



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, October 8, 2013 - 2:00 PM

Regular Meeting

DAVID CHIU, PRESIDENT
JOHN AVALOS, LONDON BREED, DAVID CAMPOS, MALIA COHEN,
MARK FARRELL, JANE KIM, ERIC MAR, KATY TANG, SCOTT WIENER, NORMAN YEE

Angela Calvillo, Clerk of the Board

Agendas of the Board of Supervisors are available on the internet at www.sfbos.org

BOARD COMMITTEES

Committee Membership

Budget and Finance Committee
Supervisors Farrell, Mar, Avalos

City and School District Select Committee
Supervisors Kim, Avalos, Farrell, Commissioners Mendoza-McDonnell, Norton, Wynns

Government Audit and Oversight Committee
Supervisors Cohen, Tang, Campos

Land Use and Economic Development Committee
Supervisors Wiener, Kim, Chiu

Neighborhood Services and Safety Committee
Supervisors Campos, Mar, Yee

Rules Committee
Supervisors Yee, Breed, Cohen

Meeting Days

Wednesday
10:30 AM

4th Thursday
3:30 PM

2nd and 4th Thursday
10:00 AM

Monday
1:30 PM

1st and 3rd Thursday
10:00 AM

1st and 3rd Thursday
1:30 PM

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.

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 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) bringing in or displaying signs in the meeting room; and 4) standing in the meeting room.

Each member of the public will be allotted the same maximum number of minutes to speak as set by the President or Chair at the beginning of each item or public comment, excluding City representatives, 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. 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.

IMPORTANT INFORMATION: The public is encouraged to testify at Committee meetings. Persons unable to attend the meeting may submit to the City, by the time the proceedings begin, written comments regarding the agenda items above. These comments will be made a part of the official public record and shall be brought to the attention of the Board of Supervisors. Written communications should be submitted to the Clerk of the Board, Clerk of a Committee or its members: 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102. Communications which are not received prior to the hearing may be delivered to the Clerk of the Committee at the hearing and you are encouraged to bring enough copies for distribution.

LAPTOP COMPUTER FOR PRESENTATIONS: Contact City Hall Media Services at (415) 554-7490 to coordinate the use of the laptop computer for presentations. Presenters should arrive 30 minutes prior to the meeting to test their presentations on the computer.

AGENDA PACKET: Available for review in Clerk's Office, Room 244, City Hall, 1 Dr. Carlton B Goodlett Place, or on the internet at <http://www.sfbos.org/meetings>. Meetings are cablecast on SF Cable 26. For DVD copies and scheduling call (415) 554-4188.

LANGUAGE INTERPRETERS: Requests 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 debe recibirse antes de mediodía de el viernes anterior a la reunion. Llame a Derek Evans (415) 554-7702.

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 (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 F, J, K, L, M, N, T (exit at Civic Center or Van Ness Stations). MUNI bus lines also serving the area are the 5, 6, 9, 19, 21, 47, 49, 71, and 71L. 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; phone at (415) 554-7724; 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 <http://www.sfgov.org/ethics>

ROLL CALL AND PLEDGE OF ALLEGIANCE

AGENDA CHANGES

APPROVAL OF MEETING MINUTES

Approval of the September 3, 2013, Board Meeting Minutes.

COMMUNICATIONS

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

Pursuant to Charter Section 3.100(7), this item will be read at the Board Meeting on the second Tuesday of each month, unless rescheduled by the Mayor and the Board President. The Mayor and the Board may not discuss matters that have already been considered in Committee and that are on the Board's Agenda as an action item.

By supermajority vote of the Board of Supervisors (8 votes), the Board may, by oral motion, allow an eligible District Supervisor to ask a question that was not previously posed if the question relates to a sudden or unexpected incident or occurrence raising formal, time-sensitive policy questions that were not anticipated prior to the posting of this agenda. Public comment for this item will take place during general public comment.

1. [130985](#) [Formal Policy Discussions - October 8, 2013]

Pursuant to Charter, Sections 2.103 and 3.100(7), and Administrative Code, Section 2.11, the Mayor shall answer the following eligible question submitted from the Supervisor representing District 8. The Mayor may address the Board initially for up to five minutes. Discussion shall not exceed five minutes per Supervisor.

1. Mr. Mayor, we recently held a hearing at the Land Use and Economic Development Committee on the issue of illegal double parking in San Francisco - including its impacts on traffic, Muni, cycling, and pedestrians - and the City's enforcement policies and practices. While some might say that double parking is an innocent infraction, it can create traffic jams and block Muni. On our light rail vehicle lines, a single double parker can effectively shut down the line, since LRVs cannot swerve off of their tracks to get around the double parker. Moreover, double parking often occurs in bike lanes, causing cyclists to have to swerve into traffic, and double parking near crosswalks reduces pedestrian safety by blocking sight lines. While double parking is at times appropriate - for example a delivery truck that has no other option or a paratransit vehicle dropping off its passengers - double parking in San Francisco has become the wild west. All sorts of vehicles - taxis, private autos, delivery trucks - seem to park in the middle of the street whenever they want and even when there is space to pull over.

At the hearing, we heard from the Municipal Transportation Agency and the Police Department that double parking enforcement outside of the downtown core is infrequent. For example, on the entirety of 16th Street - which goes through multiple dense commercial areas - on average one double parking citation is issued every other day. On the entirety of Castro and Divisadero Streets, on average one citation is issued each day. At the same time that very few double parking citations are issued outside of the downtown core, MTA is engaging in periodic saturation ticketing in our neighborhoods for minor infractions like not curbing wheels on a slight grade or vehicle protruding an inch onto a sidewalk from a driveway. In other words, MTA is engaging in significant enforcement of minor infractions while not enforcing an infraction - double parking - that has serious impacts in our neighborhoods.

Mr. Mayor, what will you do to ensure that double parking enforcement is a priority where it impacts transit riders, pedestrians, and cyclists? What specific goals and metrics do you propose we establish to ensure that the most impactful double parking behavior becomes an enforcement priority for the MTA and the Police Department? Will your office agree to report back in a year on the city's stepped up enforcement efforts against double parking?

Attachments: [Board Packet 100813](#)

Question: Shall this Hearing be HEARD AND FILED?

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.

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

Items 2 through 14

Recommendations of the Land Use and Economic Development Committee

Present: Supervisors Wiener, Kim, Chiu

2. [130765](#) **[Health Code - Alternate Water Sources for Non-Potable Applications]**
Sponsors: Chiu; Mar
Ordinance amending the Health Code to establish permitting requirements for two or more parcels that share the use of alternate water sources for non-potable applications; setting permit fees; and making environmental findings.

Attachments: [Leg Ver1](#)

[Leg Dig Ver1](#)

[Cat Ex 080913](#)

[Comm Pkt 092313](#)

[Board Pkt 100113](#)

[Board Pkt 100813](#)

10/01/2013; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

3. [130785](#) **[Administrative Code - Family Friendly Workplace Ordinance]**
Sponsors: Chiu; Cohen, Mar, Campos, Yee, Breed, Avalos and Kim
Ordinance amending the Administrative Code to allow San Francisco-based employees to request flexible or predictable working arrangements to assist with care giving responsibilities, subject to the employer's right to deny a request based on business reasons; prohibit adverse employment actions based on caregiver status; prohibit interference with rights or retaliation against employees for exercising rights under the Ordinance; require employers to post a notice informing employees of their rights under the Ordinance; require employers to maintain records regarding compliance with the Ordinance; authorize enforcement by the Office of Labor Standards Enforcement, including the imposition of remedies and penalties for a violation and an appeal process for an employer to an independent hearing officer; authorize waiver of the provisions of the Ordinance in a collective bargaining agreement; and making environmental findings.

Attachments: [Leg Ver1](#)

[Leg Dig Ver1](#)

[Cat Ex 090613](#)

[Comm Pkt 092313](#)

[Econ Impact Rpt 071013](#)

[Leg Ver2](#)

[Leg Dig Ver2](#)

[Board Pkt 100113](#)

[Response Youth 093013](#)

[Board Pkt 100813](#)

10/01/2013; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

4. [130863](#) **[Eliminating Official Sidewalk Width - Renovation of Glen Canyon Park - Portion of Elk Street (Between Chenery and Sussex Streets)]**

Sponsor: Wiener

Ordinance amending Ordinance No. 1061, entitled "Regulating the Width of Sidewalks," to eliminate the official sidewalk width on a portion of the westerly side of Elk Street, between Chenery and Sussex Streets, for the renovation of Glen Canyon Park; requiring the Recreation and Park Department to address relocation, modification, or both of facilities affected by the sidewalk width change; and making environmental findings, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

Attachments: [Leg Ver1](#)

[Leg Dig Ver1](#)

[Cat Ex 060412](#)

[General Pln Referral 110512](#)

[Drawing Q-20-727](#)

[DPW Order 181628](#)

[Comm Pkt 092313](#)

[Board Pkt 100113](#)

[Board Pkt 100813](#)

10/01/2013; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the Rules Committee

Present: Supervisors Yee, Breed, Cohen

5. [130581](#) **[Appointment Process - Road Commissioner]**

Sponsor: Mayor

Ordinance declaring that future appointments done by the City and County of San Francisco for Road Commissioner shall be enacted by Resolution.

Attachments: [Leg Ver1](#)

[Comm Pkt 091913](#)

[Board Pkt 100113](#)

[Board Pkt 100813](#)

10/01/2013; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

6. [130582](#) **[Appointment, Road Commissioner - Mohammed Nuru]**

Sponsor: Mayor

Ordinance appointing Mohammed Nuru, Director of the Department of Public Works, as Road Commissioner for the City and County of San Francisco; repealing Ordinance No. 160-10.

Attachments: [Leg_Ver1](#)

[Comm_Pkt_091913](#)

[Board_Pkt_100113](#)

[Board_Pkt_100813](#)

10/01/2013; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

7. [130696](#) **[Settlement of Lawsuit - Jessica Orozco - \$50,000]**

Ordinance authorizing settlement of the lawsuit filed by Jessica Orozco against the City and County of San Francisco for \$50,000; the lawsuit was filed on March 13, 2012, in San Francisco Superior Court, Case No. CGC-12-519124; entitled Jessica Orozco v. City and County of San Francisco, et al. (City Attorney's Office)

Attachments: [Leg_Ver1](#)

[Comm_Pkt_091913](#)

[Board_Pkt_100113](#)

[Board_Pkt_100813](#)

10/01/2013; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

8. [130697](#) **[Settlement of Lawsuit - Andrew Melomet - \$40,000]**

Ordinance authorizing settlement of the lawsuit filed by Andrew Melomet against the City and County of San Francisco for \$40,000; the lawsuit was filed on February 2, 2012, in California Superior Court, San Francisco Branch, Case No. CGC-12-518471, entitled Andrew Melomet v. City and County of San Francisco Human Services Agency; said lawsuit was removed to United States District Court for the Northern District of California, Case No. C 12-03101 EDL. (City Attorney's Office)

Attachments: [Leg_Ver1](#)

[Comm_Pkt_091913](#)

[Board_Pkt_100113](#)

[Board_Pkt_100813](#)

10/01/2013; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

9. [130757](#) **[Settlement of Lawsuit - Joseph P. CuvIELlo, Deniz Bolbol, and Alex Felsinger - \$180,000]**

Ordinance authorizing settlement of the lawsuit filed by Joseph P. CuvIELlo, Deniz Bolbol, and Alex Felsinger against the City and County of San Francisco for \$180,000 in the United States District Court for the Northern District of California, Case No. CV-12-3034-EMC; entitled CuvIELlo et al. v. City and County of San Francisco, et al. (City Attorney's Office)

Attachments: [Leg_Ver1](#)

[Comm_Pkt_091913](#)

[Board_Pkt_100113](#)

[Board_Pkt_100813](#)

10/01/2013; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

10. [130758](#) **[Settlement of Lawsuit - Ana Pichardo - \$50,000]**

Ordinance authorizing settlement of the lawsuit filed by Ana Pichardo against the City and County of San Francisco for \$50,000; the lawsuit was filed on May 9, 2012, in United States District Court, Case No. C12-4042; entitled Ana Pichardo v. City and County of San Francisco, et al. (City Attorney's Office)

Attachments: [Leg_Ver1](#)

[Comm_Pkt_091913](#)

[Board_Pkt_100113](#)

[Board_Pkt_100813](#)

10/01/2013; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

11. [130759](#) **[Settlement of Lawsuit - Bank of America N.A. - \$975,000]**

Ordinance authorizing settlement of the lawsuit filed by Bank of America N.A. against the City and County of San Francisco for \$975,000; the lawsuit was filed on September 9, 2010, in San Francisco Superior Court, Case No. CGC-10-503389; entitled Bank of America N.A. v. City and County of San Francisco, et al. (City Attorney's Office)

Attachments: [Leg_Ver1](#)

[Comm_Pkt_091913](#)

[Board_Pkt_100113](#)

[Board_Pkt_100813](#)

10/01/2013; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

12. [130803](#) **[Settlement of Lawsuit - Lloyd O'Neil - \$185,000]**
Ordinance authorizing the settlement of the lawsuit filed by Lloyd O'Neil against the City and County of San Francisco for \$185,000; the lawsuit was filed on September 29, 2011, in San Francisco Superior Court, Case No. CGC 11-514739; entitled Lloyd O'Neil v. City and County Of San Francisco. (City Attorney's Office)

Attachments: [Leg Ver1](#)
[Comm Pkt 091913](#)
[Board Pkt 100113](#)
[Board Pkt 100813](#)

10/01/2013; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

13. [130854](#) **[Settlement of Lawsuit - Erik Russell - \$30,000]**
Ordinance authorizing settlement of the lawsuit filed by Erik Russell against the City and County of San Francisco for \$30,000; the lawsuit was filed on February 24, 2012, in United States District Court, Northern District of California, Case No. 12-CV-00929 JCS; entitled Erik Russell, et al., v. City and County of San Francisco, et al. (City Attorney's Office)

Attachments: [Leg Ver1](#)
[Comm Pkt 091913](#)
[Board Pkt 100113](#)
[Board Pkt 100813](#)

10/01/2013; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

14. [130855](#) **[Settlement of Lawsuit - E. Lynn Schoenmann - \$160,000]**
Ordinance authorizing settlement of the lawsuit filed by E. Lynn Schoenmann against the City and County of San Francisco for \$160,000; the lawsuit was filed on December 10, 2012, in Bankruptcy Court, Case No. 12-32146-HLB; Adv. Proc. No. 12-03170; entitled E. Lynn Schoenmann, Trustee, et al., v. City and County of San Francisco. (City Attorney's Office)

Attachments: [Leg Ver1](#)
[Comm Pkt 091913](#)
[Board Pkt 100113](#)
[Board Pkt 100813](#)

10/01/2013; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

REGULAR AGENDA

UNFINISHED BUSINESS

From the Board

15. [130966](#) **[Adopting Findings Related to Conditional Use Application - 3771 and 3781 Cesar Chavez Street]**

Motion adopting findings related to the appeal of a decision of the Planning Commission, Motion No. 18930, approving Conditional Use Application identified as Planning Case No. 2013.0259CV on property located at 3771 and 3781 Cesar Chavez Street, pursuant to Motion No. M13-11, approved September 17, 2013. (Clerk of the Board)

Attachments: [Leg Ver1](#)

[Board Pkt 100813](#)

Question: Shall this Motion be APPROVED?

NEW BUSINESS

Recommendations of the Budget and Finance Committee

Present: Supervisors Farrell, Mar, Avalos

16. [130790](#) **[Business and Tax Regulations, Police Codes - Renting Parking Spaces at Residential Properties to Non-Residents]**

Sponsor: Wiener

Ordinance amending the Business and Tax Regulations and Police Codes to change the limits of Parking Tax Occupancy Simplification for residential properties by increasing, from five to 10, the number of parking spaces residential buildings may rent to non-residents and increasing the gross revenue they may earn from rent from \$4,000 to \$12,000 per quarter and from \$15,000 to \$40,000 annually; and making environmental findings.

(Supervisor Avalos dissented in Committee.)

Attachments: [Leg Ver1](#)

[Leg Dig Ver1](#)

[Response PC 082813](#)

[Leg Ver2](#)

[Leg Dig Ver2](#)

[Budget Analysts Rpt 100213](#)

[Comm Pkt 100213](#)

[Board Pkt 100813](#)

Question: Shall this Ordinance be PASSED ON FIRST READING?

17. [130885](#) **[Certificates of Participation - Treasure Island Improvement Project - Not to Exceed \$13,500,000]**

Sponsor: Mayor

Resolution authorizing the execution and delivery of not to exceed \$13,500,000 of Certificates of Participation (Certificates) or other forms of indebtedness to finance the cost of additions and improvements to the utility infrastructure at Treasure Island; authorizing the Director of Public Finance to cause the preparation of documents necessary for the execution and delivery of the certificates or other forms of indebtedness, including a Trust Agreement, a Property Lease, a Project Lease, Notice of Sale, Official Notice of Sale, an Official Statement and, if required, a Purchase Contract and such other necessary documents; authorizing the Director of Public Finance to cause the issuance of commercial paper certificates in an amount not to exceed \$13,500,000 in anticipation of the issuance of the certificates or other forms of indebtedness; granting general authority to City officials to take necessary actions in connection with the authorization, issuance, sale, and delivery of the certificates or other form of indebtedness and the Commercial Paper Certificates; approving modifications to documents and agreements; making California Environmental Quality Act findings, and a General Plan consistency determination; and ratifying previous actions taken in connection therewith.

(Fiscal Impact)

Attachments: [Leg_Ver1](#)

[Budget_Analysts_Rpt_100213](#)

[Comm_Pkt_100213](#)

[Leg_Ver2](#)

[Board_Pkt_100813](#)

Question: Shall this Resolution be ADOPTED?

18. [130883](#) **[Appropriation - Certificates of Participation - Utility Infrastructure System - Treasure Island - \$13,500,000 - FY2013-2014]**

Sponsor: Mayor

Ordinance appropriating \$13,500,000 of Certificate of Participation proceeds to finance improvements to the Utility Infrastructure System at Treasure Island beginning in FY2013-2014.

(Fiscal Impact)

Attachments: [Leg_Ver1](#)

[Budget_Analysts_Rpt_100213](#)

[Comm_Pkt_100213](#)

[Board_Pkt_100813](#)

Question: Shall this Ordinance be PASSED ON FIRST READING?

19. [130884](#) **[Cooperative Agreement Modification - United States Navy - Treasure Island Development Authority]**

Sponsor: Mayor

Resolution retroactively approving and authorizing the Treasure Island Development Authority to enter into a Modification of the Cooperative Agreement with the United States Navy to extend the Cooperative Agreement for the period of October 1, 2013, through September 30, 2014.

Attachments: [Leg_Ver1](#)

[Cooperative Agrmt](#)

[Budget Analysts Rpt 100213](#)

[Comm Pkt 100213](#)

[Leg_Ver2](#)

[Board Pkt 100813](#)

Question: Shall this Resolution be ADOPTED?

20. [130886](#) **[Memorandum of Understanding - Treasure Island Development Authority and the Public Utilities Commission - Provision of Utilities Services - Treasure Island and Yerba Buena Island]**

Sponsor: Mayor

Resolution retroactively approving a Memorandum of Understanding between the Treasure Island Development Authority and the Public Utilities Commission for the provision of utilities services including the maintenance and operation of utility infrastructure on Treasure Island and Yerba Buena Island for the period of October 1, 2013, through September 30, 2014.

(Fiscal Impact)

Attachments: [Leg_Ver1](#)

[MOU](#)

[Res 132709](#)

[Form 126](#)

[Budget Analysts Rpt 100213](#)

[Comm Pkt 100213](#)

[Leg_Ver2](#)

[Board Pkt 100813](#)

Question: Shall this Resolution be ADOPTED?

21. [130810](#) **[Contract Amendment - Cornerstone Technology Partners, JV - \$22,820,000]**
Resolution authorizing the Office of Contract Administration to enter into the Fourth Amendment between the City and Cornerstone Technology Partners, JV (part of the Technology Store procurement vehicle), in which the amendment shall increase the contract limit from \$12,490,000 to \$22,820,000 for the term ending December 31, 2013. (Office of Contract Administration)

(Fiscal Impact)

Attachments: [Leg Ver1](#)

[Agmt Amendment 4](#)

[Memo 080613](#)

[Form 126](#)

[Form 126](#)

[Support 1](#)

[Budget Analysts Rpt 100213](#)

[Comm Pkt 100213](#)

[Board Pkt 100813](#)

Question: Shall this Resolution be ADOPTED?

22. [130811](#) **[Contract Amendment - En Pointe Technology Sales, Inc. - \$64,810,000]**
Resolution authorizing the Office of Contract Administration to enter into the Seventh Amendment between the City and En Pointe Technology Sales, Inc. ("En Pointe," part of the Technology Store procurement vehicle), in which the amendment shall increase the contract limit from \$54,640,000 to \$64,810,000 for the term ending December 31, 2013. (Office of Contract Administration)

(Fiscal Impact)

Attachments: [Leg Ver1](#)

[Memo 080613](#)

[Seventh Amendment](#)

[Agmt Amendments](#)

[Form 126](#)

[Budget Analysts Rpt 100213](#)

[Comm Pkt 100213](#)

[Board Pkt 100813](#)

Question: Shall this Resolution be ADOPTED?

23. [130812](#) [Contract Amendment - CCT Technologies, Inc., dba ComputerLand of Silicon Valley - \$43,850,000]

Resolution authorizing the Office of Contract Administration to enter into the Fifth Amendment between the City and CCT Technologies, Inc., dba ComputerLand of Silicon Valley (part of the Technology Store procurement vehicle), in which the amendment shall increase the contract limit from \$34,950,000 to \$43,850,000 for the term ending December 31, 2013. (Office of Contract Administration)

(Fiscal Impact)

Attachments: [Leg Ver1](#)

[Memo 080613](#)

[Fifth Amendment](#)

[Form 126 Mayor](#)

[Form 126 BOS](#)

[Budget Analysts Rpt 100213](#)

[Comm Pkt 100213](#)

[Board Pkt 100813](#)

Question: Shall this Resolution be ADOPTED?

24. [130813](#) [Contract Amendment - Xtech - \$79,830,000]

Resolution authorizing the Office of Contract Administration to enter into the Seventh Amendment between the City and Xtech (part of the Technology Store procurement vehicle), in which the amendment shall increase the contract limit from \$68,380,000 to \$79,830,000 for the term ending December 31, 2013. (Office of Contract Administration)

(Fiscal Impact)

Attachments: [Leg Ver1](#)

[Seventh Amendment](#)

[Memo 080613](#)

[Form 126 Mayor](#)

[Form 126 BOS](#)

[Agmt Amendment](#)

[Budget Analysts Rpt 100213](#)

[Comm Pkt 100213](#)

[Board Pkt 100813](#)

Question: Shall this Resolution be ADOPTED?

25. [130889](#) [Application Approval - Comprehensive HIV Prevention Programs - \$8,001,007]

Sponsor: Wiener

Resolution authorizing the Department of Public Health to submit a one-year application for calendar year 2014 to continue receiving funding for the Comprehensive HIV Prevention Programs grant from the Centers for Disease Control and Prevention; and requesting \$8,001,007 in HIV prevention funding for San Francisco from January 1, 2014, through December 31, 2014.

Attachments: [Leg Ver1](#)

[Comm Pkt 100213](#)

[Board Pkt 100813](#)

Question: Shall this Resolution be ADOPTED?

Recommendations of the Government Audit and Oversight Committee

Present: Supervisors Cohen, Tang

26. [130608](#) [Board Response - Civil Grand Jury Report - Log Cabin Ranch: Planning for the Future, a Continuity Report]

Resolution responding to the Presiding Judge of the Superior Court on the findings and recommendations contained in the 2012-2013 Civil Grand Jury Report, entitled “Log Cabin Ranch: Planning for The Future, A Continuity Report;” and urging the Mayor to cause the implementation of accepted findings and recommendations through his/her department heads and through the development of the annual budget. (Government Audit and Oversight Committee)

- Attachments:** [Leg_Ver1](#)
[CGJ_Report](#)
[Memo_COB_to_BOS](#)
[Response_Consolidated](#)
[Comm_Pkt_092613](#)
[Leg_Ver2](#)
[Board_Pkt_100813](#)

Question: Shall this Resolution be ADOPTED?

Present: Supervisors Cohen, Tang, Campos

27. [130394](#) [Follow-Up Board Response - 2011-2012 Civil Grand Jury Report - Deja Vu All Over Again: San Francisco’s City Technology Needs a Culture Shock]

Motion responding to the 2012-2013 Civil Grand Jury request to provide a status update on the Board of Supervisors’ responses to the relevant recommendations issued in the 2011-2012 Civil Grand Jury Report entitled, “Déjà Vu All Over Again: San Francisco’s City Technology Needs a Culture Shock.” (Government Audit and Oversight Committee)

- Attachments:** [Leg_Ver1](#)
[Comm_Pkt_092613](#)
[Leg_Ver2](#)
[Board_Pkt_100813](#)

Question: Shall this Motion be APPROVED?

Recommendation of the Land Use and Economic Development Committee

Present: Supervisors Wiener, Chiu, Breed

28. [130877](#) **[Street Encroachment - Operator Convenience Facilities - Terminus of Muni Transit Lines]**

Resolution granting revocable permission to the Municipal Transportation Agency to occupy portions of the public right-of-way to install and maintain two new operator convenience facilities at the terminus of various Muni bus routes; and making environmental findings, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Public Works Department)

Attachments: [Leg_Ver1](#)

[DPW_Ltr_091013](#)

[MTA_Ltr_051412](#)

[Street_Encroachment_Agmt](#)

[Design_Options](#)

[Cat_Ex_100412](#)

[General_Pln_Referral_101912](#)

[DPW_Order_181381](#)

[Response_MTA_092513](#)

[Arts_Commission_Minutes_091012](#)

[Arts_Commission_Minutes_120312](#)

[Comm_Pkt_093013](#)

[Leg_Ver2](#)

[Board_Pkt_100813](#)

Question: Shall this Resolution be ADOPTED?

SPECIAL ORDER 2:30 P.M. - Recognition of Commendations

SPECIAL ORDER 3:00 P.M.*APPEAL PROCEDURES*

Board Rule 4.18 provides that public hearings on appeals shall be scheduled for 3:00 p.m. 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 3:00 p.m. 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 3:00 p.m.:

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 3:00 p.m.
5. Appeals involving participants who have ADA considerations may be set for specific times beginning at 3:00 p.m.

29. [130843](#) [Public Hearing - Appeal of Final Mitigated Negative Declaration - 480 Potrero Avenue]

Hearing of persons interested in or objecting to the Planning Commission's approval of a Final Mitigated Negative Declaration (Case No. 2011.0430E) adopted and issued on August 8, 2013, for the proposed construction of a six-story, 58-foot-tall mixed-use building, which would include residential, ground-floor retail, and parking uses within the UMU (Urban Mixed Use) Zoning District and a 58-X Height and Bulk District, on property located at 480 Potrero Avenue, Assessor's Block No. 3973, Lot No. 002C. (District 10) (Appellants: Jean Bogiages and Juan M. Jayo, on behalf of the Mariposa Utah Neighborhood Association; and Mica I. Ringel) (Filed August 28, 2013). (Clerk of the Board)

Attachments: [Board Pkt 100813](#)

Question: Shall this Hearing be HEARD AND FILED?

Pursuant to Government Code Section 65009, notice is hereby given: If you challenge the above matter in court, you may be limited to raising only those issues you or someone else raised at the public hearing described above, or in written correspondence delivered to the Board of Supervisors, (1 Dr. Carlton B. Goodlett Place, Room 244; San Francisco, CA 94102-4689) at, or prior to, the public hearing.

(Only one of the following two motions should be approved.)

30. [130844](#) [Affirming the Approval of a Final Mitigated Negative Declaration - 480 Potrero Avenue]

Motion affirming the approval of a Final Mitigated Negative Declaration under the California Environmental Quality Act by the Planning Commission for a project located at 480 Potrero Avenue.

Attachments: [Leg_Ver1](#)

[Board_Pkt_100813](#)

Question: Shall this Motion be APPROVED?

31. [130845](#) [Reversing the Approval of a Final Mitigated Negative Declaration - 480 Potrero Avenue]

Motion reversing the approval of a Final Mitigated Negative Declaration under the California Environmental Quality Act by the Planning Commission for a project located at 480 Potrero Avenue.

Attachments: [Leg_Ver1](#)

[Board_Pkt_100813](#)

Question: Shall this Motion be APPROVED?

32. [130846](#) [Preparation of Findings to Reverse the Approval of a Final Mitigated Negative Declaration - 480 Potrero Avenue]

Motion directing the Clerk of the Board to prepare findings reversing the approval of a Final Mitigated Negative Declaration under the California Environmental Quality Act by the Planning Commission for a project located at 480 Potrero Avenue.

Attachments: [Leg_Ver1](#)

[Board_Pkt_100813](#)

Question: Shall this Motion be APPROVED?

33. 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.

34. 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.

Questions on the For Adoption Without Committee Reference Agenda are on for adoption, or approved, as indicated.

Items 35 through 38

- 35. [130978](#) [Domestic Violence Awareness Month - October 2013]**
Sponsors: Chiu; Tang
Resolution declaring October 2013 as Domestic Violence Awareness Month in the City and County of San Francisco.
Attachments: [Leg Ver1](#)
[Board Pkt 100813](#)
- 10/01/2013; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?**
- 36. [130963](#) [Final Map 6945 - Avocet Way]**
Motion approving Final Map 6945, a three Lot Subdivision being a merger and re-subdivision of Lots Nos. 042 - 059 and Lot O, and an 18 Unit Residential Condominium Project, located at Avocet Way, being a subdivision of Assessor's Block No. 4591C, Lot Nos. 049 through 067, and adopting findings pursuant to the General Plan and Planning Code, Section 101.1. (Public Works Department)
Attachments: [130963](#)
[Board Pkt 100813](#)
- 09/26/2013; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Motion be APPROVED?**
- 37. [130964](#) [Final Map 6946 - Avocet Way]**
Motion approving Final Map 6946, a three Lot Subdivision being a merger and re-subdivision of Lots Nos. 080 through 097 and Lot P, and an 18 Unit Residential Condominium Project, located at Avocet Way being a subdivision of Assessor's Block No. 4591C, Lot Nos. 110 through 128, and adopting findings pursuant to the General Plan and Planning Code, Section 101.1. (Public Works Department)
Attachments: [Leg Ver1](#)
[Board Pkt 100813](#)
- 09/26/2013; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Motion be APPROVED?**

38. [130965](#) **[Final Map 7347 - 2001 Market Street and 38 Dolores Street]**
Motion approving Final Map 7347, a four Lot Airspace Subdivision and 92 Units Mixed-Use Condominium Project, located at 2001 Market Street and 38 Dolores Street being a subdivision of Assessor's Block No. 3535, Lot No. 041, and adopting findings pursuant to the General Plan and Planning Code, Section 101.1. (Public Works Department)

Attachments: [Leg_Ver1](#)

[Board_Pkt_100813](#)

09/26/2013; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

39. **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

Introduced by a Supervisor or the Mayor

Pursuant to Charter, Section 2.105, an Ordinance or Resolution may be introduced before the Board of Supervisors by a Member of the Board, a Committee of the Board, or the Mayor and shall be referred to and reported upon by an appropriate Committee of the Board.

Legislation Introduced will appear on the Final Minutes for this meeting. Once the Legislation Introduced is approved, it will be available on http://www.sfbos.org/legislation_introduced.

Introduced at the Request of a Department

Pursuant to Rules of Order of the Board of Supervisors, Section 2.7.1, Department Heads may submit proposed legislation to the Clerk of the Board, in which case titles of the legislation will be printed at the rear of the next available agenda of the Board.

PROPOSED ORDINANCES**130955 [Settlement of Administrative Enforcement Action - San Francisco Bay Regional Water Quality Control Board - \$608,310]**

Ordinance authorizing settlement of the unlitigated administrative enforcement action filed by the San Francisco Bay Regional Water Quality Control Board against the City and County of San Francisco for \$608,310; and appropriating \$608,310 for this purpose from the Public Utilities Commission Water Enterprise fund balance. (City Attorney's Office)

Attachments: [Legislation Ver1](#)

09/27/2013; RECEIVED FROM DEPARTMENT.

10/08/2013; RECEIVED AND ASSIGNED to the Rules Committee.

130956 [Settlement of Lawsuit - Carlos Hutcherson, et al. - \$125,000]

Ordinance authorizing settlement of the lawsuit filed by Carlos Hutcherson, Tarasa Gates, and Donald Walton against the City and County of San Francisco for \$125,000; the lawsuit was filed on December 21, 2012, in United States District Court, Case No. 12-cv-6481; entitled Carlos Hutcherson, et al., v. City and County of San Francisco, et al. (City Attorney's Office)

Attachments: [Legislation Ver1](#)

09/27/2013; RECEIVED FROM DEPARTMENT.

10/08/2013; RECEIVED AND ASSIGNED to the Rules Committee.

PROPOSED RESOLUTIONS**130957 [Settlement of Administrative Enforcement Acton - San Francisco Bay Regional Water Quality Control Board - \$69,000]**

Resolution approving the settlement of the unlitigated administrative enforcement acton filed by the San Francisco Bay Regional Water Quality Control Board against San Francisco imposing a penalty of \$69,000. (City Attorney's Office)

Attachments: [Legislation Ver1](#)

09/27/2013; RECEIVED FROM DEPARTMENT.

10/08/2013; RECEIVED AND ASSIGNED to the Rules Committee.

130958 [Settlement of Administrative Enforcement Action - Central Valley Regional Water Quality Control Board - \$1,000,000]

Resolution approving the settlement of the unlitigated administrative enforcement action filed by the Central Valley Regional Water Quality Control Board against San Francisco imposing a penalty of \$1,000,000. (Public Utilities Commission)

Attachments: [Leg Ver1](#)

09/27/2013; RECEIVED FROM DEPARTMENT.

10/08/2013; RECEIVED AND ASSIGNED to the Rules Committee.

130959 [Settlement of Claim - Adam Holm - \$50,000]

Resolution approving the settlement of the unlitigated claim filed by Adam Holm against the City and County of San Francisco for \$50,000; claim was filed on March 28, 2013. (City Attorney's Office)

Attachments: [Leg Ver1](#)

09/27/2013; RECEIVED FROM DEPARTMENT.

10/08/2013; RECEIVED AND ASSIGNED to the Rules Committee.

130960 [Support Goals for Federal Funding - Community Development Block Grant, Emergency Solutions Grant and Housing Opportunities for Persons with AIDS Programs]

Resolution supporting FY2014-2015 Community Development Block Grant, Emergency Solutions Grant, and Housing Opportunities for Persons with AIDS Consolidated Plan Goals. (Mayor's Office of Housing)

Attachments: [Leg Ver1](#)

09/24/2013; RECEIVED FROM DEPARTMENT.

10/08/2013; RECEIVED AND ASSIGNED to the Budget and Finance Committee.

130961 [Acquisition of Discharge Easements - California Water Service Company - Bay Division Pipeline Nos. 3 and 4 Crossovers Project in San Mateo County - \$3,640]

Resolution approving and authorizing the acquisition of two Discharge Easements from the California Water Service Company, a California Corporation, for \$3,640 to be used by the City and County of San Francisco (City) for discharge of pipeline water and groundwater, as needed for the installation, construction, modification, removal, inspection, maintenance, repair, and replacement of the water system infrastructure in the City's right of way, including without limitation, periodic scheduled maintenance, emergency repairs, and the construction of the project known as the Bay Division Pipeline Nos. 3 and 4 Crossovers Project No. CUW38001; adopting findings under the California Environmental Quality Act; adopting findings that the conveyance is consistent with the City's General Plan and the eight priority policies of 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)

Attachments: [Leg Ver1](#)

[RealEstate Ltr 092413](#)

[Purchase Agmt](#)

[General Plan Referral Ltr](#)

[PUC Res 09-0071](#)

[Form 126](#)

09/26/2013; RECEIVED FROM DEPARTMENT.

10/08/2013; RECEIVED AND ASSIGNED to the Land Use and Economic Development Committee.

130962 [Contract Modification - S & S Trucking Corporation - Estimated Cumulative Value of \$13,500,000]

Resolution extending an agreement between the City and County of San Francisco and S & S Trucking Corporation from December 20, 2013, through December 19, 2015, and increasing the estimated cumulative contract amount from \$9,000,000 to \$13,500,000 for hauling biosolids (sludge) and grit, pursuant to Charter, Section 9.118(b). (Public Utilities Commission)

Attachments: [Leg Ver1](#)

[Contract](#)

[Contract Extension](#)

[Form 126](#)

09/30/2013; RECEIVED FROM DEPARTMENT.

10/08/2013; RECEIVED AND ASSIGNED to the Budget and Finance Committee.

130954 [Petitions and Communications]

Petitions and Communications received from September 23, 2013, through September 30, 2013, for reference by the President to Committee considering related matters, or to be ordered filed by the Clerk on October 8, 2013.

Personal information that is provided in communications to the Board of Supervisors is subject to disclosure under the California Public Records Act and the San Francisco Sunshine Ordinance. Personal information will not be redacted.

From Clerk of the Board, reporting the following individuals have submitted Form 700 Statements: (1)

Ahmad El-Najjar - Legislative Aide - Leaving
Lauren Kahn - Legislative Aide - Assuming

From Mayor, designating Supervisor Malia Cohen as Acting-Mayor from September 28, 2013, until October 1, 2013. Copy: Each Supervisor. (2)

From Clerk of the Board, regarding the following appointments by the Mayor: (3)

Richard Guggenhime - Airport Commission
Marlene Sharon Saritzky - Film Commission
Melanie Blum - Film Commission

From concerned citizens, submitting signatures for petition regarding fiber broadband. 35 signatures. Copy: Each Supervisor. (4)

From Mayor, submitting notification that the adopted budget for FYs 2013-2014 and 2014-2015 is adequate for the Department to meet service levels. (5)

From Clerk of the Board, regarding the following appointment by the Mayor: (6)

Al Perez - Entertainment Commission

From concerned citizens, regarding the Japantown Cultural Heritage and Economic Sustainability Strategy. File No. 130945. 24 letters. Copy: Each Supervisor. (7)

From concerned citizens, submitting signatures for petition regarding 480 Potrero Avenue project environmental impact report. 102 signatures. File No. 130843. Copy: Each Supervisor. (8)

From Ivan Edgar Pratt, regarding volunteer workers at the Folsom Street Festival. Copy: Each Supervisor. (9)

From James Chaffee, regarding the Public Library. Copy: Each Supervisor. (10)

From Patrick Otellini, regarding Soft Story Retrofit Financing Workshop. Copy: Each Supervisor. (11)

From concerned citizens, regarding Masonic Avenue cycle track project. File No. 120974. 3 letters. Copy: Each Supervisor. (12)

From concerned citizens, submitting signatures for petition regarding San Francisco's Opportunity to Compete campaign. 230 signatures. Copy: Each Supervisor. (13)

From Aaron Goodman, regarding 19th Avenue Transit Study meeting. Copy: Each Supervisor. (14)

From Paul Nisbett, regarding Ellis Act evictions. Copy: Each Supervisor. (15)

From John Barry, regarding America's Cup. Copy: Each Supervisor. (16)

From Howard Wong, regarding Muni. Copy: Each Supervisor. (17)

From concerned citizens, regarding the appeal of exemption from environmental review for 435-437 Potrero Avenue project. File No. 130805. 4 letters. Copy: Each Supervisor. (18)

*From concerned citizen, regarding air quality. File No. 130805. Copy: Each Supervisor. (19)

From Port, submitting annual gift report for FY2012-2013. Copy: Each Supervisor. (20)

*(An asterisked item represents the cover sheet to a document that exceeds 25 pages. The complete document is available at the Clerk's Office, Room 244, City Hall.)

Attachments: [Board Pkt 100813](#)

ADJOURNMENT