

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

City Seal



AGENDA

Monday, September 27, 1999

2:00 PM

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

ROLL CALL AND PLEDGE OF ALLEGIANCE

COMMUNICATIONS

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 17

Recommendations of the Audit and Government Efficiency Committee

Present: Supervisors Kaufman, Katz

1. 991541 [Settlement: Rita Swann, et. al.,v. CCSF, et al.]

Ordinance authorizing settlement of litigation of Rita Swann, et al. against the City and County of San Francisco by payment of \$120,000. (City Attorney)

(S.F. Superior Court No. 976-429.

Question: Shall this Ordinance be FINALLY PASSED?

2. 991629 [Settlement of Lawsuit, Nicole B. Sojat]

Ordinance authorizing settlement of the litigation of Nicole B. Sojat and the City and County of San Francisco, Department of Parking and Traffic, Ronald Appel, Michael Lum, Chris Nichel, Nancy Amaya, and Does 1-10 by payment of \$40,000. (City Attorney)

(S.F. Superior Court No. 988692.)

Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the Finance and Labor Committee

Present: Supervisors Yee, Bierman, Ammiano

3. 991146 [Discrimination Based on Perception, Association or Retaliation]

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

Ordinance amending Administrative Code Chapter 12A by amending Sections 12A.1, 12A.5, and 12A.8, Chapter 12B by amending Sections 12B.1 and 12B.2, Chapter 12C by amending Sections 12C.1 and 12C.3, and amending Police Code Article 33 by amending Sections 3303, 3304 and 3305 to prohibit discrimination based on fact or perception, discrimination based on association with members of protected classes of persons or retaliation for opposition to discrimination.

(Amends Administrative Code Chapter 12A Sections 12A.1, 12A.5 and 12A.8; Chapter 12B Sections 12B.1 and 12B.2; Chapter 12C Sections 12C.1 and 12C.3; amends Police Code Article 33 Sections 3303, 3304 and 3305.)

9/21/1999, PASSED, ON FIRST READING. Supervisors Teng, Katz, Becerril, Bierman, Brown, Leno, Newsom, Yaki, Yee requested to be added as co-sponsors.

Question: Shall this Ordinance be FINALLY PASSED?

4. 991490 [MOU Amendment No. 1, Teamsters Local 856 Supervising Nurses full retirement contribution] Supervisor
Teng
Ordinance adopting and implementing the provisions of the amendment to the Memorandum of Understanding between Teamsters, Local 856 and the City and County of San Francisco for Supervising Nurses for the period July 1, 1998 through June 30, 2001 providing that all covered employees be placed into full retirement contribution status effective July 1, 1998 following approval of this ordinance. (Human Resources Department)
(Fiscal impact.)

9/21/1999, PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?
5. 991491 [MOU Amendment No. 1, SEIU, Local 790 Staff and Per Diem Nurses full retirement contribution] Supervisor
Teng
Ordinance adopting and implementing the provisions of the amendment to the Memorandum of Understanding between SEIU, Local 790 and the City and County of San Francisco for Staff Nurse and Per Diem Nurses for the period July 1, 1997 through June 30, 2000 providing that all covered employees be placed into full retirement contribution status effective July 1, 1998 following approval of this ordinance. (Human Resources Department)
(Fiscal impact.)

9/21/1999, PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?
6. 991625 [Annual Appropriation Ordinance Amendment - Art Commission]
Ordinance amending the Annual Appropriation Ordinance for fiscal year 1999-2000, File Number 99-1052, Ordinance Number 208-99, adjusting appropriations to meet the requirements of the Art Commission pursuant to Charter Section 16.106. (Controller)

9/21/1999, PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?
7. 991626 [Tax Rate Setting - City and County of San Francisco]
Ordinance providing revenue and levying taxes for City and County purposes and establishing pass-through for residential tenants pursuant to Chapter 37 of the Administrative Code for the fiscal year ending June 30, 2000. (Controller)

9/21/1999, PASSED, ON FIRST READING. Supervisors Ammiano, Teng requested to be added as co-sponsors.

Question: Shall this Ordinance be FINALLY PASSED?
8. 991627 [Tax Rate Setting - S.F. Unified School District]
Ordinance providing revenue and levying taxes for San Francisco Unified School District purposes for the fiscal year ending June 30, 2000. (Controller)

9/21/1999, PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

9. 991628 [Tax Rate Setting - S.F. Community College District]

Ordinance providing revenue and levying taxes for San Francisco Community College District purposes for the fiscal year ending June 30, 2000. (Controller)

9/21/1999, PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the Housing and Social Policy Committee

Present: Supervisors Teng, Bierman, Becerril

10. 991492 [1999 Refugee County Plan - Funds are allocated each year by the federal Office of Refugee Settlement, administered by PIC for services and assistance to refugees]

Resolution approving the San Francisco Federal Fiscal Year 1999 Refugee County Plan and authorizing the Private Industry Council of San Francisco, Inc. to accept and expend approximately \$1,170,012 of Federal refugee funds in line with the Refugee County Plan. (Private Industry Council)

Question: Shall this Resolution be ADOPTED?

11. 991592 [Project Impact will create a single process through which juvenile offenders with emotional disabilities will be identified, assessed, and supported through a continuum of flexible Supervisor Becerril

Resolution authorizing the Mayor's Criminal Justice Council to retroactively accept and expend \$5,985,347 from the State Board of Corrections under the Juvenile Crime Enforcement Accountability Challenge Grant II (JCE&ACG) program to continue to implement the local action plan that addresses the needs of youth who are involved in the juvenile justice system.

(Fiscal impact.)

Question: Shall this Resolution be ADOPTED?

12. 991631 [State grant to partially fund the Major Narcotic Vendor Prosecution Program aimed at the county's most significant drug cases]

Resolution authorizing retroactively the District Attorney of the City and County of San Francisco to apply for, accept, and expend funds in the amount of \$130,054 made available through the Office of Criminal Justice Planning for a project entitled "San Francisco District Attorney's Office Major Narcotic Vendors Prosecution Program", for the twelve month period July 1, 1999 through June 30, 2000, and waiving indirect costs due to funding constraints. (District Attorney)

Question: Shall this Resolution be ADOPTED?

Recommendations of the Transportation and Land Use Committee

Present: Supervisors Katz, Yaki

13. 990378 [Traffic Regulations, San Jose Avenue between Randall and 29th Streets] Supervisors Ammiano, Leno

Ordinance amending Traffic Code by repealing Section 176.33 and adding Section 175.33 to reduce the speed limit on a portion of San Jose Avenue from 35 MPH to 30 MPH. (Parking and Traffic Department)

(Repeals Section 176.33; adds Section 175.33.)

9/21/1999, PASSED, ON FIRST READING. Supervisor Ammiano requested to be added as co-sponsor.

Question: Shall this Ordinance be FINALLY PASSED?

14. 991543 [Create Underground District No. 351] Supervisor Bierman

Ordinance creating Underground District No. 351 on 25th Street from Guerrero Street to Church Street.

9/21/1999, PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

15. 991544 [Amend Underground District No. 331] Supervisor Bierman

Ordinance amending Ordinance No. 103-98 to redefine Underground District No. 331 in the Texas and 19th Street area by adding certain property thereto.

9/21/1999, PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

16. 991650 [Underground District No. 352] Supervisor Bierman

Ordinance creating Underground District No. 352 on 9th Avenue, Ortega Street, and 10th Avenue.

9/21/1999, PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

17. 991651 [Underground District No. 353] Supervisor Bierman

Ordinance creating Underground District No. 353 in the mid-Lake Street area.

9/21/1999, PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

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

REGULAR AGENDA

NEW BUSINESS

Recommendations of the Audit and Government Efficiency Committee

Present: Supervisors Kaufman, Katz

18. 991364 [Administrative Code Revision, Chapter 7] Supervisor Kaufman
Ordinance amending Administrative Code Sections 7.6, 7.6-1, 7.9, 7.10, 7.11, 7.16, and 7.17 (Commander of Emergency Services, Vice-Commander, Organization, Police Reserve, Fire Reserve, Volunteers and Penalties); and by repealing Section 7.19 (Severability), to update provisions and eliminate obsolete language.
(Amends Sections 7.6, 7.6-1, 7.9, 7.10, 7.11, 7.16, and 7.17; repeals Section 7.19.)

Question: Shall this Ordinance be FINALLY PASSED?

19. 991365 [Administrative Code Revision, Chapter 8] Supervisor Kaufman
Ordinance amending Chapter 8 of part I of the San Francisco Municipal Code (Administrative Code), by amending Section 8.15 (posting departmental rules) and by repealing Sections 8.12-2 [Bicentennial Medals], 8.12-2.1 [Cable Care Centennial Medals], 8.12-3 [Joint Bicentennial Corporation], 8.18 [Inscription of Account Books], 8.19 [Compliance with Inscription Requirements] and 8.20 [Possession of Improperly Inscribed Books], to update provisions and eliminate obsolete language.
(Amends Section 8.15; repeals Sections 8.12-2, 8.12-2.1, 8.12-3, 8.13-1, 8.13-2, 8.18, 8.19 and 8.20.)

Question: Shall this Ordinance be FINALLY PASSED?

20. 991547 [Administrative Code Revision - Chapter 10D] Supervisor Kaufman
Ordinance amending Administrative Code by repealing Sections 10D.1 through 10D.6, regarding authorization expiring in 1986 for reparations to Japanese-American City employees forcibly relocated during World War II.
(Repeals Sections 10D.1 through 10D.6.)

Question: Shall this Ordinance be FINALLY PASSED?

21. 991548 [Administrative Code Revision - Chapter 10E] Supervisor Kaufman
Ordinance amending Administrative Code Sections 10E.1 through 10E.4, regarding monitoring the Downtown Plan.
(Repeals Sections 10E.1 through 10E.4.)

Question: Shall this Ordinance be FINALLY PASSED?

22. 991549 [Administrative Code Revision - Chapter 12] Supervisor Kaufman
Ordinance amending Administrative Code by repealing Sections 12.3, 12.4, 12.5, 12.6, and 12.7 regarding 1985 contract authorization for temporary City oversight of accounting, budgetary, and reporting procedures at the Housing Authority.
(Repeals Sections 12.3, 12.4, 12.5, 12.6, and 12.7.)

Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the Finance and Labor Committee

Present: Supervisors Yee, Ammiano

23. 990624 [Healthy Air and Smog Prevention] Supervisors Ammiano, Becerril, Bierman, Katz, Leno, Newsom, Yaki

Ordinance amending Administrative Code by adding a new Chapter 85, Sections 85.1 through 85.10, establishing a Clean Air Program within the Department of Administrative Services, establishing a Clean Air Advisory Committee, establishing a program to develop infrastructures for alternative fuel vehicles, establishing criteria for the City's procurement of zero-emission and ultra-low emission vehicles, establishing an alternative fuel vehicle purchasing pilot program in the Department of Public Transportation, identifying diesel bus lines that are appropriate for conversion to electric trolley buslines; establishing a car share program; and encouraging private and regional public entities doing business in San Francisco to use ultra-low and cleaner emission vehicles; amending Traffic Code by adding Section 32.21A to prohibit parking by non-electric vehicles in electric vehicle charging bays; amending Traffic Code Section 32.22 to provide the authority to remove non-electric vehicles in electric vehicle charging bays.

(Adds Administrative Code Sections 85.1 through 85.10; adds Traffic Code Section 32.21A; amends Section 32.22.)

Question: Shall this Ordinance be FINALLY PASSED?

24. 991617 [Establishing San Francisco's 1999-2000 Appropriations Limit]

Resolution establishing the appropriations limit for fiscal year 1999-2000 pursuant to California Constitution Article XIII B. (Controller)

Question: Shall this Resolution be ADOPTED?

25. 991429 [Single Room Occupancy (SRO) Hotel Fire Prevention and Stabilization Task Force] Supervisors Ammiano, Katz, Bierman, Newsom, Leno

Resolution establishing a Single Room Occupancy (SRO) Hotel Safety and Stabilization Task Force to make recommendations to the Mayor and the Board of Supervisors and setting forth the membership and duties of the task force.

Question: Shall this Resolution be ADOPTED?

26. 991581 [Sewer Replacement, Broadway Street]

Resolution approving the expenditure of funds for the emergency work to replace the structurally inadequate sewer on Broadway from Pierce Street to Scott Street - \$148,925. (Public Utilities Commission)

Question: Shall this Resolution be ADOPTED?

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

Present: Supervisors Newsom, Leno, Becerril

27. 991501 [Liquor License, 650 Delancey Street]

Resolution determining that the issuance of a Type 17 Beer and Wine Wholesaler and Type 20 Off-sale Beer and Wine alcoholic beverage control license to Surh-Luchtel Cellars, Inc. located at 650 Delancey Street, will serve the convenience of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code; with a condition.

Question: Shall this Resolution be ADOPTED?

28. 991542 [Liquor License Modification, 1514 Union Street, ABC File 40-328082]

Resolution determining that the request of Joseph M. Gilmartin, Jr. for the Black Horse London Deli, located at 1514 Union Street, to modify the conditions imposed on Type 40 liquor license as follows: that the hours of beer sales from 11:00 a.m. - 7:00 p.m. be changed to 12:00 p.m. - 10:00 p.m.; will serve the convenience of the people of the City and County of San Francisco, in accordance with Section 23803 of the California Business and Professions Code.

Question: Shall this Resolution be ADOPTED?

29. 991618 [Liquor License, 2800 Leavenworth]

Resolution determining that the issuance of a Type 42 on-sale beer and wine-public premises alcoholic beverage control license to Molouk and Mina Faraji for California Wine Harvest located at 2800 Leavenworth Street, will serve the convenience of the people of the City and County of San Francisco in accordance with Section 23958.4 of the California Business and Professions Code; with conditions.

Question: Shall this Resolution be ADOPTED?

COMMITTEE REPORTS

Reports from committees, if any, recommending emergency or urgent measures.

The following item will be considered by the Rules Committee at a regular meeting on Thursday, September 23, 1999 at 10 AM. The Chair intends to request the committee to send the following item to the Board as a committee report.

30. 991813 [Appointment]

Resolution appointing one member to the Living Wage Task Force; waiving residency requirement.

Richard J. Martin, Jr., (seat 13, Must represent low-income workers from non-profits or businesses that contract with the City).

Question: Shall this Resolution be ADOPTED?

31. 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.

32. 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.

CLOSED SESSION

33. 991681 [Public Employee Performance Evaluation]

Motion that the Board of Supervisors convene in closed session with Gloria Young, for the purpose of evaluating her performance as Clerk of the Board of Supervisors, as permitted by Government Code Section 54957. (Clerk of the Board)

Question: Shall this Motion be ADOPTED?

[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 anticipated litigation listed above.

[Elect To Disclose]

Motion that the Board finds it is in the public interest to disclose information discussed in closed session, and directs the President immediately to disclose that information.

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 34 through 60

34. 991762 [Commendation]

Supervisor Brown

Resolution commending the ninth Pastoral Anniversary of the Community Baptist Church.

9/21/1999, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

35. 991764 [Hate Crimes Against African American and Jewish Communities]

Supervisors Brown, Teng, Becerril, Katz,
Ammiano

Resolution expressing concern and regret regarding the appalling silence of Southern Baptists in response to recent hate crimes committed against African American and Jewish citizens.

9/21/1999, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

36. 991773 [Octavia Boulevard/Central Freeway Environmental Noise Study]

Supervisors Leno, Bierman, Ammiano,
Katz

Resolution urging the California Department of Transportation and the Federal Highway Administration to accept the results of the environmental noise study for the Octavia Boulevard/Central Freeway Replacement Project and to certify and issue the necessary environmental clearances for the project as quickly and expeditiously as possible.

9/21/1999, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

37. 991774 [Taxi Service Expansion on Y2K] Supervisors Newsom, Becerril, Katz, Leno, Ammiano
Resolution urging the San Francisco Taxi Commission to seek options for extending taxi service on New Year's Eve, including but not limited to locating subsidies to provide free or reduced rate service and waiving permits for the specified period so that all inspected vehicles, including spare vehicles, could be utilized as taxis on New Year's Eve.

9/21/1999, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

38. 991775 [Taiwan Earthquake] Supervisors Teng, Yaki, Kaufman, Bierman, Becerril, Brown, Newsom, Katz, Leno, Ammiano, Yee
Resolution extending condolences and expressing sympathy and concern for the earthquake victims in Taiwan, urging the San Francisco community to participate in humanitarian aid efforts, and directing the Clerk of the Board of Supervisors to forward a copy of this resolution to the Taipei Economic and Cultural Office, the City of Taipei, and the Government of Taiwan.

9/21/1999, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

39. 991776 [Televising Planning Commission Meetings] Supervisors Yee, Ammiano
Resolution urging the Planning Commission to instruct the Community Television Corporation to broadcast meetings of the San Francisco Planning Commission.

9/21/1999, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

40. 991777 [Funding for Mission Economic Cultural Association] Supervisors Ammiano, Becerril, Newsom, Bierman, Katz, Leno
Resolution urging the Mayor's Office to allocate \$30,000 to the Mission Economic Cultural Association to produce, organize and promote the annual San Francisco Halloween Street Celebration as well as provide security, portable lavatories, clean up services and related services.

9/21/1999, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

41. 991779 [Salt Water Plant at Laguna San Ignacio] Supervisor Ammiano

Resolution urging the Mitsubishi Corporation immediately and permanently to withdraw its plans to construct a salt works plant at Laguna San Ignacio in order to preserve the last remaining breeding ground in the world for the California Gray Whales and other endangered species and further requesting the City Attorney investigate the number and type of contracts between the City and County of San Francisco and the Mitsubishi Corporation and any of its subsidiaries and the fiscal impact of divesting from those companies.

9/21/1999, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

42. 991780 [State Legislation, SB 78, Racial Profiling]

Supervisors Becerril, Bierman, Katz

Resolution urging Governor Gray Davis to sign Senate Bill 78, the California Traffic Stops Statistics Act.

9/21/1999, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

43. 991781 [Juror Public Transit Information]

Supervisors Becerril, Newsom, Katz

Resolution urging the Superior Court in cooperation with MUNI and the Transportation Authority to create a public information demonstration project to provide public transit information to individuals serving jury duty.

9/21/1999, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

44. 991782 [Sutro Historic District, Giant Camera Obscura]

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

Resolution supporting the Golden Gate National Recreation Area's application for the Sutro Historic District to be included in the National Register of Historic Places and urging the GGNRA to preserve the Giant Camera Obscura in its present structure and location as part of the Sutro Historic District.

9/21/1999, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

45. 991783 [Commendation]

Supervisors Leno, Newsom, Bierman, Katz, Ammiano

Resolution commending Strybing Arboretum and Botanical Gardens on the occasion of the UP A TREE exhibit.

9/21/1999, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

46. 991784 [Commendation]

Supervisors Leno, Newsom, Becerril, Bierman, Katz, Ammiano

Resolution celebrating San Francisco's community gardens and commending the many San Franciscans who support the community gardens in San Francisco.

9/21/1999, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

47. 991785 [Commendation] Supervisors Leno, Bierman, Katz, Ammiano
Resolution commending the cities of Cathedral City, Berkeley, and Los Angeles for denouncing the Knight Initiative (California Definition of Marriage Act).

9/21/1999, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

48. 991786 [Commendation] Supervisors Leno, Bierman, Katz, Ammiano
Resolution commending Paul A. Volberding for his work in HIV/AIDS care and proclaiming September 26, 1999 Paul A. Volberding Day in San Francisco.

9/21/1999, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

49. 991787 [Commendation] Supervisors Newsom, Teng, Becerril, Bierman, Katz
Resolution commending President of Ireland Mary McAleese on her trip to California September 20-22 1999 and her efforts to work cooperatively with Mayor Brown and others in California.

9/21/1999, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

50. 991788 [Commendation] Supervisors Teng, Kaufman, Bierman, Becerril, Brown, Katz, Leno, Yaki, Newsom
Resolution commending Walter L. Johnson for a lifetime of leadership and commitment to working people, the San Francisco labor movement and the economic well-being of San Francisco, and declaring October 26, 1999 to be "Walter L. Johnson Day" in San Francisco.

9/21/1999, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

51. 991789 [Commendation] Supervisors Teng, Bierman, Newsom, Becerril, Katz
Resolution commending the Bay Area Union Labor Party on the occasion of their 1999 awards dinner and declaring September 17, 1999 to be "Bay Area Union Labor Party Day" in San Francisco.

9/21/1999, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

52. 991790 [Commendation] Supervisors Teng, Bierman, Katz
Resolution commending Nihonmachi Legal Outreach for its valuable contributions to the community

upon the occasion of its 24th anniversary and declaring September 25, 1999, to be "Nihonmachi Legal Outreach Day" in San Francisco.

9/21/1999, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

53. 991791 [Commendation]

Supervisor Yee

Resolution commending Neil Thomsen for his work at the National Archives and Records Administration (NARA).

9/21/1999, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

54. 991792 [Commendation]

Supervisors Yee, Becerril, Bierman, Katz, Leno

Resolution commending the National Coalition for the Homeless and proclaiming October 2, 1999 "National Day of Civil Rights of Homeless People".

9/21/1999, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

55. 991793 [Commendation]

Supervisors Becerril, Brown, Teng

Resolution commending the Gates Millennium Scholars Program.

9/21/1999, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

56. 991804 [Advertising on San Francisco Bay]

Supervisors Katz, Teng, Becerril, Bierman

Resolution urging the State of California and counties and cities that share the San Francisco Bay coastline with San Francisco to adopt prohibitions on advertising on the San Francisco Bay.

9/21/1999, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

57. 991805 [Commendation]

Supervisors Katz, Ammiano, Leno, Bierman, Becerril, Newsom, Teng

Resolution commending Community United Against Violence (CUAV) for their twenty years of courageous work addressing violence against lesbian, gay, bisexual, transgendered, queer and questioning (LGBTQQ) people.

9/21/1999, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

58. 991766 [Final Map of 786 Minna Street, a new 12 unit live/work condominium project]

Motion approving final map of 786 Minna Street, a Live/Work Condominium Project, being a subdivision of Lot 104 in Assessor's Block No. 3728, and adopting findings pursuant to Planning Code Section 101.1 (Public Works Department)

(DPT Order No. 171,947.)

9/22/1999, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be ADOPTED?

59. 991801 [Committee Off Site Meeting]

Supervisors Teng, Becerril, Newsom

Motion ordering a special October 27, 1999 meeting of the Housing and Social Policy Committee be held in the Mission District at the Everett Middle School, 450 Church Street, in the auditorium at 6:00 p.m.

9/21/1999, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be ADOPTED?

60. 991803 [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.

9/21/1999, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be ADOPTED?

Severed From For Adoption Without Committee Reference Agenda

Questions on the For Adoption Without Committee Reference
Agenda:_____

61. 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]

62. 991823 [Commendation] Supervisors Leno, Katz, Ammiano, Bierman, Newsom, Teng, Kaufman
Resolution commending the Golden Gate Business Association on its 25th Anniversary.

Question: Shall this Resolution be ADOPTED?

OFF CALENDAR LEGISLATION

PROPOSED ORDINANCES

Proposed ordinances received from September 16 through noon on September 22, for reference by President to appropriate committee on September 27, 1999.

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

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

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

9/20/1999, RECEIVED AND ASSIGNED to Finance and Labor Committee.

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

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

(Companion measure to File 991757.)

9/20/1999, RECEIVED AND ASSIGNED to Finance and Labor Committee.

PROPOSED RESOLUTIONS

Proposed resolutions received from September 16 through noon on September 22 for reference by President to appropriate committee on September 27, 1999.

991580 [Permitting non-City workers to perform work for the City because non-City workers can perform work at a lesser cost than City employees - Unarmed security guards at the Airport]

Resolution approving the Controller's certification that security guard services for San Francisco International Airport can be practically performed by a private contractor at a lower cost than if the work were performed by City and County employees at presently budgeted levels. (Airport Commission)

8/12/1999, RECEIVED AND ASSIGNED to Finance and Labor Committee.

9/21/1999, SUBSTITUTED. Substituted by Airport Commission 9/21/99, bearing same title.

9/21/1999, ASSIGNED to Finance and Labor Committee.

991759 [State Grant: AIDS Drug Assistance Program]

Resolution authorizing the Department of Public Health, Population Health and Prevention Division, to accept retroactively and expend a grant in the amount of \$171,002 from the State Office of AIDS, for the AIDS Drug Assistance Program and to enter into an agreement which does not include patent infringement indemnification and false claims clauses; waiving indirect costs and providing for ratification of action previously taken. (Public Health Department)

9/21/1999, RECEIVED AND ASSIGNED to Public Health and Environment Committee.

991761 [Permitting non-City workers to perform work for the City because non-City workers can perform the work at a lesser cost than City employees - Intake and shelter services to status

Resolution concurring with the Controller's certification that intake and shelter services to status offenders can be practically performed by private contractor for lower cost than similar work services performed by City and County employees; retroactive to July 1, 1999. (Juvenile Probation Department)

9/22/1999, RECEIVED AND ASSIGNED to Finance and Labor Committee.

991765 [State Grant: Y2K Hazardous Materials Project]

Resolution authorizing the Department of Public Health, Population Health and Prevention Division, to accept and expend retroactively grant funds in the amount of \$46,816 from the Office of Emergency Services for the Y2K Hazardous Materials Project and to enter into an agreement which does not include patent infringement indemnification and false claims clauses; waiving indirect costs and providing for ratification of action previously taken. (Public Health Department)

9/21/1999, RECEIVED AND ASSIGNED to Public Health and Environment Committee.

991807 [State Grant to fund the Threat Management/Stalking Prosecution Program to prosecute cases of stalking against women, their children, or other family members]

Resolution authorizing the District Attorney of the City and County of San Francisco to apply for and accept, retroactively, and expend grant funds not to exceed the amount of \$140,000 available through the California Office of Criminal Justice Planning for a project entitled "Threat Management/Stalking Vertical Prosecution" for the twelve month period September 1, 1999 through August 31, 2000, and waiving indirect cost due to funding constraints. (District Attorney)

9/22/1999, RECEIVED AND ASSIGNED to Housing and Social Policy Committee.

- 991809 [Acceptance of two (2) gifts estimated at \$200,000 from the estate of LeMar Hoaglin and \$25,000 from the estate of Beatrice Druhe for patients at San Francisco General Hospital]
Resolution authorizing the Department of Public Health, San Francisco General Hospital to accept and expend gifts bequeathed to San Francisco General Hospital from the estate of LeMar Hoaglin and the estate of Beatrice Druhe. (Public Health Department)
9/22/1999, RECEIVED AND ASSIGNED to Audit and Government Efficiency Committee.
- 991810 [State Grant to be used for the construction/renovation of the Carmel Fallon Building for the Supervisor
Lesbian, Gay, Bisexual, Transgender Community Center at 1800 Market Street] Brown
Resolution authorizing the Mayor's Office of Community Development to apply, accept and to expend, up to \$985,000 in funds from the State Department of Parks and Recreation for restoration of the Carmel Fallon Building for the LGBT Community Center Project. (Mayor)
9/22/1999, RECEIVED AND ASSIGNED to Parks and Recreation Committee.
- 991811 [Ferry Building Lease and Negative Declaration]
Resolution approving lease with Ferry Building Investors, LLC, for the rehabilitation of the Ferry Building (The Embarcadero and Market Street) as a mixed use project; approving Negative Declaration; providing for specific written reports from the Port to the Board of Supervisors. (Port)
(Final Negative Declaration adopted and issued October 1, 1998.)
9/22/1999, ASSIGNED UNDER 30 DAY RULE to Finance and Labor Committee, expires on 10/27/1999.
- 991767 [Private Grant: Universitywide AIDS Research Program]
Resolution authorizing the Department of Public Health, Population Health and Prevention Division, to accept retroactively and expend a grant in the amount of \$145,421 from the University of California Universitywide AIDS Research Program (UARP) and to enter into an agreement which includes rights in data clauses and does not include patent infringement indemnification and false claims clauses; providing for ratification of action previously taken. (Public Health Department)
9/21/1999, RECEIVED AND ASSIGNED to Public Health and Environment Committee.
- 991814 [Petitions and Communications]
Petitions and Communications received from September 16 through noon on September 22, for reference by the President to the Committee considering related matters or to be ordered filed by the Clerk on September 27, 1999.

From Jonathan Irick, submitting support for increased police presence in the South of Market area. Files 99-0745, 99-0759, Small Business, Economic Vitality and Consumer Services Committee (1)

From S.M. Reynolds, inquiring as to why the city is trying to force the club owners of the SOMA area to be "polite" when not required in other "club neighborhoods". Files 99-0745, 99-0759, Small Business, Economic Vitality and Consumer Services Committee (2)

From concerned citizens, submitting opposition to the proposal to connect Fisherman's Wharf with the Castro district via Muni. File 99-1714 2 Letters (3)

From Police Department, responding to request regarding a Police Department policy on compassionate use of medicinal marijuana. Copy: Supervisor Leno (4)

From Don Williams, submitting concerns with Graffiti in San Francisco and suggesting some ways to decrease it. (5)

From Public Policy Committee, submitting copy of letter to Mitchell Katz, Chair, Governing Board, inquiring when a Governing Board hearing will be scheduled to discuss the contract of CEO, Shahnaz Nikpay. Copy: Each Supervisor (6)

From Office of the Treasurer/Tax Collector, submitting report of the cash difference and overage funds for the period ending August 31, 1999. (7)

From the Sheriff's Department, submitting request for waiver of the requirements of Chapter 12B and 12C of the Administrative Code. (8)

From concerned citizens, regarding the South of Market Entertainment District. Files 99-0745, 99-0759, Small Business, Economic Vitality and Consumer Services Committee, 9 Letters (9)

From Bureau of Street-Use and Mapping, regarding the absence of staff at the September 13th Board of Supervisors meeting. Files 99-1353, 99-1354, 99-1355. (10)

From San Francisco International Airport, regarding the SFO Reconfiguration Study and the Special Study. (11)

From John Jenkel, Center for the Preservation of Horses, regarding carriage horses retired from service. File 99-1588, Small Business, Economic Vitality and Consumer Services Committee, Copy: Each Supervisor, 2 Letters (12)

From Partnership for the Public's Health, request for qualifications from Local Health Departments Partnership for the Public's Health Funding, \$18 Million available to Health Departments and Communities. (13)

From Charles L. Smith, regarding recent news articles about the 25th anniversary of the BART "tunnel". (14)

From State Department of Health Services, regarding fiscal year 1999-00 description of proposed expenditures for Healthcare for Indigents Program. (15)

From Office of the Controller Audits Division, submitting report concerning the performance audit of the Commission on the Status of Women. (16)

From Purchasing Department, submitting request for waiver of the requirements of Chapter 12B and 12C of the Administrative Code. (17)

From Candyce J. Hawk, submitting support for the group "Food Not Bombs". (18)

From Sandra White, submitting support to ban live animal markets in San Francisco. (19)

From Tricia Leigh, regarding Central City Hospitality House, youth program shutdown. Copy: Supervisor Ammiano (20)

From GTE Wireless, submitting copy of notification letter to California Public Utilities Commission,

regarding cellular base site at 942 Market Street. (21)

From Dr. Mark H. Conner, regarding dog owners as guardians. (22)

From Jess V. Losa, Jr., suggesting road work (street repair) be done at night instead of during rush hour. (23)

From Therese Koller, regarding Mayor Brown and the Art Commission. (24)

From Eyad Ibrahim, submitting opposition to Planning Commission decision Case No. 1999.360C, regarding liquor license transfer. File 99-0731 (25)

From the Coca-Cola Company, requesting the Commission on the Environment oppose Resolution No. 009-99-COE, regarding recycling. (26)

From Charles Marsteller, urging appeal of the decision by the U.S. District Court lifting San Francisco contribution limits on business, labor, and political parties acting as "independent expenditure committees". File 99-1746, Copy: Each Supervisor, City Attorney, 2 Letters (27)

From concerned citizens, submitting support for a multi-level parking garage in the Hall of Justice area (7th & Bryant). 114 Letters (28)

From concerned citizens, regarding justice for Albert Franco Martin. 2 Letters (29)

From Real Estate Department, responding to request for information about the changes in commercial rents in the Mission district over the last several years. Copy: Supervisor Becerril (30)

From Thomas W. Kim, submitting request for a Type 40 On-Sale Beer License for Thomas W. Kim and Young Joon Noh at 1700 Post Street, basement. Small Business, Economic Vitality and Consumer Services Committee (31)

From Office of the Controller, submitting updated status report on the City's Year 2000 (Y2K) efforts. Copy: Each Supervisor (32)

From Office of the Controller Audits Division, submitting report concerning the audit of the revolving cash fund of the Department of Public Health. (33)

From Public Utilities Commission, submitting a Declaration of a Sewer Emergency on Filbert Street from Van Ness Avenue to Franklin Street and on Rose Street from Gough Street to Market Street. (34)

From Department of the Environment, submitting support for the proposed Healthy Air and Smog Prevention Ordinance. File 99-0624, Finance and Labor Committee (35)

From Ford Motor Company, submitting concerns with the maintenance cost of alternative fuel vehicles. File 99-0624, Finance and Labor Committee (36)

From Department of Public Health, regarding request for release of fiscal year 1999-2000 reserve funds for the Mission SRO Collaborative. Finance and Labor Committee (37)

From Office of the City Attorney, submitting a copy of the amicus curiae brief regarding AT&T v. Portland. File 99-0455 (38)

From concerned citizens, regarding the historical and cultural destruction of Jackson Square. Copy: Each Supervisor, 2 Letters (39)

From Chris Daly, regarding residential hotels putting residents out before 28 days to prevent them from gaining tenancy. (40)

From Beverly Hutchins, regarding the Federal Safety Grant for 2.7 million dollars for the San Francisco Unified School District (41)

From various signators, submitting Form 700 Statement of Economic Interests: (42)
Matthew Lonner, Legislative Assistant to Supervisor Teng

From Association of Bay Area Governments, regarding the procedures for election of the President and Vice President of the Association. Copy: Each Supervisor (43)

From Department of Elections, certifying that the Reparations for Bayview Hunters Point; Declaration of Policy Petition does qualify for the March 7, 2000 Presidential Primary Election in the City and County of San Francisco. (44)

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.

Agenda are available on the internet at www.ci.sf.ca.us/bdsupvrs.bos.htm.

THE AGENDA PACKET IS AVAILABLE FOR REVIEW AT CITY HALL, ROOM 244, RECEPTION DESK.

Board meetings are televised on channel 26. For video tape copies and scheduling call (415) 557-4293.

Results of each Board meeting can be obtained about a half hour after the end of the meeting by telephoning (415) 554-5555.

Requests for foreign language translation at a meeting must be received by the Clerk of the Board of Supervisors at least 48 hours before the meeting. For meetings on a Monday or a Tuesday, the request must be made by noon of the last business day of the preceding week.

Disability access

The Legislative Chamber of the Board of Supervisors is in Room 250 of City Hall, 1 Dr. Carlton B. Goodlett Place. The Chamber is wheelchair accessible.

The closest accessible BART Station is Civic Center, three blocks from City Hall. Accessible MUNI lines serving this location are: #42 Downtown Loop, and the #71 Haight/Noriega and the F Line to Market and Van Ness and the Metro stations at Van Ness and Market and at Civic Center. For more information about MUNI accessible services, call 923-6142.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex.

The following services are available when requests are made by 4:00 p.m. of the Friday before the Board meeting: For American Sign Language interpreters, use of a reader during a meeting, or sound enhancement system, contact Violeta Mosuela at (415) 554-7704.

For a large print copy of agenda or minutes in alternative formats, contact Annette Lonich at (415) 554-7706. In order to assist the City's efforts to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products. Please help the City to accommodate these individuals.

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>