

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 9, 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

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 29

Members Present: Michela Alioto-Pier, 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 2:09 p.m. On the call of the roll Supervisor Ammiano was noted absent.

Supervisor Ammiano was previously excused from attending today's meeting. (See Infra)

Quorum present.

Supervisor Ammiano Excused from Attendance

Supervisor Elsbernd, seconded by Supervisor Mirkarimi, moved to excuse Supervisor Ammiano from attending today's meeting. The motion carried by the following vote:

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

APPROVAL OF MEETING MINUTES

Supervisor Elsbernd, seconded by Supervisor Dufty, moved to approve the July 12, 2005 Meeting Minutes. The motion carried by the following vote:

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

CONSENT AGENDA

Recommendations of Budget and Finance Committee

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.

Ordinance No. 207-05
FINALLY PASSED

- 051191 [Airport Food and Beverage Lease]**
Resolution approving the Terminal 1 Casual Dining & Bar Lease between WSE Group, Inc., and the City and County of San Francisco, acting by and through its Airport Commission.
- Resolution No. 618-05
ADOPTED

Recommendations of the City Operations and Neighborhood Services Committee

- 050219 [Creation of Motorcycle Only Parking Zones]**
Supervisor Mirkarimi
- Resolution designating motorcycle only parking zones at curb spaces fronting the properties of 1015 Irving Street, 1365 9th Avenue, 1367 9th Avenue, 1300 8th Avenue, 1299 8th Avenue, and 1271 9th Avenue on a twenty-four hour, seven day a week basis and requiring appropriate signage.
- Resolution No. 614-05
ADOPTED
- 050849 [Liquor License, 377 Hayes Street]**
- Resolution determining that the transfer of a Type 48 on-sale general public premises license from 1449 Lombard Street to 377 Hayes Street to David M. Bass and Mi Hui Bass for Sugar Lounge will serve the public convenience and necessity of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code with conditions.
- Resolution No. 615-05
ADOPTED
- 050950 [Liquor License, 510 Larkin Street]**
- Resolution determining that the transfer of a Type 48 on-sale general public premises license from 1312 Polk Street to 510 Larkin Street to Paul Xavier, Douglas Cox and David C. Kapp for DÉCO Lounge will serve the public convenience and necessity of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code with conditions.
- Resolution No. 605-05
ADOPTED
- 051059 [Liquor License, Two Embarcadero Center - Street Level in the Financial District]**
- Resolution determining that the issuance of a Type 42 on-sale beer and wine license to Mark A. Dirsra, for WINE located at Two Embarcadero Center – Street Level, will serve the public convenience and necessity of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code with conditions.
- Resolution No. 617-05
ADOPTED

051195 [Liquor License, 2001 Polk Street]

Resolution determining that the transfer of a Type 21 off-sale general alcoholic beverage control license from 2458 Polk Street to 2001 Polk Street to Ray Bair for Cheese Plus will serve the public convenience and necessity of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code with conditions.

Resolution No. 619-05

ADOPTED

Severed from the Consent Agenda

Supervisor Ma requested that this matter be severed so that it might be considered separately

Supervisor Ma Excused from Voting

Supervisor Dufty, seconded by Supervisor Elsbernd, moved. The motion carried by the following vote:

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

Excused: 2 - Ammiano, 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.

Ordinance No. 208-05

FINALLY PASSED by the following vote:

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

Excused: 2 - Ammiano, Ma

REGULAR AGENDA**UNFINISHED BUSINESS****Recommendation 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 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)

Ordinance No. 217-05

FINALLY PASSED by the following vote:

Ayes: 8 - Daly, Dufty, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Noes: 2 - Alioto-Pier, Elsbernd

Excused: 1 - Ammiano

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.

Ordinance No. 215-05

FINALLY PASSED by the following vote:

Ayes: 9 - Alioto-Pier, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 1 - Daly
Excused: 1 - Ammiano

**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.

Ordinance No. 216-05

FINALLY PASSED by the following vote:

Ayes: 9 - Alioto-Pier, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 1 - Daly
Excused: 1 - Ammiano

From the Board

**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.

The Clerk of the Board announced the tabulations of the North Of Market/Tenderloin Community Benefit District.

Voting For: 40.97%

Voting Against: 21.73%

Resolution No. 584-05

ADOPTED by the following vote:

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

NEW BUSINESS

Recommendations of the Budget and Finance Committee

051220 [Parking Fine Penalty Schedule]

Ordinance amending San Francisco Traffic Code Section 132 to reference the correct California Vehicle Code subsection for covering a license plate. (Parking and Traffic Department)

PASSED ON FIRST READING by the following vote:

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

051231 [Department of Building Inspection Cash Revolving Fund]

Ordinance amending San Francisco Administrative Code Section 10.135 to increase the Cash Revolving Fund of the Department of Building Inspection from \$200 to \$600.

PASSED ON FIRST READING by the following vote:

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

050850 [Emergency Construction Contract]

Resolution requesting the Board of Supervisors to approve the expenditure of funds for emergency slope and drainage repair at the SFPUC Harry Tracy Water Treatment Plant, in the amount of \$2.5 million. (Public Utilities Commission)

(Fiscal impact.)

Resolution No. 616-05

ADOPTED by the following vote:

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

Recommendation of the City Operations and Neighborhood Services Committee

**050591 [Inclusion of transit, pedestrian, and bicycle improvements as part of street improvement projects]
Supervisor Mirkarimi**

Ordinance amending the Public Works Code to add Section 2.4.13 to require the integration of transit, pedestrian, and bicycle improvements as part of the planning, construction, reconstruction, or repaving of public right-of-ways.

AMENDED by the following vote:

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

PASSED ON FIRST READING AS AMENDED by the following vote:

Ayes: 7 - Daly, Dufty, Ma, Maxwell, McGoldrick, Mirkarimi, Sandoval
Noes: 3 - Alioto-Pier, Elsbernd, Peskin
Excused: 1 - Ammiano

Recommendations of the Land Use Committee

Appointment of President Pro Tempore

At the request of the President, Supervisor Ma assumed the Chair so the President could participate in the debate from the floor concerning the following item.

The President resumed the Chair shortly thereafter.

051333

[Tourist Hotel Conversion]**Supervisors Peskin, Ammiano, Daly, Dufty, Ma, Maxwell, McGoldrick, Mirkarimi, Sandoval**

Ordinance amending the San Francisco Administrative Code to add Chapter 41F to prohibit the conversion of existing tourist hotel structures with 100 or more tourist guest rooms to condominium projects or dwelling units, with certain exceptions; and adopting findings, including environmental findings.

Supervisor Peskin, seconded by Supervisor Dufty, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. The motion carried by the following vote:

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

PASSED ON FIRST READING AS AMENDED by the following vote:

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

051219

[Freeway Maintenance Agreement for Central Freeway Replacement Project]

Resolution authorizing the City and County of San Francisco's Director of Public Works to execute a Freeway Maintenance Agreement with the State of California, acting by and through its Department of Transportation apportioning maintenance responsibilities for the Central Freeway Replacement Project. (Public Works Department)

Resolution No. 620-05

ADOPTED by the following vote:

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

051128

[Designate 1110 Taylor Street, the Glazer-Keating as a Landmark]**Supervisor Peskin**

Ordinance Designating 1110 Taylor Street, the Glazer-Keating House, As Landmark No. 251 Pursuant To Article 10, Sections 1004 And 1004.4 Of The Planning Code. (Planning Department)

PASSED ON FIRST READING by the following vote:

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

050851 [Vacation of a portion of Bernal Heights Boulevard]

Resolution declaring the intention of the Board of Supervisors to vacate a portion of Bernal Heights Boulevard west of Moultrie Street and transfer jurisdiction from the Department of Public Works to the Recreation and Park Department; setting the hearing date, September 13, 2005 at 3:00 p.m., for all persons interested in the proposed vacation of the street vacation area; and adopting environmental findings and findings that the vacation is consistent with the City's General Plan and the Eight Priority Policies of Planning Code Section 101.1. (Real Estate Department)

Resolution No. 611-05

ADOPTED by the following vote:

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

From the Land Use Committee Without Recommendation**050852 [Ordering the vacation of a portion of Bernal Heights Boulevard]**

Ordinance ordering the vacation of a portion of Bernal Heights Boulevard west of Moultrie Street; transferring jurisdiction from the Department of Public Works to the Recreation and Park Department; adopting environmental findings and findings that such actions are consistent with the City's General Plan and the Eight Priority Policies of Planning Code Section 101.1; and authorizing official acts in connection with this Ordinance. (Real Estate Department)

(To be heard at a public hearing on September 13, 2005 at 3:00 p.m.)

Continued to September 13, 2005 at 3:00 p.m.

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

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

Called From the City Operations and Neighborhood Services Committee**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.

Continued to August 16, 2005

Supervisor Sandoval requested to be added as a co-sponsor.

Supervisor Daly moved that this Ordinance be CONTINUED. The motion carried by the following vote:

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

SPECIAL ORDER 3:00 P.M**051307 [Public Hearing]**

Hearing of persons interested in or objecting to 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. (Clerk of the Board)

The President inquired as to whether or not any member of the public wished to address the Board. Bob Noelke, and Leo McFadden, representatives from the Department of Building Inspection. Jay Wong, Property Owner 505 -26th Avenue, Property Owner, 737 London Street, Joan Class Levin, Property owner of property located on the Filbert steps.

The President declared the public hearing closed.

HEARD AT PUBLIC HEARING.

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)

Resolution No. 609-05

ADOPTED by the following vote:

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

051309 [Public Hearing]

Hearing of persons interested in or objecting to report of delinquent reinspection fee costs submitted by the Director of Public Health, as modified to the date of adoption of the resolution, and creating liens and special assessments based thereon. (Clerk of the Board)

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

Scott Nakamura, representative of the Department of Public Health.

There were no speakers from the public.

The President declared the public hearing closed.

HEARD AT PUBLIC HEARING.

051310 [Unpaid DPH complaint reinspection fee liens to become special assessments to the property taxes]

Resolution confirming the report of delinquent reinspection fee costs submitted by the Director of Public Health, as modified to the date of adoption of the resolution, and creating liens and special assessments based thereon. (Public Health Department)

Resolution No. 612-05

ADOPTED by the following vote:

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

051318 [Public Hearing]

Hearing of persons interested in or objecting to report of delinquent charges for refuse collection services and nuisance removal costs submitted by the Director of Public Health as modified to the date of adoption of this resolution, and creating Special Assessments and liens based thereon. (Clerk of the Board)

*The President inquired as to whether or not any member of the public wished to address the Board.
There were no speakers from the public.*

The President declared the public hearing closed.

HEARD AT PUBLIC HEARING.

051319 [Unpaid DPH Delinquent Refuse Service payment liens to become special assessments to the property taxes]

Resolution confirming report of delinquent charges for refuse collection service and nuisance removal costs submitted by the Director of Public Health, as modified to the date of adoption of this resolution, and creating Special Assessments and liens based thereon. (Public Health Department)

Resolution No. 613-05

ADOPTED by the following vote:

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

SPECIAL ORDER 3:30 P.M**050971 [Public Hearing]**

Hearing of persons interested in or objecting to 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. (Clerk of the Board)

*The President inquired as to whether or not any member of the public wished to address the Board.
Harry Gulbengay, representative of the Department of Public Works
Property owner of 411-15th Avenue.*

The President declared the public hearing closed.

HEARD AT PUBLIC HEARING.

050972 [Report of assessment costs for sidewalk and curb repairs]

Resolution approving 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. (Public Works Department)

(DPW Order No. 175, 630; Locations: 131-133 Carl Street; 201 Capra Way; 411-15th Avenue.)

Resolution No. 610-05

ADOPTED by the following vote:

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

Supervisor Sandoval, seconded by Supervisor Daly, moved to rescind the previous vote.

Amended by deleting the property located at 131-133 Carl Street from the sidewalk assessment costs report.

Resolution No. 610-05

Supervisor Maxwell, seconded by Supervisor Elsbernd, moved that this Resolution be ADOPTED AS AMENDED.

The motion carried by the following vote:

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

Excused: 1 - Ammiano

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

Supervisor Sandoval, seconded by Supervisor Dufty, moved 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. The motion carried by the following vote:

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

Excused: 1 - Ammiano

Privilege of the Floor

Supervisor Sandoval introduced, welcomed and presented Certificate of Honors to members of the Mission Council's Intensive Outpatient Program.

Supervisor Peskin, introduced, welcomed and presented a Certificate of Honor to coordinators of the "Maori Art Meets America" art exhibit.

SPECIAL ORDER 4:00 P.M.

051222 [Public Hearing - Appeal of Categorical Exemption from Environmental Review for 899 North Point Street]

Hearing of persons interested in or objecting to the decision of the Planning Department dated April 22, 2005, exempting from environmental review under Categorical Exemption, State CEQA Guidelines Sections 15303(b) and General Rule Exclusion, under CEQA Guidelines Section 15061(b)(3). The proposed project would involve the demolition of a vacant gas station building, approximately 1,650 square feet in size, and construction of a four-story, five-unit residential building. The proposed project would provide seven off-street parking spaces on the ground floor. Entrance and access to the residential units would be from Larkin Street and vehicular entrance and access would be from North Point Street. The project site at 899 North Point Street (Assessor's Block 0026, Lot 020) is approximately 5,469 square feet in size and located on the southeastern corner of North Point and Larkin Streets in the Russian Hill neighborhood on the block bounded by Larkin, North Point, Hyde and Bay Streets. The project site is zoned RH-3 (Residential, House, Three-Family) and is within a 40-X height and bulk district. The project site is also located in the Waterfront Special Use District No. 2, per Section 240.2 of the San Francisco Planning Code. (Appellant: Stephen M. Williams.)

(Filed June 17, 2005; companion measure to Files 051223, 051224, 051225; District 2.)

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

Continued to September 20, 2005

Supervisor Alioto-Pier, seconded by Supervisor Maxwell, moved that this Hearing be CONTINUED. The motion carried by the following vote:

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

Excused: 1 - Ammiano

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the categorical exemption from environmental review described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be adopted.)

051223 [Affirming the categorical exemption issued for 899 North Point Street]

Motion affirming the determination by the Planning Department that the 899 North Point Street project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Continued to September 20, 2005

Supervisor Alioto-Pier, seconded by Supervisor Maxwell, moved that this Motion be CONTINUED. The motion carried by the following vote:

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

051224 [Disapproving the categorical exemption issued for 899 North Point Street]

Motion disapproving the determination by the Planning Department that the 899 North Point Street project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Continued to September 20, 2005

Supervisor Alioto-Pier, seconded by Supervisor Maxwell, moved that this Motion be CONTINUED. The motion carried by the following vote:

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

051225 [Preparation of findings related to the categorical exemption issued for 899 North Point Street]

Motion directing the Clerk of the Board to prepare findings related to the appeal of the determination by the Planning Department that the 899 North Point Street project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Continued to September 20, 2005

Supervisor Alioto-Pier, seconded by Supervisor Maxwell, moved that this Motion be CONTINUED. The motion carried by the following vote:

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

SPECIAL ORDER 4:00 P.M.

051320 [Public Hearing - Appeal of Categorical Exemption from Environmental Review for 39 Chattanooga Street]

Hearing of persons interested in or objecting to the decision of the Planning Department dated June 13, 2005 (Case No. 2003.0415E), exempting from environmental review under Categorical Exemption State CEQA Guidelines, Section(s) 15301(e)(2), Existing Facilities. The project would construct an addition to an existing single family residence without off-street parking, to accommodate two dwelling units and two parking spaces (one with independent access). The existing 840-square foot (sq.ft.), one-story-over basement, single-family residence is approximately 14 feet tall. The proposed addition would expand the existing site development to contain two dwelling units (approximately 1,299 sq.ft. and 2,695 sq.ft. = 3,994 total sq.ft., a net increase for the site of approximately 3,154 sq.ft.) The project would: (1) raise the existing one-story-over basement, single-family dwelling approximately seven feet in height, and move it forward, reducing the existing 20-foot front setback to approximately 10 feet; (2) demolish the existing rear 20-foot extension (kitchen/porch/stairs); (3) construct a new three-story-over basement addition with an allowable 12-foot extension of one-story-over basement at the rear, and; (4) establish two dwelling units on the property. The finished height of the existing building would be approximately 21 feet to the midpoint of the pitched roof. The finished height of the addition at the rear would be approximately 30 feet to the top of the sloped roof. The project would modify the front façade of the existing building to accommodate a new entrance and a nine-foot-wide garage opening. The approximately 3,250 sq. ft. project site, (Assessor's Block 3619, Lot 077), is located on the east side of Chattanooga Street, on the block bounded by Church, 21st, Dolores and 22nd Streets. The site is within an RH-2 (Residential, House, Two-Family) Use District and a 40-X Height and Bulk District. (Appellant: Susan Brandt-Hawley on behalf of Chattanooga Street/Golden Fireplug Historic District Friends.)

(Filed June 17, 2005; companion measure to Files 051321, 051322, 051323; District 8.)

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

Susan Brandt-Hawley, Attorney and F. Joseph Butler, Architect for the appellant (Chattanooga Street/Golden Fireplug Historic District Friends)

Katherine Petrin, support of appellant, Nan Roth, support of appellant, Vickie Rosen, support of appellant, Susan Ruthberg, support of appellant, Glad Harris, support of appellant, Courtney Clarkson, support of appellant, Judith, support of appellant, Charlie Barren, support of appellant, Janet Macks, support of appellant, Donald Langley, support of appellant, Terry Mill, support of appellant, Pamela Faulk, support of appellant, Clifford Anderson, support of appellant, Elaine Clemson, support of appellant, Barbara Levy, support of appellant, Joe Ammarian, support of appellant, Myra Leff, support of appellant, Sue Hestor, support of appellant

Paul Maltzer, Environmental Officer, and Neil Hart, Planning Department representatives reviewed with the Board the Planning Department's recommendation.

Steven Vittel, Attorney for project sponsor, John Williams

John Williams, Project sponsor, Bill Sagai, support of project sponsor

Rebuttal Period: Susan Brandt-Hawley, Attorney for appellant

The President declared the public hearing closed.

HEARD AT PUBLIC HEARING.

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the categorical exemption from environmental review described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be adopted.)

- 051321 [Affirming the categorical exemption issued for 39 Chattanooga Street]**
Motion affirming the determination by the Planning Department that the 39 Chattanooga Street project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)
Supervisor Dufty, seconded by Supervisor Maxwell, moved that this Motion be TABLED. The motion carried by the following vote:
Ayes: 10 - Alioto-Pier, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Ammiano
- 051322 [Disapproving the categorical exemption issued for 39 Chattanooga Street]**
Motion disapproving the determination by the Planning Department that the 39 Chattanooga Street project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)
Motion No. M05-111
Supervisor Dufty, seconded by Supervisor Maxwell, moved that this Motion be APPROVED. The motion carried by the following vote:
Ayes: 10 - Alioto-Pier, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Ammiano
- 051323 [Preparation of findings related to the categorical exemption issued for 39 Chattanooga Street]**
Motion directing the Clerk of the Board to prepare findings related to the appeal of the determination by the Planning Department that the 39 Chattanooga Street Project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)
Motion No. M05-110
Supervisor Dufty, seconded by Supervisor Maxwell, moved that this Motion be APPROVED. The motion carried by the following vote:
Ayes: 10 - Alioto-Pier, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Ammiano

COMMITTEE REPORTS

- 051005 [Cable Television Franchise Amendments]**
Mayor
- Ordinance amending Ordinance No. 105-64, as amended by Ordinance Nos. 528-88, 315-89, 42-91, 42-97, and 266-99, by amending sections 1, 9, 24.3, 25, 25.5, 27.2, 31, and 32 and Appendix C to extend the term of the franchise and to clarify and expand the obligations of the Comcast of California III, Inc.
- Continued to August 16, 2005*
- Supervisor Mirkarimi, seconded by Supervisor Dufty, moved that this Ordinance be CONTINUED. The motion carried by the following vote:**
Ayes: 10 - Alioto-Pier, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Ammiano

**051006 [Settlement of Claims - Comcast of California III, Inc.]
Mayor**

Ordinance approving the settlement of certain non-litigated claims on behalf of the City and County of San Francisco against Comcast of California III, Inc.

Continued to August 16, 2005

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

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

**051358 [Appropriate General Obligation Bond sale proceeds from the 2005A and 2005I series to fund the Laguna Honda Replacement Program and bond issuance costs for the Department of Public Works]
Supervisor Elsbernd**

Ordinance appropriating \$39,328,014 of General Obligation Bond proceeds from the sale of the 2005A Series and appropriating, and placing on reserve, \$69,000,000 from the General Obligation Bond proceeds from the 2005I Series for a total of \$108,328,014 to fund the Laguna Honda Replacement Program and bond issuance costs for the Department of Public Works for fiscal year 2005-06.

(Fiscal impact.)

PASSED ON FIRST READING by the following vote:

Ayes: 9 - Alioto-Pier, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Daly
Excused: 1 - Ammiano

**051359 [Laguna Honda Hospital General Obligation Bond Sale]
Supervisor Elsbernd**

Resolution authorizing and directing the sale of an issue of not to exceed \$69,000,000 City and County of San Francisco General Obligation Bonds (Laguna Honda Hospital, 1999), Series 2005I; approving the form and execution of a Declaration of Trust; approving the forms of an Official Notice of Sale and a Notice of Intention to Sell Bonds; authorizing the solicitation of competitive bids for the sale of the Bonds; approving the form, execution and distribution of an Official Statement; approving the form of and authorizing the City's compliance with a Continuing Disclosure Certificate; approving modifications to documents; ratifying certain actions previously taken; and granting general authority to city officials to take necessary actions in connection with the authorization, issuance, sale and delivery of said Bonds.

(Fiscal impact.)

Resolution No. 585-05

ADOPTED by the following vote:

Ayes: 9 - Alioto-Pier, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Daly
Excused: 1 - Ammiano

ROLL CALL FOR INTRODUCTIONS

Pursuant to the Board of Supervisors Rule No. 3.9

Supervisor Maxwell provided the Board an update on the League of Cities on which she represents the Board of Supervisors.

PUBLIC COMMENT

*Abdullah Megaheed; expressed concern with issues relating to the Iraq war and events after 9/11/01
James Chaffee; expressed concern with issues relating to the SF Library
Tom McDonagh; showed interest with issues relating to Laguna Honda Hospital
John DiDonna; showed interest with issues relating to gay liberation and sexual liberation
Female speaker; expressed concern with issues relating to hospital and police matters*

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.

**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.

Resolution No. 606-05

ADOPTED

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

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.

Resolution No. 607-05

ADOPTED

- 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.

Resolution No. 621-05
ADOPTED

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

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

Supervisor Elsbernd requested to be added as a co-sponsor.

Resolution No. 622-05
ADOPTED

- 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, Dufty

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.

Resolution No. 623-05
ADOPTED

The foregoing items were acted upon by the following vote:

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

Severed For Adoption Without Reference to Committee

Supervisor Elsbernd requested that this matter be severed so that it might be considered separately

- 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.

Supervisor Elsbernd, seconded by Supervisor Alioto-Pier, moved that this Motion be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. The motion carried by the following vote:

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

Motion No. M05-109

APPROVED AS AMENDED by the following vote:

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

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 Daly, seconded by Supervisor Elsbernd, moved ADOPTION of the commendatory finding. The motion carried by the following vote:

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

[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 Daly, seconded by Supervisor Elsbernd, moved ADOPTION of the Brown Act finding. The motion carried by the following vote:

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

051412 [Commending Giants Manager Felipe Alou]

Supervisors Daly, Sandoval

Resolution commending San Francisco Giants Manager Felipe Alou for his stance against racist comments of Larry Krueger on KNBR and advocacy for Latino players and the Latino community.

Resolution No. 608-05

ADOPTED by the following vote:

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

OFF-AGENDA LEGISLATION

Introduced by Supervisors or Mayor**Ordinances**

- 051390** [Setting San Francisco's fiscal year 2005-2006 property tax rate and establishing pass-through rate for residential tenants]
Supervisor Peskin

Ordinance providing revenue and levying property taxes for City and County purposes and establishing pass-through rate for residential tenants pursuant to Chapter 37 of the Administrative Code for the fiscal year ending June 30, 2006.

(Fiscal impact.)

8/9/05, RECEIVED AND ASSIGNED to Budget and Finance Committee.

- 051391** [Setting San Francisco Community College District's fiscal year 2005-2006 property tax rate to be included in the City's overall property tax rate]
Supervisor Peskin

Ordinance providing revenue and levying property taxes for San Francisco Community College District purposes for the fiscal year ending June 30, 2006.

(Fiscal impact.)

8/9/05, RECEIVED AND ASSIGNED to Budget and Finance Committee.

- 051392** [Setting San Francisco Unified School District's fiscal year 2005-2006 property tax rate to be included in the City's overall property tax rate]
Supervisor Peskin

Ordinance providing revenue and levying property taxes for San Francisco Unified School District purposes for the fiscal year ending June 30, 2006.

(Fiscal impact.)

8/9/05, RECEIVED AND ASSIGNED to Budget and Finance Committee.

- 051393** [Setting San Francisco Bay Area Rapid Transit District's fiscal year 2005-2006 property tax rate to be included in the City's overall property tax rate]
Supervisor Peskin

Ordinance providing revenue and levying property taxes for San Francisco Bay Area Rapid Transit District purposes for the fiscal year ending June 30, 2006.

(Fiscal impact.)

8/9/05, RECEIVED AND ASSIGNED to Budget and Finance Committee.

**051033 [Additional Eligibility Requirements to Participate in Public Financing Program for Candidates for the Board of Supervisors]
Supervisor Elsbernd**

Ordinance amending Section 1.140 of the San Francisco Campaign and Governmental Conduct Code, by amending section 1.140 to disqualify from participation in the City's public financing program any candidate who: (1) has any outstanding fines or penalties owed to the City that were imposed for violations of state or local campaign finance laws, the lobbyist ordinance, the campaign consultant ordinance, or local conflict of interest laws; (2) has not filed with the Ethics Commission any legally required campaign finance, campaign consultant, lobbyist or statement of economic interests forms; or (3) has been found by a court to have knowingly, willfully or intentionally violated state or local campaign finance laws within the previous five years.

6/7/05, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 7/7/2005.

6/15/05, REFERRED TO DEPARTMENT. Referred to Ethics Commission for review and recommendation.

8/5/05, RESPONSE RECEIVED. Commission approved proposed legislation with two amendments.

8/9/05, SUBSTITUTED. Supervisor Elsbernd submitted a substitute ordinance bearing new title.

8/9/05, ASSIGNED to Rules Committee.

**051414 [Board review required for annual or otherwise recurring grant applications of \$5,000,000 or more]
Supervisor Maxwell**

Ordinance amending Section 10.170 of the Administrative Code to require Board review of proposed annual or otherwise recurring grant applications of \$5,000,000 or more prior to their submission.

8/9/05, ASSIGNED UNDER 30 DAY RULE to Government Audit and Oversight Committee, expires on 9/8/2005.

**051415 [Healthy Vending Machine Selections]
Supervisor Ma**

Ordinance amending the Health Code by adding Section 467.1 to require that 50 percent of the beverages and snacks offered for sale through vending machines located on City property be healthy choices meeting nutrition standards as defined in the Ordinance.

8/9/05, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 9/8/2005.

**051416 [Amending the Process for Selecting Proponent and Opponent Arguments]
Supervisor Elsbernd**

Ordinance amending Section 545 of the San Francisco Municipal Elections Code to amend the process for selecting the proponent and opponent arguments published in the Voter Information Pamphlet by: (1) establishing a new priority level for state and local elected officials registered to vote in San Francisco; (2) permitting individuals and organizations to submit only one proposed argument per measure; and (3) prohibiting any person from being the author of more than one argument per measure.

8/9/05, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 9/8/2005.

Resolutions

**051409 [Issuance and Sale of Revenue Bonds - 1030 Post Street Apartments]
Supervisor Peskin**

Resolution approving the issuance and sale of revenue bonds by the California Statewide Communities Development Authority in an aggregate principal amount not to exceed \$7,000,000 for the financing of the acquisition and rehabilitation of the 1030 Post Street Apartments.

8/9/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**051410 [Parking Regulations]
Supervisor McGoldrick**

Resolution enacting and rescinding parking regulations at various locations.

TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH
Stanyan Street, west side, from 118 feet to 275 feet south of Fulton Street

(8/4/05: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street.)

8/9/05, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

**051411 [Traffic Regulations]
Supervisor McGoldrick**

Resolution enacting and rescinding traffic regulations on various streets.

RIGHT LANE MUST TURN RIGHT - RESCIND
Stanyan Street, west side, from Fulton Street to 120 feet northerly

NO LEFT TURN, 4 PM TO 6 PM - RESCIND
NO LEFT TURN, 11 AM TO 6 PM, EVERYDAY, EXCEPT TAXIS - ESTABLISH
Fulton Street, eastbound and westbound, at Stanyan Street

NO LEFT TURN - ESTABLISH
Fulton Street, eastbound, at 10th Avenue

(8/4/05: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street.)

8/9/05, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

**051412 [Commending Giants Manager Felipe Alou]
Supervisors Daly, Sandoval**

Resolution commending San Francisco Giants Manager Felipe Alou for his stance against racist comments of Larry Krueger on KNBR and advocacy for Latino players and the Latino community.

8/9/05, ADOPTED.

051417 [Policy and Program Recommendations for a Community Choice Aggregation (CCA) Implementation Plan.]**Supervisors Mirkarimi, Ammiano, McGoldrick**

Resolution submitting Policy and Program Recommendations for a Community Choice Aggregation (CCA) Implementation Plan.

(Fiscal impact.)

8/9/05, RECEIVED AND ASSIGNED to Budget and Finance Committee.

051419 [Endorsing the Regional Measure 2 Late Night Owl Bus Service Proposal]**Supervisor Dufty**

Resolution endorsing the Regional Measure 2 Late Night Owl Bus Service Proposal.

8/9/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

051420 [Urging the DPT to install a stop light at the intersection of Market and Hattie Streets]**Supervisor Dufty**

Resolution urging the Department of Parking and Traffic to install a stop light at the intersection of Market and Hattie Streets.

8/9/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

051421 [Honoring Dr. Donald Abrams and the Community Consortium for their outstanding contributions to HIV/AIDS healthcare and research upon the 20th anniversary of the Consortium's establishment]**Supervisor Dufty**

Resolution honoring Dr. Donald Abrams and the Community Consortium for their outstanding contributions to HIV/AIDS healthcare and research upon the 20th anniversary of the Consortium's establishment.

8/9/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

051422 [Accept-Expend Private Grant - Department on the Status of Women]**Supervisor Ma**

Resolution authorizing the Department on the Status of Women to accept retroactively and expend unexpended funds from a grant from The California Endowment, in the amount of \$40,000, which funds shall be used to fund the design and implementation of a customized plan for raising multiple year operating funds by Woman Organized to Make Abuse Nonexistent, Inc. (W.O.M.A.N., Inc.)

8/9/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

- 051429 [Urging the MTA to approve the Arthur H. Coleman Medical Center community's request for sidewalk width reduction to establish perpendicular parking on Ingerson Street]**
Supervisor Maxwell

Resolution urging the Municipal Transportation Authority to approve the Arthur H. Coleman Medical Center community's request for sidewalk width reduction to establish perpendicular parking on Ingerson Street.
8/9/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

- 051430 [Authorizing Application for BEGIN Funds]**
Supervisor Maxwell

Resolution authorizing the submittal of an application to the California State Department of Housing and Community Development for funding under the BEGIN Program; the execution of a standard agreement if selected for such funding and any amendments thereto; the execution of a designation agreement if selected for such funding and any amendments thereto; the execution of any related documents necessary to participate in the BEGIN Program.

8/9/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

- 051431 [Commending Catholic Healthcare West, Saint Francis, and St. Mary's hospitals]**
Supervisors McGoldrick, Daly, Elsbernd, Alioto-Pier

Resolution commending Catholic Healthcare West (CHW), Saint Francis, and St. Mary's hospitals for their commitment to working with the Department of Public Health to protect and enhance the provision of health care services to vulnerable populations.

8/9/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

- 051432 [Support of House Resolution 367 Condemning bigotry, violence and discrimination against Iranian-Americans]**
Supervisor Mirkarimi

Resolution in support of House Resolution 367 condemning bigotry, violence and discrimination against Iranian-Americans.

8/9/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

- 051433 [Commending Habitat for Humanity San Francisco]**
Supervisor Sandoval

Resolution commending Habitat for Humanity San Francisco for its extraordinary work providing affordable housing in San Francisco and celebrating the groundbreaking of twelve new homes at the De Long Terrace Project.

8/9/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Request for Hearing**051413 [West Nile Virus]
Supervisor Dufty**

Hearing to consider efforts to increase vector control and reduce the threat of West Nile Virus.
8/9/05, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee. Sponsor requests this item be calendered at the August 15th meeting.

051434 [Public Hearing]

Hearing of persons interested in or objecting to a proposed 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. (Clerk of the Board)
8/7/05, SCHEDULED FOR PUBLIC HEARING. Pursuant to File 051034, Board to sit as a Committee of the Whole August 16, 2005, at 3:00 p.m.

Motions**051407 [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.
8/9/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**051408 [Closed Session - Potential Litigation, Comcast of California III]
Supervisor McGoldrick**

Motion that the Board of Supervisors convene in closed session with the City Attorney for the purpose of conferring with, or receiving advice from, the City Attorney regarding potential litigation and a settlement involving the City related to the renewal of the cable franchise for Comcast of California III. The settlement resolves the City's unlitigated claims against Comcast California III for \$3.5 million, extends the franchise for 4 years, and modifies the terms of the franchise in several ways, including increasing funding for public access, educational and government programming. Government Code Section 54956.9(a) and San Francisco Administrative Code Section 67.10(d) permit this closed session because discussion in open session concerning this matter would likely and unavoidably prejudice the position of the City in the potential litigation.
8/9/05, ASSIGNED to Board of Supervisors. Scheduled for Board consideration August 16, 2005.

**051418 [Committee of the Whole - August 16, 2005 at 3:00 PM]
Supervisor Daly**

Motion to sit as a Committee of the Whole on August 16, 2005 at 3:00 PM to hear File Number 051034 prohibiting the display of human remains without appropriate written authorization from the deceased or the deceased's next-of-kin.

8/9/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

PROPOSED ORDINANCES

051377 [Settlement of Lawsuit - Daniel Curiel]

Ordinance authorizing settlement of the lawsuit filed by Daniel Curiel against the City and County of San Francisco for \$31,420.11; the lawsuit was filed on April 14, 2003 in San Francisco Superior Court, Case No. 419-362; entitled Daniel Curiel, et al., v. City and County of San Francisco, et al. (City Attorney)

8/1/05, RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED RESOLUTIONS

051361 [Professional services agreement to provide to perform professional engineering services]

Resolution authorizing the General Manager of the San Francisco Public Utilities Commission to execute and amend a professional services agreement with URS Corporation for an amount not to exceed \$12,000,000 to provide professional engineering services for the Calaveras Dam Replacement Project. (Public Utilities Commission)

(Fiscal impact.)

7/29/05, RECEIVED AND ASSIGNED to Budget and Finance Committee.

051373 [Parking Regulations]

Resolution enacting and rescinding parking regulations at various locations.

TOW-AWAY, NO PARKING, 10 PM TO 6 AM, EVERYDAY - ESTABLISH
Alemany Boulevard, both sides, between Sagamore and Crystal Streets.

PERPENDICULAR (90-DEGREE ANGLE) PARKING - ESTABLISH
Red Rock Way, from the driveway of #15 and #55 Red Rock Way driveway to 34 feet northerly and from the same driveway to 27 feet westerly.

NO PARKING ANYTIME - RESCIND
Wright Street, north side, from Holladay Avenue to Montcalm Street

RED (NO PARKING ANYTIME) ZONE - ESTABLISH
Montcalm Street, east side, from 126 feet north of York Street to 55 feet northerly

TOW-AWAY, NO PARKING ANYTIME - ESTABLISH
Washburn Street, east side, from 56 feet to 120 feet north of Howard Street

RESIDENTIAL PERMIT PARKING AREA "L" (2-HOUR TIME LIMIT, 8 AM - 6 PM, MONDAY THROUGH FRIDAY) - ESTABLISH
Rossi Avenue, west side, between Anza Street and Turk Boulevard (Unit block).

TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH
Lincoln Way, north side, from 41st Avenue to 100 feet easterly.

RESIDENTIAL PERMIT PARKING "A" AND "C" - RESCIND
PARKING METER AREA NO. 3 (1-HOUR PARKING TIME LIMIT, 9 AM - 6 PM, MONDAY THROUGH SATURDAY) - ESTABLISH

Broadway, south side, from Powell Street to 80-feet westerly

PARKING METERS, AREA NO. 4 (1-HOUR PARKING TIME LIMIT, 9 AM - 6 PM MONDAY THROUGH SATURDAY) - RESCIND
PARKING METERS, AREA NO. 4 (1-HOUR PARKING TIME LIMIT, 7 AM - 7 PM EVERYDAY) - ESTABLISH
Bay Street, south side, between Taylor and Mason Streets.

PARKING METERS, AREA NO. 4, (1-HOUR PARKING TIME LIMIT, 9 AM TO 6 PM, MONDAY THROUGH SATURDAY) - RESCIND
PARKING METERS, AREA NO. 3 (1-HOUR PARKING TIME LIMIT, 9 AM - 6 PM MONDAY THROUGH SATURDAY) - ESTABLISH
Mason Street, west side, from Bay Street to 65 feet southerly.

PARKING METERS, 2-HOUR, 9 AM TO 6 PM, MONDAY THROUGH FRIDAY -ESTABLISH
Bryant Street, west side, between 18th and Mariposa Streets.

TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH
Larkin Street, west side, between the north and south Fulton Street crosswalks.

TOUR BUS PARKING ONLY (15- MINUTE PARKING TIME LIMIT), 8 AM - 6 PM, EVERYDAY - ESTABLISH
Fulton Street, north side, between 115 feet east of Larkin Street and 125 feet west of Hyde Street (adds time limit to existing zone). (Parking and Traffic Department)

(7/27/05: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 3030.)

7/28/05, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

051374 [STOP Intersections]

Resolution designating certain intersections as "STOP" intersections.

STOP SIGNS - ESTABLISH

20th Avenue and Pacheco Street, stopping Pacheco Street at 20th Avenue, making this intersection an All-Way STOP;

La Playa and Judah Streets, stopping northbound La Playa Street, south of the Judah intersection in front of 1400 La Playa Street; and,

La Playa and Judah Streets, stopping westbound Judah Street at La Playa Street on the south side of 1396 La Playa Street. (Parking and Traffic Department)

(7/27/05: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 3030.)

7/28/05, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

051375 [Traffic Regulations]

Resolution enacting and rescinding traffic regulations on various streets.

ONE-WAY STREET - ESTABLISH

Wright Street, from Montcalm Street to Holladay Avenue, eastbound

MULTIPLE LEFT TURN LANES - RESCIND

Main Street, northbound, at Market Street (Parking and Traffic Department)

(7/27/05: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 3030.)

7/28/05, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

051376 [Settlement of Claim - David Caimotto]

Resolution approving the settlement of the unlitigated claim for disability discrimination filed with the Equal Employment Opportunity Commission (EEOC) by David Caimotto against San Francisco for \$101,000; claim was filed on December 28, 2004. (City Attorney)

8/1/05, RECEIVED AND ASSIGNED to Rules Committee.

Requests Granted

From: Supervisor Mirkarimi

To: Director, Department of Recreation and Park

Requesting/Inquiring: Requesting that the Department of Recreation and Park report on the status of the repair of the restroom and port-a-let in the Panhandle near the Children's Playground (Ashbury/Oak/Fell).

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting that the Department of Public Works report on the status of the repair of a pothole at 1285 2nd Avenue.

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting that the Department of Public Works report on the status of the repair of a pothole at the intersection of Hugo Street and Second Avenue.

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting that the Department of Public Works report on the status of the repair of a pothole at 126 Hugo Street.

In Memoriams

Deputy Mark A. Cash - Supervisor Alioto-Pier

Otto Huang - Supervisor Ma

Frederick Ayatch - Supervisor Mirkarimi

Barbara J. "Mother" Brown - Entire Board

Richard Aagaard - Supervisor Dufy

ADJOURNMENT

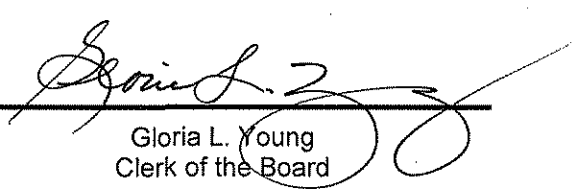
There being no further business the Board adjourned at the hour of 6:36 p.m.

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 13, 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