



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, March 11, 2014 - 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, Breed, Wiener

Budget and Finance Sub-Committee
Supervisors Farrell, Mar, Avalos

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

Government Audit and Oversight Committee
Supervisors Breed, Tang, Chiu

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

Neighborhood Services and Safety Committee
Supervisors Campos, Mar, Yee

Rules Committee
Supervisors Yee, Tang, Campos

Meeting Days

Wednesday
1:00 PM

Wednesday
10:00 AM

4th Thursday
3:30 PM

2nd and 4th Thursday
10:30 AM

Monday
1:30 PM

1st and 3rd Thursday
10:00 AM

1st and 3rd Thursday
2:00 PM

First-named Supervisor is Chair, Second-named Supervisor is Vice-Chair of the Committee.

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 February 4, 2014, 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. [140220](#) [Formal Policy Discussions - March 11, 2014]

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 3, 5, 9, and 11. The Mayor may address the Board initially for up to five minutes. Discussion shall not exceed five minutes per Supervisor.

1. Mr. Mayor, to address the affordability crisis, you have pledged in your State of the City address to facilitate the construction of 30,000 units of housing by 2020 to meet the needs of the City's growing population. As you know, even as we build more housing we must do more to prevent the displacement of residents who are currently grappling with being priced out of San Francisco. I believe that our City's housing policy must include the preservation of existing, affordable rent controlled housing in addition to new development - a more cost effective way to provide affordable housing and stabilize communities. Two initiatives I've worked on to preserve our affordable housing stock are to: 1) create a pathway for the tens of thousands of existing in-law units to become legalized; and 2) establish a right for tenants to make an offer to buy their buildings when their property is up for sale. Will you support both initiatives, and can you pledge to invest in housing preservation by identifying funding for in-law units to be rehabbed and brought up code and for tenants to acquire their buildings and keep them affordable through the Small Site Acquisition Fund? (Supervisor Chiu, District 3)

2. San Francisco does not have enough ambulances. According to the Budget and Legislative Analyst's recent audit, "Medic to Follow" calls-the term used to describe when someone calls for an ambulance and the Fire Department does not have one available to send-have increased over 500% since 2008. They are happening an average of eight times each day. I have heard reports of patients being forced to wait 15, 25, even 40 minutes for an ambulance to transport them to the hospital. And the Fire Department is well below the service level it is obligated to provide under its "Exclusive Operating Area" with the state. Remaining out of compliance could seriously jeopardize jobs within the Fire Department, revenue to the Fire Department, and overall public safety.

The Fire Department estimates that it will need \$9.8 million to provide new ambulances and personnel in order to meet its state regulations. This figure is likely high, as it does not account for the new revenue that increased emergency medical services capacity will generate. I have asked the Budget and Legislative Analyst to assess the net-net figure. Nonetheless, whether it is \$4 million or \$9 million, I think San Franciscans deserve a reliable emergency medical system.

Will you provide sufficient funding in this year's budget to bring the Fire Department's emergency medical services into compliance with its "Exclusive Operating Area" with the state? (Supervisor Breed, District 5)

3. As you know, Supervisor Avalos is in his second term. Very soon, he will be an unemployed former Supervisor over the age of fifty with no transferable skills whatsoever. Since you have such great relationships with our City's burgeoning technology sector, could you help Supervisor Avalos get a job?

Clearly, being a San Francisco Supervisor doesn't prepare anyone for the real world and Supervisor Avalos' advanced age is an additional handicap in the modern job market. Supervisor Avalos still asks lobbyists to make dittos instead of photocopy documents. He has no idea what Zynga means. He thinks Zynga is what Tom Ammiano calls a witty insult. He uses a flip phone. A flip phone.

So please use your considerable clout to help Supervisor Avalos get a job lined up for after he leaves office that can make use of his limited skills but generally affable temperament.

Maybe as a greeter at Twitter HQ. Does Twitter have greeters? (Supervisor Campos, District 9)

4. In your letter of introduction to the 2013 Climate Action Strategy (CAS), you wrote that "the need for immediate action has never been more evident, and we know that cities are leading the way." However the urgency of that statement is belied by the fact that the letter was dated October 21, 2013, and the Climate Action Strategy was not released until February 12, 2014.

The Climate Action Strategy goes on to state that "moving to 100% renewable electricity is the single biggest step the City can take to reduce Greenhouse Gas Emissions." And yet there was an attempt to scrub all mentions of CleanPowerSF--the City's program to actually deliver 100% renewable electricity--from the Climate Action Strategy. The version of the CAS released on February 12th included a "whited-out" table of projected participation rates in CleanPowerSF. But that table was unceremoniously removed in a new version that was posted two days later.

Unless we quickly implement 100% renewable electricity, we will fail to meet our legislated Greenhouse Gas Emission reduction requirements in the next few years.

As a birthday present to me, will you work with the Department of the Environment to reinstate CleanPowerSF in the Climate Action Strategy?

And as a present to the 87% of San Franciscans who believe global warming is happening, will you commit to launch CleanPowerSF this year? (Supervisor Avalos, District 11)

Attachments: [Board Pkt 031114](#)

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 5

Recommendations of the Land Use and Economic Development Committee

Present: Supervisors Wiener, Kim, Cohen

2. [130999](#) [Zoning Map - Transferable Development Right Sale Eligibility - 133-135 Golden Gate Avenue (St. Boniface Church and Rectory)]

Sponsor: Kim

Ordinance amending the Planning Code, Zoning Use District Map ZN01, to provide for eligibility to sell transferable development rights for property at 133-135 Golden Gate Avenue (St. Boniface Church and Rectory); 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](#)

[Response Pln Dept 010214](#)

[Comm Pkt 022414](#)

[Board_Pkt_030414](#)

[Board_Pkt_031114](#)

03/04/2014; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

3. [131059](#) [Planning Code - Allowing Certain Non-Conforming Structures to be Rebuilt Under Certain Conditions]

Sponsors: Mayor; Chiu and Cohen

Ordinance amending the Planning Code to allow non-conforming secondary structures in a C-3-R (Downtown Retail) Zoning District to be demolished and rebuilt to the prior non-conforming size under certain conditions; 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](#)

[Response_SmBusiness_121113](#)

[Response_PlannComm_111213](#)

[Comm Pkt 022414](#)

[Response_PLN_Comm_021314](#)

[Board_Pkt_030414](#)

[Board_Pkt_031114](#)

03/04/2014; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

4. [131207](#) [Environment Code - Bottled Water]**Sponsors: Chiu; Mar, Kim and Cohen**

Ordinance amending the Environment Code to restrict the sale or distribution on City property of drinking water in plastic bottles of 21 ounces or less, set City policy to increase the availability of drinking water in public areas, and bar the use of City funds to purchase bottled water; and making environmental findings.

Attachments: [Leg_Ver1](#)
[Leg_Dig_Ver1](#)
[Memo_121713](#)
[Response Pln Dept 011014](#)
[Memo 021114](#)
[Leg_Ver2](#)
[Leg_Dig_Ver2](#)
[Comm Pkt 022414](#)
[Response SBC 022414](#)
[Comm Pkt 030314](#)
[Response Sm Bus 022714](#)
[BOARD PKT 030414](#)
[Board_Pkt_031114](#)

03/04/2014; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendation of the Rules Committee

Present: Supervisors Yee, Tang, Campos

5. 130401 [Health Code - Hazardous Materials]

Ordinance amending the Health Code to require electronic applications for registration of hazardous materials and for underground storage tanks be filed through the California Environmental Reporting System, to eliminate the requirement that registration of hazardous materials plans include a program for reduction of hazardous materials, and to provide for fee adjustment; and making environmental findings. (Public Health Department)

- Attachments:** [Leg_Ver1](#)
[Leg_Dig_Ver1](#)
[Comm Pkt 022014](#)
[Board_Pkt_030414](#)
[Board_Pkt_031114](#)

03/04/2014; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

REGULAR AGENDA

UNFINISHED BUSINESS

There are no items.

NEW BUSINESS

Recommendations of the Budget and Finance Committee

Present: Supervisors Farrell, Mar, Avalos, Breed, Wiener

6. [131186](#) **[Annual Update - Mental Health Services Act Program and Expenditure Plans - FY2013-2014]**

Resolution authorizing adoption of the FY2013-2014 Annual Update to Mental Health Services Act Program and Expenditure Plans. (Public Health Department)

Attachments: [Leg_Ver1](#)

[DPH_Memo_102213](#)

[MHSA_FY13-14_Annual_Update](#)

[Mental_Svcs_Act](#)

[Comm_Pkt_030514](#)

[board_pkt_030114](#)

Question: Shall this Resolution be ADOPTED?

7. [140056](#) **[Performance Contract Approval - California Department of Health Care Services - Mental Health Services]**

Resolution retroactively approving Performance Contract No. 13-90332, between Community Behavioral Health Services and the Department of Health Care Services, incorporating the Mental Health Services Act, Projects for Assistance in Transition from Homelessness, and Community Mental Health Services Grant programs, for the period of July 1, 2013, through June 30, 2014; and authorizing the Community Behavioral Health Services Director, Department of Public Health, to sign said agreement and any and all amendments in the future. (Public Health Department)

(Fiscal Impact)

Attachments: [Leg_Ver1](#)

[Exhibit A Performance Contract](#)

[Bdgt_Analyst_Rpt_030514](#)

[Comm_Pkt_030514](#)

[Board_Pkt_031114](#)

Question: Shall this Resolution be ADOPTED?

Recommendations of the Budget and Finance Sub-Committee

Present: Supervisors Farrell, Mar, Avalos

8. [140090](#) **[Administrative Code - Local Hiring Policy - Jurisdictional Boundary for Mandatory Participation]**

Sponsors: Avalos; Mar

Ordinance amending the Administrative Code, to provide that the residents of the Public Utilities Commission service area are considered "local" for purposes of mandatory participation for the City's Local Hiring Policy, on certain projects located within 70 miles of the jurisdictional boundary of the City and County of San Francisco.

Attachments: [Leg Ver1](#)

[Leg Dig Ver1](#)

[OEWD Memo 121613](#)

[OEWD Memo 112213](#)

[Labor Market Report 101513](#)

[OEWD 2011-2012 Report](#)

[OEWD 2012-2013 Report](#)

[Comm Pkt_030514](#)

[Board_Pkt_031114](#)

Question: Shall this Ordinance be PASSED ON FIRST READING?

9. [140091](#) **[Administrative Code - Local Hiring Policy - Extending the Periodic Review and Mandatory Participation Level]**

Sponsors: Avalos; Mar

Resolution amending the Administrative Code, to extend the periodic review of the City's Local Hiring Policy and to determine the mandatory participation level for the policy.

Attachments: [Leg Ver1](#)

[OEWD Memo 121613](#)

[OEWD Memo 112213](#)

[Labor Market Report 101513](#)

[OEWD 2011-2012 Report](#)

[OEWD 2012-2013 Report](#)

[Comm Pkt_030514](#)

[Board_Pkt_031114](#)

Question: Shall this Resolution be ADOPTED?

10. [131240](#) **[Contract Agreement - Department of Public Health and Health Advocates, LLC - Not to Exceed \$6,300,390]**
Resolution retroactively approving a contract between the Department of Public Health and Health Advocates, LLC, to provide uncompensated care reimbursement recovery services for the period of January 1, 2014, through December 31, 2017, for an amount not to exceed \$6,300,390. (Public Health Department)

(Fiscal Impact)

Attachments: [Leg_Ver1](#)
[DPH_Ltr_122713](#)
[Agmt_010114](#)
[Reso_85-10](#)
[Form_126](#)
[Bdgt_Analyst_Rpt_030514](#)
[Comm_Pkt_030514](#)
[Leg_Ver2](#)
[Form_126_Ver2](#)
[Board_Pkt_031114](#)

Question: Shall this Resolution be ADOPTED?

11. [140067](#) **[Accept and Expend Grant - Anti-Human Trafficking Task Force Program - \$230,529]**
Sponsor: Tang
Resolution retroactively authorizing the Police Department to accept and expend a grant augmentation in the amount of \$230,529 from the Governor's Office of Emergency Services, for the Anti-Human Trafficking Task Force Program, for the period of October 1, 2013, through June 30, 2014.

Attachments: [Leg_Ver1](#)
[Grant Info Form 011014](#)
[Grant Budget](#)
[Grant App 100912](#)
[Award Mod 070714](#)
[Operational Agmt 101212](#)
[Operational Agmt 101212](#)
[Operational Agmt 101212](#)
[Comm_Pkt_030514](#)
[Leg_Ver2](#)
[Board_Pkt_031114](#)

Question: Shall this Resolution be ADOPTED?

12. [140089](#) **[Lease Agreement - Southwest Airlines, Co. - Airport Cargo Building 606 - \$1,313,761]**

Resolution approving and authorizing the execution of a Lease Agreement for Cargo Building 606, and Related Areas on Plot 9B, No. L13-0257, between Southwest Airlines, Co., and the City and County of San Francisco, acting by and through its Airport Commission, with a minimum rent amount of \$1,313,761 for a term of five years, to commence upon Board approval. (Airport Commission)

(Fiscal Impact.)

Attachments: [Leg_Ver1](#)
[Form 126 BOS](#)
[Form 126 Mayor](#)
[Airport Reso 130257](#)
[Director Memo 120313](#)
[Lease Agmt](#)
[Bdgt_Analyst_Rpt_030514](#)
[Comm_Pkt_030514](#)
[Board_Pkt_031114](#)

Question: Shall this Resolution be ADOPTED?

Recommendation of the Government Audit and Oversight Committee

Present: Supervisors Breed, Tang, Chiu

13. [140012](#) **[Reducing Pharmaceutical Prices]**

Sponsors: Chiu; Wiener and Campos

Resolution supporting City, State, and Federal efforts to reduce pharmaceutical prices and increase transparency of the pharmaceutical rate-setting process.

Attachments: [Leg_Ver1](#)
[Comm Pkt 022714](#)
[Board_Pkt_031114](#)

Question: Shall this Resolution be ADOPTED?

Recommendation of the Land Use and Economic Development Committee

Present: Supervisors Wiener, Kim, Cohen

14. [140065](#) **[Shaw Alley Public Improvements - Gift Acceptance and Permit for Maintenance]**

Sponsor: Kim

Ordinance accepting the Shaw Alley public improvements and maintenance of same as a gift to the City; approving a major street encroachment permit for the construction and maintenance of the public improvements; deferring a portion of the additional street space occupancy permit fees associated with the permit and adjacent development; affirming the Planning Department's determination under the California Environmental Quality Act; adopting findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and directing official acts in furtherance of this Ordinance .

Attachments: [Leg Ver1](#)

[Comm Pkt 030314](#)

[Board_Pkt_031114](#)

Question: Shall this Ordinance be PASSED ON FIRST READING?

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

COMMITTEE REPORT

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

The following item will be considered by the Rules Committee at a Regular Meeting on Thursday, March 6, 2014, at 2:00 p.m. The Chair intends to request the Committee to send the following item to the Board as a Committee Report on Tuesday, March 11, 2014.

15. [140119](#) **[Settlement of Lawsuit - BRE/GLEN Portfolio Mezz 4, LLC - \$512,581.50]**
Ordinance authorizing settlement of the lawsuit filed by BRE/GLEN Portfolio Mezz 4, LLC, against the City and County of San Francisco for \$512,581.50; the lawsuit was filed on March 26, 2013, in San Francisco Superior Court, Case No. CGC-13-530011; entitled BRE/GLEN Portfolio Mezz 4, LLC v. City and County of San Francisco. (City Attorney's Office)
- Attachments:** [Leg Ver1](#)
[Comm Pkt 030614](#)
[Board Pkt 031114](#)

Question: Shall this Ordinance be PASSED ON FIRST READING?

16. 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.

17. 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 18 through 25

18. [140195](#) **[Arbor Week - March 7-14, 2014]**
Sponsors: Breed; Campos
Resolution celebrating the countless benefits of the City's urban forest , declaring March 7-14, 2014, as Arbor Week 2014 in the City and County of San Francisco.
Attachments: [Leg Ver1](#)
[Board Pkt 031114](#)

03/04/2014; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
19. [140196](#) **[Urging the State Legislature to Provide Drought Mitigation Funding for Critical Water Supply and Conservation Projects for San Francisco]**
Sponsor: Breed
Resolution urging the State Legislature to provide drought mitigation funding for critical water supply and conservation projects for the San Francisco Bay Area .
Attachments: [Leg Ver1](#)
[Board_Pkt_031114](#)

03/04/2014; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?

20. [140197](#) **[Supporting Passage of California Assembly Bill 1504 (Stone) - Single-use Filter Cigarettes]**
Sponsor: Campos
Resolution supporting passage of California Assembly Bill 1504, authored by Assemblymember Stone, which helps prevent the environmental harm and cost to state and local governments caused by the improper disposal of cigarette butts by prohibiting single-use plastic 'filters' in cigarettes sold in California.
- Attachments:** [Leg Ver1](#)
[AB 1504](#)
[Board_Pkt_031114](#)
- 03/04/2014; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?**
21. [140198](#) **[Supporting Xiao Fei "Eddy" Zheng's Application to Remain Lawfully in the United States]**
Sponsors: Chiu; Kim, Cohen, Yee and Avalos
Resolution urging The Honorable Jerry Brown, Governor of California, to grant Xiao Fei "Eddy" Zheng a full pardon, and allow him to remain in the United States, and continue to serve youth in the San Francisco Bay Area community.
- Attachments:** [Leg Ver1](#)
[Board_Pkt_031114](#)
- 03/04/2014; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?**
22. [140199](#) **[Amending Resolution No. 36-14 - Electric Service Agreement - Transbay Joint Powers Authority - Term Beginning January 2014, and Continuing Indefinitely Unless Terminated]**
Sponsor: Kim
Resolution amending Resolution No. 36-14, to authorize an Electric Service Agreement between the Public Utilities Commission and the Transbay Joint Powers Authority for the Public Utilities Commission to be the primary provider of electric service to the Transbay Project beginning January 2014, and continuing indefinitely unless terminated.
- Attachments:** [Leg Ver1](#)
[Reso 36-14](#)
[Electric Service Agreement](#)
[Board_Pkt_031114](#)
- 03/04/2014; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?**

23. [140200](#) [Approval of a 60-Day Extension for Planning Commission Review of an Ordinance (File No. 130788) Expanding Formula Retail Controls]

Sponsor: Mar

Resolution extending by 60-days the prescribed time within which the Planning Commission may render its decision on an Ordinance (File No. 130788) amending the Planning Code to expand the definition of formula retail to include businesses that have eleven or more outlets worldwide and to include businesses 50% or more owned by formula retail businesses; to expand the applicability of formula retail controls to other types of retail uses; to expand the notification procedures for formula retail applications; to require an economic impact report as part of the formula retail conditional use application; 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](#)
[Board_Pkt_031114](#)

03/04/2014; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

24. [140186](#) [Final Map 7300 - 230-234A Hermann Street]

Motion approving Final Map 7300, a Five Residential Unit Condominium Project, located at 230-234A Hermann Street, being a subdivision of Assessor's Block No. 0868, Lot Nos. 009 and 009A, and adopting findings pursuant to the General Plan, and City Planning Code, Section 101.1. (Public Works Department)

Attachments: [Rte Sheet 022714](#)
[DPW Order 182288](#)
[Planning Ltr 030713](#)
[Tax Cert 012314](#)
[Tax Cert 012314](#)
[Mylar Sheet](#)
[Board_Pkt_031114](#)

02/28/2014; RECEIVED FROM DEPARTMENT.

03/04/2014; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

25. [140201](#) **[Concurring in the Continuation of the Revised Declaration of Local Emergency - Rim Fire (Stanislaus National Forest Area)]**

Motion concurring in the continuation of the "Rim Fire" Revised Declaration of Local Emergency by the Mayor and in the actions taken to meet the emergency. (Clerk of the Board)

Attachments: [Leg Ver1](#)

[Board_Pkt_031114](#)

03/04/2014; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

26. **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**140182****[Settlement of Lawsuit - Michael Yaki - City to Receive \$75,000]**

Ordinance authorizing settlement of the lawsuit filed by City Attorney Dennis J. Herrera against Michael Yaki for \$75,000; the lawsuit was filed on December 4, 2013, in San Francisco Superior Court, Case No. CGC-13-535880; entitled Dennis J. Herrera in his official capacity as San Francisco City Attorney v. Michael Yaki; other material terms of the settlement are that Yaki will register as a lobbyist with the San Francisco Ethics Commission, file monthly lobbyist disclosures for the period of July 2012 through August 2013, and complete a lobbyist training. (City Attorney)

Attachments: [Leg Ver1](#)

02/28/2014; RECEIVED FROM DEPARTMENT.

03/11/2014; RECEIVED AND ASSIGNED to the Rules Committee.

140185**[Settlement of Lawsuit - Syncora Guarantee, Inc., formerly XL Capital Assurance, Inc. - City to Receive \$180,000]**

Ordinance authorizing a settlement of the lawsuit filed by the City and County of San Francisco against Syncora Guarantee, Inc. (formerly known as XL Capital Assurance, Inc.) for \$180,000; the lawsuit was filed on October 8, 2008, in San Francisco Superior Court, Case No. CGC-08-480708; entitled City and County of San Francisco v. AMBAC Financial Group Inc., et al.; this partial settlement applies only to claims against Syncora Guarantee; other material terms of the settlement are that Syncora will waive its claim for attorneys fees and costs and cooperate in future discovery. (City Attorney's Office)

02/28/2014; RECEIVED FROM DEPARTMENT.

03/11/2014; RECEIVED AND ASSIGNED to the Rules Committee.

PROPOSED RESOLUTION

140181**[Street Encroachment - Ivy Street Fronting 401 Grove Street]**

Resolution granting revocable permission to Ivy Grove Partners, LLC, to occupy a portion of the public right-of-way to install and maintain planter bulb-outs and irrigation lines on Ivy Street fronting 401 Grove Street (Block No. 0808, Lot No. 036), conditioning the permit, affirming the Planning Department's determination under the California Environmental Quality Act, and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

Attachments: [TASC Minutes](#)
[Planning Dept Ltr 080813](#)
[DPW Order No. 182020](#)
[Ivy Grove Ltr 051413](#)
[Street Encroachment Agrmt](#)
[Plans](#)
[Routing Sheet](#)

02/27/2014; RECEIVED FROM DEPARTMENT.

03/11/2014; RECEIVED AND ASSIGNED to the Land Use and Economic Development Committee.

140180**[Petitions and Communications]**

Petitions and Communications received from February 24, 2014, through March 3, 2014, for reference by the President to Committee considering related matters, or to be ordered filed by the Clerk on March 11, 2014.

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 concerned citizens, submitting a petition regarding electronic cigarettes in San Francisco. 40 signatures. File No. 131208. Copy: Each Supervisor. (1)

From concerned citizens, submitting letters regarding electronic cigarettes. 25 letters. File No. 131208. Copy: Each Supervisor. (2)

From Small Business, submitting a letter regarding proposed ordinance on bottled water. File No. 131207. Copy: Each Supervisor. (3)

From concerned citizens, regarding proposed ordinance on bottled water. File No. 131207. Copy: Each Supervisor. (4)

From Clerk of the Board, regarding the following appointments by the Mayor: (5)
Scott Kahn - Human Services Commission

From Controller, regarding a memorandum issued on the Airport's equipment purchasing process. (6)

From Controller, regarding a report issued on the Port Commission. (7)

From Jack Barry, regarding proposed ordinance on Ellis Act. File No. 140096. Copy: Each Supervisor. (8)

From Kristin Anundsen, regarding free parking. Copy: Each Supervisor. (9)

From Ruth Gravanis, regarding park and open spaces. Copy: Each Supervisor. (10)

From Allen Jones, regarding City Bag Ordinance. Copy: Each Supervisor. (11)

From Marcelo Fonseca, regarding Transportation Network Companies. Copy: Each Supervisor. (12)

From Cliff Culpeper, regarding Recology. Copy: Each Supervisor. (13)

From Mari Eliza, regarding appeal of permit applications for 1050-1058 Valencia Street. Copy: Each Supervisor. (14)

From Kai Paine, regarding bikes for families. File No. 131206. Copy: Each Supervisor. (15)

From Dennis McKenzie, regarding Warriors Arena. (16)

From American Federation of Teachers, regarding public comment from the February 27, 2014, Board Meeting. (17)

From Clerk of the Board, reporting the following individuals have submitted Form 700 Statements: (18)
Vallie Brown - Legislative Aide - Annual
Madeleine Licavoli - Legislative Deputy - Annual
Junko Laxamana - Accountant III - Annual
Andrea Ausberry - SOTF Administrator - Leaving
Victor Young - SOTF Administrator - Assuming
Judy Pietrzak - IT Business Analyst - Annual
Raymond McCoy - Legislative Aide - Assuming

From Fire Department, submitting a newsletter regarding Neighborhood Emergency Response Team. (19)

From Mark Gruberg, regarding a hearing on the regulatory status of private transportation networks at the Thursday, March 6, 2014, Neighborhood Services & Safety Committee meeting. File No. 140020. Copy: Each Supervisor. (20)

From Peter and Diane Kretschmer, regarding F-line fare increases. Copy: Each Supervisor. (21)

From Mari Eliza, regarding concerns of the San Francisco Municipal Transportation Agency. (22)

Attachments: [Board Pkt 031114](#)

ADJOURNMENT