

CITY AND COUNTY OF SAN FRANCISCO

BOARD OF SUPERVISORS

Monday, July 20, 1998

ROLL CALL

PLEDGE OF ALLEGIANCE

APPROVAL OF JOURNAL

COMMUNICATIONS

CONSENT CALENDAR

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.

Items 1 through 24

Recommendations of Finance Committee

Present: Supervisors Kaufman, Newsom

No. 1.

[Contractor Permit Fees]

Ordinance amending Traffic Code, providing for contractor permit fees. (Department of Parking and Traffic)

File 98-0890, Ordinance No.

(Amends Section 202.C.)

Question on final passage.

No. 2.

[Settlement of Grievance, Local 6]

Ordinance authorizing settlement of acting assignment of pay grievance of Ron Perez filed pursuant to the Memoranda of Understanding between the International Brotherhood of Electrical Workers, Local 6, in the amount of Thirteen Thousand Three Hundred Fifty One Dollars and Forty Cents (\$13,351.40). (Department of Human Resources)

File 98-0929, Ordinance No.

Question on final passage.

July 20, 1998

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No. 3.

[Hotel Tax Protocol Allocation]
Ordinance amending Municipal Code, Part III, to delete the allocation for the Office of Protocol. (Supervisor Kaufman)

File 98-0995, Ordinance No.

(Amends Section 515.1.)

Question on final passage.

Present: Supervisors Teng, Kaufman, Newsom

No. 4.

[Appropriation/Settlement of Lawsuit, PUC]
Ordinance appropriating \$2,300,000, Public Utilities Commission - Water Department, from Water Department fund balance to claims and judgments for fiscal year 1997-98 and authorizing settlement of litigation of Hefter v. County of San Mateo, et al. by payment of \$2,300,000. (Controller)

File 98-0943, Ordinance No.

(Alameda Superior Court No. 786568.)

Question on final passage.

No. 5.

[Appropriation/Settlement of Lawsuit, PUC]
Ordinance appropriating \$4,907,500, Public Utilities Commission-Cleanwater, from Clean Water program fund balance to claims and judgments, for fiscal year 1997-98, and authorizing settlement of litigation of Howard and Iran Billman and State Farm General Insurance Company for a total settlement of \$4,907,500. (Controller)

File 98-0978, Ordinance No.

(Superior Court No. 980-740.)

Question on final passage.

No. 6.

[MSS Contract with Addus Healthcare]
Resolution approving the contract between the City and County and Addus Healthcare for the provision of In-Home Supportive Services for the period from August 1, 1998 to June 30, 2001, with a possible renewal for one year, in the amount of \$14,888,844. (Supervisor Teng)

File 98-0934, Resolution No.

Question on adoption.

July 20, 1998

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No. 7.

[IHSS Contract with IHSS Consortium of S.F.]
Resolution approving the contract between the City and County and the IHSS Consortium of San Francisco for the provision of In-Home Supportive Services for the period from August 1, 1998 to June 30, 2001, with a possible renewal for one year, in the amount of \$16,132,813. (Supervisor Teng)

File 98-0935, Resolution No.

Question on adoption.

Recommendation of Economic Development, Transportation
and Technology Committee

Present: Supervisors Katz, Leno

No. 8.

[Minority/Women/Local Business Utilization Ord. III]
Ordinance amending Administrative Code, to set forth findings supporting a two month extension of the MBE/WBE/LBE Ordinance-III and providing for the two month extension. (Supervisor Brown)

File 98-1037, Ordinance No.

(Adds Section 12D.2-6;
Amends Sections 12D.9(A), 12D.10(A), 12D.11(A), 12D.11(A)-(1) and 12D.15(G).)

Question on final passage.

Recommendation of Housing and Neighborhood Services Committee

Present: Supervisors Medina, Yee, Leno

No. 9.

[Zoning Map Amendment - 500 Raymond Avenue]
Ordinance adopting changes in property use classification as an amendment to the Zoning Map of the City and County of property located at 500 Raymond Avenue, a portion of Lot 2 in Assessor's Block 6221, from a "P" (Public Use) District to an RH-1 (House, One-Family) District and adopting findings pursuant to Planning Code Section 101.1. (Planning Commission)

File 98-0939, Ordinance No.

(March 26, 1998 - Planning Department Resolution No. 14606, adopted approving proposed amendment.)

Question on final passage.

Recommendation of Parks and Recreation Committee

Present: Supervisors Brown, Newsom, Bierman

No. 10.

[Periodic Assessment-Parks and Recreation Programs]
Ordinance amending the Park Code, requiring the Recreation and Park Department to conduct a survey every five years of the public's satisfaction with the current condition of city parks and recreation facilities, the public's satisfaction with the department's current programs and the public's perception of the need for changes to existing parks, facilities and programs, and requiring the department to report to the Board of Supervisors on the results of the survey. (Supervisors Newsom, Brown, Medina)

File 98-0898, Ordinance No.

(Adds Section 3.18.)

Question on final passage.

Recommendations of Rules Committee

Present: Supervisors Ammiano, Yee

No. 11.

[Settlement Agreement, Lynne Beeson]
Ordinance authorizing settlement of the claim for wages of Lynne Beeson in the amount of Thirty Thousand Three Hundred Fifty-Three Dollars and Thirty Cents (\$30,353.30). (Department of Human Resources)

File 98-0990, Ordinance No.

Question on first reading.

No. 12.

[CCSF, v. Pacific Bell, et al.]
Ordinance authorizing settlement of litigation of the City and County v. Pacific Bell, et. al, for the receipt of \$75,000. (City Attorney)

File 98-1077, Ordinance No.

Question on first reading.

No. 13.

[Commercial & Interiors Construction v. CCSF]
Ordinance authorizing settlement of litigation of Commercial and Interiors Construction, Inc., et al. against the City and County by payment of \$285,016.13. (City Attorney)

File 98-1103, Ordinance No.

(Superior Court No. 990-209.)

Question on first reading.

July 20, 1998

No. 14.

[Marlene Joss-Zee and H. Scott Zee v. CCSF]
Ordinance authorizing settlement of litigation of Marlene Joss-Zee and H. Scott Zee against the City and County by payment of \$95,000. (City Attorney)

File 98-1104, Ordinance No.

(Superior Court No. 976-774.)

Question on first reading.

No. 15.

[Brenna Bavis v. CCSF, et al.]
Ordinance authorizing settlement of litigation of Brenna Bavis against the City and County by payment of \$32,199. (City Attorney)

File 98-1105, Ordinance No.

(U.S. District Court, N. D. Cal. No. C95-3969 CRB.)

Question on first reading.

No. 16.

[Appointment]
Resolution appointing member to the Sunshine Ordinance Task Force, for new two year term ending April 27, 2000. (Rules Committee)

File 98-0499, Resolution No.

(Tuesday Ray, succeeding Charlotte Berk, Seat No. 27104, League of Women Voters, term expired.)

Question on adoption.

No. 17.

[Appointments]
Resolution appointing members to the Advisory Dogs Off-Leash Task Force, terms to expire on October 28, 1998; and making findings waiving residency requirement. (Rules Committee)

File 98-0919, Resolution No.

(Marybeth Wallace, Coleman Advocates;
Thomas Mills, M.D., Noe Courts Coalition;
Virginia Handley, The Fund For Animals.)

Question on adoption.

No. 18.

[Gift Acceptance - Union Square Renovation, DPW]
Resolution authorizing the acceptance of a gift of \$500,000 from the Uptown Parking Corporation to be used to explore the feasibility of renovating Union Square Garage and Plaza. (Department of Parking and Traffic)

File 98-0977, Resolution No.

Question on adoption.

No. 19.

[Appointment]
Resolution appointing member to the Ethics Commission, for new four-year term ending June 8, 2002. (Supervisor Kaufman)

File 98-1008, Resolution No.

(Isabella Horton Grant, Seat No. 27701, general public, term expired.)

Question on adoption.

No. 20.

[Appointment]
Resolution appointing member to the Lead Hazard Reduction Citizens Advisory Committee, for new four-year term ending December 22, 1999. (Rules Committee)

File 98-1180, Resolution No.

(Donald Lanier, succeeding himself, Seat No. 26719, US Environmental Protection Agency//ex-officio member, term expired.)

Question on adoption.

No. 21.

[Appointments]
Resolution appointing members to the Parking and Open Space Advisory Committee, terms expired, for new two year terms ending July 15, 2000. (Rules Committee)

File 98-1 181, Resolution No.

(Gaeta Bell, succeeding herself, Seat No. 23307, at large;
Kevin Fox, succeeding himself, Seat No. 23308, at large;
Ina Dearman, succeeding herself, Seat No. 23310, organization list.)

Question on adoption.

No. 22.

[Appointment]

Resolution appointing member to the Hazardous Materials Advisory Committee, for new four year term ending July 1, 2002; and making findings waiving residency requirement. (Rules Committee)

File 98-1182, Resolution No.

(Mark Galbo, succeeding himself, Seat No. 22604, toxicologist, term expired.)

Question on adoption.

No. 23.

[Appointments]

Resolution appointing members to the Shopping Cart Task Force, terms to expire October 28, 1998; making findings waiving residency requirement. (Rules Committee)

File 98-1183, Resolution No.

(John Handley, Seat No. 1, Northern CA. Grocers Association;
Barbara Chionsini, Seat No. 4, Lakeshore Homeowners Association.)

Question on adoption.

No. 24.

[Appointments]

Resolution appointing members to the Lead Hazard Reduction Citizens Advisory Committee, terms expired, for new four-year terms ending December 22, 2001. (Rules Committee)

File 98-1184, Resolution No.

(Frances Doherty, succeeding herself, Seat No. 26703, painting contractor;
Carolyn Gold, succeeding herself, Seat No. 26712, tenant organization;
Richard McGuire, succeeding himself, Seat No. 26721, S.F. Housing
Authority/ex-officio member.)

Question on adoption.

Questions on the consent calendar are on first reading, final passage or

adoption as indicated _____

REGULARCALENDAR

UNFINISHED BUSINESS

Recommendations of Finance Committee

Present: Supervisors Teng, Kaufman, Newsom

No. 25.

[Annual Budget]

Annual Budget of the City and County of San Francisco for fiscal year 1998-1999. (Mayor Willie L. Brown, Jr.)

File 98-0849

(Charter Section 9.100 provides the Board shall not adopt the Budget not earlier than July 15, 1998, nor later than August 1, 1998.)

(July 13, 1998 - Consideration continued to July 20, 1998.)

Question on adoption _____

No. 26.

[Annual Appropriation Ordinance, 1998-1999]

Ordinance appropriation all estimated receipts and all estimated expenditures for the City and County, for fiscal year ending June 30, 1999; companion measure to Files 98-0849 and 98-0851. (Mayor Willie L. Brown, Jr.)

File 98-0850, Ordinance No.

(Fiscal Impact.)

(July 13, 1998 - Consideration continued to July 20, 1998.)

Question on first reading _____

No. 27.

[Annual Salary Ordinance, 1998-1999]

Ordinance enumerating positions in the Annual Budget and Annual Appropriations Ordinance for the fiscal year ending June 30, 1999, continuing, creating or establishing these positions; enumerating and including therein all positions created by Charter or State law for which compensations are paid from City and County funds and appropriated in the Annual Appropriation Ordinance; authorizing appointments or continuation of appointments thereto; specifying and fixing the compensations and work schedules thereof; and authorizing appointments to temporary positions and fixing compensations therefor; companion measure to Files 98-0849 and 98-0850. (Mayor Willie L. Brown, Jr.)

File 98-0851, Ordinance No.

(Fiscal Impact.)

(July 13, 1998 - Consideration continued to July 20, 1998.)

Question on first reading _____

No. 28.

[Redevelopment Agency Budget and Bonds, 1998-1999]

Resolution approving Budget of the Redevelopment Agency of the City and County for fiscal year 1998-1999. (Redevelopment Agency)

File 98-0937, Resolution No.

(July 13, 1998 - Consideration continued to July 20, 1998.)

Question on adoption _____

Present: Supervisors Kaufman, Newsom

No. 29.

[Permit Fees]

Ordinance amending Traffic Code, providing for residential permit fees. (Department of Parking and Traffic)

File 98-0891, Ordinance No.

(Amends Section 314.)

Question on final passage _____

July 20, 1998

Recommendations of Economic Development, Transportation
and Technology Committee

Present: Supervisors Katz, Leno

No. 30.

[Landmarks and Historic Districts]

Ordinance amending Planning Code, property owned by Public Agencies, to exempt Golden Gate Bridge, Highway and Transportation District from the requirements of Section 1010. (Supervisor Kaufman)

File 98-0448, Ordinance No.

(Amends Planning Code Section 1010.)

(Approved by Planning Commission Resolution No. 14633, adopted June 4, 1998.)
(General Rule Exclusion from Environmental Review.)

Question on final passage _____

No. 31.

[Management Agreement, Civic Center Plaza Garage]

Ordinance rejecting all bids received for management of the Civic Center Plaza Garage, approving form of Civic Center Plaza Garage management agreement and bid documents for rebid purposes, 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, and approving new parking rates for the Civic Center Plaza Garage as contained in the approved management agreement. (Real Estate Department)

File 98-1070, Ordinance No.

Question on final passage _____

From Housing and Neighborhood Services Committee
Without Recommendation

Present: Supervisors Medina, Yee, Leno

No. 32.

[Units Regulated; Rent Calculations]

Ordinance amending Administrative Code, defining "tenant-based rental assistance;" defining "base rent" for purpose of certain rental units receiving tenant-based rental assistance or formerly receiving project-based rental assistance or indirect assistance through HUD-insured mortgages; including within the definition of "rental units" for certain purposes those units occupied by tenants receiving tenant-based rental assistance; limiting the applicability of rent increase limitations; and requiring certain notices prior to rent increases for or evictions from rental units occupied by tenants receiving tenant-based rental assistance. (Mayor Willie L. Brown, Jr., Supervisors Ammiano, Brown, Leno, Newsom, Bierman, Katz, Medina)

File 98-0950, Ordinance No.

(Amends Sections 37.2, 37.3 and 37.9.)

Question on final passage _____

No. 33.

[Housing Discrimination]

Ordinance amending Police Code, to prohibit housing discrimination based on source of income and other economic discrimination. (Supervisors Brown, Ammiano, Bierman, Katz, Medina)

File 98-0951, Ordinance No.

(Amends Section 3304.)

Question on final passage _____

Recommendation of Rules Committee

Present: Supervisors Ammiano, Yee, Brown

No. 34.

[Charter Amendment, Customer Service Plan]

Charter amendment (First Draft), adding Section 16.120 to require each department of the City and County to adopt a Customer Service Plan. (Supervisor Newsom)

File 98-0825

(July 6, 1998 - Consideration continued to July 20, 1998.)

Question on submission _____

July 20, 1998

NEW BUSINESS

Recommendations of Finance Committee

Present: Supervisors Teng, Kaufman, Newsom

No. 35.

[Court Compensation]

Ordinance setting schedules of compensation and other economic benefits for fiscal year 1998-1999 for certain classifications of persons employed by the Municipal Court for the City and County of San Francisco. (Municipal Court)

File 98-1062, Ordinance No.

(Fiscal Impact.)

Question on first reading _____

No. 36.

[Procurement]

Ordinance amending Administrative Code to authorize the Purchaser to purchase goods and services under contracts executed by the State of California. (Supervisor Katz)

File 98-1085, Ordinance No.

(Amends Section 21.46.)

Question on first reading _____

No. 37.

[Sale of Surplus Property - Sunol Aqueduct]

Resolution authorizing the sale of Public Utilities Commission surplus real property (approximately 1.47 acres) identified as a portion of the Sunol Aqueduct easement located near Fremont, Alameda County, California to Mission Clay Products Company. (Real Estate Department)

File 98-1031, Resolution No.

Question on adoption _____

No. 38.

[Sale of Surplus Property - Sunol, Alameda County]

Resolution authorizing the sale of 11,240 square feet of land of Public Utilities Commission surplus property identified as a portion of Assessor Parcel No. 96-115-6-1 located in Sunol, Alameda County, California to the State of California. (Real Estate Department)

File 98-1033, Resolution No.

Question on adoption _____

No. 39.

[Airport Revenue Bonds]

Resolution approving the issuance of up to \$1,400,000,000 aggregate principal amount of San Francisco International Airport Second Series Revenue Refunding Bonds for the purpose of refinancing certain outstanding 1991 Resolution Bonds and Subordinate Bonds of the Airport Commission issued for the purpose of financing or refinancing certain capital improvements at San Francisco International Airport; approving the maximum interest rate thereon; approving the time for sale of Refunding Bonds as ending December 31, 2001; and approving a maximum number of issues and final maturity date of the sale of Refunding Bonds not later than May 1, 2032. (Airport Commission)

File 98-1066, Resolution No.

Question on adoption _____

No. 40.

[Emergency Repair Work, PUC-Water Department]

Resolution approving the expenditure of funds for emergency work for operational costs, watershed damage and water treatment costs associated with El Nino storms (estimated at \$1,100,614). (Public Utilities Commission)

File 98-1069, Resolution No.

(Fiscal Impact.)

Question on adoption _____

No. 41.

[Sale of Surplus City-Owned Property]

Resolution confirming sale of surplus City-owned property under the jurisdiction of the Department of Public Works; Assessor's Block 3807, Lot 12, 7th and Channel Streets and Assessor's Block 5067, Lot 3, San Bruno Avenue near Campbell Avenue. (Real Estate Department)

File 98-1073, Resolution No.

Question on adoption _____

Recommendations of Health, Family & Environment Committee

Present: Supervisors Bierman, Ammiano

No. 42.

[Hospital Provider Services Agreement]

Resolution authorizing the Director of Public Health to execute an agreement, including indemnification, binding arbitration, and limited authority for the Director of Public Health to execute amendments, for the provision of hospital services to the members of the San Francisco Health Plan effective retroactive to July 1, 1998. (Department of Public Health)

File 98-1029, Resolution No.

Question on adoption _____

No. 43.

[Hospital Provider Services Agreement]

Resolution authorizing the Director of Public Health to execute an agreement, including indemnification, binding arbitration, and limited authority for the Director of Public Health to execute amendments, for the provision of hospital services to the members of Foundation Health Systems Affiliates effective retroactive to July 1, 1998. (Department of Public Health)

File 98-1030, Resolution No.

Question on adoption _____

Recommendations of Rules Committee

Present: Supervisors Ammiano, Yee

No. 44.

[Department of Public Health Membership]
Ordinance amending Administrative Code, adding certain organizations to the membership list of the Department of Public Health. (Department of Public Health)

File 98-1028, Ordinance No.

(Amends Section 16.610.)

Question on first reading _____

No. 45.

[Statute of Limitations]
Resolution approving the waiver of the applicable statute of limitations in Penske Truck Leasing Co., Inc. v. City and County. (City Attorney)

File 98-1027, Resolution No.

(San Francisco Municipal Court No. 146-915.)

Question on adoption _____

No. 46.

[Appointment]
Resolution appointing Supervisor Jose Medina, to the Association of Bay Area Governments Executive Board for unexpired portion of a two year term ending June, 30, 1999. (Rules Committee)

File 98-1075, Resolution No.

(succeeding Leslie Katz, Seat No. 10303, alternate position, resigned.)

Question on adoption _____

No. 47.

[Appointment]

Resolution appointing Supervisor Gavin Newsom to the Association of Bay Area Governments, Executive Board for a two-year term ending June 30, 2000. (Rules Committee)

File 98-1101, Resolution No.

(Seat No. 10306, alternate position.)

Question on adoption _____

ROLL CALL FOR INTRODUCTIONS

No. 48.

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. 49.

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.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

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.

No. 50.

[NationsBank/Bank of America Intermerger]

Resolution urging the Federal Reserve Bank to require that the NationsBank/Bank of America Intermerger Application include a commitment to employment non-discrimination policies which include sexual orientation. (Supervisors Leno, Ammiano, Katz, Bierman)

File 98-1 161, Resolution No.

(July 13, 1998 - Introduced in Board for consideration on July 20, 1998.)

Question on adoption.

No. 51.

[Commending Friends of Dolores Park]

Resolution commending Friends of Dolores Park for outstanding volunteer service and safety efforts sparked by a need for community involvement to address crime and deterioration within the Park. (Supervisor Newsom)

File 98-1162, Resolution No.

(July 13, 1998 - Introduced in Board for consideration on July 20, 1998.)

Question on adoption.

No. 52.

[Dolores Park Police Patrol]

Resolution urging the Police Department to institute a twelve hour daily patrol of Dolores Park as soon as possible without the use of overtime pay. (Supervisor Newsom)

File 98-1163, Resolution No.

(July 13, 1998 - Introduced in Board for consideration on July 20, 1998.)

Question on adoption.

No. 53.

[Interdepartmental Task Force Directions]

Resolution appointing an Interim Chair to the Interdepartmental Parks Safety Committee; directing it to place top priority on both addressing Dolores Park safety and on establishing a process for community engagement; and designating a liaison to the Board of Supervisors who will provide status reports on a quarterly basis to the Parks and Recreation Committee. (Supervisor Newsom)

File 98-1164, Resolution No.

(July 13, 1998 - Introduced in Board for consideration on July 20, 1998.)

Question on adoption.

No. 54.

[Supporting the Kyoto Protocol on Climate Change]

Resolution supporting the Kyoto Protocol on Climate Change as a small but significant means to reduce greenhouse gas emissions and stabilize the global atmosphere, and as a necessary first step toward maintaining the health and quality of life for future generations of San Franciscans, and urging Senators Boxer and Feinstein to pursue ratification of this agreement by the Senate. (Supervisor Bierman)

File 98-1165, Resolution No.

(July 13, 1998 - Introduced in Board for consideration on July 20, 1998.)

Question on adoption.

No. 55.

[Commending NAACP and Julian Bond]

Resolution commending the National Association for the Advancement of Colored People (NAACP) and Board Chairman Julian Bond for their national convention session in Atlanta, Georgia, accelerating the volume of interest in AIDS and declaring a state of emergency regarding the spread of AIDS among African Americans. (Supervisors Brown, Bierman, Katz)

File 98-1166, Resolution No.

(July 13, 1998 - Introduced in Board for consideration on July 20, 1998.)

Question on adoption.

No. 56.

[Waste Wi\$e" Program]

Resolution joining the United States Environmental Protection Agency as a partner in its voluntary solid waste reduction "Waste Wi\$e" Program. (Supervisors Katz, Bierman)

File 98-1167, Resolution No.

(July 13, 1998 - Introduced in Board for consideration on July 20, 1998.)

Question on adoption.

No. 57.

[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, Leno)

File 98-1174, Motion No.

(July 13, 1998 - Introduced in Board for consideration on July 20, 1998.)

Question on adoption.

No. 58.

[Final Map]

Motion approving final map of Russian Hill Summit at 1035-37, 39, 41, 43 and 45 Vallejo Street, a Residential Condominium Project, being a subdivision of Lots 42, 43 and 44 in Assessor's Block No. 150, and adopting findings pursuant to Planning Code Section 101.1 subject to Planning Commission variance decision Case No. 96.089V. (Department of Public Works)

File 98-1154, Motion No.

(July 8, 1998 - Referred to Board for consideration on July 20, 1998.)

Question on adoption.

July 20, 1998

No. 59.

[Final Map]

Motion approving final map of 230, 234, 236 Ritch Street, 33, 35 Zoe Street, a Live/Work Condominium Project, being a subdivision of Lot 9A in Assessor's Block No. 3776, and adopting findings pursuant to Planning Code Section 101.1. (Department of Public Works)

File 98-1175, Motion No.

(July 13, 1998 - Referred to Board for consideration on July 20, 1998.)

Question on adoption.

Questions on the For Adoption Without Committee Reference Calendar _____

IMPERATIVE CALENDAR

No. 60.

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 finds 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 finds 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 finds by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

Action _____

(d)
[Imperative Resolutions, if any]

Questions on the Imperative calendar _____

-- PROPOSED ORDINANCES RECEIVED JULY 8 - JULY 15, 1998, FOR REFERENCE BY PRESIDENT TO APPROPRIATE COMMITTEE ON JULY 20, 1998

File 98-1176. [Settlement of Grievance, Fariba Mahmoudi] Ordinance authorizing settlement of the pay grievance of Fariba Mahmoudi filed pursuant to the Memoranda of Understanding between the International Federation of Professional and Technical Engineers, Local 21, AFL-CIO, and the City and County of San Francisco in the amount of Sixteen Thousand Eight Hundred Twenty-Six Dollars and Fifty Cents (\$16,826.50). (Department of Human Resources) Referred to Finance Committee.

File 98-1179. [Appropriation, Administrative Services] Ordinance appropriating \$30,100,000, Administrative Services, from Convention Facilities Fund Balance to finance land acquisition, improvements, and tenant relocation for the Moscone Convention Center expansion, for fiscal year 1998-99. RO #98008. (Controller) Referred to Finance Committee.

PROPOSED RESOLUTIONS RECEIVED JULY 8 - JULY 15, 1998, FOR REFERENCE BY PRESIDENT TO APPROPRIATE COMMITTEE ON JULY 20, 1998

File 98-1156. [Assessment Costs, Sidewalk and Curb Repairs] Resolution confirming report of assessment costs submitted by the Director of Public Works for sidewalk and curb repairs ordered to be performed by said Director pursuant to Sections 707 and 707.1 of the Public Works Code, the costs thereof having been paid for out of a Revolving Fund. (Department of Public Works) Scheduled for public hearing before Board on August 10, 1998, at 3:00 p.m.

File 98-1177. [Special Assessment Liens, Building Inspection] Resolution confirming report of delinquent charges for code enforcement cases with delinquent assessment of costs, pursuant to the provisions of Sections 102.1, 102.2, 102.3, 102.14, 102.15, 102.16, 102.17, 102.18 et seq., 108.8 and Section 110 Tables I-G, and I-K, of the San Francisco Building Code, submitted by the Director of the Department of Building Inspection for services rendered by said Department the costs thereof having accrued pursuant to the code violations referenced above. (Department of Building Inspection) Scheduled for public hearing before Board on July 27, 1998, at 3:00 p.m.

File 98-1178. [Rescission of Tax Deed for Public Auction Sale] Resolution authorizing the Tax Collector to cancel the tax deed issued to the purchaser of 43 Crescent Avenue (Parcel No. 34-5746-012; Block 5746, Lot 012) following the September 26, 1997 public auction of tax defaulted property and to refund the bid amount to the purchaser. (Treasurer/Tax Collector) Referred to Finance Committee.

File 98-1185. [Unlitigated Claim, Business Software Alliance] Resolution approving the settlement of unlitigated claim of Business Software Alliance by payment of \$25,632.65. (City Attorney) Referred to Rules Committee.

File 98-1186. [Healthy Cities Project] Resolution supporting the San Francisco Healthy Cities CHIPPS Senior Injury Prevention Collaborative Project. (Department of Public Health) Referred to Health, Family and Environment Committee.

File 98-1187. [State Grant, Drug Abatement Program] Resolution authorizing the Mayor's Criminal Justice Council of the City and County of San Francisco to implement a Drug Abatement Program for the purposes of applying for funds made available through the Office of Criminal Justice Planning for the twelve month period July 1, 1998 through June 30, 1999. (Mayor's Office of Criminal Justice Council) Referred to Housing and Neighborhood Svcs Committee.

File 98-1188. [Prop J Contract, Budget Analyst] Resolution concurring with the Controller's certification that Budget Analyst Services can be practically performed by private contractor for lower cost than similar work services performed by City and County employees. (Clerk of the Board) Referred to Finance Committee.

Petitions and communications received July 8 to July 15 for reference by the President to the Committee considering related matters or to be ordered filed by the Clerk July 20, 1998.

1. From Jon Ballesteros, Senior Legislative Analyst, Board of Supervisor, submitting Form 700 Statement of Economic Interest.
2. From various departments, submitting review of Administrative Code Section 58 regarding Conflict of Interest Code:
Community College District
Economic Opportunity Council
Department of Human Services
Film and Video Arts Commission
Mayor's Office of Emergency Services
Public Library
3. From Department of Public Health, submitting Hazardous Waste Release Report at 3415 Pierce Street, 445 Fillmore Street, 3456 Baker Street, 77 Jordan Avenue, 2442-2444 Francisco Street, 1475 Mission Street, Innes 81 Griffith & Interstate 80, westbound, at Harrison exit. Health, Family and Environment Committee Clerk
4. From Department of Human Resources, submitting Administrative Change No. OI-98/99 to the Interim Annual Salary Ordinance, Fiscal Year 1998/99. File 98-0853
5. From Controller's Audits Division, submitting report concerning the department head transition at the Department of Public Health.
6. From Office of the Treasurer/Tax Collector, submitting Cash Difference and Overage Funds for the period ending June 30, 1998.
7. From Office of the Treasurer, submitting computer printouts detailing the city's investment portfolio as of June 30, 1998.
8. From Department of Human Resource, submitting quarterly report of Economic Settlements.
9. From Airport, submitting annual progress report on the Master Plan Program.
10. From Department of Public Health, submitting AIDS Surveillance Report, June 1998.

11. From Ethics Commission, submitting report on Campaign Consultant activity.
12. From Mayor's Office of Community Development, revising release of reserve funds in the amount of \$231,474 in lieu- of the *previous request of \$691,474. Finance Committee. File 98-1149
13. From Department of Parking and Traffic, submitting parking and traffic items on the Housing and Neighborhood Services Committee's agenda for July 16, 1998. Housing and Neighborhood Services Committee
14. From Public Utilities Commission, submitting Declaration of a Sewer Emergency on Brannan Street between Collin P. Kelly Jr. Street and 2nd Street.
15. From Recreation and Park Department, responding to inquiry from Supervisor Kaufman and Newsom regarding justification as to why an employee was allowed to work out of official classification. Copy: Supervisors Teng, Kaufman and Newsom
16. From Office of the City Attorney, submitting Opinion Regarding Federal Preemption of Amendments to the Residential Rent Stabilization and Arbitration Ordinance. Copy: Each Supervisor. File 98-0950
17. From Police Department, responding to inquiry regarding the timeline to hold public hearings on the Taxicab Task Force recommendations. Economic Development, Transportation and Technology Committee. File 98-0972
18. From Office of the Sheriff, submitting request to Human Rights Commission for waiver of provisions of Chapter 12B and 12C of Administrative Code.
19. From Office of the Treasurer, responding to Supervisor Newsom's request regarding Customer Service Plan. Economic Development, Transportation and Technology Committee. Copy: Supervisor Newsom. File 98-0349
20. From various departments, responding to Supervisor Newsom's request regarding hours of operation in connection with Customer Service Plan. Copy: Supervisor Newsom
Employees* Retirement System
Library
Commission on the Status of Women
Superior and Municipal Courts
21. From various departments, responding to Supervisor Yee's request regarding translation services. Copy: Supervisor Yee
Public Administrator/Public Guardian
Juvenile Probation Department
Fine Arts Museums
Superior and Municipal Courts
Office of the Controller
Department of Public Works
22. From various departments, responding to Supervisor Bierman's request to notify the Board of Supervisors of any requests made by the Presidio Trust for City funds or services. Copy: Supervisor Bierman
Employees* Retirement System
Office of the Controller
Airport

23. From Supervisor Leland Yee, submitting appointment of Lisa Ramlochan to the Youth Commission. Rules Committee Clerk
24. From Superior Court of the State of California, submitting Notice of Intent to File CEQA Petition relating to the City's acceptance of Fay Park as a gift and exempt from CEQA requirements. Copy: Each Supervisor, Deputy City Attorney Ted Lakey. File 98-0689
25. From State of California, submitting notice of filing of City's Charter Amendments adopted June 2, 1998.
26. From Vanessa F. Johnson, requesting approval for a public convenience and necessity determination for an offsale beer and wine license located at 384 A Hayes Street. Housing and Neighborhood Services Committee
27. From U.S. Army Corps of Engineers, submitting Public Notice dated July 14, 1998 regarding permit to obtain sand from submerged lands at Alcatraz Shoal.
28. From Frank Boides Associates, expressing concern about the general condition of the 500 Block of Geary Street and Shannon Alley from Geary to O'Farrell.
29. From San Francisco Tomorrow, opposing additional cost of Muni Fast Pass on BART. Economic Development, Transportation and Technology Committee. File 98-0968
30. From Greater San Francisco Association of Realtors, opposing proposed ordinance to prohibit housing discrimination based on source of income. File 98-0951
31. From Eva M. Beltrame, expressing concern regarding Laguna Honda Hospital.
32. From Scott Richie, regarding safety of bicyclist.
33. From Jerry Foschee, regarding Dolores Park. File 98-1056
34. From Brenda Cantrell, regarding Salvation Army's decision not to adopt the domestic partners benefit.
35. From Dan Podgomik, regarding traffic and noise since' opening day of AMC on Van Ness Avenue.
36. From John H. Kim, expressing concern regarding noise and music from Bahia Cabana Club & Restaurant.
37. From Joyce Fishman, regarding tree removal on Embarcadero Plaza. Health, Family and Environment Committee. File 98-1171
38. From Matt Flynn, expressing concern regarding parking ticket.
39. From Teresa Arana, urging support of legislation banning the sale of live animals for food. (4 letters received)
40. From various signators, opposing the proposed changes to the Health Service System. (10 letters received). File 98-0829

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 July 17, 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
Excavation in the Public Right - of- Way	98-1038 Ordinance	Economic Development, Transportation and Technology	Katz	6/22/98	7/22/98
P a r a t r a n s i t	98-1039 Ordinance	Economic Development, Transportation and Technology	Newsom	6/22/98	7/22/98
Taxicab Lease Fees	98- 1040 Ordinance	Economic Development, Transportation and Technology	Newsom	6/22/98	7/22/98
Taxi Driver Permits- Drug and Alcohol Testing	98-1021 Ordinance	Housing and Neighborhood Services	Police Commission	6/22/98	7/22/98
Bicycle Transit Enhancement Plan	98-0564 Substitute ordinance	Economic Development, Transportation and Technology	Katz	6/29/98	7/29/98
Prohibit Roller Skates and Skateboards on Portions of Terra Vista Avenue	98-1084 Ordinance	Housing and Neighborhood Services	Brown	6/29/98	7/29/98
Awnings in Residential Districts	98-1087 Draft ordinance	Housing and Neighborhood Services	Newsom	6/29/98	7/29/98
Flea Market Regulations and Fee	98-1088 Ordinance	Finance	Newsom	6/29/98	7/29/98
Animal Care and Control, create one position	98-1118 Ordinance	Finance	Medina	7/6/98	8/5/98
Zoning Map Amendment, South of Market Nighttime Entertainment Special Use District and Core Entertainment Subdistrict	98-1121 Ordinance	Economic Development, Transportation and Technology	Newsom	7/6/98	8/5/98
South of Market Nighttime Entertainment Special Use District	98-1122 Ordinance	Economic Development, Transportation and Technology	Newsom	7/6/98	8/5/98
Folsom Street District Noise Level Exception	98-1123 Ordinance	Economic Development, Transportation and Technology	Newsom	7/6/98	8/5/98
Live/Work Unit, Sound Attenuation	98-1 124 Ordinance	Economic Development, Transportation and Technology	Newsom	7/6/98	8/5/98
Owner Move-In Reform-Senior Housing Protection II	98-1158 Ordinance	Housing and Neighborhood Services	Bierman	7/13/98	8/12/198