

BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

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

MEETING MINUTES

DOCUMENTS DEPT.

Tuesday, July 6, 1999 2:00 PM

AUG 27 1999

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

SAN FRANCISCO
PUBLIC LIBRARY

TOM AMMIANO, PRESIDENT
ALICIA BECERRIL, SUE BIERMAN, AMOS BROWN, LESLIE KATZ,
BARBARA KAUFMAN, MARK LENO, GAVIN NEWSOM,
MABEL TENG, MICHAEL YAKI, LELAND Y. YEE
Gloria L. Young, Clerk of the Board

BOARD COMMITTEES

Committee Membership

Audit and Government Efficiency Committee

Supervisors Kaufman, Newsom, Katz

Finance and Labor Committee

Supervisors Yee, Bierman, Ammiano

Housing and Social Policy Committee

Supervisors Teng, Bierman, Becerril

Parks and Recreation Committee

Supervisors Brown, Newsom, Leno

Public Health and Environment Committee

Supervisors Bierman, Brown, Yaki

Public Utilities and Deregulation Committee

Supervisors Ammiano, Yee, Becerril

Rules Committee

Supervisors Leno, Teng, Kaufman

Small Business, Economic Vitality and Consumer Services Committee

Supervisors Newsom, Leno, Becerril

Transportation and Land Use Committee

Supervisors Katz, Yaki, Yee

Meeting Days

1st Tuesday

1:00 PM

Wednesday

10:00 AM

1st and 3rd Tuesday

10:00 AM

2nd Tuesday

1:00 PM

2nd & 4th Thursday

1:00 PM

3rd Tuesday

1:00 PM

2nd & 4th Thursday

10:00 AM

1st and 3rd Thursday

10:00 AM

2nd and 4th Tuesday

10:00 AM

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

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

ROLL CALL AND PLEDGE OF ALLEGIANCE

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

The meeting was called to order at 2:09 p.m. On call of the roll, the following Supervisors were noted absent.

Supervisor Bierman - 1.

Quorum present.

Supervisor Bierman was noted present at 2:30 p.m.

APPROVAL OF MEETING MINUTES

Supervisor Teng, seconded by Supervisor Brown, moved to APPROVE the May 3, 1999 Meeting Minutes. The motion carried by the following vote:

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

Absent: 1 - Bierman

Privilege of the Floor

Supervisor Yee, seconded by Supervisor Yaki, moved to suspend Rule 4.25 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests. The motion carried by the following vote:

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

Absent: 1 - Bierman

Introduction of Guests

Supervisor Yee introduced and welcomed Mr. Lincoln Yee, Presiding President of the Chinese Sixth Company, who introduced the following persons:

*Cherk Yee, newly elected President, and his wife;
Chung Lo Kwan Low, Chairman and member;
Jack Yee, Grand President, Yee Family Association;
Art Yee, Yee Fong Choy Association.*

CONSENT AGENDA

Recommendations of the Transportation and Land Use Committee

- 991160 [Rezones vacant property, 4279-4285 Mission Street (at Silver Avenue) to allow (if a conditional use authorization is also approved) the development of a fast-food restaurant for 30 patrons/16 parking spaces.]

Ordinance adopting changes in property use classification as an amendment to the Zoning Map of the City and County of San Francisco for property located on Silver Avenue, north side between Mission and Craut Streets, Lot 20, in Assessor's Block 5893 from "RH-1" (Residential, House, One-Family, 40-X Height and Bulk) District to an "NC-2", 40-X (Neighborhood-Commercial, Small-Scale 40-X Height and Bulk) District and adopting findings pursuant to Section 101.1 of the Planning Code. (Planning Department)

(Final Negative Declaration adopted and issued on March 3, 1999; Planning Commission Resolution No. 14820 adopted May 6, 1999 approving the proposed reclassification.)

Ordinance No. 204-99

FINALLY PASSED

- 991164 [Prohibiting Advertising on San Francisco Bay]
Supervisors Katz, Bierman

Ordinance approving and affirming regulation prohibiting commercial signs on vessels on San Francisco Bay waters within the jurisdiction and control of the San Francisco Port Commission, subject to specific limitations, as adopted by the San Francisco Port Commission by Resolution 99-42, and approving and affirming that a violation of those regulations is a misdemeanor.

Ordinance No. 205-99

FINALLY PASSED

The foregoing items were acted upon by the following vote:

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

REGULAR AGENDA

UNFINISHED BUSINESS

990868 [Eminent Domain, "Hawk Hill" - Open Space Acquisition]

Resolution authorizing acquisition of Lots 13 through 16, in Assessor's Block 2338A, Lots 4 through 13 in Assessor's Block 2338, Lots 2 through 7 in Assessor's Block 2337 (Hawk Hill Natural Area), all in San Francisco, by eminent domain for the Open Space Program, and adopting findings under Planning Code Section 101.1. (Real Estate Department)

(Fiscal impact: Categorically exempt from the environmental review process under a General Rule Exclusion, pursuant to California Environmental Quality Act (CEQA); Planning Commission Resolution No. 14014 adopted April 25, 1996, adopting findings of conformity with the Recreation and Open Space Element of the Master Plan.)

Resolution No. 644-99

Supervisor Teng, seconded by Supervisor Leno, moved (with Supervisor Newsom as the third mover) the previous question: "Shall the previous question be now put?". The motion FAILED by the following vote:

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

The discussion resumed for a brief period and then the roll was called on the pending resolution.

ADOPTED by the following vote:

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

991275 [Eminent Domain, "Hawk Hill" - Open Space Acquisition, Lot 17, Assessor's Block 2338A]

Resolution authorizing acquisition of Lot 17, in Assessor's Block 2338A, (Hawk Hill Natural Area), in San Francisco, by eminent domain for the Open Space Program, and adopting findings under Planning Code Section 101.1. (Real Estate Department)

Resolution No. 647-99

Supervisor Kaufman, seconded by Supervisor Katz, moved to continue this item to July 19, 1999. The motion FAILED by the following vote:

Ayes: 3 - Becerril, Brown, Kaufman
Noes: 8 - Ammiano, Bierman, Katz, Leno, Newsom, Teng, Yaki, Yee

The roll was then called on the pending resolution.

ADOPTED by the following vote:

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

NEW BUSINESS

Recommendation of the Public Health and Environment Committee

991149 [Airport Expansion and Environmental Review]
Supervisor Ammiano

Resolution urging the San Francisco Planning Department's Office of Environment Review and the Federal Aviation Administration to conduct an open, complete environmental review of the proposed Airport expansion that encourages broad public participation and to hold early and open EIS/R scoping hearings; urging a draft EIS/R that analyzes in detail all proposed impacts of the project; and urging the San Francisco International Airport to provide all information and funding necessary to analyze a runway configuration plan that uses the minimum necessary bay fill.

Resolution No. 645-99

ADOPTED by the following vote:

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

Recommendation of the Public Utilities and Deregulation Committee

990455 [High-Speed Broadband Networks]
Supervisors Katz, Yaki, Becerril, Bierman, Ammiano, Leno, Newsom, Brown, Teng

Resolution urging the City Attorney and the Department of Telecommunications and Information Services to monitor legislative, regulatory and judicial developments in the California Legislature, Congress, the Federal Communications Commission and Federal Courts addressing access to high-speed cable and other high-speed broadband networks; to take all possible action to ensure that Congress, the Legislature and/or the Federal Communications Commission adopt policies that protect consumers' access to a choice of Internet and other on-line service providers and to all forms of information over the Internet and over high-speed broadband networks; and to support the authority of cities to require cable companies to provide non-discriminatory access by unaffiliated Internet and other on-line providers to the broadband cable network by filing an amicus brief in support of the City of Portland's open access requirement in the United States Court of Appeals for the Ninth Circuit.

Supervisor Katz requested this matter be continued to July 12, 1999.

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

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

Recommendations of the Rules Committee**990984 [Charter Amendment - Park and Open Space Fund]
Supervisors Newsom, Kaufman, Leno, Brown**

Charter amendment (Second Draft) repealing in its entirety current Section 16.107, which creates a Park and Open Space Fund, and by adopting in its place, a new Section 16.107, which creates a Park, Recreation and Open Space Fund ("Fund"), fixes an annual level of funding for the Recreation and Park Department to be deposited into the Fund, establishes a methodology for setting and adjusting annually that level of funding, and sets required expenditure categories and levels for a portion of the Fund.

Supervisor Newsom presented an amendment of the whole bearing same title (Third Draft).

Second Draft continued to July 12, 1999 with pending amendment of the whole.

Supervisor Teng, seconded by Supervisor Leno, moved that this Charter Amendment be CONTINUED. The motion carried by the following vote:

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

**990985 [Charter Amendment - District Boundaries]
Supervisor Ammiano**

Charter amendment (First Draft) amending Section 13.110, to include Yerba Buena and Treasure Islands in the Sixth Supervisorial District and to delineate the boundaries of the Eleventh Supervisorial District.

First Draft continued to July 12, 1999.

Supervisor Leno, seconded by Supervisor Teng, moved that this Charter Amendment be CONTINUED. The motion carried by the following vote:

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

**990986 [Charter Amendment - Catastrophic Sick Leave Program]
Supervisors Ammiano, Katz, Bierman**

Charter amendment (Second Draft) amending Sections A8.364 and A8.441, to give the Board of Supervisors the authority to allow City employees to transfer unused sick leave to groups of catastrophically-ill City employees and to transfer vacation credits to other City employees for use as family leave to care for spouses, domestic partners, and other dependents.

(Fiscal impact.)

Second Draft continued to July 12, 1999.

Supervisor Teng, seconded by Supervisor Becerril, moved that this Charter Amendment be CONTINUED. The motion carried by the following vote:

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

**990987 [Charter Amendment - Retirement Benefits, Safety Employees]
Supervisors Katz, Yaki, Ammiano, Bierman, Leno, Becerril, Teng, Newsom, Kaufman, Brown, Yee**

Charter amendment (Third Draft) amending Appendix A8-500-1, A8.559-14, and 8.585.14, relating to retirement benefits for safety employees who transferred membership under the Retirement System Sections 8.586 or 8.588 in 1980.

(Fiscal impact.)

Third Draft continued to July 12, 1999.

Supervisor Leno, seconded by Supervisor Teng, moved that this Charter Amendment be CONTINUED. The motion carried by the following vote:

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

**991119 [Board of Supervisors Off Site Meeting]
Supervisor Yee**

Motion moving to have Monday, February 28, 2000 meeting of the Board of Supervisors held at A. P. Giannini Middle School, 3151 Ortega Avenue, Multi-purpose Room in the Sunset neighborhood of San Francisco at 6:00 p.m.

Motion No. M99-73

APPROVED by the following vote:

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

ROLL CALL FOR INTRODUCTIONS

PUBLIC COMMENT

Bob Planthold, inadequate disabled access information on Bicycle Advisory Committee notice;

Eula Walters, error in committee minutes in which two speakers were listed in support of Ferry Park;

Ella Tom Miyamoto, funding for two youth initiatives;

Lloyd Schloegel, oppose expansion of airport runway;

Spike Con, UC Stanford Health Care demonstration July 13, 1999 to oppose merger;

Rodney, economics, restore Central Freeway;

Robert O'Malley, supports living wage proposal;

Joseph Venti, supports broadband networks;

Male speaker.

Speakers in support of increasing in-home support services funding: Bruce Allison; Representative, Local 250; Leon Chow; Blanca Carrie; Clarissa Callin.

CLOSED SESSION

Conference with City Attorney - Litigation

[Convene in Closed Session]

Motion that the Board of Supervisors convene in closed session with the City Attorney for the purpose of conferring with, or receiving advice from the City Attorney as permitted by Government Code regarding the following litigation:

991271 [Potential Litigation]

Potential litigation as plaintiff regarding the merger of TCI and AT&T, as permitted by Government Code Section 54956.9(a), as to existing litigation regarding provisions of the Excavation Code. (Public Utilities and Deregulation Committee)

Supervisor Bierman, seconded by Supervisor Becerril, moved ADOPTION to convene in closed session. The motion carried by the following vote:

Ayes: 9 - Ammiano, Becerril, Bierman, Brown, Katz, Kaufman, Leno, Newsom, Yee

Absent: 2 - Teng, Yaki

HEARD IN CLOSED SESSION.

Recess

The Board recessed at the hour of 4:26 p.m. to convene in closed session pursuant to above motion.

Reconvening of the Board

The Board, at the hour of 5: 25 p.m., reconvened.

Calling the Roll

The following Supervisors were noted present: Supervisors Ammiano, Bierman, Becerril, Brown, Katz, Kaufman, Leno, Newsom, Teng, Yee - 10.

Noted Absent: Supervisor Yaki - 1.

Quorum present.

Report on Closed Session

Deputy City Attorney Ted Lakey reported that the Board has met in closed session with the City Attorney regarding above pending litigation, as permitted by Government Code Section 54956.9(a).

The meeting was informational only and no action was taken.

[Elect Not to Disclose]

Motion that the Board finds that it is in the best interest of the public that the Board elect at this time not to disclose its closed session deliberations concerning the above matter.

Supervisor Becerril, seconded by Supervisor Kaufman, moved **ADOPTION** to not disclose its closed session deliberations. The motion carried by the following vote:

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

Absent: 2 - Newsom, Yaki

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.

**991284 [Corporate-Held Taxicab Medallions]
Supervisor Newsom**

Resolution urging the Taxi Commission to give top priority to investigate the status of corporate-held medallions.

Resolution No. 648-99

ADOPTED

**991285 [State Legislation-Supporting AB 102 Wildman, Transportation Funding]
Supervisors Yaki, Bierman, Katz**

Resolution supporting AB 102 (Wildman) which would provide critical transportation funding to the Bay Area. *Supervisors Bierman, Katz requested to be added as co-sponsors.*

Resolution No. 649-99

ADOPTED

**991286 [Tobacco-Free Pharmacies and Drugstores]
Supervisors Ammiano, Bierman, Katz**

Resolution urging Rite Aid Corporation and all other pharmacies and chain drugstores to cease selling, promoting and advertising tobacco products and to remove self service cigarette vending machines from their California stores.

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

Resolution No. 650-99

ADOPTED

**991287 [State Legislation, SB 3, Public Library Construction and Renovation Bond Act of 2000]
Supervisors Becerril, Katz, Bierman**

Resolution endorsing Senate Bill 3 and urging the Legislature and Governor to approve the bill to assist local governments in construction and renovation of libraries.

Supervisor Bierman requested to be added as co-sponsor.

Resolution No. 651-99

ADOPTED

**991288 [Human Rights]
Supervisors Brown, Bierman**

Resolution urging the President of the United States and the U.S. Congress to consistently apply the principle of human rights and to aid in the rebuilding of Sierra Leone.

Supervisor Bierman requested to be added as co-sponsor.

Resolution No. 652-99

ADOPTED

**991289 [Area Code Reform]
Supervisors Kaufman, Leno, Bierman**

Resolution urging the Department of Telecommunications and Information Services (DTIS) and the City Attorney to file a petition with the California Public Utilities Commission (CPUC) requesting that the implementation of the approved 415 overlay area code relief plan that would require eleven digit dialing be postponed and urging the Federal Communications Commission, the CPUC and the State Legislature to support measures designed to promote area code reform.

Supervisor Bierman requested to be added as co-sponsor.

Resolution No. 653-99

ADOPTED

**991290 [Recreation and Park Department Midnight Music Program]
Supervisors Leno, Bierman, Newsom, Katz**

Resolution urging the Recreation and Park Department to implement Midnight Music, an afternoon music appreciation program and recommending that the pilot program be held in the Tenderloin Recreation Center.

Supervisor Katz requested to be added as co-sponsor.

Resolution No. 654-99

ADOPTED

991291 [Commendation]
Supervisors Ammiano, Bierman, Katz

Resolution commending the San Francisco County Juvenile Probation Department for the smooth and efficient operation of the San Francisco Log Cabin Ranch and passing all inspections with satisfactory results; and further urging the San Francisco County Juvenile Probation Department to develop a plan to address shortage of the amount of emergency vehicles and the shortage of the number of seats currently available that is needed to evacuate staff and clients in the event of a fire or other natural disasters.

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

Resolution No. 655-99

ADOPTED

991292 [Commendation]
Supervisors Leno, Bierman, Katz

Resolution commending Marty Edelman and WB20 for continuing the tradition of broadcasting the annual San Francisco Lesbian, Gay, Bisexual Pride Parade and Celebration.

Supervisor Katz requested to be added as co-sponsor.

Resolution No. 656-99

ADOPTED

991295 [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. M99-74

APPROVED

991296 [Final Map, 1224 Sacramento Street]

Motion approving final map of 1224 Sacramento Street, a Residential Condominium Project, being a subdivision of Lot 144 in Assessor's Block No. 221, and adopting findings pursuant to Planning Code Section 101.1. (Department of Public Works)

(DPW Order No. 171,774.)

Motion No. M99-75

APPROVED

The foregoing items were acted upon by the following vote:

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

Absent: 2 - Becerril, Yaki

Severed From For Adoption Without Committee Reference Agenda

991229 [Non-Discriminatory FDA Sperm Donation Guidelines]

Supervisors Leno, Ammiano, Katz, Bierman, Newsom

Resolution urging the U.S. Food and Drug Administrator not to enact guidelines that restrict gay and bisexual men from donating sperm.

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

Resolution No. 646-99

SEVERED FROM FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA.

Supervisor Leno moved an amendment of the whole bearing new title.

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

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

Absent: 1 - Yaki

Resolution urging the U.S. Food and Drug Administration not to enact guidelines that restrict HIV-negative gay and bisexual men from donating sperm.

ADOPTED AS AMENDED by the following vote:

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

Absent: 1 - 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.

[Purely Commendatory Finding]

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

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

Ayes: 9 - Ammiano, Becerril, Bierman, Brown, Katz, Kaufman, Newsom, Teng, Yee

Absent: 2 - Leno, 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 Teng, seconded by Supervisor Becerril, moved ADOPTION of the Brown Act finding. The motion carried by the following vote:

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

Imperative Resolution

991312 [Commendation]

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

Resolution commending and paying tribute to the life of Dr. Dubois Phillip McGee and his contributions to education, especially in the field of ethnic studies.

Resolution No. 657-99

ADOPTED by the following vote:

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

OFF-CALENDAR LEGISLATION

Introduced by Supervisors or Mayor

Ordinances

991316 [To permit other elected public office-holder to submit proponent's or opponent's ballot argument against any measure and limits a person or entity to one submission]

Supervisor Ammiano

Draft ordinance amending the Elections Code by amending Section 545 regarding the selection of official arguments.

(Amends Section 545.

7/6/99, RECEIVED AND ASSIGNED to Rules Committee.

**991317 [Prompt Review of Fixed Pedestal Permit Denials]
Supervisor Kaufman**

Ordinance amending the Public Works Code by amending Section 184.12, regulating the placement and maintenance of newsracks on public sidewalks, streets and rights-of-way, to provide for prompt administrative and judicial review of decisions to grant, deny or revoke fixed pedestal permits, to clarify the grounds and procedures to grant, deny or revoke fixed pedestal permits, to clarify that free-standing newsracks may continue to be placed on public sidewalks, streets and rights-of-way in areas of the city that are not within fixed pedestal zones and that publications may continue to be distributed by other authorized means within fixed pedestal zones, and to make other miscellaneous technical revisions.

(Amends Section 184.12.)

7/6/99, ASSIGNED UNDER 30 DAY RULE to Transportation and Land Use Committee, expires on 8/5/1999.

Resolutions

**990997 [Zoning - Live/Work Moratorium: Imposing an Order Prohibiting Action on Applications]
Supervisors Bierman, Ammiano**

Resolution imposing an order prohibiting action on applications for permits or other land use entitlements to construct new live/work developments, as defined in Planning Code Section 102.13, in the City and County of San Francisco, while the Board of Supervisors considers adoption of interim zoning controls governing such live/work development; and making a finding of consistency with the priority policies of Planning Code Section 101.1.

5/17/99, ASSIGNED UNDER 30 DAY RULE to Transportation and Land Use Committee, expires on 6/16/1999. 5/24/99 - Transmitted to Planning for environmental review. 6/16/99 - From Planning Department, Certificate of Determination of Exemption/Exclusion from Environmental review dated 6/16/99.

7/6/99, CALLED FROM COMMITTEE. Supervisor Bierman called this matter from Committee with the request it be considered at the July 26, 1999 Board meeting.

**990998 [Zoning - Live/Work Moratorium: Imposing Interim Zoning Controls]
Supervisors Bierman, Ammiano**

Resolution imposing Interim Zoning Controls to prohibit construction of new Live/Work Developments, as defined in Planning Code Section 102.13, in the City and County of San Francisco, for a six (6) month period, and making a determination of consistency with the priority policies of Planning Code Section 101.1.

5/17/99, ASSIGNED UNDER 30 DAY RULE to Transportation and Land Use Committee, expires on 6/16/1999. 5/24/99 - Transmitted to Planning for environmental review. 6/16/99 - From Planning Department., Certificate of Determination of Exemption/Exclusion from Environmental Review dated 6/16/99.

7/6/99, CALLED FROM COMMITTEE. Supervisor Bierman called this matter from Committee with the request it be considered at the July 26, 1999 Board meeting.

**991309 [State Legislation, AB 202, Firearm Sales]
Supervisors Brown, Katz**

Resolution urging Governor Gray Davis to support Assembly Bill 202 (would make it a misdemeanor or a felony for any dealer to deliver a pistol, revolver or other firearm capable of being concealed upon the person following notice from the Department of Justice that, within the preceding 30-day period, the purchaser has made another application to purchase that concealable firearm.

7/6/99, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**991311 [State Legislation, SB 468, Provides Coverage for the diagnosis and medically necessary treatment of mental illness under the same rates, terms and conditions as generally applied to other medical conditions]
Supervisors Brown, Katz, Bierman**

Resolution urging Governor Gray Davis to support Senate Bill 468.

7/6/99, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**991318 [Nominations to the Golden Gate National Recreation Advisory Committee]
Supervisors Yaki, Ammiano, Bierman**

Resolution nominating proposed appointees to the Golden Gate National Recreation Area Advisory Commission.

(John J. Spring, succeeding himself (Seat 2) for a five-year term beginning in 1996 and ending October 26, 2001;

Michael Alexander, succeeding Neil D. Eisenberg, (Seat 1) for a five-year term beginning in 1996 and ending October 26, 2001.)

7/6/99, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**991320 [Support Creation of the Bay Trail]
Supervisors Ammiano, Katz, Leno, Bierman**

Resolution endorsing the creation of the Bay Trail, a 400 mile biking and hiking route that would circle San Francisco and San Pablo Bays by connecting 47 cities and all nine bay area counties through existing parks, open spaces and other recreational facilities and creating links to existing and proposed transportation facilities while avoiding adverse effects on the environment of the bays.

7/6/99, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**991321 [Internet Economic Impact Task Force]
Supervisor Becerril**

Resolution establishing an Interdepartmental Internet Economic Impact Task Force to review the economic impact related to the taxation of electronic commerce and other internet activities and setting forth the membership and duties of the task force.

7/6/99, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**991322 [Taxicab Lease and Gate Cap Application]
Supervisor Newsom**

Resolution urging the Taxi Commission to consider ruling that implementation of lease caps placed by the Board of Supervisors on the amount that taxi companies may pay to permit holders for use of their taxi medallion will not be interpreted to restrict the amount that single permit holders operating as a company may collect from drivers in gate fees; informing the Commission of its duty to report to the Board of Supervisors on the impact of both the lease cap and gate cap legislation pursuant to Ordinances 362-98 and 364-98 of the Police Code; that copies of this resolution and copies of the aforementioned ordinances be sent to the Taxi Commission and its President.

7/6/99, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**991323 [State Legislation, AB 16, Funding for In-Home Supportive Services Workers]
Supervisors Bierman, Katz, Ammiano, Leno, Newsom, Teng, Yaki, Becerril**

Resolution urging Governor Gray Davis to restore State funding for In-Home Supportive Services as required by Assembly Bill 16.

7/6/99, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**991329 [Commendation]
Supervisors Teng, Katz, Becerril, Bierman**

Resolution commending the Chinese Folk Dance Association upon the occasion of their 40th Anniversary and declaring August 7, 1999, to be "Chinese Folk Dance Association Day" in San Francisco.

7/6/99, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**991330 [Commendation]
Supervisors Yee, Katz, Leno**

Resolution commending the Mandarin-speaking Asian Pacific Islander Lesbian and Bisexual Women's Network (MAPLBN) for its work in educating the Mandarin speaking friends and families of lesbians and bisexual women.

7/6/99, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**991331 [Commendation]
Supervisor Yee**

Resolution commending Terry Landini-Brennan for her outstanding work, dedication and commitment to the City and County of San Francisco.

7/6/99, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**991332 [Commendation]
Supervisors Leno, Bierman, Becerril, Katz**

Resolution commending the Women's Community Clinic and its dedicated volunteers for opening a clinic in the Haight-Ashbury to serve women's health needs.

7/6/99, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**991333 [Commendation]
Supervisors Newsom, Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Teng, Yaki, Yee, Becerril**

Resolution commending Chief Assistant Controller John Madden for his thirty-eight years of service to the City and County of San Francisco.

7/6/99, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Requests for Hearing

**991308 [Off-Leash Dog Task Force Report]
Supervisor Brown**

Hearing to consider the Off-Leash Dog Task Force Report.

7/6/99, RECEIVED AND ASSIGNED to Parks and Recreation Committee.

**991310 [Skateboarding]
Supervisor Brown**

Hearing to consider how the City will respond to the increased interest in skating and skateboarding and the threat such interest poses to pedestrians, drivers and property.

7/6/99, RECEIVED AND ASSIGNED to Parks and Recreation Committee.

**991334 [Graduation Memorabilia]
Supervisor Yee**

Hearing to investigate the San Francisco Unified School bid process for graduation memorabilia.

7/6/99, RECEIVED AND ASSIGNED to Finance and Labor Committee.

**991335 [Medical Services at San Francisco Jail System]
Supervisors Yee, Ammiano, Bierman**

Hearing to assess the true nature of medical attention to Vincent Hines and its relationship in his death in the San Francisco jail system.

7/6/99, RECEIVED AND ASSIGNED to Public Health and Environment Committee.

**991336 [Octavia Boulevard Conceptual Design and Preliminary Engineering]
Supervisor Ammiano**

Hearing to consider public comment and review of the conceptual design and preliminary engineering of the voter-approved Octavia Boulevard replacement for the Central Freeway, after the Citizen's Advisory Committee has commented on the proposal and in addition to Transportation Authority hearings on the proposed design.

7/6/99, RECEIVED AND ASSIGNED to Transportation and Land Use Committee.

**991337 [Recreation and Park Department Teen Programs]
Supervisors Katz, Ammiano, Leno**

Hearing to consider the status of Recreation and Park Department programs serving teens in San Francisco.

7/6/99, RECEIVED AND ASSIGNED to Parks and Recreation Committee.

**991338 [Municipal Railway Accident Review Board]
Supervisors Kaufman, Newsom, Ammiano, Katz**

Hearing to consider the function of MUNI's Accident Review Board; to review the membership of this Board and to discuss the Board's decision-making process surrounding driver accidents.

7/6/99, RECEIVED AND ASSIGNED to Audit and Government Efficiency Committee. Sponsor requests this matter be scheduled for the August 3, 1999 meeting.

**991339 [San Francisco Y2K Survey]
Supervisor Leno**

Hearing to consider the results of the San Francisco Y2K survey regarding small business' Y2K preparedness and to assess how well San Francisco small businesses are prepared for potential Y2K problems.
7/6/99, RECEIVED AND ASSIGNED to Small Business, Economic Vitality and Consumer Services Committee.

**991340 [Recreational Opportunities at Treasure Island]
Supervisor Newsom**

Hearing to consider the potential recreational opportunities for the Recreation and Park Department at Treasure Island, especially including expansion of soccer programs.
7/6/99, RECEIVED AND ASSIGNED to Parks and Recreation Committee.

**991341 [Camera Obscura]
Supervisors Bierman, Ammiano**

Hearing to consider the National Park Service's plans for the Camera Obscura behind the Cliff House.
7/6/99, RECEIVED AND ASSIGNED to Parks and Recreation Committee.

Motions

**991319 [Suspend 30 Day Rule]
Supervisor Yaki**

Motion suspending Rule 5.43 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, proposed ordinance amending the Elections Code by adding Section 401 to require that candidates' names on the official ballot and any sample ballots also appear in Chinese characters.
7/6/99, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Introduced by the President at the Request of Departments

PROPOSED ORDINANCES

991276 [Weight Restriction on a portion of Albion Street]

Ordinance amending Traffic Code by adding Section 28.1.106, establishing a weight restriction on a portion of Albion Street, between 15th and 17th Streets. (Department of Parking and Traffic)

(Adds Section 28.1.106.)

6/25/99, RECEIVED AND ASSIGNED to Transportation and Land Use Committee.

991277 [Parking Regulations on a portion of Brannan Street]

Ordinance amending Traffic Code by adding Section 32.6.26, regarding parking regulations on a portion of Brannan Street, north side, from 15 feet to 115 feet east of Boardman Place; and Brannan Street, north side, from 16 feet to 116 feet west of Boardman Place. (Department of Parking and Traffic)

(Adds Section 32.6.26.)

6/25/99, RECEIVED AND ASSIGNED to Transportation and Land Use Committee.

PROPOSED RESOLUTIONS**991269 [Authorizing Public Utilities Commission to apply for State funds to reimburse the City for construction costs for the Islais Creek and Rankin Street sewage storage and treatment facilities.]**

Resolution authorizing the Public Utilities Commission to apply for and enter into loan agreements not to exceed \$50 million for the reimbursement of prior expenditures incurred for the construction of the Islais Creek/Rankin Street storage facilities. (Public Utilities Commission)

6/23/99, RECEIVED AND ASSIGNED to Finance and Labor Committee.

6/30/99, SUBSTITUTED. Substituted by Public Utilities Commission 6/30/99, bearing new title.

6/30/99, ASSIGNED to Finance and Labor Committee.

991278 [Emergency Repairs, 3rd Street Sewers]

Resolution approving the expenditure of funds for the emergency work to replace the hydraulically inadequate sewers on 3rd Street between Jerrold Avenue and Palou Avenue, Donner Avenue between Ingalls Street and Jennings Street, and Jennings Street between Donner Avenue and Egbert Avenue - \$1,674,713.00. (Public Utilities Commission)

(Fiscal impact.)

6/23/99, RECEIVED AND ASSIGNED to Finance and Labor Committee.

991297 [Continuous grant for Police Department Domestic Violence Unit to continue a program which targets domestic violence repeat offenders]

Resolution authorizing the Chief of Police of the City and County of San Francisco to accept and expend funds made available through the Office of Criminal Justice Planning for a project entitled "Violence Against Women - Law Enforcement Specialized Units Program", and agreeing to accept an in-kind match from Woman Organized to Make Abuse Non-existent (W.O.M.A.N. Inc.) for a victim's advocate position, and waiving indirect costs due to funding constraints. (Police Department)

6/29/99, RECEIVED AND ASSIGNED to Housing and Social Policy Committee.

991298 [Continuous grant for Police Department, Southern Station, to implement a Community Crime Resistance Program for the Sixth Street Corridor, provide "Citizens Patrol" program and improve general safety]

Resolution authorizing the Chief of Police of the City and County of San Francisco to accept and expend funds made available through the Office of Criminal Justice Planning for a project designated "Community Crime Resistance Program" and agreeing to provide a cash match as required for this grant program, and waiving indirect costs due to funding constraints. (Police Department)

6/29/99, RECEIVED AND ASSIGNED to Housing and Social Policy Committee.

- 991299 **[Continuing grant for Police Department Juvenile Division for an elementary and middle school program for students at risk of exposure to drugs and violence]**
Resolution authorizing the Chief of Police of the City and County of San Francisco to accept and expend funds made available through the Office of Criminal Justice Planning for a project entitled "Suppression of Drug Abuse in the Schools" and waiving indirect costs due to funding constraints. (Police Department)
6/29/99, RECEIVED AND ASSIGNED to Housing and Social Policy Committee.
- 991300 **[Grant for Police Department's Vice Crime Unit to identify, target, and take action against stores with on-sale and off-sale liquor licenses that operate in a disorderly and disruptive manner]**
Resolution authorizing the Chief of Police of the City and County of San Francisco to accept and expend funds made available through the California Department of Alcoholic Beverage Control for a project designated "1999/2000 Grant Assistance to Local Law Enforcement Agencies Project" and waiving indirect costs due to funding constraints.
6/26/99, RECEIVED AND ASSIGNED to Housing and Social Policy Committee.
- 991301 **[Airport Lease Agreement for American Airlines L-82-0111 for space in Boarding Area "E"]**
Resolution approving lease modification No. 8 for Lease 82-0111 between American Airlines, Inc. and the City and County of San Francisco, acting by and through its Airport Commission. (Airport Commission)
6/29/99, RECEIVED AND ASSIGNED to Finance and Labor Committee.
- 991302 **[Grant for various projects for at-risk youth or those in juvenile justice system including renovation at Log Cabin Ranch, in-home visits to youth on probation, implementation of Teen Court Project, funds for Juvenile Drug Court, and other general efforts]**
Resolution authorizing the Mayor's Criminal Justice Council (MCJC) to retroactively apply, accept and expend funds in the amount of \$544,744 from the Office of Criminal Justice Planning (OCJP), State of California, from funds made available under the Juvenile Accountability Incentive Block Grant (JAIBG). (Mayor)
6/30/99, RECEIVED AND ASSIGNED to Housing and Social Policy Committee.
- 991303 **[Increase in grant funds to continue services of the K-9 Explosives Detection Team Program for response to bomb threats at the Airport]**
Resolution authorizing the Airport Commission to accept and expend a funding increase from \$708,000 to \$1,202,500 or subsequent increases from the Federal Aviation Administration for the K-9 Explosives Detection Program. (Airport Commission)
6/30/99, RECEIVED AND ASSIGNED to Finance and Labor Committee.

Requests Granted

By Supervisors Leno, Katz, Ammiano, Bierman that letters be sent to the City Attorney and the Attorney General of California concerning the legality of the Mormon Church's recent mailing to its members in California requesting financial and political support for the Knight "Definition of Marriage" initiative.

By Supervisor Brown, that letter be sent to the General Manager, Public Utilities Commission concerning the Commission's policy of providing homes to the caretakers of the City's watersheds, the numbers of racial minorities, women or gays presently residing in such properties, whether representatives from such groups have ever been housed there, whether such property is passed from generation to generation (for instance, from father to son, and thus perpetuating discrimination based on race, sex or sexual orientation, what steps are currently being contemplated by the Public Utilities Commission to insure that such incidental benefits are allocated in such a way so as to promote inclusion and to discourage the appearance of privilege based on historical circumstances.

By Supervisors Ammiano, Yee, that letter be sent to the Sheriff and Director of Public Health notifying them a hearing has been called to consider the medical attention to Vincent Hines and the investigation of his death in the county jail. File 991335.

In Memoriams

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

Dr. Dubois Phillip McGee (By the entire Board)

Hasyim Rachman (Supervisor Ammiano)

ADJOURNMENT

There being no further business, the Board at the hour of 5:28 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 August 16, 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