



# 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, November 4, 2014 - 2:00 PM

## Regular Meeting

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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](http://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-McDonnell, Fewer, Wynns

**Government Audit and Oversight Committee**  
Supervisors Breed, Tang, Chiu

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

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

**Rules Committee**  
Supervisors Yee, Tang, Campos

### Meeting Days

Wednesday  
10:00 AM

4th Thursday  
3:30 PM

2nd and 4th Thursday  
11:00 AM

Monday  
1:30 PM

1st and 3rd Thursday  
10:00 AM

1st and 3rd Thursday  
2:00 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 SFGovTV, the Government Channel 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 Peggy Nevin at (415) 554-5184. **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. **Paunawa:** Ang mga kahilingan ay kailangang matanggap sa loob ng 48 oras bago mag miting upang matiyak na matutugunan ang mga hiling. Mangyaring tumawag kay Joy Lamug sa (415) 554-7712.

**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 SFGovTV, the Government Channel 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 Wilson Ng at (415) 554-5184 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 [soft@sfgov.org](mailto:soft@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 [September 30, 2014](#), 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.

### Recommendation of the Neighborhood Services and Safety Committee

Present: Supervisors Campos, Mar, Yee

1. [141002](#) **[Police Code - Access to Reproductive Health Care Facilities]**  
**Sponsors: Campos; Wiener, Mar, Yee, Kim, Avalos and Cohen**  
Ordinance amending the Police Code to repeal the prohibition on entering or remaining within a 25 foot buffer zone of a reproductive health care facility; to prohibit individuals from following or harassing others within 25 feet of the entrance to such a facility; to prohibit impeding access to the door of such a facility; and to prohibit excessive noise through yelling or amplification of sound within 50 feet of such a facility.  
  
10/28/2014; PASSED, ON FIRST READING.  
  
**Question: Shall this Ordinance be FINALLY PASSED?**

## REGULAR AGENDA

### UNFINISHED BUSINESS

#### Recommendation of the Budget and Finance Committee

*Present: Supervisors Mar, Avalos*

- 2. [141000](#) **[Appropriation - Support for HIV Prevention - Department of Public Health - \$301,600 - FY2014-2015]**  
**Sponsors: Campos; Mar, Kim, Avalos and Wiener**  
 Ordinance appropriating \$301,600 from the General Fund Reserve to the Department of Public Health in FY 2014-2015, for HIV prevention support for access to PreExposure Prophylaxis medication to assist in the prevention of HIV infection transmission.  
  
 (Fiscal Impact)  
  
 10/28/2014; PASSED ON FIRST READING.  
  
**Question: Shall this Ordinance be FINALLY PASSED?**

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

*Present: Supervisors Wiener, Kim, Cohen*

- 3. [120796](#) **[Planning Code, Zoning Map - Establishing the Divisadero Street Neighborhood Commercial District and Deleting the Divisadero Street Restricted Use District]**  
**Sponsor: Breed**  
 Ordinance amending the Planning Code to establish the Divisadero Street Neighborhood Commercial District (NCD) along Divisadero Street between Haight and O'Farrell Streets, deleting the Divisadero Street Alcohol Restricted Use District (RUD), amending various other Code sections to make conforming and other technical changes, amending the Zoning Map to add the Divisadero Street NCD and deleting the Divisadero Street RUD, affirming the Planning Department's California Environmental Quality Act determination; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.  
  
 10/28/2014; AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.  
  
 10/28/2014; PASSED ON FIRST READING AS AMENDED.  
  
**Question: Shall this Ordinance be FINALLY PASSED?**

4. [120814](#) **[Planning Code, Zoning Map - Establishing the Fillmore Street Neighborhood Commercial District]**

**Sponsor: Breed**

Ordinance amending the Planning Code to establish the Fillmore Street Neighborhood Commercial District (NCD) along Fillmore Street between Bush and McAllister Streets; amending various other Code sections to make conforming and other technical changes; amending the Zoning Map to add the Fillmore Street NCD; affirming the Planning Department's California Environmental Quality Act determination; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

10/28/2014; AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.

10/28/2014; PASSED ON FIRST READING AS AMENDED.

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

5. [141023](#) **[Development Agreement - 181 Fremont Street, LLC - 181 Fremont Street - Transbay Redevelopment Project Area]**

**Sponsors: Mayor; Kim**

Ordinance approving a Development Agreement between the City and County of San Francisco and 181 Fremont Street, LLC, for certain real property, known as 181 Fremont Street, located in the Transbay Redevelopment Project Area, consisting of two parcels located on the east side of Fremont Street, between Mission and Howard Streets; making findings of conformity with the General Plan, and the eight priority policies of Planning Code, Section 101.1(b); and waiving certain provisions of Administrative Code, Chapter 56, and Planning Code, Section 249.28.

10/28/2014; PASSED, ON FIRST READING.

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

## NEW BUSINESS

### Recommendations of the Budget and Finance Committee

*Present: Supervisors Farrell, Avalos*

6. [140932](#) **[Accept and Expend Grant - California Department of Parks and Recreation's Habitat Conservation Fund - Youth Stewardship Program - \$200,000]**

**Sponsor: Chiu**

Resolution authorizing the Recreation and Park Department to accept and expend a grant of \$200,000 from the California Department of Parks and Recreation's Habitat Conservation Fund to support the Youth Stewardship Program.

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

7. [141004](#) **[Accept and Expend Grant - Juvenile Justice Accountability Block Grant - \$75,889]**  
**Sponsor: Campos**  
Resolution retroactively authorizing the Public Defender's Office to accept and expend a grant in the amount of \$75,889 from the Board of State and Community Corrections for the purposes of implementing local juvenile justice accountability measures through the Juvenile Accountability Block Grant, for the term of July 1, 2014, through June 30, 2015.
- Question: Shall this Resolution be ADOPTED?**

### **Recommendation of the Government Audit and Oversight Committee**

*Present: Supervisors Breed, Tang, Chiu*

8. [141041](#) **[Fisherman's Wharf, and Fisherman's Wharf Portside Community Benefit Districts - Annual Reports to the City - FYs 2009-2013]**  
**Sponsor: Chiu**  
Resolution receiving and approving annual reports for the Fisherman's Wharf Community Benefit District and Fisherman's Wharf Portside Community Benefit District for FYs 2009-2013, submitted as required by the Property and Business Improvement District Law of 1994, Section 36650 (California Streets and Highways Code, Sections 36600, et seq.), and the Districts' management contracts with the City.
- Question: Shall this Resolution be ADOPTED?**

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

*Present: Supervisors Wiener, Cohen, Mar*

9. [120881](#) **[Planning Code, Zoning Map - Uses, Conformity of Uses, Parking Requirements for Uses, and Special Use Districts]**  
**Sponsor: Chiu**  
Ordinance amending the Planning Code, by repealing Section 158 and amending various other Code Sections, to modify controls for uses and accessory uses in Commercial and Residential Commercial (RC) Districts; eliminate minimum parking requirements for the Chinatown Mixed Use Districts, RC Districts, the Broadway and North Beach Neighborhood Commercial Districts (NCDs), and the Washington-Broadway Special Use District (SUD); make maximum residential parking permitted in Downtown Commercial and RC Districts consistent with Neighborhood Commercial Transit (NCT) Districts; make maximum non-residential parking in RC Districts, Chinatown Mixed Use Districts, and Broadway and North Beach NCDs consistent with NCT Districts; make surface parking lots a non-conforming use in Downtown Commercial Districts; modify conformity requirements in various use districts; modify streetscape requirements, public open space requirements, floor-area ratio calculations, and transportation management requirements for various uses in certain districts; permit certain exceptions from exposure and open space requirements for historic buildings; remove references to deleted sections of the Code; amend Zoning Map Sheet SU01 to consolidate the two Washington-Broadway SUDs and revise the boundaries; and making environmental findings, Section 302, findings, and findings of consistency with the General Plan, and the priority policies of Planning Code, Section 101.1.
- Question: Shall this Ordinance be PASSED ON FIRST READING?**



10. [140844](#) **[Planning Code - Formula Retail and Large-Scale Retail Controls]**  
**Sponsor: Mar**  
Ordinance amending the Planning Code to amend the definition of Formula Retail to include businesses that have 11 or more outlets worldwide; expand the applicability of Formula Retail controls to other types of uses; require Conditional Use authorization for Formula Retail establishments in the C-3-G district with facades facing Market Street, between 6th Street and the intersection of Market Street, 12th Street and Franklin Street; provide a method for calculating the concentration of formula retail establishments in a certain area; require Planning Department staff to recommend disapproval of new formula retail in the Upper Market Neighborhood Commercial District based on concentration of existing Formula Retail; delete the requirement for Conditional Use authorization when a Formula Retail establishment changes operator but remains the same size and use category; define intensification and abandonment for Formula Retail uses; require Formula Retail uses to comply with performance guidelines; amend the Conditional Use criteria for Large-Scale Retail Uses, and for Formula Retail uses of 20,000 gross square feet or greater except for General and Specialty Grocery stores, to require an economic impact study and establish new fees for said study; require 30 days' public notice for conditional use hearings on proposed Formula Retail uses; amend Neighborhood Commercial Districts that required Conditional Use for Financial and Limited Financial Services to principally permit Financial and Limited Financial Services except in the Castro Street Neighborhood Commercial District, Upper Market Neighborhood Commercial Transit District, and 24th Street - Noe Valley Neighborhood Commercial District; delete the Conditional Use requirement for Walk-Up Facilities that are not set back 3 feet; and correct various Code provisions to ensure accuracy of cross-references; and adopting findings, including environmental findings, Planning Code, Section 302 findings, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.
- Question: Shall this Ordinance be PASSED ON FIRST READING?**
11. [140970](#) **[Administrative Code - Calculating Interest on Residential Rental Security Deposits]**  
Ordinance amending the Administrative Code to provide a new method for calculating the interest on residential rental security deposits beginning March 1, 2015. (Rent Stabilization and Arbitration Board)
- Question: Shall this Ordinance be PASSED ON FIRST READING?**
12. [140980](#) **[Summary Street Vacation - Portion of Raccoon Drive]**  
**Sponsor: Wiener**  
Ordinance ordering the summary street vacation of a portion of Raccoon Drive, between Twin Peaks Boulevard and Saint Germain Avenue; approving a quitclaim of the City's interest in the vacation area; approving a public access easement over a portion of the vacation area; affirming the Planning Department's determination under the California Environmental Quality Act; adopting findings that the actions contemplated in this legislation are consistent with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and authorizing official acts in connection with this Ordinance.
- 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.

(The President may entertain a motion to continue Item Nos. 13-16 (File Nos. 141046-141049) to a date certain, pending agreement of all parties involved.)

13. [141046](#) **[Public Hearing - Appeal of Conditional Use Authorization - 395-26th Avenue]**  
Hearing of persons interested in or objecting to the Planning Commission's decision of September 4, 2014, Motion No. 19229, relating to approval of a Conditional Use Authorization (Case No. 2013.0205CEKSV), to demolish two residential units on a property within the Outer Clement Street Neighborhood Commercial District (NCD), located at 395-26th Avenue, Assessor's Block No. 1407, Lot No. 017. (District 1) (Appellant: Stephen M. Williams) (Filed October 6, 2014). (Clerk of the Board)

**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.)**

14. [141047](#) **[Approving the Conditional Use Authorization Decision - 395-26th Avenue]**  
Motion approving the decision of the Planning Commission by its Motion No. 19229, approving Conditional Use Authorization identified as Planning Case No. 2013.0205CEKSV on property located at 395-26th Avenue, and adopting findings pursuant to Planning Code Section 101.1. (Clerk of the Board)

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

15. [141048](#) **[Disapproving the Conditional Use Authorization Decision - 395-26th Avenue]**  
Motion disapproving the decision of the Planning Commission by its Motion No. 19229, approving a Conditional Use Authorization identified as Planning Case No. 2013.0205CEKSV on property located at 395-26th Avenue, and adopting findings pursuant to Planning Code, Section 101.1. (Clerk of the Board)

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

16. [141049](#) **[Preparation of Findings Related to the Conditional Use Authorization - 395-26th Avenue]**  
Motion directing the Clerk of the Board to prepare findings relating to the proposed Conditional Use Authorization identified as Planning Case No. 2013.0205CEKSV on property located at 395-26th Avenue. (Clerk of the Board)

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

### **SPECIAL ORDER 3:00 P.M.**

*(The President shall entertain a motion to continue Item Nos. 17-20 (File Nos. 141064-141067) to November 18, 2014, to coincide with a companion CEQA Appeal.)*

17. [141064](#) **[Public Hearing - Appeal of Conditional Use Authorization - 115 Telegraph Hill Boulevard]**  
Hearing of persons interested in or objecting to the Planning Commission's decision of September 11, 2014, Motion No. 19232, relating to approval of a Conditional Use Authorization (Case No. 2013.1375EC), to allow the construction of three new dwelling units (for a lot total of four units) with three off-street parking spaces within the RH-3 (Residential House, Three-Family) Zoning District, Telegraph Hill - North Beach Residential Special Use District and a 40-X Height and Bulk District located at 115 Telegraph Hill Boulevard, Assessor's Block No. 0105, Lot No. 065. (District 3) (Appellant: Vedica Puri, on behalf of Telegraph Hill Dwellers) (Filed October 14, 2014). (Clerk of the Board)

**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.)**

18. [141065](#) **[Approving the Conditional Use Authorization Decision - 115 Telegraph Hill Boulevard]**  
Motion approving the decision of the Planning Commission by its Motion No. 19232, approving a Conditional Use Authorization identified as Planning Case No. 2013.1375EC on property located at 115 Telegraph Hill Boulevard, and adopting findings pursuant to Planning Code, Section 101.1. (Clerk of the Board)

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

19. [141066](#) **[Disapproving the Conditional Use Authorization Decision - 115 Telegraph Hill Boulevard]**

Motion disapproving the decision of the Planning Commission by its Motion No. 19232, approving a Conditional Use Authorization identified as Planning Case No. 2013.1375EC on property located at 115 Telegraph Hill Boulevard, and adopting findings pursuant to Planning Code, Section 101.1. (Clerk of the Board)

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

20. [141067](#) **[Preparation of Findings Related to the Conditional Use Authorization - 115 Telegraph Hill Boulevard]**

Motion directing the Clerk of the Board to prepare findings relating to the proposed Conditional Use Authorization identified as Planning Case No. 2013.1375EC on property located at 115 Telegraph Hill Boulevard. (Clerk of the Board)

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

### **SPECIAL ORDER 3:00 P.M.**

*(The President may entertain a motion to continue Item Nos. 21-24 (File Nos. 141068-141071) to a date certain, pending agreement of all parties involved.)*

21. [141068](#) **[Public Hearing - Appeal of Conditional Use Authorization - 431 Balboa Street]**

Hearing of persons interested in or objecting to the Planning Commission's decision of September 18, 2014, Motion No. 19237, relating to approval of a Conditional Use Authorization (Case No. 2012.0059C), to allow a macro wireless telecommunications services (WTS) facility operated by AT&T Mobility, located at 431 Balboa Street, Assessor's Block No. 1639, Lot No. 047. (District 1) (Appellant: John Umekubo) (Filed October 16, 2014). (Clerk of the Board)

**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.)**

22. [141069](#) **[Approving the Conditional Use Authorization Decision - 431 Balboa Street]**

Motion approving the decision of the Planning Commission by its Motion No. 19237, approving a Conditional Use Authorization identified as Planning Case No. 2012.0059C on property located at 431 Balboa Street, and adopting findings pursuant to Planning Code, Section 101.1. (Clerk of the Board)

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

23. [141070](#) **[Disapproving the Conditional Use Authorization Decision - 431 Balboa Street]**  
Motion disapproving the decision of the Planning Commission by its Motion No. 19237, approving a Conditional Use Authorization identified as Planning Case No. 2012.0059C on property located at 431 Balboa Street, and adopting findings pursuant to Planning Code, Section 101.1. (Clerk of the Board)

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

24. [141071](#) **[Preparation of Findings Related to the Conditional Use Authorization - 431 Balboa Street]**  
Motion directing the Clerk of the Board to prepare findings relating to the proposed Conditional Use Authorization identified as Planning Case No. 2012.0059C on property located at 431 Balboa Street. (Clerk of the Board)

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

## 25. 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.*

## 26. 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 27 and 28

27. [141108](#) **[Condemning Anti-Arab and Anti-Muslim Bus Advertisements]**  
**Sponsors: Chiu; Mar**  
 Resolution standing with Muslim and Arab communities in the face of anti-Arab and anti-Muslim bus advertisements.
- 10/21/2014; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 10/28/2014; AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.
- 10/28/2014; CONTINUED AS AMENDED.
- Question: Shall this Resolution be ADOPTED?**
28. [141127](#) **[#LOVELOCALSF Day - November 5, 2014]**  
**Sponsor: Chiu**  
 Resolution declaring November 5, 2014, as #LOVELOCALSF day in the City and County of San Francisco.
- 10/28/2014; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?**

## 29. 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).

**30. [141119](#) [Petitions and Communications]**

Petitions and Communications received from October 20, 2014, through October 27, 2014, for reference by the President to Committee considering related matters, or to be ordered filed by the Clerk on November 4, 2014.

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 that the following individuals have submitted Form 700 Statements: (1)

Catherine Rauschuber - Legislative Aide - Leaving  
Tak Wai (Ray) Law - Legislative Aide - Assuming

From State Fish and Game Commission, providing notice of proposed regulatory action relating to the proposed 2015 Sport Fishing Regulations. Copy: Each Supervisor. (2)

From concerned citizens, submitting signatures for petition regarding short-term residential rentals. 125 signatures. File No. 140381. Copy: Each Supervisor. (3)

From concerned citizens, regarding short-term residential rentals. File No. 140381. 3 letters. Copy: Each Supervisor. (4)

From Controller, submitting audit of Technology Store Vendors. Copy: Each Supervisor. (5)

From Capital Planning Committee, regarding the approval of the proposed infrastructure construction cost inflation estimate. Copy: Each Supervisor. (6)

From Sheriff, regarding waiver request for Schneider Electric. Copy: Each Supervisor. (7)

From RenewSF, regarding restoration of street tree ownership. Copy: Each Supervisor. (8)

From Department of Public Health, submitting quarterly report on behalf of Laguna Honda Hospital and Rehabilitation Center. Copy: Each Supervisor. (9)

From Mayor Lee, regarding appointment to the Airport Commission: (10)  
Peter Stern - term ending August 31, 2018

From Controller, regarding assessment of the Port Commission's compliance with close-out procedures for the Brannan Street Wharf Project. Copy: Each Supervisor. (11)

From concerned citizens, submitting signatures for petition regarding night construction noise permitting. 165 signatures. File No. 141010. Copy: Each Supervisor. (12)

From Shiufan Lee, regarding bike lanes in San Francisco. 3 letters. Copy: Each Supervisor. (13)

From Julie D. Soo, regarding proposed Equal Pay Report ordinance. File No. 141001. Copy: Each Supervisor. (14)

From Controller, submitting a report on the impact of the Central Market Payroll Tax Exclusion. Copy: Each Supervisor. (15)



From Laura Labanieh, regarding CSAC Finance Corporation program updates. Copy: Each Supervisor. (16)

From Rob Yung, regarding CleanPowerSF. Copy: Each Supervisor. (17)

From Allen Jones, regarding demand for an apology. Copy: Each Supervisor. (18)

From Dennis Hong, regarding domestic violence death review team. File No. 141109. Copy: Each Supervisor. (19)

## **ADJOURNMENT**