

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

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Monday, February 8, 1999 2:00 PM

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

Regular Meeting

TOM AMMIANO, PRESIDENT

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

Gloria L. Young, Clerk of the Board

BOARD COMMITTEES

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 SER

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, Alicia Becerril, Sue Bierman, Amos Brown, Barbara Kaufman, Mark Leno, Gavin Newsom, Mabel Teng, Michael Yaki, Leland Y. Yee.

Members Absent: Leslie Katz.

ROLL CALL AND PLEDGE OF ALLEGIANCE

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

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

Supervisor Katz - 1.

Quorum present.

Supervisor Katz was excused. (See infra.)

Supervisor Katz Excused From Attendance

Supervisor Teng, seconded by Supervisor Yee, moved to excuse Supervisor Katz from attending today's meeting. The motion carried by the following vote:

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

Absent: 1 - Katz

APPROVAL OF MEETING MINUTES

Supervisor Yee, seconded by Supervisor Leno, moved to approve the December 7, 1998 Meeting Minutes. The motion carried by the following vote:

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

Absent: 1 - Katz

Privilege of the Floor

Supervisor Bierman, seconded by Supervisor Leno, 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 guest. The motion carried by the following vote:

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

Absent: 1 - Katz

Introduction of Guest

Supervisor Ammiano introduced and welcomed Dr. Carlos Chipoco, Senator from Peru.

Dr. Chipoco indicated he is on a fact finding mission to study the role of how the United States government functions and how legislators keep in contact with their constituents on issues of human rights, etc.

CONSENT AGENDA

Recommendation of Housing and Neighborhood Services Committee

982005 [Zoning Map Amendment, 949 Vermont Street]

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

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

Ordinance No. 20-99

FINALLY PASSED

Recommendations of the Audit and Government Efficiency Committee

990017 [Roger Contreras v. CCSF, et al.]

Ordinance authorizing settlement of litigation of Roger Contreras against the City and County of San Francisco by payment of \$28,000. (City Attorney)

(S.F. Superior Court No. 992-262.)

PASSED, ON FIRST READING

990018 [Yee v. CCSF]

Ordinance authorizing the City to dismiss with prejudice City's cross-complaint against sub-contractors Tight Access Excavation ("Tight Access"), D.W. Young Construction (D.W. Young"), Marineship Service and D.W. Young Construction/Marineship Construction, joint venture (collectively "Marineship"), Frank and Grossman and Lombardi Construction ("Lombardi") from the consolidated actions entitled Yee v. City and County of San Francisco, and consolidated actions. (City Attorney)

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

PASSED, ON FIRST READING

990073 [Yerba Buena Pizza Corporation v. CCSF]

Ordinance authorizing settlement of the litigation of Yerba Buena Pizza Corporation v. City and County of San Francisco by paying the petitioner the amount of \$150,000. (City Attorney)

(S.F. Superior Court No. 996-016.)

PASSED, ON FIRST READING

990074 [Michelina Pesenti, et al., v. CCSF, et al.]

Ordinance authorizing settlement of litigation of Michelina Pesenti against the City and County of San Francisco by payment of \$45,000. (City Attorney)

(S.F. Superior Court No. 992-703.)

PASSED, ON FIRST READING

990111 [Katrina Garrett, et al. v. CCSF, et. al.]

Ordinance authorizing settlement of litigation of Katrina Garrett against the City and County of San Francisco by payment of \$83,500.00. (City Attorney)

(S.F. Superior Court No. 992-148.)

PASSED, ON FIRST READING

990112 [Frank Massimillo/Rosa Tarangioli v. CCSF, et al.]

Ordinance authorizing settlement of litigation of Frank Massimillo and Rosa Tarangioli against the City and County of San Francisco by payment of \$232,500. (City Attorney)

(S.F. Superior Court No. 993-345.)

PASSED, ON FIRST READING

990113 [Frederick Howard/Chantia Howard, et al. v. CCSF, et al.]

Ordinance authorizing settlement of litigation of Frederick Howard and Chantia Howard against the City and County of San Francisco by payment of \$75,000.00. (City Attorney)

(S.F. Superior Court No. 985-9375.)

PASSED, ON FIRST READING

990114 [Janice and Wayne Racek, v. CCSF, et al.]

Ordinance authorizing settlement of litigation of Janice and Wayne Racek against the City and County of San Francisco by payment of \$3,159,526.00. (City Attorney)

(S.F. Superior Court No. 996-715.)

PASSED, ON FIRST READING

990117 [TRM Corporation v. CCSF]

Ordinance authorizing the City to release, contractors and architects on remodeling and seismic safety improvements project at California Palace of the Legion of Honor, as consideration for settlement of the action known as TRM Corporation v. City and County of San Francisco. (City Attorney)

(S.F. Superior Court No. 978-229.)

PASSED, ON FIRST READING

990075 [Gift Acceptance - Public Library]

Resolution authorizing the San Francisco Public Library to accept and expend a gift of \$34,610.96 from the estate of Anne M. Burr to be used at the Richmond Branch Library. (Public Library)

Resolution No. 96-99

ADOPTED

Recommendations of the Finance and Labor Committee**990040 [Airport Lease Agreement for Federal Express Corporation]**

Resolution approving lease agreement for cargo warehouse space in the North Field Cargo Facility between Federal Express Corporation and the City and County of San Francisco, acting by and through its Airport Commission. (Airport Commission)

Resolution No. 95-99

ADOPTED

990076 [Sale of Real Property]

Resolution authorizing sale of surplus City-owned property (100 square foot sewer easement) at the southeast corner of Fifth and Bluxome Streets, portion of Assessor's Block 3786, Lot 17. (Real Estate Department)

Resolution No. 97-99

ADOPTED

990085 [Emergency Repair, Geneva Avenue Sewer]

Resolution approving expenditure of funds for the emergency work to replace the collapsed 12-inch diameter sewer on Geneva Avenue between Brookdale Avenue and Prague Street - \$74,467. (Public Utilities Commission)

Resolution No. 98-99

ADOPTED

990086 [Emergency Repairs. Buchanan/Washington Streets Sewers]

Resolution approving expenditure of funds for the emergency work to replace the structurally inadequate sewers on Buchanan Street from Jackson to Washington Streets, on Washington Street from Webster to Laguna Streets - \$305,277.00. (Public Utilities Commission)

(Fiscal impact.)

Resolution No. 99-99

ADOPTED

Recommendations of the Public Health and Environment Committee**990038 [Grant - Private]**

Resolution authorizing the Department of Public Health, Division of Population Health and Prevention, to accept and expend retroactively a grant of \$96,658 from the Miriam and Peter Haas Fund, to create an integrated model of targeted consultation by establishing an intensive consultant training program which will prepare mental health practitioners to provide consultation, staff training, prevention and early intervention services and support for constituents of licensed, center-based early childhood programs serving San Francisco's low-income families; and waiving indirect costs. (Department of Public Health)

Resolution No. 93-99

ADOPTED

990039 [Grant - Private]

Resolution authorizing the Department of Public Health, Central Administration, to accept retroactively and expend a grant in the amount of \$119,250 from the California HealthCare Foundation for planning an innovative long-term care service delivery system for frail elderly and disabled adults in San Francisco and to enter into an agreement which does not include patent infringement indemnification and false claims clauses; providing for ratification of action previously taken. (Department of Public Health)

Resolution No. 94-99

ADOPTED

The foregoing items were acted upon by the following vote:

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

Absent: 1 - Katz

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of the Rules Committee

981778 [Registration of Lobbyists]

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

(Amends Sections 16.520 through 16.534.)

Ordinance No. 19-99

FINALLY PASSED by the following vote:

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

Absent: 1 - Katz

NEW BUSINESS

Recommendation of the Finance and Labor Committee

981561 [Waiving Fees, Vietnamese Tet Festival]
Supervisors Yee, Becerril

Resolution waiving fees to be charged for the temporary street closing for the January 25, 1998, Vietnamese Tet Festival.

Supervisor Becerril requested to be added as co-sponsor.

Resolution No. 91-99

ADOPTED by the following vote:

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

Absent: 1 - Katz

Recommendation of the Public Health and Environment Committee

982051 [Ban on Gasoline Additive MTBE]
Supervisors Bierman, Yaki, Katz, Leno, Becerril

Resolution urging Governor-Elect Gray Davis and the State Legislature to urge the Federal Government to act with all due speed in immediately banning the use of the gasoline additive Methyl Tertiary Butyl-Ether (MTBE).

Supervisor Becerril requested to be added as co-sponsor.

Resolution No. 92-99

ADOPTED by the following vote:

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

Absent: 1 - Katz

PUBLIC COMMENT

Abdalla Megahed, exhibit King Hussein collage;

Ernestine Weiss, supports Justin Hermann or Ferry Park as open space;

Male speaker, read poem "Men with Broken Hearts";

Male speaker;

Steven Currier, Cow Palace, district election map, affordable housing;

Speakers in support of Edgehill Mountain moratorium: Tim Holden, Betty Albertson, Herbert Runnyan, Joan Kingery.

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.

**990174 [Language and Culturally Sensitive Services]
Supervisors Yee, Becerril, Katz**

Resolution urging all City and County of San Francisco departments to provide services and materials in various languages to reflect San Francisco's language and cultural diversity.

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

Resolution No. 100-99

ADOPTED

**990175 [Colombian Earthquake Relief]
Supervisors Becerril, Katz, Yaki, Leno, Bierman**

Resolution expressing deepest sympathy to the people of Colombia and urging each City Department to determine how they can assist in the relief efforts currently underway.

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

Resolution No. 101-99

ADOPTED

**990176 [State Legislation, Child Care Partnership Program]
Supervisors Leno, Bierman, Katz, Becerril, Yaki**

Resolution urging the California State Legislature to adopt child care partnership legislation to benefit low-income families who are currently the last priority for receiving subsidized child care funds.

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

Resolution No. 102-99

ADOPTED

**990178 [Kiangsu Chekiang Day]
Supervisors Teng, Katz, Yaki, Bierman**

Resolution commending Kiangsu Chekiang Association for its distinguished work and outstanding contributions to the community and declaring January 31, 1999 "Kiangsu Chekiang Association Day" in San Francisco.

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

Resolution No. 103-99

ADOPTED

990179 [GAPA Day]
Supervisors Teng, Katz, Yaki, Leno, Bierman

Resolution commending the Gay Asian Pacific Alliance for its distinguished work, outstanding leadership and dedication to the community and declaring January 30, 1999 as "Gay Asian Pacific Alliance Day" in San Francisco.

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

Resolution No. 104-99

ADOPTED

990180 [Vietnamese New Year (TET), Year of the Cat]
Supervisors Yee, Katz, Bierman

Resolution holding the regular meeting of the Board of Supervisors on Wednesday, February 17, 1999, in honor of the Vietnamese New Year (TET), the Year of the Cat.

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

Resolution No. 105-99

ADOPTED

990181 [Commendation]
Supervisors Yee, Katz, Bierman

Resolution commending the Vietnamese Community Center of San Francisco for their Third Annual Tet Festival.

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

Resolution No. 106-99

ADOPTED

990182 [Commendation]
Supervisors Bierman, Katz

Resolution commending Sherry Barto on the occasion of her retirement from the City and County of San Francisco after over thirty years of dedicated service to the mental health system.

Supervisor Katz requested to be added as co-sponsor.

Resolution No. 107-99

ADOPTED

990189 [Final Map, 580 Howard Street]

Motion rescinding Motion M-98-152 and approving final map of 580 Howard Street, a Live/Work Condominium Project, being a subdivision of Lot 91 in Assessor's Block No. 3721, and adopting findings pursuant to the Planning Code Section 101.1. (Department of Public Works)

(DPW Order No. 171,501.)

Motion No. M99-13

APPROVED

990190 [Final Map, 555 Natoma Street]

Motion approving final map of 555 Natoma Street, a Live/Work Condominium Project, being a merger and resubdivision of Lots 42 and 43 in Assessor's Block No. 3726, and adopting findings pursuant to the Planning Code Section 101.1. (Department of Public Works)

(DPW Order No. 171,504.)

Motion No. M99-14

APPROVED

990191 [Final Map, 89-91-93-95-97 28th Street]

Motion approving final map of 89-91-93-95-97 28th Street, a Residential Condominium Project, being a subdivision of Lot 32, Assessor's Block No. 6616, and adopting findings pursuant to the Planning Code Section 101.1. (Department of Public Works)

(DPW Order No. 171,505.)

Motion No. M99-15

APPROVED

The foregoing items were acted upon by the following vote:

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

Absent: 1 - Katz

Severed from For Adoption Without Committee Reference Agenda**990177 [Marina Parking Lot Fee Collection Pilot Program]**

Supervisor Newsom

Resolution urging Recreation and Parks Department and the Department of Parking and Traffic to work together to institute a pilot program of centralized fee collection boxes for week day parking in the Marina parking lot; and asking Recreation and Parks to assess the appropriate number of spaces needed for permit parking.

Supervisor Newsom requested this matter be severed for the purpose of referring it to committee.

SEVERED FROM FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA.

REFERRED to the Transportation and Land Use Committee.

990166 [Homeless Services]

Supervisors Brown, Katz, Becerril

Motion directing the Budget Analyst to prepare a report on the efficiency and adequacy of the services the City and County of San Francisco provides to the homeless.

Supervisor Brown requested this matter be severed for the purpose of referring it to committee.

SEVERED FROM FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA.

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

REFERRED to the Audit and Government Efficiency Committee.

IMPERATIVE AGENDA

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

[Purely Commendatory Finding]

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

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

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

Absent: 1 - Katz

[Brown Act Finding]

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

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

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

Absent: 1 - Katz

Imperative Resolution

990210 [Commendation]

Supervisors Leno, Bierman, Kaufman, Katz, Ammiano

Resolution recognizing National Freedom to Marry Day, February 12, 1999 and commending All Our Families Coalition for organizing a Freedom to Marry event for San Francisco.

Resolution No. 108-99

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

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

Absent: 1 - Katz

OFF-CALENDAR LEGISLATION

Introduced by Supervisors or Mayor

Ordinances

**982076 [Signs, Banners, Handbills Regulations]
Supervisor Kaufman**

Ordinance amending Police Code by repealing Article X, Sections 675 to 679, inclusive, and 685 and Article XIV, Sections 975 to 984, inclusive; by amending Public Works Code by adding Article 5.6, Sections 184.56 to 184.68, inclusive, to regulate the posting of signs on commercial and non-commercial streets; by adding Article 5.7, Sections 184.69 to 184.78, inclusive, regulating the distribution of handbills and the display of banners.

(Repeals Police Code Sections 675 to 679, 685, 975 to 984; Adds Public Works Code Sections 184.56 to 184.68, 184.69 to 184.78.)

12/14/98, ASSIGNED UNDER 30 DAY RULE to Housing and Neighborhood Services Committee, expires on 1/13/1999.

1/25/99, TRANSFERRED to Housing and Social Policy Committee.

2/8/99, SUBSTITUTED.

2/8/99, ASSIGNED to Housing and Social Policy Committee.

**990211 [Commission on Animal Control and Welfare]
Supervisors Ammiano, Bierman**

Ordinance amending Health Code Section 41.1 (Commission of Animal Control and Welfare) to designate that only members appointed by the Board of Supervisors shall constitute voting members.

(Amends Section 41.1.)

2/8/99, RECEIVED AND ASSIGNED to Public Health and Environment Committee.

**990212 [Appropriation, Fire Department]
Mayor**

Ordinance appropriating \$2,137,526, Fire Department, from General Fund Reserve to fund the increases cost of providing emergency medical service (911) and for training Fire Department staff in the use of the new emergency communications system and automated information system and providing for the creation of 18 positions for fiscal year 1998-1999.

(Fiscal impact; Companion measure to File 990213.)

2/8/99, RECEIVED AND ASSIGNED to Finance and Labor Committee.

**990213 [Public Employment]
Mayor**

Ordinance amending Ordinance No. 243-98 (Annual Salary Ordinance, 1998-1999) reflecting the creation of 18 positions at the Fire Department.

(Fiscal impact; Companion measure to File 990212.)

2/8/99, RECEIVED AND ASSIGNED to Finance and Labor Committee.

Resolutions

**990214 [Estate of Zygmunt Arendt]
Supervisor Yee**

Resolution authorizing the Department of Human Services to submit its proposed plan for the administration of the Arendt estate, through the Public Administrator, to the Probate Court for approval.

2/8/99, RECEIVED AND ASSIGNED to Audit and Government Efficiency Committee.

**990215 [Lands Legacy Initiative]
Supervisors Bierman, Newsom, Yaki, Katz, Brown**

Resolution supporting President Clinton's "Lands Legacy Initiative" and urging Congress to pass.

2/8/99, RECEIVED AND ASSIGNED to Public Health and Environment Committee.

**990216 [State Tobacco Settlement]
Supervisor Newsom**

Resolution supporting congressional bipartisan efforts to protect states tobacco settlements.

2/8/99, RECEIVED AND ASSIGNED to Audit and Government Efficiency Committee.

**990217 [Hepatitis C Prevention, Education, Testing]
Supervisor Newsom**

Resolution directing the Department of Public Health to develop a plan of action to expand and coordinate efforts for Hepatitis C prevention, education and testing and to provide a status update to the Board within three months.

2/8/99, RECEIVED AND ASSIGNED to Public Health and Environment Committee.

990198 [Water Pump Station Relocation]

Resolution approving a water pump station relocation agreement between the City and County of San Francisco and the State of California Department of Transportation, which includes an option to purchase an easement for the new pump station. (Public Utilities Commission)

2/3/99, RECEIVED AND ASSIGNED to Public Health and Environment Committee.

990200 [1999 School Bond Sale]

Resolution amending Resolution 149-98 that, among other matters, authorized and directed the sale of not to exceed \$47,000,000 City and County of San Francisco General Obligation Bonds (Educational Facilities Bonds, 1997 - San Francisco Unified School District) Series 1998C; by changing the maximum dollar amount authorized and directed to be sold; and by extending the final maturity date for such Bonds. (Mayor)

2/3/99, RECEIVED AND ASSIGNED to Finance and Labor Committee.

990201 [1999 Zoo Bond Sale]

Resolution amending Resolution 678-98 that, among other matters, authorized and directed the sale of not to exceed \$11,000,000 City and County of San Francisco General Obligation Bonds (Zoo Facilities Bonds, 1997), Series 1998D; by changing the maximum dollar amount authorized and directed to be sold; and by extending the final maturity date for such Bonds. (Mayor)

2/3/99, RECEIVED AND ASSIGNED to Finance and Labor Committee.

990202 [Contract, DPH - University of California]

Resolution authorizing the Department of Public Health, Population Health and Prevention Division, to enter retroactively into a subcontract in the amount of \$73,487 with the University of California, the primary contractor, to conduct a research study of inadequate follow-up of mammography abnormalities, which includes an indemnification clause and patents and rights in data clauses and which does not include patent infringement indemnification and false claims clauses; retroactive to July 1, 1998. (Department of Public Health)

2/3/99, RECEIVED AND ASSIGNED to Public Health and Environment Committee.

**990218 [Edgehill Mountain Slope Hazard Area Interim Zoning Controls]
Supervisors Teng, Bierman**

Resolution creating the Edgehill Mountain Slope Hazard Area, which is generally bounded by Garcia Avenue, Vasquez Avenue, Kensington Way and Ulloa Street and traversed by Edgehill Way; extending Interim Zoning Controls for up to twenty (20) months in the Edgehill Mountain Slope Hazard Area to prohibit the approval of permits or other land use entitlements, subject to specific exemptions, for property in the Edgehill Mountain Slope Hazard Area; and making a finding of consistency with the priority policies of Planning Code Section 101.1.

2/8/99, ASSIGNED UNDER 30 DAY RULE to Housing and Social Policy Committee, expires on 3/10/1999.
3/25/99 - From Planning Department, Certificate of Determination of Exemption/Exclusion from Environmental Review dated 3/24/99 (Planning File No. 1999.118E).

**990204 [Appointment]
Supervisor Ammiano**

Resolution appointing Supervisor Mark Leno as member to the Association of Bay Area Governments Executive Board.

(Vice Supervisor Jose Medina, Seat No. 3, alternate position, resigned, for unexpired portion of a two-year term ending June 30, 1999.)

2/8/99, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**990205 [Appointment]
Supervisor Ammiano**

Resolution appointing Supervisor Leslie Katz as member of the Peninsula Corridor Study Joint Powers Board.

(Vice Supervisor Sue Bierman, resigned effective February 5, 1999, for an unexpired portion of a two-year term ending June 30, 2000.)

2/8/99, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**990207 [State Legislation, AB 56, English Language]
Supervisors Becerril, Bierman, Katz**

Resolution urging Assemblywoman Kerry Mazzoni to ensure that AB 56 includes strong language to offset any negative impacts to non-English speaking students because of the implementation of Proposition 227.

2/8/99, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

990219 [Caltrain Right of Way]**Supervisors Ammiano, Bierman, Katz, Leno**

Resolution urging the Peninsula Corridor Joint Powers Board to design any improvements or alterations to the Caltrain right-of-way so as to retain the ability to add or maintain express tracks necessary to provide flexible, frequent and reliable service of local, express, intercity and high speed trains and to allow for the most economical adoption of extra tracks in the future.

2/8/99, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

990220 [High Speed Rail Line, Connecting Los Angeles]**Supervisors Bierman, Katz, Brown, Leno, Ammiano, Yaki, Teng**

Resolution supporting a high speed rail line connecting Los Angeles and Downtown San Francisco via Santa Clara and San Mateo Counties.

2/8/99, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

990221 [Living Wage Task Force]**Supervisor Kaufman**

Resolution amending Resolution Number 991-98, establishing a Living Wage Task Force, by changing the expiration date of the task force from six months after approval of the resolution to four months after the date of the first meeting of the task force.

2/8/99, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

990222 [State Legislation, SB 130, AB 106, Firearm Child Safety Devices]**Supervisors Leno, Yaki, Bierman, Becerril, Newsom, Katz, Teng**

Resolution urging the California State Legislature and Governor Davis to approve Senate Bill 130 and Assembly Bill 106 relating to firearm child safety devices.

2/8/99, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

990223 [Firearms and Ammunition Sales Tax Enforcement]**Supervisors Leno, Yaki, Becerril, Bierman, Brown, Katz, Teng**

Resolution urging the California State Board of Equalization to intensify its efforts to enforce the collection of State sales taxes for firearms and ammunition sold at the Cow Palace.

2/8/99, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

- 990224 [Palace of Fine Arts Rotunda Preservation]
Supervisors Newsom, Bierman, Brown, Katz, Teng, Becerril, Leno

Resolution urging the Recreation and Parks Department to execute repairs on the Palace of Fine Arts rotunda with all deliberate speed; to develop a long-range conservation and maintenance plan for this area and to report back to the Board of Supervisors.

2/8/99, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

- 990225 [Commendation]
Supervisors Ammiano, Becerril, Bierman, Brown, Katz, Kaufman, Leno, Newsom, Teng, Yaki, Yee

Resolution commending and honoring Jose Medina for his distinguished service as Supervisor of the City and County of San Francisco.

2/8/99, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Requests for Hearing

- 990226 [City Hall Building Operations Protocol]
Supervisor Yaki

Hearing to consider the operating protocols with regards to renting City Hall for parties, receptions, etc. or to have such guidelines available for the Board's review.

2/8/99, RECEIVED AND ASSIGNED to Audit and Government Efficiency Committee.

- 990227 [445 Valencia Street Land Use]
Supervisor Ammiano

Hearing to consider the conditional use application for property located at 445 Valencia Street.

2/8/99, RECEIVED AND ASSIGNED to Housing and Social Policy Committee.

- 990228 [Recreation and Parks Department Enhancement Budget]
Supervisor Newsom

Hearing to consider how Recreation and Parks Department expended the \$800,000 enhancement, especially the \$325K budgeted for recreational programming.

2/8/99, RECEIVED AND ASSIGNED to Finance and Labor Committee.

- 990229 [Mission Playground Gang Violence]
Supervisors Newsom, Bierman

Hearing to consider the gang violence in Mission Playground.

2/8/99, RECEIVED AND ASSIGNED to Parks and Recreation Committee.

Motions

- 990230 [Off Site Board Meeting, March 29, 1999]
Supervisors Ammiano, Katz, Newsom

Motion moving to have the Monday, March 29, 1999 meeting of the Board of Supervisors convened at South of Market Recreation Center located on 270 Sixth Street, in the South of Market neighborhood of San Francisco at 6:00 p.m.

2/8/99, RECEIVED AND ASSIGNED to Rules Committee.

- 990231 [Transit First Policy Definition and Application]
Supervisor Newsom

Motion asking our Legislative Analyst to research the definition and applications to date of San Francisco's Transit First Policy.

2/8/99, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

- 990232 [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.

2/8/99, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

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

- 990188 [Coffee Shops in West Portal Neighborhood Commercial District]
Supervisor Newsom

Ordinance amending Planning Code by amending Section 790.102 to modify the definition of "Sales and Services, Other Retail" by allowing, as a conditional use, a limited exception to the prohibition on the use of cooking equipment and on-site food preparation not connected with beverage preparation for retail beverage stores in the West Portal Neighborhood Commercial District (NCD). (Planning Department)

(Amends Section 790.102; Planning Resolution No. 14774 adopted January 28, 1999 recommending the proposed amendment; General Rule Exclusion dated January 21, 1999.)

2/3/99, RECEIVED AND ASSIGNED to Transportation and Land Use Committee.

990192 [Court Employee Compensation]

Ordinance implementing schedules of compensation and other economic benefits for certain classifications of persons employed by the Superior Court of California, County of San Francisco. (Superior Courts)
2/3/99, RECEIVED AND ASSIGNED to Finance and Labor Committee.

990193 [MOU, Superior Court -MEA]

Ordinance implementing the provisions of the Memorandum of Understanding between the Superior Court of California, County of San Francisco, and the Municipal Executives Association. (Superior Courts)
2/3/99, RECEIVED AND ASSIGNED to Finance and Labor Committee.

990194 [Court Employee Compensation]

Ordinance implementing the schedules of compensation and other economic benefits for certain classifications of persons employed by the Superior Court of California, County of San Francisco. (Superior Courts)
2/3/99, RECEIVED AND ASSIGNED to Finance and Labor Committee.

990195 [Court Reporter Compensation]

Ordinance implementing the schedules of compensation and other economic benefits for certain classifications of persons employed by the Superior Court of California, County of San Francisco. (Superior Courts)
2/3/99, RECEIVED AND ASSIGNED to Finance and Labor 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.)

2/3/99, RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED RESOLUTIONS

990161 [Emergency Repair, 4th Avenue Sewer]

Resolution approving expenditure of funds for the emergency work to replace the structurally inadequate sewer on 4th Avenue from Geary Boulevard to Balboa Street - \$431,120.00. (Public Utilities Commission)

(Fiscal impact.)

1/29/99, RECEIVED AND ASSIGNED to Finance and Labor Committee.

- 990162 **[Emergency Repair, Duboce Avenue Sewer]**
Resolution approving expenditure of funds for the emergency work to replace the structurally inadequate sewer on Duboce Avenue from Elgin Park to Valencia Street - \$119,720.00. (Public Utilities Commission)
1/29/99, RECEIVED AND ASSIGNED to Finance and Labor Committee.
- 990164 **[Grant - State]**
Resolution authorizing the Mayor's Criminal Justice Council (MCJC) to accept and expend funds in the amount of \$771,180 from the Office of Criminal Justice Planning (OCJP), State of California, to implement a coordinated Anti-Drug Abuse Enforcement Program. (Mayor)
1/29/99, RECEIVED AND ASSIGNED to Finance and Labor Committee.
- 990186 **[Lease Amendment, Airport - U.S. Postal Service]**
Resolution approving 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)
2/1/99, RECEIVED AND ASSIGNED to Finance and Labor 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)
1/12/99, RECEIVED AND ASSIGNED to Parks and Recreation Committee.
- 990196 **[Grant - State]**
Resolution authorizing the Mayor's Criminal Justice Council to apply for up to \$6,000,000 from the State Board of Corrections under the Juvenile Crime Enforcement Accountability Challenge Grant II (JCE&ACG) Program to implement a local action plan that addresses the needs of youth who are involved in the juvenile justice system. (Mayor)
2/3/99, RECEIVED AND ASSIGNED to Housing and Social Policy Committee.
- 990197 **[1999 Community College Bond Sale]**
Resolution amending Resolution 1027-97 that, among other matters, authorized and directed the sale of not to exceed \$17,000,000 City and County of San Francisco General Obligation Bonds (Educational Facilities Bonds, 1997), Series 1998B; by changing the maximum dollar amount authorized and directed to be sold; and by extending the final maturity date for such Bonds. (Mayor)
2/3/99, RECEIVED AND ASSIGNED to Finance and Labor Committee.

Requests Granted

By Supervisor Yaki, that letter be sent to the City Attorney requesting report addressing options for the City and County of San Francisco to regulate the activities of gun shows at the Cow Palace if and when they are in conflict with existing local legislation.

By Supervisor Yee, that City Attorney be requested to draft legislation which would codify the historic practice of allowing merchants in Chinatown to encroach on the sidewalks an extra two feet ten days prior to Chinese New Year.

By Supervisors Leno, Bierman, that City Attorney be requested to draft legislation compelling all departments within the City and County of San Francisco to change their standard forms which require marital status or spousal information to also include domestic partners.

By Supervisor Newsom, that letter be sent to the Treasurer, with copies to the Municipal Court and City Attorney, inquiring why the fee for paying a moving traffic violation by credit card is nearly \$10, in light of the fact that paying a parking violation by credit card costs \$2.75 and whether the contract with US AudioTech could be re-negotiated to lower the consumer fee associated with such a transaction.

In Memoriams

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

King Talal Abdullah Hussein (By the entire Board)

Gretchen Oquist (Supervisor Kaufman)

Lina Pilpel (Supervisors Ammiano, Bierman, Newsom)

Dorothy MacLaird (Supervisor Kaufman)

ADJOURNMENT

There being no further business, the Board at the hour of 3:16 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 5, 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