjunction with local health clinics, community-based organizations and faith-based organizations.

From: Supervisor Katz

To: Departments of Agriculture/Weights and Measures (DAWM) and Public Health (DPH)

Requesting/Inquiring: To determine the feasibility of coordinating water vending machine inspections. Water vending machines, which can be found in front of some supermarkets and other retail outlets, dispense purified water to consumers in containers provided by the customer. DAWM is responsible for verifying that the quantity of water dispensed at water vending machines equals the amount advertised; the DPH is responsible for the testing the purity of water dispensed by water vending machines. In testing quantity, DAWM draws water from machines which could then be delivered to DPH for water quality tests. Supervisor Katz inquires of the departments whether coordinating water vending machine testing is feasible and cost-effective.

From: Supervisor Katz

To: Director, Department of Telecommunications and Information Services (DTIS) and Clerk of the Board
Requesting/Inquiring: To determine the feasibility of paperless agenda packets. Prior to each full meeting of the Board of Supervisors and all Board committee meetings, the Clerk of the Board distributes packets containing copies of the meeting agenda, the text of the items on the agenda and a substantial amount of backup material to the members of the Board of Supervisors. These packets, which are part of the public record, are also made available to the public. Supervisor Katz requests DTIS and the Clerk of the Board to investigate using the Internet or other network capabilities to post and distribute Board agendas, agenda items and backup materials. Supervisors, City staff and the public should be able to access this information electronically, eliminating the need for reproduction and distribution of hard copy agenda packets. This information should also be available to the Board of Supervisors during the Board meeting through the terminals at each desk. If paperless agenda packets are feasible, this could be utilized by other City commissions.

From: Supervisor Teng

To: Director, Department of Parking and Traffic

Requesting/Inquiring: To ensure that signal timings are adequate to ensure pedestrian safety in areas with a high concentration of seniors, particularly the areas surrounding Laguna Honda Hospital on Laguna Honda Boulevard and the San Francisco Towers bounded by Van Ness Avenue, Pine Street, Franklin Street and Austin Street, as well as the entirety of Geary Boulevard, 19th Avenue and Van Ness Avenue; to report on the progress of the installation of "senior crossing" signs at these and other locations where senior housing and health care facilities are located. See attachments.

From: Supervisor Teng

To: Director, Department of Parking and Traffic

Requesting/Inquiring: To quickly evaluate the need for additional Stop signs in the vicinity of Sunnyside School and Saint Francis Burr Catholic School at Detroit and Staples, Detroit and Flood and Flood and Edna Streets. See attachments.

In Memoriams

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

Lawrence Silverstein (Supervisor Kaufman)

Betty Ann Boatwright (Supervisor Bierman)

Winnie Palmer (Supervisor Yaki)

Jeremy Frampton (By the entire Board)

ADJOURNMENT

There being no further business, the Board at the hour of 4:43 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 January 4, 2000.

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

