

BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

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

MEETING MINUTES

Monday, October 18, 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.

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TOM AMMIANO, PRESIDENT

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

Gloria L. Young, Clerk of the Board

BOARD COMMITTEES

Committee Membership

Audit and Government Efficiency Committee

Supervisors Kaufman, Newsom, Katz

Finance and Labor Committee

Supervisors Yee, Bierman, Ammiano

Housing and Social Policy Committee

Supervisors Teng, Bierman, Becerril

Parks and Recreation Committee

Supervisors Brown, Newsom, Leno

Public Health and Environment Committee

Supervisors Bierman, Brown, Yaki

Public Utilities and Deregulation Committee

Supervisors Ammiano, Yee, Becerril

Rules Committee

Supervisors Leno, Teng, Kaufman

Small Business, Economic Vitality and Consumer Services Committee

Supervisors Newsom, Leno, Becerril

Transportation and Land Use Committee

Supervisors Katz, Yaki, Yee

Meeting Days

1st Tuesday
1:00 PM

Wednesday
10:00 AM

1st and 3rd Tuesday
10:00 AM

2nd Tuesday
1:00 PM

2nd & 4th Thursday
1:00 PM

3rd Tuesday
1:00 PM

2nd & 4th Thursday
10:00 AM

1st and 3rd Thursday
10:00 AM

2nd and 4th Tuesday
10:00 AM

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

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

Members Absent: Alicia Becerril, Gavin Newsom.

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 2:01 p.m. On call of the roll, the following Supervisors were noted absent:

Supervisors Becerril, Newsom - 2.

Quorum present.

Supervisor Becerril was excused. (See infra.)

Supervisor Newsom was excused. (See infra.)

Supervisors Becerril and Newsom Excused from Attendance

Supervisor Teng, seconded by Supervisor Leno, moved to excuse Supervisors Becerril and Newsom from attending today's meeting. The motion carried by the following vote:

Ayes: 9 - Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Teng, Yaki, Yee
Absent: 2 - Becerril, Newsom

APPROVAL OF MEETING MINUTES

Supervisor Yee, seconded by Supervisor Katz, moved to approve the September 13 and September 21, 1999 Meeting Minutes. The motion carried by the following vote:

Ayes: 9 - Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Teng, Yaki, Yee
Absent: 2 - Becerril, Newsom

Privilege of the Floor

Supervisor Teng, seconded by Supervisor Brown, 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: 9 - Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Teng, Yaki, Yee
Absent: 2 - Becerril, Newsom

Introduction of Guests

Supervisor Brown introduced, welcomed and presented a Certificate of Honor to each of the following Deputy Sheriffs for their role in saving the life of an eight month old child in City Hall: Sergeant Kevin Winch, Deputy Fitzgerald Fields, Deputy Mazen Barbari and Sheriff Cadet Terrence Parker.

Supervisor Teng introduced and welcomed the following delegation from the University of Wuhan who are here to promote exchange between the University and higher educational institutions in the United States: President, Wuhan University and Professor of Basic Physics, Dr. Hou Jiechang; Professor of Law and Assistant to the President, Huaang Hin; Computer Science, He Yanxiang; Deputy Director of Foreign Affairs, Hu Yanchu.

CONSENT AGENDA

Recommendations of the Audit and Government Efficiency Committee

- 991074 [Settlement of Lawsuit: Insurance claim against Builders Risk Carrier to pay the City \$1,366,769.27]**
Ordinance authorizing the settlement of the claim of the City and County of San Francisco against Builders Risk Carrier U.S. Fire Insurance Company under Policy No. 321-068464, for damage resulting from the December 11, 1995 Seacliff incident, for a settlement to the City in the amount of \$1, 366.769.27. (City Attorney)

(U.S. Superior Court No. 980-740.)

Ordinance No. 274-99

FINALLY PASSED

- 991348 [Settlement of Lawsuit: Sandra Canchola]**
Ordinance authorizing settlement of litigation of Sandra Canchola against the City and County of San Francisco by payment of \$112,500. (City Attorney)

(S.F. Superior Court No. 991-333.)

Ordinance No. 275-99

FINALLY PASSED

- 991545 [Administrative Code Revision - Chapter 9A]**
Supervisor Kaufman

Ordinance amending Administrative Code Sections 9A.1 through 9A.15 and 9A.17 through 9A.20 and by repealing Section 9A.16, regarding Farmers' Market, to update language and to establish a new fee schedule.

(Amends Sections 9A.1 through 9A.15, 9A.17 through 9A.20; repeals Section 9A.16.)

Ordinance No. 276-99

FINALLY PASSED

**991546 [Administrative Code Revision - Chapter 9B]
Supervisor Kaufman**

Ordinance amending Administrative Code Sections 9B.1, 9B.4, 9B.5, 9B.6, 9B.7, and 9B.8, regarding the Flea Market.

(Amends Sections 9B.1, 9B.4, 9B.5, 9B.6, 9B.7, and 9B.8.)

Ordinance No. 277-99

FINALLY PASSED

991713 [Settlement of Lawsuit, ADA Task Force]

Ordinance authorizing settlement of litigation of ADA Task Force Against City and County of San Francisco, et al. by payment of \$86,000. (City Attorney)

(U.S. District Court No. C97-2438 CRB.)

Ordinance No. 279-99

FINALLY PASSED

991750 [Settlement of Lawsuit, Babyruth Salazar, et al.]

Ordinance authorizing settlement of litigation of Babyruth Salazar and Andrew Salazar against the City and County of San Francisco by payment of \$30,000. (City Attorney)

(Alameda Superior Court No. H199564-0.)

Ordinance No. 281-99

FINALLY PASSED

991751 [Settlement of Lawsuit, Charlie Rivers, Jr.]

Ordinance authorizing settlement of litigation of Charlie Rivers, Jr. against the City and County of San Francisco by payment of \$100,000. (City Attorney)

(S.F. Superior Court No. 301-709.)

Ordinance No. 282-99

FINALLY PASSED

Recommendations of the Finance and Labor Committee

991573 [Appropriation of Bond funds for construction projects at the Community College District]

Ordinance appropriating \$20,460,150, San Francisco Community College District, of Educational Facility Bond proceeds for the acquisition and construction of educational facilities (buildings, structures and improvements) for fiscal year 1999-2000. (Controller)

(Fiscal impact.)

Ordinance No. 278-99

FINALLY PASSED

991737 [Maximum Loan Amount, Nonprofit Performing Arts Organization]
Supervisors Ammiano, Bierman, Yee

Ordinance amending Administrative Code Section 50.22 to increase the maximum amount of a loan that may be made to a non-profit performing arts organization from \$150,000 to \$200,000.

(Amends Section 50.22.)

Ordinance No. 280-99

FINALLY PASSED

The foregoing items were acted upon by the following vote:

Ayes: 9 - Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Teng, Yaki, Yee

Absent: 2 - Becerril, Newsom

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of Audits and Government Efficiency Committee

991645 [Administrative Code Revision, Chapter 6]
Supervisor Kaufman

Ordinance amending Chapter 6 of the San Francisco Administrative Code to delete out-dated references and obsolete provisions; to re-organize, re-number and consolidate existing provisions for a revised Chapter 6, to add provisions defining terms relevant to public works contracting; to add provisions clarifying the requirements and procedures for competitive bidding and the award of public work and related temporary professional service contracts; to increase the threshold for competitive bidding and award of public work contracts to \$100,000; to revise the procedures for and increase to \$250,000 emergency contracting authority; to add new procedures for job order contracts, as needed contracts, elevator, escalator and fire alarm service contracts and convention facility public work contracts; to clarify penalties and procedures for violations of Chapter 6 and the submission of false claims.

(Deletes and revises Chapter 6.)

Supervisor Kaufman presented an amendment of the whole.

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

Ayes: 9 - Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Teng, Yaki, Yee

Absent: 2 - Becerril, Newsom

PASSED ON FIRST READING AS AMENDED by the following vote:

Ayes: 9 - Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Teng, Yaki, Yee

Absent: 2 - Becerril, Newsom

NEW BUSINESS

Recommendations of the Finance and Labor Committee

991757 [Vacation of portion of Dow Place to be used for fire truck turnaround, open space/parking in connection with residential project being developed by adjacent property owner, 77 Dow Place Lofts, LLC]

Ordinance ordering the summary street vacation of a portion of the western end of Dow Place; adopting findings pursuant to the California Streets and Highways Code, Chapter 4, Sections 8330 Et Seq. (Public Streets, Highways, and Service Easement Law, Summary Vacation); and adopting findings of conformity with the General Plan and priority policies of Planning Code Section 101.1. (Real Estate Department)

(Categorically exempt from Environmental Review under Class 1 (Minor alteration of existing street/sidewalk) and Class 5 (Minor alteration of land use limitations) of State Environmental Review Guidelines; companion measure to File 991758.)

PASSED, ON FIRST READING by the following vote:

Ayes: 9 - Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Teng, Yaki, Yee

Absent: 2 - Becerril, Newsom

991758 [Proposed sale of portion of Dow Place to 77 Dow Place Lofts, LLC at a fair market value of approximately \$247,000.00]

Ordinance authorizing the sale of property, a portion of western end of Dow Place, and adopting findings pursuant to Planning Code Section 101.1. (Real Estate Department)

(Companion measure to File 991757.)

PASSED, ON FIRST READING by the following vote:

Ayes: 9 - Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Teng, Yaki, Yee

Absent: 2 - Becerril, Newsom

**991828 [Government Funding, Gift to City of Taipei to fund earthquake relief efforts]
Supervisors Teng, Yaki, Kaufman, Bierman, Becerril, Ammiano, Brown, Katz, Leno, Newsom, Yee**

Ordinance appropriating \$250,000 from the General Fund Reserve for an emergency gift to the City of Taipei to fund earthquake relief efforts, including \$200,000 in unrestricted funding and \$50,000 in funding for children's services, through the Office of the Mayor, for fiscal year 1999-2000.

(Fiscal impact.)

Supervisors Ammiano, Brown, Katz, Leno, Newsom, Yee requested to be added as co-sponsors.

PASSED, ON FIRST READING by the following vote:

Ayes: 9 - Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Teng, Yaki, Yee

Absent: 2 - Becerril, Newsom

991826 [Federal Funding - Community Development]

Mayor

Resolution approving the amendment to the final proposal and action plan for San Francisco's 1999 Community Development Block Grant Program, Emergency Shelter Grant Program, and HOME Investment Partnership resulting from a three month extension of the existing 1999 program year.

Resolution No. 951-99

Supervisor Yaki, seconded by Supervisor Leno, moved to excuse Supervisor Brown from voting on this matter. The motion carried by the following vote:

Ayes: 9 - Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Teng, Yaki, Yee
Absent: 2 - Becerril, Newsom

ADOPTED by the following vote:

Ayes: 8 - Ammiano, Bierman, Katz, Kaufman, Leno, Teng, Yaki, Yee
Absent: 2 - Becerril, Newsom
Excused: 1 - Brown

991756 [Budget Analyst Agreement]

Motion exercising the first option set forth in the agreement for professional Budget Analyst services between the Board of Supervisors and Stanton W. Jones and Associates/Debra A. Newman/Rodriguez, Perez, Delgado & Company Certified Public Accountants/Harvey M. Rose Accountancy Corporation Certified Public Accountants/Mah & Louie Certified Public Accountants - a joint venture, to extend the term of the agreement from January 1, 2000 to December 31, 2001. (Clerk of the Board)

Motion No. M99-132

APPROVED by the following vote:

Ayes: 9 - Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Teng, Yaki, Yee
Absent: 2 - Becerril, Newsom

Recommendation of the Housing and Social Policy Committee**991683 [Fire Code]**

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

Supervisor Teng presented an amendment of the whole.

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

Ayes: 9 - Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Teng, Yaki, Yee
Absent: 2 - Becerril, Newsom

Ordinance re-enacting the 1998 San Francisco Fire Code on a permanent basis with modification that Section 7701.7.1, relating to the manufacture, assembly and testing of explosive materials be readopted; reaffirming endorsement of San Francisco amendments and findings of local conditions. (Fire Department)

PASSED ON FIRST READING AS AMENDED by the following vote:

Ayes: 9 - Brown, Katz, Kaufman, Leno, Teng, Yaki, Yee, Ammiano, Bierman
Absent: 2 - Newsom, Becerril

Recommendations of the Small Business, Economic Vitality and Consumer Services Committee**991326 [Discrimination Against Iranian Americans in City Contracting and Amending the Definition to include Iranian Americans with Arab Americans]****Supervisor Brown**

Ordinance amending Administrative Code by amending Sections 12D.A2 and 12D.A5 thereof, to amend Board findings regarding discrimination against Iranian Americans in city contracting, and to amend the definition of the terms "minority", "minorities", or "minority person" to group Iranian Americans with Arab Americans.

(Amends Sections 12D.A2 and 12D.A5.)

PASSED, ON FIRST READING by the following vote:

Ayes: 9 - Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Teng, Yaki, Yee
Absent: 2 - Becerril, Newsom

991587 [Horse drawn vehicle legislation amendment to provide additional safeguards and protections for the use of horse-drawn vehicle animals]**Supervisor Newsom**

Ordinance amending Police Code Article 7.1, Section 500.3 to change the exceptions to the permitting requirements of this article; by amending Section 501 to change the definition of qualified veterinarian and to add definitions for mechanical evaluator, qualified trainer and special event; by amending Section 502 to set forth some of the criteria the Chief of Police will consider in approving a "stand"; by amending Section 502.5 to refer to the proper code section setting forth license and permit fees; by amending Section 505 to allow animal control officers to review permits, licenses and other information, to make exception for minimum number of days of operation due to weather conditions, to change the advance notice requirements for special events, and to change the locations in which horse-drawn vehicles may load and unload passengers; by amending Section 506 to allow advertising on horse-drawn vehicles; and by amending Section 507 to provide for animal care and control to receive animal fitness reports, inspect horse-drawn vehicle animals and to approve the equipment used on the animals, and to change the standard on the use of whips.

PASSED, ON FIRST READING by the following vote:

Ayes: 9 - Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Teng, Yaki, Yee
Absent: 2 - Becerril, Newsom

991588 [Carriage horses retired from service]**Supervisor Newsom**

Ordinance amending Police Code Section 507.1 which establishes a policy of the City and County of San Francisco requiring that horses retired from service by carriage owners be treated humanely.

PASSED, ON FIRST READING by the following vote:

Ayes: 9 - Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Teng, Yaki, Yee
Absent: 2 - Becerril, Newsom

Appointment of President Pro Tempore

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

990153 [Liquor License, 543 Divisadero]

Resolution determining that the issuance of a Type 42 on-sale beer and wine-public premises alcoholic beverage control license to Giday Beshue and Nebiat Tesfazgi for Club Waziema, located at 543 Divisadero 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; with conditions.

Resolution No. 948-99

ADOPTED by the following vote:

Ayes: 8 - Bierman, Brown, Katz, Kaufman, Leno, Teng, Yaki, Yee

Absent: 3 - Ammiano, Becerril, Newsom

The President resumed the Chair.

991695 [Liquor License Transfer, 390 Sutter Street]

Resolution determining that the transfer of a Type 21 off-sale general alcoholic beverage control license to Karina Nelson VanCamp for Russell's Convenience Store located at 390 Sutter 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; with conditions.

Resolution No. 949-99

ADOPTED by the following vote:

Ayes: 9 - Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Teng, Yaki, Yee

Absent: 2 - Becerril, Newsom

991698 [Liquor License Modification, 4304 Mission Street, ABC File 21-308476]

Resolution disapproving the request of removing conditions imposed on the conditional alcoholic beverage control license for Patricia C. and Samuel S. Tak, dba Silver-Mission Market, located at 4304 Mission Street, in accordance with Section 23803 of the California Business and Professions Code. (Government Agency)

Resolution No. 950-99

ADOPTED by the following vote:

Ayes: 9 - Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Teng, Yaki, Yee

Absent: 2 - Becerril, Newsom

COMMITTEE REPORTS

Recommendation of Rules Committee

990406 [Third Assessment Appeals Board]
Supervisor Kaufman

Ordinance amending Administrative Code Sections 2B.1 through 2B.7 and 2B.13 to create a third Assessment Appeals Board and to make nonsubstantive clarifying revisions.

(Amends Sections 2B.1 through 2B.7 and 2B.13.)

PASSED, ON FIRST READING by the following vote:

Ayes: 9 - Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Teng, Yaki, Yee
Absent: 2 - Becerril, Newsom

PUBLIC COMMENT

Eula Walters, Ferry Park;
Abdalla Megahed, homeless activist;
Lucy, deputy sheriff horassment of inmates;
Shelley Bradford-Bell, Carol Newkirk, Tune Out the Violence Day;
David Nelson, urge investigation of operators of homeless shelter for corruption;
Mr. O'Donaghue, live/work, politics of exclusion;
Robert O'Malley, airport expansion, lack of living wages for airport workers.

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.

991926 [Court Appointed Special Advocate Grant Application Approval]
Supervisors Yaki, Katz

Resolution approving San Francisco Court Appointed Special Advocate (SFCASA) submission of grant application to the Judicial Council Court-Appointed Special Advocate.

Supervisor Katz requested to be added as co-sponsor.

Resolution No. 952-99

ADOPTED

**991927 [Test Run of the City's Preparedness During a Catastrophic Disaster]
Supervisors Yee, Katz, Leno**

Resolution urging the Office of Administrative Services, to work with the Mayor's Office of Emergency Services, 911 Command Center, Fire Department, Police Department and all key City departments to conduct a test run of the City's preparedness in the event of a catastrophic disaster.

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

Resolution No. 953-99

ADOPTED

**991928 [City Information Telephone Numbers on Business Cards]
Supervisors Becerril, Katz**

Resolution urging City departments to better inform San Francisco residents by printing telephone numbers for services and where to find information on the back of City employees' business cards.

Supervisor Katz requested to be added as co-sponsor.

Resolution No. 954-99

ADOPTED

**991929 [Mexican Flooding and Mudslides]
Supervisors Becerril, Brown, Teng, Bierman, Newsom, Katz, Leno**

Resolution extending condolences to the victims of flooding mudslides in Mexico.

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

Resolution No. 955-99

ADOPTED

**991930 [Brooklyn Museum Funding]
Supervisors Leno, Bierman**

Resolution urging the City of New York to continue local funding of the Brooklyn Museum.

Resolution No. 968-99

ADOPTED

**991932 [Commendation]
Supervisors Leno, Ammiano, Katz, Newsom, Bierman, Yaki, Teng, Becerril**

Resolution commending Julie Dorf for her work with the International Gay and Lesbian Human Rights Commission.

Resolution No. 957-99

ADOPTED

991933 [Commendation]
Supervisors Leno, Ammiano, Katz, Bierman, Teng, Becerril, Kaufman

Resolution commending California State Assemblymembers Carole Migden, Sheila Kuel, Wally Knox and Antonio Villaraigosa for successfully sponsoring landmark legislation recognizing, protecting and affirming the rights and relationships of Lesbian and Gay Californians.

Supervisor Kaufman requested to be added as co-sponsor.

Resolution No. 958-99

ADOPTED

991934 [Commendation]
Supervisors Leno, Ammiano, Katz, Bierman, Becerril, Yee, Kaufman, Teng

Resolution commending the 145 graduates of the SF Works Program in 1999 for completing rigorous job training and taking an extraordinary step toward self-sufficiency.

Resolution No. 959-99

ADOPTED

991935 [Commendation]
Supervisors Leno, Teng

Resolution commending San Francisco Performances on its 20th anniversary.

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

Resolution No. 960-99

ADOPTED

991936 [National Disability Employment Awareness Month]
Supervisors Leno, Newsom, Bierman, Teng, Katz

Resolution recognizing October as National Disability Employment Awareness Month.

Supervisor Katz requested to be added as co-sponsor.

Resolution No. 961-99

ADOPTED

991937 [Commendation]
Supervisors Teng, Brown, Becerril, Yaki, Katz, Bierman, Newsom, Kaufman, Ammiano, Leno

Resolution commending the Chinese Historical Society of America upon the occasion of their 1999 gala benefit "Casting our Voices: Chinese American Broadcast Pioneers" and declaring October 30, 1999, to be "Chinese Historical Society of America Day" in San Francisco.

Resolution No. 962-99

ADOPTED

991942 [School Supplies]
Supervisors Ammiano, Katz

Resolution urging the San Francisco Unified School District to increase allocation of funding for the purchase of basic school supplies.

Supervisor Katz requested to be added as co-sponsor.

Resolution No. 963-99

ADOPTED

991943 [Commendation]
Supervisors Ammiano, Bierman, Leno, Newsom, Katz

Resolution commending and proclaiming October 11 as National Coming Out Day.

Supervisor Katz requested to be added as co-sponsor.

Resolution No. 964-99

ADOPTED

991944 [Final Map of 175 Langton Street, a 6 unit live/work condominium project]

Motion approving final map of 175 Langton Street, a Live/Work Condominium Project, being a subdivision of Lot 199 in Assessor's Block No. 3755, and adopting findings pursuant to Planning Code Section 101.1. (Department of Public Works)

(DPW Order No. 171,986.)

Motion No. M99-133

APPROVED

991949 [Commendation]
Supervisors Newsom, Katz

Resolution commending Treasurer Susan Leal, the San Francisco Federal Credit Union, and other project partners on the installation of the nation's first audio enhanced Automated Teller Machine (ATM) in San Francisco City Hall.

Supervisor Katz requested to be added as co-sponsor.

Resolution No. 965-99

ADOPTED

The foregoing items were acted upon by the following vote:

Ayes: 9 - Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Teng, Yaki, Yee

Absent: 2 - Becerril, Newsom

Severed From For Adoption Without Committee Reference Agenda

991931 [Noel and Josephine Ridual and Maria Marquicias]

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

Resolution expressing sympathy and concern for Jessica Ridual upon the death of her parents, Noel and Josephine Ridual, extending condolences to the families of Maria "Ola" Marquicias and Noel and Josephine Ridual and supporting the creation of a trust fund for Jessica Ridual by San Francisco General Hospital.

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

Resolution No. 956-99

SEVERED FROM FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA.

Supervisor Teng submitted an amendment of the whole (technical correction).

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

Ayes: 9 - Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Teng, Yaki, Yee

Absent: 2 - Becerril, Newsom

Resolution expressing sympathy and concern for Jessica Ridual upon the death of her parents, Noel and Josephine Ridual, extending condolences to the families of Maria "Ola" Marquicias and Noel and Josephine Ridual and supporting the creation of a trust fund for Jessica Ridual by San Francisco General Hospital.

ADOPTED AS AMENDED by the following vote:

Ayes: 9 - Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Teng, Yaki, Yee

Absent: 2 - Becerril, Newsom

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

Ayes: 9 - Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Teng, Yaki, Yee

Absent: 2 - Becerril, Newsom

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

Ayes: 9 - Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Teng, Yaki, Yee
Absent: 2 - Becerril, Newsom

Imperative Resolutions**991954 [Proclamation]**

Supervisors Becerril, Teng

Resolution proclaiming October 19, 1999 Tune Out the Violence Day.

Resolution No. 966-99

ADOPTED

991955 [Commendation]

Supervisors Leno, Ammiano, Newsom, Katz, Bierman, Yaki, Brown

Resolution commending Shanti on its 25th Anniversary.

Resolution No. 967-99

ADOPTED

The foregoing items were acted upon by the following vote:

Ayes: 9 - Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Teng, Yaki, Yee
Absent: 2 - Becerril, Newsom

OFF-CALENDAR LEGISLATION

Introduced by Supervisors or Mayor

Ordinances

**991963 [Conditional Use Authorization for Video Store]
Supervisors Yee, Ammiano**

Ordinance amending Planning Code by amending each of the Neighborhood Commercial District Zoning Control Tables in Article 7 to require video stores to obtain conditional use authorization in all neighborhood commercial districts and adding Section 790.135 to define "video store"; adopting findings pursuant to Planning Code Section 101.1.

(Adds Section 790.135; amends Article 7 Tables.)

10/18/99, ASSIGNED UNDER 30 DAY RULE to Transportation and Land Use Committee, expires on 11/17/1999.

**991964 [Calling Special Election for Academy of Science Bonds]
Supervisors Yaki, Ammiano, Becerril, Bierman, Brown, Katz, Kaufman, Leno, Newsom, Teng, Yee**

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: eighty-seven million four hundred forty-five thousand dollars (\$87,445,000) for the acquisition, construction and reconstruction of certain improvements to the California Academy of Sciences; 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 resolutions; fixing the date of election and the manner of holding such election and the procedure for voting for or against the proposition; fixing the maximum rate of interest on such bonds and providing for the levy and collection of taxes to pay both principal and interest thereof; prescribing notice to be given of such election; consolidating the special election with the presidential primary election; establishing the election precincts, voting places and officers for the election; and waiving the word limitation on ballot propositions imposed by San Francisco Municipal Elections Code Section 510.

10/18/99, RECEIVED AND ASSIGNED to Finance and Labor Committee.

**991965 [Transfer Regulation of Massage Establishment Authorization]
Supervisor Yaki**

Ordinance amending Police Code by repealing Article 27, Sections 2700 to 2737, inclusive, authorizing the Chief of Police to regulate massage establishments and massage services; and amending Health Code by adding Article 28, Sections 1800-1835, inclusive, authorizing the Director of Public Health to regulate massage establishments and massage services; setting criteria for the issuance and revocation of massage establishment, outcall massage service, solo practitioner massage establishment, general massage practitioner, and therapeutic massage practitioner permits; changing certain operating requirements of massage establishments; setting new penalties for violation of massage provisions; and authorizing application fees, license fees, and an identification card fee.

(Repeals Police Code Article 27, Sections 2700 to 2737; Amends Health Code by adding Article 28, Sections 1800-1835.)

10/18/99, ASSIGNED UNDER 30 DAY RULE to Finance and Labor Committee, expires on 11/17/1999.

Resolutions

**991966 [Independent Blue Ribbon Panel]
Supervisor Ammiano**

Resolution urging the Independent Blue Ribbon Panel to accept three additional nominations from the San Francisco Board of Supervisors and the Office of the City Attorney in which the Board of Supervisors shall nominate an Ethics Commissioner and a certified minority business enterprise/women business enterprise (MBE/WBE) contractor and the Office of the City Attorney shall nominate a City Attorney as the third member and further that the Office of the City Attorney may advise the panel on all matters pertaining to MBE/WBE provisions in the City's Administrative Code.

10/18/99, RECEIVED AND ASSIGNED to Rules Committee.

**991967 [Ocean Beach Long-Term Plan]
Supervisors Katz, Bierman**

Resolution directing the Department of Public Works to develop a long-term plan to protect the City's infrastructure while preserving natural resources and recreational opportunities along Ocean Beach and addressing the concerns of the adjacent neighborhoods.

10/18/99, RECEIVED AND ASSIGNED to Transportation and Land Use Committee.

**991968 [Speed Lumps Pilot Project]
Supervisors Leno, Teng**

Resolution urging the Department of Parking and Traffic to establish a pilot project using speed lumps as a traffic calming measure.

10/18/99, RECEIVED AND ASSIGNED to Transportation and Land Use Committee.

**991969 [Street Artist Holiday Selling Spaces]
Supervisor Teng**

Resolution designating temporary selling spaces in the Downtown area and at Harvey Milk Plaza for street artists certified by the Art Commission, City and County of San Francisco, for the winter holiday season, 1999, beginning on November 15, 1999 and ending on January 15, 2000.

10/18/99, RECEIVED AND ASSIGNED to Housing and Social Policy Committee.

**991973 [Mortgage Credit Certificate Program Allocation Not to Exceed \$20,000,000]
Supervisor Brown**

Resolution authorizing an application to the California Debt Limit Allocation Committee to permit the issuance of mortgage credit certificates.

10/18/99, RECEIVED AND ASSIGNED to Finance and Labor Committee. With request it be considered at the October 27, 1999 meeting.

**991970 [Treasure Island Cooperative Agreement with Navy]
Mayor**

Resolution approving and authorizing the Treasure Island Development Authority to enter into a cooperative agreement with the Navy whereby the Treasure Island Development Authority will assume certain responsibilities regarding the operation and maintenance of Treasure Island, and the Navy will reimburse the Authority for the costs therefor.

10/18/99, RECEIVED AND ASSIGNED to Finance and Labor Committee.

**991971 [Knight Initiative]
Supervisors Ammiano, Leno, Katz, Bierman**

Resolution urging the Archdiocese of San Francisco and other California archdioceses to withdraw financial contributions in support of the Knight Initiative and further encouraging the Archdiocese to pastor to their lesbian, gay, bisexual and transgender parishioners.

10/18/99, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**991972 [Public Works Initiative, March 2000]
Supervisor Bierman**

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

10/18/99, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**991974 [Tolling Agreement with Regents of the University of California (Water and Wastewater Rates)]
Supervisor Kaufman**

Resolution approving tolling agreement with Regents of the University of California.

10/18/99, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**991975 [Domestic Violence Prevention Framework]
Supervisors Kaufman, Bierman, Katz, Newsom**

Resolution recognizing the San Francisco Collaborative organized to prevent abuse and its participating agencies: Men Overcoming Violence, San Francisco Neighborhood Legal Assistance Foundation and the Health Promotion Section of the Department of Public Health, for their efforts to further community based prevention of intimate partner violence through their Domestic Violence Prevention Framework.
10/18/99, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**991976 [Proclamation]
Supervisors Ammiano, Bierman, Katz, Newsom**

Resolution proclaiming October 24, 1999 as "Tune In to KPFA Day" and further urging the Pacifica Foundation to restore democratic control of KPFA Radio to KPFA staff and its listeners.
10/18/99, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**991977 [Proclamation]
Supervisors Bierman, Ammiano, Becerril, Brown, Katz, Kaufman, Leno, Newsom, Teng, Yaki, Yee**

Resolution proclaiming October 23, 1999, Sara Ishikawa Day in San Francisco.
10/18/99, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**991978 [Commendation]
Supervisor Brown**

Resolution commending Blanche Richardson in recognition of her contributions to the literary community.
10/18/99, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**991979 [Commendation]
Supervisors Brown, Newsom**

Resolution recognizing Dr. and Mrs. Victor L. Medearis and the Double Rock Baptist Church in recognition of the 50th Pastoral Anniversary.
10/18/99, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**991980 [Commendation]
Supervisor Leno**

Resolution commending the Reverend Jeff R. Johnson for outstanding service as pastor of First United Lutheran Church and wishing him well in his new role as Pastor of University Lutheran Church in Berkeley.
10/18/99, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**991981 [Commendation]
Supervisors Teng, Bierman, Katz, Newsom**

Resolution commending the Filipino Architects, Contractors, and Engineers on the occasion of their 10th Anniversary dinner and declaring October 15, 1999 to be 'Filipino Architects, Contractors, and Engineers Day' in San Francisco.

10/18/99, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**991982 [Commendation]
Supervisors Teng, Katz, Newsom**

Resolution commending Manny and Lillie Wong, and Tiger and Jean Wong on the occasion of the reopening of the Sam Wong Hotel and declaring October 16, 1999 to be "Sam Wong Hotel Day" in San Francisco.

10/18/99, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Charter Amendments

**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.

10/12/99, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 11/11/1999. For March 7, 2000 Election.

10/12/99, MOTION to waive Board of Supervisors Rule 2.33.1, at the request of President Ammiano, in order to permit introduction of this charter amendment for the March 2000 election.

10/18/99, SUBSTITUTED. Submitted by Supervisor Ammiano (Second Draft).

10/18/99, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 11/11/1999.

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

Charter amendment (Second 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. 10/12/99, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 11/11/1999. For March 7, 2000 Election.

10/12/99, MOTION to waive Board of Supervisors Rule 2.33.1, at the request of Supervisor Newsom, in order to permit introduction of this charter amendment for the March 2000 election.

10/18/99, SUBSTITUTED. Submitted by Supervisor Leno on behalf of Supervisor Newsom in Board (Second Draft).

10/18/99, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 11/11/1999.

**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.

10/18/99, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 11/17/1999.

10/18/99, MOTION to waive Board of Supervisors Rule 2.33.1, in order to permit introduction of this charter amendment for the March 2000 election.

Supervisor Yaki, seconded by Supervisor Katz, moved to waive Board of Supervisors Rule 2.33.1, in order to permit introduction of this charter amendment for the March 2000 election. The motion carried by the following vote:

Ayes: 9 - Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Teng, Yaki, Yee
Absent: 2 - Becerril, Newsom

Requests for Hearing

**991984 [Moratorium on extended hour premises permits (formerly "cabaret permits")]
Supervisor Becerril**

Hearing to determine the impact and viability of the temporary moratorium on extended hour premises permits (formerly cabaret permits) that currently exists in the area bounded by Bush Street to the north, O'Farrell Street to the south, Taylor Street to the east and Van Ness Avenue to the west and the advisability of continuing the moratorium or introducing another related policy before the moratorium expires in February, 2000.

10/18/99, RECEIVED AND ASSIGNED to Transportation and Land Use Committee.

10/19/99, TRANSFERRED to Small Business, Economic Vitality and Consumer Services Committee.

Motions

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

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

10/18/99, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Introduced by the President at the Request of Departments**PROPOSED ORDINANCES**

- 991619 [Establishment of Airport Special Event Account]
Ordinance amending Administrative Code by adding Section 10.114-3 to establish an Airport Promotion and Event Account; allow for the acceptance of gifts by the Airport Commission; and, authorize the Airport Commission to expend monies in account. (Airport Commission)
- (Adds Section 10.114-3.)
8/17/99, RECEIVED AND ASSIGNED to Finance and Labor Committee.
10/13/99, SUBSTITUTED. Substituted by Airport Commission 10/13/99, bearing new title.
10/13/99, ASSIGNED to Finance and Labor Committee.
- 991946 [Settlement of Claim, Michael Lias]
Ordinance authorizing settlement of claim of Michael Lias against the City and County of San Francisco, et al. by payment of \$77,581. (City Attorney)
- (S.F. Superior Court No. 996210.)
10/13/99, RECEIVED AND ASSIGNED to Audit and Government Efficiency Committee.

PROPOSED RESOLUTIONS

991945 [Agreement with State Department of Rehabilitation to provide vocational services to HIV/AIDS clients who are San Francisco residents]

Resolution authorizing the Department of Public Health, Community Health Services, to enter into a Cooperative Program Agreement with the State Department of Rehabilitation San Francisco District, including a required match of \$100,000, to provide vocational services to HIV/AIDS clients, which does not include patent infringement indemnification and false claims clauses. (Department of Public Health)

10/13/99, RECEIVED AND ASSIGNED to Housing and Social Policy Committee.

10/18/99, TRANSFERRED to Public Health and Environment Committee.

**991646 [Interim Controls, Live/Work]
Supervisors Ammiano, Bierman**

Resolution imposing Interim Zoning Controls for a period of eight months to add live/work units to the definition of residential use in Article 8, Section 890.88 of the Planning Code; to delete the exemption from height limits for live/work units set forth in Planning Code Section 260(b)(2)(O), and to delete live/work units from the list of other uses set forth in Planning Code Section 227(p) and (q) and include live/work units in the list of dwellings set forth in Section 215; adopting findings pursuant to Planning Code Section 101.1.

8/23/99, ASSIGNED UNDER 30 DAY RULE to Finance and Labor Committee, expires on 9/22/1999.

8/31/99 - Transmitted to the Director of Planning for environmental review, pursuant to Section 306.7(c) of the Planning Code.

10/6/99 - From Planning Department, Certificate of Determination of Exemption/Exclusion from Environmental Review dated 10/4/99.

10/8/99, SUBSTITUTED. Substituted by the City Attorney bearing new title, 10/8/99.

10/8/99, ASSIGNED to Finance and Labor Committee. With request this item be calendared for the October 20, 1999 meeting.

Requests Granted

From: Supervisor Brown

To: City Administrator, City Hall Building Manager, Sheriff

Requesting/Inquiring: To move forward with the purchase of package scanners to accelerate the flow of visitors into City Hall. File 991381.

From: Supervisor Katz

To: City Attorney

Requesting/Inquiring: To draft legislation to extend the deadline provided in Board of Supervisors Resolution Number 718-99 for the Department of Telecommunication and Information Services, the Telecommunications Commission and the City Attorney to report to the Board on the open access issue and ensuring that such a deadline extension shall have no impact on the City's time for considering franchise amendments under Section 29 of the Television Signal Corporation franchise.

From: Supervisor Yaki

To: Honorable Mayor Willie L. Brown, Jr.

Requesting/Inquiring: To establish a celebratory committee to commemorate the 150th Anniversary of the City and County of San Francisco.

In Memoriams

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

James Lucey (Supervisors Teng, Bierman)

ADJOURNMENT

There being no further business, the Board at the hour of 3:32 p.m. adjourned.

Gloria L. Young, Clerk

N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on November 15, 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