



# BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO AGENDA

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

Tuesday, March 19, 2013 - 2:00 PM

## Regular Meeting

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

Angela Calvillo, Clerk of the Board

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## BOARD COMMITTEES

### Committee Membership

**Budget and Finance Committee**  
Supervisors Farrell, Mar, Avalos, Breed, Wiener

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

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

**Government Audit and Oversight Committee**  
Supervisors Cohen, Tang, Campos

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

**Neighborhood Services and Safety Committee**  
Supervisors Campos, Mar, Yee

**Rules Committee**  
Supervisors Yee, Breed, Cohen

### Meeting Days

Wednesday  
1:00 PM

Wednesday  
10:00 AM

4th Thursday  
3:30 PM

2nd and 4th Thursday  
10:00 AM

Monday  
1:30 PM

1st and 3rd Thursday  
10:00 AM

1st and 3rd Thursday  
1:30 PM

## **Agenda Item Information**

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

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

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

## **Meeting Procedures**

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

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

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

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

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

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

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

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

### **Disability Access**

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

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

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

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

### **Know Your Rights Under The Sunshine Ordinance**

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

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

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

### **Lobbyist Registration and Reporting Requirements**

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

## **ROLL CALL AND PLEDGE OF ALLEGIANCE**

## **AGENDA CHANGES**

## **APPROVAL OF MEETING MINUTES**

*Approval of the February 12, 2013, Board Meeting Minutes.*

## **COMMUNICATIONS**

## **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 1 through 16**

### **Recommendations of the Budget and Finance Committee**

*Present: Supervisors Farrell, Mar, Avalos*

1. [121211](#) **[Administrative Code - Rescinding Sunset in the San Francisco Bonding and Financial Assistance Program]**

Ordinance amending the San Francisco Administrative Code, Section 14B.16, to rescind the sunset clause in the San Francisco Bonding and Financial Assistance Program, make technical amendments, and make environmental findings. (City Administrator)

(Fiscal Impact)

**Attachments:** [Leg\\_Ver1](#)

[Leg\\_Digest\\_Ver1](#)

[Response\\_Small\\_022013](#)

[Bdgt\\_Analyst\\_Rpt\\_030613.pdf](#)

[Comm\\_Pkt\\_030613](#)

[Leg\\_Ver2](#)

[Board\\_Packet\\_031213](#)

[Board\\_Packet\\_031913](#)

03/12/2013; PASSED, ON FIRST READING.

**Question: Shall this Ordinance be FINALLY PASSED?**

2. [130117](#) **[Appropriating \$2,774,224 of Fee Revenue for the Planning Department - FY2012-2013]**

**Sponsor: Mayor**

Ordinance appropriating \$2,774,224 of fee revenue for the Planning Department in FY2012-2013 to reduce the backlog of planning cases and building permits requiring review, and funding the Permit and Project Tracking System, and Central Corridor Environmental Impact Report, including \$1,672,224 to fund staff positions, \$807,000 to fund office space reconfiguration, records and information technology improvements, and updated guidelines and procedures, \$45,000 to fund training and configuration needs of the Permit and Project Tracking System, and \$250,000 to fund the Central Corridor Environmental Impact Report.

(Fiscal Impact)

**Attachments:** [Leg\\_Ver1](#)

[Bdgt\\_Analyst\\_Rpt\\_030613](#)

[Comm\\_Pkt\\_030613](#)

[Leg\\_Ver2](#)

[Board\\_Packet\\_031213](#)

[Board\\_Packet\\_031913](#)

03/12/2013; PASSED, ON FIRST READING.

**Question: Shall this Ordinance be FINALLY PASSED?**

3. [130118](#) **[Public Employment - Amendment to the Annual Salary Ordinance for Planning Department - FY2012-2013]**

**Sponsor:** Mayor

Ordinance amending Ordinance No. 165-12 (Annual Salary Ordinance FY2012-2013) to reflect the addition of 8 positions (2.0 FTEs) Class 1404 (Clerk), 5275 (Planner Technician), 5277 (Planner I), 5278 (Planner II), 5291 (Planner III), and 5298 (Planner III - Environmental Review) in the Planning Department to focus on reducing the backlog of planning cases and building permits requiring review.

(Fiscal Impact)

**Attachments:** [Leg\\_Ver1](#)

[Bdgt\\_Analyst\\_Rpt\\_030613.pdf](#)

[Comm\\_Pkt\\_030613](#)

[Leg\\_Ver2](#)

[Board\\_Packet\\_031213](#)

[Board\\_Packet\\_031913](#)

03/12/2013; PASSED, ON FIRST READING.

**Question: Shall this Ordinance be FINALLY PASSED?**

4. [130142](#) **[Appropriating \$118,107 for the San Francisco Department on the Status of Women]**

**Sponsors:** Chiu; Cohen, Kim, Mar, Farrell, Avalos, Wiener, Campos and Yee

Ordinance appropriating \$118,107 to the San Francisco Department on the Status of Women for FY2012-2013.

**Attachments:** [Leg\\_Ver1](#)

[Leg\\_Ver2](#)

[Bdgt\\_Analyst\\_Rpt\\_030613](#)

[Comm\\_Pkt\\_030613](#)

[Board\\_Packet\\_031213](#)

[Board\\_Packet\\_031913](#)

02/12/2013; DUPLICATED AND AMENDED.

02/12/2013; AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.

02/12/2013; RE-REFERRED AS AMENDED to the Budget and Finance Committee.

03/12/2013; PASSED, ON FIRST READING.

**Question: Shall this Ordinance be FINALLY PASSED?**

**Recommendations of the Land Use and Economic Development Committee**

*Present: Supervisors Wiener, Kim, Chiu*

**5.     [130029](#)     **[Building Code - Seismic Standards]****

**Sponsor: Chiu**

Ordinance amending the Building Code, 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.

**Attachments:** [Leg Ver1](#)

[Leg Dig Ver1](#)

[Response PLN 011713](#)

[Response BIC 011813](#)

[Comm Packet 030413](#)

[Board Packet 031213](#)

[Board Packet 031913](#)

03/12/2013; PASSED, ON FIRST READING.

**Question: Shall this Ordinance be FINALLY PASSED?**

**6.     [130146](#)     **[Health Code - Commercial Dog Walking Regulations]****

**Sponsor: Wiener**

Ordinance amending the Health Code to correct numbering and clarify provisions of the Commercial Dog Walking Ordinance.

**Attachments:** [Leg Ver1](#)

[Leg Dig Ver1](#)

[Comm Packet 031113](#)

[Leg Ver2](#)

[Leg Dig Ver2](#)

[Board Packet 031213](#)

[Board Packet 031913](#)

03/12/2013; PASSED, ON FIRST READING.

**Question: Shall this Ordinance be FINALLY PASSED?**

**Recommendations of the Rules Committee**

*Present: Supervisors Yee, Breed, Cohen*

7. [130111](#) **[Settlement of Lawsuit - Derek Kerr, M.D. - \$750,000]**  
Ordinance authorizing settlement of the lawsuit filed by Derek Kerr, M.D., against the City and County of San Francisco for \$750,000; the lawsuit was filed on November 16, 2010, in United States District Court of California, Case No. C-10-5733 CW; entitled Derek Kerr, M.D. v. City and County of San Francisco, et al. (City Attorney)

**Attachments:** [Leg\\_Ver1](#)  
[Comm\\_Pkt\\_030713](#)  
[Board\\_Packet\\_031913](#)

**Question: Shall this Ordinance be PASSED ON FIRST READING?**

8. [130112](#) **[Settlement of Lawsuit - Rissa Kossen, et al. - \$27,500]**  
Ordinance authorizing settlement of the lawsuit filed by Rissa Kossen and Cameron Kossen against the City and County of San Francisco for \$27,500; the lawsuit was filed on December 1, 2011, in San Francisco County Superior Court, Case No. CGC-11-517538; entitled Rissa Kossen and Cameron Kossen, et al. v. City and County of San Francisco, et al.; other material terms of said settlement is full payment of San Francisco General Hospital's lien. (City Attorney)

**Attachments:** [Leg\\_Ver1](#)  
[Comm\\_Pkt\\_030713](#)  
[Board\\_Packet\\_031913](#)

**Question: Shall this Ordinance be PASSED ON FIRST READING?**

9. [130113](#) **[Settlement of Lawsuit - Ana Guevara - \$75,000]**  
Ordinance authorizing settlement of the lawsuit filed by Ana Guevara against the City and County of San Francisco for \$75,000; the lawsuit was filed on October 13, 2011, in San Francisco Superior Court, Case No. CGC-11-515089; entitled Ana Guevara v. City and County of San Francisco, et al. (City Attorney)

**Attachments:** [Leg\\_Ver1](#)  
[rls030713\\_130113.pdf](#)  
[Board\\_Packet\\_031913](#)

**Question: Shall this Ordinance be PASSED ON FIRST READING?**

10. [130135](#) **[Settlement of Lawsuit - Shawn and Sarah Myers - \$200,000]**  
Ordinance authorizing settlement of the lawsuit filed by Shawn and Sarah Myers against the City and County of San Francisco for \$200,000; the lawsuit was filed on February 27, 2008, in United States District Court, Case No. 08-cv-1163; entitled Shawn Myers, et al., v. City and County of San Francisco, et al. (City Attorney)

**Attachments:** [Leg\\_Ver1](#)  
[Comm\\_Pkt\\_030713](#)  
[Board\\_Packet\\_031913](#)

**Question: Shall this Ordinance be PASSED ON FIRST READING?**



11. [130136](#) **[Settlement of Lawsuit - Veronica Hinkley Reck - \$70,000]**  
Ordinance authorizing settlement of the lawsuit filed by Veronica Hinkley Reck against the City and County of San Francisco for \$70,000; the lawsuit was filed on July 27, 2011, in Alameda Superior Court, Case No. RG-11-587571; entitled Veronica Hinkley Reck, et al. v. City and County of San Francisco, et al. (City Attorney)

**Attachments:** [Leg Ver1](#)  
[Comm Pkt 030713](#)  
[Board Packet 031913](#)

**Question: Shall this Ordinance be PASSED ON FIRST READING?**

12. [130164](#) **[Settlement of Lawsuit - Mary Allen, et al. - \$40,000]**  
Ordinance authorizing settlement of the lawsuit filed by Mary Allen against the City and County of San Francisco for \$40,000; the lawsuit was filed on October 22, 2010, in San Francisco Superior Court, Case No. CGC-10-504814; entitled Mary Allen, et al. v. City and County of San Francisco, et al.; other material terms of said settlement are dismissal with prejudice and a waiver of any and all monetary sanctions. (City Attorney)

**Attachments:** [Leg Ver1](#)  
[Comm Pkt 030713](#)  
[Board Packet 031913](#)

**Question: Shall this Ordinance be PASSED ON FIRST READING?**

13. [130165](#) **[Settlement of Lawsuits - Greenwich Associates LLC and Octavia Associates LLC - \$360,632.36]**  
Ordinance authorizing settlement of the lawsuits filed by Greenwich Associates LLC and Octavia Associates LLC against the City and County of San Francisco for \$360,632.36; the lawsuits were filed on September 26, 2012, in San Francisco County Superior Court, Case Nos. CGC-12-524729 and CGC-12-524730; entitled Greenwich Associates LLC v. City and County of San Francisco, et al. and Octavia Associates LLC v. City and County of San Francisco, et al. (City Attorney)

**Attachments:** [Leg Ver1](#)  
[Comm Pkt 030713](#)  
[Board Packet 031913](#)

**Question: Shall this Ordinance be PASSED ON FIRST READING?**

14. [130166](#) **[Settlement of Lawsuit - Regina Potascher - \$87,500]**  
Ordinance authorizing settlement of the lawsuit filed by Regina Potascher, by her conservator Kim Schwarcz against the City and County of San Francisco for \$87,500; the lawsuit was filed on November 14, 2011, in San Francisco Superior Court, Case No. CGC-11-515780; entitled Regina Potascher, by her conservator Kim Schwarcz, et al. v. City and County of San Francisco, et al. (City Attorney)

**Attachments:** [Leg\\_Ver1](#)  
[Comm\\_Pkt\\_030713](#)  
[Board\\_Packet\\_031913](#)

**Question: Shall this Ordinance be PASSED ON FIRST READING?**

15. [130137](#) **[Settlement of Unlitigated Claim - SF Works - \$110,000]**  
Resolution approving the settlement of the unlitigated claim filed by the City and County of San Francisco against SF Works for \$110,000. (City Attorney)

**Attachments:** [Leg\\_Ver1](#)  
[Comm\\_Pkt\\_030713](#)  
[Board\\_Packet\\_031913](#)

**Question: Shall this Resolution be ADOPTED?**

16. [130212](#) **[Appointment, Bicycle Advisory Committee - Marc Brandt]**  
Motion appointing Marc Brandt, term ending November 19, 2014, to the Bicycle Advisory Committee. (Clerk of the Board)

**Attachments:** [Comm\\_Pkt\\_030713](#)  
[Leg\\_Ver1](#)  
[Board\\_Packet\\_031913](#)

**Question: Shall this Motion be APPROVED?**

## REGULAR AGENDA

## UNFINISHED BUSINESS

### **Referred from the Land Use and Economic Development Committee Without Recommendation**

*Present: Supervisors Wiener, Kim, Chiu*

**17. [130001](#)****[General Plan Amendments - Western South of Market Area Plan]**

Ordinance amending the 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](#)

[Response PLN 010313](#)

[Comm Packet 022513](#)

[Comm Packet 030413](#)

[Board Packet 031213](#)

[Board Packet 031913](#)

03/12/2013; PASSED ON FIRST READING.

**Question: Shall this Ordinance be FINALLY PASSED?**

**18. [130002](#)****[Planning Code - Implementing the Western South of Market Area Plan]**

**Sponsor: Kim**

Ordinance amending the 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 the General Plan and the Priority Policies of Planning Code, Section 101.1.

**Attachments:** [Leg Ver1](#)

[Leg Dig Ver1](#)

[Response PLN 010313](#)

[Comm Packet 022513](#)

[Leg Ver2](#)

[Comm Packet 030413](#)

[Leg Ver3](#)

[Board Packet 031213](#)

[Board Packet 031913](#)

03/12/2013; PASSED ON FIRST READING.

**Question: Shall this Ordinance be FINALLY PASSED?**

19. [130003](#) **[Zoning Map - Height and Bulk Revisions to the Western South of Market Area Plan]**

**Sponsor: Kim**

Ordinance amending 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.

**Attachments:** [Leg\\_Ver1](#)

[Leg\\_Dig\\_Ver1](#)

[Response\\_PLN\\_010313](#)

[Comm\\_Packet\\_022513](#)

[Comm\\_Packet\\_030413](#)

[Board\\_Packet\\_031213](#)

[Board\\_Packet\\_031913](#)

03/12/2013; PASSED ON FIRST READING.

**Question: Shall this Ordinance be FINALLY PASSED?**

20. [130004](#) **[Administrative Code - Adding Western South of Market Area Plan to Eastern Neighborhoods Area Plan Monitoring Program]**

**Sponsor: Kim**

Ordinance amending the 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.

**Attachments:** [Leg\\_Ver1](#)

[Leg\\_Dig\\_Ver1](#)

[Response\\_PLN\\_010313](#)

[Comm\\_Packet\\_022513](#)

[Leg\\_Ver2](#)

[Comm\\_Packet\\_030413](#)

[Board\\_Packet\\_031213](#)

[Board\\_Packet\\_031913](#)

03/12/2013; PASSED ON FIRST READING.

**Question: Shall this Ordinance be FINALLY PASSED?**

## **NEW BUSINESS**

**Recommendations of the Budget and Finance Committee**

*Present: Supervisors Farrell, Mar, Avalos*

21. **130173** **[Adjusting the Access Line Tax with the Consumer Price Index of 2013]**  
**Sponsor: Mayor**  
Resolution concurring with the Controller's establishment of the Consumer Price Index for 2013, and adjusting the Access Line Tax by the same rate.

**Attachments:** [Leg Ver1](#)

[Support Doc1](#)

[Bdgt Analyst Rpt 031313](#)

[Comm Pkt 031313](#)

[Board Packet 031913](#)

**Question: Shall this Resolution be ADOPTED?**

22. **130175** **[Accept and Expend Grant - Keys to Freedom Program - \$599,894]**  
**Sponsor: Breed**  
Resolution authorizing the Sheriff's Department to retroactively accept and expend \$599,894 in funds from the U.S. Department of Justice, Office of Justice Programs, through the Second Chance Act Reentry Program for adult offenders with co-occurring substance abuse and mental health disorders, for The Keys to Freedom Program to increase public safety, and reduce recidivism among incarcerated and recently released women and transgendered adults in the City and County of San Francisco; and waiving any indirect costs for the period of October 1, 2012, through September 30, 2014.

**Attachments:** [Leg Ver1](#)

[Support Doc1](#)

[Support Doc2](#)

[Support Doc3](#)

[Support Doc4](#)

[Support Doc5](#)

[Comm Pkt 031313](#)

[Board Packet 031913](#)

**Question: Shall this Resolution be ADOPTED?**

**23. [130188](#) [Accept and Expend Grant - Trust for Public Land - \$3,350,000]****Sponsor: Kim**

Resolution authorizing the Recreation and Park Department to retroactively accept and expend a grant of up to \$3,350,000 from the Trust for Public Land for the design and construction of improvements to Father Alfred E. Boeddeker Park for the period of August 13, 2012, through March 3, 2014.

**Attachments:** [Leg\\_Ver1](#)[Support\\_1](#)[Comm\\_Pkt\\_031313](#)[Leg\\_Ver2](#)[Board\\_Packet\\_031913](#)

**Question: Shall this Resolution be ADOPTED?**

**Recommendations of the Land Use and Economic Development Committee**

*Present: Supervisors Wiener, Kim, Chiu*

**24. [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; 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; amend the Zoning Map to remove the incorrect Chinese Hospital Special Use District designation from Assessor's Block No. 0192, Lot No. 041; 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.

**Attachments:** [Leg\\_Ver1](#)[Planning\\_Rpt\\_120312](#)[Comm\\_Packet\\_030413](#)[Leg\\_Ver2](#)[Leg\\_Dig\\_Ver2](#)[Comm\\_Packet\\_031113](#)[Leg\\_Ver3](#)[Leg\\_Dig\\_Ver3](#)[Board\\_Packet\\_031913](#)

**Question: Shall this Ordinance be PASSED ON FIRST READING?**

25. [130181](#) **[Administrative Code - Exceptions to Seismic Safety Loan Program Requirements for a \$2,379,464 Loan to Hotel Isabel, 1091 Mission Street]**  
**Sponsor: Kim**  
Ordinance approving exceptions to requirements of the Seismic Safety Loan Program (SSLP) under the Administrative Code and the SSLP Program Regulations, regarding a \$2,379,464 loan for an existing affordable housing project at the Hotel Isabel located at 1091 Mission Street.
- Attachments:** [Leg\\_Ver1](#)  
[Leg\\_Dig\\_Ver1](#)  
[Comm\\_Packet\\_031113](#)  
[Board\\_Packet\\_031913](#)

**Question: Shall this Ordinance be PASSED ON FIRST READING?**

### **Recommendations of the Neighborhood Services and Safety Committee**

*Present: Supervisors Campos, Mar, Yee*

26. [121063](#) **[Liquor License Transfer - 717 Battery Street]**  
Resolution determining that the transfer of a Type 57 special on-sale general license from 4461 Mission Street to 717 Battery Street (District 3), to MXB Battery Operations, L.P., for The Battery, will serve the public convenience and necessity of the City and County and San Francisco, in accordance with California Business and Professions Code, Section 23958.4, and recommending that the California Department of Alcoholic Beverage Control impose conditions on the issuance of the license. (Neighborhood Services and Safety Committee)
- Attachments:** [Comm\\_Packet\\_030713](#)  
[Leg\\_Ver2](#)  
[Board\\_Packet\\_031913](#)
- Question: Shall this Resolution be ADOPTED?**
27. [121083](#) **[Liquor License - 1 Polk Street]**  
Resolution determining that the issuance of a Type 42 on-sale beer and wine license to Andrew and Jennifer Hall for The Beer Hall, LLC, located at 1 Polk Street (District 6), will serve the public convenience and necessity of the City and County of San Francisco, in accordance with California Business and Professions Code, Section 23958.4, and recommending that the California Department of Alcoholic Beverage Control impose conditions on the issuance of the license. (Neighborhood Services and Safety Committee)
- Attachments:** [Comm\\_Packet\\_030713](#)  
[Leg\\_Ver2](#)  
[Board\\_Packet\\_031913](#)
- Question: Shall this Resolution be ADOPTED?**

**28.    [121140](#)    **[Liquor License Transfer - 2001 Market Street]****

Resolution determining that the transfer of a Type 20 off-sale beer and wine license from 1169 Market Street to 2001 Market Street (District 8), to Whole Foods Market California, Inc., for the Whole Foods Market, will serve the public convenience and necessity of the City and County of San Francisco, in accordance with California Business and Professions Code, Section 23958.4, and recommending that the California Department of Alcoholic Beverage Control impose conditions on the issuance of the license. (Neighborhood Services and Safety Committee)

**Attachments:**   [Comm Packet 030713](#)

[Leg Ver2](#)

[Board Packet 031913](#)

**Question: Shall this Resolution be ADOPTED?**

**Recommendations of the Rules Committee**

*Present: Supervisors Yee, Breed, Cohen*

**29.    [120899](#)    **[Municipal Elections Code - Miscellaneous Amendments]****

**Sponsor: Kim**

Ordinance amending the Municipal Elections Code, Sections 100, 110, 200, 205, 220, 230, 260, 335, 500, and 590, and adding Section 810, to: incorporate state law provisions governing Community College and Board of Education candidates; change deadlines for withdrawal of candidacy and candidate qualification statements; change the public inspection period for candidate materials; change requirements for petition circulator badges; delete the requirement that a disclaimer appear before Board of Supervisors' arguments in the Voter Information Pamphlet; incorporate state law provisions governing signatures in lieu of filing fees; reinstate candidate filing fee provisions; and make other technical amendments.

**Attachments:**   [Leg Ver1](#)

[Leg Digest Ver1](#)

[Comm Packet 020713](#)

[Leg Ver2](#)

[Leg Digest Ver2](#)

[Comm Pkt 022113](#)

[Leg Ver3](#)

[Leg Digest Ver3](#)

[Comm Pkt 030713](#)

[Board Packet 031913](#)

**Question: Shall this Ordinance be PASSED ON FIRST READING?**



30. [121156](#) **[Appointment, Reentry Council - Robert Bowden]**  
Motion appointing Robert Bowden, term ending July 17, 2013, to the Reentry Council.  
(Clerk of the Board)

(Supervisor Cohen dissented in Committee.)

**Attachments:** [Comm Pkt 030713](#)

[Leg Ver2](#)

[Board Packet 031913](#)

[Board Packet 031913](#)

**Question: Shall this Motion be APPROVED?**

31. [130115](#) **[Appointment, Port Commission - Mel Murphy]**  
Motion confirming the Mayor's appointment of Mel Murphy, term ending May 1, 2016, to the Port Commission. (Mayor)

**Attachments:** [Leg Ver1](#)

[Comm Pkt 030713](#)

[Board Packet 031913](#)

**Question: Shall this Motion be APPROVED?**

32. [130211](#) **[Appointment, Association of Bay Area Government Executive Board - Supervisor Malia Cohen]**  
Motion amending Board of Supervisors Motion No. M13-031 to appoint Supervisor Malia Cohen to the Association of Bay Area Governments Executive Board, for a term ending June 30, 2013. (Clerk of the Board)

**Attachments:** [Leg Ver1](#)

[Comm Pkt 030713](#)

[Board Packet 031913](#)

**Question: Shall this Motion be APPROVED?**

## **SPECIAL ORDER 3:30 P.M. - Recognition of Commendations**

### **33. ROLL CALL FOR INTRODUCTIONS**

*Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, letters of request to the City Attorney and Board Members' reports on their regional body activities.*

**34. PUBLIC COMMENT**

*An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes.*

*Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.*

## FOR ADOPTION WITHOUT COMMITTEE REFERENCE

*These measures were introduced for adoption without committee reference. A unanimous vote is required for adoption of these resolutions today. Any Supervisor may require any resolution to go to committee.*

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

### Items 35 and 36

35. [130257](#) **[Anti-Arab and Anti-Muslim Bus Advertisements]**  
**Sponsors:** Chiu; Avalos, Breed, Campos, Cohen, Kim, Mar and Yee  
Resolution standing with Muslim and Arab communities in the face of anti-Arab and anti-Muslim bus advertisements.  
**Attachments:** [Board Packet 031913](#)  
  
03/12/2013; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.  
  
**Question: Shall this Resolution be ADOPTED?**
36. [130258](#) **[Approval of a 60 Day Extension for Planning Commission Review of Conversion of Student Housing Monitoring (File No. 120883)]**  
**Sponsor:** Kim  
Resolution extending by 60 days the prescribed time within which the Planning Commission may render its decision on an Ordinance (File No. 120883) amending the 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:** [Leg\\_Ver1](#)  
[Board Packet 031913](#)  
  
03/12/2013; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.  
  
**Question: Shall this Resolution be ADOPTED?**

### 37. 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](http://www.sfbos.org/legislation_introduced).

### **Introduced at the Request of a Department**

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

## PROPOSED ORDINANCE

### **130244**

#### **[Health, Business and Tax Regulations Code - Regulate and Establish Annual Fees - Cottage Food Operations]**

Ordinance amending the Health Code, by adding Section 452.1, to establish a procedure for regulating Cottage Food Operations; amending the Business and Tax Regulations Code, by adding Section 249.1A, to establish annual fees for Cottage Food Operations; and making environmental findings. (Public Health Department)

03/08/2013; RECEIVED FROM DEPARTMENT.

03/19/2013; ASSIGNED UNDER 30 DAY RULE to the Budget and Finance Committee.

**130243****[Petitions and Communications]**

Petitions and Communications received from March 4, 2013, through March 11, 2013, for reference by the President to Committee considering related matters, or to be ordered filed by the Clerk on March 19, 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)

Rick Caldeira - Legislative Deputy - Annual  
Debra Newman - Budget & Legislative Analyst - Annual  
Arthur Louie - Budget & Legislative Analyst - Annual  
Madeline Licavoli - Operations Deputy - Annual  
Supervisor Carmen Chu - Leaving  
Deborah Landis - Administrative Deputy - Annual  
Megan Hamilton - Legislative Assistant - Annual

From the Mayor, submitting notice of appointments to the Library and Human Services Commissions. Copy: Each Supervisor, Clerk of the Board, Legislative Deputy, Deputy City Attorney, Rules Committee Clerk. (2)

Susan Mall, Library Commission  
John Lee, Library Commission  
Kelly Dearman, Human Services Commission

From the Mayor, submitting notice of appointment to the Library Commission. Copy: Each Supervisor, Clerk of the Board, Legislative Deputy, Deputy City Attorney, Rules Committee Clerk. (3)

Michael Nguyen

From Supervisor Wiener, requesting the Board to hear the Commercial Dog Walking Regulations Ordinance at the March 12, 2013, meeting as a Committee Report. File No. 130146. Copy: Clerk of the Board, Land Use Committee Clerk, Legislative Deputy. (4)

From Supervisor Wiener, requesting the Board to hear the Inclusionary Affordable Housing Program ordinance at the March 26, 2013, meeting as a Committee Report. File No. 121162. Copy: Clerk of the Board, Land Use Committee Clerk, Legislative Deputy. (5)

\*From Planning, submitting the Proposed 10-Year Capital Plan for FYs 2014-2023. Copy: Each Supervisor, Clerk of the Board. (6)

From the Capital Planning Committee, submitting recommendations on the Proposed 10-Year Capital Plan for FYs 2014-2023. File No. 130228. Copy: Each Supervisor, Clerk of the Board, Deputy City Attorney. (7)

From Planning, submitting responses to comments on the draft Environmental Impact Report for 706 Mission Street. CD on file. Copy: Each Supervisor. (8)

From Planning, submitting Notice of Availability of and Intent to Adopt a Mitigated Negative Declaration for the San Joaquin Valley Communication System Upgrade Project. (9)

From the Public Library, regarding grant budget revision. Copy: Each Supervisor, Clerk of the Board, Budget & Finance Committee Clerk. (10)

From SFMTA, responding to Supervisor Farrell's inquiry about MUNI transit vehicles. (11)

From the Office of Community Investment and Infrastructure, regarding the affordable housing obligations of the former SF Redevelopment Agency. Copy: Each Supervisor. (12)

\*From the Office of Civic Engagement and Immigrant Affairs, submitting their Annual Language Access Ordinance Compliance Report for 2013. (13)

From the Office of Economic and Workforce Development, requesting an extension to submit their Year 2 Local Hire Annual Report. Copy: Each Supervisor, Clerk of the Board. (14)

From the Chiafullo Group, LLP, opposing proposed ammunition sales and possession ordinances. File Nos. 130039 & 130040. Copy: Neighborhood Services and Safety Committee Clerk. (15)

From Michel & Associates, P.C., opposing proposed ammunition sales and possession ordinances. File Nos. 130039 & 130040. Copy: Each Supervisor, Neighborhood Services & Safety Committee Clerk. (16)

From Davis & Associates, opposing proposed ammunition sales and possession ordinances. File Nos. 130039 & 130040. Copy: Each Supervisor, Neighborhood Services & Safety Committee Clerk. (17)

From concerned citizens, regarding Woodhouse on Marina Green. File No. 120987. 6 letters. Copy: Each Supervisor, Government Audit & Oversight Committee Clerk. (18)

From Community Housing Partnership, submitting their FY 2011-2012 Annual Report. Copy: Each Supervisor. (19)

From Allen Jones, regarding Harvey Milk and renaming SFO. File No. 130037. Copy: Each Supervisor. (20)

From Chris Giorni, regarding bicycle rentals at City parks. Copy: Each Supervisor. (21)

From Anabel Cassady, regarding the San Francisco Employees Retirement System Carbon Divestment Resolution. File No. 130123. Copy: Each Supervisor, Budget & Finance Committee Clerk. (22)

From Jan Stephens, regarding Charlie the Dog. Copy: Each Supervisor. (23)

From Charles Pitts, concerning the Local Homeless Coordinating Board. (24)

From Rosales Law Partners, LLP, submitting Susana Razo's letter of protest to the Airport Commission's award of the SFO advertising lease to Clear Channel Airports. File No. 130072. Copy: Each Supervisor. (25)

From the Coalition for Economic Equity, regarding the Airport Advertising Lease. File No. 130072. Copy: Each Supervisor, Budget & Finance Committee Clerk. (26)

From Russell Pritchard, regarding Nosa Ria Spanish Food Market's alcoholic beverage license. File No. 130067. Copy: Each Supervisor, Neighborhood Services & Safety Committee Clerk. (27)

From David Bonowitz, concerning the Seismic Retrofit Ordinance. File No. 130119. Copy: Each Supervisor, Clerk of the Board, Land Use Committee Clerk. (28)

From concerned citizens, regarding the Western Soma Area Plan. 3 letters. File Nos. 130001, 130002, 130003, and 130004. Copy: Each Supervisor. (29)

From MaryLou Corrigan, regarding overtime pay in City departments. Copy: Each Supervisor. (30)

From concerned citizens, regarding the Central Subway Tunnel Boring Machine. 2 letters. Copy: Each Supervisor. (31)

From the Southeast Community Facility Commission, submitting their resolution urging support for a homeless shelter on Jennings Street. Copy: Each Supervisor, Clerk of the Board. (32)

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

## **ADJOURNMENT**