Board of Supervisors

City and County of San Francisco

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



AGENDA Tuesday, June 9, 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

AGENDA CHANGES

COMMUNICATIONS

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

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

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

CONSENT AGENDA

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

Items 1 and 2

Recommendation of the Budget and Finance Subcommittee

Present: Supervisors Avalos, Mirkarimi, Chu

1. 090527

[Public Employment and Accept and Expend Federal pass through State Grant - Amendment to the Annual Salary Ordinance, FY 2008-2009; Mayor's Summer Food Service Program and the Afterschool Snack Program - 2009]

Mayor

Ordinance amending Ordinance No. 141-08 (Annual Salary Ordinance 2008-09) to reflect the addition of one position (0.40 FTE) 9774 Sr. Community Development Specialist, one position (0.40 FTE) 1840 Jr. Management Assistant, and thirteen positions (1.04 FTE) 9910 Public Service Trainee in the Department of Children, Youth and Their Families (CHF), and authorizing the department to accept and expend a grant in the amount of \$885,127 currently and retroactively, if necessary, from the United States Department of Agriculture pass through the California Department of Education to sponsor the 2009 Mayor's Summer Food Service Program and the After School Snack Program.

(Fiscal Impact.)

6/2/2009, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendation of the Land Use and Economic Development Committee

Present: Supervisors Maxwell, Mar, Chiu

2. 090274 [Planning - Union Street Neighborhood Commercial District - Small Self-Service Restaurants and Self-Service Specialty Food Uses]

Supervisor Alioto-Pier

Ordinance amending Planning Code Section 725.1, Section 725.44, and Section 725.69A of the Union Street Neighborhood Commercial District Zoning Control Table to provide for a limited number of new Small Self-Service Restaurants and Self-Service Specialty Food uses subject to conditional use authorization by the Planning Commission, making environmental findings, and making findings of consistency with the General Plan and priority policies of Planning Code Section 101.1.

6/2/2009, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Questions on the	Consent Agendo	a are on final	passage, first	t reading, oi	r adoption, as
indicated:					

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of the Budget and Finance Subcommittee

Present: Supervisors Avalos, Mirkarimi, Chu

3. 090287 [State Video Franchise Holders]

Supervisors Mirkarimi, Daly, Avalos

Ordinance amending the San Francisco Administrative Code by: (1) amending Section 11.1,

and adding Section 11.28-A, to establish a fee for state video franchise holders offering services in San Francisco to support public, educational, and government channel facilities and activities; and (2) amending Section 11.1, and adding Section 11.83-A, to establish penalties for violation of customer service and consumer protection standards by state video franchise holders.

(Supervisor Chu dissented in Committee.)

5/5/2009, CONTINUED ON FIRST READING. Continued to May 19, 2009. Supervisor Daly requested to be added as a co-sponsor.

5/19/2009, AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. Supervisor Avalos requested to be added as a co-sponsor.

5/19/2009, PASSED ON FIRST READING AS AMENDED.

6/2/2009, CONTINUED ON FINAL PASSAGE. Continued to June 9, 2009.

Question: Shall this Ordinance be FINALLY PASSED?

NEW BUSINESS

Recommendations of the Budget and Finance Committee

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

4. 090543 [Revising Board of Appeals Filing Fees]

Mayor

Ordinance amending Article 1, Section 8, of the San Francisco Business and Tax Regulations Code, to increase specified Board of Appeals filing fees, to make technical corrections, and making environmental findings.

Question: Shall this Ordinance be PASSED ON FIRST READING?

5. 090544 [Revising Board of Appeals Surcharges]

Mayor

Ordinance amending Section 10G.1 of the San Francisco Administrative Code to adjust the surcharges on permit fees, license fees, permit review fees and permit and license renewal fees imposed by the Department of Building Inspection, the Planning Commission, the San Francisco Municipal Transportation Agency Board of Directors, the Police Department, the Department of Public Works, the Entertainment Commission, the Department of Public Health and the Arts Commission for permits and licenses that may be appealed to the Board of Appeals, and making environmental findings.

Question: Shall this Ordinance be PASSED ON FIRST READING?

6. 090548 [Appropriating \$58,747,600 of capital lease revenue for the Advanced Meter Infrastructure Project at the Public Utilities Commission for Fiscal Year 2008-2009]

Mayor, Supervisor Dufty

Ordinance appropriating \$58,747,600 of capital lease revenue for the Water Enterprises' Advanced Meter Infrastructure Project and the reimbursement of previously appropriated Water Enterprise Revenues for the same project at the San Francisco Public Utilities Commission for Fiscal Year 2008-2009 and placing the entire appropriation on Controller's reserve pending receipt of the funds.

(Fiscal Impact)

Question: Shall this Ordinance be PASSED ON FIRST READING?

7. 090636 [CEQA Findings and Approval of Real Property Agreements for SFPUC Water System Improvement Program San Andreas Pipeline No. 3 Installation Project beginning at the San Pedro Valve Lot (SPVL) in Daly City to Merced Manor Reservoir (MMR) in

San Francisco]

Supervisor Elsbernd

Resolution adopting findings under the California Environmental Quality Act ("CEQA"), including the adoption of a mitigation monitoring and reporting program and a statement of overriding considerations related to the San Andreas Pipeline No.3 Installation Project, CUW 37901; directing the Clerk of the Board of Supervisors to notify the Controller of this action; making findings of consistency with the General Plan and priority policies of Planning Code Section 101.1; authorizing the SFPUC General Manager to execute the necessary agreements and deeds with John Daly Boulevard Associates, L.P., Monarch Ventures, L.P., Wilbak Investments, L.P. (Westlake Associates) to modify, relocate and quitclaim certain easement rights in real property located in the Westlake Villas areas along Poncetta Drive between John Daly Boulevard and the north property line of Lake Merced Golf Club in the City of Daly City, and authorizing the SFPUC General Manager to execute the necessary agreements and deeds with Parkmerced Investors Properties, LLC (Parkmerced) to modify, relocate and quitclaim certain easement rights in real property located in the Parkmerced development from Brotherhood Way to 19th Avenue in the City and County of San Francisco.

Question: Shall this Resolution be ADOPTED?

Recommendations of the Budget and Finance Subcommittee

Present: Supervisors Avalos, Mirkarimi, Chu

8. 090473 [Building and Housing Code - Code Enforcement Fees for One and Two-Family Rental Units]

Supervisors Campos, Chiu, Daly, Mirkarimi, Avalos, Mar, Maxwell

Ordinance amending the San Francisco Building Code Chapter 1A, Section 110A, Table 1A-P, and the San Francisco Housing Code Chapter 3, Section 302 to authorize the Department of Building Inspection to charge a fee of \$52.00 per unit to recover the cost of on-going Housing Code enforcement services for one and two-family rental dwellings; and making environmental findings.

(Supervisor Chu dissented in Committee.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

9. 090587 [Appropriating \$14,152,000 to support cost overruns at San Francisco General and Laguna Honda Hospitals in the Department of Public Health for

Hospitals in the Department of Public Health for

Fiscal Year 2008-2009]

Ordinance appropriating \$14,152,000 including \$12,051,000 from surplus hospital revenues at San Francisco General Hospital, \$1,891,000 from surplus Department of Public Health General Fund revenues, and \$210,000 from surplus hospital revenues at Laguna Honda Hospital, for cost overruns at San Francisco General Hospital and Laguna Honda Hospital in the Department of Public Health for Fiscal Year 2008-2009.

(Fiscal Impact.)

Mayor

Question: Shall this Ordinance be PASSED ON FIRST READING?

10. 090451 [Memorandum of Understanding between the

Treasure Island Development Authority and the San Francisco Public Utilities Commission for Payment of Unpaid Utilities]

Resolution approving and authorizing the execution of a Memorandum of Understanding between the Treasure Island Development Authority and the San Francisco Public Utilities Commission for Payment of Unpaid Utility Amounts. (Treasure Island Development Authority)

(Fiscal Impact.)

Question: Shall this Resolution be ADOPTED?

11. 090652 [First Amendment to Memorandum of Agreement

Mayor

Between the Treasure Island Development Authority and the San Francisco County Transportation Authority Relating to Yerba Buena Island Ramps]

Resolution approving a First Amendment to the Memorandum of Agreement between the Treasure Island Development Authority and the San Francisco County Transportation Authority for project management services and consultant services for the preparation of a Project Report, Environmental Document and Project Engineering for the Yerba Buena Island Ramps in an amount not to exceed \$8,800,000.

Question: Shall this Resolution be ADOPTED?

12. 090573

[Approving Modification to the Cooperative Agreement between the Treasure Island Development Authority and the U.S. Navy]

Resolution approving and authorizing the Treasure Island Development Authority to enter into a Modification to the Cooperative Agreement with the U.S. Navy to extend the Cooperative Agreement from October 1, 2009, to September 30, 2010. (Treasure Island Development Authority)

Question: Shall this Resolution be ADOPTED?

13. 090383

[In Home Supportive Services Contract with IHSS Consortium of San Francisco - \$83,444,020]

Resolution approving the contract between the City and County of San Francisco and the IHSS Consortium of San Francisco for the provision of In-Home Supportive Services for the period from July 1, 2009, to June 30, 2013, in the amount of \$83,444,020. (Human Services Department)

(Fiscal Impact.)

Question: Shall this Resolution be ADOPTED?

14. 090579

[Approval of three contracts for the Department of Public Health totaling \$84,322,248]

Supervisor Dufty

Resolution authorizing the San Francisco Department of Public Health to enter into three contracts providing mental health and substance abuse counseling services for clients enrolled in the CalWORK's Welfare to Work Program; integrated substance abuse, mental health and medical services for clients in the Opiate Treatment Program; and fiscal intermediary services related to the San Francisco Mental Health Plan's for Community Behavioral Health Services (CBHS), Residential Care Facilities, Private Provider Network, Mental Health Wraparound Services, and Department's Housing and Urban Health's Emergency Housing Program for the terms of July 1, 2009, through June 30, 2014, and July 1, 2009, through June 30, 2012. (Public Health Department)

(Fiscal Impact.)

Question: Shall this Resolution be ADOPTED?

15. 090659 [Amendment to contract with AMEC Geomatrix, Inc.]

Mayor

Resolution approving an amendment to the contract with AMEC Geomatrix, Inc. to extend the term through June 30, 2010, and to increase the contract by an amount not to exceed \$180,000 for a new total amount not to exceed \$1,619,000 for environmental consulting services.

Question: Shall this Resolution be ADOPTED?

Recommendations of the Government Audit and Oversight Committee

Present: Supervisors Mirkarimi, Mar, Maxwell

16. 081404 [Mandatory Recycling and Composting]

Mayor, Supervisors Mirkarimi, Dalv

Ordinance amending the San Francisco Environment Code by adding Chapter 18, Sections 1801 through 1812, entitled "Mandatory Recycling and Composting Ordinance," amending the San Francisco Public Works Code by amending Section 173, and amending the San Francisco Health Code by amending Sections 291, 291.1, 291.2, 291.4, 291.7, 291.11, 291.12, 291.15, 291.17, and 293.1, and by repealing the current Section 291.16 and adding a new Section 291.16, all to: (1) require all persons located in San Francisco to separate recyclables, compostables and landfilled trash and participate in recycling and composting programs; (2) provide enforcement mechanisms and penalties for violations; (3) ensure that all properties subscribe to refuse collection service; and (4) authorize a Department of Public Health inspection fee of \$167 per hour; and making environmental findings and setting an operative date.

(Fiscal Impact.)

4/7/2009, SUBSTITUTED. Mayor Newsom submitted a substitute ordinance bearing new title.

Question: Shall this Ordinance be PASSED ON FIRST READING?

17. 090557 [Multi-year permit for the use of certain portions of Golden Gate Park for a three-day music festival]

Supervisors Mar, Maxwell, Mirkarimi

Resolution pursuant to S. F. Charter Section 9.118 authorizing and approving the execution, delivery and performance of a Permit to Another Planet Entertainment for the use of certain portions of Golden Gate Park for an annual three-day music festival for a term of three (3) years for an estimated income to the City of \$3.6 million, plus an additional two (2) year

option; and adopting environmental findings.

Question: Shall this Resolution be ADOPTED?

Recommendations of the Land Use and Economic Development Committee

Present: Supervisors Maxwell, Mar, Chiu

18. 081525 [Sale of City Property Subject to Declaration of Convenants]

Mayor

Ordinance authorizing the sale of twelve City-owned properties located along the former Central Freeway right of way and the newly constructed Octavia Boulevard by public auction or pursuant to negotiated purchase and sale agreements and subject to a declaration of covenants; adopting findings pursuant to the California Environmental Quality Act; adopting findings that the sales are consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; and authorizing other actions in furtherance of this ordinance.

Question: Shall this Ordinance be PASSED ON FIRST READING?

19. 090026 [Requiring Amended Certificates of Final Completion and Occupancy for Changes of Occupancy of Existing

Supervisors Mirkarimi, Chiu, Mar

Buildings]

Ordinance amending the San Francisco Building Code by amending Section 109A to provide that an Amended Certificate of Final Completion and Occupancy shall be issued for an existing building where there is an increase in the number of legal dwelling units resulting in a change of occupancy, and to require the Amended Certificate of Final Completion and Occupancy to include a reference to the date of the first certificate of occupancy and any subsequent certificates of occupancy that have been issued for the building, excluding the use of an Amended Certificate in RH-1 and RH-1(D) zoning districts; amending the Planning Code by adding Section 359 to provide that a requirement to pay a development impact fee prior to issuance of a certificate of occupancy shall include payment of the fee prior to issuance of an amended certificate of occupancy.

5/5/2009, SUBSTITUTED. Supervisor Mirkarimi submitted a substitute ordinance bearing new title.

Question: Shall this Ordinance be PASSED ON FIRST READING?

20. 090638 [Accept and Expend Grant - Department of Public Health - \$1,925,719]

Supervisors Maxwell, Dufty

Resolution authorizing the San Francisco Department of Public Health (DPH) to accept and expend retroactively a grant from the California Department of Corrections and Rehabilitation (CDCR) in the amount of \$1,925,719 to expand the City's treatment capacity for mentally ill parolees; for the period of June 1, 2009, through June 30, 2012.

Question: Shall this Resolution be ADOPTED?

SPECIAL ORDER 3:00 P.M.

21. 090600 [Public Hearing - Report of assessment costs for sidewalk and curb repairs]

Hearing of persons interested in or objecting to report of assessment costs submitted by the Director of Public Works for sidewalk and curb repairs ordered to be performed by said Director pursuant to Sections 707 and 707.1 of the Public Works Code, the costs thereof having been paid for out of a revolving fund.

Action:	

22. 090601 [Report of assessment costs for sidewalk and curb repairs]

Resolution approving report of assessment costs submitted by the Director of Public Works for sidewalk and curb repairs ordered to be performed by said Director pursuant to Sections 707 and 707.1 of the Public Works Code, the costs thereof having been paid for out of a revolving fund.

Question: Shall this Resolution be ADOPTED?

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

COMMITTEE REPORTS

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

The following item will be considered by the City Operations and Neighborhood Services Committee at a Regular Meeting on Monday, June 8, 2009, at 10:30 a.m. The Chair intends to request the Committee to send the following item to the Board as a committee report on Tuesday, June 9, 2009.

23. 090630 [Maintenance Agreement with Caltrans for various locations throughout the City]

Supervisor Chu

Resolution approving a Maintenance Agreement between the City and County of San Francisco and the State of California Department of Transportation (Caltrans) concerning maintenance work to be performed by the City in the State right-of-way at Junipero Serra Boulevard, Nineteenth Avenue, Cross-Over Drive, By-Pass Drive, Park Presidio Boulevard, Skyline Boulevard, Sloat Boulevard, James Lick Freeway, San Jose Avenue, Bayshore Freeway, Central Freeway, Mission Street, South Van Ness Avenue, Van Ness Avenue, Lombard Street, Richardson Street, Southern Freeway and ratifying certain actions in connection with this Resolution.

Question: Shall this Resolution be ADOPTED?

The following item will be considered by the Land Use amd Economic Development Committee at a Regular Meeting on Monday, June 8, 2009, at 1:00 p.m. The Chair intends to request the Committee to send the following item to the Board as a committee report on Tuesday, June 9, 2009.

24. 090670 [Revisions to Division I of the San Francisco Transportation Code]

Ordinance amending San Francisco Transportation Code, Division I, by amending Sections 3.4, 7.2.12, 7.2.26, 7.2.28, 7.2.29, 7.2.71, 7.2.101, 7.3.3, and 8.1 to change existing posting requirements for temporary parking restriction signs; provide a three minute time limit for noncommercial vehicles parked in yellow zones; provide a three consecutive day on-street parking restriction instead of seven consecutive days; provide that exceeding the permissible

use of a Special Traffic Permit is a violation of Section 7.2.71; provide that obstructing traffic four or more times within one year without a Special Traffic Permit, or in violation of the terms of a Special Traffic Permit, is a misdemeanor; provide that persons are prohibited from boarding a Municipal Railway vehicle in revenue service through the rear exit while the vehicle is operating on a transit line; and to repeal noticing requirements for towing vehicles on public streets; repealing Section 7.2.44 prohibiting parking on designated streets near Candlestick Park; and making revisions to clarify applicable restrictions and references to Division II. (Municipal Transportation Agency)

Question: Shall this Ordinance be PASSED ON FIRST READING?

25. 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.

26. 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 27 through 40

27. 090741 [Authorizing City officials the ability to execute Homeland Security Grants]

Supervisor Alioto-Pier

Resolution authorizing designated City and County officials to execute and file on behalf of the City and County of San Francisco, a public entity established under the laws of the State of the California, any applications or agreements and to take any actions necessary to obtain federal financial assistance provided by the Federal Department of Homeland Security and sub-granted through the State of California, including the following grants: State Homeland Security Grant Program, Metropolitan Medical Response System and Citizen Corps Program.

6/2/2009, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

28. 090742 [Homeland Security Grants]

Supervisor Alioto-Pier

Resolution authorizing designated City and County officials to execute and file on behalf of the City and County of San Francisco, a public entity established under the laws of the State of California, any actions necessary for the purpose of obtaining federal financial assistance provided by the federal Department of Homeland Security and sub-granted through the State of California under various grant programs, including: the FY 09 Homeland Security Grant Program for the FY 09 Urban Areas Security Initiative (UASI) grant, the FY 09 Buffer Zone Protection Program (BZPP) grant, the FY 09 Regional Catastrophic Preparedness Grant Program (RCPGP), the FY 09 Interoperable Emergency Communications Grant Program (IECGP) and Public Law 110-329.

6/2/2009, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

29. 090743 [Accept and Expend State Grant - Port of San Francisco - \$25,000]

Supervisor Alioto-Pier

Resolution authorizing the Port of San Francisco to accept and expend a grant in the amount of \$25,000 from the California Department of Fish and Game, Oil Spill Prevention and Response division for purchase of oil spill response equipment.

6/2/2009, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

30. 090744 [2010 Census Count]

Supervisors Chiu, Chu, Campos

Resolution calling for an accurate, fair and inclusive count of all San Francisco residents in the 2010 Census.

6/2/2009, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

31. 090748

[Recognizing the fortieth anniversary of the Stonewall Supervisors Dufty, Campos Riots]

Resolution recognizing the fortieth anniversary of the Stonewall Riots and the profound influence they have had on the fight for equality for LGBT Americans.

6/2/2009, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

32. 090749 [State cuts to UC Hastings budget]

Supervisors Elsbernd, Daly, Chiu

Resolution recognizing the educational, economic and pro-bono contributions of the University of California, Hastings – College of the Law to the State of California and the City and County of San Francisco, and urging the Governor and the California Legislature to reverse the Governor's proposal to eliminate all state funding for the school.

6/2/2009, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE

AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

33. 090745 [Urging the Metropolitan Transportation Commission to reallocate funds from highway expansion to public transit and environment- and community-friendly

Supervisor Chiu

highway designs]

Resolution urging the Metropolitan Transportation Commission and other local, regional and state agencies to re-allocate funds currently dedicated to regional highway expansion towards improvements to public transit in the region; urging MTC and other regional and state agencies to adopt management and design programs for state highways that lessen the environmental burdens imposed by highways on adjacent communities, and enhances mobility by sustainable transportation modes.

6/2/2009, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

34. 090746 [Calling for the creation of an interagency task force to investigate and prosecute fraud crime]

Supervisors Dufty, Campos, Mirkarimi, Alioto-Pier, Chiu

Resolution calling for the creation of an interagency task force of local authorities, federal authorities and businesses to investigate and prosecute fraud crime.

6/2/2009, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

35. 090750

[Issuance and Sale of Revenue Bonds - 2235 Third Street Apartments]

Supervisor Maxwell

Resolution approving the issuance and sale of tax-exempt bonds by the Association of Bay Area Governments (ABAG) Finance Authority For Nonprofit Corporations in an aggregate principal amount not to exceed \$50,000,000 for financing the acquisition, construction and rehabilitation of 2235 Third Street Apartments, subject to the policies for such approvals adopted by the Board of Supervisors in Ordinance No. 36-07.

6/2/2009, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

36. 090747

[Commending Helen Diller on her dedicated service to San Francisco]

Supervisor Dufty

Resolution commending Helen Diller on her dedicated service to the City and County of San Francisco through her contributions to health research, education and philanthropy.

6/2/2009, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

37. 090751

[Urging San Francisco's representatives in the

Supervisors Mirkarimi, Chiu,

Campos, Maxwell

California Senate and Assembly to modify the definition of a "change of ownership" for commercial property and to draft a State constitutional amendment creating a split-roll property tax]

Resolution urging San Francisco's representatives in the California Senate and Assembly to modify the definition of a change of ownership for commercial property and to draft a state constitutional amendment creating a split-roll property tax.

6/2/2009, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

38. 090753 [Selection of independent City auditors]

Supervisor Mirkarimi

Resolution selecting independent auditors for the Controller's office and the separately audited departments of the City and authorizing a two-year contract with the selected audit firm with five years worth of options for renewal.

6/2/2009, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

39. 090754 [Amending the California Constitution to restore majority rule to all budgetary and revenue issues]

Supervisor Mirkarimi

Resolution urging San Francisco's California State legislative delegation to draft an amendment to the California Constitution restoring majority rule to all budgetary and revenue issues decided in the State of California.

6/2/2009, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

40. 090752

[Authorization of issuance of demolition permit to Kaiser Permanente]

Supervisor Mirkarimi

Resolution authorizing the issuance of a demolition permit by the San Francisco Planning Department and/or the Department of Building Inspection to Kaiser Permanente for residential property at 1401-1417 Divisadero.

6/2/2009, 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:_____

41. IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown

Act Finding. Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s).

[Serious Injury Finding]

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

[Purely Commendatory Finding]

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

[Brown Act Finding]

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

OFF-AGENDA LEGISLATION

PROPOSED ORDINANCES

Proposed ordinances received from May 23, 2009, to June 1, 2009, for reference by President to appropriate committee on June 9, 2009. None.

PROPOSED RESOLUTIONS

Proposed resolutions received from May 23, 2009, to June 1, 2009, for reference by President to appropriate committee on June 9, 2009.

090755 [Street Artist Spaces]

Resolution approving permanent designation of nine (9) former temporary selling spaces for weekend usage on Market Street, north side, at Steuart Street, for street artists certified by the Arts Commission, City and County of San Francisco; exempting said spaces from the regulations of Police Code Section 2405 relating to street artist display size and bus zone. (Arts Commission)

5/27/2009, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

090756 [Approval of FY09-10 Expenditure Plan for the Human Services Care Fund]

Resolution approving the FY09-10 Expenditure Plan for the Human Services Care Fund. (Human Services Department)

5/29/2009, RECEIVED AND ASSIGNED to Budget and Finance Committee.

090757 [Nineteenth Amendment to the Treasure Island Event Venues Master Lease]

Resolution retroactively approving the nineteenth amendment to the Treasure Island Event

Venues Master Lease between the Treasure Island Development Authority and the U.S. Navy to extend the term. (Treasure Island Development Authority)

5/29/2009, RECEIVED AND ASSIGNED to Budget and Finance Committee.

090758 [Twentieth Amendment to the Treasure Island Event Venues Master Lease]

Resolution retroactively approving the Twentieth Amendment to the Treasure Island Event Venues Master Lease between the Treasure Island Development Authority and the U.S. Navy to add the unimproved lot surrounding Building 449 to the Leased Premises. (Treasure Island Development Authority)

5/29/2009, RECEIVED AND ASSIGNED to Budget and Finance Committee.

090759 [Thirtieth Amendment to the Treasure Island Land and Structures Master Lease]

Resolution retroactively approving the Thirtieth Amendment to the Treasure Island Land and Structures Master Lease between the Treasure Island Development Authority and the U.S. Navy to extend the term. (Treasure Island Development Authority)

5/29/2009, RECEIVED AND ASSIGNED to Budget and Finance Committee.

090760 [Thirty-First Amendment to the Treasure Island Land and Structures Master Lease]

Resolution retroactively approving the Thirty-First Amendment to the Treasure Island Land and Structures Master Lease between the Treasure Island Development Authority and the U.S. Navy to add Building 202 to the Leased Premises. (Treasure Island Development Authority)

5/29/2009, RECEIVED AND ASSIGNED to Budget and Finance Committee.

090761 [Thirty-Second Amendment to the Treasure Island Land and Structures Master Lease]

Resolution retroactively approving the Thirty-Second Amendment to the Treasure Island Land and Structures Master Lease between the Treasure Island Redevelopment Authority and the U.S. Navy to add Buildings 29, 157, 215, 225, 261A, 264, 292, 401 and the lot surrounding Building 450 in the Leased Premises. (Treasure Island Development Authority)

5/29/2009, RECEIVED AND ASSIGNED to Budget and Finance Committee.

090762 [Twelfth Amendment to the Treasure Island Marina Master Lease]

Resolution retroactively approving the Twelfth Amendment to the Treasure Island Marina Master Lease between the Treasure Island Development Authority and the U.S. Navy to extend the term. (Treasure Island Development Authority)

5/29/2009, RECEIVED AND ASSIGNED to Budget and Finance Committee.

090763 [Twenty Third Amendment to the Treasure Island South Waterfront Master Lease]

Resolution retroactively approving the Twenty Third Amendment to the Treasure Island

South Waterfront Master Lease between the Treasure Island Development Authority and the U.S. Navy to extend the term. (Treasure Island Development Authority)

5/29/2009, RECEIVED AND ASSIGNED to Budget and Finance Committee.

090764 [Twenty-Fourth Amendment to the Treasure Island South Waterfront Master Lease]

Resolution retroactively approving the Twenty-Fourth Amendment to the Treasure Island South Waterfront Master Lease between the Treasure Island Development Authority and the U.S. Navy to add Buildings 355, 385, 454, 501 and the portion of Avenue I between 3rd Street and California Avenue to the Leased Premises. (Treasure Island Development Authority)

5/29/2009, RECEIVED AND ASSIGNED to Budget and Finance Committee.

090765 [80 Charter Oak Street Lease Amendment]

Resolution authorizing a Lease Amendment to extend the term for five years for real property at 80 Charter Oak Street for the San Francisco Municipal Transportation Agency. (Real Estate Department)

6/1/2009, RECEIVED AND ASSIGNED to Budget and Finance Committee.

090766 [1975-1999 Bryant Street Lease Amendment]

Resolution authorizing a Lease Amendment to extend the term for five years for real property at 1975-1999 Bryant Street for the San Francisco Municipal Transportation Agency. (Real Estate Department)

6/1/2009, RECEIVED AND ASSIGNED to Budget and Finance Committee.

O90771 [Petitions and Communications]

Petitions and Communications received from May 23, 2009, through June 1, 2009, for reference by the President to Committee considering related matters or to be ordered filed by the Clerk on June 9, 2009.

From Office of the Mayor, submitting the Mayor's proposed budget for fiscal year ending June 30, 2010. (1)

From Budget Analyst, submitting the management audit of the SF Municipal Transportation Agency Proof of Payment Program. (2)

From Planning Department, regarding California Pacific Medical Center long-range Development Plan. Copy: Each Supervisor (3)

From State Department of Parks and Recreation, regarding the National Register of Historic Places for Roos House. Copy: Each Supervisor, Historic Preservation Commission (4)

From Office of the Treasurer, submitting the investment activity (for fiscal year to date) of the portfolios under Treasurer's management. (5)

From Office of the Controller, submitting report The San Francisco Forty Niners owe the City more than half a million dollars in parking lot rent dated May 27, 2009. (6)

From Law Offices of Daniel Reidy, submitting the Blue and Gold fleet's response to issues raised by complaint of the Golden Gate Bridge District, and the Golden Gate Bridge District's answer to complaint as permitted by ordering paragraph 4 of Administrative Law Judge's ruling issued May 13, 2009. (7)

From Kimo Crossman, regarding the Municipal Transportation Agency Budget controversy at the Board of Supervisors meeting on May 27, 2009. (8)

From Kimo Crossman, regarding ARRA Broadband application for San Francisco. (9)

From Human Services Agency, regarding proposed fiscal year 2009-2010 Human Services Care Fund Budget. Copy: Supervisors Avalos, Mirkarimi, Chu (10)

From Planning Department, submitting notice of availability of draft environmental impact report for the New Irvington Tunnel Project. (11)

From Capital Planning Commission, regarding recommendation on the November 2009 Safe Streets and Road Repair General Obligation Bond. (12)

From Municipal Accessibility Council, submitting strong support for continued Muni service to Laguna Honda Hospital. Copy: Each Supervisor (13)

From Office of the Treasurer and Tax Collector, submitting the annual report of businesses that filed for tax credits for the 2008 calendar year. (14)

From Office of the Treasurer and Tax Collector, submitting the annual report of businesses that filed for biotechnology exclusion for the 2008 calendar year. (15)

From Office of the Treasurer and Tax Collector, submitting the annual report of businesses that filed for the clean energy technology business exclusion for the 2008 calendar year. (16)

From Planning Department, submitting public notice of the availability of draft environmental impact report for Sunol Valley Water Treatment Plant Expansion and Treated Water Reservoir project. (17)

From Parkmerced Residents Organization, submitting opposition to the urbanization and commercialization of the Parkmerced landscape. Copy: Each Supervisor (18)

From Human Services Agency, submitting report on the interim plan to coordinate all foster care placement improvement plans among Juvenile Probation, Department of Public Health and the Human Services Agency for children and youth in need of high-end residential treatment. File 081008. Copy: Each Supervisor (19)

From Department of Technology, submitting request for release of reserved funds in the amount of \$900,000, to support the creation of the Data Center at 200 Paul Street and to decommission the current One Market Plaza Data Center. (20)

From Aaron Goodman, regarding the lack of an overall historical analysis and review of the multiple libraries that are considered modern designed libraries by the firm Appleton & Wolfard. (21)

From GroundSpark, submitting notice that the Alameda School Board has approved their lgbt-inclusive bullying prevention curriculum. (22)

From concerned citizens, regarding the proposed amendments to the Renter's Economic Relief Package. Files 090278 through 090281. Copy: Each Supervisor (23)

From Arthur Evans, submitting letter entitled progressives fail to sink muni budget dated May 27, 2009. (24)

From Dr. Ahimsa Sumchai, regarding her plans to file a complaint with Ethics about the underestimation of the gift the Board of Supervisors received from the San Francisco Chamber of Commerce for their trip to Washington D.C. (25)

From James Corrigan, commenting on the Board of Supervisors budget priorities. (26)

From J & R Stone, submitting opposition to charging admission to the botanical garden in Golden Gate Park. (27)

From Norman Rolfe, urging the Board of Supervisors to contact state and federal legislators and tell them that schools and health care are more important than spending money on freeways. (28)

From Public Utilities Commission, submitting request for release of reserved funds in the amount of \$1,300,000 for the Community Choice Aggregation Implementation Plan. (29)

From Office of Contract Administration, regarding request for a list of contracts under \$10 million issued by the Purchasing Division of the Office of the City Administrator in fiscal years 2007-08, 2008-09, and 2009-10. (Reference No. 20090428-002) (30)

From Ray Lucas, submitting support for charging admission to the botanical garden in Golden Gate Park. (31)

From Department of Public Works, regarding status of removing graffiti from various locations in District 5. (Reference No. 20090505-006) (32)

From Department of Public Works, regarding status of removing graffiti from various locations in District 5. (Reference No. 20090512-006) (33)

From Human Services Agency, responding to request for a detailed accounting and breakdown of \$189 million reportedly spent by the City on homeless services. (Reference No. 20090428-001) (34)

From Department of Public Works, regarding status of removing graffiti from various locations in District 5. (Reference No. 20090414-003) (35)

From Department of Public Works, regarding status of removing graffiti from various locations in District 5. (Reference No. 20090331-006) (36)

From Department of Public Works, regarding status of removing graffiti from various locations in District 5. (Reference No. 20090324-007) (37)

From Department of Public Works, regarding status of removing graffiti from various locations in District 5. (Reference No. 20090324-005) (38)

From Francisco Da Costa, commenting that the United States Navy has an obligation to clean up the Hunters Point Naval Shipyard. (39)

From Alexandra Post, regarding the water pollution in the San Francisco Bay from the sewage plant at Fisherman's Wharf. (40)

From State Fish and Game Commission, submitting notice of proposed regulatory action relating to waterfowl hunting. (41)

From State Fish and Game Commission, submitting notice of proposed regulatory action relating to commercial lobster permits. (42)

From International Association of Fire Fighters, submiting opposition to proposed Charter amendment that elimiates the 48.7-work week for fire fighters. File 090606. Copy: Each Supervisor (43)

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) 554-4188 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 AT CITY HALL, ROOM 244, RECEPTION DESK. Agendas are available on the internet at www.sfgov.org/site/bdsupvrs index.asp?id=4383

Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 557-4293.

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 ESPA¥OL: 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 (Room 250) and the Committee Room (Room 263) 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, and N (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