



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, May 11, 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

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 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.sfbos.org/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.sfbos.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 April 13, 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 8

Recommendations of the Budget and Finance Sub-Committee

Present: Supervisors Avalos, Mirkarimi, Elsbernd

- 1. 100246 [Permits the Bureau of Delinquent Revenue to Assign Accounts Receivable with a Value of \$10,000 or Less to a Collection Agency]**
Sponsor: Mirkarimi
Ordinance amending Section 10.39-1 of the Administrative Code to increase the cap on accounts receivable that the Bureau of Delinquent Revenue may assign to a collection agency from \$4,000 to accounts with a fair market value of \$10,000. (Treasurer-Tax Collector)

05/04/2010; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

2. **100247** **[Additional Penalty for Underreporting Tax by Twenty-five Percent or More]**
Ordinance amending Section 6.17-2 of the Business and Tax Regulations Code by adding an additional "substantial underreporting" penalty equal to fifty percent of the unreported tax for underreporting a tax liability by twenty-five percent or more.
(Treasurer-Tax Collector)

05/04/2010; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?
3. **100471** **[Accept and Expend Grant - American Recovery and Reinvestment Act Energy Efficiency Projects and Amendment to the Annual Salary Ordinance, FY2009-2010 - \$875,957]**
Sponsors: Mayor; Dufty
Ordinance authorizing the Department of the Environment to expend a grant in the amount of \$875,957 from the California Energy Commission's State Energy Program through the Association of Bay Area Governments for the deployment of energy efficiency projects in the City and County of San Francisco and amend Ordinance Number 183-09 to reflect the addition of three (3) grant funded positions in the Department of the Environment.

05/04/2010; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?
4. **100419** **[Airport Concession Lease with Wells Fargo Bank, N.A.]**
Resolution approving the Domestic Terminals Automated Teller Machines Lease "A," between Wells Fargo Bank, N.A., and the City and County of San Francisco, acting by and through its Airport Commission. (Airport Commission)

Question: Shall this Resolution be ADOPTED?
5. **100420** **[Airport Concession Lease with JPMorgan Chase Bank, N.A.]**
Resolution approving the Domestic Terminals Automated Teller Machines Lease "B," between JPMorgan Chase Bank, N.A., and the City and County of San Francisco, acting by and through its Airport Commission. (Airport Commission)

Question: Shall this Resolution be ADOPTED?
6. **100441** **[Approval of FY2010-2011 Expenditure Plan for the Human Services Care Fund]**
Resolution approving the FY2010-2011 Expenditure Plan for the Human Services Care Fund. (Human Services Department)

Question: Shall this Resolution be ADOPTED?

Recommendations of the Land Use and Economic Development Committee

Present: Supervisors Maxwell, Mar, Chiu

- 7. **100332** **[Revisions to Integrated Project Delivery Construction Contracting Procedures; Signature Authority for Administrative Code Chapter 6 Contracts and Related Documents]**

Sponsors: Maxwell; Mar, Chiu and Daly

Ordinance amending San Francisco Administrative Code Chapter 6 to revise Section 6.68 concerning integrated project delivery contracting procedures and revise Subsection 6.1(H) to allow a department head to designate an individual to execute, on his or her behalf, contracts awarded under Chapter 6 and related documents.

05/04/2010; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

- 8. **100333** **[Bid Discount for Small and Micro-Local Business Enterprises that Joint Venture to Bid on Construction Contracts]**

Sponsors: Maxwell; Mar and Chiu

Ordinance amending Administrative Code Section 14B.7(F) to grant bid discounts to Small and Micro-Local Business Enterprises that joint venture with other firms to bid on construction contracts.

05/04/2010; 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

From the Budget and Finance Sub-Committee Without Recommendation

Present: Supervisors Avalos, Mirkarimi, Elsbernd

9. **091269** **[Payroll Expense Tax Biotechnology Exclusion Amendment]**
 Sponsors: Alioto-Pier; Dufty
 Ordinance amending Section 906.1 of the San Francisco Business and Tax Regulations Code to clarify the definition of "biotechnology business" and to allow applicants to claim the biotechnology exclusion for seven and one half (7.5) years irrespective of the application date.

 (Fiscal Impact.)

 04/20/2010; SUBSTITUTED.

 05/04/2010; AMENDED.

 05/04/2010; AMENDED.

 05/04/2010; PASSED ON FIRST READING AS AMENDED.

 Question: Shall this Ordinance be FINALLY PASSED?

Recommendation of the Land Use and Economic Development Committee

Present: Supervisors Maxwell, Mar, Chiu

10. **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.

 04/27/2010; PASSED ON FIRST READING.

 05/04/2010; AMENDED.

 05/04/2010; PASSED ON FIRST READING AS AMENDED.

 Question: Shall this Ordinance be FINALLY PASSED?

NEW BUSINESS

Recommendations of the Budget and Finance Sub-Committee

Present: Supervisors Avalos, Mirkarimi, Elsbernd

11. 100496 [Accept and Expend Grant - California Emergency Management Agency and Amendment to the Annual Salary Ordinance for FY2009-2010 - \$505,599]

Sponsor: Dufty

Ordinance authorizing the Department of Adult Probation to retroactively accept and expend a grant in the amount of \$505,599 from the California Emergency Management Agency for a pilot program funded by Senate Bill 678 designed to improve outcomes for 18-25 year old probationers, and amending Ordinance No. 183-09 (Annual Salary Ordinance, FY 2009-2010) to reflect the addition of one (1) grant-funded position (0.25 FTE) in Class 8444 Deputy Probation Officer at the Department of Adult Probation.

Question: Shall this Ordinance be PASSED ON FIRST READING?

12. 100351 [Airport 2011 Lease and Use Agreements with Various Airlines]

Resolution approving a term of twenty five (25) new Lease and Use Agreements between the City and County of San Francisco and various airlines, effective July 1, 2011, to allow such airlines to conduct domestic and international flight operations at the San Francisco International Airport. (Airport Commission)

(Fiscal Impact.)

Question: Shall this Resolution be ADOPTED?

13. 100352 [Airline and Airport Lease and Use Agreement Modifications and Lease and Operating Agreement Modifications with Various Airlines]

Resolution approving modifications to the terms of eight (8) Airline and Airport Lease and Use Agreements and eleven (11) Lease and Operating Agreements between the City and County of San Francisco and various airlines to allow such airlines to modify the rental of terminal space and modify the terms of one (1) Airline and Airport Lease and Use Agreement to allow for early termination of said Lease and Use Agreement. (Airport Commission)

(Fiscal Impact.)

Question: Shall this Resolution be ADOPTED?

Recommendations of the Land Use and Economic Development Committee

Present: Supervisors Maxwell, Mar, Chiu

14. 091251 [Development Fee Collection Procedure; Administrative Fee]**Sponsors: Mayor; Dufty**

Ordinance amending the San Francisco Building Code by adding Section 107A.13 to establish a procedure for the Department of Building Inspection (DBI) to collect development impact and in lieu fees, to provide that the fees are payable prior to issuance of the first building permit or, in the case where a site permit is issued, the first addendum authorizing construction of the project, with a temporary option for the project sponsor to defer payment of 85 percent of the total amount of fees due, or 80 percent of the total amount of fees due if the project is subject to payment of a neighborhood infrastructure impact development fee, to prior to issuance of the first certificate of occupancy upon agreeing to pay a deferral surcharge on the amount owed, to require that any in-kind public benefits required in lieu of payment of development fees are implemented prior to issuance of the first certificate of occupancy for the project, to require DBI to generate a Project Development Fee Report prior to issuance of the building or site permit for the project listing all fees due with the opportunity for an appeal of technical errors to the Board of Appeals, to establish a Development Fee Collection Unit within DBI and a fee for administering the program; providing that the ordinance's operative date is July 1, 2010; and adopting findings, including environmental findings.

(Economic Impact.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

15. 091275 [Development Impact and In-Lieu Fees]**Sponsors: Mayor; Dufty**

Ordinance amending the San Francisco Planning Code to create Article 4 for development impact fees and requirements, move Planning Code Sections 135(j), 135.3(d), 135.3(e), 139, 143, 149, a portion of 249.33, 313-313.15, 314-314.8, 315-315.9, 318-318.9, 319-319.7, 326-326.8, 327-327.6, and 331-331.6 and Chapter 38 of the San Francisco Administrative Code (Transit Impact Development Fee) to Article 4, and renumber and amend the sections; to provide that the Department of Building Inspection will collect the development fees prior to issuance of the first building permit or other document authorizing project construction and verify that any in-kind public improvements required in lieu of a development fee are implemented prior to issuance of the first certificate of occupancy; to allow a project sponsor to defer payment of a development fee upon agreeing to pay a deferral surcharge (Fee Deferral Program), which option shall expire after three years unless further extended; to require the Planning Commission to hold a hearing prior to expiration of the Fee Deferral Program to review its effectiveness and make recommendations to the Board of Supervisors; to add introductory sections to Article 4 for standard definitions and procedures, delete duplicative code provisions and use consistent definitions, language and organization throughout; to require annual Citywide development fee reports and fee adjustments, and development fee evaluations every five years; to provide that the ordinance's operative date is July 1, 2010; and to instruct the publisher to put a note at the original location of the renumbered sections stating that the text of those sections has been moved and providing the new section number; adopting findings, including Section 302, environmental findings, and findings of consistency with the General Plan and Planning Code Section 101.1.

Question: Shall this Ordinance be PASSED ON FIRST READING?

16. 100048 **[Amendment to Solar Energy Incentive Program]**
Sponsors: Daly; Mirkarimi
Ordinance amending the San Francisco Environment Code Sections 18.2, 18.4, 18.7-2, and 18.7-4, to: (1) require all systems receiving City incentives be installed by an individual, firm or organization qualified as a workforce development installer by the Office of Economic & Workforce Development, unless specified exceptions apply, and (2) eliminate increased incentives for residential properties in the case of systems installed by individuals trained under the City workforce development program.

Question: Shall this Ordinance be PASSED ON FIRST READING?

17. 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 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 for a fee of \$2,500; adopting findings under the California Environmental Quality Act; 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)

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.

18. 100252 [Public Hearing - Appeal of Determination of Exemption from Environmental Review for 100 - 32nd Avenue]

Hearing of persons interested in or objecting to the decision of the Planning Department dated May 19, 2009, Case No. 2007.0129E, that a project located at 100 - 32nd Avenue is exempt from environmental review under Categorical Exemption, Class 1 (State CEQA Guidelines Section 15301(e)(1)). The proposal would add a three-story side horizontal addition and would enlarge the existing partial fourth floor at the existing four-story, single-family residence located in an RH-1(D) (Residential, House, Single-Family, Detached) District and a 40-X Height and Bulk District, in Assessor's Block No. 1312, Lot No. 008. (District 2) (Appellant: Stephen M. Williams on behalf of Sanford Garfinkel, other neighbors, and the Lincoln Park Neighborhood Association) (Clerk of the Board)

(Filed March 1, 2010; Companion Measure to File Nos. 100253, 100254, 100255.)

04/13/2010; CONTINUED.

Action: _____

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the Categorical Exemption from Environmental Review 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.)

19. 100253 [Affirming the Exemption Determination for 100 – 32nd Avenue]

Motion affirming the determination by the Planning Department that the project located at 100 - 32nd Avenue is exempt from environmental review. (Clerk of the Board)

04/13/2010; CONTINUED.

Question: Shall this Motion be APPROVED?

20. 100254 **[Reversing the Exemption Determination Issued for 100 – 32nd Avenue]**
Motion reversing the determination by the Planning Department that the 100 - 32nd Avenue project is exempt from environmental review.

04/13/2010; CONTINUED.

Question: Shall this Motion be APPROVED?
21. 100255 **[Preparation of Findings Related to the Exemption Determination for the 100 – 32nd Avenue Project]**
Motion directing the Clerk of the Board to prepare findings related to the appeal of the exemption determination by the Planning Department that the project located at 100 - 32nd Avenue is exempt from environmental review. (Clerk of the Board)

04/13/2010; CONTINUED.

Question: Shall this Motion be APPROVED?

SPECIAL ORDER 4:00 P.M.

22. 100415 **[Public Hearing - Appeal of Determination of Exemption from Environmental Review for 424 Francisco Street]**
Hearing of persons interested in or objecting to the decision of the Planning Department dated March 10, 2010, that a project located at 424 Francisco Street (Building Permit Application No. 2004.01.22.4627, Case No. 2009.0914D) is exempt from environmental review under Categorical Exemption, Class 1. The proposal would install a garage opening within the subject building to accommodate six (6) off-street parking spaces. The subject property is within the North Beach Neighborhood Commercial District with a 40-X Height and Bulk District, Lot No. 010 in Assessor's Block No. 0041. (District 3) (Appellants Malcolm Yeung on behalf of Chinatown Community Development Center and Vedica Puri on behalf of Telegraph Hill Dwellers.) (Clerk of the Board)

(Filed March 30, 2010; Companion Measure to File Nos. 100416, 100417, 100418.)

Action:_____

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the Categorical Exemption from Environmental Review 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.)

23. 100416 **[Affirming Planning Department Determination of Exemption for 424 Francisco Street]**
Motion affirming the determination by the Planning Department that the project located at 424 Francisco Street is exempt from environmental review. (Clerk of the Board)

Question: Shall this Motion be APPROVED?

24. 100417 [Reversing the Planning Department Determination of Exemption Issued for 424 Francisco Street]

Motion reversing the determination by the Planning Department that the 424 Francisco Street project is exempt from environmental review. (Clerk of the Board)

Question: Shall this Motion be APPROVED?

25. 100418 [Preparation of Findings to Reverse the Planning Department Determination of Exemption for the 424 Francisco Street Project]

Motion directing the Clerk of the Board to prepare findings reversing the exemption determination by the Planning Department that the project located at 424 Francisco Street is exempt from environmental review. (Clerk of the Board)

Question: Shall this Motion be APPROVED?

COMMITTEE REPORTS

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

The following item will be considered by the Rules Committee at a Regular Meeting on Thursday, May 6, 2010, at 10:00 a.m. The Chair intends to request the Committee to send the following item to the Board as a committee report on Tuesday, May 11, 2010.

26. 100522 [Appointment, Board of Appeals - Christine Hwang]

Motion appointing Christine Hwang, term ending July 1, 2014, to the Board of Appeals. (Clerk of the Board)

Christine Hwang, seat 2, succeeding Rafael Mandelman, must be a nominee of the President of the Board of Supervisors approved by the Board of Supervisors, for the term ending on July 1, 2014.

Question: Shall this Motion be APPROVED?

The following item will be considered by the Land Use and Economic Development Committee at a Regular Meeting on Monday, May 10, 2010, 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, May 11, 2010.

27. 100330 [Veteran Commons Special Use District - 150 Otis Street]

Sponsor: Chiu

Ordinance adding Planning Code Section 249.46 to establish the Veteran Commons Special Use District for property located at 150 Otis Street, Block No. 3513, Lot No. 07; amending the City's Zoning Map, Sheet Nos. HT07 and SU07 to change the height district from 85 to 125 feet and reflect the boundaries of the Veteran Commons Special Use District; and making environmental findings and findings of consistency with the General Plan and the priority policies of Planning Code Section 101.1.

Question: Shall this Ordinance be PASSED ON FIRST READING?

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 28 through 43

28. 100256 [Calling for a Boycott of the State of Arizona and Arizona-Based Businesses Until Arizona Repeals Senate Bill 1070]

Sponsors: Campos; Chiu, Avalos, Dufty, Daly, Mirkarimi and Mar

Resolution denouncing Arizona State Senate Bill 1070, a law that seeks to implement Arizona's own scheme of immigration regulation and will inevitably lead to racial profiling of people of color and limited English proficient persons, calling for a boycott of the State of Arizona and Arizona-based businesses, and endorsing the City Attorney's offer to cooperate in a lawsuit challenging Arizona State Senate Bill 1070.

04/27/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

05/04/2010; AMENDED.

05/04/2010; CONTINUED AS AMENDED.

Question: Shall this Resolution be ADOPTED?

29. 100531 [Accept and Expend Grant - San Francisco Arts Commission's WritersCorps Artist in Schools Program - \$9,600]

Sponsor: Mayor

Resolution authorizing the San Francisco Arts Commission to retroactively accept and expend a grant totaling \$9,600 from the California Arts Council's Artists in Schools Program to help support the cost of a contracted teaching artist working at Mission High School.

05/04/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

30. 100533 [Accept and Expend Grant - San Francisco Arts Commission's Arts Education Program - \$15,000]

Sponsor: Mayor

Resolution authorizing the San Francisco Arts Commission to retroactively accept and expend a grant in the amount of \$15,000 from the California Arts Council State Local Partnership Program to help support the Arts Commission's Arts Education Program.

05/04/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

31. 100538 [Supporting Outreach and Education Regarding Smart Meters to Prevent Power Service Disconnections]

Sponsor: Mar

Resolution supporting outreach and education regarding Smart Meters to prevent power service disconnections.

05/04/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

32. 100539 [Request for Redevelopment Agency Audit]

Sponsor: Mirkarimi

Resolution requesting the Redevelopment Agency of the City and County of San Francisco to consent to an audit of selected activities related to the implementation of the expired Western Addition A-2 Redevelopment Plan.

05/04/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

33. 100540 [Opposing the Dirty Energy Proposition, also known as Attorney General Initiative #09-0104]

Sponsors: Mirkarimi; Alioto-Pier, Maxwell and Campos

Resolution opposing the Dirty Energy Proposition, also known as Attorney General Initiative # 09-0104 designed to suspend the implementation of The California Global Warming Solutions Act of 2006.

05/04/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

- 34. 100541 [Grant Application - Strategic Growth Council Urban Greening Program]**
Sponsor: Mar
Resolution authorizing the San Francisco Planning Department to apply for a planning grant from the State of California Sustainable Communities Planning Grant and Incentives Program under the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006 (Proposition 84) to complete an Urban Forest Master Plan.

05/04/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

- 35. 100542 [Acceptance of Gift - Airport Congressman Tom Lantos Commemorative Plaque - \$15,000]**
Sponsors: Elsbernd; Dufty and Alioto-Pier
Resolution approving the Airport's acceptance of a gift of a commemorative plaque, valued at \$15,000, honoring the late Congressman Tom Lantos from the Lantos Foundation to be placed in the Terminal 3 Hub at the Airport.

05/04/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

- 36. 100543 [Requesting the Controller's Office to Conduct a Review and Analysis of the Funding Recommendations of the Department of Children, Youth and Their Families for FY2010-2011 through FY2012-2013]**
Sponsors: Dufty; Campos, Maxwell and Chiu
Resolution requesting that the Controller's Office conduct a review and analysis of the funding recommendations of the Department of Children, Youth and Their Families for FY2010-2011 through FY2012-2013.

05/04/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

- 37. 100544 [Denouncing the Burmese Military Regime's Illegitimate 2010 Election and Recognizing May 27, 2010, as Burma Democracy Day]**
Sponsor: Daly
Resolution denouncing the Burmese military regime's illegitimate 2010 election and recognizing May, 27, 2010, as Burma Democracy Day in honor of the 20th Anniversary of the 1990 Elections.

05/04/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

- 38. 100545 [Proclaiming Public Works Week in San Francisco - May 16-22, 2010]**
Sponsor: Chiu
Resolution proclaiming May 16-22, 2010, as Public Works Week in San Francisco.

05/04/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

- 39. 100546 [Accept and Expend Grant - Back on Track Program - \$52,355.57]**
Sponsor: Chiu
Resolution authorizing the Department of the District Attorney of the City and County of San Francisco to retroactively accept and expend a grant in the amount of \$52,355.57 through the San Francisco Foundation, for a program entitled "Back on Track Re-entry Program" for FY2009-2010 and FY2010-2011.

05/04/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

- 40. 100547 [Accept and Expend Grant - Criminal Restitution Compact - \$88,538]**
Sponsor: Chiu
Resolution authorizing the Department of the District Attorney of the City and County of San Francisco to retroactively contract for, accept and expend up to \$88,538 allocated from the California Victim Compensation and Government Claims Board for a project entitled "Criminal Restitution Compact" for the period of July 1, 2009 through June 30, 2011.

05/04/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

- 41. 100548 [Supporting Assembly Bill 1871 Regarding Amending State Car Insurance Laws to Allow Personal Vehicles to be Used in Car-Sharing Programs]**
Sponsors: Alioto-Pier; Chiu
Resolution supporting Assembly Bill 1871 to amend state car insurance laws to allow personal vehicles to be used in car-sharing programs.

05/04/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

- 42. 100558 [Urging the United States Department of Agriculture to Declare the Light Brown Apple Moth a Non-Actionable Pest]**
Sponsor: Alioto-Pier
Resolution urging the United States Department of Agriculture to declare the Light Brown Apple Moth a non-actionable pest in order to end the Light Brown Apple Moth eradication project that could expose San Franciscans to unacceptable and unnecessary levels of pesticide exposure.

05/04/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

43. 100550 [Committee of the Whole - Issuance of Revenue Bonds by the California Municipal Finance Authority - May 18, 2010]

Sponsor: Daly

Motion scheduling the Board of Supervisors to sit as a Committee of the Whole on May 18, 2010, at 3:00 p.m., to hold a public hearing on the issuance of revenue bonds by the California Municipal Finance Authority for the purpose of financing or refinancing the acquisition of the State office buildings known as the Public Utilities Commission Building and/or the San Francisco Civic Center.

05/04/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

Questions on the For Adoption Without Committee Reference Agenda: _____

44. 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 27, 2010, to May 3, 2010, for reference by President to appropriate committee on May 11, 2010.

100364 [Major Encroachment for San Francisco State University to Place Utilities Under Font Boulevard]

Resolution granting a revocable major encroachment permit to San Francisco State University to occupy a portion of the public right-of-way to install and maintain private underground utilities crossing Font Boulevard to serve properties within Assessor Block 7304; making findings, including environmental findings and findings of consistency with the General Plan and the Eight Priority Policies of Planning Code Section 101.1. (Public Works Department)

04/28/2010; RECEIVED AND ASSIGNED to the Land Use and Economic Development Committee.

100365 [Amendment to Agreement with Avaya, Inc. to Extend the Term and Increase the Amount of the Contract to \$13,367,321]

Resolution retroactively authorizing the Department of Technology to enter into the Fourth Amendment of an agreement with Avaya, Inc. and increasing the maximum expenditure under the contract to \$13,367,321. (Department of Technology)

05/03/2010; RECEIVED AND ASSIGNED to the Budget and Finance Sub-Committee.

100556 [Petitions and Communications]

Petitions and Communications received from April 27, 2010, through May 3, 2010, for reference by the President to Committee considering related matters, or to be ordered filed by the Clerk on May 11, 2010.

From Department of Public Works, submitting their Defective Sidewalk Repair Account Quarterly Report for the period of January 1, 2010, through March 31, 2010. (1)

From Department of Public Works, submitting their Adopt-A-Tree Account Quarterly Report for the period of January 1, 2010, through March 31, 2010. (2)

From T-Mobile, submitting notification letter for a cellular site at 810 Battery Street. (3)

From T-Mobile, submitting notification letter for a cellular site at 1160 Illinois Street. (4)

From T-Mobile, submitting notification letter for a cellular site at 1200 Mason Street. (5)

From T-Mobile, submitting notification letter for a cellular site at 1501 Lincoln Way. (6)

From Municipal Transportation Agency, regarding the request for proposal process for the current parking meter procurement, coin counting and collections contract. Copy: Each Supervisor (7)

From Municipal Transportation Agency, submitting their Operating Budgets for FY2010-2011, and FY2011-2012. Copy: Each Supervisor (8)

From Municipal Transportation Agency, regarding adjustment to their Operating Budgets for FY2011 and FY2012. Copy: Each Supervisor (9)

From US Army Corps of Engineers, submitting notice that the San Francisco Public Utilities Commission has applied for a Department of the Army permit to construct the Crystal Springs/San Andreas Transmission System Upgrade. (10)

From Arts Commission, submitting their Quarterly Expenditure Report ending March 31, 2010. (11)

From San Francisco Grand Jury, submitting notice that the San Francisco Grand Jury has released its report to the public entitled "Americans with Disabilities Act: Is San Francisco in Compliance?" Copy: Each Supervisor, Government Audit and Oversight Committee Clerk (12)

From Office of the Chief Medical Examiner, submitting the Annual Report for FY2009-2010. (13)

From Emil Lawrence, regarding unauthorized removal of taxi driver documents by an airport employee. Copy: Each Supervisor (14)

From Emil Lawrence, regarding a DAJA airport employee and new taxicab taxes. Copy: Each Supervisor (15)

From San Francisco International Airport, regarding proposal to impose a new privilege fee on off-airport parking lot operators, and plans to increase its own long-term parking rates in January 2011. Copy: Each Supervisor (16)

From concerned citizens, submitting opposition to proposed resolution calling for a boycott of the state of Arizona and Arizona-based businesses until Arizona repeals Senate Bill 1070; and that many have cancelled their plans to visit San Francisco. Approximately 60 letters (17)

From S.F. Conventions and Visitors Bureau, submitting opposition to proposed resolution calling for a boycott of the state of Arizona and Arizona-based businesses until Arizona repeals Senate Bill 1070; and that many have cancelled their plans to visit San Francisco. Approximately 160 letters (18)

From Luis, submitting support for proposed resolution calling for a boycott of the state of Arizona and Arizona-based businesses until Arizona repeals Senate Bill 1070. (19)

From Noah Schlager, submitting petition on behalf of the Urban School of San Francisco, urging action to ban all shark products, and support local shark and coastal conservation. (20)

From concerned citizens, regarding the Beach Chalet Soccer Fields Project in Golden Gate Park. File No. 100053 (21)

From concerned citizens, submitting opposition to appeal filed against the Planning Department's decision regarding the Nob Hill Masonic Center at 1111 California Street. File No.100451, 37 letters (22)

From concerned citizens, submitting support for appeal filed against the Planning Department's decision regarding the Nob Hill Masonic Center at 1111 California Street. File No. 100451, 23 letters (23)

From Brent Marks, regarding paramedics and firefighters in San Francisco. (24)

From concerned citizens, submitting support for expanding parking meter hours to Sunday. 2 letters (25)

From concerned citizens, submitting opposition to expanding parking meter hours to Sunday. 5 letters (26)

From Verizon Wireless, submitting notification letter for a cellular site at 6221 Geary Boulevard. (27)

From State Fish and Game Commission, submitting notice of proposed regulatory actions relative to Commercial Rock Crabs. (28)

From Office of the Controller, submitting a Compliance Review Report of the Municipal Transportation Agency's Work Orders for FY2008-2009. Copy: Each Supervisor (29)

From State Fish and Game Commission, submitting the revised findings rejecting the petition to list the American Pika as a threatened species. (30)

From Hut Landon, suggesting a one-week shop local first experiment in San Francisco. (31)

From concerned citizens, commenting on a recent news article in the San Francisco Chronicle regarding city employee wages. 2 letters (32)

From Gabriel Grill, urging the Mayor and the Board of Supervisors to fund full-time service for the Park Branch Library and other branches yet to be renovated. (33)

From Mark Duran, expressing concerns relating to violence against Asian-Americans in San Francisco. (34)

From Zen Lee, thanking the Department of Public Works for fixing a damaged road section near the corner of 41st Avenue and Judah Street. (35)

From concerned citizens, submitting support for the proposed legislation concerning the sit/lie law. File No. 100233, 8 letters (36)

From Michael Crandell, submitting opposition to the proposed legislation concerning the sit/lie law. File No. 100233 (37)

From Susan Grady, submitting opposition to the proposed cell tower at Miraloma Community Church. (38)

From Kash, submitting support for public power in San Francisco. (39)

From Pamela Thompson, submitting the Office of Citizen Complaints First Quarter Statistical Report for 2010. (40)

From Samantha Shields, submitting her health concerns with a cell phone tower at the corner of Clayton and Deming Streets. (41)

From U.S. Army Corps of Engineers, regarding proposal to accept funds from the California High-Speed Rail Authority. (42)

From Aaron Goodman, commenting on a news article in the S.F. Examiner entitled the "F-line extension faces setback" planning concerns put funding for Fort Mason project at risk. (43)

From Jon Wollenhaupt, regarding artist Elaine Badgeley who was seriously injured in an accident caused by a cab driver running a red light. (44)

From Law Offices of Snell & Wilmer, on behalf of T-Mobile, concerning site permits for personal wireless service. File No. 100041, Copy: Land Use and Economic Development Committee Members and Clerk (45)

From Nancy Cohrs, commenting on a news article in the Marina Times regarding San Francisco parks. (46)

From Carla Lehmann, regarding proposed Parkmerced development. (47)

From Mike Miller, regarding the amount of homeless individuals in San Francisco. (48)

From Norman Campbell, regarding Sharp Park Golf Course. (49)

From Patricia Tsang, urging the Department of Public Works to restore the public receptacles on Lake Street at Arguello Boulevard. (50)

ADJOURNMENT