



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, May 14, 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

Agendas of the Board of Supervisors are available on the internet at www.sfbos.org

BOARD COMMITTEES

Committee Membership

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

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

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

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 April 9, 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 5

Recommendation of the Budget and Finance Committee

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

1. [130299](#) **[Appropriation and De-Appropriation - \$4,072,764 for Overtime - FY2012-2013]**
Sponsor: Mayor

Ordinance appropriating \$4,072,764 to overtime and de-appropriating \$4,072,764 consisting of \$3,272,301 in permanent salaries and \$800,463 in fringe benefits in the Fire Department's operating budget in order to support the department's projected increases in overtime as required per Ordinance No. 194-11.

(Fiscal Impact)

Attachments: [Leg Ver1](#)

[Bdgt Analyst Rpt 042413](#)

[Comm Pkt 042412](#)

[Leg Ver2](#)

[Board Packet 050713](#)

[Board Packet 051413](#)

05/07/2013; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendation of the Budget and Finance Sub-Committee

Present: Supervisors Farrell, Avalos

2. [130224](#) **[Agreement - Pacific Gas and Electric Company - University Mound Reservoir Project - \$86,765.18]**

Sponsor: Campos

Ordinance authorizing the Public Utilities Commission General Manager to enter into a long-term interconnection agreement with Pacific Gas and Electric Company to connect a small renewable energy project at University Mound Reservoir to the electric system; and waiving specific requirements of the Administrative Code and the Environment Code in the best interests of the City for an amount of \$86,765.18 with a duration of ten years and automatic renewal every year thereafter.

Attachments: [Leg Ver1](#)

[Leg Dig Ver1](#)

[Bdgt Analyst Rpt 042413](#)

[Comm Pkt 042412](#)

[Leg Ver2](#)

[Leg Dig Ver2](#)

[Board Packet 050713](#)

[Board Packet 051413](#)

05/07/2013; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendation of the Neighborhood Services and Safety Committee

Present: Supervisors Campos, Yee

3. [130262](#) **[Police Code - Access to Reproductive Health Care Facilities]**
Sponsors: Campos; Cohen, Kim, Avalos, Wiener, Mar, Breed, Chiu, Yee and Tang
Ordinance amending the Police Code, Article 43, Sections 4301, 4302, 4303, and 4304, to replace the existing eight-foot bubble zone around individuals entering, exiting, and seeking services at health care facilities with a fixed buffer zone around the entrances, exits, and driveways of reproductive health care facilities; and to prohibit any person from entering or remaining in that buffer zone, with certain exceptions; and making environmental findings.

Attachments: [Leg Ver1](#)
[Leg Dig1](#)
[Comm Pkt 041813](#)
[Board Packet 050713](#)
[Board Packet 051413](#)

05/07/2013; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the Rules Committee

Present: Supervisors Yee, Breed, Cohen

4. [130313](#) **[Settlement of Lawsuit - Carlos Benavides Arroliga v. CCSF, et al. - \$250,000]**
Ordinance authorizing settlement of the lawsuit filed by Carlos Benavides Arroliga against the City and County of San Francisco for \$250,000; the lawsuit was filed on September 13, 2011, in San Francisco Superior Court, Case No. CGC-11-514165; entitled Carlos Benavides Arroliga, et al., v. City and County of San Francisco, et al.; other material terms of said settlement are material terms. (City Attorney's Office)

Attachments: [Leg Ver1](#)
[Comm Pkt 041813](#)
[Board Packet 050713](#)
[Board Packet 051413](#)

05/07/2013; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

5. [130314](#) **[Settlement of Lawsuit - Lloyds and Zurich North America v. CCSF - \$80,000]**
Ordinance authorizing settlement of the lawsuit by Zurich American Insurance Company, against the City and County of San Francisco for \$80,000; the lawsuit was filed on January 17, 2013, in San Francisco Superior Court, Case No. CGC-13-528071; entitled Zurich American Insurance Company v. City and County of San Francisco, et al. (City Attorney's Office)

Attachments: [130314](#)
[Comm_Pkt_041813](#)
[Board_Packet_050713](#)
[Board_Packet_051413](#)

05/07/2013; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of the Budget and Finance Committee

Present: Supervisors Farrell, Mar, Avalos, Wiener

6. [130284](#) **[Planning, Building Codes - Fee Waiver Program - Small Business Month, May 2013]**

Sponsor: Tang

Ordinance recognizing Small Business Month in May 2013; amending the Planning Code and the Building Code to retroactively waive fees for the month of May for certain façade improvements; and making findings, including environmental findings and findings of consistency with the General Plan and priority policies of Planning Code, Section 101.1.

Attachments: [Leg Ver1](#)

[Leg Dig Ver1](#)

[Reponse Planning 040713](#)

[Response BIC 042413](#)

[Response SBC 042413](#)

[Resonse Planning Comm 050113](#)

[Leg Ver2](#)

[Leg Dig Ver2](#)

[Board Packet 050713](#)

[Board Packet 051413](#)

05/07/2013; PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendation of the Rules Committee

Present: Supervisors Yee, Breed, Cohen

7. [130315](#) **[Settlement of Lawsuit - CTIA - The Wireless Association]**

Ordinance authorizing settlement of a lawsuit filed by CTIA against the City and County of San Francisco; the lawsuit was filed on July 23, 2010, in United States District Court, Northern District of California, Case No. 3:10-cv-03224 (WHA); entitled CTIA - The Wireless Association v. City and County of San Francisco; the material terms of said settlement are that: CTIA and the City will enter into a stipulated Final Judgment for the CTIA, including declaratory relief and a permanent injunction against enforcement of the Cell Phone Right-to-Know Law; the City will cease all litigation over the Cell Phone Right-to-Know Law; and, CTIA will waive its claims for attorney's fees. (City Attorney's Office)

Attachments: [Leg Ver1](#)

[Comm Pkt 041813](#)

[Board Packet 050713](#)

[Board Packet 051413](#)

05/07/2013; 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, Breed, Wiener

8. [130185](#) **[Appropriation - \$656,958 of General Fund Reserve to the Public Defender for Salary Expenditures - FY2012-2013]**

Sponsors: Campos; Avalos and Mar

Ordinance appropriating \$656,958 from the General Fund Reserve to the Public Defender for salary expenditures in FY2012-2013, pursuant to Charter Section 9.113, this appropriation is subject to a two-thirds affirmative vote of all members of the Board of Supervisors.

(Fiscal Impact)

Attachments: [Leg Ver1](#)

[Bdgt Analyst Rpt 032713](#)

[Comm Pkt 032713](#)

[Board Packet 040213](#)

[Leg Ver2](#)

[Bdgt Analyst Rpt 050813](#)

[Comm Pkt 050813](#)

[Board Packet 051413](#)

04/02/2013; RE-REFERRED to the Budget and Finance Committee.

Question: Shall this Ordinance be PASSED ON FIRST READING?

9. [130261](#) **[Health Code - Retroactive Increase in Patient Rates for Certain Mental Health Services]**

Sponsor: Mayor

Ordinance amending the Health Code, Section 128, to retroactively increase patient rates charged for certain mental health services.

Attachments: [Leg Ver1](#)

[Leg Dig Ver1](#)

[Reponse Planning 040813](#)

[Bdgt Analyst Rpt 050813](#)

[Comm Pkt 050813](#)

[Board Packet 051413](#)

Question: Shall this Ordinance be PASSED ON FIRST READING?

10. [130364](#) **[De-Appropriation and Re-Appropriation - \$71,016 to Public Utilities Commission for Overtime - FY2012-2013]**

Sponsor: Mayor

Ordinance de-appropriating \$71,016 in salaries in the Public Utilities Commission, Hetch Hetchy Department, operating budget and re-appropriating \$71,016 to overtime in the Public Utilities Commission, Hetch Hetchy Department operating budget in order to support the department's projected increases in overtime as required per Ordinance No. 194-11, and requiring a two-thirds vote of all members of the Board of Supervisors for approval.

Attachments: [Leg_Ver1.doc](#)

[Supp Approp Request](#)

[Bdgt Analyst Rpt 050813](#)

[Comm Pkt 050813](#)

[Board Packet 051413](#)

Question: Shall this Ordinance be PASSED ON FIRST READING?

11. [130365](#) **[De-Appropriation and Re-Appropriation - Operating Budget Amendment of \$5,096,000 and Capital Improvement Projects of \$42,178,878 for Public Utilities Commission - FY2013-2014]**

Sponsor: Mayor

Ordinance amending the adopted FY2013-2014 Appropriation Ordinance and other adopted biennial capital appropriation ordinances for the Public Utilities Commission, including \$3,100,000 in de-appropriation and re-appropriation for the Hetch Hetchy Enterprise operating budget; de-appropriating \$16,414,070 and re-appropriating \$7,513,665 in capital projects in the Hetch Hetchy Capital Improvement Program projects; de-appropriating and re-appropriating \$1,996,000 in the Water Enterprise operating budget; de-appropriating \$70,955,900 and re-appropriating \$55,169,000 in the in the Water Enterprise Capital Improvement Program projects; and de-appropriating \$56,370,059 and re-appropriating \$38,878,486 in the Wastewater Enterprise Capital Improvement Program.

(Fiscal Impact)

Attachments: [Leg_Ver1.doc](#)

[Approp List](#)

[Bdgt Analyst Rpt 050813](#)

[Comm Pkt 050813](#)

[Board Packet 051413](#)

Question: Shall this Ordinance be PASSED ON FIRST READING?

12. [130366](#) **[De-Appropriation and Re-Appropriation - \$250,000 to Public Utilities Commission for Overtime - FY2012-2013]**

Sponsor: Mayor

Ordinance de-appropriating \$250,000 in debt service in the Public Utilities Commission, Water Enterprise Department, operating budget, and re-appropriating \$250,000 to overtime in the Public Utilities Commission, Water Enterprise Department, operating budget, in order to support the department's projected increases in overtime, as required by Board of Supervisors Ordinance No. 194-11; and requiring a two-thirds vote of all members of the Board of Supervisors for approval.

(Fiscal Impact)

Attachments: [Leg_Ver1.doc](#)

[PUC Ltr 041813](#)

[Bdgt Analyst Rpt 050813](#)

[Comm Pkt 050813](#)

[Board Packet 051413](#)

Question: Shall this Ordinance be PASSED ON FIRST READING?

13. [130367](#) **[De-Appropriation and Re-Appropriation - \$16,546,000 to Public Utilities Commission for Expenditures - FY2012-2013]**

Sponsor: Mayor

Ordinance de-appropriating \$16,546,000 in existing Wastewater Capital Improvement Program project budgets and re-appropriating the funds to Wastewater Sewer System Improvement Program budgets adopted by the Public Utilities Commission.

(Fiscal Impact)

Attachments: [Leg_Ver1.docx](#)

[Bdgt Analyst Rpt 050813](#)

[Comm Pkt 050813](#)

[Board Packet 051413](#)

Question: Shall this Ordinance be PASSED ON FIRST READING?

14. [130273](#) **[Accept In Kind Gift - Technical Assistance - \$250,000]**
Resolution authorizing the Office of the District Attorney to retroactively accept an in kind gift of technical assistance valued at \$250,000 from the Open Society Foundation for the grant period of January 1, 2013, through June 30, 2015. (District Attorney)

Attachments: [Leg_Ver1](#)
[Grant_Info](#)
[Grant_Bdgt](#)
[Propo_Title_010113_123113](#)
[Propo_Title_010113_063015](#)
[MOU](#)
[Comm_Pkt_042412](#)
[Comm_Pkt_050813](#)
[Board_Packet_051413](#)

Question: Shall this Resolution be ADOPTED?

15. [130274](#) **[Accept Gift - Design Services and Furniture - \$26,445.43]**
Resolution authorizing the Office of the District Attorney to retroactively accept a gift of design services and furniture, valued at a total of \$26,445.43 from various donors. (District Attorney)

(Supervisors Mar and Avalos dissented in Committee.)

Attachments: [Leg_Ver1](#)
[Memo_Donations](#)
[Comm_Pkt_042412](#)
[Comm_Pkt_050813](#)
[Board_Packet_051413](#)

Question: Shall this Resolution be ADOPTED?

Recommendations of the Budget and Finance Sub-Committee

Present: Supervisors Farrell, Mar, Avalos

16. [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)

(Fiscal Impact)

Attachments: [Leg_Ver1](#)

[Leg_Dig_Ver1](#)

[Reponse_Planning_040813](#)

[Response_SBC_050113](#)

[Comm_Pkt_050813](#)

[Bdgt_Analyst_Rpt_050813](#)

[Board_Packet_051413](#)

Question: Shall this Ordinance be PASSED ON FIRST READING?

17. [130286](#) **[Term Sheet Endorsement - Development of Seawall Lot 337 and Pier 48 and Finding of Fiscal Feasibility]**

Sponsors: Mayor; Kim, Chiu and Wiener

Resolution finding the proposed development of Seawall Lot 337 and Pier 48, bounded by China Basin Channel, Third Street, Mission Rock Street, and San Francisco Bay and adjacent to AT&T Park, fiscally feasible under Administrative Code, Chapter 29, and endorsing the Term Sheet between Seawall Lot 337 Associates, LLC and the Port Commission.

(Fiscal Impact)

Attachments: [Leg_Ver1](#)

[Port_Rpt_030813](#)

[Fiscal_Rpt_030813](#)

[Term_Sheet_022213](#)

[Port_Res_09-26](#)

[Port_Res_10-32](#)

[lu042213_130286](#)

[Comm_Pkt_050813](#)

[Bdgt_Analyst_Rpt_050813](#)

[Board_Packet_051413](#)

Question: Shall this Resolution be ADOPTED?

18. [130072](#) **[Airport Concession Lease - Clear Channel Outdoor, Inc., dba Clear Channel Airports - \$10,000,000 Minimum Annual Guarantee]**

Resolution approving the Airport Advertising Lease between Clear Channel Outdoor, Inc., dba Clear Channel Airports, acting by and through its Airport Commission, for an eight year term with a minimum annual guarantee of \$10,000,000. (Airport Commission)

(Fiscal Impact)
(Supervisor Avalos dissented in Committee.)

- Attachments:** [Leg_Ver1](#)
[Support1_Doc](#)
[Support2_Doc](#)
[Bdgt_Analyst_Rpt_030613.pdf](#)
[Comm_Pkt_030613](#)
[Comm_Pkt_050813](#)
[Bdgt_Analyst_Rpt_050813](#)
[Board_Packet_051413](#)

Question: Shall this Resolution be ADOPTED?

19. [130277](#) **[Agreement - Engineered Arresting Systems Corporation - Not to Exceed \$40,000,000]**

Resolution authorizing the Office of Contract Administration and Purchaser to enter into the Agreement between the Airport Commission and Engineered Arresting Systems Corporation for the not to exceed amount of \$40,000,000 for the purchase of an Engineered Material Arresting System for the San Francisco International Airport Runway Safety Area Program. (Airport Commission)

(Fiscal Impact)

- Attachments:** [Leg_Ver1](#)
[Sole Source Waiver](#)
[Fact Sheet](#)
[Reso 12 0267](#)
[Memo 121812](#)
[Form 126](#)
[Contract Ver1](#)
[Comm Pkt 050813](#)
[Bdgt Analyst Rpt 050813](#)
[Board Packet 051413](#)

Question: Shall this Resolution be ADOPTED?

20. [130342](#) **[Lease Amendment - Master Bike Rental Concession - ParkWide Activities, LLC]**

Sponsors: Breed; Mar

Resolution authorizing the execution of a first amendment to the lease between the Recreation and Park Department and ParkWide Activities, LLC, for the operation of a master bike rental concession in City parks, for the period of August 17, 2011, through August 16, 2016.

Attachments: [Leg_Ver1](#)

[Agmt Amend2 050113](#)

[Agmt Final 081711](#)

[Form 126](#)

[BF050813_130342.pdf](#)

[Comm Pkt 050813](#)

[Bdgt Analyst Rpt 050813](#)

[Board Packet 051413](#)

Question: Shall this Resolution be ADOPTED?

21. [130343](#) **[Accept and Expend Grant - San Francisco Covered California Initiative - \$568,800]**

Sponsor: Mayor

Resolution authorizing the Department of Public Health to accept and expend a grant in the amount of \$568,800 from the State of California to participate in a program entitled San Francisco Covered California Initiative for the period of May 1, 2013, through December 31, 2014.

Attachments: [Leg_Ver1](#)

[Grant Info 070111](#)

[Form 126](#)

[Grant App 1](#)

[Grant App 2](#)

[Comm Pkt 050813](#)

[Board Packet 051413](#)

Question: Shall this Resolution be ADOPTED?

22. [130370](#) [Appropriation and De-Appropriation - Equipment Lease Revenue Bonds, Series 2013A - \$2,056,612 - FY2012-2013]

Sponsor: Mayor

Ordinance appropriating \$2,056,612 of Equipment Lease Revenue Bonds, Series 2013A, Proceeds and de-appropriating \$171,628 of equipment lease project to fund related financial costs for issuing Equipment Lease Revenue Bonds, Series 2013A, for Citywide Lease Equipment financing in FY2012-2013.

(Fiscal Impact)

Attachments: [Leg_Ver1.doc](#)

[Supp Approp Request](#)

[Bdgt Analyst Rpt 050813](#)

[Comm Pkt 050813](#)

[Board Packet 051413](#)

Question: Shall this Ordinance be PASSED ON FIRST READING?

23. [130376](#) [Issuance - Equipment Lease Revenue Bonds, Series 2013A - Finance Corporation Equipment Program - Not to Exceed \$12,500,000]

Sponsor: Mayor

Resolution approving the form of and authorizing execution and delivery of Equipment Lease Revenue Bonds, Series 2013A, Supplement No. 19, between the City and County of San Francisco Finance Corporation, as lessor, and the City and County of San Francisco (City), as lessee, with respect to certain equipment to be used for city purposes, a related certificate of approval and a continuing disclosure certificate; approving the issuance of lease revenue bonds by said nonprofit corporation in an amount not to exceed \$12,500,000; approving the form of the official statement and the distribution thereof in preliminary and final form; providing for reimbursement to the City of certain city expenditures incurred prior to the issuance of lease revenue bonds; and providing for the execution of documents in connection therewith.

(Fiscal Impact)

Attachments: [Leg_Ver1.doc](#)

[Indenture.pdf](#)

[Notice Intent.pdf](#)

[Official_Notice.doc](#)

[Lease_Supp_No19.doc](#)

[Memo_031613.doc](#)

[Prelim_Statement.doc](#)

[Appendix_A.pdf](#)

[Ethics_126](#)

[Bdgt_Analyst_Rpt_050813](#)

[BF050813_130376.pdf](#)

[Board_Packet_051413](#)

Question: Shall this Resolution be ADOPTED?

24. [130383](#) **[Accept and Expend Grant - Bay Area Regional Energy Network - \$931,000]**
Sponsor: Mar

Resolution authorizing the Department of the Environment to retroactively accept and expend a grant of \$931,000 from the Association of Bay Area Governments to perform various activities as part of a Bay Area Regional Energy Network energy efficiency program for the period of January 1, 2013, through December 31, 2014.

Attachments: [Leg_Ver1](#)

[Grant_Info_032713](#)

[Grant_Info_Budget](#)

[Grant_Award_Ltr](#)

[Grant_App.pdf](#)

[Comm_Pkt_050813](#)

[Board_Packet_051413](#)

Question: Shall this Resolution be ADOPTED?

Recommendation of the Neighborhood Services and Safety Committee

Present: Supervisors Campos, Mar, Farrell

25. [130163](#) **[Liquor License Transfer - 2545-24th Street]**

Resolution determining that the transfer of a Type 48 on-sale general public premises license from 1480 Alabama Street to 2545-24th Street (District 10), to Steven Schefsky and Jim Saxton, for Playland ABC, LLC, 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_Pkt_050213](#)

[Leg_Ver2](#)

[Board_Packet_051413](#)

Question: Shall this Resolution be ADOPTED?

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

26. **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.

27. 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.

CLOSED SESSION

CONFERENCE WITH CITY ATTORNEY - Existing Litigation

28. [130403](#) [Closed Session - Existing Litigation - Consolidated Cases Relating to Transient Occupancy Tax]

Sponsor: Chiu

Motion that the Board of Supervisors convene in closed session on May 14, 2013, for the purpose of conferring with, or receiving advice from, Legal Counsel regarding existing litigation relating to the Transient Occupancy Tax in which the City is a defendant pursuant to California Government Code, Section 54956.9(a), and San Francisco Administrative Code, Section 67.10(d)(1), which permits this closed session because discussion in open session concerning this matter would likely and unavoidably prejudice the position of the City in the existing litigation.

Attachments: [Leg_Ver1.doc](#)

[Board Packet 051413](#)

Question: Shall this Motion be APPROVED?

[Elect To Disclose]

Motion that the Board finds it is in the best interest of the public that the Board elect at this time to disclose its closed session deliberations.

[Elect Not to Disclose]

Motion that the Board finds that it is in the best interests of the public that the Board elect at this time not to disclose its closed session deliberations.

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 29 through 36

29. [130386](#) **[Urging the California State Senate to Pass Senate Bill 622]**
Sponsors: Campos; Avalos, Mar and Kim
Resolution urging the California State Senate to Pass Senate Bill 622, which would levy an excise tax of one cent (\$0.01) per fluid ounce on any beverage with added caloric sweeteners, such as sodas, in order to fund activities to prevent childhood obesity.
- Attachments:** [Leg_Ver1.doc](#)
[SB_622.pdf](#)
[Board Packet 050713](#)
[Board Packet 051413](#)
- 04/23/2013; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 05/07/2013; CONTINUED.
- Question: Shall this Resolution be ADOPTED?**
30. [130411](#) **[Lyme Disease Awareness Month - May 2013]**
Sponsor: Kim
Resolution declaring May 2013 as Lyme Disease Awareness Month.
- Attachments:** [Leg_Ver1](#)
[Board Packet 051413](#)
- 05/07/2013; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?**

31. [130431](#) **[Asian Women’s Shelter - 25th Anniversary]**
Sponsor: Chiu
Resolution commemorating the Asian Women’s Shelter on their 25th anniversary for their distinguished service to those who have suffered from domestic violence in the City and County of San Francisco.

Attachments: [Leg_Ver1](#)
[Intro_Form](#)
[Board_Packet_051413](#)

05/07/2013; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

32. [130432](#) **[San Francisco Conservation Corps - 30th Anniversary]**
Sponsor: Chiu
Resolution commemorating the San Francisco Conservation Corps on their 30th anniversary for their dedication to providing job and academic training to youth in underserved communities in the City and County of San Francisco.

Attachments: [Leg_Ver1](#)
[Intro_Form](#)
[Board_Packet_051413](#)

05/07/2013; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

33. [130433](#) **[Urging the California State Legislature to Pass Assembly Bill 840]**
Sponsor: Yee
Resolution urging the California State Legislature to pass Assembly Bill 840 to require the Department of Motor Vehicles to have driver’s license applicants sign a statement implying they are aware of the dangers caused by distracted driving.

Attachments: [Leg_Ver1](#)
[AB_840](#)
[Board_Packet_051413](#)

05/07/2013; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

34. [130435](#) **[National Hispanic Hepatitis Awareness Day - May 15, 2013]**
Sponsors: Campos; Avalos
Resolution declaring May 15, 2013, as National Hispanic Hepatitis Awareness Day in the City and County of San Francisco in order to raise awareness of Hepatitis A, Hepatitis B, and Hepatitis C, and liver health overall, in the lives of San Francisco's diverse Latino and Latina residents.

Attachments: [Leg Ver1](#)
[Board Packet 051413](#)

05/07/2013; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

35. [130436](#) **[Urging the California State Legislature to Pass Assembly Bill 755]**
Sponsors: Mar; Campos, Yee and Chiu
Resolution urging the California State Legislature to pass Assembly Bill 755 to require all proposed new construction or refurbishment of bridges take into account plans for a suicide barrier to become eligible for any State or Federal funds apportioned by the State.

Attachments: [Leg Ver1](#)
[AB 755](#)
[Board Packet 051413](#)

05/07/2013; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

36. [130397](#) **[Committee of the Whole - Report of Assessment Costs for Blighted Properties]**
Motion scheduling the Board of Supervisors to sit as a Committee of the Whole on May 21, 2013, at 3:00 p.m., to hold a public hearing on a Resolution approving a report of assessment costs submitted by the Director of Public Works for inspection and/or repair of blighted properties ordered to be performed by said Director pursuant to Administrative Code, Chapter 80, the costs thereof having been paid for out of a blight abatement fund. (Clerk of the Board)

Attachments: [Leg Ver1](#)
[Board Packet 051413](#)

05/07/2013; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

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.

Introduced at the Request of a Department

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

PROPOSED ORDINANCES**130400 [Health Code - Massage Practitioners]**

Ordinance amending the Health Code to exempt massage practitioners who are certified by the State of California and massage establishments that employ only state-certified massage practitioners from requirements for obtaining a permit from the Health Department; and making environmental findings. (Public Health Department)

Attachments: [Leg Ver1.doc](#)

[Leg Dig Ver1.doc](#)

05/02/2013; RECEIVED FROM DEPARTMENT.

05/14/2013; ASSIGNED UNDER 30 DAY RULE to the Rules Committee.

130401 [Health Code - Hazardous Materials]

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

Attachments: [Leg Ver1.doc](#)

[Leg Dig Ver1.doc](#)

05/02/2013; RECEIVED FROM DEPARTMENT.

05/14/2013; ASSIGNED UNDER 30 DAY RULE to the Rules Committee.

130402 [Health, Business and Tax Regulations Codes - Safe Body Art]

Ordinance amending the Health Code by repealing miscellaneous sections relating to tattooing and adding Article 40 to require body art practitioners to register with the Department of Public Health (DPH) and to annually renew registration, and to require permanent and temporary body art facilities to obtain and annually renew permits with DPH; amending the Business and Tax Regulations Code by adding fees relating to body art permits and licenses; and making environmental findings. (Public Health Department)

Attachments: [Leg Ver1.doc](#)

[Leg Dig Ver1.doc](#)

05/02/2013; RECEIVED FROM DEPARTMENT.

05/14/2013; ASSIGNED UNDER 30 DAY RULE to the Rules Committee.

PROPOSED RESOLUTIONS

130393 [Professional Services Agreement - Parsons Transportation Group, Inc., The Allen Group, LLC, and EPC Consultants, Inc. - Program Management Support Services for the Terminal 1/Boarding Area B Redevelopment Program - Not to Exceed \$32,000,00]

Resolution approving Professional Services Agreement, Airport Contract 9185.9, Program Management Support Services for the San Francisco International Airport, Terminal 1/Boarding Area B Redevelopment Program between T1 Partners, a Joint Venture of Parsons Transportation Group, Inc., The Allen Group, LLC, and EPC Consultants, Inc., and the City and County of San Francisco, acting by and through its Airport Commission, in the not to exceed amount of \$4,453,178 for the first year of services; this is a multi-year, multi-phased program with an estimated total contract value in the not to exceed amount of \$32,000,000 pursuant to Charter, Section 9.118(b). (Airport Commission)

Attachments: [Leg_Ver1.doc](#)
[Reso_13_0087.pdf](#)
[Contract_No.9185.9.pdf](#)
[Form_126.doc](#)

05/01/2013; RECEIVED FROM DEPARTMENT.

05/14/2013; RECEIVED AND ASSIGNED to the Budget and Finance Sub-Committee.

130396 [Expenditure Plans - Human Services Care Fund - FYs 2013-2014 and 2014-2015]

Resolution approving the FYs 2013-2014 and 2014-2015 expenditure plans for the Human Services Care Fund. (Human Services Department)

Attachments: [Memo_04242013.pdf](#)

04/30/2013; RECEIVED FROM DEPARTMENT.

05/14/2013; RECEIVED AND ASSIGNED to the Budget and Finance Sub-Committee.

130404

[Agreements - Specialized and Technical Services for Natural Resources and Watershed Management and Monitoring - Not to Exceed \$5,000,000 Each]

Resolution authorizing the General Manager of the Public Utilities Commission to execute Agreements with CDM Smith/ATS, a Joint Venture (CS-211A); ICF+Avila, a Joint Venture (CS-211B); Shaw Environmental and Infrastructure, Inc. (CS-211C); and URS Corporation (CS-211D) for Specialized and Technical Services for Natural Resources and Watershed Management and Monitoring, each with an agreement amount not to exceed \$5,000,000 and each with a term not to exceed 14 years pursuant to Charter, Section 9.118(b). (Public Utilities Commission)

Attachments: [Leg_Ver1](#)

[Reso_13-0053.pdf](#)

[Form_126_Shaw.pdf](#)

[Form_126_CDM.pdf](#)

[Form_126_URS.pdf](#)

[Form_126_ICF.pdf](#)

[Agreement_CS_211A.pdf](#)

[Agreement_CS_211B.pdf](#)

[Agreement_CS_211C.pdf](#)

[Agreement_CS_211D.pdf](#)

05/06/2013; RECEIVED FROM DEPARTMENT.

05/14/2013; RECEIVED AND ASSIGNED to the Budget and Finance Sub-Committee.

130405 [Petitions and Communications]

Petitions and Communications received from April 29, 2013, through May 6, 2013, for reference by the President to Committee considering related matters, or to be ordered filed by the Clerk on May 14, 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)

Joseph Smooke - Legislative Aide - Leaving

From Mayor, designating Supervisor Malia Cohen as Acting-Mayor from May 5, 2013, until May 7, 2013. Copy: Each Supervisor. (2)

From Controller, submitting San Francisco Municipal Transportation Agency: Overhead Rates of Five Central Subway Project Design Consultants Must Be Reduced report. Copy: Each Supervisor. (3)

From Controller, submitting response to Budget and Legislative Analyst Recommendation on the San Francisco Municipal Transportation Agency Revenue Bonds, Series 2012A and 2012B. Copy: Each Supervisor. (4)

From Human Services Commission, submitting Human Services Care Fund FY 2012-2013 3rd Quarter Update report. Copy: Each Supervisor. (5)

From Recreation and Park, submitting FY 2012-2013 3rd Quarter Implementation Plan Status report. Copy: Each Supervisor. (6)

From Capital Planning Committee, submitting review of three authorizations of debt issuance and related supplemental appropriation requests. File Nos. 130368, 130363, and 130371. Copy: Each Supervisor. (7)

From Capital Planning Committee, submitting review of supplemental appropriation request for the Public Utilities Commission Water System Improvement Program. Copy: Each Supervisor. (8)

From Successor Agency to the Redevelopment Agency, submitting notice of public meetings. Copy: Each Supervisor. (9)

From Pacific Gas and Electric, submitting Notice of Application of 2014 General Rate Case Phase II Application. Copy: Each Supervisor. (10)

*From U.S. General Services Administration, submitting notice of intent to nominate 630 Sansome Street to the National Register of Historic Places. Copy: Each Supervisor. (11)

From concerned citizens, regarding the 706 Mission Street Tower Project. File No. 130308. 2 letters. Copy: Each Supervisor. (12)

From Lee Goodin, regarding the Central Subway. Copy: Each Supervisor. (13)

From concerned citizens, regarding the proposed settlement with the Cellular Telephone Industry Association. File No. 130315. Copy: Each Supervisor. (14)

*From concerned citizens, regarding the Municipal Transportation Agency's Parking Meter Expansion Program. File No. 130155. 23 letters. Copy: Each Supervisor. (15)

From Alvin Ja, regarding the Accrediting Commission for Community & Junior Colleges.
Copy: Each Supervisor. (16)

From Janette Biagini-Barroca, submitting petition to establish the Top of Broadway
Community Benefit District. Copy: Each Supervisor. (17)

From concerned citizens, regarding CEQA revision legislation. File Nos. 121019 and
130248. 2 letters. Copy: Each Supervisor. (18)

From Pat Monk, regarding State and Federal marijuana laws. 2 letters. Copy: Each
Supervisor. (19)

From concerned citizen, regarding public WiFi. (20)

From Laine Buckingham, regarding Woodhouse on Marina Green. File No. 120987.
Copy: Each Supervisor. (21)

From Dana S, regarding fiber broadband. Copy: Each Supervisor. (22)

*(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.)

Attachments: [Board Packet 051413](#)

ADJOURNMENT