

BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

MEETING MINUTES

Tuesday, December 17, 2013 - 2:00 PM

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

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

BOARD COMMITTEES

Budget and Finance Committee Supervisors Farrell, Mar, Avalos	Wednesday 10:30 AM
City and School District Select Committee Supervisors Kim, Avalos, Farrell, Commissioners Mendoza-McDonnell, Norton, Wynns	4th Thursday 3:30 PM
Government Audit and Oversight Committee Supervisors Cohen, Tang, Campos	2nd and 4th Thursday 10:30 AM
Land Use and Economic Development Committee Supervisors Wiener, Kim, Chiu	Monday 1:30 PM
Neighborhood Services and Safety Committee Supervisors Campos, Mar, Yee	1st and 3rd Thursday 10:00 AM
Rules Committee Supervisors Yee, Breed, Cohen	1st and 3rd Thursday 2:00 PM

Members Present: John Avalos, London Breed, David Campos, David Chiu, Malia Cohen, Mark Farrell, Jane Kim, Eric Mar, Katy Tang, Scott Wiener, and Norman Yee

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:07 p.m. On the call of the roll, Supervisors Campos and Cohen were noted absent. There was a quorum.

AGENDA CHANGES

There were none.

Supervisor Campos was noted present at 2:09 p.m.

COMMUNICATIONS

There were none.

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

Supervisor Cohen was noted present at 2:19 p.m.

131188 [Formal Policy Discussions - December 17, 2013]

Pursuant to Charter, Sections 2.103 and 3.100(7), and Administrative Code, Section 2.11, the Mayor shall answer the following eligible questions submitted from Supervisors representing Districts 8 and 10. The Mayor may address the Board initially for up to five minutes. Discussion shall not exceed five minutes per Supervisor.

1. The Golden Gate National Recreation Area (GGNRA) - including Fort Funston, Crissy Field, Ocean Beach, and other properties - is a critical resource for San Franciscans and others for various recreational activities. GGNRA isn't a traditional national park but rather an urban recreation area. One long-time, established recreational use of GGNRA properties is dog walking. Thousands of San Franciscans have long walked their dogs on these federal properties. The National Park Service is proposing significant restrictions on dog access at GGNRA. These restrictions would severely limit San Franciscans' ability to utilize GGNRA with their dogs and would result in a shift of many dogs to our city parks, causing over-crowding. The Board of Supervisors unanimously passed a resolution I authored to oppose the proposal. Congresswoman Jackie Speier has also expressed opposition to the proposal. Congresswoman Nancy Pelosi recently encouraged the National Park Service to extend the time period for public comment and to take into account the significant dog uses at GGNRA. Do you agree that the GGNRA plan goes too far in restricting dog access? Will you work with the Board of Supervisors and our Federal representatives to encourage the National Park Service to alter the plan to take into account the needs of dog owners and walkers to use these properties? (Supervisor Wiener, District 8)

2. Mr. Mayor - Many of us on the Board of Supervisors, myself included, have been working on legislation and with departments to increase access job opportunities for residents in our City. While there are some large employers who are well integrated into our City's workforce development system, I think we can be doing more to reach a broader range of private employers who can accept residents that have completed any one of our City's job development programs. You recently launched a mobile application called text2wrk. Can you describe how this application is going to fit into our City's overall workforce development strategy and what the outreach plan is for ensuring that residents can use this tool? (Supervisor Cohen, District 10)

Mayor Edwin Lee addressed the Board of Supervisors and discussed the above referenced questions. Following public comment this matter was filed. No further action was taken.

HEARD AND FILED

CONSENT AGENDA

Recommendation of the Budget and Finance Committee

131123 [Appropriation - Transit Center District Funds and Transportation Development Impact Fees - FY2013-2014 - \$4,388,000]

Sponsor: Mayor

Ordinance appropriating \$4,388,000 of Transit Center District Funds and Transportation Development Impact fees revenue and capital project fund expenditures to the Municipal Transportation Agency in order to support capital projects in FY2013-2014.

(Fiscal Impact)

Ordinance No. 289-13

FINALLY PASSED

Recommendations of the Land Use and Economic Development Committee**130998 [Planning Code - Cottage Food Operation Controls]****Sponsor: Chiu**

Ordinance amending the Planning Code, by adding Section 102.37 and amending Section 204.1, to allow Cottage Food Operation as an accessory use for dwelling units and increase the allowable area for accessory uses in dwelling units; and making environmental findings, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

Ordinance No. 288-13**FINALLY PASSED****131000 [Street Acceptance for Lee Avenue (North of Ocean); Approval of a Sidewalk Easement for Brighton Avenue (North of Ocean)]****Sponsor: Yee**

Ordinance accepting an irrevocable offer for a public sidewalk easement on the Brighton Avenue Extension north of Ocean Avenue and accepting an easement for these purposes; accepting an irrevocable offer for improvements and real property related to Lee Avenue north of Ocean Avenue and accepting a grant deed for these purposes; authorizing the conditional acceptance of an irrevocable offer for sidewalk improvements for Ocean Avenue east of Lee Avenue; declaring such areas to be open public right-of-way and dedicating them for right-of-way and roadway purposes; accepting maintenance and liability for these areas subject to certain limitations; establishing public right-of-way width and sidewalk width for the Lee Avenue and the Ocean Avenue sidewalks; approving an interdepartmental transfer of property for a portion of Lee Avenue and for a sidewalk area fronting a portion of Ocean Avenue; approving and making findings, including environmental findings and general plan and priority policy findings; and authorizing official acts in connection with this Ordinance.

Ordinance No. 284-13**FINALLY PASSED****Recommendation of the Neighborhood Services and Safety Committee****131032 [Police Code - Litter Enforcement]****Sponsor: Cohen**

Ordinance amending the Police Code to update the list of City job classifications responsible for enforcement of litter laws and having the power to issue citations for that purpose.

Ordinance No. 283-13**FINALLY PASSED**

Recommendations of the Rules Committee**130695 [Settlement of Lawsuit - Larry Jacobs - \$175,000]**

Ordinance authorizing settlement of the lawsuit filed by Larry Jacobs against the City and County of San Francisco for \$175,000; the lawsuit was filed on January 27, 2011, in the California Superior Court, San Francisco Branch, Case No. CGC-11-507691, entitled Larry Jacobs v. City and County of San Francisco. (City Attorney's Office)

Ordinance No. 282-13

FINALLY PASSED

130787 [Administrative Code - Timelines and Procedures for Releasing Open Data]

Sponsors: Farrell; Chiu, Campos and Cohen

Ordinance amending the Administrative Code to modify open data standards and set deadlines for releasing open data.

Ordinance No. 285-13

FINALLY PASSED

131058 [Tax Collector Attorney - File Suit Against Responsible Relatives to Recover Value of Services Rendered at Hospital Facilities]

Resolution authorizing the Tax Collector Attorney to file suit against responsible relatives to recover value of services rendered at hospital facilities operated by the Department of Public Health. (Treasurer-Tax Collector)

Resolution No. 449-13

ADOPTED

131078 [Settlement of Lawsuit - Yekaterina Gayza - \$50,000]

Ordinance authorizing settlement of the lawsuit filed by Yekaterina Gayza against the City and County of San Francisco for \$50,000; the lawsuit was filed on July 27, 2012, in San Francisco Superior Court, Case No. CGC 12-522744; entitled Yekaterina Gayza v. City and County of San Francisco, et al.; other material terms of said settlement are that the City and County of San Francisco will satisfy any lien asserted by Healthy San Francisco for treatment related to Yekaterina Gayza's injury from her fall that provided the basis for San Francisco Superior Court, Case No. CGC 12-522744; entitled Yekaterina Gayza v. City and County of San Francisco, et al. (City Attorney's Office)

Ordinance No. 281-13

FINALLY PASSED

131101 [Appointment, Commission on the Aging Advisory Council - Diane Lawrence]

Motion appointing Diane Lawrence, term ending March 31, 2014, to the Commission on the Aging Advisory Council. (Clerk of the Board)

Motion No. M13-169

APPROVED

131107 [Appointments, In-Home Supportive Services Public Authority - Patricia Wooley and Judith Karshmer]

Motion appointing Patricia Wooley and Judith Karshmer, terms ending March 1, 2016, to the In-Home Supportive Services Public Authority. (Clerk of the Board)

Motion No. M13-170

APPROVED

131165 [Appointments, Immigrant Rights Commission - Kathleen Coll, Mario Paz, Celine Kennelly, Felix Fuentes, Melba Maldonado, and T. Toye Moses]

Motion appointing Kathleen Coll, Mario Paz, Celine Kennelly, Felix Fuentes, Melba Maldonado, and T. Toye Moses, terms ending June 6, 2015, to the Immigrant Rights Commission, residency requirement waived. (Clerk of the Board)

Motion No. M13-171

APPROVED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

REGULAR AGENDA

UNFINISHED BUSINESS

Referred Without Recommendation from the Land Use and Economic Development Committee

130041 [Planning Code - Conversion, Demolition, Merger, and Conformity of Residential Uses]

Sponsors: Avalos; Campos

Ordinance amending the Planning Code to revise the criteria for residential demolition, merger and conversion, and to standardize those definitions across use districts and prohibit residential mergers where certain evictions of tenants have occurred; establish a strong presumption in favor of preserving dwelling units in enforcement of code requirements; and making environmental findings, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

Ordinance No. 287-13

FINALLY PASSED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130783 [Planning Code - Nonconforming Uses: Enlargement, Alteration or Reconstruction]**Sponsors: Avalos; Campos**

Ordinance amending the Planning Code to permit the enlargement, alteration or reconstruction of a dwelling or other housing structure that exceeds the permitted density of the district if dwelling units are principally permitted in the district and the enlargement, alteration or reconstruction does not extend beyond the building envelope as it existed on January 1, 2013, and if no tenants were evicted under certain provisions of the Rent Ordinance; and making environmental findings, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

Ordinance No. 286-13

FINALLY PASSED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

NEW BUSINESS**Recommendations of the Budget and Finance Committee****131140 [Appropriation - Recreation and Park Department's Capital Improvements - FY2013-2014 - \$9,191,670]****Sponsor: Mayor**

Ordinance appropriating \$9,191,670 including de-appropriating \$2,338,558 of 2000 Recreation and Park Facilities Improvement Bond capital projects; appropriating \$36,401 of 2000 Recreation and Park Facilities Improvement Bond proceeds; de-appropriating \$3,000,000 of 2008 Clean and Safe Neighborhood Parks Bond Capital projects; and appropriating \$3,816,711 of 2008 Clean and Safe Neighborhood Parks Bond Proceeds Interest Earnings to Recreation and Park and Neighborhood Park Contingency Funds to fund capital projects within 2000 Recreation and Park Facilities Improvement Bond and 2008 Clean and Safe Neighborhood Parks Bond approved projects and program parameters.

(Fiscal Impact)

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

131054 [Airport Professional Services Agreement - Elevator Maintenance Services - Not to Exceed \$11,000,000]

Resolution approving award of Professional Services Agreement for Airport Contract No. 9312 - Elevator Maintenance Service to provide for maintenance, repair, testing, and on-call emergency services for approximately 170 elevators at San Francisco International Airport, between ThyssenKrupp Elevator Corporation and the City and County of San Francisco, acting by and through its Airport Commission, in an amount not to exceed \$11,000,000 pursuant to Charter, Section 9.118(b), for the period of January 1, 2014, through December 31, 2018. (Airport Commission)

Resolution No. 450-13

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

131055 [Airport Professional Services Agreement - Escalator and Electric Walk Maintenance Services - Not to Exceed \$17,000,000]

Resolution approving award of Professional Services Agreement for Airport Contract No. 9313 - Escalator and Electric Walk Maintenance Service to provide for maintenance, repair, testing, and on-call emergency services for approximately 133 escalators and 43 electric walks at San Francisco International Airport, between ThyssenKrupp Elevator Corporation and the City and County of San Francisco, acting by and through its Airport Commission, in an amount not to exceed \$17,000,000 pursuant to Charter, Section 9.118(b), for the period of January 1, 2014, through December 31, 2018. (Airport Commission)

Resolution No. 451-13

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

131067 [Accept and Expend Grant - Defibrillator and Training - \$1,771,421]

Sponsor: Farrell

Resolution retroactively authorizing the Fire Department to accept and expend a grant in the amount of \$1,771,421 from the Federal Emergency Management Agency to upgrade and replace its Defibrillator inventory for the period of March 8, 2013, through March 7, 2014, and conduct regional training for the period of May 1, 2013, through April 30, 2014.

Resolution No. 452-13

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

131080 [Prevailing Wage Rates - Various Workers Performing Work Under City Contracts]

Resolution fixing prevailing wage rates for workers performing work under City contracts for public work and improvement; workers performing work under City contracts for janitorial services; workers performing work in public off-street parking lots, garages, or storage facilities for automobiles on property owned or leased by the City; workers engaged in theatrical or technical services for shows on property owned by the City; workers engaged in the hauling of solid waste generated by the City in the course of City operations, pursuant to a contract with the City; and workers performing moving services under City contracts at facilities owned or leased by the City. (Civil Service Commission)

Resolution No. 453-13

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

131092 [Lease Termination Agreement - Literacy for Environmental Justice - Lease No. L-13816 - EcoCenter]

Sponsor: Cohen

Resolution authorizing the Mutual Termination Agreement between the Port and Literacy for Environmental Justice for Lease No. L-13816, for the EcoCenter at Heron's Head Park, located at Jennings and Cargo Way, pending Board approval.

Resolution No. 454-13

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

131098 [Lease - Airport Amenities and Business Services - \$1,260,000]

Resolution approving the Airport Amenities and Business Services Lease, between Airport Travel Agency, Inc., and the City and County of San Francisco, acting by and through its Airport Commission, for a seven year term with a minimum annual guarantee of \$180,000 and a total minimum amount of \$1,260,000 to commence following Board approval, over the entire term. (Airport Commission)

Resolution No. 455-13

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

131126 [Transfer of Real Property - McAllister Street and Ash Alley - \$4,584,000]

Sponsors: Mayor; Breed and Kim

Resolution approving the jurisdictional transfer of real property comprised of portions of Block No. 0785, Lot Nos. 030 and 033, in the City and County of San Francisco, from the Real Estate Division to the Mayor's Office of Housing and Community Development for \$4,584,000 to commence following Board approval.

(Fiscal Impact)

Supervisor Kim requested to be added as a co-sponsor.

Resolution No. 456-13

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Recommendations of the Neighborhood Services and Safety Committee**131001 [Health Care Services Master Plan]**

Sponsors: Campos; Farrell

Resolution adopting the Health Care Services Master Plan and commending the Department of Public Health and Planning Department for running a robust data driven process infused with widespread community input to create the plan.

Supervisor Farrell requested to be added as a co-sponsor.

Resolution No. 457-13

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

131021 [County Refugee Services Annual Plan - Federal FY2012-2013]

Resolution approving the City and County of San Francisco's Refugee Services Annual Plan for Federal FY2012-2013. (Human Services Agency)

Resolution No. 458-13

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

131046 [Liquor License - 678 Geary Street]

Resolution determining that the issuance of a Type 42 on-sale beer and wine public premises license to Justin Beem and Daniel Brooker for Resolute Drinks, LLC, dba Resolute, located at 678 Geary Street (District 3), will serve the public convenience or necessity of the City and County of San Francisco, in accordance with California Business and Professions Code, Section 23958.4, and recommending that the California Department of Alcoholic Beverage Control impose conditions on the issuance of the license. (Neighborhood Services and Safety Committee)

Resolution No. 459-13

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Recommendations of the Rules Committee**130741 [Appointments, Workforce Investment Community Advisory Committee - Douglas Parrish and Dion Jay Brooker]**

Motion appointing Doug Parrish, term ending February 19, 2015, and Dion Jay Brooker, term ending February 19, 2014, residency requirement waived, to the Workforce Investment Community Advisory Committee. (Clerk of the Board)

Motion No. M13-172

APPROVED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130910 [Appointment, SOMA Community Stabilization Fund Community Advisory Committee - John Elberling]

Motion appointing John Elberling, term ending April 27, 2014, to the SOMA Community Stabilization Fund Community Advisory Committee. (Clerk of the Board)

Motion No. M13-173

APPROVED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

131103 [Appointment, Child Care Planning Advisory Council - Deepa Mehta]

Motion appointing Deepa Mehta, term ending March 19, 2016, to the Child Care Planning and Advisory Council, residency requirement waived. (Clerk of the Board)

Motion No. M13-174

APPROVED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

131166 [Appointment, Public Utilities Revenue Bond Oversight Committee - Marina Pelosi]

Motion appointing Marina Pelosi, term ending January 1, 2016, to the Public Utilities Revenue Bond Oversight Committee. (Clerk of the Board)

Motion No. M13-175

APPROVED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

SPECIAL ORDER 2:30 P.M. - Recognition of Commendations**Privilege of the Floor**

Supervisor Kim, seconded by Supervisor Avalos, moved to suspend Rule 5.36 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Supervisor Kim presented a Certificate of Honor to Lolita Kintinar and James Chiansini for Lionel Sandiford, who passed away at the age of 79 on December 5, 2013, in recognition of Mr. Sandiford's accomplishments and continued community support. Supervisors Avalos, Campos, and Cohen shared in the recognition.

Supervisor Breed introduced, welcomed, and presented a Certificate of Honor to the Galileo High School Football Team in recognition of their winning the 90th Annual Turkey Bowl Game, their accomplishments, and continued community support. Supervisor Yee shared in the recognition.

COMMITTEE REPORTS

Supervisor Yee was noted absent at 2:50 p.m., and present at 2:56 p.m.

Supervisor Breed was noted absent at 2:50 p.m., and present at 3:01 p.m.

Recommendations of the Budget and Finance Committee**130463 [Mills Act Historical Property Contract - 1772 Vallejo Street (Burr Mansion)]**

Sponsor: Farrell

Resolution approving a Mills Act historical property contract, under Administrative Code, Chapter 71, between John Moran the owner of 1772 Vallejo Street (Burr Mansion), and the City and County of San Francisco; and authorizing the Planning Director and Assessor to execute the Mills Act historical property contract. (Planning Department)

Resolution No. 460-13

ADOPTED by the following vote:

Ayes: 9 - Avalos, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener

Absent: 2 - Breed, Yee

130479 [Mills Act Historical Property Contract - 2550 Webster Street]**Sponsor: Farrell**

Resolution approving a Mills Act historical property contract, under Administrative Code, Chapter 71, between Pacific Heights, LLC, the owners of 2550 Webster Street, and the City and County of San Francisco; and authorizing the Planning Director and Assessor to execute the Mills Act historical property contract.

Resolution No. 461-13

ADOPTED by the following vote:

Ayes: 9 - Avalos, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener

Absent: 2 - Breed, Yee

130506 [Mills Act Historical Property Contract - 1019 Market Street]**Sponsor: Kim**

Resolution approving a Mills Act historical property contract, under Administrative Code, Chapter 71, between 1019 Market St. Properties, LLC, the owners of 1019 Market Street, and the City and County of San Francisco; and authorizing the Planning Director and Assessor to execute the Mills Act historical property contract.

Resolution No. 462-13

ADOPTED by the following vote:

Ayes: 9 - Avalos, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener

Absent: 2 - Breed, Yee

130521 [Mills Act Historical Property Contract - 3769-20th Street]**Sponsor: Wiener**

Resolution approving a Mills Act historical property contract, under Administrative Code, Chapter 71, between Brian Jackson and Thomas Ranese, the owners of 3769-20th Street, and the City and County of San Francisco; and authorizing the Planning Director and Assessor to execute the Mills Act historical property contract.

Resolution No. 463-13

ADOPTED by the following vote:

Ayes: 9 - Avalos, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener

Absent: 2 - Breed, Yee

130522 [Mills Act Historical Property Contract - 50 Carmelita Street]**Sponsor: Wiener**

Resolution approving a Mills Act historical property contract, under Administrative Code, Chapter 71, between Adam Spiegel and Guillemette Broulliat-Spiegel, the owners of 50 Carmelita Street, and the City and County of San Francisco; and authorizing the Planning Director and Assessor to execute the Mills Act historical property contract.

Resolution No. 464-13

ADOPTED by the following vote:

Ayes: 9 - Avalos, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener

Absent: 2 - Breed, Yee

130577 [Mills Act Historical Property Contract - 66 Carmelita Street]**Sponsor: Wiener**

Resolution approving a Mills Act historical property contract, under Administrative Code, Chapter 71, between Amy Hockman and Brian Bone, the owners of 66 Carmelita Street, and the City and County of San Francisco; and authorizing the Planning Director and Assessor to execute the Mills Act historical property contract.

Resolution No. 465-13

ADOPTED by the following vote:

Ayes: 9 - Avalos, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener

Absent: 2 - Breed, Yee

130640 [Mills Act Historical Property Contract - 70 Carmelita Street]**Sponsor: Wiener**

Resolution approving a Mills Act historical property contract, under Administrative Code, Chapter 71, between Elise Sommerville, the owner of 70 Carmelita Street, and the City and County of San Francisco; and authorizing the Planning Director and Assessor to execute the Mills Act historical property contract.

This item was not sent as a Committee Report.

131157 [Mills Act Historical Property Contract - 56 Pierce Street]**Sponsor: Wiener**

Resolution approving a Mills Act historical property contract, under Administrative Code, Chapter 71, between Adam Wilson and Quyen Nguyen, the owners of 56 Pierce Street, and the City and County of San Francisco; and authorizing the Planning Director and Assessor to execute the Mills Act historical property contract.

Resolution No. 466-13

ADOPTED by the following vote:

Ayes: 9 - Avalos, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener

Absent: 2 - Breed, Yee

131158 [Mills Act Historical Property Contract - 64 Pierce Street]**Sponsor: Wiener**

Resolution approving a Mills Act historical property contract, under Administrative Code, Chapter 71, between Jean Paul and Ann Balajadia, the owners of 64 Pierce Street, and the City and County of San Francisco; and authorizing the Planning Director and Assessor to execute the Mills Act historical property contract.

Resolution No. 467-13

ADOPTED by the following vote:

Ayes: 9 - Avalos, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener

Absent: 2 - Breed, Yee

131159 [Mills Act Historical Property Contract - 56 Potomac Street]**Sponsor: Wiener**

Resolution approving a Mills Act historical property contract, under Administrative Code, Chapter 71, between Karli Sager and Jason Monberg, the owners of 56 Potomac Street, and the City and County of San Francisco; and authorizing the Planning Director and Assessor to execute the Mills Act historical property contract.

Resolution No. 468-13

ADOPTED by the following vote:

Ayes: 9 - Avalos, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener

Absent: 2 - Breed, Yee

131160 [Mills Act Historical Property Contract - 66 Potomac Street]**Sponsor: Wiener**

Resolution approving a Mills Act historical property contract, under Administrative Code, Chapter 71, between Adam Wilson and Quyen Nguyen, the owners of 66 Potomac Street, and the City and County of San Francisco; and authorizing the Planning Director and Assessor to execute the Mills Act historical property contract.

Resolution No. 469-13

ADOPTED by the following vote:

Ayes: 9 - Avalos, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener

Absent: 2 - Breed, Yee

Recommendation of the Land Use and Economic Development Committee**131061 [Administrative Code - Hearings on Tenant Allegations of Landlord Harassment to Recover Possession of the Tenant's Unit]****Sponsors: Campos; Avalos, Mar, Chiu, Cohen, Kim and Farrell**

Ordinance amending Administrative Code, Chapter 37, "Residential Rent Stabilization and Arbitration Ordinance," by providing for hearings at the Rent Board on tenant allegations of landlord harassment constituting a wrongful endeavor to recover possession of the tenant's unit.

Supervisor Farrell requested to be added as a co-sponsor.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

131149 [Adding the Name "Donaldina Cameron Alley" to Old Chinatown Lane]**Sponsors: Chiu; Mar**

Resolution adding the name "Donaldina Cameron Alley" to Old Chinatown Lane in recognition of Donaldina Cameron and her many contributions to San Francisco.

Resolution No. 470-13

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

131150 [Adding the Name “Harold ‘Bud’ Moose Lane” to Merchant Street]**Sponsor: Chiu**

Resolution adding the name “Harold ‘Bud’ Moose Lane” to Merchant Street in recognition of Bud Moose and his many contributions to San Francisco.

Resolution No. 471-13**ADOPTED by the following vote:**

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

131151 [Adding the Name “Enid Ng Lim Alley” to Bartol Street]**Sponsors: Chiu; Mar**

Resolution adding the name “Enid Ng Lim Alley” to Bartol Street in recognition of Enid Ng Lim and her many contributions to San Francisco.

Resolution No. 472-13**ADOPTED by the following vote:**

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

131191 [Administrative Code - Clarifying Employer Definition for Family Friendly Workplace]**Sponsor: Chiu**

Ordinance amending the Administrative Code to clarify the group of employers required to comply with the Family Friendly Workplace Ordinance.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

ROLL CALL FOR INTRODUCTIONS

See Legislation Introduced below.

PUBLIC COMMENT

Gypsy Taub; expressed various concerns and announced her engagement.

The Board recessed at 3:47 p.m., and reconvened at 3:48 p.m.

Peter Warfield; expressed concerns relating to the SF Public Library.

Dale Seymour; expressed concerns relating to banning the box.

Karen Selis; expressed concerns regarding radiation poisoning.

Male Speaker; expressed concerns regarding a possible Charter amendment.

Douglas Yep; expressed various concerns.

John Donald; expressed various concerns.

Jakkee Bryson; expressed concerns regarding vulnerable populations and public housing.

Severed from the For Adoption Without Committee Reference Agenda

Supervisor Chiu requested that File No. 131197 be severed so that it may be considered separately.

131197 [Fracking Moratorium in California]

Sponsors: Chiu; Mar

Resolution supporting a moratorium on hydraulic fracturing in the State of California.

Supervisor Avalos, seconded by Supervisor Farrell, moved that this Resolution be CONTINUED to January 14, 2014. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

FOR ADOPTION WITHOUT COMMITTEE REFERENCE**131164 [Concurring in the Continuation of the Revised Declaration of Local Emergency - Rim Fire (Stanislaus National Forest Area)]**

Motion concurring in the continuation of the "Rim Fire" Revised Declaration of Local Emergency by the Mayor and in the actions taken to meet the emergency. (Clerk of the Board)

Motion No. M13-176

APPROVED

131196 [Apply for Grants - Board of State and Community Corrections - Anti Drug Abuse Program]

Sponsor: Mayor

Resolution authorizing the Department of Children Youth and Their Families to apply for grants from the Board of State and Community Corrections for the Anti Drug Abuse Program.

Resolution No. 473-13

ADOPTED

131198 [Approval of a 90 Day Extension for Planning Commission Review of Zoning Map - 904-22nd Street (File No.130969)]

Sponsor: Cohen

Resolution extending by 90 days the prescribed time within which the Planning Commission may render its decision on an Ordinance (File No. 130969) amending the Planning Code, Zoning Map, to re-zone the property located at 904-22nd Street (Assessor's Block No. 4106, Lot No. 015) from RH-3 (Residential, Housing, Three Family) to UMU (Urban Mixed Use); and making environmental findings, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

Resolution No. 474-13

ADOPTED

131199 [Approval of a 60 Day Extension for Planning Commission Review of Planning Code - Expanding Formula Retail Controls (File No. 130788)]

Sponsor: Mar

Resolution extending by 60 days the prescribed time within which the Planning Commission may render its decision on an Ordinance (File No. 130788) amending the Planning Code to expand the definition of formula retail to include businesses that have eleven or more outlets worldwide, and to include businesses 50% or more owned by formula retail businesses; to expand the applicability of formula retail controls to other types of retail uses; to expand the notification procedures for formula retail applications; to require an economic impact report as part of the formula retail conditional use application; and making environmental findings, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

Resolution No. 475-13

ADOPTED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

IMPERATIVE AGENDA

There were none.

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.

Ordinances

131085 [Planning Code - Fulton Street Grocery Store Special Use District]

Sponsor: Breed

Ordinance amending the Planning Code, Section 249.35A, to extend the effective date for the Fulton Street Grocery Store Special Use District; and making environmental findings, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

11/05/13; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 12/4/2013.

12/05/13; REFERRED TO DEPARTMENT.

12/06/13; RESPONSE RECEIVED.

12/06/13; RESPONSE RECEIVED.

12/17/13; SUBSTITUTED AND ASSIGNED to Land Use and Economic Development Committee.

131205 [Planning Code - Production, Distribution, and Repair Zoning]

Sponsors: Mayor; Cohen, Campos and Chiu

Ordinance amending the Planning Code to address various revisions to Production, Distribution, and Repair (PDR), integrated PDR, and small enterprise workplace zoning controls to facilitate the establishment of such uses; amending the Administrative Code to delete requirements concerning reporting on integrated PDR, affirming the Planning Department's California Environmental Quality Act determination; and making Planning Code, Section 302, findings, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Human Resources Department)

12/17/13; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 1/16/2014.

131206 [Police Code - Expanding Use of Unclaimed Personal Property and Bicycles]

Sponsor: Avalos

Ordinance amending the Police Code to make unclaimed personal property, including unclaimed bicycles, worth \$500 or less available to the Human Services Agency for use in programs designed to prevent juvenile delinquency and programs to benefit low-income and transit-challenged residents.

12/17/13; ASSIGNED UNDER 30 DAY RULE to Neighborhood Services and Safety Committee, expires on 1/16/2014.

131207 [Environment Code - Bottled Water]**Sponsors: Chiu; Mar**

Ordinance amending the Environment Code to restrict the sale or distribution on City property of drinking water in plastic bottles of 21 ounces or less, set City policy to increase the availability of drinking water in public areas, and bar the use of City funds to purchase bottled water; and making environmental findings.

12/17/13; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 1/16/2014.

131208 [Health Code - Restrictions on Sale and Use of Electronic Cigarettes]**Sponsors: Mar; Avalos and Chiu**

Ordinance amending the Health Code to prohibit the use of electronic cigarettes where smoking is otherwise prohibited; require a tobacco permit for the sale of electronic cigarettes; prohibit the sale of electronic cigarettes where the sale of tobacco products is otherwise prohibited; and making environmental findings.

12/17/13; ASSIGNED UNDER 30 DAY RULE to Neighborhood Services and Safety Committee, expires on 1/16/2014.

Resolutions**131209 [Accept Gift - Department of Technology - Wi-Fi Equipment - \$701,894]****Sponsors: Mayor; Chiu**

Resolution retroactively authorizing the Department of Technology to accept a gift of equipment, software, and services from Ruckus Wireless, Inc., with a total value of \$701,894 in order to provide free wireless access to the Internet along Market Street.

12/17/13; RECEIVED AND ASSIGNED to Budget and Finance Committee.

131210 [Accept and Expend Grant - Urban Areas Security Initiative Grant Increase: Budget Revision - FY2013 - \$687,988]**Sponsor: Mayor**

Resolution retroactively authorizing the Department of Emergency Management, on behalf of the City and County San Francisco, as the fiscal agent for the Bay Area Urban Areas Security Initiative (UASI), to accept and expend an increase to FY2013 UASI grant funds in the amount of \$687,988 for a total of \$22,619,300 from the U.S. Department of Homeland Security through the California Office of Emergency Services, for the period of September 1, 2013, through May 31, 2015.

12/17/13; RECEIVED AND ASSIGNED to Budget and Finance Committee.

131211 [Accept and Expend Grant - Kezar Triangle - Golden Gate Park - \$670,000]**Sponsors: Breed; Mar**

Resolution retroactively authorizing the Recreation and Park Department to accept and expend a grant of up to \$670,000 from the San Francisco Parks Alliance, for the design and construction of landscape improvements to Kezar Triangle in Golden Gate Park for the period of August 15, 2013, through August 15, 2014.

12/17/13; RECEIVED AND ASSIGNED to Budget and Finance Committee.

131212 [Accept and Expend Grant - San Francisco Youth Back on Treatment to Recovery Through Accountability, Collaboration, and Knowledge - \$250,000]**Sponsor: Breed**

Resolution retroactively authorizing the Department of Public Health to accept and expend a grant in the amount of \$250,000 from U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Assistance, to participate in a program, entitled "San Francisco Youth Back on Treatment to Recovery through Accountability, Collaboration, and Knowledge," for the period of October 1, 2013, through September 30, 2015; and waiving indirect costs.

12/17/13; RECEIVED AND ASSIGNED to Budget and Finance Committee.

131213 [Accept and Expend Grant - Safe Havens: Supervised Visitation and Safe Exchange Grant Program - \$133,333]**Sponsor: Breed**

Resolution retroactively authorizing the Department of Public Health to retroactively accept and expend a grant in the amount of \$133,333 from Department of Justice, Office of Violence Against Women, to participate in a program, entitled "Safe Havens: Supervised Visitation and Safe Exchange Grant Program," for the period of October 1, 2013, through September 30, 2014; and waiving indirect costs.

12/17/13; RECEIVED AND ASSIGNED to Budget and Finance Committee.

131214 [Multifamily Housing Revenue Bonds - 227-228 West Point Road - Not to Exceed \$45,000,000]**Sponsor: Cohen**

Resolution declaring the intent of the City and County of San Francisco (City) to reimburse certain expenditures from proceeds of future bonded indebtedness; authorizing the Director of the Mayor's Office of Housing and Community Development (Director) to submit an application and related documents to the California Debt Limit Allocation Committee (CDLAC) to permit the issuance of residential mortgage revenue bonds in an aggregate principal amount not to exceed \$45,000,000 for 227-228 West Point Road (Assessor's Parcel No. 4624, Lot Nos. 29 and 31); authorizing and directing the Director to direct the Controller's Office to hold in trust an amount not to exceed \$100,000 in accordance with CDLAC procedures; authorizing the Director to certify to CDLAC that the City has on deposit the required amount; authorizing the Director to pay an amount equal to such deposit to the State of California if the City fails to issue the residential mortgage revenue bonds; approving, for purposes of the Internal Revenue Code of 1986, as amended, the issuance and sale of residential mortgage revenue bonds by the City in an aggregate principal amount not to exceed \$45,000,000; authorizing and directing the execution of any documents necessary to implement this Resolution; and ratifying and approving any action heretofore taken in connection with the project, as defined herein, and the application, as defined herein.

12/17/13; RECEIVED AND ASSIGNED to Budget and Finance Committee.

131215 [Accept and Expend Grant - San Francisco Parks Alliance - \$1,150,000]**Sponsors: Farrell; Mar**

Resolution retroactively authorizing the Recreation and Park Department to accept and expend a grant of up to \$1,150,000 from the San Francisco Parks Alliance for the design and construction of a renovated playground in Mountain Lake Park, for the period of June 20, 2013, through September 30, 2014.

12/17/13; RECEIVED AND ASSIGNED to Budget and Finance Committee.

131216 [Accept and Expend Gift - Park Wi-Fi Project - \$608,000]**Sponsor: Farrell**

Resolution authorizing the Department of Technology to accept and expend a gift of \$608,000 in cash from San Francisco Citizens Initiative for Technology and Innovation in order to provide free, wireless Internet access to the public in certain parks and recreational facilities in San Francisco; and making environmental findings.

12/17/13; RECEIVED AND ASSIGNED to Budget and Finance Committee.

131217 [Accept Gift - Department of Technology - Wi-Fi Equipment - \$270,000]**Sponsor: Farrell**

Resolution authorizing the Department of Technology to accept a gift of equipment, software, and services from Cisco, Inc., with a total value of \$270,000 in order to provide free, wireless internet access at various locations in San Francisco.

12/17/13; RECEIVED AND ASSIGNED to Budget and Finance Committee.

131218 [Real Property Lease - Employees' Retirement System - 1145 Market Street - \$119,228.21 Monthly]**Sponsor: Cohen**

Resolution authorizing a 10-year lease of 37,289 sq. ft. at 1145 Market Street, for office space for the Employees' Retirement System from 1145 Market Street, LP, a California Limited Partnership, for \$119,228.21 monthly for the period of July 1, 2014, through June 30, 2024.

(Fiscal Impact)

12/17/13; RECEIVED AND ASSIGNED to Budget and Finance Committee.

131219 [Supporting Amendments to State Law to Return Local Control Over the Ellis Act]**Sponsors: Mayor; Chiu, Campos, Cohen, Breed and Mar**

Resolution supporting amendments to State Law to return local control over the Ellis Act to prevent the speculation and abuse of no-fault evictions.

12/17/13; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

131220 [Bay Area Water Centennial Day - December 19, 2013]**Sponsor: Chiu**

Resolution retroactively declaring December 19, 2013, Bay Area Water Centennial Day in the City and County of San Francisco.

12/17/13; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

131221 [National Slavery and Human Trafficking Prevention Month and Human Trafficking Awareness Day]**Sponsors: Tang; Kim, Farrell, Yee, Chiu and Mar**

Resolution recognizing National Slavery and Human Trafficking Prevention Month and National Human Trafficking Awareness Day and supporting the campaign to bring awareness to the issue of human trafficking.

12/17/13; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

131222 [Apply for Grant - BioDiversity Action Plan - \$250,000]**Sponsor: Yee**

Resolution authorizing the Department of the Environment to apply for a \$250,000 grant from the California Strategic Growth Council to create the Biodiversity Action Plan, for the period of July 1, 2014, through June 30, 2015.

12/17/13; RECEIVED AND ASSIGNED to Budget and Finance Committee.

Request for Hearing**131223 [Hearing - Local Business Enterprise and Non-Discrimination in Contracting Ordinance]****Sponsors: Chiu; Cohen**

Hearing on the City's implementation of Administrative Code, Chapter 14B, the Local Business Enterprise and Non-Discrimination in Contracting Ordinance.

12/17/13; RECEIVED AND ASSIGNED to Budget and Finance Committee.

Introduced by the President 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

There were none.

PROPOSED RESOLUTIONS**131185 [Avigation Easements - San Mateo County - San Francisco International Airport's Noise Insulation Program]**

Resolution approving the acquisition of 33 Avigation Easements from various property owners in San Mateo County to replace expiring Avigation Easements required for the San Francisco International Airport's Noise Insulation Program (Project); adopting findings that the Project is categorically exempt from environmental review under the California Environmental Quality Act, Class 1: Existing Facilities; adopting findings that the acquisition is consistent with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and authorizing the Director of Property to execute documents, make certain modifications, and take certain actions in furtherance of this Resolution. (Real Estate Department)

12/05/13; RECEIVED FROM DEPARTMENT.

12/17/13; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

131186 [Annual Update - Mental Health Services Act Program and Expenditure Plans - FY2013-2014]

Resolution authorizing adoption of the FY2013-2014 Annual Update to Mental Health Services Act Program and Expenditure Plans. (Public Health Department)

12/06/13; RECEIVED FROM DEPARTMENT.

12/17/13; RECEIVED AND ASSIGNED to Budget and Finance Committee.

ADJOURNMENT

There being no further business, the Board adjourned at the hour of 4:04 p.m.

N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on January 28, 2014.

Angela Calvillo, Clerk of the Board