

BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

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

MEETING MINUTES

Monday, July 12, 1999 2:00 PM

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

Regular Meeting

DOCUMENTS DEPT.

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TOM AMMIANO, PRESIDENT

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

Gloria L. Young, Clerk of the Board

BOARD COMMITTEES

Committee Membership

Meeting Days

Audit and Government Efficiency Committee

1st Tuesday
1:00 PM

Supervisors Kaufman, Newsom, Katz

Finance and Labor Committee

Wednesday
10:00 AM

Supervisors Yee, Bierman, Ammiano

Housing and Social Policy Committee

1st and 3rd Tuesday
10:00 AM

Supervisors Teng, Bierman, Becerril

Parks and Recreation Committee

2nd Tuesday
1:00 PM

Supervisors Brown, Newsom, Leno

Public Health and Environment Committee

2nd & 4th Thursday
1:00 PM

Supervisors Bierman, Brown, Yaki

Public Utilities and Deregulation Committee

3rd Tuesday
1:00 PM

Supervisors Ammiano, Yee, Becerril

Rules Committee

2nd & 4th Thursday
10:00 AM

Supervisors Leno, Teng, Kaufman

Small Business, Economic Vitality and Consumer Services Committee

1st and 3rd Thursday
10:00 AM

Supervisors Newsom, Leno, Becerril

Transportation and Land Use Committee

2nd and 4th Tuesday
10:00 AM

Supervisors Katz, Yaki, Yee

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 2:02 p.m. On call of the roll, the following Supervisors were noted absent:

Supervisors Becerril, Katz, Leno, Newsom - 4.

Quorum present.

Supervisor Becerril was noted present at 2:03 p.m.

Supervisor Katz was noted present at 2:04 p.m.

Supervisor Leno was noted present at 2:05 p.m.

Supervisor Newsom was noted present at 2:04 p.m.

APPROVAL OF MEETING MINUTES

Supervisor Yaki, seconded by Supervisor Kaufman, moved to APPROVE the May 10, 1999 Meeting Minutes. The motion carried by the following vote:

Ayes: 8 - Ammiano, Becerril, Bierman, Brown, Kaufman, Teng, Yaki, Yee

Absent: 3 - Katz, Leno, Newsom

CONSENT AGENDA

Recommendations of the Audit and Government Efficiency Committee

991162 [Dian Hunter, et al. v. CCSF, et al.]

Ordinance authorizing settlement of litigation of Dian Hunter against the City and County of San Francisco by payment of \$175,000. (City Attorney)

(S.F. Superior Court No. 993-245.)

PASSED, ON FIRST READING

991169 [Linda Sue Herman v. CCSF, et al.]

Ordinance authorizing settlement of litigation of Linda Sue Herman against the City and County of San Francisco by payment of \$182,000. (City Attorney)

(S.F. Superior Court No. 991-939.)

PASSED, ON FIRST READING

991170 [Reatha Weaver v. CCSF. et al.]

Ordinance authorizing settlement of litigation of Reatha Weaver against the City and County of San Francisco by payment of \$34,250. (City Attorney)

(S.F. Superior Court No. 995-176.)

PASSED, ON FIRST READING

991202 [Gospoden Stephanets v. CCSF, et al.]

Ordinance authorizing settlement of litigation of Gospoden Stephanets against the City and County of San Francisco by payment of \$65,000. (City Attorney)

(S.F. Superior Court No. 993-194.)

PASSED, ON FIRST READING

991203 [Gary Michael Gerdes, et al. v. CCSF, et al.]

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

(S.F. Superior Court No. 995-672.)

PASSED, ON FIRST READING

991204 [Leticia Hayashi, et al. v. CCSF, et al.]

Ordinance authorizing settlement of litigation of Leticia Hayashi against the City and County of San Francisco by payment of \$87,500. (City Attorney)

(S.F. Superior Court No. 991-291.)

PASSED, ON FIRST READING

991205 [Settlement of Claim by City against WEBCOR]

Ordinance authorizing settlement of claim of the City and County of San Francisco against WEBCOR Builders, for complete repair by WEBCOR of Fire Station No. 1, located at 676 Howard Street, plus the performance of \$385,050.89 in extra work by WEBCOR at the Fire Station. (City Attorney)

PASSED, ON FIRST READING

991211 [Lanric Hyland, et al. v. Roy L. Wonder, et al.]

Ordinance authorizing settlement of litigation of Lanric Hyland against Roy L. Wonder, et al., by payment of \$275,000.00 plus interest at ten percent (10%) after June 1, 1999. (City Attorney)

(U.S. District Court No. C90-0646 WHO.)

PASSED, ON FIRST READING

991214 [Emily Anicich v. CCSF]

Ordinance authorizing settlement of litigation of Emily Anicich against the City and County of San Francisco by payment of \$130,000. (City Attorney)

(S.F. Superior Court 993-342.)

PASSED, ON FIRST READING

990005 [Reimbursement to Employees, First Quarter 1999]

Resolution authorizing reimbursement for cost of personal property of City and County employees damaged/stolen in the line of duty. (January, February, March)

Resolution No. 658-99

ADOPTED

991026 [Settlement of Claim, Victoria Mason]

Resolution approving the settlement of the unlitigated claim of Victoria Mason by payment of \$50,000. (City Attorney)

(Claim No. 99-01405.)

Resolution No. 662-99

ADOPTED

991201 [Settlement of Claim, Sharon Petty]

Resolution approving the settlement of unlitigated claim of Sharon Petty by payment of \$50,000. (City Attorney)

(Unlitigated Claim No. 97C79-3.)

Resolution No. 670-99

ADOPTED

Recommendations of the Housing and Social Policy Committee**991059 [Grant - State]**

Resolution authorizing, retroactively, the District Attorney 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 Vertical Prosecution - Elder Abuse" and waiving indirect costs due to funding constraints. (District Attorney)

Resolution No. 643-99

ADOPTED

991219 [Contract to pay for workers at the medical clinic in the Larkin Street Youth Center's HIV Program located at 129 Hyde Street]

Resolution authorizing the Department of Public Health, Community Health Network, Special Programs for Youth, to enter retroactively into a subcontract agreement in the amount of \$22,785 with the Larkin Street Youth Center, the primary contractor, to provide support personnel to the Larkin Street Youth Center HIV Specialty Clinic, which does not include patent infringement indemnification and false claims clauses; waiving indirect costs; providing for ratification of action previously taken. (Department of Public Health)

Resolution No. 673-99

ADOPTED

991220 [Grant funds for computer services needed to complete a study about the Impact of Treatment on Demand on Injection Drug Users in the San Francisco Bay Area]

Resolution authorizing the Department of Public Health, Population Health and Prevention Division, to enter retroactively into a subcontract in the amount of \$4,565 with the University of California Urban Health Study, the primary contractor, to provide data management services for the Urban Health Study which does not include patent infringement indemnification and false claims clauses; waiving indirect costs; providing for ratification of action previously taken. (Department of Public Health)

Resolution No. 674-99

ADOPTED

- 991221 [State Grant funds to provide an Asian and Pacific Islander Parental Stressline and to provide child abuse prevention services in schools and child care centers]
Resolution authorizing the Department of Human Services to retroactively accept and expend a grant increase from the California Department of Social Services in the amount of \$87,324 for fiscal year 1998-1999. (Department of Human Services)
Resolution No. 675-99
ADOPTED
- 991223 [Ford Foundation Grant to support a program to help young women and girls not to become prostitutes]
Resolution authorizing the District Attorney of the City and County of San Francisco to, retroactively, accept and expend one-time funds in the amount of \$120,000 from the Ford Foundation to support the First Offender Prostitution Program and waiving indirect costs due to funding constraints. (District Attorney)
Resolution No. 676-99
ADOPTED
- 991267 [Federal Grant, Mayor's Office of Community Development, for community revitalization efforts in Visitacion Valley neighborhood (five new community facilities - a multi-service center, a senior center and three child care centers).]
Resolution authorizing, retroactively, the Mayor of the City and County of San Francisco to accept and expend Economic Development Initiative (EDI)-Special Project funds in the total amount not to exceed \$700,000 from the U.S. Department of Housing and Urban Development (HUD). (Mayor)
Resolution No. 677-99
ADOPTED

The foregoing items were acted upon by the following vote:

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

Absent: 1 - Leno

REGULAR AGENDA

UNFINISHED BUSINESS

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 26, 1999.

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

Ayes: 11 - Ammiano, Becerril, Bierman, Brown, Katz, Kaufman, Leno, Newsom, Teng, Yaki, 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 requested this matter be tabled.

Supervisor Yaki, seconded by Supervisor Teng, moved that this Charter Amendment be TABLED. 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

ORDERED SUBMITTED by the following vote:

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

Appointment of President Pro Tempore

At the request of the President, Supervisor Yaki assumed the Chair so the President could participate in the debate from the floor concerning the following item.

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.)

Supervisor Bierman requested to be added as co-sponsor.

Second Draft

ORDERED SUBMITTED by the following vote:

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

The President resumed the Chair.

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

ORDERED SUBMITTED by the following vote:

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

NEW BUSINESS

Recommendations of the Finance and Labor Committee

991350 [Budget, 1999-2000]
Mayor

Motion approving Annual Budget of the City and County of San Francisco for Fiscal Year 1999-2000. (Charter Section 9.100 provides the Board shall not adopt the Budget earlier than July 15, 1999 nor later than August 1, 1999.)

(Companion measure to Files 991052, 991086.)

Supervisor Yee presented the fiscal year 1999-2000 Budget Statement to the Board of Supervisors, on behalf of the Finance and Labor Committee (a copy of which is on in the file with the Clerk of the Board of Supervisors).

Continued to July 19, 1999 pursuant to Charter Section 9.100.

Supervisor Newsom, seconded by Supervisor Brown, moved that this Motion be CONTINUED. The motion carried by the following vote:

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

991052 [Annual Appropriation Ordinance FY 1999-2000]
Mayor

Annual Appropriation Ordinance appropriating all estimated receipts and all estimated expenditures for the City and County of San Francisco for fiscal year ending June 30, 2000. (Controller)

(Fiscal impact; Companion measure to Files 991065, 991086)

Continued to July 19, 1999 pursuant to Charter Section 9.100.

Supervisor Newsom, seconded by Supervisor Brown, moved that this Ordinance be CONTINUED. The motion carried by the following vote:

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

991086 [Annual Salary Ordinance, FY 1999-2000]**Mayor**

Annual Salary Ordinance enumerating positions in the annual budget and appropriation ordinance for the fiscal year ending June 30, 2000, continuing, creating or establishing these positions; enumerating and including therein all positions created by Charter or State law for which compensations are paid from City and County funds and appropriated in the annual appropriation ordinance; authorizing appointments or continuation of appointments thereto; specifying and fixing the compensations and work schedules thereof; and authorizing appointments to temporary positions and fixing compensations therefor.

(Fiscal impact: Companion measure to Files 991065, 991052.)

Continued to July 19, 1999 pursuant to Charter Section 9.100.

Supervisor Newsom, seconded by Supervisor Brown, moved that this Ordinance be CONTINUED. The motion carried by the following vote:

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

991132 [Redevelopment Agency Budget and Bonds]

Resolution approving the budget of the Redevelopment Agency of the City and County of San Francisco for fiscal year 1999-2000, and approving the issuance by the Agency of Bonds in an aggregate principal amount not to exceed \$20,000,000 for the purpose of financing redevelopment activities in fiscal year 1999-2000. (Redevelopment Agency)

(Fiscal impact.)

Continued to July 19, 1999.

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

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

991092 [Park and Open Space Fund]

Resolution concurring with the general recommendations of the Park and Open Space Fund for fiscal year 1999-2000, reserving approval or disapproval on specific acquisitions. (Recreation and Parks Department)

(Planning Commission Resolution No. 14823 adopted May 13, 1999, finding the program in the General Manager's Report on the 1999-2000 Park and Open Space Program to be in conformity with the Recreation and Open Space Element of the General Plan; Recreation and Park Commission Resolution 9905-081 dated May 13, 1999, adopting the General Manager's Report on the 1999-2000 Park and Open Space Program.)

Resolution No. 666-99

ADOPTED by the following vote:

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

- 991244 [Authorizing funds for the installation of traffic signal at Eighth Avenue and Clement Street, a high-use intersection in the Inner Richmond commercial district; provide additional funds for Funston/Lincoln new traffic signal]
Supervisor Yaki

Ordinance appropriating and certifying \$78,915 for capital improvement projects (new traffic signal-contract 51 and 50) to cover 10% overage as per Administrative Code Section 6.6, providing for ratification of action previously taken, Department of Public Works, for Fiscal Year 1999-2000.

PASSED, ON FIRST READING by the following vote:

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

- 990963 [License Agreement, Municipal Railway Parking]
Resolution authorizing the retroactive license agreement renewal for parking at the Community Assembly of God Church for the Municipal Railway. (Real Estate Department)

Resolution No. 659-99

ADOPTED by the following vote:

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

- 991019 [Prop J Contract, Convention Facilities Management Services]
Resolution concurring with Controller's certification that convention facilities management operation and services can be practically performed at Bill Graham Civic Auditorium and Moscone Center by private contractor for lower cost than similar services performed by City and County employees. (Administrative Services Department)

Resolution No. 661-99

ADOPTED by the following vote:

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

- 991062 [Prop J Contract, Jail Food Services]
Resolution approving retroactively the Controller's certification that County Jail food service management operations for the City and County of San Francisco can practically be performed by private contractor at a lower cost for the year commencing July 1, 1999, than if work were performed by City and County employees. (Sheriff)

Resolution No. 663-99

ADOPTED by the following vote:

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

- 991063 [Prop J Contract, Pretrial Program]
Resolution approving retroactively the Controller's certification that the Pretrial Diversion Program for the City and County of San Francisco can practically be performed by private contractor at a lower cost for the year commencing July 1, 1999, than if work were performed by City and County employees. (Sheriff)

Resolution No. 664-99

ADOPTED by the following vote:

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

991064 [Prop J Contract, Own Recognizance Project]

Resolution approving retroactively the Controller's certification that the San Francisco Own Recognizance Project for the City and County of San Francisco can practically be performed by private contractor at a lower cost for the year commencing July 1, 1999, than if work were performed by City and County employees. (Sheriff)

Resolution No. 665-99

ADOPTED by the following vote:

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

991129 [Lease: Property owned by the City of San Francisco which is located in Fremont to be used as a playground and parking lot for a neighboring childcare center.]

Resolution authorizing a 10-year lease of Public Utilities Commission land between the City and County of San Francisco and Gan Haw Enterprises, Inc., in (Fremont) Alameda County. (Public Utilities Commission)

Resolution No. 668-99

ADOPTED by the following vote:

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

991168 [Prop J Contract, Budget Analyst Services]

Resolution concurring with the Controller's certification that Budget Analyst services can be practically performed by private contractor for lower cost than similar work services performed by City and County employees. (Clerk of the Board)

Resolution No. 669-99

ADOPTED by the following vote:

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

991206 [Waiving Statute of Limitations with respect to payment of old, expired CCSF warrants to Steven G. Barton in the sum of \$24,034.67.]

Resolution waiving the statute of limitations with respect to payment of certain warrants of the City and County of San Francisco, in the amount of \$24,034.67, a legal obligation of the City and County of San Francisco. (Controller)

Resolution No. 671-99

ADOPTED by the following vote:

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

991207 [License Agreement Amendment: City Park to increase rate from \$70 to \$80/parking space retroactive to April 1, 1999, for 41 vehicles for DHS.]

Resolution authorizing an amendment to license agreement for a parking lot at Colusa Place and Colton Street, San Francisco for the Department of Human Services. (Real Estate Department)

Resolution No. 672-99

ADOPTED by the following vote:

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

Recommendations of the Housing and Social Policy Committee**990623 [Graffiti Abatement Procedures]****Supervisors Teng, Kaufman, Newsom, Yaki, Becerril, Katz, Brown, Bierman, Leno**

Ordinance amending Public Works Code Sections 1304 and 1305 relating to graffiti abatement procedures for subsequent graffiti on the same property for the 12 month period following the initial removal and to exclude owner option to consent to Director's removal of subsequent graffiti on the same property for the 12 month period following the initial removal.

(Amends Sections 1304 and 1305.)

Supervisor Leno requested to be added as co-sponsor.

PASSED, ON FIRST READING by the following vote:

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

991002 [San Francisco CARES Program]**Supervisors Teng, Bierman, Ammiano, Katz, Yaki, Brown, Kaufman, Leno, Newsom, Becerril**

Resolution urging the Department of Children, Youth and Their Families to create and implement a San Francisco C.A.R.E.S (Compensation and Retention Encourage Stability) Program, designed to encourage local child care teachers and providers to continue their education and remain in the child care field by providing incentive stipends to reward child care professionals and family child care providers.

Resolution No. 660-99

ADOPTED by the following vote:

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

Recommendations of the Small Business, Economic Vitality and Consumer Services Committee**990266 [Minority/Women/Local Business Utilization Ordinance - IV]****Supervisor Brown**

Ordinance amending Administrative Code by amending Sections 12D.A2 and 12D.A5 to amend Board findings to include Iranian Americans and to amend the definition of the terms minority, minorities, or minority person to include Iranian Americans.

(Amends Administrative Code Sections 12D.A2 and 12D.A5.)

PASSED, ON FIRST READING by the following vote:

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

991030 [Small Business Commission]
Supervisors Leno, Ammiano, Becerril, Brown, Yee, Yaki, Kaufman, Katz, Bierman, Teng, Newsom

Ordinance amending Administrative Code by repealing current Sections 5.120 through 5.122, regarding the Mayor's Bureau of Small Business and Small Business Advisory Commission, and adopting new Sections 5.120 through 5.122, establishing a Mayor's Office of Small Business Affairs and a Small Business Commission.

(Repeals Sections 5.120 through 5.122, adds new Sections 5.120 through 5.122.)

PASSED, ON FIRST READING by the following vote:

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

991128 [Liquor License Transfer, 1541 Polk Street]

Resolution determining that the transfer of a Type 21 of-sale general alcoholic beverage control license to Daniel P. Kahn for Competition Closeouts, Inc. located at 1541 Polk 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.

Condition: No sales of alcoholic beverages after 10:00 P.M.

Resolution No. 667-99

ADOPTED by the following vote:

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

SPECIAL ORDER 3:00 P.M.**991172 [Appeal, Conditional Use, 1880 Lombard Street]**

Hearing of persons interested in or objecting to the decision of the Planning Commission by its Motion No. 14824, dated May 13, 1999, approving Conditional Use Application No. 98.523C to allow the demolition of a large fast food restaurant structure (Jack in the Box) with surface parking and construction of a three-story mixed-use building containing 27 dwelling units on the upper floors, 10,500 square feet of retail space on the ground floor to be occupied by proposed RITE AID PHARMACY and general convenience store and 46 parking spaces in an underground garage, on a 16,500 square-foot lot in an NC-3 (Moderate-Scale Neighborhood Commercial) District and a 40-X Height and Bulk District, per Planning Code Section 121.1 on property located at 1880 Lombard Street, on the northeast corner of the intersection of Lombard and Buchanan Streets; Lot 12 in Assessor's Block 494.

(Appeal filed by Kelly L. Drumm, Attorney, on behalf of the Magnolia Street Neighbors, 6/14/99; scheduled for July 12, 1999, at 3:00 p.m.)

(Final Negative Declaration adopted and issued March 19, 1999; companion measures to Files 991173, 991174, 991175, 991325)

There being no objection, the project sponsor was asked to answer the question by Supervisor Yaki, concerning whether a Rite Aid is part of this project. Mr. Christopher Meany submitted a letter indicating that Rite Aid is not a tenant at 1880 Lombard and they will not enter into any lease with Rite Aid at 1880 Lombard at any time in the future.

The following persons were sworn in and granted privilege of the floor:

Appellants: Kelley Drumm, representing appellants, Magnolia Street Neighbors; Betty White; Al Brandi; William F. Johansen; Jim Chiosso; Amgad Dawoud; Michael Smith; Carolyn Blair, San Francisco Tree Committee; Anthony Chiosso; Tracy Brandi; Ranny Dean; Mary Flower; Elias Khalil; Gloria Foutainello; Lloyd Schlegel; Annie Krumb; Joan Giraldo; Babbette Drefke.

Respondents: Gerald Green, representing Planning Commission and Planning Department; Alice Barkley; Hans Bardauf; David Wise; Carol Gilbert; Alex Marsh; Steve Carter; male speaker; Patrick Toolie.

A rebuttal period was allowed.

The President then declared the hearing closed.

HEARD AT PUBLIC HEARING.

(Only one of the following two motions should be adopted.)**991173 [Appeal, Conditional Use, 1880 Lombard Street]**

Motion approving decision of the Planning Commission by its Motion No. 14824 approving Conditional Use Application No. 98.532C, on property located at 1880 Lombard Street, on the northeast corner of the intersection of Lombard and Buchanan Streets, and adopting findings pursuant to Planning Code Section 101.1. (Clerk of the Board)

Continued to July 19, 1999.

Supervisor Leno, seconded by Supervisor Bierman, moved that this Motion be CONTINUED. The motion carried by the following vote:

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

991174 [Appeal , Conditional Use, 1880 Lombard]

Motion disapproving decision of the Planning Commission by its Motion No. 14824 approving Conditional Use Application No. 98.532C, on property located at 1880 Lombard Street, on the northeast corner of the intersection of Lombard and Buchanan Streets, and adopting findings pursuant to Planning Code Section 101.1. (Clerk of the Board)

Continued to July 19, 1999.

Supervisor Leno, seconded by Supervisor Bierman, moved that this Motion be CONTINUED. The motion carried by the following vote:

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

991175 [Findings - 1880 Lombard Street]

Motion directing the Clerk of the Board to prepare findings relating to proposed Conditional Use Application No. 98.523C, on property located at 1880 Lombard Street, on the northeast corner of the intersection of Lombard and Buchanan Streets, for action by the Board at its next meeting. (Clerk of the Board)

Continued to July 19, 1999.

Supervisor Leno, seconded by Supervisor Bierman, moved that this Motion be CONTINUED. The motion carried by the following vote:

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

Appointment of President Pro Tempore

At the request of the President, Supervisor Yaki assumed the Chair.

The President resumed the Chair shortly thereafter.

PUBLIC COMMENT

Aja Monet, public restroom;

Eula Walters, transfer Ferry Park to Recreation and Park Department;

Female speaker, workfare workers hours;

Abdula Megahed, support women athletes;

Al Hirst, park proposal, infrastructure, nature preservation, National guards;

Male speaker, Organize with Power, workfare workers;

Clarissa Cowan, read letters from home care workers support dental plan;

Leboria P. Smoore, African Americans in jails, jobs for poor people;

Louise Vaughn, time limit on public comment, workfare, home care workers;

Bruce Allison, \$9 dental for home care workers;

Carl Kramer, home care workers, workfare workers

Leon Chow, home care workers funding ;

Ron Fishman, taxi cab gate cap;

Edmund, home care worker funding.

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.

**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 make another application to purchase that concealable firearm.

Supervisor Katz requested to be added as co-sponsor.

Resolution No. 678-99

ADOPTED

**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.

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

Resolution No. 679-99

ADOPTED

**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.)

Supervisor Bierman requested to be added as co-sponsor.

Resolution No. 680-99

ADOPTED

**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.

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

Resolution No. 681-99

ADOPTED

**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.

Resolution No. 682-99

ADOPTED

**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.

Resolution No. 683-99

ADOPTED

**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.

Supervisor Becerril requested to be added as co-sponsor.

Resolution No. 684-99

ADOPTED

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.

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

Resolution No. 685-99

ADOPTED

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.

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

Resolution No. 686-99

ADOPTED

991331 [Commendation]
Supervisor Yee

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

Resolution No. 687-99

ADOPTED

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.

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

Resolution No. 688-99

ADOPTED

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.

Supervisor Becerril requested to be added as co-sponsor.

Resolution No. 689-99

ADOPTED

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 40I to require that candidates' names on the official ballot and any sample ballots also appear in Chinese characters.

Motion No. M99-76

APPROVED

The foregoing items were acted upon by the following vote:

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

IMPERATIVE AGENDA

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

[Purely Commendatory Finding]

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

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

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

[Brown Act Finding]

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

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

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

Imperative Resolution

991359 [Proclamation]
Supervisor Bierman

Resolution declaring July 17, 1999, "Books By the Bay Day" in San Francisco and commending the Northern California Independent Booksellers Association for its efforts on behalf of independent bookselling.

Resolution No. 690-99

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

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

OFF-CALENDAR LEGISLATION**Introduced by Supervisors or Mayor****Ordinances**

990376 [Cable Television Franchise Amendments]

Ordinance amending Ordinance No. 105-64, as amended most recently by Ordinance No. 42-97, by amending Section 25 regarding grantee's rebuild of the San Francisco Cable System, by amending definitions in Sections 32.10, and 32.18, and by adding Sections 31(i), 31(j), 32.22, 32.23, and 32.24. (Mayor)

(Companion measure to File 990375.)

2/24/99, RECEIVED AND ASSIGNED to Public Utilities and Deregulation Committee.

3/1/99, ASSIGNED UNDER 30 DAY RULE.

7/12/99, CALLED FROM COMMITTEE to Board of Supervisors.

Supervisor Becerril submitted a proposed amendment of the whole bearing new title, dated July 7, 1999 and requested a copy be placed in the file.

Supervisor Becerril requested this matter be scheduled July 26, 1999, at 3:00 p.m. with Board of Supervisors Sitting as a Committee of the Whole.

No objection and Clerk directed to comply.

CALLED FROM COMMITTEE to the Board of Supervisors.

**991326 [Discrimination Against Iranian Americans in City Contracting and Amending the Definition to include Iranian Americans with Arab Americans]
Supervisor Brown**

Ordinance amending Administrative Code by amending Sections 12D.A2 and 12D.A5 thereof, to amend Board findings regarding discrimination against Iranian Americans in city contracting, and to amend the definition of the terms "minority", "minorities", or "minority person" to group Iranian Americans with Arab Americans.

(Amends Sections 12D.A2 and 12D.A5.)

7/12/99, ASSIGNED UNDER 30 DAY RULE to Small Business, Economic Vitality and Consumer Services Committee, expires on 8/11/1999.

**991327 [Disposition process for real Property and providing that the proceeds from the sale of property be used for transportation purposes to the extent required by Section 72 of the Streets and Highways Code]
Supervisor Katz**

Ordinance approving and authorizing a request for proposals process for the disposition of certain real property located between Spear and Main Streets near Folsom Street, comprising a portion of the former Caltrans right-of-way and described as Block 3740, Lot 27; requiring that the final agreement for disposition and development of the property be subject to Board of Supervisors approval by resolution; and adopting findings that the proposed disposition process is consistent with the City's General Plan and eight priority policies of Planning Code Section 101.1.

7/12/99, RECEIVED AND ASSIGNED to Finance and Labor Committee.

**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.)

7/12/99, ASSIGNED UNDER 30 DAY RULE to Audit and Government Efficiency Committee, expires on 8/11/1999.

**991365 [Administrative Code Revision, Chapter 8]
Supervisor Kaufman**

Ordinance amending Administrative Code Section 8.15 (posting departmental rules) and by repealing Sections 8.12-2, 8.12-2.1, 8.12-3, 8.13-1, 8.13-2, 8.18, 8.19 and 8.20 (Bicentennial Corporation, copies of Charter, proceeds from copies, inscription of account books, compliance with inscription requirements and 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.)

7/12/99, ASSIGNED UNDER 30 DAY RULE to Audit and Government Efficiency Committee, expires on 8/11/1999.

Resolutions**990375 [Transfer of Control over Cable Franchisee]**

Resolution approving transfer of control over Television Signal Corporation, San Francisco cable television franchise grantee, from Telecommunications, Inc. to AT&T Corporation upon certain conditions. (Mayor)

(Companion measure to File 990376.)

2/24/99, RECEIVED AND ASSIGNED to Public Utilities and Deregulation Committee.

3/1/99, ASSIGNED UNDER 30 DAY RULE.

7/12/99, CALLED FROM COMMITTEE to Board of Supervisors.

Supervisor Becerril submitted a proposed amendment of the whole bearing same title, dated June 18, 1999 and requested a copy be placed in the file.

Supervisor Becerril requested this matter be scheduled July 26, 1999, at 3:00 p.m. with Board of Supervisors Sitting as a Committee of the Whole.

No objection and Clerk directed to comply.

CALLED FROM COMMITTEE to the Board of Supervisors.

991366 [City Information Public Display Pilot Project]

Supervisor Becerril

Resolution establishing a pilot project within the Department of Public Works to publicly display city information for the benefit of San Francisco residents.

7/12/99, RECEIVED AND ASSIGNED to Transportation and Land Use Committee.

991367 [State Legislation, AJR 26, Asian Pacific Islander Americans Human Rights]

Supervisors Yee, Katz

Resolution supporting AJR 26 relating to Asian Pacific Americans.

7/12/99, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

991368 [State Legislation, AJR 27, World War II War Crimes]

Supervisors Yee, Katz

Resolution supporting AJR 27 relating to war crimes committed by the Japanese military during World War II.

7/12/99, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**991369 [Janitorial Workers Labor Negotiations]
Supervisors Ammiano, Bierman, Katz**

Resolution urging janitorial contractors, building owners and Service Employees International Union Local 87 to enter into negotiations and reach a timely and successful conclusion.

7/12/99, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**991370 [State Legislation, AB 359, Medi-Cal Disproportionate Share Hospitals]
Supervisors Becerril, Bierman, Katz**

Resolution urging the California State Legislature and Governor Davis to approve Assembly Bill 359 requiring that the contribution by transferor entities under the Medi-cal Disproportionate Share Hospital program for the 1999-2000 fiscal year be reduced by up to \$40 million.

7/12/99, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**991371 [State Legislation, SB 613, Office of Multicultural Health]
Supervisors Brown, Katz, Becerril, Bierman**

Resolution urging Assembly member Martin Gallegos to support Senate Bill 613, which would establish an Office of Multicultural Health within the Department of Health Services.

7/12/99, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**991372 [State Legislation, SB 1154, Cancer Treatment Funding]
Supervisors Kaufman, Teng, Becerril, Katz, Bierman, Newsom**

Resolution supporting SB 1154 (Speier), the Universal Breast and Gynecological Cancer Treatment Act, which provides up to 24 months of comprehensive medical care coverage for uninsured and underinsured women.

7/12/99, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**991373 [Greensboro Massacre]
Supervisors Katz, Bierman, Brown, Leno, Yaki, Newsom, Yee, Ammiano**

Resolution commemorating the 20th Anniversary of the Greensboro Massacre and declaring November 3, 1999 Greensboro Massacre Remembrance Day in San Francisco.

7/12/99, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

- 991374 [Commendation]
Supervisors Becerril, Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Newsom, Teng, Yaki, Yee
- Resolution congratulating the United States Women's Soccer Team on its World Cup Championship at the Rose Bowl in Pasadena, California on July 10, 1999.
7/12/99, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 991375 [Commendation]
Supervisors Leno, Bierman
- Resolution commending Mr. Bruce Mirken for his excellence in chronicling the stories of troubled gay youth and the abuses committed against them.
7/12/99, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 991376 [Commendation]
Supervisors Leno, Ammiano, Kaufman, Bierman, Newsom, Katz, Becerril
- Resolution commending City Carshare for promoting car-sharing as a community-based transportation option in San Francisco.
7/12/99, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 991386 [Community Aggregation of Electricity]
Supervisor Ammiano
- Resolution urging the California Legislature to amend the State's electric deregulation law, Chapter 854 of 1996, Sections 366(A) and (B) to authorize San Francisco and any other California municipal corporation, upon a majority vote of its governing body or registered voters, to designate itself as the automatic aggregator of electricity on behalf of its residents and businesses, such that residents and businesses shall be automatically included in the jurisdiction's community aggregated electricity buyers' group, unless exercising a choice for the existing electrical corporation or another provider.
7/12/99, RECEIVED AND ASSIGNED to Public Utilities and Deregulation Committee.

Requests for Hearing

- 991377 [Catastrophic Sick Leave and Long-Term Disability Task Force Recommendations]
Supervisor Ammiano
- Hearing to consider the Catastrophic Sick Leave and Long-Term Disability Task Force July 1999 recommendations.
7/12/99, RECEIVED AND ASSIGNED to Finance and Labor Committee.

**991378 [HOPE VI Tenant Protection]
Supervisor Ammiano**

Hearing to consider the creation of a tenant protection act for the purpose of safeguarding the rights of residents at H.O.P.E. VI public housing sites and preserving low-income units.
7/12/99, RECEIVED AND ASSIGNED to Finance and Labor Committee.

**991379 [Violence Against Prostitutes]
Supervisor Ammiano**

Hearing to inquire into the social etiology of violence perpetrated against both female and male prostitutes and strategies to mitigate such violence.
7/12/99, RECEIVED AND ASSIGNED to Finance and Labor Committee.

**991380 [Polk Street Businesses]
Supervisor Becerril**

Hearing to explore the status and health of the commercial area of Polk Street, from California to Union Streets, and to particularly determine the causes of an unusually high commercial vacancy rate along that strip
7/12/99, RECEIVED AND ASSIGNED to Small Business, Economic Vitality and Consumer Services Committee.

**991381 [Package Scanners at City Hall]
Supervisor Brown**

Hearing to consider the feasibility of installing package scanners at security check points throughout City Hall.
7/12/99, RECEIVED AND ASSIGNED to Housing and Social Policy Committee.

**991382 [Preserving Doggie Diner and the Carousel]
Supervisor Newsom**

Hearing to consider the Landmarks Preservation Board's recommendation to designate Doggie Diner a landmark for upcoming Planning Commission's meeting on the matter and the leasee's status in the building.
7/12/99, RECEIVED AND ASSIGNED to Small Business, Economic Vitality and Consumer Services Committee.

**991388 [PG&E Power Outage December 8, 1998]
Supervisor Ammiano**

Hearing to consider the December 8, 1998 PG&E power outage.
7/12/99, RECEIVED AND ASSIGNED to Public Utilities and Deregulation Committee.

Motions**991383 [Suspend 30 Day Rule]****Supervisor Teng**

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 draft ordinance which would require the Fire Department and Department of Building Inspection to prepare the 1998 Interim Codes as legislative drafts.

7/12/99, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

991384 [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.

7/12/99, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

991385 [Potential Litigation]**Supervisor Becerril**

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.

7/12/99, REFERRED to Board of Supervisors. At the request of Supervisor Becerril, there being no objection, this matter will be placed on the July 26, 1999 Board agenda.

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

- 991177 [Public Works Code, Administrative Penalties for Excavation]
Supervisor Katz

Ordinance amending Public Works Code Sections 2.4.80 and 2.4.81 to allow the Director of Public Works to charge municipal excavators that violate Article 2.4 with administrative penalties and to increase the administrative penalty assessed for excavation work without a permit.

6/14/99, ASSIGNED UNDER 30 DAY RULE to Transportation and Land Use Committee, expires on 7/14/1999.

7/7/99, SUBSTITUTED.

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

- 991304 [Planning Code amendment to rename "Office Affordable Housing Production Program" as the "Jobs-Housing Linkage Program" and to apply the program to hotel, entertainment, and retail space according to square footage]
Supervisor Teng

Ordinance amending Planning Code by amending Sections 313, 313.1, 313.2, 313.3, 313.4, 313.5, 313.6, 313.7, 313.8, 313.9, 313.10, 313.11, 313.12, 313.13, and 313.14, and by adding Section 313.15, to rename the "Office Affordable Housing Production Program" as the "Jobs-Housing Linkage Program," to apply the program to all new and expanded hotel space of at least 25,000 square feet, to all new and expanded entertainment space of at least 50,000 square feet, and to all new and expanded retail space of at least 100,000 square feet, and by amending Section 314.1 of the childcare ordinance to conform to the new definition of "hotel." (Planning Department)

(Amends Sections 313, 313.1, 313.2, 313.3, 313.4, 313.5, 313.6, 313.7, 313.8, 313.9, 313.10, 313.11, 313.12, 313.13, 313.14, 314.1; adds Section 313.15; Final Negative Declaration dated April 27, 1999; Planning Commission Resolution No. 14832 adopted June 3, 1999 recommending proposed amendments to the Planning Code.)

6/30/99, RECEIVED AND ASSIGNED to Housing and Social Policy Committee.

991315 [Amending Administrative Code, Residential Rent Control Chapter, to include the technical changes to conform local law with the State Costa-Hawkins Rental Housing Act]

Ordinance amending San Francisco Administrative Code Chapter 37 (Residential Rent Stabilization and Arbitration Ordinance) by amending Sections 37.2 and 37.3 in order to implement and conform to the Costa-Hawkins Rental Housing Act (California Civil Code Sections 1954.50, Et Seq.), including provision of property owner rights to establish initial and subsequent rental rates for separately alienable parcels, and including conditions for establishing the initial rental rate upon sublet or assignment; and amending San Francisco Administrative Code Chapter 37A (Residential Rent Stabilization and Arbitration Fee) by amending Section 37A.1, to provide that Chapter 37A fees remain applicable to defined residential units which are exempt from the rent increase limitation provisions of Chapter 37 but which are not exempt from other provisions of Chapter 37 pursuant to the Costa-Hawkins Rental Housing Act and/or its implementing provisions as contained in San Francisco Administrative Code Section 37.3(a)(8). (Rent Stabilization and Arbitration Board)

(Amends Sections 37.2, 37.3, 37A.1)

7/2/99, RECEIVED AND ASSIGNED to Housing and Social Policy Committee.

PROPOSED RESOLUTIONS

991305 [Agreement with the University of California Institute of Health Policy Studies to evaluate the impact of drug abuse treatment on demand in San Francisco]

Resolution authorizing the Department of Public Health, Population Health and Prevention Division, to enter retroactively into a subcontract in the amount of \$87,864 with the University of California Institute of Health Policy Studies, the primary contractor, to support research activities to evaluate the impact of treatment on demand policies, which does not include patent infringement indemnification and false claims clauses; providing for ratification of action previously taken. (Department of Public Health)

6/30/99, RECEIVED AND ASSIGNED to Public Health and Environment Committee.

**991307 [Final Negative Declaration, Jobs-Housing Linkage Ordinance]
Supervisor Teng**

Resolution adopting Final Negative Declaration, finding and determining that the Jobs-Housing Linkage Ordinance will have no significant impact on the environment, and adopting and incorporating findings of final negative declaration. (Planning Commission)

(Final Negative Declaration adopted and issued on April 27, 1999; companion measure to File 991304.)

6/30/99, RECEIVED AND ASSIGNED to Housing and Social Policy Committee. Companion measure to File 991304.

991313 [Grant from the California Youth Authority to fund the Second Chance Tattoo Removal Program which is designed to serve high-risk youth in San Francisco]

Resolution authorizing the Department of Public Health, Community Health Network, to accept retroactively and expend grant funds in the amount of \$71,000 from the California Youth Authority for the Second Chance Tattoo Removal 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. (Department of Public Health)

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

991314 [Federal Grant for implementation of Phase 2 of the Integrated Transportation Management Plan focusing on streets affected by Pacific Bell Park, I-80 ramp project, Moscone Center, and areas North and South of Market Street]

Resolution authorizing the Executive Director of the Department of Parking and Traffic to retroactively apply for, accept, and expend up to \$2,655,000 in Federal Surface Transportation Management Program/Congestion Management and Air Quality Improvement Program (STP/CMAQ) grants with required local matching funds of \$345,000 and a waiver of indirect costs to implement the second phase of the San Francisco Integrated Transportation Management System (ITMS). (Department of Parking and Traffic)

7/2/99, RECEIVED AND ASSIGNED to Transportation and Land Use Committee.

Requests Granted

By Supervisor Yee, that letter be sent to the City Attorney requesting ordinance be prepared which would amend the Public Works Code Article 5.4 to allow for regulations for notification requirements prior to installation of public toilets and increase the current requirement to notify property owners within 150 feet to a new required notification distance of 300 feet.

By Supervisor Yee, that letter be sent to the General Manager, Recreation and Park Department, to determine the maintenance and rehabilitation needs of playgrounds and parks on the west side of the City.

By Supervisor Ammiano, that letter be sent to the City Attorney requesting legislation be prepared which would implement the recommendations of the Catastrophic Sick Leave and Long-term Disability Task Force.

By Supervisor Becerril, that letter be sent to the Director, Department of Telecommunications and Information Services inquiring as to the feasibility of establishing a single, central e-mail address other than webmaster@ci.sf.ca.us for public comments, complaints and questions related to City services and information.

By Supervisor Newsom, that letter of inquiry be sent to the Public Utilities Commission concerning housing for San Francisco Water Department employees at Crystal Springs Watershed and the criteria for access to all of the lakes of the Crystal Springs Watershed.

By Supervisor Teng, that letter be sent to the Parking Authority requesting a survey of the West Portal neighborhood to determine the level of community support for creating an additional parking facility.

By Supervisor Teng, that letters be sent to the City Attorney, District Attorney and Police Chief to inquire what can be done to identify the individual(s) or organization behind the hate flyer against the Chinese entitled "What About Us White's" which was distributed in the Sunset neighborhood.

In Memoriams

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

Dave Sarvis (Supervisor Bierman)

Arnold Michaels (Supervisor Kaufman)

Anne Hanlon Charles (Supervisors Kaufman, Katz)

Paul Decuir (Supervisor Ammiano)

Rev. John Henry Lane (By the entire Board)

ADJOURNMENT

There being no further business, the Board at the hour of 5:50 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 23, 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