

BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

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

MEETING MINUTES

Monday, December 21, 1998

2:00 PM

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

Regular Meeting

DOCUMENTS DEPT.

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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, Michael Yaki, Leland Y. Yee.

Members Absent: Mabel Teng.

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 Bierman, Katz, Leno, Teng - 4.

Quorum present.

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

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

Supervisor Leno was noted present at 2:02 p.m.

Supervisor Teng was excused. (See infra.)

Supervisor Teng Excused From Attendance

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

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

Absent: 1 - Teng

APPROVAL OF MEETING MINUTES

Supervisor Yaki, seconded by Supervisor Newsom, moved to approve the September 22, 1998, September 28, 1998, October 5, 1998 and October 13, 1998 Meeting Minutes. The motion carried by the following vote:

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

Absent: 1 - Teng

Privilege of the Floor

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

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

Absent: 1 - Teng

Two speakers spoke briefly on the Mayor's state of emergency concerning the extremely low weather temperatures. One speaker identified himself as a homeless parent and requested the Mayor give another \$45,000 for the homeless program. He spoke of unsanitary conditions at some of the shelters. One speaker suggested the City purchase an old hotel and renovate it for use by homeless persons with families.

CONSENT AGENDA

Recommendations of the Finance Committee

- 981707 [Gift Certificates for Payment for Parking and City Garages] Supervisors Kaufman, Teng, Newsom
- Ordinance amending Administrative Code by amending Section 2A.180 to grant authority to the Department of Parking and Traffic to sell gift certificates for payment for parking at city garages.
- (Amends Section 2A.180.)
- Ordinance No. 386-98
FINALLY PASSED
- 981811 [Grievance Settlement Authority] Supervisors Kaufman, Teng
- Ordinance amending Administrative Code Section 10.25-12 to increase the settlement limitations for individual grievance claims to \$50,000 per claimant and \$50,000 for class grievance claims.
- (Amends Section 10.25-12.)
- Ordinance No. 390-98
FINALLY PASSED
- 981873 [Appropriation, Port Commission]
- Ordinance appropriating \$6,434,954, Port Commission, from San Francisco Harbor Operating Fund Balance to fund the cost of various capital improvement projects (lease property improvements, cargo berth dredging, preventive maintenance, Ferry building and terminal projects, China Basin shoreline stabilization) for fiscal year 1998-1999. (Controller)
- (Fiscal impact.)
- Ordinance No. 401-98
FINALLY PASSED
- 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.)
- Ordinance No. 397-98
FINALLY PASSED
- 981974 [Tobacco Multi-State Settlement] Supervisors Kaufman, Newsom
- Ordinance authorization to participate in proposed multi-state settlement of tobacco litigation.
- (Superior Court 980-864.)
- Ordinance No. 402-98
FINALLY PASSED
- 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.)
- Ordinance No. 403-98
FINALLY PASSED

- 981980** [Appropriation, Department of Human Services] **Mayor**
Ordinance appropriating \$11,308,174 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.)

Ordinance No. 404-98

FINALLY PASSED

- 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.)

Ordinance No. 405-98

FINALLY PASSED

Recommendations of the Economic Development, Transportation, and Technology Committee

- 982042** [PUC-Wastewater Agency Mutual Aid Agreement]
Resolution approving hold harmless provisions for the Wastewater Agency Response Network and Water Agency Response Network Omnibus Mutual Aid Agreements. (Public Utilities Commission)

Resolution No. 1069-98

ADOPTED

- 982043** [Grant - Federal]
Resolution authorizing the Executive Director of the Department of Parking and Traffic to apply for, retroactively, accept and expend a grant of \$120,000 of fiscal year 1997-1998 Federal Hazard Elimination Safety (HES) Program funds for a guardrail upgrade project, foregoing reimbursement of indirect costs. (Department of Parking and Traffic)

Resolution No. 1070-98

ADOPTED

Recommendations of the Health, Family, and Environment Committee

- 982040** [Prohibiting Advertising on San Francisco Bay] **Supervisor Katz**
Ordinance approving and affirming regulation prohibiting advertising on San Francisco Bay Waters within the jurisdiction and control of the San Francisco Port Commission, subject to specific limitations, as adopted by the San Francisco Port Commission by Resolution 98-113 and approving and affirming that an infraction of those regulations is a misdemeanor.

Ordinance No. 407-98

FINALLY PASSED

982046 [Children and Families First Trust Fund and Commission]

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

Ordinance amending Administrative Code by adding Section 10.117-122 thereto, creating a San Francisco Children and Families First Trust Fund and by adding Chapter 86, Sections 86.1 through 86.5, establishing the San Francisco Children and Families First Commission and requiring that commission to adopt a San Francisco County Strategic Plan for the support and improvement of early childhood development within the City and County of San Francisco.

(Adds Section 10.117-122 and Chapter 86, Sections 86.1 through 86.5.)

Supervisor Medina requested to be added as co-sponsor.

Ordinance No. 409-98

FINALLY PASSED

981878 [EPA Water Quality Grant]

Resolution authorizing the General Manager of Public Utilities Commission to apply for, accept and expend a grant of up to \$150,000 from the U.S. Environmental Protection Agency for Wet Weather and Point Source Pollution Control Projects. (Public Utilities Commission)

Resolution No. 1064-98

ADOPTED

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)

Resolution No. 1067-98

ADOPTED

981966 [Grant - Private Funds]

Resolution authorizing the Department of Human Services to accept retroactively and expend a grant in the amount of \$130,000 and \$20,000 from the Stuart Foundation and the Zellerbach fund respectively for a Family Assessment Center Planning Consultant contract. (Department of Human Services)

Resolution No. 1068-98

ADOPTED

Recommendations of the Housing and Neighborhood Services Committee

981795 [Underground District]

Supervisor Teng

Ordinance creating Underground District No. 341 in Spofford Alley and John Street Area.

Ordinance No. 388-98

FINALLY PASSED

981971 [Underground District No. 344]

Supervisor Medina

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

Ordinance No. 400-98

FINALLY PASSED

Recommendations of the Rules Committee

981745 [Sunshine Ordinance Task Force Membership] **Supervisor Brown**

Ordinance amending Administrative Code by amending Section 67.30 to add two members to the Sunshine Ordinance Task Force, one member being a journalist from the minority press or electronic media and one member being an additional member of the public who has demonstrated interest in or has experience in the issues of citizen access and participation in local government.

(Amends Section 67.30.)

Ordinance No. 387-98

FINALLY PASSED

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.)

Ordinance No. 395-98

FINALLY PASSED

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.)

Ordinance No. 396-98

FINALLY PASSED

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)

Ordinance No. 398-98

FINALLY PASSED

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.)

Ordinance No. 399-98

FINALLY PASSED

The foregoing items were acted upon by the following vote:

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

Absent: 1 - Teng

Severed From Consent Agenda

- 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.

Supervisor Yee requested this item be severed and considered separately.

Resolution No. 1066-98

SEVERED FROM CONSENT AGENDA.

ADOPTED by the following vote:

Ayes: 8 - Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Yaki

Noes: 2 - Ammiano, Yee

Absent: 1 - Teng

REGULAR AGENDA**UNFINISHED BUSINESS****Recommendations of the Finance Committee**

- 981848 [Assessment Appeals Board Membership] **Supervisor Kaufman**
Ordinance amending Administrative Code Sections 2B1 through 2B.8 and 2B.10 through 2B.14 to increase the number of Assessment Appeals Board members, to establish eligibility requirements for Assessment Appeals Board members, to establish criteria for selection of Assessment Appeals Board panels and hearing officers, to establish guidelines for joint meetings of the Assessment Appeals Boards, and to make nonsubstantive clarifying revisions.

(Amends Sections 2B1 through 2B.8 and 2B.10 through 2B.14.)

Ordinance No. 393-98

FINALLY PASSED by the following vote:

Ayes: 7 - Brown, Katz, Kaufman, Leno, Medina, Newsom, Yaki

Noes: 3 - Ammiano, Bierman, Yee

Absent: 1 - Teng

- 982041 [Muni Fare Suspension] **Supervisors Newsom, Teng,
Kaufman, Yaki, Katz, Brown,
Bierman, Leno, Ammiano, Yee,
Medina**

Ordinance approving the suspension of fares on Muni revenue vehicles from 8 P.M. on December 31, 1998 to 3 A.M. on January 1, 1999 and ratifying actions previously taken.

Ordinance No. 408-98

FINALLY PASSED by the following vote:

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

Absent: 1 - Teng

982015 [Amendment No. 2 to MOU, Municipal Executives Association]

Ordinance implementing the provisions of an amendment to the Memorandum of Understanding between the Municipal Executives Association for Bargaining Units M, EM, and MSA, and the City and County of San Francisco to amend Appendix E of the Memorandum of Understanding by adding Classes 1682 and 5156 and the titles of Controller and Division Manager of suburban operations to the list to correct a clerical omission, and to amend Appendix F of the Memorandum of Understanding by adding Class 9278 and the title of Director of Airports to the list to correct a clerical omission. (Department of Human Resources)

Ordinance No. 406-98

FINALLY PASSED by the following vote:

Ayes: 8 - Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Yaki

Noes: 2 - Ammiano, Yee

Absent: 1 - Teng

From Finance Committee Without Recommendation**981876 [Amendment to Municipal Executives Association MOU]**

Ordinance implementing the provisions of an amendment to the Memorandum of Understanding between the Municipal Executive Association and the City and County of San Francisco pursuant to Article III.E.3, Subsections (B.1) and (E) of the Memorandum of Understanding, to provide internal adjustments for the time period beginning July 1, 1998 through June 30, 2001. (Department of Human Services)

Ordinance No. 394-98

FINALLY PASSED by the following vote:

Ayes: 7 - Bierman, Brown, Katz, Kaufman, Medina, Newsom, Yaki

Noes: 3 - Ammiano, Leno, Yee

Absent: 1 - Teng

NEW BUSINESS**Recommendations of the Finance 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 1.5 positions (Class 6220 Inspector of Weights and Measures and Class 1424 Clerk Typist). (Department of Human Resources)

PASSED ON FIRST READING by the following vote:

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

Absent: 1 - Teng

982010 [Appropriation, Dept of Public Transportation]

Ordinance appropriating \$14,784,305, Department of Public Transportation, of the General Fund Reserve to fund the cost of the MUNI Metro recovery contract, implement various improvements throughout the MUNI system, address the deficit in fare revenue and supplement the increased cost of the use of MUNI Fast Passes on BART, and providing for the creation of 18 positions and the deletion of 14 positions for fiscal year 1998-1999: providing for ratification of action previously taken; placing up to \$239,126 to be placed on reserve; companion measure to File 982011. (Public Transportation Commission)

Supervisor Ammiano requested this ordinance be amended by deleting \$1.6 million.

Supervisor Ammiano, seconded by Supervisor Yee, moved that this Ordinance be **AMENDED**. The motion **FAILED** by the following vote:

Ayes: 2 - Ammiano, Yee

Noes: 8 - Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Yaki

Absent: 1 - Teng

PASSED ON FIRST READING by the following vote:

Ayes: 8 - Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Yaki

Noes: 2 - Ammiano, Yee

Absent: 1 - Teng

982011 [Public Employment]

Ordinance amending Ordinance No. 243-98 (Annual Salary Ordinance, 1998-1999), Department of Transportation, reflecting the creation of 15 positions and the deletion of 14 positions; companion measure to File 982010. (Department of Human Resources)

(Fiscal impact.)

PASSED ON FIRST READING by the following vote:

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

Absent: 1 - Teng

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.)

PASSED ON FIRST READING by the following vote:

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

Noes: 2 - Newsom, Yee

Absent: 1 - Teng

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 matter.

982047 [Pedestal-Mounted Newsrack Agreement]**Supervisors Kaufman, Brown**

Ordinance approving the pedestal-mounted newsrack agreement by and between the City and County of San Francisco and Adshel Inc. which allows for the provision, installation and maintenance of pedestal mounted newsracks on public property; approving an indemnification of the contractor by the City for all claims initiated by a publisher holding a permit for a newsrack box or other publisher concerning the newsracks, their operation or the agreement with Adshel, Inc., and authorizing the Director of the Department of Public Works to make changes to the Department of Public Works Director's orders incorporated by reference in the agreement with Adshel, Inc.

PASSED ON FIRST READING by the following vote:

Ayes: 7 - Brown, Katz, Kaufman, Leno, Medina, Newsom, Yaki

Noes: 3 - Ammiano, Bierman, Yee

Absent: 1 - Teng

The President resumed the Chair.

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

Resolution No. 1065-98

ADOPTED by the following vote:

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

Absent: 1 - Teng

PUBLIC COMMENT

Carmen Ramirez, Oakwood housing code issues;

Ernestine Weiss, homeless housing;

J. B. Saunders, homeless housing;

Alfred Lee, oppose Central Freeway resolution;

Louis Calabro, European-American issues;

Female speaker, homeless;

Michael Bellefountaine, vaccine testing for HIV;

Abdalla Megahed, Mission Rock housing, no heat;

Robin Levitt, support Central Freeway resolution;

Jakkee Bryson, Episcopal Sanctuary Shelter Hell Report;

Speakers in support of resolution concerning St. Mary's housing sale: Deborah Mosca, Kelly Wadlegger, Gina Galliadi, Female speaker, Charles Murphy, Regina Hawkins, Kirsten Marshall, Mark Erickson, Mason Smith-Shabaaz, Adam Gondell, Bill Johnson, Rusty Haynes, Michael.

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:

982104 [Potential Litigation]

Anticipated litigation (concerning City's deferred compensation plan) as plaintiff, as permitted by Government Code Section 54956.9(c).

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

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

Absent: 1 - Teng

Recess

The Board recessed at the hour of 5:21 p.m. to convene in closed session pursuant to above motion.

Reconvening of the Board

The Board, at the hour of 5:33 p.m., reconvened.

Calling the Roll

On call of the roll, the following Supervisors were noted present: Supervisors Ammiano, Bierman, Brown, Katz, Leno, Medina, Newsom, Yaki - 8.

Noted Absent: Supervisors Kaufman, Teng, Yee - 3

Quorum present:

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 litigation, 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 Brown, seconded by Supervisor Leno, moved adoption to not disclose its closed session deliberations. The motion carried by the following vote:

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

Absent: 3 - Kaufman, Teng, Yee

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.

982080 [Power Outage Preparedness]**Supervisors Katz, Brown, Medina,
Yaki**

Resolution urging City departments to determine their preparedness in the power outage on December 8, 1998, as a predictor of their preparedness for a year 2000 emergency.

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

Resolution No. 1073-98

ADOPTED

982081 [Commendation]**Supervisors Katz, Ammiano, Leno,
Bierman, Brown, Medina, Yaki**

Resolution recognizing the leadership of the American Psychiatric Association for voting to reject therapy aimed at converting gays and lesbians into heterosexuals.

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

Resolution No. 1074-98

ADOPTED

982084 [Paratransit Debit Card Program]**Supervisors Newsom, Brown,
Medina, Katz**

Resolution stipulating compatibility of debit card program with City's efforts to implement a centralized dispatching system for taxicab service.

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

Resolution No. 1075-98

ADOPTED

982085 [Condemning Hate Crimes]**Supervisors Ammiano, Bierman,
Brown, Medina, Yaki, Katz**

Resolution condemning the series of hate motivated assaults against the gay community in San Francisco, Sacramento, and Boston and urging the United States Congress to support the Hate Crimes Prevention Act.

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

Resolution No. 1076-98

ADOPTED

982086 [Supporting California Nurses Association]**Supervisors Ammiano, Bierman,
Brown, Medina**

Resolution supporting California Nurses Association in their efforts to achieve an equitable contract which conforms to Title 22 of California law and urging UCSF to bargain good faith with the California Nurses Association.

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

Resolution No. 1077-98

ADOPTED

982087 [Supporting Local Employees of KGO, ABC, and Disney]**Supervisors Ammiano, Bierman**

Resolution expressing support for the local employees of KGO, ABC and Disney, urging the companies to reenter contract negotiations in good faith, and urging City officials to avoid interviews with replacement workers except in emergency situations.

Resolution No. 1078-98

ADOPTED

982088 [Esprit Park]

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

Resolution urging the San Francisco Open Space/Park Renovation Citizens Advisory Committee and the General Manager of the San Francisco Recreation and Park Department to maintain the Priority One Status for the acquisition of Esprit Park and the recommended allocation of \$1 million from the fiscal year 1999-2000 open space acquisition budget toward the purchase of Esprit Park.

Supervisor Leno requested to be added as co-sponsor.

Resolution No. 1079-98

ADOPTED

982089 [Commendation]

Supervisors Bierman, Newsom,
Brown, Yaki, Katz

Resolution commending David Bahlman for his significant contributions to the preservation of San Francisco's architectural heritage.

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

Resolution No. 1080-98

ADOPTED

982090 [Commendation]

Supervisors Kaufman, Yaki,
Newsom, Katz

Resolution commending 'An Evening of Kung Pao Kosher Comedy' for continuing to contribute to humor in San Francisco, for donating a portion of its proceeds to charity and for showing impressive staying power with a picky audience, and happily proclaiming December 24, 25, 26 and 27, 1998 as "Kung Pao Kosher Comedy Days" in San Francisco.

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

Resolution No. 1081-98

ADOPTED

982091 [Commendation]

Supervisors Leno, Bierman,
Newsom, Katz

Resolution commending the Women's Philharmonic.

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

Resolution No. 1082-98

ADOPTED

982092 [Commendation]

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

Resolution commending Allen White for his many years of advocacy and media relations work to achieve equal rights and respect for all San Franciscans.

Supervisor Kaufman requested to be added as co-sponsor.

Resolution No. 1083-98

ADOPTED

982100 [St. Mary's Medical Center Sale of Rental Housing]

Supervisors Ammiano, Bierman

Resolution urging St. Mary's Medical Center to take steps to preserve affordable rental housing units, solicit more community input on its proposed sale of fourteen residential buildings, consider its tenants' request for deed restrictions prohibiting owner move-in evictions, including evictions pursuant to the Ellis Act, and explore financing mechanisms to assist tenants in the purchase of their own units.

Supervisor Bieman requested to be added as co-sponsor.

Resolution No. 1084-98

ADOPTED

The foregoing items were acted upon by the following vote:

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

Absent: 3 - Kaufman, Teng, 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.

[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."

Supervisor Newsom, seconded by Supervisor Medina, moved to adopt the serious injury finding. The motion carried by the following vote:

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

Absent: 3 - Kaufman, Teng, 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 Medina, moved to adopt the Brown Act finding. The motion carried by the following vote:

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

Absent: 3 - Kaufman, Teng, Yee

Imperative Resolution

982124 [State of Emergency]

Supervisors Ammiano, Yaki, Katz

Resolution urging the Office of the Mayor to declare a state of emergency for the City and County of San Francisco based on record low temperatures and the serious threat this poses to health and safety of San Francisco homeless population.

Resolution No. I-99

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

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

Absent: 3 - Kaufman, Teng, Yee

OFF-CALENDAR LEGISLATION

Introduced by Supervisors or Mayor

Ordinances

982130 [Government Funding]

Supervisors Katz, Leno, Newsom,
Teng

Ordinance appropriating \$979,000, Telecommunication and Information Services, from the General Fund-designated for one-time expenditures to finance the creation of the City's Year 2000 team project which serves as the centralized planning and assistance group; for the general City responsibility for fiscal year 1998.

(Fiscal impact.)

12/21/98, RECEIVED AND ASSIGNED to Finance Committee.

- 982131 [Union Square Public Parking Garage 1999 Lease]** **Supervisor Kaufman**
Ordinance approving and authorizing the execution and delivery of a lease of the Union Square Public Parking Garage and a supplemental park maintenance agreement, an amendment to the lease of the Sutter-Stockton Garage and an amendment to a 1993 payment agreement; approving the issuance of City of San Francisco Uptown Parking Corporation Parking Revenue Bonds; adopting and making certain findings pursuant to the California Environmental Quality Act; and authorizing and ratifying the execution and delivery of documents reasonably necessary for the issuance, sale and delivery of such bonds, all in connection with the financing of seismic retrofit improvements to and the expansion of the Union Square Public Parking Garage and of improvements to Union Square Park.
12/21/98, RECEIVED AND ASSIGNED to Finance Committee.

Resolutions

- 982132 [AC Transit Relocation]** **Supervisors Katz, Ammiano, Yaki, Bierman, Brown, Medina, Leno**
Resolution urging the City and County of San Francisco, the Metropolitan Transportation Commission (MTC) and Caltrans to work cooperatively to locate AC Transit bus service at the current Transbay Terminal site.
12/21/98, ASSIGNED UNDER 30 DAY RULE to Economic Development, Transportation, and Technology Committee, expires on 1/20/1999.
- 982133 [Downtown Caltrain Station]** **Supervisors Katz, Ammiano, Yaki, Bierman, Brown, Medina, Leno**
Resolution providing for the extension of Caltrain to a downtown station.
12/21/98, ASSIGNED UNDER 30 DAY RULE to Economic Development, Transportation, and Technology Committee, expires on 1/20/1999.
- 982134 [Passenger Rail Service, Proposition I Implementation]** **Supervisors Katz, Ammiano, Yaki, Bierman, Brown, Medina, Leno, Newsom**
Resolution urging the City and County of San Francisco, the Metropolitan Transportation Commission (MTC) and Caltrans to work cooperatively to implement Proposition I, the City's policy that passenger rail service be incorporated in the redesign of the Bay Bridge.
12/21/98, RECEIVED AND ASSIGNED to Economic Development, Transportation, and Technology Committee.
- 982135 [Union Square Business Improvement District]** **Supervisor Kaufman**
Resolution establishing an assessment district to be known as the Union Square Business Improvement District and levying assessments against property located in that district for fiscal years 1999-2000 through 2003-2004.
12/21/98, ASSIGNED UNDER 30 DAY RULE to Board of Supervisors, expires on 1/20/1999.
12/21/98, SCHEDULED FOR PUBLIC HEARING. Scheduled for January 25, 1999.
- 982136 [Grant, Federal]** **Supervisor Newsom**
Resolution authorizing the Executive Director, Department of Parking and Traffic, to retroactively apply for, accept and expend up to \$3.54 million in Federal grants for implementation of the first phase of a state-of-the-art Integrated Transportation Management System (ITMS), foregoing reimbursement of indirect costs.
12/21/98, RECEIVED AND ASSIGNED to Economic Development, Transportation, and Technology Committee.

- 982137 [Caltrain Downtown Extension Project EIR/EIS]** **Supervisors Ammiano, Bierman, Katz, Leno, Medina, Yee, Yaki**
- Resolution requesting that the Environmental Impact Report/Environmental Impact Statement (EIR/EIS) for the Caltrain Downtown Extension project be completed and presented to the Board with conclusions, and that the Transbay Terminal Replacement facility be located on the present Transbay Terminal site, be designed to serve future rail service between the East Bay and San Francisco, and create opportunities for joint development.
- 12/21/98, ASSIGNED UNDER 30 DAY RULE to Economic Development, Transportation, and Technology Committee, expires on 1/20/1999.
- 982119 [Appointment]** **Supervisors Board of Supervisors, Medina**
- Resolution affirming retention of Supervisor Barbara Kaufman as a member of the Board of Directors, Golden Gate Bridge, Highway and Transportation District.
- 12/21/98, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 982120 [Appointment]** **Supervisors Kaufman, Medina**
- Resolution affirming retention of Supervisor Mabel Teng as a member of the Board of Directors, Golden Gate Bridge, Highway and Transportation District.
- 12/21/98, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 982121 [Appointment]** **Supervisors Kaufman, Medina**
- Resolution affirming retention of Supervisor Michael Yaki as a member of the Board of Directors, Golden Gate Bridge, Highway and Transportation District.
- 12/21/98, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 982122 [Appointment]** **Supervisors Kaufman, Medina**
- Resolution affirming retention of Supervisor Tom Ammiano as a member of the Board of Directors, Golden Gate Bridge, Highway and Transportation District.
- 12/21/98, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 982138 [Octavia Boulevard, Proposition E Implementation]** **Supervisors Katz, Bierman, Ammiano, Leno**
- Resolution urging Caltrans to work cooperatively with the City and County of San Francisco in developing the Octavia Boulevard approved by voters in November 1998.
- 12/21/98, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 982139 [State Legislation, AB 26 and SB 75]** **Supervisors Leno, Bierman, Katz**
- Resolution urging the California State Legislature and Governor-elect Gray Davis to approve Assembly Bill 26 and Senate Bill 75 concerning domestic partners.
- 12/21/98, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

- 982140 [Adopt A Street] Supervisors Newsom, Katz, Leno, Medina, Yaki
- Resolution resolving that each member of the Board of Supervisors shall adopt a street as part of the Department of Public Works' program to create public-private partnerships that make our City's neighborhoods and commercial corridors cleaner and more attractive.
- 12/21/98, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

- 982141 [White Zone, 1200 California Street] Supervisors Ammiano, Medina
- Resolution extending the effective hours of the white zone in front of 1200 California Street to 24 hours.
- 12/21/98, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Requests for Hearing

- 982143 [Adult Education Scholarship Fund] Supervisor Leno
- Hearing to determine the resources available for an adult education scholarship fund to benefit CalWORKS recipients who are currently allowed up to 24 months of post-secondary education in order to augment their education by an additional 1 to 3 years.
- 12/21/98, RECEIVED AND ASSIGNED to Economic Development, Transportation, and Technology Committee.
- 982144 [Recreation and Park Facilities] Supervisor Newsom
- Hearing to consider coordination of Recreation and Park facilities as resources for schools without play structures and available funding sources for these schools lacking play structures.
- 12/21/98, RECEIVED AND ASSIGNED to Parks and Recreation Committee.
- 982145 [Marina Harbor Area Management and Maintenance] Supervisor Newsom
- Hearing to consider management and maintenance of the Marina Harbor area.
- 12/21/98, RECEIVED AND ASSIGNED to Parks and Recreation Committee.
- 982146 [Film Commission Production Guidelines] Supervisor Newsom
- Hearing to consider Film Commission's neighborhood and merchant outreach guidelines and needs.
- 12/21/98, RECEIVED AND ASSIGNED to Economic Development, Transportation, and Technology Committee.
- 982147 [Toys for Tots Program] Supervisor Newsom
- Hearing to consider the continuation and revitalization of the Toys for Tots program.
- 12/21/98, RECEIVED AND ASSIGNED to Health, Family, and Environment Committee.
- 982148 [Leases of City-owned Property] Supervisor Yee
- Hearing to consider the inventory of City-owned property that is leased, what the current lease payments are and how these lease payments compare to fair market value.
- 12/21/98, RECEIVED AND ASSIGNED to Finance Committee.
- 982149 [Film Location Request] Supervisor Ammiano
- Hearing to consider the request submitted by Walt Disney Corporation to conduct film shoot at the Board of Supervisors Chambers during the last week of April or the second week of June.
- 12/21/98, RECEIVED AND ASSIGNED to Rules Committee.

Motion**982123 [Needle Exchange Emergency]**

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.

12/21/98, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Introduced by the President at the Request of Departments**PROPOSED ORDINANCES****982101 [Sinisa Vukic, et al. v. CCSF, et al.]**

Ordinance authorizing settlement of litigation of Sinisa Vukic against the City and County of San Francisco by payment of \$150,000. (City Attorney)

(S.F. Superior Court No. 988-103.)

12/16/98, RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED RESOLUTIONS**982096 [Transfer Payment from BART to MUNI]**

Resolution approving an agreement between the City and County of San Francisco and the Bay Area Rapid Transit District authorizing payment to San Francisco Municipal Railway for transfer trips provided in fiscal year 1997-1998. (Public Transportation Commission)

12/14/98, RECEIVED AND ASSIGNED to Economic Development, Transportation, and Technology Committee.

982097 [Gift Acceptance, Juvenile Probation Dept]

Resolution authorizing the Chief Probation Officer for the Juvenile Probation Department to accept and expend a gift of Twelve Thousand Seven Hundred Eighty-Five Dollars and Five Cents (\$12,785.05) from the estate of Florine Friedlander, deceased. (Juvenile Probation Department)

12/9/98, RECEIVED AND ASSIGNED to Health, Family, and Environment Committee.

Requests Granted

By Supervisor Ammiano, that letter be sent to Director, Film and Video Arts Commission, informing her of a hearing called to consider the request by Walt Disney Corporation to conduct a film shoot at the Board of Supervisors Chambers next year, and to advise that it has been assigned to Rules Committee.

By Supervisor Bierman, that City Attorney prepare legislation which would establish permanent zoning controls prohibiting introduction of new establishments, subject to specified exceptions, selling alcoholic beverages in the Haight Street Neighborhood Commercial District, as defined in Planning Code Section 719.1.

By Supervisor Bierman, that City Attorney prepare ordinance amending Health Code Section 1608(b)(13) to eliminate one position from the Lead Hazard Reduction Citizens Advisory Committee (delete physician: one representative).

By Supervisor Newsom, that letter of inquiry be sent to Director, Department of Parking and Traffic to determine whether it would be possible and advisable to install Stop signs at 42nd and Ulloa Streets and at Capitol and Ocean Avenues.

By Supervisor Yee, that letter of inquiry be sent to Director, Department of Real Estate requesting list of all City-owned property that is leased, what purpose the lessee is using the leased property for, what the current lease payments are and how these lease payments compare to fair market value. File 982148.

In Memoriams

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

Bill Cook (By the entire Board)

Joe Esherrick (By the entire Board)

William K. Y. (Bill) Jung (By the entire Board)

Dwight Kinnard (Supervisor Brown)

Frances Ross (By the entire Board)

Joseph Celestine (Supervisor Yaki)

ADJOURNMENT

There being no further business, the Board at the hour of 5:55 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 22, 1999.

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

Gloria L. Young
Clerk of the Board