

CITY AND COUNTY OF SAN FRANCISCO

BOARD OF SUPERVISORS

Tuesday, February 17, 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 Teng, Kaufman, Brown

(a)

[Appropriation, Ethics Commission]

Ordinance appropriating \$73,306, Ethics Commission, from the General Fund Reserve-Ethics Commission, for salary, fringe benefits and non-personal services for the creation of 1.41 position for fiscal year 1997-98; providing for ratification of action previously taken; companion measure to File 98-0057. (Controller)

File 98-0050, Ordinance No.

Question on final passage.

(b)

[Salary Ordinance Amendment, Ethics Commission]

Ordinance amending Ordinance No. 307-97 (Annual Salary Ordinance, 1997-9% Ethics Commission, reflecting the creation of 1.41 new positions; companion measure to File 98-0050. (Department of Human Resources)

File 98-0057, Ordinance No.

Question on final passage.

(c)

[Appropriation, Public Library]

Ordinance appropriating \$1,225,367, Public Library, (\$400,000 from the General Fund Reserve, \$114,367 Budget Incentive Reserve, \$354,000 Fine and Fee Revenues, and \$357,000 Fuhrman Gift Fund and rescinding \$357,000 General Fund Books) to fund salaries, professional services, books and equipment for fiscal year 1997-98. (Controller)

File 98-0092, Ordinance No.

Question on final passage.

Present: Supervisors Kaufman, Yaki

(d)

[Prop. J Contract, Security Guard Services]

Resolution retroactively 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 Avenue by private contractor for lower cost than similar work services performed by City and County employees. (Real Estate Department)

File 98-0129, Resolution No.

Question on adoption.

(e)

[Prop. J Contract, Janitorial Services]

Resolution retroactively 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 Avenue by private contractor for lower cost than similar work services performed by City and County employees. (Real Estate Department)

File 98-0130, Resolution No.

Question on adoption.

(f)

[John Muir Drive Emergency Authorization]

Resolution concurring with and supporting the Director of the Department of Public Works finding and declaring a public emergency; urging said Director to take necessary measures in the most expeditious manner to protect the public safety, health, welfare, and property of citizens of San Francisco with regard to the dangerous condition created by the unstable conditions on John Muir Drive; and authorizing the Director of the Department of Public Works to enter into agreements of indemnity based on this emergency at John Muir Drive. (Department of Public Works)

File 98-0155, Resolution No.

Question on adoption.

Recommendations of
Economic Development, Transportation and Technology Committee

Present: Supervisors Yaki, Medina

(g)

[Regional Transit Discount ID Card Fee]

Ordinance amending Administrative Code, imposing fees to process applications for new, renewed and lost Regional Transit Discount Identification Cards. (Public Transportation Commission)

File 97-97-75, Ordinance No.

(Adds Section 8.30.)

Question on final passage.

(h)

[Proof of Payment, Passenger Conduct Violations]

Ordinance amending Traffic Code, to redefine "Streetcar"; by repealing Section 126 regarding boarding and alighting streetcars or vehicles and reenacting that provision in Section 128; to allow boarding of public transit vehicles through rear doors under some circumstances and to require transit passengers to display proof of payment of fares; by repealing and reenacting Section 128 to institute other passenger conduct violations; to impose penalties for violation of Sections 127 and 128; to authorize fare inspectors; by repealing Section 129 regarding expectorating in transit vehicles and reenacting that provision in Section 128; and stating the intent of the Board that funds from enforcement of Sections 127, 128 and Penal Code Section 640 be used to defray costs of the proof of payment program and that an audit be performed every three years. (Public Transportation Department)

File 124-97-6, Ordinance No.

(Amend Sections 3.2, 127, 128.1;

Repeal Sections 126,129; Repeals and reenacts Section 128; Adds Section 128-A.)

Question on final passage.

(i)

[General Plan Referral Procedures]

Ordinance amending Administrative Code, 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)

File 98-0014, Ordinance No.

(Adds Sections 2A.52 and 2A.53.)

Question on final passage.

(j)

[Parking and Traffic, Taxicabs]

Ordinance amending Traffic Code, regarding the exemption of taxicabs from turn prohibitions. (Supervisor Newsom)

File 98-0016, Ordinance No.

(Amends Section 34.)

Question on final passage.

(k)

[underground District No. 3341

Ordinance creating Underground District No. 334 in the Broad Street/Randolph Street/Igth Avenue area. (Supervisors Medina, Bierman)

File 98-0111, Ordinance No.

Question on final passage.

(l)

[underground District No. 3351

Ordinance creating Underground District No. 335 in the Upper Folsom area. (Supervisors Medina, Bierman)

File 98-0112, Ordinance No.

Question on final passage.

Recommendations of Housing and Neighborhood Services Committee

Present: Supervisors Teng, Medina

(m)

[Parking Regulations]

Resolution enacting and rescinding parking regulations at various locations. (Supervisor Newsom)

File 98-0060, Resolution No.

(Residential Permit Parking Area "C" (2-Hour Time Limit. 8 am - 9 nm. Monday through Saturday - Rescind

Residential Permit Parking Area "C" (2-Hour Time Limit. 8 am - 10 nm. Monday through Saturday) - Establish

Pine Street, north side, between Jones and Stockton Streets (change in effective hours only.)

Question on adoption.

(n)

[Traffic Regulations]

Resolution enacting and rescinding traffic regulations on various streets. (Supervisor Newsom)

File 98-0061, Resolution No.

(No Left Turns - Rescind

No Left Turns. 4 pm - 7 pm. Monday through Friday: No Left Turns, Except Taxis. all other times - Establish

Mason Street, southbound, at Market Street;
Mission Street, eastbound, at 2nd Street;
Mission Street, eastbound, at 3rd Street;
Mission Street, westbound, at 10th Street;
Mission Street, westbound, at 4th Street.

No Left Turns. 7 am - 9 am and 4 pm - 6 pm. Monday through Friday - Rescind

No Left Turns. 7 am - 9 am and 4 pm - 6 pm. Monday through Friday: No Left Turns, Extent Taxis. all other times - Establish

4th Street, northbound, at Townsend Street.

Diamond (buses and carpools only) Lane. 4 pm - 6 pm. Monday through Friday - Rescind

Diamond (buses and carpools only) Lane. 4 pm - 7 pm. Monday through Friday - Establish

Sacramento Street, north curb lane (westbound), between Drumm Street and Kearny Avenue (change in effective hours only).

Tow-Away. No Stopping. 3 pm - 6 pm. Monday through Friday - Rescind

Tow-Away. No Stopping. 3 pm - 6 pm. Monday through Friday - Establish

Pine Street, north side, between Jones and Front Streets (change in effective hours only).

Tow-Away. No Stopping. 3 nm - 6 nm. Monday through Friday - Rescind

Pine Street, north side, between Leavenworth and Jones Streets.

Tow-Away. No Stonoinz. 7 am - 9 am and 4 nm - 7 nm. Monday through Friday - Rescind

King Street, south side, from 4th Street to 660 feet westerly (660-foot zone).

Tow-Away. No Stopping anytime - Rescind

King Street, south side, from 5th Street to 160 feet easterly (160-foot zone).

Tow-Away. No Stonninz anytime - Establish

King Street, south side, between 4th and 5th Streets.

Tow-Away. No Stopping. 3 pm - 6 pm. Monday through Friday - Rescind
Tow-Away. No Stopping. 3 pm - 7 pm. Monday through Friday - Establish

Kearny Street, west side, between Market and Sutter Streets (change in effective hours only);

New Montgomery Street, east side, between Market and Howard Streets (change in effective hours only);

New Montgomery Street, west side, between Mission and Howard Streets (change in effective hours only.)

Question on adoption.

(o)

[Library Fiscal Sponsorship Agreement]

Resolution authorizing the Acting City Librarian to enter into an agreement with the Friends of the Public Library ("Friends**) for the Friends to provide fiscal sponsorship services for the Library, which agreement requires the City to indemnify the Friends with respect to personnel and activities which receive funding from the Friends under the agreement. (Public Library)

File 172-97-80, Resolution No.

Question on adoption.

(p)

[Grant - Federal Funds]

Resolution authorizing 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)

File 984009, Resolution No.

Question on adoption.

(q)

[Grant - Major Narcotic Vendor Prosecution]

Resolution authorizing the District Attorney to retroactively apply for, accept and expend funds in the amount of \$135,501 made available through the Office of Criminal Justice Planning for a project entitled '**Major Narcotic Vendor Prosecution Program' for the twelve month period of July 1, 1997, through June 30, 1998. (Supervisors Teng, Medina)

File 98-0055, Resolution No.

Question on adoption.

(r)

[Grant - State Funds]

Resolution authorizing the District Attorney to retroactively apply for, accept and expend funds in the amount of \$427,388 which include indirect costs of \$20,352 from the Office of Criminal Justice Planning for the "Victim and Witness Assistance Program" for the twelve month period of July 1, 1997 through June 30, 1998. (Supervisors Teng, Medina)

File 98-0081, Resolution No.

Question on adoption.

(s)

[Grant - State Funds]

Resolution authorizing the District Attorney to retroactively apply for, accept and expend funds in the amount of \$95,000 available through the Office of Criminal Justice Planning for a project entitled "Special Emphasis Victim Assistance Program-Surviving Victims of Homicide" for the twelve month period July 1, 1997, through June 30, 1998, and waiving indirect cost due to funding constraints. (Supervisors Teng, Medina)

File 98-0083, Resolution No.

Question on adoption.

(t)

[Grant - State Funds]

Resolution authorizing the District Attorney to retroactively apply for, accept and expend grant funds not to exceed the amount of \$150,000 including indirect cost not to exceed the amount of \$7,500 made available through the California Office of Criminal Justice Planning for the operation of the "Statutory Rape Vertical Prosecution Program" for the twelve month period August 9, 1997, through August 8, 1998. (Supervisors Teng, Medina)

File 98-0084, Resolution No.

Question on adoption.

Recommendations of Rules Committee

Present: Supervisors Ammiano, Yee, Brown

(u)

[Hazel Louise Ellis v. CCSF et al.]

Ordinance authorizing settlement of litigation of Hazel Louise Ellis against the City and County by payment of \$185,000. (City Attorney)

File 98-0164, Ordinance No.

(Superior Court No. 976-607.)

Question on first reading.

(v)

namilia German/Alexander Rabey v. CCSF et al.]
Ordinance authorizing settlement of litigation of Tamilia Gorman and Alexander Rabey against the City and County by payment of \$27,000. (City Attorney)

File 98-0165, Ordinance No.

(Superior Court No. 961-655.)

Question on first reading.

(w)

[Carol McGee v. CCSF et al.]
Ordinance authorizing settlement of litigation of Carol McGee against the City and County by payment of \$70,000. (City Attorney)

File 98-0166, Ordinance No.

(Superior Court No. 980-710.)

Question on fist reading.

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

REGULAR CALENDAR

UNFINISHED BUSINESS

Recommendation of Finance Committee

Present: Supervisors Teng, Kaufman, Brown

No. 2.

(Supervisor Brown dissenting in Committee.)

[Amendment, Advertising Shelter Agreement]
Ordinance approving Third Amendment to Advertising Transit Shelter Agreement between City and County and Outdoor Systems, Inc. to maintain MUNI Metro Extension and F-Line boarding platforms in exchange for advertising on platforms and to expand transit shelter program. (Public Transportation Commission)

File 172-97-19, Ordinance No.

Question on final passage _____

NEW BUSINESS

Recommendations of Finance Committee

Present: Supervisors Kaufman, Yaki

No. 3.

[Annual Appropriation Ordinance Amendment]
Ordinance amending Ordinance 345-97 (Annual Appropriation Ordinance) relating to additional services by the Department of Public Health. (Supervisors Kaufman, Katz, Yaki, Teng, Brown)

File 98-0175, Ordinance No.

(Add Section 12.4.)

Question on first reading _____

No. 4.

[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)

File 98-0102, Ordinance No.

Question on first reading _____

No. 5.

[Special Bond Election, June 2, 1998]

Ordinance calling and providing for a special election to be held in the City and County on Tuesday, June 2, 1998, for the purpose of submitting to the voters of the City and County a proposition to incur bonded indebtedness of the City and County in the principal amount of \$89,900,000 for the acquisition, construction and/or reconstruction of a new museum facility in Golden Gate Park to replace the M. H. de Young Memorial Museum, including funding for improvements to Golden Gate park in the areas appurtenant to, or which provide access to, the de Young Museum; finding that the estimated cost of such proposed project is and will be too great to be paid out of the ordinary annual income and revenue of the City and County and will require expenditures greater than the amount allowed therefor by the annual tax levy; reciting the estimated cost of such proposed project; waiving the time limit requirements of Section 2.34 of the Administrative Code relating to time of adoption of this resolution before the election; waiving certain requirements of Administrative Code Sections 2A.52 and 2A.53 relating to the requirement for General Plan referral reports; waiving the requirements of Sections 2.30-1, 3.20, 3.21 and 3.22 relating to submission of proposed capital improvement projects to the Capital Improvement Advisory Committee; waiving the requirements of Section 305 of the Municipal Elections Code relating to rules for submission of ordinances and charter amendments by the Board of Supervisors; fixing the date of election and the manner of holding such election and the procedure for voting for or against the proposition; fixing the maximum rate of interest on such bonds and providing for the levy and collection of taxes to pay both principal and interest thereof; prescribing notice to be given of such election; consolidating the special election with the consolidated municipal primary election already scheduled for June 2, 1998; providing that the election precincts, voting places and officers for election shall be the same as for the consolidated municipal primary election scheduled for June 2, 1998; and waiving the word limitation on ballot propositions imposed by San Francisco Municipal Elections Code Section 510. (Supervisors Yaki, Teng, Yee, Katz, Brown, Kaufman, Newsom)

File 98-0108, Ordinance No.

Question on first reading _____

No. 6.

[Sale of Real Property]

Resolution approving and authorizing an agreement between the City and County, 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)

File 98-0104, Resolution No.

Question on adoption _____

Recommendations of Housing and Neighborhood Services Committee

Present: Supervisors Teng, Medina

No. 7.

(Supervisor Newsom excused from voting in Committee.)

[Apartment Unit Conversion]

Ordinance amending the Administrative Code to increase the minimum rental term from a daily term to a term of at least 30 days, to provide specified administrative, civil and criminal penalties for violations of this chapter (Apartment Unit Conversion). (Supervisors Teng, Katz, Yaki, Brown, Medina)

File 97-97-34.1, Ordinance No.

(Amend Sections 41A.4 and 41A.5;
Adds Section 41.AS.)

Question on first reading _____

No. 8.

[Moratorium on Cabaret Licenses]

Ordinance amending the Police Code to create a moratorium on the issuance of cabaret permits for two years within the area bounded by Bush Street to the north, O'Farrell Street to the south, Taylor Street to the east and Van Ness Avenue to the west. (Supervisors Medina, Teng)

File 110-97-1, Ordinance No.

(Adds Section 1070.26.)

Question on first reading _____

No. 9.

[Extended-Hours Premises]

Ordinance amending Police Code to substitute the term **Extended-Hours Premises** for "Cabaret" and to conform terminology to the 1996 Charter. (Supervisors Medina, Teng)

File 121-97-9, Ordinance No.

(Amend Sections 1070, 1070.1, 1070.3, 1070.5, 1070.7, 1070.8, 1070.12, 1070.13, 1070.16, 1070.17, 1070.19, 1070.20-1, 1070.21, and 1070.23.)

Question on first reading _____

No. 10.

[Indemnification Agreement, DPH-UCSF]

Resolution authorizing the Director of Health to execute an agreement with the Regents of the University of California, San Francisco, for the provision of clinical and quality assurance services by a medical director and assistant medical director for the Fire Department's emergency medical services, including an indemnification provision and an exception and waiver to Chapter 12B, as approved by the Human Rights Commission. (Department of Public Health)

File 172-97-79, Resolution No.

Question on adoption _____

No. 11.

[Liquor License, 1528 Franklin Street]

Resolution determining that the issuance of a Type 21 off-sale general alcoholic beverage license to Yohannes Petros, for Franklin Market located at 1528 Franklin 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 223-97-26, Resolution No.

Question on adoption _____

No. 12.

[Liquor License at 473/479 Broadway]

Resolution determining that the issuance of a Type 48 on-sale general-public premises alcoholic beverage control license to Max R. Young and Sam R. Young for the Hi-ball Lounge located at 473 Broadway Street and adjoining building at 479 Broadway, 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 223-97-38, Resolution No.

Question on adoption _____

No. 13.

[Liquor License, 1080 Dolores Street]

Resolution determining that the issuance of a Type 17 beer and wine wholesaler, and Type 20 off-sale beer and wine licenses to Michael and Anne Dashe for "Dashe Cellars, LLC" located at 1080 Dolores 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 98-0003, Resolution No.

Question on adoption _____

No. 14.

[Liquor License Transfer, 1745 Folsom Street]

Resolution determining that the transfer of a Type 20 off-sale beer and wine license from 2712 Mission Street (Walgreen Company) to 1745 Folsom Street (Rainbow Grocery) 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. (Supervisor Teng)

File 98-0151, Resolution No.

Question on adoption _____

No. 15.

[Grant - San Francisco Drug Abatement Program]
Resolution authorizing retroactively the District Attorney, Chief of Police, Sheriff, and Chief Adult Probation Officer to apply for, accept, and expend funds in the amount of \$715,469 made available through the Office of Criminal Justice Planning for a project entitled "San Francisco Drug abatement Program"* for the twelve month period July 1, 1997, through June 30,199s. (Supervisors Teng, Medina)

File 98-0056, Resolution No.

Question on adoption _____

Recommendation of Rules Committee

Present: Supervisors Ammiano, Yee, Brown

No. 16.

[Meeting Schedule]
Motion revising the regular meeting schedule of the Board of Supervisors by canceling the November 30, 1998 and December 28, 1998 meetings and by canceling all board and committee meetings from August 25, 1998 through September 13, 1998, and by rescheduling the September 21, 1998 meeting to September 22, 1998. (Supervisor Kaufman)

File 98-0080, Motion No.

Question on adoption _____

SPECIAL ORDER 3:00 P.M.

No. 17.

[Public hearing]
Hearing of persons interested in or objecting to report of delinquent payment of Transit Impact Development Fee on property located at 1141-1145 Market Street, and imposing a special assessment lien on said property pursuant to the provisions of Sections 38.11, et seq. of the Administrative Code.

File 159-97-1

(December 22, 1997 - Consideration continued to February 17, 1998.)

(This hearing was continued on December 22, 1997 because at the time litigation was pending. The settlement of that litigation was approved by the Board of Supervisors on January 20, 1998 (Resolution No. 29-98). The Clerk of the Board and the City Attorney's office suggest the Board table this matter and not hold the hearing.)

Action _____

February 17, 1998

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From Public Transportation Commission

No. 17a.

[Delinquent Transfer Impact Development Fee]
Resolution confirming report of delinquent payment of Transit Impact Development Fee on property located at 1141-1145 Market Street, and imposing a special assessment lien on said property pursuant to the provisions of Sections 38.11, et seq. of the Administrative Code.

File 159-97-1, Resolution No.

(December 22, 1997 - Consideration continued to February 17, 1998.)

Question on adoption _____

COMMITTEE REPORTS

No. 18.

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

From Health, Family and Environment Committee

(The following item will be considered by the committee at its regular meeting Thursday, February 12, 1998 at 10 am. The Chair intends to request the committee to send the following item to the Board as a committee report.)

(a)

[MBE/WBE/LBE Ordinance - III Extension]
Ordinance amending Administrative Code to set forth findings supporting a three month extension of the MBE/WBE/LBE Ordinance - III and providing for the three month extension (from April 1, 1998 to July 1", 1998). (Supervisor Katz)

File 98-205, Ordinance No.

(Adds Section 12D.2-4;
Amends Sections 12D.9(A), 12D.10(A), 12D.11(A), 12D.11(A)-(1) and 12D.15(G).)

Question on first reading _____

ROLL CALL FOR INTRODUCTIONS~

No. 19.

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. 20.

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 considered by a Board 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.

No. 21.

Conference with City Attorney

Anticipated litigation

As Defendant

(a)

Motion that the Board of Supervisors convene in closed session with the City Attorney for the purpose of conferring with, or receiving advice from, the City Attorney regarding anticipated litigation (City anticipated to be a defendant) related to the City's consideration of an extension of the MBE/WBE/LBE Ordinance-III, and further related to the consideration of any additional amendments to this ordinance. This closed session would be permitted by Government Code Section 54956.9(b).

Question on adoption _____

After a Closed Session, if one occurs
the Board shall adopt motion b or motion c

(b)

Motion that the Board finds that it is in the best interest of the public that the Board elects at this time not to disclose its closed session deliberations concerning the anticipated litigation listed above.

Question on adoption _____

(c)

Motion that the Board finds it is in the public interest to disclose information discussed in closed session, and directs the President immediately to disclose that information.

Question on adoption _____

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

No. 22.

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

(a)
[Commend Amelia Ashley-Ward]
Resolution commending Amelia Ashley-Ward for her excellent leadership and outstanding commitment to civil rights. (Supervisor Brown)

File 98-0226, Resolution No.

(February 9, 1998 - Introduced in Board for consideration on February 17, 1998.)

Question on adoption.

(b)
[Commend Lulann McGriff]
Resolution commending Lulann McGriff for her honorable commitment to civil rights and her invaluable role as an educator, social worker and counselor. (Supervisor Brown)

File 98-0227, Resolution No.

(February 9, 1998 - Introduced in Board for consideration on February 17, 1998.)

Question on adoption.

(c)
[Proclaim YMCA Youth and Government Day]
Resolution declaring February 12, 1998 as YMCA Youth and Government Day. (Supervisor Yaki)

File 98-0228, Resolution No.

(February 9, 1998 - Introduced in Board for consideration on February 17, 1998.)

Question on adoption.

(d)
[Proclaim Wildlife Conservation Day]
Resolution supporting efforts for the tiger conservation and declaring February 6, 1998 to be 'Wildlife Conservation Day,' so that every year the people of San Francisco will continue to participate in the activities and events of wildlife conservation. (Supervisor Teng)

File 98-0229, Resolution No.

(February 9, 1998 - Introduced in Board for consideration on February 17, 1998.)

Question on adoption.

February 17, 1998

(e)

[Retirement Board Divest Holdings]

Resolution urging the San Francisco Retirement Board to honor the intent of the 1996 Board of Supervisors' resolution urging the Retirement Board divest holdings in securities of publicly traded companies that derive revenue from the sale of tobacco products. (Supervisor Newsom)

File 98-0230, Resolution No.

(February 9, 1998 - Introduced in Board for consideration on February 17, 1998.)

Question on adoption.

(f)

[Human Rights Sanction Regulations]

Resolution expressing San Francisco's position on its ability to impose sanctions on organizations and entities that do not comply with San Francisco's human rights requirements (oppose Multilateral Agreement on Investment). (Supervisors Ammiano, Bierman)

File 98-023 1, Resolution No.

(February 9, 1998 - Introduced in Board for consideration on February 17, 1998.)

Question on adoption.

(g)

[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 Bierman, Teng, Ammiano, Yaki, Kaufman, Katz, Brown, Newsom, Medina, Yee)

File 98-0241, Motion No.

(February 9, 1998 - Introduced in Board for consideration on February 17, 1998.)

Question on adoption.

(h)

[Supporting San Francisco Oversight]

Resolution expressing San Francisco's opposition to International, Federal and State agreements that restrict local government's ability to impose sanctions on organizations and entities that do not comply with San Francisco Human Rights requirements. (Supervisor Ammiano)

File 98-0242, Resolution No.

(February 11, 1998 - Referred in Board for consideration on February 17, 1998.)

Question on adoption.

(i)

[Final Map]

Motion approving final map of 245-255 Central Avenue, a Residential Condominium Project, being a subdivision of Lot 36 in Assessor's Block No. 1222, and adopting findings pursuant to Planning Code Section 101.1. (Department of Public Works)

File 98-0222, Motion No.

(February 6, 1998 - Referred in Board for consideration on February 17, 1998.)

Question on adoption.

Questions on the For Adoption Without Committee Reference Calendar _____

IMPERATIVE CALENDAR

No. 23.

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 FEBRUARY 4 - FEBRUARY 11, 1998 FOR REFERENCE BY PRESIDENT TO APPROPRIATE COMMITTEE ON FEBRUARY 17, 1998

File 98-0243. [Appropriation, District Attorney] Ordinance appropriating \$292,932, District Attorney, of public protection grant funds to purchase new computer equipment, office furniture, automobiles, law books, and for facility maintenance for fiscal year 1997-98. RO #97196. (Controller) Referred to Finance Committee.

File 98-0244. [Appropriation, Mayor's Office] Ordinance appropriating \$114,363, Mayor's Office, of Citizens' Option for Public Safety (COPS) Program Revenue to fund the acquisition, installation and expansion of Video Surveillance Systems Program on MUNL vehicles for fiscal year 1997-98. RO #97190. (Controller) Referred to Finance Committee.

PROPOSED RESOLUTIONS RECEIVED FEBRUARY 4 - FEBRUARY 11, 1998, FOR REFERENCE BY PRESIDENT TO APPROPRIATE COMMITTEE ON FEBRUARY 17, 1998

File 98-0223. [State Child Care Contract] Resolution authorizing retroactively the execution of a contract between the City and County of San Francisco and the State of California Department of Education in the amount of \$52,404 for participation by the City and County in the State's Child Care and Development Program for fiscal years 1996-1997 and 1997-98. (Department of Human Services) Referred to Health, Family and Environment Committee.

File 98-0245. [Lease Renewal, S.F. Convention/Visitors Bureau] Resolution authorizing and approving a negotiated lease with the San Francisco Convention and Visitors Bureau, without competitive bidding, for space in the Benjamin H. Swig Pavillion, Hallidie Plaza. (Real Estate Department) Referred to Finance Committee.

File 98-0246. [ART/Airport/State Joint Use Agreement] Resolution approving the Joint Use and Maintenance Agreement for that portion of the BART San Francisco Airport extension within the State of California Highway right of way which is by and between City and County of San Francisco, acting by and through its Airport Commission, BART, and the State of California. (Also see Files 27-96-13, 27-96-13.1, 98-0001). (Airport Commission) Referred to Finance Committee.

File 98-0247. [State Grant - Career Criminal Prosecution] Resolution authorizing the District Attorney of the City and County of San Francisco to retroactively apply for, accept and expend funds in the amount of \$197,178 made available through the Office of Criminal Justice Planning for a project entitled "Career Criminal Prosecution" for the twelve month period of July 1, 1997 through June 30, 1998. (Mayor's Office of Criminal Justice Council) Referred to Housing and Neighborhood Services Committee.

File 98-0248. [State Grant - Elder Abuse] Resolution authorizing the District Attorney of the City and County of San Francisco to retroactively apply for, accept and expend funds in the amount of \$95,000 available through the Office of Criminal Justice Planning for a project entitled "Elder Abuse Special Emphasis Victim Assistance Program" for the twelve month period July 1, 1997 through June 30, 1998, and waiving indirect cost due to funding constraints. (Mayor's Office of Criminal Justice Council) Referred to Housing and Neighborhood Services Committee.

File 98-0249. [State Grant - Spousal Abuser Prosecution Program] Resolution authorizing the District Attorney of the City and County of San Francisco to retroactively apply for, accept and expend funds not to exceed \$132,000 with no indirect costs available through the California Department of Justice for a project entitled "Spousal Abuser Prosecution Program" for the twelve month period July 1, 1997 through June 30, 1998. (Mayor's Office of Criminal Justice Council) Referred to Housing and Neighborhood Services Committee.

Petitions and communications received February 4 to February 11 for reference by the President to the Committee considering related matters or to be ordered filed by the Clerk February 17, 1998.

1. From various signators, submitting Form 700 Statement of Economic Interest:
Gabriella Espinosa, Legislative Assistant to Supervisor Leal
Jon Ballesteros, Senior Legislative Analyst
2. From Department of Public Health, submitting Hazardous Waste Release Report at 2740 Green Street, 2295 Broadway, 101 28th Street, 351 Santa Ana, 1001 Sunnydale Avenue/222 Schwerin (Geneva Towers), 2645 Sacramento Street, 315 Magellan Avenue, 3885 Jackson Street, 2360 Mission Street, 225 Industrial Street, and Farallon Islands for fiscal year 1997-98. Health, Family and Environment Committee Clerk
3. From various signators, submitting Annual Economic Statement for CDBG Funding:
Legal Assistance to the Elderly
Hamilton Family Center, Inc.
Columbia Park Boys & Girls Club
San Francisco League of Urban Gardeners (SLUG)
Charity Cultural Services Center
Hearing Society for the Bay Area, Inc.
Friendship House Assn. of American Indians, Inc.
San Francisco Neighborhood Legal Assistance Foundation
Chinese for Affirmative Action
Mission Learning Center
Episcopal Community Services of San Francisco
Chinese Newcomers Service Center
AIDS Benefits Counselors
Filipino American Council of San Francisco
California Advocates for Nursing Home Reform
San Francisco Boys and Girls Club
Children's Council of San Francisco
Men Overcoming Violence (MOVE)
Bayview Hunters Point Multipurpose Senior Services
Community Housing Partnership
Community United Against Violence (CUAV)
South of Market Child Care, Inc.
Tenderloin Housing Clinic
Bay Area Video Coalition
Kimoichi, Inc.
Chinatown Community Development Center
Support for Families of Children with Disabilities
4. From various departments, regarding Computer Readiness for Year 2000:
Housing Authority
Department of Building Inspection
Department of Public Works

5. From Municipal Court, submitting Court Deposit Statement for the month ended December 31, 1997.
6. From Controller's Audit Division, submitting report concerning the concession audit of Golden Gate Park Golf Course.
7. From County Transportation Authority, submitting Audited Financial Statement and Management Letter Comments for FY 1996/97. Copy: Each Supervisor, Treasurer
8. From Office of the Treasurer/Tax Collector, submitting Cash Difference and Overage Funds for the period ending January 31, 1998.
9. From Civil Service Commission, submitting Fiscal Year 1996-97 Actuarial Study related to the Trust Fund established by Charter Section A8.404 and the Civil Service Commission Rule 6 for Transit Operators of the Municipal Railway. Copy: Finance' Committee Clerk
10. From Purchasing, regarding Tropical Hardwood and Virgin Redwood Ban, Implementation Report No. 14.
11. From Ethics Commission, submitting press release regarding report on lobbyist activity for fourth quarter of 1997.
12. From Public Utilities Commission, regarding the news item relating to drinking water consumption associated with miscarriages. Copy: Each Supervisor
13. From Office of the Controller, submitting cost analysis of the MOUs between the City and Municipal Executives Association (Police and Fire Management). File 93-97-3
14. From Office of the Controller, regarding the De Young Museum Bonds. File 98-0109
15. From Fire Department, submitting Annual 1997 Holding Cell Fire Inspection at:
Northern Police Station
Richmond Police Station
Ingleside Police Station
General Hospital
16. From Fire Department, submitting Update of Fire Department Development of Cadet and Officer Candidate Program. Copy: Each Supervisor
17. From Fire Department, submitting report in response to issues from Finance Committee hearing on January 7, 1998. Copy: Each Supervisor
18. From Supervisor Barbara Kaufman, submitting appointment of Supervisor Michael Yaki to the State Legislation Committee, Seat 12802. Rules Committee
19. From Supervisor Barbara Kaufman, submitting appointment of Supervisor Leslie Katz to the Health Service Board, Seat 11501. Rules Committee

20. From California Legislature, Senate Rules Committee, regarding appointments of Charles E. Porter, E. Ann Atkinson, Gregory Nelson and John Sharrah as members of California Regional Water Quality Control Board; Wayne Natri as member of the South Coast Air Quality Management District Board; Jacqueline E. Schafer as Commission on the Pacific Marine Fisheries Commission.
21. From A. Darby Williams, requesting approval for a public convenience and necessity determination for a transfer of Type 20 off-sale beer and wine license from 1887 Union Street to Cook Express, 1925 Jerrold Avenue. Housing and Neighborhood Services Committee
22. From Riley O'Callaghan, requesting determination of public convenience and necessity for a Type 42 on-sale beer and wine license located at 1785 Fulton Street. Housing and Neighborhood Services Committee
23. From State of California, Board of Corrections, submitting draft of the Minimum Standards for Local Detention Facilities in Title 15 and 24 of the California Code of Regulations.
24. From U.S. Army Corps of Engineers, regarding issuance of Regional General Permit for immediate repairs of public facilities damaged during winter storms. Copy: Mayor, City Administrator
25. From Local Independent Charities, submitting request to be included on the Pledge Card for the 1998 Annual Joint Fundraising drive. Finance Committee
26. From San Francisco Airport Hilton, regarding plans to permanently shut down their facility at the International Airport.
27. From One America in the 21st Century, regarding the President's Initiative on Race Forum and Advisory Board meetings in the Bay Area. Copy: Each Supervisor
28. From Dale Domino, expressing concern about the MUNI system.
29. From Nancy Pinkerton, urging support to pass legislation banning sale of live animals.
30. From Jon Winston, regarding bike lanes on San Jose Avenue.
31. From Suzanne Martin, urging the City to increase budget for Department of Animal Care and Control.
32. From Susan Latham, regarding future plans for the Alvord Lake area in the Golden Gate Park.
33. From Rick Johnson, regarding Telecommuting.
34. From Steve Bayt, regarding AIDS History article.

35. From various signators, urging support to purchase and preserve the Esprit Park. (5 letters received)
36. From various signators, opposing the development of a Burger King on the corner of Fell and Divisadero Street. (6 letters received)

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 February 13,1998

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	30Day Rule Expires
Hotel Tax Exemption	98-0110 Ordinance	Finance	Kaufman	1/20/98	2/19/98
Vehicle Registration Fee	98-0059 Resolution	Finance	Police	1/20/98	2/19/98
UCSF Land Donation CEQA Findings	98-0182 Resolution	Finance	Yaki	2/21/98	3/4/98
UCSF Land Donation Conveyance	98-0183 Resolution	Finance	Yaki	2/2/98	3/4/98
UCSF Land Donation Public Trust Agreement	98-0184 Resolution	Finance	Yaki	2/2/98	3/4/98
Lesbian, Gay, Bisexual, Transgender, Queer and Questioning Youth Task Force	98-0225 Ordinance	Health, Family and Environment	Ammiano	2/9/98	3/11/98

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