[ACCEPTING GIFT OF DOG HEAD SIGN AND APPROVING EASEMENT]

ACCEPTING GIFT OF DOG HEAD SIGN LOCATED AT 2750 SLOAT BOULEVARD, SAN FRANCISCO, CALIFORNIA; APPROVING EASEMENT AGREEMENT IN WHICH SLOAT GARDEN CENTER GRANTS THE CITY AND COUNTY OF SAN FRANCISCO A NON-EXCLUSIVE EASEMENT OVER PROPERTY UPON WHICH THE DOG HEAD SIGN IS LOCATED FOR A TERM UP TO JANUARY 1, 2005; AND AGREEING TO MAINTAIN AND RELOCATE THE DOG HEAD SIGN IN SAN FRANCISCO'S OCEAN BEACH NEIGHBORHOOD.

WHEREAS, On July 7, 1999, the San Francisco Landmarks Preservation Advisory Board ("Landmarks Board") in Resolution No. 515, recommended landmark designation of the dog head sign (the "Sign") and adjacent restaurant building located at 2750 Sloat Boulevard, San Francisco, California; and,

WHEREAS, On November 4, 1999, the San Francisco Planning Commission in Resolution No.14915, disapproved landmark designation of the Sign and adjacent restaurant building; and

WHEREAS, On November 4, 1999, Ocean Beach Historical Society, filed an appeal with the Board of Supervisors of the Planning Commission's disapproval of landmark designation of the Sign and adjacent restaurant building; and

WHEREAS, On November 17, 1999, the Landmarks Board filed an appeal with the Board of Supervisors of the Planning Commission's disapproval of landmark designation of the Sign; and

WHEREAS, On February 22, 2000, after a full public hearing, the Board of Supervisors voted to deny the appeal of the Landmarks Board; and

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SUPERVISOR, ALICIA BECERRIL
BOARD OF SUPERVISORS
WHEREAS, On February 28, 2000, the Board of Supervisors voted to deny the appeal of the Ocean Beach Historical Society; and

WHEREAS, The Board of Supervisors recognizes that although the Sign does not merit designation as a landmark under the Article 10 of the San Francisco Planning Code, the Sign is nonetheless worthy of protection because of its social and cultural significance in the City and County of San Francisco ("City"), particularly in the Ocean Beach neighborhood where the Sign is currently located; and

WHEREAS, Sloat Garden Center, the owner of the Sign and the property located at 2750 Sloat Boulevard, has offered to give the City the Sign and to grant the City a non-exclusive easement over the property on which the Sign is currently located, for a term up to and including January 1, 2005; now, therefore, be it

RESOLVED, That the Board of Supervisors shall accept with gratitude the unconditional gift of the Sign from Sloat Garden Center as provided in the accompanying Gift Deed and Easement Agreement, the terms of which Sloat Garden Center has agreed upon, and copies of which are on file with the Clerk of the Board of Supervisors, in File No. 000324; and, be it

FURTHER RESOLVED, That the Board of Supervisors approves the accompanying Easement Agreement, in which Sloat Garden Center grants the City and easement over the property on which the Sign is currently located up to January 1, 2005, subject to earlier termination as provided in the Easement Agreement; and, be it

FURTHER RESOLVED, That following the City Attorney’s review and approval of the termination provisions of Sloat Garden Center’s lease to Mr. Silver Ballasteros and any consent or subordination agreement determined to be necessary by Mark Primeau, Director, Department of Public Works, the Board of Supervisors authorizes Mark Primeau, to execute

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the Easement Agreement, the Gift Deed and any such consent or subordination agreement on behalf of the City; and, be it

FURTHER RESOLVED, That the City shall move the Sign from its current location according to the terms of the Easement Agreement, and the following additional terms:

a. The City, after timely consulting with the President of the Landmarks Board, shall determine the new location for the Sign;

b. The City shall use its best efforts to relocate the Sign to a public site in the City where the Sign will be (i) visible from its current location; (ii) within a two (2) block radius of its current location; and (iii) along sight lines to the Great Highway, the ocean, and the Sign’s original location;

c. The City shall maintain the Sign in the Ocean Beach neighborhood as provided in the Easement Agreement, and shall use its best efforts to avoid placing the Sign in storage; and, be it

FURTHER RESOLVED, That the Board of Supervisors urges the San Francisco Department of Public Works to take immediate possession of the Sign, and to relocate the Sign on City property as provided above and in accordance with the terms of the Easement Agreement; and, be it

FURTHER RESOLVED, That the Board of Supervisors urges the Department of Public Works to consult with the San Francisco Department of Real Estate and the San Francisco Planning Department in connection with any relocation of the Sign; and, be it

FURTHER RESOLVED, That the City shall maintain the Sign as provided in the Easement Agreement; and, be it

FURTHER RESOLVED, That the City shall accept any donations of services, labor, and materials from Painters and Tapers Local Union No. 4 and sign contractor John Law for maintenance and/or restoration of the Sign and pole supporting the Sign; and, be it

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FURTHER RESOLVED, That the Board of Supervisors declares its intention to designate any funds necessary for the maintenance and/or restoration of the Sign to the Department of Public Works, and any other appropriate City departments on an annual basis; and, be it

FURTHER RESOLVED, That upon final determination of a relocation site for the Sign, the City will pay any costs associated with relocation of the Sign that are not paid by Sloat Garden Center; and, be it

FURTHER RESOLVED, That the Board of Supervisors urges the Department of Public Works to place on the base of the Sign a commemorative plaque in consultation with the President of the Landmarks Board; and, be it

FURTHER RESOLVED, That the Board of Supervisors acknowledges the Landmarks Board, Ocean Beach Historical Society, Sloat Garden Center, Painters and Tapers Local Union No. 4, and sign contractor John Law in their efforts to protect the Sign.
Resolution accepting gift of dog head sign located at 2750 Sloat Boulevard, San Francisco, California; approving easement agreement in which Sloat Garden Center grants the City and County of San Francisco a non-exclusive easement over property upon which the dog head sign is located for a term up to January 1, 2005; and agreeing to maintain and relocate the dog head sign in San Francisco's Ocean Beach neighborhood.

February 28, 2000 Board of Supervisors — SEVERED FROM FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA

February 28, 2000 Board of Supervisors — AMENDED
   Ayes: 11 - Ammiano, Becerril, Bierman, Brown, Katz, Kaufman, Leno, Newsom, Teng, Yaki, Yee

February 28, 2000 Board of Supervisors — REFERRED: Audit and Government Efficiency Committee

March 20, 2000 Board of Supervisors — ADOPTED
   Ayes: 8 - Becerril, Brown, Katz, Kaufman, Leno, Newsom, Teng, Yaki
   Noes: 2 - Ammiano, Yee
   Absent: 1 - Bierman
I hereby certify that the foregoing Resolution was ADOPTED on March 20, 2000 by the Board of Supervisors of the City and County of San Francisco.

Gloria L. Young
Clerk of the Board

Mayor Willie L. Brown Jr.

MAR 31 2000
Date Approved