

# BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

City Hall, 1 Dr. Carlton B.  
Goodlett Place  
San Francisco, CA 94102-4689

## MEETING MINUTES

Tuesday, August 2, 2005 2:00 PM

Legislative Chamber - Second Floor  
City Hall, 1 Dr. Carlton B. Goodlett Place  
San Francisco, CA 94102-4689

Regular Meeting

**AARON PESKIN, PRESIDENT**  
**MICHELA ALIOTO-PIER, TOM AMMIANO, CHRIS DALY,**  
**BEVAN DUFTY, SEAN ELSBERND, FIONA MA, SOPHIE MAXWELL,**  
**JAKE MCGOLDRICK, ROSS MIRKARIMI, GERARDO SANDOVAL**  
*Gloria L. Young, Clerk of the Board*

### BOARD COMMITTEES

#### Committee Membership

**Budget and Finance Committee**

Supervisors Ammiano, Mirkarimi, Elsbernd

**City and School District Select Committee**

Supervisors Ammiano, Maxwell, Ma, Commissioners Chin, Kelly, Wynns, Delegate Wong

**City Operations and Neighborhood Services Committee**

Supervisors McGoldrick, Dufty, Ma

**Government Audit and Oversight Committee**

Supervisors Peskin, Elsbernd, Daly

**Land Use Committee**

Supervisors Maxwell, Sandoval, McGoldrick

**Rules Committee**

Supervisors Alioto-Pier, Mirkarimi, Peskin

#### Meeting Days

Thursday  
1:00 PM

2nd Monday (Bi-Monthly)  
4:00 PM

1st and 3rd Monday  
1:00 PM

2nd and 4th Monday  
1:00 PM

Wednesday  
1:00 PM

Wednesday  
10:00 AM

First-named Supervisor/Commissioner is Chair, Second-named Supervisor/Commissioner is Vice-Chair, of the Committee.

Volume 100 Number 28

**Members Present:** Michela Alioto-Pier, Tom Ammiano, Chris Daly, Bevan Dufty, Sean Elsbernd, Fiona Ma, Sophie Maxwell, Jake McGoldrick, Ross Mirkarimi, Aaron Peskin, Gerardo Sandoval.

---

## ROLL CALL AND PLEDGE OF ALLEGIANCE

*The meeting was called to order at 2:05 p.m. On the call of the roll all Supervisors were noted present.*

## AGENDA CHANGES

## COMMUNICATIONS

## CONSENT AGENDA

### Recommendations of the Budget and Finance Subcommittee

**050978 [Accept-Expend Regional Grant - Airport Commission]**

Resolution authorizing the Airport Commission to accept and expend four (4) grants totaling \$276,070 from the Bay Area Air Quality Management District (Air District) for acquisition of clean air vehicles by Airport transportation operators. (Airport Commission)

**Resolution No.** 601-05

**ADOPTED** by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin, Sandoval  
Absent: 1 - McGoldrick

**050854 [Airport Concession Lease]**

Resolution approving Amendment No. 2 to the Public Locker and Over-the-Counter Baggage Storage Lease No. 95-0263 between Smarte Carte, Inc., and the City and County of San Francisco, acting by and through its Airport Commission. (Airport Commission)

**Resolution No.** 602-05

**ADOPTED** by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin, Sandoval  
Absent: 1 - McGoldrick

**051124 [Lease of Real Property at 1440 Harrison Street]**

Resolution authorizing the renewal of a sublease of 52,200 sq. ft. of space at 1440 Harrison Street for the Department of Human Services. (Real Estate Department)

**Resolution No.** 599-05

**ADOPTED** by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin, Sandoval  
Absent: 1 - McGoldrick

**051125 [Airport Contract Modification - Professional Services Agreement for contract No. 3399]**

Resolution approving Modification No. 5, of the Professional Services Agreement for contract No. 3399 – Professional insurance brokerage services for specification, placement and administration of an OCIP for the Airport's Master Plan with J&H Marsh McLennan/Merriwether & Williams Insurance Services, to extend the term of the contract for three years for a new ending date of June 30, 2007. (Airport Commission)

**Resolution No.** 598-05

**ADOPTED** by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin, Sandoval  
Absent: 1 - McGoldrick

**Recommendations of the Rules Committee****051329 [Appointment - Treasury Oversight Committee]**

Resolution appointing Edward Harrington, Joseph Grazioli and Leonardo Fermin, terms ending June 5, 2009, to the Treasury Oversight Committee, residency requirement waived.

Edward Harrington, succeeding himself, term expired, seat 2, must be the Controller, for the unexpired portion of a four-year term ending June 5, 2009.

Joseph Grazioli, succeeding George Kozita, term expired, seat 3, must represent the Superintendent of Schools, for the unexpired portion of a four-year term ending June 5, 2009.

Leonardo Fermin (residency requirement waived) succeeding himself, term expired, seat 4, must represent the public at large, for the unexpired portion of a four-year term ending June 5, 2009.

**Resolution No.** 595-05

**ADOPTED** by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin, Sandoval  
Absent: 1 - McGoldrick

**051368 [Appointment - Immigrant Rights Commission]**

Resolution appointing Deborah Escobedo, Felix Levy and Samira Causevic McCoy, terms ending June 6, 2007, to the Immigrant Rights Commission.

Deborah Escobedo, succeeding herself, seat 4, term expired, must have a demonstrated knowledge of and interest in the health, human service, educational, or employment issues that affect immigrants residing in San Francisco, for the unexpired portion of a two-year term ending June 6, 2007.

Felix Levy, succeeding Richard Ow, seat 6, term expired, must be an immigrant to the United States who is appointed in accordance with Section 4.101 of the Charter. In addition, members shall have a demonstrated knowledge of and interest in the health, human service, educational, or employment issues that affect immigrants residing in San Francisco, for the unexpired portion of a two-year term ending June 6, 2007.

Samira Causevic McCoy, succeeding Phu Nguyen, seat 8, term expired, must be an immigrant to the United States who is appointed in accordance with Section 4.101 of the Charter. In addition, members shall have a demonstrated knowledge of and interest in the health, human service, educational, or employment issues that affect immigrants residing in San Francisco, for the unexpired portion of a two-year term ending June 6, 2007.

**Resolution No.** 589-05

**ADOPTED** by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin, Sandoval  
Absent: 1 - McGoldrick

## REGULAR AGENDA

## UNFINISHED BUSINESS

### Recommendations of the Rules Committee

**050741 [Creating a Food Security Task Force]**

Supervisors Maxwell, Mirkarimi, Ammiano, Daly

Ordinance amending the San Francisco Health Code by adding Sections 470.1 and 470.2, to establish a Food Security Task Force charged with creating a strategic plan to address hunger, enhancing food security, and increasing participation in federally funded programs; requiring preparation of reports and a strategic plan; and including a sunset provision.

*Supervisor Daly requested to be added as a co-sponsor.*

**Ordinance No.** 206-05

**FINALLY PASSED** by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval  
Noes: 1 - Elsbernd

**050132 [Rules of Order of the Board - Material Economic Impact Legislation]  
Supervisors Alioto-Pier, Elsbernd**

Motion amending the Rules of Order of the Board of Supervisors to add Rule 6.25, which will provide a process for holding public hearings associated with legislation that might have a material economic impact on the City.

*Supervisor Daly, seconded by Supervisor Alioto moved an amendment of the whole.  
Motion to amend carried without objection.*

*Further amendment made by Supervisor Daly, seconded by Supervisor Ammiano, moved to amend on page 3, line, 1 before "The Office of Economic Analysis" by inserting "from the received date and requesting the Clerk of the Board to forward the legislation to the Office of Economic Analysis upon receipt of legislation."  
Motion to further amend failed by the following vote:*

*Ayes: 4 - Ammiano, Daly, Mirkarimi, Peskin*

*Noes: 7 - Alioto-Pier, Elsbernd, Ma, Maxwell, McGoldrick, Sandoval*

**Supervisor Daly, seconded by Supervisor Mirkarimi, moved that this Motion be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. The motion carried by the following vote:**

**Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval**

**Motion No. M05-108**

**APPROVED AS AMENDED by the following vote:**

**Ayes: 9 - Alioto-Pier, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval**

**Noes: 2 - Ammiano, Daly**

**031567 [Charter Amendment - Establishing an Emergency Health Care Services Fund and baseline funding for the Fund]  
Supervisors Daly, Sandoval**

Charter Amendment (Fourth Draft) to add Section 16.126 to increase the fiscal authority of the Health Commission and establish a stable baseline funding level for the Department of Public Health to ensure the continued operation of San Francisco public health services.

**Supervisor Daly, seconded by Supervisor Ammiano, moved that this Charter Amendment be RE-REFERRED. The motion carried by the following vote:**

**Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval**

**Recommendation of the Land Use Committee**

**050862 [Rincon Hill Area Plan Amendments]  
Supervisor Daly**

Ordinance amending the San Francisco General Plan by amending the Rincon Hill Area Plan, the Urban Design Element, the Recreation and Open Space Element, the Downtown Plan, the South of Market Area Plan, and the Land Use Index to conform them with proposed Rincon Hill Downtown Residential District; adopting environmental findings that the proposed amendments are consistent with the General Plan and the eight priority policies of Planning Code Section 101.1. (Planning Department)

**Ordinance No.** 205-05

**FINALLY PASSED** by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

**NEW BUSINESS**

**Recommendations of the Budget and Finance Subcommittee**

**050865 [Rincon Hill Area Plan: Imposing development impact fees for the provision of necessary community infrastructure in DTR Districts]  
Supervisor Daly**

Ordinance amending the Planning Code by adding Section 318 to impose community improvement impact fees of \$11 per square foot on residential development in the DTR districts to provide necessary community improvements and enhance property values in the district by helping to fund the construction and reconstruction of streets, streetscaping, parks, community centers, and other public infrastructure, to impose a SOMA community stabilization impact fee of \$14 per square foot on residential development in the Rincon Hill Area Plan to provide community stabilization benefits in SOMA including affordable housing, economic development and community cohesion; amending the Zoning Map of the City and County of San Francisco to change Maps 1, 1H, and 1SU for the area generally bounded by Folsom Street to the north, The Embarcadero to the east, Bryant Street and the north side of the Bay Bridge to the south, and Essex Street to the west for the blocks and lots described below; and amending the San Francisco Planning Code by adding Sections 825, 825.1, 826, and 827 to create Downtown Residential (DTR) districts, establish DTR districts in Transbay and Rincon Hill, and specify the uses permitted in Downtown Residential districts; by adding Sections 145.4, 151.1, 152.2, 155.5, 166, 167, 175.7 and 263.19 to impose requirements for street frontages, permitted off-street parking and loading, allowed off-street freight loading and service vehicle spaces, bicycle parking, car sharing, separating parking costs from housing costs, exempting certain pipeline projects from the new controls, and limiting podium and tower heights in the R bulk district; by adding Section 309.1 establishing procedures for permit review in DTR districts; and by amending Section 102.5 (District), Section 135 (Usable Open Space for Dwelling Units and Group Housing), Section 141 (Screening of Rooftop Features), Section 151 (Required Off-Street Parking Spaces), Section 152 (Schedule of Required Off-Street Freight Loading Spaces in Districts Other Than C-3 or South of Market), Section 153 (Rules for Calculation of Required Spaces), Section 154 (Dimensions for Off-Street Parking, Freight Loading and Service Vehicle Spaces), Section 155 (General Standards as to Location and Arrangement of Off-Street Parking, Freight Loading and Service Vehicle Facilities), Section 182 (Nonconforming Uses), Section 201 (Classes of Use Districts), Section 207.5 (Density of Dwelling Units in Mixed Use Districts), Section 209 (Uses Permitted in R Districts), Section 249.1 (Rincon Hill Special use District), Section 260 (Height Limits; Measurement), Section 270 (Bulk Limits; Measurement), Section 608.13 (Rincon Hill Area), Section 802.1 (Mixed Use Districts), Section 803 (Mixed Use District Requirements), Section 803.5 (Additional Provisions Governing Uses in Mixed Use Districts), and Section 809 (Guide to Understanding the Mixed Use District Zoning Controls) to conform these sections with the new DTR district controls; adopting environmental findings and findings of consistency with the General Plan and the eight priority policies of Planning Code Section 101.1 and making findings. (Planning Department)

Supervisor Elsbernd dissented in Committee.

**Supervisor Daly, seconded by Supervisor Ammiano, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. The motion carried by the following vote:**

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Noes: 1 - Elsbernd

Ordinance amending the Planning Code by adding Section 318 to impose community improvement impact fees of \$11 per square foot on residential development in the DTR districts and surrounding areas to provide necessary community improvements and enhance property values in the district by helping to fund the construction and reconstruction of streets, streetscaping, parks, community centers, and other public infrastructure, to impose a SOMA community stabilization impact fee of \$14 per square foot on residential development in the Rincon Hill Area Plan to provide community stabilization benefits in SOMA including affordable housing, economic development and community cohesion; amending the Zoning Map of the City and County of San Francisco to change Maps 1, 1H, and 1SU for the area generally bounded by Folsom Street to the north, The Embarcadero to the east, Bryant Street and the north side of the Bay Bridge to the south, and Essex Street to the west for the blocks and lots described below; and amending the San Francisco Planning Code by adding Sections 825, 825.1, 826, and 827 to create Downtown Residential (DTR) districts, establish DTR districts in Transbay and Rincon Hill, and specify the uses permitted in Downtown Residential districts; by adding Sections 145.4, 151.1, 152.2, 155.5, 166, 167, 175.7 and 263.19 to impose requirements for street frontages, permitted off-street parking and loading, allowed off-street freight loading and service vehicle spaces, bicycle parking, car sharing, separating parking costs from housing costs, exempting certain pipeline projects from the new controls, and limiting podium and tower heights in the R bulk district; by adding Section 309.1 establishing procedures for permit review in DTR districts; and by amending Section 102.5 (District), Section 135 (Usable Open Space for Dwelling Units and Group Housing), Section 141 (Screening of Rooftop Features), Section 151 (Required Off-Street Parking Spaces), Section 152 (Schedule of Required Off-Street Freight Loading Spaces in Districts Other Than C-3 or South of Market), Section 153 (Rules for Calculation of Required Spaces), Section 154 (Dimensions for Off-Street Parking, Freight Loading and Service Vehicle Spaces), Section 155 (General Standards as to Location and Arrangement of Off-Street Parking, Freight Loading and Service Vehicle Facilities), Section 182 (Nonconforming Uses), Section 201 (Classes of Use Districts), Section 207.5 (Density of Dwelling Units in Mixed Use Districts), Section 209 (Uses Permitted in R Districts), Section 249.1 (Rincon Hill Special use District), Section 260 (Height Limits; Measurement), Section 270 (Bulk Limits; Measurement), Section 608.13 (Rincon Hill Area), Section 802.1 (Mixed Use Districts), Section 803 (Mixed Use District Requirements), Section 803.5 (Additional Provisions Governing Uses in Mixed Use Districts), and Section 809 (Guide to Understanding the Mixed Use District Zoning Controls) to conform these sections with the new DTR district controls; adopting environmental findings and findings of consistency with the General Plan and the eight priority policies of Planning Code Section 101.1 and making findings.

Version 4. (Planning Department)

**PASSED ON FIRST READING AS AMENDED by the following vote:**

Ayes: 9 - Ammiano, Daly, Duffy, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval  
Noes: 2 - Alioto-Pier, Elsbernd



**051044 [Multifamily Housing Revenue Bonds - 575 Eddy Street Apartments]  
Supervisor Daly**

Resolution declaring the intent of the City and County of San Francisco (the "City") to reimburse certain expenditures from proceeds of future bonded indebtedness; authorizing the Director of the Mayor's Office of Housing (the "Director") to submit an application and related documents to the California Debt Limit Allocations Committee ("CDLAC") to permit the issuance of qualified mortgage revenue bonds in an aggregate principal amount not to exceed \$5,000,000 for 575 Eddy Street Apartments; authorizing and directing the Director to direct the Controller's Office to hold in trust an amount not to exceed \$25,000 in accordance with CDLAC procedures; authorizing the Director to certify to CDLAC that the City has on deposit the required amount; authorizing the Director to pay an amount equal to such deposit to the State of California if the City fails to issue the qualified mortgage revenue bonds; approving, for purposes of the Internal Revenue Code of 1986, as amended, the issuance and sale of mortgage revenue bonds by the City in an aggregate principal amount not to exceed \$5,000,000; authorizing and directing the execution of any documents necessary to implement this Resolution; and ratifying and approving any action heretofore taken in connection with the Project (as defined herein) and the Application (as defined herein).

**Resolution No. 600-05**

**ADOPTED by the following vote:**

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin, Sandoval  
Absent: 1 - McGoldrick

**051198 [Muni Standard Hybrid-Electric Bus Procurement]  
Supervisors Ammiano, Alioto-Pier, Mirkarimi**

Resolution approving the award of Contract Proposal No. 350 (Procurement of Standard Low Floor Hybrid-Electric Diesel Coaches) between the City and County of San Francisco and Orion Bus Industries, in an amount not to exceed \$29,398,629.

**Resolution No. 597-05**

**ADOPTED by the following vote:**

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

**Recommendation of the Budget and Finance Committee**

**Supervisor Ma Excused from Voting**

Supervisor Maxwell, seconded by Supervisor Sandoval, moved to excuse Supervisor Ma at her request, because of possible conflict of interest, from voting. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval  
Excused: 1 - Ma

**051258 [Golf Fees - Cost of Living, McLaren Park]  
Supervisor McGoldrick**

Ordinance making environmental findings and amending the San Francisco Park Code, Article 12, by amending Sec. 12.20 to authorize an annual cost of living increase in golf fees; and adding Sec. 12.37 to establish fees for Gleneagles Course at McLaren Park.

**PASSED ON FIRST READING by the following vote:**

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval  
Excused: 1 - Ma

**Recommendations of the Government Audit and Oversight Committee****050919 [Capital Planning Fund]  
Supervisor Elsbernd**

Ordinance establishing a Capital Planning Fund to Receive and Expend Funds for Preliminary Design, Planning and Cost-Estimating of Major Capital Expenditure Projects.

**PASSED ON FIRST READING** by the following vote:

Ayes: 9 - Alioto-Pier, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval  
Noes: 2 - Ammiano, Daly

**050920 [San Francisco Capital Planning Plan and Committee]  
Supervisor Elsbernd**

Ordinance amending the San Francisco Administrative Code by repealing Sections 3.20, 3.21, 3.22 and 3.23 in their entirety; adding new Sections 3.20 and 3.21 to establish a requirement for a ten-year capital plan and to replace the Capital Improvements Advisory Committee with the Capital Planning Committee, to assign administrative responsibilities to the City Administrator, to broaden committee membership, and to clarify the committee's mission.

**PASSED ON FIRST READING** by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval  
Noes: 1 - Daly

**Recommendations of the Rules Committee****051284 [Confirming the Appointment of Kimberly Brandon to the San Francisco Port Commission]  
Mayor**

Resolution confirming the appointment of Kimberly Brandon to the San Francisco Port Commission, term ending May 1, 2009.

**Resolution No.** 596-05

**ADOPTED** by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

**051367 [Appointment - Entertainment Commission]**

Motion appointing Erik Joseph Pred, term ending July 1, 2009, to the Entertainment Commission.

Erik Joseph Pred, succeeding himself, term expired, seat 3, must represent the interests of the public health community, for the unexpired portion of a four-year term ending July 1, 2009.

**Motion No.** M05-106

**APPROVED** by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

**051254 [Appointment - Board of Appeals, Katharine Albright]**

Motion approving the Mayor's appointment of Katharine Albright to the Board of Appeals for the term ending July 1, 2008. (Clerk of the Board)

(Section 4.106 of the City Charter provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days of the date the nomination is transmitted to the Clerk then the nominee shall be deemed approved; companion measure to File 051255.)

Transmittal date - June 28, 2005.

**Motion No.** M05-105

**APPROVED by the following vote:**

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

**Recommendation of the Land Use Committee**

**050864 [Rincon Hill Area Plan; Imposing Development Fees]  
Supervisor McGoldrick**

Ordinance amending the Planning Code by adding Section 318 to impose community improvement impact fees totalling \$11 per square foot on residential development in the DTR districts to provide necessary community improvements and enhance property values in the district by helping to fund the construction and reconstruction of streets, streetscaping, parks, community centers, and other public infrastructure, and to impose an additional Rincon Hill development impact fee totalling \$14 per square foot on residential development over 85 feet in height in the Rincon Hill Plan Area to create the Rincon Hill Mitigation Fund to fund affordable housing, to address impacts on citywide infrastructure such as open space, street improvements, and community facilities, and to address economic and community impacts on the SOMA community, and making findings; amending the Zoning Map of the City and County of San Francisco to change Maps 1, IH, and 1SU for the area generally bounded by Folsom Street to the north, The Embarcadero to the east, Bryant Street and the north side of the Bay Bridge to the south, and Essex Street to the west for the blocks and lots described below; and amending the San Francisco Planning Code by adding Sections 825, 825.1, 826, and 827 to create Downtown Residential (DTR) districts, establish DTR districts in Transbay and Rincon Hill, and specify the uses permitted in Downtown Residential districts; by adding Sections 145.4, 151.1, 152.2, 155.5, 166, 167, 175.7 and 263.19 to impose requirements for street frontages, permitted off-street parking and loading, allowed off-street freight loading and service vehicle spaces, bicycle parking, car sharing, separating parking costs from housing costs, exempting certain pipeline projects from the new controls, and limiting podium and tower heights in the R bulk district; by adding Section 309.1 establishing procedures for permit review in DTR districts; and by amending Section 102.5 (District), Section 135 (Usable Open Space for Dwelling Units and Group Housing), Section 141 (Screening of Rooftop Features), Section 151 (Required Off-Street Parking Spaces), Section 152 (Schedule of Required Off-Street Freight Loading Spaces in Districts Other Than C-3 or South of Market), Section 153 (Rules for Calculation of Required Spaces), Section 154 (Dimensions for Off-Street Parking, Freight Loading and Service Vehicle Spaces), Section 155 (General Standards as to Location and Arrangement of Off-Street Parking, Freight Loading and Service Vehicle Facilities), Section 182 (Nonconforming Uses), Section 201 (Classes of Use Districts), Section 207.5 (Density of Dwelling Units in Mixed Use Districts), Section 209 (Uses Permitted in R Districts), Section 249.1 (Rincon Hill Special use District), Section 260 (Height Limits; Measurement), Section 270 (Bulk Limits; Measurement), Section 608.13 (Rincon Hill Area), Section 802.1 (Mixed Use Districts), Section 803 (Mixed Use District Requirements), Section 803.5 (Additional Provisions Governing Uses in Mixed Use Districts), and Section 809 (Guide to Understanding the Mixed Use District Zoning Controls) to conform these sections with the new DTR district controls; adopting environmental findings and findings of consistency with the General Plan and the eight priority policies of Planning Code Section 101.1. (Planning Department)

Supervisor Sandoval, seconded by Supervisor Mirkarimi, moved that this Ordinance be **TABLED**. The motion carried by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Daly, Dufty, Ma, Maxwell, Mirkarimi, Peskin, Sandoval

Noes: 2 - Elsbernd, McGoldrick

**SPECIAL ORDER 3:00 P.M.**

**051242 [Hearing - "Noe Valley Community Benefit District (CBD)"]**

Hearing of persons interested in or objecting to proposed resolution establishing a property-based business improvement district to be known as the "Noe Valley Community Benefit District (CBD)," ordering the levy and collection of assessments against property located in that district for 15 years, commencing with fiscal year 2005-2006, and making environmental findings. (Clerk of the Board)

*The President inquired as to whether or not any member of the public wished to address the Board.*

*Speakers in support of the Community Benefit District:*

*Bob Roddick, Debra Neiman, Robert Ramsey, Bill Yenne, Carol Yenne, Male speaker, Rob Evans, Ernestine Weiss, Gia Grant*

*Speakers Opposed to the Community Benefit District:*

*Robert Hildreth, Ella Ento,*

*The President requested the Clerk of the Board to contact the Department of Elections and ask if the processing of the submitted ballots had been completed.*

*The Clerk of the Board informed the President that the Department of Elections had finished processing the ballots submitted.*

*The President declared the Public Hearing closed.*

*Tabulation of the ballots cast began by the Department of Elections.*

**HEARD AT PUBLIC HEARING.**

**051185 [Resolution to establish the Noe Valley Community Benefit District]  
Supervisor Dufty**

Resolution establishing a property-based business improvement district to be known as the "Noe Valley Community Benefit District (CBD)," ordering the levy and collection of assessments against property located in that district for 15 years, commencing with fiscal year 2005-2006, and making environmental findings.

*The Clerk of the Board announced the tabulations of the Noe Valley Community Benefit District*

*Voting For: 36.35%*

*Voting Against: 27.41%*

**Resolution No. 583-05**

**ADOPTED by the following vote:**

**Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval**

**051244 [Hearing - "Castro/Upper Market Community Benefit District (CBD)"]**

Hearing of persons interested in or objecting to proposed resolution establishing a property-based business improvement district to be known as the "Castro/Upper Market Community Benefit District (CBD)," ordering the levy and collection of assessments against property located in that district for 15 years, commencing with fiscal year 2005-2006, and making environmental findings. (Clerk of the Board)

*The President inquired as to whether or not any member of the public wished to address the Board.*

*Speakers in support of the Community Benefit District:*

*Paul Moffett, Gustavo Serina, Herb Cohn, Richard Magary, Eric Mann, Jane Warner, Michael Nulty, Terry Mashow, Leann Bauman, Gia Grant, Ernestine Weiss*

*Speakers Opposed to the Community Benefit District:*

*There were none.*

*The President requested Clerk of the Board to contact the Department of Elections and ask if the processing of the submitted ballots had been completed.*

*The Clerk of the Board informed the President that the Department of Elections had finished processing the ballots submitted.*

*The President declared the Public Hearing closed.*

*Tabulation of the ballots cast began by the Department of Elections.*

**HEARD AT PUBLIC HEARING.**

**051187 [Resolution to establish the Castro/Upper Market Community Benefit District]  
Supervisor Dufty**

Resolution establishing a property-based business improvement district to be known as the "Castro/Upper Market Community Benefit District (CBD)," ordering the levy and collection of assessments against property located in that district for 15 years, commencing with fiscal year 2005-2006, and making environmental findings.

**Supervisor Dufty, seconded by Supervisor Alioto-Pier, moved that this Resolution be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. The motion carried by the following vote:**

**Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval**

*The Clerk of the Board announced the tabulations of the Castro/Upper Market Community Benefit District  
Voting For: 40.53%*

*Voting Against: 21.82 %*

**Resolution No. 582-05**

**ADOPTED AS AMENDED by the following vote:**

**Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval**

**051245 [Hearing - "North of Market/Tenderloin Community Benefit District (CBD)"]**

Hearing of persons interested in or objecting to proposed resolution establishing a property-based business improvement district to be known as the "North of Market/Tenderloin Community Benefit District (CBD)," ordering the levy and collection of assessments against property located in that district for 15 years, commencing with fiscal year 2005-2006, and making environmental findings. (Clerk of the Board)

*The President inquired as to whether or not any member of the public wished to address the Board.*

*Speakers in support of the Community Benefit District:*

*Antoinetta, Mr. Allen, David Overdoorf, David Cole, Robert Smith, Geoffrey Grear, Carmela Gold, Mr. Leroy Looper, Randy Shaw, Joe Kaplan, Michael Nulty, John Nulty, Claire Bohman, Joe Cha, Tom Murray, Sam Dodge, Tom Lorentzen, David Seward, Diego Sanchez, Bruce Allison, Byron Yee, Regina Guggehiem, Ahn Nguyen, Art Evans, Mr. Owen, Richard Allman, Female speaker, Randy Shaw Valencia, Gia Grant, Elaine Zamora, Female speaker, Lea Curry, Michael Barquera, Adam Duffy, Ernestine Weiss, Sr. Carmen Barsetti, Pete Williams*

*Speakers Opposed to the Community Benefit District:*

*Rich Postal, Chaplain Earl Rodgers, David Brilliant for Gerda Kircher, Gerda Kircher, Vikki Vlazakis, Yiota Pataris*

*The President requested the Clerk of the Board to contact the Department of Elections and ask if the processing of the submitted ballots had been completed.*

*The Clerk of the Board informed the President that the Department of Elections had finished processing the ballots submitted.*

*The President declared the Public Hearing closed.*

*Tabulation of the ballots cast began by the Department of Elections.*

**HEARD AT PUBLIC HEARING.**

**051192 [Resolution to establish the North of Market/Tenderloin Community Benefit District]  
Supervisor Daly**

Resolution establishing a property-based business improvement district to be known as the "North of Market/Tenderloin Community Benefit District (CBD)," ordering the levy and collection of assessments against property located in that district for 15 years, commencing with fiscal year 2005-2006, and making environmental findings.

Supervisor Daly, seconded by Supervisor Ammiano, moved that this Resolution be **AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE**. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

*Continued to August 9, 2005*

Supervisor Sandoval, seconded by Supervisor Alioto-Pier, moved that this Resolution be **CONTINUED AS AMENDED**. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

**SPECIAL ORDER 3:30 P.M - Recognition of Commendations**

## Privilege of the Floor

It was decided to suspend Rule 4.28 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests.

*Supervisor Ammiano introduced, welcomed and presented a Certificate of Honor to Charo declaring it Charo Week in San Francisco.*

*Supervisor McGoldrick introduced, welcomed and presented a Certificate of Honor to Alec Mazo the winner of Dancing with the Stars.*

## COMMITTEE REPORTS

- 050935 [Authorizing permits to exempt itinerant School District teachers and administrators from Residential Parking Permit regulations]  
Supervisors Ammiano, Mirkarimi, Ma

Ordinance amending the San Francisco Traffic Code by amending section 308.3 to authorize the Director of Parking and Traffic to issue permits that would exempt itinerant teachers and designated school administrators employed by the San Francisco Unified School District from Residential Permit Parking regulations, and setting a fee for such permits.

*Supervisor Ma requested to be added as a co-sponsor.*

**PASSED ON FIRST READING** by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

- 051036 [0.25% Sales Tax Increase for Emergency Health Services]  
Supervisors Daly, Peskin, Ammiano, Ma, Maxwell, McGoldrick, Mirkarimi, Sandoval, Dufty

Ordinance amending the San Francisco Business and Tax Regulations Code to add Article 16-A to impose a transactions and use tax at the rate of one-quarter of one percent (0.25%) in accordance with Parts 1.6 and 1.7 of Division 2 of the California Revenue and Taxation Code, for the purpose of providing additional support for emergency medical, hospital inpatient, outpatient, public health, mental health and substance abuse services to residents of the City and County of San Francisco; directing submission of the tax for voter approval at election and setting forth the ballot question therefor.

Supervisor Daly, seconded by Supervisor Ammiano, moved that this Ordinance be TABLED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval



**051247 [Golden Gate Park Music Concourse - Surface Circulation Plan]  
Supervisors Mirkarimi, McGoldrick, Peskin**

Resolution approving the Golden Gate Park Music Concourse Surface Circulation Plan known as Option 2A, which prohibits the use of the Music Concourse for cut-through automobile traffic and provides for vehicular drop-off for visitors to the Concourse from the north and south; making environmental and other findings; and authorizing official acts in connection with this approval.

**Resolution No. 603-05**

**ADOPTED by the following vote:**

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

## ROLL CALL FOR INTRODUCTIONS

## PUBLIC COMMENT

*Michael Nulty, expressed concern with the process of liquor licenses  
Male speaker, requested the Board to amend File No. 051345  
Marilyn Amini, requested the Board to sever and amend File No. 051345  
James Chaffee; expressed concern with issues relating to the SF Library  
John Nulty; requested the Board to approve File No. 051360  
Female speaker; requested the Board to amend File No. 051345  
Judy Berkowitz; showed interest in File No. 051345*

## APPROVAL OF REQUESTS TO THE LEGISLATIVE ANALYST

*These items may be introduced by any Supervisor seeking analysis from the Office of the Legislative Analyst on introduced legislation and for the purpose of providing assistance to Board of Supervisors' task forces and advisory committees. Requests to the Legislative Analyst shall require the affirmative vote of a majority of the members of the Board.*

**051360 [Legislative Analyst Request - Means Testing]  
Supervisor Elsbernd**

Motion requesting the Legislative Analyst to survey means testing legislation for rent control in New York City, Boston and other municipalities in Massachusetts, and determine how means testing could be applied to the San Francisco Rent Control Ordinance.

*Continued to February 7, 2006*

**Supervisor Daly, seconded by Supervisor Mirkarimi, moved that this Motion be CONTINUED. The motion carried by the following vote:**

Ayes: 6 - Ammiano, Daly, Maxwell, Mirkarimi, Peskin, Sandoval  
Noes: 5 - Alioto-Pier, Dufty, Elsbernd, Ma, McGoldrick

## 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.*

**051362 [Amending Community Choice Aggregation Citizens Advisory Task Force Membership]  
Supervisor Ammiano**

Resolution amending the membership of the Community Choice Aggregation Citizens Advisory Task Force to require that the Environmental Justice Advocate reside in the "Southeast sector" of San Francisco instead of "Hunter's Point".

Resolution No. 593-05

**ADOPTED**

**051363 [Commending Mujeres Unidas y Activas (MUA)]  
Supervisors Dufty, Ammiano, Daly**

Resolution commending Mujeres Unidas y Activas (MUA) for its work to organize and empower Latina immigrants, and wishing the organization continued success on its 15th Birthday.

*Supervisor Daly requested to be added as a co-sponsor.*

Resolution No. 592-05

**ADOPTED**

**051364 [Commemorating the 60th Anniversary of the Bombings of Hiroshima and Nagasaki]  
Supervisors Mirkarimi, Daly**

Resolution commemorating the 60th Anniversary of the United States bombings of Hiroshima and Nagasaki, expressing solidarity with the Hibakusha, acknowledging the human suffering of victims and survivors, and imploring all nations to use all diplomatic and preventive efforts to cease the proliferation and use of nuclear weapons.

*Supervisor Daly requested to be added as a co-sponsor.*

Resolution No. 591-05

**ADOPTED**

**051365 [Violence Against Women Act]  
Supervisor Ma**

Resolution urging the San Francisco Congressional delegation to support the reauthorization of the Violence Against Women Act.

Resolution No. 587-05

**ADOPTED**

**051366 [National Health Center Week]  
Supervisor Ma**

Resolution recognizing August 7-13, 2005 as "National Health Center Week" in the City and County of San Francisco.

Resolution No. 590-05

**ADOPTED**

**051371 [Supporting Filipino Veterans Equity Act]  
Supervisors Peskin, Daly**

Resolution urging the President and the Congress of the United States of America to honor the contributions of Filipino World War II veterans by passing the Filipino Veterans Equity Act, specifically HR 302 and S 146.

*Supervisor Daly requested to be added as a co-sponsor.*

Resolution No. 604-05

**ADOPTED**

**051372 [Urging Urban Outfitters, Inc. to Discontinue Selling Racially Offensive Merchandise]  
Supervisors Sandoval, Mirkarimi, Daly**

Resolution urging Urban Outfitters, Inc. to discontinue selling a line of racially offensive T-shirts with the slogan "New Mexico, Cleaner Than Regular Mexico" and remove the currently stocked merchandise from Urban Outfitters stores.

*Supervisor Daly requested to be added as a co-sponsor.*

Resolution No. 586-05

**ADOPTED**

**051356 [Needle Exchange Emergency]  
Supervisors Ammiano, Daly, Peskin, McGoldrick, Maxwell, Dufty, Mirkarimi**

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.

Motion No. M05-107

**APPROVED**

**The foregoing items were acted upon by the following vote:**

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

**Severed from the Without Committee Reference**

*Supervisor McGoldrick requested that this matter be severed so that it might be considered separately.*

**051345 [Zoning - Extension of Planning Commission Review Period]  
Supervisor McGoldrick**

Resolution extending the prescribed time within which the Planning Commission may render its decision on a proposed ordinance to amend the Administrative Code to add Chapter 36 to establish uniform procedures for developing comprehensive neighborhood plans (the "Better Neighborhoods Planning and Implementation Process"); to Administrative Code Section 3.4 to provide for integrated Better Neighborhoods Plan budget documents, and to amend the Planning Code to add Section 312A regarding discretionary review for projects proposed in Better Neighborhoods Plan areas.

*Amended on page 2, line 5, to extend to Planning Commission's response to September 15, 2005.*

Supervisor McGoldrick, seconded by Supervisor Mirkarimi, moved that this Resolution be **AMENDED**. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

**Resolution No. 594-05**

**ADOPTED AS AMENDED** by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

*Supervisor Mirkarimi requested that this matter be severed so that it might be considered separately.*

**051346 [Urging support for Preservation and Restoration of Sacred Heart Church]  
Supervisors Mirkarimi, Daly**

Resolution urging the Department of Building Inspection and the San Francisco Archdiocese to diligently monitor the status and condition of the historic Sacred Heart Church and expressing support for preserving this historical treasure through all means possible.

*Supervisor Daly requested to be added as a co-sponsor.*

Supervisor Mirkarimi, seconded by Supervisor McGoldrick, moved that this Resolution be **TABLED**. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

## IMPERATIVE AGENDA

*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 the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s). For such resolutions to be considered, the Board must first adopt the following two motions.*

*[Purely Commendatory Finding]*

*Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.*

Supervisor Dufty, seconded by Supervisor Ma, moved **ADOPTION** of the commendatory finding. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

*[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.*

Supervisor Dufty, seconded by Supervisor Ma, moved ADOPTION of the Brown Act finding. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

**051383 [Proclaiming Friday, August 5, 2005 as DeLavallade Family Day in San Francisco]  
Supervisor Maxwell**

Resolution proclaiming August 5, 2005 as DeLavallade Family Day in San Francisco.

Resolution No. 588-05

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

## OFF-AGENDA LEGISLATION

### Introduced by Supervisors

#### Ordinances

**051380 [Interdepartmental jurisdictional transfer of property]  
Supervisors Dufty, Sandoval**

Ordinance transferring jurisdiction of certain unimproved real property located on Roosevelt Way and Henry Street (Block 2612, Lot 50) from the Mayor's Office of Housing to the Recreation and Park Department.  
8/2/05, RECEIVED AND ASSIGNED to Land Use Committee.

- 051382 [Interdepartmental Staff Committee on Traffic and Transportation (ISCOTT) - include Entertainment Commission and Emergency Medical Services in review process]  
Supervisor Daly**

Ordinance amending San Francisco Traffic Code Section 800 to include the Entertainment Commission as part of the Interdepartmental Staff Committee on Traffic and Transportation (ISCOTT); amending Section 801 to require emergency medical services plans for "major events" and the inclusion of the Director of Emergency Medical Services and Emergency Operations Section (EMSEO) in approval process for major event applications; amending Section 802 to expand definition of "major events" to include street fairs; amending Section 804 to require Clerk of the Board of Supervisors to transmit copies of any legislation approving a temporary street closing for major events to the Director of EMSEO; amending Section 806 to include the Executive Director of the Entertainment Commission in the review process of applications for temporary use of streets for street fairs; amending San Francisco Administrative Code Section 90.4 to require permit applicants for major events to submit an emergency medical services plan to the Entertainment Commission for consideration in the approval of permit applications for major events.

8/2/05, ASSIGNED UNDER 30 DAY RULE to City Operations and Neighborhood Services Committee, expires on 9/1/2005.

- 051034 [Prohibiting the display of human remains without appropriate written authorization from the deceased or the deceased's next-of-kin]  
Supervisors Ma, Dufty, Daly, Sandoval**

Ordinance amending the San Francisco Police Code, by adding a new Article 11.1, beginning with Section 788, to prohibit the display of human remains without appropriate written authorization from the deceased or the deceased's next-of-kin.

6/7/05, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

8/2/05, CALLED FROM COMMITTEE. Pursuant to Rule 5.31, Supervisor Daly called this measure from City Operations and Neighborhood Services Committee.

## Resolutions

- 051381 [Potrero-Hunters Point 115 kV Cable Project Property License]  
Supervisor Maxwell**

Resolution approving Port License No. 13873, a non-exclusive sixty-six (66) year license between the Port and Pacific Gas and Electric Company (PG&E) for the use of Port property along the route for the Potrero-Hunters Point 115 kV Cable Project, in the vicinity of Illinois Street, 23rd Street, Tennessee Street, Marin Street and Evans Avenue, between Selby and Third Street.

8/2/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

- 051383 [Proclaiming Friday, August 5, 2005 as DeLavallade Family Day in San Francisco]  
Supervisor Maxwell**

Resolution proclaiming August 5, 2005 as DeLavallade Family Day in San Francisco.

8/2/05, ADOPTED.

**051384 [AIDS Pandemic in Brazil]  
Supervisors Ammiano, Daly, Mirkarimi, Duffy**

Resolution urging Abbott, Merck and Gilead corporations to expedite the issuance of voluntary AIDS/HIV drug licenses to the country of Brazil in order to save tens of millions of lives in Brazil and throughout the developing world and to raise the standard of corporate global citizenship and exemplify extraordinary compassion in corporate business practices that will contribute to mitigation of the worldwide AIDS/HIV pandemic.

8/2/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**051385 [Commending National Night Out and declaring August 2, 2005, as "National Night Out Day" in the City and County of San Francisco]  
Supervisor Ma**

Resolution commending National Night Out for the relationships and partnerships it has built in our communities and declaring August 2, 2005, to be "National Night Out Day" in the City and County of San Francisco.

8/2/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**051386 [San Francisco City Hall Docent Day]  
Supervisors Peskin, Elsbernd**

Resolution declaring September 27, 2005, "San Francisco City Hall Docent Day" in San Francisco.

8/2/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**051389 [Commending the Horizons Foundation of San Francisco for its work serving the Lesbian, Gay, Bisexual, and Transgender people and organizations of San Francisco]  
Supervisors Sandoval, Duffy**

Resolution commending Horizons Foundation of San Francisco for its work serving the lesbian, gay, bisexual, and transgender community of San Francisco on the occasion of its 25th anniversary.

8/2/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**051387 [Temporary Occupancy of Commercial Vehicle Parking Meters]  
Supervisor Peskin**

Resolution enacting temporary occupancy of a portion of the commercial vehicle parking meters on the north side of Post Street between Kearny and Montgomery from 8:30 am to 5:00 pm on every Thursday beginning July 14, 2005 through November 30, 2005.

8/2/05, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee. 08/05/05 - Referred to Parking and Traffic for review and determination of environmental impact.

08/15/05 - Response received from Planning, Exempt from environmental review.

**Motion**

- 051388 [Authorizing preparation of Proponent ballot arguments and rebuttal ballot arguments for submittal to the voters at the November 8, 2005 Election]**  
Supervisor Peskin

Motion authorizing preparation of written Proponent ballot arguments and rebuttal ballot arguments for Charter Amendments and other Measures approved by the Board of Supervisors for submittal to the voters at the November 8, 2005 Election.

8/2/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

## PROPOSED ORDINANCES

- 051065 [Zoning Map Amendment for 425 Mason Street]**  
Ordinance amending the San Francisco Planning Code by amending Sectional Map 1 of the Zoning Map of the City and County of San Francisco to change the use classification of the property located at 425 Mason Street, and identified as Assessor's Block No. 0306, Lot No. 002, from a zoning designation of P (Public) to C-3-G (Downtown General Commercial); and adopting General Plan, Planning Code Section 101.1(b) and environmental findings. (Planning Department)  
7/25/05, ASSIGNED UNDER 30 DAY RULE to Land Use Committee, expires on 9/1/2005.
- 051349 [Settlement of Lawsuit - Shao Xi Tan]**  
Ordinance authorizing settlement of the lawsuit filed by Shao Xi Tan against the City and County of San Francisco for \$80,000; the lawsuit was filed on August 22, 2003 in the United States District Court, Case No. C03-3907 MMC; entitled Shao Xi Tan, et al. v. City and County of San Francisco, et al. (City Attorney)  
7/22/05, RECEIVED AND ASSIGNED to Rules Committee.
- 051350 [Settlement of Lawsuit - San Francisco Bay Area Transit District]**  
Ordinance approving settlement of litigation brought by the San Francisco Bay Area Transit District against City and County of San Francisco in the eminent domain action entitled San Francisco Bay Area Transit District v. City and County of San Francisco, et al. (Alameda County Superior Court No. HG03-099024, filed July 7, 2003), for a total value of \$2,750,000. (City Attorney)  
7/22/05, RECEIVED AND ASSIGNED to Rules Committee.
- 051354 [Settlement of Lawsuit - George Q. Chen]**  
Ordinance authorizing settlement of the lawsuit filed by the City and County of San Francisco against George Q. Chen, for a payment to the Airport in the amount of \$113,800.00, and on certain other terms; the lawsuit was filed on December 1, 2003, in United States Bankruptcy Court for the Northern District of California, Adversary Case No. 03-3713 DM and entitled City and County of San Francisco v. George Q. Chen. (City Attorney)  
7/25/05, RECEIVED AND ASSIGNED to Rules Committee. Department requests this matter be scheduled for consideration at the August 3, 2005 meeting.



- 051398 [Mission Bay South – Ordering Street Vacation of portions of Fourth Street]**  
Ordinance ordering the vacation of two (2) portions of Fourth Street from Third Street north to Channel Street; authorizing a grant in fee title of the City and County of San Francisco's rights and interest in the vacated areas to FOCIL; authorizing reservations of certain utility easements in the vacated areas; adopting findings that such vacation of Fourth Street is consistent with the City General Plan and eight policies of City Planning Code Section 101.1 and the Mission Bay South Redevelopment Plan; adopting findings pursuant to the California Environmental Quality Act (CEQA); accepting Department of Public Works Order No. 175,536; and authorizing official acts in connection with this Ordinance. (Public Works Department)  
7/25/05, RECEIVED AND ASSIGNED to Land Use Committee.

## PROPOSED RESOLUTIONS

- 051308 [Special Assessment of Liens for Assessment of Costs]**  
Resolution confirming report of Delinquent Charges for Code Enforcement cases with Delinquent Assessment of Costs, and Fees pursuant to the provisions of Section 102.3, 102.12, 102.17, 102.18, 102.19 et Seq., Section 108, Section 110 - Tables 1-K, and 1-G, and Sections 3407.7.1.3, 3407.7.1.4, 3407.7.1.5, and 3407.7.1.6 et seq., of the San Francisco Building Code, submitted by the Director of the Department of Building Inspection for Services rendered by said Department of Costs thereof having accrued pursuant to Code Violations referenced above. (Building Inspection Department)  
7/22/05, SCHEDULED FOR PUBLIC HEARING. Scheduled for August 9, 2005, at 3:00 p.m.
- 051351 [Settlement of Claim - Andrea Runge]**  
Resolution approving the settlement of the unlitigated claim by Andrea Runge against the City and County of San Francisco and Michael Scott for \$45,000. (City Attorney)  
7/22/05, RECEIVED AND ASSIGNED to Rules Committee.
- 051352 [Outreach Advertising]**  
Resolution designating El Reportero to be the outreach newspaper of the City and County of San Francisco for the Hispanic community; and, the San Francisco Bay View to be the outreach newspaper of the City for the African American community to provide outreach advertising services for the fiscal year commencing upon Board of Supervisors and Mayoral approval and ending June 30, 2006.  
7/22/05, RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 051397 [Mission Bay South - Street Vacation of Portions of Fourth Street]**  
Resolution declaring the intention of the Board of Supervisors to vacate two (2) portions of Fourth Street within Mission Bay South from Third Street north to Channel Street; setting the hearing date for all persons interested in the proposed vacation of the street area; adopting findings that the proposed vacation is consistent with the San Francisco General Plan and eight priority policies of San Francisco Planning Code Section 101.1 and the Mission Bay South Redevelopment Plan; and making environmental findings. (Public Works Department)  
7/25/05, RECEIVED AND ASSIGNED to Land Use Committee.

**Requests Granted**

*From: Supervisor Mirkarimi*

*To: Director, Department of Parking and Traffic*

*Requesting/Inquiring: Requesting the results of the study conducted by the Department of Parking and Traffic on the timing of the light at Laguna Street crossing Geary Boulevard, and what steps the Department intends to take in order to mitigate dangerous conditions present due to a recent death in that intersection that might expose the City.*

*From: Supervisor Mirkarimi*

*To: Director, Department of Public Works*

*Requesting/Inquiring: Requesting the Department of Public Works to report on the status of the repair of a pothole at Linden and Buchanan behind the Hayes Valley Playground.*

*From: Supervisor Mirkarimi*

*To: Director, Department of Public Works*

*Requesting/Inquiring: Requesting the Department of Public Works to report on the status of the repair of a pothole at 595 Grove.*

*From: Supervisor Mirkarimi*

*To: Director, Department of Public Works*

*Requesting/Inquiring: Requesting the Department of Public Works to report on the status of the repair of a pothole at 409 Laguna Street.*

*From: Supervisor Dufty*

*To: San Francisco Recreation and Park Commission*

*Requesting/Inquiring: Requesting the San Francisco Recreation and Park Commission to consider revising the Camp Mather Application due date and decision announcement date. San Francisco families believe that shifting both dates at least one month earlier would enable better summer planning. Additionally, request that a copy of this letter be transmitted to Mayor Gavin Newsom.*

**In Memoriams**

*Catherine "Kitty" Ammiro - Supervisor Ma*

*Officer Nels "Dan" Neimi - Entire Board*

*Jerry Deal - Supervisor Ammiano*

*Yoneko Sasaki - Supervisor Mirkarimi*

*Jermaine Williams - Supervisor Mirkarimi*

*Kenneth Ford - Supervisor Mirkarimi*

*Flossie Robinson - Supervisor Maxwell*

*Amy Esther Chamberlain - Michela Alioto-Pier*

## ADJOURNMENT


*There being no further business the Board adjourned at the hour of 6:53 p.m.*

*Gloria L. Young, Clerk of the Board*

*N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.*

*Approved by the Board of Supervisors on September 6, 2005.*

*I, Gloria L. Young, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Minutes of said Board on the date stated and was approved as recited.*



---

Gloria L. Young  
Clerk of the Board