

# 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, November 16, 1998

2:00 PM

Legislative Chamber - Room 404  
Veterans Building, 401 Van Ness Avenue  
San Francisco, CA 94102

Regular Meeting

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**BARBARA KAUFMAN, PRESIDENT**

**TOM AMMIANO, SUE BIERMAN, AMOS BROWN, LESLIE KATZ,**

**MARK LENO, JOSE MEDINA, GAVIN NEWSOM, MABEL TENG,**

**MICHAEL YAKI, LELAND Y. YEE**

*Gloria L. Young, Clerk of the Board*

## BOARD COMMITTEES

### Committee Membership

Economic Development, Transportation, and Technology Committee

Supervisors Yaki, Katz, Leno

Finance Committee

Supervisors Teng, Kaufman, Newsom

Health, Family, and Environment Committee

Supervisors Bierman, Katz, Ammiano

Housing and Neighborhood Services Committee

Supervisors Medina, Yee, Leno

Parks and Recreation Committee

Supervisors Brown, Newsom, Leno, Bierman

Rules Committee

Supervisors Medina, Ammiano, Yee, Teng, Kaufman, Brown

### Meeting Days

1st & 3rd Tuesday

10:00 AM

Each Wednesday

1:00 PM

2nd & 4th Thursday

10:00 AM

1st & 3rd Thursday

10:00 AM

1st Tuesday

2:00 PM

2nd & 4th Tuesday

10:00 AM

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



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

**Members Absent:** Barbara Kaufman.

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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.*

*In the absent of President Kaufman, the Clerk of the Board called the meeting to order at 2:02 p.m. On call of the roll, the following Supervisors were noted absent*

*Supervisor Kaufman - 1.*

*Quorum present.*

*Supervisor Kaufman excused. (See infra.)*

### Appointment of President Pro Tempore

*The Clerk of the Board stated that pursuant to Rule 3.1 of the Rules of Order of the Board of Supervisors, the Clerk shall call the roll at the time appointed for the meeting and the Board shall appoint a presiding officer pro tempore from among the members present and traditionally, the Supervisor who is called last on roll call today is nominated to preside. A motion to appoint Supervisor Teng would be in order.*

**Supervisor Newsom, seconded by Supervisor Ammiano, moved to appoint Supervisor Teng as presiding officer pro tempore for today's meeting. The motion carried by the following vote:**

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

Absent: 1 - Kaufman

### Supervisor Kaufman Excused From Attendance

**Supervisor Newsom, seconded by Supervisor Ammiano, moved to excuse Supervisor Kaufman from attending today's meeting. The motion carried by the following vote:**

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

Absent: 1 - Kaufman

### Privilege of the Floor

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

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

Absent: 1 - Kaufman

### Introduction of Guests

*Supervisor Brown introduced the following persons who spoke in favor of the resolution declaring that the City of San Francisco will not tolerate assaults on public officials (see infra) as follows: Reverend Cecil Williams; Alex Pritcher; Leroy King; Chairman, Adopt a Youth Program; Eileen Hernandez; female speaker, male speaker.*

*Supervisor Medina introduced and welcomed Ms. Pola Shornik, Manager of Outreach Department, Productivity Enhancement Program, who stated she is traveling with a delegation of attorneys from Russia who are here to study the United States legislative system.*

*Supervisor Leno introduced and welcomed Dame Edna. She expressed joy at the series of events held for her since her arrival and felt the warmth and welcome from San Francisco during her performances and on the City streets. Dame Edna thanked the Board of Supervisors for the proclamation (see infra).*

## **CONSENT AGENDA**

### **Recommendation of the Economic Development, Transportation, and Technology Committee**

**981776 [Contract for Electric Service, Treasure Island]**

Ordinance approving the contract between the City and County of San Francisco and the United States, through the Department of Energy Western Area Power Administration, for the delivery of low cost electric power for use at Treasure Island on file with the Clerk of the Board of Supervisors in File No. 981776; and approving indemnifying and holding harmless United States against claims arising from the activities of the City under the contract; and waiving requirement of Section 6.57 of the San Francisco Administrative Code that every contract contain a statement regarding liability of claimants for submitting false claims; and waiving requirement of Section 21.10-1 of the San Francisco Administrative Code that every contract contain a statement regarding guaranteed maximum costs. (Public Utilities Commission)

Ordinance No. 348-98

**FINALLY PASSED**

### **Recommendations of the Housing and Neighborhood Services Committee**

**981686 [Grant - State]**

Resolution authorizing the Chief of Police of the City and County of San Francisco to accept and expend funds in the amount of One Hundred Ten Thousand Dollars (\$110,000.00) for a project designated "Violence Against Women-Law Enforcement Specialized Units Program" and agreeing to accept in-kind match of Thirty Seven Thousand Dollars (\$37,000.00) from Woman Organized to Make Abuse Non-existent (W.O.M.A.N. Inc.) for a victim's advocate position. (Police Department)

Resolution No. 955-98

**ADOPTED**

**981643 [Federal Grant]**

Resolution authorizing the Mayor's Criminal Justice Council to retroactively apply, accept and expend funds in the amount of \$534,337 from the U.S. Department of Justice Programs (OJP), under the Violence Against Women Act Program, to (1) support services to young women offenders, who have been victims of sexual and domestic abuse, through the Life Learning Residential Center for Girls, a component of the Mayor's Local Action Plan for juvenile justice reform and (2) providing effective batterer's intervention services to young men by providing resources to the Juvenile Probation Department and an anti-violence community based organization, Men Overcoming Violence. (Mayor)

Resolution No. 954-98

**ADOPTED**

**981733 [Stop Sign - Establish]**

Resolution designating a certain intersection as a "Stop" intersection: 9th Avenue and Moraga Street, northwest and southeast corners, stopping 9th Avenue (makes this an all-way Stop). (Housing and Neighborhood Services Committee)

Resolution No. 956-98

**ADOPTED**

### **Recommendations of the Rules Committee**

**981825 [Donna and Kenneth Ballan v. CCSF]**

Ordinance authorizing settlement of litigation of Donna and Kenneth Ballan against the City and County of San Francisco by payment of \$92,500. (City Attorney)

(S.F. Superior Court No. 981-417.)

**PASSED, ON FIRST READING**

**981826 [Siu Shek Au Yeung, et al. v. CCSF]**

Ordinance authorizing settlement of litigation of Siu Shek Au Yeung against the City and County of San Francisco by payment of \$120,000. (City Attorney)

(S F. Superior Court No. 989-501.)

**PASSED, ON FIRST READING****981827 [Lois Fenske v. CCSF]**

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

(S.F. Superior Court No. 987-514.)

**PASSED, ON FIRST READING****980169 [Appointment]**

Resolution appointing member to the San Francisco Mental Health Board. (Rules Committee)

(Appointing Renee Deger to succeed Anita Burton, Seat 13, must be family member, new three-year term ending January 31, 2001.)

Resolution No. 957-98

**ADOPTED****981734 [Appointments]**

Resolution appointing members to the Delinquency Prevention Commission. (Rules Committee)

(Appointing Andrew Lai to succeed Keysha McFarlin, Seat 1, must be a youth, 18 years of age or younger, unexpired two year term ending December 31, 1998, new two year term ending December 31, 2000; Appointing Diana Ming Chan to succeed Sharon Hoff, Seat 16, must be nominee of Supervisor Bierman; unexpired four year term ending December 31, 2000.)

Resolution No. 958-98

**ADOPTED****981912 [Appointments]**

Resolution appointing members to the Skating Advisory Committee. (Rules Committee)

(Appointing Paul Pilletteri, Seat 1, must represent skating organizations, three year terms to be determined by lot;

David Miles, Seat 2, must represent skating organizations, three year terms to be determined by lot;

Zack Phillips, Seat 3, must represent skating organizations, three year terms to be determined by lot;

Chris Duderstadt, Seat 7, must represent skaters at-large, three year terms to be determined by lot;

Victoria Armigo, Seat 8, must represent skaters at-large, three year terms to be determined by lot;

Robert Rodriguez, Seat 9, must represent skaters at-large, three year terms to be determined by lot;

Bob Planthold, Seat 10, must represent a local organization that has expertise with pedestrian safety issues, three year terms to be determined by lot;

Grayce Regan, Seat 11, must represent a local organization that has expertise with disability issues, three year terms to be determined by lot.)

Resolution No. 959-98

**ADOPTED**

**981914 [Appointments]**

Resolution appointing members to the Park and Open Space Advisory Committee. (Rules Committee)

(Appointing Douglas Wildman to succeed Ron Miguel, Seat 3, must be nominee of Supervisor Medina, new two year term ending July 15, 2000.

Appointing Alan Weaver to succeed himself, Seat 2, must be nominee of Supervisor Newsom, new two year term ending July 15, 2000.)

Resolution No. 960-98

**ADOPTED**

**981916 [Appointment]**

Resolution appointing member to the Maternal Child Adolescent Health Board. (Rules Committee)

(Appointment of Sue Cauthen to succeed Susan Obata, M.D., Seat 3, must be nominee of Supervisor Ammiano, new three year term ending August 31, 2001.)

Resolution No. 961-98

**ADOPTED**

**981918 [Appointment]**

Resolution appointing member to the Hazardous Materials Advisory Committee; and making findings waiving residency requirement. (Rules Committee)

(Appointing Jennifer Mann to Seat 5, must be epidemiologist, term beginning July 1, 1996, ending July 1, 2000.)

Resolution No. 962-98

**ADOPTED**

The foregoing items were acted upon by the following vote:

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

Absent: 1 - Kaufman

## **REGULAR AGENDA**

## **UNFINISHED BUSINESS**

### **Recommendation of the Finance Committee**

**981503 [Campaign Consultant Fees]**

Ordinance amending Administrative Code by amending Section 16.543(c) to add a fee schedule for campaign consultants and to require the Ethics Commission to evaluate the fee schedule in 1999 and propose any amendments to the fee schedule to the Board of Supervisors for approval by December 1, 1999. (Ethics Commission)

(Amends Section 16.543(c).)

Ordinance No. 347-98

**FINALLY PASSED** by the following vote:

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

Noes: 2 - Newsom, Yee

Absent: 1 - Kaufman

## NEW BUSINESS

### Recommendation of the Finance Committee

981799 [Parking Ticket Amnesty Program]

Supervisors Teng, Yaki, Katz,  
Brown, Leno, Medina, Bierman

Resolution urging the Department of Parking and Traffic to implement a 15 day amnesty program to waive penalties on outstanding parking tickets by reducing the amount due to an amount equal to the original fine; and urging that the amnesty program have a simple and easy application process; and urging the Department of Parking and Traffic to implement this amnesty program from December 1st through December 15th 1998 on tickets dating back as far as October of 1993.

*At the request of Presiding Officer Supervisor Teng, Supervisor Yaki assumed the chair so she could address the Board on this item. Supervisor Teng assumed the chair shortly thereafter.*

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

Resolution No. 963-98

**ADOPTED** by the following vote:

Ayes: 9 - Ammiano, Bierman, Brown, Katz, Leno, Medina, Teng, Yaki, Yee

Noes: 1 - Newsom

Absent: 1 - Kaufman

### Recommendations of the Housing and Neighborhood Services Committee

981550 [Parking Regulations, Redwood Street]

Ordinance amending Traffic Code by adding Section 32.6.18 regarding parking regulations on a portion of the south side of Redwood Street, west of Polk Street, from 8 A.M. to 5 P.M., Monday through Friday.  
(Department of Parking and Traffic)

(Adds Section 32.6.18.)

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

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

Absent: 1 - Kaufman

981660 [Excelsior Youth Center Fund]

Supervisors Teng, Medina,  
Bierman, Brown, Leno, Newsom

Ordinance adding Section 10.117-119 to the Administrative Code, which authorizes the acceptance and expenditure of gift funds for the construction of the Excelsior Youth Center and establishes the Excelsior Youth Center Fund.

(Adds Section 10.117-119.)

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

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

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

Absent: 1 - Kaufman



**981303 [Mission Massage Parlor Interim Zoning Controls] Supervisors Medina, Bierman**

Resolution imposing Interim Zoning Controls for a period of 18 months to establish the Mission Massage Establishment Interim Moratorium Special Use District in the area generally bounded by Guerrero Street, Fourteenth Street, Cesar Chavez Street, Potrero Avenue, San Jose Avenue and Highland Avenue which would prohibit new massage parlors unless associated with an institutional use pursuant to Section 218.1 of the Planning Code and making determination of consistency with the priority policies of Planning Code Section 101.1 (Proposition M).

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

Resolution No. 951-98

**ADOPTED by the following vote:**

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

Absent: 1 - Kaufman

**981413 [Liquor License, 1496 Market Street]**

Resolution determining that the issuance of a Type 21 general alcoholic beverage control license to Sherrie Olson, on behalf of Rite Aid Corporation, located at 1496 Market Street, will serve the convenience of the people of the City and County of San Francisco in accordance with Section 23958.4 of the California Business and Professions Code; with conditions.

Supervisor Medina, seconded by Supervisor Yaki, moved that this Resolution be **RE-REFERRED** to the Housing and Neighborhood Services Committee. The motion carried by the following vote:

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

Absent: 1 - Kaufman

**981459 [Liquor License, 1101 Silver Avenue]**

Resolution opposing the request for the issuance of a Type 20 off-sale beer and wine alcoholic beverage control license to Cecilia Chac for Kuan Tao Market, located at 1101 Silver Avenue, and determining that it will not serve the public convenience and necessity of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code.

(Filed by Cecilia Chac.)

Resolution No. 952-98

**ADOPTED by the following vote:**

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

Absent: 1 - Kaufman

**981551 [Liquor License Transfer, 599 Clement Street]**

Resolution opposing the request for the transfer of a Type 20 off-sale beer and wine alcoholic beverage control license to Daniel P. Kahn for Competition Closeouts, Inc., located at 599 Clement Street, and determining that it will not serve the public convenience and necessity of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code.

Resolution No. 953-98

**ADOPTED by the following vote:**

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

Absent: 1 - Kaufman



## PUBLIC COMMENT

*J. B. Saunders, permit prices and fees;*  
*Louis Calabro, European-American issues;*  
*Alfred Lee, Committee to Save the Central Freeway;*  
*Martin Lyon, public transit vehicle aestheticizing;*  
*Jeffrey Leibavitz, oppose Pac Bell Park Coke Bottle;*  
*Jakkee Bryson, Episcopal Sanctuary shelter report.*  
*Lloyd Schlegal, South of Market developments;*  
*Norman Rolfe, support Central Freeway File 981900;*  
*Steven Currier, Outer Mission, Balboa BART Car Barn;*  
*James Sarria, support Central Freeway File 981900;*  
*Rose Tsai, oppose Central Freeway File 981900;*  
*Robin Levitt, support Central Freeway File 981900;*  
*Lynn Craton, support Central Freeway File 981900;*  
*John Barry, oppose Central Freeway File 981900;*  
*Tate, oppose experiments on monkeys;*  
*Michael Bellefontaine, homelessness, Proposition G, single room occupancy;*  
*Abdalla Megahed, homelessness.*

## CLOSED SESSION

### Conference with City Attorney - Litigation

*[Convene in Closed Session]*

*Motion that the Board of Supervisors convene in closed session with the City Attorney for the purpose of conferring with, or receiving advice from the City Attorney as permitted by Government Code Section 54956.9(a) regarding the following litigation:*

#### 981920 [Pending Litigations]

(1) San Francisco v. Philip Morris, et al, U.S. District Court Case No. C96-2090 DLJ; (2) People of State of California v. Philip Morris, et al, S.F. Superior Court Case No. 980-864; (3) State of California v. Bank of America, S.F. Superior Court No. 968-484, as permitted by Government Code Section 54956.9(a).

Supervisor Medina, seconded by Supervisor Katz, moved adoption to convene in closed session. The motion carried by the following vote:

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

*Recess*

*The Board recessed at the hour of 4:30 p.m. to convene in closed session pursuant to above motion.*

*Reconvening of the Board*

*The Board, at the hour of 4:53 p.m., reconvened*

*Calling the Roll*

*On call of the roll, the following Supervisors were noted present: Supervisors Ammiano, Bierman, Brown, Leno, Medina, Newsom, Teng, Yaki, Yee - 9.*

*Noted Absent: Supervisors Katz, Kaufman - 2.*

*Quorum present*

*Supervisor Katz was noted present at 4:55 p.m.*

*Supervisor Kaufman excused. See supra.*

*Report on Closed Session*

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

*The meeting was informational only and no action was taken.*

*[Elect Not to Disclose]*

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

**Supervisor Newsom, seconded by Supervisor Leno, moved adoption. The motion carried by the following vote:**

**Ayes: 9 - Ammiano, Bierman, Brown, Leno, Medina, Newsom, Teng, Yaki, Yee**

**Absent: 2 - Katz, Kaufman**

**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.*

**981898 [Street Artists Selling Spaces]**

**Supervisors Teng, Bierman,  
Medina**

Resolution designating for six months five selling spaces on Grant Avenue, east side, Post to Sutter Streets, and one selling space on Grant Avenue, west side, Post to Sutter Streets, for street artists certified by the Art Commission, City and County of San Francisco.

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

Resolution No. 964-98

**ADOPTED**

981899 [Hurricane Mitch]

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

Resolution expressing deepest sympathy of the City and County of San Francisco for the people of Nicaragua, Honduras, Guatemala and El Salvador for the devastating losses caused by Hurricane Mitch and urging the people of San Francisco to aid in relief efforts to those countries.

*Supervisors Yaki, Leno, Newsom, Teng, Medina requested to be added as co-sponsors*

Resolution No. 965-98

ADOPTED

981902 [Healthy Families Program]

Supervisors Leno, Bierman, Katz,  
Newsom, Teng, Medina

Resolution urging the Healthy Families Program to implement changes in the administration of the program to enroll additional eligible children.

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

Resolution No. 966-98

ADOPTED

981903 | Commendation |

Supervisors Leno, Bierman, Katz,  
Medina

Resolution commending the California Air Resources Board for requiring sport utility vehicles, pickup trucks, and minivans to meet the same pollution standards as regular cars.

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

Resolution No. 967-98

**ADOPTED**

981904 [Commendation]

Supervisors Leno, Katz, Bierman,  
Brown, Newsom, Teng, Medina

Resolution commending Aida Alvarez and the Small Business Administration for their efforts to increase minority and women lending goals.

*Supervisors Bierman, Brown, Newsom, Teng, Medina requested to be added as co-sponsors.*

Resolution No. 968-98

ADOPTED

981915 [Grand Jury Report, Treasure Island]

## Supervisor Yaki

Motion directing the Clerk of the Board of Supervisors to file a response to the 1997-1998 Civil Grand Jury Report on Treasure Island.

Motion No. M98-146

APPROVED

The foregoing items were acted upon by the following vote:

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

Absent: 1 - Kaufman

**Severed from For Adoption Without Committee Reference Agenda**

981900 [Central Freeway Replacement Project Act of 1998]

Supervisors Bierman, Katz, Leno,  
Ammiano, Brown, Medina

Resolution approving the Octavia Boulevard alternative for replacement of the Central Freeway, withdrawing authorization for Caltrans to enact the Central Freeway Replacement Project Act of 1997, repealing Board of Supervisors Resolution 1073-97, reinstating Board of Supervisors Resolution 541-92, urging Caltrans to proceed immediately with the implementation of the Central Freeway Replacement Project Act of 1998 and urging Caltrans to take down the existing structure as soon as possible.

*At the request of Supervisor Yee, this matter was severed for the purpose of referring it to committee.*

**SEVERED FROM FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA.**

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

**REFERRED to the Economic Development, Transportation, and Technology Committee.**

981901 [Assaults on Public Officials]

Supervisors Brown, Bierman,  
Katz, Leno, Newsom, Medina, Teng

Resolution declaring that the City of San Francisco will not tolerate assaults on public officials and urging the San Francisco Police Department to increase police security for the Mayor of San Francisco.

*At the request of Supervisor Brown, this matter was severed for the purpose of considering it separately.*

Resolution No. 971-98

**SEVERED FROM FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA.**

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

**ADOPTED by the following vote:**

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

Absent: 1 - Kaufman

981907 [Budget Analyst Report]

Supervisors Brown, Bierman

Motion directing the Board of Supervisors Budget Analyst to prepare a report on the consequences of privatizing the operation and maintenance of the City and County of San Francisco's golf courses.

*At the request of Supervisor Brown, this matter was severed for the purpose of referring it to committee.*

**SEVERED FROM FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA.**

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

**REFERRED to the Parks and Recreation Committee.**

**IMPERATIVE AGENDA**

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

*[Purely Commendatory Finding]*

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

**Supervisor Newsom, seconded by Supervisor Leno, moved adoption. The motion carried by the following vote:**

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

Absent: 1 - Kaufman

*[Brown Act Finding]*

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

Supervisor Newsom, seconded by Supervisor Leno, moved adoption. The motion carried by the following vote:

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

Absent: 1 - Kaufman

**Imperative Resolutions**

981930 [Proclamation]

Supervisors Katz, Bierman

Resolution proclaiming November 21, 1998 Tom Sinclair Day.

Resolution No. 969-98

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

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

Absent: 1 - Kaufman

981931 [Proclamation]

Supervisor Leno

Resolution proclaiming November 26, 1998 as Dame Edna Day in San Francisco.

Resolution No. 970-98

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

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

Absent: 1 - Kaufman

981932 [Proclamation]

Supervisor Leno

Resolution proclaiming November 21, 1998 as Dr. Jay A. Levy Day.

Resolution No. 972-98

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

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

Absent: 1 - Kaufman

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

981933 [Police Department Executive Appointments]

Supervisors Leno, Bierman

Ordinance amending Administrative Code Section 2A.76 to allow for appointments to non-civil service exempt ranks of the Police Department to be made from the ranks of lieutenant and above.

(Amends Section 2A.76.)

11/16/98, RECEIVED AND ASSIGNED to Housing and Neighborhood Services Committee.

981934 [Police Department Executive Appointments]

Supervisors Leno, Bierman

Ordinance amending Administrative Code Section 2A.77 to allow the Chief of Police to appoint exempt non-civil service executives from the rank of lieutenant and above.

(Amends Section 2A.77.)

11/16/98, RECEIVED AND ASSIGNED to Housing and Neighborhood Services Committee.

**981935**     **[Parking Facility Leases and Management Agreements]**     **Supervisor Newsom**  
Ordinance amending Administrative Code Section 17.11 to require that all leases and management agreements for parking facilities be awarded through a competitive process and that such parking facility leases and management agreements be approved by the Board of Supervisors.

(Amends Section 17.11.)

11/16/98, ASSIGNED UNDER 30 DAY RULE to Housing and Neighborhood Services Committee, expires on 12/16/1998.

**981936**     **[Penalties, Late Payment of Parking Tickets]**     **Supervisor Teng**  
Ordinance amending Traffic Code by adding Section 131 to Article 7, adopting a penalty schedule for the late payment of parking tickets and providing that the Board of Supervisors may by resolution declare periods of amnesty during which late payment penalties would be forgiven upon prompt payment of the underlying fine.

(Adds Section 131.)

11/16/98, ASSIGNED UNDER 30 DAY RULE to Finance Committee, expires on 12/16/1998.

## **Resolutions**

**981926**     **[Citywide Emergency Radio System Financing]**     **Mayor**  
Resolution approving the issuance of lease revenue bonds of the City and County of San Francisco Finance Corporation; approving the execution and delivery of a first amendment to the site lease agreement between the City and County, as lessor, and the City and County of San Francisco Finance Corporation, as lessee, relating to certain police and fire facilities located in the City (as further described in this resolution); approving the execution and delivery of a first amendment to lease and option to purchase between the Corporation, as lessor, and the City, as lessee, relating to the property; approving the execution and delivery of a first supplemental indenture of trust among the corporation, the City and the Trustee; approving the execution and delivery of a continuing disclosure certificate relating to said bonds, ratifying previous actions taken in connection with the foregoing matters; adopting findings under the California Environmental Quality Act and findings pursuant to Planning Code Section 101.1; and authorizing the taking of appropriate actions in connection therewith.

(Fiscal impact.)

11/16/98, RECEIVED AND ASSIGNED to Finance Committee.

**981927**     **[Union Square Business Improvement District Advisory Board]**     **Supervisor Kaufman**  
Resolution establishing an Advisory Board to make recommendations to the Board of Supervisors on the expenditure of revenues derived from assessments, on the classification of properties within, and on the method and basis for levying assessments upon, property located within the Union Square Business Improvement District.

11/16/98, ASSIGNED UNDER 30 DAY RULE to Finance Committee, expires on 12/16/1998.



- 981937 [Central Freeway Project Office]** **Supervisors Ammiano, Katz, Leno, Bierman, Brown**
- Resolution establishing a Central Freeway Project Office to oversee the implementation of the Octavia Boulevard alternative for replacing the Central Freeway, urging the San Francisco County Transportation Authority to assume the lead agency role for project coordination and administration of project funds, urging the Mayor to direct the Planning Department, the Department of Parking and Traffic, the Department of Public works and the Department of Transportation to assist in the implementation of the Central Freeway Project and urging the Transportation Authority to negotiate a supplemental agreement with CalTrans to effectuate the transfer of all necessary funds to facilitate the expeditious implementation of the Central Freeway Replacement Act of 1998.
- 11/16/98, ASSIGNED UNDER 30 DAY RULE to Economic Development, Transportation, and Technology Committee, expires on 12/16/1998.
- 981938 [Parks and Open Space Advisory Committee]** **Supervisors Newsom, Bierman**
- Resolution amending Resolution Nos. 667-90 and 955-93 to add the Neighborhood Parks Council as an organization qualified to submit nominations for appointment to the Park and Open Space Advisory Committee pursuant to Charter Section 16.107(G).
- 11/16/98, RECEIVED AND ASSIGNED to Parks and Recreation Committee.
- 981939 [Targeted Employment Area]** **Supervisors Mayor, Kaufman, Katz, Yaki, Leno**
- Resolution identifying the census tracts comprising the "Targeted Employment Area" (TEA) for the San Francisco Enterprise Zone.
- 11/16/98, RECEIVED AND ASSIGNED to Economic Development, Transportation, and Technology Committee.
- 981940 [Elections]** **Supervisors Yee, Katz, Leno, Medina, Newsom**
- Resolution urging the Department of Elections to work with the San Francisco Unified School District, the Community College of San Francisco and San Francisco State University to identify ways of involving students in local, state and federal elections and improve voter registration opportunities for those students who are eligible and urging the Department of Elections to assign a senior staff person to this effort.
- 11/16/98, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 981941 [City College]** **Supervisors Katz, Bierman, Medina, Newsom**
- Resolution urging City departments and agencies to utilize City College programs, resources and facilities when conducting professional development and staff training activities.
- 11/16/98, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 981942 [AIDS Education Program for Seniors]** **Supervisors Leno, Bierman, Katz, Newsom**
- Resolution urging the San Francisco Department of Public Health HIV Prevention Office to create an AIDS education program for seniors.
- 11/16/98, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.



**981943 [Families in Transition Program]****Supervisors Medina, Bierman,  
Katz, Newsom**

Resolution supporting the outstanding collaborative effort of the Families in Transition Program.

11/16/98, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**Requests for Hearings****981944 [Parking Lot Lease Policy]****Supervisor Yaki**

Hearing to consider the Parking Authority's policy of leasing parking lots for valet service during evening hours.

11/16/98, RECEIVED AND ASSIGNED to Economic Development, Transportation, and Technology Committee.

**981945 [Transportation to Bay Area]****Supervisor Yaki**

Hearing to evaluate the cost and impact of the Millbrae extension and BART to the Airport.

11/16/98, RECEIVED AND ASSIGNED to Economic Development, Transportation, and Technology Committee.

**981946 [California Children and Families First Initiative, Proposition 10]****Supervisors Yee, Bierman, Brown**

Hearing to discuss Proposition 10, the California Children and Families First Initiative, including the estimated increase in funding for San Francisco's children and families, and the process for creating the Children and Families First Commission.

11/16/98, RECEIVED AND ASSIGNED to Health, Family, and Environment Committee.

**981947 [Tobacco Settlement]****Supervisor Ammiano**

Hearing on the effects of the proposed tobacco settlement on San Francisco, including expected payments to the City and how the payments should be used.

11/16/98, RECEIVED AND ASSIGNED to Finance Committee.

**981948 [Tobacco Surtax, Proposition 10]****Supervisor Ammiano**

Hearing on the effects of the passage of Proposition 10 (California Children and Families First Initiative) on San Francisco, including the potential structure and operation of a San Francisco Children and Families First Commission, potential levels of funding for early childhood development programs, smoking prevention programs and other requirements of the measure.

11/16/98, RECEIVED AND ASSIGNED to Health, Family, and Environment Committee.

**981949 [Nondiscrimination in Contracts Waivers]****Supervisor Katz**

Hearing to consider Administrative Code Chapter 12B nondiscrimination in contracts waivers that have been granted by the Human Rights Commission in the last year.

11/16/98, RECEIVED AND ASSIGNED to Health, Family, and Environment Committee.

**Motion****981950 [Needle Exchange Program]****Supervisors Bierman, Teng,  
Ammiano, Yaki, Kaufman, Katz,  
Brown, Newsom, Medina, Yee,  
Leno**

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

11/16/98, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

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

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## PROPOSED ORDINANCES

**981910 [William Fazio, et al. v. CCSF, et al.]**

Ordinance authorizing settlement of litigation of William Fazio against the City and County of San Francisco by payment of \$45,000. (City Attorney)

(U.S. District Court No. C95-1995 WHO.)

11/10/98, RECEIVED AND ASSIGNED to Rules Committee.

**981911 [Gloria Francesca Dodd v. CCSF, et al.]**

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

(U.S. District Court No. C96-3633 VRW.)

11/10/98, RECEIVED AND ASSIGNED to Rules Committee.

## PROPOSED RESOLUTIONS

**981887 [Management Agreement for City Hall Cafe]**

Resolution authorizing the execution and Management Agreement for a cafe on the ground floor of City Hall with L & L, a Partnership. (Real Estate Department)

11/6/98, RECEIVED AND ASSIGNED to Finance Committee.

**981889 [Public Auction - Tax-defaulted Real Property]**

Resolution authorizing Tax Collector to sell at public auction certain parcels of tax-defaulted real property. (Treasurer-Tax Collector)

11/9/98, RECEIVED AND ASSIGNED to Finance Committee.

**981908 [Hold Harmless Agreement, U. S. Department of Interior]**

Resolution authorizing the Chief of Police to execute a hold harmless agreement with the United States Department of the Interior contained in a Special Use Permit for use and occupancy by the Police Department's Wilderness Program at Facility No. 1621 in the Presidio. (Police Commission)

11/9/98, RECEIVED AND ASSIGNED to Housing and Neighborhood Services Committee.

**981909 [Sale of Real Property Easement Rights]**

Resolution authorizing the sale of a 10-foot wide strip of Public Utilities Commission (PUC) surplus property easement rights identified as the Newark to Hayward Aqueduct located in Newark, Fremont, and Union City, Alameda County, California to the City of Hayward. (Real Estate Department)

11/6/98, RECEIVED AND ASSIGNED to Finance Committee.

**981917 [Real Property Exchange]**

Resolution approving an exchange agreement between the City and County of San Francisco and the Peninsula Corridor Joint Powers Board (JPB), by which the JPB will quitclaim to the City its easement rights in a parcel between Fifth and Sixth Streets adjacent to King Street in exchange for the City transferring a temporary easement to the JPB in an area encroaching King Street between Fourth and Fifth Streets; and adopting findings pursuant to Planning Code Section 101.1. (Real Estate Department)

11/10/98, RECEIVED AND ASSIGNED to Finance Committee.

**Requests Granted**

*By Supervisor Yee, that letter of inquiry be sent to Acting Director, Department of Elections, requesting review and comment in writing as to the feasibility of the following suggestions: (1) Allow people who apply for absentee ballots to receive such ballots, through their single request, for more than one election; (2) Pay a bilingual stipend to poll workers who are certified as bilingual; (3) Department's outreach plans for increasing involvement of Chinese Americans and other language minorities in the voting process.*

*By Supervisors Yee, Bierman, that letter of inquiry be sent to Director, Department of Parking and Traffic to determine what steps can be taken to increase traffic safety at the corner of Market and Diamond Streets and requesting report back to the Housing and Neighborhood Service Committee within 30 days.*

*By Supervisors Ammiano, Bierman, that Budget Analyst be requested, in conjunction with his report on the proposed TDI contract extension for advertising services and the accompanying supplemental budget request, to prepare report on the proposed MUNI contract with Booz-Allen for consulting services.*

*By Supervisor Ammiano, that City Attorney draft legislation fulfilling the local requirements of Proposition 10 (California Children and Families First Initiative), including the establishment of a San Francisco Children and Families First Commission.*

*By Supervisor Newsom, that City Attorney draft ordinance banning outdoor billboard advertising of alcoholic beverage products within 1,000 foot radius of schools and playgrounds within the City and County of San Francisco.*

**In Memoriams**

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

*Thomas Perdue (By the entire Board)*

*Stokely Carmichael (By the entire Board)*

## ADJOURNMENT

*There being no further business, the Board at the hour of 4 59 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 25, 1999.*

*I, Gloria L. Young, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Minutes of said Board on the date stated and was approved as recited.*

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Gloria L. Young  
Clerk of the Board

