

CITY AND COUNTY OF SAN FRANCISCO

BOARD OF SUPERVISORS

Monday, January 26, 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 Kaufman, Brown

(a)
[Appropriation/Settlement of Lawsuit, Fire Department]
Ordinance appropriating \$900,000, Fire Department, from the General Fund Litigation Reserve balance to claims and judgments, for fiscal year 1997-98 and authorizing settlement of litigation between Odelia Braun and the City and County by payment of \$900,000 plus 8.5% simple interest to accrue beginning December 16, 1997. (Controller)

File 101-97-47, Ordinance No.

(Superior Court Case No. 969-799.)

Question on final passage.

(b)
[Appropriation, Department of Telecommunications]
Ordinance appropriating \$31,192,525, Department of Telecommunications, of lease revenue bond fund proceeds for professional services (first phase of Motorola contract) to provide Citywide Emergency Radio System. (Mayor)

File 98-0018, Ordinance No.

Question on final passage.

(c)
[Appropriation, Dept of Public Health-SFGH]
Ordinance appropriating \$643,223, Department of Public Health, from San Francisco General-Hospital Patient Revenue to add unbudgeted patient revenue related to the merger of the UCSF/MT. Zion Workers' Comp Clinic with the San Francisco General Workers' Comp Chnic for fiscal year 1997-98; providing for ratification of action previously taken. (Controller)

File 101-97-41, Ordinance No.

Question on passage for second reading.

(d)
[Emergency Repairs, Water Treatment Plant]
Resolution approving expenditure of funds for San Francisco Water Department emergency procurement and repairs for Water Treatment Plant Operations (Sun01 Valley and Harry Tracy Water Treatment Plants), totaling \$4,250,000. (Public Utilities Commission)

File 28-97-1 1, Resolution No.

Question on adoption.

Recommendation of Rules Committee

Present: Supervisors Ammiano, Brown

(e)
[Lam v. CCSF, et al.]
Ordinance authorizing settlement of litigation of Hok Bew Lam against the City and County by payment of \$40,000. (City Attorney)

File 45-97-128, Ordinance No.

(Superior Court No. 978-098.)

Question on final passage.

Recommendations of Economic Develonment, Transnortation
and Technology Committee

Present: Supervisors Yaki, Medina

(f)
[Grant - State Funds]
Resolution authorizing retroactively the Director of Public Works to expend up to \$2,065,993 from the State of California for roadway work on City streets in accordance with the State-Local Transportation Partnership Program (8th Cycle); waiving indirect costs; placing \$1,561,936 on reserve. (Department of Public Works)

File 148-97-6, Resolution No.

Question on adoption.

(g)

[Revocable Permit - 575 Harrison Street]

Resolution granting revocable permission to UMB Corporation to temporarily close and occupy the southerly sidewalk and a portion of the street area on Harrison Street during construction operations at 575 Harrison Street. @epartment of Public Works)

File 98-0026, Resolution No.

Question on adoption.

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

REGULAR CALENDAR

UNFINISHED BUSINESS

Recommendation of Finance Committee

Present: Supervisors Kaufman, Brown

No. 2.

MOU, Fire Rescue Paramedics, Local 7.901

Ordinance adopting and implementing the Memorandum of Understanding between the Service Employees International Union, AFL-CIO, Local 790, and the City and County for the H-1 Fire Rescue Paramedics to be effective for the period July 1, 1997 through June 30, 1999. (Mayor Willie L. Brown Jr.)

File 93-97-49, Ordinance No.

(Fiscal Impact.)

(January 20, 1998 - Consideration continued to January 26, 1998.)

Question on passage for second reading _____

NEW BUSINESS

Recommendations of Finance Committee

Present: Supervisors Kaufman, Brown

No. 3.

[Appropriation, Dept of Public Health-SFGH]

Ordinance appropriating \$66,663, Department of Public Health, from San Francisco General Hospital Patient Revenues to add unbudgeted patient revenue for services referred by the San Francisco Family Planning Program and Breast and Cervical Cancer Prevention Program and to support the San Francisco General Hospital pathology laboratory for fiscal year 1997-98; providing for report in six months. (Controller)

File 101-97-42, Ordinance No.

Question on passage for second reading _____

No. 4.

[Prop J Contract, Janitorial/Landscape Contract]

Resolution concurring with the Controller's certification that janitorial service and landscape maintenance services at three Department of Parking and Traffic Office sites and twenty two neighborhood off-street parking facilities can be performed by a private contractor for a lower cost than similar services performed by City and County employees; providing for retroactive authorization of contract to January 1, 1998. (Department of Parking and Traffic)

File 25-97-18, Resolution No.

Question on adoption _____

No. 5.

[Public Utilities Commission Land Sale]

Resolution approving sale of land at Hamlin Court in Sunnyvale to W. Leslie Pelio for the amount of \$728,000 and authorizing execution of an agreement for sale of real estate, a quitclaim deed, and a declaration of covenants, conditions and restrictions and grant of easement. (Real Estate Department)

File 96-97-5, Resolution No.

Question on adoption _____

Recommendations of Economic Development, Transportation
and Technology Committee

Present: Supervisors Yaki, Medina

No. 6.

[Update of Public Works Code]
Ordinance amending Article XX, Public Works Code, which defines certain terms used in the Article, by removing obsolete reference to Fire Code in the definition given for "Hazardous Waste." (Clerk of the Board)

File 123-97-9, Ordinance No.

(Amends Section 1000.)

Question on passage for second reading _____

Present: Supervisors Yaki, Katz, Medina

No. 7.

[Treasure Island Development Authority]
Resolution designating the Treasure Island Development Authority as the Redevelopment Agency and Local Reuse Authority for the conversion of Naval Station Treasure Island and requiring a report from the Authority regarding competitive bidding, leasing, appointment of a Citizen's Advisory Committee, and integration with the City's planning process. (Mayor Willie L. Brown, Jr.)

File 244-97-7, Resolution No.

Question on adoption _____

ROLL CALL-FOR INTRODUCTIONS

N o . 8

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. 9.

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. 10.

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)

[Commend Rita Douglas]

Resolution commending Rita Douglas for thirty-two and one half years of public service as a nurse with San Francisco's Department of Public Health. (Supervisors Brown, Bierman)

File 98-0114, Resolution No.

(January 20,1998 - Introduced in Board for consideration on January 26, 1998.)

Question on adoption.

(b)

[Commend Juewan Chin]

Resolution commending Juewan Chin for his artistic achievements and urging the Arts Commission in observance of the Lunar New Year celebration to exhibit Juewan Chin's masterpieces in the War Memorial Building. (Supervisor Teng)

File 98-0115, Resolution No.

(January 20, 1998 - Introduced in Board for consideration on January 26, 1998.)

Question on adoption.

(c)

[Professional Golf Association]

Resolution urging the Professional Golf Association (PGA) to adopt policies that would not discriminate or exclude people with disabilities or other medical challenges, as stated in the American with Disabilities Act. (Supervisor Ammiano)

File 98-0116, Resolution No.

(January 20,1998 - Introduced in Board for consideration on January 26, 1998.)

Question on adoption.

(d)

[Medical Equipment]

Resolution urging the City Attorney to research liability issues surrounding the reuse of durable medical equipment and urging the Director of Public Health to research reuse of durable medical equipment at San Francisco General Hospital and City health clinics. (Supervisors Ammiano, Bierman)

File 98-0117, Resolution No.

(January 20, 1998 - Introduced in Board for consideration on January 26, 1998.)

Question on adoption.

(e)

[Card Key Lock, Residential Buildings]

Resolution urging the Rent Stabilization Board, the Department of Building Inspection and the City Attorney to prepare a report on the effects of card key lock installation on building tenants and to develop recommendations for potential regulations governing key distribution to tenants. (Supervisors Ammiano, Bierman)

File 98-0118, Resolution No.

(January 20, 1998 - Introduced in Board for consideration on January 26, 1998.)

Question on adoption.

(f)

[African American Democratic Club]

Resolution expressing the support of the San Francisco Board of Supervisors for the African American Democratic Club. (Supervisor Brown)

File 98419, Resolution No.

(January 20, 1998 - Introduced in Board for consideration on January 26, 1998.)

Question on adoption.

(g)

[Over The Counter Pharmaceutical Labeling]

Resolution supporting the Food and Drug Administration (FDA) proposed revisions to over-the-counter (OTC) drug labeling regulations that would advise consumers to consult with their "doctor or pharmacist" about certain aspects of OTC medication interactions. (Supervisor Katz)

File 98-0120, Resolution No.

(January 20, 1998 - Introduced in Board for consideration on January 26, 1998.)

Question on adoption.

(h)

[Fillmore Center]

Resolution supporting the local and minority ownership of the Fillmore Center, urging the Redevelopment Agency to ensure that potential owners understand and are capable to discharging applicable obligations of the tax regulatory agreement and land disposition agreement, and urging the Redevelopment Agency exercise its discretion in reviewing the sale in a public meeting so that the community may comment. (Supervisors Medina, Brown, Bierman)

File 98-0121, Resolution No.

(January 20, 1998 - Introduced in Board for consideration on January 26, 1998.)

Question on adoption.

(i)

[Child Care Plan]

Resolution urging Congress to adopt President Clinton's child care plan. (Supervisors Teng, Bierman)

File 98-0122, Resolution No.

(January 20, 1998 - Introduced in Board for consideration on January 26, 1998.)

Question on adoption.

(j)

[High-Tech Grants]

Resolution seeking grants issued by the U. S. Departments of Labor, Education and Commerce for high tech jobs and bringing high technology to low-income areas of San Francisco. (Supervisor Yee)

File 98-0123, Resolution No.

(January 20, 1998 - Introduced in Board for consideration on January 26, 1998.)

Question on adoption.

(k)

[Just Desserts Inc. Project]

Resolution authorizing the sale by the California Statewide Communities Development Authority of equipment only purchase program notes in an aggregate principal amount not to exceed \$1,000,000 for Just Desserts, Inc. (or a related entity). (Supervisor Kaufman)

File 98-0124, Resolution No.

(January 20, 1998 - Introduced in Board for consideration on January 26, 1998.)

Question on adoption.

(1)

[de Young Museum Ballot Measure, Suspend Rule]

Motion suspending Rule 5.40 of the Rules of Order of the Board of Supervisors to allow the Board of Supervisors to consider, without waiting 30 days after its introduction, measures necessary to place on the June 1998 ballot propositions relating to the financing and operation of the de Young Museum in Golden Gate Park. (Supervisors Yaki, Teng, Yee, Katz, Brown, Kaufman, Newsom)

File 98-0107, Motion No.

(January 20, 1998 - Introduced in Board for consideration on January 26, 1998.)

Question on adoption.

Questions on the For Adoption Without Committee Reference Calendar _____

IMPERATIVE CALENDAR

No. 11.

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 JANUARY 14 - JANUARY 21, 1998, FOR REFERENCE BY PRESIDENT TO APPROPRIATE COMMITTEE ON JANUARY 26,1998

File 98-0102. [Competitive Bidding Exemption] Ordinance waiving competitive bid requirements for the Recreation and Park Commission's award of a Public Works contract to the San Francisco Conservation Corps for performance of restoration activities in designated Significant Natural Resource Areas. (Recreation and Park Department) Referred to Finance Committee.

File 98-0131. [MOU, Locals 250, 535 and 7901 Ordinance implementing an agreement adjusting the compensation of certain classifications pursuant to the Memorandum of Understanding between the Service Employees International Union, AFL-CIO, Locals 790, 535 and 250 and the City and County of San Francisco, to be effective March 1, 1998. (Department of Human Resources) Referred to Finance Committee.

File 98-0132. [MOU, Arbitrator's Award, Locals 250, 535 and 7901 Ordinance implementing the Arbitrator's Award dated November 6, 1997 adjusting the compensation of 9212 Airfield Safety Officers pursuant to the Memorandum of

PROPOSED RESOLUTIONS RECEIVED JANUARY 14 - JANUARY 21, 1998, FOR REFERENCE BY PRESIDENT TO APPROPRIATE COMMITTEE ON JANUARY 26,1998

File 98-0100. [Revocable Permit - 590 Van Ness Avenue] Resolution granting revocable permission to Ryan Construction Company to temporarily close and occupy the north sidewalk on Redwood Alley between Polk Street and Van Ness Avenue to conduct construction operations at 590 Van Ness Avenue (Block 766, Lot 13). Referred to Economic Development, Transportation and Technology Committee.

File 98-0101. [Used Oil Recycling Grant] Resolution authorizing the City Administrator to apply for, accept and expend \$35,348.00 in additional oil recycling grant funding from the California Integrated Waste Management Board; waiving indirect costs. (Solid Waste Management Program) Referred to Health, Family and Environment Committee.

File 98-0103. [Gift Acceptance] Resolution accepting gifts valued at a total of \$39,370.50 from various donors for use by the Recreation and Park Department. (Recreation and Park Commission) Referred to Housing and Neighborhood Svcs Committee.

File 98-0104. [Sale of Real Property] Resolution approving and authorizing an agreement between the City and County of San Francisco, John L. Dominge, and the University of San Francisco (USF), as sellers, and Charles Figg and Lenore Schreiber, as buyer, providing for the sale of certain real property located at 365-67-69 Haight Street and 60 Laussat Street, San Francisco, including the City's undivided five-twelfths interest in such property, which was bequeathed to the City under the estate of John B. Fortunio, for a total gross sales price of \$619,000; finding that competitive bidding would be impractical or impossible for the sale of this property; adopting findings that the sale is consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; and ratifying prior acts. (Real Estate Department) Referred to Finance Committee.

File 98-0129. [Prop J Contract, Security Guard Services] Resolution concurring with the Controller's certification that security services can be practically performed -at the Permit Center at 1660 Mission Street and at 25 Van Ness by private contractor for lower cost than similar work services performed by City and County employees. (Real Estate Department) Referred to Finance Committee.

File 98-0130. [Prop J Contract, Janitorial Services] Resolution concurring with the Controller's certification that janitorial services can be practically performed at the Permit Center at 1660 Mission Street and at 25 Van Ness by private contractor for lower cost than similar work services performed by City and County employees. (Real Estate Department) Referred to Finance Committee.

Petitions and communications received January 14 to January 21 for reference by the President to the Committee considering related matters or to be ordered filed by the Clerk January 26, 1998.

1. From Department of Public Health, submitting Hazardous Waste Release Report at 3425 Pacific Avenue, 680 2nd Street, and 570 Alabama Street for fiscal year 1997-98. Health, Family and Environment Committee Clerk
2. From Department of Public Health, submitting AIDS Surveillance report, cases reported through December 1997.
3. From Controller's Audits Division, submitting report concerning the investigation of allegations of improper activities by some employees of the Recreation and Park Department.
4. From Treasurer/Tax Collector, submitting Annual Report FY 96-97.
5. From Department of Public Works, requesting release of reserve funds in the amount of \$444,239 for seismic rehabilitation of the Central Fire Alarm Station. Finance Committee
6. From Public Library, requesting release of reserve funds in the amount of \$5,790,967 for Library's staffing reorganization plan, salary and Department expenditures.
7. 'From various departments, regarding Computer Readiness for Year 2000:
Office of the Assessor-Recorder
Employees' Retirement System
8. From Municipal Railway, submitting reports for the second quarter of fiscal year 1997-98 showing progress toward reaching full staffing levels.
9. From Recreation and Park Department, submitting responses to various signators regarding funding of North Beach Pool renovation. (8 letters received)
10. From Supervisor Sue Bierman, submitting appointment of David P. Smith to the Mental Health Board, Seat 50102. Rules Clerk
11. From various signators, submitting Annual Economic Statement for CDBG Funding:
Mission Economic Development Association (MEDA)
Community United Against Violence
Finance Committee

12. From State Department of Health Services, submitting approval of California Healthcare for Indigents Program (CHIP) or Rural Health Services (RHS) Expenditure Description.
13. From California Legislature, Senate Rules Committee, regarding appointments of J. Bruce Rupp and Wayne J. Baglin, as members of California Regional Water Quality Control Board.
14. From San Francisco Tomorrow, regarding 1998 State Transportation Improvement Plan San Francisco Project List. Copy: Each Supervisor
15. From Sierra Club, supporting Port's planned Pier 98 Wetlands Enhancement and Public Access Project.' Copy: Mayor, Port
16. From Chuck Sumner, submitting resignation from the Bicycle Advisory Committee, Seat 24311. Rules Committee
17. From F.J. Droz, regarding cab drivers need for meter rate increase.
18. From Committee for Children, urging support to ban the sale of live animals. File
19. From Greg Gabby, regarding keeping the de Young Museum in the Golden Gate Park. File 193-97-7.1
20. From Ruth Burk, concerning "No bicycle" "No Skates" sign along Marina Blvd.
21. From Valerie J. Dougherty, regarding "J" parking permit on the 100 block of Alma Street. Copy: Parking and Traffic Department
22. From Citizens for Open Space and to Retain the Vaillancourt Fountain, regarding changes from the Fine Arts Museums Board Resolution 1239, concerning the de Young Museum. Copy: Each Supervisor
23. From John Coady, opposing the owner move-in legislation. File 98-65
24. From Pete Holloran, concerning the fund to repair Martin Luther Ring, Jr. pool.
25. From Dr. David L. Schneider, regarding the removal of healthy trees in Golden Gate Park.
26. From Ann E. Mallard, urging support to upgrade Municipal Railway by purchasing new buses fueled by Natural Gas.
27. From Bill Horton, regarding MUNI Director's prohibition of MUNI employees speaking to the media.
28. From James Robinson, regarding proposal for MUNI security.
29. From Building Inspection Commission, submitting update on the new policies adopted by the Commission.
30. From Haight Ashbury Neighborhood Council, regarding the de Young Museum Bond Measure #2. File 98-108
31. From Janet Canning, regarding assault in the Muni bus.

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 January 23,1998

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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
Owner Move-In Moratorium	98-0065 Ordinance	Housing and Neighborhood Services	Teng	1/12/98	2/II/98
Parking Meter Zones	98-0015 Ordinance	Housing and Neighborhood Services	Parking and Traffic	1/12/98	2/11/98
deYoung Museum Special Election	98-0108 Ordinance	Finance	Yaki	1/20/98	Waiver requested
deYoung Museum Bonds	98-0109 Resolution	Finance	Yaki	1/20/98	Waiver requested
Hotel Tax Exemption	98-0110 Ordinance	Finance	Kaufman	II20198	2/19/98
Vehicle Registration Fee	98-0059 Resolution	F i n a n c e	Police	1120198	2/1 9/98

**Board of Supervisors
City and County of San Francisco
401 Van Ness Avenue-Room 308
San Francisco, CA 94102-4532**