

CITY AND COUNTY OF SAN FRANCISCO

BOARD OF SUPERVISORS

Monday, January 5, 1998

ROLL CALL

PLEDGE OF ALLEGIANCE

APPROVAL OF JOURNAL

COMMUNICATIONS

CONSENT CALENDAR

No. 1.

All matters listed hereunder constitute a Consent Calendar, are considered to be routine by the Board of Supervisors and will be acted upon by a single roll call vote of the Board. There will be no separate discussion of these items unless a member of the Board so requests, in which event the matter shall be removed from the Consent Calendar and considered as a separate item.

Recommendations of Finance Committee

Present: Supervisors Leal, Kaufman, Brown

(4

[Appropriation, Courthouse]

Ordinance rescinding \$1,140,840, Department of Public Works, from the budget of the Trial Courts and reappropriating \$1,140,840 for the New Civic Center Courthouse operations, maintenance, and custodial services and for the creation of eleven (11) positions for fiscal year 1997-98; companion measure to File 102-97-11. (Mayor Willie L. Brown, Jr.)

File 101-97-35, Ordinance No.

Question on final passage.

(b)

[Salary Ordinance Amendment, Public Works]

Ordinance amending Annual Salary Ordinance 307-97, reflecting the creation of eleven positions in the Department of Public Works; companion measure to File 101-97-35. (Mayor Willie L. Brown, Jr.)

File 102-97-11, Ordinance No.

Question on final passage.

(c)

[Appropriation, Department of Human Services]

Ordinance appropriating \$10,851,890, Department of Human Services, of State and Federal Revenues to fund implementation of Welfare Reform Programs, expansion of adoption and Homeless Programs, and improvement of Department of Human Services facilities, and for the creation of 258 new positions and the deletion of 149 positions, for fiscal year 1997-98; placing on reserve \$1,837,336; companion measure to File 102-97-14. (Controller)

File 101-97-39, Ordinance No.

Question on final passage.

(4

[Salary Ordinance Amendment, Dept of Human Services]

Ordinance amending Ordinance No. 307-97 (Annual Salary Ordinance, Department of Human Services, reflecting the net creation of 107 new positions; companion measure to File 101-97-39. (Department of Human Resources)

File 102-97-14, Ordinance No.

Question on final passage.

(e)

[Appropriation, Civic Center Courthouse Security]

Ordinance rescinding \$261,238 Sheriff Department, from budget of the Trial Courts and reappropriating \$261,238 to fund the cost of the 8 additional positions for security needed at the New Civic Center Courthouse for fiscal year 1997-98; companion measure to File 102-97-17. (Trial Courts)

File 101-97-49, Ordinance No.

Question on final passage.

(f)

[Public Employment, Sheriff's Office]

Ordinance amending Annual Salary Ordinance, 1997/98 reflecting the creation of eight (8) new positions in the Sheriff's Office; companion measure to File 101-97-49. (Department of Human Resources)

File 102-97-17, Ordinance No.

Question on final passage.

(g)

[Appropriation, Public Works, City Hall]

Ordinance appropriating \$25,192,702 of City Hall Improvement bond funds proceeds for design and construction of non-seismic improvements at City Hall for the Department of Public Works for fiscal year 1997-98. (Mayor)

File 101-97-50, Ordinance No.

Question on final passage.

(h)

[MOU, MEA Airport Police, Bargaining Unit XP3]

Ordinance implementing the provisions of a Memorandum of Understanding between the Municipal Executives Association and the City and County for Bargaining Unit XP3 to be effective July 1, 1996 through June 30, 1997. (Department of Human Resources)

File 93-97-4, Ordinance No.

(Fiscal Impact.)

Question on final passage.

(i)

[MOU, MEA Fire, Bargaining Unit F3]

Ordinance implementing the provisions of a Memorandum of Understanding between the Municipal Executives Association and the City and County for Bargaining Unit F3 to be effective July 1, 1992 through June 30, 1999. (Department of Human Resources)

File 93-97-5, Ordinance No.

(Fiscal Impact.)

Question on final passage.

j)

[Real Property Transfer Tax]

Ordinance amending Municipal Code, Part III, (Real Property Transfer Tax), to substitute the Director of Property for the Assessor as a member of the Transfer Tax Review Board. (Supervisor Kaufman)

File 127-97-9, Ordinance No.

(Amends Section 1115.2.)

Question on final passage.

(k)

[Taxes, Add Common Administrative Provisions]

Ordinance amending Municipal Code, Part III, (Common Administrative Provision), to add common administrative provisions for the transit occupancy tax, parking tax, utility users tax, emergency response fee, stadium operators tax, payroll expense tax and business tax and providing an effective date (January 1, 1998). (Supervisor Kaufman)

File 127-97-10, Ordinance No.

(Adds Sections 6.1-1 through 6.23-1.)

Question on final passage.

(l)

[Transient Occupancy Tax]

Ordinance amending Municipal Code, Part III, (Tax on Transient Occupancy of Hotel Rooms), relating to definitions, rate of tax, surcharges, redevelopment project areas, exemptions; and by repealing Sections relating to registration, returns, deficiency determinations, failure to file return, jeopardy determinations, redeterminations, penalties and interest, collection, administration, Board of Review, savings clause, violations and effective date; and providing an effective date (January 1, 1998). (Supervisor Kaufman)

File 127-97-11, Ordinance No.

(Amend Sections 501, 502, 502.5, 502.6, 502.6-1, 502.8, 502.8-1, 506;  
Repeal Sections 507, 508, 509, 510, 511, 512, 513, 514, 515, 515.1, 516, 517 and 518.)

Question on final passage.

(m)

[Parking Tax]

Ordinance amending Municipal Code, Part III, (Tax on Occupancy of Parking Space in Parking Stations), relating to Parking Tax definitions, imposition and rate of tax, charges subject to tax, surcharge, collection of tax, exemptions and administration; repealing Sections concerning registration of operator, returns, deficiency determinations, failure to file return, jeopardy determinations, redeterminations, penalties and interest, collection of tax, savings clause, violations a misdemeanor and effective date; and providing an effective date (January 1, 1998). (Supervisor Kaufman)

File 127-97-12, Ordinance No.

(Amends Sections 601, 602, 602A, 602.5, 604, 606 and 615,  
Repeals Sections 607, 608, 609, 610, 611, 612, 613, 614, 616, 617 and 618.)

Question on final passage.

(n)

[Utility Users Tax]

Ordinance amending Municipal Code, Part III, Article 10 (Utility Users Tax), relating to Utility Users Tax definitions, telephone users, electricity users, gas users, water users, steam users, exemptions, rate adjustments, collection, reporting, records, refunds, failure to pay and purpose; repealing Sections concerning exemptions, interest and penalties, failure to collect, Board of Review, residential hotels, regulations, violations, savings clause and effective date; and providing an effective date (January 1, 1998). (Supervisor Kaufman)

File 127-97-13, Ordinance No.

(Amend Sections 701, 703, 704, 705, 706, 706.1, 707, 707.2, 708, 709, 713, 714, 715 and 720;  
Repeal Sections 702, 710, 711, 712, 714.1, 716, 718, 721 and 722.)

Question on final passage.

(0)

[Emergency Response Fee]

Ordinance amending Municipal Code, Part III, (Emergency Response Fee), pertaining to emergency response fee definitions, exemptions and refunds; by repealing Sections relating to Appeal, Board of Review, records, rules and regulations, violations; misdemeanor, savings clause and effective date; and providing an effective date (January 1, 1998). (Supervisor Kaufman)

File 127-97-14, Ordinance No.

(Amend Sections 751, 754 and 765;  
Repeal Sections 763, 764, 767, 769, 771 and 772.)

Question on final passage.

(P

[Stadium Operators Tax]

Ordinance amending Municipal Code, Part III, (Stadium Operator Admission Tax), relating to stadium operators tax definitions and exemptions; by repealing Sections concerning determination of tax due, returns, contents of returns, filing, extension of time, deficiency determinations, interest, offsetting payments, penalties, fraud, service, notice of deficiency determination, no return made, computation, interest, fraud, service, jeopardy determinations, nonpayment, redetermination, time for filing, hearing, alteration of determination, finality of order, time for payment, service, penalties and interest, refund, administration, Board of Review, examination of records, disclosure, savings clause, violations and effective date; and providing an effective date (January 1, 1998). (Supervisor Kaufman)

File 127-97-15, Ordinance No.

(Amend Sections 801 and 807;  
Repeal Sections 809 through 840, 842, 843 and 844.)

Question on final passage.

(q)

[Payroll Expense Tax]

Ordinance amending Municipal Code, Part III, (Payroll Expenses Tax Ordinance) pertaining to payroll expense tax defining "employee", imposition of tax, rates of tax, apportionment, nexus, small business exemption, enterprise zone credit, new jobs credit, summer youth employment credit and relation to business tax ordinance; by repealing Sections relating to defining "City and County", "Person", "Tax Collector", "Taxpayer", smaller business exemption, financial information, duties of tax collector, interest and penalties, amount of penalties, underpayments, jeopardy assessments, overpayments, redetermination, Board of Review, legal actions, misdemeanor, savings clause, exemption, successors or assignees, and failure to withhold; and providing an effective date (January 1, 1998). (Supervisor Kaufman)

File 127-97-16, Ordinance No.

(Amend Sections 902.4, 903, 903.1, 904, 905, 905-A, 906A, 906B, 906C and 917.1;  
Repeal Sections 902.3, 902.7, 902.8, 902.9, 905-B, 907.1, 908, 909, 909.1, 910, 910.1, 911, 912, 913, 914, 915, 916, 917, 918 and 918.1.)

Question on final passage.

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- 5 -

(r)

[Gross Receipts Tax]

Ordinance amending Municipal Code, Part III, (Business Tax Ordinance), relating to real estate development, fixed place of business, commission merchants, brokers, contractor, hotels, apartments, laundries, cleaners, money lending, personal property rental, other businesses, retail sales, storage, freight forwarding, utilities, transporting persons for hire, trucking, wholesale sales, architects, engineers, nonprofit garage corporations, tax rates, firearms sales, constitutional exemptions, small business exemption, enterprise zone credit, new jobs credit, summer youth employment credit, garment manufacturers credit, registration, fictitious business names, suspension, revocation of certificates, payments, returns; by repealing Sections concerning "City and County" "Person", "Tax Collector", controller's report, smaller business exemption, other exemptions, financial information, penalties, deficiency determinations, jeopardy assessments, no return made, redetermination, penalties, amount of penalties, actions, remedies; duty of successors, failure to withhold, refunds, tax collector, Board of Review, records required, examination, payments by mail, confidentiality, severability, violations, licensing, effective dates; and providing an effective date (January 1, 1998). (Supervisor Kaufman)

File 127-97-17, Ordinance No.

(Amend Sections 1002.15, 1004, 1004.01 through 1004.13, 1004.15, 1004.16, 1004.17, 1004.18, 1005, 1005.3, 1005.5, 1005.6, 1005.7, 1005.8, 1007, 1007.3, 1008, and 1009;  
Repeal Sections 1002.4, 1002.8 1002.14, 1004.14, 1005.3-1, 1005.4, 1009.1, 1009.2, 1010, 1010.1, 1011, 1012, 1013, 1013.1, 1014, 1015, 1016, 1017, 1018, 1019, 1020, 1021, 1022, 1023, 1024, 1025, 1026 and 1027.)

Question on final passage.

Recommendation of Economic Development, Transportation  
and Technology Committee

Present: Supervisors Yaki, Katz, Medina

(s)

[News-Gathering Vehicles]

Ordinance amending Traffic Code pertaining to exemptions for certain vehicles pertaining to display of vehicle press cards and providing for a new vehicle press card fee of \$50, and adding Section providing for specific locations for news-gathering vehicles to grant preferential parking privileges to members of the press when engaged in the gathering or photographing of news. (Supervisor Yaki)

File 124-97-5, Ordinance No.

(Amends Sections 11.3, 11.4;  
Adds Section 11.9.)

Question on final passage.

Recommendation of Health, Family & Environment Committee

Present: Supervisors Bierman, Newsom

t)

[Polluting Garden and Construction Equipment]

Ordinance amending Administrative Code, restricting the use of polluting garden and utility equipment on poor air quality days and prohibiting the future purchase of such equipment except under specified circumstances. (Supervisors Leal, Bierman, Newsom)

File 97-97-59, Ordinance No.

(Adds Sections 4.14 and 21.18-6.)

Question on final passage.

Recommendations of Housing and Neighborhood Services Committee

Present: Supervisors Teng, Medina, Newsom

(u

[Permit, Cahill Contractors, Inc.]

Resolution granting revocable permission to Cahill Contractors, Inc., agents for Glide Community Development, Inc., to temporarily close and occupy the west sidewalk and a portion of the street area on Taylor Street, north of Ellis Street during construction operations at the Cecil Williams Glide Community House at 333 Taylor Street. (Supervisors Teng, Kaufman)

File 10-97-13, Resolution No.

Question on adoption.

V

[Grant - Major Urban Resource Libraries]

Resolution authorizing the Public Library to accept and expend \$110,174 to be awarded by the California State Library, as part of the Major Urban Resource Libraries Program of the Library Services and Technology Act, to purchase books and materials for the international languages center, business center, jobs and career center, and children's center collections to be located in the main and branch libraries. (Supervisors Teng, Medina, Newsom)

File 147-97-6, Resolution No.

Question on adoption.

Recommendations of Rules Committee

Present: Supervisors Ammiano, Brown, Yee

(W>

[Appointment]

Resolution appointing member to the Park and Open Space Advisory Committee, for unexpired portion of two-year term ending July 15, 1999. (Rules Committee)

File 92-97-48, Resolution No.

(M. Terri Hanagan, succeeding Geoffrey Kors, Seat No. 23301, from list of organizations, resigned.)

Question on adoption.

**X**

[Appointments]

Resolution appointing members to the Adult Day Health Care Planning Council, terms expired, for new three-year terms ending September 30, 2000. (Rules Committee)

File 92-97-51, Resolution No.

(Carole Kilgariff, succeeding herself, Seat No. 20007, must represent age group;  
Dr. Harry Weinstein, M.D., succeeding himself, Seat No. 20012, must represent the San Francisco Medical Society.)

Question on adoption.

**Y**

[Appointments]

Resolution appointing members to the Bicycle Advisory Committee, terms expired, for new three-year terms ending December 31, 2000. (Rules Committee)

File 92-97-55, Resolution No.

(Theodore C. Thomas, succeeding himself, Seat No. 24301, must represent the bicycle industry;  
Laurel Condro, succeeding herself, Seat No. 24302, must represent environmental organization.)

Question on adoption.



(Z

[Appointments]

Resolution appointing members to the Lead Hazard Reduction Citizens Advisory Committee. (Rules Committee)

File 92-97-50.2, Resolution No.

(Matt Brown, succeeding Jamie Sanbonmatsu, Seat No. 26713, must represent tenant organization, resigned, for unexpired portion of four-year term ending December 22, 1999;

Ted Gullicksen, succeeding himself, Seat 26711, must represent tenant organization, term expired, for new four-year term ending December 22, 2000;

Nancy Burns, succeeding herself, Seat No. 26715, must be lead abatement expert, term expired, for new four-year term ending December 22, 2000.)

Question on adoption.

Questions on the consent calendar are on passage for second reading, final passage or adoption as indicated \_\_\_\_\_

REGULAR CALENDAR

UNFINISHED BUSINESS

Recommendations of Finance Committee

Present: Supervisors Leal, Brown

No. 2.

[Appropriation, Mayor's Office of Community Development]

Ordinance appropriating \$94,943, Mayor's Office of Community Development, from the General Fund Reserve-Day Labor Program for professional services at the Mayor's Office for fiscal year 1996-97; providing for ratification of action previously taken. (Mayor's Office of Community Development)

File 101-97-48, Ordinance No.

Question on final passage \_\_\_\_\_

Present: Supervisors Leal, Kaufman, Brown

No. 3.

(Supervisor Kaufman dissenting in committee.)

[Employee Signature Authorization Ordinance]

Ordinance amending Administrative Code, requiring certain labor representation procedures in hotel or restaurant development projects in which the City has a proprietary interest. (Supervisors Katz, Yaki, Yee, Bierman, Leal, Medina, Teng, Ammiano, Brown)

File 97-97-62, Ordinance No.

(Add Sections 23.31 through 23.35.)

Question on final passage \_\_\_\_\_

No. 4.

[Hotel Tax Fund Reallocation]

Ordinance amending Municipal Code, Part III (Hotel Tax Fund Reallocation), to change the special purpose allocations of hotel tax revenues from percentages to specific dollar amounts, to adjust each allocation annually by the rate of growth or loss in total hotel tax revenues (subject to a 10% cap), and to change the source of funds for the cultural center allocation. (Supervisor Brown)

File 127-97-6.2, Ordinance No.

(Amends Section 515.01.)

Question on final passage \_\_\_\_\_

From Finance Committee Without Recommendation

Present: Supervisors Kaufman, Brown

No. 5.

[Appropriation, Office of Citizen Complaints]

Ordinance appropriating \$184,936, Office of Citizen Complaints-Police Department (\$109,403 from General Reserve-Office of Citizen Complaints and \$75,533 from San Francisco International Airport Reserve Fund) for salaries, fringe benefits, rent, other current expenses, materials and supplies, equipment and services of other department and for the creation of three (3) positions, for fiscal year 1997-98; companion measure to File 102-97-12. (Mayor Willie L. Brown, Jr.)

File 101-97-36, Ordinance No.

Question on final passage \_\_\_\_\_

No. 6.

[Salary Ordinance Amendment, Police Department]  
Ordinance amending Annual Salary Ordinance 307-97 reflecting the creation of three new positions in the Police Department, Office of Citizen Complaints. (Mayor Willie L. Brown, Jr.)

File 102-97-12, Ordinance No.

Question on final passage \_\_\_\_\_

Recommendations of Economic Development, Transportation  
and Technology Committee

Present: Supervisors Yaki, Katz, Medina

No. 7.

waterfront Land Use Plan]  
Ordinance amending Administrative Code to add maritime land uses, acceptable non-maritime land uses and unacceptable non-maritime land uses and define terms as required by Proposition H, 1 1/6/90. (Supervisor Yaki)

File 97-97-63, Ordinance No.

(Amends Sections 61.3, 61.4, 61.5 and 61.6.)

Question on final passage \_\_\_\_\_

No. 8.

[Waterfront Amendments to the General Plan]  
Ordinance approving amendments to the Northeastern Waterfront Plan, Central Waterfront Plan, Commerce and Industry Element and Recreation and Open Space Element of the General Plan of the City and County; companion measure to Files 97-97-63, 271-97-10.2, 36-97-6, 115-97-15. (Planning Department)

File 271-97-10.1, Ordinance No.

(Planning Commission Resolution No. 14467 dated 10/16/96, adopting amendments to the General Plan.)

Question on final passage \_\_\_\_\_

No. 9.

waterfront Boundary Adjustments]

Ordinance approving amendments to the boundaries of the Northeastern Waterfront Plan and Central Waterfront Plan of the General Plan of the City and County to eliminate overlapping areas with the Downtown Plan, Rincon Hill Plan, South of Market Plan and South Bayshore Plan (Planning File No. 96.31OM); companion measure to Files 97-97-63, 271-97-10.1, 36-97-6, 115-97-15. (Planning Department)

File 271-97-10.2, Ordinance No.

(Planning Commission Resolution No. 14468 dated 10/16/97, adopting the boundary changes to the Northeastern and Central Waterfront Plans.)  
(Exempt Status: General Rule Exclusion (State Guidelines, Section 15061(b)(3).))

Question on final passage \_\_\_\_\_

No. 10.

[Zoning Map Amendments - Waterfront]

Ordinance amending Planning Code by amending Sectional Map No. 1 SU of the Zoning Map of the City and County to reclassify property located on the west side of the Embarcadero between Jefferson and Bay Streets, all of Assessor's Block 15, 16, 17 and 35, from the Northern Waterfront Special Use District Number 1 to Waterfront Special Use District Number 3, to add property on the west side of the Embarcadero between Harrison and Berry Streets, all of Assessor's Blocks 3770, 3771, 3790, 3792 and 3801, Lot 1 in Assessor's Block 3769, to Waterfront Special Use District Number 3, and to add property on the east side of the Embarcadero from Pier 26 to China Basin, a portion of Assessor's Block 9900, to Waterfront Special Use District Number 1, all as generally shown on the maps attached as Exhibits A and B; companion measure to Files 97-97-63, 271-97-10.1, 271-97-10.2, 115-97-15. (Planning Department)

File 36-97-6, Ordinance No.

(Planning Commission Resolution No. 14470 dated 10/16/97, approving proposed Zoning Map.)

Question on final passage \_\_\_\_\_

No. 11.

[Planning Code Amendment - Waterfront]

Ordinance amending Planning Code to rename the Northern Waterfront Special Use Districts as the Waterfront Special Use Districts, to include piers within the definition of lots, to allow reductions in parking requirements within Waterfront Special Use Districts, to allow broader sponsorship for festivals and other celebrations eligible as temporary uses, to include waterborne commerce, navigation, fisheries and recreation uses as principal uses within M-1 and M-2 Districts, to create a Waterfront design review process and design advisory committee, to allow uses permitted or conditionally permitted by Planning Code Section 201 as principal uses and conditional uses, respectively, within Waterfront Special Uses District Number 1 if the uses are included within the Waterfront land use plan, to modify criteria for conditional use approvals in Waterfront Special Use District Numbers 1 and 3; companion measure to Files 97-97-63, 271-97-10.1, 271-97-10.2, 36-97-6. (Planning Department)

File 115-97-15, Ordinance No.

(Amend Sections 102.14, 124, 161, 205.1, 227, 240, 240.1, 240.2, 240.3, 263, 263.2 and 263.3.)

(Planning Commission Resolution No. 14469 dated 10/16/97, approving proposed Planning Code amendments and recommending adoption.)

Question on final passage \_\_\_\_\_

Recommendation of Health, Family & Environment Committee

Present: Supervisors Bierman, Katz, Newsom

No. 12.

[Tobacco Advertising and Promotion]

Ordinance amending Police Code, to prohibit the placement of signs advertising or promoting cigarettes or other tobacco products outside or in publicly visible locations in commercial establishments in the City, with certain exceptions, and requiring a notice of correction under certain circumstances before a civil action is filed. (Supervisors Ammiano, Bierman, Teng, Katz, Newsom)

File 121-95-10, Ordinance No.

(Adds Section 674.)

Question on final passage \_\_\_\_\_

NEW BUSINESS

Recommendations of Housing and Neighborhood Services Committee

Present: Supervisors Teng, Medina, Newsom

No. 13.

[Seamless Partnership]

Resolution designating the Department of Human Services to coordinate all components of the "Seamless Partnership" the workforce development systems for the City and County and urging all job training agencies to establish a work experience and or internship component to their classroom training; and urging the business community to participate in this "Seamless Partnership" to create on-the-job and/or internship opportunities for the job trainees; and the "community career centers" should be based in the economically disadvantaged neighborhoods and included career exploration and job retention services. (Supervisor Teng)

File 107-97-2, Resolution No.

Question on adoption \_\_\_\_\_

No. 14.

[CalWORKS Plan]

Resolution approving the City's California Work Opportunities and Responsibility to Kids (CalWORKS) Plan as prepared by the Department of Human Services for submission to the State Department of Social Services. (Supervisor Teng)

File 107-97-5, Resolution No.

Question on adoption \_\_\_\_\_

No. 15.

[Hold Harmless Agreement]

Resolution authorizing the Chief of Police to execute a hold harmless agreement with the State of California concerning the participation of the Police Department in the Parole Law Enforcement Automated Data System (LEADS) Program. (Police Commission)

File 172-97-71, Resolution No.

Question on adoption \_\_\_\_\_

No. 16.

[Contract Approval]

Resolution authorizing the Department of Parking and Traffic to enter into a Memorandum of Understanding with the Unified School District to implement a School Crossing Guard Program and approving an indemnification clause contained in the Memorandum of Understanding. (Supervisors Teng, Medina, Newsom)

File 172-97-74, Resolution No.

Question on adoption \_\_\_\_\_

No. 17.

[Agreement, Sheriff - Community Alert Network, Inc.]

Resolution retroactively authorizing the Sheriff's Department to enter into an agreement with Community Alert Network, Inc., for an automated telephone notification system, which agreement provides for mutual indemnification from claims or other damages which arise as a result of performance under said agreement. (Sheriff)

File 172-97-76, Resolution No.

Question on adoption \_\_\_\_\_

No. 18.

[Civil Rights, Vietnamese-American Coalition]

Resolution supporting the recommendations of the Vietnamese-American Coalition for Civil Rights; and urging the Housing Authority to conduct staff training on the changing demographics of clients they serve, and that a training session be provided for all housing commissioners and appointed officials on the state of the Asian Pacific American community and their needs; urging the Housing Authority Commission and Human Rights Commission to hold a joint hearing to review the progress of the Housing Authority's implementation of the recommendations the Vietnamese-American Coalition for Civil Rights and to report their findings to the Board of Supervisors by February 1, 1998. (Supervisors Teng, Brown, Bierman, Newsom)

File 206-97-7, Resolution No.

Question on adoption \_\_\_\_\_

No. 19.

[Liquor License, 460 Haight Street]

Resolution determining that the issuance of a Type 42 on-sale beer and wine - public premises license to John Didomenico and Lon Lazar for Nickie's Bar located at 460 Haight Street, will serve the convenience of the people of the City and County, in accordance with Section 23958.4 of the California Business and Professions Code. (Housing and Neighborhood Services Committee)

File 223-97-36, Resolution No.

Question on adoption \_\_\_\_\_

No. 20.

[Liquor License Transfer, 2800 Leavenworth Street]

Resolution determining that the transfer of a Type 20 off-sale beer and wine license from Thriftway-Dixie Company at 350 - 7th Avenue to 2800 Leavenworth Street, to Vahid Faraji for Cafe Espresso, will serve the convenience of the people of the City and County, in accordance with Section 23958.4 of the California Business and Professions Code. (Housing and Neighborhood Services Committee)

File 223-97-37, Resolution No.

Question on adoption \_\_\_\_\_

Recommendation of Rules Committee

Present: Supervisors Ammiano, Brown, Yee

No. 21.

[Mayor's Criminal Justice Council]

Resolution amending Resolution No. 414-89, as amended, to name changes (facilitated by the City Charter) of member departments of the Council and Executive Committee of the Mayor's Criminal Justice Council. (Mayor's Criminal Justice Council)

File 278-97-1, Resolution No.

Question on adoption \_\_\_\_\_



SPECIAL ORDER 3:00 P.M.

No. 22.

[Public Hearing]

Hearing of all persons interested in or objecting to the decision of the Director of Public Works to approve Parcel Map to legalize subdivision of Lot 20, in Assessor's Block 69, into two lots of residential property located at 1001 Chestnut Street.

File 59-97-4

(Appeal filed December 10, 1997.)

**Action** \_\_\_\_\_

From Clerk of the Board

(Only one of the following two motions should be adopted.)

No. 22a.

[Appeal, 1001 Chestnut Street Parcel Map]

Motion approving decision of the Director of Public Works, approving Parcel Map to legalize subdivision of Lot 20, in Assessor's Block 69, into two lots of residential property located at 1001 Chestnut Street.

File 59-97-4.1

Question on adoption \_\_\_\_\_

No. 22b.

[Appeal, 1001 Chestnut Street Parcel Map]

Motion disapproving decision of the Director of Public Works, approving Parcel Map to legalize subdivision of Lot 20, in Assessor's Block 69, into two lots of residential property located at 1001 Chestnut Street.

File 59-97-4.2

Question on adoption \_\_\_\_\_

No. 22c.

[Findings]

Motion directing the Clerk of the Board to prepare findings relating to Parcel Map to legalize subdivision of Lot 20, in Assessor's Block 69, into two lots of residential property located at 1001 Chestnut Street, for consideration by the Board at its next meeting.

File 59-97-4.3

Question on adoption \_\_\_\_\_

SPECIAL ORDER 3:00 P.M.

No. 23.

[Public Hearing]

Hearing of persons interested in or objecting to the proposed vacation of a portion of a sewer and public utility easement located in the former Octavia Street between Post Street and Geary Boulevard and authorizing other official actions in connection therewith.

File 164-97-4.1

(Pursuant to Board of Supervisors Resolution No. 1078-97 approved December 5, 1997.)

Action \_\_\_\_\_

From Economic Development, Transportation and Technology Committee  
Without Recommendation

Present: Supervisors Yaki, Medina

No. 23a.

[Former Octavia Street Easement-Vacation and Sale]

Ordinance ordering the vacation and sale of a portion of a sewer and public utility easement located in the former Octavia Street between Post Street and Geary Boulevard and authorizing other official actions in connection therewith. (Real Estate Department)

File 164-97-4.1, Ordinance No.

Question on passage for second reading \_\_\_\_\_

COMMITTEE REPORTS

No. 24.

Reports from committees, if any, recommending emergency or urgent measures.

ROLL CALL FOR INTRODUCTIONS

No. 25.

Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, and letters of request to the City Attorney.

PUBLIC COMMENT

No. 26.

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been referred to committee, and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. The President or the Board may limit the total testimony to 30 minutes.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

No. 27.

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption today. Any Supervisor may require any of these measures to go to committee.

(a)

[Immigrant Aid Reimbursement]

Resolution urging the Federal and State Government to clarify to officials in the Immigration and Naturalization Service and all state agencies that demanding repayment of benefits violates the stated policies of the INS and the State Department. (Supervisors Medina, Leal, Brown, Bierman, Ammiano, Newsom)

File 13-97-43, Resolution No.

(December 22, 1997 - Introduced in Board for consideration on January 5, 1998.)

Question on adoption.

(b)

[Lifeline Cable Rate]

Resolution urging the City's cable provider to institute an expanded lifeline cable rate for all recipients of federal, state or local cash maintenance programs, as provided in the January 22, 1997 Franchise Agreement with the City and County, and urging the City Attorney to investigate whether TCI may be liable to such low income subscribers for a rebate retroactive to date the franchise agreement was approved. (Supervisor Ammiano)

File 32-97-5, Resolution No.

(December 22, 1997 - Introduced in Board for consideration on January 5, 1998.)

Question on adoption.

(c  
[Democratic Convention in San Francisco]  
Resolution urging the Democratic National Committee to select San Francisco as the site for the National Party Convention in the year 2000. (Supervisors Katz, Teng, Newsom, Medina, Bierman, Ammiano, Kaufman, Yaki, Yee, Brown, Leal)

File 283-97-1, Resolution No.

(December 22, 1997 - Introduced in Board for consideration on January 5, 1998.)

Question on adoption.

(d  
[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 Leal, Bierman, Teng, Ammiano, Yaki, Kaufman, katz, Brown, Newsom, Medina, Yee)

File 30-97-1 .25

(December 22, 1997 - Introduced in Board for consideration on January 5, 1998.)

Question on adoption.

(e  
[Commendation]  
Resolution recognizing and commending Mary I. Callanan, Treasurer, on the occasion of her retirement after 33 years of high quality services to the City and County of San Francisco. (Entire Board)

File 98-11

(December 29, 1997 - Referred to Board for consideration on January 5, 1998.)

Question on adoption.

(f  
[Commendation]  
Resolution commending and honoring Susan Leal for her distinguished service as Supervisor of the City and County of San Francisco. (Entire Board)

File 98-12

(December 26, 1997 - Referred to Board for consideration on January 5, 1998.)

Question on adoption.

(g)

[Final Map]

Motion approving final map of 3930 24th Street, a 23 unit mixed use Condominium Project, being a merger and resubdivision of Lots 8 and 9 in Assessor's Block No. 3654, and adopting findings pursuant to the Planning Code Section 101.1. (Department of Public Works)

File 98-10

(December 22, 1997 - Referred to Board for consideration on January 5, 1997.)

Question on adoption.

h

[Final Map]

Motion approving final map of 24 Page Street, a five unit Residential Condominium Project, being a subdivision of Lot 4 in Assessor's Block No. 837, and adopting findings pursuant to the Planning Code Section 101.1. (Department of Public Works)

File 98-13

(December 29, 1997 - Referred to Board for consideration on January 5, 1997.)

Question on adoption.

Questions on the For Adoption Without Committee Reference Calendar \_\_\_\_\_

IMPERATIVE CALENDAR

No. 28.

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 motion (a) or motion (b) and then adopt motion (c). Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s).

(a)

[Serious Injury Finding]

Motion that the Board find by roll call vote that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

Action \_\_\_\_\_

(b)

[Purely Commendatory Finding]

Motion that the Board find by roll call vote that the resolution(s) being considered at this time are purely commendatory.

Action \_\_\_\_\_

(c

[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.

**Action** \_\_\_\_\_

d)

[Imperative Resolutions, if any]

Questions on the Imperative calendar \_\_\_\_\_

PROPOSED ORDINANCES RECEIVED DECEMBER 17 - DECEMBER 29, 1997 , FOR REFERENCE BY PRESIDENT TO APPROPRIATE COMMITTEE ON JANUARY 5,1998

File 000-98-0008. [Parking Regulation] Ordinance amending Traffic Code by amending Section 71-B regarding the towing of vehicles from yellow zones. (Department of Parking and Traffic) Referred to Housing and Neighborhood Services Committee.

File 000-98-0014. [General Plan Referral Procedures] Ordinance amending Administrative Code by adding Sections 2A.52 and 2A.53, requiring General Plan Referral Reports on the consistency with the City's General Plan of certain actions taken by the Board of Supervisors. (Planning Department) Referred to Rules Committee.

PROPOSED RESOLUTIONS RECEIVED DECEMBER 17 - DECEMBER 19, 1997 , FOR REFERENCE BY PRESIDENT TO APPROPRIATE COMMITTEE ON JANUARY 5,1998

File 000-98-0001. [BART/Airport Development and Easement Agreements] Resolution approving the Airport Project Development Agreement and Easement Agreement for West Bayshore, each of which is by and between the City and County of San Francisco, acting by and through its Airport Commission, and Bay Area Rapid Transit System (BART). Referred to Finance Committee.

File 000-98-0006. [Exempt Employment] Resolution approving the designation of the classification and rank of Q-90 Director of Police Psychology exempt from the Civil Service provisions of the Charter. (Police Department) Referred to Finance Committee.

File 000-98-0007. [Lease of Property] Resolution authorizing a IO-year lease of Public Utilities Commission land between the City and County of San Francisco and SMART SMR of California, Inc., dba Nextel Communications, in the City of Millbrae, San Mateo County. (Public Utilities Commission) Referred to Finance Committee.

File 000-98-0009. [Grant - Federal Funds] Resolution authorizing the San Francisco Municipal Court to retroactively apply for, accept and expend grant funding in the amount of \$299,562.00 from the Office of Justice Programs to underwrite the cost of the San Francisco Drug Court Enhancement Initiative for the period September 29, 1997 to September 30, 1998. (Municipal Court) Referred to Housing and Neighborhood Services Committee

Petitions and communications received December 17 to December 31 for reference by the President to the Committee considering related matters or to be ordered filed by the Clerk January 5, 1998.

1. From Department of Public Health, submitting Hazardous Waste Release Report at 65 Paloma Avenue, 416 Turk Street, 1400 Monterey Blvd., 200 Block of Bayshore near Oakdale, 40 Natoma, 98 SeaCliff Avenue, 1731 Powell Street, 815 O'Farrell Street, 400 Shrader Street, 1246 Bush Street, 1940 Washington Street, 313-399 Grove Street, 450 Rhode Island Street, China Basin Slough, Amazon and Vienna Streets for fiscal year 1997-1998. Health, Family and Environment Committee Clerk
2. From Ethics Commission, submitting FY 1996-97 Annual Report.

3. From Department of Parking & Traffic, responding to a protest regarding parking violation.
4. From Municipal Railway, submitting response plan from recommendations made by the Budget Analyst as a result of the Prop J audit.
5. From Convention Facilities, requesting release of reserve funds in the amount of \$243,479 to purchase and install equipment for the recycling program. Finance Committee
6. From Department of Parking and Traffic, submitting 1997/98 budgeted revenues and expenditures from the Parking Revenue Fund. Copy: Each Supervisor
7. From Department of Public Works, regarding approving final map of 3930 24th Street, a mixed use condominium project, being a merger and resubdivision of Lots 8 and 9 in Assessor's Block No. 3654, Order No. 170,812. To Board January 5, 1998 for adoption without reference to committee.
8. From Housing Authority, responding to inquiry from Supervisor Ammiano about the Section 8 Program and how tenants are being affected by current rent trends. Copy: Supervisor Ammiano
9. From City Attorney, regarding CalFed proposal for environmental protection of the Bay-Delta System. Copy: Each Supervisor
10. From Dexter Louie, San Francisco Medical Society, submitting the nomination of Harry Weinstein, for reappointment to the Adult Day Health Care Center Planning Council, Seat 20012. Rules Committee
11. From Jacob Sigg, California Native Plant Society, submitting the name of Robert Halsey for nomination to the Park/Open Space Citizens Advisory Committee. Rules Committee Clerk
12. From Victoria Beatrice Black, submitting resignation from Local Homelessness Coordinating Board, Seat 30702. Rules Committee
13. From Assemblyman Kevin Shelley, regarding the 911 emergency communication system and requesting Board of Supervisor oversight of the program. Copy: Each Supervisor
14. From Department of Agriculture and Weights and Measures, regarding the public market at the Ferry Plaza.
15. From State of California, Department of Health Services, regarding the FY 1997-98 Standard Agreement for the California Healthcare for Indigents Program (CHIP) and Rural Health Services (RHS) Program.
16. From State Senator Quentin L. Kopp, supporting the proposed cigarette advertising ban. Copy: Each Supervisor, File 121-95-10
17. From U.S. Department of Justice, submitting "Revitalizing Communities: Innovative State and Local Programs".



18. From various signators, submitting Annual Economic Statement:  
Family Service Agency of San Francisco  
Good Samaritan Family Resource Center, Inc.  
Finance Committee
19. From Controller's Audits Division, submitting report concerning the audit of Pier 23 Cafe.
20. From State of California, Office of Historic Preservation, regarding Gibb, Daniel & Co. Warehouse being placed on the National Register.
21. From Haight Ashbury Neighborhood Council, regarding preservation of the Fallon Building as an integral part of the Gay-Lesbian-Bisexual and Transgender Cultural Center.
22. From Golden Gate Bridge Highway and Transport District, regarding recommendation to the Finance-Auditing Committee to authorize actions relative to adjustment of bus and ferry transit fares. Copy: Each Supervisor
23. From Swords to Plowshares, requesting a delay in the hearing of the proposed overhaul of the General Assistance program. Housing and Neighborhood Services Committee. File 107-97-4
24. From San Francisco Medical Society, supporting the proposed ordinance banning outdoor advertising of cigarettes. File 121-95-10
25. From Pacific, Gas and Electric Company, submitting Notice of Filing Application for a Gas Rate Increase and an Electric Revenue Increase.
26. From Desmond Heslet, regarding litigation filed against him by the City concerning property damages due to overuse of water on Telegraph Hill. Copy: City Attorney, Water Department
27. From various signators, regarding homeless problem. (2 letters received)
28. From Louise Bird, urging support of the legislation concerning interim controls for the Ballpark neighborhood. Copy: Each Supervisor. File 11 1-97-4
29. From David L. Chittenden, M.D., regarding sailboats at Ft. Baker.
30. From Elizabeth Bates, concerning MUNI's poor service. Copy: Municipal Railway
31. From Ken Nelson, opposing name change of the Airport to former Mayor Alioto.
32. From Paula M. Bartunek, supporting name change of the Airport to former Mayor Alioto.
33. From various signators, opposing the Owner Move-In legislation. (2 signatures). File 109-97-3
34. From Department of Parking and Traffic, concerning preferential parking privileges for the news-gathering vehicles. File 124-97-5

35. From Mike Daugherty, requesting transfer of Type 20 license from 1669 Fillmore Street to 5700 3rd Street. Housing and Neighborhood Services Committee. File 98-2
36. From Michael and Anne Dashe, obtaining public convenience and necessity approval for a Type 17 and Type 20 license located at 1080 Dolores Street. Housing and Neighborhood Services Committee. File 98-3
37. From Department of Public Works, requesting release of reserve funds in the amount of \$463,000 for funding the construction contract for Fire Station 20 renovation. Finance Committee.
38. From Department of Public Health, responding to request from Supervisor Ammiano for information on the health impacts of diesel exhaust. Copy: Supervisor Ammiano
39. From Civil Service Commission, submitting annual report for fiscal year 1996-97

## Legislation Pending Under the “30 Day Rule”

These items may not be heard by Committee until the date in the right hand column.

As Revised December 26, 1997

Rule 5.40 provides that when an ordinance or resolution is introduced which would **create or revise major city policy**, the committee to which the legislation is assigned shall not consider the legislation until at least thirty days after the date of introduction. The provisions of this rule shall not apply to the routine operations of the departments of the City or when a legal time limit controls the hearing timing. In general the rule shall not apply to hearings to consider subject matter when no legislation has been presented, nor shall the rule apply to resolutions which simply **urge** action to be taken.

| Topic   | File No.                      | Committee   | Source                   | Legislation Introduced | 30 Day Rule Expires |
|---|-------------------------------|---|--------------------------|------------------------|---------------------|
| Cash Assistance Linked to Medical Program - CALM                            | 97-97-70 Ordinance            | Finance   | Mayor                    | 12/08/97               | 1/07/98             |
| Indigent Adults, Personal Assisted Employment Services - PAES               | 97-97-71 Ordinance            | Finance   | Mayor                    | 12/08/97               | 1/07/98             |
| Supplemental Security Income Pending Cash Assistance Program - SSIP         | 97-97-72 Ordinance            | Finance   | Mayor                    | 12/08/97               | 1/07/98             |
| General Assistance Program - Various Changes                                | 97-97-73 Ordinance            | Finance   | Mayor                    | 12/08/97               | 1/07/98             |
| News-gathering Vehicles, Elected Officials Vehicles, Vehicle Press Card Fee | 124-97-5 Substitute Ordinance | Economic Development, Transportation and Technology | Yaki                     | 12/08/97               | 1/07/98             |
| Treasure Island Development Authority                                       | 244-97-7 Resolution           | Economic Development, Transportation and Technology | Mayor                    | 12/15/97               | 1/14/98             |
| Board Members Salary  | 285-97-1 Charter Amendment    | Rules Committee                                     | Ammiano                  | 12/15/97               | 1/14/98             |
| Loans From State/Federal Governments  | 286-97-1 Charter Amendment    | Rules Committee                                     | Kaufman                  | 12/15/97               | 1/14/98             |
| Water Department Revenue Fund   | 287-97-1 Charter Amendment    | Rules Committee                                     | Kaufman                  | 12/15/97               | 1/14/98             |
| Regional Transit Discount ID Card Fee                                       | 97-97-75 Ordinance            | Economic Development, Transportation and Technology | Public Trans. Commission | 12/22/97               | 1/21/98             |
| Regional Transit Discount Card Program                                      | 172-97-82 Resolution          | Economic Development, Transportation and Technology | Public Trans. Commission | 12/22/97               | 1/21/98             |
| Transit Passenger Proof of Payment Program                                  | 124-97-6 Ordinance            | Economic Development, Transportation and Technology | Public Trans. Commission | 12/22/97               | 1/21/98             |