

CITY AND COUNTY OF SAN FRANCISCO

BOARD OF SUPERVISORS

Monday, March 16, 1998

ROLL CALL

PLEDGE OF ALLEGIANCE

APPROVAL OF JOURNAL

COMMUNICATIONS

SPECIAL ORDER 2:00 P.M.

Recommendation of Finance Committee

Present: Supervisors Teng, Kaufman, Newsom

No. 1.

[Ballot Argument]

Motion authorizing proponent's ballot argument in favor of Proposition "A", a bond measure concerning de Young Museum. (Supervisor Yaki)

File 98-0329, Motion No.

Question on adoption _____

Recommendations of Rules Committee

Present: Supervisors Ammiano, Yee

No. 2.

[Ballot Argument]

Motion authorizing proponent's ballot argument in favor of Proposition "B", a charter amendment concerning increasing the salary of members of the Board of Supervisors from \$23,924 per year to \$37,585. (Supervisor Ammiano)

File 285-97-2, Motion No.

Question on adoption _____

Present: Supervisors Ammiano, Yee, Brown

No. 3.

[Ballot Argument]

Motion authorizing proponent's ballot argument in favor of Proposition "C", charter amendment concerning Water Department revenue fund requirements. (Supervisor Kaufman)

File 287-97-2, Motion No.

Question on adoption _____

Present: Supervisors Ammiano, Yee

No. 4.

[Ballot Argument]

Motion authorizing proponent's ballot argument in favor of Proposition "D", charter amendment concerning low cost environmental loans. (Supervisor Kaufman)

File 286-97-2, Motion No.

Question on adoption _____

Present: Supervisors Ammiano, Yee, Brown

No. 5.

[Ballot Argument]

Motion authorizing opponent's ballot argument against Proposition "F", an initiative ordinance concerning City Hall. (Supervisor Kaufman)

File 98-0330, Motion No.

Question on adoption _____

No. 6.

[Ballot Argument]

Motion authorizing opponent's ballot argument against Proposition "G", an initiative ordinance concerning Board of Supervisors' staff. (Supervisor Kaufman)

File 98-0331, Motion No.

Question on adoption _____

No. 7.

(Supervisor Yee dissenting in Committee.)

[Ballot Argument]

Motion authorizing opponent's ballot argument against Proposition "H", an initiative ordinance concerning water and sewer rate freeze. (Supervisor Kaufman)

File 98-0332, Motion No.

Question on adoption _____

CONSENT CALENDAR

No. 8.

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, Newsom

(a)

[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. (Controller)

File 98-0243, Ordinance No.

(Fiscal Impact.)

Question on final passage.

(b)

[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 MUNI vehicles for fiscal year 1997-98. (Controller)_

File 98-0244, Ordinance No.

Question on final passage.

(c)

[Appropriation, Sheriff's Department]

Ordinance appropriating \$208,400, Sheriff's Department, from the General Fund Reserve for overtime and professional services to continue the Resolve to Stop the Violence Program (RSVP), for fiscal year 1997-98; companion measure to File 98-0255. (Supervisor Katz)

File 98-0254, Ordinance No.

(Fiscal Impact.)

Question on final passage.

(d)

[Appropriation, Sheriff's Department]

Ordinance appropriating \$275,240, Sheriff's Department, from the General Fund Reserves and Jail Overcrowding Fine Fund for the Resolve to Stop the Violence Project (RSVP), mentor court, and community residential treatment beds for fiscal year 1997-98, reserving \$55,240 pending receipt of Jail Overcrowding Fine Funds; companion measure to File 98-0254. (Mayor Willie L. Brown, Jr.)

File 98-0255, Ordinance No.

(Fiscal Impact.)

Question on final passage.

(e)

[Appropriation, Board of Supervisors]

Ordinance appropriating and rescinding \$103,779, Board of Supervisors, from Board of Supervisors salaries for training, professional services, equipment maintenance and equipment, for fiscal year 1997-98. (Mayor Willie L. Brown, Jr.)

File 98-0256, Ordinance No.

Question on final passage.

(f)

[Lease of Property at 3801 Third Street]

Resolution authorizing the lease of real property at 3801 Third Street, Suites 110, 220 and 230, for the Department of Human Services to permit the relocation of 31 existing positions in order to be located in the Bayview community at a location that is closer to the clients in the community being served. (Real Estate Department)

File 98-0318, Resolution No.

Question on adoption.

Recommendations of
Economic Development, Transportation & Technology Committee

Present: Supervisors Yaki, Katz

(g)

[Underground District No. 329]

Ordinance creating Underground District No. 329 in the Liberty Hill area. (Supervisor Medina)

File 98-0063, Ordinance No.

(District covering 20th Street from Church Street to Guerrero Street, Liberty Street from Church Street to Valencia Street; 21st Street from Church Street to Valencia Street, Dolores Street from 20th Street to 21st Street, Hill Street from Castro Street to Church Street; 22nd Street from Castro Street to Sanchez, and Noe Street from 21st Street to 22nd Street.)

Question on final passage.

(h)

[Underground District No. 330]

Ordinance creating Underground District No. 330 in the Laidley Street area. (Supervisor Medina)

File 98-0064, Ordinance No.

(District covering Laidley Street from the northerly line of Miguel Street to the southerly line of 30th Street; Laidley Street from the southerly line of Roanoke Street to the easterly line of Castro Street; Fairmount Street from the westerly line of Whitney Street to the easterly line of Laidley Street; Surrey Street from the westerly line of Castro Street to the southerly line of Thor Avenue; and Roanoke Street from the southerly line of Bemis Street to the northerly line of Laidley Street.)

Question on final passage.

(i)

[Underground District No. 331]

Ordinance creating Underground District No. 331 in the Texas and 19th Street area. (Supervisor Medina)

File 98-0142, Ordinance No.

(District covering Texas Street from the southerly line of 18th Street to the northerly line of 20th Street; Mississippi Street from the southerly line of 18th Street to the northerly line of 20th Street; 19th Street from the easterly line of Missouri Street to the westerly line of Pennsylvania Street; 20th Street from the easterly line of Missouri Street to the westerly line of Pennsylvania Street.)

Question on final passage.

(j)

[Underground District No. 332]

Ordinance creating Underground District No. 332 in the Duncan and Newberg Street area. (Supervisor Medina)

File 98-0143, Ordinance No.

(District covering Duncan Street from the westerly line of Noe Street to easterly line of Douglass Street; Castro Street from the southerly line of 27th Street to dead end north of 28th Street, Newberg Street all.)

Question on final passage.

(k)

[Underground District No. 333]

Ordinance creating Underground District No. 333 in the Shotwell and Montezuma Street area. (Supervisor Medina)

File 98-0144, Ordinance No.

(District covering Shotwell Street from the northerly line of Stoneman Street to the southerly line of Mirabel Street; Aztec Street from the westerly line of Shotwell Street to the northerly line of Coso Street, and Montezuma Street from the westerly line of Shotwell Street to the northerly line of Coso Street.)

Question on final passage.

Recommendation of Parks and Recreation Committee

Present: Supervisors Brown, Newsom, Bierman

(l)

[Skating Advisory Committee]

Ordinance amending the Administrative Code, to establish a Skating Advisory Committee, with eleven (11) voting members appointed by the Board of Supervisors, responsible for developing a plan for skating-related improvements, reviewing policies and program related to skating in the transportation element of the General Plan of the City, and developing a plan for public outreach. (Supervisor Ammiano)

File 97-97-69, Ordinance No.

(Adds Article XXI, Section 5.210 through 5.212.)

Question on final passage.

Recommendations of Rules Committee

Present: Supervisors Ammiano, Yee, Brown

(m)

[Cade-Hill, et al. v. CCSF, et al.]

Ordinance authorizing settlement of litigation of Service Employees International Union, AFL-CIO, Local 790 and Ernestine Cade-Hill and the City and County by payment of \$27,415.85. (City Attorney)

File 98-0257, Ordinance No.

(Grievance No. 65-0690.)

Question on first reading.

(n)

[Ronald Madarang, et al., v. CCSF, et al.]

Ordinance authorizing settlement of litigation of Ronald Madarang against the City and County by payment of \$52,250. (City Attorney)

File 98-0280, Ordinance No.

(Superior Court No. 981-749.)

Question on first reading.

(o)

[Rhonda Collins, et al., v. CCSF, et al.]

Ordinance authorizing settlement of litigation of Rhonda Collins against the City and County by payment of \$1,000,000. (City Attorney)

File 98-0282, Ordinance No.

(U.S. District Court No. C93-0741.)

Question on first reading.

(p)

[Robert Pinckney, et al., v. CCSF, et al.]

Ordinance authorizing settlement of litigation of Robert Pinckney against the City and County by payment of \$83,835. (City Attorney)

File 98-0283, Ordinance No.

(U.S. District Court No. C96-0919.)

Question on first reading.

(g)
[CCSF v. Karen Freeman]
Ordinance authorizing settlement of litigation by the City and County of San Francisco against Karen Freeman by accepting consideration in the total amount of \$70,000 payable in cash and filing satisfaction of judgment. (Treasurer/Tax Collector)

File 98-0312, Ordinance No.

(Superior Court No. 989835.)

Question on first reading.

(r)
[Emily Jean Landsverk, v. CCSF, et al.]
Ordinance authorizing settlement of litigation of Emily Jean Landsverk against the City and County by payment of \$4,000,000. (City Attorney)

File 98-0319, Ordinance No.

(Superior Court No. 985-460.)

Question on first reading.

(s)
[Gift Acceptance]
Resolution authorizing the Public Library to accept a gift from the estate of John J. Morris not to exceed the amount of \$186,801.77 for the purchase of books. (Public Library)

File 98-0314, Resolution No.

Question on adoption.

(t)
[Appointment, Redevelopment Agency]
Resolution confirming the Mayor's appointment of Ramon Enrique Romero to the San Francisco Redevelopment Agency. (Mayor)

File 98-0356, Resolution No.

Question on adoption.

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

REGULAR CALENDAR

NEW BUSINESS

Recommendations of Finance Committee

Present: Supervisors Teng, Kaufman, Newsom

No. 9.

[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)

File 98-0006, Resolution No.

Question on adoption _____

No. 10.

[Appropriation, Police Department]

Ordinance appropriating and rescinding \$4,580, Police Department, for salaries for the creation of the position of Director of Police Psychology and the deletion of the position of Lieutenant III for fiscal year 1997-98; companion measure to File 98-0286. (Controller)

File 98-0285, Ordinance No.

Question on first reading _____

No. 11.

[Salary Ordinance Amendment, Police Department]

Ordinance amending Ordinance No. 307-97 (Annual Salary Ordinance, 1997-98), Police Department, reflecting the creation of one new position Q90 Director of Police Psychology and the deletion of one position 492 Lieutenant III companion measure to File 98-0285. (Department of Human Resources)

File 98-0286. Ordinance No.

Question on first reading _____

No. 12.

[Appropriation, Trial Courts]

Ordinance appropriating \$11,390,709, Trial Courts, of Courthouse Construction Revenue Fund for professional services and debt service for fiscal year 1997-98. (Controller)

File 98-0323, Ordinance No.

Question on first reading _____

No. 13.

[Hotel Tax Exemption]

Ordinance amending Municipal Code, Part III, to raise the rent levels that qualify for exemption from the transient occupancy tax; this ordinance to expire July 1, 2000. (Supervisors Kaufman, Teng, Newsom)

File 98-0110, Ordinance No.

(Amends Section 506.)

Question on first reading _____

No. 14.

management Agreement, Civic Center Plaza Garage]

Ordinance approving form of the Civic Center Plaza Garage Management Agreement and bid documents, and authorizing and urging the Director of Property to advertise an invitation for bids for management of the Civic Center Plaza Garage using the approved bid documents. (Real Estate Department)

File 98-0253, Ordinance No.

Question on first reading _____

No. 15.

[Lease of Property]

Resolution authorizing a 40-year lease of Public Utilities Commission land between the City and County and Artichoke Joes, in the City of San Bruno, San Mateo County. (Public Utilities Commission)

File 65-97-14, Resolution No.

Question on adoption _____

No. 16.

[Window Bar Safety Funding]

Resolution urging the Building Inspection Commission to direct the Director of Building Inspection to identify sources of funds, including but not limited to the Code Enforcement Rehabilitation Fund, to be used to enable low income homeowners and tenants to install releasable window bars and doors in their homes. (Supervisors Newsom, Katz, Kaufman, Teng)

File 228-97-2, Resolution No.

Question on adoption _____

No. 17.

[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, acting by and through its Airport Commission, and Bay Area Rapid Transit System (BART).

File 98-0001, Resolution No.

Question on adoption _____

No. 18.

[BART/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; companion measure to File 98-0001. (Airport Commission)

File 98-0246, Resolution No.

Question on adoption _____

No. 19.

[UCSF Land Donation, CEQA Findings]

Resolution adopting environmental findings (and a statement of overriding considerations) pursuant to the California Environmental Quality Act and state guidelines in connection with certain documents relating to the conveyance of land to the Regents of the University of California to be developed for university purposes; companion measure to Files 98-0183 and 98-0184. (Supervisors Yaki, Teng)

File 98-0182, Resolution No.

Question on adoption _____

No. 20.

[UCSF Property Donation Conveyance]

Resolution approving and authorizing the conveyance, for no consideration, to the Regents of the University of California, of approximately 1.34 acres of present and former street areas at 16th and 6th Streets to be developed for university purposes; adopting findings, that the conveyance is consistent with the City's General Plan and eight priority policies of Planning Code Section 101.1; and ratifying prior acts; companion measure to Files 98-0182 and 98-0184. (Supervisors Yaki, Teng)

File 98-0183, Resolution No.

(Fiscal Impact.)

(NOTE: Pursuant to 15 California Code of Regulations, Section 15168(e), this item is considered to be within the scope of the Long Range Development Plan approved earlier by the Regents of the University of California. It is suggested that the Program-level Final Environmental Impact Report prepared for the Long Range Development Plan adequately describes this item for purposes of the California Environmental Quality Act.)

Question on adoption _____

No. 21.

[UCSF Donation, Public Trust Agreement]

Resolution finding and determining that the conveyance to the Regents of the University of California of certain real property located near Sixth and 16th Streets is authorized by and consistent with the provisions of Chapter 1143 of the Statutes of 1991, as amended; approving an agreement; and ratifying past acts; companion to Files 98-0182 and 98-0183. (Supervisors Yaki, Teng)

File 98-0184, Resolution No.

(Fiscal Impact.)

(NOTE: Pursuant to 15 California Code of Regulations, Section 15168(e), this item is considered to be within the scope of the Long Range Development Plan approved earlier by the Regents of the University of California. It is suggested that the Program-level Final Environmental Impact Report prepared for the Long Range Development Plan adequately describes this item for purposes of the California Environmental Quality Act.)

Question on adoption _____

No. 22.

[Public Library Fine Amnesty]

Resolution authorizing the City Librarian to amnesty library fines in a manner of her choosing for a two week period designated at her discretion. (Supervisors Kaufman, Teng, Newsom)

File 98-0315, Resolution No.

Question on adoption _____

Recommendations of Housing and Neighborhood Services Committee

Present: Supervisors Medina, Yee

No. 23.

[Casket Stores]

Ordinance amending Planning Code defining Mortuary, to include casket stores and other retail establishments that sell or offer for sale exclusively funerary goods. (Supervisor Yee)

File 115-97-16, Ordinance No.

(Amends Sections 227, 790.62 and 890.62.)

(From Planning Department Certificate of Determination of Exemption/Exclusion from Environmental Review dated January 9, 1998. City Planning Commission Resolution No. 14357 adopted January 22, 1998, recommending the proposed amendment.)

Question on first reading _____

No. 24.

[Emergency Management Assistance Fund]

Resolution authorizing designated City and County Officials to execute and file, on behalf of the City and County, an application for state financial assistance under the emergency management assistance program; rescinding Resolution No. 314-92. (Supervisor Medina)

File 98-0270, Resolution No.

Question on adoption _____

SPECIAL ORDER 3:00 P.M.

No. 25.

[Public Hearing]

Hearing of persons interested in or objecting to vacation and sale of portion of Wawona Street between 18th and 19th Avenues, Block 2478, Lot 135, and authorizing other official actions in connection therewith.

File 98-0090

(Pursuant to Board of Supervisors Resolution No. 80-98, approved February 20, 1998.)

(March 9, 1998 - Consideration continued to March 16, 1998.)

Action _____

From Economic Development, Transportation and Technology Committee
Without Recommendation

Present: Supervisors Y aki, Medina

No. 25a.

[Vacation and Sale - Portion of Wawona Street]

Resolution ordering the vacation and sale of portion of Wawona Street between 18th and 19th Avenues, Block 2478, Lot 135, and authorizing other official actions in connection therewith. (Real Estate Department)

File 98-0090, Resolution No.

(March 9, 1998 - Consideration continued to March 16, 1998.)

Question on adoption _____

ROLL CALL FOR INTRODUCTIONS

No. 26.

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. 27.

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. 28.

Conference with City Attorney

(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 pending litigation in the case of Carpenter. et.al. vs. City and County of San Francisco, Case No. 901836MMC in the United States District Court. The closed session will be held pursuant to Government Code 54956.9(a).

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 elect at this time not to disclose its closed session deliberations concerning the possible litigation.

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. 29.

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 Lee On Dong Association]

Resolution commending Lee On Dong Association for their commitment to the Chinese American community and declaring March 22, 1998 as "Lee On Dong Association Day" in San Francisco. (Supervisor Teng)

File 98-0377, Resolution No.

(March 9, 1998 - Introduced in Board for consideration on March 16, 1998.)

Question on adoption.

(b)

[Commend Ong Ko Met Benevolent Association]

Resolution commending Ong **Ko** Met Benevolent Association for their commitment to the Chinese American community and declaring March 22, 1998 as "Ong Ko Met Benevolent Association Day" in San Francisco. (Supervisor Teng)

File 98-0378, Resolution No.

(March 9, 1998 - Introduced in Board for consideration on March 16, 1998.)

Question on adoption.

(c)

[Commend Rodel Rodis]

Resolution commending Mr. Rodel Rodis for his commitments and dedications; declaring March 31, 1998 as "Rodel Rodis Day" in San Francisco. (Supervisors Teng, Bierman)

File 98-0379, Resolution No.

(March 9, 1998 - Introduced in Board for consideration on March 16, 1998.)

Question on adoption.

(d)

[Library Foundation]

Resolution honoring the Library Foundation for its support of the San Francisco Public Library and Bay Area authors who represent our diverse communities. (Supervisors Teng, Bierman)

File 98-0380, Resolution No.

(March 9, 1998 - Introduced in Board for consideration on March 16, 1998.)

Question on adoption.

(e)

[Commend Task Force on Non-Profit Accountability]

Resolution commending the diverse Task Force on Non profit Accountability for their deliberate efforts in creating recommendations. (Supervisor Ammiano)

File 98-0381, Resolution No.

(March 9, 1998 - Introduced in Board for consideration on March 16, 1998.)

Question on adoption.

March 16, 1998

(f)

[State Legislation, AB 1815]

Resolution supporting AB 1815 and urges the California State Assembly to pass AB 1815 to make standardized testing meaningful in measuring academic progress of all children regardless what language they speak when they start school. (Supervisors Teng, Bierman)

File 98-0382, Resolution No.

(March 9, 1998 - Introduced in Board for consideration on March 16, 1998.)

Question on adoption.

(g)

[State Legislation, AB 18841]

Resolution urging the California State Assembly to add a new section to the Family Code as proposed by Assembly Bill 1884 to ensure the full participation of minor children in court proceedings. (Supervisors Medina, Bierman)

File 98-0383, Resolution No.

(March 9, 1998 - Introduced in Board for consideration on March 16, 1998.)

Question on adoption.

(h)

[Federal Legislation, HR 32061]

Resolution opposing HR 3206 or any other legislation that undoes the 1968 Civil Rights Act Title VIII, the Fair Housing Act, and its 1988 amendment. (Supervisors Medina, Bierman)

File 98-0384, Resolution No.

(March 9, 1998 - Introduced in Board for consideration on March 16, 1998.)

Question on adoption.

(i)

[State Legislation, SB 1405]

Resolution supporting Senate Bill 1405, the Burglar Bar Safety Bill. (Supervisor Newsom)

File 98-0385, Resolution No.

(March 9, 1998 - Introduced in Board for consideration on March 16, 1998.)

Question on adoption.

(j)

[Street Lighting, 24th Street Corridor]

Resolution supporting the 24th Street Revitalization Committee, the San Francisco Bureau of Light, Heat and Power and the U.S. Department of Energy in their effort to improve street lighting along the 24th Street corridor. (Supervisor Medina)

File 98-0389, Resolution No.

(March 9, 1998 - Introduced in Board for consideration on March 16, 1998.)

Question on adoption.

(k)

[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 98-0397, Motion No.

(March 9, 1998 - Introduced in Board for consideration on March 16, 1998.)

Question on adoption.

(l)

[Final Map]

Motion approving final map of 5810-5816-5818 Mission Street, a Condominium and Residential Condominium Project, being a subdivision of Lot 35 in Assessor's Block No. 7143, and adopting findings pursuant to Planning Code Section 101.1. (Department of Public Works)

File 98-0398, Motion No.

(March 9, 1998 - Referred to Board for consideration on March 16, 1998.)

Question on adoption.

(m)

[Final Map]

Motion approving final map of The Arundel, 1438 Green Street, a Residential Condominium Project, being a subdivision of Lot 4 in Assessor's Block No. 547, and adopting findings pursuant to Planning Code Section 101.1. (Department of Public Works)

File 98-0400, Motion No.

(March 10, 1998 - Referred to Board for consideration on March 16, 1998.)

Question on adoption.

Questions on the For Adoption Without Committee Reference Calendar _____

IMPERATIVE CALENDAR

No. 30.

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 MARCH 4 - MARCH 11, 1998, FOR REFERENCE BY PRESIDENT TO APPROPRIATE COMMITTEE ON MARCH 16,1998

File 98-0405. [vacation and Lease - Cohen Place] Ordinance ordering the vacation of Cohen Place off Ellis Street between Leavenworth and Hyde Streets subject to a specified reservation, authorizing the lease of such property on a year-to-year basis for annual rent of \$1.00, and without competitive bidding to the 509 Cultural Center and authorizing other official actions in connection therewith, companion measure to File 98-0406. Mayor Willie L. Brown, Jr. presented. Referred to Economic Development, Transportation and Technology Committee.

File 98-0407. [Appropriation, Airport Commission] Ordinance appropriating \$37,990,313, Airport Commission, for various capital improvement projects (related to the Master Plan and the development of Airport infrastructure), for fiscal year 1997-98. RO #97222. (Controller) Referred to Finance Committee.

File 98-0408. [Appropriation, Port Commission] Ordinance appropriating \$1,501,492, Port Commission, of San Francisco Harbor Operating Fund balance to fund the costs of various capital improvement projects (Fisherman's Wharf Plaza, landfill closure, wetland restoration, gas structure relocation, Pier 45 apron repair), for fiscal year 1997-98. RO #97223. (Controller) Referred to Finance Committee.

PROPOSED RESOLUTIONS RECEIVED MARCH 4 - MARCH 11, 1998, FOR REFERENCE BY PRESIDENT TO APPROPRIATE COMMITTEE ON MARCH 16,1998

File 98-0371. [CalWORKs Child Care Program] Resolution authorizing the consolidation of various streams of child care funding by modification of the existing contract with the Children's Council of San Francisco, a California corporation, to add to said contract the funds and services from these other sources. (Department of Human Services) Referred to Health, Family and Environment Committee.

File 98-0401. [Revocable Permit, 1000 Van Ness/901 Polk Street] Resolution granting revocable permission to DPR Construction, Inc. for a nine-month extension to temporarily close and occupy the west sidewalk and a portion of the street area on Polk Street and the south sidewalk and a portion of the street area on Myrtle Street for construction operations at 1000 Van Ness Avenue/901 Polk Street (Block 715, Lots 2 and 5). (Department of Public Works) Referred to Housing and Neighborhood Services Committee.

File 98-0402. [Contract, DPH - Regents of UCSF] Resolution authorizing the Department of Public Health, Public Health Division, to enter into a subcontract in the amount of \$140,156 with the Regents of the University of California, the primary contractor, to provide support personnel for the HIV Postexposure Prophylaxis Project (PEP); retroactive to December 1, 1997. (Department of Public Health) Referred to Health, Family and Environment Committee.

File 98-0403. [Contract, DPH - State Dept. of Mental Health] Resolution authorizing the Department of Public Health, Public Health Division, Community Mental Health Services, to enter into the fiscal year 1997-98 performance contract with the State Department of Mental Health, which includes indemnification clauses and does not include patent infringement indemnification and false claims clauses. (Department of Public Health) Referred to Health, Family and Environment Committee.

File 98-0406. [Vacation and Lease - Cohen Place] Resolution declaring intention of the Board of Supervisors to vacate Cohen Place off Ellis Street between Leavenworth and Hyde Streets subject to a specified reservations, setting the hearing date for all persons interested in the proposed vacation, making findings of General Plan conformance and consistency with Planning Code Section 101.1 and authorizing other official actions in connection therewith; companion measure to File 98-0405. Mayor Willie L. Brown, Jr. presented. Referred to Economic Development, Transportation and Technology Committee.

File 98-0409. [Property Acquisition, Golden Gate Heights District] Resolution authorizing acquisition of real property located in the Golden Gate Heights District identified as Assessor's Block No. 1860A Lot Nos. 20 and 21, and Assessor's Block No. 1861A Lot No. 2 for \$200,000 from Mark L. Pierce for open space purposes and adopting findings pursuant to Planning Code Section 101.1. (Real Estate Department) Referred to Finance Committee.

File 98-0410. [Lease of Property, 450 Seventh Street] Resolution authorizing a revocable license agreement for 450 Seventh Street for the Police Department; subject to certain conditions. (Real Estate Department) Referred to Housing and Neighborhood Services Committee.

File 98-0411. [Airport Concession Agreements, Car Rental] Resolution approving concession agreements for rental car operations between Hertz Corporation, Avis Rent-A-Car System, Alamo Rent-A-Car, National Car Rental, Budget Rent-A-Car, Dollar Systems, Thrifty Car Rental and Enterprise Rent-A-Car; and the City and County of San Francisco, acting by and through its Airport Commission. (Airport Commission) Referred to Finance Committee.

File 98-0412. [Prop J Contract, Clean Water Security Services] Resolution concurring with the Controller's Certification that security services be practically performed at the Southeast Community Service Facility, the Southeast Water Pollution Control Plant, the Earl P. Mills Center, and for as needed services by private contractor for lower cost than similar work services performed by City and County employees. (Public Utilities Commission) Referred to Finance Committee.

Petitions and communications received March 4 to March 11 for reference by the President to the Committee considering related matters or to be ordered filed by the Clerk March 16, 1998.

1. From various signators, submitting Form 700 Statement of Economic Interests:
Pedro Rodriguez, Budget Analyst
Millicent Bogert, Legislative Assistant to Supervisor Bierman
June Gutfleisch, Legislative Assistant to Supervisor Bierman
Kenneth Kong, Legislative Assistant to Supervisor Teng
Mary Mallen, Constituent Liaison to Supervisor Newsom
Kim Marschner, Legislative Assistant to Supervisor Yaki
Gail Stein, Legislative Assistant to Supervisor Kaufman
John Walter Reed, Legislative Assistant to Supervisor Brown

3. From Department of Public Health, submitting Hazardous Waste Release Report at Yerba Buena Island, Finger Pier, 750 Presido Avenue, 928 Harrison Street, 2295 California Street for fiscal year 1797-98. Health, Family and Environment Committee Clerk
3. From Controller's Audit Division, submitting reports concerning the concession audits of the Kezar Parking Lot.
4. From Commission on the Status of Women, submitting 1996/97 Annual Report.
5. From Art Commission, requesting release of reserve funds in the amount of \$154,200 for purchase of computer system and software and for maintenance of the South of Market Cultural Center for asbestos removal. Finance Committee
6. From Office of the Assessor-Recorder, requesting release of reserve funds in the amount of \$150,000 for a contract employee serving as Project Manager. Finance Committee
7. From Department of Parking and Traffic, requesting release of reserve funds in the amount of \$1,200,00 for the St. Mary's Square Garage. Finance Committee
8. From various departments, responding to Supervisor Newsom's request regarding Customer Service Plans:
Real Estate Department
Purchasing Department
Airport
Copy: Supervisor Newsom
9. From Police Department, responding to inquiry from Supervisor Katz regarding police officers on the Muni Railway System.
10. From Department of Parking and Traffic, regarding the placement of Stop signs on Eastwood and Westwood Drive.
11. From Residential Rent Stabilization and Arbitration Board, regarding service interruption, March 9-13, 1998, due to remodeling its office to add an additional hearing room.
12. From Residential Rent Stabilization and Arbitration Board, regarding card key system for residential units.
13. From Department of Elections, submitting Certification of Initiative Petition: Use and Control of Treasure Island; Declaration of Policy. File 98-0333
Project Notification; Ordinance. File 98-0333
Use and Occupancy of City; Protocol Activities; Ordinance. File 98-0330
Board of Supervisor's Staffing; Ordinance. File 98-0331
Rules Committee
14. From Office of the Public Defender, regarding Computer Readiness for Year 2000.
15. From Public Utilities Commission, regarding Emergency Declaration for 1998 El Nino Storm Damage.

16. From Public Utilities Commission, submitting Declaration of a Sewer Emergency in the Easement from Baltimore Way to Canyon Drive.
17. From Public Utilities Commission, submitting Declaration of an Emergency for Bidding a Construction Contract to Eliminate Flooding on Custer, Rankin and Davidson Streets.
18. From Office of the Mayor, requesting release of reserve funds in the amount of \$1,600,000 to use towards Communication Aided Dispatch (CAD) and Automated Information System (AIS) equipment purchases and contractual services as a component of the 911 project. Finance Committee
19. From Fire Department, submitting 1997~Annual Facility Fire Inspections for: Central, Bayview, Park, Potrero, Mission and Taraval Police Stations; Adult and Juvenile Detention Facilities; and Jail No. 2, 850 Bryant Street, 7th floor
20. From Unified School District, regarding changes made to Section 22112 of the Vehicle Code by AB1297 for all school bus drivers and district plans to publicize the changes.
21. From Grants for the Arts, responding to inquiry regarding the status of the applications to Grants for the Arts from the Asian Pacific Cultural Center and the Queer Cultural Center. Copy: Supervisor Ammiano
22. From U.S. Army Corps of Engineers, submitting Public Notice dated February 27, 1998 regarding Summary of Permit Actions for the months of October through December 1997.
23. From Service Employees International Union Local 250, urging support of the proposal for a countywide ombudsprogram.
24. From Feminist Women's Health Center, regarding trial of Dr. Bruce Steir, abortion physician, on the charge of murder for a patient death.
25. From California Center for Health Improvement, regarding tobacco companies deliberately marketing cigarettes to minors.
26. From Law Office of Reed W. Super, regarding Notice of Appeal of Planning Commission's Certification of Sutro Tower Digital Television Final Environmental Impact Report. Copy: City Attorney
27. From various signators, opposing proposed ordinance to regulate retail marketplace for gasoline. (2 letters received) Economic Development, Transportation and Technology. File 97-97-57
28. From Maurice Pena, regarding lot on 23rd and Treat Streets.
29. From John Jenkel, urging support of Port Commission Resolution 94-20 for Open Government Process.
30. From Donald Rice, regarding disability access for veterans.
31. From Paget Valentzas, regarding Valencia Street bike lanes.
32. From Michael Wise, regarding owner move-in law. Copy: Supervisors Teng, Ammiano

33. From Suzanne Driver, regarding appointment of Independent Panel of the Parks and Recreation Committee to deal with the issues of dogs and off-leash areas.
34. From Yasmin A. Sayyed, regarding dogs, leash laws and public parks.
35. From various signators, urging support of legislation banning the 'sale of live animals for food. (4 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 March 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	30 Day Rule Expires
Public Pay Telephone Revenues	98-0259 Ordinance	Finance	Newsom	2/17/98	3/19/98
Public Artworks, Historic Landmarks	98-0260 Ordinance	Housing and Neighborhood Services	Newsom	2/17/98	3/19/98
Taxicab Fare Rate increase	98-0334 Ordinance	Finance	Newsom	3/2/98	4/1/98
Specialty Grocery and Retail Coffee Stores, 24th Street-Noe Valley	98-0335 Ordinance	Housing and Neighborhood Services	Bierman	3/2/98	4/1/98
CalTrain to Airport	98-0344 Resolution	Economic Development, Transportation and Technology	Bierman	3/2/98	4/1/98
Lobbyist Regulations	98-0311 Ordinance	Rules	Ethics Commission	3/2/98	4/1/98