



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, January 15, 2013 - 2:00 PM

Regular Meeting

DAVID CHIU, PRESIDENT

JOHN AVALOS, LONDON BREED, DAVID CAMPOS, DAVID CHIU, CARMEN CHU,
MALIA COHEN, MARK FARRELL, JANE KIM, ERIC MAR, 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 Chu, Avalos, Kim

City and School District Select Committee
Supervisors Campos, Chiu, Commissioners Fewer, Maufas, Mendoza

City Operations and Neighborhood Services Committee
Supervisors Chu

Government Audit and Oversight Committee
Supervisors Wiener, Chiu

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

Public Safety Committee
Supervisors Avalos, Mar

Rules Committee
Supervisors Kim, Farrell, Avalos

Meeting Days

Wednesday
11:00 AM

4th Thursday
3:30 PM

2nd and 4th Monday
10:00 AM

2nd and 4th Thursday
1:00 PM

Monday
1:00 PM

1st and 3rd Thursday
10:30 AM

1st and 3rd Thursday
1:30 PM

Agenda Item Information

Each item on the Consent or Regular agenda may include the following documents:

- 1) Legislation
- 2) Budget and Legislative Analyst report
- 3) Department or Agency cover letter and/or report
- 4) Public correspondence

These items will be available for review at 1 Dr. Carlton B. Goodlett Place, City Hall, Room 244, Reception Desk.

Meeting Procedures

The Board of Supervisors is the legislative body of the City and County of San Francisco. The Board has several standing committees where ordinances and resolutions are the subject of hearings at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers, and similar sound-producing electronic devices; 3) bringing in or displaying signs in the meeting room; and 4) standing in the meeting room.

Each member of the public will be allotted the same maximum number of minutes to speak as set by the President or Chair at the beginning of each item or public comment, excluding City representatives, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.

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

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

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

LANGUAGE INTERPRETERS: Requests must be received at least 48 hours in advance of the meeting to help ensure availability. Contact Madeleine Licavoli at (415) 554-7722. **AVISO EN ESPAÑOL:** La solicitud para un traductor debe recibirse antes de mediodía de el viernes anterior a la reunion. Llame a Derek Evans (415) 554-7702.

翻譯 必須在會議前最少四十八小時提出要求
請電 (415) 554-7719

Disability Access

The Legislative Chamber (Room 250) and the Committee Room (Room 263) in City Hall are wheelchair accessible. Meetings are real-time captioned and are cablecast open-captioned on SF Cable 26. Assistive listening devices for the Legislative Chamber are available upon request at the Clerk of the Board's Office, Room 244. Assistive listening devices for the Committee Room are available upon request at the Clerk of the Board's Office, Room 244 or in the Committee Room. To request sign language interpreters, readers, large print agendas or other accommodations, please contact Madeleine Licavoli at (415) 554-7722 or (415) 554-5227 (TTY). Requests made at least 48 hours in advance of the meeting will help to ensure availability.

The nearest accessible BART station is Civic Center (Market/Grove/Hyde Streets). Accessible MUNI Metro lines are the F, J, K, L, M, N, T (exit at Civic Center or Van Ness Stations). MUNI bus lines also serving the area are the 5, 6, 9, 19, 21, 47, 49, 71, and 71L. For more information about MUNI accessible services, call (415) 701-4485.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex. Accessible curbside parking is available on Dr. Carlton B. Goodlett Place and Grove Street.

In order to assist the City's efforts to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to perfumes and various other chemical-based scented products. Please help the City to accommodate these individuals.

Know Your Rights Under The Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils, and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact by mail Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102; phone at (415) 554-7724; fax at (415) 554-7854; or by email at sotf@sfgov.org

Citizens may obtain a free copy of the Sunshine Ordinance by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at <http://www.sfbos.org/sunshine>

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 25 Van Ness Avenue, Suite 220, San Francisco, CA 94102; telephone (415) 252-3100; fax (415) 252-3112; web site <http://www.sfgov.org/ethics>

ROLL CALL AND PLEDGE OF ALLEGIANCE

AGENDA CHANGES

APPROVAL OF MEETING MINUTES

Approval of the November 20, 2012, December 4, 2012, and December 11, 2012, Board Meeting Minutes.

COMMUNICATIONS

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

(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. [130031](#) **[Formal Policy Discussions - January 15, 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 4 and 6. The Mayor may address the Board initially for up to five minutes. Discussion shall not exceed five minutes per Supervisor.

1. Rising healthcare costs combined with accumulated healthcare liabilities remains a significant fiscal issue for the City. What plans do you have to address this issue? (Supervisor Chu, District 4)

2. As you know, the community in the South of Market and Mid-Market neighborhoods have been eagerly awaiting the opening of the Sixth Street substation, and we want to appreciate the work that Department of Public Works has done to push forward construction. There are remaining concerns about transitioning the substation online, including:

- 1) Is there a firm date for the opening of the Sixth Street substation?
- 2) What will the operating hours be?
- 3) What will be the staffing for the substation and how can constituents expect to access the substation?
- 4) What will the process be for the San Francisco Police Department to take possession of the Sixth Street substation? (Supervisor Kim, District 6)

Attachments: [Board Packet 011513](#)

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 11

Recommendations of the Budget and Finance Committee

Present: Supervisors Chu, Avalos, Kim

- 2. [121007](#) **[Electric System and Solar Project Agreement - North Star Solar, LLC]**
Ordinance authorizing, pursuant to Charter Section 9.118(a), a System Impact Mitigation Agreement with North Star Solar, LLC, requiring North Star Solar, LLC, to pay the Public Utilities Commission the costs necessary to mitigate the impacts to the City's electric system caused by the interconnection of North Star Solar, LLC's solar project to the electric grid; authorizing similar mitigation agreements with other projects in the future; appropriating funds from these agreements to pay the costs of mitigation work; and placing various mitigation funds on reserve with the Board of Supervisors. (City Attorney's Office)

(Fiscal Impact)

- Attachments:** [Legislation Ver1](#)
[Leg Digest Ver1](#)
[Budget Analyst 120512](#)
[Comm Packet 120512](#)
[Legislation Ver2](#)
[Board Packet 121112](#)
[Board Packet 011513](#)

12/11/2012; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

3. [121064](#) **[Business and Tax Regulations, Police Codes - Parking Stations - Revenue Control Equipment; License Regulations; Parking Tax Bonds; Administrative Citation Process]**

Sponsor: Campos

Ordinance amending the San Francisco Business and Tax Regulations Code by amending Article 6 (Common Administrative Provisions) to revise the bonding requirements for parking operators; revise the time to bring an action to collect tax; clarify the extent of a surety's liability; revise the administrative citation appeal process; and make other minor technical changes; amending Article 22 (Parking Stations; Revenue Control Equipment) to clarify that non-City governmental entities operating parking stations are exempt from the revenue control equipment requirements; and amending the San Francisco Police Code Article 17 (Miscellaneous License Regulations) to clarify that governmental entities operating parking garages or parking lots are exempt from the permitting requirements applicable to other commercial parking garage and valet operations.

Attachments: [Legislation Ver1](#)
[Leg_Digest Ver1](#)
[Legislation Ver2](#)
[Response SBC 121064](#)
[Comm Packet 120512](#)
[Board Packet 121112](#)
[Board Packet 011513](#)

12/11/2012; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

4. [121139](#) **[Lease and Use Agreement - China Airlines, Limited]**

Resolution approving and authorizing the execution of Modification No. 1 of Lease and Use Agreement L10-0082 with China Airlines, Limited, effective January 1, 2013, for administrative office space in the International Terminal at the San Francisco International Airport. (Airport Commission)

Attachments: [Legislation Ver1](#)
[Budget Analyst 010913](#)
[Comm Packet 010913](#)
[Board Packet 011513](#)

Question: Shall this Resolution be ADOPTED?

5. [121167](#) **[Accept and Expend Grant - Code for America Labs, Inc. - \$105,000]**

Sponsor: Mayor

Resolution authorizing the San Francisco Department of Human Services to retroactively accept and expend a grant in the amount of \$105,000 from Code for America Labs, Inc., toward the cost of participating in the 2013 Code for America (CfA) Fellowship Program, which has specially selected the Department of Human Services to receive technology design services from CfA to increase access to public benefits by the City's lowest income residents.

(Fiscal Impact)

Attachments: [Legislation Ver1](#)

[Budget Analyst 010913](#)

[Comm Packet 010913](#)

[Board Packet 011513](#)

Question: Shall this Resolution be ADOPTED?

Recommendations of the Land Use and Economic Development Committee

Present: Supervisors Mar, Cohen, Wiener

6. [120434](#) **[Police Code - Amendments to Junk Dealer and Junk Gatherer Permit Process]**

Sponsor: Cohen

Ordinance amending the San Francisco Police Code, Sections 974.1, 974.2, 974.4, 974.8, 974.9, 974.10-1, 974.11, 974.14-1, 974.14-2, 974.21, 974.22, 895, 2.26, 2.27, and repealing Sections 974.5, 974.6, 974.10-2, 974.23 and 896 through 898 to cause all existing junk dealer and junk gatherer permits to expire as of June 30, 2013, establish an annual permit for junk dealers with junk yards and a two-year permit for other junk dealers, provide for permit suspensions and revocations to remain in effect during any administrative appeal, amend the permit enforcement process, and update fees; and making environmental findings.

- Attachments:** [Legislation_Ver1](#)
[Leg_Digest_Ver1](#)
[Legislation_Ver2](#)
[Leg_Digest_Ver2](#)
[Legislation_Ver3](#)
[Leg_Digest_Ver3](#)
[Response_Police_101112](#)
[Comm_Packet_120312](#)
[Legislation_Ver4](#)
[Leg_Digest_Ver4](#)
[Board_Packet_121112](#)
[Board_Packet_011513](#)

12/11/2012; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

7. [120880](#) **[Planning Code - Valencia Street Neighborhood Commercial Transit District]**
Sponsor: Campos

Ordinance amending the San Francisco Code, Section 726.52, of the Zoning Control Table, for the Valencia Street Neighborhood Commercial Transit District to permit a personal service use on the third story and above with a Conditional Use Authorization, and make environmental findings, Planning Code Section 302 findings, and findings of consistency with General Plan and the Priority Policies of Planning Code Section 101.1.

- Attachments:** [Legislation Ver1](#)
[Leg_Digest Ver1](#)
[Response PLN_091812](#)
[Response SBC_102612](#)
[Response PLN_113012](#)
[Comm Packet_120312](#)
[Board Packet_121112](#)
[Board Packet_011513](#)

12/11/2012; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

8. [121003](#) **[Street Artist Spaces - Hallidie Plaza - East of 5th Street]**

Resolution approving re-designation of 47 selling spaces at Hallidie Plaza, east of 5th Street, for street artists certified by the Arts Commission; exempting said spaces for one year from the regulations of Police Code Section 2405(c)(3), (4), and (11), relating to size of space and distance between street artists. (Arts Commission)

- Attachments:** [Legislation Ver1](#)
[Comm Packet_121012](#)
[Board Packet_011513](#)

Question: Shall this Resolution be ADOPTED?

Recommendation of the Public Safety Committee

Present: Supervisors Avalos, Olague, Mar

9. [121042](#) **[Urging the Development of a Workplace Employee Policy on Domestic Violence]**
Sponsors: Mar; Cohen, Chiu and Avalos
Resolution urging the Department on the Status of Women to develop and share materials on domestic violence to be shared with City employees and City contractors and grantees.

Attachments: [Leg_Ver1](#)
[Leg_Ver2](#)
[Comm_Packet_120612](#)
[Board_Packet_011513](#)

Question: Shall this Resolution be ADOPTED?

Recommendations of the Rules Committee

Present: Supervisors Kim, Farrell, Avalos

10. [121155](#) **[Appointment, Pedestrian Safety Advisory Committee - Howard Bloomberg]**
Motion appointing Howard Bloomberg, term ending March 28, 2014, to the Pedestrian Safety Advisory Committee. (Clerk of the Board)

Attachments: [Comm Packet 120612](#)
[Legislation Ver1](#)
[Board Packet 011513](#)

Question: Shall this Motion be APPROVED?

11. [121157](#) **[Appointments, SoMa Community Stabilization Fund Community Advisory Committee - Kristian Joy Ongoco, Allan Manalo, Joel Merchan, Conny Ford, Bernadette Borja Sy, and Thomas Temprano]**
Motion appointing Kristian Joy Ongoco and Allan Manalo, terms ending April 27, 2013, and Joel Merchan, Conny Ford, Bernadette Borja Sy, and Thomas Temprano, terms ending April 27, 2014, to the SoMa Community Stabilization Fund Community Advisory Committee. (Clerk of the Board)

Attachments: [Comm Packet 120612](#)
[Legislaton Ver2](#)
[Board Packet 011513](#)

Question: Shall this Motion be APPROVED?

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of the Budget and Finance Committee

Present: Supervisors Chu, Avalos, Kim

12. [120997](#) **[Appropriating \$2,255,000 for San Francisco Unified School District - FY2012-2013]**
Sponsors: Kim; Campos, Mar and Avalos
Ordinance appropriating \$843,000 of State Reserves and \$1,412,000 from School District Set-Aside funds for the San Francisco Unified School District for FY2012-2013.

(Fiscal Impact)

Attachments: [Legislation Ver1](#)

[Budget Analyst 111412](#)

[Comm Packet 111412](#)

[Legislation Ver2](#)

[Board Packet 112012](#)

[Board Packet 120412](#)

[Legislation Ver3](#)

[Board Packet 121112](#)

[Board Packet 011513](#)

11/20/2012; CONTINUED ON FIRST READING.

12/04/2012; AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.

12/04/2012; PASSED ON FIRST READING AS AMENDED.

12/11/2012; CONTINUED ON FINAL PASSAGE.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendation of the Land Use and Economic Development Committee

Present: Supervisors Mar, Cohen, Wiener

13. [120704](#) **[Disapproving Street Encroachment - 10 Niantic Avenue]**
Resolution upholding Department of Public Works' recommendation for disapproval and disapproving the application for a revocable encroachment permit to Lee Yun Ling & Cindy Zhou, for the occupancy of a portion of the public right-of-way for a new single family dwelling encroaching 3-feet into the public right-of-way at 10 Niantic Avenue (Assessor's Block No. 7178, Lot No. 001), under Article 15, Section 786.7 of the Public Works Code. (Public Works Department)

Attachments: [Legislation Ver1](#)
[Comm Packet 120312](#)
[Legislation Ver2](#)
[Board Packet 121112](#)
[Board Packet 011513](#)

12/11/2012; CONTINUED.

Question: Shall this Resolution be ADOPTED?

NEW BUSINESS

Recommendations of the Budget and Finance Committee

Present: Supervisors Chu, Avalos, Kim

14. [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, FY2012-2013 and FY2013-2014) 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.

Attachments: [Legislation Ver1](#)

[Comm Packet 010913](#)

[Board Packet 011513](#)

Question: Shall this Ordinance be PASSED ON FIRST READING?

15. [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 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.

Attachments: [Leg Ver1](#)

[Comm Packet 010913](#)

[Leg Ver2](#)

[Board Packet 011513](#)

Question: Shall this Ordinance be PASSED ON FIRST READING?

16. [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 five grant funded positions (5 FTE) at the Department of the Environment, for a term from January 1, 2013, through December 31, 2014.

Attachments: [Leg Ver1](#)

[Comm Packet 010913](#)

[Leg Ver2](#)

[Board Packet 011513](#)

Question: Shall this Ordinance be PASSED ON FIRST READING?

17. [121169](#) **[Contract Amendment - Aon Insurance Services West, Inc. - Central Subway Project - Not to Exceed \$8,280,000]**

Sponsor: Chiu

Resolution approving Amendment No. 2 to Contract No. CS-163-1, Insurance Brokerage Services for an Owner Controlled Insurance Program, to provide Excess Liability Insurance for the Central Subway Project with Aon Risk Insurance Services West, Inc., to obtain and bind a second tier of liability insurance for the amount not to exceed \$8,280,000.

(Fiscal Impact)

Attachments: [Leg Ver1](#)

[Budget Analyst 010913](#)

[Comm Packet 010913](#)

[Leg Ver2](#)

[Board Packet 011513](#)

Question: Shall this Resolution be ADOPTED?

18. [121170](#) **[Real Property Lease Amendment - Autodesk, Inc. - Pier 9]**

Sponsors: Chiu; Kim

Resolution approving Port Commission's Second Amendment to Lease No. L-15169 with Autodesk, Inc., a Delaware corporation for the lease of office space and unimproved shed space at Pier 9 in the Northern Waterfront with a 120 month term.

Attachments: [Leg Ver1](#)

[Budget Analyst 010913](#)

[Comm Packet 010913](#)

[Leg Ver2](#)

[Board Packet 011513](#)

Question: Shall this Resolution be ADOPTED?

Recommendations of the Land Use and Economic Development Committee

Present: Supervisors Mar, Cohen, Wiener

19. [120772](#) [Health, Transportation Codes - Prohibiting Smoking at Certain Outdoor Events]

Sponsors: Mar; Cohen

Ordinance amending the San Francisco 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 San Francisco Transportation Code Article 6; the San Francisco 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.

Attachments: [Legislation Ver1](#)

[Leg Digest Ver1](#)

[Respose PLN 082312](#)

[Comm Packet 121012](#)

[Legislation Ver2](#)

[Board Packet 011513](#)

Question: Shall this Ordinance be PASSED ON FIRST READING?

20. [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 Article 10 of the San Francisco Planning Code; and adopting General Plan, Planning Code Section 101.1 and environmental findings. (Planning Department)

Attachments: [Legislation Ver1](#)

[Leg Digest Ver1](#)

[Comm Packet 121012](#)

[Board Packet 011513](#)

Question: Shall this Ordinance be PASSED ON FIRST READING?

21. [121061](#) **[Planning Code - Landmark Designation of 401 Castro Street (Twin Peaks Tavern)]**

Sponsor: Wiener

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

Attachments: [Legislation Ver1](#)

[Leg Digest Ver1](#)

[Response PLN 101812](#)

[Comm Packet 121012](#)

[Board Packet 011513](#)

Question: Shall this Ordinance be PASSED ON FIRST READING?

22. [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 San Francisco 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).

Attachments: [Legislation Ver1](#)

[Leg Digest Ver1](#)

[Comm Packet 121012](#)

[Legislation Ver2](#)

[Board Packet 011513](#)

Question: Shall this Ordinance be PASSED ON FIRST READING?

Recommendations of the Rules Committee

Present: Supervisors Kim, Farrell, Avalos

23. [120817](#) [Campaign and Governmental Conduct Code - Requiring Electronic Filing of Campaign Statements]

Sponsor: Chiu

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

- Attachments:** [Leg Digest Ver1](#)
[Legislation Ver1](#)
[Comm Packet 120612](#)
[Board Packet 011513](#)

Question: Shall this Ordinance be PASSED ON FIRST READING?

24. [120964](#) [Campaign and Governmental Conduct Code - Updating Conflict of Interest Code]

Sponsor: Chiu

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

- Attachments:** [Legislation Ver2](#)
[Leg Digest Ver2](#)
[Legislation Ver1](#)
[Leg Digest Ver1](#)
[Legislation Ver3](#)
[Leg Digest Ver3](#)
[Comm Packet 120612](#)
[Board Packet 011513](#)

Question: Shall this Ordinance be PASSED ON FIRST READING?

25. [121030](#) [Police Code - Enforcement Provisions for Clipper Cove Special-Use Area Adjacent to Treasure Island]

Sponsor: Kim

Ordinance amending the San Francisco 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.

- Attachments:** [Legislation Ver1](#)
[Leg Digest Ver1](#)
[Comm Packet 120612](#)
[Board Packet 011513](#)

Question: Shall this Ordinance be PASSED ON FIRST READING?

26. [121117](#) **[Appointment, Market and Octavia Community Advisory Committee - Matthew Steen]**

Motion appointing Matthew Steen, term ending December 16, 2014, to the Market and Octavia Community Advisory Committee. (Clerk of the Board)

(Supervisor Farrell dissented in Committee.)

Attachments: [Comm Packet 111512](#)

[Comm Packet 120612](#)

[Legislation Ver2](#)

[Board Packet 011513](#)

Question: Shall this Motion be APPROVED?

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

SPECIAL ORDER 3:00 P.M

APPEAL PROCEDURES

Board Rule 4.29 provides that public hearings on appeals shall be scheduled for 4:00 p.m. If more than one public hearing is scheduled, then the Clerk, in consultation with the President, may determine the order in which the appeals will be scheduled. Second and later appeals may be scheduled at specified times later than 4:00 p.m. An appeal shall not be heard prior to its scheduled time on the calendar, and it may not be called until the Board's consideration of appeals scheduled earlier on the calendar is completed. It is the policy of the Clerk of the Board to schedule multiple appeals in the following order at 4:00 p.m.:

1. Appeals where all parties have agreed to request a continuance or a tabling of the appeal.
2. Continued appeals from previous Board meetings (continued appeals will be listed in order of those closest to deadlines for Board decision).
3. Appeals appearing on the calendar for the first time, in chronological order of receipt by the Clerk.
4. Multiple appeals appearing on the calendar may be staggered at times specific, beginning at 4:00 p.m.
5. Appeals involving participants who have ADA considerations may be set for specific times beginning at 4:00 p.m.

27. [121219](#) **[Public Hearing - Appeal of Tentative Map - 1 Capitol Avenue]**

Hearing of persons interested in or objecting to the decision of the Department of Public Works dated December 10, 2012, approving a Tentative Map for a 29-lot subdivision located at 1 Capitol Avenue, in Assessor's Block No. 7148, Lot No. 040. (District No. 11) (Appellant: Linda Lam) (Filed December 20, 2012). (Clerk of the Board)

Attachments: [Board Packet 011513](#)

Question: Shall this Hearing be HEARD AND FILED?

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the Tentative Parcel Map described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

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

28. [121220](#) **[Approving Decision of the Department of Public Works and Approving the Tentative Map - 1 Capitol Avenue]**

Motion approving decision of the Department of Public Works and approving the Tentative Map for a 29-lot subdivision located at 1 Capitol Avenue, Assessor's Block No. 7148, Lot No. 040; making environmental findings and findings of consistency with the City's General Plan and eight priority policies of San Francisco Planning Code, Section 101.1. (Clerk of the Board)

Attachments: [Leg_Ver1](#)

[Board_Packet_011513](#)

Question: Shall this Motion be APPROVED?

29. [121221](#) **[Disapproving Decision of the Department of Public Works and Disapproving the Tentative Map - 1 Capitol Avenue]**

Motion disapproving decision of the Department of Public Works and disapproving the Tentative Map for a 29-lot subdivision located at 1 Capitol Avenue, Assessor's Block No. 7148, Lot No. 040; making environmental findings and findings of consistency with the City's General Plan and eight priority policies of San Francisco Planning Code, Section 101.1. (Clerk of the Board)

Attachments: [Leg_Ver1](#)

[Board_Packet_011513](#)

Question: Shall this Motion be APPROVED?

30. [121222](#) **[Preparation of Findings Related to the Tentative Map Disapproval - 1 Capitol Avenue]**

Motion directing the Clerk of the Board to prepare findings relating to the Board of Supervisors' decision to disapprove the Tentative Map for a 29-lot subdivision located at 1 Capitol Avenue, Assessor's Block No. 7148, Lot No. 040. (Clerk of the Board)

Attachments: [Leg_Ver1](#)

[Board_Packet_011513](#)

Question: Shall this Motion be APPROVED?

31. **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.

32. 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 33 through 40

33. [121205](#) [Approval of a 90 Day Extension for Planning Commission Review of Conversion of Student Housing Monitoring (File No. 120883)]

Sponsor: Kim

Resolution extending by 90 days the prescribed time within which the Planning Commission may render its decision on an Ordinance (File No. 120883) amending the San Francisco Planning Code, by adding Section 102.36.1, to establish an annual monitoring requirement for student housing conversions, to require a posting to announce that the report is available for public review, and to provide an enforcement mechanism for failure to submit the annual report, adopting findings, including environmental findings, Section 302 findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1.

Attachments: [Legislation Ver1](#)

[Board Packet 011513](#)

12/11/2012; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

34. [121206](#) **[Extending the Single Room Occupancy Task Force - December 31, 2015]**
Sponsors: Kim; Campos and Chiu
Resolution amending the Single Room Occupancy Task Force to extend it three years beyond the current sunset date of December 31, 2012, to December 31, 2015.

Attachments: [Legislation Ver1](#)
[Board Packet 011513](#)

12/11/2012; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

35. [130021](#) **[Approval of 90 Day Extension - Planning Commission Review of Establishing the Fillmore Street Neighborhood Commercial District (File No. 120814)]**

Sponsor: Breed
Resolution extending by 90 days the prescribed time within which the Planning Commission may render its decision on a Ordinance (File No. 120814) amending the San Francisco Planning Code, by adding Section 744.1, to establish the Fillmore Street Neighborhood Commercial District along Fillmore Street between Bush and Fulton Streets; amending Section 151.1, a portion of Table 151.1, Section 263.20, and Section 607.1(f) to make conforming and other technical changes; amending Sheets ZN02 and ZN07 of the San Francisco Zoning Maps to rezone specified properties to the Fillmore Street Neighborhood Commercial District; and adopting 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.

Attachments: [Leg_Ver1](#)
[Board Packet 011513](#)

01/08/2013; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

36. [130023](#) **[Apply for, Accept, and Expend Grant - Urban Forestry Programs - Not to Exceed \$99,000]**

Sponsor: Wiener
Resolution authorizing the Planning Department to apply for, accept, and expend funding from the State of California Urban Forestry Grant Program entitled "Leading Edge," as provided through Proposition 40 and/or Proposition 84, in an amount not to exceed \$99,000.

Attachments: [Leg_Ver1](#)
[Board Packet 011513](#)

01/08/2013; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

37. [121217](#) **[Final Map 5039 - 1946 Polk Street]**
Motion approving Final Map 5039, a 2 Commercial and 41 Residential Unit Mixed-Use Condominium Project, located at 1946 Polk Street being a subdivision of Assessor's Block No. 0596, Lot No. 024, and adopting findings pursuant to the General Plan and City Planning Code Section 101.1. (Public Works Department)

Attachments: [Leg Ver1](#)
[Board Packet 011513](#)

12/05/2012; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

38. [121218](#) **[Final Map 6405 - 1120-1130 Kearny Street]**
Motion approving Final Map 6405, a 6 Unit Residential Condominium Project, located at 1120-1130 Kearny Street being a subdivision of Assessor's Block No. 0144, Lot No. 022, and adopting findings pursuant to the General Plan and City Planning Code Section 101.1. (Public Works Department)

Attachments: [Leg Ver1](#)
[Board Packet 011513](#)

12/05/2012; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

39. [121223](#) **[Final Map 6409 - 1145 Green Street]**
Motion approving Final Map 6409, a 6 Unit Residential Condominium Project, located at 1145 Green Street being a subdivision of Assessor's Block No. 0125, Lot No. 019A, and adopting findings pursuant to the General Plan and City Planning Code Section 101.1. (Public Works Department)

Attachments: [Leg Ver1](#)
[Board Packet 011513](#)

12/21/2012; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

40. [121224](#) [Final Map 7090 - 1800 Van Ness Avenue]

Motion approving Final Map 7090, a 2 Lot Merger and Resubdivision into Parcel A and Parcel B, being also a 98 Residential Unit Condominium Project (Parcel A) and a 3 Commercial Unit Condominium Project (Parcel B), located at 1800 Van Ness Avenue being a subdivision of Assessor's Block No. 0619, Lot Nos. 009 and 010, and adopting findings pursuant to the General Plan and City Planning Code Section 101.1. (Public Works Department)

Attachments: [Leg Ver1](#)

[Board Packet 011513](#)

12/21/2012; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

41. 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 and introduced.

PROPOSED ORDINANCES

Proposed Ordinances received from December 31, 2012, through January 7, 2013, for reference by President to appropriate Committee on January 15, 2013.

130001

[General Plan Amendments - Western South of Market Area Plan]

Ordinance amending the San Francisco General Plan, by adding the Western South of Market (SoMa) Area Plan, generally bounded on its western portion by 7th Street, Mission Street, Division Street, and Bryant Street, and on its eastern portion by 7th Street, Harrison Street, 4th Street, and Townsend Street; making conforming amendments to the Housing, Commerce and Industry, and Recreation and Open Space Elements, the Land Use Index, and the SoMa, East SoMa, Mission, Showplace Square/Potrero, and Central Waterfront Area Plans; and making environmental findings and findings of consistency with the General Plan and the Priority Policies of Planning Code, Section 101.1. (Planning Department)

Attachments: [Leg_Ver1](#)

[Leg_Dig_Ver1](#)

01/04/2013; RECEIVED FROM DEPARTMENT.

01/15/2013; ASSIGNED UNDER 30 DAY RULE to the Land Use and Economic Development Committee.

130002

[Planning Code - Implementing the Western South of Market Area Plan]

Ordinance amending the San Francisco Planning Code, by adding and amending various sections to implement the goals, objectives, and policies of the Western South of Market Area Plan, bounded generally by 7th Street, Mission Street, Division Street, and Bryant Street on the western portion of the plan area, and 7th Street, Harrison Street, 4th Street, and Townsend Street on the eastern portion of the plan area; and making findings, including environmental findings and findings of consistency with General Plan and with the Priority Policies of Planning Code, Section 101.1. (Planning Department)

Attachments: [Leg Ver1](#)

[Leg Dig Ver1](#)

01/04/2013; RECEIVED FROM DEPARTMENT.

01/15/2013; ASSIGNED UNDER 30 DAY RULE to the Land Use and Economic Development Committee.

130003

[Planning Code, Zoning Map - Western South of Market Area Plan]

Ordinance amending San Francisco Zoning Map Sheets ZN01, ZN07, ZN08, HT01, HT07, and HT08 to revise use districts and height and bulk districts within the Western South of Market Plan Area; and making environmental findings, Planning Code, Section 302 findings, and findings of consistency with the General Plan and Planning Code, Section 101.1. (Planning Department)

Attachments: [Leg Ver1](#)

[Leg Dig Ver1](#)

01/04/2013; RECEIVED FROM DEPARTMENT.

01/15/2013; ASSIGNED UNDER 30 DAY RULE to the Land Use and Economic Development Committee.

130004

[Administrative Code - Adding Western South of Market Area Plan to Eastern Neighborhoods Area Plan Monitoring Program]

Ordinance amending the San Francisco Administrative Code, Section 10E.2, to integrate the Western South of Market (SoMa) Area Plan into the Eastern Neighborhoods Monitoring Program for purposes of reviewing the effectiveness of the Western SoMa Area Plan and inclusion of the Western SoMa Area Plan into the Eastern Neighborhoods reporting requirement, Eastern Neighborhoods capital expenditures plan, and the Eastern Neighborhoods Citizens Advisory Committee; and making environmental findings. (Planning Department)

Attachments: [Leg Ver1](#)

[Leg Dig Ver1](#)

01/04/2013; RECEIVED FROM DEPARTMENT.

01/15/2013; ASSIGNED UNDER 30 DAY RULE to the Land Use and Economic Development Committee.

130029

[Building Code - Seismic Standards]

Ordinance amending the San Francisco Building Code, by amending, and adding various sections concerning seismic standards and making conforming changes; making environmental findings; making findings pursuant to California Health and Safety Code, Section 17958.5; and directing the Clerk of the Board to forward this legislation to the California Building Standards Commission. (Building Inspection Commission)

01/07/2013; RECEIVED FROM DEPARTMENT.

01/15/2013; ASSIGNED UNDER 30 DAY RULE to the Land Use and Economic Development Committee.

PROPOSED RESOLUTION

Proposed Resolution received from December 31, 2012, through January 7, 2013, for reference by President to appropriate Committee on January 15, 2013.

130005

[Street Artist Spaces - Market Street, Spear to Steuart Streets]

Resolution approving designation of six selling spaces on Market Street, north side, Spear to Steuart Streets, for street artists certified by Arts Commission; exempting said spaces from the regulations of Police Code, Section 2405, relating to street artist display size.

Attachments: [Leg Ver1](#)

01/03/2013; RECEIVED FROM DEPARTMENT.

01/15/2013; RECEIVED AND ASSIGNED to the Land Use and Economic Development Committee.

130030 [Petitions and Communications]

Petitions and Communications received from January 1, 2013, through January 7, 2013, for reference by the President to Committee considering related matters, or to be ordered filed by the Clerk on January 15, 2013.

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

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

- London Breed - Supervisor-Elect - Assuming
- Ivy Lee - Legislative Aide - Assuming
- Christina Durazo - Legislative Aide - Leaving
- Dominica Henderson - Legislative Aide - Leaving

*From Public Defender, regarding 2012 Annual Report and 2013 Calendar. Copy: Each Supervisor. (2)

From Controller, regarding FY 2011-2012 Annual Overtime Report. (3)

From State Fish and Game Commission, regarding first notice of changes to ocean salmon sport fishing regulations. Copy: Each Supervisor. (4)

From State Fish and Game Commission, regarding second notice of changes to ocean salmon sport fishing regulations. Copy: Each Supervisor. (5)

From Aaron Goodman, regarding fair housing. (6)

From Controller, regarding audit of airport tenant D-Lew Enterprises, LLC, dba Perry's. (7)

*From concerned citizens, regarding Woodhouse Green. 49 letters. File No. 120987. (8)

*From concerned citizens, regarding Supervisor Scott Weiner. 26 letters. (9)

From Sharon Elliott, regarding parking meter changes. (10)

From Deborah Sant Robinson, regarding charges against various State and local agencies. (11)

From San Francisco Unified School District Early Education Department, regarding their 70th anniversary festivities in February 2013. (12)

From Abdalla Megahed, congratulating the Board of Supervisors and wishing a happy new year. Copy: Each Supervisor. (13)

From Aaron Goodman, regarding grading permits at 800 Brotherhood Way. File No. 121231. (14)

From the San Francisco Bay Keeper, regarding notice of commencement of California Environmental Quality Act action, San Francisco Baykeeper v. California State Lands Commission, et al. Copy: Each Supervisor. (15)

From Sue C. Hestor, urging support of Twin Peaks Tavern. File No. 121061. (16)

From Sue C. Hestor, urging support of Sam Jordan's Bar. File No. 120789. (17)

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

ADJOURNMENT