

# BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

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

## MEETING MINUTES

DOCUMENTS DEPT.

Monday, December 20, 1999 2:00 PM

JUN - 5 2000

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

SAN FRANCISCO  
PUBLIC LIBRARY

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**

### BOARD COMMITTEES

#### Committee Membership

#### Meeting Days

##### **Audit and Government Efficiency Committee**

Supervisors Kaufman, Newsom, Katz

1st Tuesday  
1:00 PM

##### **Finance and Labor Committee**

Supervisors Yee, Bierman, Ammiano

Wednesday  
10:00 AM

##### **Housing and Social Policy Committee**

Supervisors Teng, Bierman, Becerril

1st and 3rd Tuesday  
10:00 AM

##### **Joint School Board/Board of Supervisors Committee**

Supervisors Owens, Chong, Ammiano, Yee

Quarterly, 4th Wednesday  
3:00 PM

##### **Parks and Recreation Committee**

Supervisors Brown, Newsom, Leno

2nd Tuesday  
1:00 PM

##### **Public Health and Environment Committee**

Supervisors Bierman, Brown, Yaki

2nd & 4th Thursday  
1:00 PM

##### **Public Utilities and Deregulation Committee**

Supervisors Ammiano, Yee, Becerril

3rd Tuesday  
1:00 PM

##### **Rules Committee**

Supervisors Leno, Teng, Kaufman

2nd & 4th Thursday  
10:00 AM

##### **Small Business, Economic Vitality and Consumer Services Committee**

Supervisors Newsom, Leno, Becerril

1st and 3rd Thursday  
10:00 AM

##### **Transportation and Land Use Committee**

Supervisors Katz, Yaki, Yee

2nd and 4th Tuesday  
10:00 AM

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

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

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## 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 - 2.*

*Quorum present.*

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

*Supervisor Katz was noted present at 2:03 p.m.*

## APPROVAL OF MEETING MINUTES

Supervisor Leno, seconded by Supervisor Yee, moved to APPROVE the Monday, November 15, 1999 Meeting Minutes. The motion carried by the following vote:

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

## SPECIAL ORDER 2:00 PM

### Recommendations of Finance and Labor Committee

992214 [Ballot Argument, Parks and Recreation Facilities and Properties]  
Supervisor Newsom

Motion authorizing proponent's ballot argument in favor of Proposition A, a bond measure regarding parks and recreation facilities and properties.

Motion No. M99-149

APPROVED by the following vote:

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

**992215 [Ballot Argument, California Academy of Sciences]  
Supervisor Yaki**

Motion authorizing proponent's ballot argument in favor of Proposition B, a bond measure regarding California Academy of Sciences.

Motion No. M99-150

**APPROVED** by the following vote:

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

**Recommendations of Rules Committee**

**992217 [Ballot Argument, Park, Recreation and Open Space Fund]  
Supervisor Newsom**

Motion authorizing proponent's ballot argument in favor of Proposition C, a charter amendment regarding Park, Recreation and Open Space Fund, revenue bonds, Recreation and Park Department.

Motion No. M99-152

**APPROVED** by the following vote:

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

**992216 [Ballot Argument, Medical and Retirement Benefits for Members of the Board of Supervisors]  
Supervisor Ammiano**

Motion authorizing proponent's ballot argument in favor of Proposition D, a charter amendment regarding medical and retirement benefits for members of the Board of Supervisors.

Motion No. M99-151

**APPROVED** by the following vote:

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

## CONSENT AGENDA

### Recommendations of the Audit and Government Efficiency Committee

**992043 [Administrative Code Revision, Chapters 15, 16 and 19A]  
Supervisors Kaufman, Newsom**

Ordinance amending Administrative Code, Chapters 15 (Mental Health); 16 (Officers and Employees) and 19A (Public Health) by adding new Sections 15.1 (Definitions) and 15.19 (Alcoholism Advisory Board); repealing Sections 15.6, 15.8, 15.11, 15.12, 15.12-1, 15.12-2, 15.12-3, 15.12-4, 15.12-5, 15.12-6 and 16.803; renumbering Sections 15.1, 15.3, 15.4, 15.4-1, 15.5, 16.800, 16.801, and 16.802 as Sections 15.10, 15.12, 15.13, 15.14, 15.15, 15.20, 15.21, and 15.22 respectively and renumbering Sections 15.2, 15.7-1, 15.9 and 19A.14 as Sections 15.11, 15.16, 15.17 and 15.18, respectively and amending the same, to consolidate the chapters and to eliminate out-dated and obsolete provisions; by adding a new Section 15.100 and renumbering Sections 19A.18, 19A.22, 19A.19 and 19A.36 as Sections 15.101, 15.102, 15.103, and 15.104, respectively; to create a new Article II ("Public Health Contracts") to Chapter 15; and by repealing Sections 19A.1, 19A.2, 19A.3, 19A.4, 19A.6, 19A.7, 19A.8, 19A.9, 19A.10, 19A.12, 19A.13, 19A.15, 19A.17, 19A.20, 19A.21, 19A.23, 19A.25, 19A.26, 19A.31, 19A.32, 19A.33, 19A.34, 19A.35, 19A.37, 19A.38, 19A.39 and 19A.40 to eliminate out-dated and obsolete provisions relating to contract approvals.

(Adds new Sections 15.1 and 15.19; repeals Sections 15.6, 15.8, 15.11, 15.12, 15.12-1, 15.12-2, 15.12-3, 15.12-4, 15-5, 15.12-6 and 16.803; renumbers Sections 15.1, 15.3, 15.4, 15.4-1, 15.5, 16.800, 16.801, and 16.802 as Sections 15.10, 15.12, 15.13, 15.14, 15.15, 15.20, 15.21, and 15.22; renumbers Sections 15.2, 15.7-1, 15.9 and 19A.14 as Sections 15.11, 15.16, 15.17 and 15.18; adds a new Section 15.100; renumbers Sections 19A.5, 19A.18, 19A.22, 19A.19 and 19A.36 as Sections 15.101, 15.102, 15.103, 15.104 and 15.105; to create a new Article II ("Public Health Contracts") to Chapter 15; repeals Sections 19A.1, 19A.2, 19A.3, 19A.4, 19A.6, 19A.7, 19A.8, 19A.9, 19A.10, 19A.12, 19A.13, 19A.15, 19A.17, 19A.20, 19A.21, 19A.23, 19A.25, 19A.26, 19A.31, 19A.32, 19A.33, 19A.34, 19A.35, 19A.37, 19A.38, 19A.39 and 19A.40.)

Ordinance No. 337-99  
**FINALLY PASSED**

**992044 [Administrative Code Revision, Chapter 17]  
Supervisors Kaufman, Newsom, Brown**

Ordinance amending Administrative Code Section 17.1 to correct a statutory reference and amending Section 17.14 regarding trial and special event rates for the use of parking facilities under the jurisdiction of the Parking and Traffic Commission.

(Amends Sections 17.1 and 17.14.)

Ordinance No. 338-99  
**FINALLY PASSED**

**992045 [Administrative Code Revision, Chapter 20]  
Supervisors Kaufman, Newsom**

Ordinance amending Administrative Code Sections 20.1 and 20.8 to correct references to the Department of Human Services and repealing Sections 20.1-1, 20.8-1, 20.8-2, 20.9, 20.10, 20.11, 20.20, 20.21, 20.22, 20.23, 20.24, 20.25, 20.25-2, 20.26, 20.27, 20.28, 20.30, 20.33, 20.34, 20.35, 20.36, 20.37, 20.38, 20.38-1, 20.39, 20.40, 20.40-1, 20.42, 20.43, 20.44, 20.45, 20.46, 20.47 and 20.53, regarding the Department of Human Services, to eliminate out-dated and obsolete provisions.

(Amends Sections 20.1 and 20.8; repeals Sections 20.1-1, 20.8-1, 20.8-2, 20.9, 20.10, 20.11, 20.20, 20.21, 20.22, 20.23, 20.24, 20.25, 20.25-2, 20.26, 20.27, 20.28, 20.30, 20.33, 20.34, 20.35, 20.36, 20.37, 20.38, 20.38-1, 20.39, 20.40, 20.40-1, 20.42, 20.43, 20.44, 20.45, 20.46, 20.47 and 20.53.)

Ordinance No. 339-99

**FINALLY PASSED**

**992046 [Administrative Code Revision, Chapter 58, Conflict of Interest Code]  
Supervisors Kaufman, Newsom**

Ordinance amending Administrative Code Sections 58.1, 58.2, 58.7, 58.8, 58.9, 58.105, 58.110, 58.115, 58.120, 58.145, 58.150, 58.155, 58.170, 58.175, 58.180, 58.185, 58.190, 8.200, 58.201, 58.202, 58.205, 58.220, 58.225, 58.275, 58.315, 58.320, 58.375, 58.380, 58.385, 58.390, 58.405, deleting sections 58.9, 58.168, 58.177, 58.195, 58.198, 58.267, 58.272, 58.310, 58.232, 58.340, 58.357, 58.382, 58.383, 58.405, and 58.500, and adding new Sections 58.100, 58.140, 58.160, 58.203, 58.204, 58.206, 58.216, 58.242, 58.257, 58.295, 58.355, 58.395, 58.400, 58.410, 58.415, 58.420 to reorganize and renumber sections in alphabetical order and make other nonsubstantive technical changes; to reflect organizational changes for the Transportation Authority; and to add the Children and Families First Commission, the Taxi Commission, the Treasure Island Development Authority and the Citizens Advisory Committee to the Redevelopment Agency.

(Amends Sections 58.1, 58.2, 58.7, 58.8, 58.9, 58.105, 58.110, 58.115, 58.120, 58.145, 58.150, 58.155, 58.168, 58.170, 58.175, 58.177, 58.180, 58.185, 58.190, 58.195, 58.198, 58.200, 58.201, 58.202, 58.205, 58.220, 58.225, 58.267, 58.272, 58.275, 58.310, 58.315, 58.320, 58.323, 58.340, 58.357, 58.375, 58.380, 58.382, 58.383, 58.385, 58.390, 58.405, 58.500; adds new Sections 58.145, 58.385 and 58.400.)

Ordinance No. 340-99

**FINALLY PASSED**

**992107 [Settlement of Lawsuit, Darcel Grace]**

Ordinance authorizing settlement of litigation of Darcel Grace against the City and County of San Francisco by payment of \$131,050.00. (City Attorney)

(U.S. District Court No. C98-3090 CRB.)

Ordinance No. 341-99

**FINALLY PASSED**

- 992108 [Settlement of Lawsuit, Sharon Norris]  
Ordinance authorizing settlement of litigation of Sharon Norris against the City and County of San Francisco by payment of \$50,000. (City Attorney)  
  
(S.F. Superior Court No. 975-399.)  
Ordinance No. 342-99  
**FINALLY PASSED**
- 992109 [Settlement of Lawsuit, Iokhvetta Altman, Vita Burmenko and Marianna Burmenko]  
Ordinance authorizing settlement of litigation of Iokhvetta Altman, Vita Burmenko and Marianna Burmenko against the City and County of San Francisco by payment of \$210,000. (City Attorney)  
  
(S.F. Superior Court No. 990-594.)  
Ordinance No. 334-99  
**FINALLY PASSED**
- 992137 [Settlement of Lawsuit, Ran Erez]  
Ordinance authorizing settlement of litigation of Ran Erez against the City and County of San Francisco by the receipt of \$102,081.45. (City Attorney)  
  
(S.F. Superior Court No. 304-955.)  
Ordinance No. 343-99  
**FINALLY PASSED**
- 992138 [Settlement of Lawsuit, Bobby Lee Addison]  
Ordinance authorizing settlement of litigation of Bobby Lee Addison against the City and County of San Francisco by payment of \$47,500.00 (City Attorney)  
  
(S.F. Superior Court No. 998-450.)  
Ordinance No. 344-99  
**FINALLY PASSED**
- 991951 [Settlement of Lawsuit, Ideal Paint Co., Inc. vs. CCSF, and Consolidated Actions]  
Ordinance authorizing the settlement of the litigation between the City and County of San Francisco ("City") and John Shimmick Construction, Inc./Obayashi, Joint Venture, and Foundation Constructors, Inc. (collectively referred to as "Shimmick") in the lawsuits consolidated under Ideal Paint Co., Inc. vs. City and County of San Francisco, and Consolidated Actions. (City Attorney)  
  
(S.F. Superior Court No. 967-708.)  
Ordinance No. 336-99  
**FINALLY PASSED**

### Recommendations of the Finance and Labor Committee

**992185 [Government Funding, Superior Court]**

Ordinance rescinding and reappropriating \$17,843, professional services to salaries and fringe benefits and creating one (1) position for the Superior Court for fiscal year 1999-2000. (Controller)

(Companion measure to File 992186.)

Ordinance No. 345-99

**FINALLY PASSED**

**992186 [Public Employment, Superior Court]**

Ordinance amending Ordinance No. 209-99 (Annual Salary Ordinance, 1999-2000, reflecting the creation of one position (Class 0366 Dependency Mediation Assistant), for the Superior Court. (Department of Human Resources)

(Companion measure to File 992185.)

Ordinance No. 346-99

**FINALLY PASSED**

**992203 [Authorizing PTC as grant recipient of funds on behalf of the Port for its Ferry Building project, to expand ferry service into and out of downtown San Francisco]**

Resolution authorizing the Public Transportation Commission to accept and expend \$1,594,500 of Federal Interstate Transfer capital assistance for one Port of San Francisco capital project, excluding administrative overhead costs. (Public Transportation Commission)

Resolution No. 1141-99

**ADOPTED**

### Recommendations of the Housing and Social Policy Committee

**992197 [Renaming Hearing Officers (arbitrates rental increase disputes), as Administrative Law Judges] Supervisor Newsom**

Ordinance amending Chapter 37 of the San Francisco Administrative Code ("Residential Rent Stabilization and Arbitration Ordinance") to reflect the Civil Service reclassification of Hearing Officers as Administrative Law Judges, by amending all references to "Hearing Officer(s) in Sections 37.2, 37.3, 37.5, 37.6, 37.7, 37.8, 37.8A, 37.8B, 37.9, and 37.10, to be references to "Administrative Law Judge(s)." (Rent Stabilization and Arbitration Board)

Ordinance No. 347-99

**FINALLY PASSED**

- 991265 [Amending Rent Control Ordinance to delete provision that a landlord shall not evict under the Ellis Act unless no other cause exists, specify notice requirements and place other requirements on Rent Board required under State law known as the Ellis Act.]

Ordinance amending Chapter 37 of the San Francisco Administrative Code ("Residential Rent Stabilization and Arbitration Ordinance") to further implement and conform to the Ellis Act (California Government Code Sections 7060 et seq., which provides owner rights to withdraw units from Residential Rental): by amending Section 37.9(a)(13) to remove the provision that the landlord not have other cause under Section 37.9(a) in order to evict under Section 37.9(a)(13); and by amending Section 37.9A to specify additional requirements of notice of withdrawal to the Rent Board and affected tenants, to expand the minimum period between notice and actual withdrawal of a unit from 60 days to 1 year for elderly tenants (age 62 or over) and disabled tenants (as defined in Government Code Section 12955.3) who timely notify the owner of their status, to expand the minimum period between notice and actual withdrawal from 60 days to 120 days for all other tenants, to require Rent Board recordation of a notice of constraints with the County Recorder, to require a register of all units withdrawn, to provide for compliance status investigation, to specify additional requirements for notice/offering the unit to displaced tenants if the unit is again offered for rent or lease within 10 years, and to expand the time from two years to three years for tenants (including former tenants) to sue the owner(s) for violation; and with technical nonsubstantive changes to identify the Central Permit Bureau as part of the Department of Building Inspection (Section 37.9(a)(11)), to further identify the Ellis Act, and to conform to related renumbering within Section 37.9A. (Rent Stabilization and Arbitration Board)

Ordinance No. 348-99

**FINALLY PASSED**

### **Recommendations of the Public Health and Environment Committee**

- 992037 [Authorizing an agreement with Delta Dental Plan of California to provide dental care to clients enrolled in the Delta Dental Healthy Families insurance program]

Resolution authorizing the Department of Public Health, Community Health Network, to enter into a participating provider agreement with the Delta Dental Plan of California to provide dental treatment services to clients enrolled in the Delta Dental Healthy Families insurance program, which includes a binding arbitration clause and which does not include patent infringement indemnification and false claims clauses; providing for ratification of action previously taken. (Department of Public Health)

Resolution No. 1148-99

**ADOPTED**

- 992078 [Authorizing grant for the evaluation of screening males for Chlamydia Trachomatis infection]

Resolution authorizing the Department of Public Health, Population Health and Prevention, to accept retroactively and expend a grant in the amount of \$257,053 from the Centers for Disease Control and Prevention for the evaluation of screening males for Chlamydia Trachomatis and to enter into an agreement which does not include patent infringement indemnification and false claims clauses; providing for ratification of action previously taken. (Department of Public Health)

Resolution No. 1149-99

**ADOPTED**



- 992102 **[Approving a subcontract with the University of California to designate the Project Director of the HIV Drug Access Study]**  
Resolution authorizing the Department of Public Health, the collaborating institution responsible for the scientific conduct of the "HIV Drug Access Study" to enter into a subcontract in the amount of \$14,149 with the University of California, the primary contractor, which does not include patent infringement indemnification and false claims clauses; retroactive to February 24, 1999. (Department of Public Health)  
Resolution No. 1150-99  
**ADOPTED**
- 992105 **[Accepting a grant to be used for education materials for "Save Money and the Environment Too" waste prevention campaign]**  
Resolution authorizing the City Administrator of the City and County of San Francisco to accept, retroactively, and expend \$5,000.00 from the California Integrated Waste Management Board. (Administrative Services Department)  
Resolution No. 1151-99  
**ADOPTED**
- 992175 **[Grant funds to be used for family strengthening project for Pilipino community, to deliver best practices in effective parenting and family programs in order to reduce/prevent substance abuse]**  
Resolution authorizing the Department of Public Health, Population Health and Prevention, Community Mental Health Services, to accept retroactively and expend a grant in the amount of \$96,123 from the Department of Health and Human Services, SAMHSA, for a family strengthening project and to enter into an agreement which does not include patent infringement indemnification and false claims clauses; providing for ratification of action previously taken; waiving indirect costs. (Department of Public Health)  
Resolution No. 1160-99  
**ADOPTED**
- 992189 **[Continuing grant for Metropolitan Medical Response System, to develop plans directed at early recognition of mass immunization/prevent spread of disease, mass patient care, fatality management and environmental surety]**  
Resolution authorizing the Department of Public Health, Community Health and Safety Services, Emergency Medical Services, to accept retroactively and expend a grant in the amount of \$200,000 from the Department of Health and Human Services to continue the development of the Metropolitan Medical Response System and to enter into an agreement which does not include patent infringement indemnification and false claims clauses; providing for ratification of action previously taken; waiving indirect costs. (Department of Public Health)  
Resolution No. 1162-99  
**ADOPTED**

**Recommendations of the Rules Committee****991352 [Appointments]**

Resolution appointing one member to Assessment Appeals Board #2.

Jackson Wong, Seat 8, Alternate Member, succeeding Elizabeth McQuiston, must meet the eligibility criteria set forth in Section 1624.05 of the California Revenue and Taxation Code, for new three-year term ending September 2, 2002.

Resolution No. 1145-99

**ADOPTED**

**992032 [Appointment]**

Resolution appointing one member to the Bicycle Advisory Committee. .

J. Victor Veysey, Seat 1, succeeding Ted Thomas, must represent the bicycle industry, unexpired portion of three-year term ending December 31, 2000.

Resolution No. 1147-99

**ADOPTED**

**992188 [Appointment]**

Resolution confirming appointments by the Treasurer to the Treasury Oversight Committee.

Enrique Navas, Seat 3, succeeding William Coleman, representing the County Superintendent of Schools, unexpired portion of four-year term ending June 5, 2001;

Philip Day, Seat 1, succeeding Susan Leal (formerly representing the Board of Supervisors), representing the Chancellor of the Community College District, unexpired portion of four-year term ending June 5, 2001.

Resolution No. 1161-99

**ADOPTED**

**992273 [Appointment]**

Resolution appointing one member to the Bicycle Advisory Committee.

James Morrison, Seat 4, succeeding himself, must represent bicycle organization, new three-year term ending December 31, 2002.

Resolution No. 1166-99

**ADOPTED**

**992274 [Appointment]**

Resolution appointing four members to the Drug Abuse Advisory Board; waiving residency requirement.

Gennie Nunley-Thompson, Seat 2, succeeding Matonia Williams, must represent law enforcement, new three-year term ending October 1, 2002;

Matonia Williams, Seat 6, succeeding Katrina Powell, must represent the public-at-large or service provider, new three-year term ending October 1, 2002;

Robert Elliott, Seat 12, succeeding Randy Salenfriend, must represent the public-at-large or service provider, unexpired portion of three-year term ending October 1, 2000;

Frederick Hobson, Seat 13, succeeding Margo St. James, must represent the public-at-large, unexpired portion of three-year term ending October 1, 2000.

Resolution No. 1167-99

**ADOPTED**

**992275 [Appointment]**

Resolution appointing one member to the Lead Poisoning Prevention Citizens Advisory Committee.

Giulio Sorro, Seat 12, succeeding Ellen Frost, must have expertise in affordable housing, new 4-year term ending August 20, 2003.

Resolution No. 1168-99

**ADOPTED**

**992276 [Appointment]**

Resolution appointing one member to the Hazardous Materials Advisory Committee.

Anthony Sacco, Seat 12, succeeding himself, must represent labor, new 4-year term ending July 1, 2003.

Resolution No. 1169-99

**ADOPTED**

**992277 [Appointment]**

Resolution appointing seven members to the Airport Noise Committee.

Curt Holzinger, Seat 8, must be nominee of Supervisor Becerril, new three-year term ending September 30, 2002;

Daniel Liberthson, Seat 9, must be nominee of Supervisor Yaki, new three-year term ending September 30, 2002;

Marie Cram, Seat 11, must be nominee of Supervisor Ammiano, new three-year term ending September 30, 2002;

Nancy Kay Wuerfel, Seat 12, must be nominee of Supervisor Yee, new three-year term ending September 30, 2002;

Timothy Treacy, Seat 13, must be nominee of Supervisor Bierman, new three-year term ending September 30, 2002;

Amy V. Quirk, Seat 15, must be nominee of Supervisor Kaufman, new three-year term ending September 30, 2002;

Donald G. Bertone, Seat 17, must be nominee of Supervisor Brown, new three-year term ending September 30, 2002.

Resolution No. 1170-99

**ADOPTED**

**992278 [Appointment]**

Resolution appointing one member to the Lead Hazard Reduction Citizens Advisory Committee.

Matt Brown, Seat 13, succeeding himself, must represent tenant organization, new four-year term ending December 22, 2003.

Resolution No. 1171-99

**ADOPTED**

**Recommendations of the Transportation and Land Use Committee****992150 [Traffic Regulations, Various Streets]**

Resolution enacting and rescinding traffic regulations at various locations:

**BICYCLE LANES - ESTABLISH**

Laguna Honda Boulevard, southbound, between Clarendon Avenue and Forest Hill Station

The Embarcadero, northbound, between Howard Street and Broadway

The Embarcadero, southbound, from a point approximately 300 feet north of Mission Street to Folsom Street

**MULTIPLE LEFT TURN LANES - ESTABLISH**

5th Street, northbound, at King Street

**NO LEFT TURN - ESTABLISH**

3rd Street, southbound, at Pacific Bell Ballpark driveway, approximately 80 feet south of Berry Street

**STREET CLOSED TO VEHICULAR TRAFFIC, 11 AM - 2 PM, MONDAY THROUGH FRIDAY (FOR TABLES AND CHAIRS) - RESCIND**

Commercial Street, between Kearny and Montgomery Streets (600 block)

**TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH**

7th Street, west side, from 16th Street to 200 feet northerly (200-foot zone)

**TOW-AWAY, NO STOPPING, 7 AM - 9 AM, MONDAY THROUGH FRIDAY - ESTABLISH**

Howard Street, north side, between Fremont and Beale Streets (Department of Parking and Traffic)

(DPT Order No. 1868.)

Resolution No. 1154-99

**ADOPTED**

**992149 |Parking Regulations, Various Locations|**

Resolution enacting and rescinding parking regulations at various locations:

**DIAGONAL (30-DEGREE ANGLE) PARKING - RESCIND**

Geneva Avenue, both sides, between Edinburgh and Vienna Streets

**GREEN (SHORT-TERM LOADING) ZONE, 9 AM - 11 PM, EVERYDAY - RESCIND**

North Point Street, south side, from 98 feet to 125 feet east of Polk Street (27-foot zone at #977 North Point Street)

**NO PARKING ANYTIME - ESTABLISH**

Faith Street, south side, from 62 feet to 97 feet west of Bayshore Boulevard (35-foot zone)

Jennings Street, east side, from Underwood Avenue to 120 feet southerly (120-foot zone)

Owens Street, east side, from 755 feet to 830 feet north of 16th Street (75 foot-zone, just south of private temporary connector road)

**TWO-HOUR PARKING TIME LIMIT, 7 AM - 6 PM, EXCEPT SUNDAY - ESTABLISH**

Chesley Street, east side, from Harrison Street to 61 feet southerly (61-foot zone)

**RESIDENTIAL PERMIT PARKING AREA "J" - ESTABLISH**

Judah Street, both sides, between 8th and 9th Avenues (300 block)

NOTE: Parking meters will remain, but residents on this block will be allowed to purchase Area "J" permits

**RESIDENTIAL PERMIT PARKING AREA "Q" (2-HOUR TIME LIMIT, 8 AM - 6 PM, MONDAY THROUGH FRIDAY) - RESCIND**

Exeter Street, both sides, between Paul Street and Salinas Avenue (unit block)

Salinas Avenue, north side, between Crane and Exeter Streets (300 block)

**RESIDENTIAL PERMIT PARKING AREA "U" (1-HOUR TIME LIMIT, 8 AM - 6 PM, MONDAY THROUGH FRIDAY) - ESTABLISH**

1521-1523 Howard Street, south side, between 11th and 12th Streets (adds specified addresses only) NOTE:

Parking meters will remain, but residents at these addresses will be allowed to purchase Area "U" permits

1603-1617 Howard Street, south side, between 12th and 13th Streets (adds specified addresses only) NOTE:

Parking meters will remain, but residents at these addresses will be allowed to purchase Area "U" permits

1616-1624 Howard Street, north side, between 12th and 13th Streets (adds specified addresses only) NOTE:

Parking meters will remain, but residents at these addresses will be allowed to purchase Area "U" permits

Howard Street, north side, between 11th and 12th Streets (1500 block, even-numbered addresses only)

NOTE: Parking meters will remain, but residents on this block will be allowed to purchase Area "U" permits

Kissling Street, both sides, between 11th and 12th Streets (100 block)

Kissling Street, both sides, from 11th Street to west terminus (unit block) (Department of Parking and Traffic)

(DPT Order No. 1868.)

Resolution No. 1153-99

**ADOPTED**

**992148 [Stop Intersections]**

Resolution designating certain intersections as "Stop" intersections:

**STOP SIGNS - ESTABLISH**

20th Avenue and Lawton Street, northeast and southwest corners, stopping Lawton Street (makes this an all-way STOP)

Beach and Webster Streets, northeast and southwest corners, stopping Beach Street (makes this an all-way STOP)

Clay and Taylor Streets, northeast and southwest corners, stopping Clay Street (makes this an all-way STOP)

Laurel Street and Mayfair Drive, northeast and northwest corners, stopping Laurel Street (makes this T-intersection an all-way STOP)

Massasoit and Rutledge Streets, northeast corner, stopping westbound Massasoit Street (stops the stem of this uncontrolled T-intersection)

Valmar Terrace and Silliman Street, northeast corner, stopping westbound Silliman Street (stops the stem of this uncontrolled T-intersection) (Department of Parking and Traffic)

(DPT Order No. 1868.)

Resolution No. 1152-99

**ADOPTED**

**992160 [Transportation Development Article 3 Grant Funds to stripe bike lanes on the various streets, as recommended in the San Francisco Bicycle Plan.]**

**Supervisor Katz**

Resolution authorizing the Department of Parking and Traffic to reallocate \$286,649 in Transportation Development Act (TDA) Article 3.

*Supervisor Brown requested to be added as co-sponsor.*

Resolution No. 1156-99

**ADOPTED**

**992161 [Bay Area Air Quality Management District Grant]**

**Supervisor Katz**

Resolution authorizing the Department of Parking and Traffic to accept and expend a grant in the amount of \$250,800 from the Transportation Fund for Clean Air in the Bay Area for striping of bike lanes in various locations and waiving indirect costs.

Resolution No. 1157-99

**ADOPTED**

**992162 [Regional Transportation Improvement Program Grant Funds]**

**Supervisor Katz**

Resolution authorizing the Director of the Department of Public Works and the Executive Director of Parking and Traffic to accept and expend a grant in the amount of \$1,280,786 in Regional Transportation Improvement Program funds for various transportation capital projects.

Resolution No. 1158-99

**ADOPTED**

992163 [Grant - Federal Funds]  
Supervisor Katz

Resolution authorizing the Executive Director of Parking and Traffic and Director of Public Works to accept and expend up to \$840,389 in Transportation Equity Act for the 21st Century funds for various transportation enhancement projects with required local matching funds of \$109,004.

Resolution No. 1159-99

**ADOPTED**

992192 [Grant funds for the construction of bicycle and pedestrian improvements within Cesar Chavez Circle at U.S. 101, and the installation of a new traffic signal at the intersection of Cesar Chavez at Connecticut Street]

Resolution authorizing the Executive Director of the Department of Parking and Traffic to apply for, accept and expend up to \$3,986,000 in State Transportation Improvement Program (STP) funds for the construction of Cesar Chavez Street improvements, from Mississippi Street to State Route 101. (Department of Parking and Traffic)

Resolution No. 1163-99

**ADOPTED**

The foregoing items were acted upon by the following vote:

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

### Severed from Consent Agenda

- 992193 [Permitting non-City workers to perform work for the City because non-City workers can perform work at a lesser cost than City employees - Public Parking Management Services at the Airport]  
Resolution approving retroactively, the Controller's certification that Parking Management Services for San Francisco International Airport 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 employees at budgeted levels. (Airport Commission)

*Supervisor Becerril requested this matter be severed so it could be considered separately.*

Resolution No. 1164-99

**SEVERED FROM CONSENT AGENDA.**

Supervisor Leno, seconded by Supervisor Kaufman, moved to excuse Supervisor Becerril from voting on this matter. The motion carried by the following vote:

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

**ADOPTED** by the following vote:

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

Excused: 1 - Becerril

992194 [Permitting non-City workers to perform work for the City because non-City workers can perform work at a lesser cost than City employees - Employee Parking Management Services at the Airport] Resolution approving retroactively, the Controller's certification that Parking Management Services for San Francisco International Airport 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 employees at budgeted levels. (Airport Commission)

*Supervisor Becerril requested this matter be severed so it could be considered separately.*

Resolution No. 1165-99

**SEVERED FROM CONSENT AGENDA.**

Supervisor Leno, seconded by Supervisor Kaufman, moved to excuse Supervisor Becerril from voting on this matter. The motion carried by the following vote:

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

**ADOPTED** by the following vote:

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

Excused: 1 - Becerril

## REGULAR AGENDA

## UNFINISHED BUSINESS

### Appointment of President Pro Tempore

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

*Shortly thereafter, the President resumed the Chair.*



**From Finance and Labor Committee Without Recommendation****991923 [Expenditure of Community Court Program Fines]  
Supervisor Brown**

Ordinance amending Administrative Code by adding Section 10.117-124 to require the Controller to separately account for fines awarded to the City through community court dispute resolution programs and appropriating those funds to enhance public safety and the quality of life in the communities served by the community courts.

(Adds Section 10.117-124.)

Ordinance No. 335-99

**FINALLY PASSED** by the following vote:

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

**991852 [Lease and Use Agreement Modifications to allow eight (8) airlines to relocate all international flight operations from Central Terminal Building to a new International Terminal Building as part of the Airport Master Plan Expansion Program]**

Resolution approving modifications the terms of Airline/Airport Lease and Use Agreements between the City and various airlines to allow such airlines to relocate international flight operations to the New International Terminal. (Airport Commission)

**Supervisor Leno, seconded by Supervisor Yaki, moved to excuse Supervisor Becerril from voting on this matter. The motion carried by the following vote:**

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

*Supervisor Bierman requested this matter be continued to January 18, 2000.*

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

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

**991853 [New lease and operating agreements to allow eighteen (18) airlines to relocate all international flight operations from Central Terminal Building to a new International Terminal Building as part of the Airport Master Plan Expansion Program]**

Resolution approving the terms of lease and operating agreements between the City and various airlines to allow such airlines to relocate international flight operations to the New International Terminal. (Airport Commission)

**Supervisor Leno, seconded by Supervisor Yaki, moved to excuse Supervisor Becerril from voting on this matter. The motion carried by the following vote:**

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

*Supervisor Bierman requested this matter be continued to January 18, 2000.*

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

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

## NEW BUSINESS

### Recommendation of the Audit and Government Efficiency Committee

991879 [Performance and Review Ordinance]  
Supervisors Newsom, Leno, Brown

Ordinance amending Administrative Code by adding Chapter 88, Sections 88.1 through 88.11, to require an annual departmental efficiency plan, including a customer service element, a strategic planning element, an annual performance element, and a program performance element, and providing for a pilot program and training.

(Adds Chapter 88, Sections 88.1 through 88.11.)

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

**PASSED, ON FIRST READING by the following vote:**

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

### Recommendations of the Finance and Labor Committee

992154 [Suspension of Muni fares]  
Supervisor Newsom

Ordinance approving the suspension of fares on Muni from December 31, 1999 at 8:00 p.m. to no later than 6:00 a.m. on January 1, 2000.

*Supervisor Newsom requested this matter be amended as follows: amend title, line 3, after "2000" by inserting ", retroactive to December 1, 1999" and by inserting the following section: "Section 4. This ordinance is effective retroactive to December 1, 1999."*

Supervisor Yaki, seconded by Supervisor Leno, moved that this Ordinance be AMENDED. The motion carried by the following vote:

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

Ordinance approving the suspension of fares on Muni from December 31, 1999 at 8:00 p.m. to no later than 6:00 a.m. on January 1, 2000; retroactive to December 1, 1999.

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

**PASSED ON FIRST READING AS AMENDED by the following vote:**

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

**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.)

Resolution No. 1140-99

**ADOPTED by the following vote:**

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

**991869 [Approving amendment to the Post-Security Master/Retail Duty Free Concession Lease for the New International Terminal]**

Resolution approving Post-Security Master Retail/Duty Free Concession Lease between DFS Group L.P. and the City and County of San Francisco, acting by and through its Airport Commission. (Airport Commission)

Resolution No. 1146-99

Supervisor Leno, seconded by Supervisor Teng, moved to excuse Supervisor Becerril from voting on this matter.

The motion carried by the following vote:

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

**ADOPTED by the following vote:**

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

Excused: 1 - Becerril

**992159 [Civil Filing Fee Increase]**

Supervisors Becerril, Brown

Resolution increasing civil filing and appearance fees (from \$24 to \$27) provided in Business and Professions Code Sections 6321, 6322 and 6322.1 for operation of the Law Library.

*Supervisor Brown requested to be added as co-sponsor.*

Resolution No. 1155-99

**ADOPTED 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 Teng assumed the Chair so the President could participate in the debate from the floor concerning the following item.*

**From Finance and Labor Committee Without Recommendation**

992176 [Approving amendment to paratransit broker agreement to perform special transportation services such as subcontracting with van and taxi providers for door-to-door paratransit service for persons with disabilities]

Resolution approving Amendment No. 9 to the Paratransit Broker Agreement between the City and Cerenio Management Group, extending the term of the agreement three months, at an additional cost not to exceed \$3,752,622, for a total contract cost not to exceed \$83,440,401. (Public Transportation Commission)

(Fiscal impact.)

Resolution No. 1139-99

**ADOPTED** by the following vote:

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

*The President resumed the Chair.*

**Recommendation of the Public Health and Environment Committee**

992000 [Integrated Pest Management Program]  
Supervisors Katz, Newsom

Ordinance amending Administrative Code Sections 39.2, 39.5, 39.6, 39.7 and 39.8 which established the Integrated Pest Management program to exclude antimicrobial agents from coverage under the chapter; to revise posting, notification, record keeping and reporting requirements; and to clarify exemptions, including exemptions for reduced risk pesticides and to add exemptions.

(Amends Sections 39.2, 39.5, 39.6, 39.7 and 39.8.)

*Supervisor Newsom 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

**Recommendation of the Transportation and Land Use Committee**

992156 [Underground District No. 350 Amendment]  
Supervisor Bierman

Ordinance amending Ordinance No. 184-99 to redefine Underground District No. 350 on Folsom Street, from 16th Street to Cesar Chavez Street, by adding certain property thereto.

(Adds 23rd Street from Folsom Street to Treat Street.)

**PASSED, ON FIRST READING** by the following vote:

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

## COMMITTEE REPORTS

### From Finance and Labor Committee

992236 [Increasing Tenant Relocation Benefits]  
Supervisor Ammiano

Ordinance amending Chapter 37 of the San Francisco Administrative Code ("Residential Rent Stabilization and Arbitration Ordinance") by amending Section §37.9A to increase the amount of relocation payments made by landlords to low-income tenants evicted pursuant to the Ellis Act (California Government Code §§7060 et seq., which provides owners rights to withdraw units from residential rental): relocation payments for low-income tenants are increased from the current range of \$1,500 - \$2,500 (depending upon the size of the unit) to a standard \$4,500.

(Amends Section 37.9A.)

Supervisor Yaki, seconded by Supervisor Bierman, moved to excuse Supervisors Kaufman, Newsom, Yee from voting on this matter. The motion carried by the following vote:

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

PASSED ON FIRST READING by the following vote:

Ayes: 8 - Ammiano, Becerril, Bierman, Brown, Katz, Leno, Teng, Yaki

Excused: 3 - Kaufman, Newsom, Yee

## PUBLIC COMMENT

*Abdalla Megahed, homeless activist, Mayor's campaign, Samir Souroor;  
Male speaker, campaign finance reform, oppose instant write in and changing election deadline;  
Daniel Pieste, praise Seattle protestors, Butterfly protestor, police harassment, Wen Ho Lee,  
Eula Walters, transfer Ferry Park to Recreation and Park jurisdiction;  
Ernestine Weiss, oppose recusing supervisors, tenant protection, affordable housing;  
Tom Mogensen, failing rapport between city government and neighborhoods, proposed shelter in neighborhood, urge creation of site specific plan for every neighborhood;  
Milton Hanks, 1970's propose fund for west coast states, gold mine worker, share wealth with state of residence, LA police Ed Davis;  
Bruce Allison, living wage cost \$30 million;  
Larry Edmund, holiday celebrations, mental health programs, AIDS program at Black colleges, support Muni on new year, support tenant relocation proposal, Mayor's runoff election;  
Reuben Goodman, concerned with district elections that members will have more district orientation, homeless issues humane compassionate focus, drug treatment;  
Rodney Talmadge, believes in Jesus, oppose domestic partnership; keep central freeway;  
Mr. Criswell, expressing his support on various items on the agenda, urge creation of a car, motorcycle and bus noise committee;  
Female speaker, considers Ammiano as Mayor.*

**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.*

- 992283 [Exxon Mobil Corporation Health Care Coverage]**  
**Supervisors Leno, Ammiano, Bierman, Katz, Teng, Newsom, Yaki**

Resolution urging the newly-merged Exxon Mobil Corporation to reverse its new policies of not offering health care coverage to domestic partners of its lesbian and gay employees or prohibiting discrimination on the basis of sexual orientation and to adopt Mobil's previous policy of providing such benefits and protections.

*Supervisors Newsom, Yaki requested to be added as co-sponsors.*

Resolution No. 1172-99

**ADOPTED**

- 992284 [Gift Acceptance, Recreation and Park Department]**  
**Supervisors Newsom, Becerril**

Resolution accepting gifts valued at a total of \$98,500.00 from various donors for use by the Recreation and Park Department.

*Supervisor Becerril requested to be added as co-sponsor.*

Resolution No. 1173-99

**ADOPTED**

- 992285 [Municipal Railway Reduced Rate for College Student]**  
**Supervisors Newsom, Katz, Bierman, Brown, Becerril, Yaki**

Resolution urging the Municipal Railway to investigate the possibility of offering a reduced student rate for enrolled university students attending college within the City and County of San Francisco and to report back to the Board of Supervisors with recommendations for such a program within eight weeks of passage of this resolution.

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

Resolution No. 1174-99

**ADOPTED**

- 992286 [Street Artists Permanent Selling Spaces]**  
**Supervisors Teng, Newsom**

Resolution designating five former temporary selling spaces on Grant Avenue, east side, Post to Sutter Streets, and one former temporary selling space on Grant Avenue, west side, Post to Sutter Streets, as permanent selling spaces for street artists certified by Arts Commission, City and County of San Francisco.

*Supervisor Newsom requested to be added as co-sponsor.*

Resolution No. 1175-99

**ADOPTED**

992288 [State grant funds to fund the incremental cost of six street sweepers that will operate on compressed natural gas]

Supervisors Yaki, Bierman, Newsom

Resolution authorizing the Director of Administrative Services to accept and expend \$90,000 from the California Energy Commission for clean air vehicles; and authorizing the Director of Administrative Services to execute an agreement with the California Energy Commission whereby the City would indemnify the State from claims resulting from the City's performance of said agreement.

*Supervisor Newsom requested to be added as co-sponsor.*

Resolution No. 1177-99

ADOPTED

992289 [Assisted living facility for frail elderly on Brotherhood Way]

Supervisors Kaufman, Brown, Newsom, Becerril, Katz, Bierman, Yaki

Resolution urging the Planning Commission to approve the proposed Elder Care Alliance assisted living facility for frail elderly on Brotherhood Way.

Resolution No. 1182-99

ADOPTED

992290 [Campaign reporting by local independent expenditure committee]

Supervisor Yee

Resolution urging local campaign committees that make independent expenditures to fully and timely disclose the amount and source of contributions received, and the amount and payee of all expenditures made by the committee.

Resolution No. 1178-99

ADOPTED

992291 [Commendation]

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

Resolution commending Attorney General Bill Lockyer for changing the title of Proposition 22 from "The Definition of Marriage" Initiative to "The Limit on Marriage" Initiative and supporting Superior Court Judge James Ford's decision to uphold this title change.

*Supervisors Newsom, Yaki requested to be added as co-sponsors.*

Resolution No. 1179-99

ADOPTED

992292 [Commendation]

Supervisor Brown

Resolution commending Mayor Brown and the Mayor's Office on Homelessness for services provided by the City to the homeless.

Resolution No. 1180-99

ADOPTED

- 992293 [Commendation]  
Supervisors Brown, Bierman, Newsom, Katz, Teng

Resolution commending the Community Bank of the Bay for its practice in lending capital to financially disadvantaged communities and for opening a small business loan center in the Western Addition for the benefit of the Fillmore Jazz Preservation District.

*Supervisors Newsom, Katz, Teng requested to be added as co-sponsors.*

Resolution No. 1181-99

**ADOPTED**

- 992298 [Needle Exchange Emergency]  
Supervisors Bierman, Teng, Ammiano, Yaki, Kaufman, Katz, Brown, Newsom, Yee, Leno, Becerril

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.

Motion No. M99-153

**APPROVED**

- 992299 [Final Map of The Promenade (1701 19th Avenue - Shriner's Hospital), a 41 lot subdivision project to construct condominiums designed to be harmonious with the landmark hospital building]

Motion approving final map of The Promenade, a 41 lot subdivision project, being a subdivision of Lot 5 in Assessor's Block No. 1924, and adopting findings pursuant to Planning Code Section 101.1. (Department of Public Works)

(DPW Order No. 172,064.)

Motion No. M99-154

**APPROVED**

The foregoing items were acted upon by the following vote:

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

### **Severed From For Adoption Without Committee Reference Agenda**

- 992287 [Wen Ho Lee]  
Supervisors Teng, Yaki

Resolution urging government officials and the media to exercise caution and fairness in the investigation and reporting of allegations against former Los Alamos National Laboratory scientist Wen Ho Lee.

*Supervisor Teng requested this matter be severed so it could be considered separately.*

Resolution No. 1176-99

**SEVERED FROM CONSENT AGENDA.**



*Supervisor Teng submitted an amendment of the whole bearing new title (technical amendment).*

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

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

Resolution urging government officials and the media to exercise caution and fairness in the investigation and reporting of allegations against former Los Alamos National Laboratory scientist, Dr. Wen Ho Lee.

*Supervisor Yaki requested to be added as co-sponsor.*

ADOPTED AS AMENDED by the following vote:

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

## OFF-AGENDA LEGISLATION

### Introduced by Supervisors or Mayor

#### Ordinances

**992315 [Funds for emergency winter shelter]  
Supervisors Ammiano, Katz**

Ordinance appropriating \$73,353 from the General Fund Reserve to fund an emergency winter shelter for homeless gay/lesbian/bisexual/transgender youth, at the Department of Public Health, for fiscal year 1999-2000.

12/20/99, RECEIVED AND ASSIGNED to Finance and Labor Committee.

**992317 [Establishing Courthouse Children's Waiting Rooms Fund]  
Supervisor Katz**

Ordinance amending Administrative Code by adding Section 10.117-125 to impose a surcharge of five dollars for the filing in Superior Court of specified initial pleadings and to appropriate the surcharge to pay costs, excluding capital outlay, related to the maintenance of children's waiting rooms at the Hall of Justice and Civic Center Courthouse.

(Adds Section 10.117-125.)

12/20/99, ASSIGNED UNDER 30 DAY RULE to Finance and Labor Committee, expires on 1/19/2000.

**992316 [Tenant Relocation Payments]**  
**Supervisor Becerril**

Ordinance amending Administrative Code Section 37.9A regarding relocation payments made by landlords to low-income tenants evicted pursuant to the Ellis Act (California Government Code Section 7060 et seq., which provides owner rights to withdraw units from residential rental): these relocation payments shall be provided to "lawful adult tenants" only (the current ordinance states that "tenants" are entitled to the payments); relocation payments for individual low-income tenants are increased from the current range of \$1,500-\$2,500 per tenant (depending upon the size of the unit) to a standard \$3,000 per tenant; however, where any two or more lawful adult tenants from an affected unit move together to a new residence then the relocation payment for those moving together shall be calculated on a per unit basis instead of a per tenant basis, at the rate of \$3,000 per affected studio unit (currently \$1,500 per studio tenant), \$4,000 per affected one bedroom unit (currently \$1,750 per one bedroom tenant), and \$5,000 per affected unit with two or more bedrooms (currently \$2,500 per tenant of a two or more bedroom unit); and, these relocation payment rates shall be reviewed from time to time by the Board of Supervisors and adjusted as determined necessary by the Board of Supervisors to reflect residential rental housing market fluctuations.

(Amends Section 37.9A.)

12/20/99, RECEIVED AND ASSIGNED to Housing and Social Policy Committee.

**992318 [RCN Cable Television Franchise]**  
**Supervisor Katz**

Draft ordinance granting a cable television franchise to RCN Telecom Services of California, Inc.  
12/20/99, RECEIVED AND ASSIGNED to Public Utilities and Deregulation Committee.

**992319 [Administrative Code Revision, Chapters 27 and 28]**  
**Supervisor Kaufman**

Ordinance amending Administrative Code Chapters 1, 2A, 10, 27 and 28 by renumbering Sections 1.16, 10.115, 10.116-4, 28.1, 28.2, 28.3, 28.4, 28.5, 28.6, 28.7, 28.8, 27.1, 27.2, 27.3 and 27.4 as Sections 2A.150.1, 2A.155.2, 2A.155.3, 2A.155.4, 2A.155.5, 2A.155.6, 2A.155.7, 2A.155.9, 2A.155.10, 2A.155.11, 2A.155.12, 2A.165, 2A.165.1, 2A.165.2, and 2A.165.3, respectively, and amending the same, by renumbering Sections 2A.156 and 2A.161 as Sections 2A.155.1 and 2A.160.1, respectively, by adding Section 2A.155.8, and by repealing sections 28.10, 28.11, 28.12, 28.13, 28.14, 28.15, 27.3-1, 27.5, 27.6, 27.8 and 27.9 to consolidate provisions relating to the arts and culture departments of the City, including the Arts Commission, the Fine Arts Museums, the Academy of Sciences, and the War Memorial, to update out-dated provisions, eliminate obsolete and redundant provisions, and correct references.

(Renumbering Sections 1.16, 10.115, 10.116-4, 28.1, 28.2, 28.3, 28.4, 28.5, 28.6, 28.7, 28.8, 27.1, 27.2, 27.3 and 27.4 as Sections 2A.150.1, 2A.155.2, 2A.155.3, 2A.155.4, 2A.155.5, 2A.155.6, 2A.155.7, 2A.155.9, 2A.155.10, 2A.155.11, 2A.155.12, 2A.165, 2A.165.1, 2A.165.2, and 2A.165.3, respectively, and amending the same, by renumbering Sections 2A.156 and 2A.161 as Sections 2A.155.1 and 2A.160.1, respectively, by adding Section 2A.155.8, and by repealing sections 28.10, 28.11, 28.12, 28.13, 28.14, 28.15, 27.3-1, 27.5, 27.6, 27.8 and 27.9.)

12/20/99, ASSIGNED UNDER 30 DAY RULE to Audit and Government Efficiency Committee, expires on 1/19/2000.

**992320 [Administrative Code Revision, Chapter 24B]  
Supervisor Kaufman**

Ordinance amending Administrative Code Section 24B.1 to allow the Mayor to assign any member of his staff the position of Executive Secretary to the Relocation Appeals Board and amending Section 24B.3 to require the Board to meet once a month only if there is business pending before the Board.

(Amends Sections 24B.1 and 24B.3.)

12/20/99, ASSIGNED UNDER 30 DAY RULE to Audit and Government Efficiency Committee, expires on 1/19/2000.

**992321 [Zoning, Castro Street NCD]  
Supervisors Leno, Newsom**

Ordinance amending Planning Code Sections 178 and 186.1 to require uses that exceed specified use size provisions in the Castro Street Neighborhood Commercial District to be preserved or obtain conditional use authorization prior to a change in use and to reduce the period of abandonment for conditional and nonconforming uses in this district from three (3) years to 18 (eighteen) months; by amending Section 121.2 to reduce the size limit of nonresidential uses located in this district to two thousand (2,000) square feet for conditional use authorization and four thousand (4,000) square feet for the maximum size; and by amending Section 715.21 in the Castro Street Neighborhood Commercial District zoning control table to reflect the use size modifications.

(Amends Sections 178, 186.1, 121.2 and 715.21.)

12/20/99, ASSIGNED UNDER 30 DAY RULE to Transportation and Land Use Committee, expires on 1/19/2000.

**992322 [Zoning, Upper Market Street NCD]  
Supervisors Leno, Newsom**

Ordinance amending Planning Code Sections 178 and 186.1 to require uses that exceed specified use size provisions in the Upper Market Street Neighborhood Commercial District to be preserved or obtain conditional use authorization prior to a change in use and to reduce the period of abandonment for conditional and nonconforming uses in this district from three (3) years to 18 (eighteen) months; by amending Section 121.2 to reduce the size limit of nonresidential uses located in this district to two thousand five hundred (2,500) square feet for conditional use authorization and four thousand (4,000) square feet for the maximum size; and by amending Section 715.21 in the Upper Market Street Neighborhood Commercial District zoning control table to reflect the use size modifications.

(Amends Sections 178, 186.1, 121.2 and 715.21.)

12/20/99, ASSIGNED UNDER 30 DAY RULE to Transportation and Land Use Committee, expires on

## Resolutions

**992323 [Appointments, San Francisco Redevelopment Agency]  
Mayor**

Resolution confirming reappointments of Darshan Singh and Lynette Sweet to the San Francisco Redevelopment Agency, for four year terms ending September 3, 2003.

12/20/99, RECEIVED AND ASSIGNED to Rules Committee.

**992312 [Commendation]  
Supervisor Brown**

Resolution commending Mr. Andy Patt for brightening the lives of children battling cancer by collecting toys, dressing up as Santa, and delivering a gift to each child in the oncology clinic at UCSF Medical Center.

12/20/99, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**992324 [Visitacion Valley Branch Library]  
Supervisor Teng**

Resolution urging the Library Commission, the San Francisco Public Library, the City Librarian, and the Mayor's Office to work with the Visitacion Valley Branch Library to acquire a permanent space for the branch immediately.

12/20/99, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**992325 [Flooding in Venezuela]  
Supervisor Becerril**

Resolution extending condolences to the victims of flooding in Venezuela and urging each City department to determine how they can assist in the relief efforts currently underway.

12/20/99, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**992326 [California State Proposition 14]  
Supervisor Becerril**

Resolution endorsing California State Proposition 14, The California Reading and Literacy Improvement and Public Construction and Renovation Act of 2000.

12/20/99, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**992327 [Commendation]  
Supervisors Yaki, Katz**

Resolution commending Charles Schulz for fifty years of cartooning.

12/20/99, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**992328 [Commendation]  
Supervisors Yaki, Katz**

Resolution commending Julia "Butterfly" Hill for her environmental heroism and courage on behalf of old growth forests.

12/20/99, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**992329 [Commendation]  
Supervisors Leno, Ammiano, Katz, Newsom, Bierman, Teng, Yaki, Yee, Kaufman**

Resolution commending the Vermont Supreme Court's ruling that the state of Vermont is constitutionally required to extend the same-sex couples the common benefits and protections that flow from marriage under Vermont law.

12/20/99, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**992330 [Commendation]  
Supervisor Brown**

Resolution commending the Bay Area Black United Fund and the San Francisco Foundation on the creation of the Executive Directors Learning Community.

12/20/99, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

### **Requests for Hearing**

**992313 [Treatment of Mental Illness in the African American Community]  
Supervisor Brown**

Hearing to determine if San Francisco is following a national trend that suggests mental health experts are misdiagnosing mental illness among African Americans due to a lack of cultural understanding.

12/20/99, RECEIVED AND ASSIGNED to Public Health and Environment Committee.

**992331 [San Francisco Business Taxes]  
Supervisor Newsom**

Hearing to discuss challenges to the San Francisco business taxes and to look at ways in which other cities tax their businesses.

12/20/99, RECEIVED AND ASSIGNED to Finance and Labor Committee.

992332 [Process of ballot counting]  
Supervisor Newsom

Hearing to discuss methods of speeding up the process of ballot counting, especially with respect to provisional ballots.

12/20/99, RECEIVED AND ASSIGNED to Rules Committee.

992333 [Housing Crisis]  
Supervisors Teng, Becerril

Hearing to consider the Mayor's Office of Housing, the Planning Department and the Residential Rent Stabilization Board's coordination to deal with the growing demand for housing in San Francisco, particularly affordable housing for seniors.

12/20/99, RECEIVED AND ASSIGNED to Housing and Social Policy Committee.

992334 [Brotherhood Way]  
Supervisor Teng

Hearing to discuss the intended use of Brotherhood Way and how the proposed project for a 135-bed assisted living facility by the Elder Care Alliance fits into that intended use given the City's great need for more housing facilities for seniors.

12/20/99, RECEIVED AND ASSIGNED to Housing and Social Policy Committee.

992335 [Gross Receipts and Payroll Tax Projections]  
Supervisor Yee

Hearing to consider how the recent court decision regarding gross receipts and payroll taxes paid to the city will affect the City's revenue stream and future budget.

12/20/99, RECEIVED AND ASSIGNED to Finance and Labor Committee.

992336 [Changing date of primary election and other voting options]  
Supervisors Leno, Ammiano, Yaki

Hearing to consider instituting a September or October primary election with a runoff election to be held the first Tuesday in November and to consider other voting options including instant runoff elections.

12/20/99, RECEIVED AND ASSIGNED to Rules Committee.

## Motions

992337 [Litigation]  
Supervisors Ammiano, Becerril

Closed session on January 10, 2000 for the purposes of advising the Board on business tax refund claims.

12/20/99, ASSIGNED to Board of Supervisors. Scheduled for Board consideration at the January 10, 2000 meeting.

992338 [Potential Litigation]  
Supervisor Becerril

Closed session on January 4, 2000 for the purposes of advising the Board on tenant relocation payments. 12/20/99, ASSIGNED to Board of Supervisors. Scheduled for Board consideration at the January 4, 2000 meeting.

992339 [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.

12/20/99, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Introduced by the President at the Request of Departments

**PROPOSED ORDINANCES**

992300 [Settlement of Lawsuit, Wong Revocable Trust]

Ordinance authorizing settlement of litigation of Wong Revocable Trust AKA Harvey Wong and Helen K. Wong 1992 Trust, Harvey Wong and Steven Wong and Holson, Inc., against the City and County of San Francisco by payment of \$75,000 and waiver of nuisance abatement fees. (City Attorney)

(S. F. Superior Court No. 300-456.)

12/15/99, RECEIVED AND ASSIGNED to Audit and Government Efficiency Committee. A confidential cover letter dated October 19, 1999 is on file with the Clerk of the Board.

992304 [Settlement of Lawsuit, Christina Sayborivong]

Ordinance authorizing settlement of litigation of Christina Sayborivong against the City and County of San Francisco by payment of \$200,000.00. (City Attorney)

(S. F. Superior Court No. 996-053.)

12/15/99, RECEIVED AND ASSIGNED to Audit and Government Efficiency Committee. A confidential cover letter dated July 27, 1999 is on file with the Clerk of the Board.

992305 [Settlement of Lawsuit, Julie Cavallero]

Ordinance authorizing settlement of litigation of Julie Cavallero against the City and County of San Francisco by payment of \$40,000.00. (City Attorney)

(S. F. Superior Court No. 998947.)

12/15/99, RECEIVED AND ASSIGNED to Audit and Government Efficiency Committee. A confidential cover letter dated November 18, 1999 is on file with the Clerk of the Board.

**992306 [Settlement of Lawsuit, Damon Jackson and James Hughes]**

Ordinance authorizing settlement of litigation of (1) Damon Jackson, et al. v. City and County of San Francisco, et al. and (2) James Hughes, et al. v. City and County of San Francisco, et al. by payment of \$355,000.00. (City Attorney)

(Damon Jackson, et al. v. CCSF, et al. United States District Court No. C93-0086DLJ; and James Hughes, et al. v. CCSF, et al. San Francisco Superior Court Case No. 952-954.)

12/15/99, RECEIVED AND ASSIGNED to Audit and Government Efficiency Committee. A confidential cover letter dated December 13, 1999 is on file with the Clerk of the Board.

## PROPOSED RESOLUTIONS

**992272 [Approving a subcontract with the University of California to designate the Project Director of the Special Projects of National Significance (SPNS) who shall be responsible for the scientific conduct of this project]**

Resolution authorizing the Department of Public Health, the collaborating institution responsible for the scientific conduct of the project entitled "Special Projects of National Significance (SPNS)", to enter into a subcontract in the amount of \$7,448 with the University of California, the primary contractor, which does not include patent infringement indemnification and false claims clauses; retroactive to September 30, 1999. (Department of Public Health)

12/10/99, RECEIVED AND ASSIGNED to Public Health and Environment Committee.

**992301 [Acquisition of 4 noise easements for religious assembly buildings (at Alida Way and Alta Vista Drive), City of South San Francisco, in order to satisfy State-mandated noise mitigation requirements]**

Resolution authorizing the acquisition of four (4) noise easements for properties in the City of South San Francisco as part of the Airport Commission's aircraft noise insulation program. (Real Estate Department)

12/15/99, RECEIVED AND ASSIGNED to Finance and Labor Committee.

**992302 [Acquisition of 195 additional noise easements in the cities of Millbrae and one (1) in South San Francisco for the purpose of satisfying a part of the State-mandated noise mitigation requirements]**

Resolution authorizing the acquisition of noise easements from 195 property addresses in the cities of Millbrae and South San Francisco as part of the Airport Master Plan Memorandum of Understanding between the Airport and its neighboring communities. (Real Estate Department)

12/15/99, RECEIVED AND ASSIGNED to Finance and Labor Committee.

**992303 [Withdrawal of 26 property owners (located in the Cities of Millbrae, San Bruno, Daly City and Pacifica) from noise insulation program for various reasons and delivery of quitclaim deeds to said property owners]**

Resolution authorizing the conveyance of twenty-six (26) quitclaim deeds to various property owners in San Mateo County to rescind Grants of Easement (noise easement deeds) previously acquired by San Francisco. (Real Estate Department)

12/15/99, RECEIVED AND ASSIGNED to Finance and Labor Committee.



## Requests Granted

*From: Supervisor Newsom*

*To: General Manager, Recreation and Park Department*

*Requesting/Inquiring: How the department performs outreach to ensure that playgrounds do not become under utilized in neighborhoods; whether the department targets neighboring schools to remind the schools that these parks are available; performs culturally competent neighborhood outreach to encourage users from among the various culturally diverse families within the City; to inquire about the policing of playgrounds to ensure that the playgrounds are attractive to park users.*

*From: Supervisor Newsom*

*To: Chair, Interdepartmental Parks Safety Committee (John Newlin, Park Police Station):*

*Requesting/Inquiring: About enforcement of the "Adults only accompanied by children" policy and its application at playgrounds City-wide and how this policy is enforced at the Sixth and Folsom playground.*

*From: Supervisor Teng*

*To: City Librarian*

*Requesting/Inquiring: To determine the rationale for cutting back weekend hours at seven library branches, including Anza, Eureka Valley, Ingleside, North Beach, Ocean View, Potrero and Visitacion Valley despite public testimony that weekend and evening hours are the most useful to the public.*

*From: Supervisor Becerril*

*To: City Attorney*

*Requesting/Inquiring: To draft a charter amendment to move the month of off-year (odd numbered) general municipal election to late September or early October.*

*From: Supervisor Becerril*

*To: City Attorney*

*Requesting/Inquiring: To determine what legal jurisdiction the City and County of San Francisco has to regulate airborne billboards and banners attached to aircraft flying over the City, San Francisco Bay and alongside and near the Bay Bridge, Treasure Island and Yerba Buena Island.*

*From: Supervisor Katz*

*To: Department of Elections and Ethics Commission*

*Requesting/Inquiring: To look at creating and/or reviewing suggested guidelines for independent expenditures made by individuals and organizations during campaigns.*

## In Memoriams

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

*Pearl Levit (Supervisor Kaufman)*

*Marshall Aronowitz (Supervisor Leno)*

*Janis Edwards Sikaters (Supervisor Ammiano)*

## ADJOURNMENT

*There being no further business, the Board at the hour of 4:26 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 January 18, 2000.*

*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.*

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Gloria L. Young  
Clerk of the Board