

BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

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

MEETING MINUTES

DOCUMENTS DEPT.

Tuesday, January 5, 1999

2:00 PM

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

Special Meeting

MAY 27 1999

SAN FRANCISCO
PUBLIC LIBRARY

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.

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 2:02 p.m. On call of the roll, the following Supervisor was noted absent:

Supervisor Medina - 1.

Quorum present.

Supervisor Medina was noted present at 2:05 p.m.

Privilege of the Floor

Supervisor Teng, seconded by Supervisor Brown, 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: 11 - Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee

Acknowledgement of Renovation of City Hall

President Kaufman stated it was an honor to officiate at the first meeting in the renovated City Hall building and that on the occasion of this first meeting in the Legislative Chambers today, everyone including Mayor Brown, Nancy Pelosi and Jackie Spier will be in a portrait similar to the one taken of the Board of Supervisors back in 1915-16 and asked every in the audience to turn and face the photographer at the back of the chamber.

President Kaufman introduced Mayor Willie L. Brown, Jr.

Mayor Brown spoke briefly of his involvement in the City Hall project and acknowledged the work and guidance from Tony Irons, City Hall Renovation Project Director. Several members of the Board spoke of the remarkable, loving, dedication of everyone who had a part in the restoration of this magnificent building.

The Board of Supervisors commending Tony Irons for his excellent management and oversight of the City Hall Renovation Project and commended the efforts of each and every worker involved in the restoration of City Hall.

Mr. Irons spoke briefly and acknowledged the following members of his staff and the crew of the construction firms:

City Employees: Yomi Agunbiade, Gordon Bailey, Yolanda Carter, Wayne Chung, Mary Hanni, Frank Hoenack, Woodrow Jones, Jim Kennedy, Roberto Lombardi, Carolyn Snipes, Stanley So, Joel Uchi and Sheri Williams.

Huber, Hunt & Nichols: Raymond Zunino, William Sexauer, Dennis Sexauer, Tom Martin, Eric Ferguson, Tim Sexauer, Woody Soto, Scott Owens, Bralio Aranda, Gene Vincent, Erick Hockaday, Steve Rawlings, Tim Smith, Laura Sexauer, David Krier, Corinne White, Ross Mandt, Duncan Sinclair, Sharon Campbell, John Sabatino and Shawnda Bowman.

Turner Construction: Pete Borberg, Gloria Frazer, Ash Golani, Sara Martin, Dennis Newman, Kevin O'Neill, Mike Owens, Azer Roque, Tanisha Silas, Jim Townsend and Christina Wallace.

Supervisor Teng acknowledged the group of people who campaigned for the bond issue that made this possible and asked that the privilege of the floor be extended to Jim Hass. Mr. Hass spoke of his devotion for the last 15 years towards the renovation of the civic center area.

Presentation To Supervisor Kaufman

Mr. Ron Kaufman appeared and after 44 years of marriage felt it was appropriate to present a proclamation to his wife, President Barbara Kaufman, from her family. He was joined by their children, Steve and Lauren. Karen couldn't make it but sends her regards.

CONSENT AGENDA

Recommendations of the Housing and Neighborhood Services Committee

982027 [Stop Intersections]

Resolution designating certain intersections as "Stop" intersections:

STOP SIGNS - ESTABLISH

Thornton Avenue, Reddy Street, and Topeka Avenue, northeast and southwest corners, stopping Thornton Avenue (makes this multiple intersection an all-way STOP) (Department of Parking and Traffic)

Resolution No. 3-99

ADOPTED

982028 [Parking Regulations, Various Locations]

Resolution enacting and rescinding parking regulations at various locations:

2-HOUR PARKING TIME LIMIT, 7 AM - 6 PM, EXCEPT SUNDAY - RESCIND

Huron Avenue, both sides, between Lawrence and Sickles Avenues

NO PARKING, 6 AM - 9 AM, MONDAY THROUGH FRIDAY, EXCEPT VEHICLES WITH VANPOOL PERMITS; GENERAL METERED PARKING, 9 AM - 6 PM, MONDAY THROUGH FRIDAY, AND 7 AM - 6 PM, SATURDAYS - ESTABLISH

Van Ness Avenue, west side, between Golden Gate Avenue and McAllister Street

Golden Gate Avenue, south side, between Van Ness Avenue and Franklin Street

Golden Gate Avenue, south side, from Polk Street to 182 feet westerly (182-foot zone, accommodating 8 parking stalls)

Polk Street, east side, from 324 feet to 492 feet north of Grove Street (168-foot zone, accommodating 14 angled parking stalls)

DIAGONAL (45-DEGREE ANGLE) PARKING - RESCIND

Polk Street, west side, between Grove and McAllister Streets

DIAGONAL (45-DEGREE ANGLE) PARKING - ESTABLISH

Polk Street, east side, between Grove and McAllister Streets

TOW-AWAY, NO PARKING ANYTIME - ESTABLISH

Off-street metered parking lot, south and west sides, between 18th and Collingwood Streets

RESIDENTIAL PERMIT PARKING AREA "D" (2-HOUR TIME LIMIT, 9 AM - 6 PM, MONDAY THROUGH FRIDAY) - ESTABLISH

Ney Street, both sides, between Mission and Craut Streets (unit block)

RESIDENTIAL PERMIT PARKING AREA "D" (4-HOUR TIME LIMIT, 9 AM - 6 PM, MONDAY THROUGH FRIDAY) - ESTABLISH

Van Buren Street, both sides, between Surrey and Sussex Streets (unit block)

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

Granada Avenue, both sides, between Ocean Avenue and Southwood Drive (300 block)

Miramar Avenue, both sides, between Eastwood Drive and Wildwood Way (500 block)

Miramar Avenue, both sides, between Ocean Avenue and Southwood Drive (300 block)

Miramar Avenue, both sides, between Southwood and Eastwood Drives (400 block)

Plymouth Avenue, both sides, between Ocean Avenue and San Ramon Way (1200 block)

San Ramon Way, both sides, between Southwood Drive and east terminus (100 block)

Southwood Drive, both sides, between Miramar Avenue and Elmwood Way (100 block)

Southwood Drive, both sides, between Miramar and Plymouth Avenues (unit block) (Department of Parking and Traffic)

Resolution No. 4-99

ADOPTED

982029 [Traffic Regulations, Various Streets]

Resolution enacting and rescinding traffic regulations on various streets:

BICYCLE LANES - ESTABLISH

14th Street, south side (eastbound only), between Guerrero and Folsom Streets

Grove Street, south side (eastbound only), between Van Ness Avenue and Hyde Street

Polk Street, both curb lanes (northbound and southbound), between McAllister and Turk Streets

Polk Street, west curb lane (southbound only), between McAllister and Hayes Streets

Taraval Street, both curb lanes (eastbound and westbound), between Dewey Boulevard and Forest Side Avenue

Ulloa Street, both curb lanes (eastbound and westbound), between 16th and Forest Side Avenues

LEFT LANE MUST TURN LEFT - ESTABLISH

Grove Street, eastbound, at Larkin Street

TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH

Polk Street, east side, between McAllister and Turk Streets

ONE-WAY STREET - ESTABLISH

Minna Street, westbound, between 11th and Lafayette Streets

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

Howard Street, north side, between 6th and 8th Streets

TOW-AWAY LANE MUST TURN RIGHT - ESTABLISH

Howard Street, westbound, at 6th Street (Department of Parking and Traffic)

Resolution No. 5-99

ADOPTED**982039 [Gift Acceptance]**

Resolution authorizing the Chief of Police to accept, on behalf of the San Francisco Police Department, the gift of Six Thousand Five Hundred Dollars (\$6,500) from the Guardsmen for use by the Police Department's Wilderness Program. (Police Commission)

Resolution No. 6-99

ADOPTED

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 Finance Committee****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.)

Ordinance No. 2-99

FINALLY PASSED by the following vote:

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

Noes: 2 - Yee, Newsom

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)

Ordinance No. 3-99

FINALLY PASSED by the following vote:

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

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)

Ordinance No. 4-99

FINALLY PASSED by the following vote:

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

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.)

Ordinance No. 5-99

FINALLY PASSED by the following vote:

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

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.

Ordinance No. 1-99

FINALLY PASSED by the following vote:

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

Noes: 3 - Ammiano, Bierman, Yee

NEW BUSINESS**Recommendations of the Housing and Neighborhood Services Committee**

970019 [Prohibiting Sale of Inscribing Tools] Supervisor Teng

Ordinance amending the Police Code by adding Section 4202 prohibiting the sale of scribing tools, window etchers and diamond cutters to minors and prohibiting the display of inscribing tools, window etchers or diamond cutters in an area accessible to the public without employee assistance.

(Adds Section 4202)

PASSED ON FIRST READING by the following vote:

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

981967 [Lead-Based Paint Practices]

Ordinance amending Building Code by amending Chapter 36 to clarify enforcement authority and the responsibilities of owners and contractors concerning work that disturbs lead paint on building exteriors, and making miscellaneous clarifications and corrections by repealing Sections 3601 and 3602 in their entirety; by repealing subsections 3603.10, 3603.14, 3603.15, 3603.16, 3603.17, 3603.18, 3606.2.6, 3606.10, and 3606.11; by amending Section 3608; by amending subsections 3604.1, 3605.1, 3606.1, 3606.2, 3606.2.2, 3606.2.7, 3606.4, 3606.5, 3606.6, 3606.6.1, 3606.6.2, 3606.7, 3606.8, 3606.9, 3607.1, 3607.2, 3607.3, 3607.4, 3609.1.1, 3609.1.2, 3609.1.4, 3609.1.5, 3609.2.1; by renumbering subsections 3603.11, 3603.12, 3603.13 to 3603.10, 3603.11, 3603.12; by renumbering subsections 3603.19, 3603.20, 3603.21, 3603.22, 3603.23, to 3603.14, 3603.15, 3603.16, 3603.17, 3603.18; renumbering subsections 3606.2.7, 3606.2.8, 3606.2.9 to 3606.2.6, 3606.2.7, 3606.2.8; and by adding subsections 3603.13, 3607.3.6, 3608.1. (Department of Building Inspection)

(Repeals Sections 3601 and 3602 in their entirety by repealing subsections 3603.10, 3603.14, 3603.15, 3603.16, 3603.17, 3603.18, 3606.2.6, 3606.10, and 3606.11; amends Section 3608, subsections 3604.1, 3605.1, 3606.1, 3606.2, 3606.2.2, 3606.2.7, 3606.4, 3606.5, 3606.6, 3606.6.1, 3606.6.2, 3606.7, 3606.8, 3606.9, 3607.1, 3607.2, 3607.3, 3607.4, 3609.1.1, 3609.1.2, 3609.1.4, 3609.1.5, 3609.2.1; renumbers subsections 3603.11, 3603.12, 3603.13 to 3603.10, 3603.11, 3603.12, 3603.19, 3603.20, 3603.21, 3603.22, 3603.23, to 3603.14, 3603.15, 3603.16, 3603.17, 3603.18, 3606.2.7, 3606.2.8, 3606.2.9 to 3606.2.6, 3606.2.7, 3606.2.8; adds subsections 3603.13, 3607.3.6, 3608.1.)

PASSED ON FIRST READING by the following vote:

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

981968 [Parking Regulations, Portion of 7th Street]

Ordinance amending Traffic Code by adding Section 32.6.20, regarding parking regulations on a Portion of 7th Street. (Department of Parking and Traffic)

(Adds Section 32.6.20.)

PASSED ON FIRST READING by the following vote:

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

981976 [Underground District 342, Octavia Street] Supervisor Medina

Ordinance creating Underground District No. 342 on Octavia Street from Green to Filbert Street.

PASSED ON FIRST READING by the following vote:

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

981977 [Underground District 343, Laguna Street] Supervisor Medina
Ordinance creating Underground District No. 343 on Laguna Street from Bush Street to California Street.

PASSED ON FIRST READING by the following vote:

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

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".

PASSED ON FIRST READING by the following vote:

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

982023 [Parking Regulations, Portions of Polk Street]
Ordinance amending Traffic Code by adding Section 32.6.21, regarding parking regulations on portions of Polk Street. (Department of Parking and Traffic)

(Adds Section 32.6.21.)

PASSED ON FIRST READING by the following vote:

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

982024 [Parking Regulations, Portions of Lech Walesa Street]
Ordinance amending Traffic Code by adding Section 32.6.22, regarding parking regulations on portions of Lech Walesa Street. (Department of Parking and Traffic)

(Adds Section 32.6.22.)

PASSED ON FIRST READING by the following vote:

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

981969 [Liquor License, 2201 Irving Street]
Resolution determining that the issuance of a Type 20 off-sale beer and wine alcoholic beverage control license to Xu Ji Lian for 23rd Irving Supermarket, located at 2201 Irving 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.

Resolution No. 2-99

ADOPTED by the following vote:

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

SPECIAL ORDER 3:00 P.M.**981633 [Appeal, 2826-2828 Octavia St. Subdivision Map]**

Hearing of persons interested in or objecting to the decision of the Public Works Director dated September 14, 1998, approving Tentative Subdivision Map (subject to certain conditions and Building Inspection Code requirements), to legalize the proposed subdivision creating two substandard-sized lots in Assessor's Block 529, Lot 16, at 2826-2828 Octavia Street.

(See Files 981634, 981635, 981636.)

President Kaufman stated that the appellant requested more time in order to reach a compromise and asked that this matter and its related motions be continued to February 1, 1999.

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

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

981634 [Appeal, 2826-2828 Octavia St. Subdivision Map]

Motion approving decision of the Director of Public Works, approving Tentative Subdivision Map to legalize the proposed subdivision creating two substandard-sized lots in Assessor's Block 529, Lot 16, at 2826-2828 Octavia Street. (Clerk of the Board)

(See Files 981633, 981635, 981636.)

Consideration continued to February 1, 1999.

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

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

981635 [Appeal, 2826-2828 Octavia St. Subdivision Map]

Motion disapproving decision of the Director of Public Works, approving Tentative Subdivision Map to legalize the proposed subdivision creating two substandard-sized lots in Assessor's Block 529, Lot 16, at 2826-2828 Octavia Street. (Clerk of the Board)

(See Files 981633, 981634, 981636.)

Consideration continued to February 1, 1999.

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

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

981636 [Findings - 2826-2828 Octavia St. Subdivision Map]

Motion directing the Clerk of the Board to prepare findings relating to Tentative Subdivision Map to legalize the proposed subdivision creating two substandard-sized lots in Assessor's Block 529, Lot 16, at 2826-2828 Octavia Street, for consideration by the Board at its next meeting. (Clerk of the Board)

(See Files 981633, 981634, 981635.)

Consideration continued to February 1, 1999.

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

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

PUBLIC COMMENT

Abdalla Megahed, request investigation of operations of Mission Rock Shelter;
Ernestine Weiss, in favor of Broadway parcels issue;
Daniel Pieste, comments on Supervisors actions;
Steve Coulier, evictions to remove housing from the rental market;
Robert O'Malley, living wages, human rights;
Male speaker, San Francisco City with a Heart;
Eban, Mission Rock Shelter;
Michael Levine, CalTran, Bay Bridge historic preservation;
Mr. Mendosa, Tenderloin Housing Clinic evictions, Ellis Act;
Raquel Fox, oppose Ellis Act.

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.

Appointment of President Pro Tempore

At the request of the President, Supervisor Yaki assumed the chair.

The following four matters were voted on separately.

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.

Resolution No. 7-99

Supervisor Medina, seconded by Supervisor Katz, moved to excuse Supervisor Kaufman from voting. The motion carried by the following vote:

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

Supervisor Medina requested to be added as co-sponsor.

ADOPTED by the following vote:

Ayes: 8 - Ammiano, Bierman, Katz, Leno, Medina, Newsom, Yaki, Yee
 Absent: 2 - Brown, Teng
 Excused: 1 - Kaufman

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.

Resolution No. 8-99

Supervisor Medina, seconded by Supervisor Ammiano, moved to excuse Supervisor Teng from voting. The motion carried by the following vote:

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

Supervisor Medina requested to be added as co-sponsor.

ADOPTED by the following vote:

Ayes: 9 - Ammiano, Bierman, Brown, Katz, Leno, Medina, Newsom, Yaki, Yee
 Absent: 1 - Kaufman
 Excused: 1 - Teng

Appointment of President Pro Tempore

At the request of President Pro Tempore Supervisor Yaki, Supervisor Teng assumed the chair.

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.

Resolution No. 9-99

Supervisor Katz, seconded by Supervisor Ammiano, moved to excuse Supervisor Yaki from voting. The motion carried by the following vote:

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

Supervisor Medina requested to be added as co-sponsor.

ADOPTED by the following vote:

Ayes: 9 - Yee, Ammiano, Bierman, Brown, Katz, Leno, Medina, Newsom, Teng
Absent: 1 - Kaufman
Excused: 1 - Yaki

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.

Resolution No. 10-99

Supervisor Medina, seconded by Supervisor Brown, moved to excuse Supervisor Ammiano from voting. The motion carried by the following vote:

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

Supervisor Medina requested to be added as co-sponsor.

ADOPTED by the following vote:

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

President Kaufman resumed the chair.

For Adoption Without Committee Reference

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.

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

Resolution No. 12-99

ADOPTED

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.

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

Resolution No. 13-99

ADOPTED

982142 [Commendation, General Motors] Supervisors Newsom, Medina, Yaki
Resolution commending General Motors for appointing Cynthia M. Trudell to head its Saturn unit.

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

Resolution No. 14-99

ADOPTED

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.

Motion No. M99-1

APPROVED

The foregoing items were acted upon by the following vote:

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

Severed From For Adoption Without Committee Reference Agenda

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.

Supervisor Ammiano requested this matter be severed for the purpose of referring the item to committee.

SEVERED FROM FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA.

Supervisor Medina requested to be added as co-sponsor.

REFERRED to the Housing and Neighborhood Services Committee.

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.

Supervisor Medina requested this item be severed for the purpose of requesting to be excused from voting.

Resolution No. 11-99

SEVERED FROM FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA.

Supervisor Newsom, seconded by Supervisor Katz, moved to excuse Supervisor Medina from voting on this item.

The motion carried by the following vote:

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

Supervisor Leno requested to be added as co-sponsor.

ADOPTED by the following vote:

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

Excused: 1 - Medina

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 Katz, moved adoption of the commendatory finding. 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 Katz, moved adoption of the Brown Act finding. The motion carried by the following vote:

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

Imperative Resolution

990002 [Commendation]

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

Resolution recognizing the leadership and dedication of Jose Medina, member of the San Francisco Board of Supervisors.

Resolution No. 15-99

Supervisor Newsom, seconded by Supervisor Katz, 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

990006 [Motor Vehicles for Hire]

Supervisor Newsom

Ordinance amending Police Code Sections 1077 and 1185 to make violation of the Chief's rules for taxicabs an infraction and establishing fines.

(Amends Sections 1077 and 1185.)

1/5/99, ASSIGNED to Economic Development, Transportation, and Technology Committee.

990007 [Clean Air Taxicabs]

Supervisors Newsom, Bierman,
Ammiano

Ordinance amending Police Code by adding Section 1125.1 to require all taxicab color schemes with 50 or more vehicles to operate at least two percent of those vehicles as ultra-low-emission vehicles as of January 1, 2001 and to operate at least five percent of these vehicles as super ultra-low-emission vehicles as of January 1, 2004.

(Adds Section 1125.1.)

1/5/99, ASSIGNED to Economic Development, Transportation, and Technology Committee.

Resolutions

- 990008 [Gift Acceptance] Supervisor Leno**
Resolution authorizing the Parking Authority to accept a gift of one hundred and forty thousand dollars (\$140,000) from the Uptown Parking Corporation, the Downtown Parking Corporation, and the Ellis and O'Farrell Parking Garage to fund a garage marketing study and plan for the City and County of San Francisco.
1/5/99, ASSIGNED to Housing and Neighborhood Services Committee.
- 990009 [Grant Funds] Supervisor Bierman**
Resolution authorizing the Sheriff's Department to apply for, accept and expend \$62,500 in funds from the State Board of Corrections pursuant to the Mentally Ill Offender Crime Reduction grants program (MIOCR) and approving the membership of the MIOCR Strategy Committee.
1/5/99, ASSIGNED to Housing and Neighborhood Services Committee.
- 990010 [Eureka Valley Recreation Center] Supervisor Leno**
Resolution urging the San Francisco Open Space and Park Renovation Citizens Advisory Committee and the General Manager of the Recreation and Park Department to maintain priority one status for the development of the Eureka Valley Recreation Center.
1/5/99, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 990011 [State Legislation, AB 103] Supervisors Leno, Bierman**
Resolution urging the California State Legislature and Governor Davis to approve Assembly Bill 103 requiring reporting of HIV cases using a unique code system.
1/5/99, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 990012 [State Legislation, SB 48] Supervisors Leno, Bierman**
Resolution urging the California State Legislature and Governor Davis to approve Senate Bill 48 revising the California Public Records Act.
1/5/99, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 990013 [Commendation] Supervisors Leno, Medina, Brown, Teng, Newsom, Ammiano, Kaufman, Yee, Bierman, Yaki, Katz**
Resolution commending City Architect Tony Irons for his excellent management and oversight of the City Hall Renovation Project.
1/5/99, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

- 990014 [Commendation] Supervisors Teng, Kaufman, Yaki, Brown, Katz, Leno, Medina, Newsom, Bierman, Ammiano, Yee
- Resolution commending the efforts of each and every worker involved in the restoration of City Hall as a world class structure for the use and benefit of all San Franciscans.
- 1/5/99, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

- 990016 [New Asian Project Appeal] Supervisor Bierman
- Resolution initiating appeal to the Board of Supervisors of Planning Commission approval of Certificate of Appropriateness for New Asian Project, pursuant to Planning Code Section 1006.8.
- 1/5/99, ASSIGNED to Economic Development, Transportation, and Technology Committee.

Motion

- 990015 [Rules of Order, Committee Structure] Supervisor Ammiano
- Motion amending the Rules of Order of the Board of Supervisors in order to create a new committee structure for the Board.
- (Deletes Sections 5.1 through 5.7 and Section 6.20; renumbers Sections 5.8 through 5.40 to 5.10 through 5.42; adds new Sections 5.1 through 5.9.)
- 1/5/99, ASSIGNED to Rules Committee.

Introduced by the President at the Request of Departments

PROPOSED ORDINANCES

None.

PROPOSED RESOLUTIONS

- 982115 [Airport Concession Lease]
- Resolution approving Boarding Areas "B" and "C" Bookstores Lease between Host International, Inc. and the City and County of San Francisco, acting by and through its Airport Commission. (Airport Commission)
- 12/17/98, RECEIVED AND ASSIGNED to Finance Committee.
- 982116 [Emergency Repair, Clay Street Sewer]
- Resolution approving the expenditure of funds for the emergency work to replace the structurally inadequate sewers in Clay Street from Stockton to Powell Streets and Joice Street from Sacramento to Clay Streets - \$255,415. (Public Utilities Commission)
- (Fiscal impact.)
- 12/17/98, RECEIVED AND ASSIGNED to Finance Committee.
- 982117 [Emergency Repair, Brannan Street Sewer]
- Resolution approving the expenditure of funds for the emergency work to repair the structurally inadequate sewers in Brannan Street from Collin P. Kelly Jr. Street to Second Street - \$104,687. (Public Utilities Commission)
- 12/17/98, RECEIVED AND ASSIGNED to Finance Committee.

982118 [Emergency Repair, Naglee Avenue Sewer]

Resolution approving the expenditure of funds for the emergency work to replace the structurally inadequate sewers in Naglee Avenue from Alemany Boulevard to Cayuga Avenue - \$69,659. (Public Utilities Commission)

12/17/98, RECEIVED AND ASSIGNED to Finance Committee.

Resolution No. 33-99

982129 [Contract Modification]

Resolution authorizing the Public Transportation Department to enter into contract with Neoplan USA Corporation for the purchase of 135 standard and 100 articulated clean diesel coaches for a total contract amount not to exceed \$92,192,575. (Public Transportation Commission)

12/21/98, RECEIVED AND ASSIGNED to Economic Development, Transportation, and Technology Committee.

Requests Granted

By Supervisor Ammiano, that letter be sent to Pacific Gas and Electric Company to inquire and receive clarification and an update about current security measures to deal with the recent case involving a PG&E employee possession and storing explosive ammonia nitrate materials within PG&E owned facilities.

By Supervisor Ammiano, that letter be sent to his Honor, Mayor Willie L. Brown, Jr. urging him to communicate with Union Square Merchants the need to devise strategies to provide entertainment and other interactive events at Union Square.

By Supervisor Bierman, that City Attorney prepare ordinance amending the Subdivision Code which applies to any owner of less than fifty percent interest in a property containing three or more units who became an owner of record after January 1, 1998. In such instance, no unit in the property which was used as a residential rental unit after January 1, 1998, shall be used for any non-rental use unless such use has been authorized as a conditional use under Section 303 of the Planning Code. When considering whether to grant a conditional use permit for non-rental use, in lieu of the criteria set forth in Planning Code Section 303, consideration shall be given to the adverse impact on the supply of rental housing in the City and to any unreasonable hardship to the applicant if the permit is denied. This section shall not apply so long as the vacancy rate for residential rental property in San Francisco is greater than five percent (5%). This Section does not supersede any other law which regulates the use of the property, nor does this Section require an owner to rent or offer to rent any unit.

By Supervisors Teng, Newsom that letters be sent to the Mayor's Budget Director and the Director, Public Transportation, stating that it was the intent of the Finance Committee to reserve the entire \$888,182 in incentives for Municipal Railway's Booz Allen Hamilton contract and inquires whether the additional \$649,056 can be reserved so that Muni will have to return to Finance Committee for the release of this amount upon successful completion of this contract. This letter also confirms the intention of the Finance Committee to put on reserve the proposed incentive for Muni's Booz Allen Hamilton contract for the 1999 budget. That proposed incentive will not be released without prior Board approval.

By Supervisors Yaki, Newsom, Brown that City Attorney draft ordinance prohibiting the sale of laser pointers to minors under the age of 18.

By Supervisors Yaki, Bierman, Brown, that letter be sent to his Honor, Mayor Willie L. Brown, Jr. to determine whether he plans to form a Citizen's Advisory Committee to consider the organization and planning of a safe, controlled, City-sponsored event to celebrate New Year's Eve 2000.

By Supervisor Yee, that letter be sent to Harvey Rose requesting he monitor the private contributions that are received for the purposes of funding Municipal Railway's free New Year's Eve service and report these amounts to the Finance Committee.

In Memoriams

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

- Patrick Dowling (Supervisor Kaufman)*
- Oscar Scaggs (Supervisors Newsom, Katz)*
- Gugu Dlamini (By the entire Board)*
- Anne Gatti (By the entire Board)*
- Nancy Pearson (Supervisor Brown)*

ADJOURNMENT

There being no further business, the Board at the hour of 4:20 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 March 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.

Gloria L. Young
Clerk of the Board