



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, September 24, 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

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
10:30 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

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 6

Recommendations of the Government Audit and Oversight Committee

Present: Supervisors Cohen, Tang

1. [130762](#) **[Memorandum of Understanding, Amendment No. 5 - San Francisco Police Officers' Association (Units P-1 & P-2A)]**

Sponsor: Mayor

Ordinance adopting and implementing Amendment No. 5 to the 2007-2015 Memorandum of Understanding between the City and County of San Francisco and the San Francisco Police Officers' Association (Units P-1 & P-2A) by implementing specified terms and conditions of employment for FYs 2013-2014, 2014-2015, 2015-2016, 2016-2017, and 2017-2018.

Attachments: [Leg_Ver1](#)

[MOU](#)

[Cost_Analysis](#)

[Comm_Pkt_091213](#)

[Comm_Rpt_091713](#)

[Board_Pkt_091713](#)

[Board_Pkt_092413](#)

09/17/2013; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

2. [130763](#) **[Memorandum of Understanding, Amendment No. 5 - San Francisco Police Officers' Association (Unit P-2B)]**

Sponsor: Mayor

Ordinance adopting and implementing Amendment No. 5 to the 2007-2015 Memorandum of Understanding between the City and County of San Francisco and the San Francisco Police Officers' Association (Unit P-2B) by implementing specified terms and conditions of employment for FYs 2013-2014, 2014-2015, 2015-2016, 2016-2017, and 2017-2018.

Attachments: [Leg_Ver1](#)

[MOU](#)

[Cost_Analysis](#)

[Comm_Pkt_091213](#)

[Comm_Rpt_091713](#)

[Board_Pkt_091713](#)

[Board_Pkt_092413](#)

09/17/2013; 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

3. [130646](#) **[Planning Code - Mixed Use Office District]**
Ordinance amending the Planning Code, Section 842 and 842.49, of the Zoning Control Table, to permit a tourist hotel without a specified room limit in a Mixed Use Office District in height districts that are 105 feet and above with a Conditional Use authorization; and making environmental findings, Planning Code, Section 302, findings, and findings of consistency with the General Plan, and the priority policies of Planning Code, Section 101.1. (Planning Commission)

Attachments: [Leg Ver1](#)

[Response PLN 061213](#)

[Comm Pkt 090913](#)

[Board Pkt 091713](#)

[Board Pkt 092413](#)

09/17/2013; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

4. [130672](#) **[Transportation Code - Disabled Parking Placard or License Plate Restrictions]**
Sponsor: Chiu
Ordinance amending the Transportation Code, Division I, to prohibit, on any street, alley, or portion of a street or alley, or in any municipal or private parking facility, the parking of a vehicle displaying a disabled parking placard or special license plate, in order to obtain special parking privileges, that has been reported as lost, stolen, surrendered, canceled, revoked, expired, or issued to a person who has been reported as deceased for a period exceeding sixty days; is not being used to transport, and is not in the reasonable proximity of, the person to whom the license plate or placard was issued or a person who is authorized to be transported in the vehicle displaying that placard or license plate; or is counterfeit, forged, altered, or mutilated.

Attachments: [Leg Ver1](#)

[Leg Dig Ver1](#)

[MTA Ltr 062413](#)

[Response MOD 070313](#)

[Comm Pkt 090913](#)

[Board Pkt 091713](#)

[Board Pkt 092413](#)

09/17/2013; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

5. [130782](#) **[Building, Housing Codes - Mandatory Seismic Retrofit Program - Wood-Frame Buildings]**
Sponsors: Mayor; Chiu, Wiener, Yee, Tang, Farrell, Breed, Mar and Cohen
Ordinance amending the Building Code to modify some of the evaluation and retrofit criteria for the Mandatory Earthquake Retrofit Program and add seismic members to the Board of Examiners; amending the Housing Code to require a Report of Residential Building Record (3R Report) to include information on whether a building is included in the program and whether the required upgrade has been completed; adopting environmental findings and findings of local conditions under the California Health and Safety Code; and directing the Clerk of the Board to forward the legislation to specified State agencies.

Attachments: [Leg_Ver1](#)
[Leg_Dig_Ver1](#)
[Resonse_BIC_082213](#)
[Comm_Pkt_090913](#)
[Board_Pkt_091713](#)
[Board_Pkt_092413](#)

09/17/2013; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

6. [130786](#) **[Fire Code - Repealing, Replacing, and Amending]**
Sponsors: Chiu; Farrell
Ordinance repealing the current Fire Code in its entirety and replacing that code with a new 2013 San Francisco Fire Code consisting of the 2013 California Fire Code and portions of the 2012 International Fire Code, together with San Francisco amendments, with an operative date of January 1, 2014; amending the current Fire Code, Section 511.2, to exempt any building that is covered by Section 511.2 and is equipped with a fire service access elevator pursuant to California Building Code, Section 3007, from the requirement to install an air replenishment system, with an operative date of 30 days after enactment; adopting findings of local conditions pursuant to California Health and Safety Code, Section 17958.7; directing the Clerk of the Board of Supervisors to forward the legislation and associated materials to the California Building Standards Commission and State Fire Marshal; and making environmental findings.

Attachments: [Leg_Ver1](#)
[Leg_Dig_Ver1](#)
[Findings](#)
[2013_CA_Fire_Code](#)
[Cat_Ex_081413](#)
[Hrg_Notice_090913](#)
[Comm_Pkt_090913](#)
[Board_Pkt_091713](#)
[Board_Pkt_092413](#)

09/17/2013; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendations of the Budget and Finance Committee

Present: Supervisors Farrell, Mar, Avalos

7. [130276](#) **[Business and Tax Regulations Code - Former Transfer Tax Review Board]**
Ordinance amending the Business and Tax Regulations Code to remove provisions that refer to the former Transfer Tax Review Board that expired by operation of law on January 1, 2013. (City Attorney)

Attachments: [Leg_Ver1](#)

[Leg_Dig_Ver1](#)

[bf091113_130276](#)

[130276.doc](#)

[Board_Pkt_091713](#)

[Board_Pkt_092413](#)

09/17/2013; PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

8. [130780](#) **[Setting Property Tax Rate and Establishing Pass-Through Rate for Residential Tenants - FY2013-2014]**

Sponsor: Mayor

Ordinance providing revenue and levying property taxes at a combined rate of \$1.1880 on each \$100 valuation of taxable property for the City and County of San Francisco, San Francisco Unified School District, San Francisco Community College District, Bay Area Rapid Transit District, and Bay Area Air Quality Management District, and establishing a pass-through rate of \$0.0880 per \$100 of assessed value for residential tenants pursuant to Administrative Code, Chapter 37, for the fiscal year ending June 30, 2014.

Attachments: [Leg_Ver1](#)

[Dept Ltr 072413](#)

[Leg_Ver2](#)

[Dept ltr 082613](#)

[Comm Pkt 091113](#)

[Budget Analysts Rpt 091113](#)

[Board Pkt 091713](#)

[Board Pkt 092413](#)

09/17/2013; PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendation of the Land Use and Economic Development Committee

Present: Supervisors Wiener, Kim, Chiu

9. [130706](#) **[Administrative Code - Residential Rent Ordinance, Tenant Financial Hardship Applications for Relief from Landlord Passthrough of Capital Improvement Costs]**

Sponsors: Mayor; Chiu, Kim, Mar, Campos and Breed

Ordinance amending the Administrative Code to provide standards for Residential Tenant Financial Hardship Applications seeking relief from landlord passthrough of capital improvement costs to a tenant, and procedures for reviewing and deciding the applications; and to require the Rent Board to provide notice to tenants regarding financial hardship application procedures, when a landlord applies for certification of capital improvement costs.

Attachments: [Leg_Ver1](#)

[Leg_Dig_Ver1](#)

[Comm_Pkt_090913](#)

[Leg_Ver2](#)

[Leg_Dig_Ver2](#)

[Board_Pkt_091713](#)

[Leg_Ver3](#)

[Leg_Dig_Ver3](#)

[Board_Pkt_092413](#)

09/17/2013; AMENDED.

09/17/2013; PASSED ON FIRST READING AS AMENDED.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendation of the Neighborhood Services and Safety Committee

Present: Supervisors Campos, Mar, Avalos

10. [130764](#) **[Administrative Code - Due Process for All Ordinance on Civil Immigration Detainers]**

Sponsors: Avalos; Breed, Campos, Chiu, Cohen, Kim, Mar and Yee

Ordinance amending the Administrative Code, by adding Chapter 12I, to prohibit law enforcement officials from detaining individuals on the basis of a civil immigration detainer after they become eligible for release from custody.

Attachments: [Leg_Ver1](#)

[Leg_Dig_Ver1](#)

[Comm_Pkt_090513](#)

[Leg_Ver2](#)

[Leg_Dig_Ver2](#)

[Board_Pkt_091713](#)

[Board_Pkt_092413](#)

09/17/2013; CONTINUED ON FIRST READING.

Question: Shall this Ordinance be PASSED ON FIRST READING?

NEW BUSINESS

Recommendations of the Budget and Finance Committee

Present: Supervisors Farrell, Mar, Avalos

11. [130784](#) **[Business and Tax Regulations Code - Miscellaneous Changes]**
Sponsor: Chiu
Ordinance amending the Business and Tax Regulations Code by, among other things: 1) (Common Administrative Provisions) requiring monthly installment payments rather than prepayments of hotel and parking taxes; eliminating the annual parking tax bond renewal requirement; providing a due date for business registration fees; excluding penalties from calculation of interest on tax determinations; adding an underreporting penalty for failure to file a return when tax liability exceeds \$5,000; changing the penalty for failure to register or update a registration, making misstatements in a registration, failure to allow inspection or production of records, and failure to file a return; 2) (Tax on Occupancy of Parking Space in Parking Stations) eliminating the prepayment Revenue Control Equipment certification; 3) (Business Registration provisions) requiring a copy of the business registration certificate rather than a business tax registration tag be displayed on company vehicles; eliminating the Tax Collector's authority to suspend a business registration certificate; 4) (Payroll Expense Tax Ordinance) providing that interest applies to unpaid penalties but not unpaid fees and interest; changing the date that businesses must file an affidavit with the Office of Economic and Workforce Development claiming the Central Market Street and Tenderloin Area Payroll Expense Tax Exclusion; and 5) (Parking Stations, Revenue Control Equipment) specifying the date the Revenue Control Equipment Compliance Fee is due.

Attachments: [Leg Ver1](#)

[Leg Dig Ver1](#)

[Memo 073013](#)

[Leg Ver2](#)

[Leg Digest Ver2](#)

[Memo 083013 Ver2](#)

[Response SBC 091313](#)

[Budget Analysts Rpt 091813.](#)

[Comm Pkt 091813](#)

[Leg Ver3](#)

[Leg Dig Ver3](#)

[Board Pkt 092413](#)

Question: Shall this Ordinance be PASSED ON FIRST READING?

12. [130651](#) **[Memorandum of Unrecorded Grant Agreement - Buena Vista Park Project]**
Resolution authorizing the Director of Real Estate to record a Memorandum of Unrecorded Grant Agreement against Assessor's Block No. 2601, Lot No. 001, for the Buena Vista Park Project, pursuant to a Land and Water Conservation Fund Grant Agreement. (Recreation and Park Department)

Attachments: [Leg_Ver1](#)
[Agmt_062613](#)
[Map_Revised](#)
[Map_Draft](#)
[Comm_Pkt_091813](#)
[Board_Pkt_092413](#)

Question: Shall this Resolution be ADOPTED?

13. [130826](#) **[Accept and Expend Grant - McLaren Park Connector Trail Project - \$186,746]**
Sponsor: Avalos
Resolution retroactively authorizing the Recreation and Park Department to accept and expend a Land and Water Conservation Fund Grant from the California Department of Parks and Recreation in the amount of \$186,746 for the McLaren Park Connector Trail Project for the period of September 16, 2011, through June 30, 2014.

Attachments: [Leg_Ver1](#)
[Grant_Info_090313](#)
[Comm_Pkt_091813](#)
[Board_Pkt_092413](#)

Question: Shall this Resolution be ADOPTED?

14. [130866](#) **[Revenue Bonds - Municipal Transportation Agency - Transportation Related Projects - Not to Exceed \$165,000,000]**

Sponsors: Mayor; Farrell

Resolution authorizing the sale, issuance, and execution of not to exceed \$165,000,000 aggregate principal amount of revenue bonds by the Municipal Transportation Agency to finance certain transportation related projects, approving the form of certain financing documents including the official statement, the bond purchase contract, the second supplement to indenture of trust, and continuing disclosure certificate; authorizing the taking of appropriate actions in connection therewith; and related matters approving the forms of documents relating thereto; approving the maximum interest thereon; finding that the authorization and issuance of revenue bonds by the agency is not a project under California Environmental Quality Act (CEQA), CEQA Guidelines, and Administrative Code, Chapter 31; and related matters.

(Fiscal Impact)

Attachments: [Leg Ver1](#)

[Preliminary Statement 072513](#)

[Controller Certification 090513](#)

[Disclosure Certificate](#)

[MTA Ltr 090313](#)

[Res No 13-205](#)

[Second Supplement](#)

[Request Supplemental Appropriation 082613](#)

[Bond Purchase Contract](#)

[Budget Analysts Rpt 091813](#)

[Comm Pkt 091813](#)

[Form 126](#)

[Form 126](#)

[Form 126](#)

[Form 126](#)

[Form 126](#)

[Board Pkt 092413](#)

Question: Shall this Resolution be ADOPTED?

15. [130861](#) **[Appropriation - Municipal Transportation Agency 2013 Series Revenue Bond Proceeds - Transportation Capital Projects and Equipment - \$165,000,000 - FY2013-2014]**

Sponsor: Mayor

Ordinance appropriating \$165,000,000 of 2013 Series Revenue Bond proceeds to the Municipal Transportation Agency for Transit, Bicycle, Pedestrian, and Parking Garage Projects and Equipment in FY2013-2014.

(Fiscal Impact)

Attachments: [Budget Analysts Rpt 091813](#)

[Support 1](#)

[Comm Pkt 091813](#)

[Board Pkt 092413](#)

Question: Shall this Ordinance be PASSED ON FIRST READING?

Recommendations of the Government Audit and Oversight Committee

Present: Supervisors Cohen, Tang, Campos

16. [130602](#) **[Board Response - Civil Grand Jury Report - "Are the Wheels Moving Forward? A Follow-Up to the 2009-2010 Civil Grand Jury Report Sharing the Roadway: From Confrontation to Conversation"]**

Resolution responding to the Presiding Judge of the Superior Court on the findings and recommendations contained in the 2012-2013 Civil Grand Jury Report entitled "Are the Wheels Moving Forward? A Follow-Up to the 2009-2010 Civil Grand Jury Report Sharing the Roadway: From Confrontation to Conversation" and urging the Mayor to cause the implementation of accepted findings and recommendations through his/her department heads and through the development of the annual budget. (Government Audit and Oversight Committee)

Attachments: [Leg_Ver1](#)

[CGJ Report](#)

[Memo COB to BOS](#)

[Response Mayor](#)

[Response Police Dept](#)

[Response SFMTA](#)

[Response BAC](#)

[Comm Pkt 091213](#)

[Leg_Ver2](#)

[Board Pkt 092413](#)

Question: Shall this Resolution be ADOPTED?

17. [130604](#) **[Board Response - Civil Grand Jury Report - "Optimizing the Use of Publicly-Owned Real Estate: Achieving Transparency, Momentum, and Accountability"]**
Resolution responding to the Presiding Judge of the Superior Court on the findings and recommendations contained in the 2012-2013 Civil Grand Jury Report entitled "Optimizing the Use of Publicly-Owned Real Estate: Achieving Transparency, Momentum, and Accountability" and urging the Mayor to cause the implementation of accepted findings and recommendations through his/her department heads and through the development of the annual budget. (Clerk of the Board)

Attachments: [Leg Ver1](#)

[CGJ Report](#)

[Memo COB to BOS](#)

[Response Consolidated](#)

[Response SFUSD](#)

[Response SFMTA](#)

[Comm Pkt 091213](#)

[Leg Ver2](#)

[Board Pkt 092413](#)

Question: Shall this Resolution be ADOPTED?

Recommendation of the Land Use and Economic Development Committee

Present: Supervisors Wiener, Kim, Chiu

18. [130781](#) **[Administrative Code - Special Tax Financing Law]**
Sponsors: Mayor; Tang and Wiener
Ordinance to amend the Administrative Code Special Tax Financing Law, constituting Article 43.10, to authorize financing by special tax districts of work deemed necessary to bring buildings or real property, including privately owned buildings or real property, into compliance with seismic safety standards or regulations, and related technical amendments; and to establish certain procedures by which the City can make changes to a special tax district.

Attachments: [Leg Ver1](#)

[Leg Dig Ver1](#)

[Response SBC 091213](#)

[Comm Pkt 091613](#)

[Leg Ver2](#)

[Leg Dig Ver2](#)

[Board Pkt 092413](#)

Question: Shall this Ordinance be PASSED ON FIRST READING?

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

SPECIAL ORDER 3:00 P.M.*APPEAL PROCEDURES*

Board Rule 4.18 provides that public hearings on appeals shall be scheduled for 3:00 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 3:00 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 3:00 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 3:00 p.m.
5. Appeals involving participants who have ADA considerations may be set for specific times beginning at 3:00 p.m.

19. **130805** [Public Hearing - Appeal of Determination of Exemption from Environmental Review - 435-437 Potrero Avenue]

Hearing of persons interested in or objecting to the Planning Commission's determination dated July 11, 2013, that the project located at 435-437 Potrero Avenue, Assessor's Block No. 3974, Lot No. 022 is exempt from environmental review under Class 1 of the California Environmental Quality Act (CEQA) Guidelines as a minor alteration to an existing facility; the proposed work involves establishment of an internet services exchange to occupy the entirety of an existing 10,000 square foot building. (District 10) (Appellant: Mica I. Ringel) (Filed August 12, 2013). (Clerk of the Board)

Attachments: [Board Pkt 092413](#)

Question: Shall this Hearing be HEARD AND FILED?

Pursuant to Government Code Section 65009, notice is hereby given: If you challenge the above matter in court, you may be limited to raising only those issues you or someone else raised at the public hearing described above, or in written correspondence delivered to the Board of Supervisors, (1 Dr. Carlton B. Goodlett Place, Room 244; San Francisco, CA 94102-4689) at, or prior to, the public hearing.

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

20. **130806** [Affirming the Exemption Determination - 435-437 Potrero Avenue]

Motion affirming the determination by the Planning Commission that a project located at 435-437 Potrero Avenue is exempt from environmental review.

Attachments: [Leg_Ver1](#)

[Board Pkt 092413](#)

Question: Shall this Motion be APPROVED?

21. [130807](#) **[Reversing the Exemption Determination - 435-437 Potrero Avenue]**
Motion reversing the determination by the Planning Commission that a project located at 435-437 Potrero Avenue is exempt from environmental review.

Attachments: [Leg Ver1](#)

[Board Pkt 092413](#)

Question: Shall this Motion be APPROVED?

22. [130808](#) **[Preparation of Findings to Reverse the Exemption Determination - 435-437 Potrero Avenue]**
Motion directing the Clerk of the Board to prepare findings reversing the determination by the Planning Commission that a project located at 435-437 Potrero Avenue is exempt from environmental review.

Attachments: [Leg Ver1](#)

[Board Pkt 092413](#)

Question: Shall this Motion be APPROVED?

23. 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.

24. 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 25 through 29**25. [130891](#) [Constitution and Citizenship Day in San Francisco - September 17, 2013]****Sponsor: Chiu**

Resolution commending the San Francisco Pathways to Citizenship Community Collaborative and declaring September 17, 2013, as Constitution Day and Citizenship Day in the City and County of San Francisco.

Attachments: [Leg Ver1](#)[Board Pkt 092413](#)

09/17/2013; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?**26. [130892](#) [Urging Support for the Supplemental Nutrition Assistance Program]****Sponsor: Mar**

Resolution urging local and State officials to support the Supplemental Nutrition Assistance Program and its critical impact on the low-income residents of the City and County of San Francisco.

Attachments: [Leg Ver1](#)[Board Pkt 092413](#)

09/17/2013; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?**27. [130880](#) [Final Map 7320 - 343 Frederick Street]**

Motion approving Final Map 7320, a five Residential Unit Condominium Project, located at 343 Frederick Street being a subdivision of Assessor's Block No. 1268, Lot No. 045, and adopting findings pursuant to the General Plan and Planning Code, Section 101.1. (Public Works Department)

Attachments: [130880](#)[Board Pkt 092413](#)

09/16/2013; RECEIVED FROM DEPARTMENT.

Question: Shall this Motion be APPROVED?

28. [130881](#) **[Final Map 7452 - 2652 Harrison Street]**
Motion approving Final Map 7452, a 20 Residential Unit Condominium Project, located at 2652 Harrison Street being a subdivision of Assessor's Block No. 3639, Lot No. 002, and adopting findings pursuant to the General Plan and Planning Code, Section 101.1.
(Public Works Department)

Attachments: [Leg_Ver1](#)
[Board_Pkt_092413](#)

09/16/2013; RECEIVED FROM DEPARTMENT.

Question: Shall this Motion be APPROVED?

29. [130900](#) **[Concurring in the Revised Declaration of Local Emergency - Rim Fire (Stanislaus National Forest Area)]**
Motion concurring in the September 19, 2013, Revised Declaration of Local Emergency by the Mayor and in the actions taken to meet the emergency. (Clerk of the Board)

Attachments: [Leg_Ver1](#)
[Dec_Ltr_091913](#)
[Board_Pkt_092413](#)

09/19/2013; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

30. **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**130882 [Park Code - Harding Park Golf Course Temporary Reduced Greens Fees]**

Ordinance amending the Park Code to set temporary reduced greens fees for the Harding Park Golf Course from December 2, 2013, through no later than May 31, 2014, to accommodate the renovation of the greens; and making environmental findings. (Recreation and Park Department)

Attachments: [Leg Ver1](#)

[Leg Dig Ver1](#)

09/16/2013; RECEIVED FROM DEPARTMENT.

09/24/2013; ASSIGNED UNDER 30 DAY RULE to the Budget and Finance Committee.

PROPOSED RESOLUTIONS**130877 [Street Encroachment - Operator Convenience Facilities - Terminals of Muni Transit Lines]**

Resolution granting revocable permission to the Municipal Transportation Agency to occupy portions of the public right-of-way to install and maintain two new operator convenience facilities at the terminus of various Muni bus routes, and making environmental findings, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Public Works Department)

Attachments: [Leg Ver1](#)

09/13/2013; RECEIVED FROM DEPARTMENT.

09/24/2013; RECEIVED AND ASSIGNED to the Land Use and Economic Development Committee.

130878 [Street Encroachment - Reed Street to Access a New Garage - 45 Priest Street]

Resolution granting revocable permission to Sanjay Dani to occupy portions of the public right-of-way on Reed Street, an existing unaccepted public right-of-way, to extend the existing roadway by approximately 20 feet and construct a concrete driveway ramp from the edge of an existing garage at 44 Reed Street to provide access to a proposed new garage at the Reed Street frontage of 45 Priest Street, conditioned upon the payment of an annual assessment fee, and making environmental findings, and findings of consistency with the General Plan, and the eight priority policies of Planning Code Section 101.1. (Public Works Department)

Attachments: [Leg Ver1](#)
[Board Packet 091713](#)

09/16/2013; RECEIVED FROM DEPARTMENT.

09/24/2013; RECEIVED AND ASSIGNED to the Land Use and Economic Development Committee.

130879 [Agreement Amendment - Airport Professional Services - Operation and Maintenance Services - AirTrain System - Not to Exceed \$98,700,000]

Resolution approving Amendment No. 1 to Professional Services Agreement, Airport Contract No. 8838, to provide Operation and Maintenance Services for the AirTrain System, between Bombardier Transportation (Holdings) USA, Inc., and the City and County of San Francisco, acting by and through its Airport Commission, in an amount not to exceed \$98,700,000 pursuant to Charter, Section 9.118(b) for the period of March 1, 2014, through February 28, 2017. (Airport Commission)

Attachments: [Leg Ver1](#)

09/13/2013; RECEIVED FROM DEPARTMENT.

09/24/2013; RECEIVED AND ASSIGNED to the Budget and Finance Committee.

130847 [Petitions and Communications]

Petitions and Communications received from September 9, 2013, through September 16, 2013, for reference by the President to Committee considering related matters, or to be ordered filed by the Clerk on September 24, 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 Municipal Transportation Agency, regarding response to the Civil Grand Jury's Report on Optimizing the Use of Publicly Owned Real Estate. File No. 130604. (1)

*From Citizen Complaints, submitting 2013 Second Quarter Statistical Report. (2)

From Bay Area Air Quality Management District and Metropolitan Transportation Commission, regarding public workshop. Copy: Each Supervisor. (3)

From concerned citizens, submitting signatures for petition "Ban the Box in San Francisco." 145 signatures. Copy: Each Supervisor. (4)

*From Controller, regarding report entitled, "Transit Operator hiring, training, and worker safety at the San Francisco Municipal Transportation Agency." (5)

From Kevin Clark, submitting public comment for Item No. 5 on the September 9, 2013, Land Use & Economic Development Agenda. File No. 130706. (6)

From Rodney Marett, regarding Neighborhood Emergency Response Team program. (7)

From Atsushi Miyamoto, regarding the Japantown Cultural Heritage and Economic Sustainability Strategy. (8)

From concerned citizens, regarding the Masonic Avenue cycle track project. 5 letters. File No. 120974. (9)

From Clerk of the Board, submitting a memo regarding an appointment by the Mayor: (10)

Matthew Stiker - Film Commission

From Andrea Green, regarding Planning Department public outreach. (11)

From Emergency Management, regarding public input on the update to the City's Hazard Mitigation Plan. (12)

From concerned citizens, regarding the Gan Noe Preschool and Chabad of Noe Valley's Conditional Use Permit Application. 11 letters. File No. 130818. (13)

From concerned citizens, submitting signatures for Gan Noe Preschool's petition, "Board of Supervisors: Reject the Appeal." File No. 130818. 165 signatures. (14)

From Columbus United Cooperative, regarding relocation at 53 Columbus Avenue. Copy: Each Supervisor. (15)

From Youth Commission, regarding Due Process for All Ordinance. File No. 130764. (16)

From Kenneth and Anita Miguel, regarding a parking citation. Copy: Each Supervisor. (17)

From Sheriff, regarding a sole source waiver request for garbage collection services in County Jails. (18)

From Andrea Agho, regarding San Francisco Housing Authority meeting change information. (19)

From Robert Hampton, regarding the naming of the Bay Bridge Western Span. (20)

From Chris Geiger, regarding Department of Environment's revised pesticide "hazard tier" review process. (21)

From Treasurer and Tax Collector, submitting Annual Report for 2012 Payroll Expense Tax Exclusion - Biotechnology. Copy: Each Supervisor. (22)

*From Mica I. Ringel, submitting Petition for Writ of Mandate. (23)

*From Building Inspection, submitting joint response to a June 2013 Civil Grand Jury Report. File No. 130687. (24)

From Treasurer and Tax Collector, submitting CCSF Monthly Investment Report for August 2013. (25)

From Aaron Goodman, regarding Transit Effectiveness Project Economic Impact Report. (26)

From San Francisco Bay Regional Water Quality Control Board, regarding opportunity for public comment. (27)

*(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