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Tuesday, September 5, 1995

# Journal of Proceedings

*The Minutes of the*

# Board of Supervisors

City and County of San Francisco

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Volume 90

Number 34



JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

Tuesday, September 5, 1995 - 2:00 p.m.

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

CALLING THE ROLL

The meeting was called to order at 2:02 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Bierman, Hallinan, Hsieh, Kaufman, Leal, Shelley, Teng - 7.

Noted absent at first roll call:

Supervisors Alioto, Ammiano, Kennedy, Migden - 4.

Quorum present.

Supervisor Alioto was noted present at 2:07 p.m.

Supervisor Ammiano was noted present at 2:04 p.m.

Supervisor Kennedy was noted present at 2:04 p.m.

Supervisor Migden excused, on official leave of absence.

APPROVAL OF JOURNALS

There being no errors, corrections or omissions, Supervisor Kaufman, seconded by Supervisor Hsieh, moved that the Journal of Proceedings for Monday, July 17, 1995, be approved.

Motion carried by the following vote:

Ayes: Supervisors Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Shelley - 8.

Absent: Supervisors Alioto, Migden, Teng - 3.

CONSENT CALENDAR

Recommendation of Government Efficiency and Labor Committee

Finally Passed

[Settlement of Litigation, U.S.A. (Davis) v. CCSF]  
Ordinance authorizing settlement of litigation of U.S.A. (Davis) v. City and County, by payment of \$1,404,894.90. (City Attorney)

File 45-95-33, Ordinance No. 293-95

(USDC, Northern California, Consolidated Cases Nos. C84-7089 MPH and C84-1100.)

Finally passed.

The foregoing item on the Consent Calendar was acted upon by the following vote:

Ayes: Supervisors Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Shelley, Teng - 9.

Absent: Supervisors Alioto, Migden - 2.

17 80 02/07/95 09

REGULAR CALENDAR

NEW BUSINESS

Recommendation of Rules Committee

Adopted

[Appointments]

Resolution appointing members to the Cryptosporidium Task Force; making findings waiving residency requirements. (Rules Committee)

File 92-95-26.1, Resolution No. 727-95

(Michael Colbruno, representative, Board of Supervisors;  
Dr. Christine Paszko-Kolva, environmental health expert;  
Bruce Livingston, water expert;  
George W. Rutherford, M.D., epidemiologist;  
William M. Hershon, member of the HIV/AIDS community;  
Erik Ferguson, member with interest in care of people with cancer, particularly those undergoing chemotherapy;  
Stephen Kavanaugh, health care provider;

Tony Leone, R.N., doctor/nurse with expertise in cryptosporidium issues;  
Renee Etienne, nurse practitioner, doctor/nurse with expertise in cryptosporidium issues;  
Tom Musbach, general public;  
Gary Lance, general public;  
Kerry Katherine Enright, general public.)

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Shelley, Teng - 9.

Absent: Supervisors Alioto, Migden - 2.

Recess

The Board, at the hour of 2:41 p.m., took a brief recess.

Reconvening of the Board

The Board, at the hour of 3:02 p.m., reconvened.

SPECIAL ORDER - 3:00 P.M.

Hearing Held

[Public Hearing]

Hearing of persons interested in or objecting to delinquent charges for inspection and reinspection fees submitted by the Fire Department, as modified to the date of adoption of this resolution, and creating special assessments and liens based thereon.

File 41-95-2

(July 31, 1995 - Consideration continued to September 5, 1995.)

The President inquired if there was anyone present who wished to address the Board.

There being no response, the President declared the public hearing closed.

From Fire Department

Adopted

[Delinquent Charges, Inspection/Reinspection Fees]

Resolution confirming report of delinquent charges for inspection and reinspection fees submitted by the Fire Department, as modified to the date of adoption of this resolution, and creating special assessments and liens based thereon. (Fire Department)



File 41-95-2, Resolution No. 726-95

(July 31, 1995 - Consideration continued to September 5, 1995.)

The representative from the Fire Department submitted an amended report (copy of which is on file in the office of the Clerk of the Board of Supervisors).

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Shelley, Teng - 9.

Absent: Supervisors Alioto, Migden - 2.

REPORTS OF COMMITTEE

Supervisor Hsieh presented the following five items with recommendation from the Budget Committee.

Recommendations of Budget Committee

Adopted

[Appropriations Limit, Fiscal Year 1995-96]  
Resolution establishing the appropriation limits for fiscal year 1995-96 pursuant to California Constitution Article XIII B (net appropriations limit for fiscal year 1995-96 is proposed at \$1,143,093,666). (Supervisor Hsieh)

File 101-95-16, Resolution No. 732-95

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Shelley, Teng - 10.

Absent: Supervisor Migden - 1.

Passed for Second Reading

[Amend Annual Appropriation Ordinance, FY 1995-96]  
Ordinance amending the Annual Appropriation Ordinance for fiscal year 1995-96, File No. 101-95-2, Ordinance 255-95, giving effect to revenue changes pursuant to Charter Section 6.08 and adjusting appropriations to meet the requirements of the Art Commission pursuant to Charter Section 6.400, and adjusting appropriations to meet the requirements of the Airport, as a prerequisite to levy a tax pursuant to Charter Section 6.208. (Controller)

File 101-95-2.1, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Shelley, Teng - 10.

Absent: Supervisor Migden - 1.

[Tax Rate Setting, CCSF, Fiscal Year 1995-96]  
Ordinance providing revenue and levying taxes for City and County of San Francisco purposes for the fiscal year ending June 30, 1996. (Controller)

File 74-95-1, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Shelley, Teng - 10.

Absent: Supervisor Migden - 1.

[Tax Rate Setting, SFUSD, Fiscal Year 1995-96]  
Ordinance providing revenue and levying taxes for San Francisco Unified School District purposes for the fiscal year ending June 30, 1996. (Controller)

File 74-95-2, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Shelley, Teng - 10.

Absent: Supervisor Migden - 1.

[Tax Rate Setting, SF Community College, FY 1995-96]  
Ordinance providing revenue and levying taxes for San Francisco Community College District purposes for the fiscal year ending June 30, 1996. (Controller)

File 74-95-3, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Shelley, Teng - 10.

Absent: Supervisor Migden - 1.

PUBLIC COMMENT

The privilege of the floor was granted to the following persons:

Shelley Salieri, F-line inauguration;  
Wayne Justin, single room occupancy housing;  
Mr. Marshall, Monte Carlo Restaurant;  
male speaker, Lane Street vacation;  
Theresa, owner, Monte Carlo Restaurant;  
Odjai, gay issues.

There being no one else wishing to speak, the President declared the public comment portion of the meeting closed.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures were introduced at a prior meeting of the Board with action requested at this meeting. Any Supervisor may require these measures to go to committee unless a motion to suspend the rules is adopted by eight votes (or a unanimous vote if only six or seven members are present). An "aye" vote is (a) a vote in favor of suspending the rule requiring reference to committee, and (b) a vote in favor of adoption of the measures. Eight votes (or a unanimous vote if only six or seven members are present) is required.

Adopted

[State Legislation - Waiving Local Building Codes]  
Resolution supporting the passage of SB 81, a bill which would allow the waiving of local building codes on military property being conveyed to local jurisdictions pending the completion of the base conversion process. (Supervisors Shelley, Bierman, Teng, Kennedy, Kaufman)

File 12-95-48, Resolution No. 724-95

(August 28, 1995 - Introduced in Board for consideration on September 5, 1995.)

Adopted.

In connection with the above item, Supervisors Teng, Kennedy, Kaufman requested to be added as co-sponsors.

[Breast Cancer Exams]  
Resolution urging the Mayor to urge the Department of Public Health to enhance its efforts to prevent and detect breast cancer and to reach targeted populations who are not receiving adequate mammograms and detection exams. (Supervisors Migden, Alioto, Leal, Shelley, Teng, Bierman, Kennedy, Kaufman)

File 30-95-15, Resolution No. 725-95

(August 28, 1995 - Introduced in Board for consideration on September 5, 1995.)

Adopted.

In connection with the above item, Supervisors Leal, Shelley, Teng, Bierman, Kennedy, Kaufman requested to be added as co-sponsors.

[Seismic Safety Loan Program]

Resolution authorizing the Chief Administrative Officer or his designee to act on behalf of the City and County in connection with the Seismic Safety Loan Program, as described in San Francisco Administrative Code Chapters 66 and 66A, and ratifying prior actions taken by the Chief Administrative Officer or his designee in connection with the Seismic Safety Loan Program. (Supervisors Hsieh, Leal, Shelley, Kaufman, Teng, Bierman, Kennedy)

File 186-95-8.1, Resolution No. 733-95

(August 28, 1995 - Introduced in Board for consideration on September 5, 1995.)

Adopted.

In connection with the above item, Supervisors Leal, Shelley, Kaufman, Teng, Bierman, Kennedy requested to be added as co-sponsors.

[Monte Carlo Restaurant, Lane Street Renovation]

Resolution urging the Department of Public Works to work with the Department of City Planning, the Real Estate Department and the Department of Parking and Traffic to find a way to assist in the beautification of Lane Street through the Monte Carlo Restaurant Project. (Supervisors Alioto, Shelley, Teng, Ammiano, Bierman, Kennedy, Kaufman)

File 200-95-3, Resolution No. 734-95

(August 28, 1995 - Introduced in Board for consideration on September 5, 1995.)

Adopted.

In connection with the above item, Supervisors Shelley, Teng, Ammiano, Bierman, Kennedy, Kaufman requested to be added as co-sponsors.

The foregoing items on the For Adoption Without Committee Reference Calendar were adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Shelley, Teng - 10.

Absent: Supervisor Migden - 1.

#### IMMEDIATE ADOPTION CALENDAR

These measures are being introduced at this meeting. A unanimous vote is required for adoption today. Any Supervisor may require any of these measures to go to committee.

Adopted

[Leaves of Absence]

Resolution granting leaves of absence to various city and county officers with permission to leave the state. (Clerk of the Board)

File 1-95-34, Resolution No. 704-95

(Tom Hsieh, member, Board of Supervisors, October 8 - 12; Louise H. Renne, City Attorney, August 30 - September 5, 1995.)

Adopted.

[Board of Supervisors - Schedule]

Resolution revising the regular meeting schedule of the Board of Supervisors by rescheduling the September 25, 1995, meeting to September 26, 1995; and cancelling the regular meetings scheduled for November 27 and December 26, 1995. (Supervisors Shelley, Kaufman)

File 54-95-10, Resolution No. 713-95

Adopted.

The foregoing items on the Immediate Adoption Calendar were adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Shelley, Teng - 10.

Absent: Supervisor Migden - 1.

IMPERATIVE CALENDAR

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 following two motions.

Adopted

[Purely Commendatory Finding]

Motion that the Board finds by roll call vote that the resolutions being considered at this time are purely commendatory.

Supervisor Teng, seconded by Supervisor Kennedy, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Shelley, Teng - 10.

Absent: Supervisor Migden - 1.

[Brown Act Finding]

Motion that the Board finds 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 Teng, seconded by Supervisor Kennedy, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Shelley, Teng - 10.

Absent: Supervisor Migden - 1.

[Imperative Resolutions, if any]

Adopted

[Commend Janice Mirikitani]

Resolution proclaiming September 7, 1995 as "Janice Mirikitani Day" in the City and County of San Francisco.

File 4-95-23, Resolution No. 707-95

Supervisors Shelley, Leal, Kaufman, Hsieh, Bierman, Teng, Ammiano, Hallinan, Kennedy, Alioto presented for immediate adoption.

Resolution adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Shelley, Teng - 10.

Absent: Supervisor Migden - 1.

[Commend SFUSD, Returning Students and Teachers]

Resolution calling attention to the beginning of the new school year and extending congratulations to the San Francisco Unified School District on the significant improvement in pupil test scores achieved last year and wishing success in the new school term to all the returning students and teachers.

File 006-95-084, Resolution No. 709-95

Supervisors Ammiano, Bierman presented for immediate adoption.

Resolution adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Shelley, Teng - 10.

Absent: Supervisor Migden - 1.

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS  
NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Committee

[Alcoholic Beverage Special Use Subdistrict]

Ordinance adding new Planning Code Section 781.8 imposing permanent zoning controls to prohibit introduction of additional establishments, or any expansion of existing establishments, selling alcoholic beverages in the area generally bounded by Fourteenth Street, Cesar Chavez Street, Potrero Avenue and Guerrero Street. Supervisors Leal, Shelley, Kaufman presented. Referred to Housing and Land Use Committee.

File 081-95-001.

[Mission Alcoholic Beverage SUD Map Change]

Ordinance amending the San Francisco Zoning Map to establish the boundaries for the Mission Alcoholic Beverage Special Use Subdistrict. Supervisors Leal, Shelley, Kaufman presented. Referred to Housing and Land Use Committee.

File 081-95-001.01.

[City Attorney Subpoena Power]

Ordinance amending Administrative Code by adding Article XVIII, Sections 16.951, 16.952 and 16.953, granting to the City Attorney the power of subpoena in any matter where the City Attorney may act as the enforcement authority. Supervisor Shelley presented. Referred to Rules Committee.

File 097-95-046.

[Ballot Pamphlet]

Ordinance authorizing the Registrar of Voters to include the main text of the proposed Charter revision, without the appendices, in the ballot pamphlet for the November 7, 1995 election. Supervisor Kaufman presented on behalf of the Registrar of Voters. Referred to Rules Committee with request it be considered at the September 11, 1995 special meeting.

File 281-94-004.

Referred to Board

[Immigrant Pride Day]

Resolution establishing the Immigrant Pride Day in the City and County of San Francisco. Supervisors Leal, Teng, Kaufman presented. Referred to Board for Adoption Without Committee Reference Calendar September 11, 1995.

File 004-95-022.

[Welcoming San Francisco Spiders]

Resolution welcoming the San Francisco Spiders of the International Hockey League to the City for their inaugural season. Supervisor Migden presented. Referred to Board for Adoption Without Committee Reference Calendar September 11, 1995.

File 006-95-083.

[Commend Police Activities League]

Resolution commending the San Francisco Police Activities League Law Enforcement Cadet Program on its exemplary record of service to the community and extending best wishes for continued success in its future endeavors. Supervisor Hsieh presented. Referred to Board for Adoption Without Committee Reference Calendar September 11, 1995.

File 006-95-085.

[Federal Legislation, H.R. 891]

Resolution supporting H.R. 891, a congressional bill which acknowledges the fundamental injustice, cruelty, brutality and inhumanity of slavery in the United States and the 13 American colonies between 1619 and 1865. Supervisor Kennedy presented. Referred to Board for Adoption Without Committee Reference Calendar September 11, 1995.

File 013-95-025.

Requests for Hearings:

[Airport Personnel Issue]

Hearing to consider personnel issues at the Airport relating to treatment of employees and union representatives, sick leave policy, re-training and other employee rights. Supervisor Kennedy presented. Referred to Economic Vitality/Social Policy Committee with request it be considered at the rescheduled meeting September 28, 1995.

File 027-95-015.

[Substance Abuse Funding]

Hearing to consider the loss of federal grant money to fund substance abuse programs for pregnant women and mothers and the reduction of state drug medical reimbursements for residential care programs and the impact these reductions now have on local services. Supervisor Alioto presented. Referred to Budget Committee.

File 100-95-006.

[Government Efficiency]

Hearing to consider ways to increase efficiency and reduce costs in the City's human welfare and community health departments (Commission on Aging, Human Rights Commission, Commission on the Status of Women, Social Services, Community Health Services, Laguna Honda Hospital, San Francisco General Hospital and Community Mental Health Services). Supervisor Hsieh presented. Referred to Budget Committee.

File 100-95-007.

[Government Efficiency]

Hearing to consider ways to increase efficiency and reduce costs in the City's public works, transportation and commerce departments (Department of Public Works, Building Inspection Commission, Airport, Port, Parking and Traffic, Electricity and Telecommunications, Public Utilities Commission (PUC), PUC Light, Heat and Power, Hetch Hetchy Project, Water, Municipal Railway, San Francisco Redevelopment Agency). Supervisor Hsieh presented. Referred to Budget Committee.

File 100-95-008.

[Government Efficiency]

Hearing to consider ways to increase efficiency and reduce costs in the City's public protection departments (Juvenile Court, Law Library, County Agriculture-Weights and Measures, Medical Examiner/Coroner, Animal Care and Control, Public Administrator Guardian, Public Defender, Sheriff, Adult Probation, Fire and Police Departments). Supervisor Hsieh presented. Referred to Budget Committee.

File 100-95-009.

[Government Efficiency]

Hearing to consider ways to increase efficiency and reduce costs in the city's culture and recreation departments (County Education Office, Academy of Sciences, Art Commission, War Memorial, Fine Arts Museum, Asian Art Museum, Public Library, Recreation and Park Departments). Supervisor Hsieh presented. Referred to Budget Committee.

File 100-95-010.

[Government Efficiency]

Hearing to consider ways to increase efficiency and reduce costs in the City's general administration and finance departments (Chief Administrative Officer, Convention Facilities Management, Mayor, Children's Fund, Board of Supervisors, City Attorney, Treasurer-Tax Collector, Controller, Purchaser, Assessor, Recorder, Registrar of Voters, City Planning, Permit Appeals, Rent Arbitration Board, Real Estate, Civil Service, Human Resources, Retirement System, Ethics Commission). Supervisor Hsieh presented. Referred to Budget Committee.

File 100-95-011.

[Public Safety Issues, Sunset District]

Hearing to consider public safety issues in the Sunset District of San Francisco. Supervisor Alioto presented. Referred to Health/Public Safety/Environment Committee with request it be considered at the September 21, 1995 meeting.

File 248-95-002.

[Homeless Veterans]

Hearing to consider treatment of homeless veterans by the various service providers and the lack of services. Supervisor Kennedy presented. Referred to Economic Vitality/Social Policy Committee with request it be considered at the rescheduled meeting September 28, 1995.

File 261-95-001.

[Real Estate Property Holdings]

Hearing to consider all available properties in the City and county of San Francisco under the control of the San Francisco Redevelopment Agency, Port Commission and Department of Real Estate and the property at the Hunter's Point Naval Shipyard. Supervisor Kennedy presented. Referred to Economic Vitality/Social Policy Committee with request it be considered at the rescheduled meeting September 28, 1995.

File 262-95-001.

Motions

Referred to Board

[Needle Exchange Emergency]

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program. Supervisors Alioto, Leal, Bierman, Shelley, Migden presented. Referred to Board for Adoption Without Committee Reference Calendar September 11, 1995.

File 030-95-001.18.

[Budget Analyst Contract]

Motion, exercising the second option set forth in the agreement to provide Budget Analyst services between the Board of Supervisors and Stanton W. Jones and Associates/Debra A. Newman/Rodriguez, Perez, Delgado & Company Certified Public Accountants/Harvey M. Rose Accountancy Corporation Certified Public Accountants/ Wallace, Mah & Louie Certified Public Accountants, a Joint Venture to extend the term of the agreement for two years from January 1, 1996 to December 31, 1997. Supervisor Hsieh presented. Referred to Budget Committee.

File 098-95-001.

Introduced by the President at the Request of Departments

Ordinances Referred to Committee

File 045-95-026.01. [Settlement of Litigation, Jeffrey Derderian] Ordinance authorizing offer to settle personal injury claim of Jeffrey Derderian against the City and County of San Francisco by payment of \$72,000, each side to bear its own costs and attorney's fees. (Superior Court No. 958-930). (City Attorney) Referred to Government Efficiency/Labor Committee.

File 065-95-009. [Lease Modification, Port/Redevelopment Agency] Ordinance approving Fourth Amendment to Option to Lease Real Property between the Port of San Francisco and the San Francisco Redevelopment Agency for properties in the South Beach Redevelopment Area. (Also see Files 65-95-3 and 65-95-3.1). (Port) Referred to Government Efficiency/Labor Committee.

File 101-95-017. [Appropriations, Department of Social Services] Ordinance appropriating \$152,640 of Federal Revenue to contractual services for the Public Authority for In-Home Supportive Services at the Department of Social Services. RO #95036. (Controller) Referred to Budget Committee.

File 101-95-018. [Appropriations, Department of Social Services] Ordinance appropriating \$1,216,500, Department of Social Services, of Federal, State and Local Revenues to Capital Improvement Project (maintenance, repairs, and alterations at 170 Otis, 1440 Harrison and 1235 Mission to comply with ADA Act), for fiscal year 1995-96. RO #95035. (City Attorney) Referred to Budget Committee.

File 115-95-009.01. [Hazardous Waste Facility] Ordinance Amending Part II, Chapter 11, of the San Francisco Municipal Code (City Planning Code) by amending Section 225 to add a hazardous waste facility as a conditional use in the M-2 (Heavy Industrial District) and incorporate by reference California Health and Safety Code, Division 20, Chapter 6.5, Articles 2 and 13; companion measure to File 115-95-9. (Department of City Planning) Referred to Housing and Land Use Committee.

Resolutions Referred to Committee

File 033-95-009. [Appointment, S.F. Redevelopment Agency] Resolution confirming Mayor's appointment of Darshan Singh to the San Francisco Redevelopment Agency Commission, for the term to expire September 3, 1999, vice Gary Kitahata, term expires September 3, 1995. (Mayor) Referred to Rules Committee.

File 064-95-007. [Lease of Property at 1390 Market Street] Resolution authorizing the lease of real property at Fox Plaza, 1390 Market Street, for the City Attorney. (Real Estate Department) Referred to Government Efficiency/Labor Committee.

File 115-95-009. [Final EIR, Hazardous Waste Management] Draft resolution adopting Final Environmental Impact Report and environmental findings that the amendment of Planning Code Section 225 to provide for the siting of hazardous waste management facilities as a conditional use within the M-2 Heavy Industrial District will have a significant impact on the environment, and adopting and incorporating environmental findings for the San Francisco County Hazardous Waste Management Plan (#87.813E) as contained in previous Board Resolution No. 67-92, File 128-91-3; companion measure to File 115-95-9.1. (Department of City Planning) Referred to Housing and Land Use Committee.

File 146-95-012. [Federal Grant, Interactive Nutrition Education] Resolution authorizing the Department of Public Health, Community Public Health Services, to apply retroactively for a grant of \$165,000, which includes indirect costs in the amount of \$27,750, based on 22.2% of salaries, from the United States Department of Agriculture for Interactive Nutrition Education Services; providing for ratification of action previously taken. (Department of Public Health) Referred to Government Efficiency/Labor Committee.

File 146-95-013. [State Grant, Cardiovascular Health Awareness] Resolution authorizing the Department of Public Health, Community Public Health Services, to apply for retroactively a grant of \$7,500 from the State Department of Health Services for Cardiovascular Health Awareness and Prevention Services; providing for ratification of action previously taken. (Department of Public Health) Referred to Government Efficiency/Labor Committee.

File 172-95-041. [Agreement, Sheriff/University of California] Resolution authorizing the San Francisco Sheriff's Department to enter into agreement with the University of California, San Francisco, for program evaluator services, which agreement provides for dual indemnification from claims or other damages which may arise as a result of performance under said agreement. (Sheriff) Referred to Government Efficiency/Labor Committee.

File 200-95-004. [CSAC 1995 Challenge Awards] Resolution authorizing the Department of Public Works to submit an application for the California State Association of Counties, 1995 Challenge Award for the Utility Undergrounding Program. (Department of Public Works) Referred to Government Efficiency/Labor Committee.

File 200-95-005. [CSAC 1995 Challenge Awards] Resolution authorizing the Department of Public Works to submit an application for the California State Association of Counties 1995 Challenge Award for Department's Street Tree Planting Program. (Department of Public Works) Referred to Government Efficiency/Labor Committee.

Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisor Kennedy, that letters be sent to various services providers for veterans notifying them of hearing called to consider treatment of homeless veterans by the various service providers and the lack of services and requesting their presence at the September 28, 1995 meeting of the Economic Vitality and Social Policy Committee to clarify the services they provide, funding sources and how services might be enhanced. File 261-95-1.

By Supervisor Kennedy, that letters be sent to his Honor, the Mayor; the Mayor's Homeless Coordinator and the Director of Social Services requesting a list of all service providers who provide service to veterans so the Clerk of the Board can notify them of hearing called to consider treatment of homeless veterans by the various service providers and the lack of services. Each addressee is requested to attend the September 28, 1995 meeting of the Economic Vitality and Social Policy Committee. File 261-95-1.



By Supervisor Kennedy, that letter be sent to the Director of Airport notifying him of hearing called to consider personnel issues at the Airport relating to treatment of employees and union representatives, sick leave policy, re-training and other employee rights and that the following employees be in attendance at the Economic Vitality and Social Policy Committee rescheduled meeting on September 28, 1995: Marvin Ellis, Scott Hiddy, Dennis Kohler, Christine Ho and Clay Scott. File 261-95-1.

By Supervisor Kennedy, that letter be sent to the Honorable Airports Commission and Director of Airport requesting that they hold in abeyance any action to dismiss Ella Campbell from the Noise Abatement Department until hearing is held to consider personnel issues at the Airport relating to treatment of employees and union representatives, sick leave policy, re-training and other employee rights scheduled for September 28, 1995 before the Economic Vitality and Social Policy Committee. File 27-95-15.

By Supervisor Kennedy, that letter be sent to California State Association of Counties concerning allocation of health and welfare realignment monies and urging restoration of base allocations for Marin, San Mateo, Napa, Solano and San Francisco counties.

By Supervisors Kennedy and Kaufman, that letter of apology be sent to Patricia J. Dillon expressing regret over the misinformation she received from some of the offices of the members of this Board of Supervisors concerning in-memoriams and who receives them.

Motions Adopted

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

Patrick Hourican (By the entire Board)  
George Redus (Supervisor Kennedy)  
Mildred Williams (Supervisor Kennedy)  
Margaret Audray Dillon (Supervisors Kennedy, Kaufman)  
Joan Edelstein Davenny (By the entire Board)  
Dorothy Sinclair (Supervisor Leal)  
William Kunstler (Supervisors Hallinan, Bierman)  
Helen Witmer (Supervisor Hallinan)

File 2-95-34

Unanimously adopted by a rising vote.

ADJOURNMENT

There being no further business, the Board at the hour of 3:08 p.m. adjourned.

John L. Taylor, Clerk

N.B. This Journal of Proceedings sets 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 October 30, 1995

I, John L. Taylor, 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 Journal of Proceedings of said Board on the date stated and was approved as recited.

John L. Taylor  
Clerk of the Board of Supervisors



Monday, September 11, 1995

# Journal of Proceedings

*The Minutes of the*

# Board of Supervisors

City and County of San Francisco

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Volume 90

Number 35



\_\_\_\_\_  
Monday, September 11, 1995 - 2:00 p.m.  
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The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Kevin Shelley presiding.

CALLING THE ROLL

The meeting was called to order at 2:08 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Ammiano, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Shelley, Teng - 8.

Noted absent at first roll call:

Supervisors Alioto, Bierman, Migden - 3.

Quorum present.

Supervisor Alioto was noted present at 2:13 p.m.

Supervisor Bierman was noted present at 2:10 p.m.

Supervisor Migden excused, on official leave of absence.

CONSENT CALENDAR

Recommendations of Budget Committee

Finally Passed

[Tax Rate Setting, CCSF, Fiscal Year 1995-96]  
Ordinance providing revenue and levying taxes for City and County of San Francisco purposes for the fiscal year ending June 30, 1996. (Controller)

File 74-95-1, Ordinance No. 294-95

Finally passed.

[Tax Rate Setting, SFUSD, Fiscal Year 1995-96]  
Ordinance providing revenue and levying taxes for San Francisco Unified School District purposes for the fiscal year ending June 30, 1996. (Controller)

File 74-95-2, Ordinance No. 295-95

Finally passed.

[Tax Rate Setting, SF Community College, FY 1995-96]  
Ordinance providing revenue and levying taxes for San Francisco Community College District purposes for the fiscal year ending June 30, 1996. (Controller)

File 74-95-3, Ordinance No. 296-95

Finally passed.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Shelley, Teng - 9.

Absent: Supervisors Alioto, Migden - 2.

REGULAR CALENDAR

UNFINISHED BUSINESS

Recommendation of Budget Committee

Finally Passed

[Amend Annual Appropriation Ordinance, FY 1995-96]  
Ordinance amending the Annual Appropriation Ordinance for fiscal year 1995-96, File No. 101-95-2, Ordinance 255-95, giving effect to revenue changes pursuant to Charter Section 6.08 and adjusting appropriations to meet the requirements of the Art Commission pursuant to Charter Section 6.400, and adjusting appropriations to meet the requirements of the Airport, as a prerequisite to levy a tax pursuant to Charter Section 6.208. (Controller)

File 101-95-2.1, Ordinance No. 297-95

Finally passed by the following vote:

Ayes: Supervisors Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Shelley, Teng - 9.

Absent: Supervisors Alioto, Migden - 2.

NEW BUSINESS

Recommendations of Budget Committee

Adopted

[Finding, Airport Rates and Charges]  
Resolution making a finding that the schedule of rates and charges for common use facilities established by the Airports Commission effective July 1, 1995 will be sufficient to pay for maintenance and operation expenses of the Airport and will not require any tax subsidy. (Airports Commission)

File 27-95-14, Resolution No. 742-95

(Fiscal Impact.)

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Shelley, Teng - 9.

Absent: Supervisors Alioto, Migden - 2.

[Airport Rates and Charges]  
Resolution approving changes to the schedule of rates and charges for common use facilities at San Francisco International Airport as established by the Airports Commission; companion measure to File 27-95-14. (Airports Commission)

File 27-95-14.1, Resolution No. 743-95

(Fiscal Impact.)

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Shelley, Teng - 9.

Absent: Supervisors Alioto, Migden - 2.

Recommendations of Rules Committee

Adopted

[Appointment]  
Resolution appointing member to the Assessment Appeals Board for the unexpired portion of the two-year term ending September 5, 1996. (Rules Committee)

File 92-95-29, Resolution No. 745-95

(Jackson Wong, Seat No. 21008 - Board #2/regular member, vice Ben Hom, resigned.)

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Shelley, Teng - 9.

Absent: Supervisors Alioto, Migden - 2.

(Supervisor Ammiano dissenting in Committee.)

[Appointment]

Resolution appointing member to the Assessment Appeals Board for new three-year term ending September 7, 1998. (Rules Committee)

File 92-95-29.2, Resolution No. 746-95

(Peter J. Fatooh, Seat No. 21002 - Board #1/regular member, vice himself, term expired.)

Adopted by the following vote:

Ayes: Supervisors Bierman, Hallinan, Hsieh, Kaufman, Leal, Shelley, Teng - 7.

Noes: Supervisors Ammiano, Kennedy - 2.

Absent: Supervisors Alioto, Migden - 2.

[Appointment, Association of Bay Area Governments]

Resolution appointing Supervisor Willie B. Kennedy to the Association of Bay Area Governments Executive Board, for new two-year term ending June 30, 1997. (Rules Committee)

File 92-95-31, Resolution No. 728-95

(Supervisor Willie B. Kennedy, Seat No. 10301/regular member, vice herself, term expired.)

Supervisor Kennedy Excused from Voting

On advice of the City Attorney, Supervisor Kennedy requested to be excused from voting because of possible conflict of interest.

Thereupon, Supervisor Kaufman, seconded by Supervisor Leal, moved to excuse Supervisor Kennedy from voting.

Motion adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Shelley, Teng - 10.

Absent: Supervisor Migden - 1.

The roll was then called on the pending legislation and it was adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Leal, Shelley, Teng - 9.

Excused: Supervisor Kennedy - 1.

Absent: Supervisor Migden - 1.

[Appointment, Association of Bay Area Governments]

Resolution appointing Supervisor Sue Bierman to the Association of Bay Area Governments Executive Board, for new two-year term ending June 30, 1997. (Rules Committee)

File 92-95-31.1, Resolution No. 729-95

(Supervisor Sue Bierman, Seat No. 10302/regular member, vice Supervisor Kevin F. Shelley, resigned, term expired.)

Supervisor Bierman Excused from Voting

On advice of the City Attorney, Supervisor Bierman requested to be excused from voting because of possible conflict of interest.

Thereupon, Supervisor Kennedy, seconded by Supervisor Kaufman, moved to excuse Supervisor Bierman from voting.

Motion adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Shelley, Teng - 10.

Absent: Supervisor Migden - 1.

The roll was then called on the pending legislation and it was adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Shelley, Teng - 9.

Excused: Supervisor Bierman - 1.

Absent: Supervisor Migden - 1.

(Supervisor Ammiano excused from voting in Committee.)

[Appointment, Association of Bay Area Governments]  
Resolution appointing Supervisor Tom Ammiano to the Association of Bay Area Governments Executive Board, for new two-year term ending June 30, 1997. (Rules Committee)

File 92-95-31.2, Resolution No. 730-95

(Supervisor Tom Ammiano, Seat No. 10303/alternate member, vice Supervisor Sue Bierman, term expired.)

Supervisor Ammiano Excused from Voting

On advice of the City Attorney, Supervisor Ammiano requested to be excused from voting because of possible conflict of interest.

Thereupon, Supervisor Kennedy, seconded by Supervisor Kaufman, moved to excuse Supervisor Ammiano from voting.

Motion adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Shelley, Teng - 10.

Absent: Supervisor Migden - 1.

The roll was then called on the pending legislation and it was adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Shelley, Teng - 9.

Excused: Supervisor Ammiano - 1.

Absent: Supervisor Migden - 1.

[Appointment, Association of Bay Area Governments]  
Resolution appointing Supervisor Barbara Kaufman to the Association of Bay Area Governments Executive Board, for new two-year term ending June 30, 1997. (Rules Committee)

File 92-95-31.3, Resolution No. 731-95

(Supervisor Barbara Kaufman, Seat No. 10304/alternate member, vice herself, term expired.)

Supervisor Kaufman Excused from Voting

On advice of the City Attorney, Supervisor Kaufman requested to be excused from voting because of possible conflict of interest.

Thereupon, Supervisor Ammiano, seconded by Supervisor Kennedy, moved to excuse Supervisor Kaufman from voting.

Motion adopted by the following vote:



Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Shelley, Teng - 10.

Absent: Supervisor Migden - 1.

The roll was then called on the pending legislation and it was adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kennedy, Leal, Shelley, Teng - 9.

Excused: Supervisor Kaufman - 1.

Absent: Supervisor Migden - 1.

[Board Meeting Outside City Hall]

Motion ordering the October 16, 1995 meeting of the San Francisco Board of Supervisors to be held at George Washington High School, 600 32nd Avenue, in the Richmond District of San Francisco at 5:00 p.m. (Supervisors Shelley, Leal, Teng)

File 54-95-9

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Shelley, Teng - 10.

Absent: Supervisor Migden - 1.

In connection with the above item, Supervisor Teng requested to be added as co-sponsor.

#### Consideration Continued

[Rules of Order]

Motion amending Rules of Order, of the Board of Supervisors, establishing policy of conducting management audits of City departments and the Redevelopment Agency to ensure prudent and efficient use of City resources, and to require the Budget Analyst to annually submit a schedule of management audits of City and County departments to the Board of Supervisors, and requiring the Board of Supervisors to approve by motion the schedule of management audits, by adding Rule 5.9. (Supervisors Kaufman, Teng)

File 165-95-5

(Rule 1.3 of the Board of Supervisors' Rules of Order provides that an amendment to the Rules may, after one week's notice given by inclusion in the Board Calendar, be adopted by an affirmative recorded vote of two-thirds of all members of the Board.

In accordance therewith, consideration appropriately may be continued at least one week.)

Supervisor Kennedy, seconded by Supervisor Teng, moved to continue consideration to September 18, 1995.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Shelley, Teng - 10.

Absent: Supervisor Migden - 1.

In connection with the above item, Supervisor Teng requested to be added as co-sponsor.

#### Tabled

[Management Audit-Transportation Authority]

Motion requesting the Budget Analyst of the Board of Supervisors to include the Transportation Authority in the scheduling of management audits that is required by Rule 5.9, Rules of Order, of the Board of Supervisors. (Supervisors Kaufman, Bierman, Leal)

File 165-95-6

Supervisor Kaufman, seconded by Supervisor Kennedy, moved to table.

Tabled by the following vote:

Ayes: Supervisors Alioto Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Shelley, Teng - 10.

Absent: Supervisor Migden - 1.

SPECIAL ORDER 3:00 P.M.

Hearing Held

[Public Hearing]

Hearing of persons interested in or objecting to delinquent reinspection fee cost submitted by the Director of Public Health, as modified to the date of adoption of this resolution, and creating special assessments and liens based thereon. (Department of Public Health)

File 41-95-5

The President inquired if there was anyone present who wished to address the Board.

There being no response, the President declared the public hearing closed.

Pursuant to State law, a second public hearing will be held at the rescheduled meeting of the Board of Supervisors on Tuesday, September 26, 1995.

Adopted

[Reinspection Fee Liens]

Resolution confirming report of delinquent reinspection fee cost submitted by the Director of Public Health, as modified to the date of adoption of this resolution, and creating special assessments and liens based thereon. (Department of Public Health)

File 41-95-5, Resolution No. 744-95

A representative from the department submitted an amended report.

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Shelley, Teng - 10.

Absent: Supervisor Migden - 1.

SPECIAL ORDER 3:00 P.M.

Hearing Held

[Public Hearing]

Hearing of persons interested in or objecting to vacation of a sewer and public utilities easement located within Block 735, Lot 26 (1096 Eddy Street) in exchange for a new utility easement.

File 82-95-1

The privilege of the floor was granted to the following persons:

Gail Pardell; Tom Jones.

From Budget Committee Without Recommendation

Passed for Second Reading

[Vacation of Public Sewer and Utilities Easement]

Ordinance ordering the vacation of a sewer and public utilities easement located within Block 735, Lot No. 26 (1096 Eddy Street). (Supervisor Bierman)

File 82-95-1.1, Resolution No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Shelley, Teng - 10.

Absent: Supervisor Migden - 1.

SPECIAL ORDER 3:00 P.M.

Hearing Closed;  
Consideration Continued

[Public Hearing]

Hearing of persons interested in or objecting to a Preliminary Engineer's Report for a Special Assessment District designated "Bayshore Hester Assessment District No. 95-1. (Supervisors Shelley, Teng)

File 251-95-2

The President inquired if there was anyone present who wished to address the Board.

There being no response, the President declared the public hearing closed.

COMMITTEE REPORTS

Recommendation of Rules Committee

Passed for Second Reading

[Ballot Pamphlet]

Ordinance authorizing the Registrar of Voters to include the main text of the proposed Charter revision, without the appendices, in the ballot pamphlet for the November 7, 1995 election. (Registrar of Voters)

File 281-94-4, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Shelley, Teng - 10.

Absent: Supervisor Migden - 1.

PUBLIC COMMENT

The privilege of the floor was granted to the following persons:

Roberta Caravelli, discrimination, handicapped;  
Reyne Salzado, Immigrant Pride Day;  
Carlos Petroni, Immigrant Pride Day;  
George, Immigrant Pride Day;  
Clara L. Navarro, Immigrant Pride Day;  
Juan Ramon Cardona, Immigrant Pride Day;  
Floyd Brown, naming ballpark, domestic violence;  
Gustavo Craviotto, Immigrant Pride Day;  
Gene Pepi, Immigrant Pride Day;  
Josie Mooney, Immigrant Pride Day;  
Carmen Castro Rojas, Immigrant Pride Day;  
Eric Quezada, Immigrant Pride Day.

There being no one else wishing to speak, the President declared the public comment portion of the meeting closed.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures were introduced at a prior meeting of the Board with action requested at this meeting. Any Supervisor may require these measures to go to committee unless a motion to suspend the rules is adopted by eight votes (or a unanimous vote if only six or seven members are present). An "aye" vote is (a) a vote in favor of suspending the rule requiring reference to committee, and (b) a vote in favor of adoption of the measures. Eight votes (or a unanimous vote if only six or seven members are present) is required.

Adopted

[Immigrant Pride Day]

Resolution establishing the Immigrant Pride Day in the City and County of San Francisco. (Supervisors Leal, Teng, Kaufman, Alioto, Shelley, Bierman, Hsieh, Hallinan, Kennedy, Ammiano)

File 4-95-22, Resolution No. 736-95

(September 5, 1995 - Introduced in Board for consideration on September 11, 1995.)

Adopted.

In connection with the above item, Supervisors Shelley, Bierman, Hsieh, Hallinan, Kennedy, Ammiano requested to be added as co-sponsors.

[Welcoming San Francisco Spiders]

Resolution welcoming the San Francisco Spiders of the International Hockey League to the City for their inaugural season. (Supervisors Migden, Alioto, Shelley, Bierman, Hsieh, Kaufman)

File 006-95-083, Resolution No. 720-95

(September 5, 1995 - Introduced in Board for consideration on September 11, 1995.)

Adopted.

In connection with the above item, Supervisors Shelley, Bierman, Hsieh, Kaufman requested to be added as co-sponsors.

[Commend Police Activities League]

Resolution commending the San Francisco Police Activities League Law Enforcement Cadet Program on its exemplary record of service to the community and extending best wishes for continued success in its future endeavors. (Supervisor Hsieh, Shelley, Bierman)

File 6-95-85, Resolution No. 737-95

(September 5, 1995 - Introduced in Board for consideration on September 11, 1995.)

In connection with the above item, Supervisors Shelley, Bierman requested to be added as co-sponsors.

[Federal Legislation, H.R. 891]

Resolution supporting H.R. 891, a congressional bill which acknowledges the fundamental injustice, cruelty, brutality and inhumanity of slavery in the United States and the 13 American Colonies between 1619 and 1865. (Supervisors Kennedy, Alioto, Shelley, Bierman, Hsieh)

File 013-95-025, Resolution No. 740-95

(September 5, 1995 - Introduced in Board for consideration on September 11, 1995.)

Adopted.

In connection with the above item, Supervisors Shelley, Bierman, Hsieh requested to be added as co-sponsors.

[Needle Exchange Emergency]

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program. (Supervisors Alioto, Leal, Bierman, Shelley, Migden, Teng, Hsieh)

File 030-95-001.18

(September 5, 1995 - Introduced in Board for consideration on September 11, 1995.)

Adopted.

In connection with the above item, Supervisor Hsieh requested to be added as co-sponsor.

The foregoing items on the For Adoption Without Committee Reference Calendar were adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Shelley, Teng - 10.

Absent: Supervisor Migden - 1.

IMMEDIATE ADOPTION CALENDAR

These measures are being introduced at this meeting. A unanimous vote is required for adoption today. Any Supervisor may require any of these measures to go to committee.

Adopted

[Leaves of Absence]

Resolution granting leaves of absence to various city and county officers with permission to leave the state. (Clerk of the Board)

File 1-95-35, Resolution No. 718-95

(Lucille Abrahamson, Commissioner, Human Rights Commission, September 14 - 24; Preston Cook, Commissioner, Port of San Francisco, September 8 - 25, 1995.

Adopted.

[Revising Proposition O Rebuttal Ballot Argument]

Motion authorizing the Registrar of Voters to revise the Proposition O Rebuttal Argument concerning the cost of placing the measure on ballot. (Supervisor Leal)

File 60-95-9.2

Adopted.

The foregoing items on the Immediate Adoption Calendar were adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Shelley, Teng - 10.

Absent: Supervisor Migden - 1.

IMPERATIVE CALENDAR

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 following two motions.

Adopted

[Purely Commendatory Finding]

Motion that the Board finds by roll call vote that the resolutions being considered at this time are purely commendatory.

Supervisor Leal, seconded by Supervisor Ammiano, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Shelley, Teng - 10.

Absent: Supervisor Migden - 1.

[Brown Act Finding]

Motion that the Board finds 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 Leal, seconded by Supervisor Ammiano, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Shelley, Teng - 10.

Absent: Supervisor Migden - 1.

[Imperative Resolutions, if any]

Adopted

[Proclaim Classical Music Month]

Resolution proclaiming September 1995 as "Classical Music Month" in San Francisco.

File 004-95-024, Resolution No. 719-95

Supervisor Shelley presented for immediate adoption.

Resolution adopted by the following vote:

Ayes: Supervisors Alioto Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Shelley, Teng - 10.

Absent: Supervisor Migden - 1.

[Commend Galeria de la Raza]

Resolution commending Galeria de la Raza on the occasion of its 25th Anniversary for its contributions to the Chicano/Latino Arts Community and proclaiming September 11, 1995 as "Galeria de la Raza" Day in San Francisco.

File 006-95-086, Resolution No. 721-95

Supervisor Leal presented for immediate adoption.

Resolution adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Shelley, Teng - 10.

Absent: Supervisor Migden - 1.

[Commend Cesar Chavez Student Center]

Resolution commending San Francisco State University Cesar Chavez Student Center for its twenty years of service and declaring September 13, 1995 San Francisco State University Cesar Chavez Student Center Day.

File 006-95-087, Resolution No. 722-95

Supervisors Teng, Leal, Ammiano, Bierman presented for immediate adoption.

Resolution adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Shelley, Teng - 10.

Absent: Supervisor Migden - 1.

[Commend Norm Mineta]

Resolution commending Congressman Norman Mineta for his twenty-one years of leadership in the House of Representatives.

File 006-95-091, Resolution No. 723-95

Supervisors Teng, Shelley, Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden presented for immediate adoption.

Resolution adopted by the following vote:

Ayes: Supervisors Alioto Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Shelley, Teng - 10.

Absent: Supervisor Migden - 1.

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS  
NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Committee

[Deferred Compensation Plan]

Ordinance amending Administrative Code Section 16.326 regarding administrative costs for the deferred compensation plan. Supervisor Shelley presented. Referred to Government Efficiency/Labor Committee.

File 097-95-048.

[Commission on the Status of Women]

Ordinance amending Administrative Code Section 33.4 to empower the Commission on the Status of Women to lobby federal and state legislatures on matters affecting the status of women. Supervisor Kaufman presented. Referred to Economic Vitality/Social Policy Committee.

File 097-95-049.

Referred to Board

[Commend Nihonmachi Legal Outreach]

Resolution commending Nihonmachi Legal Outreach on the occasion of its 20th anniversary and declaring September 23, 1995 to be Nihonmachi Legal Outreach Day. Supervisors Teng, Bierman presented. Referred to Board for Adoption Without Committee Reference Calendar September 18, 1995.

File 006-95-088.

[Commend Human Rights/Fair Housing Commission]

Resolution commending the Human Rights/Fair Housing Commission of the City and County of Sacramento for its work serving people in the interest of equality and human rights. Supervisors Teng, Bierman presented. Referred to Board for Adoption Without Committee Reference Calendar September 18, 1995.

File 006-95-089.

[Commend Chinese Immersion Alternative School]

Resolution commending the opening of the Chinese Immersion Alternative School and declaring September 19, 1995 to be Chinese Immersion School Day in San Francisco. Supervisors Teng, Bierman presented. Referred to Board for Adoption Without Committee Reference Calendar September 18, 1995.

File 006-95-090.

[Commend All Saints Episcopal Church]

Resolution commending the All Saints Episcopal Church on the occasion of their 90th Anniversary and honoring them for their dedication of the shrine to St. Michael the Archangel, which recognizes those living with HIV/AIDS and honors those who have died of the disease. Supervisor Migden presented. Referred to Board for Adoption Without Committee Reference Calendar September 18, 1995.

File 006-95-092.

Referred to Committee

[Governor's Lawsuit Against California]

Resolution opposing Governor Pete Wilson's attempt to sue the State of California; further directing the Office of the City Attorney to prepare appropriate legal action opposing the Governor's petition for writ of mandate from the Court of Appeals (relating to affirmative action programs). Supervisors Teng, Bierman presented. Referred to Government Efficiency/Labor Committee.

File 012-95-050.

Referred to Board

[HIV Prevention Plan]

Resolution supporting the goals, objectives and recommendations contained in the comprehensive HIV prevention plan developed by the San Francisco HIV Prevention Planning Council. Supervisor Alioto presented. Referred to Board for Adoption Without Committee Reference Calendar September 18, 1995.

File 030-95-016.

Referred to Committee

[Central Freeway]

Resolution urging the Board to formally accept the recommendation of the traffic studies prepared by the Department of Parking and Traffic, its consultants and the Citizens Advisory Task Force for the Central Freeway, which evaluated alternatives to the full retrofit of the Central Freeway and request the Board to select either the "low deck over Market Street" alternative or a South of Market alternative. Supervisor Hallinan presented. Referred to Housing and Land Use Committee with request it be considered at the next meeting.

File 085-95-003.

Referred to Board

[Public Toilets, 16th and 24th Streets]

Resolution urging the BART Board of Directors to approve the installation of City authorized public toilets at the 16th Street and 24th Street BART plazas. Supervisors Leal, Ammiano presented. Referred to Board for Adoption Without Committee Reference Calendar September 18, 1995.

File 200-95-002.01.

[Bayshore Hester Assessment District]

Resolution confirming the assessment relating to the Bayshore Hester Assessment District; ordering the acquisition of the proposed improvements; ordering the recording of the assessment; providing for notice of the recording of the assessment; designating the Treasurer to collect and receive moneys; and directing the Clerk to notice the recording of the assessment. Supervisors Shelley, Teng presented. Referred to Board public hearing September 26, 1995.

File 251-95-003.

Requests for Hearings:

[Municipal Railway Work Rules]

Hearing to consider Municipal Railway work rules. Supervisor Hallinan presented. Referred to Government Efficiency/Labor Committee.

File 007-95-006.01.

[Commission on African Americans]

Hearing to consider the concerns within the African American community and the creation of a Commission on the Status of African Americans. Supervisor Kennedy presented. Referred to Economic Vitality/Social Policy Committee with request it be considered on October 3, 1995.

File 097-95-051.

[Joint Report of Controller and Budget Analyst]

Hearing to consider the joint report of the Controller and Budget Analyst estimating the long-term budget impacts federal cuts will have on San Francisco's Budget over the next seven to nine years. Supervisor Hsieh presented. Referred to Budget Committee.

File 100-95-012.

[Grant Avenue Street/Sewer Reconstruction]

Hearing to consider the progress on street and sewer reconstruction on Grant Avenue. Supervisors Teng, Hsieh, Alioto presented. Referred to Housing and Land Use Committee.

File 200-95-006.

[MBE/WBE Progress Report 1993-94]

Hearing to consider the minority business/women business enterprise progress report of 1993-94. Supervisors Leal, Kennedy, Teng, Alioto, Hallinan, Hsieh, Bierman, Shelley presented. Referred to Economic Vitality/Social Policy Committee.

File 284-95-002.

Introduced by the President at the Request of Departments

Ordinances Referred to Committee



File 101-95-019. [Appropriation, Medical Examiner/Coroner] Ordinance appropriating \$16,000, Medical Examiner/ Coroner, from the General Fund Reserve to purchase computer equipment for fiscal year 1995-96. RO #95047. (Controller) Referred to Budget Committee.

File 124-95-004. [Fees for Temporary Towaway Zones] Ordinance amending Traffic Code by amending Sections 33 and 33.1 to permit the Department of Parking and Traffic to charge fees for posting signs for temporary towaway zones. (Department of Parking and Traffic) Referred to Budget Committee.

#### Resolutions Referred to Committee

File 023-95-005. [Statute of Limitations, Delmas Allen] Resolution waiving the statute of limitations with respect to payment of certain warrants of the City and County of San Francisco, in the amount of \$500.00 a legal obligation of the City and County San Francisco. (Payee, Delmas Allen) (Controller) Referred to Budget Committee.

File 097-95-047. [Juvenile Probation Special Projects Fund] Resolution establishing an Education, Recreation, and Special Projects Fund for the Juvenile Probation Department. (Juvenile Probation Department) Referred to Budget Committee.

File 133-95-008. [Grant - State, Household Hazardous Waste] Resolution authorizing the Chief Administrative Officer (CAO) of the City and County of San Francisco to apply for up to \$120,000 in discretionary grant funding from the California Integrated Waste Management Board (CIWMB); waiving indirect costs. (Chief Administrative Officer) Referred to Government Efficiency/Labor Committee.

File 138-95-006. [Grant - State, Victim Witness Assistance Program] Resolution authorizing the District Attorney to retroactively apply for, accept and expend funds in the amount of \$320,324, which include indirect costs of \$13,939.36, from the Office of Criminal Justice Planning for the "Victim Witness Assistance Program" for the twelve month period July 1, 1995 through June 30, 1996. (Also see File 138-95-3). (District Attorney) Referred to Government Efficiency/Labor Committee.

File 138-95-007. [Grant - State, Career Criminal Prosecution Program] Resolution authorizing the District Attorney of the City and County of San Francisco to apply for retroactively, accept and expend grant funds in the amount of \$197,178 including indirect costs of \$9,389 made available through the California Office of Criminal Justice Planning for the operation of the Career Criminal Program for the twelve month period July 1, 1995 through June 30, 1996. (District Attorney) Referred to Government Efficiency/Labor Committee.

#### Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisor Alioto, that City Attorney prepare an ordinance amending the Administrative Code to explicitly specify the criteria for sole source approvals of city contracts and requiring a public notice provision containing a statement of intention to sole source any contract above a minimum value of \$25,000 and the reasons.

By Supervisor Ammiano, that letter of inquiry be sent to General Manager, Recreation and Park Department, concerning approval of an agreement re-naming Candlestick Park and requesting response to thirteen questions relating to the procedure, proposals, criteria, bid specifications, expenditures, payment, future contracts, etc.

By Supervisor Kennedy, that City Attorney prepare ordinance which would establish a Commission on the Status of African-Americans.

By Supervisor Kennedy, that letter be sent to his Honor, the Mayor, urging him to hold meetings in the Oceanview/Merced/Ingleside community to help defuse the tension concerning the recent shooting in that area.

#### Motions Adopted

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

Benjamin Dennis (Supervisor Kennedy)  
John Buggs (Supervisor Kennedy)  
Nora Cecilia Colloty Ward (Supervisor Leal)  
Esther Levitt Lutz (Supervisor Leal)

File 2-95-35

Unanimously adopted by a rising vote.

ADJOURNMENT

There being no further business, the Board at the hour of 3:26 p.m. adjourned.

John L. Taylor, Clerk

N.B. This Journal of Proceedings sets 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 October 30, 1995

I, John L. Taylor, 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 Journal of Proceedings of said Board on the date stated and was approved as recited.

John L. Taylor  
Clerk of the Board of Supervisors

Monday, September 18, 1995

# Journal of Proceedings

*The Minutes of the*

# Board of Supervisors

City and County of San Francisco

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JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

Monday, September 18, 1995 - 2:00 p.m.

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

CALLING THE ROLL

The meeting was called to order at 2:10 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

Quorum present.

APPROVAL OF JOURNALS

There being no errors, corrections or omissions, Supervisor Kennedy, seconded by Supervisor Leal, moved that the Journal of Proceedings for Monday, July 24, 1995, be approved.

Motion carried by the following vote:

Eyes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

CONSENT CALENDAR

Severed from Consent Calendar

Supervisor Kennedy requested that the following measure be severed from the Consent Calendar and considered separately.

Recommendation of Housing and Land Use Committee

Question Divided; Adopted as Divided

[Parking Regulations, Various Locations]

Resolution enacting and rescinding parking regulations at various locations. (Housing and Land Use Committee)

File 19-95-9, Resolution No.

(Two Hour Parking time limit, 7 AM - 6 PM, except Sunday - Rescind

One Hour Parking time limit, 7 AM - 6 PM, except Sunday - Establish.

Parker Avenue, east side, between McAllister and Fulton Streets (change in time limit only).

Parking Meter Area No. 3 (1 Hour time limit, 9 AM - 6 PM, Monday through Saturday - Establish.

Geary Boulevard, south side, between Collins Street and Masonic Avenue.

Geary Boulevard, south side, between Cook and Blake Streets.

((Two Hour Parking time limit, 7 AM - 6 PM, Monday through Friday - Establish

Townsend Street, south side, between 4th and 5th Streets.))

Unmetered Motorcycle Parking - Establish

Kaplan Lane, west side, from 110 feet to 170 feet north of Clementina Street (60 foot zone accommodating 17 motorcycle spaces).

Clay Street, north side, from Leavenworth Street to 7 feet easterly (7 foot zone in front of #1390 Clay Street accommodating 2 motorcycle spaces).

Leavenworth Street, east side, from Clay Street to 7 feet northerly (7 foot zone accommodating 2 motorcycle spaces).

Taylor Street, west side, from 31 feet to 38 feet north of Washington Street (7 foot zone between the Taylor Street driveways for #1200 Washington Street accommodating 2 motorcycle spaces).

Unmetered Motorcycle Parking (Replaces Existing Red Zones) - Establish  
Taylor Street, east side, from Washington Street to 7 feet northerly (7 foot zone in front of #1302 Taylor Street accommodating 2 motorcycle spaces).

Taylor Street, east side, from Washington Street to 7 feet southerly (7 foot zone in front of #1254-#1258 Taylor Street accommodating 2 motorcycle spaces.)

At the request of Supervisor Kennedy, the question was divided with respect to Townsend Street, so the matter could be considered separately.

The roll call was then called on the main resolution and it was adopted as divided, by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

Rereferred to Committee as Divided

[Parking Regulations, Townsend Street]  
Resolution enacting parking regulations at Townsend Street, south side, between 4th and 5th Streets by establishing two hour parking time limit, 7 AM - 6 PM, Monday through Friday.

File 19-95-9.1

Supervisor Kennedy, seconded by Supervisor Shelley, moved to rerefer, as divided, to Housing and Land Use Committee.

Motion to rerefer to Committee adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

The Board resumed its consideration of the following items on the Consent Calendar.

Consent Calendar

Recommendations of Government Efficiency and Labor Committee

Passed for Second Reading

[Settlement of Litigation, Jeffrey Derderian]  
Ordinance authorizing offer to settle personal injury claim of Jeffrey Derderian against the City and County, by payment of \$72,000, each side to bear its own costs and attorneys' fees. (City Attorney)

File 45-95-26.1, Ordinance No.

(Superior Court No. 958-930).

Passed for second reading.

[Settlement of Litigation, Wheeler v. CCSF, Et Al.]  
Ordinance authorizing settlement of litigation of Virginia Wheeler and Earl Wheeler against the City and County by payment of \$16,250. (City Attorney)

File 45-95-31, Ordinance No.

(Superior Court No. 959-908.)

Passed for second reading.

[Settlement of Litigation, Ying v. Poon and DPT]  
Ordinance authorizing settlement of litigation of Xiu Jun Ying against Derrick Shen Poon and the Department of Parking and Traffic, by payment of \$18,000. (City Attorney)

File 45-95-32, Ordinance No.

(Superior Court No. 955-253.)

Passed for second reading.

[Settlement of Litigation, Anne Young]

Ordinance authorizing settlement of litigation of Anne Young v. City and County, Fire Department, by payment of Six Hundred Thousand Dollars (\$600,000). (City Attorney)

File 45-95-35, Ordinance No.

(Superior Court No. 947-422.)

Passed for second reading.

[Settlement of Litigation, Coming Up, Inc.]

Ordinance authorizing the settlement of the lawsuit by Coming Up, Inc. and Kim Corsaro against the City and County, former Police Chief Richard Hongisto, and Police Officers Gary Delagnes, Tom Yuen, and Gerald Golz by payment of the sum of \$5,600 to Coming Up, Inc. with interest to be paid from the date of judgment, payment of the sum of \$30,000 to Kim Corsaro with interest to be paid from the date of judgment, payment of the sum of \$15,633 to Coming Up, Inc. and Kim Corsaro for costs with interest to be paid from the date of judgment, and payment of the sum of \$215,000 to Coming Up, Inc. and Kim Corsaro for Attorneys' fees and further authorizing the settlement of the cross claims for indemnification by Police Officers Delagnes, Yuen and Golz against the City and County of San Francisco by payment of the sum of \$130,000 to Delagnes, Yuen and Golz for their attorneys' fees and costs. (City Attorney)

File 45-95-37, Ordinance No.

(U.S. District Court No. C92-3714.)

Passed for second reading.

[Settlement of Litigation]

Ordinance authorizing settlement of litigation by release of \$42,333.00 from encumbered funds to plaintiff LVI Environmental, Inc. and release of \$125,000.00 from encumbered funds to cross-complainant Cohrssen Environmental, Inc. (Supervisor Hallinan)

File 45-95-38, Ordinance No.

(LVI Environmental, Inc. v. City and County of San Francisco, No. 960-308)

Passed for second reading.

Adopted

[General Motors v. CCSF, Extend 5-Year Time Limit]

Resolution authorizing the City Attorney to agree to extend the five-year time limit within which action must be brought to trial in General Motors Corporation v. City and County, to allow time for the California Supreme Court to decide whether to review a Second District Court of Appeal case that presents an issue crucial to the City's defense of the above-entitled case. (City Attorney)

File 45-95-34, Resolution No. 778-95

(Superior Court No. 926-031.)

Adopted.

[Settlement of Claim, Citicorp Real Estate, Inc.]

Resolution authorizing settlement of claim of Citicorp Real Estate, Inc., by payment of \$59,066.40 (consisting of \$54,661.00 in tax refunds and \$4,405.40 in interest) to be paid in four equal annual installments. (City Attorney)

File 48-95-20, Resolution No. 779-95

Adopted.

[Settlement of Claim, Lexine Alpert]

Resolution approving the settlement of the unlitigated claim of Lexine Alpert by payment of \$15,000. (City Attorney)

File 48-95-21, Resolution No. 780-95

Adopted.

[Lease of Property at 1380 Howard Street]

Resolution authorizing a lease of real property at 1380 Howard Street, for the Department of Parking and Traffic Parking Citation Bureau and Hearing Officer Division. (Real Estate Department)

File 64-95-6, Resolution No. 782-95

Adopted.

[SDI Coverage, 1248 Assistant Division Manager]

Resolution authorizing enrollment of Classification 1248 Assistant Division Manager, in the State Disability Insurance Program. (Department of Human Resources)

File 89-95-6, Resolution No. 783-95

Adopted.

[State Grant, Waste Prevention Campaign]

Resolution authorizing the Chief Administrative Officer to accept and expend \$50,000 from the League of California Cities/California Integrated Waste Management Board. (Chief Administrative Officer)

File 133-95-7, Resolution No. 784-95

Adopted.

[Grant - State, Household Hazardous Waste]

Resolution authorizing the Chief Administrative Officer to apply for up to \$120,000 in discretionary grant funding from the California Integrated Waste Management Board (CIWMB); waiving indirect costs. (Chief Administrative Officer)

File 133-95-8, Resolution No. 785-95

Adopted.

[State Grant, Cardiovascular Health Awareness]

Resolution authorizing the Department of Public Health, Community Public Health Services, to apply for retroactively a grant of \$7,500 from the State Department of Health Services for Cardiovascular Health Awareness and Prevention Services; providing for ratification of action previously taken and waiving indirect costs. (Supervisors Shelley, Alioto)

File 146-95-13, Resolution No. 787-95

Adopted.

[PIC 1995 Refugee County Plan]

Resolution approving the San Francisco 1995 Refugee County Plan and authorizing the Private Industry Council, Inc. to apply for up to \$650,000 and to accept and expend those funds in line with that County Plan. (Private Industry Council)

File 156-95-1, Resolution No. 789-95

Adopted.

[Recovery Cost of Medical Care, Christine Wong]

Resolution authorizing the Tax Collector Attorney to institute legal proceedings for the recovery of value of services in the amount of \$41,002.87, rendered at the City and County hospital facilities operated by the Department of Public Health. (Tax Collector)



File 166-95-1, Resolution No. 791-95

Adopted.

[Contract Amendment, DPH - Department of Health Services]

Resolution approving an amendment to an existing agreement with the State Department of Health Services to reduce funding and extend the term, and authorizing the Department of Public Health to accept and expend up to \$1,083,334 to develop a Medi-Cal Managed Care Local Initiative and to make corresponding changes to an existing contract with Progress Foundation as fiscal agent for use of these funds. (Supervisor Leal)

File 172-95-38, Resolution No. 794-95

Adopted.

[Novation Agreement, DPH - DHS/Progress Foundation]

Resolution authorizing the Director of Public Health to execute a novation agreement with Progress Foundation to substitute the Health Authority for the City and County as a party to an agreement which provides fiscal intermediary services for the San Francisco Health Authority for State funding for development costs for the Medi-Cal Managed Care Local Initiative. (Supervisor Leal)

File 172-95-39, Resolution No. 795-95

Adopted.

[Novation Agreement, DPH - Dept of Health Services]

Resolution authorizing the Director of Public Health to execute a novation agreement with the State Department of Health Services to substitute the Health Authority for the City as a party to an agreement which provides State funding for the development of a Medi-Cal Managed Care Local Initiative responsible for providing health care services to Medi-Cal beneficiaries. (Supervisor Leal)

File 172-95-40, Resolution No. 796-95

Adopted.

Recommendations of Housing and Land Use Committee

Adopted

[Stop Signs]

Resolution designating 34th Avenue and Yorba Street as "Stop" Intersections. (Supervisor Shelley)

File 18-95-10, Resolution No. 760-95

(Stop Signs - Establish

(34th Avenue and Yorba Street, northwest and southeast corners, stopping 34th Avenue (makes this an all-way Stop).

Adopted.

[Traffic Regulations, Various Locations]

Resolution enacting and rescinding traffic regulations at various locations. (Housing and Land Use Committee)

File 20-95-12, Resolution No. 762-95

(Bicycle Lanes - Establish

Holloway Avenue, both directions, between Tapia Drive and Varela Avenue.

No Left turn - Rescind

No Left turn, 3 PM - 7 PM, Monday through Friday - Establish

Harrison Street, westbound, at Essex Street (at Bay Bridge on-ramp).

No Right turn on Red - Establish

Burnett Avenue, southbound, at Portola Drive.

No Turn on Red, 9 AM - 6 PM, Monday through Friday - Rescind  
Larkin Street, northbound, at Bush Street.

One Way Street - Establish  
Jessie Street, eastbound, between 9th and 10th Streets.

Tow Away, No Stopping Anytime - Establish  
Polk Street, west side, from North Point Street to 60 feet southerly (60 foot zone).

Right Lane must turn Right - Rescind  
Right Lane must turn Right, except MUNI - Establish  
Polk Street, southbound, at North Point Street.

Street Closed to Vehicular Traffic at all times - Establish  
Bellair Place, between Chestnut and Pfeiffer Streets.)

Adopted.

[Residential Parking "U", South of Market]  
Resolution extending the boundaries of Residential Permit Parking Area "U" in the South of Market area and adding to the list of streets upon which time limitations shall apply. (Department of Parking and Traffic)

File 40-95-13, Resolution No. 777-95

Adopted.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

REGULAR CALENDAR

UNFINISHED BUSINESS

Recommendation of Budget and Health, Public Safety  
and Environment Committees

Passed for Second Reading

[General Assistance Property Levels]  
Ordinance amending Administrative Code, to increase allowable personal property under the General Assistance Program to \$500. (Supervisors Alioto, Bierman, Hallinan, Teng, Ammiano)

File 97-94-41, Ordinance No.

(Fiscal Impact.)

(Amends Section 20.56.10.)

(August 21, 1995 - Consideration continued to September 18, 1995.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Kennedy, Teng - 6.

Noes: Supervisors Hsieh, Kaufman, Leal, Migden, Shelley - 5.

From Budget Committee Without Recommendation

Finally Passed

[Vacation of Public Sewer and Utilities Easement]  
Ordinance ordering the vacation of a sewer and public utilities easement located within Block 735, Lot No. 26 (1096 Eddy Street). (Supervisor Bierman)

File 82-95-1.1, Ordinance No. 299-95

Finally passed by the following vote:

Monday, September 18, 1995

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

Recommendations of Rules Committee

Finally Passed

[Ballot Pamphlet]

Ordinance authorizing the Registrar of Voters to include the main text of the proposed Charter revision, without the appendices, in the Ballot Pamphlet for the November 7, 1995 election. (Registrar of Voters)

File 281-94-4, Ordinance No. 298-95

Finally passed by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

Adopted

[Rules of Order]

Motion amending Rules of Order, of the Board of Supervisors, establishing policy of conducting management audits of City departments and the Redevelopment Agency to ensure prudent and efficient use of City resources, and to require the Budget Analyst to annually submit a schedule of management audits of City and County departments to the Board of Supervisors, and requiring the Board of Supervisors to approve by motion the schedule of management audits, by adding Rule 5.9. (Supervisors Kaufman, Teng)

File 165-95-5

(September 11, 1995 - Consideration continued to September 18, 1995.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

In connection with the above item, Supervisor Teng requested to be added as co-sponsor.

NEW BUSINESS

Recommendations of Budget Committee

Passed for Second Reading

[Appropriations, Department of Parking and Traffic]

Ordinance appropriating \$200,000, Department of Parking and Traffic, of Parking Revenue Funds to Capital Improvement Project for soil remediation at St. Mary's Square Garage, for fiscal year 1995-96. (Department of Parking and Traffic)

File 101-95-8, Ordinance No.

(Fiscal Impact.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

Consideration Continued

[Appropriation, Department of Public Works]

Ordinance appropriating \$4,133,730, Department of Public Works, of Trust Fund and various Sewer Revenue Bonds of the Clean Water for the demolition of the Richmond Sunset Treatment Plant for fiscal year 1995-96; providing for ratification of action previously taken; placing \$3,993,000 in reserve. (Supervisor Hsieh)

File 101-95-15, Ordinance No.

(Fiscal Impact.)

Supervisor Alioto, seconded by Supervisor Ammiano, moved to continue consideration to October 2, 1995.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

Adopted

[Emergency Repair, Clay Street Sewer]

Resolution authorizing the Director of the Department of Public Works to take necessary measures to protect the health, welfare and property of the citizens of San Francisco by performing the necessary work to replace structurally inadequate sewer in Clay Street, between Grant Avenue and Stockton Street and between Mason and Taylor Streets - \$289,801. (Department of Public Works)

File 28-95-12, Resolution No. 768-95

(Fiscal Impact.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

Referred to Committee

[Emergency Repair, Grant Avenue Sewer]

Resolution authorizing the Director of the Department of Public Works to take necessary measures to protect the health, welfare and property of the citizens of San Francisco by performing the necessary work to replace structurally inadequate sewer in Grant Avenue, between Washington Street and Broadway - \$190,752. (Department of Public Works)

File 28-95-13, Resolution No.

(Fiscal Impact.)

Supervisor Teng, seconded by Supervisor Migden, moved to refer to Housing and Land Use Committee.

Motion to refer to Committee adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

Adopted

[Emergency Repair, Turk Street Sewer]

Resolution authorizing the Director of the Department of Public Works to take necessary measures to protect the health, welfare and property of the citizens of San Francisco by performing the necessary work to replace structurally inadequate sewer in Turk Street, between Hyde Street and Larkin Street - \$388,550. (Department of Public Works)

File 28-95-14, Resolution No. 769-95

(Fiscal Impact.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

[Emergency Repair, Post Street Sewer]

Resolution authorizing the Director of the Department of Public Works to take necessary measures to protect the health, welfare and property of the citizens of San Francisco by performing the necessary work to replace structurally inadequate sewer in Post Street, between Gough Street and Octavia Street - \$117,915. (Department of Public Works)

File 28-95-15, Resolution No. 770-95

(Fiscal Impact.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

[Emergency Repair, Polk Street Sewer]

Resolution authorizing the Director of the Department of Public Works to take necessary measures to protect the health, welfare and property of the citizens of San Francisco by performing the necessary work to replace structurally inadequate sewer in Polk Street, between Washington Street and Jackson Street - \$73,017. (Department of Public Works)

File 28-95-16, Resolution No. 771-95

(Fiscal Impact.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

[Emergency Repair, Pacific Avenue Sewer]

Resolution authorizing the Director of the Department of Public Works to take necessary measures to protect the health, welfare and property of the citizens of San Francisco by performing the necessary work to replace structurally inadequate sewer in Pacific Avenue, between Battery Street and Sansome Street - \$72,070. (Department of Public Works)

File 28-95-17, Resolution No. 772-95

(Fiscal Impact.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

[Emergency Repair, Post Street Sewer]

Resolution authorizing the Director of the Department of Public Works to take necessary measures to protect the health, welfare and property of the citizens of San Francisco by performing the necessary work to replace structurally inadequate sewer in Post Street, between Polk Street and Van Ness Avenue - \$133,940. (Department of Public Works)

File 28-95-18, Resolution No. 773-95

(Fiscal Impact.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

[Emergency Repair, Sacramento Street Sewer]

Resolution authorizing the Director of the Department of Public Works to take necessary measures to protect the health, welfare and property of the citizens of San Francisco by performing the necessary work to replace structurally inadequate sewer in Sacramento Street, between Grant Avenue and Stockton Street - \$146,355. (Department of Public Works)

File 28-95-19, Resolution No. 774-95

(Fiscal Impact.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

Passed for Second Reading

[Lease of Property, 1800 Oakdale Avenue]  
Ordinance authorizing and approving lease of City-owned property at 1800 Oakdale Avenue (Southeast Community Facility, northeast corner of Phelps Street and Oakdale Avenue) to South Bayshore Community Development Corporation, a California non-profit public benefit corporation, without competitive bidding; retroactive to July 1, 1995. (Supervisor Teng)

File 65-95-8, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

[Amendment to MOU, Local 21]  
Ordinance amending Ordinance No. 221-95 to correct non-economic clerical errors and omissions to the provisions of the Memorandum of Understanding between the International Federation of Professional and Technical Engineers, AFL-CIO, Local 21 and the City and County for the period July 1, 1995 through June 30, 1997. (Department of Human Resources)

File 93-95-35.2, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

[Amend MOU, Local 200, SEAM]  
Ordinance amending Ordinance No. 233-95 to correct non-economic clerical errors and omissions to the provisions of the Memorandum of Understanding between the Transport Workers Union, Local 200, SEAM and the City and County for the period July 1, 1995 through June 30, 1998. (Department of Human Resources)

File 93-95-46.1, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

[Sale of Surplus Property]  
Ordinance authorizing the sale of surplus City-owned property and adopting findings pursuant to City Planning Code Section 101.1. (Parcel 1. Assessor's Block 4832, Lot 8, located at the northeast corner of the intersection of Yosemite Avenue and Ingalls Street; Parcel 2. Assessor's Block 3644, Lot 5, located on the west side of Valencia Street between 23rd and 24th Streets; Parcel 3. Assessor's Block 3577, Lot 60, located on the south side of 17th Street between Guerrero and Valencia Streets; Parcel 4. Assessor's Block 513, Lot 15, located on the south side of Greenwich Street between Scott and Pierce Streets.) (Real Estate Department)

File 96-95-3, Ordinance No.

(Fiscal Impact.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

[Sale of Surplus Property]  
Ordinance authorizing the sale of surplus property known as Assessor's Block 652, Lot 7A and adopting findings pursuant to City Planning Code Section 101.1; (Proposed auction of City's partial interest in Block 652, Lot 7A known as 2110-12 Pine Street bequeathed by the will of John B. Fortunio.) (Real Estate Department)

File 96-95-4, Ordinance No.

(Fiscal Impact.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

Adopted

[Prop J Contract, Security Services]

Resolution concurring with the Controller's certification that security services for the Port of San Francisco can be practically performed by a private contractor at lower cost than by City and County employees. (Port Commission)

File 25-95-25, Resolution No. 763-95

(Fiscal Impact.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

[Prop J Contract, Pretrial Diversion Program]

Resolution approving, retroactively, the Controller's certification that the pretrial diversion program for the City and County can practically be performed by private contractor at a lower cost for the year commencing July 1, 1995, than if work were performed by City and County employees. (Sheriff)

File 25-95-27, Resolution No. 764-95

(Fiscal Impact.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

[Prop J Contract, Eviction Assistance Program]

Resolution approving, retroactively, the Controller's certification that the eviction assistance program for the City and County can practically be performed by private contractor at a lower cost for the year commencing July 1, 1995, than if work were performed by City and County employees. (Sheriff)

File 25-95-28, Resolution No. 765-95

(Fiscal Impact.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

[Prop J Contract, Own Recognizance Project]

Resolution approving, retroactively, the Controller's certification that the San Francisco "O.R." Project for the City and County can practically be performed by private contractor at a lower cost for the year commencing July 1, 1995, than if work were performed by City and County employees. (Sheriff)

File 25-95-29, Resolution No. 766-95

(Fiscal Impact.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

[Prop J Contract, Jail Food Services]

Resolution approving retroactively, the Controller's certification that county jail food service management operations for the City and County can practically be performed by private contractor at a lower cost for the year commencing July 1, 1995, than if work were performed by City and County employees. (Sheriff)

File 25-95-30, Resolution No. 767-95

(Fiscal Impact.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

[Prop J Contract, Airport Information Booth Program]  
Resolution approving the Controller's certification that Airport Information Booth services at San Francisco International Airport can be practically performed by private contractor at a lower cost than if work were performed by City employees at presently budgeted levels. (Airport)

File 25-95-31, Resolution No. 741-95

(Fiscal Impact.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

[Reimbursement to Employees]  
Resolution authorizing reimbursement for cost of personal property of City and County employees damaged and/or stolen in the line of duty (eight claims totaling \$1,478). (Government Efficiency and Labor Committee)

File 51-95-2, Resolution No. 781-95

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

[Federal Grant, Interactive Nutrition Education]  
Resolution authorizing the Department of Public Health, Community Public Health Services, to apply retroactively for a grant of \$161,370, which includes indirect costs in the amount of \$26,082, based on 22.2% of salaries, from the United States Department of Agriculture for Interactive Nutrition Education Services; providing for ratification of action previously taken. (Supervisors Shelley, Alioto)

File 146-95-12, Resolution No. 786-95

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

[Grant-Federal, City Base Map Project]  
Resolution authorizing the Department of Public Works to apply retroactively for \$951,606 in grant funds awarded by the United States Department of Commerce, National Telecommunications and Information Administration (NTIA), Telecommunications and Information Infrastructure Assistance Program (TAP) to develop a telecommunication network to improve access, develop an informational resource, and further the use of the City's Official Base Map; including indirect costs in the amount of \$78,759. (Department of Public Works)

File 148-95-4, Resolution No. 788-95

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

[Hold Harmless Agreement, SFPD - U.S. Park Police]  
Resolution authorizing the Chief of Police to execute a Memorandum of Understanding containing a Hold Harmless Agreement with the United States Department of Interior, National Park Service, United States Park Police for the activities of officers for both agencies under the terms of the MOU. (Police Commission)

File 172-95-37, Resolution No. 793-95



Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

[Agreement, Sheriff/University of California]

Resolution authorizing retroactively, the Sheriff's Department to enter into agreement with the University of California, San Francisco, for program evaluator services, which agreement provides for dual indemnification from claims or other damages which may arise as a result of performance under said agreement. (Sheriff)

File 172-95-41, Resolution No. 797-95

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

Recommendations of Health, Public Safety and Environment Committee

Adopted as Amended

[Medicare and Medicaid]

Resolution ((urging the Board of Supervisors to oppose)) opposing Federal and State policy that promotes the privatization of existing public health programs, to oppose the conversion of medicaid entitlement to a block grant program, to support federal quality and accessibility standards to protect the public interest, to oppose budget reductions for medicare and medicaid entitlement, and to send letters to State and Federal officials supporting their position and to encourage San Francisco to do likewise. (Supervisors Bierman, Alioto, Leal, Ammiano, Teng, Hallinan)

File 12-95-46, Resolution No. 759-95

Supervisor Bierman, seconded by Supervisor Leal, moved to amend title, line two, by deleting "urging the Board of Supervisors" and changing "oppose" to "opposing"; clerical correction on page three, line four, by deleting "Senator Packwood".

Motion to amend adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

Adopted as amended by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

In connection with the above item, Supervisors Ammiano, Teng, Hallinan requested to be added as co-sponsors.

Adopted

[Competitive Bidding]

Resolution urging the Mayor to urge department heads to competitively bid contracts for materials, supplies, equipment and services as required by Charter Section 7.200 and Administrative Code Section 21.6. (Supervisor Alioto)

File 172-95-5, Resolution No. 792-95

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

[Grand Jury Recommendations]

Motion directing the Clerk of the Board of Supervisors to submit comments on the recommendations of the 1994-95 Civil Grand Jury to the Presiding Judge of the Superior Court pertaining to improvements in the Sole Source Approval Process and the Planned Emergency Radio System. (Health, Public Safety and Environment Committee)

File 39-95-5.1

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

Recommendations of Housing and Land Use Committee

Passed for Second Reading

[Zoning Map Amendment, 2300 3rd Street]

Ordinance adopting changes in property use classification as an amendment to the Zoning Map of the City and County of property located at 2300 23rd Street, east side between 20th and 22nd Streets, a portion of Lot 1, Assessor's Block 4108 from the "P-40-X" (Public Use-Height) District to an "M-2, 40-X" (Heavy Industrial 40-Foot Height) District and adopting findings pursuant to City Planning Code Section 101.1. (Department of City Planning)

File 36-95-4, Ordinance No.

(City Planning Resolution No. 13889, adopted June 8, 1995.)  
(General Rule Exclusion from Environmental Review.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

[Zoning Map Amendment, 2475 Greenwich Street]

Ordinance adopting changes in property use classification as an amendment to the Zoning Map of the City and County of property located at 2475 Greenwich Street, north side between Scott and Pierce Streets, a portion of Lot 15, Assessor's Block 513, from a "P" (Public Use, 40-X Height and Bulk) District to an "RH-2, 40-X" (House, Two Family 40-Foot Height and Bulk) District and adopting findings pursuant to Section 101.1 of the Planning Code. (Department of City Planning)

File 36-95-5, Ordinance No.

(City Planning Resolution No. 13924, adopted July 27, 1995.)  
(General Rule Exclusion from Environmental Review.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

[Downtown Streetscape Plan]

Ordinance amending Planning Code, regulating streetscape improvements in the Downtown C-3 Districts, to include modifications and improvements of sidewalks, regulating the placement of off-street parking and loading to include the revised pedestrian network, to reference the requirements of Section 138.1 and adopting findings pursuant to City Planning Code Section 101.1. (Department of City Planning)

File 115-95-4, Ordinance No.

(Fiscal Impact.)

(Adds Section 138.1; Amends Sections 137, 155, and 309.)

(City Planning Resolution No. 13911, adopted July 13, 1995.)  
(General Rule Exclusion from Environmental Review.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Hallinan - 1.

Adopted

[Street Vacation/Sale - Portion of Montcalm Street]

Resolution declaring intention of the Board of Supervisors to vacate a portion of Montcalm Street between Franconia Avenue and Peralta Avenue, fronting 210 Montcalm Street, Block 5538, Lot 5, and setting the hearing date for October 23, 1995 at 3:00 p.m. for all persons interested in the proposed vacation. (Real Estate Department)

File 164-95-3, Resolution No. 790-95

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Hallinan - 1.

[Liquor License, 199 Fremont Street]

Resolution determining that the issuance of a Type 40 on-sale beer license to Chin Oi Ng, for the Sun Rise Chinese Restaurant, will serve the convenience and necessity of the people of the City and County, in accordance with Section 23958.4 of the California Business and Professions Code; with condition. (Housing and Land Use Committee)

File 223-95-16, Resolution No. 799-95

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Hallinan - 1.

[Liquor License, 201 Bayshore Boulevard]

Resolution determining that the issuance of a Type 42 on-sale beer and wine license to Steve McLaren for "Beverages & More", will serve the convenience and necessity of the people of the City and County, in accordance with Section 23958.4 of the California Business and Professions Code. (Housing and Land Use Committee)

File 223-95-19, Resolution No. 800-95

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Hallinan - 1.

PUBLIC COMMENT

The privilege of the floor was granted to the following persons:

Al Rosen, handicapped issues;  
Shelley Salieri, San Francisco County Transportation Authority;  
Marcia Rosen, mandatory direct rent payment plan;  
Margaret Brodtkin, mandatory direct rent payment plan, arrest of welfare mothers;  
Leboriae P. Smoore, police brutality, dysfunctional judges;  
Female speaker, police issues, Brian Sullivan matter;  
Floyd Brown, domestic violence;  
Peter Samson, mandatory direct rent payment program;  
Marika, AFDC mothers arrested;  
Wendy Thompson, AFDC mothers;  
Patricia Stapleton, AFDC mothers.  
Constance E. Kurvppv, mentally disabled issue;  
Virginia Conway, overgrown trees at 14th Avenue and Ortega Street.

There being no one else wishing to speak, the President declared the public comment portion of the meeting closed.

Appointment of President Pro Tempore

At the request of the President, Supervisor Kaufman assumed the Chair.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

Monday, September 18, 1995

These measures were introduced at a prior meeting of the Board with action requested at this meeting. Any Supervisor may require these measures to go to committee unless a motion to suspend the rules is adopted by eight votes (or a unanimous vote if only six or seven members are present). An "aye" vote is (a) a vote in favor of suspending the rule requiring reference to committee, and (b) a vote in favor of adoption of the measures. Eight votes (or a unanimous vote if only six or seven members are present) is required.

Severed From For Adoption Without Committee Reference Calendar

Supervisor Teng requested that the following measure be severed from the For Adoption Without Committee Reference Calendar and considered separately.

Consideration Continued

[Commend Chinese Immersion Alternative School]

Resolution commending the opening of the Chinese Immersion Alternative School and declaring September 19, 1995 to be Chinese Immersion School Day in San Francisco. (Supervisors Teng, Bierman, Alioto, Shelley)

File 6-95-90, Resolution No.

(September 11, 1995 - Introduced in Board for consideration on September 18, 1995.

Supervisor Teng, seconded by Supervisor Kennedy, moved to continue consideration to September 26, 1995.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Migden, Shelley, Teng - 9.

Absent: Supervisors Hallinan, Leal - 2.

In connection with the above item, Supervisor Shelley requested to be added as co-sponsor.

The Board thereupon resumed its consideration of the following items on the For Adoption Without Committee Reference Calendar.

For Adoption Without Committee Reference Calendar

Adopted

[Commend Nihonmachi Legal Outreach]

Resolution commending Nihonmachi Legal Outreach on the occasion of its 20th Anniversary and declaring September 23, 1995 to be Nihonmachi Legal Outreach Day. (Supervisors Teng, Bierman, Alioto, Shelley)

File 6-95-88, Resolution No. 752-95

(September 11, 1995 - Introduced in Board for consideration on September 18, 1995.

Adopted.

In connection with the above item, Supervisor Shelley requested to be added as co-sponsor.

[Commend Human Rights/Fair Housing Commission]

Resolution commending the Human Rights/Fair Housing Commission of the City and County of Sacramento for its work serving people in the interest of equality and human rights. (Supervisors Teng, Bierman, Alioto)

File 6-95-89, Resolution No. 753-95

(September 11, 1995 - Introduced in Board for consideration on September 18, 1995.

Adopted.

[Commend All Saints Episcopal Church]

Resolution commending the All Saints Episcopal Church on the occasion of their 90th Anniversary and honoring them for their dedication of the shrine to St. Michael the Archangel, which recognizes those living with HIV/AIDS and honors those who have died of the disease. (Supervisors Migden, Alioto, Shelley, Bierman)

File 6-95-92, Resolution No. 754-95

(September 11, 1995 - Introduced in Board for consideration on September 18, 1995.

Adopted.

In connection with the above item, Supervisors Shelley, Bierman requested to be added as co-sponsors.

[HIV Prevention Plan]

Resolution supporting the goals, objectives and recommendations contained in the comprehensive HIV prevention plan developed by the San Francisco HIV Prevention Planning Council. (Supervisors Alioto, Bierman)

File 30-95-16, Resolution No. 775-95

(September 11, 1995 - Introduced in Board for consideration on September 18, 1995.

Adopted.

In connection with the above item, Supervisor Bierman requested to be added as co-sponsor.

[Public Toilets, 16th and 24th Streets]

Resolution urging the BART Board of Directors to approve the installation of City authorized public toilets at the 16th Street and 24th Street BART plazas. (Supervisors Leal, Ammiano, Alioto)

File 200-95-2.1, Resolution No. 798-95

(September 11, 1995 - Introduced in Board for consideration on September 18, 1995.

Adopted.

The foregoing items on the For Adoption Without Committee Reference Calendar were adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Migden, Shelley, Teng - 9.

Absent: Supervisors Hallinan, Leal - 2.

#### IMMEDIATE ADOPTION CALENDAR

These measures are being introduced at this meeting. A unanimous vote is required for adoption today. Any Supervisor may require any of these measures to go to committee.

Adopted

[Leaves of Absence]

Resolution granting leaves of absence to various city and county officers with permission to leave the state. (Clerk of the Board)

File 1-95-36, Resolution No. 735-95

(John L. Taylor, Clerk, Board of Supervisors, September 29 - October 7; Kathryn Fong, Commissioner, Human Rights Commission, September 13 - 15 and September 19 - 22; Alma Robinson, Commissioner, Human Rights Commission, September 20 - 23 and October 13 - 25; Doris M. Ward, Assessor, September 11 - 25, 1995.)

Adopted.

The foregoing item on the Immediate Adoption Calendar was adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Migden, Shelley, Teng - 9.

Absent: Supervisors Hallinan, Leal - 2.

#### IMPERATIVE CALENDAR

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 following two motions.

Adopted

[Purely Commendatory Finding]

Motion that the Board finds by roll call vote that the resolutions being considered at this time are purely commendatory.

Supervisor Kennedy, seconded by Supervisor Teng, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Migden, Shelley, Teng - 9.

Absent: Supervisors Hallinan, Leal - 2.

[Brown Act Finding]

Motion that the Board finds 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 Kennedy, seconded by Supervisor Teng, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Migden, Shelley, Teng - 9.

Absent: Supervisors Hallinan, Leal - 2.

[Imperative Resolutions, if any]

Adopted

[Commend Louis A. Turpen]

Resolution commending Louis A. Turpen, Director of San Francisco International Airport for the City and County of San Francisco, on his outstanding work and wishing him well in his new position.

File 006-95-093, Resolution No. 738-95

Supervisors Hsieh, Shelley, Alioto, Ammiano, Bierman, Hallinan, Kaufman, Kennedy, Leal, Migden, Teng presented for immediate adoption.

Resolution adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Migden, Shelley, Teng - 9.

Absent: Supervisors Hallinan, Leal - 2.

[Commend Overseas Fukiene Association]

Resolution commending the Overseas Fukiene Association and declaring September 24, 1995 Overseas Fukiene Association Day in San Francisco.

File 006-95-094, Resolution No. 739-95

Supervisors Teng, Hsieh presented for immediate adoption.

Resolution adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Migden, Shelley, Teng - 9.

Absent: Supervisors Hallinan, Leal - 2.

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS  
NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Committee

[Mandatory Rent Payment Program Reserve]

Ordinance amending the Annual Appropriation Ordinance by amending Section 33 of the administrative provisions regarding the administration of the Mandatory Direct Rent Payment Program. Supervisors Ammiano, Teng presented. Referred to Budget Committee.

File 101-95-002.02.

[Appropriation, Police Department]

Ordinance appropriating \$1,800,000, Police Department, of 1987 Police Facilities Improvement Bond interest earnings for the construction of the Bayview Police Station, for fiscal year 1995-96. RO #95050. Supervisor Hsieh presented. Referred to Budget Committee.

File 101-95-020.

[Appropriation, Police Department]

Ordinance appropriating \$896,000, Police Department, for construction of the Bayview Police Station, \$571,000 from the General Fund Reserve and \$325,000 from rescinding materials and supplies and services of other departments, for fiscal year 1995-96. RO #95049. Supervisor Hsieh presented. Referred to Budget Committee.

File 101-95-021.

[Public Service Kiosks Advertising Signs]

Draft ordinance amending Planning Code Section 603 relating to general advertising signs on public service kiosks associated with public toilets in order to clarify the intent of Section 603(m). Supervisors Kaufman, Bierman presented. Referred to Housing and Land Use Committee.

File 115-95-010.

[Public Service Kiosks]

Draft ordinance amending Public Works Code Sections 2 and 786, relating to transmitting plans and specifications to the City Planning Commission and street encroachment permits concerning advertising kiosks. Supervisors Kaufman, Bierman presented. Referred to Housing and Land Use Committee.

File 123-95-002.

Referred to Board

[Breast Cancer Awareness Month]

Resolution designating the month of October 1995 as Breast Cancer Awareness Month in the City and County of San Francisco. Supervisors Migden, Leal, Shelley, Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Teng presented. Referred to Board for Adoption Without Committee Reference Calendar September 26, 1995.

File 004-95-025.

[Bone Marrow Donor Awareness Month]

Resolution declaring October 1995 Bone Marrow Donor Awareness Month in the City and County of San Francisco. Supervisor Teng presented. Referred to Board for Adoption Without Committee Reference Calendar September 26, 1995.

File 004-95-026.

[Commend Sunset District Neighborhood Coalition]

Resolution commending the Sunset District Neighborhood Coalition for its efforts including organization of the first annual Sunset Community Festival and declaring September 30, 1995 Sunset Community Festival Day in San Francisco. Supervisors Teng, Hsieh, Leal, Migden, Shelley, Bierman, Ammiano, Alioto, Hallinan, Kaufman, Kennedy presented. Referred to Board for Adoption Without Committee Reference Calendar September 26, 1995.

File 006-95-095.

[Commend Immigrant Legal Resource Center]

Resolution commending the Immigrant Legal Resource Center for its work to empower and educate low-income immigrants and declaring September 28, 1995 to be Immigrant Legal Resource Center Day in San Francisco. Supervisors Teng, Shelley presented. Referred to Board for Adoption Without Committee Reference Calendar September 26, 1995.

File 006-95-096.

File 054-95-009.01.

Introduced by the President at the Request of Departments

Ordinances Referred to Committee

File 045-95-039. [Settlement of Litigation, Ericsson Inc.] Ordinance authorizing settlement of litigation entitled "Ericsson Inc., fka Ericsson Ge Mobile Communications, Inc. vs. City and County of San Francisco, and Motorola Communications & Electronics, Inc.," pursuant to Amended Preliminary Injunction. (U.S. District Court Case No. C94-4221 VRW). (City Attorney) Referred to Government Efficiency/Labor Committee.

File 046-95-006. [CCSF v. William Warmack, Et Al.] Ordinance authorizing settlement of litigation of City and County of San Francisco against William H. Warmack and Vincent J. Scotto, III by accepting consideration in the total amount of \$17,000 payable in cash and releasing said parties only from further liability. (Superior Court No. 962012). (Office of the Treasurer/Tax Collector) Referred to Government Efficiency/Labor Committee.

File 046-95-007. [CCSF v. Tony Sheehan, Et Al.] Ordinance authorizing settlement of litigation of City and County of San Francisco v. Tony Sheehan Et Al. and the City's purchase of Assessor's Block 2949A, Lot 76, for open space for \$525,000. (Superior Court No. 963-722) (Also See Files 168-94-2 & 168-94-2.1) (City Attorney) Referred to Government Efficiency/Labor Committee.

File 065-95-010. [Lease Modification, Port/HHC Investments, Ltd.] Ordinance approving second amendment to ground lease between the Port of San Francisco and HHC Investments, Limited located at Montgomery and Francisco Streets. (Port) Referred to Government Efficiency/Labor Committee.

File 065-95-011. [Lease, Water Dept./San Antonio Center Associates] Ordinance authorizing and approving a negotiated forty-year lease with San Antonio Center Associates, a California Limited Partnership, of certain City-owned land under the jurisdiction of the San Francisco Water Department, located within the San Antonio Center between San Antonio Avenue and Showers Lane in the City of Mountain View, County of Santa Clara, without competitive bidding; and ratifying previous action. (Public Utilities Commission) Referred to Government Efficiency/Labor Committee.

File 097-95-050. [Professional Membership, Various Organizations] Ordinance amending Administrative Code by amending Sections 16.6-5, and 16-6-26, to authorize the Public Utilities Commission, and departments thereunder, to join various organizations. (Public Utilities Commission) Referred to Government Efficiency/Labor Committee.

File 097-95-052. [Implementing Pesticide Regulations] Ordinance amending Administrative Code Section 1.13-3 to authorize the President of the Board of Supervisors to execute an annual contract between the California Department of Pesticide Regulation and the Board of Supervisors of the City and County for the computer entry of the monthly summary pesticide use reports submitted to the San Francisco Agricultural Commissioner's Office by commercial pesticide applicators in San Francisco. (Department of Agriculture Commissioner/Director of Weights and Measures) Referred to Government Efficiency/Labor Committee.

File 124-95-005. [Parking Regulations, Stevenson Street] Ordinance amending Traffic Code by deleting Section 32.6.15 to remove the police vehicle parking regulations on Stevenson Street. (Department of Parking and Traffic) Referred to Housing and Land Use Committee.

File 124-95-006. [Parking Regulations, Jones/McAllister Streets] Ordinance amending Traffic Code Section 32.8.7 to delete the police vehicle parking regulations on Jones Street and on McAllister Street. (Department Parking and Traffic) Referred to Housing and Land Use Committee.

File 124-95-007. [Parking Regulations, Ahern Way] Ordinance amending Traffic Code Section 32.6.3 to modify the police vehicle parking regulations on Ahern Way. (Department of Parking and Traffic) Referred to Housing and Land Use Committee.

Resolutions Referred to Committee

File 089-95-007. [SDI Coverage, 0175 Criminal Research Assistant] Resolution authorizing enrollment of Classification 0175 into the State Disability Insurance Program. (Department of Human Resources) Referred to Government Efficiency/Labor Committee.

File 146-95-014. [State Grant, Pediatric Education for Paramedics] Resolution authorizing the Department of Public Health, Central Administration, Emergency Medical Services (EMS) Agency, to apply for, accept and expend retroactively a grant of \$77,000, which includes indirect costs in the amount of \$7,690, based on 11.1 percent of total expenditures from the State Emergency Medical Services Authority, to provide for piloting of the Pediatric Education for Paramedics (PEP) Course, providing for ratification of action previously taken. (Department of Public Health) Referred to Government Efficiency/Labor Committee.



Monday, September 18, 1995

File 172-95-042. [1994-95 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 1994-95. (Also see File 172-95-31). Public Transportation Commission) Referred to Government Efficiency/Labor Committee.

File 172-95-043. [Tuolumne River Biologist Contract] Resolution approving the agreement with the California Department of Fish and Game for the funding of a fisheries biologist position in the Tuolumne River on the Department of Fish and Game staff. (Public Utilities Commission) Referred to Government Efficiency/Labor Committee.

#### Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisors Shelley, Leal, Kennedy, Teng, Bierman, Ammiano that City Attorney prepare ordinance amending the Minority/Women/Local Business Enterprise Ordinance to reflect recommendations to further develop the City's prompt payment program as outlined on page 8 of the 1993-94 Progress Report of the Minority/Women/Locally-owned Business Enterprise Report issued by the Human Rights Commission.

By Supervisors Shelley, Leal, Kennedy, Teng, Bierman, Ammiano that City Attorney prepare resolution to urge the Purchaser to improve the City's compliance with Minority/Women Business Enterprise prime contract award participation goals in regard to purchasing equipment and supplies and general services after reviewing page 18 of the 1993-94 Progress Report of the Minority/Women/Locally-owned Business Enterprise Report issued by the Human Rights Commission.

By Supervisors Shelley, Leal, Kennedy, Teng, Bierman, Ammiano that City Attorney prepare ordinance which would amend the City's public contract bidding process to give more preference to locally owned businesses. Research legislative options which increase public Contracts given to locally owned businesses including, but not limited to, adding a LBE preference for sub-contractors as opposed to general contractors and amending the code to allow "local factors" be considered along with "low bid" when awarding public contracts, especially when local firms are in competition with firms from outside San Francisco.

By Supervisors Kaufman, Bierman, that letter be sent to Director of Public Works concerning the safety of public service kiosks during an earthquake.

#### Motions Adopted

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

Ernest Oliver (By the Full Board)  
Francis F. Fitzsimmons (Supervisor Bierman)  
Forrest B. Norton (Supervisor Leal)  
Leon Adams (Supervisor Leal)  
Panny Magpantay (Supervisor Ammiano)  
David Clayton (Supervisors Ammiano, Migden)

File 2-95-36

Unanimously adopted by a rising vote.

#### ADJOURNMENT

There being no further business, the Board at the hour of 3:50 p.m. adjourned.

John L. Taylor, Clerk

N.B. This Journal of Proceedings sets 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 October 30, 1995

I, John L. Taylor, 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 Journal of Proceedings of said Board on the date stated and was approved as recited.

John L. Taylor  
Clerk of the Board of Supervisors



Tuesday, September 26, 1995

# Journal of Proceedings

*The Minutes of the*

# Board of Supervisors

City and County of San Francisco

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JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

\_\_\_\_\_  
Tuesday, September 26, 1995 - 2:00 p.m.  
\_\_\_\_\_

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

CALLING THE ROLL

The meeting was called to order at 2:11 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley - 9.

Noted absent at first roll call:

Supervisors Alioto, Teng - 2.

Quorum present.

Supervisor Alioto was noted present at 2:13 p.m.

Supervisor Teng was noted present at 2:19 p.m.

APPROVAL OF JOURNALS

There being no errors, corrections or omissions, Supervisor Hallinan, seconded by Supervisor Migden, moved that the Journal of Proceedings for Monday, July 31, 1995, be approved.

Motion carried by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley - 10.

Absent: Supervisor Teng - 1.

CONSENT CALENDAR

Recommendations of Budget Committee

Finally Passed

[Appropriation, Department of Parking and Traffic]  
Ordinance appropriating \$200,000, Department of Parking and Traffic, of Parking Revenue Funds to Capital Improvement Project for soil remediation at St. Mary's Square Garage, for fiscal year 1995-96. (Department of Parking and Traffic)

File 101-95-8, Ordinance No. 313-95

(Fiscal Impact.)

Finally passed.

Recommendations of Government Efficiency and Labor Committee

Finally Passed

[Settlement of Litigation, Jeffrey Derderian]  
Ordinance authorizing offer to settle personal injury claim of Jeffrey Derderian against the City and County, by payment of \$72,000, each side to bear its own costs and attorneys' fees. (City Attorney)

File 45-95-26.1, Ordinance No. 302-95

(Superior Court No. 958-930).

Finally passed.

[Settlement of Litigation, Wheeler v. CCSF, Et Al.]

Ordinance authorizing settlement of litigation of Virginia Wheeler and Earl Wheeler against the City and County by payment of \$16,250. (City Attorney)

File 45-95-31, Ordinance No. 303-95

(Superior Court No. 959-908.)

Finally passed.

[Settlement of Litigation, Ying v. Poon and DPT]

Ordinance authorizing settlement of litigation of Xiu Jun Ying against Derrick Shen Poon and the Department of Parking and Traffic, by payment of \$18,000. (City Attorney)

File 45-95-32, Ordinance No. 304-95

(Superior Court No. 955-253.)

Finally passed.

[Settlement of Litigation, Anne Young]

Ordinance authorizing settlement of litigation of Anne Young v. City and County, Fire Department, by payment of Six Hundred Thousand Dollars (\$600,000). (City Attorney)

File 45-95-35, Ordinance No. 305-95

(Superior Court No. 947-422.)

Finally passed.

[Settlement of Litigation, Coming Up, Inc.]

Ordinance authorizing settlement of the lawsuit by Coming Up, Inc. and Kim Corsaro against the City and County, former Police Chief Richard Hongisto, and Police Officers Gary Delagnes, Tom Yuen, and Gerald Golz by payment of the sum of \$5,600 to Coming Up, Inc. with interest to be paid from the date of judgment, payment of the sum of \$30,000 to Kim Corsaro with interest to be paid from the date of judgment, payment of the sum of \$15,633 to Coming Up, Inc. and Kim Corsaro for costs with interest to be paid from the date of judgment, and payment of the sum of \$215,000 to Coming Up, Inc. and Kim Corsaro for Attorneys' fees and further authorizing the settlement of the cross claims for indemnification by Police Officers Delagnes, Yuen and Golz against the City and County of San Francisco by payment of the sum of \$130,000 to Delagnes, Yuen and Golz for their attorneys' fees and costs. (City Attorney)

File 45-95-37, Ordinance No. 306-95

(U.S. District Court No. C92-3714.)

Finally passed.

[Settlement of Litigation]

Ordinance authorizing settlement of litigation by release of \$42,333.00 from encumbered funds to plaintiff LVI Environmental, Inc. and release of \$125,000.00 from encumbered funds to cross-complainant Cohrssen Environmental, Inc. (Supervisor Hallinan)

File 45-95-38, Ordinance No. 307-95

(LVI Environmental, Inc. v. City and County of San Francisco, No. 960-308)

Finally passed.

[Lease of Property, 1800 Oakdale Avenue]

Ordinance authorizing and approving lease of City-owned property at 1800 Oakdale Avenue (Southeast Community Facility, northeast corner of Phelps Street and Oakdale Avenue) to South Bayshore Community Development Corporation, a California non-profit public benefit corporation, without competitive bidding; retroactive to July 1, 1995. (Supervisor Teng)

File 65-95-8, Ordinance No. 308-95

Finally passed.

[Amendment to MOU, Local 21]

Ordinance amending Ordinance No. 221-95 to correct non-economic clerical errors and omissions to the provisions of the Memorandum of Understanding between the International Federation of Professional and Technical Engineers, AFL-CIO, Local 21 and the City and County for the period July 1, 1995 through June 30, 1997. (Department of Human Resources)

File 93-95-35.2, Ordinance No. 309-95

Finally passed.

[Amend MOU, Local 200, SEAM]

Ordinance amending Ordinance No. 233-95 to correct non-economic clerical errors and omissions to the provisions of the Memorandum of Understanding between the Transport Workers Union, Local 200, SEAM and the City and County for the period July 1, 1995 through June 30, 1998. (Department of Human Resources)

File 93-95-46.1, Ordinance No. 310-95

Finally passed.

[Sale of Surplus Property]

Ordinance authorizing the sale of surplus City-owned property and adopting findings pursuant to City Planning Code Section 101.1. (Parcel 1. Assessor's Block 4832, Lot 8, located at the northeast corner of the intersection of Yosemite Avenue and Ingalls Street; Parcel 2. Assessor's Block 3644, Lot 5, located on the west side of Valencia Street between 23rd and 24th Streets; Parcel 3. Assessor's Block 3577, Lot 60, located on the south side of 17th Street between Guerrero and Valencia Streets; Parcel 4. Assessor's Block 513, Lot 15, located on the south side of Greenwich Street between Scott and Pierce Streets.) (Real Estate Department)

File 96-95-3, Ordinance No. 311-95

(Fiscal Impact.)

Finally passed.

[Sale of Surplus Property]

Ordinance authorizing the sale of surplus property known as Assessor's Block 652, Lot 7A and adopting findings pursuant to City Planning Code Section 101.1; (Proposed auction of City's partial interest in Block 652, Lot 7A known as 2110-12 Pine Street bequeathed by the will of John B. Fortunio.) (Real Estate Department)

File 96-95-4, Ordinance No. 312-95

(Fiscal Impact.)

Finally passed.

Recommendations of Housing and Land Use Committee

Finally Passed

[Zoning Map Amendment, 2300 3rd Street]

Ordinance adopting changes in property use classification as an amendment to the Zoning Map of the City and County of property located at 2300 23rd Street, east side between 20th and 22nd Streets, a portion of Lot 1, Assessor's Block 4108 from the "P-40-X" (Public Use-Height) District to an "M-2, 40-X" (Heavy Industrial 40-Foot Height) District and adopting findings pursuant to City Planning Code Section 101.1. (Department of City Planning)

File 36-95-4, Ordinance No. 300-95

(City Planning Resolution No. 13889, adopted June 8, 1995.)  
(General Rule Exclusion from Environmental Review.)

Finally passed.

[Zoning Map Amendment, 2475 Greenwich Street]

Ordinance adopting changes in property use classification as an amendment to the Zoning Map of the City and County of property located at 2475 Greenwich Street, north side between Scott and Pierce Streets, a portion of Lot 15, Assessor's Block 513, from a "P" (Public Use, 40-X Height and Bulk) District to an "RH-2, 40-X" (House, Two Family 40-Foot Height and Bulk) District and adopting findings pursuant to Section 101.1 of the Planning Code. (Department of City Planning)

File 36-95-5, Ordinance No. 301-95

(City Planning Resolution No. 13924, adopted July 27, 1995.)  
(General Rule Exclusion from Environmental Review.)

Finally passed.

[Downtown Streetscape Plan]

Ordinance amending Planning Code, regulating streetscape improvements in the Downtown C-3 Districts, to include modifications and improvements of sidewalks, regulating the placement of off-street parking and loading to include the revised pedestrian network, to reference the requirements of Section 138.1 and adopting findings pursuant to City Planning Code Section 101.1. (Department of City Planning)

File 115-95-4, Ordinance No. 314-95

(Fiscal Impact.)

(Adds Section 138.1;  
Amends Sections 137, 155, and 309.)

(City Planning Resolution No. 13911, adopted July 13, 1995.)  
(General Rule Exclusion from Environmental Review.)

Finally passed.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley - 10.

Absent: Supervisor Teng - 1.

#### REGULAR CALENDAR

#### UNFINISHED BUSINESS

#### Recommendation of Budget and Health, Public Safety and Environment Committees

Finally Passed

(See Journal of Proceedings of October 10, 1995  
for disapproval by Mayor.)

[General Assistance Property Levels]

Ordinance amending Administrative Code, to increase allowable personal property under the General Assistance Program to \$500. (Supervisors Alioto, Bierman, Hallinan, Teng, Ammiano)

File 97-94-41, Ordinance No.

(Fiscal Impact.)

(Amends Section 20.56.10.)

Finally passed by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Kennedy, Teng - 6.

Noes: Supervisors Hsieh, Kaufman, Leal Migden, Shelley - 5.

#### NEW BUSINESS



Recommendations of Budget Committee

Passed for Second Reading

[Appropriation, Department of Social Services]

Ordinance appropriating \$152,640, Department of Social Services, of federal revenue to contractual services for the Public Authority for In-Home Supportive Services. (Controller)

File 101-95-17, Ordinance No.

(Fiscal Impact.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley - 10.

Absent: Supervisor Teng - 1.

[Appropriation, Department of Social Services]

Ordinance appropriating \$1,216,500, Department of Social Services, of federal, state and local revenues to capital improvement projects (maintenance, repairs, and alterations at 170 Otis Street, 1140 Harrison Street and 1235 Mission Street) to comply with Americans with Disability Act, for fiscal year 1995-96. (Controller)

File 101-95-18, Ordinance No.

(Fiscal Impact.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley - 10.

Absent: Supervisor Teng - 1.

[Agricultural Products Inspection Fees]

Ordinance amending Administrative Code, to increase fees charged by the County Agricultural Commissioner for the inspection and certification of agricultural products. (Supervisor Ammiano)

File 97-95-41, Ordinance No.

(Amends Section 1.10.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley - 10.

Absent: Supervisor Teng - 1.

[Farmers' Market Certification Fee]

Ordinance amending Administrative Code, to authorize the County Agricultural Commissioner to impose a fee for the issuance, modification, verification or renewal of any certificate for any certified Farmers' Market operating within the City and County. (Department of Agriculture and Weights and Measures)

File 97-95-42, Ordinance No.

(Adds Section 1.10-1.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley - 10.

Absent: Supervisor Teng - 1.

[Quarantine Inspection Fees]

Ordinance amending Administrative Code, to authorize the County Agricultural Commissioner to impose fees for off-hours inspection and/or reinspection of quarantine shipments. (Department of Agriculture and Weights and Measures)

File 97-95-43, Ordinance No.

(Adds Section 1.10-2.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley - 10.

Absent: Supervisor Teng - 1.

[Salad Processing Inspection Fee]

Ordinance amending Administrative Code, to authorize the County Agricultural Commissioner to impose fees for the inspection of salad products processors operating in the City and County. (Department of Agriculture and Weights and Measures)

File 97-95-44, Ordinance No.

(Adds Section 1.10-3.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley - 10.

Absent: Supervisor Teng - 1.

[Stadium Operator Admission Tax]

Ordinance amending Part III, Municipal Code, which would extend the duration of the Temporary Admission Tax through the season of the year 2000 for professional football and baseball games and through June 30, 2000 for other events. (Supervisor Hallinan)

File 127-95-11, Ordinance No.

(Fiscal Impact.)

(Amends Section 802A.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley - 10.

Absent: Supervisor Teng - 1.

Appointment of President Pro Tempore

At the request of the President, Supervisor Hallinan assumed the Chair so the President could participate in the debate from the floor.

Recommendations of Rules Committee

Passed for Second Reading

[City Attorney Subpoena Power]

Ordinance amending Administrative Code, granting to the City Attorney the power of subpoena in any matter where the City Attorney may act as the enforcement authority. (Supervisors Shelley, Alioto)

File 97-95-46, Ordinance No.

(Adds Sections 16.951, 16.952 and 16.953.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

Adopted

[Appointment]

Resolution confirming Mayor's appointment to the Redevelopment Agency Commission, term ending September 3, 1999. (Mayor)

File 33-95-9, Resolution No. 776-95

(Darshan Singh, vice Gary Kitahata, term expired.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

[Appointments]

Resolution appointing members to the Assessment Appeals Board, for new three-year terms ending September 7, 1998. (Rules Committee)

File 92-95-29.1, Resolution No. 805-95

(Lawrence C. Lee, Seat No. 21012 - Board #2/alternate member/hearing officer, vice Jackson Wong, term expiring September 30, 1995;

Irma Ramirez-Tom, Seat No. 21009 - Board #2/regular member, vice herself, term expired;

John McGary, Seat No. 21015 - Board #2/alternate member/hearing officer, vice himself, term expiring September 30, 1995.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

[Appointments]

Resolution appointing members to the Park and Open Space Advisory Committee, for new two-year terms ending July 15, 1997. (Rules Committee)

File 92-95-37.1, Resolution No. 806-95

(Parker A. Maddux, Seat No. 23301, vice himself, term expired;

Gregory James Gaar, Seat No. 23313, vice David C. Spero, term expired;

Bernie F. Lee, Seat No. 23321, vice himself, term expired;

Mauricio E. Vela, Seat No. 23322, vice himself, term expired.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

[Appointments]

Resolution appointing members to the Lead Poisoning Prevention Citizen's Advisory Committee for new four-year terms ending August 20, 1999; making findings waiving residency requirement. (Rules Committee)

File 92-95-39.1, Resolution No. 807-95

(Lynn Ishida Barbaree, Seat No. 26601 - expertise in childcare, vice herself, term expired;

Karen Garrett, Seat No. 26605 - representative/Department of Social Services, vice Rose Chow, term expired;

Rebecca Hernandez, Seat No. 26612 - expertise in affordable housing, vice Yvette Robinson, term expired.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

Conference with Labor Negotiator - Collective Bargaining

Adopted

Motion that the Board of Supervisors convene in closed session with Wendell Pryor, Director of Human Resources, with members of his staff and Vickie Clayton, Deputy City Attorney for the purpose of reviewing the City's position and instructing its designated representatives concerning collective bargaining negotiations involving all forms of compensation (including wages, hours, benefits, and working conditions, with Police, Fire, and related management unions as well as other labor relation issues), as authorized by California Government Code Section 54957.6.

Supervisor Bierman, seconded by Supervisor Teng, moved adoption.

Motion adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

Recess

The Board recessed at the hour of 2:38 p.m. to convene in closed session pursuant to above motion.

Reconvening of the Board

The Board, at the hour of 3:12 p.m. reconvened.

The President reassumed the Chair.

Calling the Roll

On call of the roll, the following Supervisors were noted present:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

Quorum present.

Report on Closed Session

The closed session was informational only and the Board was not asked to take action.

Adopted

Motion that the Board of Supervisors finds that it is in the best interest of the public and elects not to disclose its closed session deliberations in pending employee relations negotiations.

Supervisor Hallinan, seconded by Supervisor Teng, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Ammiano - 1.

SPECIAL ORDER 3:00 P.M.

Consideration Continued

[Public Hearing]

Hearing of persons interested in or objecting to a Preliminary Engineer's Report for a Special Assessment District designated "Bayshore Hester Assessment District No. 95-1; ordering the acquisition of the proposed improvements; ordering the recording of the assessment; providing for notice of the recording of the assessment; designating the Treasurer to collect and receive moneys; and directing the Clerk to notice the recording of the assessment. (Supervisors Shelley, Teng)

File 251-95-2

(The first public hearing was held on September 11, 1995.)

Supervisor Hallinan, seconded by Supervisor Teng, moved to continue consideration to October 23, 1995.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Shelley, Teng - 10.

Absent: Supervisor Migden - 1.

[Bayshore Hester Assessment District]

Resolution confirming the assessment relating to the Bayshore Hester Assessment District; ordering the acquisition of the proposed improvements; ordering the recording of the assessment; providing for notice of the recording of the assessment; designating the Treasurer to collect and receive moneys; and directing the Clerk to notice the recording of the assessment. (Supervisors Shelley, Teng)

File 251-95-3, Resolution No.

Supervisor Hallinan, seconded by Supervisor Teng, moved to continue consideration to October 23, 1995.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Shelley, Teng - 10.

Absent: Supervisor Migden - 1.

PUBLIC COMMENT

The privilege of the floor was granted to the following persons:

Shelley Salieri, transportation forum at Fairmont;  
Kathy Perry, support Day of Atonement;  
Laboire Smoore, police brutality;  
Pastor Edgar Boyd, support Day of Atonement;  
Gregory Richardson, support Day of Atonement;  
Louise Vaughn, support of Day of Atonement.

There being no one else wishing to speak, the President declared the public comment portion of the meeting closed.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures were introduced at a prior meeting of the Board with action requested at this meeting. Any Supervisor may require these measures to go to committee unless a motion to suspend the rules is adopted by eight votes (or a unanimous vote if only six or seven members are present). An "aye" vote is (a) a vote in favor of suspending the rule requiring reference to committee, and (b) a vote in favor of adoption of the measures. Eight votes (or a unanimous vote if only six or seven members are present) is required.

Severed From For Adoption Without Committee Reference Calendar

Supervisor Teng requested that the following measure be severed from the For Adoption Without Committee Reference Calendar and considered separately.

Referred to Committee

[Commend Chinese Immersion Alternative School]

Resolution commending the opening of the Chinese Immersion Alternative School and declaring September 19, 1995 to be Chinese Immersion School Day in San Francisco. (Supervisors Teng, Bierman, Alioto, Shelley)

File 6-95-90, Resolution No.

(September 18, 1995 - Consideration continued to September 26, 1995.)

At the request of Supervisor Teng, referred to Economic Vitality and Social Policy Committee.

The Board thereupon resumed its consideration of the following items on the For Adoption Without Committee Reference Calendar.

For Adoption Without Committee Reference Calendar

Adopted

[Breast Cancer Awareness Month]

Resolution designating the month of October 1995 as Breast Cancer Awareness Month in the City and County of San Francisco. (Supervisors Migden, Leal, Shelley, Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Teng)

File 4-95-25, Resolution No. 748-95

(September 18, 1995 - Introduced in Board for consideration on September 26, 1995.)

Adopted.

[Bone Marrow Donor Awareness Month]

Resolution declaring October 1995 Bone Marrow Donor Awareness Month in the City and County of San Francisco. (Supervisors Teng, Alioto, Bierman, Shelley)

File 4-95-26, Resolution No. 749-95

(September 18, 1995 - Introduced in Board for consideration on September 26, 1995.)

Adopted.

In connection with the above item, Supervisors Bierman, Shelley requested to be added as co-sponsors.

[Commend Sunset District Neighborhood Coalition]

Resolution commending the Sunset District Neighborhood Coalition for its efforts including organization of the first annual Sunset Community Festival and declaring September 30, 1995 Sunset Community Festival Day in San Francisco. (Supervisors Teng, Hsieh, Leal, Migden, Shelley, Bierman, Ammiano, Alioto, Hallinan, Kaufman, Kennedy)

File 6-95-95, Resolution No. 802-95

(September 18, 1995 - Introduced in Board for consideration on September 26, 1995.)

Adopted.

[Commend Immigrant Legal Resource Center]

Resolution commending the Immigrant Legal Resource Center for its work to empower and educate low-income immigrants and declaring September 28, 1995 to be Immigrant Legal Resource Center Day in San Francisco. (Supervisors Teng, Bierman, Shelley, Alioto, Leal)

File 6-95-96, Resolution No. 803-95

(September 18, 1995 - Introduced in Board for consideration on September 26, 1995.)

Adopted.

In connection with the above item, Supervisor Leal requested to be added as co-sponsor.

[Welfare Mothers and Advocates Arrest]

Resolution asking the Clerk of the Board of Supervisors to write a letter to the Chief of Police asking why welfare mothers and their supporters and welfare advocates were arrested on Tuesday, September 12, 1995 and urging the District Attorney to dismiss the charges against the women. (Supervisors Bierman, Alioto, Hallinan, Kennedy, Teng, Ammiano)

File 207-95-12, Resolution No. 809-95

(September 18, 1995 - Introduced in Board for consideration on September 26, 1995.)

Adopted.

In connection with the above item, Supervisors Hallinan, Kennedy, Teng, Ammiano requested to be added as co-sponsors.

[Needle Exchange Emergency]

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program. (Supervisors Alioto, Leal, Bierman, Shelley, Migden, Teng, Hsieh)

File 30-95-1.19

(September 18, 1995 - Introduced in Board for consideration on September 26, 1995.)

Adopted.

[Meeting Schedule Revision]

Motion revising the meeting schedule of the Board of Supervisors by cancelling the October 16, 1995 special meeting in the Richmond District and scheduling a special meeting on October 17, 1995, in Room 404 of 401 Van Ness Avenue, in observance of "A Day of Atonement" in the Black communities on October 16 across the nation. (Supervisor Kennedy)

File 54-95-9.1

(September 18, 1995 - Introduced in Board for consideration on September 26, 1995.)

Adopted.

The foregoing items on the For Adoption Without Committee Reference Calendar were adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Hsieh - 1.

#### IMMEDIATE ADOPTION CALENDAR

These measures are being introduced at this meeting. A unanimous vote is required for adoption today. Any Supervisor may require any of these measures to go to committee.

Adopted

[Leaves of Absence]

Resolution granting leaves of absence to various city and county officers with permission to leave the state. (Clerk of the Board)

File 1-95-37, Resolution No. 747-95

(Tom Ammiano, member, Board of Supervisors, October 8 - 10; Mary I. Callanan, Treasurer, Office of the Treasurer, October 11 - 21; Anne Halsted, Commissioner, Port of San Francisco, September 21 - 23; Louise H. Renne, City Attorney, Office of City Attorney, September 21 - 25, 1995.)

Adopted.

[Commending Chinese Culture Foundation]

Resolution commending the Chinese Culture Foundation and declaring September 29, 1995 Chinese Culture Foundation Day in San Francisco. (Supervisors Teng, Shelley)

File 6-95-97, Resolution No. 755-95

Adopted.

In connection with the above item, Supervisor Shelley requested to be added as co-sponsor.

The foregoing items on the Immediate Adoption Calendar were adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Hsieh - 1.

#### IMPERATIVE CALENDAR

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 following two motions.

Adopted

[Purely Commendatory Finding]

Motion that the Board finds by roll call vote that the resolutions being considered at this time are purely commendatory.

Supervisor Kennedy, seconded by Supervisor Kaufman, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Hsieh - 1.

[Brown Act Finding]

Motion that the Board finds 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 Kennedy, seconded by Supervisor Leal, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Hsieh - 1.

[Imperative Resolutions, if any]

Adopted

[Proclamation, Horizons Foundation Day]

Resolution declaring September 28, 1995 "Horizons Foundation Day " in San Francisco and honoring Cheri Bryant and Mark Leno.

File 004-95-027, Resolution No. 750-95

Supervisors Migden, Leal presented for immediate adoption.

Resolution adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Hsieh - 1.

[Proclamation, Mental Illness Awareness Week]

Resolution proclaiming October 1 through October 7, 1995 Mental Illness Awareness Week in the City and County of San Francisco.

File 004-95-028, Resolution No. 751-95

Supervisors Shelley, Alioto, Teng presented for immediate adoption.

Resolution adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Hsieh - 1.

[Commend Teri Adams, August Longo, Paul Imperiale]

Resolution recognizing Teri A. Adams, August J.P. Longo and Paul Imperiale for championing the rights of persons with disabilities.

File 006-95-098, Resolution No. 756-95

Supervisor Shelley presented for immediate adoption.



Resolution adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Hsieh - 1.

[Commending Tim Wolfred]

Resolution commending Tim Wolfred and declaring October 2, 1995 Tim Wolfred Scholarship Day in San Francisco.

File 006-95-099, Resolution No. 757-95

Supervisors Teng, Leal, Kaufman, Migden, Bierman presented for immediate adoption.

Resolution adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Hsieh - 1.

[Commending Dykespeak/Icon]

Resolution commending Dykespeak/Icon on its Second Anniversary.

File 006-95-100, Resolution No. 758-95

Supervisors Migden, Leal, Ammiano, Kaufman, Bierman presented for immediate adoption.

Resolution adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Hsieh - 1.

#### OFF-CALENDAR LEGISLATION

#### ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Committee

[Citizens Commission on Government Reform]

Ordinance amending Administrative Code by adding Sections 3.19 through 3.19-3 to establish the Citizens Commission on Government Reform. Supervisor Ammiano presented. Referred to Government Efficiency/Labor Committee.

File 097-95-053.

Referred to Board

[Palace of the Legion of Honor Reopening]

Resolution recognizing the contributions to the City and County of San Francisco by the California Palace of the Legion of Honor. Supervisor Shelley presented. Referred to Board for Adoption Without Committee Reference Calendar October 2, 1995.

File 004-95-029.

[Proclamation, Open Studios Month]

Resolution declaring the month of October 1995 Open Studios Month in the City and County of San Francisco. Supervisors Shelley, Bierman presented. Referred to Board for Adoption Without Committee Reference Calendar October 2, 1995.

File 004-95-030.

[Commending Howard Spriggs]

Resolution commending Howard Spriggs for his decades of exemplary and dedicated public service at the Municipal Railway. Supervisor Ammiano presented. Referred to Board for Adoption Without Committee Reference Calendar October 2, 1995.

File 006-95-101.

[Commending Karl Kortum]

Resolution recognizing the contributions to the sense of culture, place and history of San Francisco made by Karl Kortum including the founding of the San Francisco Maritime National Historical Park, the preservation of the historic vessels at the Hyde Street Pier and conceptualizing Victorian Park at the foot of Hyde Street. Supervisors Bierman, Alioto, Ammiano, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng presented. Referred to Board for Adoption Without Committee Reference Calendar October 2, 1995.

File 006-95-102.

[Fourth Anniversary AIDS Memorial Grove]

Resolution celebrating and honoring the Fourth Anniversary of the AIDS Memorial Grove in Golden Gate Park. Supervisors Ammiano, Bierman, Migden presented. Referred to Board for Adoption Without Committee Reference Calendar October 2, 1995.

File 006-95-103.

[The Million Man March in Washington, D.C.]

Resolution supporting a Day of Atonement and Reconciliation and urging the Mayor to urge all public and private sector employers and administrators to acknowledge this Holy Day of Atonement and Reconciliation for, and by, the Black communities across the nation and not to take any punitive or retaliatory action against those employees and school age children (Grades K through 12) who honor this Holy Day of Atonement. Supervisors Kennedy, Alioto, Teng, Bierman, Ammiano, Hallinan presented. Referred to Board for Adoption Without Committee Reference Calendar October 2, 1995.

File 006-95-104.

[Commending Coleman Advocates]

Resolution commending Coleman Advocates For Children and Youth on the occasion of its 20th Anniversary and declaring October 6, 1995 to be Coleman Advocates For Children and Youth Day. Supervisors Teng, Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley presented. Referred to Board for Adoption Without Committee Reference Calendar October 2, 1995.

File 006-95-105.

[Welcoming Irish President Mary Robinson]

Resolution welcoming Irish President Mary Robinson to the City and County of San Francisco. Supervisors Shelley, Hallinan presented. Referred to Board for Adoption Without Committee Reference Calendar October 2, 1995.

File 006-95-106.

[Location of Headquarters in San Francisco]

Resolution urging the governing bodies of the World Intellectual Property Organization to consolidate their administrative and processing headquarters in San Francisco and pledging the support and cooperation of the City. Supervisor Shelley presented. Referred to Board for Adoption Without Committee Reference Calendar October 2, 1995.

File 006-95-107.

[Older Americans Act]

Resolution supporting the reauthorization of the Older Americans Act. Supervisor Migden presented. Referred to Board for Adoption Without Committee Reference Calendar October 2, 1995.

File 013-95-026.

Referred to Committee

[Closure of Lakeshore Plaza Driveway]

Resolution urging the Mayor to urge the Planning Commission to permanently close the eastbound exit from Lakeshore Plaza onto Everglade Drive. Supervisor Shelley presented. Referred to Rules Committee.

File 020-95-016.

[Advertising Kiosks]

Resolution urging the Mayor to urge the Chief Administrative Officer to direct the Director of Public Works to not permit installation of any public service kiosks on any public streets or sidewalks unless and until street encroachment permits are issued pursuant to ordinance; and to not permit installation of any public service kiosks in Historic or Conservation Districts unless and until Planning Code Article 10 and 11 permits are issued pursuant to law. Supervisor Kaufman presented. Referred to Budget Committee with request it be considered at the October 3, 1995 meeting.

File 115-95-010.01.

Referred to Board

[Urging Board of Education Action]

Resolution urging the San Francisco Board of Education to strongly respond to efforts to de-credential two middle school teachers who are under attack for presenting a school district approved CUAV Speakers Bureau Program in their classes. Supervisors Ammiano, Bierman presented. Referred to Board for Adoption Without Committee Reference Calendar October 2, 1995.

File 211-95-005.

Referred to Committee

[Affordable Housing]

Resolution finding that the sale of property located at 479 Natoma Street by the Redevelopment Agency to Asian, Inc. will provide housing for low income persons, is consistent with the plan implementing the South of Market Earthquake Recovery Redevelopment Plan required by Health and Safety Code Section 33490; finding that the consideration for the sale is not less than the fair reuse value of the property at the use and with the covenants and conditions and development costs authorized by the Disposition and Development Agreement; approving a Disposition and Development Agreement (DDA) between the Redevelopment Agency and Asian Inc. for the development of affordable housing located at 479 Natoma Street. Supervisor Bierman presented. Referred to Housing and Land Use Committee with request it be considered at its October 5, 1995 meeting.

File 264-95-001.

Referred to Board

[Preservation of Neighborhood Businesses]

Resolution calling attention to the challenges facing small business owners and residents in the Castro neighborhood, particularly circumstances involved in the closure of the famed "Elephant Walk" restaurant/bar, a local landmark and site of significant historical events and urging action by the Mayor and the Planning Department to address this situation. Supervisors Ammiano, Bierman, Migden, Shelley presented. Referred to Board for Adoption Without Committee Reference Calendar October 2, 1995.

File 265-95-002.

[Health Issues: Breast Cancer Drug]

Resolution urging Genentech, Inc. to expedite expanded access and compassionate use access to the breast cancer drug HER-2/NEU. Supervisors Migden, Bierman presented. Referred to Board for Adoption Without Committee Reference Calendar October 2, 1995.

File 266-95-001.

[Health Issues: Joint Medical Research Center]

Resolution supporting the establishment of a Medical Research Center in the City and County of San Francisco to facilitate cooperation between Eastern and Western medical traditions; and that local, state and federal funding be sought to establish and sustain a Joint Medical Research Center in the City and County of San Francisco. Supervisor Alioto presented. Referred to Board for Adoption Without Committee Reference Calendar October 2, 1995.

File 266-95-002.

[Earthquake Early Warning]

Resolution urging the Disaster Council and the Office of Emergency Services to examine the feasibility of implementing an Early Warning System for earthquake detection. Supervisor Shelley presented. Referred to Board for Adoption Without Committee Reference Calendar October 2, 1995.

File 270-95-004.

Referred to Committee

[Disparity Study]

Resolution urging the Mayor to request city departments to fund Disparity Study of Woman-Owned and Minority-Owned Business utilization in all city leases and concessions. Supervisor Shelley presented. Referred to Rules Committee.

File 284-95-003.

Requests for Hearings:

[Five-Year Supportive Housing Plan]

Hearing to consider the Department of Public Health's Division of Mental Health five-year housing plan. Supervisor Migden presented. Referred to Housing and Land Use Committee with request it be considered on October 19, 1995.

File 030-95-017.

[Government Efficiency]

Hearing to consider ways to increase efficiency and reduce costs in the City's public protection departments (Juvenile Court, Law Library, County Agriculture-Weights and Measures, Medical Examiner/Coroner, Animal Care and Control, Public Administrator Guardian, Public Defender, Sheriff, Adult Probation, Police, Fire, Trial Courts, District Attorney). Supervisor Hsieh presented. Referred to Budget Committee with request it be considered at the October 3, 1995 meeting.

File 100-95-009.

[Reserved Funds, Department of Public Works]

Hearing to consider release of reserved funds, Department of Public Works (1990 Earthquake Safety Bond Proceeds), in the amount of \$33,631,269 for the purpose of funding the War Memorial Opera House Seismic Upgrade and Improvement Projects. Supervisor Hsieh presented. Referred to Budget Committee with request it be considered at the October 3, 1995 meeting.

File 101-95-007.01.

[Lobos Creek Moratorium]

Hearing to review the progress of the Planning Department in developing a long-term solution for the protection of Lobos Creek. Supervisors Shelley, Leal, Bierman, Ammiano, Hsieh, Alioto presented. Referred to Rules Committee.

File 110-95-001.

[Neighborhood Preservation]

Hearing to consider public input on ways to preserve the unique characteristics of San Francisco's neighborhood commercial zones. Supervisor Shelley presented. Referred to Rules Committee with request it be considered at a Special Meeting on October 24, 1995 at 5:30 p.m.

File 265-95-001.

Introduced by the President at the Request of Departments

Ordinances Referred to Committee

File 045-95-040. [Settlement of Litigation, Ann Melton] Ordinance authorizing settlement of litigation of Ann Melton against the City and County of San Francisco by payment of \$15,000. (Superior Court No. 949-190). (City Attorney) Referred to Government Efficiency/Labor Committee.

File 045-95-041. [Settlement of Litigation, Cindy B. Welsh] Ordinance authorizing settlement of Cindy B. Welsh v. City and County of San Francisco by payment of \$10,000 and the complaint in intervention by Zenith Insurance Company by payment of \$3,844. (Superior Court No. 958-660) (City Attorney) Referred to Government Efficiency/Labor Committee.

File 045-95-042. [Settlement of Litigation, Miriam & Balbino Sablad] Ordinance authorizing settlement of litigation of Miriam and Balbino Sablad against the City and County of San Francisco by payment of \$200,000. (Superior Court No. 953-014) (City Attorney) Referred to Government Efficiency/Labor Committee.

File 101-95-022. [Appropriation, CAO and City Attorney] Ordinance appropriating \$315,000, of 1955 Sewer Revenue Bond proceeds for bond issuance costs for the Offices of the Chief Administrative Officer and the City Attorney for fiscal year 1995-96; providing for ratification of action previously taken. RO #95048. (Controller) Referred to Budget Committee.

File 125-95-001.01. [1995 Housing Code Amendments] Ordinance amending Housing Code to bring said code into compliance with the recently adopted State uniform Housing Code, by adding Sections 506, 713, 800, and 900; and by amending Sections 103, 104, 201, 204, 205, 206, 107, 302, 303, 351, 352, 253, 400, 401, 501, 503, 504, 505, 601, 603, 701, 702, 706, 707, 708, 801, 805, 807, 902, 903, 904, 907, 909, 910, 911, 912, 1001, 1102, 1103, 1204, 1205, 1206, 1207, 1208, 1210 1211, 1212, 1213, 1216, 1217, 1218, 12A06, 12A07, 12A10, 12A12, 1301, 1302, 1303, 1304, and 1305; companion measure to File 125-95-1. (Department of Building Inspection) Referred to Housing and Land Use Committee.

Resolutions Referred to Committee

File 040-95-014. [Residential Parking Area "I" Bartlett Street] Resolution extending the boundaries of Residential Permit Parking Area "I", in the Bartlett Street Area and adding to the list of streets upon which time limitations shall apply. (Department of Parking and Traffic) Referred to Housing and Land Use Committee.

File 040-95-015. [Residential Parking Area "U", South of Market] Resolution extending the boundaries of Residential Permit Parking Area "U" in the South of Market Area and adding to the list of streets upon which time limitations shall apply. (Department of Parking and Traffic) Referred to Housing and Land Use Committee.

File 048-95-022. [Settlement of Claim, PG&E] Resolution approving settlement of the unlitigated claim of Pacific Gas and Electric Company by payment of \$8,023.59. (City Attorney) Referred to Government Efficiency/Labor Committee.

File 048-95-023. [Settlement of Claim, William Forman, Jr.] Resolution approving settlement of the unlitigated claim of William Forman, Jr., dba Digital Engraving by payment of \$9,885.42. (City Attorney) Referred to Government Efficiency/Labor Committee.

File 089-95-008. [SDI Coverage, 1690 Internal Audit Director] Resolution authorizing enrollment of Classification(s) 1690 Internal Audit Director, in the State Disability Insurance Program. (Department of Human Resources) Referred to Government Efficiency/Labor Committee.

File 089-95-009. [SDI Coverage, 1281 Employee Relations Rep.] Resolution authorizing enrollment of Classification 1281, Employee Relations Representative into the State Disability Insurance Program. (Department of Human Resources) Referred to Government Efficiency/Labor Committee.

File 125-95-001. [Findings, 1995 Housing Code Amendments] Resolution endorsing those changes and providing findings as to the local conditions requiring changes to the State Housing Code for residential buildings, as required by California Health and Safety Code; companion measure to File 125-95-1.1. (Department of Building Inspection) Referred to Housing and Land Use Committee.

File 143-95-004. [State Grant, Suppression of Drug Abuse in Schools] Resolution authorizing the Chief of Police of the City and County of San Francisco to apply for, accept and expend funds in the amount of \$100,000, which include indirect costs of \$6,500 based on five percent of the total grant award, for new funding for a project entitled "Suppression of Drug Abuse in Schools Program" and agreeing to provide a thirty percent cash match in the amount of \$30,000. (Police Department) Referred to Government Efficiency/Labor Committee.

File 146-95-015. [Grant, HIV Vaccine Preparedness Studies] Resolution authorizing the Department of Public Health AIDS Office, to accept and expend contractual funding in the amount of \$455,296, which includes indirect costs of \$60,026 based on twenty-five percent of salaries, from the California Public Health Foundation Enterprises, Inc., to continue to provide research services for HIV Vaccine Preparedness Studies. (Also see File 97-95-56.) (Department of Public Health) Referred to Government Efficiency/Labor Committee.

Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisor Hsieh, that City Attorney prepare legislation creating a Savings Incentive Program to allow departments to retain a certain portion of the savings they helped create during the course of the fiscal year.

By Supervisor Bierman, that City Attorney respond to follow-up request as to whether a business selling drug paraphernalia is subject to license revocation if the merchant is in violation of Health and Safety Code Section 11364.5.

By Supervisor Hallinan, that City Attorney prepare legislation providing for a moratorium on facilities in the Bayview Hunters Point area which produce hazardous waste, or otherwise contribute hazardous pollutants to the environment.

Tuesday, September 26, 1995

Motions Adopted

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

Walter Haas (By the Full Board)  
Gene Earl Suttle (By the Full Board)  
Lloyd Copertini (Supervisor Bierman)  
Joseph Lomeli Romo (Supervisor Leal)

File 2-95-37

Unanimously adopted by a rising vote.

ADJOURNMENT

There being no further business, the Board at the hour of 4:12 p.m. adjourned.

John L. Taylor, Clerk

N.B. This Journal of Proceedings sets 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 November 6, 1995.

I, John L. Taylor, 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 Journal of Proceedings of said Board on the date stated and was approved as recited.

John L. Taylor  
Clerk of the Board of Supervisors

Monday, October 2, 1995

# Journal of Proceedings

*The Minutes of the*

# Board of Supervisors

City and County of San Francisco

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Volume 90

Number 38





Monday, October 2, 1995 - 2:00 p.m.

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

CALLING THE ROLL

The meeting was called to order at 2:06 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 10.

Noted absent at first roll call:

Supervisor Alioto - 1.

Quorum present.

Supervisor Alioto was noted present at 2:10 p.m.

APPROVAL OF JOURNALS

There being no errors, corrections or omissions, Supervisor Kennedy, seconded by Supervisor Leal, moved that the Journals of Proceedings for Monday, August 7 and August 14, 1995, be approved.

Motion carried by the following vote:

Ayes: Supervisors Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Alioto - 1.

SPECIAL ORDER 2:00 P.M.

Report received.

Mayor's Annual State of the City message.

File 88-95-1

President Shelley introduced the Honorable Mayor, Frank Jordan.

Mayor Jordan began his annual State of the City message by commenting on the areas of public safety, fiscal soundness, and economic growth. He mentioned accomplishments such as placement of more police officers on the streets, reduction of overall crime rate, installation of a test program for video surveillance cameras on Muni buses, adoption of a curfew ordinance, graffiti removal, street cleaning, installation of public toilets, achieving a budget surplus, and increased AIDS funding. He spoke of various economic projects including creation of new jobs, increased film production, new Union Square retailers, as well as \$4 billion in Public Works projects which indicate the City's economic future is more secure. (A copy of the Mayor's full report is on file in the office of the Clerk of the Board of Supervisors.)

CONSENT CALENDAR

Recommendations of Budget Committee

Finally Passed

[Appropriation, Department of Social Services]  
Ordinance appropriating \$152,640, Department of Social Services, of federal revenue to contractual services for the Public Authority for In-Home Supportive Services. (Controller)

File 101-95-17, Ordinance No. 320-95

(Fiscal Impact.)

Finally passed.

[Appropriation, Department of Social Services]

Ordinance appropriating \$1,216,500, Department of Social Services, of federal, state and local revenues to capital improvement projects (maintenance, repairs, and alterations at 170 Otis Street, 1140 Harrison Street and 1235 Mission Street) to comply with Americans with Disability Act, for fiscal year 1995-96. (Controller)

File 101-95-18, Ordinance No. 321-95

(Fiscal Impact.)

Finally passed.

[Agricultural Products Inspection Fees]

Ordinance amending Administrative Code, to increase fees charged by the County Agricultural Commissioner for the inspection and certification of agricultural products. (Supervisor Ammiano)

File 97-95-41, Ordinance No. 315-95

(Amends Section 1.10.)

Finally passed.

[Farmers' Market Certification Fee]

Ordinance amending Administrative Code, to authorize the County Agricultural Commissioner to impose a fee for the issuance, modification, verification or renewal of any certificate for any certified Farmers' Market operating within the City and County. (Department of Agriculture and Weights and Measures)

File 97-95-42, Ordinance No. 316-95

(Adds Section 1.10-1.)

Finally passed.

[Quarantine Inspection Fees]

Ordinance amending Administrative Code, to authorize the County Agricultural Commissioner to impose fees for off-hours inspection and/or reinspection of quarantine shipments. (Department of Agriculture and Weights and Measures)

File 97-95-43, Ordinance No. 317-95

(Adds Section 1.10-2.)

Finally passed.

[Salad Processing Inspection Fee]

Ordinance amending Administrative Code, to authorize the County Agricultural Commissioner to impose fees for the inspection of salad products processors operating in the City and County. (Department of Agriculture and Weights and Measures)

File 97-95-44, Ordinance No. 318-95

(Adds Section 1.10-3.)

Finally passed.

[Stadium Operator Admission Tax]

Ordinance amending Part III, Municipal Code, which would extend the duration of the Temporary Admission Tax through the season of the year 2000 for professional football and baseball games and through June 30, 2000 for other events. (Supervisor Hallinan)

File 127-95-11, Ordinance No. 322-95

(Fiscal Impact.)

(Amends Section 802A.)

Finally passed.

Passed for Second Reading

[Appropriation, Medical Examiner/Coroner]

Ordinance appropriating \$16,000, Medical Examiner/Coroner, from the General Fund Reserve to purchase computer equipment for fiscal year 1995-96. (Controller)

File 101-95-19, Ordinance No.

Passed for second reading.

Recommendation of Rules Committee

Finally Passed

[City Attorney Subpoena Power]

Ordinance amending Administrative Code, granting to the City Attorney the power of subpoena in any matter where the City Attorney may act as the enforcement authority. (Supervisors Shelley, Alioto)

File 97-95-46, Ordinance No. 319-95

(Adds Sections 16.951, 16.952 and 16.953.)

Finally passed.

Recommendation of Housing and Land Use Committee

Adopted

[Parking Regulations]

Resolution enacting temporary parking regulations at Arguello Boulevard. (Housing and Land Use Committee)

File 19-95-10, Resolution No. 821-95

(Temporary Angle Parking - Establish

Arguello Boulevard, west side, between Washington and Lake Streets.

This regulation will be in effect from 5:00 p.m. Sunday, September 24 through 5:00 p.m. Monday, September 25; and 5:00 p.m. Tuesday, October 3 through 7:00 p.m. Wednesday, October 4 for celebration of Jewish High Holidays, Congregation Emanu El.)

Adopted.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Alioto - 1.

REGULAR CALENDAR

UNFINISHED BUSINESS

Recommendation of Budget Committee

Passed for Second Reading

[Appropriation, Department of Public Works]

Ordinance appropriating \$4,133,730, Department of Public Works, of Trust Fund and various Sewer Revenue Bonds of the Clean Water for the demolition of the Richmond Sunset Treatment Plant for fiscal year 1995-96; providing for ratification of action previously taken; placing \$3,993,000 in reserve. (Supervisor Hsieh)

File 101-95-15, Ordinance No.

(Fiscal Impact.)

(September 18, 1995 - Consideration continued to October 2, 1995.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

NEW BUSINESS

Recommendations of Budget Committee

Passed for Second Reading

[Appropriation, Police Department]

Ordinance appropriating \$1,800,000, Police Department, of 1987 Police Facilities Improvement Bond interest earnings for the construction of the Bayview Station for fiscal year 1995-96. (Supervisor Hsieh)

File 101-95-20, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

[Appropriation, Police Department]

Ordinance appropriating \$896,000, Police Department, for construction of the Bayview Police Station, \$571,000 from the General Fund Reserve and \$325,000 from rescinding materials and supplies and services of other departments for fiscal year 1995-96. (Supervisor Hsieh)

File 101-95-21, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

Adopted

[Statute of Limitations]

Resolution waiving the statute of limitations with respect to payment of a certain warrant of the City and County, in the amount of \$500.00 a legal obligation of the City and County. (Controller)

File 23-95-5, Resolution No. 822-95

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

[Funding Options for MUNI]

Motion directing the Board of Supervisors' Budget Analyst to explore dedicated funding options for MUNI. (Supervisors Migden, Teng)

File 7-95-8

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

In connection with the above item, Supervisor Teng requested to be added as co-sponsor.

[Budget Analyst Contract]

Motion exercising the second option set forth in the agreement to provide Budget Analyst services between the Board of Supervisors and Stanton W. Jones and Associates/Debra A. Newman/Rodriguez, Perez Delgado and Company, Certified Public Accountants/Harvey M. Rose Accountancy Corporation, Certified Public Accountants/Wallace, Mah and Louie Certified Public Accountants, a Joint Venture to extend the term of the Agreement for two (2) years from January 1, 1996, to December 31, 1997. (Supervisors Hsieh, Teng)

File 98-95-1

(Fiscal Impact.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

In connection with the above item, Supervisor Teng requested to be added as co-sponsor.

Recommendation of Health, Public Safety and Environment Committee

Passed for Second Reading

[Regulation of Ammunition Sales]

Ordinance amending Police Code, to require certain dealers in firearms to record certain information in conjunction with the sale of certain ammunition. (Supervisors Migden, Alioto, Hallinan, Shelley, Teng, Ammiano, Bierman)

File 121-95-9, Ordinance No.

(Adds Section 618 and amends Section 614.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

In connection with the above item, Supervisors Shelley, Teng, Ammiano, Bierman requested to be added as co-sponsors.

Recommendation of Housing and Land Use Committee

Adopted

[Liquor License/22 Peace Plaza, Space 240]

Resolution opposing the request for the issuance of a liquor license proposed for 22 Peace Plaza, Space 240, and determining that it will not serve the public convenience and necessity of the people of the City and County, in accordance with Section 23958.4 of the California Business and Professions Code. (Housing and Land Use Committee)

File 223-95-13, Resolution No. 825-95

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

COMMITTEE REPORTS

Recommendations of Government Efficiency and Labor Committee

Passed for Second Reading

[Mandatory Rent Payment Program Reserve]

Ordinance amending the Annual Appropriation Ordinance by amending Section 33 of the Administrative provisions regarding the administration of the Mandatory Direct Rent Payment Program. (Supervisors Ammiano, Teng, Alioto, Bierman)

File 101-95-2.2, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Hallinan, Kennedy, Leal, Migden, Shelley, Teng - 8.

Noes: Supervisors Hsieh, Kaufman - 2.

Absent: Supervisor Alioto - 1.

In connection with the above item, Supervisor Bierman requested to be added as co-sponsor.

Adopted

[Catholic Charities Mandatory Direct Rent Program]

Resolution urging the amendment of the contract between the Department of Social Services and Catholic Charities regarding the administration of the mandatory direct rent payment program to reflect the requirements of Section 33 of the administrative provisions of the Annual Appropriation Ordinance or the termination of the contract. (Supervisors Ammiano, Teng, Alioto, Bierman)

File 172-95-44, Resolution No. 829-95

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Hallinan, Kennedy, Leal, Migden, Shelley, Teng - 8.

Noes: Supervisors Hsieh, Kaufman - 2.

Absent: Supervisor Alioto - 1.

In connection with the above item, Supervisor Bierman requested to be added as co-sponsor.

PUBLIC COMMENT

The privilege of the floor was granted to the following persons:

Richard Stilzman, opposed to Matrix;  
William Lindo, pending lawsuit;  
Dehnert Queen, Embarcadero Freeway Replacement EIR;  
Hal Womak, Mayor's State of City address;  
Leboriae P. Smoore, police brutality;  
Mrs. Kuruppu, police brutality;  
Tim Maschok, mandatory rent program and Golden Gate Park curfew.

There being no one else wishing to speak, the President declared the public comment portion of the meeting closed.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures were introduced at a prior meeting of the Board with action requested at this meeting. Any Supervisor may require these measures to go to committee unless a motion to suspend the rules is adopted by eight votes (or a unanimous vote if only six or seven members are present). An "aye" vote is (a) a vote in favor of suspending the rule requiring reference to committee, and (b) a vote in favor of adoption of the measures. Eight votes (or a unanimous vote if only six or seven members are present) is required.

Adopted

[Palace of the Legion of Honor Reopening]

Resolution recognizing the contributions to the City and County by the California Palace of the Legion of Honor. (Supervisors Shelley, Teng, Kaufman, Kennedy, Leal)

File 4-95-29, Resolution No. 811-95

(September 26, 1995 - Introduced in Board for consideration on October 2, 1995.)

Adopted.

In connection with the above item, Supervisors Teng, Kaufman, Kennedy, Leal requested to be added as co-sponsors.

[Proclamation, Open Studios Month]

Resolution declaring the month of October 1995 Open Studios Month in the City and County of San Francisco. (Supervisors Shelley, Bierman, Alioto, Teng, Kaufman, Leal)

File 4-95-30, Resolution No. 812-95

(September 26, 1995 - Introduced in Board for consideration on October 2, 1995.)

Adopted.

In connection with the above item, Supervisors Teng, Kaufman, Leal requested to be added as co-sponsors.

[Commending Howard Spriggs]

Resolution commending Howard Spriggs for his decades of exemplary and dedicated public service at the Municipal Railway. (Supervisors Ammiano, Alioto, Bierman, Teng, Kennedy)

File 6-95-101, Resolution No. 813-95

(September 26, 1995 - Introduced in Board for consideration on October 2, 1995.)

Adopted.

In connection with the above item, Supervisors Bierman, Teng, Kennedy requested to be added as co-sponsors.

[Commending Karl Kortum]

Resolution recognizing the contributions to the sense of culture, place and history of San Francisco made by Karl Kortum including the founding of the San Francisco Maritime National Historical Park, the preservation of the historic vessels at the Hyde Street Pier and conceptualizing Victorian Park at the foot of Hyde Street. (Supervisors Bierman, Alioto, Ammiano, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng)

File 6-95-102, Resolution No. 814-95

(September 26, 1995 - Introduced in Board for consideration on October 2, 1995.)

Adopted.

[Fourth Anniversary AIDS Memorial Grove]

Resolution celebrating and honoring the Fourth Anniversary of the AIDS Memorial Grove in Golden Gate Park. (Supervisors Ammiano, Bierman, Migden, Alioto, Shelley, Teng, Hallinan, Kennedy, Leal)

File 6-95-103, Resolution No. 815-95

(September 26, 1995 - Introduced in Board for consideration on October 2, 1995.)

Adopted.

In connection with the above item, Supervisors Teng, Hallinan, Kennedy, Leal requested to be added as co-sponsors.

[The Million Man March in Washington, D.C.]

Resolution supporting a Day of Atonement and Reconciliation and urging the Mayor to urge all public and private sector employers and administrators to acknowledge this Holy Day of Atonement and Reconciliation for, and by, the Black communities across the nation and not to take any punitive or retaliatory action against those employees and school age children (Grades K through 12) who honor this Holy Day of Atonement. (Supervisors Kennedy, Alioto, Teng, Bierman, Ammiano, Hallinan, Shelley)

File 6-95-104, Resolution No. 856-95

(September 26, 1995 - Introduced in Board for consideration on October 2, 1995.)

Adopted.

[Commending Coleman Advocates]

Resolution commending Coleman Advocates For Children and Youth on the occasion of its 20th Anniversary and declaring October 6, 1995 to be Coleman Advocates For Children and Youth Day. (Supervisors Teng, Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley)

File 6-95-105, Resolution No. 816-95

(September 26, 1995 - Introduced in Board for consideration on October 2, 1995.)

Adopted.

[Welcoming Irish President Mary Robinson]

Resolution welcoming Irish President Mary Robinson to the City and County. (Supervisors Shelley, Hallinan, Alioto, Teng, Leal, Bierman)

File 6-95-106, Resolution No. 817-95

(September 26, 1995 - Introduced in Board for consideration on October 2, 1995.)

Adopted.

In connection with the above item, Supervisors Teng, Leal, Bierman requested to be added as co-sponsors.

[Location of Headquarters in San Francisco]

Resolution urging the governing bodies of the World Intellectual Property Organization to consolidate their administrative and processing headquarters in San Francisco and pledging the support and cooperation of the City. (Supervisors Shelley, Teng, Leal)

File 6-95-107, Resolution No. 818-95

(September 26, 1995 - Introduced in Board for consideration on October 2, 1995.)

Adopted.

In connection with the above item, Supervisors Teng, Leal requested to be added as co-sponsors.

[Older Americans Act]

Resolution supporting the reauthorization of the Older Americans Act. (Supervisors Migden, Alioto, Shelley, Leal, Teng, Kennedy, Bierman, Hallinan)

File 13-95-26, Resolution No. 820-95

(September 26, 1995 - Introduced in Board for consideration on October 2, 1995.)

Adopted.

In connection with the above item, Supervisors Leal, Teng, Kennedy, Bierman, Hallinan requested to be added as co-sponsors.

[Urging Board of Education Action]

Resolution urging the San Francisco Board of Education to strongly respond to efforts to de-credential two middle school teachers who are under attack for presenting a school district approved CUAV Speakers Bureau Program in their classes. (Supervisors Ammiano, Leal, Teng, Hallinan)

File 211-95-5, Resolution No. 824-95

(September 26, 1995 - Introduced in Board for consideration on October 2, 1995.)

Adopted.

In connection with the above item, Supervisors Leal, Teng, Hallinan requested to be added as co-sponsors.

[Preservation of Neighborhood Businesses]

Resolution calling attention to the challenges facing small business owners and residents in the Castro neighborhood, particularly circumstances involved in the closure of the famed "Elephant Walk" restaurant/bar, a local landmark and site of significant historical events and urging action by the Mayor and the Planning Department to address this situation. (Supervisors Ammiano, Bierman, Migden, Shelley, Alioto, Leal, Teng)

File 265-95-2, Resolution No. 826-95

(September 26, 1995 - Introduced in Board for consideration on October 2, 1995.)

Adopted.

In connection with the above item, Supervisors Leal, Teng requested to be added as co-sponsors.



[Health Issues: Breast Cancer Drug]

Resolution urging Genentech, Inc. to expedite expanded access and compassionate use access to the breast cancer drug HER-2/NEU. (Supervisors Migden, Bierman, Alioto, Teng)

File 266-95-1, Resolution No. 827-95

(September 26, 1995 - Introduced in Board for consideration on October 2, 1995.)

Adopted.

In connection with the above item, Supervisor Teng requested to be added as co-sponsor.

[Health Issues: Joint Medical Research Center]

Resolution supporting the establishment of a medical research center in the City and County to facilitate cooperation between Eastern and Western medical traditions; and that local, state and federal funding be sought to establish and sustain a joint medical research center in the City and County. (Supervisors Alioto, Teng, Bierman)

File 266-95-2, Resolution No. 808-95

(September 26, 1995 - Introduced in Board for consideration on October 2, 1995.)

Adopted.

In connection with the above item, Supervisors Teng, Bierman requested to be added as co-sponsors.

[Earthquake Early Warning]

Resolution urging the Disaster Council and the Office of Emergency Services to examine the feasibility of implementing an early warning system for earthquake detection. (Supervisors Shelley, Teng)

File 270-95-4, Resolution No. 828-95

(September 26, 1995 - Introduced in Board for consideration on October 2, 1995.)

Adopted.

In connection with the above item, Supervisor Teng requested to be added as co-sponsor.

The foregoing items on the For Adoption Without Committee Reference Calendar were adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Kaufman, Kennedy, Leal, Shelley, Teng - 7.

Absent: Supervisors Alioto, Hallinan, Hsieh, Migden - 4.

IMMEDIATE ADOPTION CALENDAR

These measures are being introduced at this meeting. A unanimous vote is required for adoption today. Any Supervisor may require any of these measures to go to committee.

[Leaves of Absence]

Resolution granting leaves of absence to various city and county officers with permission to leave the state. (Clerk of the Board)

File 1-95-38, Resolution No. 801-95

(Willie B. Kennedy, member, Board of Supervisors, September 29 - October 1, October 7 - 12, October 25 - 29 and December 4 - 9; Frank O'Neill, Commissioner, Port of San Francisco, October 10 - 20, 1995.)

Adopted.

The foregoing item on the Immediate Adoption Calendar was adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 8.

Absent: Supervisors Alioto, Hallinan, Hsieh - 3.

IMPERATIVE CALENDAR

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 following two motions.

Adopted

[Purely Commendatory Finding]

Motion that the Board finds by roll call vote that the resolutions being considered at this time are purely commendatory.

Supervisor Migden, seconded by Supervisor Kennedy, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 8.

Absent: Supervisors Alioto, Hallinan, Hsieh - 3.

[Brown Act Finding]

Motion that the Board finds 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 Kennedy, seconded by Supervisor Leal, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 8.

Absent: Supervisors Alioto, Hallinan, Hsieh - 3.

[Imperative Resolutions, if any]

Adopted

[Saint Anthony Foundation]

Resolution commending the St. Anthony Foundation on their Forty-Fifth Anniversary.

File 006-95-108, Resolution No. 804-95

Supervisors Shelley, Alioto, Hsieh, Leal, Hallinan, Migden, Ammiano, Kaufman, Teng, Kennedy, Bierman presented for immediate adoption.

Resolution adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 8.

Absent: Supervisors Alioto, Hallinan, Hsieh - 3.

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS  
NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Committee

[Historic Property Restoration]

Ordinance amending Administrative Code by adding Sections 71.1 through 71.6 to implement California Mills Act allowing owners of qualified historic properties to contract with the City to rehabilitate, restore and preserve properties and to procure property tax relief pursuant to individual Mills Act contracts and to establish fee to pay for costs of entering Mills Act contract and administering this program. Supervisor Bierman presented. Referred to Housing and Land Use Committee.

File 097-95-056.

[Redevelopment Plan Amendment]

Ordinance amending Ordinance No. 234-90, which approved the Redevelopment Plan for the South of Market Earthquake Recovery Redevelopment Project Area, and Ordinance No. 431-94 amending said Redevelopment Plan, by further amending said Redevelopment Plan to merge the South of Market Earthquake Recovery Redevelopment Project Area into a merged Redevelopment Project consisting of the Embarcadero-Lower Market (Golden Gateway) approved Redevelopment Project Area E-1 and the South of Market Earthquake Recovery Redevelopment Project Area, with additional amendments to said Redevelopment Plan necessary for and to implement said merger. Supervisor Bierman presented. Referred to Housing and Land Use Committee.

File 073-95-002.

[Redevelopment Plan Amendment]

Ordinance amending Ordinance No. 301-59, which approved the Redevelopment Plan for the Embarcadero-Lower Market (Golden Gateway) approved Project Area E-1, and Ordinances amending said Redevelopment Plan, namely Ordinance Nos. 208-61, 196-64, 123-67, 204-68, 479-76, 476-86 and 418-94, by further amending said Redevelopment Plan to merge the Embarcadero-Lower Market (Golden Gateway) approved Project Area E-1 into a merged Redevelopment Project consisting of the South of Market Earthquake Recovery Redevelopment Project Area and the Embarcadero-Lower Market (Golden Gateway) approved Redevelopment Project Area E-1, with additional amendments to said Redevelopment Plan necessary for and to implement said merger. Supervisor Bierman presented. Referred to Housing and Land Use Committee.

File 073-95-003.

Referred to Board

[School Safety Month]

Resolution encouraging schools in San Francisco to participate in the activities associated with School Safety Month and to work toward preventing campus crime and violence, developing conflict resolution skills, improving discipline, increasing attendance, reducing drug and alcohol use, suppressing gang activities, and eliminating weapons on campus. Supervisors Migden, Ammiano presented. Referred to Board for Adoption Without Committee Reference Calendar October 10, 1995.

File 004-95-031.

[Bernal Heights Fiesta]

Resolution commending the Bernal Heights Neighborhood Center in honor of their Fiesta On The Hill on October 21, 1995. Supervisors Shelley, Ammiano, Teng, Bierman, Leal presented. Referred to Board for Adoption Without Committee Reference Calendar October 10, 1995.

File 006-95-109.

[Emergency Preparedness]

Resolution commending the Office of Emergency Services and the Neighborhood Emergency Response Teams and urging the public to participate in emergency preparedness exercises on October 14th and 17th. Supervisors Shelley, Bierman presented. Referred to Board for Adoption Without Committee Reference Calendar October 10, 1995.

File 006-95-110.

[Project Open Hand Day]

Resolution commending Project Open Hand on the occasion of its Ten Year Anniversary of providing comprehensive nutrition services to people with HIV/AIDS and declaring October 19, 1995 to be "Project Open Hand Day" in the City and County of San Francisco. Supervisors Leal, Migden, Ammiano, Bierman, Kaufman, Shelley, Alioto, Teng, Hsieh, Kennedy, presented. Referred to Board for Adoption Without Committee Reference Calendar October 10, 1995.

File 006-95-111.

[Gay and Lesbian Travel Expo]

Resolution commending and welcoming the Third International Gay and Lesbian World Travel Expo and its community outreach efforts. Supervisors Migden, Leal, Ammiano, Teng presented. Referred to Board for Adoption Without Committee Reference Calendar October 10, 1995.

File 006-95-112.

Referred to Committee

[Naming/Re-Naming City Properties]

Resolution establishing a policy that no City-owned properties, facilities, or structures may be named or re-named without prior approval by resolution of the Board of Supervisors. Supervisors Ammiano, Bierman presented. Referred to Rules Committee.

File 043-95-001.

[Redevelopment Project Merger]

Resolution adopting final negative declaration of environmental impact, finding and determining that the proposed amendments to the Embarcadero-Lower Market (Golden Gateway) approved Redevelopment Project Area E-1; and South of Market Earthquake Recovery Redevelopment Project Area for purposes of merging said project areas into one merged redevelopment project, will not have a significant impact on the environment, and adopting and incorporating findings of final negative declaration of environmental impact. Supervisor Bierman presented. Referred to Housing and Land Use Committee.

File 073-95-004.

[125 "Cafeteria Plan" Benefits]

Resolution urging the Mayor to urge the Health Service System and the Department of Human Resources to expand benefits available in the current 125 Cafeteria Plan by going out to bid for the most competitive carrier and that the flexibility of the negotiated employer dependent health care pickups used in the 125 Plan be available to all City employees. Supervisor Hsieh presented. Referred to Budget Committee with request it be considered at the October 25, 1995 meeting.

File 078-95-004.

[Street Artist Spaces - Stockton Street]

Resolution designating for six months two selling spaces on Stockton Street, West Side, at O'Farrell Street, for street artists certified by the Art Commission, City and County of San Francisco; holding harmless from any litigation any building adjacent to said street artist spaces. Supervisor Hallinan presented. Referred to Government Efficiency/Labor Committee with request it be considered at the October 12, 1995 meeting.

File 169-95-002.

Requests for Hearings:

[Municipal Railway Service Delivery]

Hearing to consider Municipal Railway service delivery. Supervisors Ammiano, Bierman presented. Referred to Government Efficiency/Labor Committee.

File 007-95-010.

[AIDS Program]

Hearing to consider the growing imbalance between administration and direct services delivery in San Francisco's AIDS Program. Supervisors Ammiano, Bierman presented. Referred to Government Efficiency/Labor Committee.

File 030-95-018.

[Meeting Outside City Hall]

Hearing to consider holding a Government Efficiency and Labor Committee meeting outside City Hall. Supervisors Ammiano, Bierman presented. Referred to Rules Committee.

File 054-95-011.

[Child Welfare and Foster Care Programs]

Hearing to consider San Francisco's child welfare and foster care programs. Supervisors Ammiano, Bierman presented. Referred to Government Efficiency/Labor Committee.

File 107-95-004.

[Employment Issues, Department of Social Services]

Hearing to consider employment and job discrimination at the Department of Social Services. Supervisors Ammiano, Bierman presented. Referred to Government Efficiency/Labor Committee.

File 107-95-005.

[Labor Issues, Takeover of Local Radio Stations]

Hearing to consider the local impact of the takeover of local radio stations by regional and national broadcasting companies. Supervisors Ammiano, Bierman presented. Referred to Government Efficiency/Labor Committee.

File 176-95-015.

[Haight-Ashbury Cooperative Nursery School]

Hearing to consider the Department of Recreation and Park's plan with regard to the Haight-Ashbury Cooperative Nursery School. Supervisor Hallinan presented. Referred to Health/Public Safety/Environment Committee.

File 193-95-008.

Introduced by the President at the Request of Departments

Ordinances Referred to Committee

File 045-95-043. [World Institute of Disability v. CCSF] Ordinance authorizing settlement of litigation of World Institute on Disability against San Francisco Convention and Visitors Bureau, et al. pursuant to World Institute on Disability, et al. v. San Francisco Convention and Visitors Bureau, et al. (U.S.D.C. Northern District of California No. C94-2714 WHO) (City Attorney) Referred to Government Efficiency/Labor Committee.

File 045-95-044. [Hernandez, Cruz, Lucero v. CCSF] Ordinance authorizing settlement of civil rights claims of Maria Hernandez, Luis Lucero and Francisco Cruz against the City and County of San Francisco and Anthony D. Ribera by payment of \$21,000, each side to bear their own costs and attorneys' fees. (U.S.D.C. No. C95-0594 CAL) (City Attorney) Referred to Government Efficiency/Labor Committee.

File 063-95-001. [Vallejo Garage Cellular Transmitter Lease] Ordinance approving a lease of cellular transmitter space in Vallejo Garage to GTE Mobilnet. (Real Estate Department) Referred to Government Efficiency/Labor Committee.

File 097-95-054. [Retirement Board Elections] Ordinance amending Administrative Code by amending Sections 16.550 through 16.564 regarding Retirement Board Elections. (Employees' Retirement System) Referred to Government Efficiency/Labor Committee.

File 097-95-055. [Warrant or Check Replacement] Ordinance amending Administrative Code to allow Controller to replace lost or voided warrant or check up to \$1,000. (Controller) Referred to Government Efficiency/Labor Committee.

File 115-95-011. [Residential Zoning Amendments] Ordinance amending Planning Code by adding new Section 311 to establish new provisions that apply to construction in the RH and RM Zoning Districts for permit application review, notification and appeals procedures and adherence to approved design guidelines as well as to the Planning Code; and new provisions that apply to review of proposed demolitions in all residential districts. (City Planning Resolution No. 13960, adopted 9/21/95.) (Department of City Planning) Referred to Housing and Land Use Committee.

Resolutions Referred to Committee

File 023-95-006. [Waiving Statute of Limitations] Resolution waiving the statute of limitations with respect to certain warrants of the City and County of San Francisco, in the amount of \$1,070, a legal obligation of the City and County of San Francisco. (Payee: Mark Bradshaw \$128; Charles Brown \$202; Mary B. Monk, \$444; Pilar Q. Sabalvaro \$296.) (Controller) Referred to Government Efficiency/Labor Committee.

File 048-95-024. [Settlement of Claim, Eric Halladay] Resolution approving the settlement of the unlitigated claim of Eric Halladay by payment of \$6,570.00. (City Attorney) Referred to Government Efficiency/Labor Committee.

File 061-95-002. [Contract Award Extension, Muni Railway MR-1157] Resolution granting extension of time for awarding Municipal Railway Contract MR-1157 - MUNI Operator Restrooms. (Public Transportation Commission) Referred to Government Efficiency/Labor Committee.

File 061-95-003. [Contract Award Extension, MUNI Railway MR-1158R] Resolution granting an extension of time for awarding Municipal Railway Contract MR-1158R - MUNI Metro System, Rail Replacement Program at 9th/Irving, Carl/Cole, and Broad/Orizaba. (Public Transportation Commission) Referred to Government Efficiency/Labor Committee.

File 064-95-008. [Lease of Property at 480 Second Street] Resolution authorizing a lease of real property at 480 Second Street, San Francisco, for the Office of Citizen Complaints. (Real Estate Department) Referred to Government Efficiency/Labor Committee.

File 146-95-016. [State Grant, Immunization Information System] Resolution authorizing the Department of Public Health, Community Public Health Services to apply retroactively for a grant of \$293,077 from the State Department of Health Services to develop an immunization information and reminder system; providing for ratification of action previously taken. (Department of Public Health) Referred to Government Efficiency/Labor Committee.

Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisor Leal, that letters of inquiry be sent concerning appointments to the newly established Juvenile Curfew Oversight Committee to his Honor, the Mayor; Human Rights Commission; Delinquency Prevention Commission and Presiding Judge, Juvenile Court requesting the names of their appointments be submitted to the Board of Supervisors by November 27, 1995, pursuant to Ordinance No. 284-95. File 92-95-40.

By Supervisor Leal, that letters be sent to various organizations and interested individuals notifying them of three appointments to the newly established Juvenile Curfew Oversight Committee to be filled by the Board of Supervisors pursuant to Ordinance No. 284-95. File 92-95-40.

By Supervisor Kennedy, on behalf of the full Board, that letter of inquiry be sent to the Honorable, Recreation and Park Commission, to determine the reasons for the eviction of the Haight-Ashbury Cooperative Nursery School from the Grattan Playground. File 193-95-8.

By Supervisor Hallinan, that City Attorney prepare charter amendment to provide for a new method of electing members of the Board of Supervisors for introduction for the March 26, 1996 election.

By Supervisor Kaufman, that City Attorney prepare ordinance to incorporate the proposed rules, revisions of procedures and new reporting requirements of the Civil Service Commission which will help eliminate workplace and employment discrimination for persons with disabilities.

Motions Adopted

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

Sally Nichel Mein (Supervisor Shelley)  
Lulu Carter (By the entire Board)  
Dorothy Blumenthal (Supervisor Kaufman)  
Judy Kay (Supervisor Kaufman)  
Louise W. Buell (Supervisors Bierman, Leal)  
Maggie Waldron (Supervisor Bierman)  
Ralph Craib (Supervisor Bierman)

File 2-95-38

Unanimously adopted by a rising vote.

ADJOURNMENT

There being no further business, the Board at the hour of 4:17 p.m. adjourned.

Jean Lum, Acting Clerk

N.B. This Journal of Proceedings sets 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 November 6, 1995

I, John L. Taylor, 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 Journal of Proceedings of said Board on the date stated and was approved as recited.

John L. Taylor  
Clerk of the Board of Supervisors

Tuesday, October 10, 1995

# Journal of Proceedings

*The Minutes of the*

# Board of Supervisors

City and County of San Francisco

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JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

\_\_\_\_\_  
Tuesday, October 10, 1995 – 2:00 p.m.  
\_\_\_\_\_

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

CALLING THE ROLL

The meeting was called to order at 2:08 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Alioto, Bierman, Hallinan, Kaufman, Leal, Migden, Shelley, Teng – 8.

Noted absent at first roll call:

Supervisors Ammiano, Hsieh, Kennedy – 3.

Quorum present.

Supervisor Ammiano excused, on official leave of absence.

Supervisor Hsieh excused, on official leave of absence.

Supervisor Kennedy excused, on official leave of absence.

Suspension of the Rules  
Presentation Made

Supervisor Alioto, seconded by Supervisor Hallinan, moved to suspend Rule 2.21 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the President of Local 350.

Motion to suspend the rules adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Kaufman, Leal, Migden, Shelley, Teng – 8.

Absent: Supervisors Ammiano, Hsieh, Kennedy – 3.

Supervisor Alioto presented a Certificate of Honor in recognition of the employees of Sunset Scavenger.

COMMUNICATION

The Clerk presented the following communication from his Honor, the Mayor:

The Honorable Kevin Shelley  
President, Board of Supervisors  
401 Van Ness Avenue, Room 308  
San Francisco, CA 94102

Dear Kevin:

I am returning with my veto file number 97-94-41, an amendment to the Administrative Code increasing the allowable personal property of General Assistance recipients. At a time when all other counties in California are drastically cutting their G.A. levels, this legislation sends the wrong message.

In February of this year, the Board substantially increased the allowable asset limit for G.A. clients from \$25.00 to \$345.00, a 1,380% increase. That increase has only been in effect for a little over six months. Determining whether it actually results in long term savings requires more time. In the short run, it costs the General Fund an additional \$65,000 annually. To increase the asset limit to \$500.00 without any proof that it will in fact help get people off of G.A. is fiscally irresponsible.

San Francisco works hard to maintain its G.A. grant level at \$345.00 per month. Unfortunately, surrounding counties are decreasing theirs to the \$220.00 range. There is a real danger that further easing of the requirements for G.A. eligibility will result in a growing case load in San Francisco. A growing case load would increase the pressure to lower San Francisco's G.A. grant to more closely match surrounding counties.

In closing, I want to commend you and Supervisors Hsieh, Kaufman, Leal and Migden for your vote against this legislation.

Sincerely,

Frank M. Jordan  
Mayor

Consideration Continued

[General Assistance Property Levels]  
Ordinance amending Administrative Code by amending Section 20.56.10 to increase allowable personal property. (Supervisors Alioto, Bierman, Hallinan, Teng, Ammiano)

File 97-94-41, Ordinance No.

(Fiscal Impact.)

(September 26, 1995 - Finally passed;  
September 28, 1995 - Returned to Board by Mayor, disapproved.)

(Pursuant to Board of Supervisors Rule 2.9a, the Board shall not reconsider the legislation until the first meeting after the message from the Mayor is read to the Board.)

Supervisor Alioto, seconded by Supervisor Teng, moved to continue consideration to October 23, 1995.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Kaufman, Leal, Migden, Shelley, Teng - 8.

Absent: Supervisors Ammiano, Hsieh, Kennedy - 3.

CONSENT CALENDAR

Recommendations of Budget Committee

Finally Passed

[Appropriation, Department of Public Works]  
Ordinance appropriating \$4,133,730, Department of Public Works, of Trust Fund and various Sewer Revenue Bonds of the Clean Water for the demolition of the Richmond Sunset Treatment Plant for fiscal year 1995-96; providing for ratification of action previously taken; placing \$3,993,000 in reserve. (Supervisor Hsieh)

File 101-95-15, Ordinance No. 323-95

(Fiscal Impact.)

Finally passed.

[Appropriation, Medical Examiner/Coroner]  
Ordinance appropriating \$16,000, Medical Examiner/Coroner, from the General Fund Reserve to purchase computer equipment for fiscal year 1995-96. (Controller)

File 101-95-19, Ordinance No. 324-95

Finally passed.

[Appropriation, Police Department]  
Ordinance appropriating \$1,800,000, Police Department, of 1987 Police Facilities Improvement Bond interest earnings for the construction of the Bayview Police Station for fiscal year 1995-96. (Supervisor Hsieh)

File 101-95-20, Ordinance No. 325-95

Finally passed.

[Appropriation, Police Department]

Ordinance appropriating \$896,000, Police Department, for construction of the Bayview Police Station, \$571,000 from the General Fund Reserve and \$325,000 from rescinding materials and supplies and services of other departments for fiscal year 1995-96. (Supervisor Hsieh)

File 101-95-21, Ordinance No. 326-95

Finally passed.

Recommendation of Health, Public Safety and Environment Committee

Finally Passed

[Regulation of Ammunition Sales]

Ordinance amending Police Code, to require certain dealers in firearms to record certain information in conjunction with the sale of certain ammunition. (Supervisors Migden, Alioto, Hallinan, Shelley, Teng, Ammiano, Bierman)

File 121-95-9, Ordinance No. 328-95

(Adds Section 618 and amends Section 614.)

Finally passed.

Recommendations of Government Efficiency and Labor Committee

Passed for Second Reading

[Settlement of Litigation, Ericsson Inc.]

Ordinance authorizing settlement of litigation entitled "Ericsson Inc., fka Ericsson Ge Mobile Communications, Inc. vs. City and County, and Motorola Communications & Electronics, Inc.," pursuant to Amended Preliminary Injunction. (City Attorney)

File 45-95-39, Ordinance No.

(U.S. District Court Case No. C94-4221 VRW.)

Passed for second reading.

[CCSF v. Tony Sheehan, Et Al.]

Ordinance authorizing settlement of litigation of City and County v. Tony Sheehan Et Al. and the City's purchase of Assessor's Block 2949A, Lot 76, for open space for \$525,000. (City Attorney)

File 46-95-7, Ordinance No.

(Superior Court No. 963-722.)

Passed for second reading.

[Lease Modification, Port/HHC Investments, Ltd.]

Ordinance approving second amendment to ground lease between the Port and HHC Investments, Limited, located at Montgomery and Francisco Streets. (Port)

File 65-95-10, Ordinance No.

Passed for second reading.

Adopted

[Lease of Property at 1390 Market Street]

Resolution authorizing the lease of real property at Fox Plaza, 1390 Market Street, for the City Attorney. (Real Estate Department)

File 64-95-7, Resolution No. 841-95

Adopted.

[SDI Coverage, 0175 Criminal Research Assistant]

Resolution authorizing enrollment of Classification 0175 into the State Disability Insurance Program. (Department of Human Resources)

File 89-95-7, Resolution No. 842-95

Adopted.

[Grant - State Funds, Pediatric Education for Paramedics]

Resolution authorizing the Department of Public Health, Central Administration, Emergency Medical Services (EMS) Agency, to apply for, accept and expend retroactively a grant of \$77,000, which includes indirect costs in the amount of \$7,690, based on 11.1 percent of total expenditures from the State Emergency Medical Services Authority, to provide for piloting of the Pediatric Education for Paramedics (PEP) Course, providing for ratification of action previously taken. (Supervisor Leal)

File 146-95-14, Resolution No. 850-95

Adopted.

[CSAC 1995 Challenge Awards]

Resolution authorizing the Department of Public Works to submit an application for the California State Association of Counties, 1995 Challenge Award for the Utility Undergrounding Program. (Supervisor Alioto)

File 200-95-4, Resolution No. 854-95

Adopted.

[CSAC 1995 Challenge Awards]

Resolution authorizing the Department of Public Works to submit an application for the California State Association of Counties 1995 Challenge Award for department's Street Tree Planting Program. (Supervisors Shelley, Alioto)

File 200-95-5, Resolution No. 855-95

Adopted.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Kaufman, Leal, Migden, Shelley, Teng - 8.

Absent: Supervisors Ammiano, Hsieh, Kennedy - 3.

REGULAR CALENDAR

UNFINISHED BUSINESS

Recommendation of Government Efficiency and Labor Committee

(See Journal of Proceedings of October 23, 1995  
for disapproval by Mayor.)

Finally Passed

[Mandatory Rent Payment Program Reserve]  
Ordinance amending the Annual Appropriation Ordinance by amending Section 33 of the Administrative provisions regarding the administration of the Mandatory Direct Rent Payment Program. (Supervisors Ammiano, Teng, Alioto, Bierman)

File 101-95-2.2, Ordinance No.

Finally passed by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Leal, Migden, Shelley, Teng - 7.

Noes: Supervisor Kaufman - 1.

Absent: Supervisors Ammiano, Hsieh, Kennedy - 3.

NEW BUSINESS

Recommendation of Budget Committee

Passed for Second Reading

[Appropriation, Chief Administrative Officer and City Attorney] Ordinance appropriating \$315,000, of 1995 Sewer Revenue Bond proceeds for bond issuance costs for the offices of the Chief Administrative Officer and the City Attorney for fiscal year 1995-96; providing for ratification of action previously taken. (Controller)

File 101-95-22, Ordinance No.

(Fiscal Impact.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Kaufman, Leal, Migden, Shelley, Teng - 8.

Absent: Supervisors Ammiano, Hsieh, Kennedy - 3.

Recommendations of Economic Vitality and Social Policy Committee

Passed for Second Reading as Amended

[Commission on the Status of Women]  
Ordinance amending Administrative Code, to empower the Commission on the Status of Women to lobby federal and state legislatures on matters affecting the status of women. (Supervisors Kaufman, Alioto, Leal, Bierman, Shelley, Teng, Hallinan)

File 97-95-49, Ordinance No.

(Amends Section 33.4.)

Supervisor Kaufman, seconded by Supervisor Alioto, moved an amendment of the whole bearing same title as above.

Amendment of the whole adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Kaufman, Leal, Migden, Shelley, Teng - 8.

Absent: Supervisors Ammiano, Hsieh, Kennedy - 3.

Passed for second reading as amended by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Kaufman, Leal, Migden, Shelley, Teng - 8.

Absent: Supervisors Ammiano, Hsieh, Kennedy - 3.

In connection with the above item, Supervisors Bierman, Shelley, Teng, Hallinan requested to be added as co-sponsors.

Consideration Continued

[Public Housing]

Resolution urging the Housing Authority to adopt a one-for-one replacement of all public housing demolished or revitalized in the City and County and urging Housing and Urban Development to investigate the Housing Authority labor relations and new management positions. (Supervisor Kennedy)

File 206-95-4, Resolution No.

Supervisor Kaufman, seconded by Supervisor Teng, moved to continue consideration to October 17, 1995.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Kaufman, Leal, Migden, Shelley, Teng - 8.

Absent: Supervisors Ammiano, Hsieh, Kennedy - 3.

Recommendations of Government Efficiency and Labor Committee

Passed for Second Reading

[Lease, Water Dept./San Antonio Center Associates]

Ordinance authorizing and approving a negotiated forty-year lease with San Antonio Center Associates, a California Limited Partnership, of certain city-owned land under the jurisdiction of the San Francisco Water Department, located within the San Antonio Center between San Antonio Avenue and Showers Lane in the City of Mountain View, County of Santa Clara, without competitive bidding; and ratifying previous action. (Public Utilities Commission)

File 65-95-11, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Kaufman, Leal, Migden, Shelley, Teng - 8.

Absent: Supervisors Ammiano, Hsieh, Kennedy - 3.

[Credit Card and ATM Card Payments]

Ordinance amending Administrative Code, by authorizing the Art Commission and Library Department to accept credit cards or automatic teller machine cards (ATM) for the payment of fees and charges. (Supervisor Migden)

File 97-95-10.1, Ordinance No.

(Amends Section 10.11-2.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Kaufman, Leal, Migden, Shelley, Teng - 8.

Absent: Supervisors Ammiano, Hsieh, Kennedy - 3.

[Deferred Compensation Plan]

Ordinance amending Administrative Code, regarding administrative costs for the deferred compensation plan. (Supervisors Shelley, Alioto, Teng, Ammiano, Hallinan)

File 97-95-48, Ordinance No.

(Amends Section 16.326.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Kaufman, Leal, Migden, Shelley, Teng - 8.

Absent: Supervisors Ammiano, Hsieh, Kennedy - 3.

[Professional Membership, Various Organizations]

Ordinance amending Administrative Code, to authorize the Public Utilities Commission, and departments thereunder, to join various organizations. (Public Utilities Commission)

File 97-95-50, Ordinance No.

(Amends Section 16.6-5.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Kaufman, Leal, Migden, Shelley, Teng - 8.

Absent: Supervisors Ammiano, Hsieh, Kennedy - 3.

Adopted

[Prop J Contract, Shelter and Intake Services]  
Resolution concurring, retroactively, with the Controller's certification that intake and shelter services to status offenders can be practically performed by private contractor for lower cost than similar work services performed by City and County employees. (Juvenile Probation Department)

File 25-95-26, Resolution No. 823-95

(Fiscal Impact.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Kaufman, Leal, Migden, Shelley, Teng - 8.

Absent: Supervisors Ammiano, Hsieh, Kennedy - 3.

[Grant - State, Victim Witness Assistance Program]  
Resolution authorizing the District Attorney to retroactively apply for, accept and expend funds in the amount of \$323,324, which include indirect costs of \$13,939.36, from the Office of Criminal Justice Planning for the "Victim Witness Assistance Program" for the twelve month period July 1, 1995 through June 30, 1996. (Supervisor Alioto)

File 138-95-6, Resolution No. 848-95

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Kaufman, Leal, Migden, Shelley, Teng - 8.

Absent: Supervisors Ammiano, Hsieh, Kennedy - 3.

[Grant - State, Career Criminal Prosecution Program]  
Resolution authorizing the District Attorney to retroactively apply for, accept and expend grant funds in the amount of \$197,178 including indirect costs of \$9,389 made available through the California Office of Criminal Justice Planning for the operation of the Career Criminal Program for the twelve-month period July 1, 1995 through June 30, 1996. (Supervisor Alioto)

File 138-95-7, Resolution No. 849-95

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Kaufman, Leal, Migden, Shelley, Teng - 8.

Absent: Supervisors Ammiano, Hsieh, Kennedy - 3.

[1994-95 Transfer Payment from BART to MUNI]  
Resolution approving an agreement between the City and County and the Bay Area Rapid Transit District authorizing payment to San Francisco Municipal Railway for transfer trips provided in 1994-95. (Public Transportation Commission)

File 172-95-42, Resolution No. 851-95

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Kaufman, Leal, Migden, Shelley, Teng - 8.

Absent: Supervisors Ammiano, Hsieh, Kennedy - 3.

[Tuolumne River Biologist Contract]

Resolution approving the agreement with the California Department of Fish and Game for the funding of a fisheries biologist position in the Tuolumne River of the Department of Fish and Game staff. (Public Utilities Commission)

File 172-95-43, Resolution No. 852-95

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Kaufman, Leal, Migden, Shelley, Teng - 8.

Absent: Supervisors Ammiano, Hsieh, Kennedy - 3.

Recommendations of Rules Committee

Adopted

[Appointment]

Resolution appointing member to the Drug Abuse Advisory Board, for a new three-year term ending October 1, 1998. (Rules Committee)

File 92-94-70, Resolution No. 832-95

(Kenneth Teruya Akinaka, Seat No. 22109, public-at-large, vice Iris Garcia, resigned.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Kaufman, Leal, Migden, Shelley, Teng - 8.

Absent: Supervisors Ammiano, Hsieh, Kennedy - 3.

[Appointments]

Resolution appointing members to the Citizens Advisory Task Force for the Central Freeway, terms indefinite. (Rules Committee)

File 92-95-24, Resolution No. 843-95

(Linton D. Stables, Seat No. 26314, public-at-large, vice Mary E. Austern, resigned;

Edward G. Evans, Seat No. 26303, public-at-large, vice Lisa Foster, resigned.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Kaufman, Leal, Migden, Shelley, Teng - 8.

Absent: Supervisors Ammiano, Hsieh, Kennedy - 3.

[Appointments]

Resolution appointing members to Citizens Advisory Task Force for the Central Freeway, terms indefinite. (Rules Committee)

File 92-95-34, Resolution No. 844-95

(Tony Metaxas, resident of the Richmond District, vice Ronald J. Miguel, resigned;  
David N. Olson, resident of the Sunset District, vice David Klein, resigned.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Kaufman, Leal, Migden, Shelley, Teng - 8.

Absent: Supervisors Ammiano, Hsieh, Kennedy - 3.

[Appointments]

Resolution appointing members to the In-Home Supportive Services Public Authority, terms to be determined by lot at first meeting. (Rules Committee)

File 92-95-27.1, Resolution No. 830-95



(John Kimbro, Seat No. 29301, consumer over age 60/representing organization;  
Karen Young-Simmons, Seat No. 29302, consumer between the ages of 18 and 60 representing organization;  
Elinore Lurie, Seat No. 29303, consumer at-large over the age of 60;  
Ethel Richardson, Seat No. 29304, worker who provides personal assistance services to a consumer;  
Michael Kwok, Seat No. 29305, consumer at-large between the ages of 18 and 60;  
Jane Morrison, Seat No. 29306, representative/Social Services Commission;  
Arthur J. Eberhardt, Seat No. 29307, representative/Commission on the Aging;  
Arthur Jackson, Seat No. 29308, representative/Health Commission;  
Bill Bruckner, Seat No. 29309, representative/Mayor's Disability Council.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Kaufman, Leal, Migden, Shelley, Teng - 8.

Absent: Supervisors Ammiano, Hsieh, Kennedy - 3.

[Appointments]

Resolution appointing members to the Drug Abuse Advisory Board. (Rules Committee)

File 92-95-36, Resolution No. 845-95

(Margo St. James, Seat No. 22113, public-at-large, vice Michael Hall, resigned, for the unexpired portion of three-year term ending October 1, 1997;

Dominique Rose Leslie, Seat No. 22104, public-at-large, vice Grace S. Chu, resigned, for unexpired portion of three-year term ending October 1, 1996.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Kaufman, Leal, Migden, Shelley, Teng - 8.

Absent: Supervisors Ammiano, Hsieh, Kennedy - 3.

[Appointments]

Resolution appointing members to the Park and Open Space Advisory Committee, for new two-year terms ending July 15, 1997. (Rules Committee)

File 92-95-37.2, Resolution No. 846-95

(Midge Wilson, Seat No. 23317, vice herself, term expired;  
Willia Sims, Seat No. 23316, vice herself, term expired;  
Deana McNamara, Seat No. 23314, vice herself, term expired;  
Jeffrey C. Henne, Seat No. 23319, vice himself, term expired;  
Juanita G. Raven, Seat No. 23320, vice herself, term expired.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Kaufman, Leal, Migden, Shelley, Teng - 8.

Absent: Supervisors Ammiano, Hsieh, Kennedy - 3.

[Appointment]

Resolution appointing member to the Lead Poisoning Prevention Citizens Advisory Committee, for a new four-year term ending August 20, 1999. (Rules Committee)

File 92-95-39.2, Resolution No. 847-95

(Memo Tabuso, Seat No. 26603, representing tenant organization, vice Neli Palma, term expired.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Kaufman, Leal, Migden, Shelley, Teng - 8.

Absent: Supervisors Ammiano, Hsieh, Kennedy - 3.

Appointment of President Pro Tempore

At the request of the President, Supervisor Hallinan assumed the Chair so the President could participate in the debate from the floor.

[Glen Canyon Park]

Resolution urging the Mayor to urge the Recreation and Parks Commission to develop alternatives to its plans to pave a road through Glen Canyon Park. (Supervisors Shelley, Leal)

File 193-95-7, Resolution No. 853-95

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Kaufman, Leal, Migden, Shelley, Teng - 8.

Absent: Supervisors Ammiano, Hsieh, Kennedy - 3.

The President resumed the Chair.

PUBLIC COMMENT

The privilege of the floor was granted to the following persons:

Leboriae P. Smoore, police brutality;  
Patricia Vaughney, liquor license, Cow Hollow;  
Louise Vaughn, police brutality.

There being no one else wishing to speak, the President declared the public comment portion of the meeting closed.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures were introduced at a prior meeting of the Board with action requested at this meeting. Any Supervisor may require these measures to go to committee unless a motion to suspend the rules is adopted by eight votes (or a unanimous vote if only six or seven members are present). An "aye" vote is (a) a vote in favor of suspending the rule requiring reference to committee, and (b) a vote in favor of adoption of the measures. Eight votes (or a unanimous vote if only six or seven members are present) is required.

Adopted

[School Safety Month]

Resolution encouraging schools in San Francisco to participate in the activities associated with School Safety Month and to work toward preventing campus crime and violence, developing conflict resolution skills, improving discipline, increasing attendance, reducing drug and alcohol use, suppressing gang activities, and eliminating weapons on campus. (Supervisors Migden, Ammiano, Alioto, Leal, Bierman, Shelley)

File 4-95-31, Resolution No. 834-95

(October 2, 1995 - Introduced in Board for consideration on October 10, 1995.)

Adopted.

In connection with the above item, Supervisors Leal, Bierman, Shelley requested to be added as co-sponsors.

[Bernal Heights Fiesta]

Resolution commending the Bernal Heights Neighborhood Center in honor of their Fiesta On The Hill on October 21, 1995. (Supervisors Shelley, Ammiano, Teng, Bierman, Leal, Alioto, Migden)

File 6-95-109, Resolution No. 835-95

(October 2, 1995 - Introduced in Board for consideration on October 10, 1995.)

Adopted.

In connection with the above item, Supervisor Migden requested to be added as co-sponsor.

[Emergency Preparedness]

Resolution commending the Office of Emergency Services and the Neighborhood Emergency Response Teams and urging the public to participate in emergency preparedness exercises on October 14th and 17th. (Supervisors Shelley, Bierman, Alioto)

File 6-95-110, Resolution No. 836-95

(October 2, 1995 - Introduced in Board for consideration on October 10, 1995.)

Adopted.

[Project Open Hand Day]

Resolution commending Project Open Hand on the occasion of its Ten Year Anniversary of providing comprehensive nutrition services to people with HIV/AIDS and declaring October 19, 1995 to be "Project Open Hand Day" in the City and County of San Francisco. (Supervisors Leal, Migden, Ammiano, Bierman, Kaufman, Shelley, Alioto, Teng, Hsieh, Kennedy)

File 6-95-111, Resolution No. 837-95

(October 2, 1995 - Introduced in Board for consideration on October 10, 1995.)

Adopted.

[Gay and Lesbian Travel Expo]

Resolution commending and welcoming the Third International Gay and Lesbian World Travel Expo and its community outreach efforts. (Supervisors Migden, Leal, Ammiano, Teng, Alioto, Bierman)

File 6-95-112, Resolution No. 838-95

(October 2, 1995 - Introduced in Board for consideration on October 10, 1995.)

Adopted.

In connection with the above item, Supervisor Bierman requested to be added as co-sponsor.

[Final Map, 117-133 Divisadero Street]

Motion approving final map of 117, 119, 121, 123, 125, 127, 129, 131 and 133 Divisadero Street, a Condominium Project, being a resubdivision of Lots 10 and 35 in Assessor's Block 1259, and adopting findings pursuant to City Planning Code Section 101.1. (Department of Public Works)

File 58-95-21

(October 2, 1995 - Introduced in Board for consideration on October 10, 1995.)

Adopted.

The foregoing items on the For Adoption Without Committee Reference Calendar were adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Kaufman, Leal, Migden, Shelley, Teng - 8.

Absent: Supervisors Ammiano, Hsieh, Kennedy - 3.

#### IMMEDIATE ADOPTION CALENDAR

These measures are being introduced at this meeting. A unanimous vote is required for adoption today. Any Supervisor may require any of these measures to go to committee.

Adopted

[Leaves of Absence]

Resolution granting leaves of absence to various city and county officers with permission to leave the state. (Clerk of the Board)

File 1-95-39, Resolution No. 810-95

(Philip Adams, Director, Department of Public Transportation, October 7 - 12; L. Andrew Jeanpierre, President, Airports Commission, October 7 - 14; Anthony D. Ribera, Chief of Police, Police Department, October 13 - 18; Michael S. Strunsky, Member, Airports Commission, October 12 - 22, 1995.)

Adopted.

[Needle Exchange]

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program. (Supervisors Alioto, Leal, Bierman, Shelley, Migden, Teng, Hsieh)

File 30-95-1.20

Adopted.

The foregoing items on the Immediate Adoption Calendar were adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Kaufman, Leal, Migden, Shelley, Teng - 8.

Absent: Supervisors Ammiano, Hsieh, Kennedy - 3.

IMPERATIVE CALENDAR

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 following two motions.

Adopted

[Purely Commendatory Finding]

Motion that the Board finds by roll call vote that the resolutions being considered at this time are purely commendatory.

Supervisor Kaufman, seconded by Supervisor Teng, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Kaufman, Leal, Migden, Shelley, Teng - 8.

Absent: Supervisors Ammiano, Hsieh, Kennedy - 3.

[Brown Act Finding]

Motion that the Board finds 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 Kaufman, seconded by Supervisor Teng, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Kaufman, Leal, Migden, Shelley, Teng - 8.

Absent: Supervisors Ammiano, Hsieh, Kennedy - 3.

[Imperative Resolutions]

Adopted

[Commend Thang Long Water Puppet Theater]

Resolution commending the Thang Long Vietnamese Water Puppet Theater and declaring October 10, 1995 Thang Long Water Puppet Theater Day in San Francisco.

File 006-95-113, Resolution No. 819-95

Supervisor Teng presented for immediate adoption.

Resolution adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Kaufman, Leal, Migden, Shelley, Teng - 8.

Absent: Supervisors Ammiano, Hsieh, Kennedy - 3.

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS  
NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Board

[Commend Nihonmachi Little Friends]

Resolution commending the 20th Anniversary of Nihonmachi Little Friends (NLF) and its contributions to childcare and early childhood education. Supervisors Teng, Shelley presented. Referred to Board for Adoption Without Committee Reference Calendar October 17, 1995.

File 006-95-114.

[Commend Susan G. Komen Breast Cancer Foundation]

Resolution commending the Susan G. Komen Breast Cancer Foundation and "The Race for the Cure" for successful fundraising for breast cancer education, outreach and treatment. Supervisors Migden, Shelley, Alloto, Bierman, Hallinan, Kaufman, Leal, Teng presented. Referred to Board for Adoption Without Committee Reference Calendar October 17, 1995.

File 006-95-115.

Referred to Committee

[Lead And Other Health Hazards]

Resolution urging the Department of Public Health to implement Health Code Section 1625 no later than May 31, 1996 to reduce lead hazards and other hazards to health in Bayview-Hunters Point; urging the Mayor and other departments to contribute the resources needed to complete this effort as soon as possible; urging the Health Department to report to the Board regularly regarding its progress in implementing Health Code Section 1625 and the need for and sources of amounts of funds available to complete this report. Supervisors Bierman, Shelley presented. Referred to Health/Public Safety/Environment Committee.

File 030-95-019.

[Mental Health's Five-Year Supported Housing Plan]

Resolution endorsing the Department of Public Health, Division of Mental Health, Five-Year Supported Housing Plan. Supervisor Migden presented. Referred to Health/Public Safety/Environment Committee.

File 030-95-020.

[Street Artist Selling Spaces]

Resolution designating temporary selling spaces in the Downtown area and at Harvey Milk Plaza for street artists certified by the Art Commission, for the Christmas Season, 1995, beginning November 15, 1995 and ending on January 15, 1996. Supervisors Hallinan, Bierman presented. Referred to Government Efficiency/Labor Committee.

File 169-95-003.

Referred to Board

[United Airlines Flight Attendants]

Resolution urging United Airlines to reconsider its decision to export local jobs. Supervisor Shelley presented. Referred to Board for Adoption Without Committee Reference Calendar October 17, 1995.

File 176-95-016.

[SEEDS Project]

Resolution urging the San Francisco Unified School Board and its District to implement the striving for excellence in early care and development services (SEEDS) report; urging the Board and District to move to hire a permanent executive director and full-time staff for stability; and commending childcare advocates for their work in improving childcare services in San Francisco. Supervisor Alloto presented. Referred to Board for Adoption Without Committee Reference Calendar October 17, 1995.

File 211-95-006.

Charter Amendments

Referred to Committee

[Ballot Measure, Muni Dedicated Funding]

Charter amendment (Skeletal Draft) amending Section 3.707 to provide a dedicated source of revenue for public transit. Supervisor Migden presented. Referred to Rules Committee.

File 268-95-001.

[Ballot Measure, Open Space Preservation]

Charter amendment (Skeletal Draft) regarding open space preservation at Margaret Hayward Park, Jefferson Square and vicinity. Supervisor Shelley presented. Referred to Rules Committee.

File 269-95-001.

[Ballot Measure, Beacon Schools]

Charter amendment (Skeletal Draft) regarding Beacon Schools. Supervisor Shelley presented. Referred to Rules Committee.

File 273-95-001.

[Ballot Measure, Disciplinary Arbitration]

Charter amendment (Skeletal Draft) regarding disciplinary arbitration. Supervisor Shelley presented. Referred to Rules Committee.

File 274-95-001.

[Ballot Measure, Single-Member District Elections]

Charter amendment (Skeletal Draft) to provide for election of eleven supervisors from single-member districts. Supervisor Hallinan presented. Referred to Rules Committee.

File 275-95-001.

[Ballot Measure, Five Three-Member Elections]

Charter amendment (Skeletal Draft) to provide for election of fifteen supervisors, three each from five multi-member districts, using preference voting. Supervisor Hallinan presented. Referred to Rules Committee.

File 276-95-001.

[Ballot Measure, At-Large, Preference Voting]

Charter amendment (Skeletal Draft) to provide for at-large election of supervisors, using preference voting. Supervisor Hallinan presented. Referred to Rules Committee.

File 277-95-001.

[Ballot Measure, At-Large, Cumulative Voting]

Charter amendment (Skeletal Draft) to provide for at-large election of supervisors, using cumulative voting. Referred to Rules Committee.

File 278-95-001.

[Ballot Measure, Supervisorial Duties/Salary]

Charter amendment (Skeletal Draft) making the position of supervisor full time and changing the salary of supervisors to a rate 15 percent above that of the highest-paid supervisorial aide and prohibiting outside earned income. Supervisor Hallinan presented. Referred to Rules Committee.

File 279-95-001.

[Ballot Measure, Election, Odd-Numbered Years]

Charter amendment (Skeletal Draft) to require supervisorial elections to be held during odd-numbered years. Supervisor Hallinan presented. Referred to Rules Committee.

File 280-95-001.

[Ballot Measure, Commissions/Boards/Committees]

Charter amendment (Skeletal Draft) which would require all individuals appointed to commissions, boards and advisory committees must have voted in the most recent election prior to appointment. Supervisor Leal presented. Referred to Rules Committee.

File 282-95-001.

[Ballot Measure, Neighborhood Preservation]  
Charter amendment (Skeletal Draft) regarding neighborhood preservation. Supervisor Shelley presented.  
Referred to Rules Committee.

File 283-95-001.

Hearings

[Fire Museum]  
Hearing to consider whether the Fire Museum artifacts should be transferred to the San Francisco City Museum. Supervisor Alioto presented. Referred to Health/Public Safety/Environment Committee.

File 208-95-005.

[Wireless Telecommunications Devices]  
Hearing to consider the health and aesthetic implications of the installation of wireless communications devices on public and private rights-of-way. Supervisors Bierman, Shelley presented.  
Referred to Health/Public Safety/Environment Committee.

File 281-95-001.

Introduced by the President at the Request of Departments

Ordinances Referred to Committee

File 034-95-002. [Sidewalk Width Regulations, Various Streets] Ordinance amending Ordinance No. 1061 entitled "Regulating the Width of Sidewalks" by adding thereto Section 1519 changing the official widths of sidewalks at Larkin and Myrtle Streets and Eddy and Jones Streets as shown on the Department of Public Works drawings labeled Q-20-433 and Q-20-434; and making findings pursuant to City Planning Code Section 101.1. (Department of Public Works) Referred to Housing and Land Use Committee.

File 065-95-012. [Amendment to Lease, Mission Valley Rock Co.] Ordinance authorizing and approving an amendment to lease of Mission Valley Rock Company of certain city-owned land under the jurisdiction of the San Francisco Water Department, located in Alameda County; and ratifying previous actions. (Public Utilities Commission) Referred to Government Efficiency/Labor Committee.

File 097-95-053. [Environmental Review Fees & Energy Calculations] Ordinance amending Administrative Code Chapter 31 by deleting Subsection 31.26(e) to eliminate certain energy calculations and by replacing Section 31.46 with Section 31.46A, and amending Subsections 31.46(a) Et Seq. to eliminate the December 31, 1995 Sunset Clause, incorporate existing fee surcharges, and adjust fees currently charged for environmental review actions, activities and procedures; companion measure to File 115-95-12. (Exempt Status: General Rule Exclusion (State Guidelines, Section 1506(b)(3))). (Department of City Planning) Referred to Budget Committee.

File 115-95-012. [Planning Fees] Ordinance amending Planning Code by Article 3.5 and Article 3.5A by replacing Article 3.5 with Article 3.5A and amending Sections 350 Et Seq. to eliminate the December 31, 1995 Sunset Clause, incorporate existing fee surcharges, impose new fees and adjust fees currently charged for Department of City Planning actions, activities and services; companion measure to File 97-95-53. (Exempt Status: General Rule Exclusion (State Guidelines, Section 1506 (b)(3))). (City Planning Resolution No. 13967, adopted 9/28/95.) (Department of City Planning) Referred to Budget Committee.

Resolutions Referred to Committee

File 027-95-016.01. [Airport Emergency Cable Replacement] Resolution approving declaration of emergency, emergency cable replacement, Cables 12NBSA-1 and 12NBSA-2, Airport Contract No. 1960C, San Francisco International Airport - \$649,000. (Airports Commission) Referred to Budget Committee.

File 085-95-005. [Mid-Embarcadero/Terminal Separator Structure] Resolution endorsing the DPT variant as the preferred alternative for replacement of the Mid-Embarcadero/ Terminal Separator structure, requesting Department of City Planning to incorporate the variant as the preferred alternative in the DEIS/DEIR, and requesting the Chief Administrative Officer to take the necessary steps to secure funding at the earliest possible time. (Also see Files 272-90-1 and 85-94-2). (Chief Administrative Officer) Referred to Housing and Land Use Committee.

File 089-95-010. [SDI Coverage, Classification AA81] Resolution authorizing enrollment of Classification AA81 Executive Director Ethics Commission, into the State Disability Insurance Program. (Department of Human Resources) Referred to Government Efficiency/Labor Committee.

File 130-95-002. [Adult Probation Network Treatment Grant for Women] Resolution authorizing the Chief Adult Probation Officer of the City and County of San Francisco to apply retroactively and to accept and expend funds in the amount of \$5,000,000 at the rate of \$1,000,000 per year for five years which includes indirect costs of \$250,000 based on five percent of the total project made available through the Department of Health and Human Services, Substance Abuse and Mental Health Services Administration, through Center for Substance Abuse Treatment (CSAT) for a project entitled "San Francisco Adult Probation Department Criminal Justice Network Treatment Grant for Women." (Adult Probation Department) Referred to Government Efficiency/Labor Committee.

File 224-95-001. [Transfer of Possessory Interest] Resolution authorizing the transfer of possessory interest in real property at 1945 Washington Street from the unsecured to the secured assessment roll. (Assessor's Office) Referred to Budget Committee.

Motions Adopted

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

Francene Martin (By the entire Board)  
Michelle Redmond (By the entire Board)  
Christopher Keene (Supervisor Migden)  
Tom Tull (Supervisor Leal)

File 2-95-39

Unanimously adopted by a rising vote.

ADJOURNMENT

There being no further business, the Board at the hour of 2:51 p.m. adjourned.

John L. Taylor, Clerk

N.B. This Journal of Proceedings sets 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 November 13, 1995.

I, John L. Taylor, 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 Journal of Proceedings of said Board on the date stated and was approved as recited.

John L. Taylor  
Clerk of the Board of Supervisors



Tuesday, October 17, 1995

# **Journal of Proceedings**

*The Minutes of the*

# **Board of Supervisors**

City and County of San Francisco

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JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

\_\_\_\_\_  
Tuesday, October 17, 1995 - 2:00 p.m.  
\_\_\_\_\_

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

CALLING THE ROLL

The meeting was called to order at 2:11 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Leal, Migden, Teng - 9.

Noted absent at first roll call:

Supervisors Alioto, Kennedy - 2.

Quorum present.

Supervisor Alioto was noted present at 2:32 p.m.

Supervisor Kennedy was noted present at 2:13 p.m.

CONSENT CALENDAR

Recommendation of Budget Committee

Finally Passed

[Appropriation, Chief Administrative Officer and City Attorney] Ordinance appropriating \$315,000, of 1995 Sewer Revenue Bond proceeds for bond issuance costs for the offices of the Chief Administrative Officer and the City Attorney for fiscal year 1995-96; providing for ratification of action previously taken. (Controller)

File 101-95-22, Ordinance No. 327-95

(Fiscal Impact.)

Finally passed.

Recommendations of Government Efficiency and Labor Committee

Finally Passed

[Settlement of Litigation, Ericsson Inc.]

Ordinance authorizing settlement of litigation entitled "Ericsson Inc., fka Ericsson Ge Mobile Communications, Inc. vs. City and County, and Motorola Communications & Electronics, Inc.," pursuant to Amended Preliminary Injunction. (City Attorney)

File 45-95-39, Ordinance No. 329-95

(U.S. District Court Case No. C94-4221 VRW.)

Finally passed.

[CCSF v. Tony Sheehan, Et Al.]

Ordinance authorizing settlement of litigation of City and County v. Tony Sheehan Et Al. and the City's purchase of Assessor's Block 2949A, Lot 76, for open space for \$525,000. (City Attorney)

File 46-95-7, Ordinance No. 330-95

(Superior Court No. 963-722.)

Finally passed.

[Lease Modification, Port/HHC Investments, Ltd.]

Ordinance approving second amendment to ground lease between the Port and HHC Investments, Limited, located at Montgomery and Francisco Streets. (Port)

File 65-95-10, Ordinance No. 331-95

Finally passed.

[Lease, Water Dept./San Antonio Center Associates]

Ordinance authorizing and approving a negotiated forty-year lease with San Antonio Center Associates, a California Limited Partnership, of certain City-owned land under the jurisdiction of the San Francisco Water Department, located within the San Antonio Center between San Antonio Avenue and Showers Lane in the City of Mountain View, County of Santa Clara, without competitive bidding; and ratifying previous action. (Public Utilities Commission)

File 65-95-11, Ordinance No. 332-95

Finally passed.

[Credit Card and ATM Card Payments]

Ordinance amending Administrative Code, by authorizing the Art Commission and Library Department to accept credit cards or automatic teller machine cards (ATM) for the payment of fees and charges. (Supervisors Migden, Shelley, Bierman)

File 97-95-10.1, Ordinance No. 333-95

(Amends Section 10.11-2.)

Finally passed.

[Deferred Compensation Plan]

Ordinance amending Administrative Code, regarding administrative costs for the deferred compensation plan. (Supervisors Shelley, Alioto, Teng, Ammiano, Hallinan)

File 97-95-48, Ordinance No. 334-95

(Amends Section 16.326.)

Finally passed.

[Professional Membership, Various Organizations]

Ordinance amending Administrative Code, to authorize the Public Utilities Commission, and departments thereunder, to join various organizations. (Public Utilities Commission)

File 97-95-50, Ordinance No. 336-95

(Amends Section 16.6-5.)

Finally passed.

#### Recommendations of Housing and Land Use Committee

##### Adopted

[Stop Intersections]

Resolution designating certain intersections as "Stop" intersections. (Housing and Land Use Committee)

File 18-95-12, Resolution No. 864-95

(Stop Signs - Establish

Jackson and Spruce Streets, northwest and southeast corners, stopping Spruce Street (makes this an all-way Stop).

Jackson and Walnut Streets, northwest and southeast corners, stopping Walnut Street (makes this an all-way Stop).

Washington and Laurel Streets, northwest and southeast corners, stopping Laurel Street (makes this an all-way Stop).

Evans Avenue, Middle Point Road, and Jennings Street, southwest and northeast corners, stopping Evans Avenue (makes this an all-way Stop).)

Adopted.

[Parking Regulations]

Resolution enacting parking regulations at various locations. (Housing and Land Use Committee)

File 19-95-11, Resolution No. 865-95

(Diagonal (45-Degree Angle) Parking - Establish

Irving Street, south side, between 10th and 11th Avenues.

Irving Street, south side, between 12th and Funston Avenues.

Irving Street, south side, between 17th and 18th Avenues.

Parking Meter Area No. 3 (1-Hour Time Limit, 9 a.m. - 6 p.m. Monday through Saturday) - Establish

Harrison Street, south side, from The Embarcadero to Spear Street.

No Parking Anytime - Establish

Rotteck Street, dead-end portion south of Mirando Way, from the west sidewalk to 15 feet easterly (15-foot zone, leaving one parking space on the east side).

Tow-Away, No Parking 7 a.m. - 7 p.m. Monday through Friday - Establish

Harrison Street, south side, from Main Street to 35 feet westerly (35-foot zone).

Adopted.

[Traffic Regulations]

Resolution enacting and rescinding traffic regulations at various locations. (Housing and Land Use Committee)

File 20-95-13, Resolution No. 866-95

(No Left Turn, 4 p.m. - 6 p.m., except Sunday - Rescind

No Left Turn, 4 p.m. - 6 p.m. Monday through Friday - Establish

Broadway, eastbound and westbound, at Polk Street.

No U-Turn - Establish

Monterey Boulevard, eastbound, at Diamond Street.

Portola Drive, eastbound, at Miraloma Drive.

Portola Drive, westbound, at Laguna Honda Boulevard.

Right Lane must Turn Right - Establish

Clayton Street, northbound, at 17th Street.

Sidewalk Closed to Pedestrians - Establish

Bayshore Boulevard, west side, between Silver and Fitzgerald Avenues.

Tow-Away, No Stopping Anytime - Establish

Bayshore Boulevard, west side, between Silver and Fitzgerald Avenues.

Steuart Street, east side, from 94 feet to 142 feet south of Mission Street (48-foot zone at #121 Steuart Street, replacing existing red zone).

Tow-Away, No Stopping, 3 p.m. - 6 p.m., Monday through Friday - Rescind

Kearny Street, west side, between Washington Street and Columbus Avenue.

Tow-Away, No Stopping, 7 a.m. - 7 p.m. Monday through Saturday - Establish

Folsom Street, southside, from 4th Street to 105 feet westerly (105-foot zone, eliminates 5 parking spaces).

Two Left Lanes must Turn Left - Establish

Columbus Avenue, northbound, at Bay Street.)

Adopted.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Alioto - 1.

REGULAR CALENDAR

UNFINISHED BUSINESS

Recommendations of Economic Vitality and Social Policy Committee

Finally Passed

[Commission on the Status of Women]

Ordinance amending Administrative Code, to empower the Commission on the Status of Women to lobby federal and state legislatures on matters affecting the status of women. (Supervisors Kaufman, Alioto, Leal, Bierman, Shelley, Teng, Hallinan, Ammiano)

File 97-95-49, Ordinance No. 335-95

(Amends Section 33.4.)

Finally passed by the following vote:

Ayes: Supervisors Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Alioto - 1.

In connection with the above item, Supervisor Ammiano requested to be added as co-sponsor.

Consideration Continued

[Public Housing]

Resolution urging the Housing Authority to adopt a one-for-one replacement of all public housing demolished or revitalized in the City and County and urging Housing and Urban Development to investigate the Housing Authority labor relations and new management positions. (Supervisor Kennedy)

File 206-95-4, Resolution No.

(October 10, 1995 - Consideration continued to October 17, 1995.)

Supervisor Kennedy, seconded by Supervisor Bierman, moved to continue consideration to October 23, 1995.

Motion to continue adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Alioto - 1.

NEW BUSINESS

Recommendations of Housing and Land Use Committee

Adopted

[Final Negative Declaration, South Bayshore Area Plan]

Resolution adopting Final Negative Declaration, finding and determining that the South Bayshore Area Plan, proposed changes to the Planning Code text, and proposed changes in height and bulk districts and property use districts reclassification as amendments to the Zoning Map of the City and County for the area known as South Bayshore or Bayview Hunters Point, generally bounded by Army Street on the north, the San Francisco/San Mateo County Line on the south, the James Lick Freeway on the west, and the Bay Shoreline on the east, as approved by City Planning Commission Resolutions 13917, 13918, and 13919, will have no significant effect on the environment, and adopting and incorporating the findings of the Final Negative Declaration. (Supervisors Migden, Bierman, Teng)

File 36-95-3, Resolution No. 867-95

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Alioto - 1.

Passed for Second Reading

[Zoning Map Amendments, South Bayshore Area]

Ordinance adopting changes in Height and Bulk Districts and Property Use Districts reclassification as amendments to the Zoning Map of the City and County concerning properties in the area known as South Bayshore or Bayview Hunters Point; bounded by Army Street on the north; the San Francisco/San Mateo County Line on the south; the James Lick Freeway on the west, and the Bay Shoreline on the east; and finding consistency with the Master Plan priority policies in Section 101.1 of the Planning Code. (Supervisors Migden, Bierman, Teng)

File 36-95-3.1, Ordinance No.

(City Planning Resolution No. 13919, adopted July 20, 1995.)

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Alioto - 1.

[Special Use Districts]

Ordinance amending City Planning Code, to establish a Special Use District on Third Street from Evans Avenue to Key Avenue encompassing all commercially and industrially-zoned properties occupying the frontage of this segment of Third Street 1) prohibiting establishment or expansion of retail outlets selling alcoholic beverages for off-site consumption; and 2) requiring Conditional Use authorization for drive-up facilities for fast food or self-service restaurants; and to refer to the Third Street Special Use District; to establish the Restricted Light Industrial Special Use District including approximately seventy acres of land at the edges of the South Basin East Industrial Area restricting intensive industrial uses; and finding consistency with the Master Plan priority policies in Section 101.1 of the City Planning Code; companion measure to Files 36-95-3 and 36-95-3.1. (Supervisors Migden, Bierman, Teng)

File 115-95-7, Ordinance No.

(Adds Sections 249.14, 249.15, 712.45;  
Amends Sections 712.25, 712.40, 780.)

(City Planning Resolution No. 13918, adopted July 20, 1995.)

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Alioto - 1.

Appointment of President Pro Tempore

At the request of the President, Supervisor Hallinan assumed the Chair so the President could participate in the debate from the floor.

Adopted as Amended

[Central Freeway]

Resolution urging alternative #3, the single-low deck alternative over Market Street, and alternative #8, which includes ramps at Duboce ((Street))Avenue and South Van Ness Avenue, be advanced into the environmental review process, with the understanding that Caltrans is also studying a retrofit of the existing structure or "No Build". (Supervisors Hallinan, Migden, Bierman, Teng)

File 85-95-3, Resolution No. 869-95

Supervisor Migden, seconded by Supervisor Teng, moved an amendment of the whole entitled, "Resolution urging alternative #3, the single-low deck alternative over Market Street, and alternative #8, which includes ramps at Duboce Avenue and South Van Ness Avenue, be advanced into the environmental review process, with the understanding that Caltrans is also studying a retrofit of the existing structure or "No Build"."

Motion to amend adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Alioto - 1.

Adopted as amended by the following vote:

Ayes: Supervisors Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Alioto - 1.

The President resumed the Chair.

Adopted

[Findings, 1995 Housing Code Amendments]  
Resolution endorsing those changes and providing findings as to the local conditions requiring changes to the State Housing Code for residential buildings, as required by California Health and Safety Code. (Department of Building Inspection)

File 125-95-1, Resolution No. 870-95

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Alioto - 1.

Passed for Second Reading

[1995 Housing Code Amendments]  
Ordinance amending Housing Code, to bring said code into compliance with the recently adopted State Uniform Housing Code, companion measure to File 125-95-1. (Department of Building Inspection)

File 125-95-1.1, Ordinance No.

(Adds Sections 506, 713, 800, 900; and amends Sections 103, 104, 201, 204, 205, 206, 207, 302, 303, 351, 352, 353, 400, 401, 501, 503, 504, 505, 601, 603, 701, 702, 706, 707, 708, 801, 805, 807, 902, 903, 904, 907, 909, 910, 911, 912, 1001, 1102, 1103, 1204, 1205, 1206, 1207, 1208, 1210, 1211, 1212, 1213, 1216, 1217, 1218, 12A06, 12A07, 12A10, 12A12, 1301, 1302, 1303, 1304, and 1305.)

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Alioto - 1.

Adopted

[Liquor License, 1684 Bryant Street]  
Resolution opposing the request for the issuance of a liquor license proposed for 1684 Bryant Street, and determining that it will not serve the public convenience and necessity of the people of the City and County, in accordance with Section 23958.4 of the California Business and Professions Code. (Housing and Land Use Committee)

File 223-95-17, Resolution No. 874-95

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Alioto - 1.

Appointment of President Pro Tempore

At the request of the President, Supervisor Kennedy assumed the Chair so the President could participate in the debate from the floor.

(See Journal of Proceedings of October 30, 1995  
for disapproval by Mayor.)

[Liquor License, 2241 Chestnut Street]  
Resolution determining that the issuance of an alcoholic beverage control license to Timothy Delaney dba Delaney's for 2241 Chestnut Street, will serve the public convenience and necessity of the people of the City and County, in accordance with Section 23958.4 of the California Business and Professions Code. (Housing and Land Use Committee)



File 223-95-20, Resolution No.

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Leal, Migden, Shelley, Teng - 9.

Noes: Supervisors Hallinan, Kennedy - 2.

Request Granted

Supervisor Shelley requested that letters be sent to the Police Department and City Planning Department concerning liquor licenses and requesting representatives be present at the Board of Supervisors meeting whenever liquor licenses are being considered in order to answer any technical questions which may be raised by the Supervisors.

No objection and Clerk directed to comply.

The President resumed the Chair.

[Liquor License Transfer, 699 8th Street]

Resolution determining that the transfer of an alcoholic beverage control license by Phil Priolo dba Jug Shop Inc. from 3 Henry Adams to 699 - Eighth Street, will serve the public convenience and necessity of the people of the City and County, in accordance with Section 23958.4 of the California Business and Professions Code. (Housing and Land Use Committee)

File 223-95-23, Resolution No. 875-95

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Leal, Migden, Shelley, Teng - 10.

Noes: Supervisor Kennedy - 1.

[Liquor License, 5350 Geary Boulevard]

Resolution determining that the issuance of an off-sale beer and wine license to Jong Yong Kim for 18th/Geary Produce Market (5350 Geary Boulevard) will serve the convenience and necessity of the people of the City and County, in accordance with Section 23958.4 of the California Business and Professions Code. (Housing and Land Use Committee)

File 223-95-24, Resolution No. 876-95

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Leal, Migden, Shelley, Teng - 10.

Noes: Supervisor Kennedy - 1.

[Liquor License, 587 Post Street]

Resolution determining that the issuance of an alcoholic beverage control license to Muhammad Sublaban for 587 Post Street will serve the convenience and necessity of the people of the City and County, in accordance with Section 23958.4 of the California Business and Professions Code; with conditions. (Housing and Land Use Committee)

File 223-95-25, Resolution No. 878-95

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Leal, Migden, Shelley, Teng - 10.

Noes: Supervisor Kennedy - 1.

Appointment of President Pro Tempore

At the request of the President, Supervisor Hallinan assumed the Chair.

Conference with City Attorney - Litigation

Adopted

Motion that the Board of Supervisors convene in closed session with Deputy City Attorneys, for the purpose of conferring or receiving advice from the City Attorney concerning potential initiation of litigation regarding breach of franchise duties by Viacom Cable pursuant to California Government Code Section 54956.9(c).

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

Recess

The Board recessed at the hour of 2:50 p.m. to convene in closed session.

Reconvening of the Board

The Board, at the hour of 3:17 p.m., reconvened.

Calling the Roll

On call of the roll, the following Supervisors were noted present:

Ayes: Supervisors Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Teng - 9.

Noted absent:

Supervisors Alioto, Shelley - 2.

Quorum present.

Supervisor Alioto was noted present at 3:19 p.m.

Supervisor Shelley was noted present at 3:35 p.m.

Report on Closed Session

The Closed Session was informational only and no action was taken by the Board.

Adopted

Motion that the Board of Supervisors finds that it is in the best interest of the public and elects not to disclose its closed session deliberations in pending litigation.

Supervisor Kennedy, seconded by Supervisor Bierman, moved adoption.

Motion adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Teng - 9.

Absent: Supervisors Alioto, Shelley - 2.

SPECIAL ORDER 3:00 P.M.

Hearing Held

[Public Hearing]

Hearing of persons interested in or objecting to the sale of property located at 479 Natoma Street by the Redevelopment Agency to Asian, Inc. to provide housing for low-income persons, is consistent with the plan implementing the South of Market Earthquake Recovery Redevelopment Plan required by Health and Safety Code Section 33490; finding that the consideration for the sale is not less than the fair reuse value of the property at the use and with the covenants and conditions and development costs authorized by the Disposition and Development Agreement; approving a Disposition and Development Agreement (DDA) between the Redevelopment Agency and Asian Inc. for the development of affordable housing located at 479 Natoma Street.

File 264-95-1

The President inquired if there was anyone present who wished to address the Board on this item.

There being no response, the President declared the Public hearing closed.

From Housing and Land Use Committee

Adopted

[Affordable Housing]

Resolution finding that the sale of property located at 479 Natoma Street by the Redevelopment Agency to Asian, Inc. will provide housing for low income persons, is consistent with the plan implementing the South of Market Earthquake Recovery Redevelopment Plan required by Health and Safety Code Section 33490; finding that the consideration for the sale is not less than the fair reuse value of the property at the use and with the covenants and conditions and development costs authorized by the Disposition and Development Agreement; approving a Disposition and Development Agreement (DDA) between the Redevelopment Agency and Asian Inc. for the development of affordable housing located at 479 Natoma Street. (Supervisors Bierman, Migden, Teng, Kaufman)

File 264-95-1, Resolution No. 877-95

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Teng - 10.

Absent: Supervisor Shelley - 1.

In connection with the above item, Supervisor Kaufman requested to be added as co-sponsor.

COMMITTEE REPORTS

Recommendations of Government Efficiency and Labor Committee

Passed for Second Reading

[World Institute of Disability v. CCSF]

Ordinance authorizing settlement of litigation of World Institute on Disability against San Francisco Convention and Visitors Bureau, et. al. pursuant to World Institute on Disability, et al. v. San Francisco Convention Visitors Bureau, et al. (City Attorney)

File 45-95-43, Ordinance No.

(U.S.D.C. Northern District of California No. C94-2714 WHO.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Teng - 10.

Absent: Supervisor Shelley - 1.

Adopted

[Lease of Property at 480 Second Street]

Resolution authorizing a lease of real property at 480 Second Street, San Francisco, for the Office of Citizen Complaints. (Real Estate Department)

File 64-95-8, Resolution No. 868-95

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Teng - 10.

Absent: Supervisor Shelley - 1.

Appointment of President Pro Tempore

At the request of the President, Supervisor Kennedy assumed the Chair.

PUBLIC COMMENT

The privilege of the floor was granted to the following persons:

Kathy Perry, Million Man March, immigration issue;  
Oshum, Municipal Railway change machines;

Leboriae P. Smoore, Million Man March, police brutality;  
Hal Womack, police brutality, Iraq embargo;  
Constance E. Kurvppv, police accountability;  
Louise Vaughn, police brutality, Million Man March;  
Chesley Tom, oppose Richmond Community Center Gymnasium

There being no one else wishing to speak, the President declared the public comment portion of the meeting closed.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures were introduced at a prior meeting of the Board with action requested at this meeting. Any Supervisor may require these measures to go to committee unless a motion to suspend the rules is adopted by eight votes (or a unanimous vote if only six or seven members are present). An "aye" vote is (a) a vote in favor of suspending the rule requiring reference to committee, and (b) a vote in favor of adoption of the measures. Eight votes (or a unanimous vote if only six or seven members are present) is required.

Adopted

[Commend Nihonmachi Little Friends]  
Resolution commending the 20th Anniversary of Nihonmachi Little Friends (NLF) and its contributions to childcare and early childhood education. (Supervisors Teng, Shelley, Bierman, Leal)

File 6-95-114, Resolution No. 859-95

(October 10, 1995 - Introduced in Board for consideration on October 17, 1995.)

Adopted.

In connection with the above item, Supervisors Bierman, Leal requested to be added as co-sponsors.

[Commend Susan G. Komen Breast Cancer Foundation]  
Resolution commending the Susan G. Komen Breast Cancer Foundation and "The Race for the Cure" for successful fundraising for breast cancer education, outreach and treatment. (Supervisors Migden, Shelley, Alioto, Bierman, Hallinan, Kaufman, Leal, Teng)

File 6-95-115, Resolution No. 860-95

(October 10, 1995 - Introduced in Board for consideration on October 17, 1995.)

Adopted.

[United Airlines Flight Attendants]  
Resolution urging United Airlines to reconsider its decision to export local jobs. (Supervisors Shelley, Bierman)

File 176-95-16, Resolution No. 872-95

(October 10, 1995 - Introduced in Board for consideration on October 17, 1995.)

Adopted.

In connection with the above item, Supervisor Bierman requested to be added as co-sponsor.

[SEEDS Project]  
Resolution urging the San Francisco Unified School Board and its District to implement the striving for excellence in early care and development services (SEEDS) report; urging the Board and District to move to hire a permanent executive director and full-time staff for stability; and commending childcare advocates for their work in improving childcare services in San Francisco. (Supervisors Alioto, Bierman)

File 211-95-6, Resolution No. 873-95

(October 10, 1995 - Introduced in Board for consideration on October 17, 1995.)

Adopted.

In connection with the above item, Supervisor Bierman requested to be added as co-sponsor.

[Final Map, 86 South Park]

Motion approving final map of 86 South Park, a condominium project, being a resubdivision of Lot 56 in Assessor's Block 3775, and adopting findings pursuant to City Planning Code Section 101.1. (Department of Public Works)

File 58-95-22

(October 2, 1995 - Introduced in Board for consideration on October 17, 1995.)

Adopted.

The foregoing items on the For Adoption Without Committee Reference Calendar were adopted by the following vote:

Ayes: Supervisors Hallinan, Kaufman, Kennedy, Leal, Migden, Teng - 6.

Absent: Supervisors Alioto, Ammiano, Bierman, Hsieh, Shelley - 5.

IMMEDIATE ADOPTION CALENDAR

These measures are being introduced at this meeting. A unanimous vote is required for adoption today. Any Supervisor may require any of these measures to go to committee.

Adopted

[Leaves of Absence]

Resolution granting leaves of absence to various city and county officers with permission to leave the state. (Clerk of the Board)

File 1-95-40, Resolution No. 833-95

(Tom Ammiano, member, Board of Supervisors, October 20 - 22, 1995.)

Adopted.

The foregoing item on the Immediate Adoption Calendar was adopted by the following vote:

Ayes: Supervisors Ammiano, Hallinan, Kaufman, Kennedy, Leal, Migden, Teng - 7.

Absent: Supervisors Alioto, Bierman, Hsieh, Shelley - 4.

IMPERATIVE CALENDAR

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 following two motions.

Adopted

[Purely Commendatory Finding]

Motion that the Board finds by roll call vote that the resolutions being considered at this time are purely commendatory.

Supervisor Ammiano, seconded by Supervisor Hallinan, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Ammiano, Hallinan, Kaufman, Kennedy, Leal, Migden, Teng - 7.

Absent: Supervisors Alioto, Bierman, Hsieh, Shelley - 4.

[Brown Act Finding]

Motion that the Board finds 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 Ammiano, seconded by Supervisor Hallinan, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Ammiano, Hallinan, Kaufman, Kennedy, Leal, Migden, Teng - 7.

Absent: Supervisors Alioto, Bierman, Hsieh, Shelley - 4.

[Imperative Resolutions

Adopted

[Commend PG&E Headquarters Complex Restoration]

Resolution congratulating Pacific Gas and Electric Company, its managers and employees on the completion of the historic restoration and reopening of the PG&E headquarters complex; heralding the reopening of the headquarters complex and celebrating the work of PG&E employees, preservationists, construction workers, planners and community groups in making this restoration and retrofit project a success.

File 006-95-116, Resolution No. 859-95

Supervisors Kaufman, Teng presented for immediate adoption.

Resolution adopted by the following vote:

Ayes: Supervisors Ammiano, Hallinan, Kaufman, Kennedy, Leal, Migden, Teng - 7.

Absent: Supervisors Alioto, Bierman, Hsieh, Shelley - 4.

[Commend Raquel H. Newman]

Resolution commending Raquel H. Newman for her leadership, philanthropy, civic spirit and activism in the Jewish community.

File 006-95-117, Resolution No. 839-95

Supervisors Migden, Shelley, Ammiano, Hallinan, Kaufman, Kennedy, Teng presented for immediate adoption.

Resolution adopted by the following vote:

Ayes: Supervisors Ammiano, Hallinan, Kaufman, Kennedy, Leal, Migden, Teng - 7.

Absent: Supervisors Alioto, Bierman, Hsieh, Shelley - 4.

[Commend Taipei Sister City]

Resolution recognizing the contributions to the City and County of San Francisco by the San Francisco Taipei Sister City Committee.

File 006-95-118, Resolution No. 840-95

Supervisors Shelley, Teng, Kaufman presented for immediate adoption.

Resolution adopted by the following vote:

Ayes: Supervisors Ammiano, Hallinan, Kaufman, Kennedy, Leal, Migden, Teng - 7.

Absent: Supervisors Alioto, Bierman, Hsieh, Shelley - 4.

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS  
NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Committee

[Child Care Planning and Advisory Council]

Ordinance amending Administrative Code by adding Section 5.200 to establish the Child Care Planning and Advisory Council as an advisory body to the Board of Supervisors, the Mayor, the Board of Education and the Superintendent of Schools. Supervisor Bierman presented. Referred to Rules Committee with request it be considered on November 7, 1995.

File 097-95-059.

[Electronic Equipment Procurement]

Ordinance amending Administrative Code by adding Section 3.021, enabling the Electronic Information Processing Steering Committee to review procurement of electronic information processing resources conducted through or in conjunction with state or federal agencies and programs. Supervisors Teng, Ammiano, Bierman presented. Referred to Government Efficiency/Labor Committee.

File 097-95-060.

[Code Advisory Committee]

Ordinance amending Building Code by amending Section 216 to add a person knowledgeable about disability access regulations, two specialty trades representatives and three at-large representatives as voting members of the Code Advisory Committee; to increase committee membership to seventeen and to eliminate alternates therein; to change the requirements for a quorum; and to make technical language changes in compliance with Charter Section 3.750. Supervisors Teng, Ammiano, Kaufman presented. Referred to Housing and Land Use Committee.

File 114-95-001.

Referred to Board

[Lesbian, Gay, Bisexual, Transgender Month]

Resolution recognizing the month of October 1995 as Lesbian, Gay, Bisexual and Transgender History Month in San Francisco. Supervisors Ammiano, Leal, Migden, Teng, Alioto, Kaufman presented. Referred to Board for Adoption Without Committee Reference Calendar October 23, 1995.

File 004-95-032.

[Commend Chinatown Resource Center]

Resolution commending the Chinatown Resource Center and Chinese Community Housing Corporation on the occasion of their 18th Anniversary. Supervisors Shelley, Teng, Hsieh, Migden presented. Referred to Board for Adoption Without Committee Reference Calendar October 23, 1995.

File 006-95-119.

[Commend Asian Women's Health Conference]

Resolution commending the first National Women's Health Conference and declaring November 17, 18 and 19 to be Asian Women's Health Days in San Francisco. Supervisors Teng, Hsieh, Shelley presented. Referred to Board for Adoption Without Committee Reference Calendar October 23, 1995.

File 006-95-120.

[Commend Bay Area Asian American Cultural Society]

Resolution commending the Bay Area Asian American Cultural Society and declaring December 1, 1995 Bay Area Asian American Cultural Society Day in San Francisco. Supervisors Teng, Hsieh, Shelley presented. Referred to Board for Adoption Without Committee Reference Calendar October 23, 1995.

File 006-95-121.

[Commend Chinese Historical Society]

Resolution commending the Chinese Historical Society of America and declaring November 10, 1995 Chinese Historical Society of America Day in San Francisco. Supervisors Teng, Hsieh, Shelley presented. Referred to Board for Adoption Without Committee Reference Calendar October 23, 1995.

File 006-95-122.

[Halloween in the Castro]

Resolution waiving the requirement that applicant for closure of portions of Castro, Market, Noe, 16th, 17th and 18th Streets on Tuesday, October 31, 1995 for the Annual Castro Halloween Celebration provide insurance and waiving the requirement for payment of fees to the City. Supervisors Migden, Leal, Ammiano, Teng presented. Referred to Board for Adoption Without Committee Reference Calendar October 23, 1995.

File 042-95-002.

[Victim Witness Assistance Funds]

Resolution authorizing the District Attorney to retroactively apply for, accept and expend funds in the amount of \$70,261 available through the Office of Criminal Justice Planning for a project entitled "Special Emphasis Victim Witness Assistance Program" for the twelve month period July 1, 1995 through June 30, 1996, and waiving indirect cost due to funding restraints. Supervisor Kaufman presented. Referred to Board for Adoption Without Committee Reference Calendar October 23, 1995.

File 138-95-003.01.

Referred to Committee

[Electronic Parking Meters]

Resolution urging the Mayor to request that the Parking and Traffic Commission initiate a citywide parking meter retrofit program using electronic meters. Supervisors Ammiano, Shelley, Hallinan presented. Referred to Housing and Land Use Committee.

File 190-95-005.

Referred to Board

[Electronic Parking Meters]

Resolution urging the Mayor to urge the Parking and Traffic Commission to ensure that all new electronic meters purchased and installed by the Department of Parking and Traffic accept nickels, dimes and quarters. Supervisors Shelley, Ammiano presented. Referred to Board for Adoption Without Committee Reference Calendar October 23, 1995.

File 190-95-006.

[Tour Bus Traffic, Richmond District]

Resolution urging the Mayor to urge the Parking and Traffic Commission to develop a plan for the reduction of tour bus traffic in the Outer Richmond neighborhood. Supervisor Shelley presented. Referred to Board for Adoption Without Committee Reference Calendar October 23, 1995.

File 190-95-007.

Requests for Hearings:

[Maternal/Child/Adolescent Health Bd]

Hearing to consider appointment of a member to the Maternal, Child and Adolescent Health Board, vice Eugene Zarate, M.D., (Seat No. 22819) term expired, for new three-year term ending August 31, 1998. Supervisor Leal presented. Referred to Rules Committee.

File 092-94-027.02.

[Policy Declaration, Election of Supervisors]

Hearing to consider submitting a policy declaration asking whether the voters desire to change the current system of electing members of the Board of Supervisors for the March 26, 1996 election. Supervisor Hallinan presented. Referred to Rules Committee.

File 286-95-001.

[Policy Declaration, Election of Supervisors]

Hearing to consider submitting policy declaration asking the voters to decide which of four proposals to change the current system of electing members of the Board of Supervisors they prefer: (1) 11 members elected via single-member districts, with run-off elections; (2) 15 members elected from five 3-member districts, using the preference system of voting; (3) 11 members elected at-large via the cumulative system of voting or (4) 11 members elected at-large via the preference system of voting; for the election to be held on March 26, 1996. Supervisor Hallinan presented. Referred to Rules Committee.

File 287-95-001.

Motions:

Referred to Board

[Needle Exchange Emergency]

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program. Supervisors Alioto, Leal, Bierman, Shelley, Migden, Teng, Hsieh presented. Referred to Board for Adoption Without Committee Reference Calendar October 23, 1995.

File 030-95-001.21.

Introduced by the President at the Request of Departments

Ordinances Referred to Committee

File 045-95-045. [Settlement of Litigation, Franklin G. Bell] Ordinance authorizing settlement of litigation of Franklin G. Bell against the City and County of San Francisco by payment of \$9,433.44. (U.S.D.C. Northern District of California Case No. C92-4897 DLJ, Ninth Circuit Court of Appeals No. 95-15615) (City Attorney) Referred to Government Efficiency/Labor Committee.



File 097-95-057. [DPH Electronic Medi-Cal Database Information] Ordinance amending Chapter 19A, Article I of the San Francisco Administrative Code by adding Section 19A.35 to permit the Department of Public Health to enter into agreements retroactive to April, 1994, with the California Department of Health Services (DHS) enabling the Department of Public Health to obtain Electronic Medi-Cal Database Information. (Department of Public Health) Referred to Government Efficiency/Labor Committee.

File 097-95-058. [Paid Ballot Arguments] Ordinance amending Administrative Code Chapter 16, Article XII, by amending Section 5.74.8, relating to disclosure of the names of persons paying for paid ballot arguments. (Registrar of Voters) Referred to Government Efficiency/Labor Committee.

File 101-95-023. [Appropriation, Board of Supervisors] Ordinance appropriating \$169,000, Board of Supervisors, from Board Reserve to purchase equipment necessary to provide gavel to gavel coverage of Board meetings for fiscal year 1995-96. RO #95068. (Controller) Referred to Budget Committee.

#### Resolutions Referred to Committee

File 028-95-020. [Emergency Repair, 66-Inch Force Main-Owens Street] Resolution authorizing the Director of the Department of Public Works to take necessary measures to protect the health, welfare and property of the citizens of San Francisco by performing the necessary work to repair damaged 66-inch force main in Owens Street between Channel Street and Sixteenth Street - \$100,000. (Department of Public Works) Referred to Budget Committee.

File 028-95-021. [Emergency Repair, Franklin Street Sewer] Resolution authorizing the Director of the Department of Public Works to take necessary measures to protect the health, welfare and property of the citizens of San Francisco by performing the necessary work to replace structurally inadequate sewer in Franklin Street between Green Street and Vallejo Street - \$274,000. (Department of Public Works) Referred to Budget Committee.

File 028-95-022. [Emergency Repair, McAllister Street Sewer] Resolution authorizing the Director of the Department of Public Works to take necessary measures to protect the health, welfare and property of the citizens of San Francisco by performing the necessary work to replace structurally inadequate sewer in McAllister Street between Hyde Street and Larkin Street - \$184,850. (Department of Public Works) Referred to Budget Committee.

File 028-95-023. [Emergency Repair, Taraval/Dewey Rotary Sewer] Resolution authorizing the Director of the Department of Public Works to take necessary measures to protect the health, welfare and property of the citizens of San Francisco by performing the necessary work to replace structurally inadequate sewer in the Taraval Street/Dewey Boulevard Rotary - \$46,410. (Department of Public Works) Referred to Budget Committee.

File 028-95-024. [Emergency Repair Work, Clipper Street Sewer] Resolution authorizing the Director of the Department of Public Works to take necessary measures to protect the health, welfare and property of the citizens of San Francisco by performing the necessary work to replace structurally inadequate sewer in Clipper Street between Douglass Street and Grand View Avenue - \$189,850. (Department of Public Works) Referred to Budget Committee.

File 028-95-025. [Emergency Repair, Folsom/Fourth Streets Sewer] Resolution authorizing the Director of the Department of Public Works to take necessary measures to protect the health, welfare and property of the citizens of San Francisco by performing the necessary work to replace structurally inadequate sewer in Folsom and Fourth Streets - \$444,000. (Department of Public Works) Referred to Budget Committee.

File 047-95-011. [New Parking Rates, Pierce Street Garage] Resolution approving new rates at the Pierce Street Garage. (Department of Parking and Traffic) Referred to Budget Committee.

File 048-95-025. [Settlement of Claim, Nancy and Alan Jarvis] Resolution approving the settlement of the unlitigated claim of Nancy and Alan Jarvis by payment of \$12,000. (City Attorney) Referred to Government Efficiency/Labor Committee.

File 064-95-009. [Lease of Property at 1390 Market Street] Resolution authorizing a lease of real property at 1390 Market Street, San Francisco, for the Mayor's Office of Children, Youth and their Families. (Real Estate Department) Referred to Government Efficiency/Labor Committee.

File 064-95-010. [Lease of Property at 1390 Market Street] Resolution authorizing a new lease of real property at 1390 Market Street for the Ethics Commission. (Real Estate Department) Referred to Government Efficiency/Labor Committee.

File 094-95-003. [Federal Grant, Energy Conservation] Resolution authorizing the General Manager of the Public Utilities Commission to apply for, accept and expend a grant of \$100,000, which includes indirect costs in the amount of \$11,300 based on twenty percent of salaries, from the U.S. Department of Energy and the Urban Consortium Energy Task Force; providing for ratification of action previously taken. (Public Utilities Commission) Referred to Government Efficiency/Labor Committee.

File 146-95-017. [Acceptance/Expenditure of State Grant Funds] Resolution authorizing the acceptance and expenditure of State grant funds by the San Francisco Department of Public Health for 1995-96. (Department of Public Health) Referred to Government Efficiency/Labor Committee.

File 146-95-018. [Grant, Community Home Injury Prevention] Resolution authorizing the Department of Public Health to apply for retroactively and accept and expend a grant of \$9,992, which includes indirect costs in the amount of \$550, based on ten percent of salaries, from the California Department of Health Services, State and Local Injury Control Section, for expansion of the Community and Home Injury Prevention Project for seniors; providing for ratification of action previously taken. (Department of Public Health) Referred to Government Efficiency/Labor Committee.

File 146-95-019. [Grant, Outreach, Education/Immunization Services] Resolution authorizing the Department of Public Health, Community Health Services, to apply for retroactively and accept and expend a grant of \$349,281, from the California Department of Health Services, for supplemental efforts to immunize high-risk infants and toddlers; waiving indirect costs; providing ratification of action previously taken. (Department of Public Health) Referred to Government Efficiency/Labor Committee.

File 150-95-004. [India Basin Restoration Project, Site 2] Resolution authorizing the Recreation and Park Department to apply for grant funds of \$220,000 waiving indirect costs, from the Habitat Conservation Fund Program, for India Basin Wetlands Restoration Project, Site 2. (Also see File 150-94-3). (Recreation and Park Department) Referred to Government Efficiency/Labor Committee.

Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisor Hallinan, that City Attorney prepare motion submitting a policy declaration for the March 26, 1996 election asking whether the voters desire to change the current system of electing members of the Board of Supervisors. File 286-95-001.

By Supervisor Hallinan, that City Attorney prepare motion submitting a policy declaration for the March 26, 1996 election asking the voters to decide which of four proposals to change the current system of electing members of the Board of Supervisors they prefer: (1) 11 members elected via single-member districts, with run-off elections; (2) 15 members be elected from five 3-member districts, using the preference system of voting; (3) 11 members be elected at-large via the cumulative system of voting or (4) 11 members be elected at-large via the preference system of voting. File 287-95-001.

By Supervisor Shelley, that City Attorney prepare ordinance amending Health Code Section 1607 to change the composition of the Lead Poisoning Prevention Citizens Advisory Committee from 29 to 25 members.

Motions Adopted

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

Herbert Resner (By the entire Board)  
Clyde Larry Underwood (Supervisor Kennedy)  
Joseph Rothschild (Supervisor Migden)  
J. Fenton McKenna (Supervisor Bierman)

File 2-95-40

Unanimously adopted by a rising vote.

ADJOURNMENT

There being no further business, the Board at the hour of 4:11 p.m. adjourned.

John L. Taylor, Clerk

N.B. This Journal of Proceedings lists 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 November 13, 1995.

I, John L. Taylor, 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 Journal of Proceedings of said Board on the date stated and was approved as recited.

John L. Taylor  
Clerk of the Board of Supervisors

Monday, October 23, 1995

# **Journal of Proceedings**

*The Minutes of the*

# **Board of Supervisors**

City and County of San Francisco

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Volume 90

Number 41



JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

Monday, October 23, 1995 - 2:00 p.m.

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

CALLING THE ROLL

The meeting was called to order at 2:06 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 10.

Noted absent at first roll call:

Supervisor Alioto - 1.

Quorum present.

Supervisor Alioto was noted present at 2:09 p.m.

APPROVAL OF JOURNALS

There being no errors, corrections or omissions, Supervisor Kennedy, seconded by Supervisor Migden, moved that the Journals of Proceedings for Monday, August 21 and 28, 1995, be approved.

Motion carried by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

COMMUNICATION

The Clerk presented the following communication from his Honor, the Mayor, returning with his veto the ordinance relating to the mandatory direct rent payment program:

October 20, 1995

The Honorable Kevin Shelley  
President, Board of Supervisors  
City and County of San Francisco  
401 Van Ness Avenue, 3rd Floor  
San Francisco, CA 94102

Dear Supervisor Shelley:

I am returning with my veto the Board's ordinance amending the annual appropriation ordinance regarding the mandatory direct rent payment program (file no. 101-95-2.2).

While everyone supports the implementation of safe guards to ensure the MDRP program is administered in a way that is sensitive to the clients needs, this ordinance purposely creates unrealistically high hurdles that effectively make it impossible for the program to move forward. The Department of Social Services, the Social Service Commission, and the contractor, Catholic Charities, are taking appropriate steps to make this program meaningful for the clients and cost effective for the taxpayers.

The MDRP program was approved by the voters at the November 1994 election. Since that time, DSS has acted in good faith to address the legitimate concerns the Board has expressed. It seems a majority of the Board has responded by engaging in any and all tactics that delay the implementation of the MDRP program. It would be far more productive, and far more respectful of the will of the voters, if the Board worked with DSS to ensure that the MDRP program is implemented as soon as possible in a way that helps stabilize the lives of people who receive General Assistance benefits and are homeless. One of the primary purposes of G.A. is to provide for essentials, including housing, clothing, food and hygiene. The MDRP program merely ensures that G.A. benefits are used for their intended purpose.

I am returning this legislation with my veto because it seeks to effectively prevent the MDRP program from being implemented by placing undue burdens on DSS. These undue burdens will not ensure a well administered program; they only interfere with the will of the voters to implement the MDRP program.

Sincerely

Frank M. Jordan  
Mayor

Consideration Continued

[Mandatory Rent Payment Program Reserve]  
Ordinance amending the Annual Appropriation Ordinance by amending Section 33 of the administrative provisions regarding the administration of the Mandatory Direct Rent Payment Program.

File 101-95-002.02.

The Clerk stated, pursuant to Rule 2.9a of the Rules of Order of the Board of Supervisors, this item would not be considered today but could be considered at some subsequent meeting.

Thereupon, the matter was continued to October 30, 1995.

CONSENT CALENDAR

Recommendations of Government Efficiency and Labor Committee

Finally Passed

[World Institute of Disability v. CCSF]  
Ordinance authorizing settlement of litigation of World Institute on Disability against San Francisco Convention and Visitors Bureau, et al pursuant to World Institute on Disability, et al v. San Francisco Convention Visitors Bureau, et al. (City Attorney)

File 45-95-43, Ordinance No. 343-95

(U.S.D.C. Northern District of California No. C94-2714 WHO.)

Finally passed.

Passed for Second Reading

[Settlement of Litigation, Miscellaneous Employees]  
Ordinance authorizing the settlement of wage freeze litigation covering miscellaneous employees during fiscal years 1993-1994 and 1994-1995. (City Attorney)

File 45-95-36, Ordinance No.

(Superior Court Nos. 953-407, 961-366, 961-484, 961-485, and 961-172.)

Passed for second reading.

[Settlement of Litigation, Ann Melton]  
Ordinance authorizing settlement of litigation of Ann Melton against the City and County by payment of \$15,000. (City Attorney)

File 45-95-40, Ordinance No.

(Superior Court No. 949-190.)

Passed for second reading.

[Settlement of Litigation, Cindy B. Welsh]  
Ordinance authorizing settlement of Cindy B. Welsh v. City and County by payment of \$10,000 and the complaint in intervention by Zenith Insurance Company by payment of \$3,844. (City Attorney)

File 45-95-41, Ordinance No.

(Superior Court No. 958-660.)

Passed for second reading.

[Settlement of Litigation, Miriam and Balbino Sablad]  
Ordinance authorizing settlement of litigation of Miriam and Balbino Sablad against the City and County by payment of \$200,000. (City Attorney)

File 45-95-42, Ordinance No.

(Superior Court No. 953-014.)

Passed for second reading.

[Hernandez, Cruz, Lucero v. CCSF]  
Ordinance authorizing settlement of civil rights claims of Maria Hernandez, Luis Lucero and Francisco Cruz against the City and County and Anthony D. Ribera by payment of \$21,000, each side to bear their own costs and attorneys' fees. (City Attorney)

File 45-95-44, Ordinance No.

(U.S.D.C. No. C95-0594 CAL.)

Passed for second reading.

[CCSF v. William Warmack, Et Al]  
Ordinance authorizing settlement of litigation of City and County against William H. Warmack and Vincent J. Scotto III by accepting consideration in the total amount of \$17,000 payable in cash and releasing said parties only from further liability. (Office of the Treasurer/Tax Collector)

File 46-95-6, Ordinance No.

(Superior Court No. 962-012.)

Passed for second reading.

[Vallejo Garage Cellular Transmitter Lease]  
Ordinance authorizing and approving a lease of cellular transmitter space in Vallejo Garage to GTE Mobilnet. (Real Estate Department)

File 63-95-1, Ordinance No.

Passed for second reading.

Adopted

[Settlement of Claim, PG&E]  
Resolution approving the settlement of the unlitigated claim of Pacific Gas and Electric Company by payment of \$8,023.59. (City Attorney)

File 48-95-22, Resolution No. 898-95

Adopted.

[Settlement of Claim, William Forman, Jr.]  
Resolution approving the settlement of the unlitigated claim of William Forman, Jr., dba Digital Engraving by payment of \$9,885.42. (City Attorney)

File 48-95-23, Resolution No. 899-95

Adopted.

[Settlement of Claim, Eric Halladay]  
Resolution approving the settlement of the unlitigated claim of Eric Halladay by payment of \$6,570.00. (City Attorney)

File 48-95-24, Resolution No. 900-95

Adopted.

[SDI Coverage, 1690 Internal Audit Director]

Resolution authorizing enrollment of Classification(s) 1690 Internal Audit Director, in the State Disability Insurance Program. (Department of Human Resources)

File 89-95-8, Resolution No. 908-95

Adopted.

[SDI Coverage, 1281 Employee Relations Rep.]

Resolution authorizing enrollment of Classification 1281, Employee Relations Representative into the State Disability Insurance Program. (Department of Human Resources)

File 89-95-9, Resolution No. 909-95

Adopted.

[Grant, HIV Vaccine Preparedness Studies]

Resolution authorizing the Department of Public Health, AIDS Office, to accept and expend contractual funding in the amount of \$455,296, which includes indirect costs of \$60,026 based on twenty-five percent of salaries, from the California Public Health Foundation Enterprises, Inc., to continue to provide research services for HIV Vaccine Preparedness Studies. (Supervisor Alioto)

File 146-95-15, Resolution No. 917-95

Adopted.

[Contract Award Extension, Muni Railway MR-1157]

Resolution granting an extension of time for awarding Municipal Railway Contract MR-1157, MUNI Operator Restrooms. (Public Transportation Commission)

File 61-95-2, Resolution No. 903-95

Adopted.

[Contract Award Extension, MUNI Railway MR-1158R]

Resolution granting an extension of time for awarding Municipal Railway Contract MR-1158R, MUNI Metro System, Rail Replacement Program at 9th/Irving, Carl/Cole and Broad/Orizaba. (Public Transportation Commission)

File 61-95-3, Resolution No. 904-95

Adopted.

Recommendations of Housing and Land Use Committee

Finally Passed

[Zoning Map Amendments, South Bayshore Area]

Ordinance adopting changes in Height and Bulk Districts and Property Use Districts reclassification as amendments to the Zoning Map of the City and County concerning properties in the area known as South Bayshore or Bayview Hunters Point; bounded by Army Street on the north; the San Francisco/San Mateo County Line on the south; the James Lick Freeway on the west, and the Bay Shoreline on the east; and finding consistency with the Master Plan priority policies in Section 101.1 of the Planning Code. (Supervisors Migden, Bierman, Teng)

File 36-95-3.1, Ordinance No. 338-95

(City Planning Resolution No. 13919, adopted July 20, 1995.)

Finally passed.

[Special Use Districts]

Ordinance amending City Planning Code, to establish a Special Use District on Third Street from Evans Avenue to Key Avenue encompassing all commercially and industrially-zoned properties occupying the frontage of this segment of Third Street (1) prohibiting establishment or expansion of retail outlets



selling alcoholic beverages for off-site consumption; and (2) requiring Conditional Use authorization for drive-up facilities for fast food or self-service restaurants; and to refer to the Third Street Special Use District; to establish the Restricted Light Industrial Special Use District including approximately seventy acres of land at the edges of the South Basin East Industrial Area restricting intensive industrial uses; and finding consistency with the Master Plan priority policies in Section 101.1 of the City Planning Code; companion measure to File 36-95-3.1. (Supervisors Migden, Bierman, Teng)

File 115-95-7, Ordinance No. 349-95

(Adds Sections 249.14, 249.15, 712.45;  
Amends Sections 712.25, 712.40, 780.)

(City Planning Resolution No. 13918, adopted July 20, 1995.)

Finally passed.

[1995 Housing Code Amendments]

Ordinance amending Housing Code, to bring said code into compliance with the recently adopted State Uniform Housing Code. (Department of Building Inspection)

File 125-95-1.1, Ordinance No. 350-95

(Adds Sections 506, 713, 800, 900; and by amending Sections 103, 104, 201, 204, 205, 206, 207, 302, 303, 351, 352, 353, 400, 401, 501, 503, 504, 505, 601, 603, 701, 702, 706, 707, 708, 801, 805, 807, 902, 903, 904, 907, 909, 910, 911, 912, 1001, 1102, 1103, 1204, 1205, 1206, 1207, 1208, 1210 1211, 1212, 1213, 1216, 1217, 1218, 12A06, 12A07, 12A10, 12A12, 1301, 1302, 1303, 1304, and 1305.)

Finally passed.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

REGULAR CALENDAR

UNFINISHED BUSINESS

Consideration of Mayor's Disapproval

Refused Adoption; Mayor's Veto Sustained

[General Assistance Property Levels]

Ordinance amending Administrative Code, by amending Section 20.56.10 to increase allowable personal property. (Supervisors Alioto, Bierman, Hallinan, Teng, Ammiano)

File 97-94-41, Ordinance No.

(Fiscal Impact.)

(September 26, 1995 - Finally passed;  
September 28, 1995 - Returned to Board by Mayor, disapproved.)

(October 10, 1995 - Consideration continued to October 23, 1995.)

The roll was called on the question, "Shall the ordinance be adopted notwithstanding the Mayor's veto?" and it was refused adoption by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Kennedy, Teng - 6.

Noes: Supervisors Hsieh, Kaufman, Leal, Migden, Shelley - 5.

Recommendation of Economic Vitality and Social Policy Committee

Adopted as Amended

[Public Housing]

((Resolution urging the Housing Authority to adopt a one-for-one replacement of all public housing demolished or revitalized in the City and County ((and urging Housing and Urban Development to investigate the Housing Authority labor relations and new management positions.))) (Supervisors Kennedy, Ammiano, Bierman)

Resolution approving the Housing Authority's proposals for rebuilding public housing units at Hayes Valley, Bernal Dwellings and Plaza East and urging the Housing Authority to seek and secure from the federal government additional funding for the construction of 230 additional units to replace those lost as a result of the rebuilding of these three sites.

File 206-95-4, Resolution No. 927-95

(October 17, 1995 - Consideration continued to October 23, 1995.)

Supervisor Kennedy, seconded by Supervisor Bierman, moved to amend title, line four, and page three, line 22, after "Francisco" by deleting "and urging Housing and Urban Development to investigate the Housing Authority labor relations and new management positions".

Motion to amend adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

Supervisor Kaufman, seconded by Supervisor Kennedy, moved to amend page three, starting with line 18, by replacing the resolved clause with the following new resolved clause: "Resolved, That the Board of Supervisors of the City and County of San Francisco approves the San Francisco Housing Authority's proposals for rebuilding public housing units at Hayes Valley, Bernal Dwellings and Plaza East and urges the Housing Authority to seek and secure from the federal government additional funding for the construction of 230 additional public housing units to replace those units that would be lost as a result of the rebuilding of these three public housing sites" and to amend title to read: "Resolution approving the Housing Authority's proposals for rebuilding public housing units at Hayes Valley, Bernal Dwellings and Plaza East and urging the Housing Authority to seek and secure from the federal government additional funding for the construction of 230 additional units to replace those lost as a result of the rebuilding of these three sites."

Motion to amend adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

Adopted as amended by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

In connection with the above item, Supervisors Ammiano, Bierman requested to be added as co-sponsors.

#### NEW BUSINESS

##### Recommendations of Budget Committee

Adopted

[Airport Emergency Cable Replacement]

Resolution approving a declaration of emergency, emergency cable replacement, Cables 12NBSA-1 and 12NBSA-2, Airport Contract No. 1960C, San Francisco International Airport, in the amount of \$649,000. (Airports Commission)

File 27-95-16.1, Resolution No. 893-95

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

[Transfer of Possessory Interest]

Resolution authorizing the transfer of possessory interest in real property located at 1945 Washington Street from the unsecured to the secured assessment Roll. (Assessor's Office)

File 224-95-1, Resolution No. 929-95

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

Recommendations of Government Efficiency and Labor Committee

Passed for Second Reading

[Implementing Pesticide Regulations]

Ordinance amending Administrative Code, to authorize the President of the Board of Supervisors to execute an annual contract between the California Department of Pesticide Regulation and the Board of Supervisors of the City and County for the computer entry of the monthly summary pesticide use reports submitted to the San Francisco Agricultural Commissioner's Office by commercial pesticide applicators in San Francisco. (Department of Agriculture Commissioner/Director of Weights and Measures)

File 97-95-52, Ordinance No.

(Amends Section 1.13-3.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

[Warrant or Check Replacement]

Ordinance amending Administrative Code, to allow Controller to replace lost or voided warrant or check up to \$1,000. (Controller)

File 97-95-55, Ordinance No.

(Amends Sections 10.181 and 10.182.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

Adopted as Amended

[University of California Regents]

Resolution condemning the University of California Regents' elimination of affirmative action; directing the Office of the City Attorney to prepare appropriate legal action to enjoin implementation of the Connerly proposal; calling on the Department of Public Health to provide the Board with a full report of all its contracts with the U.C. System; calling for the Budget Analyst to provide the Board with a full report of all contracts, memoranda of understanding, leases, licenses, affiliation agreements, or other legal agreements in effect or under negotiation between the City and County and the U.C. System; and calling on the Human Rights Commission in cooperation with the City Attorney, Budget Analyst and Department of Public Health to review and monitor all contracts between the City and the U.C. System for compliance with the City's MBE/WBE and non-discrimination requirements including San Francisco Administrative Code Sections 12B.1 - 12B.6 and 12D.1 - 12D.19. (Supervisors Teng, Alioto, Bierman, Kaufman, Ammiano, Hsieh, Leal, Migden, Shelley, Hallinan, Kennedy)

File 12-95-38.1, Resolution No. 934-95

Supervisor Teng, seconded by Supervisor Kennedy, moved to amend page two, line four, by adding the following: "Whereas, The faculty of the University of California, Berkeley, on October 17, 1995, voted 124 to 2 to: (1) reaffirm the faculty's continuing support for equal opportunity as a means by which to achieve diversity in the faculty while maintaining nationally recognized excellence; (2) call upon the Board of Regents to respect the faculty membership standing order that has served the University well over the 75 years that it has been in effect; and (3) request the Regents to rescind their actions taken in July regarding diversity at the University of California."

Motion to amend adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

Adopted as amended by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

In connection with the above item, Supervisor Kennedy requested to be added as co-sponsor.

Adopted

[Governor's Lawsuit Against California]

Resolution opposing Governor Pete Wilson's attempt to sue the State of California; further directing the Office of the City Attorney to prepare appropriate legal action opposing the Governor's petition for writ of mandate from the Court of Appeals (relating to affirmative action programs). (Supervisors Teng, Bierman, Alioto, Shelley, Leal)

File 12-95-50, Resolution No. 889-95

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

In connection with the above item, Supervisors Shelley, Leal requested to be added as co-sponsors.

[Waiving Statute of Limitations]

Resolution waiving the statute of limitations with respect to payment of certain warrants of the City and County, in the amount of \$1,070.57, a legal obligation of the City and County. (Controller)

File 23-95-6, Resolution No. 892-95

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

[State Grant, Suppression of Drug Abuse in Schools]

Resolution authorizing the Chief of Police to apply for, accept and expend funds in the amount of \$97,140, which includes indirect costs of \$6,314 based on five percent of the total grant award, for new funding for a project entitled "Suppression of Drug Abuse in Schools Program" and agreeing to provide a thirty percent cash match in the amount of \$29,142. (Supervisor Alioto)

File 143-95-4, Resolution No. 916-95

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

[State Grant, Immunization Information System]

Resolution authorizing the Department of Public Health, Community Public Health Services to apply retroactively for a grant of \$321,844 from the State Department of Health Services to develop an immunization information and reminder system; providing for ratification of action previously taken. (Supervisor Alioto)

File 146-95-16, Resolution No. 918-95

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

[Street Artist Spaces - Stockton Street]

Resolution designating for six months three selling spaces on Stockton Street, west side, at O'Farrell Street, for street artists certified by the Art Commission, City and County of San Francisco; holding harmless from any litigation any building adjacent to said street artist spaces. (Supervisor Hallinan)

File 169-95-2, Resolution No. 871-95

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

SPECIAL ORDER 3:00 P.M.

Hearing Held

[Public Hearing]

Hearing of all persons interested in or objecting to the proposed vacation and sale of a portion of Montcalm Street between Franconia Avenue and Peralta Avenue, fronting 210 Montcalm Street, Block 5538, Lot 5, and adopting findings pursuant to City Planning Code Section 101.1.

File 164-95-3

(Pursuant to Board of Supervisors' Resolution No. 790-95, approved September 28, 1995.)

The privilege of the floor was granted to the following persons:

Cindy Erlate; Andrew Linda.

From Housing and Land Use Committee "Without Recommendation"

Passed for Second Reading

[Portion of Montcalm Street - Vacation and Sale]

Ordinance ordering the vacation and authorizing the sale of a portion of Montcalm Street between Franconia Avenue and Peralta Avenue, fronting 210 Montcalm Street, Block 5538, Lot 5, and adopting findings pursuant to City Planning Code Section 101.1. (Real Estate Department)

File 164-95-3.1, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

SPECIAL ORDER 3:00 P.M.

Hearing Held

[Public Hearing]

Hearing of all persons interested in or objecting to a Preliminary Engineer's Report for a Special Assessment District designated "Bayshore Hester Assessment District No. 95-1".

File 251-95-2

(The first public hearing was held on September 11, 1995.)

(September 26, 1995 - Consideration continued to October 23, 1995.)

The Clerk of the Board reported for the record that two affidavits are on file indicating compliance with the mailing notice of improvement and filing of boundary map with the Recorder of the City and County of San Francisco.

The Clerk also noted for the record the receipt of waivers from two property owners waiving their right to a 30 day notice period and other matters.

The privilege of the floor was granted to the following persons:

Dehnert Queen;  
Everett Moran, Moran Engineering.

Mr. Moran submitted revised Engineer's Estimate of Costs, Exhibit B, dated October 23, 1995, which would have no significant effect.

There being no one else present wishing to speak, the President declared the public hearing closed.

Adopted

[Bayshore Hester Assessment District]

Resolution confirming the assessment relating to the Bayshore Hester Assessment District; ordering the acquisition of the proposed improvements; ordering the recording of the assessment; providing for notice of the recording of the assessment; designating the Treasurer to collect and receive moneys; and directing the Clerk to notice the recording of the assessment. (Supervisors Shelley, Teng, Kaufman, Leal, Hsieh, Alioto, Bierman)

File 251-95-3, Resolution No.

(September 26, 1995 - Consideration continued to October 23, 1995.)

Appointment of President Pro Tempore

At the request of the President, Supervisor Hallinan assumed the Chair so the President could participate in the debate from the floor.

The representative from the Department of Public Works indicated that the department is prepared to issue the permit if this measure is adopted today.

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

In connection with the above item, Supervisors Kaufman, Leal, Hsieh, Alioto, Bierman requested to be added as co-sponsors.

The President resumed the Chair.

Appointment of President Pro Tempore

At the request of the President, Supervisor Kennedy assumed the Chair.

PUBLIC COMMENT

The privilege of the floor was granted to the following persons:

Floyd Brown, housing issues;  
Ace Washington, African-American "Unfinished Agenda";  
Dehnert Queen, waterfront environmental issue;  
Hal Wolmack, police brutality;  
Constance Kuruppv, housing issues;  
Louise Vaughn, police brutality.

There being no one else wishing to speak, the President declared the public comment portion of the meeting closed.

Appointment of President Pro Tempore

At the request of the President, Supervisor Hallinan assumed the Chair so the President could participate in the debate from the floor.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures were introduced at a prior meeting of the Board with action requested at this meeting. Any Supervisor may require these measures to go to committee unless a motion to suspend the rules is adopted by eight votes (or a unanimous vote if only six or seven members are present). An "aye" vote is (a) a vote in favor of suspending the rule requiring reference to committee, and (b) a vote in favor of adoption of the measures. Eight votes (or a unanimous vote if only six or seven members are present) is required.

Severed From For Adoption Without Committee Reference Calendar

Supervisor Shelley requested that the following measure be severed from the For Adoption Without Committee Reference Calendar and considered separately.

Adopted as Amended

[Electronic Parking Meters]  
Resolution urging the Mayor to urge the Parking and Traffic Commission to ensure that all new electronic meters purchased and installed by the Department of Parking and Traffic accept nickels, dimes and quarters and adopting policy to eliminate and prohibit quarter-only parking meters. (Supervisors Shelley, Ammiano, Leal, Hsieh, Bierman, Alioto, Kennedy, Hallinan, Teng)

File 190-95-6, Resolution No. 924-95

(October 17, 1995 - Introduced in Board for consideration on October 23, 1995.

Supervisor Shelley, seconded by Supervisor Hsieh, moved an amendment of the whole entitled, "Resolution urging the Mayor to urge the Parking and Traffic Commission to ensure that all new electronic meters purchased and installed by the Department of Parking and Traffic accept nickels, dimes and quarters and adopting policy to eliminate and prohibit quarter-only parking meters."

Motion to amend adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Alioto - 1.

Adopted as amended by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Alioto - 1.

In connection with the above item, Supervisors Leal, Hsieh, Bierman, Alioto, Kennedy, Hallinan, Teng requested to be added as co-sponsors.

The President resumed the Chair.

The Board thereupon resumed its consideration of the following items on the For Adoption Without Committee Reference Calendar.

For Adoption Without Committee Reference Calendar

Adopted

[Lesbian, Gay, Bisexual, Transgender Month]

Resolution recognizing the month of October 1995 as Lesbian, Gay, Bisexual and Transgender History Month in San Francisco. (Supervisors Ammiano, Leal, Migden, Teng, Alioto, Kaufman, Shelley, Bierman)

File 4-95-32, Resolution No. 880-95

(October 17, 1995 - Introduced in Board for consideration on October 23, 1995.

Adopted.

In connection with the above item, Supervisors Shelley, Bierman requested to be added as co-sponsors.

[Commend Chinatown Resource Center]

Resolution commending the Chinatown Resource Center and Chinese Community Housing Corporation on the occasion of their 18th Anniversary. (Supervisors Shelley, Teng, Hsieh, Migden, Leal, Bierman, Alioto, Kennedy)

File 6-95-119, Resolution No. 881-95

(October 17, 1995 - Introduced in Board for consideration on October 23, 1995.

Adopted.

In connection with the above item, Supervisors Leal, Bierman, Alioto, Kennedy requested to be added as co-sponsors.

[Commend Asian Women's Health Conference]

Resolution commending the first National Women's Health Conference and declaring November 17, 18 and 19 to be Asian Women's Health Days in San Francisco. (Supervisors Teng, Hsieh, Shelley, Leal, Bierman, Alioto, Kennedy)

File 6-95-120, Resolution No. 882-95

(October 17, 1995 - Introduced in Board for consideration on October 23, 1995.

Adopted.

In connection with the above item, Supervisors Leal, Bierman, Alioto, Kennedy requested to be added as co-sponsors.

[Commend Bay Area Asian American Cultural Society]  
Resolution commending the Bay Area Asian American Cultural Society and declaring December 1, 1995 Bay Area Asian American Cultural Society Day in San Francisco. (Supervisors Teng, Hsieh, Leal, Bierman, Alioto, Kennedy)

File 6-95-121, Resolution No. 883-95

(October 17, 1995 - Introduced in Board for consideration on October 23, 1995.

Adopted.

In connection with the above item, Supervisors Leal, Bierman, Alioto, Kennedy requested to be added as co-sponsors.

[Commend Chinese Historical Society]  
Resolution commending the Chinese Historical Society of America and declaring November 10, 1995 Chinese Historical Society of America Day in San Francisco. (Supervisors Teng, Hsieh, Shelley, Leal, Bierman, Alioto, Kennedy)

File 6-95-122, Resolution No. 884-95

(October 17, 1995 - Introduced in Board for consideration on October 23, 1995.

Adopted.

In connection with the above item, Supervisors Leal, Bierman, Alioto, Kennedy requested to be added as co-sponsors.

[Halloween in the Castro]  
Resolution waiving the requirement that applicant for closure of portions of Castro, Market, Noe, 16th, 17th and 18th Streets on Tuesday, October 31, 1995 for the Annual Castro Halloween Celebration provide insurance and waiving the requirement for payment of fees to the City. (Supervisors Migden, Leal, Ammiano, Teng, Bierman, Alioto)

File 42-95-2, Resolution No. 897-95

(October 17, 1995 - Introduced in Board for consideration on October 23, 1995.

Adopted.

In connection with the above item, Supervisors Bierman, Alioto requested to be added as co-sponsors.

[Special Emphasis Victim Witness Assistance Funds]  
Resolution authorizing the District Attorney to retroactively apply for, accept and expend funds in the amount of \$70,261 available through the Office of Criminal Justice Planning for a project entitled "Special Emphasis Victim Witness Assistance Program" for the twelve month period July 1, 1995 through June 30, 1996, and waiving indirect cost due to funding restraints. (Supervisors Kaufman, Leal, Bierman, Alioto)

File 138-95-3.1, Resolution No. 915-95

(October 17, 1995 - Introduced in Board for consideration on October 23, 1995.

Adopted.

In connection with the above item, Supervisors Leal, Bierman, Alioto requested to be added as co-sponsors.

[Tour Bus Traffic, Richmond District]  
Resolution urging the Mayor to urge the Parking and Traffic Commission to develop a plan for the reduction of tour bus traffic in the Outer Richmond neighborhood. (Supervisors Shelley, Alioto)



File 190-95-7, Resolution No. 925-95

(October 17, 1995 - Introduced in Board for consideration on October 23, 1995.

Adopted.

In connection with the above item, Supervisor Alioto requested to be added as co-sponsors.

[Needle Exchange Emergency]

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program. (Supervisors Alioto, Leal, Bierman, Shelley, Migden, Teng, Hsieh)

File 30-95-1.21

(October 17, 1995 - Introduced in Board for consideration on October 23, 1995.

Adopted.

[Final Map, 533 Second Street]

Motion approving final map of 533 Second Street, a Condominium Project, being a resubdivision of Lot 48 in Assessor's Block 3774, and adopting findings pursuant to City Planning Code Section 101.1. (Department of Public Works)

File 58-95-23

(October 17, 1995 - Introduced in Board for consideration on October 23, 1995.

Adopted.

[Final Map, 161 Gilbert Street]

Motion approving final map of 161 Gilbert Street, a Condominium Project, being a resubdivision of Lot 96 in Assessor's Block 3784, and adopting findings pursuant to City Planning Code Section 101.1. (Department of Public Works)

File 58-95-24

(October 17, 1995 - Introduced in Board for consideration on October 23, 1995.

Adopted.

The foregoing items on the For Adoption Without Committee Reference Calendar were adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

#### IMMEDIATE ADOPTION CALENDAR

These measures are being introduced at this meeting. A unanimous vote is required for adoption today. Any Supervisor may require any of these measures to go to committee.

Adopted

[Leaves of Absence]

Resolution granting leaves of absence to various city and county officers with permission to leave the state. (Clerk of the Board)

File 1-95-41, Resolution No. 857-95

(Larry Mazzoia, Member, Airports Commission, October 24 - 29; Marie K. Brooks, Vice President, Airports Commission, October 21 - 28; Boyd G. Stephens, M.D., Chief Medical Examiner, Coroner, October 18 - 25, 1995.)

Adopted.

The foregoing item on the Immediate Adoption Calendar was adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Alioto - 1.

IMPERATIVE CALENDAR

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 following two motions.

Adopted

[Purely Commendatory Finding]

Motion that the Board finds by roll call vote that the resolutions being considered at this time are purely commendatory.

Supervisor Leal, seconded by Supervisor Hallinan, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Alioto - 1.

[Brown Act Finding]

Motion that the Board finds 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 Leal, seconded by Supervisor Hallinan, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Alioto - 1.

[Imperative Resolutions, if any]

Adopted

[Make A Difference Day]

Resolution urging the Citizens of San Francisco to participate in "Make A Difference Day" by engaging in activities that benefit the local community.

File 004-95-033, Resolution No. 858-95

Supervisors Migden, Bierman presented for immediate adoption.

Resolution adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Alioto - 1.

[Commend Chong-Moon Lee]

Resolution commending the Honorable Chong-Moon Lee for his contributions to the Asian Art Museum of San Francisco.

File 006-95-123, Resolution No. 861-95

Supervisors Shelley, Teng, Hsieh, Alioto, Ammiano, Bierman, Hallinan, Kaufman, Kennedy, Leal, Migden presented for immediate adoption.

Resolution adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Alioto - 1.

[Commend Ping Yuen Resident's Improvement Assoc.]

Resolution commending the Ping Yuen Resident's Improvement Association and declaring October 25, 1995 Ping Yuen Resident's Improvement Association Day in San Francisco.

File 006-95-124, Resolution No. 862-95

Supervisors Teng, Hsieh, Bierman, Shelley presented for immediate adoption.

Resolution adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Alioto - 1.

[Commend Rainforest Action Group]

Resolution commending the Rainforest Action Group in support of its efforts to educate the public on the importance of protecting the earth's rainforest and supporting the rights of their inhabitants; declaring October 21-29 as World Rainforest Week in San Francisco.

File 006-95-127, Resolution No. 863-95

Supervisors Hallinan, Bierman, Shelley presented for immediate adoption.

Resolution adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Alioto - 1.

#### OFF-CALENDAR LEGISLATION

#### ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Committee

[Appropriation, Public Library]

Ordinance appropriating \$4,313,350, Public Library, from library preservation funds; \$3,151,350 from the fund balance and \$1,162,000 from rescinding equipment, for salaries, mandatory fringe benefits, training equipment maintenance, professional services, materials and supplies, equipment and services of other departments to allow the Public Library to purchase automation and telecommunications equipment and to complete the cataloging and inventory of collections for fiscal year 1995-96. Supervisor Hsieh presented. Referred to Budget Committee with the request it be considered at the November 1, 1995 meeting.

File 101-95-026.

[Pacific Stock Exchange Building]

Ordinance amending City Planning Code Appendix A by adding the 155 Sansome Street portion of the Pacific Stock Exchange Building to the list of Category I Buildings (historical landmark building). Supervisor Shelley presented. Referred to Housing and Land Use Committee.

File 115-95-013.

Referred to Board

[Commend Career Resources Develop. Center]

Resolution commending the Career Resources Development Center and declaring November 3, 1995 Career Resources Development Center Day in San Francisco. Supervisors Shelley, Teng presented. Referred to Board for Adoption Without Committee Reference Calendar October 30, 1995.

File 006-95-125.

[Commend Asian-Pacific Bilingual Education]

Resolution commending the California Association for Asian-Pacific Bilingual Education and declaring November 4, 1995 to be California Association for Asian-Pacific Bilingual Education Day. Supervisors Teng, Shelley presented. Referred to Board for Adoption Without Committee Reference Calendar October 30, 1995.

File 006-95-126.

[Electronic Parking Meters]

Resolution urging the Mayor to request the Parking and Traffic Commission to initiate a citywide parking meter retrofit program using electronic meters. Supervisors Ammiano, Shelley, Hallinan presented. Referred to Board for Adoption Without Committee Reference Calendar October 30, 1995.

File 190-95-005.01.

[Tobacco Products Regulation]

Resolution supporting the President's and the United States Food and Drug Administration's plan to reduce smoking among adolescents and children through regulation of tobacco products. Supervisor Alioto presented. Referred to Board for Adoption Without Committee Reference Calendar October 30, 1995.

File 271-95-001.01.

Requests for Hearings:

[Multimedia Industry]

Hearing to consider the progress of the City's efforts to foster the growth of the multimedia industry in San Francisco (pursuant to Board of Supervisors' Resolution No. 1078-92). Supervisor Hsieh presented. Referred to Economic Vitality/Social Policy Committee.

File 288-95-001.

Introduced by the President at the Request of Departments

Ordinances Referred to Committee

File 045-95-046. [Rudolph Primus/Jane] Leblanc v. CCSF] Ordinance authorizing settlement of litigation of Rudolph Primus against the City and County of San Francisco by payment of \$15,000. (S.F. Municipal Court No. 108-711) (City Attorney) Referred to Government Efficiency/Labor Committee.

File 045-95-047. [Settlement of Litigation, Shamin Shaikh] Ordinance authorizing settlement of litigation of Shaikh v. City and County of San Francisco, et al., by payment of \$119,000. (U.S.D.C. Northern District of California Case No. 94-3711 CAL). (City Attorney) Referred to Government Efficiency/Labor Committee.

File 096-95-005. [Sale of Surplus Property] Ordinance authorizing the sale of surplus City-owned property, located at Duboce Avenue, Block 1260, Lot 22, and adopting findings pursuant to City Planning Code Section 101.1. (Also see file 96-93-2). (Real Estate Department) Referred to Budget Committee.

File 097-95-054. [Retirement Board Elections] Substitute Ordinance amending Administrative Code by amending Sections 16.550 through 16.564 regarding Retirement Board and Health Service Board Elections. (Employees' Retirement System) Referred to Government Efficiency/Labor Committee.

File 097-95-061. [Street Fairs - Fire Department Fees] Ordinance amending Administrative Code Section 2.70-6, providing fees for permits and inspection by the Fire Department of food vendors that use propane, butane, charcoal briquettes, open flame, or LPG heaters, and requiring permits and fees whenever fireworks or tents are used at a street fair. (Fire Department) Referred Budget Committee.

File 101-95-024. [Appropriation, Department of Public Health] Ordinance appropriating and rescinding \$143,379, Department of Public Health-Community Health Services, for salaries and fringe benefits for the creation of one (1) position and deletion of one (1) position for fiscal year 1995-96; companion measure to File 102-95-6. RO #95059. (Controller) Referred to Budget Committee.

File 101-95-025. [Appropriation, Department of Public Health] Ordinance appropriating \$450,000, Department of Public Health-Community Health Services, from the General Fund Reserve for professional services to implement the Medi-Cal Managed Care Local Initiative for fiscal year 1995-96. RO #95064. (Controller) Referred to Budget Committee.

File 124-95-008. [Speed Limit, Portion of King Street] Ordinance adding Section 176.39 to the San Francisco Traffic Code to establish a 35-MPH speed limit on a portion of King Street. (Department of Parking and Traffic) Referred to Housing and Land Use Committee.

File 170-95-010. [Equipment Lease Supplement No. 5] Ordinance providing for the approval and execution and delivery by officers of the City and County of San Francisco of an Equipment Lease Supplement No. 5 between the City and County of San Francisco Finance Corporation as lessor, and the City and County of San Francisco, as lessee, with respect to equipment to be used for City purposes and the related Certificate of Approval and of a Continuing Disclosure Agreement between said lessor and said lessee; providing for reimbursement to the City of certain City expenditures prior to the issuance of Lease Revenue Bonds and approving the issuance of Lease Revenue Bonds by said nonprofit corporation; and providing that said Bonds shall be subject to the certification of the Controller of the City and County of San Francisco prior to the sale of said Bonds; and providing for the execution of documents in connection therewith and ratifying previous actions taken in connection therewith. (Chief Administrative Officer) Referred to Budget Committee.

Resolutions Referred to Committee

File 025-95-032. [Prop J Contract, Custodial Services] Resolution concurring with the Controller's certification that custodial services for 425 Mason Street and the Water Department's Waterfront Office at Pier 33 can be practically performed by private contractors for lower cost than similar work services performed by City and County employees. (Public Utilities Commission) Referred to Government Efficiency/Labor Committee.

File 040-95-016. [Residential Parking Area "R", Cleary Court] Resolution extending the boundaries of Residential Permit Parking Area "R" in the Cleary Court Area and adding to the list of streets upon which time limitations shall apply. (Department of Parking and Traffic) Referred to Housing and Land Use Committee.

File 048-95-026. [Settlement of Claim, Susan Khaw] Resolution approving the settlement of the unlitigated claim of Susan Khaw by payment of \$8,000. (City Attorney) Referred to Government Efficiency/Labor Committee.

File 048-95-027. [Settlement of Claim, Henry Loo] Resolution approving the settlement of the unlitigated claim of Henry Loo by payment of \$10,500. (City Attorney) Referred to Government Efficiency/Labor Committee.

File 064-95-011. [Lease of Property at 680 Eighth Street] Resolution authorizing lease of real property at 680 Eighth Street, San Francisco, for the Department of Public Health, Family Planning and Perinatal Services Program. (Real Estate Department) Referred to Government Efficiency/Labor Committee.

File 065-95-013. [Amendment to Lease, Hall of Justice Cafeteria] Resolution authorizing First Amendment to Lease (Hall of Justice Cafeteria) for the Department of Public Health. (Real Estate Department) Referred to Government Efficiency/Labor Committee.

File 089-95-011. [SDI Coverage, Classification 1368] Resolution authorizing enrollment of Classification 1368 Special Assistant IX, into the State Disability Insurance Program. (Department of Human Resources) Referred to Government Efficiency/Labor Committee.

File 150-95-005. [State Grant, Twin Peaks Loop Trail] Resolution authorizing the Recreation and Park Department to apply for grant funds of \$162,000 waiving indirect costs, from the Land and Water Conservation Fund Program, for development of the Twin Peaks Loop Trail. (Recreation and Park Department) Referred to Government Efficiency/Labor Committee.

Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisor Kennedy, that letter of inquiry be sent to the General Manager, Municipal Railway concerning Municipal Railway's coin changing machines to determine the feasibility of installing machines which can dispense dimes and nickels as well as quarters.

By Supervisor Kennedy, that letter be sent to Chief of Police concerning public safety at the corner of Hampshire and 24th Streets requesting he review the concerns of the residents regarding improving police protection for the residents by increasing police presence and instituting a zero-tolerance policy for drug dealing, drinking, loitering and public urination in the neighborhood.

By Supervisor Kennedy, that letter be sent to the Honorable Public Utilities Commission concerning public safety at the corner of Hampshire and 24th Streets to determine the feasibility of installing street lights to help remove dark pockets where people congregate.

Motions Adopted

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

John Patrick Short (Supervisor Shelley)  
Ira V. Terry (Supervisor Alioto)  
John McFarland (Supervisor Leal)

File 2-95-41

Unanimously adopted by a rising vote.

ADJOURNMENT

There being no further business, the Board at the hour of 4:24 p.m. adjourned.

John L. Taylor, Clerk

N.B. This Journal of Proceedings sets 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 December 4, 1995.

I, John L. Taylor, 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 Journal of Proceedings of said Board on the date stated and was approved as recited.

John L. Taylor  
Clerk of the Board of Supervisors

Monday, October 30, 1995

# **Journal of Proceedings**

*The Minutes of the*

# **Board of Supervisors**

City and County of San Francisco

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JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

Monday, October 30, 1995 - 2:00 p.m.

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

CALLING THE ROLL

The meeting was called to order at 2:03 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Ammiano, Bierman, Hallinan, Leal, Migden, Shelley, Teng - 7.

Noted absent at first roll call:

Supervisors Alioto, Hsieh, Kaufman, Kennedy - 4.

Quorum present.

Supervisor Alioto was noted present at 2:06 p.m.

Supervisor Hsieh was noted present at 2:06 p.m.

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

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

APPROVAL OF JOURNALS

There being no errors, corrections or omissions, Supervisor Hallinan, seconded by Supervisor Migden, moved that the Journals of Proceedings for Tuesday, September 5, and Monday, September 11 and 25, 1995, be approved.

Motion carried by the following vote:

Ayes: Supervisors Ammiano, Bierman, Hallinan, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 9.

Absent: Supervisors Alioto, Hsieh - 2.

Presentation of Guest

Supervisor Kennedy introduced and welcomed Mae Montano Valencia, drug prevention coordinator for women forum, Esmeraldas, Equador.

COMMUNICATION

The Clerk presented the following communication from his Honor, Mayor Frank Jordan:

October 27, 1995

The Honorable Kevin Shelley  
President, Board of Supervisors  
City and County of San Francisco  
401 Van Ness Avenue, 3rd Floor  
San Francisco, CA 94102

Dear Supervisor Shelley:

I am returning with my veto the Board's approval of a liquor license at 2241 Chestnut Street. My reasons for doing so follow.

While this is technically a new license, it is for all practical purposes a transfer of a business from one census tract on one side of the street to another census tract on the other side of the street. The new location will triple the square footage of the old pub, increasing noise, congestion, and the

other disruptions to quality of life that come with increased alcohol sales and consumption in a neighborhood. The increased burden on the quality of life becomes evident when one considers that even though census tract 128 should only have 13 on sale liquor licenses according to formulas established for the Department of Alcoholic Beverage Control there are already 58 licenses.

The resolution states that the individual occupants of the residences that fall within the 100 foot limit established by state law do not object to the issuance of the license. The law does not state, however, that approval by existing occupants by itself decreases the requirement to maintain the right to quiet enjoyment of the nearby residences for those who may occupy the space in the future. Additionally, while the Planning Department has determined that a pub is permitted at this location, their determination is not that a pub must be placed there, nor is their determination necessarily made in coordination with the other considerations for the issuance of a liquor license.

Finally, the issuance of this license is strongly opposed by the surrounding community. Since this resolution was passed by the Board of Supervisors, my office has received numerous requests from a variety of neighborhood residents stating that the neighborhood is already saturated with liquor licenses, and expressing a genuine concern about the negative impact this license will have.

Considering the increased size of the building, the already high number of licenses in the neighborhood, the need to maintain the quiet enjoyment of nearby residences, the strong opposition by the people who must live with this establishment daily, I can not agree that the issuance of this license serves the public convenience and necessity.

Sincerely,

Frank M. Jordan  
Mayor

Consideration Continued

[Liquor License Transfer, 2241 Chestnut Street]

Resolution determining that the issuance of an alcoholic beverage control license to Timothy Delaney dba Delaney's for 2241 Chestnut Street, will serve the convenience and necessity of the people of the City and County, in accordance with Section 23958.4 of the California Business and Professions Code.

File 223-95-020

The Clerk stated that under the Board's Rules of Order (Rule 2.9a) the Board shall not reconsider the legislation until the first meeting after the message from the Mayor is read to the Board therefore this item may be continued to November 6, 1995.

In response to Supervisor Migden, Deputy City Attorney indicated that although the Board rules permit that Rule 2.9a be suspended, since approval of the Sunshine Ordinance he advised that this matter be continued.

No objection and the matter was continued.

CONSENT CALENDAR

Recommendations of Government Efficiency and Labor Committee

Finally Passed

[Settlement of Litigation, Miscellaneous Employees]

Ordinance authorizing the settlement of wage freeze litigation covering miscellaneous employees during fiscal years 1993-1994 and 1994-1995. (City Attorney)

File 45-95-36, Ordinance No. 339-95

(Superior Court Nos. 953-407, 961-366, 961-484, 961-485, and 961-172.)

Finally passed.

[Settlement of Litigation, Ann Melton]

Ordinance authorizing settlement of litigation of Ann Melton against the City and County by payment of \$15,000. (City Attorney)

File 45-95-40, Ordinance No. 340-95

(Superior Court No. 949-190.)

Finally passed.

[Settlement of Litigation, Cindy B. Welsh]

Ordinance authorizing settlement of Cindy B. Welsh v. City and County by payment of \$10,000 and the complaint in intervention by Zenith Insurance Company by payment of \$3,844. (City Attorney)

File 45-95-41, Ordinance No. 341-95

(Superior Court No. 958-660.)

Finally passed.

[Settlement of Litigation, Miriam and Balbino Sablad]

Ordinance authorizing settlement of litigation of Miriam and Balbino Sablad against the City and County by payment of \$200,000. (City Attorney)

File 45-95-42, Ordinance No. 342-95

(Superior Court No. 953-014.)

Finally passed.

[Hernandez, Cruz, Lucero v. CCSF]

Ordinance authorizing settlement of civil rights claims of Maria Hernandez, Luis Lucero and Francisco Cruz against the City and County and Anthony D. Ribera by payment of \$21,000, each side to bear their own costs and attorneys' fees. (City Attorney)

File 45-95-44, Ordinance No. 344-95

(U.S.D.C. No. C95-0594 CAL.)

Finally passed.

[CCSF v. William Warmack, Et Al.]

Ordinance authorizing settlement of litigation of City and County against William H. Warmack and Vincent J. Scotto III by accepting consideration in the total amount of \$17,000 payable in cash and releasing said parties only from further liability. (Office of the Treasurer/Tax Collector)

File 46-95-6, Ordinance No. 345-95

(Superior Court No. 962012.)

Finally passed.

[Vallejo Garage Cellular Transmitter Lease]

Ordinance authorizing and approving a lease of cellular transmitter space in Vallejo Garage to GTE Mobilnet. (Real Estate Department)

File 63-95-1, Ordinance No. 346-95

Finally passed.

[Implementing Pesticide Regulations]

Ordinance amending Administrative Code, to authorize the President of the Board of Supervisors to execute an annual contract between the California Department of Pesticide Regulation and the Board of Supervisors of the City and County for the computer entry of the monthly summary pesticide use reports submitted to the San Francisco Agricultural Commissioner's Office by commercial pesticide applicators in San Francisco. (Department of Agriculture Commissioner/Director of Weights and Measures)

File 97-95-52, Ordinance No. 347-95

(Amends Section 1.13-3.)

Finally passed.

[Warrant or Check Replacement]

Ordinance amending Administrative Code, to allow Controller to replace lost or voided warrant or check up to \$1,000. (Controller)

File 97-95-55, Ordinance No. 348-95

(Amends Sections 10.181 and 10.182.)

Finally passed.

Passed for Second Reading

[Settlement of Litigation, Franklin G. Bell]

Ordinance authorizing settlement of litigation of Franklin G. Bell against the City and County by payment of \$9,433.44. (City Attorney)

File 45-95-45, Ordinance No.

(U.S.D.C. Northern District of California Case No. C92-4897 DLJ, Ninth Circuit Court of Appeals No. 95-15615.)

Passed for second reading.

Adopted

[Settlement of Claim, Nancy and Alan Jarvis]

Resolution approving the settlement of the unlitigated claim of Nancy and Alan Jarvis by payment of \$12,000. (City Attorney)

File 48-95-25, Resolution No. 901-95

Adopted.

[Lease of Property at 1390 Market Street]

Resolution authorizing a lease of real property at 1390 Market Street, San Francisco, for the Mayor's Office of Children, Youth and their Families. (Real Estate Department)

File 64-95-9, Resolution No. 905-95

Adopted.

[Lease of Property at 1390 Market Street]

Resolution authorizing a new lease of real property at 1390 Market Street for the Ethics Commission. (Real Estate Department)

File 64-95-10, Resolution No. 906-95

Adopted.

[SDI Coverage, Classification AA81]

Resolution authorizing enrollment of Classification AA81 Executive Director Ethics Commission, into the State Disability Insurance Program. (Department of Human Resources)

File 89-95-10, Resolution No. 910-95

Adopted.

[Acceptance/Expenditure of State Grant Funds]

Resolution authorizing the acceptance and expenditure of State grant funds (for 33 recurring grants, totaling \$18,578,891) by the Department of Public Health for 1995-96. (Supervisor Alioto)

File 146-95-17, Resolution No. 919-95

Adopted.

[Grant, Community and Home Injury Prevention]

Resolution authorizing the Department of Public Health to apply for retroactively and accept and expend a grant of \$9,992, which includes indirect costs in the amount of \$550, based on ten percent of salaries, from the California Department of Health Services, State and Local Injury Control Section, for expansion of the Community and Home Injury Prevention Project for seniors; providing for ratification of action previously taken. (Supervisors Alioto, Shelley)

File 146-95-18, Resolution No. 920-95

Adopted.

Recommendations of Housing and Land Use Committee

Adopted

[Parking Regulations, Various Locations]

Resolution enacting and rescinding parking regulations at various locations. (Housing and Land Use Committee)

File 19-95-12, Resolution No. 890-95

(Parking Meter Area No. 3 (One-Hour Time Limit, 9 AM - 6 PM, Monday through Saturday) - Establish  
Mission Street, east side, between 13th and 14th Streets.

One-Hour Parking Time Limit, 7 AM - 6 PM, Except Sunday - Rescind

Tow-Away, No Parking, 7 AM - 6 PM, Monday through Friday - Establish  
Enterprise Street, north side, east of Folsom Street (to the easterly end of the street).

Adopted.

[Traffic Regulations, Various Locations]

Resolution enacting and rescinding traffic regulations on various streets. (Housing and Land Use Committee)

File 20-95-14, Resolution No. 891-95

(Mid-Block Crosswalk - Establish  
3rd Street from approximately 103 feet to 118 feet south of Minna Street, crossing 3rd Street  
(15-foot wide crosswalk)

Mid-Block Crosswalk - Rescind  
Bartlett Street, from approximately 300 feet to 317 feet south of 21st Street crossing Bartlett  
Street (17-foot wide crosswalk)

Tow-Away, No Parking Anytime-Rescind  
Boardman Place, west side, from 0 feet to 75 feet north of Brannan Street (75-foot zone).

Boardman Place, west side, from 120 feet to 200 feet north of Brannan Street (80-foot zone).

One-Way Street - Establish  
Boardman Place, southbound, between Bryant and Brannan Streets.

Grant Avenue, northbound, between Beach and North Point Streets.

Tow-Away, No Stopping 7 AM - 6 PM, Monday through Friday - Establish  
Harrison Street, north side, from Gordon Street to 173 feet easterly (173-foot zone to improve  
access to the right-turn lane at 9th Street).

Adopted.

[Residential Parking Area "I" Bartlett Street]

Resolution extending the boundaries of Residential Permit Parking Area "I", in the Bartlett Street Area and adding to the list of streets upon which time limitations shall apply. (Department of Parking and Traffic)

File 40-95-14, Resolution No. 895-95

Adopted.

[Residential Parking Area "U", South of Market]

Resolution extending the boundaries of Residential Permit Parking Area "U" in the South of Market Area and adding to the list of streets upon which time limitations shall apply. (Department of Parking and Traffic)

File 40-95-15, Resolution No. 896-95

Adopted.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

REGULAR CALENDAR

UNFINISHED BUSINESS

Consideration of Mayor's Disapproval

Adopted; Mayor's Veto Override

[Mandatory Rent Payment Program Reserve]

Ordinance amending the Annual Appropriation Ordinance by amending Section 33 of the administrative provisions regarding the administration of the Mandatory Direct Rent Payment Program. (Supervisors Ammiano, Teng, Alioto, Bierman)

File 101-95-2.2, Ordinance No. 337-95

(October 10, 1995 - Finally passed;

October 20, 1995 - Returned disapproved by Mayor.

October 23, 1995 - Consideration continued to October 30, 1995.)

The roll was called on the question "Shall the ordinance be adopted notwithstanding the Mayor's veto?".

Motion to override the Mayor's veto adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Kennedy, Leal, Migden, Shelley, Teng - 9.

Noes: Supervisors Hsieh, Kaufman - 2.

From Housing and Land Use Committee "Without Recommendation"

Finally Passed

[Portion of Montcalm Street - Vacation and Sale]

Ordinance ordering the vacation and authorizing the sale of a portion of Montcalm Street between Franconia Avenue and Peralta Avenue, fronting 210 Montcalm Street, Block 5538, Lot 5, and adopting findings pursuant to City Planning Code Section 101.1. (Real Estate Department)

File 164-95-3.1, Ordinance No. 351-95

Finally passed by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

NEW BUSINESS

Recommendations of Budget Committee

Passed for Second Reading as Amended

[Environmental Review Fees and Energy Calculations]

Ordinance amending the Administrative Code, to eliminate certain energy calculations to extend the Sunset Clause to September 30, 1996, and adjust fees currently charged for environmental review actions, activities and procedures. (Department of City Planning)

File 97-95-53, Ordinance No.

(Fiscal Impact.)

(Exempt from environmental review General Rule Exclusion (State Guidelines Section 15061 (b) (3))).

(Deletes Subsection 31.26(e);  
((Replaces Section 31.46 with Section 36.46A;))  
Amends Subsections 31.46(a) et seq.)

Supervisor Hsieh, seconded by Supervisor Kaufman, moved to amend title, line four, by deleting "by replacing Section 31.46(a) et seq.,".

Motion to amend adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

Passed for second reading as amended by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

[Planning Fees]

Ordinance amending the City Planning Code, to extend the Sunset Clause to September 30, 1996, and to impose new fees and adjust fees currently charged for Department of City Planning actions, activities and services. (Department of City Planning)

File 115-95-12, Ordinance No.

(Fiscal Impact.)

(Exempt from environmental review General Rule Exclusion (State Guidelines Section 15061 (b) (3))).

(City Planning Resolution No. 13967, adopted September 28, 1995.)

((Replaces Article 3.5 with Article 3.5A;))  
Amends Sections 350 et seq.)

Supervisor Hsieh, seconded by Supervisor Kaufman, moved to amend title, lines three and four, by deleting "replacing Article 3.5 with Article 3.5A and".

Motion to amend adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

Passed for second reading as amended by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

Adopted

[Internal Revenue Code Section 125 "Cafeteria" Plan]

Resolution urging the Mayor to urge the Health Service System and the Department of Human Resources to expand benefits available in the current 125 Cafeteria Plan and to select a third party contractor through a competitive bid process to market the plan, process claims and reimbursements; urging the Controller to provide necessary payroll and personnel services division support to assist in achieving the expansion of benefits available. (Supervisors Hsieh, Teng)

File 78-95-4, Resolution No. 907-95

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

In connection with the above item, Supervisor Teng requested to be added as co-sponsor.

Recommendations of Government Efficiency and Labor Committee

Passed for Second Reading

[Amendment to Lease, Mission Valley Rock Co.]

Ordinance authorizing and approving an amendment to lease to Mission Valley Rock Company of certain City-owned land under the jurisdiction of the San Francisco Water Department, located in Alameda County; and ratifying previous actions. (Public Utilities Commission)

File 65-95-12, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

[DPH Electronic Medi-Cal Database Information]

Ordinance amending Administrative Code, to permit the Department of Public Health to enter into agreements retroactive to April, 1994, with the California Department of Health Services (DHS) enabling the Department of Public Health to obtain Electronic Medi-Cal Database Information. (Supervisor Alioto)

File 97-95-57, Ordinance No.

(Adds Section 19A.35.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

[Paid Ballot Arguments]

Ordinance amending Administrative Code, relating to disclosure of the names of persons paying for paid ballot arguments. (Supervisors Teng, Hallinan, Ammiano, Alioto)

File 97-95-58, Ordinance No.

(Amends Section 5.74.8.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

In connection with the above item, Supervisor Alioto requested to be added as co-sponsor.

Adopted

[Federal Grant, Energy Conservation]

Resolution authorizing the General Manager of the Public Utilities Commission to apply for, accept and expend a grant of \$100,000, which includes indirect costs in the amount of \$11,300 based on twenty percent of salaries, from the U.S. Department of Energy and the Urban Consortium Energy Task Force; providing for ratification of action previously taken; placing \$5,000 on reserve. (Public Utilities Commission)

File 94-95-3, Resolution No. 912-95

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

[Adult Probation Network Treatment Grant for Women]

Resolution authorizing the Chief Adult Probation Officer to apply retroactively for funds in the amount of \$5,000,000 and to accept and expend \$1,000,000 for year one of the five-year grant, which includes indirect costs of \$250,000 based on five percent of the total project made available through the Department of Health and Human Services, Substance Abuse and Mental Health Services Administration, through Center for Substance Abuse Treatment (CSAT) for a project entitled "San Francisco Adult Probation Department Criminal Justice Network Treatment Grant for Women", placing \$431,880 on reserve. (Adult Probation Department)



File 130-95-2, Resolution No. 913-95

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

[India Basin Restoration Project, Site 2]

Resolution authorizing the Recreation and Park Department to apply, retroactive to October 1, 1995, for grant funds of \$220,000 waiving indirect costs, from the Habitat Conservation Fund Program, for India Basin Wetlands Restoration Project, Site 2. (Recreation and Park Department)

File 150-95-4, Resolution No. 921-95

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

[Street Artist Selling Spaces]

Resolution designating temporary selling spaces in the Downtown area and at Harvey Milk Plaza for street artists certified by the Art Commission, for the Holiday Season, 1995, beginning on November 15, 1995 and ending on January 15, 1996. (Supervisors Hallinan, Bierman, Alioto)

File 169-95-3, Resolution No. 922-95

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

Recommendation of Health, Public Safety and Environment Committee

Adopted

[Litter Receptacles]

Resolution urging the Mayor to urge the Chief Administrative Officer and the Department of Public Works to seriously consider the feasibility of installing additional public use litter receptacles throughout the City and County. (Supervisors Leal, Shelley, Alioto, Teng)

File 57-95-3, Resolution No. 902-95

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

In connection with the above item, Supervisor Teng requested to be added as co-sponsor.

Recommendations of Housing and Land Use Committee

Adopted

[Final EIR, Hazardous Waste Management]

Resolution adopting Final Environmental Impact Report and environmental findings that the amendment of Planning Code Section 225 to provide for the siting of hazardous waste management facilities as a conditional use within the M-2 Heavy Industrial District will have a significant impact on the environment, and adopting and incorporating environmental findings for the San Francisco County Hazardous Waste Management Plan (#87.813E) as contained in previous Board Resolution No. 67-92, File 128-91-3. (Department of City Planning)

File 115-95-9, Resolution No. 914-95

(City Planning Resolution No. 13941, adopted August 17, 1995.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

Passed for Second Reading

[Hazardous Waste Facility, Text Amendment]

Ordinance amending City Planning Code, by amending Section 225 to add a hazardous waste facility as a conditional use in the M-2 (Heavy Industrial District) and incorporate by reference California Health and Safety Code, Division 20, Chapter 6.5, Articles 2 and 13; companion measure to File 115-95-9. (Department of City Planning)

File 115-95-9.1, Ordinance No.

(City Planning Resolution No. 13942, adopted August 17, 1995.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

Consideration Continued

[Residential Zoning Amendments]

Ordinance amending Planning Code, to establish new provisions that apply to construction in the RH and RM Zoning Districts for permit application review, notification and appeals procedures and adherence to approved design guidelines as well as to the Planning Code; and new provisions that apply to review of proposed demolitions in all residential districts. (Department of City Planning)

File 115-95-11, Ordinance No.

(Adds new Section 311.)

(City Planning Resolution No. 13960, adopted September 21, 1995.)

(October 19, 1995 - Referred back to City Planning Commission pursuant to Section 302(d) with request that amendment (to change notification to residents "within 150 feet", to "within 300 feet") be approved prior to October 30 Board meeting.)

Supervisor Migden, seconded by Supervisor Kaufman, moved to continue consideration to November 13, 1995.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

Passed for Second Reading

[Parking Regulations, Stevenson Street]

Ordinance amending Traffic Code, to remove the police vehicle parking regulations on Stevenson Street. (Department of Parking and Traffic)

File 124-95-5, Ordinance No.

(Deletes Section 32.6.15.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

[Parking Regulations, Ahern Way]

Ordinance amending Traffic Code, to modify the police vehicle parking regulations on Ahern Way. (Department of Parking and Traffic)

File 124-95-7, Ordinance No.

(Amends Section 32.6.3.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

Adopted

[Emergency Repair, Grant Avenue Sewer]

Resolution authorizing the Director of the Department of Public Works to take necessary measures to protect the health, welfare and property of the citizens of San Francisco by performing the necessary work to replace structurally inadequate sewer in Grant Avenue between Washington Street and Broadway - \$190,752. (Department of Public Works)

File 28-95-13, Resolution No. 894-95

(Fiscal Impact.)

(September 13, 1995 - Recommended by Budget Committee;

(September 18, 1995 - Referred from Board to Housing and Land Use Committee.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

[Coordination of Construction Project]

Resolution urging the Chief Administrative Officer to urge the Director of Public Works to prepare a report outlining public notice, community outreach and project coordination procedures for construction projects impacting the public right-of-way; calling for submission of the report within 30 days of adoption of this resolution; further calling for submission of a plan to redress any inadequacies uncovered in the report within 60 days of adoption of this resolution. (Supervisors Teng, Alioto, Hsieh, Ammiano, Bierman, Shelley)

File 200-95-7, Resolution No. 926-95

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

In connection with the above item, Supervisor Shelley requested to be added as co-sponsor.

[Liquor License/1901 McAllister Street]

Resolution determining that the transfer of a Type 20 off-sale beer and wine license from 4305 Mission Street to 1901 McAllister Street, to Arinze Gaius Anoruo for Home Cash Market, will serve the public convenience and necessity of the people of the City and County, in accordance with Section 23958.4 of the California Business and Professions Code; with conditions. (Housing and Land Use Committee)

File 223-95-21, Resolution No. 928-95

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

Recommendation of Rules Committee

Adopted

[Appointment]

Resolution appointing member to the Maternal, Child and Adolescent Health Board, for new three-year term ending August 31, 1998. (Rules Committee)

File 92-94-27.2, Resolution No. 911-95

(Josie Clevenger, R.N., Seat No. 22819, health professional, vice Eugene Zarate, M.D., term expired.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

PUBLIC COMMENT

The privilege of the floor was granted to the following persons:

Michael Wilson; police policy;  
Aja Monet, employee policy on lunch breaks;  
Leboriae P. Smoore; police brutality;  
Constance Kuruppu, police accountability;  
Floyd Brown, reparation for all Blacks.  
Cheryl, medical misdiagnosis.

There being no one else wishing to speak, the President declared the public comment portion of the meeting closed.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures were introduced at a prior meeting of the Board with action requested at this meeting. Any Supervisor may require these measures to go to committee unless a motion to suspend the rules is adopted by eight votes (or a unanimous vote if only six or seven members are present). An "aye" vote is (a) a vote in favor of suspending the rule requiring reference to committee, and (b) a vote in favor of adoption of the measures. Eight votes (or a unanimous vote if only six or seven members are present) is required.

Adopted

[Commend Career Resources Development Center]  
Resolution commending the Career Resources Development Center and declaring November 3, 1995 Career Resources Development Center Day in San Francisco. (Supervisors Shelley, Teng, Alioto, Bierman)

File 6-95-125, Resolution No. 885-95

(October 23, 1995 - Introduced in Board for consideration on October 30, 1995.)

Adopted.

In connection with the above item, Supervisor Bierman requested to be added as co-sponsor.

[Commend Asian Pacific Bilingual Education]  
Resolution commending the California Association for Asian-Pacific Bilingual Education and declaring November 4, 1995 to be California Association for Asian-Pacific Bilingual Education Day. (Supervisors Teng, Shelley, Alioto, Leal, Bierman)

File 6-95-126, Resolution No. 886-95

(October 23, 1995 - Introduced in Board for consideration on October 30, 1995.)

Adopted.

In connection with the above item, Supervisors Leal, Bierman requested to be added as co-sponsors.

[Electronic Parking Meters]  
Resolution urging the Mayor to request the Parking and Traffic Commission to initiate a citywide parking meter retrofit program using electronic meters. (Supervisors Ammiano, Shelley, Hallinan, Leal, Bierman)

File 190-95-5.1, Resolution No. 923-95

(October 23, 1995 - Introduced in Board for consideration on October 30, 1995.)

Adopted.

In connection with the above item, Supervisors Leal, Bierman requested to be added as co-sponsors.

[Tobacco Products Regulation]  
Resolution supporting the President's and the United States Food and Drug Administration's plan to reduce smoking among adolescents and children through regulation of tobacco products. (Supervisors Alioto, Leal, Bierman)

File 271-95-1.1, Resolution No. 931-95

(October 23, 1995 - Introduced in Board for consideration on October 30, 1995.)

Adopted.

In connection with the above item, Supervisors Leal, Bierman requested to be added as co-sponsors.

[Final Map, Garnett Terrace]

Motion approving final map of Garnett Terrace, a Redevelopment Project, being a resubdivision of a portion of Lot 12 in Assessor's Block 4713, and confirming redevelopment approval per Ordinance No. 25-69. (Department of Public Works)

File 58-95-25

(October 23, 1995 - Introduced in Board for consideration on October 30, 1995.)

Adopted.

The foregoing items on the For Adoption Without Committee Reference Calendar were adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Hallinan - 1.

#### IMMEDIATE ADOPTION CALENDAR

These measures are being introduced at this meeting. A unanimous vote is required for adoption today. Any Supervisor may require any of these measures to go to committee.

Adopted

[Leaves of Absence]

Resolution granting leaves of absence to various city and county officers with permission to leave the state. (Clerk of the Board)

File 1-95-42, Resolution No. 879-95

(Michael Hardeman, Commissioner, Port of San Francisco, November 11 - 17; Elizabeth McQuiston, Alternate Member, Assessment Appeals Board, November 1 - 22; Michael S. Strunsky, Member, Airports Commission, October 30 - November 1, 1995.)

Adopted.

The foregoing item on the Immediate Adoption Calendar was adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Hallinan - 1.

#### IMPERATIVE CALENDAR

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 following two motions.

Adopted

[Purely Commendatory Finding]

Motion that the Board finds by roll call vote that the resolutions being considered at this time are purely commendatory.

Supervisor Leal, seconded by Supervisor Ammiano, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Hallinan - 1.

[Brown Act Finding]

Motion that the Board finds 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 Leal, seconded by Supervisor Ammiano, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Hallinan - 1.

[Imperative Resolutions]

Adopted

[Commend Harry Chuck]

Resolution commending the Reverend Harry Chuck and declaring November 15, 1995 "Reverend Harry Chuck Day" in San Francisco.

File 006-95-128, Resolution No. 887-95

Supervisors Teng, Bierman presented for immediate adoption.

Resolution adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Hallinan - 1.

[Commend Use of Innovative Technologies]

Resolution commending the Chief Administrative Officer's efforts to pursue innovative technologies to promote environmentally sound government efficiencies.

File 006-95-129, Resolution No. 888-95

Supervisor Ammiano presented for immediate adoption.

Resolution adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Hallinan - 1.

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS  
NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Committee

[Tobacco Advertising and Promotion]

Ordinance amending Police Code by adding Section 674 to prohibit the outdoor advertising and promotion of cigarettes and other tobacco products in publicly visible locations near schools, parks, playgrounds and recreation centers or facilities. Supervisors Alioto, Ammiano, Bierman presented. Referred to Health/Public Safety/Environment Committee.

File 121-95-010.

[Street Plaque Placement Procedures]

Ordinance amending Public Works Code by adding Sections 789, 789.1, 789.2, 789.3, 789.4, 789.5, 789.6 and 789.7 to establish procedures for the commemoration of sites, events and persons in locations upon a public street or place. Supervisors Ammiano, Shelley presented. Referred to Housing and Land Use Committee.

File 123-95-003.

[MBE/WBE/LBE Payment Policy]

Ordinance amending Administrative Code Section 12D.7(C) to reduce the time period in which minority owned business enterprises(MBE), women owned business enterprise(WBE) and local owned business enterprises (LBE) are paid by the City and County from 60 days to 30 days. Supervisor Shelley presented. Referred to Rules Committee.

File 284-95-004.

[MBE/WBE/LBE Prompt Payment Program]

Ordinance amending Administrative Code Section 12D.8(B) to require that contract awarding authorities and departments "red stamp" invoices submitted from Human Right's Commission certified MBE/WBE/LBE prime contractors or consultants or MBE/WBE/LBE subcontractors or consultants so as to indicate to the controller that payment is to be expedited within 30 days; amend Section 12D.8(E) to require contracts subject to MBE/WBE/LBE ordinance include a requirement that prime contractors and consultants are to pay their MBE/WBE/LBE subcontractors and subconsultants within three working days after receiving payment from the City unless they have notified the Director of the Human Rights Commission that there is a bona fide dispute between the prime contractor/consultant and the subcontractor and subconsultant and the Director of the Human Rights Commission waives this requirement. Prime contractor/prime consultants who fail to comply with this provision shall be liable for liquidated damages and other remedies set forth in Administrative Code Section 12D.8(E)(3). Supervisor Shelley presented. Referred to Rules Committee.

File 284-95-005.

Referred to Board

[Grant, Federal Funds, Mission Street Transit]

Resolution authorizing the Public Transportation Commission to expend \$62,500 (including local match) of federal transit administration capital assistance Section 26 funds to carry out Livable Urban streets, Mission Street Transit Demonstration Project Planning Activities. Supervisor Leal presented. Referred to Board for Adoption Without Committee Reference Calendar November 6, 1995.

File 293-94-003.01.

[Commend Asian AIDS Project]

Resolution commending the Asian AIDS Project for its work to educate Asians and Pacific Islanders about HIV and declaring November 10, 1995 to be Asian AIDS Project Day in San Francisco. Supervisor Teng presented. Referred to Board for Adoption Without Committee Reference Calendar November 6, 1995.

File 006-95-130.

[Family Immigration Provisions]

Resolution opposing House and Senate proposals to prohibit the entry into the United States of the adult children, brothers and sisters of U.S. citizens as family immigrants. Called from Economic Vitality/Social Policy Committee by Supervisor Teng, with direction to schedule for Board meeting November 6, 1995.

File D13-95-020.

Referred to Committee

[Transbay Terminal]

Resolution urging (to be determined) alternative be selected as the preferred alternative for the City's transbay area plan and be the locally preferred alternative for the purposes of the Joint Powers Board Caltrain extension environmental impact study. Supervisor Hsieh presented. Referred to Budget Committee.

File 085-95-006.

Referred to Board

[Final Negative Declaration, RH/RM Districts]

Resolution adopting final negative declaration, finding and determining that amending City Planning Code by adding Section 311 to establish new provisions that apply to construction in the RH and RM Districts for permit application review, notification and appeals procedures and adherence to approved design guidelines as well as to the Planning Code; and new provisions that apply to review of proposed demolitions in all residential districts (95.052ET) will have no significant impact on the environment, and adopting and incorporating findings of final negative declaration. Supervisor Migden presented. Referred to Board for Adoption Without Committee Reference Calendar November 6, 1995.

File 115-95-011.01.

Referred to Committee

[Statewide Communities Development Authority]

Resolution approving, authorizing and directing the execution of an amended and restated Joint Exercise of Powers Agreement relating to the California Statewide Communities Development Authority. Supervisor Hsieh presented. Referred to Budget Committee with request it be considered at the November 15, 1995 meeting.

File 172-95-045.

Referred to Board

[St. Francis of Assisi Award]

Resolution urging the Mayor to resume presentation of the St. Francis of Assisi award. Supervisor Alioto presented. Referred to Board for Adoption Without Committee Reference Calendar November 6, 1995.

File 290-95-001.

Referred to Committee

[Mid-Market Street Survey Area]

Resolution designating and describing a survey area within the City and County of San Francisco pursuant to the California Community Redevelopment Law referred to as the Mid-Market Survey Area; and approving an amendment to the Redevelopment Agency's fiscal year 1995-1996 budget authorizing the expenditure of \$225,000 for the first six months of work on the Mid-Market Survey Area, to be reprogrammed from tax increment in other redevelopment project areas. Supervisor Migden presented. Referred to Housing and Land Use Committee.

File 291-95-001.

Motions:

Referred to Board

[Needle Exchange Emergency]

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program. Supervisors Alioto, Leal, Bierman, Shelley, Migden, Teng, Hsieh presented. Referred to Board for Adoption Without Committee Reference Calendar November 6, 1995.

File 030-95-001.22.

Introduced by the President at the Request of Departments

Ordinances Referred to Committee

File 045-95-048. [Gregoria Loaiza, v. CCSF, et al] Ordinance authorizing settlement of litigation of Gregoria Loaiza against the City and County of San Francisco by payment of \$18,000. (Superior Court No. 965-179). (City Attorney) Referred to Government Efficiency/Labor Committee.

File 046-95-008. [CCSF v. Burns International] Ordinance authorizing settlement of litigation of City and County of San Francisco v. Burns International by receipt of \$41,673.72. (Superior Court No. 963-726) (City Attorney) Referred to Government Efficiency/Labor Committee.

File 065-95-009. [Lease Modification, Port/Redevelopment Agency] Substitute ordinance approving Fourth Amendment to Option to Lease Real Property between the Port of San Francisco and the San Francisco Redevelopment Agency for properties in the South Beach Redevelopment Area. (Also see Files 65-95-3 and 65-95-3.1). (Port) Referred to Government Efficiency/Labor Committee.

File 097-95-062. [Superior Court Revolving Fund] Ordinance amending Administrative Code by amending Section 10.140, authorizing a cash revolving fund of \$5,000 for the Superior Court. (Superior Court) Referred to Budget Committee.

File 097-95-063. [Conflict of Interest, Building Inspection] Ordinance amending Administrative Code Section 58.325 and adding Section 58.150, pertaining to conflict of interest disclosure requirements for the Building Inspection Commission and other changes required by the adoption of Charter Sections 3.750 et seq. (Building Inspection Commission) Referred to Rules Committee.

File 101-95-027. [Appropriation, Department of Public Health] Ordinance appropriating \$1,725,689,



Department of Public Health-Mental Health, from the General Fund Reserve for professional services and reductions in state revenue, to continue substance abuse and child care services for fiscal year 1995-96. RO #95070. (Controller) Referred to Budget Committee.

File 102-95-006. [Salary Ordinance Amendment, DPH] Ordinance amending Annual Salary Ordinance 1995-96, Department of Public Health, reflecting the deletion of one position (Class 2235 Medical Director) and the addition of one position (Class AB04); companion measure to File 101-95-24. (Department of Human Resources) Referred to Budget Committee.

File 170-95-10. [Equipment Lease Supplement No. 5] Substitute ordinance providing for the approval and execution and delivery by officers of the City and County of San Francisco of an Equipment Lease Supplement No. 5 between the City and County of San Francisco Finance Corporation, as lessor, and the City and County of San Francisco, as lessee, with respect to equipment to be used for City purposes and the related Certificate of Approval and of a Continuing Disclosure Agreement between said lessor and said lessee; providing for reimbursement to the City of certain City expenditures prior to the issuance of Lease Revenue Bonds and approving the issuance of Lease Revenue Bonds by said nonprofit corporation; and providing that said Bonds shall be subject to the certification of the Controller of the City and County of San Francisco prior to the sale of said Bonds; and providing for the execution of documents in connection therewith and ratifying previous actions taken in connection therewith. (Chief Administrative Officer) Referred to Budget Committee.

#### Resolutions Referred to Committee

File 038-95-009. [Gift Acceptance, Recreation and Park Department] Resolution accepting four (4) gifts valued at \$45,753.00, for use by the Recreation and Park Department. (Recreation and Park Department) Referred to Government Efficiency/Labor Committee.

File 048-95-028. [Settlement of Claim, Angelo Irizzary] Resolution approving the settlement of the unlitigated claim of Angelo Irizzary by payment of \$7,500. (City Attorney) Referred to Government Efficiency/Labor Committee.

File 068-95-007. [Grant, Supportive Housing/Shelter Plus Program] Resolution authorizing the Mayor of the City and County of San Francisco to accept and expend Supportive Housing Program (SHP) grants in a total amount not to exceed \$12,508,319, and a Shelter Plus Care (SPC) grant in a total amount not to exceed \$5,904,900 from the U.S. Department of Housing and Urban Development. (Also see File 68-95-4). (Mayor's Office of Housing) Referred to Budget Committee.

File 148-95-005. [Grant, Historic Signage and Art Ribbon Projects] Resolution authorizing the Director of Public Works to apply for, accept and expend federal funds in the amount of \$749,466 from the Transportation Enhancement Activities Program for the Historic Signage and Art Ribbon Projects associated with the reconstruction of the Mid-Embarcadero Roadway and waiving indirect costs. (Department of Public Works) Referred to Government Efficiency/Labor Committee.

File 289-95-001. [Collective Bargaining, Nurse Classifications] Resolution approving the election of the Municipal Executives Association to include classifications 2369 Director of Nurses, Laguna Honda Hospital, 2370 Director of Nurses, San Francisco General Hospital, 2833 Public Health Nurse Administrator, and 2836 Director, Public Health Nursing within the coverage of Charter Section 8.409 Et Seq. (Department of Human Resources) Referred to Government Efficiency/Labor Committee.

#### Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisor Bierman, that City Attorney prepare ordinances amending the Police Code and the City Planning Code to regulate drug paraphernalia pursuant to California Health and Safety Code Section 11364.5 (to require permit, posting of notice, display restrictions, conditional use authorization and to restrict location within 300 feet of any school, licensed child care center or government funded after-school programs).

By Supervisors Ammiano, Migden, Leal, Alioto, that letter of inquiry be sent to the Honorable President, Police Commission, to determine the status of the disciplinary cases involving the New Year's incident at 938 Harrison Street.

#### Motions Adopted

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

William Strong (Supervisor Migden)  
Golfredo Corradetti (Supervisor Migden)  
Delane Madison Kilduff (Supervisors Bierman, Alioto, Migden)

Unanimously adopted by a rising vote.

ADJOURNMENT

There being no further business, the Board at the hour of 2:57 p.m. adjourned.

John L. Taylor, Clerk

N.B. This Journal of Proceedings sets 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 December 11, 1995

I, John L. Taylor, 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 Journal of Proceedings of said Board on the date stated and was approved as recited.

John L. Taylor  
Clerk of the Board of Supervisors

Monday, November 6, 1995

# **Journal of Proceedings**

*The Minutes of the*

# **Board of Supervisors**

City and County of San Francisco

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Volume 90

Number 43



JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

Monday, November 6, 1995 - 2:00 p.m.

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

CALLING THE ROLL

The meeting was called to order at 2:07 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Migden, Shelley, Teng - 9.

Noted absent at first roll call:

Supervisors Kennedy, Leal - 2.

Quorum present.

Supervisor Kennedy was noted present at 2:14 p.m.

Supervisor Leal was noted present at 2:17 p.m.

APPROVAL OF JOURNALS

There being no errors, corrections or omissions, Supervisor Migden seconded by Supervisor Teng, moved that the Journals of Proceedings for Tuesday, September 26 and Monday, October 2, 1995, be approved.

Motion carried by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Migden, Shelley, Teng - 9.

Absent: Supervisors Kennedy, Leal - 2.

CONSENT CALENDAR

Recommendations of Government Efficiency and Labor Committee

Finally Passed

[Settlement of Litigation, Franklin G. Bell]

Ordinance authorizing settlement of litigation of Franklin G. Bell against the City and County by payment of \$9,433.44. (City Attorney)

File 45-95-45, Ordinance No. 352-95

(U.S.D.C. Northern District of California Case No. C92-4897 DLJ, Ninth Circuit Court of Appeals No. 95-15615.)

Finally passed.

[Amendment to Lease, Mission Valley Rock Co.]

Ordinance authorizing and approving an amendment to lease to Mission Valley Rock Company of certain City-owned land under the jurisdiction of the San Francisco Water Department, located in Alameda County; and ratifying previous actions. (Public Utilities Commission)

File 65-95-12, Ordinance No. 353-95

Finally passed.

[DPH Electronic Medi-Cal Database Information]

Ordinance amending Administrative Code, to permit the Department of Public Health to enter into agreements retroactive to April, 1994, with the California Department of Health Services (DHS) enabling the Department of Public Health to obtain Electronic Medi-Cal Database Information. (Supervisor Alioto)

File 97-95-57, Ordinance No. 355-95

(Adds Section 19A.35.)

Finally passed.

[Paid Ballot Arguments]

Ordinance amending Administrative Code, relating to disclosure of the names of persons paying for paid ballot arguments. (Supervisors Teng, Hallinan, Ammiano, Alioto, Shelley)

File 97-95-58, Ordinance No. 356-95

(Amends Section 5.74.8.)

Finally passed.

In connection with the above item, Supervisor Shelley requested to be added as co-sponsor.

Recommendations of Housing and Land Use Committee

Finally Passed

[Hazardous Waste Facility, Text Amendment]

Ordinance amending City Planning Code, by amending Section 225 to add a hazardous waste facility as a conditional use in the M-2 (Heavy Industrial District) and incorporate by reference California Health and Safety Code, Division 20, Chapter 6.5, Articles 2 and 13; companion measure to File 115-95-9. (Department of City Planning)

File 115-95-9.1, Ordinance No. 357-95

(City Planning Resolution No. 13942, adopted August 17, 1995.)

Finally passed.

[Parking Regulations, Stevenson Street]

Ordinance amending Traffic Code, to remove the police vehicle parking regulations on Stevenson Street. (Department of Parking and Traffic)

File 124-95-5, Ordinance No. 359-95

(Deletes Section 32.6.15.)

Finally passed.

[Parking Regulations, Ahern Way]

Ordinance amending Traffic Code, to modify the police vehicle parking regulations on Ahern Way. (Department of Parking and Traffic)

File 124-95-7, Ordinance No. 360-95

(Amends Section 32.6.3.)

Finally passed.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Migden, Shelley, Teng - 9.

Absent: Supervisors Kennedy, Leal - 2.

REGULAR CALENDAR

UNFINISHED BUSINESS

Consideration of Mayor's Disapproval

Adopted; Mayor's Veto Override

[Liquor License Transfer, 2241 Chestnut Street]

Resolution determining that the issuance of an alcoholic beverage control license to Timothy Delaney dba Delaney's for 2241 Chestnut Street, will serve the convenience and necessity of the people of the City and County, in accordance with Section 23958.4 of the California Business and Professions Code. (Housing and Land Use Committee)

File 223-95-20, Resolution No. 932-95

(October 17, 1995 - Adopted.

October 27, 1995 - Returned disapproved by Mayor.

(October 30, 1995 - Consideration continued to November 6, 1995.)

The roll was called on the question, "Shall the resolution be adopted notwithstanding the Mayor's veto".

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Leal, Migden, Shelley, Teng - 9.

Noes: Supervisors Hallinan, Kennedy - 2.

Recommendations of Budget Committee

Finally Passed

[Environmental Review Fees and Energy Calculations]

Ordinance amending the Administrative Code, to eliminate certain energy calculations to extend the Sunset Clause to September 30, 1996, and adjust fees currently charged for environmental review actions, activities and procedures. (Department of City Planning)

File 97-95-53, Ordinance No. 354-95

(Fiscal Impact.)

(Exempt from environmental review General Rule Exclusion (State Guidelines Section 15061(b)(3).)

(Deletes Subsection 31.26(e); Amends Subsections 31.46(a) et seq.)

Finally passed by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Migden, Shelley, Teng - 9.

Absent: Supervisors Kennedy, Leal - 2.

[Planning Fees]

Ordinance amending the City Planning Code, to extend the Sunset Clause to September 30, 1996, and to impose new fees and adjust fees currently charged for Department of City Planning actions, activities and services. (Department of City Planning)

File 115-95-12, Ordinance No. 358-95

(Fiscal Impact.)

(Exempt from environmental review General Rule Exclusion (State Guidelines Section 15061(b)(3).)

(City Planning Resolution No. 13967, adopted September 28, 1995.)

(Amends Sections 350 et seq.)

Finally passed by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Migden, Shelley, Teng - 9.

Absent: Supervisors Kennedy, Leal - 2.

NEW BUSINESS

Recommendations of Budget Committee

Passed for Second Reading

[Appropriation, Public Library]

Ordinance appropriating \$4,313,350 Public Library of Library Preservation Funds, \$3,151,350 from the fund balance and \$1,162,000 from rescinding equipment, for salaries, mandatory fringe benefits, training, equipment maintenance, professional services, materials and supplies, equipment and services of other departments to allow for purchase of automation and telecommunications equipment and to complete the cataloging and inventory of collections for fiscal year 1995-96. (Supervisor Hsieh)

File 101-95-26, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Migden, Shelley, Teng - 9.

Absent: Supervisors Kennedy, Leal - 2.

Adopted

[Emergency Repair, 66-Inch Force Main-Owens Street]

Resolution authorizing the Director of the Department of Public Works to take necessary measures to protect the health, welfare and property of the citizens of San Francisco by performing the necessary work to repair damaged 66-inch force main in Owens Street between Channel Street and Sixteenth Street - \$100,000. (Department of Public Works)

File 28-95-20, Resolution No. 938-95

(Fiscal Impact.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Migden, Shelley, Teng - 9.

Absent: Supervisors Kennedy, Leal - 2.

[Emergency Repair, Taraval/Dewey Rotary Sewer]

Resolution authorizing the Director of the Department of Public Works to take necessary measures to protect the health, welfare and property of the citizens of San Francisco by performing the necessary work to replace structurally inadequate sewer in the Taraval Street/Dewey Boulevard Rotary - \$46,420. (Department of Public Works)

File 28-95-23, Resolution No. 939-95

(Fiscal Impact.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Migden, Shelley, Teng - 9.

Absent: Supervisors Kennedy, Leal - 2.

[New Parking Rates, Pierce Street Garage]

Resolution approving new parking rates at the Pierce Street Garage. (Department of Parking and Traffic)

File 47-95-11, Resolution No. 941-95

(Fiscal Impact.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

Recommendation of Housing and Land Use Committee

Adopted

[Mental Health Housing Plan]

Resolution endorsing the Department of Public Health, Division of Mental Health, Five-Year Supported Housing Plan. (Supervisors Migden, Alioto, Kennedy, Bierman, Teng)

File 30-95-20, Resolution No. 940-95



Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

In connection with the above item, Supervisors Kennedy, Bierman, Teng requested to be added as co-sponsors.

Recommendations of Rules Committee

Passed for Second Reading

[Child Care Planning and Advisory Council]  
Ordinance amending Administrative Code, to establish the Child Care Planning and Advisory Council as an advisory body to the Board of Supervisors, the Mayor, the Board of Education and the Superintendent of Schools. (Supervisors Bierman, Migden, Kennedy, Teng)

File 97-95-59, Ordinance No.

(Adds Section 5.200.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

In connection with the above item, Supervisors Kennedy, Teng requested to be added as co-sponsors.

Adopted

[Appointment, Park and Open Space Advisory Committee]  
Resolution appointing member to the Park and Open Space Advisory Committee, for new two-year term ending July 15, 1997. (Rules Committee)

File 92-95-37, Resolution No. 942-95

(Jean Comaskey, Seat No. 23315, vice Robert J. Dutra, term expired.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

[Appointments, Curfew Oversight Committee]  
Resolution appointing members to the newly established Curfew Oversight Committee. (Rules Committee)

File 92-95-40, Resolution No. 943-95

(Juan P. Hercules, Seat No. 29501, representative of youth advocate organization;  
Raquel Cecilia Moreno, Seat No. 29502, minor under the age of 18;  
George Anthony (Tony) Coleman, Seat No. 29503, public at-large.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

PUBLIC COMMENT

The privilege of the floor was granted to the following persons:

Floyd Brown, reparation for African-Americans;  
Constance Kuruppu, police accountability.

There being no one else wishing to speak, the President declared the public comment portion of the meeting closed.

Called from Economic Vitality and Social Policy Committee  
by Supervisor Teng

Adopted

[Family Immigration Provisions]

Resolution opposing House and Senate proposals to prohibit the entry into the United States of the adult children, brothers and sisters of U.S. citizens as family immigrants. (Supervisors Teng, Leal, Alioto, Shelley, Bierman, Hsieh, Ammiano, Kaufman)

File 13-95-20, Resolution No. 937-95

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

In connection with the above item, Supervisors Bierman, Hsieh, Ammiano, Kaufman requested to be added as co-sponsors.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures were introduced at a prior meeting of the Board with action requested at this meeting. Any Supervisor may require these measures to go to committee unless a motion to suspend the rules is adopted by eight votes (or a unanimous vote if only six or seven members are present). An "aye" vote is (a) a vote in favor of suspending the rule requiring reference to committee, and (b) a vote in favor of adoption of the measures. Eight votes (or a unanimous vote if only six or seven members are present) is required.

Severed From For Adoption Without Committee Reference Calendar

Supervisor Leal requested that the following measure be severed from the For Adoption Without Committee Reference Calendar and considered separately.

Adopted as Amended

[Grant, Federal Funds, Mission Street Transit]

Resolution authorizing the Public Transportation Commission to accept and expend \$62,500 (including local match) of federal transit administration capital assistance section 26 funds to carry out livable urban streets, Mission Street Transit Demonstration Project Planning Activities. (Supervisors Leal, Alioto)

File 293-94-3.1, Resolution No. 935-95

(October 30, 1995, - Introduced in Board for consideration on November 6, 1995.)

Supervisor Leal, seconded by Supervisor Kaufman, moved an amendment of the whole entitled, "Resolution authorizing the Public Transportation Commission to accept and expend \$62,500 (including local match) of federal transit administration capital assistance section 26 funds to carry out livable urban streets, Mission Street Transit Demonstration Project Planning Activities."

Amendment of the Whole adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

Adopted as amended by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

The Board thereupon resumed its consideration of the following items on the For Adoption Without Committee Reference Calendar.

For Adoption Without Committee Reference Calendar

Adopted

[Commend Asian AIDS Project]

Resolution commending the Asian AIDS Project for its work to educate Asians and Pacific Islanders about HIV and declaring November 10, 1995 to be Asian AIDS Project Day in San Francisco. (Supervisors Teng, Alioto, Shelley, Leal, Bierman, Hsieh, Migden, Ammiano)

File 6-95-130, Resolution No. 936-95

(October 30, 1995, - Introduced in Board for consideration on November 6, 1995.)

Adopted.

In connection with the above item, Supervisors Shelley, Leal, Bierman, Hsieh, Migden, Ammiano requested to be added as co-sponsors.

[Final Negative Declaration, RH/RM Districts]

Resolution adopting final negative declaration, finding and determining that amending City Planning Code by adding Section 311 to establish new provisions that apply to construction in the RH and RM Districts for permit application review, notification and appeals procedures and adherence to approved design guidelines as well as the Planning Code; and new provisions that apply to review of proposed demolitions in all residential districts (95.052ET) will have no significant impact on the environment, and adopting and incorporating findings of final negative declaration. (Supervisors Migden, Bierman)

File 115-95-11.1, Resolution No. 944-95

(October 30, 1995, - Introduced in Board for consideration on November 6, 1995.)

Adopted.

In connection with the above item, Supervisor Bierman requested to be added as co-sponsor.

[St. Francis of Assisi Award]

Resolution urging the Mayor to resume presentation of the St. Francis of Assisi award. (Supervisors Alioto, Hsieh, Migden, Ammiano, Bierman, Teng, Shelley)

File 290-95-1, Resolution No. 945-95

(October 30, 1995, - Introduced in Board for consideration on November 6, 1995.)

Adopted.

In connection with the above item, Supervisors Hsieh, Migden, Ammiano, Bierman, Teng, Shelley requested to be added as co-sponsors.

[Needle Exchange Emergency]

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program. (Supervisors Alioto, Leal, Bierman, Shelley, Migden, Teng, Hsieh)

File 30-95-1.22

(October 30, 1995, - Introduced in Board for consideration on November 6, 1995.)

Adopted.

[Final Map, 2211 Broderick Street]

Motion approving final map of 2211 Broderick Street, a Condominium Project, being a resubdivision of a portion of Lot 4 in Assessor's Block 981, and adopting findings pursuant to City Planning Code Section 101.1. (Department of Public Works)

File 58-95-26

(October 30, 1995 - Introduced in Board for consideration on November 6, 1995.)

Adopted.

The foregoing items on the For Adoption Without Committee Reference Calendar were adopted by the following vote:

Yes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

IMMEDIATE ADOPTION CALENDAR

These measures are being introduced at this meeting. A unanimous vote is required for adoption today. Any Supervisor may require any of these measures to go to committee.

Adopted

[Leaves of Absence]

Resolution granting leaves of absence to various city and county officers with permission to leave the state. (Clerk of the Board)

File 1-95-43, Resolution No. 933-95

(Tom Ammiano, member, Board of Supervisors, November 29 - December 2; Susan Leal, member, Board of Supervisors, November 9 - 14; Anne Halsted, Commissioner, Port of San Francisco, November 1 - 5; Ed Harrington, Controller, October 31 - November 3, 1995.)

Adopted.

The foregoing item on the Immediate Adoption Calendar was adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS  
NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Committee

[Savings Incentive Fund]

Ordinance amending Administrative Code by adding Section 3.19 to establish City and County policy that a savings incentive fund be annually established and appropriations from the fund may be made to departments that demonstrate a savings achieved during the immediately preceding fiscal year. Supervisor Hsieh presented. Referred to Budget Committee.

File 097-95-064.

[1995 Fire Code]

Ordinance repealing Part II, Chapter IV of the San Francisco Municipal Code; (Fire Code); adopting in its entirety a new 1995 San Francisco Fire Code; effective date of December 29, 1995. Supervisor Migden presented. Referred to Housing and Land Use Committee.

File 117-95-003.01.

Referred to Board

[Commend Hong Kong Association]

Resolution commending the Hong Kong Association of Northern California and declaring December 1, 1995 to be Hong Kong Association of Northern California Day in San Francisco. Supervisor Hsieh presented. Referred to Board for Adoption Without Committee Reference Calendar November 13, 1995.

File 006-95-131.

[Commend City Store Opening]

Resolution commending and honoring Golden Gate Community, Inc., The Roberts Foundation and the Gap for their generous support and assistance in creating the San Francisco City Store. Supervisor Leal presented. Referred to Board for Adoption Without Committee Reference Calendar November 13, 1995.

File 006-95-132.

[Spent Nuclear Fuel]

Resolution encouraging the Department of Energy and President Bill Clinton to reject the transport of spent nuclear fuel through San Francisco Bay for use at the Concord Naval Weapons Station. Supervisor Migden presented. Referred to Board for Adoption Without Committee Reference Calendar November 13, 1995.

File 013-95-027.

[Opposing Securities Litigation Reform Act]

Resolution opposing the Securities Litigation Reform Act (H.R. 1058 and S. 240). Supervisor Shelley presented. Referred to Board for Adoption Without Committee Reference Calendar November 13, 1995.

File 013-95-028.

Referred to Committee

[Stop Intersection]

Resolution designating 39th Avenue and Irving Street as an all-way "Stop" intersection. Supervisor Shelley presented. Referred to Housing and Land Use Committee.

File 018-95-016.

[Transbay Terminal]

Substitute resolution urging that Alternative One, Alternative Two, Alternative Three, Alternative Four, Alternative Five or Alternative Six be selected as the preferred alternative for the City's transbay area plan and be the locally preferred alternative for the purposes of the Joint Powers Board Caltrain Extension Environmental Impact Study. Supervisor Hsieh presented. Referred to Joint Budget/Housing and Land Use Committee.

File 085-95-006.

[Findings, 1995 Fire Code]

Resolution endorsing those changes and providing findings as to the local conditions requiring variance from the California Fire Code as required by the California Health and Safety Code. Supervisor Migden presented. Referred to Housing and Land Use Committee.

File 117-95-003.

[Purchaser, MBE/WBE/LBE]

Resolution urging the Mayor to urge the Chief Administrative Officer to urge the Purchaser to improve participation in the Minority/Women/Local Business Enterprise program in regard to prime contract awards for the purchase of equipment and supplies and general services as indicated in the 1993-94 report on the progress of compliance with the Minority/Women/Local Business Utilization Ordinance prepared by the Human Rights Commission, and requesting the Purchaser to submit recommendations to improve the Purchaser's participation in the MBE/WBE/ LBE program. Supervisors Shelley, Migden, Teng presented. Referred to Rules Committee.

File 284-95-006.

[Local Business Enterprise]

Resolution urging the Mayor to urge the Human Rights Commission to adopt and enforce subcontracting goals for local business enterprises in all city contracts where feasible and to urge the Human Rights Commission to conduct a study to determine the degree of economic disparity faced by local businesses as compared to similar non-local businesses due to local laws, taxes, fees and regulations. Supervisors Shelley, Migden, Teng presented. Referred to Rules Committee.

File 284-95-007.

[Redevelopment Agency Budget and Bonds]

Substitute resolution approving an amendment to the budget of the San Francisco Redevelopment Agency for fiscal year 1995-96, to increase expenditures in the Mid-Market Survey Area for survey activities by \$225,000; the issuance of tax allocation bonds in an amount not to exceed \$265,000; and an appropriation of \$17,225 for fiscal year 1995-96 to support the allocation bonds. Supervisor Hsieh presented. Referred to Budget Committee with request it be considered at the November 29, 1995 meeting.

File 291-95-002.

[State-County Tax Administration Program]

Resolution electing to participate in the State-County Tax Administration Program subject to the State Revenue and Taxation Code; authorizing the Assessor and the Controller to negotiate an agreement with the State Department of Finance. Supervisor Hsieh presented. Referred to Budget Committee with request it be considered at the November 15, 1995 meeting.

File 292-95-001.

Requests for Hearings

[Liquor License Moratorium, Chestnut Street]

Hearing to consider imposing a moratorium on liquor licenses on Chestnut Street. Supervisor Kaufman presented. Referred to Housing and Land Use Committee.

File 110-95-2.

[Pretrial Diversion Program]  
Hearing to consider the pretrial diversion program. Supervisor Kaufman presented. Referred to Health/Public Safety/Environment Committee.

File 195-95-001.

Introduced by the President at the Request of Departments

Ordinances Referred to Committee

File 027-95-017. [North Terminal Candy Store Lease] Ordinance approving the "North Terminal Candy Store Lease" between ABC Cigar, Inc. and the City and County of San Francisco. (Airports Commission) Referred to Government Efficiency/Labor Committee.

File 036-95-006.01. [Zoning Map Amendments, Westwood Park RCD] Ordinance amending Planning Code by amending the Zoning Map of the City and County of San Francisco for certain properties in the Westwood Park Subdivision, generally bounded by Ocean Avenue, Plymouth Avenue (including east side properties), Greenwood Avenue (including south side properties), Judson Avenue, Phelan Avenue, Flood Avenue, Ridgewood Avenue, south side of Monterey Boulevard and Faxon Avenue (including west side properties), all of Assessor's Blocks 3106-3113, 3133-3138, 3160-3166, 3173-3178, 3189-3190 and portions of Assessor's Blocks 3167, 3191 and 3196-3199, to create the Westwood Park Residential Character District; companion measure to Files 36-95-6, 36-95-6.1, and 115-95-14. (Department of City Planning) (Referred to Housing and Land Use Committee)

File 036-95-006.02. [Zoning Map Amendments, Westwood Park Height/Bulk] Ordinance amending Planning Code by amending the Zoning Map of the City and County of San Francisco for certain properties in the Westwood Park Subdivision, generally bounded by Ocean Avenue, Plymouth Avenue (including south side properties), Greenwood Avenue (including south side properties), Judson Avenue, Phelan Avenue, Flood Avenue, Ridgewood Avenue, south side of Monterey Boulevard and Faxon Avenue (including west side properties), all of Assessor's Blocks 3106-3113, 3133-3138, 3160-3166, 3173-3178, 3189-3190 and portions of Assessor's Blocks 3167, 3191, and 3196-3199, to reclassify these properties from a 40-X Height and Bulk District to a 28-X Height and Bulk District; companion measure Files 36-95-6, 36-95-6.1, and 115-95-14. (Department of City Planning) (Referred to Housing and Land Use Committee.

File 045-95-026.02. [Settlement of Litigation, Jeffrey Derderian] Ordinance authorizing settlement of personal injury of Jeffrey Derderian against the City and County of San Francisco and its employee Frederick Lambrecht for \$75,000, each side to bear its own costs and attorney's fees. (Superior Court No. 958-930). (City Attorney) Referred to Government Efficiency/Labor Committee.

File 045-95-049. [Settlement of Litigation, G. Bakar Partnership] Ordinance authorizing settlement of litigation of G. Bakar Partnership v. the City and County of San Francisco for \$500,000. (Superior Court No. 948-706). (City Attorney) Referred to Government Efficiency/Labor Committee.

File 045-95-050. [Settlement of Litigation, Robert Hughes] Ordinance authorizing settlement of litigation of Robert Hughes against the City and County of San Francisco by payment of \$10,000. (Superior Court No. 964-030). (City Attorney) Referred to Government Efficiency/Labor Committee.

File 045-95-051. [Settlement of Litigation, Dennis O'Dwyer] Ordinance authorizing settlement of litigation of Dennis O'Dwyer against the City and County of San Francisco by payment of \$10,000. (Superior Court No. 958-163). (City Attorney) Referred to Government Efficiency/Labor Committee.

File 045-95-052. [Settlement of Litigation, George Y. Abouata] Ordinance authorizing settlement of litigation of George Y. Abouata against the City and County of San Francisco by payment of \$13,000. (Superior Court No. 960-380). (City Attorney) Referred to Government Efficiency/Labor Committee.

File 114-95-002. [1995 San Francisco Building Code] Ordinance amending Building Code by adopting by reference the 1994 Uniform Building Code as amended by the 1995 California Building Code; retaining and making applicable to the State Code all previously adopted San Francisco amendments to the State Code and findings of local conditions required by state law; republishing the retained San Francisco amendments in a separate volume with corrected section references and reformatting to correspond to the new State Code references and format; and making nonsubstantive editorial changes to conform the code to Charter Section 3.750; effective date of December 29, 1995. (Building Inspection Commission) Referred to Housing and Land Use Committee.

File 115-95-014. [Westwood Park Residential Character District] Ordinance amending City Planning Code by adding Section 244 to add Residential Character Districts and Section 244.1 to create the Westwood Park Residential Character District, and amending Sections 134 and 252.1 to recognize special rear yard requirements and special height limits for Residential Character Districts; companion measure to Files 36-95-6, 36-95-6.1, and 36-95-6.2. (City Planning Resolution No. 13992 adopted 10/26/95.) (Final Negative Declaration adopted 5/20/93.) (Department of City Planning) Referred to Housing and Land Use Committee.

File 115-95-015. [Sign Controls, Rincon Hill Special Use District] Ordinance amending Planning Code by amending Section 249.1 Rincon Hill Special Use District to incorporate new sign provisions for the Rincon Hill Area and adopting findings pursuant to City Planning Code Section 101.1. (Exempt Status: General Rule Exclusion (State Guidelines, Section 15061(b)(3)). (City Planning Resolution No. 13978, adopted 10/12/95.) (Department of City Planning) Referred to Housing and Land Use Committee.

File 116-95-001. [1995 San Francisco Electrical Code] Ordinance amending Electrical Code by adopting by reference the 1993 National Electrical Code as amended by the 1995 California Electrical Code; retaining and making applicable to the State Code all previously adopted San Francisco amendments to the State Code and findings of local conditions required by state law; republishing the retained San Francisco amendments in a separate volume with corrected section references and reformatting to correspond to the new State Code references and format; and making nonsubstantive editorial changes to conform the code to Charter Section 3.750; effective date of December 19, 1995. (Building Inspection Commission) Referred to Housing and Land Use Committee.

File 120-95-001. [1995 San Francisco Plumbing Code] Ordinance amending Plumbing Code by adopting by reference the 1994 Uniform Plumbing Code as amended by the 1995 California Plumbing Code; retaining and making applicable to the State Code all previously adopted San Francisco amendments to the State Code and findings of local conditions required by state law; republishing the retained San Francisco amendments in a separate volume with corrected section references and reformatting to correspond to the new State Code references and format; and making nonsubstantive editorial changes to conform the code to Charter Section 3.750; effective date of December 29, 1995. (Building Inspection Commission) Referred to Housing and Land Use Committee.

#### Resolutions Referred to Committee

File 036-95-006. [Final Negative Declaration, Westwood Park] Resolution adopting Final Negative Declaration, finding and determining that amending the City Planning Code to add Sections 244 and 244.1 creating a designation for Residential Character Districts and establishing the Westwood Park Residential Character District and requiring all building permits for new construction and alterations in that Residential Character District to conform to designated sections of the "Westwood Park Association, Residential Design Guidelines" and to amend Sections 134 and 252.1 recognizing exceptions to rear yard and height provisions in such Residential Character Districts, and that amending the zoning map to delineate the Westwood Park Residential Character District and to change the Height and Bulk District from 40-X to 28-X, for properties in the Westwood Park Subdivision (95.541ETZ) will have no significant impact on the environment; and adopting and incorporating findings of Final Negative Declaration; companion measures to Files 36-95-6.1, 36-96-6.2, and 115-95-14. (Department of City Planning) Referred to Housing and Land Use Committee.

File 040-95-017. [Residential Parking Area "S", Duboce Triangle] Resolution extending the boundaries of Residential Permit Parking Area "S" in the Duboce Triangle Area and adding to the list of streets upon which time limitations shall apply. (Department of Parking and Traffic) Referred to Housing and Land Use Committee.

File 064-95-012. [Lease Amendment, 2789 25th Street] Resolution authorizing an amendment to lease for real property at 2789 25th Street for the Department of Public Health. (Real Estate Department) Referred to Government Efficiency/Labor Committee.

File 064-95-013. [Lease of Property at 30 Van Ness Avenue] Resolution authorizing a lease of real property at 30 Van Ness Avenue, San Francisco, for the Department of Social Services. (Real Estate Department) Referred to Government Efficiency/Labor Committee.

File 068-95-008. [Federal Funds, Home Program] Resolution authorizing the Mayor of the City and County of San Francisco to apply for, accept and administer a grant from the U.S. Department of Housing and Urban Development for a total amount not to exceed Six Million Two Hundred Eight Thousand (\$6,208,000) for the HOME Program authorized under Title II of the National Affordable Housing Act of 1990, Public Law Number 101-625, and approving the HOME Program description as described in the 1996 Action Plan for San Francisco's Consolidated Plan; indirect costs associated with the acceptance of these grant funds will be paid by Community Development Block Grant funds. (Mayor's Office of Community Development) Referred to Budget Committee.

File 068-95-009. [Federal Funds - Emergency Shelter Grants Program] Resolution approving the 1996 Emergency Shelter Grants Program and expenditure schedule and authorizing the Mayor on behalf of the City and County of San Francisco to apply for, accept and expend a \$794,600 Entitlement under the Emergency Shelter Grants Program for the U.S. Department of Housing and Urban Development. (Mayor's Office of Community Development) Referred to Budget Committee.

File 079-95-006. [1996 Community Development Block Grant] Resolution approving the 1996 Community Development Program, authorizing the Mayor, on behalf of the City and County of San Francisco, to apply for, receive, and expend the City's 1996 Community Development Block Grant (CDBG) Entitlement from the U.S. Department of Housing and Urban Development, transfer and expend reprogrammed funds from prior year Community Development Programs and program income generated by the San Francisco Redevelopment Agency up to \$36,002,627, which include indirect costs of \$120,000; approving expenditure schedules for recipient departments and agencies and for indirect costs, and, determining no environmental evaluation is required, authorizing the receipt and deposit in contingencies of 1996 CDBG entitlement funds in excess of \$24,285,600. (Mayor's Office of Community Development) Referred to Budget Committee.

File 083-95-002. [Continuum of Care Plan] Resolution proclaiming that the Continuum of Care Plan (The Plan), dated October 1995, is the City and County of San Francisco's homeless policy document governing the development of an integrated, effective and coordinated system of health care, housing, employment and support services to prevent and reduce homelessness. (Mayor) Referred to Government Efficiency/Labor Committee.

File 133-95-009. [Used Oil Recycling Grant] Resolution authorizing the Chief Administrative Officer to apply for, accept and expend \$235,383.00 in oil recycling grant funding from the California Integrated Waste Management Board; waiving indirect costs. (Chief Administrative Officer) Referred to Government Efficiency/Labor Committee.

File 138-95-008. [Joint Powers Agreement, Victim Witness Assistance] Resolution authorizing the District Attorney to retroactively apply for, accept and expend funds in the amount of \$396,145, which include indirect costs of \$17,777, which have been allocated from the State Board of Control Victims of Crime Program, an agent of the State of California, for a project entitled "Joint Powers Agreement with Victim and Witness Assistance Program" for the twelve month period July 1, 1995 through June 30, 1996. (Mayor's Office of Criminal Justice) Referred to Government Efficiency/Labor Committee.

File 143-95-005. [State Grant, Live Scan Terminal Project] Resolution authorizing the Chief of Police of the City and County of San Francisco to apply for, accept and expend funds in the amount of Thirty Eight Thousand Eight Hundred Thirty Three (38,833.00) Dollars for new funding for the Live Scan Terminal Project, no local match is required. (Mayor's Office of Criminal Justice) Referred to Government Efficiency/Labor Committee.

File 148-95-5 [Grant, Historic Signage and Art Ribbon Projects] Substitute resolution authorizing the Director of Public Works to apply for, accept and expend federal funds in the amount of \$1,192,278 from the Transportation Enhancement Activities Program for (1) the Historic Signage and Art Ribbon Projects associated with the reconstruction of the Mid-Embarcadero Roadway and (2) information and Signage Program on downtown streets and waiving indirect costs. (Department of Public Works) Referred to Government Efficiency/Labor Committee.

File 146-95-020. [Substance Abuse Prevention and Education Services] Resolution authorizing the Department of Public Health, Division of Mental Health and Substance Abuse, Child, Adolescent and Family Section, as sub-grantee, in collaboration with the San Francisco Economic Opportunity Council as prime grantee, to apply for retroactively and accept and expend a grant of \$49,996, which includes no indirect costs, and supplies valued at an amount not to exceed \$25,000, from the San Francisco Economic Opportunity Council to provide substance abuse prevention and education services to high risk preschoolers and their families; waiving indirect costs. (Department of Public Health) Referred to Government Efficiency/Labor Committee.

File 170-95-011. [Moscone Expansion Bonds] Resolution submitting to the qualified electors of the City and County of San Francisco authorizing the City to enter into lease financing arrangements for the acquisition and construction of additional convention center facilities and related equipment, fixtures and furnishings. (Chief Administrative Officer) Referred to Budget Committee.

File 291-95-001. [Mid-Market Street Survey Area] Substitute resolution designating and describing a survey area within the City and County of San Francisco pursuant to the California Community Redevelopment Law, referred to as the Mid-Market Survey Area. (Redevelopment Agency) Referred to Housing and Land Use Committee.

File 291-95-002. [Redevelopment Agency Budget and Bonds] Resolution approving an amendment to the Budget of the Redevelopment Agency of the City and County of San Francisco for fiscal year 1995-96; the issuance of not to exceed \$265,000 of tax allocation bonds; and an appropriation of \$17,225 for fiscal year 1995-96; companion measure to File 291-95-1. (Redevelopment Agency) Referred to Housing and Land Use Committee.

#### Requests Granted

There being no objection, the Board directed the Clerk to comply with the following request:

By Supervisor Kaufman, that letter be sent to the Sheriff indicating a hearing has been called regarding the pretrial diversion program and the Supervisor would like to receive the following information: The current contracts between the city and the agency that is providing the pretrial diversion services for felony offenders; current statistics regarding number of staff members and their caseload, types of felonies, description of services provided by staff for each defender, recidivism rates within the program and the explicit criteria that the program looks at prior to authorizing an offender for diversion. File 195-95-1.

#### Motions Adopted

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



Yitzhak Rabin (By the entire Board)  
Elma Vazquez (By the entire Board)  
Revels Cayton (By the entire Board)  
Kathleen Robinson Munson (Supervisor Kennedy)  
Marguerite Kernan (Supervisor Bierman)  
David Solomon (Supervisors Leal, Kaufman)  
Don Johnson (Supervisors Leal, Migden, Ammiano)  
Jim Barnes (Supervisor Leal)

File 2-95-43

Unanimously adopted by a rising vote.

ADJOURNMENT

There being no further business, the Board at the hour of 2:57 p.m. adjourned.

John L. Taylor, Clerk

N.B. This Journal of Proceedings sets 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 December 11, 1995.

I, John L. Taylor, 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 Journal of Proceedings of said Board on the date stated and was approved as recited.

John L. Taylor  
Clerk of the Board of Supervisors



Monday, November 13, 1995

# **Journal of Proceedings**

*The Minutes of the*

# **Board of Supervisors**

City and County of San Francisco

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JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

Monday, November 13, 1995 - 2:00 p.m.

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

CALLING THE ROLL

The meeting was called to order at 2:04 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Ammiano, Bierman, Hallinan, Kaufman, Kennedy, Migden, Shelley, Teng - 8.

Noted absent at first roll call:

Supervisors Alioto, Hsieh, Leal - 3.

Quorum present.

Supervisor Leal excused, on official leave of absence.

Supervisor Alioto was noted present at 2:12 p.m.

Supervisor Hsieh was noted present at 2:08 p.m.

APPROVAL OF JOURNALS

There being no errors, corrections or omissions, Supervisor Kennedy, seconded by Supervisor Migden, moved that the Journals of Proceedings for Tuesday, October 10 and Monday, October 17, 1995, be approved.

Motion carried by the following vote:

Ayes: Supervisors Ammiano, Bierman, Hallinan, Kaufman, Kennedy, Migden, Shelley, Teng - 8.

Absent: Supervisors Alioto, Hsieh, Leal - 3.

CONSENT CALENDAR

Recommendation of Budget Committee

Finally Passed

[Appropriation, Public Library]  
Ordinance appropriating \$4,313,350 Public Library of Library Preservation Funds, \$3,151,350 from the fund balance and \$1,162,000 from rescinding equipment, for salaries, mandatory fringe benefits, training, equipment maintenance, professional services, materials and supplies, equipment and services of other departments to allow for purchase of automation and telecommunications equipment and to complete the cataloging and inventory of collections for fiscal year 1995-96. (Supervisor Hsieh)

File 101-95-26, Ordinance No.

Finally passed.

Recommendations of Housing and Land Use Committee

Adopted

[Stop Signs, Various Locations]  
Resolution designating and rescinding certain intersections as "Stop" intersections. (Housing and Land Use Committee)

File 18-95-13, Resolution No.

(Stop Signs - Establish

17th and Florida Streets, northeast and southwest corners, stopping 17th Street (makes this an all-way Stop).

Farnum and Moffitt Streets, northeast and southwest corners, stopping Moffitt Street (makes this an all-way Stop).

Stop Signs - Rescind

34th Avenue and Wawona Street, southeast corner, stopping 34th Avenue (Stop sign removal in conjunction with conversion to a one-way street).)

Adopted.

[Parking Regulations, Various Locations]

Resolution establishing parking regulations on various streets. (Housing and Land Use Committee)

File 19-95-13, Resolution No.

(No Parking Anytime - Establish

Fremont Street, west side, from Folsom Street to 217 feet northerly (217 foot zone, extending to the Bay Bridge off-ramp)

Mars Street, west side, from 105 feet to 215 feet south of 17th Street (110-foot extension to existing zone, up to and including the driveway for #42 Mars Street)

Unmetered Motorcycle Parking - Establish

California Street, north side, from Cushman Street to 18 feet easterly (18-foot zone accommodating 5 unmetered motorcycle parking spaces).)

Adopted.

[Traffic Regulations, Various Locations]

Resolution enacting and rescinding traffic regulations on various streets. (Housing and Land Use Committee)

File 20-95-15, Resolution No.

(No Turn on Red - Establish

Valencia Street, northbound, at Market Street.

Tow-Away, No Stopping, 4 pm - 6 pm, Monday through Friday - Rescind

Larkin Street, east side, between Broadway and Pacific Avenue.)

Adopted.

[Traffic Regulations]

Resolution enacting traffic regulations on various streets. (Supervisors Migden, Bierman, Teng)

File 20-95-18, Resolution No.

(Tow-Away Lane must Turn Right - Establish

Irving Street, eastbound, at 2nd Avenue.

Tow-Away, No Stopping Anytime - Establish

Irving Street, north side, from 2nd Avenue to 145 feet westerly (145-foot zone).

Irving Street, north side, from 2nd Avenue to 60 feet easterly (60-foot zone).

Irving Street, south side, from 2nd Avenue to approximately 300 feet easterly (300-foot zone, including curved portion opposite Arguello Boulevard)

Judah Street, both sides between 9th and 10th Avenues.

Judah Street, north side, between 18th and 19th Avenues.

Judah Street, north side, between Sunset Boulevard and 36th Avenue.

Judah Street, north side, from 18th Avenue to 60 feet easterly (60-foot zone).

Judah Street, north side, from 36th Avenue to 160 feet easterly (160-foot zone).

Judah Street, south side, between 19th and 20th Avenues.

Judah Street, south side, between Sunset Boulevard and 37th Avenue.

Judah Street, south side, from 10th Avenue to 80 feet westerly (80-foot zone).

Judah Street, south side, from 37th Avenue to 170 feet westerly (170-foot zone).

Tow-Away, No Stopping, 8 am - 6 pm, Monday through Friday - Establish

Irving Street, south side, from 2nd Avenue to 150 feet westerly (150-foot zone).

Transit and Left Turns only - Establish

Irving Street, eastbound and westbound, within streetcar lanes between Arguello Boulevard and 3rd Avenue.)

Adopted.

Recommendation of Rules Committee

Finally Passed

[Child Care Planning and Advisory Council]

Ordinance amending Administrative Code, to establish the Child Care Planning and Advisory Council as an advisory body to the Board of Supervisors, the Mayor, the Board of Education and the Superintendent of Schools. (Supervisors Bierman, Migden, Kennedy, Teng)

File 97-95-59, Ordinance No.

(Adds Section 5.200.)

Finally passed.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Ammiano, Bierman, Hallinan, Kaufman, Kennedy, Migden, Shelley, Teng - 8.

Absent: Supervisors Alioto, Hsieh, Leal - 3.

REGULAR CALENDAR

UNFINISHED BUSINESS

Recommendation of Housing and Land Use Committee

Passed for Second Reading

[Residential Zoning Amendments]

Ordinance amending Planning Code, to establish new provisions that apply to construction in the RH and RM Zoning Districts for permit application review, notification and appeals procedures and adherence to approved design guidelines as well as to the Planning Code; and new provisions that apply to review of proposed demolitions in all residential districts. (Department of City Planning)

File 115-95-11, Ordinance No.

(Adds new Section 311.)

(City Planning Resolution No. 13960, adopted September 21, 1995.)

(October 19, 1995 - Referred back to City Planning Commission pursuant to Section 302(d) with request that amendment (to change notification to residents "within 150 feet", to "within 300 feet") be approved prior to October 30th Board meeting.)

(October 30, 1995 - Consideration continued to November 13, 1995.)

The Clerk stated he received communication that the City Planning Commission considered the 300 foot notification proposal and continues to support their original recommendation for a 150 foot notification (copy of which is contained in the office of the Clerk of the Board).

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Hallinan, Kaufman, Kennedy, Migden, Shelley, Teng - 8.

Absent: Supervisors Alioto, Hsieh, Leal - 3.

NEW BUSINESS

Recommendations of Budget Committee

Passed for Second Reading

[Appropriation, Department of Public Health]

Ordinance appropriating \$450,000, Department of Public Health-Community Health Services, from the General Fund Reserve for professional services to implement the Medi-Cal Managed Care Local Initiative for fiscal year 1995-96; providing for ratification of action previously taken. (Controller)

File 101-95-25, Ordinance No.

(Fiscal Impact.)

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Hallinan, Kaufman, Kennedy, Migden, Shelley, Teng - 8.

Absent: Supervisors Alioto, Hsieh, Leal - 3.

[Sale of Surplus Property]

Ordinance authorizing the sale of surplus City-owned property, Assessor's Block 1260, Lot 22, and adopting findings pursuant to City Planning Code Section 101.1 (854 square feet \$25,000). (Real Estate Department)

File 96-95-5, Ordinance No.

(Fiscal Impact.)

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Hallinan, Kaufman, Kennedy, Migden, Shelley, Teng - 8.

Absent: Supervisors Alioto, Hsieh, Leal - 3.

Recommendations of Housing and Land Use Committee

Passed for Second Reading

[Sidewalk Width Regulations, Various Streets]

Ordinance amending Ordinance No. 1061 entitled "Regulating the Width of Sidewalks" by adding thereto Section 1519 changing the official widths of sidewalks at Larkin and Myrtle Streets and Eddy and Jones Streets as shown on the Department of Public Works drawings labeled Q-20-433 and Q-20-434; and making findings pursuant to City Planning Code Section 101.1. (Department of Public Works)

File 34-95-2, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Migden, Shelley, Teng - 9.

Absent: Supervisors Alioto, Leal - 2.

Adopted

[Liquor License, 473 Broadway Street]

Resolution determining that the issuance of a liquor license to Max R. Young for a nightclub located at 473 Broadway Street, will serve the convenience and necessity of the people of the City and County, in accordance with Section 23958.4 of the California Business and Professions Code. (Housing and Land Use Committee)

File 223-95-26, Resolution No.

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Migden, Shelley, Teng - 9.

Absent: Supervisors Alioto, Leal - 2.

[Liquor License Transfer, 766 Harrison]

Resolution determining that the transfer of an off-sale general and on-sale beer and wine alcohol beverage control license for Todd Zucker dba K & L Wines & Spirits, from 768 Harrison Street to 766 Harrison Street, will serve the convenience and necessity of the people of the City and County, in accordance with Section 23958.4 of the California Business and Professions Code; with condition. (Housing and Land Use Committee)

File 223-95-27, Resolution No.

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Migden, Shelley, Teng - 9.



Absent: Supervisors Alioto, Leal - 2.

[Liquor License Transfer, 2323 Chestnut Street]

Resolution determining that the transfer of a Type-21 off-sale general alcohol beverage control license for Daniel P. Manza for Marina Supermarket, from 5425 Mission Street to 2323 Chestnut Street, will serve the convenience and necessity of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code. (Housing and Land Use Committee)

File 223-95-28, Resolution No.

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Migden, Shelley, Teng - 9.

Absent: Supervisors Alioto, Leal - 2.

[Liquor License Transfer, 1701 Greenwich Street]

Resolution determining that the transfer of a Type-20 off-sale beer and wine license for Jeffrey M. Thomas for Fort Mason Market, from 1201 Mariposa Street to 1701 Greenwich Street, will serve the convenience and necessity of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code. (Housing and Land Use Committee)

File 223-95-29, Resolution No.

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Migden, Shelley, Teng - 9.

Absent: Supervisors Alioto, Leal - 2.

[Appeal, Minor Sidewalk Encroachment, 56 Samoset]

Motion upholding the appeal of a decision by the Director of Public Works, which denied the issuance of a minor sidewalk encroachment permit to legalize the construction of an existing fence at 56 Samoset Street, which encroaches into the public right-of-way fronting the subject property, and granting the issuance of a minor encroachment permit for the property at 56 Samoset Street, which will legalize the construction of an existing fence at the subject property. (Housing and Land Use Committee)

File 24-95-3

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Migden, Shelley, Teng - 9.

Absent: Supervisors Alioto, Leal - 2.

#### Conference with City Attorney - Litigation

Adopted

Motion that the Board of Supervisors convene in closed session with Deputy City Attorneys, Public Utilities Commission General Manager, Anson Moran, Water Department's Project Manager, Rick Nelson, and Jim Lazarus for the purpose of conferring or receiving advice from the City Attorney regarding potential litigation as defendant and as plaintiff concerning both the proposed development of Water Department lands in unincorporated territory near Pleasanton and Pleasanton's efforts to annex the property, as authorized by California Government Code Section 54956.9.

Supervisor Kennedy, seconded by Supervisor Ammiano, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Migden, Shelley, Teng - 10.

Absent: Supervisor Leal - 1.

#### Recess

The Board recessed at the hour of 2:48 p.m. to convene in closed session.

#### Reconvening of the Board

The Board, at the hour of 3:09 p.m., reconvened.

Calling the Roll

The following Supervisors were noted present:

Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Migden, Shelley, Teng - 10.

Noted absent:

Supervisor Leal - 1.

Quorum present.

Report on Closed Session

Deputy City Attorney Ted Lakey reported that the Board had met in closed session with the Deputy City Attorneys, Public Utilities Commission General Manager, Anson Moran, Water Department's Project Manager, Rick Nelson, and Jim Lazarus for the purpose of conferring or receiving advice from the City Attorney regarding potential litigation as defendant and as plaintiff concerning both the proposed development of Water Department lands in unincorporated territory near Pleasanton and Pleasanton's efforts to annex the property, as authorized by California Government Code Section 54956.9.

The purpose of the meeting was informational.

Adopted

Motion that the Board of Supervisors finds that it is in the best interest of the public and elects not to disclose its closed session deliberations in potential litigation.

Supervisor Kennedy, seconded by Supervisor Migden, moved adoption.

Motion adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Migden, Shelley, Teng - 10.

Absent: Supervisor Leal - 1.

SPECIAL ORDER 3:00 P.M.

Hearing Held

[Public Hearing]

Hearing of persons interested in or objecting to amending the South of Market Earthquake Recovery Redevelopment Project Area (Ordinance 234-90, as amended) and the Embarcadero-Lower Market (Golden Gateway) Approved Project Area E-1 (Ordinance 301-59, as amended) into a Merged Redevelopment Project, with additional amendments to said Redevelopment Plans necessary for and to implement said merger, for the purpose of using tax increment funds to finance redevelopment in the South of Market Earthquake Recovery Redevelopment Project Area; and adoption of the final negative declaration of environmental impact.

Files 73-95-2, 73-95-3, 73-95-4

After a brief report from the Executive Director, Redevelopment Agency, the privilege of the floor was granted to the following persons:

Speaking in support: Ms. Walters; Greg Winter; Anna Yee; Helen Helfer; Amelita Pascual; Cheryl Parker; Diane Ross; John Elberling; Lee Meyerzove; Paula Sent; Ralph Kazanjian; Tom McKnight; Calvin Welch.

Speaking in opposition: Robert Coleman; Louise Vaughn; Tom Flowers.

Recommendations of Housing and Land Use Committee

Adopted

[Redevelopment Project Merger]

Resolution adopting Final Negative Declaration of environmental impact, finding and determining that the proposed amendments to the Embarcadero-Lower Market (Golden Gateway) Approved Redevelopment Project Area E-1; and South of Market Earthquake Recovery Redevelopment Project Area for purposes of merging said project areas into one Merged Redevelopment Project, will not have a significant impact on the environment, and adopting and incorporating findings of final negative declaration of environmental impact. (Supervisors Bierman, Migden, Teng)

File 73-95-4, Resolution No.

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Migden, Shelley, Teng - 10.

Absent: Supervisor Leal - 1.

Passed for Second Reading

[Redevelopment Plan Amendment]

Ordinance amending Ordinance No. 234-90, which approved the Redevelopment Plan for the South of Market Earthquake Recovery Redevelopment Project Area, and Ordinance No. 431-94 amending said Redevelopment Plan, by further amending said Redevelopment Plan to merge the South of Market Earthquake Recovery Redevelopment Project Area into a merged Redevelopment Project consisting of the Embarcadero-Lower Market (Golden Gateway) Approved Redevelopment Project Area E-1 and the South of Market Earthquake Recovery Redevelopment Project Area, with additional amendments to said Redevelopment Plan necessary for and to implement said merger; companion measure to File 73-95-4. (Supervisors Bierman, Migden, Teng)

File 73-95-2, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Migden, Shelley, Teng - 10.

Absent: Supervisor Leal - 1.

[Redevelopment Plan Amendment]

Ordinance amending Ordinance No. 301-59, which approved the Redevelopment Plan for the Embarcadero-Lower Market (Golden Gateway) Approved Project Area E-1, and Ordinances amending said Redevelopment Plan, namely Ordinance Nos. 208-61, 196-64, 194-64, 123-67, 204-68, 479-76, 476-86 and 418-94, by further amending said Redevelopment Plan to merge the Embarcadero-Lower Market (Golden Gateway) Approved Project Area E-1 into a merged Redevelopment Project consisting of the South of Market Earthquake Recovery Redevelopment Project Area and the Embarcadero-Lower Market (Golden Gateway) Approved Redevelopment Project Area E-1, with additional amendments to said Redevelopment Plan necessary for and to implement said merger; companion measure to Files 73-95-4, 73-95-2. (Supervisors Bierman, Migden, Teng)

File 73-95-3, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Migden, Shelley, Teng - 10.

Absent: Supervisor Leal - 1.

Appointment of President Pro Tempore

At the request of the President, Supervisor Kennedy assumed the Chair.

PUBLIC COMMENT

The privilege of the floor was granted to the following persons:

Clara Luz Navarro, Proposition 187, immigration issues;  
Stella Goodpasture, Proposition 187, immigration issues;  
Maria, submitted petitions;  
Leboriae P. Smoore, police brutality;  
Renee Saucedo, Proposition 187, immigration issues;  
Victor Marquez, police involvement, City of Refugee ordinance;  
Louise Vaughn, oppose Proposition 187;  
George Lippman, Immigration and Naturalization Services raids;  
Maddy Vassallo, Proposition 187, immigration issues;  
Hal Wolmack, police accountability;  
Constance Kuruppu, police accountability;  
Ms. Rialto, Proposition 187, immigration issues.

There being no one else wishing to speak, the President declared the public comment portion of the meeting closed.

The President resumed the Chair.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures were introduced at a prior meeting of the Board with action requested at this meeting. Any Supervisor may require these measures to go to committee unless a motion to suspend the rules is adopted by eight votes (or a unanimous vote if only six or seven members are present). An "aye" vote is (a) a vote in favor of suspending the rule requiring reference to committee, and (b) a vote in favor of adoption of the measures. Eight votes (or a unanimous vote if only six or seven members are present) is required.

Adopted

[Commend Hong Kong Association]

Resolution commending the Hong Kong Association of Northern California and declaring December 7, 1995 to be Hong Kong Association of Northern California Day in San Francisco. (Supervisors Hsieh, Alioto, Shelley, Kaufman, Bierman)

File 6-95-131, Resolution No.

(November 6, 1995 - Introduced in Board for consideration on November 13, 1995.)

Adopted.

In connection with the above item, Supervisors Shelley, Kaufman, Bierman requested to be added as co-sponsors.

[Commend City Store Opening]

Resolution commending and honoring Golden Gate Community, Inc., The Roberts Foundation and the Gap for their generous support and assistance in creating the San Francisco City Store. (Supervisors Leal, Alioto, Shelley, Kaufman)

File 6-95-132, Resolution No.

(November 6, 1995 - Introduced in Board for consideration on November 13, 1995.)

Adopted.

In connection with the above item, Supervisors Shelley, Kaufman requested to be added as co-sponsors.

[Spent Nuclear Fuel]

Resolution encouraging the Department of Energy and President Bill Clinton to reject the transport of spent nuclear fuel through San Francisco Bay for use at the Concord Naval Weapons Station. (Supervisors Migden, Alioto, Bierman)

File 13-95-027, Resolution No.

(November 6, 1995 - Introduced in Board for consideration on November 13, 1995.)

Adopted.

In connection with the above item, Supervisor Bierman requested to be added as co-sponsor.

[Opposing Securities Litigation Reform Act]

Resolution opposing the Securities Litigation Reform Act (H.R. 1058 and S. 240). (Supervisor Shelley)

File 13-95-28, Resolution No.

(November 6, 1995 - Introduced in Board for consideration on November 13, 1995.)

Adopted.

The foregoing items on the For Adoption Without Committee Reference Calendar were adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Hallinan, Hsieh, Kennedy, Migden, Shelley, Teng - 8.

Absent: Supervisors Alioto, Kaufman, Leal - 3.

IMMEDIATE ADOPTION CALENDAR

These measures are being introduced at this meeting. A unanimous vote is required for adoption today. Any Supervisor may require any of these measures to go to committee.

Adopted

[Leaves of Absence]

Resolution granting leaves of absence to various city and county officers with permission to leave the state. (Clerk of the Board)

File 1-95-44, Resolution No.

(Willie B. Kennedy, member, Board of Supervisors, December 3 - 10; Mabel Teng, member, Board of Supervisors, November 18 - 24; Kevin Shelley, member, Board of Supervisors, November 18 - 25, 1995.)

Adopted.

The foregoing item on the Immediate Adoption Calendar was adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Hallinan, Hsieh, Kennedy, Migden, Shelley, Teng - 8.

Absent: Supervisors Alioto, Kaufman, Leal - 3.

IMPERATIVE CALENDAR

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 following two motions.

Adopted

[Serious Injury Finding]

Motion that the Board finds by roll call vote that for the resolution 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 Kennedy, seconded by Supervisor Migden, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Hallinan, Hsieh, Kennedy, Migden, Shelley, Teng - 8.

Absent: Supervisors Alioto, Kaufman, Leal - 3.

[Brown Act Finding]

Motion that the Board finds by roll call vote that for the resolution 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 Kennedy, seconded by Supervisor Migden, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Hallinan, Hsieh, Kennedy, Migden, Shelley, Teng - 8.

Absent: Supervisors Alioto, Kaufman, Leal - 3.

[Imperative Resolution]

Adopted

[Parking Rate, Fifth and Mission Garage]

Resolution approving a \$100 monthly rate for the Don Johnson Film Production Company at the Fifth and Mission Garage.

File 047-95-009.01, Resolution No.

Supervisor Migden presented for immediate adoption.

Resolution adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Hallinan, Hsieh, Kennedy, Migden, Shelley, Teng - 8.

Absent: Supervisors Alioto, Kaufman, Leal - 3.

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS  
NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Committee

Ordinances:

[Ethics Commission Filings]

Ordinance amending Administrative Code, Article XII, Chapter 16, (Sections 16.505, 16.506, 16.507, 16.512, 16.513) to substitute the Ethics Commission for the Registrar of Voters as the filing officer for campaign disclosure statements; amending Chapter 16A (Sections 16.524, 16.525, 16.526, 16.528, 16.530, 16.531, 16.532) to substitute the Ethics Commission for the Clerk of the Board of Supervisors as the filing officer for lobbyist disclosure statements and amending Section 58.4 (Conflict of Interest Code) to substitute the Ethics Commission for the Clerk of the Board of Supervisors as the filing officer for department heads holding designated positions. Supervisor Shelley presented. Referred to Rules Committee.

File 097-95-065.

[Appropriation, City Hall Improvements]

Ordinance appropriating \$1,742,790, Department of Public Works, from general fund reserve for City Hall non-seismic improvement project for fiscal year 1995-96 (provides general fund support pending bond sale). Supervisor Hsieh presented. Referred to Budget Committee.

File 101-95-028.

[Lobos Creek Moratorium Extension]

Resolution extending Interim Zoning Controls to prohibit temporarily the approval of permits or other land use entitlements, subject to specific exceptions, for property within the Lobos Creek Conservation District as herein defined, for a six (6) month period. Supervisor Shelley presented. Referred to Rules Committee.

File 111-94-001.02.

Referred to Board

[World AIDS Day]

Resolution honoring World AIDS Day and encouraging the citizens of San Francisco to rededicate themselves to the fight against AIDS. Supervisors Migden, Ammiano, Bierman, Shelley, Alioto, Hallinan, Hsieh, Kaufman, Kennedy, Teng, Leal presented. Referred to Board for Adoption Without Committee Reference Calendar November 20, 1995.

File 006-95-133.

[Federal Welfare Cuts]

Resolution urging President Clinton to veto all proposed congressional legislation that plunges the children of this country into misery, poverty and despair. Supervisors Migden, Shelley, Kennedy, Ammiano, Bierman, Teng, Alioto, Hallinan, Hsieh, Kaufman presented. Referred to Board for Adoption Without Committee Reference Calendar November 20, 1995.

File 013-95-029.

Referred to Committee

[Immigration, Proposition 187]

Resolution condemning improper United States Immigration and Naturalization Service raids in San Francisco. Supervisors Ammiano, Teng, Bierman presented. Referred to Health/Public Safety/Environment Committee.

File 013-95-030.

Referred to Board

[Federal Legislation, H.R. 1617]

Resolution supporting the House of Representatives version of job training reform, the Careers Act or HR 1617 and urging the Mayor to urge the Conference Committee and the House and Senate Leadership to support the local governance language that appears in the Careers Act. Supervisor Kennedy presented. Referred to Board for Adoption Without Committee Reference Calendar November 20, 1995.

File 013-95-031.

Referred to Committee

[Valet Parking Rates]

Resolution approving valet parking rates for the Lombard Street Garage. Supervisor Hsieh presented. Referred to Budget Committee.

File 047-95-012.

[Elections]

Resolution supporting the Chief Administrative Officer's efforts to ensure optimum administration of the December 12th run-off election and recognizing the efforts of the Registrar of Voters to ensure the integrity of the November 7th and upcoming December 12th elections. Supervisor Teng presented. Referred to Rules Committee.

File 060-95-016.01.

[City Hall Improvement Bond]

Resolution declaring the intent of the City and County to reimburse certain expenditures from proceeds of future indebtedness and authorizing the Chief Administrative Officer to develop a plan of finance. Supervisor Hsieh presented. Referred to Budget Committee.

File 170-95-012.

[Task Force, New City Charter Implementation]

Resolution urging the Mayor to establish a task force on the implementation of the New City Charter and urging the Mayor, Chief Administrative Officer, Controller, City Attorney and Chair of the Board of Supervisors Select Committee on Oversight and Implementation of the New City Charter or their representatives to serve as members of the task force; providing the public with opportunities to fully participate in overseeing the timely implementation of the New City Charter. Supervisors Kaufman, Shelley Teng presented. Referred to Rules Committee.

File 174-95-008.

Requests for Hearings:

[Immigration, Proposition 187]

Hearing to consider further options for resistance to implementation of Proposition 187 (immigration) and a response to raids and arrests by the Immigration and Naturalization Service in San Francisco. Supervisors Teng, Ammiano, Alioto, Bierman presented. Referred to Health/Public Safety/Environment Committee.

File 013-95-030.01.

[Election, November 7, 1995]

Hearing to consider issues involving the Registrar of Voters and the November 7, 1995 election. Supervisors Shelley, Alioto, Kennedy, Teng, Bierman presented. Referred to Rules Committee.

File 060-95-016.

[Street Name Change, Extend Arelious Walker Drive]

Hearing to consider the feasibility of extending Arelious Walker Drive from Ebgert to Evans Streets. Supervisor Kennedy presented. Referred to Housing and Land Use Committee.

File 075-95-003.

Motions:

Referred to Board

[Needle Exchange Emergency]

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program. Supervisors Alioto, Leal, Bierman, Shelley, Migden, Teng, Hsieh presented. Referred to Board for Adoption Without Committee Reference Calendar November 20, 1995.

File 030-95-001.23.

Referred to Committee

[Select Committee, New City Charter]

Motion creating a Select Committee on Oversight and Implementation of the New City Charter. Supervisors Kaufman, Shelley, Teng presented. Referred to Rules Committee.

File 054-95-005.02.

[Board Meeting, Richmond Neighborhood]

Motion ordering the February 12, 1996 meeting of the San Francisco Board of Supervisors to be held at George Washington High School, 600 32nd Avenue, in the Richmond District of San Francisco at 5 PM. Supervisor Shelley presented. Referred to Rules Committee with request it be considered at the December 5, 1995 meeting.

File 054-95-009.02.

Introduced by the President at the Request of Departments

Ordinances Referred to Committee

File 036-95-007.01. [Zoning Map Change, 1745-1765 California Street] Ordinance amending City Planning Code by adopting changes in property use classification as an amendment to the Zoning Map of the City and County of San Francisco for property generally described as Assessor's Block 647, Lot 12 from an RM-3 District to an NC-3 Neighborhood Commercial District and adopting findings pursuant to City Planning Code Section 101.1; companion measure to File 36-95-7. (City Planning Resolution No. 13974 and Motion No. 13975, adopted 10/12/95.) (Final Negative Declaration issued & adopted 10/2/95.) (Department of City Planning) Referred to Housing and Land Use Committee.

File 097-95-015.01. [Membership Criteria for Retirement System] Ordinance amending Administrative Code by amending Section 16.42 regarding Membership Criteria for admitting exempt employees into the Retirement System. (Department of Human Resources) Referred to Government Efficiency/Labor Committee.

Resolutions Referred to Committee

File 027-95-018. [Airport Long Distance Service Agreement] Resolution approving the "Agreement for Operator-Assisted Long Distance Service from Public Pay Telephones" between AT&T Corporation and the City and County of San Francisco, acting by and through its Airports Commission. (Airports Commission) Referred to Government Efficiency/Labor Committee.

File 030-95-021. [CHIP Program Funds for Fiscal Year 1995-96] Resolution authorizing adoption of the County Description of proposed expenditure of California Healthcare for Indigents Program (CHIP) Funds for fiscal year 1995-96 and that the Chairperson or duly authorized representative of the Board of Supervisors of the City and County of San Francisco can certify the County Description of Proposed Expenditure of CHIP Funds for fiscal year 1995-96. (Department of Public Health) Referred to Budget Committee.

File 030-95-022. [DPH Application as Unified Program Agency] Resolution approving the Department of Public Health application to the California Department of Health Services for certification as a Unified Program Agency. (Department of Public Health) Referred to Health/Public Safety/Environment Committee.

File 036-95-007. [Final Neg Dec, 1745-1765 California St.] Resolution adopting Final Negative Declaration, finding and determining that the project to convert a vacant, automobile sales and service building to a retail grocery store of approximately 24,600 square feet of occupied floor area and customer parking; and the construction of a new, two-level parking garage with 98 parking spaces, on Assessor's Block 647, Lots 12, 13, and 14 for the property located at 1745-1765 California Street will have no significant impact on the environment, and adopting and incorporating findings of Final Negative Declaration; companion measure to File 36-95-7.1. (City Planning Resolution No. 13974 and Motion No. 13975, adopted 10/12/95.) (Final Negative Declaration issued and adopted 10/5/95.) (Department of City Planning) Referred to Housing and Land Use Committee.

File 041-95-006. [Rent Stabilization and Arbitration Liens] Resolution confirming reports of delinquent charges for Rent Arbitration and Arbitration fees submitted by the Tax Collector, as modified to the date of adoption of this resolution, and creating assessments and liens based thereon. (Office of the Treasurer) Scheduled for public hearing before Board on December 4, 1995, at 3:00 p.m.



File 064-95-014. [Lease of Property at 1390 Market Street] Resolution authorizing lease of real property at 1390 Market Street, San Francisco, for the Delinquency Prevention Commission. (Real Estate Department) Referred to Government Efficiency/Labor Committee.

File 068-95-010. [Grant, Neighborhood Action for Youth Development] Resolution authorizing the Mayor to accept and expend \$500,000 from the United States Department of Health and Human Services (HHS) to administer the San Francisco Neighborhood Action for Youth Development Demonstration Project. (Mayor's Office of Children, Youth, and Their Families) Referred to Government Efficiency/Labor Committee.

File 143-95-006. [Federal Grant, Youth Gang/Drug Prevention Program] Resolution authorizing the Chief of Police of the City and County of San Francisco to apply for, accept and expend funds in the amount of Five Hundred Thousand Dollars (\$500,000.00) for new funding for project entitled "Youth Gang/Drug Prevention Program" and agreeing to provide cash match in the amount of Ninety-Six Thousand Six Hundred Forty Four (\$96,644.00) Dollars. (Mayor's Office of Criminal Justice). Referred to Government Efficiency/Labor Committee.

File 146-95-021. [Preventive Health Care for the Aging Program] Resolution authorizing the Department of Public Health, Community Public Health Services, to accept and expend a grant of \$53,000, which includes a match in the amount of \$134,367, from the California Department of Health Services for preventive health services to San Francisco residents over age 60 who have limited access to care; waiving indirect costs. (Department of Public Health) Referred to Government Efficiency/Labor Committee.

File 146-95-022. [State Grant, STD Prevention and Control Program] Resolution authorizing the Department of Public Health, Community Public Health Services, to accept and expend grant of \$16,781, which includes no indirect costs, from the California Department of Health Services, STD Control Branch, to provide STD Outreach Education and Referral Services; waiving indirect costs. (Department of Public Health) Referred to Government Efficiency/Labor Committee.

File 147-95-008.01. [Grant, Support Services-City Link Program] Resolution authorizing the San Francisco Public Library to expend \$30,000 in grant funds awarded by the Corporation for Public Broadcasting/Annenberg Foundation as part of the Community Wide Education and Information Services Program to participate in a collaborative project integrating a variety of telecommunications programs and services to create and provide access to knowledge, education and information resources, waiving indirect costs. (Public Library) Referred to Government Efficiency/Labor Committee.

File 147-95-009. [Federal Grant - Project Read] Resolution authorizing the City Librarian to accept and expend \$23,741 available from the United States Department of Education for a Project Read Student Support Program; indirect costs of five percent are contained in this grant. (Public Library) Referred to Government Efficiency/Labor Committee.

File 147-95-010. [Federal Grant - Project Read] Resolution authorizing the City Librarian to accept and expend \$28,140 available from the United States Department of Education for a Project Read Outreach Program; indirect costs of five percent are contained in this grant. (Public Library) Referred to Government Efficiency/Labor Committee.

File 147-95-011. [Federal Grant - Project Read] Resolution authorizing the City Librarian to accept and expend \$27,211 available from the United States Department of Education for a Project Read Tutor Support Program; indirect costs of five percent are contained in this grant. (Public Library) Referred to Government Efficiency/Labor Committee.

File 147-95-012. [State Grant - Southeast Literacy Program] Resolution authorizing the City Librarian to accept and expend \$57,540 available from the California State Library's Administration of Library Services and Construction Act (LSCA) Title I funds for a Southeast Literacy Program; indirect costs of five percent are contained in this grant. (Public Library) Referred to Government Efficiency/Labor Committee.

File 199-95-002. [Transfer of Fireboat Phoenix] Resolution authorizing acceptance of a transfer of title to Fireboat "Phoenix" from the Port Commission to the City and County of San Francisco, Fire Department. (Fire Commission) Referred to Government Efficiency/Labor Committee.

#### Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisor Kennedy, that letter of inquiry be sent to the Registrar of Voters, through the Chief Administrative Officer, to determine why so many problems occurred on the November 7, 1995 election and what is being done to solve the problems. File 60-95-16.

By Supervisor Kennedy, that letter be sent to his Honor, the Mayor, requesting that the Purchasing Department review the CAL-Card Program (part of Governor Wilson's Executive Order W-73-94 and the Procurement 2000 Initiative) wherein agencies are looking for ways to cut administrative time, effort and costs and that a designee from the Purchasing Department attend the CAL-Card Program training (Program Orientation and Designing Your Procedures) held in Sacramento on November 17 or December 7, 1995 at 9:30 am to 12 noon.

By Supervisors Teng, Bierman, that letter of inquiry be sent to the Redevelopment Agency to determine the feasibility of amending the Golden Gateway and South of Market Redevelopment Project Plans to expand the project area boundaries to include properties formerly occupied by the Embarcadero freeway system Broadway corridor (Assessor's block-lot numbers 140-8, 141-11 and 165-21).

By Supervisor Teng, that City Attorney issue a legal opinion by the date of the Health, Public Safety and Environment Committee hearing regarding options for resisting Proposition 187 (immigration), outlining the alternatives, including benefits and risks, for the City and County of San Francisco to resist implementation of Proposition 187. File 13-95-30.1.

By Supervisor Hallinan, that City Attorney draft legislation to reform San Francisco Traffic Code fines.

Motions Adopted

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

Leroy Downes (Supervisor Kennedy)  
Alice Marie Gleaves (Supervisor Kennedy)  
Bruce Decker (Supervisors Ammiano, Migden)  
Bob Hawes (Supervisor Bierman)  
Ken Saro-wiwa (Supervisors Kaufman, Ammiano, Bierman)

File 2-95-44

Unanimously adopted by a rising vote.

ADJOURNMENT

There being no further business, the Board at the hour of 4:24 p.m. adjourned.

John L. Taylor, Clerk

N.B. This Journal of Proceedings sets 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 December 18, 1995

I, John L. Taylor, 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 Journal of Proceedings of said Board on the date stated and was approved as recited.

John L. Taylor  
Clerk of the Board of Supervisors

Monday, November 20, 1995

# **Journal of Proceedings**

*The Minutes of the*

# **Board of Supervisors**

City and County of San Francisco

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Volume 90

Number 45



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Monday, November 20, 1995 - 2:00 p.m.  
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The Board of Supervisors of the City and County of San Francisco met in regular session on the above date.

CALLING THE ROLL

In the absence of President Kevin Shelley, the meeting was called to order at 2:04 p.m. by the Clerk. On call of the roll, the following Supervisors were noted present:

Supervisors Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal - 7.

Noted absent at first roll call:

Supervisors Alioto, Migden, Shelley, Teng - 4.

Quorum present.

Supervisor Alioto was noted present at 2:07 p.m.

Supervisor Migden was noted present at 2:06 p.m.

Supervisor Shelley excused, on official leave of absence.

Supervisor Teng excused, on official leave of absence.

Election of President Pro Tempore

Following roll call of attendance by the Clerk, Supervisor Kennedy, seconded by Supervisor Leal, moved that Supervisor Hsieh be appointed President Pro Tempore.

Motion adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal - 7.

Absent: Supervisors Alioto, Migden, Shelley, Teng - 4.

CONSENT CALENDAR

Severed from Consent Calendar

Supervisor Kennedy requested that the following measure be severed from the Consent Calendar and considered separately.

Recommendation of Land Use Committee

Consideration Continued

[Residential Zoning Amendments]

Ordinance amending Planning Code, to establish new provisions that apply to construction in the RH and RM Zoning Districts for permit application review, notification and appeals procedures and adherence to approved design guidelines as well as to the Planning Code; and new provisions that apply to review of proposed demolitions in all residential districts. (Department of City Planning)

File 115-95-11, Ordinance No.

(Adds new Section 311.)

(City Planning Resolution No. 13960, adopted September 21, 1995.)

Supervisor Kennedy, seconded by Supervisor Kaufman, moved to continue consideration to December 4, 1995.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden - 9.

Absent: Supervisors Shelley, Teng - 2.

The Board thereupon resumed its consideration of the following items on the Consent Calendar.

Consent Calendar

Recommendations of Budget Committee

Finally Passed

[Appropriation, Department of Public Health]

Ordinance appropriating \$450,000, Department of Public Health-Community Health Services, from the General Fund Reserve for professional services to implement the Medi-Cal Managed Care Local Initiative for fiscal year 1995-96; providing for ratification of action previously taken. (Controller)

File 101-95-25, Ordinance No.

(Fiscal Impact.)

Finally passed.

[Sale of Surplus Property]

Ordinance authorizing the sale of surplus City-owned property, Assessor's Block 1260, Lot 22, and adopting findings pursuant to City Planning Code Section 101.1 (854 square feet \$25,000). (Real Estate Department)

File 96-95-5, Ordinance No.

(Fiscal Impact.)

Finally passed.

Adopted

[Federal Funding]

Resolution authorizing the Mayor to accept and expend Supportive Housing Program (SHP) grants in a total amount not to exceed \$12,508,319 and a Shelter Plus Care (SPC) grant in a total amount not to exceed \$5,904,900 from the U.S. Department of Housing and Urban Development. (Mayor's Office of Housing)

File 68-95-7, Resolution No.

Adopted.

Recommendations of Housing and Land Use Committee

Finally Passed

[Sidewalk Width Regulations, Various Streets]

Ordinance amending Ordinance No. 1061 entitled "Regulating the Width of Sidewalks" by adding thereto Section 1519 changing the official widths of sidewalks at Larkin and Myrtle Streets and Eddy and Jones Streets as shown on the Department of Public Works drawings labeled Q-20-433 and Q-20-434; and making findings pursuant to City Planning Code Section 101.1. (Department of Public Works)

File 34-95-2, Ordinance No.

Finally passed.

[Redevelopment Plan Amendment]

Ordinance amending Ordinance No. 234-90, which approved the Redevelopment Plan for the South of Market Earthquake Recovery Redevelopment Project Area, and Ordinance No. 431-94 amending said Redevelopment Plan, by further amending said Redevelopment Plan to merge the South of Market Earthquake Recovery Redevelopment Project Area into a merged Redevelopment Project consisting of the Embarcadero-Lower Market (Golden Gateway) Approved Redevelopment Project Area E-1 and the South of Market Earthquake Recovery Redevelopment Project Area, with additional amendments to said Redevelopment Plan necessary for and to implement said merger. (Supervisors Bierman, Migden, Teng)

File 73-95-2, Ordinance No.

Finally passed.

[Redevelopment Plan Amendment]

Ordinance amending Ordinance No. 301-59, which approved the Redevelopment Plan for the Embarcadero-Lower Market (Golden Gateway) Approved Project Area E-1, and Ordinances amending said Redevelopment Plan, namely Ordinance Nos. 208-61, 196-64, 194-64, 123-67, 204-68, 479-76, 476-86 and 418-94, by further amending said Redevelopment Plan to merge the Embarcadero-Lower Market (Golden Gateway) Approved Project Area E-1 into a merged Redevelopment Project consisting of the South of Market Earthquake Recovery Redevelopment Project Area and the Embarcadero-Lower Market (Golden Gateway) Approved Redevelopment Project Area E-1, with additional amendments to said Redevelopment Plan necessary for and to implement said merger; companion measure to File 73-95-2. (Supervisors Bierman, Migden, Teng)

File 73-95-3, Ordinance No.

Finally passed.

Recommendations of Government Efficiency and Labor Committee

Passed for Second Reading

[Settlement of Litigation, Jeffrey Derderian]

Ordinance authorizing settlement of personal injury of Jeffrey Derderian against the City and County and its employee Frederick Lambrecht for \$75,000, each side to bear its own costs and attorneys' fees. (City Attorney)

File 45-95-26.2, Ordinance No.

(Superior Court No. 958-930.)

Passed for second reading.

[Rudolph Primus/Janele Leblanc v. CCSF]

Ordinance authorizing settlement of litigation of Rudolph Primus against the City and County by payment of \$15,000. (City Attorney)

File 45-95-46, Ordinance No.

(S.F. Municipal Court No. 108-711.)

Passed for second reading.

[Settlement of Litigation, Shamin Shaikh]

Ordinance authorizing settlement of litigation of Shaikh v. City and County, et al., by payment of \$119,000. (City Attorney)

File 45-95-47, Ordinance No.

(U.S.D.C. Northern District of California Case No. 94-3711 CAL.)

Passed for second reading.

[Gregoria Loaiza, v. CCSF, et al.]

Ordinance authorizing settlement of litigation of Gregoria Loaiza against the City and County by payment of \$18,000. (City Attorney)

File 45-95-48, Ordinance No.

(Superior Court No. 965-179.)

Passed for second reading.

[Settlement of Litigation, G. Bakar Partnership]

Ordinance authorizing settlement of litigation of G. Bakar Partnership v. the City and County by the recovery of \$500,000. (City Attorney)

File 45-95-49, Ordinance No.

(Superior Court No. 948-706.)

Passed for second reading.

[Settlement of Litigation, Robert Hughes]

Ordinance authorizing settlement of litigation of Robert Hughes against the City and County by payment of \$10,000. (City Attorney)

File 45-95-50, Ordinance No.

(Superior Court No. 964-030.)

Passed for second reading.

[Settlement of Litigation, Dennis O'Dwyer]

Ordinance authorizing settlement of litigation of Dennis O'Dwyer against the City and County by payment of \$10,000. (City Attorney)

File 45-95-51, Ordinance No.

(Superior Court No. 958-163.)

Passed for second reading.

[Settlement of Litigation, George Y. Abouata]

Ordinance authorizing settlement of litigation of George Y. Abouata against the City and County by payment of \$13,000. (City Attorney)

File 45-95-52, Ordinance No.

(Superior Court No. 960-380.)

Passed for second reading.

[CCSF v. Burns International]

Ordinance authorizing settlement of litigation of City and County v. Burns International by receipt of \$41,673.72. (City Attorney)

File 46-95-8, Ordinance No.

(Superior Court No. 963-726.)

Passed for second reading.

[Lease Modification, Port/Redevelopment Agency]

Ordinance approving Fourth Amendment to Option to Lease Real Property between the Port and the Redevelopment Agency for properties in the South Beach Redevelopment Area. (Port)

File 65-95-9, Ordinance No.

Passed for second reading.

Adopted

[Gift Acceptance, Recreation and Park Department]

Resolution accepting four (4) gifts valued at \$45,753.00, for use by the Recreation and Park Department. (Recreation and Park Department)

File 38-95-9, Resolution No.

Adopted.

[Settlement of Claim, Susan Khaw]

Resolution approving the settlement of the unlitigated claim of Susan Khaw by payment of \$8,000. (City Attorney)

File 48-95-26, Resolution No.

Adopted.



[Settlement of Claim, Henry Loo]

Resolution approving the settlement of the unlitigated claim of Henry Loo by payment of \$10,500. (City Attorney)

File 48-95-27, Resolution No.

Adopted.

[Settlement of Claim, Angelo Irizzary]

Resolution approving the settlement of the unlitigated claim of Angelo Irizzary by payment of \$7,500. (City Attorney)

File 48-95-28, Resolution No.

Adopted.

[Lease Amendment, 2789 25th Street]

Resolution authorizing an amendment to lease for real property at 2789 25th Street for the Department of Public Health. (Supervisor Shelley)

File 64-95-12, Resolution No.

Adopted.

[Lease of Property at 30 Van Ness Avenue]

Resolution authorizing a lease of real property at 30 Van Ness Avenue, San Francisco, for the Department of Social Services. (Real Estate Department)

File 64-95-13, Resolution No.

Adopted.

[Amendment to Lease, Hall of Justice Cafeteria]

Resolution authorizing First Amendment to Lease (Hall of Justice Cafeteria) for the Department of Public Health. (Real Estate Department)

File 65-95-13, Resolution No.

Adopted.

[SDI Coverage, Classification 1368]

Resolution authorizing enrollment of Classification 1368 Special Assistant IX into the State Disability Insurance Program. (Department of Human Resources)

File 89-95-11, Resolution No.

Adopted.

[Used Oil Recycling Grant]

Resolution authorizing the Chief Administrative Officer to apply for, accept and expend \$235,383.00 in oil recycling grant funding from the California Integrated Waste Management Board; waiving indirect costs. (Chief Administrative Officer)

File 133-95-9, Resolution No.

Adopted.

[Joint Powers Agreement, Victim Witness Assistance]

Resolution authorizing the District Attorney to retroactively apply for, accept and expend funds in the amount of \$396,145, which include indirect costs of \$17,777, which have been allocated from the State Board of Control Victims of Crime Program, an agent of the State of California, for a project entitled "Joint Powers Agreement with Victim and Witness Assistance Program" for the twelve month period July 1, 1995 through June 30, 1996. (Mayor's Office of Criminal Justice)

File 138-95-8, Resolution No.

Adopted.

[State Grant, Live Scan Terminal Project]

Resolution authorizing the Chief of Police to apply for, accept and expend funds in the amount of Thirty-Eight Thousand Eight Hundred Thirty-Three (\$38,833.00) Dollars for new funding for the Live Scan Terminal Project, no local match is required. (Mayor's Office of Criminal Justice)

File 143-95-5, Resolution No.

Adopted.

[Substance Abuse Prevention and Education Services]

Resolution authorizing the Department of Public Health, Division of Mental Health and Substance Abuse, Child, Adolescent and Family Section, as sub-grantee, in collaboration with the San Francisco Economic Opportunity Council as prime grantee, to apply for retroactively and accept and expend a grant of \$49,996, which includes no indirect costs, and supplies valued at an amount not to exceed \$25,000, from the San Francisco Economic Opportunity Council to provide substance abuse prevention and education services to high risk preschoolers and their families; waiving indirect costs. (Supervisor Alioto)

File 146-95-20, Resolution No.

Adopted.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden - 9.

Absent: Supervisors Shelley, Teng - 2.

REGULAR CALENDAR

NEW BUSINESS

Recommendations of Budget Committee

Passed for Second Reading

[Appropriation, Department of Public Health]

Ordinance appropriating \$1,725,689, Department of Public Health-Mental Health, from the General Fund Reserve for professional services and reductions in State revenue, to continue substance abuse and child care services for fiscal year 1995-96. (Supervisors Alioto, Bierman, Hsieh, Kaufman)

File 101-95-27, Ordinance No.

(Fiscal Impact.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden - 9.

Absent: Supervisors Shelley, Teng - 2.

[Street Fairs - Fire Department Fees]

Ordinance amending Administrative Code, providing fees for permits and inspection by the Fire Department of food vendors that use propane, butane, charcoal briquettes, open flame, or LPG heaters, and requiring permits and fees whenever fireworks or tents are used at a street fair. (Fire Department)

File 97-95-61, Ordinance No.

(Amends Section 2.70-6.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden - 9.

Absent: Supervisors Shelley, Teng - 2.

[Superior Court Revolving Fund]

Ordinance amending Administrative Code, authorizing a cash revolving fund increase for the Superior Court from \$2,500 to \$5,000. (Superior Court)

File 97-95-62, Ordinance No.

(Amends Section 10.140.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden - 9.

Absent: Supervisors Shelley, Teng - 2.

[Statewide Communities Development Authority]

Resolution approving, authorizing and directing the execution of an amended and restated Joint Exercise of Powers Agreement relating to the California Statewide Communities Development Authority. (Supervisors Hsieh, Kaufman, Bierman)

File 172-95-45, Resolution No.

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden - 9.

Absent: Supervisors Shelley, Teng - 2.

[State-County Property Tax Administration Program]

Resolution electing to participate in the State-County Tax Administration Program subject to the State Revenue and Taxation Code; authorizing the Assessor and the Controller to negotiate an agreement with the State Department of Finance. (Supervisors Hsieh, Kaufman, Bierman)

File 292-95-1, Resolution No.

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden - 9.

Absent: Supervisors Shelley, Teng - 2.

Recommendations of Government Efficiency and Labor Committee

Passed for Second Reading as Amended

[Retirement Board and Health Service Board Elections]

Ordinance amending Administrative Code, regarding Retirement Board and Health Service Board Elections. (Employees' Retirement System)

File 97-95-54, Ordinance No.

(Amend Sections 16.550 through 16.564.)

Supervisor Hallinan, seconded by Supervisor Ammiano, moved to amend page four, line 16, by replacing "respective" with "Health Service".

Motion to amend adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden - 9.

Absent: Supervisors Shelley, Teng - 2.

Passed for second reading as amended by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden - 9.

Absent: Supervisors Shelley, Teng - 2.

Adopted

[Employee Claims, Personal Property Damaged/Stolen]

Resolution authorizing reimbursement for cost of personal property of City and County employees damaged/stolen in the line of duty. (Government Efficiency and Labor Committee)

File 51-95-3, Resolution No.

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden - 9.

Absent: Supervisors Shelley, Teng - 2.

[Lease of Property at 680 Eighth Street]

Resolution authorizing a lease of real property at 680 Eighth Street, San Francisco, for the Department of Public Health, Family Planning and Perinatal Services Programs. (Real Estate Department)

File 64-95-11, Resolution No.

(Fiscal Impact.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden - 9.

Absent: Supervisors Shelley, Teng - 2.

[Grant, Historic Signage and Art Ribbon Projects]

Resolution authorizing the Director of Public Works to apply for, accept and expend federal funds in the amount of \$1,192,278 from the Transportation Enhancement Activities Program for (1) The Historic Signage and Art Ribbon Projects associated with the reconstruction of the Mid-Embarcadero Roadway and (2) Information and Signage Program on downtown streets and waiving indirect costs; placing \$878,054 on reserve. (Department of Public Works)

File 148-95-5, Resolution No.

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden - 9.

Absent: Supervisors Shelley, Teng - 2.

[State Grant, Twin Peaks Loop Trail]

Resolution authorizing the Recreation and Park Department to retroactively apply for grant funds of \$162,000, waiving indirect costs, from the Land and Water Conservation Fund Program, for development of the Twin Peaks Loop Trail. (Recreation and Park Department)

File 150-95-5, Resolution No.

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden - 9.

Absent: Supervisors Shelley, Teng - 2.

[Collective Bargaining, Nurse Classifications]

Resolution approving the election of the Municipal Executives Association to include classifications 2369 Director of Nurses, Laguna Honda Hospital, 2370 Director of Nurses, San Francisco General Hospital, 2833 Public Health Nurse Administrator, and 2836 Director, Public Health Nursing, within the coverage of Charter Section 8.409 et seq. (Department of Human Resources)

File 289-95-1, Resolution No.

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden - 9.

Absent: Supervisors Shelley, Teng - 2.

PUBLIC COMMENT

The privilege of the floor was granted to the following person:

Mary Nasser, liquor license.

There being no one else wishing to speak, the President declared the public comment portion of the meeting closed.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures were introduced at a prior meeting of the Board with action requested at this meeting. Any Supervisor may require these measures to go to committee unless a motion to suspend the rules is adopted by eight votes (or a unanimous vote if only six or seven members are present). An "aye" vote is (a) a vote in favor of suspending the rule requiring reference to committee, and (b) a vote in favor of adoption of the measures. Eight votes (or a unanimous vote if only six or seven members are present) is required.

Adopted

[World AIDS Day]

Resolution honoring World AIDS Day and encouraging the citizens of San Francisco to rededicate themselves to the fight against AIDS. (Supervisors Migden, Ammiano, Bierman, Shelley, Alioto, Hallinan, Hsieh, Kaufman, Kennedy, Teng, Leal)

File 6-95-133, Resolution No.

(November 13, 1995 - Introduced in Board for consideration on November 20, 1995.)

Adopted.

[Federal Welfare Cuts]

Resolution urging President Clinton to veto all proposed congressional legislation that plunges the children of this country into misery, poverty and despair. (Supervisors Migden, Shelley, Kennedy, Ammiano, Bierman, Teng, Alioto, Hallinan, Hsieh, Kaufman, Leal)

File 13-95-29, Resolution No.

(November 13, 1995 - Introduced in Board for consideration on November 20, 1995.)

Adopted.

In connection with the above item, Supervisor Leal requested to be added as co-sponsor.

[Federal Legislation, H.R. 1617]

Resolution supporting the House of Representatives version of job training reform, the Careers Act or HR 1617 and urging the Mayor to urge the Conference Committee and the House and Senate Leadership to support the local governance language that appears in the Careers Act. (Supervisors Kennedy, Leal, Ammiano, Bierman)

File 13-95-31, Resolution No.

(November 13, 1995 - Introduced in Board for consideration on November 20, 1995.)

Adopted.

[Needle Exchange Emergency]

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program. (Supervisors Alioto, Leal, Bierman, Shelley, Migden, Teng, Hsieh, Ammiano)

File 30-95-1.23

(November 13, 1995 - Introduced in Board for consideration on November 20, 1995.)

Adopted.

In connection with the above item, Supervisor Ammiano requested to be added as co-sponsor.

The foregoing items on the For Adoption Without Committee Reference Calendar were adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Migden - 8.

Absent: Supervisors Hallinan, Shelley, Teng - 3.

IMMEDIATE ADOPTION CALENDAR

These measures are being introduced at this meeting. A unanimous vote is required for adoption today. Any Supervisor may require any of these measures to go to committee.

[Leaves of Absence]

Resolution granting leaves of absence to various city and county officers with permission to leave the state. (Clerk of the Board)

File 1-95-45, Resolution No.

(L. Andrew Jeanpierre, President, Airports Commission, November 18 - 26; Wendell L. Pryor, Director, Department of Human Resources, November 21 - 27; Linton D. Stables, III, President, Access Appeals Commission, November 22 - 27; Michael S. Strunsky, Member, Airports Commission, November 10 - 15, 1995.)

Adopted.

The foregoing item on the Immediate Adoption Calendar was adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Migden - 8.

Absent: Supervisors Hallinan, Shelley, Teng - 3.

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS  
NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Board

[State Prevailing Wage Laws]

Resolution declaring it to be policy of the Board of Supervisors of the City and County of San Francisco that existing state laws regarding prevailing wages be continued without change; directing transmittal of a copy of this resolution to the Governor, the Director of the State Department of Industrial Relations and appropriate members of the State Legislature. Supervisor Shelley presented. Referred to Board for Adoption Without Committee Reference Calendar December 4, 1995.

File 012-95-051.

[Street Name Change, Arelious Walker Drive]

Resolution extending Arelious Walker Drive from Egbert to Evans Streets. Supervisor Kennedy presented. Referred to Board for Adoption Without Committee Reference Calendar December 4, 1995.

File 075-95-003.01.

Referred to Committee

[Transbay Terminal]

Substitute resolution urging that Alternatives One, Two, Three, Four, Five or Six be selected as the preferred alternative for the City's transbay area plan and be the locally preferred alternative for the purposes of the Joint Powers Board Caltrain Extension Environmental Impact Study; recommending that the Joint Powers Board (JPB) pursue Townsend Street for the east-west alignment of Caltrain, work with impacted property owners along Townsend Street and with South Beach residents and property owners to minimize project impacts, that the Market/Beale terminal alternative be dropped, that the JPB select an underground terminal at the Transbay Terminal site, that JPB pursue full electrification of the Caltrain line, and consider clean diesel or liquefied natural gas, and that the Caltrain storage yard be placed at I-280/16th Street. Supervisor Hsieh presented. Referred to Joint Budget/Housing and Land Use Committee.

File 085-95-006.

[Redevelopment Agency Budget and Bonds]

Resolution approving an amendment to the budget of the Redevelopment Agency for fiscal year 1995-96; the issuance of not to exceed \$1,170,000 of tax allocation bonds and an appropriation of \$76,000. Supervisor Bierman presented. Referred to Budget Committee with request it be considered at the December 6, 1995 meeting.

File 161-95-006.01.

Referred to Board

[Rename Bayview Opera House]  
Resolution renaming Bayview Opera House to Bayview Opera House Ruth Williams Memorial Theatre. Supervisor Alioto presented. Referred to Board for Adoption Without Committee Reference Calendar December 4, 1995.

File 197-95-009.

[Directional Maps]  
Resolution calling on the War Memorial Board of Trustees to place prominently in the lobby of the Veterans War Memorial Building a map showing the exact location and most direct means of finding the new Museum of Modern Art. Supervisors Ammiano, Bierman presented. Referred to Board for Adoption Without Committee Reference Calendar December 4, 1995.

File 197-95-010.

[Tobacco Sales to Minors]  
Resolution urging the Mayor to urge the Police Commission to make the enforcement of State Penal Code Section 308 which prohibits the sale of tobacco products to minors a priority in the City and County. Supervisors Alioto, Hallinan, Leal, Bierman, Ammiano, Kaufman, Migden, Kennedy presented. Referred to Board for Adoption Without Committee Reference Calendar December 4, 1995.

File 207-95-013.

Referred to Committee

[Domestic Violence]  
Resolution finding that domestic violence is a serious crime and not a civil dispute and that civil compromise is an inappropriate resolution to these cases; urging the judges of the Municipal Court to stop the use of civil compromise in domestic violence cases; urging that when such compromises are considered that proper notice and hearings are required; and further urging the District Attorney to continue his efforts to resist civil compromise in domestic violence cases and continue the pursuit to amend the California Penal Code to prohibit the use of civil compromise in domestic violence cases. Supervisors Kaufman, Alioto presented. Referred to Health/Public Safety/Environment Committee.

File 237-95-001.

[Human Rights Commission]  
Resolution urging the Mayor to urge various City departments to work-order contract compliance and monitoring services from the Human Rights Commission in order to continue improving our City's performance in contracting with minority-owned, women-owned and locally-owned businesses in all City contracts. Supervisor Shelley presented. Referred to Joint Rules/Economic Vitality and Social Policy Committee meeting on December 5, 1995.

File 284-95-008.

Charter Amendments:

Referred to Committee

[Ballot Measure, Single-Member District Elections]  
Charter amendment (Draft) amending Sections 2.100, 2.116, 13.101, 13.102 and 14.103 and adding Section 13.110, to provide for district election of supervisors. Supervisor Hallinan presented. Referred to Rules Committee.

File 275-95-001.

[Ballot Measure, Five Three-Member Districts]  
Charter amendment (draft) amending Sections 2.100, 2.116, 13.101 and 14.103 and adding Section 13.110 to provide for election of 15 supervisors from 5 three-member districts, using preference voting. Supervisor Hallinan presented. Referred to Rules Committee.

File 276-95-001.

[Ballot Measure, At-Large, Preference Voting]  
Charter amendment (draft) amending Sections 2.100 and 2.116 and adding Section 13.110 to provide for the at-large election of supervisors, using preference voting. Supervisor Hallinan presented. Referred to Rules Committee.

File 277-95-001.

[Ballot Measure, At-Large, Cumulative Voting]

Charter amendment (Draft) amending Sections 2.100 and 2.116 and adding Section 13.110 to provide for the at-large election of supervisors, using cumulative voting. Supervisor Hallinan presented. Referred to Rules Committee.

File 278-95-001.

[Ballot Measure, Supervisorial Duties/Salary]

Charter amendment (Draft) amending Section 2.100 to establish the salary of members of the board of supervisors and to prohibit outside income. Supervisor Hallinan presented. Referred to Rules Committee.

File 279-95-001.

[Ballot Measure, Election, Odd-Numbered Years]

Charter amendment (Draft) amending Sections 2.,103, 2.116 and 13.101 to provide for the election of members of the board of supervisors in odd-numbered years. Supervisor Hallinan presented. Referred to Rules Committee.

File 280-95-001.

Requests for Hearings:

[Juvenile Justice System Audit]

Hearing to consider urging the U.S Justice Department, Office of Juvenile Justice and Delinquency Prevention Division, to conduct a management audit of the San Francisco juvenile justice system. Supervisors Hallinan, Alioto, Bierman, Leal, Ammiano, Bierman presented. Referred to Government Efficiency/Labor Committee with request it be considered at the November 28, 1995 meeting.

File 013-95-032.

[938 Harrison Street Incident]

Hearing to consider the Police Department's handling of the disposition of complaints resulting from the 938 Harrison Street incident. Supervisors Ammiano, Bierman presented. Referred to Health/Public Safety/Environment Committee.

File 207-95-014.

[Policy Declaration, Election of Supervisors]

Policy declaration asking the voters to decide whether to change how the City elects members of the board of supervisors. Supervisor Hallinan presented. Referred to Rules Committee.

File 286-95-001.

[Department of Neighborhood Services]

Hearing to consider creation of the Department of Neighborhood Services. Supervisors Kaufman, Leal presented. Referred to Government Efficiency/Labor Committee.

File 293-95-001.

[Pagoda Palace Theatre]

Hearing to consider the proposed conversion of the Pagoda Palace Theatre into a mini mall and the impact this project will have on the North Beach neighborhood. Supervisors Alioto, Ammiano, Bierman presented. Referred to Health/Public Safety/Environment Committee with request it be considered at the December 7, 1995 meeting.

File 294-95-001.

Motions:

Referred to Board

[Needle Exchange Emergency]

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program. Supervisors Alioto, Leal, Bierman, Shelley, Migden, Teng, Hsieh presented. Referred to Board for Adoption Without Committee Reference Calendar December 4, 1995.



File 030-95-001.24.

Introduced by the President at the Request of Departments

Ordinances Referred to Committee

File 034-95-003. [Sidewalk Width Regulations, Various Locations] Ordinance amending Ordinance No. 1061 entitled "Regulating the Width of Sidewalks" by adding thereto Section 1520 changing the official widths of sidewalks on a portion of Florida Street between 17th Street and Mariposa Street, of a portion of Indiana Street between 23rd Street and 25th Street, and of a portion of Indiana Street between 25th Street and 26th Street, as shown on the Department of Public Works drawings labeled Q-20-427, Q-20-428, and Q-20-429 and making findings pursuant to City Planning Code Section 101.1. (Department of Public Works) Referred to Housing and Land Use Committee.

File 093-95-050. [MOU, Fire Fighters Local 798/Bargaining Unit 1] Ordinance adopting and implementing the provisions of a Memorandum of Understanding between the San Francisco Fire Fighters Union Local 798, IAFF, AFL-CIO for Bargaining Unit 1 and the City and County of San Francisco for the period July 1, 1995 through June 30, 1999. (Department of Human Resources) Referred to Government Efficiency/Labor Committee.

File 093-95-051. [MOU, Fire Fighters Local 798/Bargaining Unit 2] Ordinance adopting and implementing the provisions of a Memorandum of Understanding between the San Francisco Fire Fighters Union Local 798, IAFF, AFL-CIO for Bargaining Unit 2 and the City and County of San Francisco for the period July 1, 1995 through June 30, 1999. (Department of Human Resources) Referred to Government Efficiency/Labor Committee.

Resolutions Referred to Committee

File 038-95-010. [Gift Acceptance, Rathmann Family Foundation] Resolution accepting gift of \$27,000 from the Rathmann Family Foundation for upgrade of computer system at the Office of Emergency Services, and thanking the Foundation for its gift. (Also see File 38-95-5). (Mayor's Office of Emergency Services) Referred to Government Efficiency/Labor Committee.

File 040-95-018. [Residential Parking Area "U", South of Market] Resolution extending the boundaries of Residential Permit Parking Area "U" in the South of Market area and adding to the list of streets upon which time limitations shall apply. (Department of Parking and Traffic) Referred to Housing and Land Use Committee.

File 048-95-029. [Settlement of Claim, Joseph D. Brinzo] Resolution approving the settlement of the unlitigated claim of Joseph D. Brinzo by payment of \$35,000. (City Attorney) Referred to Government Efficiency/Labor Committee.

File 064-95-015. [Lease Renewal, 387 Ashton Avenue] Resolution authorizing renewal of the lease of real property at 387 Ashton Avenue for the Ingleside Branch Library. (Real Estate Department) Referred to Government Efficiency/Labor Committee.

File 089-95-012. [SDI Coverage, Classification 0222] Resolution authorizing enrollment of Classification(s) 0222 Court System Coordinator in the State Disability Insurance Program. (Department of Human Resources) Referred to Government Efficiency/Labor Committee.

File 089-95-013. [SDI Coverage, Classification 0230] Resolution authorizing enrollment of Classification(s) 0230 Division Chief Clerk in the State Disability Insurance Program. (Department of Human Resources) Referred to Government Efficiency/Labor Committee.

File 089-95-014. [SDI Coverage, Classification 0244] Resolution authorizing enrollment of Classification(s) 0244 Court Traffic Senior Application Programmer in the State Disability Insurance Program. (Department of Human Resources) Referred to Government Efficiency/Labor Committee.

File 089-95-015. [SDI Coverage, Classification 0248] Resolution authorizing enrollment of Classification(s) 0248 Court Systems Technical Programmer in the State Disability Insurance Program. (Department of Human Resources) Referred to Government Efficiency/Labor Committee.

File 089-95-016. [SDI Coverage, Classification 0260] Resolution authorizing enrollment of Classification(s) 0260 Small Claims Legal Adviser in the State Disability Insurance Program. (Department of Human Resources) Referred to Government Efficiency/Labor Committee.

File 089-95-017. [SDI Coverage, Classification 0270] Resolution authorizing enrollment of Classification(s) 0270 Assistant Division Chief Clerk in the State Disability Insurance Program. (Department of Human Resources) Referred to Government Efficiency/Labor Committee.

File 089-95-018. [SDI Coverage, Classification 0278] Resolution authorizing enrollment of Classification(s) 0278 Assistant Court Program Analyst Manager in the State Disability Insurance Program. (Department of Human Resources) Referred to Government Efficiency/Labor Committee.

File 089-95-019. [SDI Coverage, Classification 0280] Resolution authorizing enrollment of Classification(s) 0280 Deputy Clerk in the State Disability Insurance Program. (Department of Human Resources) Referred to Government Efficiency/Labor Committee.

File 089-95-020. [SDI Coverage, Classification 0287] Resolution authorizing enrollment of Classification(s) 0287 Administrative Secretary, in the State Disability Insurance Program. (Department of Human Resources) Referred to Government Efficiency/Labor Committee.

File 089-95-021. [SDI Coverage, Classification 0290] Resolution authorizing enrollment of Classification(s) 0290 Deputy Clerk, in the State Disability Insurance Program. (Department of Human Resources) Referred to Government Efficiency/Labor Committee.

File 089-95-022. [SDI Coverage, Classification 0293] Resolution authorizing enrollment of Classification(s) 0293 Interpreter Coordinator, in the State Disability Insurance Program. (Department of Human Resources) Referred to Government Efficiency/Labor Committee.

File 089-95-023. [SDI Coverage, Classification 0320] Resolution authorizing enrollment of Classification(s) 0320 Deputy Clerk, in the State Disability Insurance Program. (Department of Human Resources) Referred to Government Efficiency/Labor Committee.

File 089-95-024. [SDI Coverage, Classification 0340] Resolution authorizing enrollment of Classification(s) 0340 Information Clerk, Municipal Court, in the State Disability Insurance Program. (Department of Human Resources) Referred to Government Efficiency/Labor Committee.

File 089-95-025. [SDI Coverage, Classification 0360] Resolution authorizing enrollment of Classification(s) 0360 Deputy Clerk, in the State Disability Insurance Program. (Department of Human Resources) Referred to Government Efficiency/Labor Committee.

File 089-95-026. [SDI Coverage, Classification 0342] Resolution authorizing enrollment of Classification(s) 0342 Information Clerk Supervisor, Municipal Court, in the State Disability Insurance Program. (Department of Human Resources) Referred to Government Efficiency/Labor Committee.

File 270-95-005. [Emergency Operations Plan] Resolution approving the Emergency Operations Plan (EOP) which describes how the City and County of San Francisco will manage and coordinate resources and personnel to respond to major disasters. (Mayor's Office of Emergency Services) Referred to Health/Public Safety/Environment Committee.

#### Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisors Migden, Kaufman, Ammiano, Bierman that City Attorney prepare legislation to authorize the County Clerk-Recorder to perform domestic partnership ceremonies.

By Supervisor Kennedy, that letter be sent to Director, Human Rights Commission, requesting he respond to data requests from the Purchasing Department and the Chief Administrative Officer relating to the fiscal year 1993-94 progress report on minority/women/local business enterprise ordinance; that the Supervisors and Purchasing Department be notified when his response will be available and whether changes should be made. A Joint Rules/Economic Vitality and Social Policy Committee meeting has been called for December 5, 1995 and the Board would appreciate an opportunity to review the data prior to the hearing.

By Supervisor Bierman, that letter be sent to Chief Administrative Officer and his staff concerning revitalization of the lower Eddy Street area and requesting comment on the feasibility of doing a study on developing an exhibition pavilion (approximately 80,000 square feet) in the six block area that would benefit the hotel industry and the community and that they work with organizations in the North of Market community.

By Supervisor Hallinan, that City Attorney draft ordinance which would prohibit contracts for personal services with those who do business in or with Burma (Myanmar) and prohibit the purchase of commodities produced in Burma or provided by those who do business in or with Burma (Myanmar).

#### Motions Adopted

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

Sidney Amber (By the entire Board)  
Essex Hemphill (By the entire Board)  
Emma L. Cobbs (Supervisor Kennedy)  
Thomas Frank Callaghan (Supervisors Hsieh, Shelley)  
Eric Garber (Supervisor Migden)  
Shirley C. Berryessa (Supervisor Bierman)  
Frank Lopez (Supervisor Leal)

File 2-95-45

Unanimously adopted by a rising vote.

ADJOURNMENT

There being no further business, the Board at the hour of 2:51 p.m. adjourned.

John L. Taylor, Clerk

N.B. This Journal of Proceedings sets 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 December 18, 1995.

I, John L. Taylor, 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 Journal of Proceedings of said Board on the date stated and was approved as recited.

John L. Taylor  
Clerk of the Board of Supervisors



Monday, December 4, 1995

# Journal of Proceedings

*The Minutes of the*

# Board of Supervisors

City and County of San Francisco

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JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

Monday, December 4, 1995 - 2:00 p.m.

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

CALLING THE ROLL

The meeting was called to order at 2:08 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Leal, Migden, Shelley, Teng - 9.

Noted absent at first roll call:

Supervisors Alioto, Kennedy - 2.

Quorum present.

Supervisor Alioto was noted present at 2:09 p.m.

Supervisor Kennedy excused, on official leave of absence.

APPROVAL OF JOURNALS

There being no errors, corrections or omissions, Supervisor Leal, seconded by Supervisor Hsieh, moved that the Journals of Proceedings for Monday, October 23, 1995, be approved.

Motion carried by the following vote:

Ayes: Supervisors Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Leal, Migden, Shelley, Teng - 9.

Absent: Supervisors Alioto, Kennedy - 2.

CONSENT CALENDAR

Recommendations of Budget Committee

Finally Passed

[Appropriation, Department of Public Health]

Ordinance appropriating \$1,725,689, Department of Public Health-Mental Health, from the General Fund Reserve for professional services and reductions in State revenue, to continue substance abuse and child care services for fiscal year 1995-96. (Supervisors Alioto, Bierman, Hsieh, Kaufman)

File 101-95-27, Ordinance No. 379-95

(Fiscal Impact.)

Finally passed.

[Street Fairs - Fire Department Fees]

Ordinance amending Administrative Code, providing fees for permits and inspection by the Fire Department of food vendors that use propane, butane, charcoal briquettes, open flame, or LPG heaters, and requiring permits and fees whenever fireworks or tents are used at a street fair. (Fire Department)

File 97-95-61, Ordinance No. 383-95

(Amends Section 2.70-6.)

Finally passed.

[Superior Court Revolving Fund]  
Ordinance amending Administrative Code, authorizing a cash revolving fund increase for the Superior Court from \$2,500 to \$5,000. (Superior Court)

File 97-95-62, Ordinance No. 384-95

(Amends Section 10.140.)

Finally passed.

Adopted

[CHIP Program Funds for Fiscal Year 1995-96]  
Resolution authorizing adoption of the County Description of Proposed Expenditure of California Healthcare for Indigents Program (CHIP) funds for fiscal year 1995-96 and that the Chairperson or duly authorized representative of the Board of Supervisors can certify that the County Description of Proposed Expenditure of CHIP funds for fiscal year 1995-96. (Department of Public Health)

File 30-95-21, Resolution No. 1003-95

Adopted.

[Valet Parking Rates]  
Resolution approving valet parking rates for the Lombard Street Garage. (Supervisors Hsieh, Kaufman, Bierman)

File 47-95-12, Resolution No. 1007-95

Adopted.

Recommendations of Government Efficiency and Labor Committee

Finally Passed

[Settlement of Litigation, Jeffrey Derderian]  
Ordinance authorizing settlement of personal injury of Jeffrey Derderian against the City and County and its employee Frederick Lambrecht for \$75,000, each side to bear its own costs and attorneys' fees. (City Attorney)

File 45-95-26.2, Ordinance No. 368-95

(Superior Court No. 958-930.)

Finally passed.

[Rudolph Primus/Janel Leblanc v. CCSF]  
Ordinance authorizing settlement of litigation of Rudolph Primus against the City and County by payment of \$15,000. (City Attorney)

File 45-95-46, Ordinance No. 369-95

(S.F. Municipal Court No. 108-711.)

Finally passed.

[Settlement of Litigation, Shamin Shaikh]  
Ordinance authorizing settlement of litigation of Shaikh v. City and County, et al., by payment of \$119,000. (City Attorney)

File 45-95-47, Ordinance No. 370-95

(U.S.D.C. Northern District of California Case No. 94-3711 CAL.)

Finally passed.

[Gregoria Loaiza, v. CCSF, et al.]  
Ordinance authorizing settlement of litigation of Gregoria Loaiza against the City and County by payment of \$18,000. (City Attorney)

File 45-95-48, Ordinance No. 371-95



(Superior Court No. 965-179.)

Finally passed.

[Settlement of Litigation, G. Bakar Partnership]  
Ordinance authorizing settlement of litigation of G. Bakar Partnership v. the City and County by the recovery of \$500,000. (City Attorney)

File 45-95-49, Ordinance No. 372-95

(Superior Court No. 948-706.)

Finally passed.

[Settlement of Litigation, Robert Hughes]  
Ordinance authorizing settlement of litigation of Robert Hughes against the City and County by payment of \$10,000. (City Attorney)

File 45-95-50, Ordinance No. 373-95

(Superior Court No. 964-030.)

Finally passed.

[Settlement of Litigation, Dennis O'Dwyer]  
Ordinance authorizing settlement of litigation of Dennis O'Dwyer against the City and County by payment of \$10,000. (City Attorney)

File 45-95-51, Ordinance No. 374-95

(Superior Court No. 958-163.)

Finally passed.

[Settlement of Litigation, George Y. Abouata]  
Ordinance authorizing settlement of litigation of George Y. Abouata against the City and County by payment of \$13,000. (City Attorney)

File 45-95-52, Ordinance No. 375-95

(Superior Court No. 960-380.)

Finally passed.

[CCSF v. Burns International]  
Ordinance authorizing settlement of litigation of City and County v. Burns International by receipt of \$41,673.72. (City Attorney)

File 46-95-8, Ordinance No. 376-95

(Superior Court No. 963-726.)

Finally passed.

[Lease Modification, Port/Redevelopment Agency]  
Ordinance approving Fourth Amendment to Option to Lease Real Property between the Port and the Redevelopment Agency for properties in the South Beach Redevelopment Area. (Port)

File 65-95-9, Ordinance No. 377-95

Finally passed.

Passed for Second Reading

[North Terminal Candy Store Lease]  
Ordinance approving the "North Terminal Candy Store Lease" between ABC Cigar, Inc. and the City and County. (Airports Commission)

File 27-95-17, Ordinance No.

Passed for second reading.

Monday, December 4, 1995

Adopted

[Gift Acceptance, Rathmann Family Foundation]

Resolution accepting gift of \$27,000 from the Rathmann Family Foundation for upgrade of computer system at the Office of Emergency Services, and thanking the Foundation for its gift. (Mayor's Office of Emergency Services)

File 38-95-10, Resolution No. 1004-95

Adopted.

[Settlement of Claim, Joseph D. Brinzo]

Resolution approving the settlement of the unlitigated claim of Joseph D. Brinzo by payment of \$35,000. (City Attorney)

File 48-95-29, Resolution No. 1008-95

Adopted.

[Lease of Property at 1390 Market Street]

Resolution authorizing a lease of real property at 1390 Market Street, for the Delinquency Prevention Commission. (Real Estate Department)

File 64-95-14, Resolution No. 1009-95

Adopted.

[Lease Renewal, 387 Ashton Avenue]

Resolution authorizing renewal of the lease of real property at 387 Ashton Avenue for the Ingleside Branch Library. (Real Estate Department)

File 64-95-15, Resolution No. 1010-95

Adopted.

[Grant, Outreach, Education/Immunization Services]

Resolution authorizing the Department of Public Health, Community Public Health Services, to apply for retroactively and accept and expend a grant of \$165,928, from the California Department of Health Services, for supplemental efforts to immunize high-risk infants and toddlers; waiving indirect costs; providing ratification of action previously taken. (Supervisors Alioto, Shelley)

File 146-95-19, Resolution No. 1018-95

Adopted.

[Transfer of Fireboat "Phoenix"]

Resolution authorizing acceptance of a transfer of title to Fireboat "Phoenix" from the Port Commission to the Fire Department. (Fire Commission)

File 199-95-2, Resolution No. 1029-95

Adopted.

Recommendations of Housing and Land Use Committee

Adopted

[Stop Intersections]

Resolution designating Fifth and Berry Streets, as "Stop" intersections. (Housing and Land Use Committee)

File 18-95-14, Resolution No. 993-95

(Stop Signs - Establish

5th and Berry Streets, northwest corner, stopping southbound 5th Street.)

Adopted.

[Stop Intersections]

Resolution designating certain intersections as "Stop" intersections. (Housing and Land Use Committee)

File 18-95-15, Resolution No. 994-95

(Stop Signs - Establish)

12th Avenue and Balboa Street, northeast and southwest corners, stopping Balboa Street (makes this an all-way Stop).  
18th and Hampshire Streets, northwest and southeast corners, stopping Hampshire Street (makes this an all-way Stop).  
Junipero Serra Boulevard Service Road (west side) and Holloway Avenue, northwest and southeast corners, stopping the Juniper Serra Boulevard Service Road (presently uncontrolled).)

Adopted.

[Parking Regulations, Various Locations]

Resolution enacting parking regulations at various locations. (Housing and Land Use Committee)

File 19-95-14, Resolution No. 995-95

(Parking Meter Area No. 3 (1-Hour Time Limit, 9 A.M. - 6 p.m., Monday through Saturday) - Establish

4th Street, both sides, between Berry and King Streets.  
5th Street, both sides, between Berry and King Streets.  
Berry Street, both sides, between 3rd and 5th Streets.  
King Street, both sides, between 3rd and 5th Streets.)

Adopted.

[Parking Regulations]

Resolution enacting parking regulations at various locations. (Housing and Land Use Committee)

File 19-95-15, Resolution No. 996-95

(30-Minute Parking Time Limit, 7 a.m. - 6 p.m., Monday through Friday - Establish

22nd Street, south side, from 201 to 223 feet east of Potrero Avenue (22-foot zone, replaces existing yellow zone).

No Parking Anytime - Rescind

Tow-Away, No Stopping Anytime - Establish

Clarence Place, east side, from Townsend Street to north end.

No Parking Anytime - Rescind

Two-Hour Parking Time Limit, 7 a.m. - 6 p.m., Monday through Saturday - Establish

Clarence Place, west side, from Townsend Street to 110 feet northerly (110-foot zone).

Parking Meter Area No. 3 (1-Hour Time Limit, 7 a.m. - 6 p.m., Monday through Saturday) - Establish

Vicksburg Street, west side, from 24th Street to 75 feet southerly (75-foot zone).

Perpendicular (90-Degree) Parking - Establish

16th Street, north side, from Castro Street to a point 72 feet west of Noe Street (470-foot zone).

Tow-Away, No Parking Anytime - Establish

Turk Street, south side, from 260 feet to 510 feet east of Laguna Street (250-foot zone, replaces existing red zone).)

Adopted.

[Traffic Regulations]

Resolution enacting traffic regulations on various streets. (Housing and Land Use Committee)

File 20-95-17, Resolution No. 997-95

(Tow-Away, No Stopping Anytime - Establish

3rd Street, both sides, between Berry and King Streets.  
King Street, north side, from 3rd Street to approximately 140 feet westerly (140-foot zone).  
King Street, north side, from 4th Street to approximately 410 feet easterly (410-foot zone).  
King Street, north side, from 4th Street to approximately 50 feet westerly (50-foot zones).  
King Street, north side, from 5th Street to approximately 260 feet easterly (260-foot zone).  
King Street, south side, between 3rd and 4th Streets.  
King Street, south side, from 5th Street to approximately 160 feet easterly (160-foot zone).

Tow-Away, No Stopping 7 a.m. - 9 a.m. and 4 p.m. - 6 p.m., Monday through Friday - Establish

King Street, north side, from 50 feet to 500 feet west of 4th Street (450-foot zone).

King Street, south side, from 4th Street to 660 feet westerly (660-foot zone).

Three Left Lanes must Turn Left - Establish

King Street, eastbound, at 3rd Street.

Two Left Lanes must Turn Left - Establish  
King Street, westbound, at 3rd Street.

Right Lane must Turn Right - Establish  
3rd Street, northbound, at King Street.

Right Turn only, Except MUNI - Establish  
4th Street, northbound, at King Street.

Right Lane must Turn Right, Except MUNI - Establish  
4th Street, southbound, at King Street.

No Turns - Establish  
King Street, eastbound, at 5th Street (I-280 off-ramp).

No Left Turn - Establish  
King Street, eastbound, at 4th Street.  
King Street, eastbound, at 5th Street (service road).  
King Street, westbound, at 5th Street.

No Right Turn, Except MUNI - Establish  
King Street, westbound, at 4th Street.

Mid-Block Crosswalk - Establish  
King Street, between 3rd and 4th Streets.  
King Street, between 4th and 5th Streets.

Crosswalk Closure - Establish  
5th and King Streets, west crosswalk, crossing King Street.)

Adopted.

[Traffic Regulations]

Resolution enacting and rescinding traffic regulations on various streets. (Housing and Land Use Committee)

File 20-95-19, Resolution No. 998-95

(Right Turn onto Market Street Only, Except MUNI - Establish  
17th Street, westbound, at Market Street.

One-Way Street - Rescind  
Fell Street, eastbound, between Franklin Street and Van Ness Avenue (restores two-way operation).

Tow-Away, No Stopping Anytime - Establish  
Fulton Street, south side, from 22nd Avenue to 190 feet westerly (190-foot zone).

Fulton Street, south side, from Stanyan Street to 58 feet westerly (58-foot zone).

Tow-Away, No Stopping Anytime - Rescind  
Tow-Away, No Stopping, 7 a.m. - 7 p.m., Everyday - Establish  
McAllister Street, north side, from Gough Street to 60 feet easterly (60-foot zone).

Tow-Away, No Stopping 4 p.m. - 6 p.m., Monday through Friday - Establish  
Howard Street, north side, between Main and Beale Streets.

Tow-Away, No Stopping, 4 p.m. - 6 p.m., Monday through Friday - Rescind  
Turk Street, north side, between Franklin Street and St. Joseph's Avenue.  
Turk Street, north side, between Taylor Street and Van Ness Avenue.

Tow-Away Lane must Turn Right - Establish  
Turk Street, westbound, at Franklin Street.

Tow-Away, No Stopping, 7 a.m. - 6 p.m., Monday through Friday - Rescind  
Tow-Away, No Stopping, 7 a.m. - 7 p.m., Everyday - Establish  
Montgomery Street, east side, between Post and Sutter Streets (weekend tow-away regulation to be added).)

Adopted.

[Residential Parking Area "R", Cleary Court]

Resolution extending the boundaries of Residential Permit Parking Area "R" in the Cleary Court Area and adding to the list of streets upon which time limitations shall apply. (Department of Parking and Traffic)

File 40-95-16, Resolution No. 1005-95

Adopted.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Leal, Migden, Shelley, Teng - 9.

Absent: Supervisors Alioto, Kennedy - 2.

REGULAR CALENDAR

UNFINISHED BUSINESS

Recommendation of Government Efficiency and Labor Committee

Finally Passed

[Retirement Board and Health Service Board Elections]  
Ordinance amending Administrative Code, regarding Retirement Board and Health Service Board Elections.  
(Employees' Retirement System)

File 97-95-54, Ordinance No. 378-95

(Amend Sections 16.550 through 16.564.)

Finally passed by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Kennedy - 1.

Recommendation of Housing and Land Use Committee

Rereferred to Committee

[Residential Zoning Amendments]  
Ordinance amending Planning Code, to establish new provisions that apply to construction in the RH and RM Zoning Districts for permit application review, notification and appeals procedures and adherence to approved design guidelines as well as to the Planning Code; and new provisions that apply to review of proposed demolitions in all residential districts. (Department of City Planning)

File 115-95-11, Ordinance No.

(Adds new Section 311.)

(City Planning Resolution No. 13960, adopted September 21, 1995.)

(November 20, 1995 - Consideration continued to December 4, 1995.)

Supervisor Teng, seconded by Supervisor Kaufman, moved to rerefer to Committee.

Motion to rerefer to Committee adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Kennedy - 1.

NEW BUSINESS

Recommendations of Budget Committee

Passed for Second Reading

[Appropriation, City Hall Improvements]  
Ordinance appropriating \$1,528,855, Department of Public Works, from general fund reserve for City Hall non-seismic improvement project for fiscal year 1995-96 (provides general fund support pending bond sale). (Supervisor Hsieh)

File 101-95-28, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Kennedy - 1.

[Savings Incentive Fund]

Ordinance amending Administrative Code, to establish City and County policy that a Savings Incentive Account be annually established and appropriations from the account may be made to departments that demonstrate a savings achieved during the immediately preceding fiscal year. (Supervisors Hsieh, Kaufman, Teng)

File 97-95-64, Ordinance No.

(Fiscal Impact.)

(Adds Section 3.20.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Kennedy - 1.

In connection with the above item, Supervisor Teng requested to be added as co-sponsor.

[Equipment Lease - Bonds]

Ordinance providing for the approval and execution and delivery by officers of the City and County of an Equipment Lease Supplement No. 5 between the City and County Finance Corporation, as lessor, and the City and County, as lessee, with respect to equipment to be used for City purposes and the related Certificate of Approval and of a Continuing Disclosure Agreement between said Lessor and Lessee; providing for reimbursement to the City of certain City expenditures prior to the issuance of Lease Revenue Bonds and approving the issuance of Lease Revenue Bonds by said nonprofit corporation; and providing that said bonds shall be subject to the certification of the Controller prior to the sale of said bonds; and providing for the execution of documents in connection therewith and ratifying previous actions taken in connection therewith. (Supervisors Hsieh, Kaufman, Bierman)

File 170-95-10, Ordinance No.

(Fiscal Impact.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Kennedy - 1.

Adopted

[Emergency Repair, Franklin Street Sewer]

Resolution authorizing the Director of the Department of Public Works to take necessary measures to protect the health, welfare and property of the citizens of San Francisco by performing the necessary work to replace structurally inadequate sewer in Franklin Street between Green Street and Vallejo Street - \$274,000. (Department of Public Works)

File 28-95-21, Resolution No. 999-95

(Fiscal Impact.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Kennedy - 1.

[Emergency Repair, McAllister Street Sewer]

Resolution authorizing the Director of the Department of Public Works to take necessary measures to protect the health, welfare and property of the citizens of San Francisco by performing the necessary

work to replace structurally inadequate sewer in McAllister Street between Hyde Street and Larkin Street - \$184,850. (Department of Public Works)

File 28-95-22, Resolution No. 1000-95

(Fiscal Impact.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Kennedy - 1.

[Emergency Repair Work, Clipper Street Sewer]

Resolution authorizing the Director of the Department of Public Works to take necessary measures to protect the health, welfare and property of the citizens of San Francisco by performing the necessary work to replace structurally inadequate sewer in Clipper Street between Douglass Street and Grand View Avenue - \$189,850. (Department of Public Works)

File 28-95-24, Resolution No. 1001-95

(Fiscal Impact.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Kennedy - 1.

[Emergency Repair, Folsom/Fourth Streets Sewer]

Resolution authorizing the Director of the Department of Public Works to take necessary measures to protect the health, welfare and property of the citizens of San Francisco by performing the necessary work to replace structurally inadequate sewer in Folsom and Fourth Streets - \$444,000. (Department of Public Works)

File 28-95-25, Resolution No. 1002-95

(Fiscal Impact.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Kennedy - 1.

[City Hall Improvement Bond]

Resolution declaring the intent of the City and County to reimburse certain expenditures from proceeds of future indebtedness and authorizing the Chief Administrative Officer to develop a plan of finance. (Supervisor Hsieh)

File 170-95-12, Resolution No. 1026-95

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Kennedy - 1.

[Redevelopment Agency Budget and Bonds]

Resolution approving an amendment to the budget of the San Francisco Redevelopment Agency for fiscal year 1995-96, to increase expenditures in the Mid-Market Survey Area for survey activities by \$225,000; and the issuance of Tax Allocation Bonds in an amount not to exceed \$257,200. (Supervisor Hsieh)

File 291-95-2, Resolution No. 1035-95

(Fiscal Impact.)

Adopted by the following vote:

Monday, December 4, 1995

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Kennedy - 1.

Recommendations of Government Efficiency and Labor Committee

Passed for Second Reading

[MOU, Fire Fighters Local 798/Bargaining Unit 1]

Ordinance adopting and implementing the provisions of a Memorandum of Understanding between the San Francisco Fire Fighters Union Local 798, IAFF, AFL-CIO for Bargaining Unit 1 and the City and County of San Francisco for the period July 1, 1995 through June 30, 1999. (Supervisor Shelley)

File 93-95-50, Ordinance No.

Passed for by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Kennedy - 1.

Appointment of President Pro Tempore

At the request of the President, Supervisor Hallinan assumed the Chair so the President can participate in the debate.

[MOU, Fire Fighters Local 798/Bargaining Unit 2]

Ordinance adopting and implementing the provisions of a Memorandum of Understanding between the San Francisco Fire Fighters Union Local 798, IAFF, AFL-CIO for Bargaining Unit 2 and the City and County of San Francisco for the period July 1, 1995 through June 30, 1999. (Supervisor Shelley)

File 93-95-51, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Kennedy - 1.

The President resumed the Chair.

Refused Passage for Second Reading;  
Rescinded; Consideration Continued

(Supervisor Teng dissenting in Committee.)

[Membership Criteria for Retirement System]

Ordinance amending Administrative Code, regarding Membership Criteria for admitting exempt employees into the Retirement System. (Department of Human Resources)

File 97-95-15.1, Ordinance No.

(Amends Section 16.42.)

Refused passage for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Migden, Shelley - 7.

Noes: Supervisors Kaufman, Leal, Teng - 3.

Absent: Supervisor Kennedy - 1.

Motion to Rescind

Supervisor Hallinan, seconded by Supervisor Leal, moved to rescind the previous vote.

Motion to rescind the previous vote adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Leal, Migden, Shelley, Teng - 10.



Absent: Supervisor Kennedy - 1.

Supervisor Hallinan, seconded by Supervisor Teng, moved to continue consideration to December 11, 1995.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Kennedy - 1.

Adopted

[Juvenile Justice System Audit]

Resolution requesting the U.S. Justice Department, Office of Juvenile Justice and Delinquency Prevention, to conduct a management audit of the San Francisco Juvenile Justice System. (Supervisors Hallinan, Alioto, Bierman, Ammiano, Teng)

File 13-95-32, Resolution No. 991-95

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Kennedy - 1.

[Grant, Neighborhood Action for Youth Development]

Resolution authorizing, retroactively, the Mayor to apply for, accept and expend \$500,000 from the United States Department of Health and Human Services (HHS) to administer the San Francisco Neighborhood Action for Youth Development Demonstration Project; placing \$417,500 on reserve. (Supervisor Alioto)

File 68-95-10, Resolution No. 1011-95

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Kennedy - 1.

[Federal Grant, Youth Gang/Drug Prevention Program]

Resolution authorizing, retroactively, the Chief of Police to apply for, accept and expend funds in the amount of Five Hundred Thousand Dollars (\$500,000.00) for new funding for a project entitled "Youth Gang/Drug Prevention Program" and agreeing to provide a cash match in the amount of Ninety-Six Thousand Six Hundred Forty Four (\$96,644.00) Dollars. (Supervisor Alioto)

File 143-95-6, Resolution No. 1017-95

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Kennedy - 1.

[Preventive Health Care for the Aging Program]

Resolution authorizing, retroactively, the Department of Public Health, Community Public Health Services, to accept and expend a grant of \$53,000, which includes a match in the amount of \$134,367, from the California Department of Health Services for preventive health services to San Francisco residents over age 60 who have limited access to care; waiving indirect costs. (Supervisor Alioto)

File 146-95-21, Resolution No. 1019-95

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Kennedy - 1.

[State Grant, STD Prevention and Control Program]

Resolution authorizing, retroactively, the Department of Public Health, Community Public Health Services, to accept and expend a grant of \$16,781, which includes no indirect costs, from the California Department of Health Services, STD Control Branch, to provide STD Outreach Education and Referral Services; waiving indirect costs. (Supervisor Alioto)

File 146-95-22, Resolution No. 1020-95

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Kennedy - 1.

[Grant, Support Services-City Link Program]

Resolution authorizing, retroactively, the Public Library to expend \$30,000 in grant funds awarded by the Corporation for Public Broadcasting/Annenberg Foundation as part of the Community Wide Education and Information Services Program to participate in a collaborative project integrating a variety of telecommunications programs and services to create and provide access to knowledge, education and information resources, waiving indirect costs. (Supervisors Alioto, Leal)

File 147-95-8.1, Resolution No. 1021-95

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Kennedy - 1.

[Federal Grant - Project Read]

Resolution authorizing, retroactively, the City Librarian to accept and expend \$23,741 available from the United States Department of Education for a Project Read Student Support Program; indirect costs of five percent are contained in this grant. (Supervisors Alioto, Leal)

File 147-95-9, Resolution No. 1022-95

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Kennedy - 1.

[Federal Grant - Project Read]

Resolution authorizing, retroactively, the City Librarian to accept and expend \$28,140 available from the United States Department of Education for a Project Read Outreach Program; indirect costs of five percent are contained in this grant. (Supervisors Alioto, Leal)

File 147-95-10, Resolution No. 1023-95

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Kennedy - 1.

[Federal Grant - Project Read]

Resolution authorizing, retroactively, the City Librarian to accept and expend \$27,211 available from the United States Department of Education for a Project Read Tutor Support Program; indirect costs of five percent are contained in this grant. (Supervisors Alioto, Leal)

File 147-95-11, Resolution No. 1024-95

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Kennedy - 1.

[State Grant - Southeast Literacy Program]

Resolution authorizing, retroactively, the City Librarian to accept and expend \$57,540 available from the California State Library's Administration of Library Services and Construction Act (LSCA) Title I funds for a Southeast Literacy Program; indirect costs of five percent are contained in this grant. (Supervisors Alioto, Leal)

File 147-95-12, Resolution No. 1025-95

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Kennedy - 1.

Recommendations of Housing and Land Use Committee

Passed for Second Reading as Amended

[1995 San Francisco Building Code]

Ordinance amending Building Code by adopting by reference the 1994 Uniform Building Code as amended by the 1995 California Building Code; retaining and making applicable to the State Code all previously adopted San Francisco amendments to the State Code and findings of local conditions required by state law; republishing the retained San Francisco amendments in a separate volume with corrected section references and reformatting to correspond to the new State Code references and format; and making nonsubstantive editorial changes to conform the code to Charter Section 3.750; effective date of December 29, 1995. (Building Inspection Commission)

File 114-95-2, Ordinance No.

Supervisor Migden, seconded by Supervisor Kaufman, moved to amend the proposed 1995 Building Code to include the following diagrams: (1) Chapter 6A: Add map of Fire Zone to end of Chapter 6A (pp. 4 and 5); (2) Chapter 16B: Add Table 16B-A Program Implementation Schedule, and Figure No. 16B-1 UMB Study Areas. Add Section 1607B Energy Conservation; (3) Chapter 16C: Add Figure No. 16C-25 Acceptable Diaphragm Span and Figure No. 16C-26 Analysis of URM Wall In-plane Shear Forces (pp. 26 and 27).

Motion to amend adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Kennedy - 1.

Passed for second reading as amended by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Kennedy - 1.

Passed for Second Reading

[Sign Controls, Rincon Hill Special Use District]

Ordinance amending Planning Code, Rincon Hill Special Use District, to incorporate new sign provisions for the Rincon Hill Area and adopting findings pursuant to City Planning Code Section 101.1. (Department of City Planning)

File 115-95-15, Ordinance No.

(Amends Section 249.1.)

(General Rule Exclusion from environmental review: State Guidelines, Section 15061(b)(3). (City Planning Resolution No. 13978, adopted 10/12/95).

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Kennedy - 1.

Passed for Second Reading as amended

[1995 San Francisco Electrical Code]

Ordinance amending Electrical Code by adopting by reference the 1993 National Electrical Code as amended by the 1995 California Electrical Code; retaining and making applicable to the State Code all previously adopted San Francisco amendments to the State Code and findings of local conditions required by state law; republishing the retained San Francisco amendments in a separate volume with corrected section references and reformatting to correspond to the new State Code references and format; and making nonsubstantive editorial changes to conform the code to Charter Section 3.750; effective date of December 29, 1995. (Building Inspection Commission)

File 116-95-1, Ordinance No.

Supervisor Migden, seconded by Supervisor Kaufman, moved to amend proposed 1995 San Francisco Electrical Code, Chapter 1, General, Article 100, Definitions, Page 32, by deleting definition of "Director of Public Works" and substitute the following: "Director is the Director of the Department of Building Inspection, charged by the Building Inspection Commission with the enforcement of the building codes of the City and County of San Francisco, or the Director's authorized representative."

Motion to amend adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Kennedy - 1.

Passed for second reading as amended by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Kennedy - 1.

Adopted

[Fire Code]

Resolution endorsing those changes and providing findings as to the local conditions requiring variance from the California Fire Code as required by the California Health and Safety Code. (Supervisors Migden, Alioto)

File 117-95-3, Resolution No. 1016-95

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Kennedy - 1.

Passed for Second Reading

[Fire Code]

Ordinance repealing Part II, Chapter IV of the Fire Code; adopting in its entirety a new San Francisco Fire Code; effective date of December 29, 1995. (Supervisors Migden, Alioto)

File 117-95-3.1, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Kennedy - 1.

Passed for Second Reading as Amended

[1995 San Francisco Plumbing Code]

Ordinance amending Plumbing Code by adopting by reference the 1994 Uniform Plumbing Code as amended by the 1995 California Plumbing Code; retaining and making applicable to the State Code all previously adopted San Francisco amendments to the State Code and findings of local conditions required by state law; republishing the retained San Francisco amendments in a separate volume with corrected section references and reformatting to correspond to the new State Code references and format; and making nonsubstantive editorial changes to conform the code to Charter Section 3.750; effective date of December 29, 1995. (Building Inspection Commission)

File 120-95-1, Ordinance No.

Supervisor Migden, seconded by Supervisor Kaufman, moved to amend proposed 1995 San Francisco Plumbing Code, Chapter 3, by adding map of Storm Water Districts 1, 2, 3 and 4 (three pages) after Section 318.11 on page 26.

Motion to amend adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Kennedy - 1.

Passed for second reading as amended by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Kennedy - 1.

Passed for Second Reading

[Speed Limit, Portion of King Street]

Ordinance amending Traffic Code, to establish a 35-MPH speed limit on a portion of King Street, between 3rd and 5th Streets. (Department of Parking and Traffic)

File 124-95-8, Ordinance No.

(Adds Section 176.39.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Kennedy - 1.

Adopted

[Liquor License, 1108 Stockton Street]

Resolution determining that the issuance of a Type 21 off-sale general license to Paul Lee for Lien Hing Supermarket, will serve the convenience and necessity of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code. (Housing and Land Use Committee)

File 223-95-30, Resolution No. 1031-95

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Kennedy - 1.

[Liquor License, 276 Noe Street]

Resolution determining that the issuance of a Type 21 off-sale general license to Joudeh and Rita Kassis for New Rosenberg Deli, will serve the convenience and necessity of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code. (Housing and Land Use Committee)

File 223-95-31, Resolution No. 1032-95

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Kennedy - 1.

[Liquor License, 142 Fillmore]

Resolution opposing the request for transfer of a liquor license from 1837 Pacific Avenue to 142 Fillmore Street for Mary J. Nasser, and determining that it will not serve the public convenience and necessity of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code. (Housing and Land Use Committee)

File 223-95-32, Resolution No. 1033-95

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Kennedy - 1.

[Mid-Market Street Survey Area]

Resolution designating and describing a survey area within the City and County pursuant to the California Community Redevelopment Law, referred to as the Mid-Market Survey Area. (Redevelopment Agency)

File 291-95-1, Resolution No. 1034-95

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Kennedy - 1.

Recommendations of Rules Committee

Passed for Second Reading

[Ethics Commission Filings]

Ordinance amending Administrative Code, to substitute the Ethics Commission for the Registrar of Voters as the filing officer for campaign disclosure statements; to substitute the Ethics Commission for the Clerk of the Board of Supervisors as the filing officer for lobbyist disclosure statements and to substitute the Ethics Commission for the Clerk of the Board of Supervisors as the filing officer for department heads holding designated positions. (Supervisors Shelley, Teng)

File 97-95-65, Ordinance No.

(Amend Sections 16.505, 16.506, 16.507, 16.512, 16.513, 16.524, 16.525, 16.526, 16.528, 16.530, 16.531, 16.532, 58.4, 58.5 and 58.6.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Kennedy - 1.

In connection with the above item, Supervisor Teng requested to be added as co-sponsor.

Adopted

[Appointment]

Resolution appointing member to the Lead Hazard Reduction Citizen Advisory Committee, for unexpired portion of four-year term ending June 25, 1997. (Rules Committee)

File 92-94-42, Resolution No. 985-95

(Frances Ooherty, Seat No. 26703 - Painting Contractor, vice Robert J. Mengarelli, resigned.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Kennedy - 1.

[Appointments]

Resolution appointing members to the newly established In-Home Supportive Services Public Authority. (Rules Committee)

File 92-95-27, Resolution No. 1013-95

(Robert S. Basker, Seat No. 29310, consumer over age 60 representing an organization;

(Jose Santamaria, Seat No. 29311, consumer between the ages of 18 and 60 representing an organization).

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Kennedy - 1.

[Appointment]

Resolution appointing member to the Board of Directors of the California State Association of Counties, for a one-year term. (Rules Committee)

File 92-95-30, Resolution No. 1014-95

(Supervisor Willie B. Kennedy, vice herself.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Kennedy - 1.

[Appointments]

Resolution appointing members to the Drug Abuse Advisory Board, for new three-year terms ending October 1, 1998. (Rules Committee)

File 92-95-38.1, Resolution No. 1015-95

(Gregory A. Senegal, Seat No. 22110 - must be a provider, vice himself, term expired;

(John J. Entwistle, Jr., Seat No. 22107 - public-at-large, vice himself, term expired.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Kennedy - 1.

Consideration Continued

[Task Force, New City Charter Implementation]

Resolution urging the Mayor to establish a task force on the implementation of the new city Charter and urging the Mayor, Chief Administrative Officer, Controller, City Attorney and Chair of the Board of Supervisors Select Committee on Oversight and Implementation of the New City Charter or their representatives to serve as members of the task force; providing the public with opportunities to fully participate in overseeing the timely implementation of the new city Charter. (Supervisors Kaufman, Shelley Teng)

File 174-95-8, Resolution No.

Supervisor Kaufman, seconded by Supervisor Leal, moved to continue consideration to December 11, 1995.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Kennedy - 1.

Adopted

[Select Committee, New City Charter]

Motion creating a Select Committee on Oversight and Implementation of the New City Charter. (Supervisors Kaufman, Shelley, Teng)

File 54-95-5.2

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Kennedy - 1.

[Board Meeting, Richmond Neighborhood]

Motion ordering the February 12, 1996 meeting of the Board of Supervisors to be held at George Washington High School, 600 32nd Avenue, in the Richmond District of San Francisco at 5:00 p.m. (Supervisors Shelley, Teng)

File 54-95-9.2

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Kennedy - 1.

In connection with the above item, Supervisor Teng requested to be added as co-sponsor.

SPECIAL ORDER 3:00 P.M.

Hearing Held

[Public Hearing]

Hearing confirming report of delinquent charges for Rent Arbitration and Stabilization fees submitted by the Tax Collector, as modified to the date of adoption of this resolution, and creating assessments and liens based thereon.

File 41-95-6

The President inquired if there was anyone present who wished to address the Board.

There being no response, the President declared the public hearing closed.

Adopted

[Rent Liens]

Resolution confirming report of delinquent charges for Rent Arbitration and Stabilization fees submitted by the Tax Collector, as modified to the date of adoption of this resolution, and creating assessments and liens based thereon. (Tax Collector)

File 41-95-6, Resolution No. 1006-95

The representative of the Tax Collector's Office submitted a list of names to be deleted from the report.

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Kennedy - 1.

COMMITTEE REPORTS

Recommendations of Rules Committee

Consideration Continued as Amended

[Policy Declaration, Election of Supervisors]

((Motion submitting policy declaration asking the voters to decide whether to change how the City elects members of the Board of Supervisors.)) (Supervisor Hallinan)

[Ballot Measure, Election of Supervisors] Charter amendment (First Draft) adding Section 13.111, addressing how members of the Board of Supervisors are to be elected.

File 286-95-1

Supervisor Hallinan, seconded by Supervisor Bierman, moved an amendment of the whole entitled, "[Ballot Measure, Election of Supervisors] Charter amendment (First Draft) adding Section 13.111, addressing how members of the Board of Supervisors are to be elected."



Amendment of the whole adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Kennedy - 1.

Supervisor Hallinan, seconded by Supervisor Bierman, moved to continue consideration as amended (First Draft) to December 11, 1995.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Kennedy - 1.

[Ballot Measure, Single-Member District Elections]  
((Charter amendment (First Draft) amending Sections 2.100, 2.116, 13.101, 13.102 and 14.103 and adding Section 13.110, to provide for district election of supervisors.)) (Supervisor Hallinan)

Charter amendment (Second Draft) amending Sections 2.100, 2.116, 13.101, 13.102 and 14.103 and adding Section 13.110, to provide for the election of 11 supervisors from 11 districts.

File 275-95-1

Supervisor Hallinan, seconded by Supervisor Bierman, moved an amendment of the whole entitled, "Charter amendment (Second Draft) amending Sections 2.100, 2.116, 13.101, 13.102 and 14.103 and adding Section 13.110, to provide for the election of 11 supervisors from 11 districts."

Amendment of the whole adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Kennedy - 1.

Supervisor Hallinan, seconded by Supervisor Bierman, moved to continue consideration as amended (Second Draft) to December 11, 1995.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Kennedy - 1.

[Ballot Measure, Five Three-Member Districts]  
((Charter amendment (First Draft) amending Sections 2.100, 2.116, 13.101 and 14.103 and adding Section 13.110 to provide for election of 15 supervisors from 5 three-member districts, using preference voting.)) (Supervisor Hallinan)

Charter amendment (Second Draft) amending Sections 2.100, 2.116, 13.101 and 14.103 and adding Section 13.110 to provide for election of 15 supervisors from 5 districts with 3 supervisors in each district, using preference voting.

File 276-95-1

Supervisor Hallinan, seconded by Supervisor Bierman, moved an amendment of the whole entitled, "Charter amendment (Second Draft) amending Sections 2.100, 2.116, 13.101 and 14.103 and adding Section 13.110 to provide for election of 15 supervisors from 5 districts with 3 supervisors in each district, using preference voting."

Amendment of the whole adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Kennedy - 1.

Supervisor Hallinan, seconded by Supervisor Bierman, moved to continue consideration as amended (Second Draft) to December 11, 1995.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Kennedy - 1.

[Ballot Measure, At-Large, Preference Voting]

Charter amendment ((First) Second Draft) amending Sections 2.100 and 2.116 and adding Section 13.110 to provide for the at-large election of supervisors, using preference voting. (Supervisor Hallinan)

File 277-95-1

Supervisor Hallinan, seconded by Supervisor Bierman, moved an amendment of the whole bearing same title.

Amendment of the whole adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Kennedy - 1.

Supervisor Hallinan, seconded by Supervisor Bierman, moved to continue consideration as amended (Second Draft) to December 11, 1995.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Kennedy - 1.

[Ballot Measure, At-Large, Cumulative Voting]

((Charter amendment (Second Draft) amending Sections 2.100 and 2.116 and adding Section 13.110 to provide for the at-large election of supervisors, using cumulative voting.)) (Supervisor Hallinan)

Charter amendment (Second Draft) amending Sections 2.100, 2.116, 13.101, 13.102 and 14.103 and adding Section 13.110, to provide for the election of 11 supervisors from 11 districts.

File 278-95-1

Supervisor Hallinan, seconded by Supervisor Bierman, moved an amendment of the whole entitled, "Charter amendment (Third Draft) amending Section 2.100 and adding Section 13.110 to provide for the at-large election of supervisors, using cumulative voting."

Amendment of the whole adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Kennedy - 1.

Supervisor Hallinan, seconded by Supervisor Bierman, moved to continue consideration as amended (Third Draft) to December 11, 1995.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Kennedy - 1.

Consideration Continued

[Ballot Measure, Supervisorial Duties/Salary]

Charter amendment (Second Draft) amending Section 2.100 to require members of the Board of Supervisors to devote their full time and attention to their official duties and to establish the salary of members of the Board of Supervisors. (Supervisor Hallinan)

File 279-95-1

Supervisor Hallinan, seconded by Supervisor Bierman, moved to continue consideration to December 11, 1995.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Kennedy - 1.

[Ballot Measure, Election, Odd-Numbered Years]

Charter amendment (Second Draft) amending Sections 2.103, 2.116 and 13.101 to provide for the election of members of the Board of Supervisors in odd-numbered years. (Supervisor Hallinan)

File 280-95-1

Supervisor Hallinan, seconded by Supervisor Bierman, moved to continue consideration to December 11, 1995.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Kennedy - 1.

PUBLIC COMMENT

The privilege of the floor was granted to the following persons:

Cheryl, medical issue.

There being no one else wishing to speak, the President declared the public comment portion of the meeting closed.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures were introduced at a prior meeting of the Board with action requested at this meeting. Any Supervisor may require these measures to go to committee unless a motion to suspend the rules is adopted by eight votes (or a unanimous vote if only six or seven members are present). An "aye" vote is (a) a vote in favor of suspending the rule requiring reference to committee, and (b) a vote in favor of adoption of the measures. Eight votes (or a unanimous vote if only six or seven members are present) is required.

Adopted

[State Prevailing Wage Laws]

Resolution declaring it to be policy of the Board of Supervisors of the City and County that existing state laws regarding prevailing wages be continued without change; directing transmittal of a copy of this resolution to the Governor, the Director of the State Department of Industrial Relations and appropriate members of the State Legislature. (Supervisors Shelley, Teng, Bierman)

File 12-95-51, Resolution No. 989-95

(November 20, 1995 - Introduced in Board for consideration on December 4, 1995.)

Adopted.

In connection with the above item, Supervisors Teng, Bierman requested to be added as co-sponsors.

[Street Name Change, Arelious Walker Drive]

Resolution extending Arelious Walker Drive from Egbert to Evans Streets. (Supervisor Kennedy)

File 75-95-3.1, Resolution No. 1012-95

(November 20, 1995 - Introduced in Board for consideration on December 4, 1995.)

Adopted.

Monday, December 4, 1995

[Rename Bayview Opera House]  
Resolution renaming Bayview Opera House to Bayview Opera House Ruth Williams Memorial Theatre.  
(Supervisors Alioto, Shelley, Bierman)

File 197-95-9, Resolution No. 1027-95

(November 20, 1995 - Introduced in Board for consideration on December 4, 1995.)

Adopted.

In connection with the above item, Supervisors Shelley, Bierman requested to be added as co-sponsors.

[Directional Maps]  
Resolution calling on the War Memorial Board of Trustees to place prominently in the lobby of the Veterans War Memorial Building a map showing the exact location and most direct means of finding the new Museum of Modern Art. (Supervisors Ammiano, Bierman)

File 197-95-10, Resolution No. 1028-95

(November 20, 1995 - Introduced in Board for consideration on December 4, 1995.)

Adopted.

[Tobacco Sales to Minors]  
Resolution urging the Mayor to urge the Police Commission to make the enforcement of State Penal Code Section 308 which prohibits the sale of tobacco products to minors a priority in the City and County. (Supervisors Alioto, Hallinan, Leal, Bierman, Ammiano, Kaufman, Migden, Kennedy, Teng, Shelley)

File 207-95-13, Resolution No. 1030-95

(November 20, 1995 - Introduced in Board for consideration on December 4, 1995.)

Adopted.

In connection with the above item, Supervisors Teng, Shelley requested to be added as co-sponsors.

[Needle Exchange Emergency]  
Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program. (Supervisors Alioto, Leal, Bierman, Shelley, Migden, Teng, Hsieh, Ammiano, Hallinan)

File 30-95-1.24

(November 20, 1995 - Introduced in Board for consideration on December 4, 1995.)

Adopted.

The foregoing items on the For Adoption Without Committee Reference Calendar were adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Kennedy - 1.

#### IMMEDIATE ADOPTION CALENDAR

These measures are being introduced at this meeting. A unanimous vote is required for adoption today. Any Supervisor may require any of these measures to go to committee.

Adopted

[Leaves of Absence]  
Resolution granting leaves of absence to various city and county officers with permission to leave the state. (Clerk of the Board)

File 1-95-46, Resolution No. 986-95

(Susan Leal, member, Board of Supervisors, November 30 - December 3; Preston Cook, Commissioner, Port of San Francisco, December 1; Anne Halsted, Commissioner, Port of San Francisco, November 30 - December 3; Edwin M. Lee, Director, Human Rights Commission, November 23 - 26; Louise H. Renne, City Attorney, November 21 - 27 and December 1 - 2; Michael S. Strunsky, Member, Airports Commission, December 5 - 10, 1995.)

Adopted.

[Older Americans Act]

Resolution supporting targeting of minorities and low-income seniors in the reauthorization of the Older Americans Act. (Supervisors Migden, Shelley, Bierman)

File 13-95-26.1, Resolution No. 990-95

Adopted.

In connection with the above item, Supervisors Shelley, Bierman requested to be added as co-sponsors.

[Telecommunications Reform Bill]

Resolution urging members of the House and Senate Telecommunications Conference Committee to protect the rights of local government to receive fair compensation from all telecommunication providers for the use of public rights of way and to preserve local authority to set zoning standards for the siting of cellular antennas and the placement of small direct broadcast satellite reception dishes and to extend the carriage requirements for public, educational and governmental channels to new telephone company providers. (Supervisor Bierman)

File 13-95-33, Resolution No. 992-95

Adopted.

The foregoing items on the Immediate Adoption Calendar were adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Kennedy - 1.

IMPERATIVE CALENDAR

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 following two motions.

Adopted

[Purely Commendatory Finding]

Motion that the Board finds by roll call vote that the resolutions being considered at this time are purely commendatory.

Supervisor Hallinan, seconded by Supervisor Leal, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Kennedy - 1.

[Brown Act Finding]

Motion that the Board finds 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 Hallinan, seconded by Supervisor Leal, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Kennedy - 1.

[Imperative Resolutions]

Adopted

[Proclaim, Not In Our Town Week]

Resolution proclaiming the week of December 10 to 17 to be "Not In Our Town" Week.

File 004-95-034, Resolution No. 987-95

Supervisors Shelley, Hallinan, Hsieh, Migden, Kaufman, Teng presented for immediate adoption.

Resolution adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Kennedy - 1.

[Commend Amnesty International]

Resolution commending Amnesty International for their continued work in the cause of human rights.

File 006-95-134, Resolution No. 988-95

Supervisors Migden, Bierman presented for immediate adoption.

Resolution adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Kennedy - 1.

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS  
NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Board

[Proclaim, Lights On For Life Day]

Resolution declaring December 15, 1995 as Lights On For Life Day in the City and County of San Francisco; and urging all City employees, and the citizens of San Francisco to observe Lights On For Life Day by driving all day with their vehicle lights turned on in remembrance of persons killed or injured by impaired drivers. Supervisors Alioto, Leal presented. Referred to Board for Adoption Without Committee Reference Calendar December 11, 1995.

File 004-95-035.

[Proclaim, Ira Sachnoff Month]

Resolution calling attention to the important contributions and civic leadership which Ira Sachnoff has provided to the people of San Francisco throughout his years of service at San Francisco Peer Resources Programs and declaring December 1995 to be Ira Sachnoff Month. Supervisor Ammiano presented. Referred to Board for Adoption Without Committee Reference Calendar December 11, 1995.

File 004-95-036.

[Commend Lead Poisoning Advisory Committee]

Resolution commending members of the Lead Poisoning Prevention Citizens Advisory Committee for their diligence and hard work in implementing the Comprehensive Environmental Lead Poisoning Prevention Program. Supervisor Shelley presented. Referred to Board for Adoption Without Committee Reference Calendar December 11, 1995.

File 006-95-135.

[Commend Chinese Progressive Association]

Resolution commending the Chinese Progressive Association on the occasion of its 23rd Anniversary for its work on behalf of Chinese Americans and declaring December 15, 1995 to be Chinese Progressive

Association Day in San Francisco. Supervisors Teng, Shelley, Hallinan presented. Referred to Board for Adoption Without Committee Reference Calendar December 11, 1995.

File 006-95-136.

[HIV Prevention Public Service Announcements]

Resolution commending the United States Centers for Disease Control and Prevention's series of fourteen public service announcements on HIV prevention called, "Respect Yourself, Protect Yourself"; and urging the American Broadcasting Corporation, the National Broadcasting Corporation, the Columbia Broadcasting System and the Fox Network to run all of the public service announcements nationally, including those targeting young gay and bisexual men. Supervisors Alioto, Ammiano, Bierman, Teng, Migden, Hallinan, Kaufman, Kennedy, Shelley presented. Referred to Board for Adoption Without Committee Reference Calendar December 11, 1995.

File 006-95-137.

[Commend Mary Burns]

Resolution commending Department of Recreation and Park General Manager, Mary Burns, for her Department's quick action in reforming the Camp Mather reservation process and urging the Recreation and Park Commission to quickly adopt these improved procedures to grant greater access to this facility to San Francisco residents. Supervisors Ammiano, Bierman, Alioto, Hallinan, Shelley presented. Referred to Board for Adoption Without Committee Reference Calendar December 11, 1995.

File 006-95-138.

[Commend Marcus Books]

Resolution recognizing the 35th Anniversary of Marcus Books. Supervisor Ammiano presented. Referred to Board for Adoption Without Committee Reference Calendar December 11, 1995.

File 006-95-139.

Referred to Committee

[Housing, 3250 Capp Street]

Resolution urging the Federal Government to negotiate the transfer or sale of vacant housing at 3250 Capp Street to a non-profit housing developer for the purpose of housing people who are homeless. Supervisor Bierman presented. Referred to Housing and Land Use Committee.

File 013-95-034.

Referred to Board

[Election Results, November 7, 1995]

Resolution declaring the results of the General Municipal Election conducted November 7, 1995, in the City and County of San Francisco. Clerk of the Board presented. Referred to Board for Adoption Without Committee Reference Calendar December 11, 1995.

File 060-95-017.

[Compassionate Use Initiative of 1996 (Marijuana)]

Resolution urging the voters of California to adopt the "Compassionate Use Initiative of 1996" legalizing the use of marijuana for medical purposes. Supervisors Ammiano, Bierman, Alioto, Hallinan presented. Referred to Board for Adoption Without Committee Reference Calendar December 11, 1995.

File 060-95-018.

[Grant, DPW, Embarcadero Gateways]

Resolution authorizing the Director of Public Works to apply for, accept and expend federal funds in the amount of \$500,000 from the Transportation Enhancement Activities Program for the Chinatown/ North Beach Embarcadero Gateways and waiving indirect costs. Supervisor Kaufman presented. Referred to Board for Adoption Without Committee Reference Calendar December 11, 1995.

File 148-95-008.

[Hold Harmless Agreement]

Resolution authorizing the Port of San Francisco to hold the Peninsula Corridor Joint Powers Board and its member agencies harmless for claims arising from a cooperative funding agreement for the track rehabilitation project on the Peninsula Corridor mainline. Supervisor Hsieh presented. Referred to Board for Adoption Without Committee Reference Calendar December 11, 1995.

File 172-95-048.

[Lead Poisoning Prevention, Public Health Dept.]

Resolution urging the Mayor to urge the Public Health Commission to implement Sections 1609, 1611, 1619, 1621, 1622 and 1625 of the Comprehensive Environmental Lead Poisoning Prevention Program and to implement a program to increase the number of children under six years of age being tested for lead poisoning. Supervisor Shelley presented. Referred to Board for Adoption Without Committee Reference Calendar December 11, 1995.

File 229-95-004.

[Lead Poisoning Prevention]

Resolution urging the Mayor to urge the Commissions and Directors of Social Services, Recreation and Park and the Public Library to implement Section 1623 of the Comprehensive Environmental Lead Poisoning Prevention Program in order to locate and reduce lead hazards in their facilities; to implement a maintenance program to ensure these facilities remain lead safe; and implement Section 1611 to train department staff to distribute lead poisoning prevention educational materials and to educate parents and children about lead poisoning hazards. Supervisor Shelley presented. Referred to Board for Adoption Without Committee Reference Calendar December 11, 1995.

File 229-95-005.

[Lead Poisoning Prevention, SFUSD]

Resolution urging the School Board and the Superintendent of the San Francisco Unified School District to make child development and pre-kindergarten facilities lead safe; implement a maintenance and testing program to ensure these facilities remain lead safe; distribute information about the benefits of the Child Health and Disability Prevention Program to parents of child development/ pre-kindergarten students; and train teachers and child development staff to educate parents and children about the hazards of lead poisoning. Supervisor Shelley presented. Referred to Board for Adoption Without Committee Reference Calendar December 11, 1995.

File 229-95-006.

[Lead Poisoning Prevention, Water Department]

Resolution urging the Mayor to urge the Water Department to provide free testing of one water tap per resident for all homes with children under the age of six who are eligible for the City's Child Health and Disability Prevention Program care, and/or a pregnant woman. Supervisor Shelley presented. Referred to Board for Adoption Without Committee Reference Calendar December 11, 1995.

File 229-95-007.

[Lead Poisoning Prevention, Tax Collector]

Resolution urging the Mayor to urge the Treasurer to urge the Tax Collector to implement Section 1615 of the Comprehensive Environmental Lead Poisoning Prevention Program in order to continue to send information about lead hazards with the county property bills. Supervisor Shelley presented. Referred to Board for Adoption Without Committee Reference Calendar December 11, 1995.

File 229-95-008.

[Lead Poisoning Prevention, Building Inspection]

Resolution urging the Mayor to urge the Building Inspection Commission to implement Section 1614 of the Comprehensive Environmental Lead Poisoning Prevention Program in order to provide written information in the appropriate languages to all building and demolition applicants about lead hazards and to continue to assist in the operation of the City Agency Task Force. Supervisor Shelley presented. Referred to Board for Adoption Without Committee Reference Calendar December 11, 1995.

File 229-95-009.

[Lead Poisoning Prevention, MOCYF]

Resolution urging the Mayor to urge the Director of the Mayor's Office of Children, Youth and Families to implement Section 1611 of the Comprehensive Environmental Lead Poisoning Prevention Program in order to distribute educational materials about lead poisoning to provide education about lead poisoning to families, organizations and collaboratives. Supervisor Shelley presented. Referred to Board for Adoption Without Committee Reference Calendar December 11, 1995.

File 229-95-010.



[Lead Poisoning Prevention, SF Housing Authority]

Resolution urging the San Francisco Housing Authority to reduce lead hazards in its family facilities; train its staff to avoid causing lead hazards and to reduce lead hazards in its facilities; train its staff to educate residents about how to protect children from lead poisoning and the need for children to be tested for lead poisoning regularly; and provide access to health care providers to help protect children from lead poisoning. Supervisor Shelley presented. Referred to Board for Adoption Without Committee Reference Calendar December 11, 1995.

File 229-95-011.

[Lead Poisoning Prevention, Chief Admin. Officer]

Resolution urging the Chief Administrative Officer to help implement Section 1623 of the Comprehensive Environmental Lead Poisoning Prevention Program by helping city agencies locate facilities which are lead-safe; ensuring that contractors doing construction, maintenance and repair on city buildings make every effort to reduce lead hazards in performing their work and by making certain all departments under the jurisdiction of the CAO make every effort to reduce lead hazards in their operation. Supervisor Shelley presented. Referred to Board for Adoption Without Committee Reference Calendar December 11, 1995.

File 229-95-012.

Referred to Committee

[Marin County Hate Crimes]

Resolution urging the Marin County Board of Supervisors to expand programs to eliminate acts of hate violence; commending the Novato City Police Department and Human Rights Commissions' swift action in dealing with the hate violence directed against an Asian American on November 8, 1995. Supervisors Teng, Hsieh presented. Referred to Health/Public Safety/Environment Committee.

File 295-95-001.

Referred to Board

[BADCAT Position Paper, Base Closures]

Resolution endorsing position paper "Expediting Economic Development on Closing Bay Area Military Bases: A Proposal to Improve the Base Conversion Process" prepared by the Bay Area Economic Forum identifying obstacles to the economic conversion of the bay area's closing military bases. Supervisor Bierman presented. Referred to Board for Adoption Without Committee Reference Calendar December 11, 1995.

File 244-95-004.

[Barbary Coast Trail]

Resolution endorsing the Barbary Coast Trail, a project of the San Francisco Historical Society and urging the Mayor to urge department heads under their respective jurisdictions to assist the San Francisco Historical Society in the timely implementation of the project. Supervisor Kaufman presented. Referred to Board for Adoption Without Committee Reference Calendar December 11, 1995.

File 297-95-001.

Requests for Hearings:

[Jumbo Diesel Bus Breakdowns]

Hearing to consider the maintenance and breakdown of Municipal Railway's fleet of jumbo diesel buses. Supervisor Bierman presented. Referred to Housing and Land Use Committee.

File 007-95-011.

[City College Public Safety]

Hearing to consider issues of public safety at the main City College campus and to coordinate the efforts of the City College campus with those of the San Francisco Police Department, Department of Public Works, Fire Department, Real Estate Department, Municipal Railway and Bay Area Rapid Transit police regarding student safety in the vicinity of the Phelan Loop Muni-turnaround and the Ocean Avenue overpass. Supervisor Teng presented. Referred to Health/Public Safety/Environment Committee.

File 211-95-007.

[Youth Commission Application]

Hearing to consider whether a supplemental application for potential youth commissioners is advisable. Supervisors Alioto, Bierman presented. Referred to Rules Committee.

File 219-95-003.

[Lower Eddy Street Revitalization Plan]

Hearing to consider the North of Market Planning Coalition's plan on the Lower Eddy Street Revitalization Plan (Ellis, Jones, Market and Mason Streets) that address housing, economic development and cultural activities. Supervisor Bierman presented. Referred to Housing and Land Use Committee.

File 296-95-001.

Introduced by the President at the Request of Departments

Ordinances Referred to Committee

File 027-95-019. [Airport Lease Modification, FAA] Ordinance approving modification of leases DTFA08-92-L-14110, DTFA08-93-L-14138, and DTFA08-92-L-14111 by and between the United States of America and City and County of San Francisco, acting by and through its Airports Commission. (Airports Commission) Referred to Government Efficiency/Labor Committee.

File 045-95-053. [State Compensation Insurance Fund v. CCSF] Ordinance authorizing settlement of litigation of State Compensation Insurance Fund against the City and County of San Francisco by payment of \$11,000. (S.F. Municipal Court No. 103-104). (City Attorney) Referred to Government Efficiency/Labor Committee.

File 090-95-001. [Landmark Designation, Brown's Opera House] Ordinance designating the Brown's Opera House (Victoria House) as Landmark No. 215, pursuant to Article 10 of the City Planning Code. (Department of City Planning) (City Planning Resolution No. 13979, adopted 10/19/95) (Landmarks Preservation Advisory Board Resolution No. 476, adopted 5/17/95). Referred to Housing and Land Use Committee.

File 090-95-002. [Landmark Designation, El Capitan Theater/Hotel] Ordinance designating El Capital Theater and Hotel as Landmark No. 214 pursuant to Article 10 of the City Planning Code. (Department of City Planning) (City Planning Resolution No. 13988, adopted 10/19/95) (Landmarks Preservation Advisory Board Resolution No. 475, adopted 5/17/95). Referred to Housing and Land Use Committee.

File 090-95-003. [Landmark Designation, Alhambra Theater] Ordinance designating Alhambra Theater as Landmark No. 217 pursuant to Article 10 of the City Planning Code. (Department of City Planning) (City Planning Resolution No. 14005, adopted 11/9/95) (Landmarks Preservation Advisory Board Resolution No. 478, adopted 6/7/95). Referred to Housing and Land Use Committee.

File 090-95-004.03. [Landmark Designation, 2665 Mission Street] Ordinance designating the Grand Theater as Landmark No. 216 pursuant to Article 10 of the City Planning Code. (Landmarks Preservation Advisory Board) Scheduled for Board Calendar of January 2, 1996.

File 090-95-005. [Landmark Designation, Odd Fellows Columbarium] Ordinance designating the Odd Fellows Columbarium as Landmark No. 209 pursuant to Article 10 of the City Planning Code; companion measure to Files 115-95-17 and 115-95-17.1. (Department of City Planning) (City Planning Resolution No. 13999, adopted 11/9/95.) (City Planning Resolution No. 14003, approving Certificate of Appropriateness No. 94.532ELATC adopted 11/9/95.) (Landmarks Preservation Advisory Board Resolution No. 465, adopted 11/2/95.) Referred to Housing and Land Use Committee.

File 093-95-006.02. [Amendment to MOU, Local 22] Ordinance amending Ordinance No. 116-95 to correct clerical errors in the language to the provision addressing overtime in the Memorandum of Understanding between the Carpenters, Local 22 and the City and County of San Francisco for the period July 1, 1995 through June 30, 1996. (Department of Human Resources) Referred to Government Efficiency/Labor Committee.

File 093-95-011.02. [Amendment to MOU, Local 580] Ordinance amending Ordinance No. 121-95 to correct clerical errors in the language to the provision addressing overtime in the Memorandum of Understanding between the Cement Masons, Local 580 and the City and County of San Francisco for the period July 1, 1995 through June 30, 1996. (Department of Human Resources) Referred to Government Efficiency/Labor Committee.

File 093-95-012.02. [Amendment to MOU, Local 104] Ordinance amending Ordinance No. 122-95 to correct clerical errors in the language to the provision addressing overtime in the Memorandum of Understanding between the Sheetmetal Workers, Local 104 and the City and County of San Francisco for the period July 1, 1995 through June 30, 1996. (Department of Human Resources) Referred to Government Efficiency/Labor Committee.

File 093-95-013.02. [Amendment to MOU, Local 6] Ordinance amending Ordinance No. 123-95 to correct clerical errors in the language to the provision addressing overtime in the Memorandum of Understanding between the International Brotherhood of Electrical Workers, Local 6 and the City and County of San Francisco for the period July 1, 1995 through June 30, 1996. (Department of Human Resources) Referred to Government Efficiency/Labor Committee.

File 093-95-014.02. [Amendment to MOU, Local 16] Ordinance amending Ordinance No. 124-95 to correct clerical errors in the language to the provision addressing overtime in the Memorandum of Understanding between the International Alliance of Theatrical Stage Employees, Local 16 and the City and County of San Francisco for the period July 1, 1995 through June 30, 1995. (Department of Human Resources) Referred to Government Efficiency/Labor Committee.

File 093-95-016.02. [Amendment to MOU, Local 40] Ordinance amending Ordinance No. 126-95 to correct clerical errors in the language to the provision addressing overtime in the Memorandum of Understanding between the Roofers, Local 40 and the City and County of San Francisco for the period July 1, 1995 through June 30, 1996. (Department of Human Resources) Referred to Government Efficiency/Labor Committee.

File 093-95-019.02. [Amendment to MOU, Local 34] Ordinance amending Ordinance No. 129-95 to correct clerical errors in the language to the provision addressing overtime in the Memorandum of Understanding between the Pile Drivers, Local 34 and the City and County of San Francisco for the period July 1, 1995 through June 30, 1995. (Department of Human Resources) Referred to Government Efficiency/Labor Committee.

File 093-95-024.02. [Amendment to MOU, Local 856] Ordinance amending Ordinance No. 132-95 to correct clerical errors in the language to the provision addressing overtime in the Memorandum of Understanding between the Probation Officers Association, Local 856 and the City and County of San Francisco for the period July 1, 1995 through June 30, 1996. (Department of Human Resources) Referred to Government Efficiency/Labor Committee.

File 097-95-066. [Payment by Credit Cards - Dept of Animal Control] Ordinance amending Administrative Code by adding Section 10.11-4 to authorize the Department of Animal Care and Control of the City and County of San Francisco to accept payments by credit and ATM Cards. (Department of Animal Care and Control) Referred to Government Efficiency/Labor Committee.

File 101-95-029. [Appropriation, Sheriff Department] Ordinance appropriating \$25,545, Sheriff Department, of Jail Overcrowding Fine Revenue to professional services to fund the Supervised Misdemeanor Release Program to reduce jail overcrowding for fiscal year 1995-96; placing \$26,545 on reserve. RO #95092. (Controller) Referred to Budget Committee.

File 101-95-030. [Appropriation, Medical Examiner] Ordinance appropriating \$148,281 and \$42,291, Medical Examiner, from General Fund Reserve and \$106,000 from Contractual Services, to salaries and fringe benefits to create three (3) positions to continue body removal services; companion measure to File 102-95-7. RO #95091. (Controller) Referred to Budget Committee.

File 101-95-031. [Appropriation, Mayor's Office of Community Dev.] Ordinance appropriating \$172,620, Mayor's Office of Community Development, of Dispute Resolution Program Funds to continue contracts for dispute resolution services in 1995-96; providing for ratification of action previously taken. RO #95093. (Controller) Referred to Budget Committee.

File 101-95-032. [Appropriation, Various Departments] Ordinance appropriating \$200,000, Offices of Chief Administrative Officer, City Attorney, and Controller from various Bond Fund Proceeds (1992 Golden Gate Park Irrigation Bonds and Earthquake Safety Bonds) for Bond issuance costs for fiscal year 1995-96. RO #95037. (Controller) Referred to Budget Committee.

File 101-95-033. [Appropriation, Police Department] Ordinance appropriating \$398,676, Police Department, of Traffic Offender Fund Revenues to salaries, fringe benefits, contractual services, materials and supplies, equipment and services of other departments to conduct a traffic safety program for fiscal year 1995-96. RO #95094. (Controller) Referred to Budget Committee.

File 101-95-034. [Appropriations, DPH and DSS] Ordinance appropriating and rescinding \$643,091, Department of Public Health and Department of Social Services, of General Funds to salaries, fringe benefits, professional services, materials and supplies and adjusting revenues for the creation of two (2) positions and the deletion of nine (9) positions at the Department of Public Health, and the creation of fourteen (14) positions and the deletion of seven (7) positions at the Department of Social Services to reorganize the SSI One Stop Shop Program for fiscal year 1995-96; companion measure to File 102-95-8. RO #95096. (Controller) Referred to Budget Committee.

File 102-95-007. [Salary Ordinance Amendment, Medical Examiner] Ordinance amending Ordinance No. 256-95 (Annual Salary Ordinance, 1995/96) reflecting the addition of three positions (Class 2580 Coroner's Investigator) in the Medical Examiner-Coroner's Office; companion measure to File 101-95-30. (Department of Human Resources) Referred to Budget Committee.

File 102-95-008. [Salary Ordinance Amendment, DPH and DSS] Ordinance amending Ordinance No. 256-95 (Annual Salary Ordinance, 1995/96) reflecting the addition of two (2) positions and the deletion of nine (9) positions and the deletion of nine (9) positions at the Department of Public Health; the addition of fourteen (14) positions and the deletion of seven (7) positions at the Department of Social Services; companion measure to File 101-95-34. (Department of Human Resources) Referred to Budget Committee.

File 115-95-016. [Office Affordable Housing Production Program] Ordinance amending Planning Code to add Section 313 extending the duration of the Office of Affordable Housing Production Program Ordinance, extending the expiration date of interim guidelines credits, allocating \$100,000 from the

Affordable Housing Fund to update and expand studies showing the relationship between office and other commercial development and housing demand, adding findings on the city's current housing needs and the validity of the formula for housing production requirements for new office development, and providing for an evaluation of the Ordinance. (Department of City Planning) (City Planning Resolution No. 14013 adopted 11/16/95.) Referred to Housing and Land Use Committee.

File 115-95-017.01. [Columbarium/Mortuary Uses, Residential Districts] Ordinance amending Planning Code by adding a new Section 209.9(j) to section 209.9 to permit columbarium and mortuary uses on landmark sites in Residential Zoning Districts which are within Height and Bulk Districts of 40 feet or less and subject to authorization of a conditional use; companion measure to Files 90-95-5 and 115-95-17. (Department of City Planning) (City Planning Resolution No. 14000, adopted 11/9/95.) Referred to Housing and Land Use Committee.

File 222-95-001. [Amendment, Civil Service Rule 19] Ordinance adopting and implementing an amendment to Civil Service Rule 19 requiring open public meetings of the Transport Workers Union, San Francisco Municipal Railway Trust Fund. (Civil Service Commission) Referred to Government Efficiency/Labor Committee.

Resolutions Referred to Committee.

File 023-95-007. [Waiving Statute of Limitations] Resolution waiving the statute of limitations with respect to payment of certain warrants of the City and County of San Francisco in the sum of \$16,990.39, a legal obligation of the City and County of San Francisco. (Payee: Willie R. McDaniel \$16,990.39) (Department of Public Health) Referred to Budget Committee.

File 027-95-018. [Airport Long Distance Service Agreement] Substitute resolution approving the "Agreement for Operator-Assisted Long Distance Service from Public Pay Telephones" between AT&T Corporation and the City and County of San Francisco, acting by and through its Airports Commission. (Airports Commission) Referred to Government Efficiency/Labor Committee.

File 028-95-026. [Sewer Treatment Plant Grit Disposal Emergency] Resolution authorizing the Director of the Department of Public Works to take necessary measures to protect the health and welfare of the citizens of San Francisco by disposing of sewage treatment plant grit at an alternative landfill on an emergency basis - \$175,000. (Department of Public Works) Referred to Budget Committee.

File 028-95-027. [Emergency Repair, Twelfth Avenue Sewer] Resolution authorizing the Director of the Department of Public Works to take necessary measures to protect the health, welfare and property of the citizens of San Francisco by performing the necessary work to replace structurally inadequate sewer in Twelfth Avenue between Judah Street and Kirkham Street - \$150,850. (Department of Public Works) Referred to Budget Committee.

File 028-95-028. [Emergency Repair, Twenty-Fifth Street Sewer] Resolution authorizing the Director of the Department of Public Works to take necessary measures to protect the health, welfare and property of the citizens of San Francisco by performing the necessary work to replace structurally inadequate sewer in Twenty-Fifth Street between Diamond Street and Douglass Street - \$144,340. (Department of Public Works) Referred to Budget Committee.

File 028-95-029. [Emergency Repair, Washington Street Sewer] Resolution authorizing the Director of the Department of Public Works to take necessary measures to protect the health, welfare and property of the citizens of San Francisco by performing the necessary work to replace structurally inadequate sewer in Washington Street between Arguello Boulevard and Cherry Street - \$123,850. (Department of Public Works) Referred to Budget Committee.

File 028-95-030. [Emergency Repair, Sears Street Sewer] Resolution authorizing the Director of the Department of Public Works to take necessary measures to protect the health, welfare and property of the citizens of San Francisco by performing the necessary work to replace structurally inadequate sewer in Sears Street between 170 Sears and Cayuga Streets - \$23,072. (Department of Public Works) Referred to Budget Committee.

File 028-95-031. [Emergency Repair, Alvarado Street Sewer] Resolution authorizing the Director of the Department of Public Works to take necessary measures to protect the health, welfare and property of the citizens of San Francisco by performing the necessary work to replace structurally inadequate sewer in Alvarado Street between Douglass Street and Hoffman Avenue - \$98,424. (Department of Public Works) Referred to Budget Committee.

File 028-95-032. [Emergency Repair, Pacific Avenue Sewer] Resolution authorizing the Director of the Department of Public Works to take necessary measures to protect the health, welfare and property of the citizens of San Francisco by performing the necessary work to replace structurally inadequate sewer in Pacific Avenue between Grant Avenue and Kearney Street - \$189,710. (Department of Public Works) Referred to Budget Committee.

File 038-95-011. [Gift Acceptance, Makita USA, Inc.] Resolution authorizing acceptance by the San Francisco Fire Department (SFFD) of a gift of specialized tools valued at \$16,244 from the Makita USA, Inc., for the Fire Department's Urban Search and Rescue Program. (Fire Department) Referred to Government Efficiency/Labor Committee.

File 038-95-012. [Gift Acceptance, Recreation and Park Department] Resolution accepting one gift valued at \$10,928.50, for use by the Recreation and Park Department. (Recreation and Park Department) Referred to Budget Committee.

File 047-95-013. [Lombard Street Garage, Management Agreement] Resolution approving form of the Lombard Street Garage Management Agreement and bid documents; authorizing Parking Authority to request bids for management of the Lombard Street Garage using the approved bid documents; approving the extension of the current Lombard Street Garage Lease on a month to month basis; and authorizing city officials to act as agents for the Parking Authority. (Real Estate Department) Referred to Government Efficiency/Labor Committee.

File 064-95-016. [Lease of Property at 973 Market Street] Resolution authorizing a lease of real property at 973 Market Street, San Francisco, for the Department of Public Health, Tuberculosis Outreach and Prevention Services. (Real Estate Department) Referred to Government Efficiency/Labor Committee.

File 064-95-017. [Lease Extension at 445 Grant Avenue] Resolution authorizing extension of the lease of real property at 445 Grant Avenue for the Chinatown Branch Library. (Real Estate Department) Referred to Government Efficiency/Labor Committee.

File 089-95-027. [SDI Coverage, Classification 0330] Resolution authorizing enrollment of Classification(s) 0330 Deputy Clerk, Municipal Court in the State Disability Insurance Program. (Department of Human Resources) Referred to Government Efficiency/Labor Committee.

File 089-95-028. [SDI Coverage, Classification 0350] Resolution authorizing enrollment of Classification(s) 0350 Court Reporter, Municipal Court, in the State Disability Insurance Program. (Department of Human Resources) Referred to Government Efficiency/Labor Committee.

File 096-95-006. [Sale of Surplus City-Owned Property] Resolution confirming sale of surplus city-owned property. (Also see Files 38-95-2, 96-95-3, and 96-95-4). (Real Estate Department) (Assessor's Block 652, Lot 7A, 2110-12 Pine St.; Assessor's Block 4832, Lot 8, Northeast Corner of Yosemite Avenue and Ingalls St.; Assessor's Block 3577, Lot 60, 3433 17th St.; Assessor's Block 513, Lot 15, 2475 Greenwich St.) Referred to Budget Committee.

File 115-95-017. [Final Negative Declaration, One Loraine Court] Resolution adopting Final Negative Declaration, finding and determining that amending Section 209.9 of the City Planning Code to permit as a conditional use mortuary and columbarium uses within Residential Zoning Districts on designated landmark sites will have no significant impact on the environment, and adopting and incorporating findings of Final Negative Declaration; companion measure to Files 90-95-5 and 115-95-17.1. (Department of City Planning) (Final Negative Declaration adopted and issued 10/26/95.) Referred to Housing and Land Use Committee.

File 146-95-019. [Grant, Outreach, Education/Immunization Services] Substitute resolution authorizing the Department of Public Health, Community Health Services, to apply for retroactively, and accept and expend a grant of \$165,928, from the California Department of Health Services, for supplemental efforts to immunize high-risk infants and toddlers; waiving indirect costs; providing ratification of action previously taken. (Department of Public Health) Referred to Government Efficiency/Labor Committee.

File 148-95-006. [Grant, State Local Transportation Partnership Program] Resolution authorizing the Director of Public Works to expend up to \$492,312 from the State of California for roadway work on city streets in accordance with the State-Local Transportation Partnership Program (6th Cycle) waiving indirect costs. (Department of Public Works) Referred to Government Efficiency/Labor Committee.

File 148-95-007. [State Grant, Integrated Pest Management Project] Resolution authorizing the Department of Public Works to apply for, accept and expend \$20,000 in Innovations in Pest Management Grant funding from the State of California Department of Pesticide Regulation. (Department of Public Works) Referred to Government Efficiency/Labor Committee.

File 172-95-046. [Indemnification Agreement, PTC/TRB] Resolution authorizing an indemnity provision in the contract between the Municipal Railway and the Transportation Research Board acting through the Public Transportation Commission. (Also see File 147-95-5). (Public Transportation Commission) Referred to Government Efficiency/Labor Committee.

File 172-95-047. [Hold Harmless Agreement] Resolution authorizing the Port of San Francisco to hold the State Lands Commission of the State of California harmless for claims arising from maintenance dredging at various locations within the Port's jurisdiction. (Port) Referred to Government Efficiency/Labor Committee.

#### Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisor Bierman, that letter of inquiry be sent to Superintendent of Schools to determine the feasibility of placing bus monitors on the school district's bus system to prevent students attacking other students in the bus.

Monday, December 4, 1995

By Supervisor Hallinan, that City Attorney prepare ordinance to amend Municipal Code Part III, Section 802A, Collection of Tax to provide that the Temporary Admission Tax for the 1994, 1995 and subsequent years may be paid either monthly or annually at the option of the club. If paid annually, payment shall be due on or before February 1st of each year for the sale of admission tickets for games played during the previous 12 months.

Motions Adopted

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

Agnes Lanthier (Supervisor Shelley)  
Mary Isiac (Supervisor Kennedy)  
Jack W. Cavanagh (Supervisors Alioto, Hallinan)  
Timothy Krafft (Supervisor Alioto)  
Hilde Rooth (Supervisor Hallinan)  
Orrie Montgomery von der Lieth (Supervisor Leal)

File 2-95-46

Unanimously adopted by a rising vote.

ADJOURNMENT

There being no further business, the Board at the hour of 3:15 p.m. adjourned.

John L. Taylor, Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on January 2, 1996.

I, John L. Taylor, 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 Journal of Proceedings of said Board on the date stated and was approved as recited.

John L. Taylor  
Clerk of the Board of Supervisors

Monday, December 11, 1995

# **Journal of Proceedings**

*The Minutes of the*

# **Board of Supervisors**

City and County of San Francisco

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JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

Monday, December 11, 1995 - 2:00 p.m.

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

CALLING THE ROLL

The meeting was called to order at 2:07 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Leal, Migden, Shelley, Teng - 10.

Noted absent at first roll call:

Supervisor Kennedy - 1.

Quorum present.

Supervisor Kennedy excused. (See infra.)

Supervisor Kennedy Excused

The Clerk stated Supervisor Kennedy requested to be excused from attending today's meeting.

Supervisor Leal, seconded by Supervisor Kaufman, moved to excuse Supervisor Kennedy.

Motion adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Kennedy - 1.

APPROVAL OF JOURNALS

There being no errors, corrections or omissions, Supervisor Migden, seconded by Supervisor Leal, moved that the Journals of Proceedings for Monday, October 30, 1995 and November 6, 1995, be approved.

Motion carried by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Kennedy - 1.

CONSENT CALENDAR

Recommendations of Budget Committee

Finally Passed

[Appropriation, City Hall Improvements]  
Ordinance appropriating \$1,528,855, Department of Public Works, from general fund reserve for City Hall non-seismic improvement project for fiscal year 1995-96 (provides general fund support pending bond sale). (Supervisor Hsieh)

File 101-95-28, Ordinance No. 387-95

Finally passed.

[Savings Incentive Fund]

Ordinance amending Administrative Code, to establish City and County policy that a Savings Incentive Account be annually established and appropriations from the account may be made to departments that demonstrate a savings achieved during the immediately preceding fiscal year. (Supervisors Hsieh, Kaufman, Teng)

File 97-95-64, Ordinance No. 385-95

(Fiscal Impact.)

(Adds Section 3.20.)

Finally passed.

[Equipment Lease - Bonds]

Ordinance providing for the approval and execution and delivery by officers of the City and County of an Equipment Lease Supplement No. 5 between the City and County Finance Corporation, as lessor, and the City and County, as lessee, with respect to equipment to be used for City purposes and the related Certificate of Approval and of a Continuing Disclosure Agreement between said Lessor and Lessee; providing for reimbursement to the City of certain City expenditures prior to the issuance of Lease Revenue Bonds and approving the issuance of Lease Revenue Bonds by said nonprofit corporation; and providing that said bonds shall be subject to the certification of the Controller prior to the sale of said bonds; and providing for the execution of documents in connection therewith and ratifying previous actions taken in connection therewith. (Supervisors Hsieh, Kaufman, Bierman)

File 170-95-10, Ordinance No. 394-95

(Fiscal Impact.)

Finally passed.

Adopted

[Federal Funds, Home Program, Office of the Mayor]

Resolution authorizing the Mayor to apply for, accept and administer a grant from the U.S. Department of Housing and Urban Development for a total amount not to exceed six million two hundred eight thousand (\$6,208,000) for the Home Program authorized under Title II of the National Affordable Housing Act of 1990, Public Law Number 101-625, and approving the Home Program description as described in the 1996 Action Plan for San Francisco's Consolidated Plan; indirect costs associated with the acceptance of these grant funds will be paid by Community Development Block Grant Funds. (Mayor's Office of Community Development)

File 68-95-8, Resolution No. 1050-95

Adopted.

Recommendations of Government Efficiency and Labor Committee

Finally Passed

[North Terminal Candy Store Lease]

Ordinance approving the North Terminal Candy Store lease between ABC Cigar, Inc. and the City and County. (Airports Commission)

File 27-95-17, Ordinance No. 380-95

Finally passed.

[MOU, Fire Fighters Local 798/Bargaining Unit 1]

Ordinance adopting and implementing the provisions of a Memorandum of Understanding between the San Francisco Fire Fighters Union Local 798, IAFF, AFL-CIO for Bargaining Unit 1 and the City and County of San Francisco for the period July 1, 1995 through June 30, 1999. (Supervisor Shelley)

File 93-95-50, Ordinance No. 381-95

Finally passed.

[MOU, Fire Fighters Local 798/Bargaining Unit 2]

Ordinance adopting and implementing the provisions of a Memorandum of Understanding between the San Francisco Fire Fighters Union Local 798, IAFF, AFL-CIO for Bargaining Unit 2 and the City and County of San Francisco for the period July 1, 1995 through June 30, 1999. (Supervisor Shelley)

File 93-95-51, Ordinance No. 382-95

Finally passed.

Recommendations of Housing and Land Use Committee

Finally Passed

[Sign Controls, Rincon Hill Special Use District]  
Ordinance amending Planning Code, Rincon Hill Special Use District, to incorporate new sign provisions for the Rincon Hill Area and adopting findings pursuant to City Planning Code Section 101.1. (Department of City Planning)

File 115-95-15, Ordinance No. 389-95

(Amends Section 249.1.)

(General Rule Exclusion from environmental review: State Guidelines, Section 15061(b)(3). (City Planning Resolution No. 13978, adopted 10/12/95).

Finally passed.

[Fire Code]  
Ordinance repealing Part II, Chapter IV of the Fire Code; adopting in its entirety a new San Francisco Fire Code; effective date of December 29, 1995. (Supervisors Migden, Alioto)

File 117-95-3.1, Ordinance No. 391-95

Finally passed.

[Speed Limit, Portion of King Street]  
Ordinance amending Traffic Code, to establish a 35-MPH speed limit on a portion of King Street, between 3rd and 5th Streets. (Department of Parking and Traffic)

File 124-95-8, Ordinance No. 393-95

(Adds Section 176.39.)

Finally passed.

Recommendation of Rules Committee

Finally Passed

[Ethics Commission Filings]  
Ordinance amending Administrative Code, to substitute the Ethics Commission for the Registrar of Voters as the filing officer for campaign disclosure statements; to substitute the Ethics Commission for the Clerk of the Board of Supervisors as the filing officer for lobbyist disclosure statements and to substitute the Ethics Commission for the Clerk of the Board of Supervisors; the Registrar of Voters and the Planning Commission Secretary as the filing officer for department heads holding designated positions and positions designated by the State. (Supervisors Shelley, Teng)

File 97-95-65, Ordinance No. 386-95

(Amend Sections 16.505, 16.506, 16.507, 16.512, 16.513, 16.524, 16.525, 16.526, 16.528, 16.530, 16.531, 16.532, 58.2, 58.3, 58.4, 58.5, 58.6 and 58.600.)

Finally passed.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Kennedy - 1.

REGULAR CALENDAR

UNFINISHED BUSINESS

Appointment of President Pro Tempore

At the request of the President, Supervisor Hallinan assumed the Chair so the President could participate in the debate from the floor.

Recommendation of Government Efficiency and Labor Committee

Passed for Second Reading

(Supervisor Teng dissenting in Committee.)

[Membership Criteria for Retirement System]

Ordinance amending Administrative Code, regarding Membership Criteria for admitting exempt employees (physicians and dentists) into the Retirement System. (Department of Human Resources)

File 97-95-15.1, Ordinance No.

(Amends Section 16.42.)

(December 4, 1995 - Consideration continued to December 11, 1995.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Leal, Migden, Shelley - 9.

Noes: Supervisor Teng - 1.

Absent: Supervisor Kennedy - 1.

The President resumed the Chair.

Recommendations of Housing and Land Use Committee

Finally Passed

[1995 San Francisco Building Code]

Ordinance amending Building Code by adopting by reference the 1994 Uniform Building Code as amended by the 1995 California Building Code; retaining and making applicable to the State Code all previously adopted San Francisco amendments to the State Code and findings of local conditions required by state law; republishing the retained San Francisco amendments in a separate volume with corrected section references and reformatting to correspond to the new State Code references and format; and making nonsubstantive editorial changes to conform the code to Charter Section 3.750; effective date of December 29, 1995. (Building Inspection Commission)

File 114-95-2, Ordinance No. 388-95

Finally passed by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Kennedy - 1.

[1995 San Francisco Electrical Code]

Ordinance amending Electrical Code by adopting by reference the 1993 National Electrical Code as amended by the 1995 California Electrical Code; retaining and making applicable to the State Code all previously adopted San Francisco amendments to the State Code and findings of local conditions required by state law; republishing the retained San Francisco amendments in a separate volume with corrected section references and reformatting to correspond to the new State Code references and format; and making nonsubstantive editorial changes to conform the code to Charter Section 3.750; effective date of December 29, 1995. (Building Inspection Commission)

File 116-95-1, Ordinance No. 390-95

Finally passed by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Kennedy - 1.

[1995 San Francisco Plumbing Code]

Ordinance amending Plumbing Code by adopting by reference the 1994 Uniform Plumbing Code as amended by the 1995 California Plumbing Code; retaining and making applicable to the State Code all previously adopted San Francisco amendments to the State Code and findings of local conditions required by state law; republishing the retained San Francisco amendments in a separate volume with corrected section references and reformatting to correspond to the new State Code references and format; and making nonsubstantive editorial changes to conform the code to Charter Section 3.750; effective date of December 29, 1995. (Building Inspection Commission)

File 120-95-1, Ordinance No. 392-95

Finally passed by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Kennedy - 1.

Recommendations of Rules Committee

Consideration Continued

[Task Force, New City Charter Implementation]

Resolution urging the Mayor to establish a task force on the implementation of the new City Charter and urging the Mayor, Chief Administrative Officer, Controller, City Attorney and Chair of the Board of Supervisors Select Committee on Oversight and Implementation of the New City Charter or their representatives to serve as members of the task force; providing the public with opportunities to fully participate in overseeing the timely implementation of the new City Charter. (Supervisors Kaufman, Shelley, Teng)

File 174-95-8, Resolution No.

(December 4, 1995 - Consideration continued to December 11, 1995.)

Supervisor Kaufman, seconded by Supervisor Leal, moved to continue consideration to January 8, 1996.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Kennedy - 1.

Suspension of the Rules

Supervisor Hallinan, seconded by Supervisor Ammiano, moved to suspend Rule 2.21 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to Gwen Craig, Chair, Elections Task Force.

No objection and motion carried.

Ms. Craig thanked the members of the Elections Task Force, citizens and various organizations for their input and assistance and urged the Board of Supervisors to submit the measures to the voters.

Appointment of President Pro Tempore

At the request of the President, Supervisor Alioto assumed the Chair so the President could participate in the debate from the floor.

Refused Submission

[Ballot Measure, Election of Supervisors]

Charter amendment (First Draft) adding Section 13.111, addressing how members of the Board of Supervisors are to be elected. (Supervisor Hallinan)

File 286-95-1

(December 4, 1995 - Consideration continued to December 11, 1995.)

Refused submission by the following vote:

Monday, December 11, 1995

Ayes: Supervisors Alioto, Ammiano, Hallinan, Hsieh, Shelley - 5.

Noes: Supervisors Bierman, Kaufman, Leal, Migden, Teng - 5.

Absent: Supervisor Kennedy - 1.

Amendment of the Whole Adopted;  
Refused Submission as Amended

[Ballot Measure, Single-Member District Elections]

Charter amendment ((Second)) Third Draft amending Sections 2.100, 2.116, 13.101, 13.102 and 14.103 and adding Section 13.110, to provide for the election of 11 supervisors from 11 districts. (Supervisor Hallinan)

File 275-95-1

(December 4, 1995 - Consideration continued to December 11, 1995.)

Supervisor Hallinan, seconded by Supervisor Alioto, moved an amendment of the whole bearing same title (Third Draft).

Amendment of the whole adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Kennedy - 1.

The roll was then called on the pending charter amendment and it was refused submission as amended (Third Draft) by the following vote:

Ayes: Supervisors Alioto, Ammiano, Hallinan, Hsieh, Shelley - 5.

Noes: Supervisors Bierman, Kaufman, Leal, Migden, Teng - 5.

Absent: Supervisor Kennedy - 1.

[Ballot Measure, Five Three-Member Districts]

Charter amendment ((Second)) Third draft amending Sections 2.100, 2.116, 13.101 and 14.103 and adding Section 13.110 to provide for election of 15 supervisors from 5 districts with 3 supervisors in each district, using preference voting. (Supervisor Hallinan)

File 276-95-1

(December 4, 1995 - Consideration continued to December 11, 1995.)

Supervisor Hallinan, seconded by Supervisor Alioto, moved an amendment of the whole bearing same title (Third Draft).

Amendment of the whole adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Kennedy - 1.

Refused submission as amended (Third Draft) by the following vote:

Ayes: Supervisors Alioto, Ammiano, Hallinan, Hsieh, Shelley - 5.

Noes: Supervisors Bierman, Kaufman, Leal, Migden, Teng - 5.

Absent: Supervisor Kennedy - 1.

Refused Submission

[Ballot Measure, At-Large, Preference Voting]

Charter amendment (Second draft) amending Section 2.100 and 2.116 and adding Section 13.110 to provide for the at-large election of supervisors, using preference voting. (Supervisor Hallinan)

File 277-95-1

(December 4, 1995 - Consideration continued to December 11, 1995.)

Refused submission by the following vote:

Ayes: Supervisors Alioto, Ammiano, Hallinan, Hsieh, Shelley - 5.

Noes: Supervisors Bierman, Kaufman, Leal, Migden, Teng - 5.

Absent: Supervisor Kennedy - 1.

[Ballot Measure, At-Large, Cumulative Voting]

Charter amendment (Third Draft) amending Section 2.100 and adding Section 13.110 to provide for the at-large election of supervisors, using cumulative voting. (Supervisor Hallinan)

File 278-95-1

(December 4, 1995 - Consideration continued to December 11, 1995.)

Refused submission by the following vote:

Ayes: Supervisors Alioto, Ammiano, Hallinan, Hsieh, Shelley - 5.

Noes: Supervisors Bierman, Kaufman, Leal, Migden, Teng - 5.

Absent: Supervisor Kennedy - 1.

[Ballot Measure, Supervisorial Duties/Salary]

Charter amendment (Second Draft) amending Section 2.100 to require members of the Board of Supervisors to devote their full time and attention to their official duties and to establish the salary of members of the Board of Supervisors. (Supervisor Hallinan)

File 279-95-1

(December 4, 1995 - Consideration continued to December 11, 1995.)

Refused submission by the following vote:

Ayes: Supervisors Alioto, Ammiano, Hallinan, Hsieh, Shelley - 5.

Noes: Supervisors Bierman, Kaufman, Leal, Migden, Teng - 5.

Absent: Supervisor Kennedy - 1.

[Ballot Measure, Election, Odd-Numbered Years]

Charter amendment (Second Draft) amending Sections 2.103, 2.116 and 13.101 to provide for the election of members of the Board of Supervisors in odd-numbered years. (Supervisor Hallinan)

File 280-95-1

(December 4, 1995 - Consideration continued to December 11, 1995.)

Refused submission by the following vote:

Ayes: Supervisors Alioto, Ammiano, Hallinan, Hsieh, Shelley - 5.

Noes: Supervisors Bierman, Kaufman, Leal, Migden, Teng - 5.

Absent: Supervisor Kennedy - 1.

The President resumed the Chair.

#### NEW BUSINESS

#### Recommendations of Budget Committee

Passed for Second Reading

[Appropriation, Department of Public Health]

Ordinance appropriating and rescinding \$58,355, Department of Public Health-Community Health Services, for salaries and fringe benefits for the creation of one (1) position and deletion of (1) position for fiscal year 1995-96. (Controller)

File 101-95-24, Ordinance No.

(Fiscal Impact.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Leal, Migden, Shelley - 9.

Absent: Supervisors Kennedy, Teng - 2.

[Salary Ordinance Amendment, Department of Public Health]

Ordinance amending Annual Salary Ordinance No. 256-96, Department of Public Health, reflecting the deletion of one (1) position (Class 2235 Medical Director,) and the addition of one (1) position (Class AB04 Medical Director, Emergency Medical Service Agency); companion measure to File 101-95-24. (Department of Human Resources)

File 102-95-6, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Leal, Migden, Shelley - 9.

Absent: Supervisors Kennedy, Teng - 2.

Adopted

[Federal Funds, Emergency Shelter Grants Program]

Resolution approving the 1996 Emergency Shelter Grants Program and Expenditure Schedule and authorizing the Mayor to apply for, accept, and expend a \$729,600 entitlement under the Emergency Shelter Grants Program from the U.S. Department of Housing and Urban Development. (Mayor's Office of Community Development)

File 68-95-9, Resolution No. 1051-95

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Leal, Migden, Shelley - 9.

Absent: Supervisors Kennedy, Teng - 2.

From Budget Committee "Without Recommendation"

Consideration Continued

[Federal Funding - Emergency Shelter Grants Program]

Resolution approving the 1996 Emergency Shelter Grants Program and Expenditure Schedule and authorizing the Mayor to apply for, accept, and expend a \$65,600 entitlement for the Salvation Army under the Emergency Shelter Grants Program from the U.S. Department of Housing and Urban Development; companion measure to File 68-95-9. (Budget Committee)

File 68-95-9.1, Resolution No.

Supervisor Migden, seconded by Supervisor Kaufman, moved to continue consideration to January 2, 1996.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Kennedy - 1.

Recommendations of Budget Committee

Adopted as Amended

[1996 Community Development Block Grant]

Resolution approving the 1996 Community Development Program, authorizing the Mayor, to apply for, receive and expend the City's 1996 Community Development Block Grant (CDBG) entitlement from the U.S. Department of Housing and Urban Development; transfer and expend reprogrammed funds from prior year Community Development Programs and program income generated by the Redevelopment Agency up to \$36,002,627, which include indirect costs of \$120,000; approving Expenditure Schedules, as amended



December 6, 1995 and December 11, 1995, for recipient departments and agencies and for indirect costs and determining no environmental evaluation is required; authorizing the receipt and deposit in contingencies of 1996 CDBG Entitlement Funds in excess of \$24,285,600. (Mayor's Office of Community Development)

File 79-95-6, Resolution No. 1052-95

Supervisor Teng, seconded by Supervisor Bierman, moved to amend the 1996 CDBG Expenditure Schedule, Public Service, to increase the amounts for the following organizations as follows: Asian Women's Shelter, by \$10,000; Donaldina Cameron House, by \$4,000; Nihonmachi Legal Outreach, by \$16,000.

Motion to amend adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Kennedy - 1.

Supervisor Kaufman, seconded by Supervisor Alioto, moved to amend the 1996 CDBG Expenditure Schedule, Public Service, to increase the amount for La Raza Centro Legal, Inc., by \$45,000.

Motion to amend adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Kennedy - 1.

Adopted as amended by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Kennedy - 1.

Adopted

[Equipment Lease-Moscone Expansion Bonds]

Resolution submitting to the qualified electors of the City and County a proposition authorizing the City to enter into lease financing arrangement obligations not to exceed \$157,500,000 for the acquisition and construction of additional convention center facilities and related equipment, fixtures and furnishings in the South of Market area. (Chief Administrative Officer)

File 170-95-11, Resolution No. 1055-95

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Kennedy - 1.

Recommendations of Rules Committee

Adopted

[Appointment]

Resolution appointing member to the Maternal, Child and Adolescent Health Board, for new three-year term ending August 31, 1998. (Rules Committee)

File 92-94-27.3, Resolution No. 1053-95

(Winchell W. Quock, M.D., Seat No. 22824, Health Professional, vice Martin Gershman, M.D., term expired.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Kennedy - 1.

Appointment of President Pro Tempore

At the request of the President, Supervisor Hallinan assumed the Chair so the President could participate in the debate from the floor.

[Closure of Lakeshore Plaza Driveway]

Resolution urging the Mayor to urge the Planning Commission to permanently close the eastbound exit from Lakeshore Plaza onto Everglade Drive. (Supervisor Shelley)

File 20-95-16, Resolution No. 1046-95

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Kennedy - 1.

Recommendations of Joint Rules/Economic Vitality  
and Social Policy Committee

Adopted

[Disparity Study]

Resolution urging the Mayor to request city departments to fund disparity study of woman-owned and minority-owned business utilization in all city leases and concessions. (Supervisors Shelley, Leal, Hsieh, Kaufman, Teng, Hallinan, Ammiano, Bierman)

File 284-95-3, Resolution No. 1067-95

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Kennedy - 1.

In connection with the above item, Supervisors Teng, Hallinan, Ammiano, Bierman requested to be added as co-sponsors.

Passed for Second Reading

[MBE/WBE/LBE Payment Policy]

Ordinance amending Administrative Code, to reduce the time period in which minority-owned business enterprises (MBE), women-owned business enterprise (WBE) and local-owned business enterprises (LBE) are paid by the City and County from 60 days to 30 days. (Supervisors Shelley, Alioto, Hsieh, Leal, Kaufman, Teng, Hallinan, Ammiano, Bierman)

File 284-95-4, Ordinance No.

(Amends Section 12D.7(C).)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Kennedy - 1.

In connection with the above item, Supervisors Teng, Hallinan, Ammiano, Bierman requested to be added as co-sponsors.

The President resumed the Chair.

[MBE/WBE/LBE Prompt Payment Program]

Ordinance amending Administrative Code, to implement a city-wide prompt payment policy requiring that MBEs, WBEs and LBEs be paid by the City within thirty days of the date the City receives an invoice from an MBE, WBE and LBE for work performed for the City, and to require that contracts subject to MBE/WBE/LBE ordinance include a requirement that prime contractors and prime consultants are to pay their MBE/WBE/LBE subcontractors and subconsultants within three working days after receiving payment from the City unless they have notified the Director of the Human Rights Commission that there is a bona fide dispute between the prime contractor/consultant and the subcontractor and subconsultant and the Director of the Human Rights Commission waives this requirement; prime contractor/prime consultants

who fail to comply with this provision shall be liable for liquidated damages and other remedies set forth in Administrative Code Section 12D.8(E)(3). (Supervisors Shelley, Alioto, Hsieh, Leal, Kaufman, Teng, Hallinan, Ammiano, Bierman)

File 284-95-5, Ordinance No.

(Amends Section 12D.8.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Kennedy - 1.

In connection with the above item, Supervisors Teng, Hallinan, Ammiano, Bierman requested to be added as co-sponsors.

Adopted

[Purchaser, MBE/WBE/LBE]

Resolution urging the Chief Administrative Officer to urge the Purchaser to improve participation in the Minority/Women/Local Business Enterprise program in regard to prime contract awards for the purchase of equipment and supplies and general services as indicated in the 1993-94 report on the progress of compliance with the Minority/Women/Local Business Utilization Ordinance prepared by the Human Rights Commission, and requesting the Purchaser to submit recommendations to improve the Purchaser's participation in the MBE/WBE/LBE program. (Supervisors Shelley, Migden, Teng, Alioto, Hsieh, Leal, Kaufman, Hallinan, Ammiano, Bierman)

File 284-95-6, Resolution No. 1068-95

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Kennedy - 1.

In connection with the above item, Supervisors Hallinan, Ammiano, Bierman requested to be added as co-sponsors.

[Local Business Enterprise]

Resolution urging the Mayor to urge the Human Rights Commission to adopt and enforce subcontracting goals for local business enterprises in all city contracts where feasible and to urge the Human Rights Commission to conduct a study to determine the degree of economic disparity faced by local businesses as compared to similar non-local businesses due to local laws, taxes, fees and regulations. (Supervisors Shelley, Migden, Teng, Alioto, Hsieh, Leal, Kaufman, Hallinan, Ammiano, Bierman)

File 284-95-7, Resolution No. 1069-95

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Kennedy - 1.

In connection with the above item, Supervisors Hallinan, Ammiano, Bierman requested to be added as co-sponsors.

[Human Rights Commission]

Resolution urging the Mayor to urge various city departments to work-order contract compliance and monitoring services from the Human Rights Commission in order to continue improving our City's performance in contracting with minority-owned, women-owned and locally-owned businesses in all city contracts. (Supervisors Shelley, Hsieh, Leal, Kaufman, Teng, Hallinan, Ammiano, Bierman)

File 284-95-8, Resolution No. 1070-95

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Kennedy - 1.

In connection with the above item, Supervisors Teng, Hallinan, Ammiano, Bierman requested to be added as co-sponsors.

The President resumed the Chair.

SPECIAL ORDER 3:00 P.M.

Consideration Continued

[Public Hearing]

Hearing appealing decision of the City Planning Commission by its Motion No. 13959, dated September 21, 1995, approving Conditional Use Application No. 94.225CES, for a planned unit development to permit the merger of two lots into one lot and its resubdivision into three lots, two of which would front Vallejo Street, and the construction of a two-family dwelling on each of these two lots, requiring exceptions from the otherwise applicable City Planning Code standards for open spaces and dwelling-unit density, in an RH-2 (House, Two-family) District and 40-X and 105-D Height and Bulk Districts on property located at 1940 Broadway, north side between Laguna and Octavia Streets.

File 37-95-8

(Appeal filed October 23, 1995.)

(The appellant and applicant jointly requested a continuance to December 18, 1995.)

Supervisor Migden, seconded by Supervisor Kaufman, moved to continue consideration to December 18, 1995.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Leal, Migden, Shelley - 9.

Absent: Supervisors Kennedy, Teng - 2.

[Environmental Review]

Motion certifying review of Final Negative Declaration relating to proposed Conditional Use of property at 1940 Broadway, north side between Laguna and Octavia Streets.

File 37-95-8.1

Supervisor Migden, seconded by Supervisor Kaufman, moved to continue consideration to December 18, 1995.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Leal, Migden, Shelley - 9.

Absent: Supervisors Kennedy, Teng - 2.

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

[Zoning Appeal]

Motion approving decision of the City Planning Commission by its Motion No. 13959, approving Conditional Use Application No. 94.225CES, on property located at 1940 Broadway, north side between Laguna and Octavia Streets, and adopting findings pursuant to City Planning Code Section 101.1.

File 37-95-8.2

Supervisor Migden, seconded by Supervisor Kaufman, moved to continue consideration to December 18, 1995.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Leal, Migden, Shelley - 9.

Absent: Supervisors Kennedy, Teng - 2.

[Zoning Appeal]

Motion disapproving decision of the City Planning Commission by its Motion No. 13959, approving Conditional Use Application No. 94.225CES, on property located at 1940 Broadway, north side between Laguna and Octavia Streets, and adopting findings pursuant to City Planning Code Section 101.1.

File 37-95-8.3

Supervisor Migden, seconded by Supervisor Kaufman, moved to continue consideration to December 18, 1995.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Leal, Migden, Shelley - 9.

Absent: Supervisors Kennedy, Teng - 2.

[Findings]

Motion directing the Clerk of the Board to prepare findings relating to proposed Conditional Use Application No. 94.225CES on property located at 1940 Broadway, north side between Laguna and Octavia Streets, for action by the Board at its next meeting.

File 37-95-8.4

Supervisor Migden, seconded by Supervisor Kaufman, moved to continue consideration to December 18, 1995.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Leal, Migden, Shelley - 9.

Absent: Supervisors Kennedy, Teng - 2.

PUBLIC COMMENT

The privilege of the floor was granted to the following persons:

Dehnert Queen, transportation issues;  
Al Rosen, City College handicapped issues;  
Leboriae P. Smoore, police brutality.

There being no one else wishing to speak, the President declared the public comment portion of the meeting closed.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures were introduced at a prior meeting of the Board with action requested at this meeting. Any Supervisor may require these measures to go to committee unless a motion to suspend the rules is adopted by eight votes (or a unanimous vote if only six or seven members are present). An "aye" vote is (a) a vote in favor of suspending the rule requiring reference to committee, and (b) a vote in favor of adoption of the measures. Eight votes (or a unanimous vote if only six or seven members are present) is required.

Adopted

[Proclaim, Lights On For Life Day]

Resolution declaring December 15, 1995 as Lights On For Life Day in the City and County; and urging all City employees, and the citizens of San Francisco to observe Lights On For Life Day by driving all day with their vehicle lights turned on in remembrance of persons killed or injured by impaired drivers. (Supervisors Alioto, Leal, Bierman)

File 4-95-35, Resolution No. 1037-95

(December 4, 1995 - Introduced in Board for consideration on December 11, 1995.)

Adopted.

In connection with the above item, Supervisor Bierman requested to be added as co-sponsor.

[Proclaim, Ira Sachnoff Month]

Resolution calling attention to the important contributions and civic leadership which Ira Sachnoff has provided to the people of San Francisco throughout his years of service at San Francisco Peer Resources Programs and declaring December 1995 to be Ira Sachnoff Month. (Supervisors Ammiano, Alioto)

File 4-95-36, Resolution No. 1038-95

(December 4, 1995 - Introduced in Board for consideration on December 11, 1995.)

Adopted.

[Commend Lead Poisoning Advisory Committee]

Resolution commending members of the Lead Poisoning Prevention Citizens Advisory Committee for their diligence and hard work in implementing the Comprehensive Environmental Lead Poisoning Prevention Program. (Supervisors Shelley, Alioto, Bierman)

File 6-95-135, Resolution No. 1039-95

(December 4, 1995 - Introduced in Board for consideration on December 11, 1995.)

Adopted.

In connection with the above item, Supervisor Bierman requested to be added as co-sponsor.

[Commend Chinese Progressive Association]

Resolution commending the Chinese Progressive Association on the occasion of its 23rd Anniversary for its work on behalf of Chinese Americans and declaring December 15, 1995 to be Chinese Progressive Association Day in San Francisco. (Supervisors Teng, Shelley, Hallinan, Alioto, Bierman)

File 6-95-136, Resolution No. 1040-95

(December 4, 1995 - Introduced in Board for consideration on December 11, 1995.)

Adopted.

In connection with the above item, Supervisor Bierman requested to be added as co-sponsor.

[HIV Prevention Public Service Announcements]

Resolution commending the United States Centers for Disease Control and Prevention's series of fourteen public service announcements on HIV prevention called, "Respect Yourself, Protect Yourself"; and urging the American Broadcasting Corporation, the National Broadcasting Corporation, the Columbia Broadcasting System and the Fox Network to run all of the public service announcements nationally, including those targeting young gay and bisexual men. (Supervisors Alioto, Ammiano, Bierman, Teng, Migden, Hallinan, Kaufman, Kennedy, Shelley, Leal)

File 6-95-137, Resolution No. 1041-95

(December 4, 1995 - Introduced in Board for consideration on December 11, 1995.)

Adopted.

[Commend Mary Burns]

Resolution commending Department of Recreation and Park General Manager, Mary Burns, for her Department's quick action in reforming the Camp Mather reservation process and urging the Recreation and Park Commission to quickly adopt these improved procedures to grant greater access to this facility to San Francisco residents. (Supervisors Ammiano, Bierman, Alioto, Hallinan, Shelley, Teng)

File 6-95-138, Resolution No. 1042-95

(December 4, 1995 - Introduced in Board for consideration on December 11, 1995.)

Adopted.

In connection with the above item, Supervisor Teng requested to be added as co-sponsor.

[Commend Marcus Books]

Resolution recognizing the 35th Anniversary of Marcus Books. (Supervisors Ammiano, Alioto, Bierman, Teng)

File 6-95-139, Resolution No. 1043-95

(December 4, 1995 - Introduced in Board for consideration on December 11, 1995.)

Adopted.

In connection with the above item, Supervisors Bierman, Teng requested to be added as co-sponsors.

Adopted.

[Election Results, November 7, 1995]

Resolution declaring the results of the General Municipal Election conducted November 7, 1995, in the City and County of San Francisco. (Clerk of the Board)

File 60-95-17, Resolution No. 1047-95

(December 4, 1995 - Introduced in Board for consideration on December 11, 1995.)

Adopted.

[Compassionate Use Initiative of 1996 (Marijuana)]

Resolution urging the voters of California to adopt the "Compassionate Use Initiative of 1995" legalizing the use of marijuana for medical purposes. (Supervisors Ammiano, Bierman, Alioto, Hallinan, Leal, Teng)

File 60-95-18, Resolution No. 1048-95

(December 4, 1995 - Introduced in Board for consideration on December 11, 1995.)

Adopted.

In connection with the above item, Supervisor Teng requested to be added as co-sponsor.

[Grant, DPW, Embarcadero Gateways]

Resolution authorizing the Director of Public Works to apply for, accept and expend Federal funds in the amount of \$500,000 from the Transportation Enhancement Activities Program for the Chinatown/ North Beach Embarcadero Gateways and waiving indirect costs. (Supervisors Kaufman, Teng)

File 148-95-8, Resolution No. 1054-95

(December 4, 1995 - Introduced in Board for consideration on December 11, 1995.)

Adopted.

In connection with the above item, Supervisor Teng requested to be added as co-sponsors.

[Hold Harmless Agreement]

Resolution authorizing the Port to hold the Peninsula Corridor Joint Powers Board and its member agencies harmless for claims arising from a cooperative funding agreement for the track rehabilitation project on the Peninsula Corridor mainline. (Supervisor Hsieh)

File 172-95-48, Resolution No. 1056-95

(December 4, 1995 - Introduced in Board for consideration on December 11, 1995.)

Adopted.

[Lead Poisoning Prevention, Public Health Department]

Resolution urging the Mayor to urge the Public Health Commission to implement Sections 1609, 1611, 1619, 1621, 1622 and 1625 of the Comprehensive Environmental Lead Poisoning Prevention Program and to implement a program to increase the number of children under six years of age being tested for lead poisoning. (Supervisors Shelley, Alioto, Bierman)

File 229-95-4, Resolution No. 1057-95

(December 4, 1995 - Introduced in Board for consideration on December 11, 1995.)

Adopted.

In connection with the above item, Supervisor Bierman requested to be added as co-sponsor.

[Lead Poisoning Prevention]

Resolution urging the Mayor to urge the Commissions and Directors of Social Services, Recreation and Park and the Public Library to implement Sections 1623 of the Comprehensive Environmental Lead Poisoning Prevention Program in order to locate and reduce lead hazards in their facilities; to

implement a maintenance program to ensure these facilities remain lead safe; and implement Section 1611 to train department staff to distribute lead poisoning prevention educational materials and to educate parents and children about lead poisoning hazards. (Supervisors Shelley, Alioto, Bierman)

File 229-95-5, Resolution No. 1058-95

(December 4, 1995 - Introduced in Board for consideration on December 11, 1995.)

Adopted.

In connection with the above item, Supervisor Bierman requested to be added as co-sponsor.

[Lead Poisoning Prevention, SFUSD]

Resolution urging the School Board and the Superintendent of the San Francisco Unified School District to make child development and pre-kindergarten facilities lead safe; implement a maintenance and testing program to ensure these facilities remain lead safe; distribute information about the benefits of the Child Health and Disability Prevention Program to parents of child development/ pre-kindergarten students; and train teachers and child development staff to educate parents and children about the hazards of lead poisoning. (Supervisors Shelley, Alioto, Bierman)

File 229-95-6, Resolution No. 1059-95

(December 4, 1995 - Introduced in Board for consideration on December 11, 1995.)

Adopted.

In connection with the above item, Supervisor Bierman requested to be added as co-sponsor.

[Lead Poisoning Prevention, Water Department]

Resolution urging the Mayor to urge the Water Department to provide free testing of one water tap per resident for all homes with children under the age of six who are eligible for the City's Child Health and Disability Prevention Program care, and/or a pregnant woman. (Supervisors Shelley, Alioto, Bierman)

File 229-95-7, Resolution No. 1060-95

(December 4, 1995 - Introduced in Board for consideration on December 11, 1995.)

Adopted.

In connection with the above item, Supervisor Bierman requested to be added as co-sponsor.

[Lead Poisoning Prevention, Tax Collector]

Resolution urging the Mayor to urge the Treasurer to urge the Tax Collector to implement Section 1615 of the Comprehensive Environmental Lead Poisoning Prevention Program in order to continue to send information about lead hazards with the county property bills. (Supervisors Shelley, Alioto, Bierman)

File 229-95-8, Resolution No. 1061-95

(December 4, 1995 - Introduced in Board for consideration on December 11, 1995.)

Adopted.

In connection with the above item, Supervisor Bierman requested to be added as co-sponsor.

[Lead Poisoning Prevention, Building Inspection]

Resolution urging the Mayor to urge the Building Inspection Commission to implement Section 1614 of the Comprehensive Environmental Lead Poisoning Prevention Program in order to provide written information in the appropriate languages to all building and demolition applicants about lead hazards and to continue to assist in the operation of the City Agency Task Force. (Supervisors Shelley, Alioto, Bierman)

File 229-95-9, Resolution No. 1062-95

(December 5, 1995 - Introduced in Board for consideration on December 11, 1995.)

Adopted.

In connection with the above item, Supervisor Bierman requested to be added as co-sponsor.



[Lead Poisoning Prevention, Mayor's Office of Children, Youth and Families]  
Resolution urging the Mayor to urge the Director of the Mayor's Office of Children, Youth and Families to implement Section 1611 of the Comprehensive Environmental Lead Poisoning Prevention Program in order to distribute educational materials about lead poisoning to provide education about lead poisoning to families, organizations and collaboratives. (Supervisors Shelley, Alioto, Bierman)

File 229-95-10, Resolution No. 1063-95

(December 5, 1995 - Introduced in Board for consideration on December 11, 1995.)

Adopted.

In connection with the above item, Supervisor Bierman requested to be added as co-sponsor.

[Lead Poisoning Prevention, SF Housing Authority]  
Resolution urging the Housing Authority to reduce lead hazards in its family facilities; to train its staff to avoid causing lead hazards and to reduce lead hazards in its facilities; to train its staff to educate residents about how to protect children from lead poisoning and the need for children to be tested for lead poisoning regularly; and to provide access to health care providers to help protect children from lead poisoning. (Supervisors Shelley, Alioto, Bierman)

File 229-95-11, Resolution No. 1064-95

(December 5, 1995 - Introduced in Board for consideration on December 11, 1995.)

Adopted.

In connection with the above item, Supervisor Bierman requested to be added as co-sponsor.

[Lead Poisoning Prevention, Chief Administrative Officer]  
Resolution urging the Chief Administrative Officer to help implement Section 1623 of the Comprehensive Environmental Lead Poisoning Prevention Program by helping City agencies locate facilities which are lead-safe; ensuring that contractors doing construction, maintenance and repair on City buildings make every effort to reduce lead hazards in performing their work and by making certain all departments under the jurisdiction of the CAO make every effort to reduce lead hazards in their operation. (Supervisors Shelley, Alioto, Bierman)

File 229-95-12, Resolution No. 1065-95

(December 5, 1995 - Introduced in Board for consideration on December 11, 1995.)

Adopted.

In connection with the above item, Supervisor Bierman requested to be added as co-sponsor.

[BADCAT Position Paper, Base Closures]  
Resolution endorsing the position paper "Expediting Economic Development on Closing Bay Area Military Bases: A Proposal to Improve the Base Conversion Process" prepared by the Bay Area Economic Forum identifying obstacles to the economic conversion of the bay area's closing military bases. (Supervisor Bierman)

File 244-95-4, Resolution No. 1066-95

(December 5, 1995 - Introduced in Board for consideration on December 11, 1995.)

Adopted.

[Barbary Coast Trail]  
Resolution endorsing the Barbary Coast Trail, a project of the San Francisco Historical Society and urging the Mayor to urge department heads under their respective jurisdictions to assist the San Francisco Historical Society in the timely implementation of the project. (Supervisors Kaufman, Alioto, Leal, Bierman, Teng)

File 297-95-1, Resolution No. 1071-95

(December 5, 1995 - Introduced in Board for consideration on December 11, 1995.)

Adopted.

In connection with the above item, Supervisors Bierman, Teng requested to be added as co-sponsors.

[Final Map, 55 Norfolk Street]

Motion approving final map of 55 Norfolk Street, a Condominium Project, being a resubdivision of Lot 50 in Assessor's Block 3521, and adopting findings pursuant to City Planning Code Section 101.1. (Department of Public Works)

File 58-95-27

(November 30, 1995 - Introduced in Board for consideration on December 11, 1995.)

Adopted.

[Final Map, Candlestick View]

Motion approving final map of Candlestick View, a Condominium Project, being a resubdivision of Lot 80 in Assessor's Block 4700, and adopting findings pursuant to City Planning Code Section 101.1. (Department of Public Works)

File 58-95-28

(December 4, 1995 - Introduced in Board for consideration on December 11, 1995.)

Adopted.

The foregoing items on the For Adoption Without Committee Reference Calendar were adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Hsieh, Kaufman, Leal, Migden, Shelley, Teng - 8.

Absent: Supervisors Alioto, Hallinan, Kennedy - 3.

#### IMMEDIATE ADOPTION CALENDAR

These measures are being introduced at this meeting. A unanimous vote is required for adoption today. Any Supervisor may require any of these measures to go to committee.

Adopted

[Leaves of Absence]

Resolution granting leaves of absence to various city and county officers with permission to leave the state. (Clerk of the Board)

File 1-95-47, Resolution No. 1036-95

(Willie B. Kennedy, member, Board of Supervisors, December 11 - 12, 1995.)

Adopted.

[Lease of Real Property]

Resolution authorizing a lease of real property at 973 Market Street, for the Department of Public Health, Tuberculosis Outreach and Prevention Services. (Supervisor Hallinan)

File 64-95-16.1, Resolution No. 1049-95

Adopted.

The foregoing items on the Immediate Adoption Calendar were adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Hsieh, Kaufman, Leal, Migden, Shelley, Teng - 8.

Absent: Supervisors Alioto, Hallinan, Kennedy - 3.

#### IMPERATIVE CALENDAR

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 following two motions.

Adopted

[Purely Commendatory Finding]

Motion that the Board finds by roll call vote that the resolutions being considered at this time are purely commendatory.

Supervisor Leal, seconded by Supervisor Kaufman, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Hsieh, Kaufman, Leal, Migden, Shelley, Teng - 8.

Absent: Supervisors Alioto, Hallinan, Kennedy - 3.

[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 Leal, seconded by Supervisor Kaufman, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Hsieh, Kaufman, Leal, Migden, Shelley, Teng - 8.

Absent: Supervisors Alioto, Hallinan, Kennedy - 3.

[Imperative Resolutions]

Adopted

[Commend Garment 2000]

Resolution commending Garment 2000 and declaring December 13, 1995 Garment 2000 Day in San Francisco.

File 006-95-141, Resolution No. 1045-95

Supervisors Teng, Bierman presented for immediate adoption.

Resolution adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Hsieh, Kaufman, Leal, Migden, Shelley, Teng - 8.

Absent: Supervisors Alioto, Hallinan, Kennedy - 3.

[Commend John Yehall Chin Elementary School]

Resolution commending the John Yehall Chin Elementary School and declaring December 2, 1995 to be John Yehall Chin Elementary School Holiday Assembly Day in San Francisco.

File 006-95-140, Resolution No. 1044-95

Supervisors Teng, Bierman presented for immediate adoption.

Resolution adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Hsieh, Kaufman, Leal, Migden, Shelley, Teng - 8.

Absent: Supervisors Alioto, Hallinan, Kennedy - 3.

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS  
NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Committee

[Local 21 Arbitrator's Award]

Ordinance adopting and implementing the provisions of an Arbitrator's Award interpreting the provisions of the Memorandum of Understanding regarding the compensation of real property auditors and appraisers between the International Federation of Professional and Technical Engineers, Local 21, AFL-CIO and the City and County of San Francisco to be effective retroactive to July 1, 1994. Supervisor Shelley presented. Referred to Government Efficiency/Labor Committee with request it be considered at the December 19, 1995 meeting.

File 093-95-035.03.

[Domestic Partnership Ceremonies]

Ordinance amending Administrative Code by adding Section 62.9 authorizing the County Clerk to provide a civil ceremony to solemnize the existence of a domestic partnership. Supervisors Migden, Kaufman, Leal, Ammiano, Bierman presented. Referred to Government Efficiency/Labor Committee.

File 097-95-067.

[Newsrack Ordinance]

Ordinance amending Public Works Code by adding Section 184.12 regulating the placement and maintenance of newsracks on public streets, sidewalks and rights-of-way to prohibit free-standing newsracks in specified areas of the city and establishing requirements for fixed pedestal newsracks in those areas. Supervisors Shelley, Kaufman, Teng presented. Referred to Rules Committee.

File 123-95-004.

[Board of Permit Appeals]

Draft ordinance amending Municipal Code, Part III, Section 8 concerning the Board of Permit Appeals, by changing the time to fix the hearing to not less than ten nor more than 45 days after the filing of an appeal and to change the time to act from 40 to 60 days after such filing or a reasonable time thereafter. Supervisor Bierman presented. Referred to Housing and Land Use Committee.

File 127-95-012.

Referred to Board

[Interim Zoning Controls, Extension]

Resolution extending Interim Zoning Controls to prohibit introduction of additional establishments or any expansion of existing establishments selling alcoholic beverages in the area generally bounded by Fourteenth Street, Cesar Chavez Street, Potrero Avenue and Guerrero Street. Supervisors Leal, Kaufman, Bierman presented. Referred to Board for Adoption Without Committee Reference Calendar December 18, 1995.

File 111-93-001.03

[Commend Hank Wilson]

Resolution recognizing Hank Wilson's decades of civic and community service and leadership. Supervisors Ammiano, Hallinan, Alioto, Kaufman presented. Referred to Board for Adoption Without Committee Reference Calendar December 18, 1995.

File 006-95-142.

[Master Plan 50th Anniversary]

Resolution commemorating the 50th Anniversary of the Master Plan of the City and County of San Francisco and acknowledging the efforts of all officials, citizens and staff of the Planning Commission for their diligent work in maintaining the Master Plan and affirming the importance of maintaining a current Master Plan as a guide in decision making for the enhancement, conservation and development of the City and County of San Francisco. Supervisor Bierman presented. Referred to Board for Adoption Without Committee Reference Calendar December 18, 1995.

File 006-95-143.

[Federal Legislation, H.R. 2816, Marijuana]

Resolution supporting H.R. 2816 and urging the Mayor to urge the United States Congress to support H.R. 2816 concerning the regulation of the medical use of marijuana. Supervisors Alioto, Ammiano, Hallinan, Bierman, Kaufman presented. Referred to Board for Adoption Without Committee Reference Calendar December 18, 1995.

File 013-95-035.

Referred to Committee

[Unlitigated Claim, Evelyn Guttmann]

Resolution approving the settlement of the unlitigated claim of Evelyn Guttmann by payment of \$8,500. Supervisor Hallinan presented. Referred to Government Efficiency/Labor Committee with request it be considered at the December 19, 1995 meeting.

File 048-95-031.

Referred to Board

[Municipalization Study Contract Termination]

Resolution urging the Mayor to urge the Public Utilities Commission to terminate immediately the contract with Strategic Energy Ltd. for the study of the municipalization of the electric system in the City and County of San Francisco and to review and reevaluate the contractor selection process. Supervisor Alioto presented. Referred to Board for Adoption Without Committee Reference Calendar December 18, 1995.

File 285-95-004.

Referred to Committee

[Law Library Filing Fees]

Resolution increasing civil filing and appearance fees provided in Business and Professions Code Section 6322.1 for operation of the Law Library. Supervisor Hsieh presented on behalf of the Law Library. Referred to Budget Committee with request it be considered at the December 13, 1995 meeting.

File 298-95-001.

Referred to Board

[Violence in Oregon]

Resolution urging the local authorities in Medford, Oregon, to vigorously pursue their investigation of the murders of Roxanne Ellis and Michelle Abdill, two outspoken leaders of the Oregon Lesbian Community. Supervisors Ammiano, Alioto, Bierman, Kaufman, Hallinan presented. Referred to Board for Adoption Without Committee Reference Calendar December 18, 1995.

File 299-95-001.

Charter Amendments:

Referred to Committee

[Election Proposals for Supervisors]

Charter amendment (First Draft) adding Section 13.111 addressing how members of the Board of Supervisors are to be elected. Supervisors Hallinan, Bierman presented. Referred to Rules Committee.

File 300-95-001.

[Charter, Election of 11 Supervisors/11 Districts]

Charter amendment (First Draft) amending Sections 2.100, 2.116, 13.101, 13.102 and 14.103 and adding Section 13.110 to provide for the election of 11 supervisors from 11 districts. Supervisors Hallinan, Bierman presented. Referred to Rules Committee.

File 302-95-001.

[Charter, 15 Supervisors from 5 Districts]

Charter amendment (First Draft) amending Sections 2.100, 2.116, 13.101 and 14.103 and adding Section 13.110 to provide for election of 15 supervisors from 5 districts with 3 supervisors in each district, using preference voting. Supervisors Hallinan, Bierman presented. Referred to Rules Committee.

File 303-95-001.

[Charter, At-large Election of 11 Supervisors]

Charter amendment (First Draft) amending Sections 2.100 and 2.116 and adding Section 13.110 to provide for the at-large election of 11 supervisors, using preference voting. Supervisors Hallinan, Bierman presented. Referred to Rules Committee.

File 304-95-001.

[Charter, At-large Election, 11 Supervisors]

Charter amendment (First Draft) amending Section 2.100 and adding Section 13.110 to provide for the at-large election of 11 supervisors, using cumulative voting. Supervisors Hallinan, Bierman presented. Referred to Rules Committee.

File 305-95-001.

[Charter, Supervisors Duties and Salary]

Charter amendment (First Draft) amending Section 2.100 to require members of the Board of Supervisors to devote their full time and attention to their official duties and to establish the salary of members of the Board of Supervisors. Supervisors Hallinan, Bierman presented. Referred to Rules Committee.

File 306-95-001.

[Charter, Odd-numbered Year Supervisorial Election]

Charter amendment (First Draft) amending Sections 2.103, 2.116 and 13.101 to provide for the election of members of the board of supervisors in odd-numbered years. Supervisors Hallinan, Bierman presented. Referred to Rules Committee.

File 307-95-001.

Requests for Hearings:

[Kaiser Permanente]

Hearing to consider the healthcare services provided by Kaiser Permanente to people with HIV/AIDS. Supervisor Ammiano presented. Referred to Health/Public Safety/Environment Committee.

File 108-95-001.

Motions:

Referred to Board

[Needle Exchange Emergency]

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program. Supervisors Alioto, Leal, Bierman, Shelley, Migden, Teng, Hsieh, Ammiano, Hallinan presented. Referred to Board for Adoption Without Committee Reference Calendar December 18, 1995.

File 030-95-001.25.

[Municipalization Study Contract Evaluations]

Motion directing the disclosure of the names of raters redacted from the evaluation forms for the selection of a municipalization study contractor. Supervisor Alioto presented. Referred to Board for Adoption Without Committee Reference Calendar December 18, 1995.

File 285-95-005.

Introduced by the President at the Request of Departments

Ordinances Referred to Committee

File 027-95-020. [Airport Lease Modification, FAA] Ordinance approving lease numbers DTFA08-95-L-14713, DTFA08-95-L-14717, DTFA08-95-L-14708 and DTFA08-95-L-14709 between the United States of America, Federal Aviation Administration (FAA) and the City and County of San Francisco, acting by and through its Airports Commission. (Airports Commission) Referred to Government Efficiency/Labor Committee.

File 045-95-054. [Charles Johnson/Diane Johnson v. CCSF] Ordinance authorizing settlement of litigation of Charles Johnson and Diane Johnson against the City and County of San Francisco by payment of \$17,500. (Superior Court No. 957-633). (City Attorney) Referred to Government Efficiency/Labor Committee.

File 045-95-055. [Ford Construction Company, Inc. v. CCSF] Ordinance authorizing settlement of litigation of Ford Construction Company, Inc. against the City and County of San Francisco by payment of \$90,000. (Superior Court No. 963-502). (City Attorney) Referred to Government Efficiency/Labor Committee.

File 082-95-004. [Conveyance of Easement, Stanford University] Ordinance authorizing conveyance of easement over Water Department right-of-way in Santa Clara County pursuant to settlement approved by Public Utilities Commission. (Real Estate Department) Referred to Budget Committee.

File 093-95-043.01. [Amendment to MOU, Stationary Engineers, Local 39] Ordinance adopting and implementing the provisions of amendment number 2 to the Memorandum of Understanding between the International Union of Operating Engineers Stationary, Local 39 and the City and County of San Francisco providing that all covered employees be placed into full retirement contribution effective two pay periods after approval of this ordinance by the Mayor. (Department of Human Resources) Referred to Government Efficiency/Labor Committee.

File 093-95-052. [MOU, Local 865, Bargaining Unit 11B] Ordinance adopting and implementing the provisions of a Memorandum of Understanding between the Freight Checkers, Clerical Employees and Helpers, Local 856 and the City and County of San Francisco for Bargaining Unit 11B, Supervising Registered Nurses, for the period July 1, 1994 through June 30, 1996. (Department of Human Resources) Referred to Government Efficiency/Labor Committee.

Resolutions Referred to Committee

File 048-95-030. [Settlement of Claim, Yvonne Paul] Resolution approving the settlement of the unlitigated claim of Yvonne Paul by payment of \$17,500. (City Attorney) Referred to Government Efficiency/Labor Committee.

File 133-95-010. [State Grant, Recycling Program] Resolution authorizing the Chief Administrative Officer of the City and County of San Francisco to apply for (retroactively), accept and expend a \$100,000 grant from the Department of Conservation; waiving indirect costs. (Chief Administrative Officer) Referred to Government Efficiency/Labor Committee.

File 192-95-005. [Federal Grant, Traffic Signal System] Resolution authorizing the Executive Director of the Department of Parking and Traffic to apply for, retroactively, and to accept and expend up to \$395,000 in Federal Funds for the installation of a new traffic signal at the intersection of Lincoln Way and Funston Avenue and to install hardwire interconnect connecting the Oak/Fell Streets traffic signal system to the Inner Sunset traffic signal system, foregoing reimbursement of indirect costs. (Department of Parking and Traffic) Referred to Government Efficiency/Labor Committee.

Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisor Alioto, that letter be sent to Director of Public Works to inquire whether they can put off closing the 600 block of Grant Avenue during or after the Christmas season.

By Supervisor Shelley, that City Attorney prepare legislation as follows: (1) Urging the Planning Commission to undertake a comprehensive evaluation of each neighborhood commercial district; (2) To develop interim zoning and planning controls to alleviate problems identified during the neighborhood commercial district evaluation; (3) To create "Neighborhood Commercial Review Boards" to review new businesses as they come into a neighborhood; and (4) to implement an early warning system to notify community residents and merchants when a new business is planning to move into the neighborhood.

By Supervisor Ammiano, that letter of inquiry be sent to Chief of Police to determine the status of the homicide investigations of the murder of two gay men in the Glen Park neighborhood which occurred this year.

Motions Adopted

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

Clair Patterson (Supervisor Shelley)  
Moriaki Noguchi (Supervisor Shelley)  
Terrance L. Pitts (Supervisor Kennedy)  
Vicki Goldbaum (Supervisor Kennedy)  
Roxanne Ellis (Supervisors Migden, Ammiano, Leal)  
Michelle Abdill (Supervisors Migden, Ammiano, Leal)

File 2-95-47

Unanimously adopted by a rising vote.

ADJOURNMENT

There being no further business, the Board at the hour of 4:46 p.m. adjourned.

John L. Taylor, Clerk

N.B. This Journal of Proceedings sets 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.

Monday, December 11, 1995

Approved by the Board of Supervisors on January 16, 1996.

I, John L. Taylor, 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 Journal of Proceedings of said Board on the date stated and was approved as recited.

John L. Taylor  
Clerk of the Board of Supervisors



Monday, December 18, 1995

# Journal of Proceedings

*The Minutes of the*

# Board of Supervisors

City and County of San Francisco

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JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

Monday, December 18, 1995 - 2:00 p.m.

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

CALLING THE ROLL

The meeting was called to order at 2:07 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley - 10.

Noted absent at first roll call:

Supervisor Teng - 1.

Quorum present.

Supervisor Teng was noted present at 2:25 p.m.

APPROVAL OF JOURNALS

There being no errors, corrections or omissions, Supervisor Kennedy, seconded by Supervisor Hallinan, moved that the Journals of Proceedings for Monday, November 13, 1995 and November 20, 1995, be approved.

Motion carried by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley - 10.

Absent: Supervisor Teng - 1.

CONSENT CALENDAR

Recommendations of Budget Committee

Finally Passed

[Appropriation, Department of Public Health]  
Ordinance appropriating and rescinding \$58,355, Department of Public Health-Community Health Services, for salaries and fringe benefits for the creation of one (1) position and deletion of (1) position for fiscal year 1995-96. (Controller)

File 101-95-24, Ordinance No. 396-95

(Fiscal Impact.)

Finally passed.

[Salary Ordinance Amendment, Department of Public Health]  
Ordinance amending Annual Salary Ordinance No. 256-96, Department of Public Health, reflecting the deletion of one (1) position (Class 2235 Medical Director,) and the addition of one (1) position (Class AB04 Medical Director, Emergency Medical Service Agency); companion measure to File 101-95-24. (Department of Human Resources)

File 102-95-6, Ordinance No. 397-95

Finally passed.

Adopted

[Gift Acceptance, Recreation and Park Department]

Resolution accepting one gift valued at \$10,928.50, for use by the Recreation and Park Department for the renovation of the baseball diamond at Kimball Playground. (Recreation and Park Department)

File 38-95-12, Resolution No. 1088-95

Adopted.

Recommendations of Joint Rules/Economic Vitality  
and Social Policy Committee

Finally Passed

[MBE/WBE/LBE Payment Policy]

Ordinance amending Administrative Code, to reduce the time period in which minority-owned business enterprises (MBE), women-owned business enterprise (WBE) and local-owned business enterprises (LBE) are paid by the City and County from 60 days to 30 days. (Supervisors Shelley, Alioto, Hsieh, Leal, Kaufman, Teng, Hallinan, Ammiano, Bierman, Kennedy, Migden)

File 284-95-4, Ordinance No. 398-95

(Amends Section 12D.7(C).)

Finally passed.

In connection with the above item, Supervisors Kennedy, Migden requested to be added as co-sponsors.

[MBE/WBE/LBE Prompt Payment Program]

Ordinance amending Administrative Code, to implement a city-wide prompt payment policy requiring that minority business enterprises, women business enterprises and local business enterprises be paid by the City within thirty days of the date the City receives an invoice from an MBE, WBE and LBE for work performed for the City, and to require that contracts subject to MBE/WBE/LBE ordinance include a requirement that prime contractors and prime consultants are to pay their MBE/WBE/LBE subcontractors and subconsultants within three working days after receiving payment from the City unless they have notified the Director of the Human Rights Commission that there is a bona fide dispute between the prime contractor/consultant and the subcontractor and subconsultant and the Director of the Human Rights Commission waives this requirement; prime contractor/prime consultants who fail to comply with this provision shall be liable for liquidated damages and other remedies set forth in Administrative Code Section 12D.8(E)(3). (Supervisors Shelley, Alioto, Hsieh, Leal, Kaufman, Teng, Hallinan, Ammiano, Bierman, Kennedy, Migden)

File 284-95-5, Ordinance No. 399-95

(Amends Section 12D.8.)

Finally passed.

In connection with the above item, Supervisors Kennedy, Migden requested to be added as co-sponsors.

Recommendation of Health, Public Safety and Environment Committee

Adopted

[DPH Application]

Resolution approving the Department of Public Health application to the California Department of Health Services for Certification as a Unified Program Agency. (Supervisors Alioto, Leal)

File 30-95-22, Resolution No. 1087-95

Adopted.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley - 10.

Absent: Supervisor Teng - 1.

REGULAR CALENDAR

UNFINISHED BUSINESS

Recommendation of Government Efficiency and Labor Committee

Finally Passed

(Supervisor Teng dissenting in Committee.)

[Membership Criteria for Retirement System]

Ordinance amending Administrative Code, regarding Membership Criteria for admitting exempt employees (physicians and dentists) into the Retirement System. (Department of Human Resources)

File 97-95-15.1, Ordinance No. 395-95

(Amends Section 16.42.)

Finally passed by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley - 10.

Absent: Supervisor Teng - 1.

NEW BUSINESS

Recommendations of Budget Committee

Adopted

[Waiving Statute of Limitations]

Resolution waiving the Statute of Limitations with respect to payment of certain warrants of the City and County in the sum of \$16,990.39, a legal obligation of the City and County of San Francisco. (Controller)

File 23-95-7, Resolution No. 1080-95

(Willie R. McDaniel - \$16,990.39)

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley - 10.

Absent: Supervisor Teng - 1.

[Emergency Repair, Twelfth Avenue Sewer]

Resolution authorizing the Director of the Department of Public Works to take necessary measures to protect the health, welfare and property of the citizens of San Francisco by performing the necessary work to replace structurally inadequate sewer in Twelfth Avenue between Judah Street and Kirkham Street - \$150,850. (Department of Public Works)

File 28-95-27, Resolution No. 1081-95

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley - 10.

Absent: Supervisor Teng - 1.

[Emergency Repair, Twenty-Fifth Street Sewer]

Resolution authorizing the Director of the Department of Public Works to take necessary measures to protect the health, welfare and property of the citizens of San Francisco by performing the necessary work to replace structurally inadequate sewer in Twenty-Fifth Street between Diamond Street and Douglass Street - \$144,340. (Department of Public Works)

File 28-95-28, Resolution No. 1082-95

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley - 10.

Absent: Supervisor Teng - 1.

[Emergency Repair, Washington Street Sewer]

Resolution authorizing the Director of the Department of Public Works to take necessary measures to protect the health, welfare and property of the citizens of San Francisco by performing the necessary work to replace structurally inadequate sewer in Washington Street between Arguello Boulevard and Cherry Street - \$123,850. (Department of Public Works)

File 28-95-29, Resolution No. 1083-95

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley - 10.

Absent: Supervisor Teng - 1.

[Emergency Repair, Sears Street Sewer]

Resolution authorizing the Director of the Department of Public Works to take necessary measures to protect the health, welfare and property of the citizens of San Francisco by performing the necessary work to replace structurally inadequate sewer in Sears Street between 170 Sears Street and Cayuga Street - \$23,072. (Department of Public Works)

File 28-95-30, Resolution No. 1084-95

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley - 10.

Absent: Supervisor Teng - 1.

[Emergency Repair, Alvarado Street Sewer]

Resolution authorizing the Director of the Department of Public Works to take necessary measures to protect the health, welfare and property of the citizens of San Francisco by performing the necessary work to replace structurally inadequate sewer in Alvarado Street between Douglass Street and Hoffman Avenue - \$98,424. (Department of Public Works)

File 28-95-31, Resolution No. 1085-95

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley - 10.

Absent: Supervisor Teng - 1.

[Emergency Repair, Pacific Avenue Sewer]

Resolution authorizing the Director of the Department of Public Works to take necessary measures to protect the health, welfare and property of the citizens of San Francisco by performing the necessary work to replace structurally inadequate sewer in Pacific Avenue between Grant Avenue and Kearney Street - \$189,710. (Department of Public Works)

File 28-95-32, Resolution No. 1086-95

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley - 10.

Absent: Supervisor Teng - 1.

[Sale of Surplus City-Owned Property]

Resolution confirming sale of surplus City-owned property. (Real Estate)

File 96-95-6, Resolution No. 1090-95

(Assessor's Block 652, Lot 7A, 2110-12 Pine Street; Assessor's Block 4832, Lot 8, northeast corner of Yosemite; Assessor's Block 3577, Lot 60, 3433 - 17th Street; Assessor's Block 513, Lot 15, 2475 Greenwich Street)

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley - 10.

Absent: Supervisor Teng - 1.

[Law Library Filing Fees]

Resolution increasing Civil Filing and Appearance Fees provided in the Business and Professions Code, for operation of the San Francisco Law Library effective January 1, 1996. (Law Library)

File 298-95-1, Resolution No. 1092-95

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley - 10.

Absent: Supervisor Teng - 1.

Recommendations of Health, Public Safety and Environment Committee

Adopted

[Beach Blanket Babylon Boulevard]

Resolution commending Steve Silver's work and philanthropy and urging the Mayor to urge the Directors of Parking and Traffic and Public Works to designate all of the 600 block of Green Street as "Beach Blanket Babylon Boulevard." (Supervisors Alioto, Hallinan, Leal)

File 75-95-1.1, Resolution No. 1089-95

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 11.

Consideration Continued

[Domestic Violence]

Resolution finding that domestic violence is a serious crime and not a civil dispute and that civil compromise is an inappropriate resolution to these cases; urging the judges of the Municipal Court to stop the use of civil compromise in domestic violence cases; urging that when such compromises are considered that proper notice and hearings are required; and further urging the District Attorney to continue his efforts to resist civil compromise in domestic violence cases and continue the pursuit to amend the California Penal Code to prohibit the use of civil compromise in domestic violence cases. (Supervisors Kaufman, Alioto, Hallinan, Leal, Shelley)

File 237-95-1, Resolution No.

Supervisor Kaufman, seconded by Supervisor Leal, moved to continue consideration to January 2, 1996.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley - 10.

Absent: Supervisor Teng - 1.

Recess

The Board, at the hour of 2:47 p.m., took a brief recess.

Reconvening of the Board

The Board, at the hour of 3:01 p.m., reconvened.

Appointment of President Pro Tempore

At the request of the President, Supervisors Kennedy and Alioto briefly assumed the Chair at various times during the meeting.

SPECIAL ORDER 3:00 P.M.

Hearing Held

[Public Hearing]

Hearing appealing decision of the City Planning Commission by its Motion No. 13959, dated September 21, 1995, approving Conditional Use Application No. 94.225CES, for a planned unit development to permit the merger of two lots into one lot and its resubdivision into three lots, two of which would front Vallejo Street, and the construction of a two-family dwelling on each of these two lots, requiring exceptions from the otherwise applicable City Planning Code standards for open spaces and dwelling-unit density, in an RH-2 (House, Two-family) District and 40-X and 105-D Height and Bulk Districts on property located at 1940 Broadway, north side between Laguna and Octavia Streets.

File 37-95-8

(Appeal filed October 23, 1995.)

(December 11, 1995 - Consideration continued to December 18, 1995.)

The following persons were sworn in and granted privilege of the floor:

Appellants: Robert Magilligan, Terry Watt, Charlotte Magnin, Mary Margaret Ward, Shelley Sorani, Julie Stock, Mark Kavowski, Herb Nadai, Joseph Fee, Theodore Seton, John Allen, Rose Foxnoll, male speaker, George Liston, Ian Berice, Robert Nichl, Ron Brown, George Chen, Edward Tortorice, Sue Hestor.

Respondents: Bob Passmore, representing City Planning Commission and Department of City Planning; Alice Barkley-Afternet, Larry Popofsky, Richard Essey, William Fries, II, David Bahlman, Ariel Edmundson, Joan Herron, Michele Neureuter, Dennis, Jim Hoffman, Jill Miller, Howard McKinley, Paul Wotman, Joe O'Donoghue

A rebuttal period was allowed.

The President then declared the hearing closed.

Adopted

[Environmental Review]

Motion certifying review of Final Negative Declaration relating to proposed conditional use of property at 1940 Broadway, north side between Laguna and Octavia Streets.

File 37-95-8.1

(December 11, 1995 - Consideration continued to December 18, 1995.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Ammiano - 1.

Tabled

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

[Zoning Appeal]

Motion approving decision of the City Planning Commission by its Motion No. 13959, approving Conditional Use Application No. 94.225CES, on property located at 1940 Broadway, north side between Laguna and Octavia Streets, and adopting findings pursuant to City Planning Code Section 101.1.

File 37-95-8.2

(December 11, 1995 - Consideration continued to December 18, 1995.)

Supervisor Kennedy, seconded by Supervisor Alioto, moved to table.

Tabled by the following vote:

Ayes: Supervisors Alioto, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 9.

Noes: Supervisor Bierman - 1.

Absent: Supervisor Ammiano - 1.



Refused Adoption

[Zoning Appeal]

Motion disapproving decision of the City Planning Commission by its Motion No. 13959, approving Conditional Use Application No. 94.225CES, on property located at 1940 Broadway, north side between Laguna and Octavia Streets, and adopting findings pursuant to City Planning Code Section 101.1.

File 37-95-8.3

(December 11, 1995 - Consideration continued to December 18, 1995.)

Refused adoption by the following vote:

Ayes: Supervisors Bierman, Migden - 2.

Noes: Supervisors Alioto, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Shelley, Teng - 8.

Absent: Supervisor Ammiano - 1.

Tabled

[Findings]

Motion directing the Clerk of the Board to prepare findings relating to proposed Conditional Use Application No. 94.225CES on property located at 1940 Broadway, north side between Laguna and Octavia Streets, for action by the Board at its next meeting.

File 37-95-8.4

(December 11, 1995 - Consideration continued to December 18, 1995.)

Supervisor Kennedy, seconded by Supervisor Alioto, moved to table.

Tabled by the following vote:

Ayes: Supervisors Alioto, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 9.

Noes: Supervisor Bierman - 1.

Absent: Supervisor Ammiano - 1.

PUBLIC COMMENT

The privilege of the floor was granted to the following persons:

Deanna Brinkman, plants for the Conservatory;  
David Bahlman, Conservatory;  
Shelley Salieri, Caltrain extension.

There being no one else wishing to speak, the President declared the public comment portion of the meeting closed.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures were introduced at a prior meeting of the Board with action requested at this meeting. Any Supervisor may require these measures to go to committee unless a motion to suspend the rules is adopted by eight votes (or a unanimous vote if only six or seven members are present). An "aye" vote is (a) a vote in favor of suspending the rule requiring reference to committee, and (b) a vote in favor of adoption of the measures. Eight votes (or a unanimous vote if only six or seven members are present) is required.

Adopted

[Interim Zoning Controls, Extension]

Resolution extending Interim Zoning Controls to prohibit introduction of additional establishments or any expansion of existing establishments selling alcoholic beverages in the area generally bounded by Fourteenth Street, Cesar Chavez Street, Potrero Avenue and Guerrero Street. (Supervisors Leal, Kaufman, Bierman)

File 111-93-1.3, Resolution No. 1072-95

(December 11, 1995 - Introduced in Board for consideration on December 18, 1995.)

Adopted.

[Commend Hank Wilson]

Resolution recognizing Hank Wilson's decades of civic and community service and leadership. (Supervisors Ammiano, Hallinan, Alioto, Kaufman, Shelley, Migden)

File 6-95-142, Resolution No. 1074-95

(December 11, 1995 - Introduced in Board for consideration on December 18, 1995.)

Adopted.

In connection with the above item, Supervisors Shelley, Migden requested to be added as co-sponsors.

[Master Plan 50th Anniversary]

Resolution commemorating the 50th Anniversary of the Master Plan of the City and County of San Francisco and acknowledging the efforts of all officials, citizens and staff of the Planning Commission for their diligent work in maintaining the Master Plan and affirming the importance of maintaining a current Master Plan as a guide in decision making for the enhancement, conservation and development of the City and County of San Francisco. (Supervisors Bierman, Alioto)

File 6-95-143, Resolution No. 1075-95

(December 11, 1995 - Introduced in Board for consideration on December 18, 1995.)

Adopted.

[Federal Legislation, H.R. 2816, Marijuana]

Resolution supporting H.R. 2816 and urging the Mayor to urge the United States Congress to support H.R. 2816 concerning the regulation of the medical use of marijuana. (Supervisors Alioto, Ammiano, Hallinan, Bierman, Kaufman, Leal)

File 13-95-35, Resolution No. 1079-95

(December 11, 1995 - Introduced in Board for consideration on December 18, 1995.)

Adopted.

[Municipalization Study Contract Termination]

Resolution urging the Mayor to urge the Public Utilities Commission to terminate immediately the contract with Strategic Energy Ltd. for the study of the municipalization of the electric system in the City and County of San Francisco and to review and reevaluate the contractor selection process. (Supervisors Alioto, Bierman)

File 285-95-4, Resolution No. 1091-95

(December 11, 1995 - Introduced in Board for consideration on December 18, 1995.)

Adopted.

In connection with the above item, Supervisor Bierman requested to be added as co-sponsor.

[Municipalization Study Contract Evaluations]

Motion directing the disclosure of the names of raters redacted from the evaluation forms for the selection of a municipalization study contractor. (Supervisors Alioto, Bierman)

File 285-95-5

(December 11, 1995 - Introduced in Board for consideration on December 18, 1995.)

Adopted.

In connection with the above item, Supervisor Bierman requested to be added as co-sponsor.

[Violence in Oregon]

Resolution urging the local authorities in Medford, Oregon, to vigorously pursue their investigation of the murders of Roxanne Ellis and Michelle Abdill, two outspoken leaders of the Oregon Lesbian Community. (Supervisors Ammiano, Alioto, Bierman, Kaufman, Hallinan, Leal, Shelley, Migden)

File 299-95-1, Resolution No. 1093-95

(December 11, 1995 - Introduced in Board for consideration on December 18, 1995.)

Adopted.

In connection with the above item, Supervisors Shelley, Migden requested to be added as co-sponsors.

[Needle Exchange Emergency]

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program. (Supervisors Alioto, Leal, Bierman, Shelley, Migden, Teng, Hsieh, Ammiano, Hallinan)

File 30-95-1.25

(December 11, 1995 - Introduced in Board for consideration on December 18, 1995.)

Adopted.

[Final Map, 1113 Connecticut Street]

Motion approving Final Map of 1113 Connecticut Street, a Condominium Project, being a resubdivision of Lot 9 in Assessor's Block 4287, and adopting findings pursuant to City Planning Code Section 101.1. (Department of Public Works)

File 58-95-29

(December 11, 1995 - Introduced in Board for consideration on December 18, 1995.)

Adopted.

[Final Map, 411 Green Street]

Motion approving Final Map of 411 Green Street, a Condominium Project, being a resubdivision of Lot 45 in Assessor's Block 132, and adopting findings pursuant to City Planning Code Section 101.1. (Department of Public Works)

File 58-95-30

(December 11, 1995 - Introduced in Board for consideration on December 18, 1995.)

Adopted.

[Final Map, 2250 Green Street]

Motion approving Final Map of 2250 Green Street, a Condominium Project, being a resubdivision of Lot 14A in Assessor's Block 539, and adopting findings pursuant to City Planning Code Section 101.1. (Department of Public Works)

File 58-95-31

(December 11, 1995 - Introduced in Board for consideration on December 18, 1995.)

Adopted.

[Final Map, 225 Pierce Street]

Motion approving Final Map of 225 Pierce Street, a Condominium Project, being a resubdivision of Lot 6 in Assessor's Block 846, and adopting findings pursuant to City Planning Code Section 101.1. (Department of Public Works)

File 58-95-32

(December 11, 1995 - Introduced in Board for consideration on December 18, 1995.)

Adopted.

The foregoing items on the For Adoption Without Committee Reference Calendar were adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kennedy, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Kaufman - 1.

IMMEDIATE ADOPTION CALENDAR

These measures are being introduced at this meeting. A unanimous vote is required for adoption today. Any Supervisor may require any of these measures to go to committee.

Adopted

[HIV/AIDS Awareness Month]

Resolution designating the month of December 1995 as "HIV/AIDS Awareness Month" in the City and County. (Supervisors Alioto, Shelley)

File 4-95-37, Resolution No. 1073-95

Adopted.

[Local Emergency]

Motion concurring in the determination by the Mayor of the necessity for declaring a local emergency as a result of heavy rains and flooding and requesting the Governor to proclaim the City and County to be a disaster area. (Supervisor Shelley)

File 270-95-6

Adopted.

The foregoing items on the Immediate Adoption Calendar were adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kennedy, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Kaufman - 1.

IMPERATIVE CALENDAR

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 following two motions.

Adopted

[Purely Commendatory Finding]

Motion that the Board finds by roll call vote that the resolutions being considered at this time are purely commendatory.

Supervisor Kennedy, seconded by Supervisor Leal, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kennedy, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Kaufman - 1.

[Brown Act Finding]

Motion that the Board finds 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 Kennedy, seconded by Supervisor Leal, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kennedy, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Kaufman - 1.

[Imperative Resolutions]

Adopted

[Commend C.J. Huang]

Resolution commending C. J. Huang for his efforts to provide assistance to academic institutions and opportunities for students seeking higher education and for his leadership and support for medical research in the United States.

File 006-95-144, Resolution No. 1076-95

Supervisor Teng presented for immediate adoption.

Resolution adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kennedy, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Kaufman - 1.

[Commend Michael Shriver]

Resolution commending Health Commissioner and Mobilization Against AIDS Executive Director Michael Shriver for his outstanding service to the Department of Public Health and the citizens of the City and County of San Francisco and declaring Monday, January 1, 1996 as "Michael Shriver Day".

File 006-95-145, Resolution No. 1077-95

Supervisors Alioto, Bierman, Kaufman, Leal presented for immediate adoption.

Resolution adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kennedy, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Kaufman - 1.

[Commend Gerry Schluter]

Resolution commending Gerry Schluter for his contributions to the people of the City and County of San Francisco and to the Lesbian and Gay Community in his work as a Democratic Party Activist and President of the Alice B. Toklas Lesbian and Gay Democratic Club; directing the Clerk of the Board to transmit copy of resolution to his parents.

File 006-95-148, Resolution No. 1078-95

Supervisors Leal, Migden, Ammiano, Alioto, Hsieh, Kaufman, Bierman, Teng, Hallinan, Shelley presented for immediate adoption.

Resolution adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Hsieh, Kennedy, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Kaufman - 1.

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS  
NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Board

[Commend Terence Hallinan]

Resolution commending Honorable Terence Hallinan for his service on the Board of Supervisors and to the people of the City and County of San Francisco. Supervisors Shelley, Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Migden, Teng presented. Referred to Board for Adoption Without Committee Reference Calendar January 2, 1996.

File 006-95-146.

[Commend John Cribbs]

Resolution honoring John E. Cribbs, Director of Public Works, on the occasion of his retirement. Supervisors Shelley, Migden, Kaufman, Hsieh, Bierman, Alioto presented. Referred to Board for Adoption Without Committee Reference Calendar January 2, 1996.

File 006-95-147.

Monday, December 18, 1995

Referred to Committee

[Children's Service Plan, 1996-1997]

Resolution approving the Children's Services Plan for the San Francisco Children's Fund in accordance with Charter Section 6.415. Supervisor Kennedy presented. Referred to Economic Vitality/Social Policy Committee.

File 185-95-003.

[Golden Gate Park Conservatory Emergency Repairs]

Resolution urging the Mayor to submit a supplemental appropriation to initiate emergency repairs on the Golden Gate Park Conservatory. Supervisors Ammiano, Migden, Bierman presented. Referred to Rules Committee.

File 193-95-009.

[Community Intervention for Public Safety]

Resolution urging the Mayor to urge the San Francisco Housing Authority and the Department of Public Works to work with the group, Together United Recommended Forever (TURF) to devise a comprehensive plan that would allow for the contracting out of the streets and grounds maintenance to contractors who are residents within the affected communities. Supervisor Kennedy presented. Referred to Economic Vitality/Social Policy Committee with request it be considered at its January 9, 1996 meeting.

File 206-95-006.

Referred to Board

[Evangelical Lutheran Church]

Resolution urging the Evangelical Lutheran Church in America to reconsider its decision to expel First United Lutheran Church and St. Francis Lutheran Church for ordaining openly lesbian pastors and rejecting the outdated policy of discriminating against lesbian and gay clerics. Supervisors Ammiano, Bierman, Migden presented. Referred to Board for Adoption Without Committee Reference Calendar January 2, 1996.

File 308-95-001.

Requests for Hearings:

[Ballot Argument, Lease Financing, Moscone Center]

Hearing to consider submitting ballot argument concerning lease financing arrangement for acquisition and construction of additional convention center facilities and related equipment, fixtures and furnishings in the South of Market Area. Supervisor Ammiano presented. Referred to Rules Committee.

File 060-95-019.

[Ballot Arguments, March 1996 Election]

Hearing to consider submitting ballot arguments concerning issues submitted to the Registrar of Voters by December 27, 1995, for the March 26, 1996 election. Clerk of the Board. Referred to Rules Committee.

File 060-95-020.

[Fiscal Impact to City of 1995 Storms]

Hearing to consider the fiscal impact to the City of the March and December 1995 storms, including damages to Golden Gate park, the Conservatory and other City parks. Supervisors Hsieh, Bierman, Kaufman, Migden presented. Referred to Budget Committee.

File 100-95-015.

[Conservatory of Flowers]

Hearing to explore the City's options to save the Conservatory of Flowers in Golden Gate Park. Supervisors Migden, Alioto, Ammiano, Leal, Shelley presented. Referred to Rules Committee.

File 193-95-010.

Motions:

Referred to Board

[Needle Exchange Emergency]

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange emergency. Supervisors Alioto, Leal, Bierman, Shelley, Migden, Teng, Hsieh, Ammiano, Hallinan presented. Referred to Board for Adoption Without Committee Reference Calendar January 2, 1996.

File 030-95-001.26.

[Final Map, 690 Chestnut Street]

Motion approving final map of 690 Chestnut Street, a condominium project, being a resubdivision of Lot 36 in Assessor's Block 51, and adopting findings pursuant to City Planning Code Section 101.1. Supervisor Migden presented. Referred to Board for Adoption Without Committee Reference Calendar January 2, 1996.

File 058-95-033.

[Local Emergency, December 1995 Storms]

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the December 1995 storms. Supervisor Shelley presented. Referred to Board for Adoption Without Committee Reference Calendar January 2, 1996.

File 270-95-006.01.

Introduced by the President at the Request of Departments

Ordinances Referred to Committee

File 027-95-021. [Airport Lease Modification No. 002, FAA] Ordinance approving Modification No. 002 of FAA Lease No. DOT-FA76WE-3702A between the United States of America (FAA) and City and County of San Francisco, acting by and through its Airports Commission. (Airports Commission) Referred to Government Efficiency/Labor Committee.

File 036-95-008. [Zoning Map Amendment, Lakeside Subdivision] Ordinance amending City Planning Code by amending the Zoning Map of the City and County of San Francisco for certain properties in the Lakeside Subdivision, generally bounded by Eucalyptus Drive on the north and Junipero Serra Boulevard and 19th Avenue on the east, south and west, all of Assessor's Blocks 7228, 7229, 7229A, 7230, 7232, 7233, 7234, 7235, 7238, 7238A, 7239, 7239A, 7240, 7240A, 7241, 7242, and 7243, and all of Assessor's Block 7231 except Lot 3, all of Assessor's Block 7236 except Lot 1, all of Assessor's Block 7237 except Lot 9, and all of Assessor's Block 7244 except Lot 17 from a 40-X Height and Bulk District to a 28-X Height and Bulk District. (Department of City Planning) (City Planning Resolution No. 14024 adopted 12/7/95.) (Exempt from environmental review as a General Rule Exclusion pursuant to State Guidelines, Section 15061(b)(3).) Referred to Housing and Land Use Committee.

File 097-95-068. [IRS Pension Limits] Ordinance amending Administrative Code by adding Section 16.29-7.5 regarding Internal Revenue Section 401(a)(17) Limitations. (Retirement System) Referred to Government Efficiency/Labor Committee.

File 097-95-069. [Cash Revolving Fund - Sheriff/Inmate Welfare] Ordinance amending Administrative Code by adding Section 10.164-1, creating the Sheriff's Inmate Welfare Cash Revolving Fund. (Office of the Sheriff) Referred to Budget Committee.

File 097-95-070. [Cash Revolving Fund - Sheriff] Ordinance amending Administrative Code by amending Section 10.164, increasing the Sheriff's Cash Revolving Fund. (Also see File 97-95-9). (Office of the Sheriff) Referred to Budget Committee.

File 122-95-001. [1995 San Francisco Mechanical Code] Ordinance amending Mechanical Code by adopting by reference the 1994 Uniform Mechanical Code as amended by the 1995 California Mechanical Code, retaining and making applicable to the State Code all previously adopted San Francisco amendments to the State Code and findings of local conditions required by state law; republishing the retained San Francisco amendments in a separate volume with corrected section references and reformatting to correspond to the new State Code references and format; and making nonsubstantive editorial changes to conform the code to Charter Section 3.750; effective date of February 19, 1996. (Building Inspection Commission) Referred to Housing and Land Use Committee.

Resolutions Referred to Committee

File 048-95-032. [Settlement of Claim, Laidlaw Transportation] Resolution approving the settlement of the unlitigated claim of Laidlaw Transportation by payment of \$27,647.01. (City Attorney) Referred to Government Efficiency/Labor Committee.

File 048-95-033. [Settlement of Claim, Lei Ming He/Li Ming Yuan] Resolution approving the settlement of the unlitigated claims of Lei Ming He and Li Ming Yuan by payment of \$21,000. (City Attorney) Referred to Government Efficiency/Labor Committee.

File 048-95-034. [Settlement of Claim, Nathan Smidt] Resolution approving the settlement of the unlitigated claim of Nathan Smidt by payment of \$20,000. (City Attorney) Referred to Government Efficiency/Labor Committee.

File 143-95-007. [Federal Grant, "COPS MORE" Program] Resolution authorizing the Chief of Police of the City and County of San Francisco to retroactively accept and expend funds in the amount of Two Million Seven Hundred Eighteen Thousand Seven Hundred Dollars (\$1,718,700.00) for a project known as the "Equipment and Technology Component of the "COPS MORE" Program and agreeing to provide a cash match in the amount of One Million Six Hundred Thousand Seven Hundred Eleven (\$1,606,711.00) Dollars; companion measure to File 170-95-14. (Chief Administrative Officer) Referred to Budget Committee.

File 150-95-006. [Federal Grant, Twin Peaks Loop Trail] Resolution authorizing the Recreation and Park Department to apply for grant funds of \$750,000 waiving indirect costs, from the Intermodal Surface Transportation Efficiency Act, Transportation Enhancement Funds, for development of the Twin Peaks Loop Trail. (Recreation and Park Department) Referred to Government Efficiency/Labor Committee.

File 170-94-010.01. [Asian Art Museum Bonds] Resolution declaring the intent of the City and County of San Francisco to reimburse certain expenditures from proceeds of future indebtedness; and authorizing the Chief Administrative Officer to develop a plan of finance. (Also see File 170-94-10). (Chief Administrative Officer) Referred to Budget Committee.

File 170-95-013. [Earthquake Safety Bonds, 1989] Resolution declaring the intent of the City and County of San Francisco to reimburse certain expenditures from proceeds of future indebtedness; and authorizing the Chief Administrative Officer to develop a plan of finance. (Also see File 215-89-4). (Chief Administrative Officer) Referred to Budget Committee.

File 170-95-014. [911 Lease Revenue Bonds] Resolution declaring the intent of the City and County of San Francisco to reimburse certain expenditures from proceeds of future indebtedness; and authorizing the Chief Administrative Officer to develop a plan of finance; companion measure to File 143-95-7. (Chief Administrative Officer) Referred to Budget Committee.

File 200-95-008. [Public Works Landmark Trees] Resolution requesting the Board of Supervisors to designate four tree locations for landmark tree status because of their historical associations, aesthetic qualities, or contribution to the City's overall character. (Department of Public Works) Referred to Housing and Land Use Committee.

File 212-96-001. [Federal Grant, Emergency Operations Plan] Resolution authorizing the Director of the Department of Building Inspection and other designated department officials to execute and file, on behalf of the City and County of San Francisco, Department of Building Inspection, an application to apply for federal financial assistance under the Robert T. Stafford Federal Disaster Relief and Emergency Assistance Act for funds to mitigate the impact of hazards from natural disasters such as earthquake, rain and wind storms. (Building Inspection Commission) Referred to Government Efficiency/Labor Committee.

#### Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisor Kennedy, that letters be sent to the Directors of Housing Authority and Department of Public Works requesting their attendance at a hearing called to consider maintenance and upkeep of streets and grounds within all public housing developments within the City and to bring information on the following issues: Does the Housing Authority have a working budget for upkeep of streets and grounds within all public housing developments in the City; what is the amount of the allocation; where does the money come from; how, when and to whom is it allocated; is any portion of the Housing Authority's budget allocated to the Department of Public Works for this maintenance and upkeep; is the work contracted out or performed by City employees; how often is the work performed. File 206-95-6.

By Supervisor Kennedy, that City Attorney investigate the corporate buyout of Victorian Manor, a board and care home for senior citizens in the Western Addition. It is reported that residents were given notice to vacate the premises because of plans to renovate the facility. It is alleged that the Emeritus Corporation will evict the low-income seniors in order to attract a wealthier clientele. The City Attorney is request to review this matter and determine if the City and County can intervene on behalf of the residents of Victorian Manor and/or adopt legislation to prohibit this occurrence in the future.

By Supervisor Bierman, that letter of inquiry be sent to Director of Parking and Traffic to determine the feasibility of installing speed bumps or other measures to prevent accidents near the crest of the hill on the 200 block of Flournoy Street.



Motions Adopted

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

Gerry Schluter (By the entire Board);  
Jeanette Nothenberg (By the entire Board);  
Claire Streeter (Supervisor Hallinan);  
John Milton, Sr. (Supervisor Ammiano).

File 2-95-48

Unanimously adopted by a rising vote.

ADJOURNMENT

There being no further business, the Board at the hour of 4:50 p.m. adjourned.

John L. Taylor, Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on January 29, 1996.

I, John L. Taylor, 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 Journal of Proceedings of said Board on the date stated and was approved as recited.

John L. Taylor  
Clerk of the Board of Supervisors









