

# BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

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

## MEETING MINUTES DOCUMENTS DEPT.

MAY 27 1999

Monday, March 15, 1999 2:00 PM

SAN FRANCISCO  
PUBLIC LIBRARY

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

Regular meeting

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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

#### Meeting Days

#### AUDIT AND GOVERNMENT EFFICIENCY COMMITTEE

1st Tuesday

Supervisors Kaufman, Newsom, Katz

1:00 PM

#### FINANCE AND LABOR COMMITTEE

Supervisors Yee, Bierman, Ammiano

Wednesday

10:00 AM

#### HOUSING AND SOCIAL POLICY COMMITTEE

Supervisors Teng, Ammiano, Yee

1st and 3rd Tuesday

10:00 AM

#### PARKS AND RECREATION COMMITTEE

Supervisors Brown, Newsom, Leno

2nd Tuesday

1:00 PM

#### PUBLIC HEALTH AND ENVIRONMENT COMMITTEE

Supervisors Bierman, Brown, Yaki

2nd & 4th Thursday

1:00 PM

#### PUBLIC UTILITIES AND DEREGULATION COMMITTEE

Supervisors Ammiano, Yee, Becerril

3rd Tuesday

1:00 PM

#### RULES COMMITTEE

Supervisors Leno, Teng, Kaufman

2nd & 4th Thursday

10:00 AM

#### SMALL BUSINESS, ECONOMIC VITALITY AND CONSUMER SER

Supervisors Newsom, Leno, Becerril

1st and 3rd Thursday

10:00 AM

#### TRANSPORTATION AND LAND USE COMMITTEE

Supervisors Katz, Yaki, Yee

2nd and 4th Tuesday

10:00 AM

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



**Members Present:** Tom Ammiano, Amos Brown, Mark Leno, Gavin Newsom, Mabel Teng, Leland Y. Yee.

**Members Absent:** Alicia Becerril, Sue Bierman, Leslie Katz, Barbara Kaufman, Michael Yaki.

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## 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, the following Supervisors were noted absent:*

*Supervisors Becerril, Bierman, Katz, Kaufman, Yaki - 5.*

*Quorum present.*

*Supervisor Becerril was excused. (See infra.)*

*Supervisor Bierman was excused. (See infra.)*

*Supervisor Katz was excused. (See infra.)*

*Supervisor Kaufman was excused. (See infra.)*

*Supervisor Yaki was excused. (See infra.)*

### Supervisors Becerril, Bierman, Katz, Kaufman, Yaki Excused From Attendance

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

Ayes: 6 - Ammiano, Brown, Leno, Newsom, Teng, Yee

Absent: 5 - Becerril, Bierman, Katz, Kaufman, Yaki

## APPROVAL OF MEETING MINUTES

Supervisor Leno, seconded by Supervisor Teng, moved to approve the January 8 and January 11, 1999 Meeting Minutes. The motion carried by the following vote:

Ayes: 6 - Ammiano, Brown, Leno, Newsom, Teng, Yee

Absent: 5 - Becerril, Bierman, Katz, Kaufman, Yaki

## CONSENT AGENDA

### Recommendations of the Audit and Government Efficiency Committee

**990134 [Simca Harris v. CCSF, et al.]**

Ordinance authorizing settlement of litigation of Simca Harris against the City and County of San Francisco by payment of \$33,383.87. (City Attorney)

(U.S. District Court No. C97-4614 PJH)

Ordinance No. 47-99

**FINALLY PASSED**

**990209 [Gertrude Stern v. CCSF, et al.]**

Ordinance authorizing settlement of litigation of Gertrude Stern against the City and County of San Francisco by payment of \$80,000. (City Attorney)

(S.F. Superior Court No. 988-192.)

Ordinance No. 50-99

**FINALLY PASSED**

**990248 [Settlement of Claims, Ownership of 529 and 525 Hickory St.]**

Ordinance approving the settlement of unlitigated claim of Joshua K. Clayton and David Stoddard Lambertson for the ownership of the property fronting 529 and 525 Hickory Street, accepting quitclaim deeds from the claimants, and granting easements to the claimants. (Real Estate Department)

(Companion measure to File 990247.)

Ordinance No. 51-99

**FINALLY PASSED**

**990331 [American - Arab Discrimination Committee, et al. v. CCSF, et al.]  
Supervisor Kaufman**

Ordinance authorizing settlement of litigation of American-Arab Anti-Discrimination Committee, et al., against the City and County of San Francisco by payment of \$47,500.

(Case No. 93-6358-RAP.)

Ordinance No. 52-99

**FINALLY PASSED**

**Recommendations of the Finance and Labor Committee**

981933 [Police Department Executive Appointments]  
Supervisors Leno, Bierman

Ordinance amending Administrative Code Section 2A.76 to allow for appointments to non-civil service exempt ranks of the Police Department to be made from the ranks of lieutenant and above.

(Amends Section 2A.76.)

Ordinance No. 44-99

**FINALLY PASSED**

981934 [Police Department Executive Appointments]  
Supervisors Leno, Bierman

Ordinance amending Administrative Code Section 2A.77 to allow the Chief of Police to appoint exempt non-civil service executives from the rank of lieutenant and above.

(Amends Section 2A.77.)

Ordinance No. 45-99

**FINALLY PASSED**

990115 [Appropriation, Mayor's Office-Peninsula Corridors Joint Powers Board]  
Supervisor Bierman

Ordinance appropriating \$830,921, Mayor's Office, General Fund Reserve, to increase the appropriation amount for the Peninsula Corridor Joint Powers Board Agency subsidy payments for fiscal year 1998-1999. (Controller)

(Fiscal Impact.)

Ordinance No. 46-99

**FINALLY PASSED**

**Recommendations of the Housing and Social Policy Committee**

990332 [Underground District 345, Lincoln Way]  
Supervisor Bierman

Ordinance creating Underground District No. 345 on Lincoln Way from Eighth Avenue to 26th Avenue.

Ordinance No. 53-99

**FINALLY PASSED**

990333 [Underground District 346, Taraval Street]  
Supervisor Bierman

Ordinance creating Underground District No. 346 on Taraval Street from 19th Avenue to Lower Great Highway.

Ordinance No. 54-99  
FINALLY PASSED

### Recommendation of the Parks and Recreation Committee

990187 [Grant - State]

Resolution authorizing the Recreation and Park Department to apply for, accept and expend a \$1,970,000 grant for the restoration of the Conservatory of Flowers, Golden Gate Park; a \$492,500 grant for the construction of King Pool; and a \$197,700 grant for Lake Merced habitat restoration, all received from the State of California General Fund during fiscal year 1998-1999. (Recreation and Parks Department)

Resolution No. 223-99  
ADOPTED

### Recommendation of the Public Health and Environment Committee

990137 [Lead Hazard Reduction Citizens Advisory Committee Membership]  
Supervisors Bierman, Newsom

Ordinance amending Health Code Section 1608 to delete subparagraph 1608(b)(13); to correct the number of committee members; renumbering subparagraphs 1608(b)(14) and (15); to clarify the intent of the Board that ex officio members are non-voting members of the committee and whose number is not to be considered in determining the quorum of the committee; and to make minor typographical corrections.

(Amends Section 1608.)

Ordinance No. 48-99  
FINALLY PASSED

### Recommendation of the Rules Committee

990199 [Elimination of the Telecommunications Policy Committee]

Ordinance amending Administrative Code by repealing Sections 11.40 through 11.44 pertaining to the Telecommunications Policy Committee. (Clerk of the Board)

(Repeals Sections 11.40 through 11.44.)

Ordinance No. 49-99  
FINALLY PASSED

**Recommendations of the Transportation and Land Use Committee****982141 [White Zone, 1200 California Street]  
Supervisors Ammiano, Medina**

Resolution extending the effective hours of the white zone in front of 1200 California Street to 24 hours.

Resolution No. 217-99

**ADOPTED**

**990019 [Parking Regulations, Various Locations]**

Resolution enacting and rescinding parking regulations at various locations:

10-MINUTE PARKING TIME LIMIT, 3 PM - 6 PM, EVERYDAY - RESCIND

Willow Street, north side, from Polk Street to 100 feet easterly (100-foot zone)

NO PARKING ANYTIME, EXCEPT VEHICLES WITH MUNI PERMITS - ESTABLISH (One-Year Trial Period)

Geneva Avenue, south side, from 55 feet to 395 feet east of San Jose Avenue (340-foot zone)

San Jose Avenue, west side, from 80 feet to 490 feet south of Geneva Avenue (410-foot zone) (Department of Parking and Traffic)

Resolution No. 218-99

**ADOPTED**

**990264 [Weight Restrictions]**

Ordinance amending Traffic Code by adding Sections 28.1.99 through 28.1.104, establishing a weight restriction on various streets. (Department of Parking and Traffic)

(Adds Traffic Code Sections 28.1.99 through 28.1.104.)

**PASSED, ON FIRST READING**

The foregoing items were acted upon by the following vote:

Ayes: 6 - Ammiano, Brown, Leno, Newsom, Teng, Yee

Absent: 5 - Becerril, Bierman, Katz, Kaufman, Yaki

## REGULAR AGENDA

## NEW BUSINESS

### Recommendations of the Finance and Labor Committee

**990246 [Appropriation, Dept. of Public Works]**

Ordinance appropriating and certifying \$89,967, Department of Public Works, for a capital improvement project (Ashbury water storage tank) to cover ten percent (10%) overage as per Charter Section 7.203, providing for ratification of action previously taken, for fiscal year 1998-1999. (Controller)

**PASSED, ON FIRST READING by the following vote:**

Ayes: 6 - Ammiano, Brown, Leno, Newsom, Teng, Yee  
Absent: 5 - Becerril, Bierman, Katz, Kaufman, Yaki

**990186 [Lease Amendment, Airport - U.S. Postal Service]**

Resolution approving retroactive to July 8, 1998, First Amendment to lease of Airmail Field Post Office for increase in acreage and adjustment to rental to allow for expansion of the airmail facility between United States Postal Service and the City and County of San Francisco, acting by and through its Airport Commission. (Airport Commission)

Resolution No. 222-99

**ADOPTED by the following vote:**

Ayes: 6 - Ammiano, Brown, Leno, Newsom, Teng, Yee  
Absent: 5 - Becerril, Bierman, Katz, Kaufman, Yaki

**990206 [Airport Revenue Bonds]**

Resolution approving the issuance of up to \$165,000,000 additional aggregate principal amount of San Francisco International Airport Second Series Revenue Bonds for the purpose of financing or refinancing certain infrastructure improvements at San Francisco International Airport, approving the substitution of a Letter of Credit for the San Francisco International Airport Commercial Paper Program, and approving the extension of the Airport's Refunding Bond authorization to April 30, 2003. (Airport Commission)

Resolution No. 224-99

**ADOPTED by the following vote:**

Ayes: 6 - Ammiano, Brown, Leno, Newsom, Teng, Yee  
Absent: 5 - Becerril, Bierman, Katz, Kaufman, Yaki

**990237 [Police Sublease for Hunters Point Naval Shipyard]**

Resolution authorizing the Director of Real Estate to enter into an amended and restated sublease on behalf of the San Francisco Police Department with the San Francisco Redevelopment Agency for the continued use of Building 606 at the Hunters Point Naval Shipyard and adding thereto certain adjacent property for use as a helicopter landing pad. (Real Estate Department)

Resolution No. 225-99

**ADOPTED** by the following vote:

Ayes: 6 - Ammiano, Brown, Leno, Newsom, Teng, Yee  
Absent: 5 - Becerril, Bierman, Katz, Kaufman, Yaki

**990256 [Lease Amendment]**

Resolution authorizing a second amendment of a 40-year lease of Public Utilities land located in the City of Santa Clara for parking and landscaping to MELP VII L.P., lessee. (Public Utilities Commission)

Resolution No. 227-99

**ADOPTED** by the following vote:

Ayes: 6 - Ammiano, Brown, Leno, Newsom, Teng, Yee  
Absent: 5 - Becerril, Bierman, Katz, Kaufman, Yaki

**Recommendations of Small Business, Economic Vitality and Consumer Services Committee****990027 [Liquor License Transfer, 30 Mason Street]**

Resolution opposing the request for the transfer of a Type 21 off-sale general alcoholic beverage control license for Yasin Alabdy for Thunder Grocery, from 53 Mason Street to 30 Mason Street, and determining that it will not serve the public convenience and necessity of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code.

Resolution No. 219-99

**ADOPTED** by the following vote:

Ayes: 6 - Ammiano, Brown, Leno, Newsom, Teng, Yee  
Absent: 5 - Becerril, Bierman, Katz, Kaufman, Yaki

**990121 [Liquor Licenses, Pier 23, Port of San Francisco]**

Resolution determining that the issuance of a Type 9 beer and wine importer, Type 17 beer and wine wholesaler, and Type 20 off-sale beer and wine alcoholic beverage control license to Troy D. Smith for Ammirato Smith Importers at the Foreign Trade Zone, located at Pier 23, Port of San Francisco, will serve the convenience of the people of the City and County of San Francisco in accordance with Section 23958.4 of the California Business and Professions Code.

Resolution No. 220-99

**ADOPTED** by the following vote:

Ayes: 6 - Ammiano, Brown, Leno, Newsom, Teng, Yee  
Absent: 5 - Becerril, Bierman, Katz, Kaufman, Yaki

**990165 [Liquor License, 525 Howard Street]**

Resolution determining that the issuance of a Type 48 on-sale general public premises alcoholic beverage control license to Eddie Ching Liu in exchange for a Type 47 license for ERA, located at 525 Howard Street, will serve the convenience of the people of the City and County of San Francisco in accordance with Section 23958.4 of the California Business and Professions Code.

Resolution No. 221-99

**ADOPTED** by the following vote:

Ayes: 6 - Ammiano, Brown, Leno, Newsom, Teng, Yee

Absent: 5 - Becerril, Bierman, Katz, Kaufman, Yaki

**990253 [Liquor License Modification, 1795 Geary Boulevard, ABC File 42-319741]**

Resolution denying the request of removing or modifying the conditions imposed on the conditional alcoholic beverage license for Thomas Campbell-Reed, dba Someplace Else, located at 1795 Geary Boulevard in accordance with Section 23803 of the Business and Professions Code.

Resolution No. 226-99

**ADOPTED** by the following vote:

Ayes: 6 - Ammiano, Brown, Leno, Newsom, Teng, Yee

Absent: 5 - Becerril, Bierman, Katz, Kaufman, Yaki

**Recommendation of the Transportation and Land Use Committee****982065 [Zoning, Liquor Establishments]**

Supervisor Yee

Ordinance amending Planning Code Section 249.5 thereof, to prohibit establishments selling alcoholic beverages for consumption off of the premises, subject to specified exceptions, and establishing good neighbor policies for all establishments selling alcoholic beverages, in the North of Market Residential Special Use District, and making a determination of consistency with the priority policies of Planning Code Section 101.1.

(Amends Section 249.5.)

**PASSED, ON FIRST READING** by the following vote:

Ayes: 6 - Ammiano, Brown, Leno, Newsom, Teng, Yee

Absent: 5 - Becerril, Bierman, Katz, Kaufman, Yaki

**ROLL CALL FOR INTRODUCTIONS**

## PUBLIC COMMENT

*J. B. Saunders, UC application process, Paul Rosen month;  
Jakkee Bryson, weekly shelter hell report, claim filed, single room occupancy fires;  
Edith McMillan, minimum quorum, accessibility of Supervisors on Friday, roll call, dim lights in chamber;  
Eula Walters, oppose building on Ferry Park;  
Ernestine Weiss, supports making Ferry Park a permanent park;  
Lynne Elman, oppose 560 Haight Street condominiums;  
Al Kurz, protect native species of land animals of San Francisco;  
Steve Currier, gun sales and shows, Geneva Street car barn preservation.*

## 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.*

**990449** [State Legislation, SB 911]  
Supervisor Bierman

Resolution supporting Senate Bill 911, the automated external defibrillator-inclusive good Samaritan law and urging all San Franciscans to get involved in life-saving activities by learning to recognize the signs and symptoms of cardiac arrest, activate the emergency medical system and learn CPR.

Resolution No. 229-99  
**ADOPTED**

**990450** [State Legislation, AB 132]  
Supervisors Brown, Bierman

Resolution urging the San Francisco Board of Supervisors to support Assembly Bill 132 which exempts hair braiders who do not use chemicals from required licensing from the California Department of Consumer Affairs.

Resolution No. 230-99  
**ADOPTED**

**990451** [Federal Legislation, HR 14]  
Supervisor Leno

Resolution supporting House Joint Resolution 14 and urging the one-time shift of the federal holiday from December 31, 1999 to January 3, 2000 to assist government, businesses and citizens with resolving any potential Y2K computer problems arising from the start of the new millennium providing that the fiscal impact on the City is negligible.

Resolution No. 231-99  
**ADOPTED**

**990452 [Federal Legislation, HR 912]**  
**Supervisors Leno, Katz, Ammiano, Bierman**

Resolution supporting HR 912 to move marijuana from Schedule I of the Controlled Substances Act to Schedule II of the Controlled Substances Act in order to provide for the use of medical marijuana.

Resolution No. 232-99

**ADOPTED**

**990453 [Human Rights]**  
**Supervisors Brown, Bierman**

Resolution urging the United Nations Human Rights Commission and all human rights organizations to investigate human rights abuses in connection with the forced detentions, deportations and displacements of population caused by the Eritrean and Ethiopian conflict and calls on Eritrea and Ethiopia immediately to bring an end to the violence between the two countries.

Resolution No. 233-99

**ADOPTED**

**990454 [Human Rights]**  
**Supervisors Katz, Leno, Newsom, Bierman, Brown**

Resolution condemning the hate motivated murder of Billie Jack Gaither in Alabama and urging Alabama lawmakers to include sexual orientation in their hate-crimes laws which currently only address hate crimes motivated by race or religion.

*Supervisor Brown requested to be added as co-sponsor.*

Resolution No. 234-99

**ADOPTED**

**990456 [Senate Confirmation]**  
**Supervisors Teng, Brown, Yaki, Becerril, Kaufman, Newsom, Leno, Ammiano, Katz, Yee, Bierman**

Resolution urging for a full Senate confirmation of Bill Lann Lee as the next Assistant Attorney General for civil rights.

Resolution No. 235-99

**ADOPTED**

**990457 [Electric Bikes and Scooters]**  
**Supervisors Yaki, Brown**

Resolution supporting the use of "Zap" electric bikes and scooters in the City of San Francisco.

*Supervisor Brown requested to be added as co-sponsor.*

Resolution No. 236-99

**ADOPTED**

**990458 [In Memoriam]**  
**Supervisors Becerril, Newsom, Bierman, Leno**

Resolution honoring the memory of the late Justice Harry A. Blackmun and commending him for his years of service as an attorney and judge; urging the Board of Supervisors to implement and enforce the policies Blackmun advocated for on behalf of the vulnerable and powerless.

*Supervisor Leno requested to be added as co-sponsor.*

Resolution No. 237-99

**ADOPTED**

**990459 [San Francisco, The Cleanest City]**  
**Supervisors Becerril, Brown**

Resolution challenging Oakland to be the cleanest and greenest City by the Bay.

*Supervisor Brown requested to be added as co-sponsor.*

Resolution No. 238-99

**ADOPTED**

**990460 [Commendation]**  
**Supervisor Katz**

Resolution commending San Francisco Police Officer Chuck Limbert.

Resolution No. 239-99

**ADOPTED**

**990461 [Commendation]**  
**Supervisors Newsom, Bierman**

Resolution commending El Faro Restaurant and the Mission Counsel on Alcohol Abuse for the Spanish Speaking for sponsoring and Edgar Renderos for winning a City-wide art contest to design an anti-smoking billboard.

Resolution No. 240-99

**ADOPTED**

**990462 [Proclamation]**  
**Supervisor Newsom**

Resolution declaring March 20, 1999 as Bob Baldocchi Day to commemorate Mr. Baldocchi for his exemplary citizenship and contribution to our City as a lifelong resident of San Francisco.

Resolution No. 241-99

**ADOPTED**

990463 [Proclamation]  
Supervisors Teng, Brown, Becerril, Kaufman, Newsom, Katz, Leno, Ammiano, Bierman

Resolution congratulating Ronald W. Wong on the occasion of his appointment as Chief Deputy Appointments Secretary to Governor Gray Davis and declaring Friday, March 12, 1999, to be "Ronald Wong Day" in San Francisco.

Resolution No. 242-99

**ADOPTED**

990476 [Daily Municipal Railway Reports]  
Supervisor Ammiano

Resolution urging Muni to furnish daily operations reports to the Board of Supervisors.

Resolution No. 244-99

**ADOPTED**

990475 [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. M99-26

**APPROVED**

990390 [H.R. 573 Commending Rosa Parks]  
Supervisors Leno, Brown, Bierman, Becerril, Kaufman, Katz, Teng, Newsom

Resolution urging the United States Congress to approve H.R. 573 authorizing President Clinton to award Rosa Parks a gold medal on behalf of Congress in recognition for her contributions to the nation.

Resolution No. 228-99

**ADOPTED**

The foregoing items were acted upon by the following vote:

Ayes: 6 - Ammiano, Brown, Leno, Newsom, Teng, Yee

Absent: 5 - Becerril, Bierman, Katz, Kaufman, Yaki

**Severed From For Adoption Without Committee Reference Agenda**

990455 [Cable Modem Platforms]  
Supervisor Katz

Resolution urging the City Attorney and the Department of Telecommunications and Information Services to take all possible action to ensure that Congress and/or the Federal Communications Commission adopt policies ensuring non-discriminatory access to the cable modem platform.

*Supervisor Ammiano, on behalf of Supervisor Katz, requested this matter be severed for the purpose of referring it to committee.*

**SEVERED FROM FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA.**

**REFERRED to the Public Utilities and Deregulation Committee.**

990471 [Suspend 30 Day Rule]  
Supervisor Kaufman

Motion suspending Rule 5.40 of the Rules of Order of the Board of Supervisors to allow the Board of Supervisors to consider, without waiting 30 days after its introduction, an ordinance creating a third Assessment Appeals Board.

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

**SEVERED FROM FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA.**

**FAILED ADOPTION by the following vote:**

Ayes: 4 - Brown, Leno, Newsom, Teng

Noes: 2 - Ammiano, Yee

Absent: 5 - Becerril, Bierman, Katz, Kaufman, Yaki

## 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.*

*[Serious Injury Finding]*

*Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."*

Supervisor Yee, seconded by Supervisor Brown, moved **ADOPTION** of the serious injury finding. The motion carried by the following vote:

Ayes: 6 - Ammiano, Brown, Leno, Newsom, Teng, Yee  
Absent: 5 - Becerril, Bierman, Katz, Kaufman, Yaki

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

Ayes: 6 - Ammiano, Brown, Leno, Newsom, Teng, Yee  
Absent: 5 - Becerril, Bierman, Katz, Kaufman, Yaki

### Imperative Resolution

990492 [State Legislation, AB 238]

Supervisor Yee

Resolution supporting Assembly Bill 238 (Honda) concerning importing and sale of live animal for food consumption.

Resolution No. 243-99

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

Ayes: 6 - Ammiano, Brown, Leno, Newsom, Teng, Yee  
Absent: 5 - Becerril, Bierman, Katz, Kaufman, Yaki

## OFF-CALENDAR LEGISLATION

### Introduced by Supervisors or Mayor

#### Ordinances

990493 [Saturday Night Special]  
Supervisor Leno

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

(Amends Section 613.1.)

3/15/99, RECEIVED AND ASSIGNED to Housing and Social Policy Committee.

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

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.)

3/15/99, ASSIGNED UNDER 30 DAY RULE to Housing and Social Policy Committee, expires on 4/14/1999.

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

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.)

3/15/99, ASSIGNED UNDER 30 DAY RULE to Housing and Social Policy Committee, expires on 4/14/1999.

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

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.)

3/15/99, ASSIGNED UNDER 30 DAY RULE to Housing and Social Policy Committee, expires on 4/14/1999.

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

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.)

3/15/99, ASSIGNED UNDER 30 DAY RULE to Housing and Social Policy Committee, expires on 4/14/1999.

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

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.)

3/15/99, ASSIGNED UNDER 30 DAY RULE to Housing and Social Policy Committee, expires on 4/14/1999.

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

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.)

3/15/99, ASSIGNED UNDER 30 DAY RULE to Housing and Social Policy Committee, expires on 4/14/1999.

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

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.)

3/15/99, ASSIGNED UNDER 30 DAY RULE to Housing and Social Policy Committee, expires on 4/14/1999.

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

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.)

3/15/99, ASSIGNED UNDER 30 DAY RULE to Housing and Social Policy Committee, expires on 4/14/1999.

**990506 [Appropriation, DPH-Laguna Honda Hospital]  
Mayor**

Ordinance appropriating \$6,932,000; \$5,810,000 from the General Fund Reserve and \$1,122,000 from one-time reserve to offset the revenue shortfall for the current year and fund feasibility planning for the replacement of the Laguna Honda Hospital for fiscal year 1998-1999.

(Fiscal impact.)

3/15/99, RECEIVED AND ASSIGNED to Finance and Labor Committee.

## Resolutions

**990507 [Jury System, One Day or One Trial Program]  
Supervisor Newsom**

Resolution urging the Judges of the San Francisco Superior Court to adopt the "One Day or One Trial" jury selection system as quickly as possible; the Judicial Council to adopt a rule of court to implement State legislation requiring "One Day or One Trial" with all due haste; the San Francisco Superior court to place on the internet information necessary for persons called for jury duty; and the State Legislature to budget as needed to facilitate setting up this system.

3/15/99, RECEIVED AND ASSIGNED to Audit and Government Efficiency Committee.

**990508 [Commuter Choice Program]**  
**Supervisors Ammiano, Newsom, Bierman**

Resolution authorizing the Department of Administrative/Commute Assistance Program to create and implement commuter choice programs enabling employers to offer employees the option to "pre-tax" commute-related transportation expenses under Section 132 of the Internal Revenue Code of 1986, as amended.

3/15/99, RECEIVED AND ASSIGNED to Finance and Labor Committee.

**990509 [Property Sale, Alameda County Parcels 16, 16A (Bernal Property)]**  
**Supervisor Ammiano**

Resolution declaring Parcels 16 and 16A of the Bernal Property to be surplus; authorizing the General Manager of the Public Utilities Commission to execute a purchase and sale agreement to transfer Parcels 16 and 16A to the Pleasanton Unified School District; and adopting findings pursuant to the California Environmental Quality Act.

3/15/99, ASSIGNED UNDER 30 DAY RULE to Finance and Labor Committee, expires on 4/14/1999.

**990490 [Commendation]**  
**Supervisors Brown, Bierman**

Resolution commending Reverend Peter Williams for his years of service to the Neighborhood Baptist Church community in particular and the City and County of San Francisco in general.

3/15/99, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**990510 [University of California Admission Policy]**  
**Supervisors Brown, Teng, Bierman, Leno, Katz, Becerril**

Resolution encouraging the University of California Board of Regents to consider rescinding its 1995 vote ending any consideration of race in university admissions in light of the dramatic decline in admissions of African American and Latino Students.

3/15/99, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**990511 [State Legislation, AB 1001, Fair Employment and Housing Act]**  
**Supervisors Leno, Ammiano, Katz, Newsom, Bierman, Becerril**

Resolution urging passage of AB 1001, an amendment to the Fair Employment and Housing Act to include sexual orientation.

3/15/99, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**990512 [State Legislation, AB 703, Ballast Water Discharge]**  
**Supervisors Leno, Bierman**

Resolution urging the California State Legislature to approve Assembly Bill 703 requiring the treatment of ballast water discharges.

3/15/99, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**990513 [Joe DiMaggio Memorial]**  
**Supervisors Newsom, Bierman, Katz**

Resolution urging the Mayor of the City and County of San Francisco to consult with the DiMaggio Family and to form a committee to recommend an appropriate way the City should memorialize Joe DiMaggio.

3/15/99, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**990514 [State Legislation, AB 592, Jury Duty Compensation]**  
**Supervisors Newsom, Bierman, Leno, Katz**

Resolution supporting AB 592, which will, in part, treble the daily compensation paid to jurors and require courts to reimburse jurors for child care.

3/15/99, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**990515 [Census 2000 Complete Count Committee]**  
**Supervisors Teng, Bierman, Katz**

Resolution endorsing the census Complete Count Committee's work in developing and coordinating a strategic plan in all San Franciscans in the 2000 census.

3/15/99, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**990516 [Unionized Culinary Catering Establishments and Workers]**  
**Supervisors Ammiano, Bierman, Katz**

Resolution urging City departments to adopt a policy which utilizes unionized culinary workers and unionized catering establishments during City sponsored banquets, receptions, conventions and other special events.

3/15/99, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

- 990502 [UNICEF Day]**  
Supervisors Teng, Brown, Katz, Ammiano, Leno, Yee, Bierman, Newsom, Becerril

Resolution congratulating the U.S. Committee for UNICEF on the occasion of the opening of their Northern California office, and declaring Friday, March 19, 1999, to be "UNICEF Day" in San Francisco.  
3/15/99, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

- 990503 [Edward Harrington Day]**  
Supervisors Teng, Kaufman, Brown, Yaki, Newsom, Leno, Katz, Yee, Bierman, Becerril

Resolution commending Edward Harrington on the anniversary of his eight years as Controller for the City and County of San Francisco, and declaring Friday, March 19, 1999, to be "Edward Harrington Day" in San Francisco.  
3/15/99, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

- 990505 [Bidu Sayao]**  
Supervisors Leno, Bierman

Resolution honoring the life of the legendary soprano, Bidu Sayao.  
3/15/99, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

### **Requests for Hearing**

- 990477 [Public Access, Educational and Government Cable Channels]**  
Supervisor Ammiano

Hearing to consider funding and management of Public Access, Educational and Government (PEG) cable channels.  
3/15/99, RECEIVED AND ASSIGNED to Public Utilities and Deregulation Committee.

- 990504 [Proposed UCSF/Stanford Hospital Merger]**  
Supervisor Ammiano

Hearing to consider the effects of proposed merger of UCSF and Stanford Hospital and its impact on hospital staff, quality of medical services, and the community.  
3/15/99, RECEIVED AND ASSIGNED to Public Health and Environment Committee.

**990517 [Residential Hotel]  
Supervisor Brown**

Hearing to consider possible resources to enable owners of residential hotels to upgrade their buildings to make them consistent with the current Fire Codes, specifically the consideration of a possible loan program.  
3/15/99, RECEIVED AND ASSIGNED to Housing and Social Policy Committee.

**990518 [Unreinforced Masonry Building (UMB) Funds]  
Supervisors Newsom, Leno, Becerril**

Hearing to consider the effectiveness of the unreinforced masonry building (UMB) ordinance in improving the seismic and life safety of UMB buildings, particularly residential hotels and whether the UMB program should be revisited to further incentivize life safety improvements to residential hotels and other buildings.  
3/15/99, RECEIVED AND ASSIGNED to Housing and Social Policy Committee.

**990519 [Affordable Housing, City-owned Property]  
Supervisors Teng, Ammiano**

Hearing to consider the availability of City-owned property for use as affordable housing, in particular, to replace single room occupancy units.  
3/15/99, RECEIVED AND ASSIGNED to Housing and Social Policy Committee.

**990520 [560 Haight Street Live/Work Units]  
Supervisor Ammiano**

Hearing to investigate the proposed construction of live/work units on 560 Haight Street and its impact on neighbors and the lower Haight community.  
3/15/99, RECEIVED AND ASSIGNED to Housing and Social Policy Committee.

**990521 [Scanner Pricing Accuracy]  
Supervisors Ammiano, Newsom**

Hearing to consider the issue of electronic scanner pricing accuracy.  
3/15/99, RECEIVED AND ASSIGNED to Small Business, Economic Vitality and Consumer Services Committee.

**990522 [Comprehensive Lead Poisoning Prevention Program]  
Supervisors Bierman, Newsom**

Hearing to consider the plans regarding implementation of the Comprehensive Lead Poisoning Prevention Program from the following departments: Recreation and Park Department, Department of Building Inspection, Public Library, Department of Public Works, Department of Real Estate, Department of Human Services, Department of Public Health, Mayor's Offices of Community Development and Housing, Department of Children, Youth and Families, the Tax Collector, Water Department, the Unified School District, San Francisco Housing Authority and the Redevelopment Agency.  
3/15/99, RECEIVED AND ASSIGNED to Public Health and Environment Committee.

**Motions****990491 [Board Off Site Meeting, April 19, 1999]  
Supervisors Brown, Teng, Newsom**

Motion having the Monday, April 19, 1999 meeting of the Board of Supervisors convened at the Southeast Community facility located on 1800 Oakdale Avenue, in the Bayview Hunters Point neighborhood of San Francisco at 6:00 p.m.

3/15/99, RECEIVED AND ASSIGNED to Rules Committee.

**990523 [Board Off Site Meeting, August 9, 1999]  
Supervisors Leno, Teng**

Motion having the Monday, August 9, 1999 meeting of the Board of Supervisors held at the Mission High School, 3750 18th Street, Auditorium Room in the Castro Neighborhood of San Francisco.

3/15/99, RECEIVED AND ASSIGNED to Rules Committee.

**990524 [Rules of Order Amendment, Joint School Board/Board of Supervisors Committee]  
Supervisors Ammiano, Newsom**

Motion amending the Rules of Order of the Board of Supervisors by adding Rule 5.10.1 to create a City and School District Committee of the Board of Supervisors and by amending Rule 5.13 to provide that this committee shall be comprised of two supervisors and two members of the Board of Education.

(Adds Rule 5.10.1 and amends Rule 5.13.)

3/15/99, RECEIVED AND ASSIGNED to Rules Committee.

**990525 [Waiver 30 Day Rule - Bernal Property Sale]  
Supervisor Ammiano**

Motion suspending Rule 5.40 of the Rules of Order of the Board of Supervisors to allow the Board of Supervisors to consider, without waiting 30 days after its introduction, the proposed sale of Parcels 16 and 16A of the Bernal Property (Alameda County).

3/15/99, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Introduced by the President at the Request of Departments**PROPOSED ORDINANCES****990377 [Appropriation, District Attorney]**

Ordinance appropriating \$60,000, District Attorney, of Federal and State public assistance for the adaptation and installation of San Francisco's Computer Assisted Support Enforcement System (CASES), a child support operating system throughout the California counties for fiscal year 1988-1999. (Controller)

3/8/99, RECEIVED AND ASSIGNED to Finance and Labor Committee. 3/15/99 - Clerical correction, \$60,000 to read \$600,000.

**990437 [Arnold Jones, et al., v. CCSF, et al.]**

Ordinance authorizing settlement of litigation of Arnold Jones against the City and County of San Francisco by payment of \$614,400. (City Attorney)

(U.S. District Court No. C91-3453 WHO.)

3/8/99, RECEIVED AND ASSIGNED to Audit and Government Efficiency Committee.

**990438 [Appropriation, Public Library]  
Supervisor Teng**

Ordinance appropriating \$481,000, Public Library, of Public Library Preservation Funds, for the purchase of books and materials, installation of portable shelves at the Brooks Hall, development of back-up HVAC system, and purchase of a new video editing system, for fiscal year 1998-1999. (Public Library)

(Fiscal impact; companion measure to File 990389.)

3/8/99, RECEIVED AND ASSIGNED to Finance and Labor Committee.

**990480 [Natali Sheyner, et al., v. CCSF, et al.]**

Ordinance authorizing settlement of litigation of Natali Sheyner against the City and County of San Francisco by payment of \$37,000. (City Attorney)

(S.F. Superior Court No. 990-053.)

3/10/99, RECEIVED AND ASSIGNED to Audit and Government Efficiency Committee.

**990481 [Denise Flaherty v. CCSF]**

Ordinance authorizing settlement of litigation of Denise Flaherty against the City and County of San Francisco by payment of \$60,000. (City Attorney)

(S.F. Superior Court No. 994-582.)

3/10/99, RECEIVED AND ASSIGNED to Audit and Government Efficiency Committee.

- 990482 [Settlement of Lawsuit]  
Ordinance authorizing settlement of litigation of Victoria Lee, a minor, by and through her Guardian Ad Litem Gan Suey Lee against the City and County of San Francisco by payment of \$850,000. (City Attorney)  
  
(S.F. Superior Court No. 993-057.)  
3/10/99, RECEIVED AND ASSIGNED to Audit and Government Efficiency Committee.
- 990483 [Settlement Agreement]  
Ordinance authorizing settlement of claims with Tanya Meyers relating to Ms. Meyers' employment with the Public Transportation Department in the amount of Eighty Five Thousand Dollars (\$85,000). (City Attorney)  
3/10/99, RECEIVED AND ASSIGNED to Audit and Government Efficiency Committee.  
3/12/99, FILED. Resolution substituted (on the advice of the City Attorney an unlitigated claim doesn't need to be an ordinance).

## PROPOSED RESOLUTIONS

- 990389 [Public Library Supplemental Appropriation - State Funds]  
Resolution authorizing the San Francisco Public Library to accept and expend a total of \$923,493 from the California State Library, Public Library Foundation Program, augmenting the fiscal year 1998-1999 budget with a supplemental appropriation of \$481,000. (Public Library)  
  
(Companion measure to File 990438.)  
3/8/99, RECEIVED AND ASSIGNED to Finance and Labor Committee.
- 990478 [Marine Terminal Agreement, Port - Maruba S.C.A.]  
Resolution authorizing the Port of San Francisco to hold Maruba S.C.A. harmless from all claims arising from an agreement with the San Francisco Port Commission for use of marine terminal facilities at Pier 80. (Port)  
3/10/99, RECEIVED AND ASSIGNED to Transportation and Land Use Committee.
- 990479 [Grant -State]  
Resolution authorizing the Department of Human Services to accept and expend a grant in the amount of \$231,565 from the California State Department of Health Services for a targeted Medi-Cal outreach project. (Department of Human Services)  
3/10/99, RECEIVED AND ASSIGNED to Public Health and Environment Committee.
- 990484 [Grant - State]  
Resolution authorizing the Sheriff's Department, Adult Probation, and Juvenile Probation Department of the City and County of San Francisco to apply for, retroactively, accept and expend \$625,500.00 in funds from the State of California Board of Corrections for the Standards and Training of Local Corrections and Probation Officers Programs; stipulating adherence to standards for recruitment and training established by the Board of Corrections, waiving indirect costs. (Sheriff)  
3/10/99, RECEIVED AND ASSIGNED to Housing and Social Policy Committee.

## Requests Granted

*By Supervisor Leno, that letter be sent to the City Attorney requesting legislation be drafted which would require vendors to issue itemized receipts.*

*By Supervisor Leno, that letter of inquiry be sent to the Director, Department of Public Works, to ascertain the procedure for installing a plaque at City Hall commemorating Supervisor Harvey Milk in the hallway near the Clerk's Office of the Board of Supervisors.*

*By Supervisor Newsom, that letter be sent to the Police Chief and District Attorney requesting information regarding the number of citations issued and number of prosecutions related to pedestrian and bicycle injuries resulting from moving vehicle violations.*

*By Supervisor Ammiano, that letter be sent to the Budget Analyst requesting review of the proposed Public Utilities Commission capital improvement program management contract to determine if contracting out management functions will result in savings and/or decreased oversight of expenditures compared to managing the capital improvement program with existing and/or new City staff.*

*By Supervisor Ammiano, that letter be sent to the City Attorney requesting legislation be drafted which would provide increased inspections by the Department of Agriculture, Weights and Measures to minimize pricing errors by electronic scanners.*

*By Supervisor Ammiano, that letter be sent to the Small Business Advisory Commission requesting that the Commission hold hearings on the issue of electronic scanner pricing accuracy. File 990521.*

## In Memoriams

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

*Andrew Katten (Supervisors Kaufman, Bierman)*

*Thomas Hong Gee (Supervisor Teng)*

*Bidu Sayao (Supervisor Leno)*

*Jennifer Davis (By the full Board)*

*Yehudi Menuhin (Supervisor Leno)*

*Albert Pollack (Supervisor Kaufman)*

*Ethel Garlington (Supervisor Brown)*

*Marvin Warren (By the full Board)*

## ADJOURNMENT

*There being no further business, the Board at the hour of 3:51 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 April 26, 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.*

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Gloria L. Young  
Clerk of the Board