

Agenda & Minutes Archive

Board of Supervisors

City and County of San Francisco

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

City Seal



AGENDA - DRAFT
Monday, July 12, 1999
2:00 PM

Regular Meeting

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

Gloria L. Young, Clerk of the Board

ROLL CALL AND PLEDGE OF ALLEGIANCE

APPROVAL OF MEETING MINUTES

COMMUNICATIONS

CONSENT AGENDA

All matters listed hereunder constitute a Consent Agenda, are considered to be routine by the Board of Supervisors

and will be acted upon by a single roll call vote of the Board. There will be no separate discussion of these items unless a member of the Board so requests, in which event the matter shall be removed from the Consent Agenda and considered as a separate item.

Items 1 through 18

Recommendations of the Audit and Government Efficiency Committee

Present: Supervisors Kaufman, Newsom, Katz

1. 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.)

Question: Shall this Ordinance be FINALLY PASSED?

2. 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.)

Question: Shall this Ordinance be FINALLY PASSED?

3. 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.)

Question: Shall this Ordinance be FINALLY PASSED?

4. 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.)

Question: Shall this Ordinance be FINALLY PASSED?

5. 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.)

Question: Shall this Ordinance be FINALLY PASSED?

6. 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.)

Question: Shall this Ordinance be FINALLY PASSED?

7. 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)

Question: Shall this Ordinance be FINALLY PASSED?

Present: Supervisors Kaufman, Newsom

8. 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.)

Question: Shall this Ordinance be FINALLY PASSED?

9. 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.)

Question: Shall this Ordinance be FINALLY PASSED?

Present: Supervisors Kaufman, Newsom, Katz

10. 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)

Question: Shall this Resolution be ADOPTED?

11. 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.)

Question: Shall this Resolution be ADOPTED?

12. 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.)

Question: Shall this Resolution be ADOPTED?

Recommendations of the Housing and Social Policy Committee

Present: Supervisors Teng, Bierman, Becerril

13. 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)

Question: Shall this Resolution be ADOPTED?

14. 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. (Public Health Department)

Question: Shall this Resolution be ADOPTED?

15. 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. (Public Health Department)

Question: Shall this Resolution be ADOPTED?

16. 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. (Human Services Department)

Question: Shall this Resolution be ADOPTED?

17. 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)

Question: Shall this Resolution be ADOPTED?

18. 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

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)

Question: Shall this Resolution be ADOPTED?

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

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of the Public Utilities and Deregulation Committee

Present: Supervisors Ammiano, Bierman, Becerril

19. 990455 [High-Speed Broadband Networks]

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

Resolution establishing city policy supporting open non-discriminatory access to broadband access services and supporting non-discriminatory access by consumers to all content on the internet; urging the San Francisco City Attorney, the Department of Telecommunications and Information Services and the Telecommunications Commission to take all possible action to implement this policy at the federal, state, and local level by: 1) monitoring legislative, regulatory and judicial developments in the California Legislature, Congress, the Federal Communications Commission and Federal Courts addressing high-speed internet access; 2) monitor the market for broadband access services in order to gauge the necessity or feasibility of imposing an open access requirement; 3) requiring cable companies

and other providers of high-speed internet access services to permit unrestricted access to all content on the internet in addition to allowing subscribers a single "click through" directly to such content; 4) requiring cable companies and other providers of high-speed internet access services to provide universal access by consumers to any cable modem or high-speed internet access service in a service area in which cable modem or high-speed internet access service is offered; 5) filing an amicus brief in support of the City of Portland's non-discriminatory access requirement in the United States Court of Appeals for the Ninth Circuit and; 6) urging the San Francisco City Attorney, the Department of Telecommunications and Information Services and the Telecommunications Commission to report back to the Board of Supervisors by December 15, 1999 on federal, state and local legislative, regulatory, judicial and technical developments and recommend a course of action for the City.

3/15/1999, SEVERED FROM FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA. Supervisor Ammiano, on behalf of Supervisor Katz, requested this matter be severed for the purpose of referring it to committee.

3/15/1999, REFERRED to Public Utilities and Deregulation Committee.

7/6/1999, CONTINUED. Supervisor Katz requested this matter be continued to July 12, 1999.

Question: Shall this Resolution be ADOPTED?

Recommendations of the Rules Committee

Present: Supervisors Leno, Kaufman

20. 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.

7/6/1999, CONTINUED. Second Draft continued to July 12, 1999 with pending amendment of the whole.

Question: Shall this Charter Amendment be SUBMITTED?

21. 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.

7/6/1999, CONTINUED. First Draft continued to July 12, 1999.

Question: Shall this Charter Amendment be SUBMITTED?

Present: Supervisors Leno, Yee, Kaufman

22. 990986 [Charter Amendment - Catastrophic Sick Leave Program] Supervisors Ammiano, Katz, Bierman, Leno
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.)

7/6/1999, CONTINUED. Second Draft continued to July 12, 1999.

Question: Shall this Charter Amendment be SUBMITTED?

Present: Supervisors Leno, Kaufman

23. 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.)

7/6/1999, CONTINUED. Third Draft continued to July 12, 1999.

Question: Shall this Charter Amendment be SUBMITTED?

NEW BUSINESS

Recommendations of the Finance and Labor Committee

Present: Supervisors Yee, Bierman, Ammiano

24. 991350 [Budget, 1999-2000] Mayor
Motion approving Annual Budget of the City and County of San Francisco for Fiscal Year 1999-2000.
(Companion measure to Files 991052, 991086.)

Question: Shall this Motion be ADOPTED?

25. 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)

Question: Shall this Ordinance be FINALLY PASSED?

26. 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.)

Question: Shall this Ordinance be FINALLY PASSED?

27. 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.)

Question: Shall this Resolution be ADOPTED?

28. 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.)

Question: Shall this Resolution be ADOPTED?

29. 991244 [Authorizing funds for the installation of traffic signal at Eighth Avenue and Clement Street, a Supervisor high-use intersection in the Inner Richmond commercial district; provide additional funds 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.

Question: Shall this Ordinance be FINALLY PASSED?

30. 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)

Question: Shall this Resolution be ADOPTED?

31. 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)

Question: Shall this Resolution be ADOPTED?

32. 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)

Question: Shall this Resolution be ADOPTED?

33. 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)

Question: Shall this Resolution be ADOPTED?

34. 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)

Question: Shall this Resolution be ADOPTED?

35. 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)

Question: Shall this Resolution be ADOPTED?

36. 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)

Question: Shall this Resolution be ADOPTED?

37. 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)

Question: Shall this Resolution be ADOPTED?

38. 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)

Question: Shall this Resolution be ADOPTED?

Recommendations of the Housing and Social Policy Committee

Present: Supervisors Teng, Bierman, Becerril

39. 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.)

Question: Shall this Ordinance be FINALLY PASSED?

40. 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.

5/24/1999, SEVERED FROM FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA.
At the request of Supervisor Yee, this matter was severed for the purpose of referring it to Committee.

5/24/1999, REFERRED to Housing and Social Policy Committee. Supervisors Bierman, Ammiano, Katz, requested to be added as co-sponsors.

Question: Shall this Resolution be ADOPTED?

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

Present: Supervisors Newsom, Leno, Becerril

41. 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.)

Question: Shall this Ordinance be FINALLY PASSED?

42. 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.)

Question: Shall this Ordinance be FINALLY PASSED?

43. 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.

Question: Shall this Resolution be ADOPTED?

SPECIAL ORDER 3:00 P.M.

44. 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)

Action:_____

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

45. 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)

Question: Shall this Motion be ADOPTED?

46. 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 approving granting a conditional use permit subject to conditions imposed by Planning Commission and additional conditions imposed by the Board of Supervisors and adopting findings pursuant to Planning Code Section 101.1. (Clerk of the Board)

Question: Shall this Motion be ADOPTED?

47. 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)

Question: Shall this Motion be ADOPTED?

48. ROLL CALL FOR INTRODUCTIONS

Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, and letters of request to the City Attorney.

49. PUBLIC COMMENT

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

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

Items 50 through 62

50. 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.

7/6/1999, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

51. 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
Supervisors Brown, Katz, Bierman
Resolution urging Governor Gray Davis to support Senate Bill 468.

7/6/1999, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

52. 991318 [Nominations to the Golden Gate National Recreation Advisory Committee]
Supervisors Yaki, Ammiano, Bierman
Resolution nominating proposed appointees to the Golden Gate National Recreation Area Advisory Commission.

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

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

7/6/1999, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

53. 991320 [Support Creation of the Bay Trail]
Supervisors Ammiano, Katz, Leno, Bierman
Resolution endorsing the creation of the Bay Trail, a 400 mile biking and hiking route that would circle San Francisco and San Pablo Bays by connecting 47 cities and all nine bay area counties through existing parks, open spaces and other recreational facilities and creating links to existing and proposed transportation facilities while avoiding adverse effects on the environment of the bays.

7/6/1999, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

54. 991321 [Internet Economic Impact Task Force]
Supervisor Becerril
Resolution establishing an Interdepartmental Internet Economic Impact Task Force to review the economic impact related to the taxation of electronic commerce and other internet activities and setting forth the membership and duties of the task force.

7/6/1999, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

55. 991322 [Taxicab Lease and Gate Cap Application]
Supervisor Newsom
Resolution urging the Taxi Commission to consider ruling that implementation of lease caps placed by the Board of Supervisors on the amount that taxi companies may pay to permit holders for use of their taxi medallion will not be interpreted to restrict the amount that single permit holders operating as a company may collect from drivers in gate fees; informing the Commission of its duty to report to the Board of Supervisors on the impact of both the lease cap and gate cap legislation pursuant to Ordinances 362-98 and 364-98 of the Police Code; that copies of this resolution and copies of the aforementioned

ordinances be sent to the Taxi Commission and its President.

7/6/1999, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

56. 991323 [State Legislation, AB 16, Funding for In-Home Supportive Services Workers] Supervisors Bierman, Katz, Ammiano, Leno, Newsom, Teng, Yaki, Becerril
Resolution urging Governor Gray Davis to restore State funding for In-Home Supportive Services as required by Assembly Bill 16.

7/6/1999, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

57. 991329 [Commendation] Supervisors Teng, Katz, Becerril, Bierman
Resolution commending the Chinese Folk Dance Association upon the occasion of their 40th Anniversary and declaring August 7, 1999, to be "Chinese Folk Dance Association Day" in San Francisco.

7/6/1999, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

58. 991330 [Commendation] Supervisors Yee, Katz, Leno
Resolution commending the Mandarin-speaking Asian Pacific Islander Lesbian and Bisexual Women's Network (MAPLBN) for its work in educating the Mandarin speaking friends and families of lesbians and bisexual women.

7/6/1999, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

59. 991331 [Commendation] Supervisor Yee
Resolution commending Terry Landini-Brennan for her outstanding work, dedication and commitment to the City and County of San Francisco.

7/6/1999, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

60. 991332 [Commendation] Supervisors Leno, Bierman, Becerril, Katz
Resolution commending the Women's Community Clinic and its dedicated volunteers for opening a clinic in the Haight-Ashbury to serve women's health needs.

7/6/1999, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

61. 991333 [Commendation] Supervisors Newsom, Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Teng, Yaki, Yee, Becerril

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

7/6/1999, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

62. 991319 [Suspend 30 Day Rule]

Supervisor Yaki

Motion suspending Rule 5.43 of the Rules of Order of the Board of Supervisors to allow the Board of Supervisors to consider, without waiting 30 days after its introduction, proposed ordinance amending the Elections Code by adding Section 401 to require that candidates' names on the official ballot and any sample ballots also appear in Chinese characters.

7/6/1999, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be ADOPTED?

Questions on the For Adoption Without Committee Reference
Agenda:_____

63. IMPERATIVE AGENDA

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

[Serious Injury Finding]

Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

[Purely Commendatory Finding]

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

[Brown Act Finding]

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

[Imperative Resolutions, if any]

OFF-CALENDAR LEGISLATION

PROPOSED ORDINANCES

Proposed ordinances received from July 1 through noon July 7, for reference by President to appropriate committee on July 12, 1999.

991177 [Public Works Code, Administrative Penalties for Excavation] Supervisors Katz, Brown

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.

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

7/7/1999, SUBSTITUTED.

7/7/1999, 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] Supervisors Teng, Katz

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.)

Supervisor Bierman dissenting in Committee.

6/30/1999, RECEIVED AND ASSIGNED to Housing and Social Policy Committee. FEE AD REQUIRED BEFORE ITEM IS SCHEDULED.

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.), by removing the rental rates of most single-family homes and condominiums from rent control after specified dates, and by authorizing rent increases in rent controlled units upon specified subletting or assignment. However, specified units with serious long-term health, safety, fire or Building Code violations are excluded; unless a tenant who is party to a rent/lease agreement notifies the owner in writing, an owner's acceptance of rent

does not waive the owner's right to establish initial rent or to enforce a sublease/assignment prohibition; termination or non renewal of an owner's contract or recorded agreement with a government agency that provides rent limitations for qualified tenant(s) requires 90 days written notice to the tenant(s). and the owner may not set the initial rent for the affected unit for three years except as specified. Also, amending San Francisco Administrative Code Chapter 37A "Residential Rent Stabilization and Arbitration Fee" by amending Section 37A.1 to provide that the fees remain applicable to defined units that are exempt from the rent control provisions but not from rent control provisions of Chapter 37. (Rent Stabilization and Arbitration Board)

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

7/2/1999, RECEIVED AND ASSIGNED to Housing and Social Policy Committee.

PROPOSED RESOLUTIONS

Proposed resolutions received from July 1 through noon July 7, for reference by President to appropriate committee on July 12, 1999.

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. (Public Health Department)

6/30/1999, RECEIVED AND ASSIGNED to Public Health and Environment Committee.

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

Supervisor Katz

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.) Supervisor Bierman dissenting in Committee.

6/30/1999, 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. (Public Health Department)

7/6/1999, 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 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). (Parking and Traffic Department) 7/2/1999, RECEIVED AND ASSIGNED to Transportation and Land Use Committee.

991349 [Petitions and communications]

Petitions and communications received from July 1 through noon July 7, for reference by the President to Committee considering related matters or to be ordered filed by the Clerk on July 12, 1999

From various signators, submitting Form 700 Statement of Economic Interests: (1)
John Clark, Legislative Analyst

From various signators, submitting Annual Economic Statement for Community Development Block Grant funding for 1999 Program. File 99-0049. Finance and Labor Committee (2)
Housing Services Affiliate of the Bernal Heights Neighborhood Center

From California Common Cause, suggesting that the Ethics Commission seek authority to submit its budget directly to the Board of Supervisors. (3)

From various departments, regarding disposal of surplus materials. Copy: Supervisor Becerril (4)
Public Utilities Commission
War Memorial and Performing Arts Center
Animal Care and Control Department
Port
Purchasing Department
Real Estate Department
Board of Supervisors

From Office of the Treasurer, submitting investment activity (for fiscal year to date) of the portfolios under management. (5)

From Controller's Audits Division, submitting report concerning the audit of various departments: (6)
Public Administrator/Public Guardian's Office
Performing Arts Garage

From concerned citizens, submitting opposition to Rodeos in San Francisco. 4 Letters (7)

From concerned citizens, regarding closure of Mt. Zion Emergency Room. File 99-1196, Public Health and Environment Committee, 3 Letters (8)

From Michael L. Smith, submitting support to improve and expand homecare services in San Francisco. File 99-1065, Finance and Labor Committee (9)

From Khan Foxx, submitting opposition to increase funding for the San Francisco Police Department in the Tenderloin neighborhood. File 99-1065, Finance and Labor Committee (10)

From Dantes 44, regarding displaying the American Flag on the 4th of July. (11)

From Budget Analyst, submitting Activity Status Report for the Quarter ending June 30, 1999. (12)

From Department of Administrative Services, notifying the Board of Supervisors that the current Living Wage Ordinance does not contain compliance mechanisms, does not identify a department or agency to administer the Ordinance and does not provide funds for its implementation. Copy: Each Supervisor (13)

From Office of the Sheriff, submitting request to Human Rights commission for waiver of the requirements of Chapter 12B and 12C of the Administrative Code. (14)

From concerned citizens, submitting support for the Board of Supervisors to acquire Hawk Hill for open space. Files 99-0868, 99-0869 4 Letters (15)

From David Steinberg, submitting support to demolish the Central Freeway. (16)

From concerned citizens, regarding the cable internet free market. File 99-0455, 25 Letters (17)

From United States Environmental Protection Agency, regarding meeting on August 19, 1999 to discuss the cleanup of an abandoned waste oil storage and recycling facility, known as PRC Patterson in Patterson, California. Copy: Port, City Attorney, Mayor (18)

From Greater San Francisco Association of Realtors, submitting opposition to proposed legislation regarding lease provisions to the Rent Ordinance. Copy: Each Supervisor, File 99-0168, Housing and Social Policy Committee (19)

From Office of the City Attorney, submitting amended Sunshine complaint dated March 2, 1999. Finance and Labor Committee (20)

From concerned citizens, submitting support to place the Parks and Open Space Initiative on the November ballot. Copy: Each Supervisor File 99-0984, 2 Letters (21)

From Cathy C, regarding the Veterans Affairs Commission website. Copy: Each Supervisor (22)

From Daniel F. Reidy, regarding hearing on Hawk Hill Open Space Program. Files 99-1275, 99-0868 (23)

From Eyad A. Ibrahim, regarding introduction of additional establishments, or any expansion of existing establishments, selling alcoholic beverages in the Mission District. File 99-0731 (24)

From US Army Corps of Engineers, submitting proposed guidance for sampling and analysis plans (Quality Assurance Project Plans) for Dredging Projects within the USACE San Francisco District. (25)

From Emergency Communications Department, submitting quarterly report regarding the new 911/Office of Emergency Communication Center. Finance and Labor Committee, Housing and Social Policy Committee (26)

From Planning Department, regarding the San Francisco International Airport Runway Reconfiguration Draft Environmental Impact Report - Public and Agency Scoping Process. Copy: Each Supervisor (27)

From Office of the Controller, submitting report concerning the concession audit of Japan Center Garages for the period from April 1, 1996 through February 28, 1999. (28)

From Department of Public Works, notifying the Board that the appellants' signatures represent owners of more than 20% of the area, 1880 Lombard Street, Lot 12, Assessor's Block 494. File 99-1172 (29)

From Hebert W. Hawley, Chief Medical Examiner, submitting appreciation for the commendation and the declaration of a day in his honor. (30)

From San Francisco Housing Authority Human Resources Division, submitting support for a proposed Charter Amendment on Family Leave. File 99-0986 (31)

From North of Market Planning Coalition, regarding proposed use of 260 Golden Gate Avenue for permanent affordable family housing. (32)

From Outer Mission Residents Association, regarding opposition to the rezoning of the vacant property at 4279-4285 Mission Street for a proposed Kentucky Fried/Taco Bell Restaurant. Copy: Supervisors Leno, Newsom, File 99-1160 (33)

From UCSF Stanford Health Care, submitting notice of second community meeting to continue discussion regarding possible changes to the services provided at UCSF/Mount Zion. File 99-1196, Public Health and Environment Committee (34)

From concerned citizens, regarding the proposed amendments to Section 6.15 (roommates/subletting of the rent ordinance. File 99-0168, Housing and Social Policy Committee 2 Letters (35)

From Anthony C. Cassidy, requesting a determination of public convenience and necessity for an on-sale general liquor license to the Beach Street Bar at 2801 Leavenworth St., Space J32. Small Business, Economic Vitality and Consumer Services (36)

From Holly Budd, regarding UCSF Stanford Health Care Financial Problems. (37)

From Lloyd Schloegel, submitting opposition to the proposal to reconfigure the San Francisco Airport Runway. (38)

From Telecommunications Commission, submitting support for the proposed Area Code Reform Resolution. File 99-1289 (39)

Number not used. (40)

From San Francisco Superior Court, submitting deposit statement for the month ended May 31, 1999 and an amended report for April 1999. (41)

From Catastrophic Illness Program/Long Term Disability Task Force, submitting findings and recommendations of the Catastrophic Illness Program/Long Term Disability Task Force. Copy: Each Supervisor (42)

ADJOURNMENT

Meeting Procedures

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

Board procedures do not permit persons in the audience to vocally express support or opposition to statements by

Supervisors or by other persons testifying. Thus applause and booing are both contrary to Board requirements. The Board does not permit signs to be brought into the meeting or displayed in the room.

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

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

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

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

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

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

Disability access

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

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

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

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

For a large print copy of agenda or minutes in alternative formats, contact Annette Lonich at (415) 554-7706.

In order to assist the City's efforts to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products. Please help the City to accommodate these individuals.

Know Your Rights Under the Sunshine Ordinance

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

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

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