

# BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

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

## MEETING MINUTES

Monday, November 23, 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, Bierman

Rules Committee  
Supervisors Ammiano, Yee, 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, Barbara Kaufman, Mark Leno, Jose Medina, Gavin Newsom, Mabel Teng, Michael Yaki, Leland Y. Yee.

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## ROLL CALL AND PLEDGE OF ALLEGIANCE

*The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Barbara Kaufman presiding.*

*The meeting was called to order at 2:00 p.m. On call of the roll, the following Supervisors were noted absent:*

*Supervisors Brown, Katz, Newsom - 3.*

*Quorum present.*

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

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

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

## APPROVAL OF MEETING MINUTES

Supervisor Medina, seconded by Supervisor Leno, moved to approve the Meeting Minutes of August 10, August 17 and August 24, 1998. The motion carried by the following vote:

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

### Introduction of Guests

*Supervisor Bierman introduced and welcomed her son, Ben; daughter-in-law, Alison; and three grandchildren.*

## CONSENT AGENDA

### Recommendations of the Finance Committee

#### 981682 [Emergency Repair, Vallejo Street Sewer]

Resolution approving the expenditure of funds for the emergency work to replace the structurally inadequate sewer on Vallejo Street from Van Ness Avenue to Polk Street - \$260,112. (Public Utilities Commission)

(Fiscal impact.)

Resolution No. 977-98

**ADOPTED**

#### 981683 [Prop J Contract - Security Services]

Resolution concurring with the Controller's certification that security services can be practically performed at the Department of Human Services by private contractor for lower cost than similar work services performed by City and County employees; retroactive to October 1, 1998. (Department of Human Services)

Resolution No. 978-98

**ADOPTED**

**981770 [Extension and Renewal of Leases]**

Resolution authorizing retroactive extension and renewal of eight (8) existing leases of real property required by the Department of Public Health. (Real Estate Department)

Resolution No. 982-98

**ADOPTED**

**981834 [Lease of Property at 1570 Mission Street]**

Resolution authorizing the lease of real property of a portion of the second floor at 1570 Mission Street, San Francisco, California, for the Department of Human Services. (Real Estate Department)

Resolution No. 984-98

**ADOPTED**

**Recommendations of the Health, Family, and Environment Committee****981768 [Grant - Federal/State]**

Resolution authorizing the Director of Administrative Services to apply for (retroactively), accept, and expend grant support in the amount of \$100,000 from the United States Department of Energy through the California Energy Commission for the purpose of establishing electric vehicle charging infrastructure throughout the San Francisco Bay Area; waiving indirect costs. (Administrative Services Department)

Resolution No. 981-98

**ADOPTED**

**981835 [Information System Contract]**

Resolution authorizing the Director of Public Health and the Purchaser to execute two agreements which include mutual indemnification language between the City and County of San Francisco and Shared Medical Systems Corporation. (Department of Public Health)

(Companion measure to File 981836.)

Resolution No. 985-98

**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.)

Ordinance No. 351-98

**FINALLY PASSED**

**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.)

Ordinance No. 352-98

**FINALLY PASSED**

**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.)

Ordinance No. 353-98

**FINALLY PASSED**

The foregoing items were acted upon by the following vote:

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

**REGULAR AGENDA****UNFINISHED BUSINESS****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.)

Ordinance No. 349-98

**FINALLY PASSED by the following vote:**

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

**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.)

Ordinance No. 350-98

**FINALLY PASSED by the following vote:**

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

**NEW BUSINESS****Recommendations of the Finance Committee****981653 [Moscone Center Expansion Project]**

**Supervisor Kaufman**

Ordinance amending Article V, Chapter 23, Part I of the San Francisco Municipal Code (Administrative Code) by adding Section 23.26A to authorize the Director of Property to terminate leases or extend leases for lessees in buildings to be acquired by the City and County of San Francisco by eminent domain for the Moscone Center Expansion Project as the director deems necessary for the project and appropriate for the lessees.

(Adds Section 23.26A.)

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

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

981659 [City Memberships] Supervisor Kaufman  
Ordinance amending Administrative Code by amending Section 16.6, relating to membership by City Departments in professional, trade and other organizations; repealing various sections authorizing membership in various organizations; re-numbering various sections as new sections; and providing for continuation of current and existing memberships.

(Amends Section 16.6; repeals Sections 16.6.1, 16.6-2, 16.6-2.1, 16.6-3, 16.6-4, 16.6-5, 16.6-6, 16.6-7, 16.6-8, 16.6-9, 16.6-10, 16.6-11, 16.6-12, 16.6-13, 16.6-14, 16.6-15, 16.6-16, 16.6-17, 16.6-17.1, 16.6-17.2, 16.6-17.3, 16.6-17.4, 16.6-19, 16.6-20, 16.6-21, 16.6-22, 16.6-23, 16.6-24, 16.6-25, 16.6-26, 16.6-27, 16.6-28, 16.6-29, 16.6-30, 16.6-31, 16.6-32, 16.6-33, 16.6-34, 16.6-35, 16.6-35.1, 16.6-36, 16.6-37, 16.6-38, 16.6-39, 16.6-40, 16.6-41, 16.6-42, 16.6-43, 16.6-44, 16.6-45, 16.6-46, 16.6-47, 16.6-47.1, 16.6-59, 16.6-60, 16.6-61, 16.6-62; renumbering Sections 16.6-48, 16.6-49, 16.6-49.1, 16.6-49.2, 16.6-49.3, 16.6-51, 16.6-53, 16.6-54, 16.6-55, 16.6-56, 16.6-57, 16.6-58 as new Sections 16.6-1, 16.6-2, 16.6-3, 16.6-4, 16.6-5, 16.6-6, 16.6-7, 16.6-8, 16.6-9, 16.6-10, 16.6-11 and 16.6-12 respectively.)

PASSED ON FIRST READING by the following vote:

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

981821 [Appropriation, Sheriff]  
Ordinance appropriating \$298,271, Sheriff's Department, of State Grant Revenue for professional services, purchase of computer equipment, software upgrades, laundry equipment, and other miscellaneous improvements to jail facilities for fiscal year 1998-1999. (Sheriff)

(Fiscal impact.)

PASSED ON FIRST READING by the following vote:

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

981828 [Appropriation, PUC-Clean Water]  
Ordinance appropriating \$590,000, PUC-Cleanwater, from Clean Water Program Fund Balance to claims and judgments for fiscal year 1998-1999 and authorizing settlement of litigation of Peter and Barbara Winkelstein for a total settlement of \$590,000. (Controller)

(Fiscal impact.)

PASSED ON FIRST READING by the following vote:

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

### Appointment of President Pro Tempore

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

981508 [Living Wage Task Force] Supervisor Kaufman  
Resolution establishing an advisory task force to evaluate the impact and benefits of living wage proposals on San Francisco's economy, businesses, non-profit organizations and residents and setting forth the membership and duties of the task force (Living Wage Task Force).

*Supervisor Kaufman presented an amendment of the whole.*

Resolution No. 991-98

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

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

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

**ADOPTED AS AMENDED** by the following vote:

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

*Supervisor Kaufman resumed the Chair shortly thereafter.*

981747 [Civil Filing and Appearance Fees for Law Library] Supervisor Brown

Resolution increasing civil filing and appearance fees provided in Business and Professions Code Section 6321, 6322, 6322.1 for the operation of the Law Library.

Resolution No. 980-98

**ADOPTED** by the following vote:

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

**Recommendations of the Economic Development, Transportation, and Technology Committee**

980761 [Taxicab Gate Fees] Supervisor Newsom

Ordinance amending Police Code by adding Section 1135.1, setting a cap on taxicab gate fees, authorizing regulations and penalties, the cap to become operative when Ordinance No. 188-98 fare increases become operative, requesting the Taxi Commission to report to the Board within nine months on the impact of this legislation, providing for expiration of the ordinance.

(Adds Section 1135.1.)

*Supervisor Newsom presented an amendment of the whole.*

Supervisor Newsom, seconded by Supervisor Brown, moved that this Ordinance be **AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE**. The motion carried by the following vote:

Ayes: 11 - Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee  
Ordinance amending Police Code by adding Section 1135.1, setting a cap on taxicab gate fees, authorizing regulations and penalties, the cap to become operative when Ordinance No. 188-98 fare increases become operative, requesting the Taxi Commission to report to the Board within nine months on the impact of this legislation, providing for ongoing review by the Board of Supervisors and the Controller.

(Adds Section 1135.1.)

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

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

980909 [Tobacco Advertising on Taxicabs] Supervisor Newsom

Ordinance amending the Police Code by adding Section 1147.7, prohibiting advertising of tobacco products on taxicabs, effective September 1, 1999.

(Adds Section 1147.7.)

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

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

- 981040 [Taxicab Lease Fees] Supervisor Newsom**  
Ordinance amending Police Code by adding Section 1135.2, setting a cap on taxicab lease fees, authorizing regulations and penalties, the cap to become operative when Ordinance No. 188-98 fare increases become operative, requesting the Taxi Commission to report to the Board within nine months on the impact of this legislation, providing for expiration of the ordinance.

(Adds Section 1135.2.)

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

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

- 981292 [Cab Pooling Trial Program] Supervisor Newsom**  
Ordinance amending Police Code by adding Section 1147.9 to authorize the Chief of Police to establish a trial program for cab pooling.

(Adds Section 1147.9.)

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

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

- 981381 [Taxicab Drivers Petition for Employee Status] Supervisor Newsom**  
Ordinance amending Police Code by adding Section 1124.5, establishing procedures for taxicab drivers to petition for employee status and prohibiting independent contractors as drivers upon acceptance of such petition.

(Adds Section 1124.5.)

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

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

- 981599 [Contract Amendment and Restatement - JCDeCaux]**  
Ordinance approving the First Amended and Restated Automatic Public Toilet and Public Service Kiosk Agreement between the City and County of San Francisco and JCDeCaux San Francisco (formerly JCDeCaux United Street Furniture, Inc.) which allows for the expansion of the Automatic Public Toilet Program beyond the trial phase and amends the agreement in several other respects. (Department of Public Works)

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

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

- 981709 [Central Permit Bureau] Supervisor Kaufman**  
Ordinance repealing Public Works Code Article 1 and amending Building Code by adding Public Works Code Article 1 as Sections 106.1.2 through 106.1.3 of the Building Code, to transfer from the Department of Public Works to the Department of Building Inspection responsibility for the Central Permit Bureau.

(Repeals Public Works Code Article 1; adds Building Code Sections 106.1.2 through 106.1.3.)

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

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

**981775 [Parking Regulations, 2nd and Townsend Streets]**

Ordinance amending Traffic Code by adding Section 32.6.19, regarding parking regulations on portions of 2nd Street and Townsend Street. (No person shall stop, park or leave standing any vehicle on the west side of Second Street, from Townsend Street to 100 feet northerly [100-foot zone], and on the north side of Townsend Street, between Second and Stanford Streets.) (Department of Parking and Traffic)

(Adds Section 32.6.19.)

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

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

**981721 [Animal Testing at UCSF]**

**Supervisors Yaki, Teng, Ammiano,  
Brown, Katz, Bierman**

Resolution urging UCSF to use alternative research methods instead of animal testing when available, build AAALAC (Association For Assessment and Accreditation of laboratory Animal Care) accredited facilities at their Parnassus and Mission Bay Campuses, and apply humane standards to the squirrel monkey experiment.

Resolution No. 979-98

**ADOPTED by the following vote:**

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

Noes: 1 - Leno

**981784 [Interconnection and Service Agreement - CCSF and Port of Oakland]**

Resolution approving the contract between the City and County of San Francisco and the Port of Oakland for interconnection with Davis Substation on file with the Clerk of the Board of Supervisors in File No. 981784; and approving the ten year initial term of the agreement and the continuation of the agreement after ten years unless terminated by one of the parties. (Public Utilities Commission)

Resolution No. 983-98

**ADOPTED by the following vote:**

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

**Recommendation of the Health, Family and Environment Committee****981847 [Antimicrobial Agents]**

**Supervisor Katz**

Ordinance amending Administrative Code Sections 39.2 and 39.8 by revising the definition of antimicrobial agents and extending the existing exemption for such antimicrobial agents.

(Amends Sections 39.2 and 39.8.)

*Supervisor Katz moved technical amendment to title, line 2, by inserting ", Sections 39.2 and 39.8" after "39".*

**Supervisor Katz, seconded by Supervisor Teng, moved that this Ordinance be AMENDED. The motion carried by the following vote:**

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

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

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

## PUBLIC COMMENT

*Louis Calabro, urge resolution recommending that the Police Department cease cooperative voluntary reporting of hate crimes to the FBI;*  
*Mr. Yee, support acupuncture resolution;*  
*Erik Bluemel, support acupuncture resolution;*  
*Dr. Robins Zhang, support acupuncture resolution;*  
*Jim Houillion, Haight Fillmore Theater,*  
*Joe McCune, oppose condominium at 360 Haight Street;*  
*Al Rose, oppose pie incident;*  
*Michael Bellefountaine, pie incident;*  
*Bryan, pie incident;*  
*Mr. Jamison, oppose DeCaux contract;*  
*Horace Medell, HIV research;*  
*Male speaker, oppose experiments on monkeys;*  
*Tate, oppose UCSF's experiments on animals;*  
*Dr. Elliot M. Katz, in defense of animals;*  
*Frederick Hobson, oppose UCSF squirrel money abuse;*  
*Ann Dawson, oppose increased taxi permits;*  
*Barry Tonto, taxi/limo issue;*  
*Jeffrey Liebovitz, coca-cola bottle ballpark issue;*  
*Male speaker, highrises in Fillmore;*  
*Abdalla Megahed, homeless issues.*

## 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.*

**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.

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

Resolution No. 986-98

**ADOPTED**

**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.

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

Resolution No. 987-98

**ADOPTED**

**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.

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

Resolution No. 988-98

**ADOPTED**

981943 [Families in Transition Program]

Supervisors Medina, Bierman,  
Katz, Newsom

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

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

Resolution No. 989-98

**ADOPTED**

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.

Motion No. M98-148

**APPROVED**

981955 [Final Map, 1568 Indiana Street]

Motion approving final map of 1568 Indiana Street, a Live/Work Condominium Project, being a subdivision of Lot 19 in Assessor's Block No. 4318 and adopting findings pursuant to the Planning Code Section 101.1. (Department of Public Works)

(DPW Order No. 171.368.)

Motion No. M98-149

**APPROVED**

981956 [Final Map, 920 Harrison Street]

Motion approving final map of 920 Harrison Street, a Live/Work Condominium Project, being a subdivision of Lot 168 in Assessor's Block No. 3753, and adopting findings pursuant to the Planning Code Section 101.1. (Department of Public Works)

(DPW Order No. 171,369.)

Motion No. M98-150

**APPROVED**

The foregoing items were acted upon by the following vote:

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

## 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: 11 - Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee

*[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 Teng, moved adoption. The motion carried by the following vote:

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

**Imperative Resolution**

981972 [Commendation]

Supervisors Katz, Leno, Kaufman,  
Teng, Yaki, Newsom

Resolution recognizing the leadership and dedication of Naomi Lauter, Executive Director of the American Israel Public Affairs.

Resolution No. 990-98

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

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

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

981896 [Waiving Competitive Bid Requirements]

Supervisor Medina

Ordinance waiving competitive bid requirements and prevailing wage requirements for the Recreation and Park Commission's award of contract to the San Francisco Conservation Corps for renovation of play area at Rolph Playground at Potrero Avenue and Cesar Chavez Street.

11/9/98, RECEIVED AND ASSIGNED to Parks and Recreation Committee.

11/23/98, SUBSTITUTED.

11/23/98, ASSIGNED to Parks and Recreation Committee.

981970 [Civic Center Plaza Lighting]

Supervisors Brown, Bierman

Ordinance authorizing the Department of Public Works to install an interim lighting project at Civic Center Plaza with the use of City forces.

11/23/98, RECEIVED AND ASSIGNED to Parks and Recreation Committee.

981971 [Underground District No. 344]

Supervisor Medina

Ordinance creating Underground District No. 344 on San Bruno Avenue from Silver Avenue to Wilde Avenue.

11/23/98, RECEIVED AND ASSIGNED to Housing and Neighborhood Services Committee.

981973 [Park Code]

Supervisor Brown

Ordinance amending Park Code to include United Nations Plaza and Hallidie Plaza as parks for purposes of Articles 3, 4 and 7 of the Park Code and adding Articles 8B and 8C to the Park Code granting the Director of Public Works the authority to manage United Nations Plaza, to perform functions described in Sections 3.03, 3.04, 3.07, 3.16, 4.11, 4.12 and 4.13 of the Park Code, to make rules for the use of the plaza and to designate additional activities in the plaza for which a permit is required, and granting the Director of Property the authority to manage Hallidie Plaza, to perform functions described in Sections 3.03, 3.04, 3.07, 3.16, 4.11, 4.12 and 4.13 of the Park Code, to make rules for the use of the plaza and to designate additional activities in the plaza for which a permit is required.

(Amends Section 2.01; adds Sections 8B.01, 8B.02, 8B.03, 8C.01, 8C.02, 8C.03.)

11/23/98, ASSIGNED UNDER 30 DAY RULE to Parks and Recreation Committee, expires on 12/23/1998.

- 981974 [Tobacco Multi-State Settlement]** **Supervisors Kaufman, Newsom**  
Ordinance authorization to participate in proposed multi-state settlement of tobacco litigation.  
  
(Superior Court 980-864.)  
11/23/98, RECEIVED AND ASSIGNED to Finance Committee.
- 981975 [Settlement of Lawsuit]** **Supervisor Kaufman**  
Ordinance authorizing to participate in the settlement of litigation of State of California ex rel. Stull against the Bank of America.  
  
(Superior Court 968-484.)  
11/23/98, RECEIVED AND ASSIGNED to Finance Committee.
- 981976 [Underground District 342, Octavia Street]** **Supervisor Medina**  
Ordinance creating Underground District No. 342 on Octavia Street from Green to Filbert Street.  
11/23/98, RECEIVED AND ASSIGNED to Housing and Neighborhood Services Committee.
- 981977 [Underground District 343, Laguna Street]** **Supervisor Medina**  
Ordinance creating Underground District No. 343 on Laguna Street from Bush Street to California Street.  
11/23/98, RECEIVED AND ASSIGNED to Housing and Neighborhood Services Committee.
- 981978 [Underground District 337, Amendment]** **Supervisor Medina**  
Ordinance amending Ordinance No. 143-98 to redefine Underground District No. 337 in the Potomac/Waller area by adding certain property thereto (Divisadero Street).  
  
Clerical correction made by Clerk on Page 1, line 14 replace "Divisidero" with "Divisadero".  
11/23/98, RECEIVED AND ASSIGNED to Housing and Neighborhood Services Committee.
- 981980 [Appropriation, Department of Human Services]** **Mayor**  
Ordinance appropriating \$11,455,058 of State and Federal revenues to fund augmentation of various welfare programs and services, implementation of the new statewide welfare information network, and to provide the necessary infrastructure and administrative capacity to make these changes and for the creation of 58.5 positions at the Department of Human Services for fiscal year 1998-1999; companion measure to File 981981.  
  
(Fiscal impact.)  
11/23/98, RECEIVED AND ASSIGNED to Finance Committee.
- 981981 [Public Employment]** **Mayor**  
Ordinance amending Ordinance No. 243-98 (Annual Salary Ordinance) reflecting the creation of 58.5 positions in Department of Human Services; companion measure to File 981980.  
  
(Fiscal impact.)  
11/23/98, RECEIVED AND ASSIGNED to Finance Committee.

**Resolutions**

- 981983 [Central Freeway Land Transfer]** **Supervisors Ammiano, Katz, Leno, Bierman, Brown**
- Resolution urging the State of California to transfer the Central Freeway right-of-way between Turk and Market Streets to the City and County of San Francisco so that the right-of-way, or proceeds from the sale thereof, can be used to create a replacement system of City streets and/or to construct affordable housing in accordance with the Central Freeway Replacement Project Act of 1998 and urging San Francisco's Legislative Delegation to introduce legislation to effect such a transfer as soon as possible.
- 11/23/98, ASSIGNED UNDER 30 DAY RULE to Economic Development, Transportation, and Technology Committee, expires on 12/23/1998.
- 981984 [Recreation and Park Department Nursery School Rents]** **Supervisors Katz, Bierman, Ammiano, Yaki**
- Resolution urging the San Francisco Recreation and Park Department to outline rental guidelines and consider alternative options before raising rents at their nursery schools.
- 11/23/98, RECEIVED AND ASSIGNED to Parks and Recreation Committee.
- 981986 [Domestic Violence Task Force]** **Supervisor Kaufman**
- Resolution rescinding Resolutions No. 131-86 and 604-88, which established and extended the Domestic Violence Task Force, thereby terminating the Domestic Violence Task Force; thanking the members of the Domestic Violence Task Force for their efforts.
- 11/23/98, RECEIVED AND ASSIGNED to Health, Family, and Environment Committee.
- 981988 [City Lighting Plan]** **Supervisor Medina**
- Resolution urging the Department of City Planning to prepare a comprehensive street and outdoor lighting plan for the City.
- 11/23/98, RECEIVED AND ASSIGNED to Housing and Neighborhood Services Committee.
- 981989 [Dioxin]** **Supervisor Newsom**
- Resolution establishing dioxin as a high priority for immediate action for the City and County of San Francisco in order to restore water quality and protect the public health and enabling the San Francisco Commission on the Environment to create a task force and report back on strategies to ensure that less toxic, non chlorinated sustainable products and processes are actively supported.
- 11/23/98, RECEIVED AND ASSIGNED to Health, Family, and Environment Committee.
- 981990 [Acupuncture Health Coverage]** **Supervisors Teng, Katz, Yaki, Brown, Leno, Medina, Kaufman, Ammiano**
- Resolution urging the Health Service System to continue to provide full acupuncture coverage to City employees and to use good faith efforts to solicit bids or proposals from LBE/MBE/WBE acupuncture provider organizations.
- 11/23/98, RECEIVED AND ASSIGNED to Health, Family, and Environment Committee.
- 981991 [Proclamation]** **Supervisors Yee, Katz, Bierman**
- Resolution recognizing social workers for their work on behalf of individuals and society and proclaiming 1998 Professional Social Work Centennial Year.
- 11/23/98, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

- 981992**    **[AIDS Drug Assistance Program]**    **Supervisors Leno, Amimiano, Katz, Newsom, Bierman**
- Resolution urging the California AIDS Drug Assistance Program to devise a comprehensive notification system for its clients.
- 11/23/98. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 
- 981993**    **[Commendation]**    **Supervisors Medina, Katz, Bierman**
- Resolution recognizing the extraordinary efforts of Veronica Sanchez to assist the victims of Hurricane Mitch.
- 11/23/98. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 
- 981985**    **[Board of Supervisors Meeting Schedule]**    **Supervisor Kaufman**
- Resolution revising the regular meeting schedule of the Board of Supervisors by rescheduling the January 4, 1999 meeting to January 5, 1999 and directing the Clerk of the Board of Supervisors to make public notification of such changes.
- 11/23/98. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 
- 981982**    **[Potrero Power Plant Citizens Advisory Task Force]**    **Supervisor Yee**
- Resolution creating a Potrero Power Plant Citizens Advisory Task Force to provide input to the City and County of San Francisco regarding the sale, operation and maintenance of the Potrero power plant and to complete its work by December 31, 2000.
- 11/23/98. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 
- 981987**    **[Commendation]**    **Supervisors Leno, Newsom, Katz, Bierman**
- Resolution commending the Duboce Bikeway Mural.
- 11/23/98. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

### Requests for Hearings

- 981994**    **[Asian American Contractors]**    **Supervisor Yee**
- Hearing to consider barriers faced by Asian American contractors when attempting to participate in the various city departments' MBE/WBE/LBE programs.
- 11/23/98. RECEIVED AND ASSIGNED to Economic Development, Transportation, and Technology Committee.
- 
- 981995**    **[Special Education Needs]**    **Supervisor Yee**
- Hearing to consider the various City and County services to children with special education needs, including those offered by Children's Mental health, the Recreation and Parks Department, the Department of Human Services, and the San Francisco Unified School District, particularly looking at the needs of language minority children.
- 11/23/98. RECEIVED AND ASSIGNED to Health, Family, and Environment Committee.

- 981996 [Continuum of Care Analysis] Supervisor Katz  
Hearing to consider and receive report from the Local Homeless Coordinating Board's analysis of the Continuum of Care Plan.  
11/23/98, RECEIVED AND ASSIGNED to Health, Family, and Environment Committee.
- 981997 [Dioxin and Other Pollutants] Supervisor Leno  
Hearing to examine the dioxin contamination of the San Francisco Bay and efforts to clean the Bay of dioxin and other pollutants.  
11/23/98, RECEIVED AND ASSIGNED to Health, Family, and Environment Committee.

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

## **PROPOSED ORDINANCES**

- 981923 [Golden Gate Yacht Club Lease Amendment]  
Ordinance approving the First Amendment to the lease between the City and the Golden Gate Yacht Club to reduce the rental rate from 10 percent to 7.5 percent of the Club's monthly gross revenue and reducing the lease term from 40 to 30 years. (City Attorney)  
11/13/98, RECEIVED AND ASSIGNED to Finance Committee.
- 981954 [Teresita Crooms, et al. v. CCSF, et al.]  
Ordinance authorizing settlement of litigation of Teresita Crooms against the City and County of San Francisco by payment of \$35,000. (City Attorney)  
  
(S.F. Superior Court No. 977-940.)  
11/18/98, RECEIVED AND ASSIGNED to Rules Committee.
- 981957 [James Chin v. CCSF, et al]  
Ordinance authorizing settlement of litigation of James Chin and the City and County of San Francisco, San Francisco Fire Department, et al. by payment of \$225,000. (City Attorney)  
  
(S.F. Superior Court No. 990-935.)  
11/18/98, RECEIVED AND ASSIGNED to Rules Committee.
- 981958 [Appropriation. Airport]  
Ordinance appropriating \$220,000,000, Airport Commission, of San Francisco International Airport Bond Proceeds. for the construction of infrastructure projects for fiscal year 1998-1999. (Controller)  
  
(Fiscal impact.)  
11/18/98, RECEIVED AND ASSIGNED to Finance Committee.
- 981959 [Unlitigated Claims, Susan Wiginton/Kerry Robishaw v. CCSF, et al.]  
Ordinance authorizing settlement of the unlitigated claim of Susan L. Wiginton against the City and County of San Francisco for \$250,000; and settlement of the unlitigated claim of Kerry Robishaw against the City and County of San Francisco for \$175,000. (City Attorney)  
11/18/98, RECEIVED AND ASSIGNED to Rules Committee.

**981960 [Stolte v. CCSF, et al., Cross-Complaint Against Vanir Construction Management]**

Ordinance authorizing settlement of litigation of the City and County of San Francisco against Vanir Construction Management, Inc. by payment to the City and County of San Francisco of \$260,000. (City Attorney)

(S.F. Superior Court Action No. 976083.)

11/18/98, RECEIVED AND ASSIGNED to Rules Committee.

**981961 [Salary Ordinance Amendment, County Agriculture/Weights and Measures]**

Ordinance amending Ordinance No. 243-98 (Annual Salary Ordinance, 1998-1999), County Agriculture/Weights and Measures, reflecting the creation of 2.5 positions (Class 6220 Inspector of Weights and Measures and Class 1424 Clerk Typist). (Department of Human Resources)

11/18/98, RECEIVED AND ASSIGNED to Finance Committee.

## **PROPOSED RESOLUTIONS**

**981921 [Traffic Regulations, Various Streets]**

Resolution enacting and rescinding traffic regulations on various streets:

NO U-TURN - ESTABLISH

The Embarcadero, northbound, at Broadway

TOW-AWAY, NO STOPPING, 4 PM - 6 PM. MONDAY THROUGH FRIDAY - RESCIND

TOW-AWAY, NO STOPPING, 3 PM - 7 PM. EVERYDAY - ESTABLISH

Masonic Avenue, west side, from Geary Boulevard to 150 feet northerly (150-foot zone, change in effective days and hours only)

TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH

4th Street, east side, from Howard Street to a point 320 feet south of Mission Street (320-foot zone)

4th Street, east side, from Mission Street to 200 feet southerly (200-foot zone)

San Jose Avenue, west side, from Baden Street to 40 feet northerly (40-foot zone) (Department of Parking and Traffic)

11/10/98, RECEIVED AND ASSIGNED to Housing and Neighborhood Services Committee. DPT Order No. 1618.

**981922 [Parking Regulations, Various Locations]**

Resolution enacting and rescinding parking regulations at various locations:

**UNMETERED MOTORCYCLE PARKING - ESTABLISH**

Capp Street, east side, from 17 feet to 58 feet north of 17th Street (41-foot zone, accommodating 10 motorcycle spaces)

**RESIDENTIAL PERMIT PARKING AREA "C" (2-HOUR TIME LIMIT, 8 AM - 9 PM, MONDAY THROUGH SATURDAY) - ESTABLISH**

691 Post Street, south side, between Jones and Shannon Streets (Adds specified address only)

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

1533 Sutter Street, south side, between Octavia and Gough Streets (Adds specified address only)

**RESIDENTIAL PERMIT PARKING AREA "S" (2-HOUR TIME LIMIT, 8 AM - 9 PM, MONDAY THROUGH FRIDAY) - ESTABLISH**

222 Webster Street, east side, between Haight and Page Streets (Adds specified address only)

398 Haight Street, north side, between Webster and Buchanan Streets (Adds specified address only)

Hickory Street, both sides, between Buchanan and Laguna Streets (400 block)

**RESIDENTIAL PERMIT PARKING AREA "I" (1-HOUR TIME LIMIT, 9 AM - 6 PM, MONDAY THROUGH SATURDAY) - ESTABLISH**

2126 Mission Street, west side, between Clarion Alley and Sycamore Street (Adds specified address only)

**RESIDENTIAL PERMIT PARKING AREA "U" (1-HOUR TIME LIMIT, 8 AM - 10 PM, EVERYDAY) - ESTABLISH**

95 Federal Street, south side, between 2nd Street and east terminus (Adds specified address only) (Department of Parking and Traffic)

11/10/98, RECEIVED AND ASSIGNED to Housing and Neighborhood Services Committee. DPT Order No. 1618.

**981924 [Grant - Federal Funds]**

Resolution authorizing Airport Commission to accept and expend grant of \$11,458,450.00 from Federal Aviation Administration for assistance in improvements at the Airport (A.I.P. 13: Application No. 98-01). (Airport Commission)

11/12/98, RECEIVED AND ASSIGNED to Finance Committee.

**981925 [MUNI Trolley Bus Contract Modification]**

Resolution approving Contract Modification No. 2 to Procurement Contract No. 888 with Electric Transit Incorporated in the amount of \$992,140, for the purchase of additional and improved components and spare parts, and for modification of four progress payment milestones. (Public Transportation Commission)

(Fiscal impact.)

11/13/98, RECEIVED AND ASSIGNED to Economic Development, Transportation, and Technology Committee.

**981929 [Encroachment Permit, 212 Union Street]**

Resolution granting revocable permission to Leo J. McLaughlin III, to construct an extension of the sidewalk by removing a portion of an existing city retaining wall and constructing a new retaining wall with guardrails and a new planter wall to provide vehicular access to a new garage addition, and to replace existing wood stairs and landings for access to an existing cottage at 212 Union Street (Block 106, Lot 39) and adopting findings pursuant to Planning Code Section 101.1. (Department of Public Works)

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

**981951 [Emergency Repair, Oakhurst Lane Sewer]**

Resolution approving the expenditure of funds for the emergency work to repair the structurally inadequate sewer on Oakhurst Lane from Warren Drive to Crestmont Drive - \$72,710. (Public Utilities Commission)

11/15/98, RECEIVED AND ASSIGNED to Finance Committee.

**981952 [Real Property Lease, City Hall Post Office]**

Resolution authorizing a lease of real property at City Hall with the United States Postal Service. (Real Estate Department)

11/17/98, RECEIVED AND ASSIGNED to Finance Committee.

**981953 [Lease of Property, 1760 Ocean Avenue]**

Resolution authorizing a lease of real property at 1760 Ocean Avenue, San Francisco, for OMI Family Center of the Mental Health Division of the Department of Public Health. (Real Estate Department)

11/18/98, RECEIVED AND ASSIGNED to Finance Committee.

**981962 [Contract, DPH - Regents of the University of California]**

Resolution authorizing the Department of Public Health, Population and Health Prevention Division, to enter into a subcontract in the amount of \$155,334 with the Regents of the University of California, the primary contractor, to provide support personnel for the HIV Postexposure Prophylaxis Project (PEP); retroactive to December 1, 1998. (Department of Public Health)

11/18/98, RECEIVED AND ASSIGNED to Health, Family, and Environment Committee.

**981963 [Lease Agreement, Port - Richard Stein/City Parking Company]**

Resolution approving lease agreement with Richard Stein d.b.a. City Parking Company and the City and County of San Francisco operating by and through the San Francisco Port Commission to operate a surface parking lot at Seawall Lot 330, Embarcadero and Bryant. (Port)

11/18/98, RECEIVED AND ASSIGNED to Finance Committee.

**Requests Granted**

*By Supervisor Yee, that letter of inquiry be sent to Chief of Police and Director of Purchasing concerning San Francisco's purchase of bullet proof vests from Second Chance and whether or not the City can purchase body armor from another contractor. The company, Second Chance, makes body armor available not only to law enforcement agencies, but also to the general public, including criminals.*

*By Supervisor Ammiano, that City Attorney draft legislation to expand "Trucks Only" zones to include vehicles making deliveries and emergency repairs for office equipment.*

*By Supervisor Ammiano, that letter of inquiry be sent to General Manager, Municipal Railway, to determine the safety precautions and procedures on Muni trolleys to protect drivers, passengers and pedestrians.*

*By Supervisor Ammiano, that letters be sent to Director of Planning and the San Francisco Redevelopment Agency notifying them of an appeal filed with the Board of Supervisors on November 23, 1998 concerning conditional use application 96.176CC for the ballpark and that a tentative public hearing date has been set for December 21, 1998 for consideration of this matter if the appeal qualifies.*

*By Supervisor Katz, that City Attorney draft legislation which will exempt restored theaters from the prohibition of new establishments selling alcoholic beverages in the Mission Alcoholic Beverage Special Use District. Bona fide restored theaters must meet certain criteria, including, but not limited to, deriving a minimum of 51 percent of gross revenues from sources other than alcohol sales.*

*By Supervisor Newsom, that letter of inquiry be sent to Director, Planning Department, to determine the reasons that the Planning Commission's discretionary review hearing scheduled for December 17, 1998, in regards to 560 Haight Street could not be heard after January 1, 1999.*

**In Memoriams**

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

*George Moscone (By the entire Board)*

*Harvey Milk (By the entire Board)*

*John Dinkelspiel (Supervisor Kaufman)*

*Chester Ong (Supervisor Teng)*

## ADJOURNMENT

*There being no further business, the Board at the hour of 4:55 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 February 1, 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

