

**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, July 14, 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 June 9, 2009, and June 16, 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*

services]

Ordinance amending Section 128.1 of the San Francisco Health Code to increase fees for Fire Department emergency medical services and to update the language regarding fee changes in subsequent fiscal years, and making environmental findings.

7/7/2009, PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

4. 090707 [Increasing and establishing certain Fire Department licensing fees] Mayor

Ordinance amending Sections 90, 93, 93.1, 94, 120, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246 and 247 of the San Francisco Business and Tax Regulations Code to increase or establish and set licensing fees for certain permits issued by the Fire Department and adding Sections 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234 and 235 to establish and set fees for additional Fire Department licenses, to become operative on its effective date or on July 1, 2009, whichever is later, and making environmental findings.

7/7/2009, PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

5. 090708 [Increasing Fire Department fees for street fairs] Mayor

Ordinance amending Section 6.6 of the San Francisco Transportation Code to increase fees for Fire Department services, permits and inspections related to street fairs, to become operative on its effective date or on July 1, 2009, whichever is later, and making environmental findings.

7/7/2009, PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

6. 090721 [Medical Examiner's Fees for Copies of Documents and Certain Services] Mayor

Ordinance amending Section 8.14 of the S.F. Administrative Code to increase the Medical Examiner's Fees for Copies of Documents and Certain Services and adding fees for new services.

7/7/2009, PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

7. 090722 [Public Works Code - Increasing Tree Removal Permit] Mayor

Fees]

Ordinance amending Section 806 of the Public Works Code to increase the fees charged for removal of street trees under the Urban Forestry Ordinance from \$267 to \$607, for a permit to remove 1-3 street trees to allow for development or construction; from \$267 to \$300, for a permit to remove 1-3 street trees to prevent sidewalk damage or to remove hazards; from \$360 to \$808, for a permit to remove 4-9 street trees; and from \$565 to \$1,214, for a permit to remove 10 or more street trees; and making environmental findings.

7/7/2009, PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

8. 090724 [Establishing a Cigarette Litter Abatement Fee] Mayor
Ordinance amending the San Francisco Administrative Code (1) by adding a new Chapter 105 to establish a Cigarette Litter Abatement Fee of \$0.20 per pack of cigarettes sold in San Francisco to recover the cost of abating cigarette litter from City streets, sidewalks, and other public property and (2) by adding a new Section 10.100-70 to establish an Environment Cigarette Litter Abatement Fund; amending the San Francisco Health Code, Article 19H, Section 1009.60 to allow the Director of the Department of Public Health to suspend a tobacco sales permit and impose administrative penalties for failure to pay the Cigarette Litter Abatement Fee; amending Article 6 of the San Francisco Business and Tax Regulations Code to include the Cigarette Litter Abatement Fee; and making environmental findings.

7/7/2009, PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

9. 090651 [Memorandum of Understanding between the Treasury Island Development Authority and the Office of the City Administrator] Mayor
Resolution approving and authorizing the Treasury Island Development Authority to enter into a Memorandum of Understanding appointing the City, acting by and through the Office of the City Administrator, as its agent to provide the services to carry out the Authority's operations and provide oversight to the Treasury Island Project Office for the term beginning July 1, 2009.

Question: Shall this Resolution be ADOPTED?

10. 090738 [Accept and Expend Federal Grant - Port Commission - \$1,800,000] Mayor
Resolution authorizing the San Francisco Port Commission to accept and expend \$1,800,000 in Federal American Recovery and Reinvestment Act grant funds from the State Water Resources Control Board to fund utility infrastructure improvements at the Pier 45 fish processing facility.

Question: Shall this Resolution be ADOPTED?

11. 090796 **[Recurring FY 2009-2010 State grant funds to the Department of Public Health]** **Supervisor Duffy**
Resolution authorizing the acceptance and expenditure of State grant funds by the San Francisco Department of Public Health for FY 2009-2010.
(Fiscal Impact.)

Question: Shall this Resolution be ADOPTED?

Recommendation of the Land Use and Economic Development Committee

Present: Supervisors Maxwell, Mar, Chiu

12. 090318 **[Planning Code-Landmark Designation of 2055 Union Street (Metro Theater)]** **Supervisor Alioto-Pier**
Ordinance designating 2055 Union Street (Metro Theater), Assessor's Block No. 0541, Lot No. 018, as a Landmark under Article 10 of the San Francisco Planning Code; and adopting General Plan, Planning Code 101.1(b) and environmental findings.
7/7/2009, PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Questions on the Consent Agenda are on final passage, first reading, or adoption, as indicated: _____

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendations of the Budget and Finance Committee

Present: Supervisors Avalos, Mirkarimi, Chu, Campos, Dufty

- 13. 090710 [Sale of combustion turbines] Mayor, Supervisor Mirkarimi**
- Ordinance authorizing the Public Utilities Commission, working in conjunction with the City Attorney, to sell the four combustion turbines transferred to the City as part of the Williams Settlement in a manner that maximizes the public benefits to the City consistent with the State Agreements.
- 7/7/2009, PASSED ON FIRST READING AS DIVIDED. Supervisor Alioto-Pier moved to divide the question relating to "b) Concurrent with the preparation of the CTs for sale in Fiscal Year 2009-2010, authorized in this ordinance, the PUC is instructed to analyze the feasibility of local cogeneration projects. If any of these projects demonstrates initial feasibility and environmental benefit, and requires purchase from the City of a CT unit, the PUC is instructed to report to the Mayor and Board of Supervisors on what actions would allow for consideration of this project or projects" located on Page 2, Line 24, through Page 3, Line 4. The question relating to "feasibility for sale in Fiscal Year 2009-2010" was passed as divided by the following vote: Ayes: 10 - Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi
- Question: Shall this Ordinance be FINALLY PASSED?**

- 14. 090800 [Establishing Carbon Mitigation Program] Mayor, Supervisor Dufty**
- Ordinance amending the San Francisco Administrative Code by adding a new Chapter 52 to establish the San Francisco Carbon Mitigation Program administered by the Department of the Environment to reduce or offset local greenhouse gas emissions; and making environmental findings.
- (Supervisor Chu dissented in Committee.)
- 7/7/2009, PASSED ON FIRST READING.
- Question: Shall this Ordinance be FINALLY PASSED?**

NEW BUSINESS

Recommendations of the Budget and Finance Committee

Present: Supervisors Avalos, Mirkarimi, Chu, Campos, Dufty

(Charter Section 9.100 provides the Board shall not adopt the Budget earlier than July 15, 2009 nor later than August 1, 2009.)

15. **090778** **[Annual Salary Ordinance, FY 2009-2010]**
 Annual Salary Ordinance enumerating positions in the Annual Budget and Appropriation Ordinance for the FY ending June 30, 2010, continuing, creating or establishing these positions; enumerating and including therein all positions created by Charter or State law for which compensations are paid from City and County funds and appropriated in the Annual Appropriation Ordinance; authorizing appointments or continuation of appointments thereto; specifying and fixing the compensations and work schedules thereof; and authorizing appointments to temporary positions and fixing compensations therefor.
- Question: Shall this Ordinance be PASSED ON FIRST READING?**
-
16. **090779** **[Consolidated Budget and Annual Appropriation Ordinance, FY 2009-2010]**
 Consolidated Budget and Annual Appropriation Ordinance appropriating all estimated receipts and all estimated expenditures for the City and County of San Francisco for FY ending June 30, 2010.
- Question: Shall this Ordinance be PASSED ON FIRST READING?**
-
17. **090585** **[Safe Streets and Road Repair General Obligation Bond Election - \$368,000,000]** **Mayor, Supervisors Chiu, Dufty, Mar, Campos**
 Ordinance calling and providing for a special election to be held in the City and County of San Francisco on Tuesday, November 3, 2009, for the purpose of submitting to San Francisco voters a proposition to incur the following bonded debt of the City and County: \$368,000,000 to finance the resurfacing of roads, repair of sidewalks and street structures, and the redesign of streetscapes to include curb ramps and other pedestrian safety features and related costs necessary or convenient for the foregoing purposes; authorizing landlords to pass-through 50% of the resulting property tax increase to residential tenants in accordance with Chapter 37 of the San Francisco Administrative Code; finding that the estimated cost of such proposed project is and will be too great to be paid out of the ordinary annual income and revenue of the City and County and will require expenditures greater than the amount allowed therefor by the annual tax levy; reciting the estimated cost of such proposed project; fixing the date of election and the manner of holding such election and the procedure for voting for or against the proposition; fixing the maximum rate of interest on such bonds and providing for the levy and collection of taxes to pay both principal and interest; prescribing notice to be given of such election; finding that the proposed bond is not a project under the California Environmental Quality Act, ("CEQA"); finding that the proposed bond is in conformity with the priority policies of Planning Code Section 101.1(b) and with the General Plan consistency requirement of Charter Section 4.105 and Administrative Code Section 2A.53; consolidating the special election with the general election; establishing the election precincts, voting places and officers for the election; waiving the word limitation on ballot propositions imposed by San Francisco Municipal Elections Code Section 510; complying with the restrictions on the use of bond proceeds specified in Section 53410 of the California

21. 090767 [Appointment, Public Utilities Commission - Anson Moran]

Motion confirming the Mayor's appointment of Anson Moran to the Public Utilities Commission, Seat 4, for the unexpired portion of a two-year term ending August 1, 2010 (Clerk of the Board)

(Charter Section 4.112(a) provides that the Board of Supervisors shall confirm appointment by a majority (six votes) of the Board of Supervisors; companion measure to File 090768. Transmittal date - June 1, 2009.)

(Supervisor Campos dissented in Committee.)

Question: Shall this Motion be APPROVED?

22. 090882 [Appointments, Association of Bay Area Government - Supervisors John Avalos and Ross Mirkarimi]

Motion appointing Supervisors John Avalos and Ross Mirkarimi, terms ending June 30, 2011, to the Association of Bay Area Governments Executive Board.

7/1/2009, RECEIVED AND ASSIGNED to Rules Committee.

Question: Shall this Motion be APPROVED?

(Pursuant to the provisions of Rule 2.28.7 of the Board's Rules of Order, at least six days must intervene between the first appearance of a proposed Charter amendment before the Board as a referral from committee and any Board order of submission to the electorate. In accordance therewith consideration of the following proposed Charter amendment appropriately may be continued at least one week.)

23. 090608 [Charter Amendment - Allowing the Board of Supervisors to designate certain appropriations as mandates to expend the money appropriated] Supervisor Daly

Charter Amendment (Second Draft) to amend Sections 9.103 and 9.104 to allow the Board of Supervisors to mandate the expenditure of identified appropriations for particular programs or activities, requiring the relevant City departments to report to the Board on their plans for expenditure of the money appropriated, and allowing the Mayor to reject or reduce an appropriation identified as mandatory, and to reject the designation of the appropriation as mandatory with or without reducing the amount of the appropriation.

(Supervisor Chu dissented in Committee.)

Question: Shall this Charter Amendment be SUBMITTED?

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 4pm. 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 4pm:

- 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 4pm.*
- 5. Appeals involving participants who have ADA considerations may be set for specific times beginning at 4pm.*

The President may entertain a motion to continue the following File Nos. 090812, 090813, 090814, 090815 to August 4, 2009.

24. 090812 [Public Hearing - Conditional Use Appeal for 2901 California Street/1831-1835 Broderick Street - Drew School Addition Project]

Hearing of persons interested in or objecting to the decision of the Planning Commission by its Motion No. 17880 dated May 14, 2009, relating to the approval, subject to certain conditions, of a conditional use authorization (Case No. 2007.0128CV), under Planning Code Sections 209.3, 303, and 317 to allow an existing private secondary school (the Drew School), to expand its facility and enrollment cap, and to demolish an existing 3-unit building within an RM-1 (Residential, Mixed, Low Density) District and a 40-X Height and Bulk District, on property located at 2901 California Street/1831-1835 Broderick Street, Lot Nos. 003 and 095 in Assessor's Block 1029. (Appellant: Stephen M. Williams on behalf of the

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 at, or prior to, the public hearing.

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

- 25. 090813 [Approving Planning Commission decision related to Conditional Use Appeal for 2901 California Street/1831-1835 Broderick Street - Drew School Addition Project]**

Motion approving decision of the Planning Commission by its Motion No. 17880, approving Conditional Use Application 2007.0128CV on property located at 2901 California Street/1831-1835 Broderick Street - Drew School Addition Project, and adopting findings pursuant to Planning Code Section 101.1. (Clerk of the Board)

Question: Shall this Motion be APPROVED?

- 26. 090814 [Disapproving Planning Commission decision related to Conditional Use Appeal for 2901 California Street/1831-1835 Broderick Street - Drew School Addition Project]**

Motion disapproving decision of the Planning Commission by its Motion No. 17880, approving Conditional Use Application 2007.0128CV on property located at 2901 California Street/1831-1835 Broderick Street - Drew School Addition Project. (Clerk of the Board)

Question: Shall this Motion be APPROVED?

- 27. 090815 [Preparation of findings related to the Conditional Use Appeal for 2901 California Street/1831-1835 Broderick Street - Drew School Addition Project]**

Motion directing the Clerk of the Board to prepare findings relating to proposed Conditional use Application No. 2007.0128CV on property located at 2901 California Street/1831-1835 Broderick Street - Drew School Addition Project, for action by the Board at its next meeting. (Clerk of the Board)

Question: Shall this Motion be APPROVED?

COMMITTEE REPORTS

Reports from committees, if any, recommending emergency or urgent measures.

The following items will be considered by the Rules Committee at a Special Meeting on Monday, July 13, 2009, at 10 a.m. The Chair intends to request the Committee to send the following items to the Board as a committee report on Tuesday, July 14, 2009.

**28. 090783 [Settlement of Lawsuit - Jane Martin and David Baker
- \$190,000]**

Ordinance authorizing settlement of the portion of the lawsuit filed by Jane Martin and David Baker against the City and County of San Francisco for \$190,000; 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)

Question: Shall this Ordinance be PASSED ON FIRST READING?

**29. 090811 [Settlement of Lawsuit - Craig Yates and Richard
Skaff - \$312,000]**

Ordinance authorizing settlement of multiple lawsuits filed by Craig Yates and Richard Skaff against the City and County of San Francisco and San Francisco Uptown Parking Corporation for \$312,000; further authorizing settlement of San Francisco's cross-claims against San Francisco Parking, Inc., d/b/a City Park for \$150,000 to be paid to the City and County of San Francisco; the lawsuits entitled: (1) Craig Yates v. Union Square, et al., Case No. C07-4087-JSW, filed August 9, 2007, in the United States District Court, Northern District of California; (2) Craig Yates v. Union Square, et al., Case No. CGC-08-473176, filed March 11, 2008, in San Francisco Superior Court; (3) Richard Skaff v. Union Square, et al., Case No. 08-CV-2555-JSW, filed May 20, 2008, in the United States District Court, Northern District of California; and (4) Richard Skaff v. Union Square, et al., Case No. CGC-08-475516, filed May 20, 2008, in San Francisco Superior Court. (City Attorney)

Question: Shall this Ordinance be PASSED ON FIRST READING?

30. 090845 [Settlement of Lawsuit - Yao Tondo - \$140,000]

Ordinance authorizing settlement of the lawsuit filed by Yao Tondo as successor in interest to decedent Joe Tondo against the City and County of San Francisco for \$140,000; the lawsuit

was filed on June 4, 2007, in San Francisco Superior Court, Case No. 463-946; entitled Yao Tondo as successor in interest to decedent Joe Tondo v. City and County of San Francisco, et al. (City Attorney)

Question: Shall this Ordinance be PASSED ON FIRST READING?

31. 090846 [Settlement of Lawsuit - Mai Tai Investors L.P., et al. - \$40,000]

Ordinance authorizing settlement of the lawsuit filed by Mai Tai Investors L.P., et al. against the City and County of San Francisco for \$40,000; the lawsuit was filed on March 12, 2009, in San Francisco Superior Court, Case No. CGC-09-486061; entitled Mai Tai Investors L.P., et al., v. City and County of San Francisco, et al. (City Attorney)

Question: Shall this Ordinance be PASSED ON FIRST READING?

32. 090847 [Settlement of Lawsuit - Tony Nguyen, dba MicroLan - \$100,000]

Ordinance authorizing settlement of the lawsuit filed by Tony Nguyen, dba MicroLan, against the City and County of San Francisco for \$100,000; the lawsuit was filed on December 10, 2007, in the San Francisco Superior Court, Case No. 469890; entitled Tony Nguyen, dba MicroLan v. City and County of San Francisco, et al. (City Attorney)

Question: Shall this Ordinance be PASSED ON FIRST READING?

33. 090784 [Settlement of Unlitigated Claim - Freda Quimbo - \$70,000]

Resolution approving the settlement of the unlitigated claim filed by Freda Quimbo against San Francisco for \$70,000; claim was filed on February 11, 2009. (City Attorney)

Question: Shall this Resolution be ADOPTED?

34. 090831 [Settlement of Potential Litigation - George Boutros - \$25,000]

Resolution authorizing settlement of potential litigation with George Boutros, individually and in his representative capacity as Trustee of The Boutros Family Trust, related to encroachments on San Francisco Public Utilities Commission Right of Way easements that cross Boutros residential property located at 90 Sea Cliff Avenue, San Francisco, CA. (City Attorney)

Question: Shall this Resolution be ADOPTED?

(Pursuant to the provisions of Rule 2.28.7 of the Board's Rules of Order, at least six days must intervene between the first appearance of a proposed Charter amendment before the Board as a referral from committee and any Board order of submission to the electorate. In accordance therewith consideration of the following proposed Charter amendments appropriately may be continued at least one week.)

35. 090606 [Charter Amendment - Eliminating the 48.7-hour limit on the work week for firefighters] Supervisor Avalos

Charter Amendment (First Draft) to amend Section A8.452 to: (1) eliminate the 48.7-hour limitation on the work week for uniformed officers and member of the Fire Department, (2) establish a work week of at least 52 hours, on an annualized basis, for uniformed officers and members assigned to fire fighting companies and units, with the minimum 52-hour work week requirement to be effective for any amendment or extension to the Memorandum of Understanding (MOU) between the City and County of San Francisco (City) and the San Francisco Fire Fighters Union Local 798 (Union) in effect July 1, 2007 through June 30, 2011, and for the successor MOU and each MOU between the City and Union thereafter, and (3) eliminate superseded language setting holiday schedule and compensation requirements for firefighters; and by adding Section A8.590-9 to provide that the work week for firefighters assigned to fire fighting companies and units shall be governed by Section A8.452 and not be subject to binding interest arbitration under Charter Section A8.590-5.

Question: Shall this Charter Amendment be SUBMITTED?

36. 090622 [Charter Amendment - Instituting two-year budgetary cycle, providing for the adoption of a five-year financial plan and imposing a deadline of May 15th for submission of MOUs for miscellaneous and safety employees to the Board of Supervisors] Mayor, Supervisors Chiu, Mirkarimi, Avalos, Campos

Charter Amendment (Second Draft) amending Sections 3.105, 9.100, 9.101, 9.102, 9.103, 9.104, 9.113, 9.113.5, 9.114, 11.100, A8.409-4, A8.590-5, A8.590-8, and Article XVII, and adding Sections 9.119 and 9.120 to institute a "rolling" two-year budgetary cycle (the City would adopt a new two-year budget each year), allow the Board of Supervisors to convert the rolling two-year budgetary cycle for some or all departments into a "fixed" two-year cycle (each two-year budget would stay in effect for two years), impose a deadline of May 10 or May 15 for submission to the Board of Supervisors of new terms and conditions of employment for miscellaneous or safety employees if those terms and conditions are to be effective during the upcoming fiscal year, allow the Board of Supervisors to determine, by ordinance, how City departments, including the Board of Supervisors, will comply with the Charter's publication requirements, and allow the Controller to certify the availability of funds based on the expectation that funds will become available during the course of the budgetary cycle.

Question: Shall this Charter Amendment be SUBMITTED?

37. ROLL CALL FOR INTRODUCTIONS

Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, letters of request to the City Attorney and Board Members' reports on their regional body activities.

38. PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes.

Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures were introduced for adoption without committee reference. A unanimous vote is required for adoption of these resolutions today. Any Supervisor may require any resolution to go to committee.

Items 39 through 43

- 39. 090890 [Supporting Assembly Bill 155 (Mendoza), a bill to prevent unnecessary municipal bankruptcies] Supervisor Alioto-Pier**
- Resolution supporting Assembly Bill 155 (Mendoza) to prevent unnecessary municipal bankruptcies in California.
- 7/7/2009, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE
AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?**

40. 090891 [Accept and Expend State Grant - Office of the Public Defender - \$100,583] Supervisor Campos

Resolution authorizing the San Francisco Public Defender's Office to accept and expend a grant in the amount of \$100,583 from the State Corrections Standards Authority for the purposes of implementing local juvenile justice accountability measures through the Juvenile Accountability Block Grant.

7/7/2009, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

41. 090892 [Mortgage Revenue Bonds] Supervisors Daly, Mirkarimi

Resolution declaring the intent of the City and County of San Francisco (the "City") to reimburse certain expenditures from proceeds of future bonded indebtedness; authorizing the Director of the Mayor's Office of Housing (the "Director") to submit an application and related documents to the California Debt Limit Allocations Committee ("CDLAC") to permit the issuance of qualified mortgage revenue bonds in an aggregate principal amount not to exceed \$75,000,000 for the 220 Golden Gate Avenue Development (as such project is defined herein); authorizing and directing the Director to direct the Controller's Office to hold in trust an amount not to exceed \$100,000 in accordance with CDLAC procedures; authorizing the Director to certify to CDLAC that the City has on deposit the required amount; authorizing the Director to pay an amount equal to such deposit to the State of California if the City fails to issue the qualified mortgage revenue bonds; approving, for purposes of the Internal Revenue Code of 1986, as amended, the issuance and sale of mortgage revenue bonds by the City in an aggregate principal amount not to exceed \$75,000,000; authorizing and directing the execution of any documents necessary to implement this Resolution; and ratifying and approving any action heretofore taken in connection with the Project (as defined herein) and the Application (as defined herein).

7/7/2009, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

42. 090893 [Accept and Expend Federal Funds - Department of the Environment - \$60,000] Supervisor Mar

Resolution authorizing the Department of the Environment to accept and expend funds from the United States Department of Energy's Office of Energy Efficiency and Renewable Energy Vehicle Technologies Program in the amount of \$60,000 to support San Francisco's Clean Cities Coalition Program and its work related to reducing petroleum use and improving air quality in the City and County of San Francisco.

7/7/2009, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

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 June 30, 2009, to July 6, 2009, for reference by President to appropriate committee on July 14, 2009.

090867 [Zoning - Planning Code amendments in connection with the 2009 Bicycle Plan]

Ordinance amending the San Francisco Planning Code by amending Sections 155, 155.1, 155.4, and 155.5 in connection with the 2009 Bicycle Plan; and making various findings, including environmental findings and findings of consistency with the General Plan and the priority policies of Planning Code Section 101.1. (Planning Department)

6/30/2009, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 7/30/2009.

090868 [Bicycle Plan adoption and related General Plan amendments]

Ordinance adopting the 2009 San Francisco Bicycle Transportation Plan; rescinding Ordinance No. 0109-05 in its entirety; amending the San Francisco General Plan in connection with the San Francisco Bicycle Plan; adopting environmental findings and findings that the General Plan amendment is consistent with the General Plan and eight priority policies of Planning Code Section 101.1; and authorizing official acts in connection thereto. (Planning Department)

6/30/2009, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 7/30/2009.

PROPOSED RESOLUTIONS

Proposed resolutions received from June 30, 2009, to July 6, 2009, for reference by President to appropriate committee on July 14, 2009.

090869 [Approval of SFPUC New Irvington Tunnel 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-918, New Irvington Tunnel Construction Management Services, with Hatch Mott MacDonald, for an amount not to exceed \$15,000,000 with a term of up to five (5) years, pursuant to San Francisco Charter Section 9.118. (Public Utilities Commission)

7/6/2009, RECEIVED AND ASSIGNED to Budget and Finance Committee.

090883 [Airport Concession Lease]

Resolution approving Amendment No. 3 to the Boarding Areas "B" and "C" Principal Retail Concession Lease No. 98-0228 between Pacific Gateway Concessions, LLC, and the City and County of San Francisco, acting by and through its Airport Commission. (Airport Commission)

7/6/2009, RECEIVED AND ASSIGNED to Budget and Finance Committee.

090884 [Dissolution of San Francisco Airport Improvement Corporation]

Resolution approving the dissolution of the San Francisco Airport Improvement Corporation, the appointment of directors, and related matters. (Airport Commission)

7/6/2009, RECEIVED AND ASSIGNED to Budget and Finance Committee.

090905 [Petitions and Communications]

Petitions and Communications received from June 30, 2009, through July 6, 2009, for reference by the President to Committee considering related matters or to be ordered filed by the Clerk on July 14, 2009.

From concerned citizen, submitting opposition to closing any fire stations in San Francisco. (1)

From concerned citizens, submitting support to restore funding to the Public Defender's Office. 5 postcards (2)

From Office of the Clerk of the Board, submitting list of sole source contracts received from various city departments entered into during FY 2008-2009. (3)

Airport Commission

Board of Supervisors/Clerk of the Board's Office

Employees' Retirement System

Department on the Status of Women

From Office of the Mayor, submitting notice that Mayor Newsom will be out of state from July 3, 2009, until July 6, 2009. Supervisor Elsbernd will serve as Acting Mayor. Copy: Each Supervisor (4)

From Planning Department, submitting notice of preparation of an Environmental Impact Report for the Glen Park Community Plan. (5)

From Office of the Sheriff, submitting request for waiver of Administrative Code Chapter 12B for Rapid Notify, Inc. (6)

From concerned citizens, submitting opposition to removing bus stops in the Tenderloin area of San Francisco. Copy: Each Supervisor, 2 letters (7)

From Office of the Public Defender, submitting request for waiver of Administrative Code Chapter 12B for Chevron USA, Inc. (8)

From Office of the Clerk of the Board, regarding the Diversity Tracking System. (9)

From Office of the Clerk of the Board, submitting report showing that the Clerk of the Board of Supervisors' Office did not receive any gifts in FY 2008-2009. (10)

From Department of Public Health, submitting status report on the San Francisco Health Care Security Ordinance. (11)

From Office of the Controller, submitting report concerning the concession audit of the Airport Management Services, LLC. (12)

From SF County Civil Grand Jury, submitting report entitled "Being Propositioned by the SF Unified School District." Copy: Each Supervisor (13)

From Department of the Environment, submitting annual attendance reports for the Urban Forestry Council, Urban Forestry Council Planning and Funding Committee, Urban Forestry Council Landmark Tree Committee, Biodiesel Access Task Force and the Biodiesel Access Task Force Marine Committee. Copy: Each Supervisor (14)

From Department of the Environment, submitting the annual report for the Resource Conservation Ordinance. Copy: Each Supervisor (15)

From concerned citizens, submitting support for restoring Sharp Park to a natural area. Copy: Each Supervisor, 9 letters (16)

From concerned citizens, submitting support for preserving the historic 18-hole Sharp Park Golf Course. Copy: Each Supervisor, 7 letters (17)

From Bay Area Air Quality Management District, submitting public notice of the proposed new or modified source of air pollution at the Phillip Burton Federal Building at 450 Golden Gate Avenue. (18)

From Department of Public Works, regarding status of removing graffiti from utility poles at various locations in District 5. (Reference No. 20090512-009) (19)

From Department of Public Works, regarding status of removing graffiti from public property at various locations in District 5. (Reference No. 20090428-007) (20)

From Department of Public Works, regarding status of removing graffiti from various locations in District 5. (Reference No. 20090609-011) (21)

From Department of Public Works, regarding status of removing graffiti from utility poles at various locations in District 5. (Reference No. 2009028-006) (22)

From Marilyn Amini, requesting the Board of Supervisors reconsider legislation that was finally passed on June 16, 2009, regarding Amended Certificates of Final Completion and Occupancy of existing buildings. File No. 090026 (23)

From Art Ritchie, submitting copy of letter sent to the Rent Board regarding rent control laws in San Francisco. (24)

From Judith Robinson, submitting opposition to the so-called tenants' rights bill passed out of the Board of Supervisors, sponsored by Supervisor Chris Daly. Copy: Each Supervisor (25)

From Francisco Da Costa, submitting letter entitled "Holocaust in the Bayview Hunters Point" dated July 5, 2009. (26)

From Francisco Da Costa, regarding the Bay Area Air Quality Management District and the Bayview Hunters Point community. (27)

From Karen Lipney, submitting support for proposed ordinance that extends the "Scene in San Francisco" Rebate Program. File No. 090627 (28)

From David, regarding the housing and homeless problems in San Francisco. Copy: Each Supervisor (29)

From Kim Rohrbach, regarding budget cuts to San Francisco's health and human services budget. File No. 090779 (30)

From Office of the City Administrator, regarding revenue generated by the Office of Labor Standards and staffing changes in the past year. (31)

From State Fish and Commission, submitting notice of proposed emergency regulatory action relating to Pacific herring open ocean commercial fishing regulations. (32)

From Vallangca-Walsh, regarding the hardship the passage of the "mandatory recycling and composting ordinance" has on her as an 87 year old woman. File No. 081404 (33)

From T-Mobile, submitting notification letter regarding intent to construct a cellular facility at 1453 Mission Street. (34)

From Verizon Wireless, submitting notification letter regarding intent to construct a cellular facility at 45 West Portal Avenue. (35)

From Emil Lawrence, regarding city employees and union contracts. Copy: Each Supervisor (36)

From concerned citizens, submitting various comments regarding the proposed budget for San Francisco. File No. 090779, Copy: Each Supervisor, 6 letters (37)

From Coalition on Homelessness, submitting opposition to any homeless programs

cuts.Copy: Each Supervisor (38)

From James Corrigan, submitting letter entitled "Chief Hayes-White threatens to brown-out a busy Chinatown Engine Company." Copy: Each Supervisor, File No. 090779 (39)

From Patrick Monette-Shaw, submitting letter entitled: "Restore Mayor Newsom's raid of \$1 million from the Community Living Fund." Copy: Each Supervisor (40)

From Patrick Monette-Shaw, submitting letter entitled: "Laguna Honda Hospital's public relations campaign usurps direct patient care." File No. 090779, Copy: Each Supervisor, 2 letters (41)

From Matthew Shelton, submitting request for a Type 42 on-sale beer and wine liquor license for Shelton Theater Limited Liability Company at 533 Sutter Street. Copy: City Operations and Neighborhood Services Committee, File No. 090851 (42)

From Budget Analyst, submitting the Budget Analyst Activity Status Report for the quarter ending June 30, 2009. (43)

From State Board of Equalization, submitting their annual report for FY 2007-2008. (44)

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 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 Frank Darby by mail to 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

Citizens may obtain a free copy of the Sunshine Ordinance by contacting Mr. Darby or 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 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site www.sfgov.org/ethics