

**Board of Supervisors  
City and County of San Francisco**

*City Hall, Legislative Chamber, Room 250  
City Hall, 1 Dr. Carlton B. Goodlett Place  
San Francisco, CA 94102-4689*



**AGENDA**

**Tuesday, September 15, 2009  
2:00 PM**

**Regular Meeting**

---

**DAVID CHIU, PRESIDENT  
MICHELA ALIOTO-PIER, JOHN AVALOS, DAVID CAMPOS, CARMEN CHU, CHRIS DALY, BEVAN DUFTY, SEAN ELSBERND, ERIC MAR, SOPHIE  
MAXWELL, ROSS MIRKARIMI**

**Angela Calvillo, Clerk of the Board**

---

**ROLL CALL AND PLEDGE OF ALLEGIANCE**

**APPROVAL OF MEETING MINUTES**

*Approval of the August 4, 2009 and August 11, 2009, Board Meeting Minutes.*

**AGENDA CHANGES**

**COMMUNICATIONS**

*Note: Each item on the Consent or Regular agenda may include the following documents:*

- 1) Legislation*
- 2) Budget Analyst report*
- 3) Legislative Analyst report*
- 4) Department or Agency cover letter and/or report*
- 5) Public correspondence*

*These items will be available for review at City Hall, Room 244, Reception Desk.*

**CONSENT AGENDA**

*All matters listed hereunder constitute a Consent Agenda, are considered to be routine by the Board of Supervisors and will be acted upon by a single roll call vote of the Board. There will be no separate discussion of these items unless a member of the Board so requests, in which event the matter shall be removed from the Consent Agenda and considered as a separate item.*

**Items 1 through 8**

**Recommendations of the Budget and Finance Committee**

*Present: Supervisors Avalos, Chu, Campos*

- |           |               |  |                                |
|-----------|---------------|--|--------------------------------|
| <b>1.</b> | <b>090964</b> | <b>[Appropriating \$194,279,046 to fund construction of the Public Utilities Commission's Headquarters Building at 525 Golden Gate Avenue for FY 2009-</b> | <b>Mayor, Supervisor Dufty</b> |
|-----------|---------------|--|--------------------------------|





Resolution calling on the San Francisco Municipal Transportation Agency to install speed humps or speed cushions on Addison Street.

8/18/2009, CONTINUED. Continued to September 15, 2009.

**Question: Shall this Resolution be ADOPTED?**

**NEW BUSINESS**

**Board of Supervisors Sitting as a Committee of the Whole**

*Pending approval of File 091087.*

*Pursuant to Board of Supervisors Rule 5.30 (Timing of Committee Recommendations) when State and local law requires the Board to act by a certain date, the Clerk of the Board shall place the legislation on the agenda for the full Board in the event the Committee is not able to take timely action.*

**10. 091081 [Committee of the Whole - Mayor's Notice of Appointments of Barbara Sklar and Astrid Haryati to the Arts Commission]**

Hearing to consider the motions to approve or reject the Mayor's appointments of Barbara Sklar, term ending July 1, 2011, and Astrid Haryati, term ending on January 15, 2010, to the Arts Commission.

**Action:** \_\_\_\_\_

**Committee of the Whole Adjourn and Report Without Recommendation**

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

**11. 091061 [Appointment, Arts Commission - Barbara Sklar]**

Motion approving the Mayor's appointment of Barbara Sklar to the Arts Commission, for the term ending July 1, 2011.

(Charter Section 3.100-17 provides that the Board of Supervisors has the authority to reject the appointment by two-thirds vote of the Board (eight votes) within 30 days following transmittal of the Mayor's Notice of Appointment, and that failure of the Board to reject the appointment by two-thirds vote within the thirty day period shall result in the appointee continuing to serve as appointed. Transmittal date – August 21, 2009.)

**Question: Shall this Motion be APPROVED?**

**12. 091062 [Appointment, Arts Commission - Barbara Sklar]**

Motion rejecting the Mayor's appointment of Barbara Sklar to the Arts Commission, for the term ending July 1, 2011.

(Charter Section 3.100-17 provides that the Board of Supervisors has the authority to reject the appointment by two-thirds vote of the Board (eight votes) within 30 days following transmittal of the Mayor's Notice of Appointment, and that failure of the Board to reject the appointment by two-thirds vote within the thirty day period shall result in the appointee continuing to serve as appointed. Transmittal date – August 21, 2009.)

**Question: Shall this Motion be APPROVED?**

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

13. **091063 [Appointment, Arts Commission - Astrid Haryati]**  
Motion approving the Mayor's appointment of Astrid Haryati to the Arts Commission, for the term ending January 15, 2010.  
  
(Charter Section 3.100-17 provides that the Board of Supervisors has the authority to reject the appointment by two-thirds vote of the Board (eight votes) within 30 days following transmittal of the Mayor's Notice of Appointment, and that failure of the Board to reject the appointment by two-thirds vote within the thirty day period shall result in the appointee continuing to serve as appointed. Transmittal date – August 21, 2009.)

**Question: Shall this Motion be APPROVED?**

14. **091064 [Appointment, Arts Commission - Astrid Haryati]**  
Motion rejecting the Mayor's appointment of Astrid Haryati to the Arts Commission, for the term ending January 15, 2010.  
  
(Charter Section 3.100-17 provides that the Board of Supervisors has the authority to reject the appointment by two-thirds vote of the Board (eight votes) within 30 days following transmittal of the Mayor's Notice of Appointment, and that failure of the Board to reject the appointment by two-thirds vote within the thirty day period shall result in the appointee continuing to serve as appointed. Transmittal date – August 21, 2009.)

**Question: Shall this Motion be APPROVED?**

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

**SPECIAL ORDER 4:00 P.M.**

**APPEAL PROCEDURES**

*Board Rule 4.29 provides that public hearings on appeals shall be scheduled for 4 pm. If more than one public hearing is scheduled, then the Clerk, in consultation with the President, may determine the order in which the appeals will be scheduled. Second and later appeals may be scheduled at specified times later than 4 pm. An appeal shall not be heard prior to its scheduled time on the calendar, and it may not be called until the Board's consideration of appeals scheduled earlier on the calendar is completed. It is the policy of the Clerk of the Board to schedule multiple appeals in the following order at 4 pm:*

- 1. Appeals where all parties have agreed to request a continuance or a tabling of the appeal.*
- 2. Continued appeals from previous Board meetings (continued appeals will be listed in order of those closest to deadlines for Board decision).*
- 3. Appeals appearing on the calendar for the first time, in chronological order of receipt by the Clerk.*
- 4. Multiple appeals appearing on the calendar may be staggered at times specific, beginning at 4 pm.*
- 5. Appeals involving participants who have ADA considerations may be set for specific times beginning at 4 pm.*

15. **090871 [Public Hearing - Appeal of Mitigated Negative Declaration - 1960-1998 Market Street]**

Hearing of persons interested in or objecting to the decision of the Planning Commission by its Motion 17865, adopted April 16, 2009, affirming the decision of the Planning Department to issue a Mitigated Negative Declaration (Planning Case No. 2006.1431E) for the proposed development at 1960-1998 Market Street. The proposed project would demolish a service station and develop a mixed use building with up to 115 residential units over ground-floor commercial space and a partially subterranean garage with 69 parking spaces, located in the Market & Octavia Plan area, Assessors Block 0872, Lots 005-007. (Appellant: Tanya Gulesserian on behalf of the San Francisco Building and Construction Trades Council)

(Filed July 6, 2009; Companion measure to 090872, 090873, 090874; District 5.)

8/4/2009, CONTINUED. Continued to September 15, 2009.

**Action:** \_\_\_\_\_

*Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the final mitigated negative declaration decision 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 approved.)

- 16. 090872 [Affirming adoption of the mitigated negative declaration for 1960-1998 Market Street]**  
Motion affirming Planning Commission adoption of the final mitigated negative declaration for 1960-1998 Market Street. (Clerk of the Board)
- 8/4/2009, CONTINUED. Continued to September 15, 2009.
- Question: Shall this Motion be APPROVED?**
- 17. 090873 [Reversing adoption of the mitigated negative declaration for 1960-1998 Market Street]**  
Motion reversing the Planning Commission adoption of the final mitigated negative declaration for 1960-1998 Market Street. (Clerk of the Board)
- 8/4/2009, CONTINUED. Continued to September 15, 2009.
- Question: Shall this Motion be APPROVED?**
- 18. 090874 [Preparation of findings to reverse adoption of the mitigated negative declaration for 1960-1998 Market Street]**  
Motion directing the Clerk of the Board to prepare findings reversing the Planning Commission adoption of the final mitigated negative declaration for 1960-1998 Market Street.
- 8/4/2009, CONTINUED. Continued to September 15, 2009.
- Question: Shall this Motion be APPROVED?**

**SPECIAL ORDER 4:00 P.M.**

**19. 090875 [Public Hearing - Conditional Use Appeal for 1960-1998 Market Street]**

Hearing of persons interested in or objecting to the decision of the Planning Commission by its Motion No. 17894 dated June 4, 2009, relating to the approval, subject to certain conditions, of a conditional use authorization (Case No. 2006.1431ECV), pursuant to Planning Code Sections 121.1, 228, 303, and 731.11 to allow the demolition of a service station and the development of a mixed use building (with up to 115 residential units over ground-floor commercial space and partially subterranean garage for 69 independently accessible off-street parking spaces: 58 - residential; 5 - commercial; and 6 - car-share) on a development lot over 9,999 square feet within the Market & Octavia Plan Area, an NCT-3 (Neighborhood Commercial, Moderate Scale, Transit) District and an 85-X Height and Bulk District, on property located at 1960-1998 Market Street, Lot Nos. 005, 006, & 007 in Assessor's Block 0872. (Appellant: Stephen M. Williams)

(Filed 7/6/09; Companion measure to Files 090923, 090924, 090925; District 8.)

8/18/2009, CONTINUED. Continued to September 15, 2009.

**Action:** \_\_\_\_\_

*Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the conditional use application decision 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 (1 Dr. Carlton B. Goodlett Place, Room 244; San Francisco, CA 94102-4689) at, or prior to, the public hearing.*

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

**20. 090923 [Approving Planning Commission decision related to Conditional Use Appeal for 1960-1998 Market Street]**

Motion approving decision of the Planning Commission by its Motion No. 17894, approving Conditional Use Application 2006.1431ECV on property located at 1960-1998 Market Street, and adopting findings pursuant to Planning Code Section 101.1. (Clerk of the Board)

8/18/2009, CONTINUED. Continued to September 15, 2009.

**Question: Shall this Motion be APPROVED?**

**21. 090924 [Disapproving Planning Commission decision related to Conditional Use Appeal for 1960-1998 Market Street]**

Motion disapproving decision of the Planning Commission by its Motion No. 17894, approving Conditional Use Application 2006.1431ECV on property located at 1960-1998 Market Street. (Clerk of the Board)

8/18/2009, CONTINUED. Continued to September 15, 2009.

**Question: Shall this Motion be APPROVED?**

**22. 090925 [Preparation of findings related to the Conditional Use Appeal for 1960-1998 Market Street]**

Motion directing the Clerk of the Board to prepare findings relating to proposed Conditional Use Application No. 2006.1431ECV on property located at 1960-1998 Market Street, for







**Department]**

Resolution requesting that the Recreation and Park Department temporarily suspend the program of converting natural turf playing fields to artificial surfaces pending release of a report by the California Office of Environmental Health Hazard Assessment on the health and environmental impacts of synthetic turf fields.

8/18/2009, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING. 09/04/09 - Referred to the Youth Commission.

**Question: Shall this Resolution be ADOPTED?**

- 32. 091046 [Requesting Caltrans to participate in San Francisco Workforce Development Programs] Supervisor Mirkarimi**

Resolution requesting Caltrans and its contractors and subcontractors to actively participate in San Francisco Workforce Development Programs when hiring for projects to be constructed within the City and County of San Francisco.

8/19/2009, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**Question: Shall this Resolution be ADOPTED?**

- 33. 091025 [Final Map - 821-823 Taraval Street]**

Motion approving Final Map 5427, a six residential unit and one commercial unit mixed-use condominium project, located at 821–823 Taraval Street being a subdivision of Lot 031 in Assessors Block No. 2407 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1. (Public Works Department)

(DPW Order 178,301; District 7.)

9/1/2009, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**Question: Shall this Motion be APPROVED?**

- 34. 091026 [Final Map - 1155-1177 Tennessee Street]**

Motion approving Final Map 5060, a seven unit residential and one unit commercial mixed-use condominium project, located at 1155–1177 Tennessee Street being Lots 041 and Lots 044, 045, 046 in Assessors Block No. 4172 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1. (Public Works Department)

(DPW Order 178,321; District 10.)

9/1/2009, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**Question: Shall this Motion be APPROVED?**

- 35. 091027 [Final Map - 555 Bartlett Street; 3400-3428 Cesar Chavez Street]**

Motion approving Final Map 5234, a 3 lot airspace subdivision and a 58 residential unit, a 5 commercial unit and a 67 commercial unit mixed-use condominium project, located at 555 Bartlett Street, 3400–3428 Cesar Chavez Street, being a subdivision of Lot 004 in Assessors

Block No. 6569 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1. (Public Works Department)

(DPW Order 178,324; District 9.)

9/1/2009, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE  
AGENDA AT THE NEXT BOARD MEETING.

**Question: Shall this Motion be APPROVED?**

**36. 091047 [Final Map 4654 - 1315-1327 7th Avenue]**

Motion approving Final Map 4654, an 11 Residential Unit and 1 Commercial Unit Mixed-Use Condominium Project, located at 1315–1327 7th Avenue being a subdivision of Lot 052 in Assessors Block No. 1762 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1. (Public Works Department)

(DPW Order 178,050; District 5.)

8/13/2009, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE  
AGENDA AT THE NEXT BOARD MEETING.

**Question: Shall this Motion be APPROVED?**

**37. 091087 [Committee of the Whole - Mayor's Notice of Appointments of Barbara Sklar and Astrid Haryati to the Arts Commission]**

Motion scheduling the Board to sit as a Committee of the Whole to hear the Mayor's appointments of Barbara Sklar, term ending July 1, 2011, and Astrid Haryati, term ending on January 15, 2010, to the Arts Commission.

9/10/2009, RECEIVED AND ASSIGNED to Board of Supervisors.

**Question: Shall this Motion be APPROVED?**

*Questions on the For Adoption Without Committee Reference  
Agenda: \_\_\_\_\_*

**38. 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).*

*[Serious Injury Finding]*

*Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."*

*[Purely Commendatory Finding]*

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

*[Brown Act Finding]*

*Motion that the Board find by roll call vote that, for the resolution(s) being considered at this time, there is a need to take immediate action. The need to take action came to the attention of the City and County of San Francisco after the agenda was posted.*

#### **OFF-AGENDA LEGISLATION**

#### **PROPOSED ORDINANCES**

*Proposed ordinances received from August 18, 2009, to September 4, 2009, for reference by President to appropriate committee on September 15, 2009.*

#### **091059 [Correction to the vacation of former Trenton Street]**

Ordinance ordering the summary vacation of a portion of Trenton Street south of Jackson Street within Assessor's Block 0192; making findings pursuant to the California Streets and Highways Code Sections 8330 et seq.; establishing conditions to the effectiveness of the vacation; adopting environmental findings and findings of consistency with the General Plan and priority policies of Planning Code Section 101.1. (Real Estate Department)

8/20/2009, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 10/15/2009.

#### **091070 [Settlement of Lawsuit - Pat Moore/Tom Moore - \$120,000]**

Ordinance authorizing settlement of the portion of the lawsuit filed by Pat Moore/Tom Moore against the City and County of San Francisco for \$120,000; the lawsuit was filed on January 31, 2005, in San Francisco Superior Court, Case No. 436930; entitled Jane Martin, et al. v. City and County of San Francisco, et al. (City Attorney)

9/4/2009, RECEIVED AND ASSIGNED to Rules Committee.

#### **091071 [Settlement of Lawsuit - James Cordova/Maria Morales - \$35,000]**

Ordinance authorizing settlement of the portion of the lawsuit filed by James Cordova/Maria Morales against the City and County of San Francisco for \$35,000; the lawsuit was filed on January 31, 2005, in San Francisco Superior Court, Case No. 436930; entitled Jane Martin, et al. v. City and County of San Francisco, et al. (City Attorney)

9/4/2009, RECEIVED AND ASSIGNED to Rules Committee.

#### **091072 [Settlement of Lawsuit - Mehrdad Alemozaffar - \$385,000]**

Ordinance authorizing settlement of the lawsuit filed by Mehrdad Alemozaffar against the City and County of San Francisco for \$385,000; the lawsuit was filed on July 20, 2007, in United States District Court, Northern District of California, Case No. C07-4494 JSW; entitled Mehrdad Alemozaffar, et al., v. City and County of San Francisco, et al. (City Attorney)

9/4/2009, RECEIVED AND ASSIGNED to Rules Committee.

**091073 [Settlement of Unlitigated Claim - Patty Thomas - \$52,250]**

Resolution approving the settlement of the unlitigated claim filed by Patty Thomas against San Francisco for \$52,250; claim was filed on March 3, 2009.

9/4/2009, RECEIVED AND ASSIGNED to Rules Committee.

**PROPOSED RESOLUTIONS**

*Proposed resolutions received from August 18, 2009, to September 4, 2009, for reference by President to appropriate committee on September 15, 2009.*

**091053 [Approval of the cost extension application for HIV prevention projects]**

Resolution authorizing the San Francisco Department of Public Health to submit a two-year application for calendar years 2010 and 2011, to continue to receive funding for the "HIV Prevention Projects" grant from the Centers for Disease Control and Prevention, in the total amount of approximately \$16 million in HIV prevention funding for San Francisco; from January 1, 2010, through December 31, 2011. (Public Health Department)

9/3/2009, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

**091054 [Approval of Department of Building Inspection contracts to provide plan review and field inspection services]**

Resolution approving four Department of Building Inspection interagency agreements to provide plan review and field inspection services to the Transbay Joint Powers Authority, the Treasure Island Development Authority, the Port, and the San Francisco Public Utilities Commission, respectively, per Charter Section 9.118(a). (Building Inspection Department)

9/4/2009, RECEIVED AND ASSIGNED to Budget and Finance Committee.

**091055 [Adopting findings related to San Francisco Public Utilities Commission Water System Improvement Program (WSIP) Pulgas Balancing Reservoir Structural Rehabilitation and Roof Replacement Project]**

Resolution adopting findings under the California Environmental Quality Act, CEQA Guidelines and San Francisco Administrative Code Chapter 31, including the adoption of mitigation monitoring and reporting program related to the funding of the Pulgas Balancing Reservoir Structural Rehabilitation and Roof Replacement Project, and directing the Clerk of the Board of Supervisors to notify the Controller of this action. (Public Utilities Commission)

8/19/2009, RECEIVED AND ASSIGNED to Budget and Finance Committee.

**091056 [Approve San Francisco Public Utilities Commission Peninsula Region Construction Management Contract]**

Resolution authorizing the General Manager of the San Francisco Public Utilities Commission to execute Water System Improvement Program-funded Professional Service Agreement No. CS-916, Peninsula Region Construction Management Services, with HDR Engineering, Inc, for an amount not to exceed \$22,000,000 with a term of up to 55 months,

pursuant to San Francisco Charter Section 9.118. (Public Utilities Commission)  
8/19/2009, RECEIVED AND ASSIGNED to Budget and Finance Committee.

**091057 [Emergency contract to replace main sewer on California Street from Cherry Street to Arguello Boulevard]**

Resolution approving an emergency public work contract under San Francisco Administrative Code Section 6.60 to replace the main sewer on California Street from Cherry Street to Arguello Boulevard. (Public Utilities Commission)

8/24/2009, RECEIVED AND ASSIGNED to Budget and Finance Committee.

**091058 [Emergency contract to replace sewers on Lexington Street from 20th Street to 21st Street and on San Carlos Street from 18th Street to Sycamore Street]**

Resolution approving an emergency public work contract under San Francisco Administrative Code Section 6.60 to replace sewers on Lexington Street from 20th to 21st Street and on San Carlos Street from 18th Street to Sycamore Street. (Public Utilities Commission)

8/24/2009, RECEIVED AND ASSIGNED to Budget and Finance Committee.

**091067 [Approve a Lease with the United States of America at the International Terminal of San Francisco International Airport]**

Resolution approving and authorizing the execution of Lease No. GS-09B-01967 with the United States of America for terminal space to be occupied by the U.S. Federal Bureau of Investigation, a Federal agency, in the International Terminal of San Francisco International Airport.

8/27/2009, RECEIVED AND ASSIGNED to Budget and Finance Committee.

**091068 [Approve amendments to four SFPUC professional engineering services agreements]**

Resolution authorizing the General Manager of the San Francisco Public Utilities Commission to execute amendments to increase four professional engineering services agreements for Water System Improvement Program (WSIP) funded projects with total revised agreement amounts in excess of \$10,000,000 each, pursuant to Charter Section 9.118. (Public Utilities Commission)

8/28/2009, RECEIVED AND ASSIGNED to Budget and Finance Committee.

**091069 [Approving the Ninth Amendment to contract with Office Depot to increase the dollar amount by more than \$500,000]**

Resolution approving the Ninth Amendment to the Agreement between the City and Office Depot (Contractor) for office supplies, increasing the contract's dollar amount to \$20,770,000, pursuant to Charter Section 9.118(b). (Office of Contract Administration)

9/4/2009, RECEIVED AND ASSIGNED to Budget and Finance Committee.

**091078 [Petitions and Communications, Part 1]**

Petitions and Communications received from August 11, 2009, through September 4, 2009, for reference by the President to Committee considering related matters or to be ordered filed by the Clerk on September 15, 2009.

From Office of the Controller, submitting letter that all departments except for the Health Service System have submitted budget certification letters. The Public Defender's Office and Superior Court have indicated they cannot certify their budgets are adequate to meet required department service levels. The Asian Art Museum, Fire Department, Police Department, Public Health Department and Sheriff's Office have expressed concerns that their funding may not be adequate in the current year. (1)

From Office of the Public Defender, submitting notification that he cannot certify, in conformance with San Francisco Charter Section 9.115 and San Francisco Administrative Code Section 3.14, that the funding provided in the budget for FY 2009-2010, as adopted by the Board of Supervisors, is adequate for the Office of the Public Defender to meet service levels. (2)

From Office of the Sheriff, submitting notification that the adopted Budget for FY 2009-2010 is adequate for the Department to meet service levels, as proposed by the Board, with four exceptions. (3)

From various City Departments, submitting notification that the adopted Budget for FY 2009-2010 is adequate for their respective Departments to meet service levels, as proposed by the Board: (4)

Airport Commission  
Arts Commission  
Asian Art Museum  
Board of Appeals  
Department of Building Inspection  
California Academy of Science  
Office of Children, Youth and Their Families  
City Administrator  
Office of Citizens Complaints  
City Attorney  
Civil Service Commission  
District Attorney  
Department of Elections  
Emergency Management  
Employees Retirement System  
Department of the Environment  
Ethics Commission  
Fire Department  
Human Services Agency  
Juvenile Probation Department  
Law Library  
Office of the Mayor  
Chief Medical Examiner  
Municipal Transportation Agency  
Redevelopment Agency  
Planning Department  
Police Department  
Port

Department of Public Health  
Public Library  
Department of Public Works  
Department of Technology  
Public Utilities Commission  
Office of the Treasurer and Tax Collector

From Department of Human Resources, submitting request for waiver of Administrative Code Chapter 12B to administer the Q-50, Police Sergeant Oral Examination at Holiday Inn Fisherman's Wharf. (5)

From Public Utilities Commission, submitting request for waiver of Administrative Code Chapter 12B to purchase upgrade repair, rebuilding work for propane dispensers and emergency generators and propane tanks service work from Northern Energy. (6)

From Recreation and Park Department, submitting the Lead Poisoning Prevention quarterly report. (7)

From Office of the Controller, regarding the City's process for addressing State and Local revenue shortfalls under the FY 2009-2010 Annual Appropriation Ordinance Section 9.3. (8)

From concerned citizens, submitting support for resolution authorizing the Municipal Transportation Agency to enter into a contract with Brookville Equipment Corporation to Rehabilitate 16 Presidential Conference Committee historic streetcars for an amount not to exceed \$18,712,576 and a term not to exceed five years. File No. 090907, Copy: Each Supervisor, 9 letters (9)

From Office of the Mayor, submitting notice that Mayor Newsom will be out of state from August 24, 2009, until August 26, 2009. Supervisor Elsbernd will serve as Acting Mayor. Copy: Each Supervisor (10)

From Office of the Mayor, submitting notice that Mayor Newsom will be out of state from September 2, 2009, until September 3, 2009. Supervisor Elsbernd will serve as Acting Mayor. Copy: Each Supervisor (11)

From Clinton G. Sowerwine, submitting support for the Conditional Use Appeal for 1960 - 1998 Market Street. File No. 090875, Copy: Supervisor Chiu (12)

From Law Offices of Stephen Williams, regarding appeal for proposed project at 1960-1998 Market Street. File No. 090875, Copy: Supervisor Chiu (13)

From Richard Yu, submitting request for a type 21 off-sale general liquor license for Skylane International USA Inc., located at 1201 Howard Street. (14)

From Department of Elections, submitting the annual report for the Elections Commission. (15)

From Francisco Da Costa, regarding the sale of the Candlestick Recreation Area in San Francisco. 7 letters (16)

From Francisco Da Costa, regarding Mayor Newsom and his run for Governor. (17)

From Francisco Da Costa, regarding the Lennar Corporation. (18)



From Office of the Mayor, submitting the appointments of Barbara Sklar and Astrid Haryati as members of the Arts Commission effective August 21, 2009. Copy: Rules Clerk (19)

From Office of the Mayor, submitting the appointment of Greg Chew as a member of the Arts Commission effective August 24, 2009. Copy: Rules Clerk (20)

From Department of Elections, regarding the disclaimer requirements for local ballot measures. (21)

From Theresa Sparks, submitting her resignation as a member of the San Francisco Police Commission. Copy: Each Supervisor, Rules Clerk (22)

From Planning Department, regarding public hearing (tentatively scheduled for September 17, 2009) on the stipulation of Conditional Use authorization or Mandatory Discretionary Review of any permit application to remove dwelling units, where the Planning Code does not already require Conditional Use authorization. Copy: Each Supervisor (23)

From Department of Public Works, submitting report regarding the use of Proposition 1B Local Streets and Roads Funds. Copy: Each Supervisor, Land Use Clerk (24)

From Francisco Da Costa, submitting letter regarding the United States Navy fails constituents at Hunters Point Naval Shipyard. (25)

From Office of the Controller, submitting report regarding the construction contract with the Huey Construction Management Co. for the completion of the West Portal Branch Library renovation project. (26)

From Office of the Controller, submitting report regarding the Office of the Assessor-Recorder. (27)

From Office of the Controller, submitting report concerning the concession audit of Guava & Java (SFO) Inc., Guava & Java (SFO) Inc., has a 10-year lease agreement with the Airport Commission. (28)

From Office of the Treasurer, submitting the investment activity (for fiscal year to date) of the portfolios under the Office of the Treasurer. (29)

From concerned citizens, submitting support for proposed legislation that bans cat-de-clawing in San Francisco. (30)

From State Senate Rules Committee, submitting letter to notify the Board of Supervisors of the reappointment of James Ostrowski of Mt. Shasta and Bruce Saito of Long Beach as members of the State Board of Forestry and Fire Protection. Copy: Each Supervisor (31)

From Ahimsa Sumchai, regarding the closure of the Potrero Hill Power Plant. (32)

From Department of Public Works, submitting the Defective Sidewalk Repair Account Revolving Fund Quarterly Report. (33)

From the Town of Fairfax, submitting resolution in opposition to the "Taxpayers Right to Vote Act" adopted on August 5, 2009. (34)

From Chinese for Affirmative Action, submitting copy of letter sent to the Director of the U.S. Census Bureau, proposing that all direct correspondence between the Census Bureau and

residents, include a language box or insert that provides clear in-language instructions for how limited-English proficient residents can receive in-language assistance or materials. (35)

From Office of the Controller, responding to the findings and recommendations related to the 2008-2009 San Francisco County Civil Grand Jury Report titled "Nonprofits, The Good, The Bad, The Ugly." Copy: Government Audit and Oversight Clerk (36)

From Planning Department, regarding the proposed project that would provide approximately \$8.7 million in transit service enhancements to the San Francisco Municipal Transportation Agency's FY 2009-2010 Budget. Copy: Each Supervisor (37)

From James Chaffee, submitting letter entitled San Francisco Public Library lacks proper oversight. (38)

From Convention Facilities Department, submitting request for release of reserved funds in the amount of \$1,043,160 for use in connection with the City's contract to operate Moscone Center. (39)

**091079 [Petitions and Communications, Part 2]**

Petitions and Communications received from August 11, 2009, through September 4, 2009, for reference by the President to Committee considering related matters or to be ordered filed by the Clerk on September 15, 2009.

From Office of the Mayor, submitting copy of letter sent to Supervisor Daly regarding the process for addressing State and Local revenue shortfalls. (40)

From Bay Area Council, submitting support for California Pacific Medical Center's vision for the future of health care in San Francisco. Copy: Each Supervisor (41)

From T-Mobile, submitting notification letter regarding placement of 3 panel antennas at 1453 Mission Street. (42)

From T-Mobile, submitting notification letter regarding placement of 6 panel antennas at 603 Mason Street. (43)

From Department of Public Works, regarding the status of repairing potholes at various locations in District 5. (Reference No. 20090818-002) (44)

From concerned citizens, submitting support for restoring Sharp Park to a natural area. 16 letters (45)

From Office of the District Attorney, submitting the Real Estate Fraud Annual Report for FY 2008-2009. (46)

From Luce, Forward, Hamilton & Scripps, requesting proposed ordinance regarding "unpermitted sub sidewalk encroachment into Public Right-of-Way" is the subject of further review, examination and revision before the City considers its adoption. File No. 090933, Copy: Each Supervisor (47)

From Police Commission, submitting resolution urging the Board of Supervisors and the Mayor to enact an ordinance authorizing the Chief of Police to appoint to the command staff qualified sworn law enforcement officers from outside the Police Department, subject to appropriate limitations. Copy: Each Supervisor (48)

From Municipal Transportation Agency, submitting the Transit Impact Development Fee Update pursuant to Administrative Code Section 38.7. Copy: Each Supervisor (49)

From Roland Wong, regarding the need to install swing doors at the Forest Hill Muni Station to make it accessible to all San Franciscans. (50)

From Bill Quan, submitting opposition to proposed ordinance that classifies families as a protected class under the Owner Move-in legislation. Copy: Each Supervisor (51)

From concerned citizens, submitting support for proposed ban on the practice of declawing cats within the city limits of San Francisco. File No. 091039, Copy: City Operations Clerk & Committee (52)

From Planning Department, regarding the proposed Mitigated Negative Declaration for proposed project at 246 Ritch Street. (53)

From Johann Stahl, commenting on the newly installed planter boxes at Ellis and Jones Streets. (54)

From Boris Erlikh, thanking the Board of Supervisors for keeping the Neighborhood Emergency Response Team (NERT) program around amidst the economic chaos and budget limitation. (55)

From Monette-Shaw, regarding pay cuts to City employees in clerical positions. (56)

From Elizabeth Misner, regarding the homeless population in the Haight. (57)

From Bill Frankenberg, submitting his comments on the new Police Chief George Gascon. (58)

From Ahimsa Porter Sumchai, submitting letter entitled: the bomb in our backyard. (59)

From Bob Home, regarding the “bums” on Broadway. (60)

From Emil Lawrence, regarding statement related to a complaint to be filed with the City Attorney and or Superior Court requesting fines of \$10,000 per day from the Municipal Transportation Agency starting March 1, 2009. (61)

From Aaron Goodman, urging the Board of Supervisors to halt all alterations to the Merced Branch Library, until the proposed changes are reviewed by a preservationist that comprehends the effects of the changes proposed for the Merced Branch Library Renovation project. Copy: Supervisor Elsbernd (62)

From concerned citizens, submitting support for preserving the historic 18-hole Sharp Park Golf Course. Copy: Each Supervisor, 17 letters (63)

From Gene Maguire, submitting support for putting the Tenderloin “street animals and Broadway power drinkers” together on Alcatraz Island. (64)

From Stephen Williams, regarding certification of the Final Environmental Impact Report (FEIR) and Conditional Use Authorization for the proposed project at 2901 California Street/1831-1835 Broderick Street (Drew School Addition). Copy: Each Supervisor (65)

From Office of the Controller-City Service Auditor, submitting the Annual Work Plan for FY 2009-2010. (66)

From Department of Public Works, regarding the status of removing graffiti from various locations in District 5. (Reference No. 20090811-007) (67)

From Department of Public Works, regarding the status of removing graffiti from various locations in District 5. (Reference No. 20090811-010) (68)

From Department of Public Works, regarding the status of removing graffiti from various locations in District 5. (Reference No. 20090811-011) (69)

From Department of Public Works, regarding the status of removing graffiti from various locations in District 5. (Reference No. 20090818-003) (70)

From Department of Public Works, regarding the status of removing graffiti from various locations in District 5. (Reference No. 20090818-004) (71)

From Department of Public Works, regarding the status of removing graffiti from various locations in District 5. (Reference No. 20090818-005) (72)

From Francisco Da Costa, regarding the Bayview Hunters Point Restoration Advisory Board. (73)

From Department of Public Works, submitting report regarding the Department of Public Works Adopt-A-Tree Account for FY 2008-2009. (74)

From Planning Department, submitting notice of a public hearing to be held on September 30, 2009, regarding the Environmental Impact Report for the 2004 and 2009 Housing Element. Copy: Each Supervisor (75)

From Office of the Mayor, submitting the appointment of Luke O'Brien as a member of the Small Business Commission and Richard J. Guggenhime as a member of the Airport Commission. Copy: Rules Clerk (76)

From concerned citizens, submitting opposition to proposed legislation regarding the confidentiality of juveniles' immigration status. File No. 091032, 2 letters (77)

From Karen Melander-Magoon, regarding the "homeless hot team" and calling 311. (78)

From Lee Goodin, urging the Board of Supervisors to urge ISCOTT to grant an indefinite extension for the little plaza park on Mason Street between Columbus Avenue and Lombard Street. (79)

From Sunshine Ordinance Task Force, regarding complaint filed before the Sunshine Task Force by David Schneider. (80)

From Sunshine Ordinance Task Force, responding to complaint filed by David Schneider. (81)

From Alvin Johnson, submitting letter entitled wrongful incarceration II, the IT Story. (82)

From concerned citizens, commenting on the newly appointed San Francisco Police Chief. 2 letters (83)

From Francisco Da Costa, submitting letter entitled U.S. Navy fails to have a meaningful dialog with the community on superfund, cleanup and related issues. (84)

From Francisco Da Costa, submitting letter entitled corrupt politicians that are shewed in while they deserve to be booted out. (85)

From Francisco Da Costa, submitting letter entitled land grab by Mark Leno. (86)

From Francisco Da Costa, submitting letter entitled Senator Mark Leno fails to find support with SB 792. (87)

From Philip Snyder, submitting letter regarding the HAIA Community forum meeting on the homeless population in the Haight. (88)

From State Fish and Game Commission, submitting notice of proposed regulatory actions relative to "Sport Fishing Regulations." (89)

From State Fish and Game Commission, submitting notice of proposed regulatory action relating to incidental take of the California tiger salamander. (90)

From Secretary of State, submitting notice that a public hearing will be held on September 15, 2009, at the Secretary of State's office to take public testimony on the proposed Trustworthy Electronic Document or Record Preservation regulations. (91)

## **ADJOURNMENT**

### **Meeting Procedures**

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices, (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4) standing in the Legislative Chamber.

Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

**USING LAPTOP COMPUTERS FOR PRESENTATIONS:** Please contact City Hall Media Services at (415) 554-4933 to coordinate the use of laptop computers for presentations at the meeting. Computers to be used are required to be tested in advance. The presenter should arrive 30 minutes prior to the meeting to connect and test their computer. The agenda packet and legislative files (which contain documents submitted after the distribution of the agenda packet) are available at the Board of Supervisors, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102. Agendas are available on the Internet at [www.sfgov.org/site/bos\\_meetings](http://www.sfgov.org/site/bos_meetings) For information, call (415) 554-5184.

Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 554-4188.

Requests for language interpreters at a meeting must be received at least 48 hours in advance of the meeting to help ensure availability. Contact Madeleine Licavoli at (415) 554-7722.

**AVISO EN ESPAÑOL:** La solicitud para un traductor en una reunion debe recibirse antes de mediodia de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.



**Disability access**

The Legislative Chamber and the Committee Room in City Hall are wheelchair accessible. Meetings are real-time captioned and are cablecast open-captioned on SF Cable 26. Assistive listening devices for the Legislative Chamber are available upon request at the Clerk of the Board's Office, Room 244. Assistive listening devices for the Committee Room are available upon request at the Clerk of the Board's Office, Room 244 or in the Committee Room. To request sign language interpreters, readers, large print agendas or other accommodations, please contact Madeleine Licavoli at (415) 554-7722 or (415) 554-5227 (TTY). Requests made at least 48 hours in advance of the meeting will help to ensure availability.

The nearest accessible BART station is Civic Center (Market/Grove/Hyde Streets). Accessible MUNI Metro lines are the J, K, L, M, N and T (Civic Center or Van Ness Stations). MUNI bus lines serving the area are the 47 Van Ness, 9 San Bruno, and the 6, 7, 71 Haight/Noriega. For more information about MUNI accessible services, call (415) 923-6142.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex. Accessible curbside parking is available on Dr. Carlton B. Goodlett Place and Grove Street. In order to assist the City's efforts to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to perfumes and various other chemical-based scented products. Please help the City to accommodate these individuals.

### **Know Your Rights Under the Sunshine Ordinance**

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact by mail Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at [sotf@sfgov.org](mailto:sotf@sfgov.org)

Citizens may obtain a free copy of the Sunshine Ordinance by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at <http://www.sfgov.org/sunshine>

### **Lobbyist Registration and Reporting Requirements**

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 25 Van Ness Avenue, Suite 220, San Francisco, CA 94102; telephone (415) 252-3100; fax (415) 252-3112; web site [www.sfgov.org/ethics](http://www.sfgov.org/ethics)