



BOARD OF SUPERVISORS

CITY AND COUNTY OF SAN FRANCISCO

AGENDA

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

Tuesday, April 20, 2010 - 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

Agendas of the Board of Supervisors are available on the internet at www.sfgov.org/bos

BOARD COMMITTEES

Committee Membership

Budget and Finance Committee

Supervisors Avalos, Mirkarimi, Elsbernd, Maxwell, Campos

Budget and Finance Sub-Committee

Supervisors Avalos, Mirkarimi, Elsbernd

City and School District Select Committee

Supervisors Dufty, Alioto-Pier, Daly, Fewer, Kim, Mendoza

City Operations and Neighborhood Services Committee

Supervisors Chu, Avalos, Elsbernd

Government Audit and Oversight Committee

Supervisors Mar, Chu, Maxwell

Land Use and Economic Development Committee

Supervisors Maxwell, Mar, Chiu

Public Safety Committee

Supervisors Chiu, Mirkarimi, Dufty

Rules Committee

Supervisors Campos, Alioto-Pier, Mar

Meeting Days

Wednesday
1:30 PM

Wednesday
11:00 AM

1st and 3rd Thursday
3:30 PM

2nd and 4th Monday
10:30 AM

2nd and 4th Thursday
1:00 PM

Monday
1:00 PM

1st and 3rd Monday
10:00 AM

1st and 3rd Thursday
10:00 AM

Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board has several standing Committees where ordinances and resolutions are the subject of hearings 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 at a Committee meeting 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; 3) signs to be brought into the meeting or displayed in the room; 4) standing in the meeting room.

Citizens are encouraged to testify at Committee meetings and to write letters to the Clerk of a Committee or 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 IS AVAILABLE FOR REVIEW AT CITY HALL, ROOM 244, RECEPTION DESK. Agendas are available on the internet at www.sfgov.org/site/bos_meetings 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.

**翻譯 必須在會議前最少四十八小時提出要求
請電 (415) 554-7719**

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 F, 5, 21, 47, 49, 71, 71L, J, K, L, M, N, T (exit at Van Ness Station). MUNI bus lines also serving the area are the 6, 7, and 9 San Bruno. For more information about MUNI accessible services, call (415) 701-4485.

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

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

Agenda Item Information

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

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

These items will be available for review at 1 Dr. Carlton B. Goodlett Place, City Hall, Room 244, Reception Desk on the Friday preceding a regularly scheduled Board meeting.

ROLL CALL AND PLEDGE OF ALLEGIANCE

AGENDA CHANGES

APPROVAL OF MEETING MINUTES

Approval of the March 23, 2010, Board Meeting Minutes.

COMMUNICATIONS

SPECIAL ORDER 2:00 P.M. - Mayor's Appearance Before The Board

(This item will be read at the third Board Meeting of each month.)

The following is a time dedicated for the Mayor to discuss with the Board of Supervisors issues pertaining to the governance of the City and County of San Francisco. The Board of Supervisors offers this time for dialogue on the third regularly scheduled Board meeting of every month pursuant to the will of the voters as expressed in Proposition I in November of 2006.

Should the Mayor fail to appear after five minutes of the item being called, the Clerk shall remove the item from the Board's agenda, and the item shall not be considered by the Board. Should the Mayor appear and the Board therefore consider this item, public comment for this item will take place during general public comment.

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 19

Recommendations of the Budget and Finance Sub-Committee

Present: Supervisors Avalos, Mirkarimi, Elsbernd

- 1. **100337** **[Appropriating \$1,647,249,198 of Proceeds from Debt for the Water System Improvement Program at the Public Utilities Commission for FY2010-2011 through FY2015-2016]**

Sponsor: Mayor

Ordinance appropriating \$1,647,249,198 of proceeds from debt for the San Francisco Public Utilities Commission (SFPUC) Water System Improvement Program (WSIP) for FY2010-2011 through FY2015-2016, and placing the entire appropriation of \$1,647,249,198 by project on Controller's reserve subject to SFPUC's and Board of Supervisors' discretionary approval following completion of project-related analysis pursuant to the California Environmental Quality Act (CEQA), where required, and receipt of proceeds of indebtedness, placing on Budget and Finance Committee reserve the funds for construction costs of any project with costs in excess of \$100,000,000 and \$116,863,924 related to funding for project construction starting after June 30, 2012, and adopting environmental findings.

(Fiscal Impact.)

Attachments: [Comm Packet 040710](#)

04/13/2010; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

- 2. **100341** **[Water Revenue Bond Issuance - Not to Exceed \$1,737,724,038]**

Sponsor: Mayor

Ordinance approving the issuance and sale of water revenue bonds by the San Francisco Public Utilities Commission to finance various projects under the Water System Improvement Program and the Capital Improvement Program, including but not limited to the Commission's Advanced Meter Infrastructure System, pursuant to amendments to the Charter of the City and County of San Francisco enacted by the voters on November 5, 2002, as Proposition E; and ratifying previous actions taken in connection therewith.

(Fiscal Impact.)

Attachments: [Legislation VER1](#)

[Comm Packet 040710](#)

[Board Packet 041310](#)

04/13/2010; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

3. [100400](#) **[Waiver of Temporary Street Space Occupancy Fee on May 15, 2010, for Small Business Week Sidewalk Sale]**

Sponsors: Mirkarimi; Chiu, Chu and Campos

Ordinance waiving the fee in Public Works Code Section 724.1(b) for temporary street space occupancy in certain sections of the City on Saturday, May 15, 2010, as part of Small Business Week.

Attachments: [Legislation_Ver1](#)

[Legislation_Digest_Ver1](#)

[Comm Packet_040710](#)

[Board Packet_041310](#)

04/13/2010; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

4. [100312](#) **[Airport Concession – Terminal 2 Gourmet Market and Wine Bar Lease with D-Lew Enterprise, LLC]**

Resolution approving a Terminal 2 Gourmet Market and Wine Bar Lease between D-Lew Enterprises, LLC and the City and County of San Francisco, acting by and through its Airport Commission. (Airport Commission)

Attachments: [100312](#)

[Comm Packet_041410](#)

[Board Packet_042010](#)

Question: Shall this Resolution be ADOPTED?

5. [100313](#) **[Airport Concession – Terminal 2 Quick Serve Lease with BJ Annex, LLC]**

Resolution approving the Terminal 2 Quick Serve Lease, between BJ Annex, LLC and the City and County of San Francisco, acting by and through its Airport Commission. (Airport Commission)

Attachments: [Legislation_Ver1](#)

[Comm Packet_041410](#)

[Board Packet_042010](#)

Question: Shall this Resolution be ADOPTED?

6. [100314](#) **[Airport Concession – Terminal 2 Cocktail Lounge Lease with HBF Soto JV, LLC]**

Resolution approving the Terminal 2 Cocktail Lounge Lease between HBF Soto JV, LLC and the City and County of San Francisco, acting by and through its Airport Commission. (Airport Commission)

Attachments: [Legislation_Ver1](#)

[Comm Packet_041410](#)

[Board Packet_042010](#)

Question: Shall this Resolution be ADOPTED?

7. [100316](#) **[Airport Concession – Terminal 2 Quick Serve Lease with Sankaku, Inc.]**
Resolution approving the Terminal 2 Quick Serve Lease between Sankaku, Inc. and the City and County of San Francisco, acting by and through its Airport Commission. (Airport Commission)
Attachments: [Legislation Ver1](#)
[Comm Packet 041410](#)
[Board Packet 042010](#)

Question: Shall this Resolution be ADOPTED?

8. [100317](#) **[Airport Concession – Terminal 2 Sit-Down Restaurant Lease with D-Lew Enterprises, LLC]**
Resolution approving a Terminal 2 Sit-Down Restaurant Lease between D-Lew Enterprises, LLC and the City and County of San Francisco, acting by and through its Airport Commission. (Airport Commission)
Attachments: [Legislation Ver1](#)
[Comm Packet 041410](#)
[Board Packet 042010](#)

Question: Shall this Resolution be ADOPTED?

9. [100318](#) **[Airport Concession – Terminal 2 Bakery and Coffee Facilities Lease with Gotham Enterprises, LLC]**
Resolution approving a Terminal 2 Bakery and Coffee Facilities Lease between Gotham Enterprises, LLC and the City and County of San Francisco, acting by and through its Airport Commission. (Airport Commission)
Attachments: [Legislation Ver1](#)
[Comm Packet 041410](#)
[Board Packet 042010](#)

Question: Shall this Resolution be ADOPTED?

10. [100319](#) **[Airport Concession – Terminal 2 Quick Serve Lease with Andale Management Group, Inc.]**
Resolution approving the Terminal 2 Quick Serve Lease, between Andalé Management Group, Inc. and the City and County of San Francisco, acting by and through its Airport Commission. (Airport Commission)
Attachments: [Legislation Ver1](#)
[Comm Packet 041410](#)
[Board Packet 042010](#)

Question: Shall this Resolution be ADOPTED?

11. [100320](#) **[Airport Concession – Terminal 2 Quick Serve Lease with HBF Soto JV, LLC]**
Resolution approving the Terminal 2 Quick Serve Lease, between HBF Soto JV, LLC and the City and County of San Francisco, acting by and through its Airport Commission. (Airport Commission)
Attachments: [Legislation Ver1](#)
[Comm Packet 041410](#)
[Board Packet 042010](#)

Question: Shall this Resolution be ADOPTED?

12. [100398](#) **[Accept and Expend Grant - AIDS Office Space Renovation - \$9,508,907]**
Sponsors: Mayor; Dufty
Resolution authorizing the San Francisco Department of Public Health to accept and expend retroactively a grant from the National Institutes of Health in the amount of \$9,508,907 to fund the AIDS Office Space Renovation for the period March 4, 2010, through March 3, 2015.
Attachments: [Legislation Ver1](#)
[Comm Packet 041410](#)
[Board Packet 042010](#)

Question: Shall this Resolution be ADOPTED?

Recommendations of the City Operations and Neighborhood Services Committee

Present: Supervisors Chu, Elsbernd

13. [100309](#) **[Liquor License - 450 Florida Street]**
Resolution determining that the issuance of a Type 64 Special On-Sale General Theater Liquor License, for Lisa Steindler for the Z Space Studio dba Z Space located at 450 Florida Street (District 6), will serve the public convenience or necessity of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code, with conditions.
Attachments: [Responses PLN 032610](#)
[Comm Packet 041210](#)
[Legislation Ver2](#)
[Board Packet 042010](#)

Question: Shall this Resolution be ADOPTED?

14. [100388](#) **[Approving County Refugee Services Plan for FY2009-2010]**
Resolution approving the City and County of San Francisco's Refugee Services Annual Plan for Federal FY2009-2010. (Human Services Department)
Attachments: [Legislation Ver1](#)
[Comm Packet 041210](#)
[Board Packet 042010](#)

Question: Shall this Resolution be ADOPTED?

Present: Supervisors Chu, Avalos, Elsbernd

15. [100342](#) **[Accept and Expend Gift - Hayes Valley Playground Project - \$1,500,000]**

Sponsors: Mayor; Mirkarimi

Resolution accepting and expending a gift valued up to \$1,500,000 from The Trust for Public Land to the Recreation and Parks Department for the Hayes Valley Playground project.

Attachments: [Legislation_Ver1](#)

[Comm_Packet_032210](#)

[Comm_Packet_041210](#)

[Board_Packet_042010](#)

Question: Shall this Resolution be ADOPTED?

Recommendations of the Land Use and Economic Development Committee

Present: Supervisors Maxwell, Mar, Chiu

16. [091271](#) [Zoning – Street Frontages for Most Use Districts]

Sponsors: Mirkarimi; Mar

Ordinance amending the San Francisco Planning Code by amending Sections 145.1, 201, 243, 261.1, and 270.2 to create a comprehensive and consistent set of street frontage controls for most use districts that allow a mix of uses; adopting findings, including environmental findings, Section 302 findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1.

Attachments: [Legislation Ver1](#)

[Leg Digest Ver1](#)

[Response PLN 120709](#)

[Response PLN 030310](#)

[Legislation Ver2](#)

[Comm Packet 032910](#)

[Legislation Ver3](#)

[Leg Digest Ver3](#)

[Response PLN 033010](#)

[Comm Packet 040510](#)

[Board Packet 041310](#)

03/23/2010; SUBSTITUTED.

04/13/2010; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

17. [100008](#) [Permit and License Fee Elimination]**Sponsor: Chiu**

Ordinance amending San Francisco Business and Tax Regulations Code Sections 248 and 249.1, amending San Francisco Police Code Sections 2.26 and 2.27, and repealing San Francisco Police Code Section 2.28, all to eliminate certain permit and license fees and revenue fees, while retaining any underlying permitting, licensing, and other substantive regulatory requirements.

Attachments: [Legislation Ver1](#)[Leg Digest Ver1](#)[Comm Packet 011310.pdf](#)[Comm Packet 040510](#)[Response SBC 040210](#)[Legislation Ver2](#)[Leg Digest Ver2](#)[Board Packet 041310](#)

04/13/2010; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?**Recommendation of the Public Safety Committee***Present: Supervisors Chiu, Dufty***18. [100268](#) [Accept and Expend Grant - Edward Byrne Memorial Justice Assistance and Amend Annual Salary Ordinance FY2009-2010 - \$729,932]****Sponsor: Mayor**

Ordinance authorizing the Department of Children, Youth & Their Families to retroactively accept and expend grant funding in the amount of \$729,932 from the Federal Department of Justice, Office of Justice Programs for implementation of criminal justice programs; and amending the Annual Salary Ordinance No. 183-09 for FY2009-2010 to reflect the addition of one Class 1822 grant-funded position (0.50 FTE) at the Department of Children, Youth & Their Families and one Class 2910 grant-funded position (0.50 FTE) at the Public Defender's Office.

Attachments: [Legislation Ver1](#)[Comm Packet 040510](#)[Board Packet 041310](#)

04/13/2010; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendation of the Rules Committee

Present: Supervisors Campos, Mar

- 19. **100204** **[Americans with Disabilities Act - Reasonable Modification Policy]**
Sponsors: Alioto-Pier; Mar, Campos, Chiu and Mirkarimi
 Ordinance adding Administrative Code Section 2A.22.3 to adopt a Citywide Americans with Disabilities Act Reasonable Modification Policy that requires City departments to: (1) provide notice to the public of the right to request reasonable modification; (2) respond promptly to such requests; (3) provide appropriate auxiliary aids and services to people with disabilities to ensure effective communication; and (4) train staff to respond to requests from the public for reasonable modification, and that requires the Mayor's Office on Disability to provide technical assistance to City departments responding to requests from the public for reasonable modifications.
Attachments: [Legislation VER1](#)
[Comm Packet 040110](#)
[Board Packet 041310](#)

04/13/2010; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

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

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of the Budget and Finance Committee

Present: Supervisors Avalos, Mirkarimi, Campos, Elsbernd, Maxwell

- 20. **100248** **[Creation of General Reserve and Budget Stabilization Reserve]**
Sponsors: Chiu; Mayor, Chu and Mirkarimi
 Ordinance amending the San Francisco Administrative Code by adding Section 10.60, to adopt a binding financial policy under Charter Section 9.120 creating a General Reserve and a Budget Stabilization Reserve and providing rules for deposits to and withdrawals from such funds. (Controller)
Attachments: [Comm Packet 040710](#)
[Board Packet 041310](#)

04/13/2010; PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

NEW BUSINESS

Recommendations of the Budget and Finance Sub-Committee

Present: Supervisors Avalos, Mirkarimi, Elsbernd

21. [100338](#) **[Appropriating \$33,735,421 of Proceeds from Debt and Fee Revenues for Water Capital Improvements at the Public Utilities Commission for FY2010-2011 and FY2011-2012]**
Sponsor: Mayor
Ordinance appropriating \$33,735,421 of proceeds from debt and fee revenues for the San Francisco Public Utilities Commission (SFPUC) Water Enterprise's Capital Improvement Program for FY2010-2011 and FY2011-2012 and placing \$29,642,138 by project on Controller's reserve subject to SFPUC's and Board of Supervisors' discretionary approval following completion of project-related analysis pursuant to the California Environmental Quality Act, where required, and receipt of proceeds of indebtedness and fee revenues.

(Fiscal Impact.)

Attachments: [Comm Packet 040710](#)

[Comm Packet 041410](#)

[Board Packet 042010](#)

Question: Shall this Ordinance be PASSED ON FIRST READING?

22. [100339](#) **[Appropriating \$348,064,054 of State Grants Proceeds from Debt and Fee Revenues for Wastewater Capital Improvements at the Public Utilities Commission for FY2009-2010]**
Sponsors: Mayor; Dufty
Ordinance appropriating \$348,064,054 of state grants proceeds from debt and fee revenues for the San Francisco Public Utilities Commission (SFPUC) Wastewater Enterprise's Capital Improvement Program for FY2009-2010, and placing \$329,962,235 by project on Controller's reserve subject to SFPUC and Board of Supervisor's discretionary approval following completion of project-related analysis pursuant to the California Environmental Quality Act, where required, and receipt of proceeds of indebtedness, grant funds, and fee revenues.

(Fiscal Impact.)

Attachments: [Comm Packet 041410](#)

[Board Packet 042010](#)

Question: Shall this Ordinance be PASSED ON FIRST READING?

23. [100340](#) **[Wastewater Revenue Bond Issuance – Not to Exceed \$297,756,235]**
Sponsors: Mayor; Dufty
Ordinance approving the issuance and sale of wastewater revenue bonds in an aggregate principal amount not to exceed \$297,756,235 by the San Francisco Public Utilities Commission to finance various projects benefitting the Wastewater Enterprise pursuant to amendments to the Charter of the City and County of San Francisco enacted by the voters on November 5, 2002, as Proposition E; and ratifying previous actions taken in connection therewith.

(Fiscal Impact.)

Attachments: [Legislation VER1](#)

[Comm Packet 041410](#)

[Board Packet 042010](#)

Question: Shall this Ordinance be PASSED ON FIRST READING?

From the City Operations and Neighborhood Services Committee Without Recommendation

Present: Supervisors Chu, Avalos, Elsbernd

24. [100264](#) **[Urging Lennar Corporation to Issue a Formal Written Apology]**
Sponsor: Daly
Resolution urging the Lennar Corporation to issue a formal, written apology to members of the Stop Lennar Action Movement and the City and County of San Francisco for irresponsible and potentially dangerous behavior.

Attachments: [Legislation Ver1](#)

[Comm Packet 041210](#)

[1111](#)

[Board Packet 042010](#)

Question: Shall this Resolution be ADOPTED?

Recommendation of the Government Audit and Oversight Committee

Present: Supervisors Mar, Chu, Maxwell

25. [100240](#) **[Supporting Senate Bill 330 Regarding University of California]**
Sponsor: Mar
Resolution supporting Senate Bill 330 for increased transparency and accountability in auxiliary organizations and foundations in the University of California and California State University systems.
Attachments: [Board Packet 030910](#)
[Legislation Ver1](#)
[Comm Packet 040810](#)
[Legislation Ver2](#)
[Board Packet 042010](#)

03/09/2010; REFERRED to the Government Audit and Oversight Committee.

Question: Shall this Resolution be ADOPTED?

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.

26. **100382** **[Public Hearing - Appeal of Conditional Use for 725 Taraval Street]**
 Hearing of persons interested in or objecting to decision of the Planning Commission by its Motion No. 18037 dated February 25, 2010, relating to the approval, subject to certain conditions, of a conditional use authorization (Case No. 2009.0531C), under Planning Code Sections 303, 711.83, and 790.80, to install a wireless telecommunications facility consisting of eight new panel antennas located on the existing four-story mixed-use building's elevator penthouse structures, with related equipment cabinets located within the structure's subterranean garage, as part of T-Mobile's wireless telecommunications network within a NC-2 (Neighborhood Commercial, Small-Scale) Zoning District and a 40-X Height and Bulk District, on property located at 725 Taraval Street, Lot Nos. 052-058 in Assessor's Block No. 2408. (District 7) (Appellant: Robert Carson) (Clerk of the Board)

(Filed 3/25/10 - Companion Measure to File Nos. 100383, 100384, 100385.)

Attachments: [Board Packet 042010](#)

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.)

27. **100383** **[Affirming Planning Commission Decision Related to Conditional Use Appeal for 725 Taraval Street]**
 Motion affirming the decision of the Planning Commission by its Motion No. 18037, approving Conditional Use Application No. 2009.0531C on property located at 725 Taraval Street, and adopting findings pursuant to Planning Code Section 101.1. (Clerk of the Board)
Attachments: [Legislation VER1](#)
[Board Packet 042010](#)

Question: Shall this Motion be APPROVED?

28. [100384](#) [Reversing Planning Commission Decision Related to Conditional Use Appeal for 725 Taraval Street]

Motion reversing the decision of the Planning Commission by its Motion No. 18037, approving Conditional Use Application No. 2009.0531C on property located at 725 Taraval Street. (Clerk of the Board)

Attachments: [Legislation VER1](#)

[Board Packet 042010](#)

Question: Shall this Motion be APPROVED?

29. [100385](#) [Preparation of Findings Related to the Conditional Use Appeal for 725 Taraval Street]

Motion directing the Clerk of the Board to prepare findings relating to proposed Conditional use Application No. 2009.0531C on property located at 725 Taraval Street, for action by the Board at its next meeting. (Clerk of the Board)

Attachments: [Legislation VER1](#)

[Board Packet 042010](#)

Question: Shall this Motion be APPROVED?

SPECIAL ORDER 4:00 P.M.

30. [100443](#) [Public Hearing - Appeal of Certification of Final Environmental Impact Report - 555 Washington Street]

Hearing of persons interested in or objecting to the Planning Commission's March 18, 2010, Certification of a Final Environmental Impact Report identified as Planning Case No. 2002.0133E, through its Motion No. 18046, and its decision of the Planning Commission's March 18, 2010, Case No. 2002.0133EZMRKXV, adoption of California Environmental Quality Act findings, through its Motion No. 18047, which will include demolition of two buildings at 501-505 Washington Street and 545 Sansome Street, and construction of a 38-story, approximately 390 foot-tall building topped with a mechanical penthouse and architectural screening reaching in height to approximately 332,000 gross square feet of floor area, including 248 residential units, 4,640 square feet of ground-floor retail space, and four levels of subsurface parking with 215 parking spaces plus 2 car share spaces, including vacation of Mark Twain Alley and conveyance of Redwood Park to the City and County of San Francisco, for project located at 555 Washington Street (aka 545 Sansome Street), Block No. 0207, Lot Nos. 33, 35, and 36. (District 3) (Appellants: Sue Hestor, on behalf of San Franciscan's for Reasonable Growth, and Vedica Puri, on behalf of Telegraph Hill Dwellers). (Clerk of the Board)

(Filed April 2, 2010, Companion to File Nos. 100444, 100445, 100446)

Attachments: [Board Packet 042010](#)

Action: _____

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the Final Environmental Impact Report 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.)

31. [100444](#) **[Affirming the Certification of the 555 Washington Street Project Final Environmental Impact Report]**
Motion affirming the certification by the Planning Commission of the Final Environmental Impact Report for the 555 Washington Street Project. (Clerk of the Board)
Attachments: [Board Packet 042010](#)
- Question: Shall this Motion be APPROVED?**
32. [100445](#) **[Reversing the Certification of the 555 Washington Street Project Final Environmental Impact Report]**
Motion reversing the certification by the Planning Commission of the Final Environmental Impact Report for the 555 Washington Street Project. (Clerk of the Board)
Attachments: [Board Packet 042010](#)
- Question: Shall this Motion be APPROVED?**
33. [100446](#) **[Preparation of Findings to Reverse Certification of the 555 Washington Street Project Final Environmental Impact Report]**
Motion directing the Clerk of the Board to prepare findings reversing the certification by the Planning Commission of the Final Environmental Impact Report for the 555 Washington Street Project. (Clerk of the Board)
Attachments: [Board Packet 042010](#)
- Question: Shall this Motion be APPROVED?**

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.

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 34 through 39

34. [100459](#) **[Supporting Senate Bill 1140 Regarding Allowing Voters to Register and Vote Up to and Including Election Day]**
Sponsor: Campos
Resolution supporting Senate Bill 1140 to delete the arbitrary timelines which prevent eligible citizens from voting in elections by allowing voters to register and vote up to and including election day.
Attachments: [Board Packet 041310](#)
[Legislation Ver1](#)
- 04/06/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 04/13/2010; CONTINUED.
- Question: Shall this Resolution be ADOPTED?**
35. [100475](#) **[Supporting Establishment of Statewide Extended Producer Responsibility System and Framework]**
Sponsor: Mirkarimi
Resolution urging the California State Legislature to enact an extended producer responsibility framework, requesting the City and County of San Francisco's lobbying efforts include extended producer responsibility advocacy, authorizing the City to become a member of the California Product Stewardship Council and recommitting the City to the goals of the Environmentally Preferable Purchasing Ordinance.
Attachments: [Legislation Ver1](#)
[Board Packet 042010](#)
- Question: Shall this Resolution be ADOPTED?**
36. [100476](#) **[Supporting Creation of and Declaring Asian Pacific Mental Health Day - May 10, 2010]**
Sponsor: Mar
Resolution supporting the creation of Asian Pacific Mental Health Day on May 10, 2010, and each May 10 thereafter.
Attachments: [Legislation Ver1](#)
[Board Packet 042010](#)
- 04/13/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?**

- 37. [100477](#) **[Armenian Genocide Commemoration Day - April 24, 2010]**
Sponsors: Elsbernd; Campos, Duffy, Alioto-Pier, Mar, Avalos, Chu, Maxwell, Mirkarimi, Daly and Chiu
 Resolution declaring April 24, 2010, as Armenian Genocide Commemoration Day in San Francisco.
Attachments: [Legislation Ver1](#)
[Board Packet 042010](#)

04/13/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

- 38. [100478](#) **[Honoring Jane Morrison on the Occasion of her 90th Birthday]**
Sponsor: Chiu
 Resolution honoring Jane Morrison on the occasion of her 90th birthday.
Attachments: [Legislation Version1](#)
[Board Packet 042010](#)

04/13/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

- 39. [100479](#) **[Commending Women's Sports Foundation Chief Executive Officer, Kathryn Olson]**
Sponsor: Alioto-Pier
 Resolution commending Kathryn Olson on her selection as Chief Executive Officer of the Women's Sports Foundation.
Attachments: [Legislation Ver1](#)
[Board Packet 042010](#)

04/13/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

Questions on the For Adoption Without Committee Reference Agenda: _____

40. 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 eight (8) votes or a unanimous six (6) or seven (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.

LEGISLATION INTRODUCED AT ROLL CALL

PROPOSED RESOLUTIONS

Proposed resolutions received from April 6, 2010, through April 12, 2010, for reference by President to appropriate committee on April 20, 2010.

100492

[Supplemental Agreement to Install an Additional Water Pipeline Over Union Pacific Railroad Company Property in Stanislaus County]

Resolution approving and authorizing a Supplemental Agreement with Union Pacific Railroad Company ("Railroad") to install an additional water pipeline within an existing easement area over Railroad property near the City of Oakdale in Stanislaus County required for the San Joaquin Pipeline System Project No. CUW37301 (the "Project") for a fee of \$2,500; adopting findings under the California Environmental Quality Act ("CEQA"); adopting findings that the conveyance is consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; and authorizing the Director of Property to execute documents, make certain modifications and take certain actions in furtherance of this resolution. (Real Estate Department)

04/12/2010; RECEIVED AND ASSIGNED to the Land Use and Economic Development Committee.

100493

[Finding of Fiscal Feasibility of Runway Safety Area Project at San Francisco International Airport]

Resolution finding the proposed Runway Safety Area project at San Francisco International Airport fiscally feasible pursuant to Administrative Code Chapter 29. (Airport Commission)

04/12/2010; RECEIVED AND ASSIGNED to the Budget and Finance Sub-Committee.

100485 [Petitions and Communications]

Petitions and Communications received from April 6, 2010, through April 12, 2010, for reference by the President to Committee considering related matters, or to be ordered filed by the Clerk on April 20, 2010.

From concerned citizens, regarding meat-free Monday in San Francisco. File No. 100413, 12 letters (1)

From California Preservation Foundation, regarding the Beach Chalet Soccer Fields in Golden Gate Park. File No. 100053, Copy: City Operations and Neighborhood Services Committee and Clerk (2)

From State Office of Historic Preservation, submitting notice that Sacred Heart Church is listed on the National Register of Historic Places. Copy: Each Supervisor (3)

From Clerk of the Board, the following individuals have submitted a Form 700 Statement of Economic Interest: (4)

John Dalessi - Annual

Hanley Chan - Annual

Michael Bornstein - Annual

From Public Utilities Commission, submitting request for waiver of Administrative Code Chapter 12B for Transtech. (5)

From Greenlining Institute, regarding the Lennar Corporation. (6)

From Veterans Affairs Commission, submitting the 2009 Annual Report. (7)

From James Chaffee, regarding the Ethics Commission, Sunshine Ordinance Task Force, and Open Government. 2 letters (8)

From Alvin Johnson, submitting opposition to re-naming Third Street to "Willie Brown Boulevard" in San Francisco. File No. 090325 (9)

From Kevin Reed, regarding legalizing marijuana for adult use. (10)

From concerned citizens, submitting opposition to any increase in parking meter fees. 4 letters (11)

From Jeff Miller, regarding Sharp Park Golf Course. (12)

From Francisco Da Costa, regarding the Planning Department and the San Francisco Labor Council. (13)

From Julie Aldridge, submitting opposition to public power in San Francisco. (14)

From Edward Goehring, concerning funding cuts for public safety. (15)

From Lee Goodin, regarding the Entertainment Commission. (16)

From Cooper Schuman, urging full funding for MUNI. (17)

From Jim Cusack, requesting a pedestrian crossing at California Street and 11th Avenue. (18)

From Patrick Monette-Shaw, regarding the 2009 Citizen's General Obligation Bond Oversight Committee's Annual Report. File No. 100328, 2 letters (19)

From David Schiller, submitting suggestions for re-naming Third Street to “Willie Brown Boulevard” in San Francisco. (20)

From Alicia Gaylord, regarding the South of Market Community Stabilization Fund. (21)

From concerned citizens, submitting opposition to proposed cell tower at Miraloma Community Church. 2 letters (22)

From Gloria Melone, submitting support for proposed initiative that sets transit operator wages through collective bargaining. (23)

From Francisco Da Costa, regarding hundreds of empty condos in San Francisco. (24)

From Sutton Law Firm, submitting copy of the Notice of Intent and Title and Summary of the proposed Charter Amendment entitled “Setting Transit Operator Wages through Collective Bargaining” as published by the Recorder on April 5, 2010. Copy: Each Supervisor (25)

From concerned citizens, regarding the four protesters in the Mission duplex takeover. 2 letters (26)

From Kenton Louie, regarding the MUNI Fast Pass. (27)

From Alicia Vanden Heuvel, regarding the school lunch program in San Francisco public schools. (28)

From Jesse Bernal, submitting support for institutional aid for students affected by the provisions of Assembly Bill 540 at the University of California. (29)

From Planning Department, submitting the 2009 Housing Inventory Report. (30)

ADJOURNMENT