

BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

MEETING MINUTES

Tuesday, January 29, 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, CARMEN CHU, MALIA COHEN,
MARK FARRELL, JANE KIM, ERIC MAR, SCOTT WIENER, NORMAN YEE

Angela Calvillo, Clerk of the Board

BOARD COMMITTEES

Budget and Finance Committee Supervisors Farrell, Mar, Avalos	Wednesday 1:00 PM
City and School District Select Committee Supervisors Kim, Avalos, Farrell, Commissioners Mendoza, Norton, Wynns	4th Thursday 3:30 PM
City Operations and Neighborhood Services Committee Supervisors Campos, Mar, Yee	1st and 3rd Thursday 10:00 AM
Government Audit and Oversight Committee Supervisors Chu, Cohen, Campos	2nd and 4th Thursday 10:00 AM
Land Use and Economic Development Committee Supervisors Wiener, Kim, Chiu	Monday 1:30 PM
Public 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, Carmen Chu, Malia Cohen, Mark Farrell, Jane Kim, Eric Mar, Scott Wiener, and Norman Yee

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:07 p.m. On the call of the roll, all Supervisors were noted present.

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AGENDA CHANGES

There were none.

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APPROVAL OF MEETING MINUTES

There were none.

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COMMUNICATIONS

There were none.

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CONSENT AGENDA

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Recommendations of the Budget and Finance Committee

121163 [Accept and Expend Grant - TechSF-Workforce Innovation Partnership and Amendment to the Annual Salary Ordinance - \$3,000,000]**Sponsor: Mayor**

Ordinance authorizing the Office of Economic and Workforce Development to retroactively accept and expend a grant in the amount of \$3,000,000 from the Department of Labor for the TechSF-Workforce Innovation Partnership, and amending Ordinance No. 165-12 (Annual Salary Ordinance, FYs 2012-2013 and 2013-2014) to reflect addition of one (1) Class 9775 Senior Community Development Specialist II grant-funded position (0.77 FTE) in the Office of Economic and Workforce Development and one (1) Class 1053 IS Business Analyst - Senior grant-funded position (0.77 FTE) in the Department of Technology.

Ordinance No. 013-13**FINALLY PASSED****121164 [Accept and Expend Grant - Office of Financial Empowerment Kindergarten to College Outreach Position and Amendment to the Annual Salary Ordinance - Up to \$80,000]****Sponsor: Mayor**

Ordinance authorizing the Office of the Treasurer-Tax Collector to accept and expend a grant in the amount of up to \$80,000 from the Earned Assets Resource Network for implementing the Office of Financial Empowerment Kindergarten to College program, and amending Ordinance No. 165-12 (Annual Salary Ordinance, FYs 2012-2013 and 2013-2014) to provide for the creation of one (1) grant-funded position in the Office of Financial Empowerment.

Ordinance No. 014-13**FINALLY PASSED****121196 [Accept and Expend Grant - Energy Efficiency Program and Amendment to the Annual Salary Ordinance - \$13,100,000]****Sponsor: Mayor**

Ordinance authorizing the Department of the Environment to accept and expend a grant in the amount of \$13,100,000 from the California Public Utilities Commission, through Pacific Gas and Electric Company, to implement an Energy Use and Demand Reduction through Energy Efficiency Program and amending Ordinance No. 165-12 (Annual Salary Ordinance, FYs 2012-2013 and 2013-2014) to reflect the addition of three grant funded positions (3 FTE) at the Department of the Environment, for a term from January 1, 2013, through December 31, 2014.

Ordinance No. 015-13**FINALLY PASSED****Recommendations of the Land Use and Economic Development Committee**

120789 [Planning Code - Landmark Designation of 4004-4006 Third Street - Sam Jordan's Bar]**Sponsor: Cohen**

Ordinance designating 4004-4006 Third Street (Sam Jordan's Bar), Assessor's Block No. 5253, Lot No. 030, as a landmark under Planning Code, Article 10; and adopting General Plan, Planning Code, Section 101.1, and environmental findings. (Planning Department)

Ordinance No. 007-13**FINALLY PASSED****121061 [Planning Code - Landmark Designation of 401 Castro Street (Twin Peaks Tavern)]****Sponsors: Wiener; Campos**

Ordinance designating 401 Castro Street (Twin Peaks Tavern), Assessor's Block No. 3582, Lot No. 71, as a landmark under Planning Code, Article 10; and adopting General Plan, Planning Code, Section 101.1, and environmental findings. (Planning Department)

Ordinance No. 011-13**FINALLY PASSED****121107 [Health Code - Disclosing Landlord's Prohibition of Smoking in Residential Rental Units; Designating Units as Smoke Free or Smoking Optional]****Sponsors: Mar; Cohen**

Ordinance amending the Health Code, by adding Article 19M, relating to multi-unit residential rental properties where less than 100 percent of the units are designated as smoke free, to require that owners designate each unit as either smoke free or smoking optional, and include that designation in residential vacancy listings; provide a list to a rental applicant showing the designation of units in the building that are smoking optional, before offering a unit to that applicant; disclose in writing to any rental applicant whether the landlord has designated the unit for rent as smoke free or smoking optional, prior to entering into a new lease or rental agreement; develop and maintain a master list available to all tenants that identifies the location of each smoking optional unit; and comply with a timeline and process to designate the units as smoke free or smoking optional (one year for owners of 50 units or less in the City, two years for owners of more than 50 units in the City).

Ordinance No. 012-13**FINALLY PASSED****Recommendations of the Rules Committee****120964 [Campaign and Governmental Conduct Code - Updating Conflict of Interest Code]****Sponsor: Chiu**

Ordinance amending the Campaign and Governmental Conduct Code to update the City's Conflict of Interest Code.

Ordinance No. 009-13**FINALLY PASSED**

121030 [Police Code - Enforcement Provisions for Clipper Cove Special-Use Area Adjacent to Treasure Island]**Sponsor: Kim**

Ordinance amending the Police Code, Section 1.1, Mooring in Clipper Cove, to further delineate enforcement provisions including infractions, provide for administrative citations and penalties, specify procedures for changing rules and regulations, and clarify existing provisions.

Ordinance No. 010-13**FINALLY PASSED****121190 [Settlement of Lawsuit - Bryan Vestal - \$420,000]**

Ordinance authorizing settlement of the lawsuit filed by Bryan Vestal against the City and County of San Francisco for \$420,000; the lawsuit was filed on February 3, 2011, in San Francisco Superior Court, Case No. CGC-11-507921; entitled Bryan Vestal v. City and County of San Francisco, et al.; another material term of said settlement is the waiver of the San Francisco General Hospital medical lien in the amount of \$110,098.30. (City Attorney)

PASSED, ON FIRST READING**121226 [Settlement of Lawsuit - Sandra Ramos - \$60,000]**

Ordinance authorizing settlement of the lawsuit filed by Sandra Ramos against the City and County of San Francisco for \$60,000; the lawsuit was filed on October 12, 2011, in the United States District Court for the Northern District of California, Case No. C-11-5033 WHA, entitled Sandra Ramos v. City and County of San Francisco; other material terms of said settlement are reimbursement to Plaintiff of up to \$2,500 for services of an organizational consultant. (City Attorney)

PASSED, ON FIRST READING**121227 [Settlement of Lawsuit - Health Net - City to Receive \$800,000 and Future Payments]**

Ordinance authorizing settlement of the lawsuit filed by the San Francisco City Attorney's Office, acting on behalf of the People of the State of California, against (among other Defendants) Health Net of California, Inc., for the payment by Health Net of \$800,000 for under reimbursing San Francisco General Hospital for emergency medical care provided to Health Net's insureds prior to January 1, 2012, and for the payment of an additional amount, to be determined, for such claims rising between January 1, 2012, and June 30, 2014; the lawsuit was filed on May 24, 2011, in the San Francisco Superior Court, Case No. 11-511181; entitled People of the State of California v. Health Net, et al.; other material terms of said settlement are that Health Net and San Francisco will enter into a prompt payment agreement under which Health Net agrees to pay San Francisco General Hospital certain specified rates for treatment provided to its insureds for emergency medical services rendered from January 1, 2012, through at least June 30, 2014. (City Attorney)

PASSED, ON FIRST READING**121228 [Settlement of Lawsuit - Brendan Cadam - \$42,500]**

Ordinance authorizing settlement of the lawsuit filed by Brendan Cadam against the City and County of San Francisco for \$42,500; the lawsuit was filed on July 3, 2012, in San Francisco Superior Court, Case No. CGC-12-522047; entitled Brendan Cadam, et al. v. City and County of San Francisco, et al. (City Attorney)

PASSED, ON FIRST READING

121229 [Settlement of Lawsuit - Maya Vlanin - \$95,000]

Ordinance authorizing settlement of the lawsuit filed by Maya Vlanin against the City and County of San Francisco for \$95,000; the lawsuit was filed on June 29, 2010, in San Francisco Superior Court, Case No. CGC-10-501138; entitled Maya Vlanin v. City and County of San Francisco, et al. (City Attorney)

PASSED, ON FIRST READING

121161 [Settlement of Claim - Crystal Cheung - \$110,000]

Resolution approving the proposed settlement of claim by Crystal Cheung against the City and County of San Francisco for \$110,000; the claim was filed on January 24, 2012, bearing Claim No. 12-01653. (City Attorney)

Resolution No. 016-13

ADOPTED

130006 [Appointments, Assessment Appeals Board No. 1 - Joseph Tham, Mark Watts, Scott Spertzel, and Donna Crowder]

Motion appointing Joseph Tham, Mark Watts, Scott Spertzel, and Donna Crowder, terms ending September 7, 2015, to the Assessment Appeals Board No. 1. (Clerk of the Board)

Motion No. M13-009

APPROVED

130013 [Appointments, Assessment Appeals Board No. 2 - Louisa Mendoza, Daniel Hershkowitz, Joyce Lewis, and Diana Daniel]

Motion appointing Louisa Mendoza, Daniel Hershkowitz, Joyce Lewis, and Diana Daniel, terms ending September 7, 2015, to the Assessment Appeals Board No. 2. (Clerk of the Board)

Motion No. M13-010

APPROVED

130014 [Appointment, Bicycle Advisory Committee - Casey Allen]

Motion appointing Casey Allen, term ending November 19, 2014, to the Bicycle Advisory Committee. (Clerk of the Board)

Motion No. M13-011

APPROVED

130028 [Appointment, Eastern Neighborhoods Citizens Advisory Committee - Walker Bass]

Motion appointing Walker Bass, term ending October 19, 2013, to the Eastern Neighborhood Citizens Advisory Committee. (Clerk of the Board)

Motion No. M13-012

APPROVED

The foregoing items were acted upon by the following vote:

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

REGULAR AGENDA

UNFINISHED BUSINESS

From the Board

120550 [Affirming Certification of Final Environmental Impact Report - California Pacific Medical Center's Long Range Development Plan]

Motion affirming the certification by the Planning Commission of the Final Environmental Impact Report for the California Pacific Medical Center's Long Range Development Plan.

Supervisor Campos, seconded by Supervisor Farrell, moved that this Motion be CONTINUED to March 12, 2013. The motion carried by the following vote:

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

120551 [Reversing Certification of Final Environmental Impact Report - California Pacific Medical Center's Long Range Development Plan]

Motion reversing the certification by the Planning Commission of the Final Environmental Impact Report for the California Pacific Medical Center's Long Range Development Plan. (Clerk of the Board)

Supervisor Campos, seconded by Supervisor Farrell, moved that this Motion be CONTINUED to March 12, 2013. The motion carried by the following vote:

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

120552 [Preparation of Findings to Reverse Certification of Final Environmental Impact Report - California Pacific Medical Center's Long Range Development Plan]

Motion directing the Clerk of the Board to prepare findings reversing the certification by the Planning Commission of the Final Environmental Impact Report for the California Pacific Medical Center's Long Range Development Plan. (Clerk of the Board)

Supervisor Campos, seconded by Supervisor Farrell, moved that this Motion be CONTINUED to March 12, 2013. The motion carried by the following vote:

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

Recommendation of the Land Use and Economic Development Committee

120772 [Health, Transportation Codes - Prohibiting Smoking at Certain Outdoor Events]

Sponsors: Mar; Cohen and Farrell

Ordinance amending the Health Code, by adding Article 19L, to prohibit smoking at outdoor events on property owned by the City and County of San Francisco where approval is required under Transportation Code, Article 6; the Transportation Code, by amending Sections 6.2 and 6.7, establishing obligations for producers of outdoor events that require approval for temporary use or occupancy of a public street to notify the public that the event is smoke-free; and making environmental findings.

Ordinance No. 006-13

FINALLY PASSED by the following vote:

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

Recommendation of the Rules Committee

120817 [Campaign and Governmental Conduct Code - Requiring Electronic Filing of Campaign Statements]

Sponsor: Chiu

Ordinance amending the Campaign and Governmental Conduct Code, Section 1.112, to require the electronic filing of campaign statements submitted to the Ethics Commission.

Ordinance No. 008-13

FINALLY PASSED by the following vote:

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

NEW BUSINESS

Recommendations of the Budget and Finance Committee

121194 [Administrative Code - Water Enterprise Capital Cost Recovery Payment Surcharge Fund]**Sponsors: Mayor; Chu**

Ordinance amending the Administrative Code, Chapter 10, Article XIII, to create the Public Utilities Water Enterprise Capital Cost Recovery Payment Surcharge Fund.
(Fiscal Impact)

PASSED, ON FIRST READING by the following vote:[play video](#)

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

121195 [Appropriating \$2,566,145 of General Fund Reserve to the Treasurer/Tax Collector - FY2012-2013]**Sponsors: Mayor; Chiu, Farrell and Avalos**

Ordinance appropriating \$2,566,145 from the General Fund Reserve to the Treasurer/Tax Collector for Gross Receipts Tax Implementation Planning for FY2012-2013.

PASSED, ON FIRST READING by the following vote:[play video](#)

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

121197 [Public Employment - Amending the Annual Salary Ordinance for Implementation of Proposition E and the Gross Receipts Tax]**Sponsors: Mayor; Chiu, Farrell and Avalos**

Ordinance amending Ordinance No. 165-12 (Annual Salary Ordinance, FYs 2012-2013 and 2013-2014) to reflect the addition of 5 positions (2.2 FTE) in the Office of the Treasurer/Tax Collector for the implementation of Proposition E and the Gross Receipts Tax.

PASSED, ON FIRST READING by the following vote:[play video](#)

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

121085 [Prevailing Wage Rates - Various Workers Performing Work Under City Contracts]

Resolution fixing prevailing wage rates for workers performing work under City contracts for public work and improvement; workers performing work under City contracts for janitorial services; workers performing work in public off-street parking lots, garages, or storage facilities for automobiles on property owned or leased by the City; workers engaged in theatrical or technical services for shows on property owned by the City; workers engaged in the hauling of solid waste generated by the City in the course of City operations, pursuant to a contract with the City; and workers performing moving services under City contracts at facilities owned or leased by the City.
(Civil Service Commission)

Resolution No. 015-13**ADOPTED by the following vote:**[play video](#)

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

121193 [Contract Amendment - Renewable Energy and Climate Change Professional Services - \$31,400,000]

Resolution approving the Fourth Amendment to the contract with ICF Resources, LLC, for Renewable Energy and Climate Change Professional Services, to increase the amount of the contract by \$12,400,000 for a total of \$31,400,000 and to extend the term of the contract from July 1, 2014, to December 31, 2016. (Environment)

Resolution No. 017-13

ADOPTED by the following vote:

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

121203 [Prepayment and Collection Agreement - Bay Area Water Supply and Conservation Agency]

Sponsors: Mayor; Chu

Resolution approving the Prepayment and Collection Agreement between the Bay Area Water Supply and Conservation Agency and the Public Utilities Commission and authorizing the taking of appropriate actions in connection therewith, and related matters, for a term ending July 1, 2036. (Fiscal Impact)

Resolution No. 014-13

ADOPTED by the following vote:

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

121202 [Accept and Expend Grant - FY2012 Emergency Management Performance Grant - \$289,613]

Sponsor: Mayor

Resolution authorizing the Department of Emergency Management to retroactively accept and expend a FY2012 Emergency Management Performance Grant in the amount of \$289,613 from the United States Department of Homeland Security, through the California Emergency Management Agency, for building and sustaining preparedness capabilities, for the period of July 1, 2012, to June 30, 2013.

Resolution No. 018-13

ADOPTED by the following vote:

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

121210 [Agreement - Fong and Chan Architects, Inc. - San Francisco General Hospital Rebuild Program]

Resolution ratifying Modification No. 7 to the Architectural and Engineering Design Services Agreement with Fong & Chan Architects, Inc., for the San Francisco General Hospital Rebuild Program from \$51,507,500 to \$52,521,000 and authorizing the Director of Public Works to execute Modification No. 10 from \$52,710,860 to \$53,376,607 pursuant to Charter Section 9.118(b). (Public Works Department)

Resolution No. 019-13

ADOPTED by the following vote:

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

130022 [Apply for, Accept, and Expend - Local Priority Development Area Planning and Implementation Efforts - \$2,380,000]

Sponsor: Wiener

Resolution authorizing the Planning Department to apply for, accept, and expend funds in the amount of \$2,380,000 from the Metropolitan Transportation Commission for local Priority Development Area Planning and Implementation efforts spanning FYs 2012-2013 through 2015-2016.

Resolution No. 020-13

ADOPTED by the following vote:

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

Recommendation of the Land Use and Economic Development Committee**120959 [Building Code - Fees and Permit Extensions]**

Ordinance amending the Building Code, Sections 106A.3.7, 106A.3.8.1, 106A.4.1, and 106A.4.4, to address permit expirations and extensions and Tables 1A-A, 1A-G, 1A-J, 1A-K, and 1A-L, of Section 110A, to modify various fees; and making environmental findings. (Building Inspection Department)

PASSED, ON FIRST READING by the following vote:

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

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

Privilege of the Floor

Supervisor Wiener, seconded by Supervisor Chu, moved to suspend Rule 4.37 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests. The motion carried by the following vote:

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

Supervisor Wiener introduced, welcomed, and presented a Certificate of Honor to the Residents of Noe Valley Town Square, namely Todd David, Christopher Keene, Leslie Crawford, Nisha Pillai, and Kate Sherwood, in recognition of their accomplishments and continued community support.

Supervisor Chu introduced, welcomed, and presented Certificates of Honor to Angelica Quicksey, Thomas Gonzales, Lindsay Goodwin, Rachel Alonso, Rob Chappell, Dan Parham, Darin Dinsmore, and the N Judah Turnaround Beautification Project Steering Committee, in recognition of their accomplishments and continued community support.

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.

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PUBLIC COMMENT

James Chaffee; expressed concerns relating to the SF Public Library.

Ray Hartz; expressed concerns relating to government and the SF Public Library. (See additional information submitted on Page 16.)

Aja Monet; expressed various concerns.

Male Speaker; expressed various concerns.

Eugene Gordon, Jr.; expressed concerns relating to First Amendment Rights and open government.

Walter Paulson; shared in song certain concerns with the Board.

Francisco Da Costa; expressed concerns relating to SFUSD employment and proposed wellness center.

Male Speaker; expressed various concerns.

Calvin Welch; expressed concerns relating to closure of Haight Ashbury Recycling Center.

Michael Barry; expressed concerns relating to closure of Haight Ashbury Recycling Center.

Richard Ivanhoe; expressed concerns relating to closure of Haight Ashbury Recycling Center.

Tess Walbard; expressed concerns relating to closure of Haight Ashbury Recycling Center.

Male Speaker; expressed concerns relating to closure of Haight Ashbury Recycling Center.

Ace Washington; spoke relating to Black History Month and expressed various other concerns.

Robert Green; spoke in opposition to proposed resolution supporting assault weapons act.

Virginia Barrett; shared in poem certain concerns with the Board.

Tom Gilbert; expressed various concerns relating to public comment and noise pollution.

Male Speaker; expressed various concerns relating to Assembly Bill 716.

Douglas Yepp; expressed various concerns.

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FOR ADOPTION WITHOUT COMMITTEE REFERENCE

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130048 [Declaring Support - Sandy Hook Promise]

Sponsors: Farrell; Chiu, Mar, Chu and Campos

Resolution adopting the Sandy Hook Promise for the families and children of the City and County of San Francisco.

Supervisors Mar, Chu, and Campos requested to be added as co-sponsors.

Resolution No. 021-13

ADOPTED

130049 [Declaring Support - Senator Dianne Feinstein's Assault Weapons Regulatory Act of 2013]

Sponsors: Farrell; Chiu, Mar, Chu and Campos

Resolution supporting Senator Dianne Feinstein's Assault Weapons Regulatory Act of 2013.

Supervisors Mar, Chu, and Campos requested to be added as co-sponsors.

Resolution No. 022-13

ADOPTED

130007 [Final Map 6902 - 261-265 Dolores Street]

Motion approving Final Map 6902, a Subdivision of Airspace for Residential Purposes, Parcel "B" being a Three Unit Residential Condominium Project, located at 261-265 Dolores Street being a subdivision of Assessor's Block No. 3556, Lot No. 030, and adopting findings pursuant to the General Plan and City Planning Code, Section 101.1. (Public Works Department)

Motion No. M13-013

APPROVED

130008 [Final Map 7040 - 200 Dolores Street]

Motion approving Final Map 7040, a 13 Residential Unit Condominium Project, located at 200 Dolores Street being a subdivision of Assessor's Block No. 3557, Lot No.132, and adopting findings pursuant to the General Plan and City Planning Code, Section 101.1. (Public Works Department)

Motion No. M13-014

APPROVED

130009 [Final Map 7357 - 610-616 20th Street]

Motion approving Final Map 7357, a 16 Residential Unit and One Commercial Unit, Mixed-Use Condominium Project, located at 610-616 20th Street being a subdivision of Assessor's Block No. 4058, Lot No. 008, and adopting findings pursuant to the General Plan and City Planning Code, Section 101.1. (Public Works Department)

Motion No. M13-015

APPROVED

130010 [Final Map 6977 - 435 Duboce Avenue]

Motion approving Final Map 6977, a Two Lot Subdivision, Parcel "A" being a Four Residential and One Commercial Unit, Mixed-Use Condominium Project, located at 435 Duboce Avenue being a subdivision of Assessor's Block No. 3537, Lot No. 087, and adopting findings pursuant to the General Plan and City Planning Code, Section 101.1. (Public Works Department)

Motion No. M13-016

APPROVED

130011 [Final Map 7288 - 4201 California Street]

Motion approving Final Map 7288, a Six Residential Unit and One Commercial Unit, Mixed-Use Condominium Project, located at 4201 California Street being a subdivision of Assessor's Block No. 1364, Lot No. 048, and adopting findings pursuant to the General Plan and City Planning Code, Section 101.1. (Public Works Department)

Motion No. M13-017

APPROVED

130012 [Final Map 6895 - 693 Sutter Street]

Motion approving Final Map 6895, a 17 Residential Unit and Three Commercial Unit, Mixed-Use Condominium Project, located at 693 Sutter Street being a subdivision of Assessor's Block No. 0297, Lot No. 009, and adopting findings pursuant to the General Plan and City Planning Code, Section 101.1. (Public Works Department)

Motion No. M13-018

APPROVED

130058 [Final Map 5215 - 1275 Indiana Street, 1260 Minnesota Street]

Motion approving Final Map 5215, a 39 Residential Unit and Three Commercial Unit, Mixed-Use Condominium Project, located at 1275 Indiana Street, 1260 Minnesota Street being a subdivision of Assessor's Block No. 4228, Lot No. 158, and adopting findings pursuant to the General Plan and City Planning Code, Section 101.1. (Public Works Department)

Motion No. M13-019

APPROVED

130059 [Final Map 6479 - 300-304 Sanchez Street, 3509-3511 16th Street]

Motion approving Final Map 6479, a Four Residential Unit and One Commercial Unit, Mixed-Use Condominium Project, located at 300-304 Sanchez Street, 3509-3511 16th Street being a subdivision of Assessor's Block No. 3564, Lot No. 107, and adopting findings pursuant to the General Plan and City Planning Code, Section 101.1. (Public Works Department)

Motion No. M13-020

APPROVED

130060 [Final Map 7387 - 1945 Hyde Street]

Motion approving Final Map 7387, a Seven Residential Unit and One Commercial Unit, Mixed-Use Condominium Project, located at 1945 Hyde Street being a subdivision of Assessor's Block No. 0123, Lot No. 002, and adopting findings pursuant to the General Plan and City Planning Code, Section 101.1. (Public Works Department)

Motion No. M13-021

APPROVED

130061 [Final Map 7367 - 1461 Pine Street]

Motion approving Final Map 7367, a 35 Residential Unit and One Commercial Unit, Mixed-Use Condominium Project, located at 1461 Pine Street being a subdivision of Assessor's Block No. 0668, Lot Nos. 012, 013, and adopting findings pursuant to the General Plan and City Planning Code, Section 101.1. (Public Works Department)

Motion No. M13-022

APPROVED

The foregoing items were acted upon by the following vote:

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

IMPERATIVE AGENDA

There were no items.

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.

Ordinances

121019 [Administrative Code - California Environmental Quality Act Procedures]**Sponsor: Wiener**

Ordinance amending Administrative Code, Chapter 31, to reflect revisions in the California Environmental Quality Act (CEQA) and to update and clarify certain procedures provided for in Chapter 31, including without limitation: codifying procedures for appeals of exemptions and negative declarations; providing for the Board to make the final CEQA decision on projects requiring Board legislative action, negating the need to file formal CEQA appeals; revising noticing procedures for environmental impact reports and negative declarations for plan area projects exceeding 20 acres; expanding noticing requirements for certain exempt projects; and clarifying existing noticing requirements for exempt projects.

10/16/12; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 11/15/2012.

10/29/12; REFERRED TO DEPARTMENT.

11/13/12; RESPONSE RECEIVED.

11/20/12; SUBSTITUTED AND ASSIGNED to Land Use and Economic Development Committee.

12/03/12; RESPONSE RECEIVED.

01/29/13; SUBSTITUTED AND ASSIGNED to Land Use and Economic Development Committee.

130019 [Planning Code, Zoning Map - Central Subway Tunnel Boring Machine Extraction Site Special Use District]**Sponsor: Chiu**

Ordinance amending the Planning Code, by adding Section 249.70, to create the Central Subway Tunnel Boring Machine Extraction Site Special Use District for the property located at Assessor's Block No. 0101, Lot No. 004, known as 1731-1741 Powell Street, to facilitate the removal of the tunnel boring machines used in the construction of the Central Subway Project and allow the construction of a previously approved mixed-use residential/retail building; amending Sectional Zoning Maps HT 01 and SU 01 to reflect the Central Subway Tunnel Boring Machine Extraction Site Special Use District; adopting findings, including environmental findings, and findings of consistency with the General Plan.

01/08/13; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 2/7/2013.

01/16/13; REFERRED TO DEPARTMENT.

01/29/13; SUBSTITUTED AND ASSIGNED to Land Use and Economic Development Committee.

130083 [Appointment, Road Commissioner - Mohammed Nuru]**Sponsor: Mayor**

Ordinance appointing Mohammed Nuru, Director of the Department of Public Works, as Road Commissioner; repealing Ordinance No. 160-10; and authorizing future appointments of the Road Commissioner by Resolution.

01/29/13; ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 3/1/2013.

130084 [Planning Code, Zoning Map - Establishing Outer Mission Street Neighborhood Commercial District]**Sponsor: Avalos**

Ordinance amending the Planning Code, by adding a new section, to establish the Outer Mission Street Neighborhood Commercial District along Mission Street between Alemany Boulevard and the San Francisco-San Mateo County line; repealing the Excelsior Alcohol Restricted Use District and adding controls on liquor establishments to the new Neighborhood Commercial District; amending various sections to make conforming and other technical changes; amending the Zoning Map to rezone specified properties to the new Neighborhood Commercial District; and making environmental findings, Planning Code, Section 302, findings, and findings of consistency with the General Plan, and the Priority Policies of Planning Code, Section 101.1.

01/29/13; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 3/1/2013.

130085 [Administrative Code - Establishing San Francisco City Hall Preservation Fund]**Sponsor: Farrell**

Ordinance amending the Administrative Code, by adding Section 10.100-289, to establish a San Francisco City Hall Preservation Fund to receive donations and to authorize expenditures for the purpose of promoting the 100th anniversary of San Francisco City Hall, including promotional events, community outreach activities, preservation, maintenance, repair, improvements, and similar post-anniversary endeavors.

01/29/13; ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 3/1/2013.

Resolutions

130043 [Resolution to Establish - Moscone Expansion Business Improvement District]

Sponsors: Mayor; Kim and Chu

Resolution of formation to establish a business-based business improvement district to be known as the "Moscone Expansion District;" levying assessments against defined hotel businesses located in that district for 32 years; providing for the determination, imposition, collection, and enforcement of the assessments; and making environmental findings.
(Economic Impact)

12/28/12; RESPONSE RECEIVED.

01/15/13; ASSIGNED to Board of Supervisors.

01/29/13; SUBSTITUTED AND ASSIGNED to Board of Supervisors.

130088 [Accept and Expend Grant - Improving Early Learning and Development Programs for Young Children - \$1,269,400]

Sponsor: Mayor

Resolution authorizing the Children and Families Commission to retroactively accept and expend a grant in the amount of \$1,269,400 from the United States Department of Education through the California Department of Education to support an Early Learning Quality Improvement System for the period of July 1, 2012, through December 31, 2015.
(Fiscal Impact)

01/29/13; RECEIVED AND ASSIGNED to Budget and Finance Committee.

130089 [Supporting Local Government Greenhouse Gas Reduction Efforts]

Sponsors: Chiu; Mar and Campos

Resolution supporting the distribution of carbon cap-and-trade auction and Clean Energy Jobs Act revenues to local governments for support of greenhouse gas reduction programs.

01/29/13; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

130090 [One Billion Rising Day - February 14, 2013]

Sponsors: Chiu; Mar and Campos

Resolution declaring February 14, 2013, as One Billion Rising Day in the City and County of San Francisco and joining the global call to action opposing violence against women.

01/29/13; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

130091 [Accept and Expend Grant - Anti-Human Trafficking Task Force Program - \$200,000]

Sponsor: Chu

Resolution authorizing the Police Department to retroactively accept and expend a grant in the amount of \$200,000 from the California Emergency Management Agency for the Anti-Human Trafficking Task Force Program for the period of October 1, 2012, through September 30, 2013.

01/29/13; RECEIVED AND ASSIGNED to Budget and Finance Committee.

130092 [Celebrating Rosa Parks' 100th Birthday - Rosa Parks Day - February 4, 2013]**Sponsors: Cohen; Breed and Campos**

Resolution celebrating the 100th Birthday of Rosa Parks and commemorating the Modern Civil Rights Leader for her courage and declaring February 4, 2013, Rosa Parks Day in the City and County of San Francisco.

01/29/13; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

130093 [Approval of a 60 Day Extension for Planning Code - Polk Street Alcohol and Tobacco Paraphernalia Restrictions (File No. 121065)]**Sponsor: Chiu**

Resolution extending by 60 days the prescribed time within which the Planning Commission may render its decision on a Ordinance (File No. 121065) amending the Planning Code, Section 723, to extend the restriction on Tobacco Paraphernalia Establishments in the Polk Street Neighborhood Commercial District (NCD) for an additional three years and apply it to an area within one-quarter mile of the boundaries of the NCD; adding Section 788, to establish the Lower Polk Street Alcohol Restricted Use District for the properties located on Polk Street between California and O'Farrell Streets, and Polk Street's side streets between California Street, Larkin Street, O'Farrell Street, and Van Ness Avenue; amending the Zoning Map, Map Sheet ZN-02, to designate the Lower Polk Street Alcohol Restricted Use District; and making environmental findings, Planning Code, Section 302, findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code, Section 101.

01/29/12; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

130094 [Agreement - Supplemental Law Enforcement Services to Housing Authority - FY2011-2012 - \$1,000,000]**Sponsors: Cohen; Campos**

Resolution retroactively approving the agreement between the Police Department and the Housing Authority for the Police Department to provide Supplemental Law Enforcement Services at designated Housing Authority developments and for the Housing Authority to pay the City \$1,000,000 in FY2011-2012 for those Supplemental Law Enforcement Services.
(Fiscal Impact)

01/29/13; RECEIVED AND ASSIGNED to Budget and Finance Committee.

130095 [Agreement - Supplemental Law Enforcement Services to Housing Authority - FYs 2012-2013 and 2013-2014 - \$1,115,000 and \$1,300,000]**Sponsors: Cohen; Campos**

Resolution retroactively approving the agreement between the Police Department and the Housing Authority for the Police Department to provide Supplemental Law Enforcement Services at designated Housing Authority developments and for the Housing Authority to pay the City \$1,115,000 in FY2012-2013 and \$1,300,000 in FY2013-2014 for those Supplemental Law Enforcement Services.

01/29/13; RECEIVED AND ASSIGNED to Budget and Finance Committee.

130096 [Financial Aid Awareness Week - February 4-10, 2013]**Sponsors: Campos; Avalos, Breed, Chu, Farrell, Kim, Mar and Wiener**

Resolution declaring February 4, 2013, through February 10, 2013, Financial Aid Awareness Week in the City and County of San Francisco.

01/29/13; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

130098 [Accept and Expend Grant - Sloat Boulevard Pedestrian Safety Improvements Project - \$797,000]**Sponsor: Yee**

Resolution authorizing the Department of Public Works to retroactively accept and expend a Federal grant in the amount of \$797,000 from the Federal Highway Administration for the Sloat Boulevard Pedestrian Safety Improvements Project for a period of January 2013 through December 2016.

01/29/13; RECEIVED AND ASSIGNED to Public Safety Committee.

130109 [Supporting Constitutional Amendment to Limit Campaign Spending and End Artificial Corporate Rights in Response to the Passage of Measure G in November 2012]**Sponsors: Avalos; Chiu and Campos**

Resolution responding to the passage of Measure G by San Francisco voters on November 6, 2012, by urging members of San Francisco's Congressional delegation to pass a constitutional amendment to limit campaign contributions and spending and end artificial corporate rights.

01/29/13; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Requests for Hearing**130099 [Hearing - Illegal Manipulation of the London Inter-Bank Offered Rate on San Francisco's Finances]****Sponsors: Avalos; Campos**

Hearing to review the impact of illegal manipulation of the London Inter-Bank Offered Rate on San Francisco's finances; to explore options to recover any losses; and to review any interest rate swaps or other financial instruments the City is engaged in that may have excessive interest rates or fees that should be renegotiated.

01/29/13; RECEIVED AND ASSIGNED to Budget and Finance Committee.

130100 [Hearing - Controller's Office Park Maintenance Report - FY2011-2012]**Sponsors: Chu; Campos**

Hearing to review the Controller's Office Park Maintenance Report for FY2011-2012 and status of parks throughout the City.

01/29/13; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

130101 [Hearing - Municipal Transportation Agency and the Office of Housing, Opportunity, Partnerships, and Engagement - Outreach Efforts]**Sponsor: Chu**

Hearing an update from the Municipal Transportation Agency and the Office of Housing, Opportunity, Partnerships, and Engagement on outreach efforts for the large vehicle restriction Ordinance.

01/29/13; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

130102 [Hearing - Citizen's General Obligation Bond Oversight Committee Annual Report]**Sponsor: Chu**

Hearing to review the Citizen's General Obligation Bond Oversight Committee's most recent annual report, as required by the City's Administrative Code.

01/29/13; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

130103 [Hearing - Controller's Office Street and Sidewalk Maintenance Standards Annual Report - FY2011-2012]**Sponsor: Chu**

Hearing to review the Controller's Office Street and Sidewalk Maintenance Standards Annual Report for FY2011-2012 and any other updates.

01/29/13; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

130104 [Hearing - State of HIV Services - FY2013-2014 Budget]**Sponsors: Wiener; Campos**

Hearing on the state of HIV services in the upcoming FY2013-2014 Budget, where the Department of Public Health, the Mayor's Budget Office, the Controller, and community organizations will report on what Federal and State cuts HIV services will experience; what the impacts of these cuts will be; and how the City can respond in making up for the cuts on a local level.

01/29/13; RECEIVED AND ASSIGNED to Budget and Finance Committee.

130105 [Hearing - City's Policy of Comparable Worth and Historic Efforts to Eliminate Pay Inequities]**Sponsors: Avalos; Campos and Mar**

Hearing to review the City's policy of comparable worth and historic efforts to eliminate pay inequities based on race and gender, including how current practices of Department of Human Resources measure up to the comparable worth standard as defined in 1986's Proposition H.

01/29/13; RECEIVED AND ASSIGNED to Budget and Finance Committee.

130106 [Hearing - Bike Thefts]**Sponsors: Mar; Breed, Chiu and Campos**

Hearing on best practices for preventing bike thefts in the City and County of San Francisco and improving recovery rates.

01/29/13; RECEIVED AND ASSIGNED to Public Safety Committee.

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**130034 [Settlement of Lawsuit - Mary Bull - \$465,000]**

Ordinance authorizing settlement of a lawsuit filed by Mary Bull, Lisa Giampaoli, Alexis Bronson, Micky Mangosing, Leigh Fleming, Laura Timbrook, J. Quechan Allen, Diana Smith, Michele De Ranleau, Michael Marron, Steve Noh, Sister Bernie Galvin, and Brian Vowell against the City and County of San Francisco for an amount not to exceed \$465,000; the lawsuit was filed on April 23, 2003, in United States District Court, Northern District of California, Case No. C03-1840 (CRB); entitled Mary Bull et al. v. City and County of San Francisco. (City Attorney)

01/10/13; RECEIVED FROM DEPARTMENT.

01/29/13; RECEIVED AND ASSIGNED to Rules Committee.

130062 [Planning, Administrative Codes, Zoning Map - Miscellaneous Technical Amendments, Fee Changes, Clarifications, and Corrections]

Sponsor: Tang

Ordinance amending the Planning and Administrative Codes, to correct errors, and make language revisions and updates; revise graphics to be consistent with text; amend fees to be charged for certain kinds of applications and appeals; clarify the meaning of certain Planning Code sections; and adopt findings, including findings under the California Environmental Quality Act and Planning Code, Section 302, and findings of consistency with the General Plan and Planning Code, Section 101.1.

01/17/13; RECEIVED FROM DEPARTMENT.

01/29/13; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 2/28/2013.

PROPOSED RESOLUTIONS**130057 [Lease Termination Agreement - Ellis-O'Farrell Parking Corporation - 123 O'Farrell Street - January 31, 2013]**

Resolution authorizing the termination of the lease agreement with the Ellis-O'Farrell Parking Corporation and authorizing the Director of Transportation to execute a Lease Termination Agreement for property located at 123 O'Farrell Street, terminating on January 31, 2013. (Municipal Transportation Agency)

01/17/13; RECEIVED FROM DEPARTMENT.

01/29/13; RECEIVED AND ASSIGNED to Budget and Finance Committee.

130063 [Street Artist Spaces - Post Street at Stockton Street]

Resolution approving re-designation, for six months, two temporary selling spaces on Post Street, northwest corner, at Stockton Street, for street artists certified by the Arts Commission. (Arts Commission)

01/15/13; RECEIVED FROM DEPARTMENT.

01/29/13; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

130064 [Street Artist Space - Leavenworth Street at Jefferson Street]

Resolution approving re-designation of one selling space on Leavenworth Street, west side, at Jefferson Street, for six months, for street artists certified by the Arts Commission; exempting said space from the regulations of Police Code, Section 2405(c)(6) and (11), prohibiting selling within ten feet from the outer edge of any entrance to any building and prohibiting selling within five feet from the display of any other street artist. (Arts Commission)

01/16/13; RECEIVED FROM DEPARTMENT.

01/29/13; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

In Memoriam

Jonathan H. Beaver - Supervisor Campos

Lucille Chin - President Chiu

Kerri Stolz - Supervisor Kim

Marlene Jones - Supervisor Kim

Daniel Colon - Supervisor Avalos

ADJOURNMENT

There being no further business, the Board adjourned at the hour of 3:36 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 March 5, 2013.

ADDENDUM

The following information are provided by speaker(s), pursuant to Administrative Code Section 67.16. The content is neither generated by, nor subject to approval or verification of accuracy by, the Clerk of the Board or the Board of Supervisors.

Ray Hartz submitted the following additional information during Public Comment as follows: There was public comment from James Chaffee, Ray Hartz and Peter Warfield regarding various aspects of the Branch Libraries Improvement Project and Friends of the Library. Their reference materials are addendums to the minutes and will be posted on the GGBOC web site. There was also a significant exchange between Committee members and Library staff regarding this issue, as well, with particular inquiry and concern over how the Library presented financials suggesting that monies spent by the Friends were included in the program totals. There were legitimate questions as to whether the City ever actually controlled these funds; the answer appears to be "no", which was not clear from the documents. The Committee gave direction to staff that the documents should be revised and provided to the Committee and public again. Going forward, more rigorous accounting standards should be used in presenting City financials.