



# 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 27, 2010 - 2:00 PM

#### Regular Meeting

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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](http://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](http://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](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)

## **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 30, 2010, Board Meeting Minutes.*

**COMMUNICATIONS**

**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 18**

**Recommendations of the Budget and Finance Sub-Committee**

*Present: Supervisors Avalos, Mirkarimi, Elsbernd*

1. [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](#)

04/20/2010; PASSED, ON FIRST READING.

**Question: Shall this Ordinance be FINALLY PASSED?**
2. [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](#)

04/20/2010; PASSED, ON FIRST READING.

**Question: Shall this Ordinance be FINALLY PASSED?**
3. [100310](#) **[Airport Concession Lease - Terminal 2 Book Store with Books, Inc.]**  
Resolution approving the Terminal 2 Book Store lease between Books, Inc., (Compass Books, Inc.), and the City and County of San Francisco, acting by and through its Airport Commission. (Airport Commission)  
**Attachments:** [Board Packet 042710](#)  
[Legislation Ver1](#)  
[Board Packet 042710](#)

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

4. [100315](#) **[Airport Concession Lease – Terminal 2 Specialty Store with Charles Chocolates, Inc.]**  
Resolution approving the Terminal 2 Specialty Store lease between Charles Chocolates, Inc., and the City and County of San Francisco, acting by and through its Airport Commission. (Airport Commission)  
**Attachments:** [Comm Packet 042110](#)  
[Legislation Ver1](#)  
[Board Packet 042710](#)

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

5. [100322](#) **[Airport Concession Lease - Terminal 2 Spa with XpresSpa SF International, Inc.]**  
Resolution approving the Terminal 2 Spa lease between XpresSpa SF International, Inc., and the City and County of San Francisco, acting by and through its Airport Commission. (Airport Commission)  
**Attachments:** [Comm Packet 042110](#)  
[Legislation Ver1](#)  
[Board Packet 042710](#)

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

6. [100389](#) **[Professional Services Agreement - Energy Efficiency, Renewable Energy and Climate Change with ICF International - \$19,000,000]**  
**Sponsor: Mirkarimi**  
Resolution approving a Professional Services Agreement with ICF International for Energy Efficiency, Renewable Energy, and Climate Professional Services at a total cost of \$19,000,000. (Environment)  
**Attachments:** [Comm Packet 042110](#)  
[Board Packet 042710](#)

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

7. [100431](#) **[Accept and Expend Grant - Recovery Act Justice Assistance Grant - \$963,198]**  
**Sponsors: Mayor; Dufty and Mirkarimi**  
Resolution authorizing the San Francisco Department of Public Health to accept and expend retroactively a grant in the amount of \$963,198 from the California Emergency Management Agency, to assist with a project entitled "Recovery Act Justice Assistance Grant" for the period of October 1, 2009, through March 31, 2011.  
**Attachments:** [Legislation Ver1](#)  
[Comm Packet 042110](#)  
[Board Packet 042710](#)

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

8. [100474](#) **[Accept and Expend Grant - American Recovery and Reinvestment Act GreenFinanceSF - \$2,080,000]**  
**Sponsors: Mayor; Dufty and Mirkarimi**  
Resolution amending Resolution No. 59-10 retroactively to substitute the Public Utilities Commission, for the Department of the Environment, as the department authorized to accept and expend a grant in the amount of \$2,080,000 from the California Energy Commission's State Energy Program to provide financial assistance for GreenFinanceSF, the City and County of San Francisco's municipal financing program for energy and water retrofits of privately-owned buildings, and ratifying actions previously taken.  
**Attachments:** [Legislation Ver1](#)  
[Comm Packet 042110](#)  
[Board Packet 042710](#)
- Question: Shall this Resolution be ADOPTED?**

### **Recommendations of the Public Safety Committee**

*Present: Supervisors Chiu, Mirkarimi, Dufty*

9. [100433](#) **[Accept and Expend Grant - San Francisco Drug Elimination Team - \$533,810]**  
**Sponsor: Chu**  
Resolution authorizing the Department of Children, Youth & Their Families, to retroactively accept and expend grant funding in the amount of \$533,810 from the California Emergency Management Agency to fund the San Francisco Drug Elimination Team, a multi-disciplinary partnership, comprised of the San Francisco Police Department, the District Attorney's Office, and the Adult Probation Department for the period of July 1, 2009, through June 30, 2010.  
**Attachments:** [Comm Packet 041910](#)  
[Legislation Ver1](#)  
[Board Packet 042710](#)
- Question: Shall this Resolution be ADOPTED?**
10. [100435](#) **[Accept and Expend Grant - Substance Abuse Offender Treatment Program - \$370,182]**  
**Sponsor: Dufty**  
Resolution authorizing the San Francisco Department of Public Health to accept and expend retroactively a grant from the California Department of Alcohol and Drug Programs in the amount of \$370,182 to fund the Substance Abuse Offender Treatment Program for the period July 1, 2009, through June 30, 2010.  
**Attachments:** [Legislation Ver1](#)  
[Comm Packet 041910](#)  
[Board Packet 042710](#)
- Question: Shall this Resolution be ADOPTED?**

**Recommendations of the Rules Committee**

*Present: Supervisors Campos, Alioto-Pier, Mar*

- 11. [100421](#) **[Settlement of Lawsuit - John Hartnett - \$30,000]**  
Ordinance authorizing settlement of the lawsuit filed by John Hartnett against the City and County of San Francisco for \$30,000; the lawsuit was filed on March 13, 2009, in San Francisco Superior Court, Case No. CGC-09-486142; entitled John Hartnett v. City and County of San Francisco et al. (City Attorney)  
**Attachments:** [Comm Packet 041510](#)  
[Board Packet 042710](#)

**Question: Shall this Ordinance be PASSED ON FIRST READING?**

- 12. [100438](#) **[Settlement of Lawsuit - Michelle Cody - \$105,000]**  
Ordinance authorizing settlement of the lawsuit filed by Michelle Cody against the City and County of San Francisco for \$105,000; the lawsuit was filed on May 27, 2008, in San Francisco Superior Court, Case No. CGC-08-475697; entitled Michelle Cody v. City and County of San Francisco, et al. (City Attorney)  
**Attachments:** [Comm Packet 041510](#)  
[Board Packet 042710](#)

**Question: Shall this Ordinance be PASSED ON FIRST READING?**

- 13. [100439](#) **[Settlement of Claim - Karin Novotna - \$125,000]**  
Resolution approving the settlement of the unlitigated claim filed by Karin Novotna against the City and County of San Francisco for \$125,000; claim was filed on November 19, 2009. (City Attorney)  
**Attachments:** [Comm Packet 041510](#)  
[Board Packet 042710](#)

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

- 14. [100440](#) **[Settlement of Claim - Pacific Gas and Electric Company - \$97,957.70]**  
Resolution approving the settlement of the unlitigated claim filed by the City and County of San Francisco against Pacific Gas and Electric Company for \$97,957.70; claim was filed on February 1, 2010. (City Attorney)  
**Attachments:** [Comm Packet 041510](#)  
[Board Packet 042710](#)

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

15. [100426](#) **[Appointment, In-Home Supportive Services Public Authority - Kenzi Robi]**  
Motion appointing Kenzi Robi, term ending March 1, 2012, to the In-Home Supportive Services Public Authority. (Clerk of the Board)  
**Attachments:** [Comm Packet 041510](#)  
[Legislation Ver2](#)  
[Board Packet 042710](#)

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

16. [100463](#) **[Appointments, SRO Task Force - Charles Siron, Suresh Patel, Bruce Burge, Seth Katzman, Jorge Portillo, Jeff Buckley, Angela Chu, Matthias Mormino and Patrick Flanagan]**  
Motion appointing Charles Siron, Suresh Patel, Bruce Burge, Seth Katzman, Jorge Portillo, Jeff Buckley, Angela Chu, Matthias Mormino and Patrick Flanagan, terms ending December 31, 2012, to the SRO Task Force, residency requirement waived. (Clerk of the Board)  
**Attachments:** [Comm Packet 041510](#)  
[Legislation Ver2](#)  
[Board Packet 042710](#)

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

Present: Supervisors Campos, Mar

17. [100423](#) **[Appointment, Commission on the Aging Advisory Council - Elinore Luris]**  
Motion appointing Elinore Luris, term ending March 31, 2012, to the Commission on the Aging and Advisory Council. (Clerk of the Board)  
**Attachments:** [Comm Packet 041510](#)  
[Legislation Ver2](#)  
[Board Packet 042710](#)

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

18. [100424](#) **[Appointment, Sweatfree Procurement Advisory Group - Alicia Culver]**  
Motion appointing Alicia Culver, term ending December 17, 2011, to the Sweatfree Procurement Advisory Group, residency requirement waived. (Clerk of the Board)  
**Attachments:** [Comm Packet 041510](#)  
[Legislation Version 2](#)  
[Board Packet 042710](#)

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

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 Sub-Committee

Present: Supervisors Avalos, Mirkarimi, Elsbernd

19. [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](#)

04/20/2010; PASSED ON FIRST READING.

**Question: Shall this Ordinance be FINALLY PASSED?**

## NEW BUSINESS

### Recommendation of the Budget and Finance Committee

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

20. [100430](#) **[Ten Year Capital Expenditure Plan - FYs2011-2020]**  
**Sponsors: Mayor; Chiu**  
Resolution adopting the City's ten year capital expenditure plan for FYs2011-2020.  
**Attachments:** [Legislation\\_Ver1](#)  
[100430.pdf](#)  
[Comm\\_Packet\\_042110](#)  
[Board\\_Packet\\_042710](#)

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

### Recommendations of the Budget and Finance Sub-Committee

*Present: Supervisors Avalos, Mirkarimi, Elsbernd*

21. [100251](#) **[Approval of Contract with AT&T for City Telecommunications Services - \$75,000,000]**  
Ordinance approving, retroactively, a contract with AT&T for the purchase of telecommunications services and equipment for a maximum cost of \$75,000,000, for a four and one-half year term beginning on March 1, 2010. (Department of Technology)  
(Fiscal Impact.)  
**Attachments:** [Comm Packet 041410](#)  
[Comm Packet 042110](#)  
[Board Packet 042710](#)

**Question: Shall this Ordinance be PASSED ON FIRST READING?**

22. [100311](#) **[Airport Concession Lease - Amendment to Post-Security Master Retail/Duty Free Concession with DFS Group, L.P.]**  
Resolution approving Amendment No. 8 to the Post-Security Master Retail/Duty Free Concession Lease No. 99-0035 between DFS Group, L.P., and the City and County of San Francisco, acting by and through its Airport Commission. (Airport Commission)  
**Attachments:** [Comm Packet 042110](#)  
[Legislation\\_Ver1](#)  
[Board\\_Packet\\_042710](#)

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

23. [100321](#) **[Airport Concession Lease - Terminal 2 and 3 Electronics and Technology Stores with Edge 1 Cellular, L.P.]**

Resolution approving the Electronics and Technology Stores in Terminal 2 and Terminal 3 lease, between Edge 1 Cellular, L.P., and the City and County of San Francisco, acting by and through its Airport Commission. (Airport Commission)

**Attachments:** [Comm Packet 042110](#)

[Legislation Ver1](#)

[Board Packet 042710](#)

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

**Recommendations of the Land Use and Economic Development Committee**

*Present: Supervisors Maxwell, Mar, Chiu*

**24. [090584](#) [Requiring Lighting Efficiency Measures in Commercial and City Buildings]**

**Sponsors: Dufty; Mayor and Chiu**

Ordinance amending the San Francisco Building Code by adding a new Chapter 13D, Sections 1301D through 1311D, to require commercial buildings to increase efficiency of fluorescent lighting by the year 2011; amending the San Francisco Environment Code by dividing Section 705 into Sections 705 through 705.5 and amending them to require City-owned facilities to increase efficiency of fluorescent lighting; adopting findings required by California Health and Safety Code Section 17958.7 and environmental findings; and directing the Clerk of the Board of Supervisors to forward this ordinance to the California Building Standards Commission upon final passage.

**Attachments:** [Response DBI 012610](#)

[Legislation Ver2](#)

[Leg Digest Ver2](#)

[Response SBC 041310](#)

[Comm Packet 041910](#)

[Legislation Ver3](#)

[Board Packet 042710](#)

**Question: Shall this Ordinance be PASSED ON FIRST READING?**

**25. [091208](#) [24th Street - Noe Valley Neighborhood Commercial District - Conditional Use for New Full-Service and Small Self-Service Restaurants]**

**Sponsor: Dufty**

Ordinance amending the San Francisco Planning Code by amending Section 728.1 and Sections 728.42, 728.44 and 728.69A of the Zoning Control Table to allow new full-service restaurants, small self-service restaurants, and self-service specialty food establishments with conditional use authorization and removing the Specific Provisions for full-service restaurants; adopting findings, including environmental findings, Section 301 findings, and findings of consistency with the General Plan and the Priority Policies of Section 101.1.

**Attachments:** [Legislation Ver1](#)

[Leg Digest Ver1](#)

[Response PLN 110509](#)

[Response SBC 111609](#)

[Response PLN 012110](#)

[Comm Packet 041910](#)

[Board Packet 042710](#)

**Question: Shall this Ordinance be PASSED ON FIRST READING?**

26. [100021](#) **[Acceptance of Real Property - Dearborn Street]**

**Sponsor: Dufty**

Resolution authorizing an agreement under which the San Francisco League of Urban Gardeners will transfer title to real property located on Dearborn Street (Lot Nos. 040 and 073, Block No. 3577), the use of which is restricted to a community garden; adopting findings that the conveyance is exempt from Environmental Review and 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, accept the deeds to property and take certain actions in furtherance of this Resolution.

**Attachments:** [Legislation Ver1](#)

[Comm Packet 041910](#)

[Board Packet 042710](#)

**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.

### 27. 100151 [Public Hearing - Appeal of Determination of Exemption from Environmental Review for 2462 - 27th Avenue]

Hearing of persons interested in or objecting to the decision of the Planning Department dated November 16, 2009, Case No. 2009.0797E, that a project located at 2462 - 27th Avenue is exempt from environmental review under the California Environmental Quality Act (CEQA) as a Class 1(e) categorical exemption. The proposal would add a third floor and rear extension to the existing family home located in an RH-1 (Residential, House, One-Family) District and a 40-X Height and Bulk District, in Assessor's Block No. 2399, Lot No. 026. (District 4) (Appellant: Stephen M. Williams on behalf of Sunset Parkside Education and Action Committee (SPEAK)).

(Filed February 3, 2010; Companion Measure to File Nos. 100152, 100153, 100154.)

**Attachments:** [Board Packet 031610](#)

[Board Packet 042710](#)

03/16/2010; CONTINUED.

**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.)**

### 28. 100152 [Affirming the Determination of Exemption Issued for 2462 – 27th Avenue]

Motion affirming the determination by the Planning Department that the project located at 2462 - 27th Avenue is exempt from environmental review. (Clerk of the Board)

**Attachments:** [Board Packet 031610](#)

[Board Packet 042710](#)

03/16/2010; CONTINUED.

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

29. [100153](#) **[Reversing the Determination of Exemption Issued for the 2462 – 27th Avenue Project]**

Motion reversing the determination by the Planning Department that the project located at 2462 - 27th Avenue is exempt from environmental review. (Clerk of the Board)

**Attachments:** [Board Packet 031610](#)

[Board Packet 042710](#)

03/16/2010; CONTINUED.

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

30. [100154](#) **[Preparation of Findings Related to the Determination of Exemption Issued for 2462 – 27th Avenue Project]**

Motion directing the Clerk of the Board to prepare findings related to the appeal of determination of exemption by the Planning Department that the project located at 2462 - 27th Avenue is exempt from environmental review. (Clerk of the Board)

**Attachments:** [Board Packet 031610](#)

[Board Packet 042710](#)

03/16/2010; CONTINUED.

**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 31 through 34

31. [100504](#) **[Commending Dennis Morris, Assistant District Attorney, Upon his Retirement]**  
**Sponsor: Elsbernd**  
Resolution commending Dennis Morris, Assistant District Attorney, upon his retirement.  
**Attachments:** [Board Packet 042710](#)
- 04/20/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?**
32. [100505](#) **[Support for Louis' Restaurant]**  
**Sponsors: Mar; Mirkarimi, Daly, Alioto-Pier, Chu and Chiu**  
Resolution supporting Louis' Restaurant at 902 Point Lobos.  
**Attachments:** [Legislation Ver1](#)  
[Board Packet 042710](#)
- 04/20/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?**
33. [100506](#) **[Commemorating Adolph Sutro's 180th Birthday]**  
**Sponsor: Mar**  
Resolution commemorating the 180th birthday of Adolph Sutro.  
**Attachments:** [Legislation Ver](#)  
[Board Packet 042710](#)
- 04/20/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?**

**34. [100507](#) [Accept and Expend Gift - Jeanne Fontana Revocable Trust - \$25,000]**

**Sponsor: Dufty**

Resolution authorizing the San Francisco Department of Animal Care and Control to accept and expend a gift of \$25,000 from the Jeanne Fontana Revocable Trust.

**Attachments:** [Legislation Ver1](#)

[Board Packet 042710](#)

04/20/2010; 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: \_\_\_\_\_

**35. 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 ORDINANCE**

*Proposed ordinance received from April 13, 2010, to April 19, 2010, for reference by President to appropriate committee on April 27, 2010.*

**100515**

**[Settlement of Lawsuit - Blackhawk Parent LLC - \$250,000]**

Ordinance authorizing settlement of tax refund lawsuit filed by Blackhawk Parent LLC, against the City and County of San Francisco for \$250,000; the lawsuit entitled Blackhawk Parent LLC v. City and County of San Francisco, Case No. 478-160, filed August 1, 2008, in San Francisco Superior Court. (City Attorney)

**Attachments:** [Legislation VER1](#)

04/14/2010; RECEIVED AND ASSIGNED to the Rules Committee.

## PROPOSED RESOLUTION

*Proposed resolution received from April 13, 2010, to April 19, 2010, for reference by President to appropriate committee on April 27, 2010.*

### 100516

#### **[Lease Agreement with the California State Lands Commission]**

Resolution approving and authorizing a 25 year lease with the California State Lands Commission for a portion of the San Francisco Bay in Alameda and San Mateo Counties, at no rent, for the public purpose of constructing the San Francisco Public Utilities Commission (SFPUC) Water System Improvement Program-Funded Project CUW36801, Bay Division Pipeline Reliability Upgrade - Tunnel; adopting environmental findings under the California Environmental Quality Act (CEQA), CEQA Guidelines, and Administrative Code Chapter 31; adopting findings of consistency with City Planning Code Section 101.1; and authorizing the General Manager of SFPUC to execute documents, make certain modifications and take certain actions in furtherance of this resolution. (Real Estate Department)

04/19/2010; RECEIVED AND ASSIGNED to the Budget and Finance Committee.

**100514 [Petitions and Communications]**

Petitions and Communications received from April 13, 2010, through April 19, 2010, for reference by the President to Committee considering related matters, or to be ordered filed by the Clerk on April 27, 2010.

From concerned citizens, submitting opposition to re-naming Third Street to "Willie Brown Boulevard" in San Francisco. 5 letters (1)

From SF Ocean Edge, regarding the Beach Chalet soccer fields project in Golden Gate Park. 2 letters (2)

From Planning Department, submitting Notice of Preparation of an Environmental Impact Report for 121 Golden Gate Avenue. Copy: Each Supervisor (3)

From Emael Haasalum, regarding "Celebrate San Francisco" at the Mission Cultural Center for Latino Arts from September 8, 2010, to October 9, 2010. (4)

From Greg Ganji, requesting traffic be redirected along the Great Highway, south of Sloat Boulevard, so that one lane is open going south, and one lane is open going north, until the permanent solution is completed. (5)

From Residential Rent Stabilization and Arbitration Board, submitting the Annual Report on Eviction Notices from March 1, 2009, through February 28, 2010. Copy: Each Supervisor (6)

From Monika Weiler, regarding MUNI. (7)

From Office of the Treasurer and Tax Collector, submitting the March 2010 Investment Report. Copy: Each Supervisor (8)

From Sarah Slaughter, regarding proposal for a Trader Joe's at the Noe/Market Street Center. (9)

From Joshua Arce, regarding the Sunset Reservoir Solar Project. (10)

From Gabe Parsons, regarding the new digital body scanners at all major airports. (11)

From concerned citizens, submitting opposition to approval of the Conditional Use Application on property located at 725 Taraval Street. File No. 100382, 2 letters (12)

From Friends of Redwood Park, urging the Board of Supervisors to uphold the Environmental Impact Report for 555 Washington Street. File No. 100443, Approximately 2200 letters (13)

From concerned citizens, submitting opposition to the Environmental Impact Report for 555 Washington Street. File No. 100443, 12 letters (14)

From concerned citizens, submitting opposition to the Municipal Transportation Agency's proposed changes to parking meters in the City. 12 letters (15)

From concerned citizens, submitting opposition to the proposed cell tower at Miraloma Community Church. (16)

From Matt, submitting opposition to public power in San Francisco. (17)

From Office of the Controller, submitting results of the follow-up review for an audit of the Hertz Corporation. Copy: Each Supervisor (18)

From concerned citizens, submitting her concerns with the approval of an 18-hole disc golf course at McLaren Park. 2 letters (19)

From Francsico Da Costa, regarding the Lennar Corporation. (20)

From Tommy Escarega, submitting an amendment to the Board of Supervisors Voting Rights Resolution. (21)

From Office of the Controller, regarding the Community-based Long-term Care Fiscal Analysis. (22)

From S.F. Labor Council, submitting resolution urging the California Labor Federation to oppose Proposition 16 on the June 8, 2010, ballot. Copy: Each Supervisor (23)

From the Gray Panthers, urging the San Francisco Public Utilities Commission to oppose Proposition 16. Copy: Each Supervisor (24)

From Annie Paradise, regarding the Bayview Library. (25)

From Southeast Jobs Coalition, submitting support for the Hunter's View Tenants Association and Hunter's View residents seeking further, more meaningful engagement in the rebuilding of their community. (26)

From Antonio Robles, submitting opposition to the project located at 2462 - 27th Avenue. File No. 100151, Copy: Each Supervisor (27)

From US Army Corps of Engineers, regarding providing recipients with the choice of whether to continue to receive paper copies or to start receiving electronic mail notification of Public Notices. (28)

From Malcolm Dudley, regarding the Masonic Auditorium hearing on May 4, 2010. (29)

From David Mendenhall, regarding "Meatless Mondays" in San Francisco. (30)

From Recreation and Parks Department, regarding the extensive renovation of Garfield Swimming Pool. (31)

From concerned citizen, submitting opposition to California Pacific Medical Center's "Master Plan" for St. Luke's Hospital and the new Cathedral Hill facility. (32)

## ADJOURNMENT