

BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

MEETING MINUTES

Tuesday, November 26, 2013 - 2:00 PM

Legislative Chamber, Room 250
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

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

BOARD COMMITTEES

Budget and Finance Committee Supervisors Farrell, Mar, Avalos	Wednesday 10:30 AM
City and School District Select Committee Supervisors Kim, Avalos, Farrell, Commissioners Mendoza-McDonnell, Norton, Wynns	4th Thursday 3:30 PM
Government Audit and Oversight Committee Supervisors Cohen, Tang, Campos	2nd and 4th Thursday 10:00 AM
Land Use and Economic Development Committee Supervisors Wiener, Kim, Chiu	Monday 1:30 PM
Neighborhood Services and Safety Committee Supervisors Campos, Mar, Yee	1st and 3rd Thursday 10:00 AM
Rules Committee Supervisors Yee, Breed, Cohen	1st and 3rd Thursday 1:30 PM

Members Present: John Avalos, London Breed, David Campos, David Chiu, Malia Cohen, Mark Farrell, Jane Kim, Eric Mar, Katy Tang, Scott Wiener, and Norman Yee

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:08 p.m. On the call of the roll, Supervisor Kim was noted absent. There was a quorum.

Supervisor Kim was noted present at 2:09 p.m.

AGENDA CHANGES

There were none.

APPROVAL OF MEETING MINUTES

Supervisor Mar, seconded by Supervisor Breed, moved to approve the Board Meeting Minutes of October 22, 2013. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

COMMUNICATIONS

There were none.

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

131139 [Formal Policy Discussions - November 26, 2013]

Pursuant to Charter, Sections 2.103 and 3.100(7), and Administrative Code, Section 2.11, the Mayor shall answer the following eligible questions submitted from Supervisors representing Districts 1 and 3. The Mayor may address the Board initially for up to five minutes. Discussion shall not exceed five minutes per Supervisor.

1. Mayor Lee, According to the recent Budget and Legislative Analyst's report on San Francisco's eviction crisis, between 2009 and 2013 the Richmond District, as a whole, has had 79 Ellis Act evictions and 202 no-fault evictions, placing my District among the leaders in both of these categories. We also have among the highest number of seniors, many with mobility issues. Unfortunately, the Richmond District and the entire west side of the City lacks the tenant focused services that are concentrated on the east side of town. Given the tremendous need for tenant services and the geographic inequity in their distribution within San Francisco, I would like to begin exploring, with your assistance, the possibility of establishing a multi-service center in the Richmond District, that would include tenant focused services.

Can you commit to assisting my office in doing so? (Supervisor Mar, District 1)

2. Every day, we see rental and homeownership prices in San Francisco rise further beyond the reach of everyday San Franciscans. To address the affordability crisis, your office is working closely with me, my colleagues and community members on efforts to prioritize housing for Ellis Act evictees, assist nonprofits in danger of displacement, and stabilize housing for people who live in non-permitted in-law units, among other initiatives. While building subsidized affordable housing won't alone solve the crisis, we also know that last year's voter approved Housing Trust Fund will provide \$1.3 billion of affordable housing for low and middle income San Franciscans in the coming decades. Can you provide us with an update on affordable housing units under construction and planned for the near future, as well as an update on other housing programs supported by the Trust Fund? What creative approaches can we take now to build these affordable units as quickly as possible? What else can we do to encourage developers to build affordable units on site as they construct market rate housing? (Supervisor Chiu, District 3)

Mayor Edwin Lee addressed the Board of Supervisors and discussed the above referenced questions. Following public comment this matter was filed. No further action was taken.

HEARD AND FILED

CONSENT AGENDA

Recommendations of the Budget and Finance Committee

130797 [Contract Amendment - Dominion Voting Systems, Inc. - Not to Exceed \$19,690,933.25]

Ordinance authorizing the Department of Elections to enter into the third amendment of an agreement with Dominion Voting Systems, Inc., to commence following Board approval, to extend the term of the agreement through December 10, 2016, increasing the total not-to-exceed amount of the agreement by \$3,645,900 from \$16,045,033.25 to \$19,690,933.25. (Elections Department) (Fiscal Impact)

Ordinance No. 269-13

FINALLY PASSED

130860 [Appropriation - Parking Garage Revenue and Expenditure - \$13,786,681 - FY2013-2014]**Sponsor: Mayor**

Ordinance appropriating \$13,786,681 of parking garage revenue and expenditures to the Municipal Transportation Agency, consisting of \$8,513,825 for the 5th and Mission Parking Garage and \$5,272,856 for the Ellis-O'Farrell Parking Garage, in order to support the Department's projected revenue and expenditure increases.

Ordinance No. 270-13**FINALLY PASSED****131031 [Business and Tax Regulations Code - Business Tax Installment Payments; Combined Reporting; Special Assessments]****Sponsor: Chiu**

Ordinance amending the Business and Tax Regulations Code to provide additional penalty relief for payroll expense tax and gross receipts tax payments; to require combined reporting of the payroll expense tax by related taxpayers; and to clarify that fees and special assessments are administered according to the common administrative provisions applicable to other business taxes.

Ordinance No. 271-13**FINALLY PASSED****Recommendations of the Land Use and Economic Development Committee****130970 [Changes to Special Tax District No. 2009-1 - San Francisco Sustainable Financing]****Sponsors: Mayor; Chiu, Tang and Wiener**

Resolution making changes to City and County of San Francisco Special Tax District No. 2009-1 (San Francisco Sustainable Financing) to authorize seismic safety standard retrofits to certain privately owned buildings or real property; and directing the Clerk of the Board to publish a notice of public hearing and other matters related thereto.

Resolution No. 413-13**ADOPTED****130971 [Amended and Restated Local Goals and Policies - Community Facilities Districts and Special Tax Districts]****Sponsors: Mayor; Chiu, Tang and Wiener**

Resolution adopting amended and restated Local Goals and Policies to provide financial flexibility in connection with the formation of Special Tax Districts, pursuant to Administrative Code, Chapter 43, Article X.

Resolution No. 414-13**ADOPTED**

Recommendations of the Rules Committee**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)

Ordinance No. 272-13

FINALLY PASSED

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)

Ordinance No. 273-13

FINALLY PASSED

131013 [Settlement of Lawsuits - Zeno Zimmerman - \$145,000]

Ordinance authorizing settlement of the lawsuits filed by Zeno Zimmerman against the City and County of San Francisco for \$145,000; the lawsuits were filed on December 6, 2011, in San Francisco Superior Court, Case Nos. CGC-11-516360 and CGC-11-516361 (consolidated); entitled Zeno Zimmerman v. City and County of San Francisco, et al. (City Attorney's Office)

Ordinance No. 274-13

FINALLY PASSED

131014 [Settlement of Lawsuit - Calkin, et al. - \$862,500]

Ordinance authorizing partial settlement of the lawsuit filed by Donald Calkin, Gordon Clark, Silvia David, Sally Foster, John Higgins, Janet Lacampagne, Kenneth Sanchez, Colleen Sullivan, and Lee Sullivan against the City and County of San Francisco for \$862,500; the lawsuit was filed on May 18, 2012, in United States District Court, Northern District of California, Case No. C12-02584 JCS; entitled Donald Calkin, Gordon Clark, Silvia David, Sally Foster, John Higgins, Janet Lacampagne, Kenneth Sanchez, Colleen Sullivan, and Lee Sullivan v. City and County of San Francisco. (City Attorney's Office)

Ordinance No. 275-13

FINALLY PASSED

131033 [California Code of Civil Procedure, Section 998 - Offer to Compromise to Defendants - Anshen and Allen, Architects Inc.]**Sponsor: Yee**

Ordinance authorizing the City Attorney to make a California Code of Civil Procedure, Section 998, Offer to Compromise to Defendants to the City in the lawsuit entitled City and County of San Francisco v. Anshen and Allen, Architects, Inc., et al., Alameda County Superior Court Case No. RG13679711.

Ordinance No. 276-13**FINALLY PASSED****The foregoing items were acted upon by the following vote:**

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

REGULAR AGENDA**UNFINISHED BUSINESS****Recommendation of the Budget and Finance Committee****130940 [Contract Agreement - IPS Group, Inc. - Award of Single-Space Parking Meter Procurement and Support Services - Not to Exceed \$51,200,000]****Sponsor: Avalos**

Resolution authorizing the Municipal Transportation Agency to enter into an agreement with IPS Group, Inc., for the procurement of single-space parking meters and support services, for an amount not to exceed \$54,000,000 and for a term of five years, to commence following Board approval, with the option to extend the contract for up to two additional years.

(Fiscal Impact)

(Supervisor Farrell dissented in Committee.)

Privilege of the floor was granted to Ed Reiskin, Director (Municipal Transportation Agency) and Jon Givner (Office of the City Attorney), who responded to questions raised throughout the discussion.

Supervisor Avalos, seconded by Supervisor Mar, moved that this Resolution be AMENDED on Page 1, Lines 1 and 5, by changing '\$54,000,000' to '\$51,200,000'; Page 2, Line 2, by changing '10,000' to '5,000', and Lines 4-7, by adding 'WHEREAS, The Board of Supervisors understands that it is the intention of the SFMTA that the additional 5,000 single-space meters be allocated as follows: 1,200 for Port meter replacement; 2,800 to replace damaged meters; and 1,000 to be used as a maintenance float; and'; and Page 3, Lines 7-11, by adding 'WHEREAS, On November 19, 2013, the SFMTA Board of Directors adopted Resolution No. 13-253, approving the Notification Requirements for New Meter Installation Proposals, which establishes additional notification standards for Operations, Local Neighborhood, and Area-Wide parking management projects proposing the installation of new parking meters; and', Line 12, by changing 'A copy' to 'Copies', Lines 12-13, by changing 'is' to 'and SFMTA Resolution No. 13-253 are', and Line 18, by changing '\$54 million' to '\$51,200,000'. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Resolution authorizing the Municipal Transportation Agency to enter into an agreement with IPS Group, Inc., for the procurement of single-space parking meters and support services, for an amount not to exceed \$51,200,000 and for a term of five years, to commence following Board approval, with the option to extend the contract for up to two additional years.

Resolution No. 415-13

ADOPTED AS AMENDED by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Mar, Tang, Wiener, Yee
Noes: 1 - Kim

NEW BUSINESS

Recommendations of the Budget and Finance Committee

131083 [Accept and Expend Private Grant - Mission Bay South Plan First Source Hiring Program, and Amendment to the Annual Salary Ordinance - FYs 2013-2014 and 2014-2015 - \$500,000]

Sponsor: Mayor

Ordinance retroactively authorizing the Office of Economic and Workforce Development (OEWD) to accept and expend a grant in the amount of \$500,000 from FOCIL-MB for the Mission Bay South Plan First Source Hiring Program, and amending Ordinance No. 160-13 (Annual Salary Ordinance, FYs 2013-2014 and 2014-2015) to reflect addition of two Class 9704 Employment and Training Specialists III positions (1.00 FTE) and one Class 2992 Contract Compliance Officer I position (0.50 FTE) in OEWD for the period of October 1, 2013, to June 30, 2016.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

131084 [Appropriation - General Hospital Improvement General Obligation Bonds - FY2013-2014 - \$209,955,000]

Sponsor: Mayor

Ordinance appropriating \$209,955,000 of General Obligation Bond Proceeds approved by voters under Proposition A in the November 2008 election, authorizing the issuance of General Obligation Bonds for the building or rebuilding and earthquake safety improvement of the General Hospital and Trauma Center in the Department of Public Health for FY2013-2014.
(Fiscal Impact)

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

131089 [Waiver of Payment in Lieu of Taxes - Housing Authority - FYs 1991-1992 to 2012-2013]

Sponsor: Mayor

Resolution approving a waiver of the payment in lieu of taxes (PILOT) for FYs 1991-1992 to 2012-2013 from the Housing Authority of the City and County of San Francisco.

Resolution No. 416-13

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

131090 [Sale of General Obligation Bonds - General Hospital Improvement - Not to Exceed \$209,955,000]**Sponsor: Mayor**

Resolution authorizing and directing the sale of not to exceed \$209,955,000 aggregate principal amount of City and County of San Francisco General Obligation Bonds, Series 2013D; prescribing the form and terms of said bonds; authorizing the execution, authentication, and registration of said bonds; providing for the appointment of depositories and other agents for said bonds; providing for the establishment of accounts related to said bonds; providing for the manner of sale of said bonds by competitive sale; approving the forms of official notice of sale and notice of intention to sell bonds; directing the publication of the notice of intention to sell bonds; approving the form of the preliminary official statement and the form and execution of the official statement relating to the sale of said bonds; approving the form of the continuing disclosure certificate; authorizing and approving modifications to documents; declaring the City's intent to reimburse certain expenditures; ratifying certain actions previously taken; and granting general authority to City officials to take necessary actions in connection with the authorization, issuance, sale, and delivery of said bonds.

Resolution No. 417-13**ADOPTED by the following vote:**

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

131091 [Issuance of Tax-Exempt Obligations - Pacific Primary - Not to Exceed \$4,500,000]**Sponsor: Breed**

Resolution approving the issuance of tax-exempt obligations by the Association of Bay Area Governments Finance Authority for nonprofit corporations in an aggregate principal amount not to exceed \$4,500,000 to finance and refinance various capital facilities owned by Pacific Primary, a California nonprofit corporation, or an affiliate thereof; and determining other matters in connection therewith.

Resolution No. 418-13**ADOPTED by the following vote:**

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

131093 [Multifamily Housing Revenue Bonds - 280 Beale Street - Not to Exceed \$17,000,000]**Sponsor: Kim**

Resolution declaring the intent of the City and County of San Francisco (the City) to reimburse certain expenditures from proceeds of future bonded indebtedness; authorizing the Director of the Mayor's Office of Housing and Community Development (the Director) to submit an application and related documents to the California Debt Limit Allocation Committee (CDLAC) to permit the issuance of residential mortgage revenue bonds in an aggregate principal amount not to exceed \$17,000,000 for 280 Beale Street; authorizing and directing the Director to direct the Controller's Office to hold in trust an amount not to exceed \$100,000 in accordance with CDLAC procedures; authorizing the Director to certify to CDLAC that the City has on deposit the required amount; authorizing the Director to pay an amount equal to such deposit to the State of California if the City fails to issue the residential mortgage revenue bonds; approving, for purposes of the Internal Revenue Code of 1986, as amended, the issuance and sale of residential mortgage revenue bonds by the City in an aggregate principal amount not to exceed \$17,000,000; authorizing and directing the execution of any documents necessary to implement this Resolution; and ratifying and approving any action heretofore taken in connection with the project, as defined herein, and the application, as defined herein.

Resolution No. 419-13**ADOPTED by the following vote:**

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

SPECIAL ORDER 2:30 P.M. - Recognition of Commendations*There were none.***SPECIAL ORDER 3:00 P.M.**

Privilege of the floor was granted to John Malamut (Office of the City Attorney) and Jasmine Oberste (Appellant), who responded to questions raised throughout the discussion on File Nos. 130951, 130952, and 130953.

130951 [Denying Appeal for Waiver, Adjustment or Reduction of Condominium Conversion Fee - 273A-29th Street]

Motion denying the appeal seeking a waiver, adjustment or reduction of the condominium conversion fee in Subdivision Code, Section 1396.4(j), for 273A-29th Street. (Clerk of the Board)

Motion No. M13-155**Supervisor Kim, seconded by Supervisor Campos, moved that this Motion be APPROVED. The motion carried by the following vote:**

Ayes: 9 - Avalos, Breed, Campos, Chiu, Cohen, Kim, Mar, Tang, Yee

Noes: 2 - Farrell, Wiener

130952 [Approving Waiver, Adjustment or Reduction of Condominium Conversion Fee - 273A-29th Street]

Motion approving a waiver, adjustment or reduction of the condominium conversion fee in Subdivision Code, Section 1396.4(j), for 273A-29th Street. (Clerk of the Board)

Supervisor Kim, seconded by Supervisor Campos, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 9 - Avalos, Breed, Campos, Chiu, Cohen, Kim, Mar, Tang, Yee

Noes: 2 - Farrell, Wiener

130953 [Preparation of Findings Related to the Appeal for Waiver, Adjustment or Reduction of Condominium Conversion Fee - 273A-29th Street]

Motion directing the Clerk of the Board to prepare findings relating to the Board of Supervisors' decision to approve a waiver, adjustment or reduction of the condominium conversion fee in Subdivision Code, Section 1396.4(j), for 273A-29th Street. (Clerk of the Board)

Supervisor Kim, seconded by Supervisor Campos, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 9 - Avalos, Breed, Campos, Chiu, Cohen, Kim, Mar, Tang, Yee

Noes: 2 - Farrell, Wiener

SPECIAL ORDER 3:00 P.M.**130990 [Public Hearing - Appeal of Application of Condominium Conversion Fee - 124-5th Avenue, Apartment 2]**

Hearing of persons interested in or objecting to the application of the condominium conversion fee per Subdivision Code, Section 1396.4(j), for property located at 124-5th Avenue, Apartment 2, Assessor's Block No. 1364, Lot No. 034. (District 2) (Appellant: Scott Yarmark) (Filed October 3, 2013). (Clerk of the Board)

The President inquired as to whether any member of the public wished to address the Board. Gigi Whitley (Mayor's Office of Housing and Community Development) provided an overview of the decision of the Mayor's Office of Housing and Community Development and responded to questions raised throughout the discussion. There were no other speakers. The President declared the public hearing closed.

HEARD AND FILED

130991 [Denying Appeal for Waiver, Adjustment, or Reduction of Condominium Conversion Fee - 124-5th Avenue, Apartment 2]

Motion denying the appeal seeking a waiver, adjustment, or reduction of the condominium conversion fee in Subdivision Code, Section 1396.4(j), for 124-5th Avenue, Apartment 2. (Clerk of the Board)

Motion No. M13-156

Supervisor Breed, seconded by Supervisor Campos, moved that this Motion be APPROVED. The motion carried by the following vote:

Ayes: 9 - Avalos, Breed, Campos, Chiu, Cohen, Kim, Mar, Tang, Yee

Noes: 2 - Farrell, Wiener

130992 [Approving Waiver, Adjustment, or Reduction of Condominium Conversion Fee - 124-5th Avenue, Apartment 2]

Motion approving a waiver, adjustment, or reduction of the condominium conversion fee in Subdivision Code, Section 1396.4(j), for 124-5th Avenue, Apartment 2. (Clerk of the Board)

Supervisor Breed, seconded by Supervisor Campos, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 9 - Avalos, Breed, Campos, Chiu, Cohen, Kim, Mar, Tang, Yee

Noes: 2 - Farrell, Wiener

130993 [Preparation of Findings Related to the Appeal for Waiver, Adjustment, or Reduction of Condominium Conversion Fee - 124-5th Avenue, Apartment 2]

Motion directing the Clerk of the Board to prepare findings relating to the Board of Supervisors' decision to approve a waiver, adjustment, or reduction of the condominium conversion fee in Subdivision Code, Section 1396.4(j), for 124-5th Avenue, Apartment 2. (Clerk of the Board)

Supervisor Breed, seconded by Supervisor Campos, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 9 - Avalos, Breed, Campos, Chiu, Cohen, Kim, Mar, Tang, Yee

Noes: 2 - Farrell, Wiener

SPECIAL ORDER 3:00 P.M.**130994 [Public Hearing - Appeal of Application of Condominium Conversion Fee - 124-5th Avenue, Apartment 5]**

Hearing of persons interested in or objecting to the application of the condominium conversion fee per Subdivision Code, Section 1396.4(j), for property located at 124-5th Avenue, Apartment 5, Assessor's Block No. 1364, Lot No. 034. (District 2) (Appellant: William Jeffery Rolf) (Filed October 7, 2013). (Clerk of the Board)

The President inquired as to whether any member of the public wished to address the Board. William Jeffery Rolf (Appellant) provided an overview of the appeal, responded to questions raised throughout the discussion, and further requested the Board to approve the appeal and waive the application fee. Gigi Whitley (Mayor's Office of Housing and Community Development) provided an overview of the decision of the Mayor's Office of Housing and Community Development and responded to questions raised throughout the discussion. There were no other speakers. The President declared the public hearing closed.

HEARD AND FILED

130995 [Denying Appeal for Waiver, Adjustment, or Reduction of Condominium Conversion Fee - 124-5th Avenue, Apartment 5]

Motion denying the appeal seeking a waiver, adjustment, or reduction of the condominium conversion fee in Subdivision Code, Section 1396.4(j), for 124-5th Avenue, Apartment 5. (Clerk of the Board)

Motion No. M13-157

Supervisor Breed, seconded by Supervisor Campos, moved that this Motion be APPROVED. The motion carried by the following vote:

Ayes: 9 - Avalos, Breed, Campos, Chiu, Cohen, Kim, Mar, Tang, Yee

Noes: 2 - Farrell, Wiener

130996 [Approving Waiver, Adjustment, or Reduction of Condominium Conversion Fee - 124-5th Avenue, Apartment 5]

Motion approving a waiver, adjustment, or reduction of the condominium conversion fee in Subdivision Code, Section 1396.4(j), for 124-5th Avenue, Apartment 5. (Clerk of the Board)

Supervisor Breed, seconded by Supervisor Campos, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 9 - Avalos, Breed, Campos, Chiu, Cohen, Kim, Mar, Tang, Yee

Noes: 2 - Farrell, Wiener

130997 [Preparation of Findings Related to the Appeal for Waiver, Adjustment, or Reduction of Condominium Conversion Fee - 124-5th Avenue, Apartment 5]

Motion directing the Clerk of the Board to prepare findings relating to the Board of Supervisors' decision to approve a waiver, adjustment, or reduction of the condominium conversion fee in Subdivision Code, Section 1396.4(j), for 124-5th Avenue, Apartment 5. (Clerk of the Board)

Supervisor Breed, seconded by Supervisor Campos, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 9 - Avalos, Breed, Campos, Chiu, Cohen, Kim, Mar, Tang, Yee

Noes: 2 - Farrell, Wiener

COMMITTEE REPORTS

Recommendation of the Rules Committee

131088 [Appointment, Director of the San Francisco Bay Area Regional Water System Financing Authority - Harlan L. Kelly, Jr.]

Sponsor: Mayor

Resolution appointing Harlan L. Kelly, Jr., for a four-year term, to commence upon Board of Supervisors' approval, as a Director of the San Francisco Bay Area Regional Water System Financing Authority.

Resolution No. 420-13

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Recommendations of the Land Use and Economic Development Committee

130968 [Administrative, Planning Codes - Ellis Act Displaced Emergency Assistance Ordinance]

Sponsors: Chiu; Campos, Kim, Mar, Breed, Farrell and Cohen

Ordinance amending the Administrative and Planning Codes to provide a preference in occupying units or receiving assistance under all affordable housing programs administered or funded by the City, including all former San Francisco Redevelopment Agency affordable housing programs administered or funded by the City, to certain tenants being evicted under the Ellis Act, California Government Code, Section 7060 et seq.; and making environmental findings, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

Supervisors Farrell and Cohen requested to be added as co-sponsors.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

131069 [Construction Approval - West Garden Cafe Project - Academy of Sciences in Golden Gate Park]

Sponsors: Mar; Tang

Resolution approving the construction of a cafe in the West Garden of the Academy of Sciences in Golden Gate Park pursuant to Charter, Section 4.113; adopting findings pursuant to the California Environmental Quality Act; and adopting findings of consistency with the Golden Gate Park Master Plan, the General Plan, and the eight priority policies of Planning Code, Section 101.1.

Resolution No. 421-13

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

131119 [Transportation Code - Inoperable/Broken Parking Meter Time Limits]

Sponsor: Chiu

Ordinance amending the Transportation Code, Division I, to clarify the definition for "Parking Meter" to include electronic pay stations, and change the time limit for parking at inoperable or broken parking meters from two hours to the maximum time permitted for the parking meter; and making environmental findings.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

ROLL CALL FOR INTRODUCTIONS

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.

PUBLIC COMMENT

James Chaffee; expressed concerns relating to the SF Public Library.
Vilia Feliciano; requested support of the boycott of Center Plate at AT&T Park.
Patricia Ramirez; requested support of the boycott of Center Plate at AT&T Park.
Robert McCall; requested support of the boycott of Center Plate at AT&T Park.
Lee Vaughn; expressed various concerns regarding parking and jobs.
Anthony Wendlberger; requested support of the boycott of Center Plate at AT&T Park.
Marie Nance; requested support of the boycott of Center Plate at AT&T Park.
Linda Chapman; expressed various concerns regarding affordable senior housing.
Douglas Yep; expressed various concerns.
Manuel Flores; expressed support of large events and workers.
Mike Casey; requested support of the boycott of Center Plate at AT&T Park.
Christopher Gall; expressed various concerns.
Tom Gilberty; expressed various concerns.
Male Speaker; expressed various religious concerns.
Male Speaker; expressed various concerns regarding money owed to him.
Larry Juicye Edmond; expressed various concerns.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

131113 [Final Map 7472 Phase 1 - Mission Bay Block 1]

Motion approving Phase 1, Final Map No. 7472 , Mission Bay Block 1, a three lot subdivision of Assessor's Block No. 8715, Lot No. 4, for financing and conveyancing purposes only; and adopting findings pursuant to the General Plan, and the eight priority policies of Planning Code, Section 101.1, and the Mission Bay South Redevelopment Plan and plan documents. (Public Works Department)

Motion No. M13-158

APPROVED

131114 [Final Map 7444 - 1998 Market Street]

Motion approving Final Map 7444, a merger and resubdivision for a 115 residential unit and four commercial unit, mixed-use condominium project, located at 1998 Market Street being a subdivision of Assessor's Block No. 0872, Lot Nos. 005, 006, and 007; and adopting findings pursuant to the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Public Works Department)

Motion No. M13-159

APPROVED

131115 [Final Map 7448 - 1600 Market Street]

Motion approving Final Map 7448, a 24 residential unit and two commercial unit, mixed-use condominium project, located at 1600 Market Street being a subdivision of Assessor's Block No. 0854, Lot No. 001; and adopting findings pursuant to the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Public Works Department)

Motion No. M13-160

APPROVED

131116 [Final Map 7562 - 55-9th Street]

Motion approving Final Map 7562, a 273 residential unit and two commercial unit, mixed-use condominium project, located at 55-9th Street being a subdivision of Assessor's Block No. 3701, Lot No. 066; and adopting findings pursuant to the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Public Works Department)

Motion No. M13-161

APPROVED

131132 [Supporting Assembly Bill 1266 - The School Success and Opportunity Act]

Sponsors: Campos; Mar, Avalos, Yee, Wiener and Chiu

Resolution supporting Assembly Bill 1266, authored by Assemblymember Tom Ammiano, set to take effect on January 1, 2014, which restates existing State law prohibiting discrimination against transgender students in public education and permitting students to participate in sex-segregated facilities and activities based on their gender identity.

Supervisor Chiu requested to be added as a co-sponsor.

Resolution No. 422-13

ADOPTED

131133 [Declaration of Election Results of the November 5, 2013, Municipal Election]

Sponsor: Chiu

Resolution declaring the results of the November 5, 2013, Municipal Election.

Resolution No. 423-13

ADOPTED

131134 [Supporting Senate Bill 316 and House Bill 630 - Postal Service Protection Act of 2013]

Sponsors: Chiu; Mar

Resolution supporting Senate Bill 316 and House Bill 630, the Postal Service Protection Act of 2013, and federal efforts to maintain levels of postal service provided by the United States Postal Service.

Supervisor Mar requested to be added as a co-sponsor.

Resolution No. 424-13

ADOPTED

131135 [City Typhoon Relief Fund]

Sponsors: Chiu; Mar

Resolution urging the Mayor and Department of Human Resources to explore establishing a method by which City employees can donate to a Typhoon Relief Fund for the Philippines.

Supervisor Mar requested to be added as a co-sponsor.

Resolution No. 425-13

ADOPTED

131136 [Supporting the Secure Our Smartphone Initiative]**Sponsors: Kim; Mar and Chiu**

Resolution supporting the Secure Our Smartphones Initiative, the objective of which is to demand that smartphone manufacturers implement technological solutions to remove the economic incentives that support and drive the theft and re-sale of smartphone devices.

Supervisors Mar and Chiu requested to be added as co-sponsors.

Resolution No. 426-13**ADOPTED****The foregoing items were acted upon by the following vote:**

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

LEGISLATION INTRODUCED AT ROLL CALL**Introduced by a Supervisor or the Mayor****Ordinances****131140 [Appropriation - Recreation and Park Department's Capital Improvements - FY2013-2014 - \$9,191,670]****Sponsor: Mayor**

Ordinance appropriating \$10,029,670 including de-appropriating \$3,176,558 of 2000 Recreation and Park Facilities Improvement Bond capital projects; appropriating \$36,401 of 2000 Recreation and Park Facilities Improvement Bond proceeds; de-appropriating \$3,000,000 of 2008 Clean and Safe Neighborhood Parks Bond Capital projects; and appropriating \$3,816,711 of 2008 Clean and Safe Neighborhood Parks Bond Proceeds Interest Earnings to Recreation and Park and Neighborhood Park Contingency Funds to fund capital projects within 2000 Recreation and Park Facilities Improvement Bond and 2008 Clean and Safe Neighborhood Parks Bond approved projects and program parameters.

(Fiscal Impact)

11/26/13; ASSIGNED to Budget and Finance Committee.

131141 [Public Employment - Amendment to the Annual Salary Ordinance - Recreation and Park Department - FYs 2013-2014 and 2014-2015]**Sponsor: Mayor**

Ordinance amending Ordinance No. 160-13 (Annual Salary Ordinance - FY2013-2014 and FY2014-2015) to reflect the addition of two Class 5502 Project Manager I positions (1.0 FTE) in the Recreation and Park Department for the implementation of the Recreation and Park Department's capital improvements.

11/26/13; ASSIGNED to Budget and Finance Committee.

131146 [Subdivision Code - Condominium Conversion Appeals]**Sponsor: Breed**

Ordinance amending the Subdivision Code to authorize the Clerk of the Board of Supervisors to reject appeals of the condominium conversion fee when the appeal does not challenge the relationship or nexus between the impact of development and the amount of the fee charged.

11/26/13; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 12/26/2013.

131147 [Accept and Expend Grant - Juvenile Accountability Block Grant and Amendment to the Annual Salary Ordinance - FY2013-2014 - \$94,132]**Sponsor: Campos**

Ordinance retroactively authorizing the Public Defender's Office to accept and expend a grant in the amount of \$94,132 from the Board of State and Community Corrections for the purpose of implementing local juvenile justice accountability measures through the Juvenile Accountability Block Grant; and amending Ordinance No. 160-13 (Annual Salary Ordinance, FY2013-2014) to reflect the addition of one Class 8177 Trial Attorney grant-funded position (0.45 FTE) at the Public Defender's Office.

11/26/13; ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 12/26/2013.

131148 [Planning, Building, Administrative Codes - Authorization of Dwelling Units Installed Without a Permit]**Sponsors: Chiu; Wiener and Cohen**

Ordinance amending the Planning and Building Codes to provide a process for granting legal status to existing dwelling units constructed without the required permits, and establishing a fee for administering the authorization program; amending the Administrative Code to provide that a dwelling unit that was subject to the Rent Ordinance before legalization will remain under the Rent Ordinance, and requiring the property owner to provide relocation assistance to displaced tenants; making environmental findings, and findings of consistency with the General Plan and the eight priority policies of Planning Code, Section 101.1; and directing the Clerk to submit this Ordinance to the California Department of Housing and Community Development in accordance with state law.

11/26/13; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 12/26/2013.

Resolutions**131142 [Urging the Restart of GreenFinanceSF]****Sponsors: Mayor; Farrell, Chiu, Wiener, Kim, Tang, Mar, Yee and Cohen**

Resolution urging the restart of GreenFinanceSF and supporting the Mayor, Department of the Environment, and Office of Public Finance to enable City residents to finance the costs of energy efficiency and renewable energy capital improvements; and to take such other actions necessary therefor.

11/26/13; RECEIVED AND ASSIGNED to Budget and Finance Committee.

131143 [Changes to the Special Tax District No. 2009-1 - San Francisco Sustainable Financing]**Sponsors: Mayor; Chiu, Tang and Wiener**

Resolution authorizing the City and County of San Francisco Special Tax District No. 2009-1 (San Francisco Sustainable Financing) to levy special taxes and incur debt to finance work deemed necessary to bring buildings or real property, including privately owned buildings or real property, into compliance with seismic safety standards or regulations.

11/26/13; RECEIVED AND ASSIGNED to Budget and Finance Committee.

131144 [Office of Community Investment and Infrastructure Budget - Not To Exceed \$70,000,000]**Sponsor: Mayor**

Resolution authorizing the Office of Community Investment and Infrastructure, operating as the Successor Agency to the Redevelopment Agency, to issue and expend bonds in an aggregate principal amount not to exceed \$70,000,000 for the purpose of financing a portion of enforceable obligations in the Mission Bay South redevelopment project area in the current or future budget years.

11/26/13; RECEIVED AND ASSIGNED to Budget and Finance Committee.

131145 [Competitive Selection Process - Landfill Disposal Provider]**Sponsors: Avalos; Farrell, Chiu, Tang, Breed, Kim, Yee, Wiener, Campos, Cohen and Mar**

Ordinance making findings that the City's competitive process for selecting a preferred contractor for landfill disposal was adequate, fair, and consistent with the request for proposals; ratifying the selection of Recology San Francisco (Recology) as the preferred contractor; ratifying the termination of the landfill disposal and facilitation agreements with Recology; endorsing the environmental review, under the California Environmental Quality Act (CEQA), of the Recology proposal as the City's preferred project alternative; clarifying that, consistent with prior practice and existing law, the definition of "services" contained in Administrative Code, Chapter 21, excludes the agreements resulting from the competitive selection process; and making environmental findings under CEQA.

11/26/13; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee.

131149 [Adding the Name "Donaldina Cameron Alley" to Old Chinatown Lane]**Sponsors: Chiu; Mar**

Resolution adding the name "Donaldina Cameron Alley" to Old Chinatown Lane in recognition of Donaldina Cameron and her many contributions to San Francisco.

11/26/13; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

131150 [Adding the Name "Harold 'Bud' Moose Lane" to Merchant Street]**Sponsor: Chiu**

Resolution adding the name "Harold 'Bud' Moose Lane" to Merchant Street in recognition of Bud Moose and his many contributions to San Francisco.

11/26/13; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

131151 [Adding the Name “Enid Ng Lim Alley” to Bartol Street]**Sponsors: Chiu; Mar**

Resolution adding the name “Enid Ng Lim Alley” to Bartol Street in recognition of Enid Ng Lim and her many contributions to San Francisco.

11/26/13; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

131152 [Multifamily Housing Revenue Note - Bayview Senior Housing - 1751 Carroll Avenue - \$28,500,000]**Sponsor: Cohen**

Resolution authorizing the execution, sale, and delivery of a housing revenue note in an aggregate principal amount not to exceed \$28,500,000 for the purpose of providing financing for the construction of a 121-unit affordable multifamily senior residential rental housing project, known as Bayview Senior Housing; approving the form and authorizing the execution of a funding loan agreement and a borrower loan agreement; providing the terms and conditions of the note and authorizing the execution and delivery thereof; approving the form and authorizing the execution of a regulatory agreement and declaration of restrictive covenants; authorizing the collection of certain fees; approving modifications, changes, and additions to the documents; granting general authority to City officials to take actions necessary to implement this Resolution; and ratifying and approving any action heretofore taken in connection with the note and the Project, as defined herein.

11/26/13; RECEIVED AND ASSIGNED to Budget and Finance Committee.

131153 [Supporting the Current Child Care and Development Resource and Referral Program Service Area in San Francisco]**Sponsors: Yee; Mar and Kim**

Resolution urging the California Department of Education’s Child Development Division to reconsider its decision to divide San Francisco’s child care and development resource and referral service areas by zip code.

11/26/13; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

131154 [Committing to a Food Secure and Hunger Free San Francisco]**Sponsors: Mar; Campos, Yee, Cohen and Chiu**

Resolution committing the City and County of San Francisco to a food secure and hunger free San Francisco.

11/26/13; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

131155 [Project Read Day - December 10, 2013]**Sponsor: Mar**

Resolution commending Project Read on the occasion of its 30th Anniversary, and declaring December 10, 2013, as Project Read Day in San Francisco.

11/26/13; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

131156 [Accept and Expend Grant - Creeks to Peaks Connector Trails Project - \$130,679]**Sponsor: Wiener**

Resolution retroactively authorizing the Recreation and Park Department to accept and expend a grant of \$130,679, for the period of July 1, 2013, through June 30, 2033, from the California Department of Parks and Recreation's Habitat Conservation Fund to support the development of the Creeks to Peaks Connector Trails Project in Twin Peaks and Glen Canyon Park.

11/26/13; RECEIVED AND ASSIGNED to Budget and Finance Committee.

Introduced by the President at the Request of a Department**PROPOSED ORDINANCES**

There were none.

PROPOSED RESOLUTION**131112 [Settlement of Claim - United States of America (U.S. Coast Guard) - \$973,287.38]**

Resolution approving the settlement of the unlitigated claim by the United States of America (U.S. Coast Guard) against the City and County of San Francisco for \$973,287.38; claim was served on June 5, 2012. (City Attorney's Office)

11/15/13; RECEIVED FROM DEPARTMENT.

11/26/13; RECEIVED AND ASSIGNED to Rules Committee.

In Memoriam

Officer Michael Howard - Supervisor Malia Cohen

ADJOURNMENT

There being no further business, the Board adjourned at the hour of 4:54 p.m.

N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on January 7, 2014.

Angela Calvillo, Clerk of the Board