

Agenda & Minutes Archive
Board of Supervisors

City and County of San Francisco

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



AGENDA

Monday, March 27, 2000
2:00 PM

Regular Meeting

TOM AMMIANO, PRESIDENT

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

Gloria L. Young, Clerk of the Board

<>ROLL CALL AND PLEDGE OF ALLEGIANCE

<>APPROVAL OF MEETING MINUTES

<>AGENDA CHANGES

<>COMMUNICATIONS <>

Note: Each item on the Consent or Regular agenda may include the following documents:

- 1) Legislation
- 2) Budget Analyst report
- 3) Legislative Analyst report
- 4) Department or Agency cover letter and/or report
- 5) Public correspondence

These items will be available for review at City Hall, Room 244, Reception Desk.

<>CONSENT AGENDA <>All matters listed hereunder constitute a Consent Agenda, are considered to be routine by the Board of Supervisors and will be acted upon by a single roll call vote of the Board. There will be no separate discussion of these items unless a member of the Board so requests, in which event the matter shall be removed from the Consent Agenda and considered as a separate item.

<>Items 1 through 5

<>Recommendation of the Audit and Government Efficiency Committee

Present: Supervisors Kaufman, Newsom, Katz

<>1. 000198 [Administrative Code Revision, Chapter 11, Franchises] Supervisors Kaufman, Newsom <>Ordinance amending Chapter 11 of the San Francisco Administrative Code by replacing Articles I, II, and IV in their entirety with new Articles I through VII and making minor amendments to Article III and renumbering Article III to become Article IX.

2/28/2000, SUBSTITUTED. Supervisor Kaufman submitted an amendment of the whole (substitute) in Board.

3/20/2000, PASSED, ON FIRST READING. Supervisor Newsom requested to be added as co-sponsor.

Question: Shall this Ordinance be
FINALLY PASSED?

<>Recommendations of the Finance and Labor Committee

Present: Supervisors Yee, Ammiano

<>2. 000183 [Limitation Period for Filing Tax Claim] <>Ordinance amending Article 6 of Part III of the San Francisco Municipal Code by amending Section 6.15-1 to providing that any claim for refund of taxes paid be filed within six months from the time the return was filed or the tax was paid, whichever period expires later, with the exception that in no event shall such period expire prior to the shortest period allowable for filing tax refund claims under Title 1, Division 3.6, Part 3, Section 911.2 of the California Government Code. (City Attorney)

3/20/2000, PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

<>3. 000236 [Approving the concession lease of Travelex America, Inc. to operate a foreign currency exchange office at the Airport, at a minimum annual rent for the first year of \$4,127,500] <>Resolution approving the Foreign Currency Exchange Lease in the Existing and New International Terminal Buildings between Travelex America, Inc. and the City and County of San Francisco, acting by and through its Airport Commission. (Airport Commission)

Question: Shall this Resolution be ADOPTED?

<>4. 000318 [Approving award of New International Terminal Fine Dining Restaurant Lease to GQC Holdings, Inc. at a minimum annual rent of \$134,300 for the first year] <>Resolution approving New International Terminal Fine

Dining Restaurant Lease to GQC Holdings, Inc., a certified disadvantaged business enterprise, and the City and County of San Francisco, acting by and through its Airport Commission. (Airport Commission)

Question: Shall this Resolution be ADOPTED?

<>Recommendation of the Housing and Social Policy Committee

Present: Supervisors Teng, Becerril

<>5. 000350 [Continuing grant from the State Board of Corrections to train Sheriff, Adult and Juvenile Probation Officers to improve and standardize the skill of these officers from entry-level staff <>Resolution authorizing the Sheriff's Department, Adult Probation Department and Juvenile Probation Department of the City and County of San Francisco to apply for, accept and expend \$523,000.00 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)

Question: Shall this Resolution be ADOPTED?

<>Severed from Consent Agenda

Questions on the Consent Agenda are on final passage, first reading, or adoption, as indicated:

<>REGULAR AGENDA

<>UNFINISHED BUSINESS

<>Recommendations of the Audit and Government Efficiency Committee

Present : Supervisors Kaufman, Newsom

<>6. 000270 [Settlement of Lawsuit] <>Ordinance authorizing settlement of litigation of Yellow Cab Cooperative Inc. v. Board of Appeals, et al., Civil Action No. 995839, by execution of the settlement agreement on file. (City Attorney) <>(Civil Action No. 995839; filed on June 17, 1998.)

3/20/2000, CONTINUED ON FIRST READING. Supervisor Newsom requested this matter be continued to March 27, 2000. The motion to continue failed.

3/20/2000, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

<>7. 000274 [Settlement of Lawsuit] <>Ordinance authorizing settlement of litigation of Luxor Cabs, Inc. v. San Francisco Police Commission, et al., Civil Action No. 995896, by execution of the settlement agreement on file. (City Attorney) <>(Civil Action No. 995896; filed on June 18, 1998.)

3/20/2000, CONTINUED ON FIRST READING. Supervisor Newsom requested this matter be continued to March 27, 2000. The motion to continue failed.

3/20/2000, PASSED ON FIRST READING.

Question: Shall this Ordinance
be FINALLY PASSED?

<>Recommendations of the Finance and Labor Committee

Present: Supervisors Yee, Ammiano

<>8. 992281 [Subdivision Code, Conversion] Supervisor Bierman <>Ordinance amending Subdivision Code Articles 1, 2, 3 and 9, by amending Sections 1302, 1308, 1388, and 1396, and by adding Section 1316, to prohibit tenancies-in-common where an exclusive right of occupancy exists but is not specified in the deed, to amend the annual condominium conversion requirements pertaining to tenants and owner occupants, to amend the definition of tenant, to exempt certain tenancies-in-common from the annual limit on condominium conversions, to create a special lottery process for purchasing tenants; and to amend other definitions to implement these measures. <>(Amends Sections 1302, 1308, 1388, and 1396; adds Section 1316.)
(Supervisor Yee excused from voting in committee.)

3/6/2000, CONTINUED ON FIRST READING. President Ammiano indicated
Supervisor Bierman requested this matter be continued to March 27, 2000.

Question: Shall this Ordinance be
PASSED ON FIRST READING?

<>9. 991412 [Study of Rent Control Ordinance Socio-Economic Effects; Requiring Findings] Supervisors Brown, Teng, Kaufman, Becerril, Newsom <>Ordinance directing the Executive Director of the Residential Rent Stabilization and Arbitration Board to obtain a neutral comprehensive fact-based socio-economic study of housing in San Francisco; providing a goal of completing the study within one year; providing that substantive amendments to various housing ordinances and policies must be supported by findings of fact; and, findings in support of this ordinance.

3/20/2000, PASSED ON FIRST READING. Supervisors Becerril, Newsom
requested to be added as co-sponsors.

Question: Shall this Ordinance be
FINALLY PASSED?

<>10. 991413 [Appropriation, \$175,000, Rent Arbitration Board Fact-Based Socio Economic Study] Supervisors Brown, Teng, Kaufman, Becerril, Newsom

3/20/2000, AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW
TITLE. Supervisor Brown submitted an amendment of the whole, bearing new title.

3/20/2000, PASSED ON FIRST READING AS AMENDED. Supervisors Teng,
Kaufman, Becerril requested to be added as co-sponsors.

Question: Shall this
Ordinance be FINALLY
PASSED?

<>NEW BUSINESS

<>Recommendations of the Finance and Labor Committee

Present: Supervisors Yee, Ammiano

<>11. 000379 [Implementing the provisions of MOU between MEA and Superior Court for the period 10/1/99 through 9/30/01] Supervisor Newsom <>(Superior Courts)

Question: Shall this Ordinance be FINALLY PASSED?

<>12. 000380 [Establishing rates of pay and other economic benefits for various unrepresented classes in the Superior Court effective 10/1/99 through 9/30/00] Supervisor Newsom <>(Superior Courts)

Question: Shall this Ordinance be FINALLY PASSED?

<>13. 000381 [Salary rate change for Pro Tem Commissioner in the Superior Court] <>Ordinance setting the rate of compensation for Superior Court Classification 0256 (Pro Tem Commissioner) employed on an "as needed" basis by the Superior Court of California, County of San Francisco. (Superior Courts)

Question: Shall this Ordinance be FINALLY PASSED?

<>Recommendation of the Housing and Social Policy Committee

Present: Supervisors Teng, Becerril

<>14. 000197 [Restricting sale of ultracompact firearms] Supervisors Becerril, Leno, Bierman, Teng, Brown

Question: Shall this Ordinance be FINALLY PASSED?

<>Recommendations of the Small Business, Economic Vitality and Consumer Services Committee

Present: Supervisors Newsom, Leno

<>15. 992153 [Police Code, itemized receipts for goods purchased] Supervisors Leno, Newsom

Question: Shall this Ordinance be FINALLY PASSED?

<>16. 000234 [Liquor License Transfer, 2800 Leavenworth Street]

Question: Shall this Resolution be ADOPTED?

<>17. 000290 [Liquor License, "Mo's Grill", 750 Folsom Street]

Question: Shall this Resolution be ADOPTED?

<>SPECIAL ORDER 3:00 P.M.

<>18. 000375 [Appeal, Minor Sidewalk Encroachment, 955 Green Street] <>Hearing appealing decision of the Director of Public Works through DPW Order No. 172,123 dated January 19, 2000 and issued on February 20, 2000, approving a minor sidewalk encroachment to excavate and to construct two (2) planters, retaining walls and rails,

automatic gate control and to excavate and re-grade portion of public right-of-way to gain access to 955 Green Street property as detailed in DPW Order No. 171,730, which was approved and issued on January 5, 1993 by the Department of Public Works. <>(Companion measure to Files 000376, 000377.)

3/20/2000, CONTINUED. Continued to March 27, 2000.

Action: _____

<>(Only one of the following two motions should be adopted.)

<>19. 000376 [Minor Sidewalk Encroachment Permit Appeal] <>Motion approving the decision of the Director of Public Works' approval of a minor sidewalk encroachment permit at 955 Green Street, south side between Jones and Leavenworth Streets, and denying the appeal. (Clerk of the Board)

3/20/2000, CONTINUED. Continued to March 27, 2000.

Question: Shall this Motion be ADOPTED?

<>20. 000377 [Minor Sidewalk Encroachment Permit Appeal] <>Motion disapproving the decision of the Director of Public Works' approval of a minor sidewalk encroachment permit at 955 Green Street, south side between Jones and Leavenworth Streets, and denying the encroachment permit. (Clerk of the Board)

3/20/2000, CONTINUED. Continued to March 27, 2000.

Question: Shall this Motion be ADOPTED?

<>COMMITTEE REPORTS <>Reports from committees, if any, recommending emergency or urgent measures.

<>Recommendation of the Public Health and Environment Committee

The following item will be considered by the committee at a Special meeting on Monday, March 27, 2000 at 9:30 AM. The Chair intends to request the committee to send the following item to the Board as a committee report.

<>21. 000475 [Exclude Disorderly Patrons from Stadiums; Emergency Ordinance] Supervisors Yaki, Brown

Question: Shall this Ordinance be FINALLY PASSED?

<>22. ROLL CALL FOR INTRODUCTIONS <>Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, and letters of request to the City Attorney.

<>23. PUBLIC COMMENT <>An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak. The President or the Board may limit the total testimony to 30 minutes.

<>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.

<>Items 24 through 37

<>24. 000489 [Reward - Christopher Litz Incident] Supervisors Teng, Bierman, Katz, Brown

3/20/2000, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE
AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this
Resolution be ADOPTED?

<>25. 000490 [Ingleside Terraces Traffic Circles] Supervisors Teng, Katz, Brown, Newsom

3/20/2000, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE
AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this
Resolution be ADOPTED?

<>26. 000491 [Sunnyside Conservatory] Supervisors Teng, Katz, Leno, Bierman, Brown, Newsom

3/20/2000, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE
AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this
Resolution be ADOPTED?

<>27. 000492 [Federal Legislation, H.R. 3632, Revise Boundaries of GGNRA] Supervisors Yaki, Bierman, Katz, Newsom

3/20/2000, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE
AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this
Resolution be ADOPTED?

<>28. 000493 [Senate Bill 962 - Direct Deposit of Public Assistance Benefits] Supervisor Becerril

3/20/2000, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE
AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this
Resolution be ADOPTED?

<>29. 000494 [Keep Schools Commercial Free] Supervisors Katz, Bierman, Yee, Ammiano, Leno, Newsom

3/20/2000, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE
AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this
Resolution be ADOPTED?

- <>30. 000495 [Housing Youth Advocacy] Supervisors Leno, Teng, Katz, Yaki, Kaufman, Becerril, Bierman, Newsom
3/20/2000, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE
AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this
Resolution be ADOPTED?
- <>31. 000496 [Commendation] Supervisor Yee
3/20/2000, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE
AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this
Resolution be ADOPTED?
- <>32. 000497 [Friends of Fire Department] Supervisors Yaki, Bierman, Becerril, Katz, Newsom
3/20/2000, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE
AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this
Resolution be ADOPTED?
- <>33. 000498 [Commendation] Supervisors Kaufman, Katz, Leno, Bierman, Becerril, Newsom
3/20/2000, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE
AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this
Resolution be ADOPTED?
- <>34. 000499 [Commendation] Supervisors Leno, Katz, Ammiano, Yaki, Teng, Kaufman, Bierman, Newsom
3/20/2000, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE
AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this
Resolution be ADOPTED?
- <>35. 000500 [Commendation] Supervisors Newsom, Bierman, Becerril, Katz, Leno
3/20/2000, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE
AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this
Resolution be ADOPTED?
- <>36. 000516 [Commend Father Charles Donovan] Supervisors Teng, Becerril, Newsom
3/21/2000, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE
AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this
Resolution be ADOPTED?
- <>37. 000510 [Needle Exchange Emergency] Supervisors Bierman, Teng, Ammiano, Yaki, Kaufman, Katz, Brown,

3/20/2000, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE
AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion
be ADOPTED?

Questions on the For Adoption Without Committee Reference
Agenda: _____

<>38. 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).

<>[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."

<>[Purely Commendatory Finding]

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

<>[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.

<>[Imperative Resolutions, if any]

<>OFF-AGENDA LEGISLATION

<>PROPOSED ORDINANCES

Proposed ordinances received from March 16 through noon on March 22, for reference by President to appropriate committee on March 27, 2000.

<>000513 [Parking Regulations on either the north or south side of Turk Street, from Laguna Street to 435 feet easterly] <>(Parking and Traffic Department)

3/21/2000, RECEIVED AND ASSIGNED to Transportation and Land Use Committee.

<>000518 [Settlement of Lawsuit] <>(City Attorney)

3/22/2000, RECEIVED AND ASSIGNED to Audit and Government Efficiency Committee.

<>PROPOSED RESOLUTIONS

Proposed resolutions received from March 16 through noon on March 22, for reference by President to appropriate committee on March 27, 2000.

<>000512 [Traffic Regulations, Various Streets] <>(Parking and Traffic Department)

3/21/2000, RECEIVED AND ASSIGNED to Transportation and Land Use Committee.

<>000514 [Police Department Law Enforcement Training] Supervisors Teng, Becerril <>(Police Commission)

3/21/2000, RECEIVED AND ASSIGNED to Housing and Social Policy Committee.

<>000511 [Parking Regulations, Various Locations] <>(Parking and Traffic Department)

3/21/2000, RECEIVED AND ASSIGNED to Transportation and Land Use Committee.

<>000515 [Grant funds for a comprehensive program to combat mistreatment of older persons and dependent adults] Supervisors Teng, Becerril <>(District Attorney)

3/21/2000, RECEIVED AND ASSIGNED to Housing and Social Policy Committee.

<>000517 [Grant funds for local government to improve public safety and reduce crime] Supervisors Teng, Becerril <>(Mayor)

3/22/2000, RECEIVED AND ASSIGNED to Housing and Social Policy Committee.

<>000519 [Authorizing extension and renewal of six (6) existing leases for Public Health Outpatient Mental Health Clinics, Wedge Program and Tobacco Program] <>(Real Estate Department)

3/22/2000, RECEIVED AND ASSIGNED to Finance and Labor Committee.

<>000520 [Authorizing DPH to enter into an agreement with UCSF to evaluate treatment on demand for substance abuse and to support the research activities of this project] <>(Public Health Department)

3/22/2000, RECEIVED AND ASSIGNED to Public Health and Environment Committee. Department requests this matter be calendared at the April 13, 2000 meeting.

<>000522 [Petitions and Communications]

<>ADJOURNMENT

Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying. Thus applause and booing are both contrary to Board requirements. The Board does not permit signs to be brought into the meeting or displayed in the room.

Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

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Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For more information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Donna Hall by mail to Clerk of the Board of Supervisors, 1 Dr. Carlton B. Goodlett Place, Room 244, by phone at (415) 554-7724, by fax at (415) 554-5163 or by email at Donna_Hall@ci.sf.ca.us

Citizens interested in obtaining a free copy of the Sunshine Ordinance can request a copy from Ms. Hall or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at <http://www.ci.sf.ca.us/bdsupvrs/sunshine.htm>