

BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

MEETING MINUTES

Tuesday, July 23, 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, Breed, Wiener	Wednesday 10:30 AM
Budget and Finance Sub-Committee Supervisors Farrell, Mar, Avalos	Wednesday 10:00 AM
City and School District Select Committee Supervisors Kim, Avalos, Farrell, Commissioners Mendoza, Norton, Wynns	4th Thursday 3:30 PM
Government Audit and Oversight Committee Supervisors Cohen, Tang, Campos	2nd and 4th Thursday 10:00 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 1:30 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 2:09 p.m. On the call of the roll, all Supervisors were noted present.

AGENDA CHANGES

There were none.

APPROVAL OF MEETING MINUTES

Supervisor Farrell, seconded by Supervisor Wiener, moved to approve the Board Meeting Minutes of June 18, 2013. The motion carried by the following vote:

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

COMMUNICATIONS

There were none.

CONSENT AGENDA

Recommendations of the Budget and Finance Committee

130538 [Administrative Code - Special Funds for Cultural, Arts, and Publicity Programs]

Sponsor: Mayor

Ordinance amending the Administrative Code to establish the Arts Commission Cultural Centers Fund and the City Administrator Grants for the Arts Fund; clarify provisions of the Convention Facilities Fund, War Memorial Special Fund, and Cultural Equity Endowment Fund; and conform other provisions of the Code to the new funding structure.

Ordinance No. 163-13

FINALLY PASSED

130539 [Administrative Code - Library Fines and Fees]**Sponsor: Mayor**

Ordinance amending the Administrative Code to reduce video and digital video disc fees and to increase fees for scanning of photographs at higher resolutions and reproduction of photographs for commercial purposes.

Ordinance No. 164-13**FINALLY PASSED****130540 [Administrative Code - Surety Bonds and Bid Securities]****Sponsor: Mayor**

Ordinance amending the Administrative Code to authorize the Controller to delegate to the Risk Manager authority to make certain decisions regarding the amount of surety bonds and the sufficiency and qualifications of sureties.

Ordinance No. 165-13**FINALLY PASSED****130541 [Administrative, Business and Tax Regulation Codes - Controller's Reports and Cash Reserve Fund]****Sponsor: Mayor**

Ordinance amending the Administrative, Business and Tax Regulation Codes to modify when the Controller is required to issue various reports and conduct various program audits and repealing obsolete provisions regarding the cash reserve fund.

Ordinance No. 166-13**FINALLY PASSED****130542 [Administrative Code - Public Administrator/Public Guardian Representative Payee Fee]****Sponsor: Mayor**

Ordinance amending the Administrative Code to increase the monthly fee for representative payee services to \$39 dollars per month; and making environmental findings.

Ordinance No. 167-13**FINALLY PASSED****130543 [Administrative Code - Medical Examiner's Fees for Copies of Documents and Certain Services]****Sponsor: Mayor**

Ordinance amending Administrative Code Section 8.14 to adjust the Office of the Chief Medical Examiner's fees for providing certain documents and services; to add a fee for a new service; to delete certain fees; and making environmental findings.

Ordinance No. 168-13**FINALLY PASSED**

130544 [Administrative Code - Library Gift Fund]**Sponsor: Mayor**

Ordinance amending the Administrative Code to create a San Francisco Public Library gift fund.
(Fiscal Impact)

Ordinance No. 169-13**FINALLY PASSED****130545 [Business and Tax Regulation Code - Hotel Tax Allocations]****Sponsor: Mayor**

Ordinance amending the Business and Tax Regulation Code to remove certain allocations of the Hotel Tax and eliminate obsolete provisions.

Ordinance No. 170-13**FINALLY PASSED****130546 [Fire Code - San Francisco Fire Department Fines and Fees]****Sponsor: Mayor**

Ordinance amending the Fire Code to increase the fees for certain Fire Department services, and making environmental findings.

Ordinance No. 171-13**FINALLY PASSED****130547 [Health Code - Patient Rates - FYs 2013-14 and 2014-2015]****Sponsor: Mayor**

Ordinance amending the Health Code to set patient rates and other services provided by the Department of Public Health, effective July 1, 2013, and making environmental findings.

Ordinance No. 172-13**FINALLY PASSED****130550 [Police Code - Street Artist Certificate Fee]****Sponsor: Mayor**

Ordinance amending the Police Code Article 24, Section 2404.1, to increase the fee for a Street Artist Certificate in accordance with the applicable Consumer Price Index when necessary in order to ensure recovery of the costs of administering and enforcing the provisions of the Street Artists Ordinance; and making environmental findings.

Ordinance No. 174-13**FINALLY PASSED****130551 [Police Code - Police Emergency Alarm Ordinance]****Sponsor: Mayor**

Ordinance amending the Police Code to transfer administration of the Police Emergency Alarm Ordinance from the Department of Emergency Management to the Tax Collector and clarify license renewal and appeal procedures.

Ordinance No. 175-13**FINALLY PASSED**

Recommendations of the Rules Committee**130690 [Appointment, Commission on Aging Advisory Council - Vera Haile]**

Motion appointing Vera Haile, term ending March 31, 2015, to the Commission on the Aging Advisory Council. (Clerk of the Board)

Motion No. M13-091

APPROVED

130691 [Appointments, Ballot Simplification Committee - June Fraps, Betty Packard, and Adele Fasick]

Motion appointing June Fraps, Betty Packard, and Adele Fasick, terms ending November 30, 2014, to the Ballot Simplification Committee. (Clerk of the Board)

Motion No. M13-092

APPROVED

130692 [Appointment, Bay Area Regional Interoperable Communications System Authority - Captain Michael Connolly]

Motion appointing Captain Michael Connolly, for an indefinite term, to the Bay Area Regional Interoperable Communications System Authority, residency requirement waived. (Clerk of the Board)

Motion No. M13-093

APPROVED

130693 [Appointment, Wage Theft Task Force - Winifred Kao]

Motion appointing Winifred Kao, term ending October 2, 2013, to the Wage Theft Task Force. (Clerk of the Board)

Motion No. M13-094

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

Recommendations of the Budget and Finance Committee

130535 [Proposed Budget and Annual Appropriation Ordinance - FYs 2013-2014 and 2014-2015]

Sponsor: Mayor

Proposed Budget and Annual Appropriation Ordinance appropriating all estimated receipts and all estimated expenditures for Departments of the City and County of San Francisco as of July 11, 2013, for the FYs ending June 30, 2014, and June 30, 2015.

(Fiscal Impact)

Ordinance No. 159-13

FINALLY PASSED by the following vote:

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

130536 [Annual Salary Ordinance - FYs 2013-2014 and 2014-2015]

Sponsor: Mayor

Annual Salary Ordinance enumerating positions in the Annual Budget and Appropriation Ordinance for the FYs ending June 30, 2014, and June 30, 2015, continuing, creating, or establishing these positions; enumerating and including therein all positions created by Charter or State law for which compensations are paid from City and County funds and appropriated in the Annual Appropriation Ordinance; authorizing appointments or continuation of appointments thereto; specifying and fixing the compensations and work schedules thereof; and authorizing appointments to temporary positions and fixing compensations therefore.

Ordinance No. 160-13

FINALLY PASSED by the following vote:

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

130537 [Lease and Management Agreement - Botanical Garden Society - Waiving Fees - Botanical Garden at Strybing Arboretum in Golden Gate Park]

Sponsor: Mayor

Ordinance approving and authorizing a Lease and Management Agreement between the City and the San Francisco Botanical Garden Society for the San Francisco Botanical Garden at Strybing Arboretum in Golden Gate Park, with an initial term of 10 years with two 10-year extension options; waiving the non-resident admission fee in Park Code, Section 12.46(d) for certain persons and entities as set forth in the Lease and Management Agreement; ratifying prior acts in connection with this Ordinance; and making environmental findings.

Ordinance No. 162-13

FINALLY PASSED by the following vote:

Ayes: 8 - Breed, Chiu, Cohen, Farrell, Kim, Tang, Wiener, Yee

Noes: 3 - Avalos, Campos, Mar

130548 [Park Code - Various Fees]**Sponsor: Mayor**

Ordinance amending the Park Code by updating the berthing fees for the East and West Harbor; reauthorizing the non-resident entrance fee to the Botanical Garden; establishing a facility rental fee for the Lake Merced Boathouse; repealing obsolete fee provisions; and making environmental findings.

Ordinance No. 173-13

FINALLY PASSED by the following vote:

Ayes: 8 - Breed, Chiu, Cohen, Farrell, Kim, Tang, Wiener, Yee

Noes: 3 - Avalos, Campos, Mar

From the Land Use and Economic Development Committee Without Recommendation**121019 [Administrative Code - California Environmental Quality Act Procedures, Appeals, and Public Notice Requirements]****Sponsors: Wiener; Chiu, Kim, Cohen and Mar**

Ordinance amending Administrative Code, Chapter 31, to reflect revisions in the California Environmental Quality Act and to update and clarify certain procedures provided for in Chapter 31, including without limitation: codifying procedures for appeals of exemptions and negative declarations; revising noticing procedures for environmental impact reports and negative declarations for plan area projects exceeding 20 acres; expanding noticing requirements for certain exempt projects; clarifying existing noticing requirements for exempt projects; and making environmental findings.

Ordinance No. 161-13

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 Sub-Committee****130616 [Alternative Bid Process to Award Contracts to Certain Core Trade Subcontractors to Perform Pre-Construction Design-Assist Services - Moscone Expansion Project]****Sponsor: Mayor**

Ordinance authorizing the San Francisco Department of Public Works to implement an alternative bid process to award contracts to certain Core Trade Subcontractors to provide pre-construction design-assist services for the proposed Moscone Expansion Project.

Privilege of the floor was granted to Brook Mebrahtu (Department of Public Works) who responded to questions raised throughout the discussion.

PASSED, ON FIRST READING by the following vote:

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

130497 [Emergency Contract - Southeast Water Pollution Control Plant at 750 Phelps Street - Not to Exceed \$10,335,427]**Sponsor: Cohen**

Resolution approving two emergency Public Works contracts of the San Francisco Public Utilities Commission under Administrative Code, Section 6.60, to replace the unstable roofs on six digesters and two biosolids storage cake bins at the Southeast Water Pollution Control Plant at 750 Phelps Street with a contract amount not to exceed \$10,335,427.
(Fiscal Impact)

Resolution No. 265-13**ADOPTED by the following vote:**

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

130511 [Contract Amendment - HealthRIGHT 360 - \$18,471,407]

Resolution retroactively approving an amendment to the contract between the Department of Public Health and HealthRIGHT 360 to provide mental health and substance abuse care services in the San Francisco County Jail system to extend the term by two and one half years, from the period of July 1, 2010, through June 30, 2012, to the period of July 1, 2010, through December 31, 2015, for a total contract term of five and one half years, and to increase the total contract amount by \$8,472,407 from \$9,999,000 to \$18,471,407. (Public Health Department)

Resolution No. 258-13**ADOPTED by the following vote:**

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

130512 [Contract Amendment - West Bay Housing Corporation - \$25,060,995]

Resolution retroactively approving an amendment to the contract between the Department of Public Health and West Bay Housing Corporation to provide Scattered Site Housing and Rental Subsidies Program Services to extend the term from April 1, 2009, through June 30, 2013, to April 1, 2009, through June 30, 2018, and to increase the total contract amount by \$15,491,565 from \$9,569,430 to \$25,060,995. (Public Health Department)

Resolution No. 259-13**ADOPTED by the following vote:**

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

130513 [Contract - MedImpact Healthcare Systems, Inc. - \$21,593,120]

Resolution retroactively approving a contract between the Department of Public Health and MedImpact Healthcare Systems, Inc., to provide Pharmacy Benefits Management Services, including computerized approval of prescriptions at a network of community pharmacies for Community Behavioral Health Services clients who do not have prescription drug insurance, in the amount of \$21,593,120 for the period of July 1, 2013, through June 30, 2018. (Public Health Department)

Resolution No. 260-13**ADOPTED by the following vote:**

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

130514 [Contract Amendment - Siemens Medical Solutions USA, Inc. - Not to Exceed \$52,294,980]

Resolution authorizing the Department of Public Health to enter into a contract amendment with Siemens Medical Solutions USA, Inc., for the purchase of product and service enhancements for the term of July 1, 2010, through June 30, 2017, with one option to extend the initial term for an additional 24 months, ending June 30, 2019, for an amount not to exceed 52,294,980. (Public Health Department)

Resolution No. 261-13

ADOPTED by the following vote:

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

130517 [Emergency Contract - Declaration of Emergency - North Shore Force Main - Not to Exceed \$7,575,529]

Resolution approving a Declaration of Emergency and emergency contract to repair leaks along the North Shore Force Main in the amount not to exceed \$7,575,529. (Public Utilities Commission)

Resolution No. 266-13

ADOPTED by the following vote:

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

130532 [Agreement Amendments - Crestwood Behavioral Health Services and Mental Health Management, Inc. Canyon Manor - \$78,285,998]

Resolution retroactively approving an amendment to each of two agreements for long term mental health services in 24-hour locked facilities between the Department of Public Health and Crestwood Behavioral Health Services, by \$3,010,995 from \$48,717,156 to \$51,728,151; Mental Health Management I, Inc., dba Canyon Manor, by \$5,564,089 from \$20,966,758 to \$26,530,847 for a combined increase of \$78,285,998 with an extension of the term of eighteen months, for a total contract term of October 1, 2008, through December 31, 2014. (Public Health Department) (Fiscal Impact)

Resolution No. 262-13

ADOPTED by the following vote:

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

130619 [Accept and Expend Gift - Mayor's Earth Day Breakfast - \$12,500]
Sponsor: Mayor

Resolution authorizing the Department of the Environment to retroactively accept and expend a gift in the amount of \$12,500 from Citibank to sponsor the Mayor's Annual Earth Day Breakfast which took place at City Hall on April 24, 2013.

Resolution No. 269-13

ADOPTED by the following vote:

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

130645 [Lease Amendment - Real Property at 720 Sacramento Street - Ridgeway Apartments, Inc. - \$26,980 Monthly]

Resolution retroactively authorizing the second lease amendment for approximately 9,250 square feet of space at 720 Sacramento Street, San Francisco, with Ridgeway Apartments, Inc., as Landlord, for use by the Department of Public Health at the monthly cost of \$26,980 for the period of July 1, 2013, through June 30, 2018. (Real Estate Department)
(Fiscal Impact)

Resolution No. 271-13

ADOPTED by the following vote:

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

130649 [Accept and Expend Grant - Community Scale Renewable Energy Integration - Central Corridor EcoDistrict - \$300,000]

Resolution authorizing the Department of the Environment to retroactively accept and expend a grant of \$300,000 from the California Energy Commission for the purpose of exploring Community Scale Renewable Energy Integration in San Francisco's Central Corridor Eco-District for the term June 1, 2013, through March 31, 2015. (Environment)

Resolution No. 272-13

ADOPTED by the following vote:

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

**130657 [Accept Gifts - EcoCenter - 1455 Market Street - \$114,600]
Sponsor: Mayor**

Resolution authorizing the Department of the Environment to retroactively accept gifts with a total value of \$114,600 to build out the Department of the Environment's EcoCenter at 1455 Market Street.

Resolution No. 274-13

ADOPTED by the following vote:

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

130719 [Professional Services Agreement - Budget and Legislative Analyst Services]

Motion authorizing the Clerk of the Board of Supervisors to commence negotiations and enter into a Professional Services Agreement for Budget and Legislative Analyst Services with Harvey M. Rose Associates, LLC, Debra A. Newman, Louie & Wong, LLP, a Joint Venture and approving said agreement, pursuant to Charter Section 2.117. (Clerk of the Board)
(Fiscal Impact)

Motion No. M13-095

APPROVED by the following vote:

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

From the Budget and Finance Committee Without Recommendation**130653 [Administrative Code - Health Service System Plans and Contribution Rates - Calendar Year 2014]****Sponsor: Farrell**

Ordinance amending the Administrative Code, Chapter 16, Article XV, of Part 1, Section 16.703, regarding Board approval of health service system plans and contribution rates for calendar year 2014.

(Fiscal Impact)

Privilege of the floor was granted to Catherine Dodd, Ph.D., Director, Health Service Systems, who responded to questions raised throughout the discussion.

PASSED ON FIRST READING by the following vote:

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

130654 [Establishing Monthly Contribution Amount - Health Service Trust Fund]**Sponsor: Farrell**

Resolution establishing monthly contribution amount to the Health Service Trust Fund.

Privilege of the floor was granted to Catherine Dodd, Ph.D., Director, Health Service Systems, who responded to questions raised throughout the discussion.

Resolution No. 273-13

ADOPTED by the following vote:

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

Recommendations of the Land Use and Economic Development Committee**130527 [General Plan - San Francisco Bicycle Transportation Plan]****Sponsors: Avalos; Chiu, Wiener, Campos, Mar and Kim**

Ordinance re-adopting the 2009 San Francisco Bicycle Transportation Plan; rescinding Ordinance No. 0109-05 in its entirety; amending the General Plan in connection with the San Francisco Bicycle Plan; adopting modified environmental findings, and findings that the General Plan amendment is consistent with the General Plan and the eight priority policies of Planning Code, Section 101.1; and authorizing official acts in connection thereto.

Supervisors Campos, Mar, and Kim requested to be added as co-sponsors.

PASSED, ON FIRST READING by the following vote:

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

130528 [Planning, Environment Codes - Bicycle Parking Standards; In Lieu Fee]**Sponsors: Avalos; Chiu, Wiener, Mar, Kim and Campos**

Ordinance amending the Planning Code to revise the bicycle parking standards, allow a portion of the bicycle parking requirements to be satisfied by payment of an in lieu fee, allow automobile parking spaces to be reduced and replaced by bicycle parking spaces, and authorize the Zoning Administrator to waive or modify required bicycle parking; amending the Environment Code to revise cross-references to the Planning Code and make technical amendments; and making environmental findings and findings of consistency with the General Plan and the priority policies of Planning Code, Section 101.1.

Supervisors Mar, Kim, and Campos requested to be added to as co-sponsors.

PASSED, ON FIRST READING by the following vote:

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

130661 [Police Code - Aerial Signs and Advertising]

Ordinance amending the Police Code to prohibit the use of aircraft, self-propelled, or buoyant objects to display any sign or advertising device in the airspace over the 34th America's Cup course area; and making environmental findings. (Department of Economic and Workforce Development)

Privilege of the floor was granted to Jon Givner, Deputy City Attorney, and Michael Martin (Office of Economic and Workforce Development) who responded to questions raised throughout the discussion.

Supervisor Chiu, seconded by Supervisor Yee, moved that this Ordinance be AMENDED on Page 4, Line 10, by adding '(c) Section 4901 shall not apply to any person who has a valid certificate of authorization or waiver from the Federal Aviation Administration authorizing the use of any type of aircraft or other self-propelled or buoyant airborne object as prohibited by Section 4901.' The motion carried by the following vote:

Ayes: 10 - Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Noes: 1 - Avalos

NOT PASSED ON FIRST READING AS AMENDED by the following vote:

Ayes: 5 - Chiu, Farrell, Mar, Tang, Wiener

Noes: 6 - Avalos, Breed, Campos, Cohen, Kim, Yee

Supervisor Wiener, seconded by Supervisor Cohen, moved to rescind the previous vote. The motion carried by the following vote:

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

PASSED ON FIRST READING AS AMENDED by the following vote:

Ayes: 6 - Chiu, Cohen, Farrell, Mar, Tang, Wiener

Noes: 5 - Avalos, Breed, Campos, Kim, Yee

130647 [Approving Inclusionary Affordable Housing Program Ordinance]

Motion approving the Inclusionary Affordable Housing Program Ordinance recommending a standard to determine what constitutes a "significant increase in residential development potential" under Charter Section 16.110(h)(1)(B)(iv). (Land Use and Economic Development Committee)

Motion No. M13-097

APPROVED by the following vote:

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

Recommendations of the Rules Committee

130460 [Administrative Code - Airport Facilities Naming Advisory Committee]

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

Ordinance amending the Administrative Code to establish the Airport Facilities Naming Advisory Committee and to establish its powers and duties.

PASSED, ON FIRST READING by the following vote:

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

130409 [Appointment, Police Commission - Petra DeJesus]

Motion confirming the Rules Committee's nomination of, and appointing, Petra DeJesus, term ending April 30, 2017, to the Police Commission. (Clerk of the Board)

Motion No. M13-098

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 Campos, seconded by Supervisor Mar, 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 Campos introduced, welcomed, and presented a Certificate of Honor to Dairo Romero formerly of the Mission Economic Development Agency in recognition of his accomplishments and continued community support.

Supervisor Mar introduced, welcomed, and presented a Certificate of Honor to Richard Woo of Citikids Baby News in recognition 25 years in the Richmond district upon his retirement. Supervisor Farrell shared in this commendation.

Supervisor Wiener introduced, welcomed, and presented a Certificate of Honor to Manish Champsee and Elizabeth Stampe of WalkSF in recognition of their accomplishments relating to pedestrian safety and continued community support. Supervisors Chiu, Kim, Yee, Mar, Campos, and Avalos shared in this commendation.

Supervisor Avalos introduced, welcomed, and presented a Certificate of Honor to the San Francisco Immigrant Rights Defense Committee, received by Cynthia Munoz, in recognition of her accomplishments and continued community support. Supervisors Chiu, Cohen, and Campos shared in this commendation.

SPECIAL ORDER 3:00 P.M.

Board of Supervisors Sitting as a Committee of the Whole

Supervisor Farrell was noted absent at 3:54 p.m. and noted present at 4:08 p.m.

130635 [Public Hearing - Top of Broadway Community Benefit District]

Sponsor: Chiu

Public hearing pursuant to the California Property and Business Improvement District Law of 1994 (Streets and Highways Code §§ 36600 et seq.) and City and County of San Francisco Business and Tax Regulations Code Article 15, to consider establishment of a property-based assessment district to be known as the Top of Broadway Community Benefit District.

The President inquired as to whether any member of the public wished to address the Committee of the Whole relating to File No. 130636. Supervisor Chiu provided opening remarks. David Elliott Lewis; Male Speaker; Kyle Franklin; Female Speaker; Darren Swan; Robert Wieman; Stephan Causalatto; Michael Nulty; Benjamin Horner; Mike Madrid; Gary Marlin; spoke in support of the assessment district. Calvin Louie; Janette Biagini-Barroca; Francesca Valdez; Male Speaker; spoke in opposition to the assessment district. There were no other speakers. The President declared public comment closed, adjourned as the Committee of the Whole, and reconvened as the Board of Supervisors.

HEARD AND FILED

Committee of the Whole Adjourn and Report

130636 [Resolution to Establish - Top of Broadway Community Benefit District]

Sponsor: Chiu

Resolution establishing a property-based business improvement district known as the "Top of Broadway Community Benefit District;" ordering the levy and collection of assessments against property located in that district for eight years commencing with FY2013-2014, subject to conditions as specified; and making environmental findings.

Angela Calvillo, Clerk of the Board, informed the Board of Supervisors that the returned weighted ballots voting for the Top of Broadway Community Benefit District was 56.16%, and the returned weighted ballots voting against the Top of Broadway Community Benefit District was 43.84%, further indicating there was no majority protest.

Resolution No. 263-13

ADOPTED by the following vote:

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

SPECIAL ORDER 3:00 P.M.

Board of Supervisors Sitting as a Committee of the Whole

*Supervisor Yee was noted absent at 4:04 p.m. and noted present at 4:12 p.m.
Supervisor Cohen was noted absent at 4:06 p.m. and noted present at 4:40 p.m.
Supervisor Farrell was noted absent at 4:10 p.m. and noted present at 4:21 p.m.*

130637 [Public Hearing - Central Market Community Benefit District]

Sponsor: Kim

Public hearing pursuant to the California Property and Business Improvement District Law of 1994 (Streets and Highways Code §§ 36600 et seq.) and City and County of San Francisco Business and Tax Regulations Code Article 15, to consider renewal and expansion of a property-based assessment district to be known as the Central Market Community Benefit District.

The President inquired as to whether any member of the public wished to address the Committee of the Whole relating to File No. 130638. Supervisor Chiu provided opening remarks. Female Speaker; Amaro Entero; Brian Smith; David Fariello; Tracy Everwein; Catherine Burdett; April Hernandez (Split Pea Production); Richard Lewis Perri; Jane Wyle; Nick Berg; Robin Anderson (Alonzo King Ballet); Don Savoy (Civic Center District); Feliciano Devina; Susan McKinnen (Tenderloin District); Bill Maher (former Supervisor); William Thatcher; Otto Duffy (North of Market); Michael Nulty; spoke in support of the assessment district. There were no other speakers. The President declared public comment closed, adjourned as the Committee of the Whole, and reconvened as the Board of Supervisors.

HEARD AND FILED

Committee of the Whole Adjourn and Report

130638 [Resolution to Establish (Renew and Expand) - Central Market Community Benefit District]

Sponsor: Kim

Resolution of formation to establish (renew and expand) the property-based business improvement district known as the "Central Market Community Benefit District," ordering the levy and collection of assessments against property located in that district for 15 years commencing with FY2013-2014, subject to conditions as specified; and making environmental findings.

Angela Calvillo, Clerk of the Board, informed the Board of Supervisors that the returned weighted ballots voting for the Central Market Community Benefit District was 67.15%, and the returned weighted ballots voting against the Central Market Community Benefit District was 32.85%, further indicating there was no majority protest.

Resolution No. 264-13

ADOPTED by the following vote:

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

SPECIAL ORDER 3:00 P.M.**130664 [Appeal of the Historic Preservation Commission's Decision on a Major Permit to Alter - 706 Mission Street]**

Hearing of persons interested in or objecting to the Historic Preservation Commission's decision, dated May 15, 2013, approving a Major Permit to Alter for an interior and exterior rehabilitation, as well as seismic upgrade of the Aronson Building and new construction of a 47-story, 550'-tall tower with up to 215 residential units and a museum (the future home of The Mexican Museum) adjacent to Aronson Building and located partially within the new Montgomery-Mission-Second Street Conservation District. The project would also reconfigure portions of the existing Jessie Square Garage to increase the number of parking spaces from 442 spaces to 470 spaces, add loading and service vehicle spaces, and would allocate up to 215 parking spaces within the garage to serve the proposed residential uses for the property located at 706 Mission Street (Assessor's Block No. 3706, Lot Nos. 093, 275, and portions of Lot No. 277), within the C-3-R (Downtown Office) District and the 400-I Height and Bulk District. (District 6) (Appellants: Thomas N. Lippe on behalf of 765 Market Street Residential Owner's Association, Friends of Yerba Buena, Paul Sedway, Ron Wornick, Matthew Schoenberg, Joe Fang, and Margaret Collins) (Filed June 13, 2013). (Clerk of the Board)

The President inquired as to whether any member of the public wished to address the Board. Tom Lippe and Eric Sussman (Appellants) provided an overview of the appeal, responded to questions raised throughout the discussion, and further requested the Board to approve the appeal. There were no speakers in support of the appeal. Tim Frye and Debra Dwyer (Planning Department) and Marlena Byrne (City Attorney's Office) and Tiffany Bohee, Director, Successor Agency to the Redevelopment Agency, provided an overview of the decision of the Planning Department and responded to questions raised throughout the discussion. Margo Bradish (Project Sponsor) provided an overview of the project, responded to questions raised throughout the discussion, and further requested the Board to uphold the decision of the Planning Commission. John; Ramin Golesorkhi; Dwight Long; Eric Broadhurst; Benjamin Fox; Female Speaker; David De La Torre (Mexican Museum); Andy Klueger (Mexican Museum); Andrew Brian (Union Square Improvement District); Aurora Trujillo; Stephan Causalatto; Mary McCue (Yerba Buena Gardens); Carla Laurel; Rudy Asercion; Virginia Grandi (Yerba Buena Alliance); Rosalia Fernandez; Roberto Hernandez; Rosario; Fernando; Jolisa; Ruby Corpuz (SOMA Violence Prevention); Rick Smith; Eduardo; Edmund Juicye; spoke in support of the project and in opposition to the appeal. Tom Lippe (Appellant) provided a rebuttal and further requested the Board to approve the appeal. There were no other speakers. The President declared the public hearing closed.

HEARD AND FILED

130665 [Affirming Approval of a Major Permit to Alter - 706 Mission Street]

Motion affirming the approval by the Historic Preservation Commission of a Major Permit to Alter to allow the interior and exterior rehabilitation of the Aronson Building at 706 Mission Street and related new construction. (Clerk of the Board)

Motion No. M13-096

Supervisor Kim, seconded by Supervisor Avalos, moved that this Motion be APPROVED. The motion carried by the following vote:

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

130666 [Reversing Approval of a Major Permit to Alter - 706 Mission Street]

Motion reversing the approval by the Historic Preservation Commission of a Major Permit to Alter to allow the interior and exterior rehabilitation of the Aronson Building at 706 Mission Street and related new construction. (Clerk of the Board)

Supervisor Kim, seconded by Supervisor Avalos, moved that this Motion be TABLED. The motion carried by the following vote:

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

130667 [Preparation of Findings to Reverse Approval of a Major Permit to Alter - 706 Mission Street]

Motion directing the Clerk of the Board to prepare findings to reverse the approval by the Historic Preservation Commission of a Major Permit to Alter to allow the interior and exterior rehabilitation of the Aronson Building at 706 Mission Street and related new construction. (Clerk of the Board)

Supervisor Kim, seconded by Supervisor Avalos, moved that this Motion be TABLED. The motion carried by the following vote:

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

COMMITTEE REPORTS

Recommendations of the Rules Committee

Supervisors Kim Excused from Voting

Supervisor Wiener, seconded by Supervisor Avalos, moved that Supervisor Kim be excused from voting on File No. 130336. The motion carried by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Mar, Tang, Wiener, Yee

Excused: 1 - Kim

Supervisors Yee Excused from Voting

Supervisor Campos, seconded by Supervisor Mar, moved that Supervisor Yee be excused from voting on File No. 130336. The motion carried by the following vote:

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

Excused: 2 - Kim, Yee

130336 [Settlement of Lawsuit - Rosemary Bosque - \$49,505.70]

Ordinance authorizing settlement of the lawsuit filed by Rosemary Bosque against the City and County of San Francisco for \$49,505.70; the lawsuit was filed on May 14, 2010, in San Francisco Superior Court, Case No. CGC-10-499909, entitled Bosque v. City and County of San Francisco. (City Attorney's Office)

PASSED ON FIRST READING by the following vote:

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

Excused: 2 - Kim, Yee

Supervisors Breed Excused from Voting

Supervisor Campos, seconded by Supervisor Yee, moved that Supervisor Breed be excused from voting on File No. 130449. The motion carried by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee
Excused: 1 - Breed

Supervisors Cohen Excused from Voting

Supervisor Yee, seconded by Supervisor Campos, moved that Supervisor Cohen be excused from voting on File No. 130449. The motion carried by the following vote:

Ayes: 9 - Avalos, Campos, Chiu, Farrell, Kim, Mar, Tang, Wiener, Yee
Excused: 2 - Breed, Cohen

130449 [Settlement of Lawsuit - Jesse J. Byrd - \$75,000]

Ordinance authorizing settlement of the lawsuit filed by Jesse J. Byrd, Malik Britt, and Rashad Conley against the City and County of San Francisco for \$75,000; the lawsuit was filed on April 8, 2011, in U.S. District Court, Northern District of California, Case No. C11-1742-DMR; entitled Jesse J. Byrd, et al., v. City and County of San Francisco, et al. (City Attorney's Office)

PASSED ON FIRST READING by the following vote:

Ayes: 9 - Avalos, Campos, Chiu, Farrell, Kim, Mar, Tang, Wiener, Yee
Excused: 2 - Breed, Cohen

130507 [Settlement of Lawsuit - Local Search Association - \$85,000]

Ordinance authorizing settlement of the lawsuit filed by Local Search Association against the City and County of San Francisco for \$85,000; the lawsuit was filed on June 7, 2011, in the U.S. District Court for the Northern District of California, Case No. CV-11-2776 SBA; entitled Local Search Association v. City and County of San Francisco, et al.; other material terms of said settlement are that the parties shall stipulate to entry of a consent judgment against the City and County of San Francisco. (City Attorney's Office)

PASSED, ON FIRST READING by the following vote:

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

130529 [Settlement of Lawsuit - Paulette Adams-Irving - \$350,000]

Ordinance authorizing settlement of the lawsuit filed by Paulette Adams-Irving against the City and County of San Francisco for \$350,000.00; the lawsuit was filed on March 15, 2011, in San Francisco Superior Court, Case No. CGC 11-509216; entitled Paulette Adams-Irving v. City and County of San Francisco, et al. (City Attorney's Office)

PASSED, ON FIRST READING by the following vote:

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

130530 [Settlement of Lawsuit - Maria Camacho - \$50,000]

Ordinance authorizing settlement of the lawsuit filed by Maria Camacho against the City and County of San Francisco for \$50,000; the lawsuit was filed on March 7, 2012, in San Francisco Superior Court, Case No. CGC 12-517261; entitled Maria Camacho, et al., v. City and County of San Francisco, et al. (City Attorney's Office)

PASSED, ON FIRST READING by the following vote:

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

130643 [Settlement of Lawsuit - Maria D'Agostino - \$135,000]

Ordinance authorizing settlement of the lawsuit filed by Maria D'Agostino against the City and County of San Francisco for \$135,000; the lawsuit was filed on June 15, 2012, in San Francisco Superior Court, Case No. CGC-12-521615; entitled Maria D'Agostino, et al., v. City and County of San Francisco, et al. (City Attorney's Office)

PASSED, ON FIRST READING by the following vote:

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

130644 [Settlement of Lawsuit - Wei Vivian Cui - \$30,000]

Ordinance authorizing settlement of the lawsuit filed by Wei Vivian Cui against the City and County of San Francisco for \$30,000; the lawsuit was filed on November 3, 2011, in San Francisco County Superior Court, Case No. CGC-11-515654; entitled Wei Vivian Cui v. City and County of San Francisco, et al. (City Attorney's Office)

PASSED, ON FIRST READING by the following vote:

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

130531 [Settlement of Claim - Travelers Insurance Company and Connie Curran - \$42,876.54]

Resolution approving the proposed settlement of claim filed by Travelers Insurance Company and Connie Curran against the City and County of San Francisco for \$42,876.54; claim was filed on November 15, 2011, bearing Claim No. 12-01124. (City Attorney's Office)

Resolution No. 267-13

ADOPTED by the following vote:

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

130567 [Settlement of Unlitigated Claims - 300 Spear Realty Venture LLC]

Resolution approving the settlement of the unlitigated claim in favor of 300 Spear Realty Venture LLC against the City and County of San Francisco; and the unlitigated claim in favor of the City and County of San Francisco against 300 Spear Realty Venture LLC. (City Attorney's Office)

Resolution No. 268-13

ADOPTED by the following vote:

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

130634 [Settlement of Administrative Enforcement Action - \$51,000]

Resolution approving the settlement of the unlitigated administrative enforcement action filed by the San Francisco Bay Regional Water Quality Control Board against San Francisco imposing a penalty of \$51,000. (Public Utilities Commission)

Resolution No. 270-13

ADOPTED by the following vote:

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

130705 [Settlement of Unlitigated Claims - Donald Wiggam - \$125,000]

Resolution approving the settlement of the unlitigated claims filed by Donald Wiggam against the City and County of San Francisco for \$125,000; claims were filed on October 22, 2011, August 9, 2012, and March 26, 2013. (City Attorney's Office)

Resolution No. 275-13

ADOPTED by the following vote:

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

130622 [Initiative Ordinance - Administrative Code - San Francisco Family Friendly Workplace Ordinance]

Sponsors: Chiu; Cohen, Mar and Campos

Motion ordering submitted to the voters an ordinance amending the Administrative Code to: allow San Francisco-based employees to request flexible or predictable working arrangements to assist with caregiving responsibilities, subject to the employer's right to deny a request based on business reasons; prohibit adverse employment actions based on caregiver status; prohibit interference with rights or retaliation against employees for exercising rights under the Ordinance; require employers to post a notice informing employees of their rights under the Ordinance; require employers to maintain records regarding compliance with the Ordinance; authorize enforcement by the Office of Labor Standards Enforcement, including the imposition of remedies and penalties for a violation, and an appeal process for an employer to an independent hearing officer; authorize waiver of the provisions of the Ordinance in a collective bargaining agreement; and making environmental findings, to the voters of the City and County of San Francisco at an election to be held on November 5, 2013.

This item was not sent as a Committee Report.

Recommendations of the Land Use and Economic Development Committee**130186 [Environment Code - Repealing Yellow Pages Distribution Pilot Program]**

Sponsors: Chiu; Mar

Ordinance amending the Environment Code by repealing Yellow Pages Distribution Pilot Program.

PASSED, ON FIRST READING by the following vote:

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

130459 [Planning Code - Mission Alcoholic Beverage Special Use District and Valencia Street Neighborhood Commercial Transit District]**Sponsors: Campos; Wiener**

Ordinance amending the Planning Code, Mission Alcoholic Beverage Special Use District controls, to allow the transfer of liquor licenses and relocation of uses under specified circumstances, to restrict the sale of alcohol for off-site consumption, and to exempt from the controls grocery stores and certain institutional, arts, and other uses; establishing operating conditions for certain establishments with a liquor license; amending the Valencia Street Neighborhood Commercial Transit District controls to restrict the conversion of existing ground floor retail uses to restaurants; 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.

PASSED, ON FIRST READING by the following vote:

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

130464 [Administrative Code - California Environmental Quality Act Procedures, Appeal of Exempt Project Modification]**Sponsors: Kim; Chiu, Campos, Avalos, Mar and Yee**

Ordinance amending Administrative Code, Chapter 31, to provide for appeal to the Environmental Review Officer to reconsider a determination of the Environmental Review Officer that an exempt project modification does not require a new decision under the California Environmental Quality Act; and making environmental findings.

PASSED, ON FIRST READING by the following vote:

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

From the Land Use and Economic Development Committee Without Recommendation**130570 [Planning Code, Zoning Map - Yerba Buena Center Mixed-Use Special Use District]**

Ordinance amending the Planning Code and Zoning Map, by adding Section 249.71, to create the Yerba Buena Center Mixed-Use Special Use District (SUD) located at 706 Mission Street, Assessor's Block No. 3706, Lot No. 093, and portions of Lot No. 277, to facilitate the development of the 706 Mission Street, The Mexican Museum and Residential Tower Project, by modifying specific Planning Code regulations related to permitted uses, the provision of a cultural/museum use within the SUD, floor area ratio limitations, dwelling unit exposure, height of rooftop equipment, bulk limitations, and curb cut locations; amending the Zoning Map to add the SUD and increase the height of property in the SUD from 400 feet to 480 feet; and making environmental findings and findings of consistency with the General Plan. (Planning Commission)

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

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.

PUBLIC COMMENT

Abdallah Megahed; expressed various concerns.

James Chaffee; expressed concerns relating to the SF Public Library.

Billy Tillman; expressed concerns relating to elder abuse.

Chris Daly (former Supervisor; SEIU); expressed concerns relating to BART negotiations and potential strike.

John DiDonna; shared in poem certain concerns with the Board.

Female Speaker; shared in commendation relating to immigrants rights and expressed concerns relating to domestic violence.

Male Speaker; expressed various religious concerns.

Joshua Abraham-Williams; expressed concerns relating to sex slavery.

Edmond Juicye; expressed various concerns.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

130746 [Emergency Preparedness Grants - 2013]

Sponsor: Mayor

Resolution authorizing designated City and County officials to execute and file on behalf of the City and County of San Francisco, a public entity established under the laws of the State of California, any actions necessary for the purpose of obtaining state and federal financial assistance under various grant programs, including: the FY2013 Urban Areas Security Initiative Grant, the FY2013 State Homeland Security Grant Program, the FY2013 Emergency Management Performance Grant, the 2013 California Volunteers Grant Program, and the 2013 Local Government Oil Spill Contingency Plan Grant Program.

Resolution No. 276-13

ADOPTED

130668 [Committee of the Whole - Special Assessment of Liens for Assessment of Cost]

Motion directing the Board of Supervisors to hold a public hearing on July 30, 2013, at 3:00 p.m. with the Board sitting as a Committee of the Whole, to consider adopting a Resolution confirming Report of Delinquent Charges for Code Enforcement cases with delinquent assessment of costs and fees pursuant to the provisions of the Building Code, Sections 102A.3, 102A.4, 102A.6 102A.12, 102A.16, 102A.17, 102A.18, 102A.19, 102A.20 et seq., 103A.3.3, 108A, and Section 110A - Tables 1A-K and 1A-G, submitted by the Director of the Department of Building Inspection for services rendered by said Department of costs thereof having accrued pursuant to code violations referenced above. (Clerk of the Board)

Motion No. M13-099

APPROVED

The foregoing items were acted upon by the following vote:

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

Severed from the For Adoption Without Committee Reference Agenda

Supervisor Campos requested that File No. 130748 be severed so that it may be considered separately.

130748 [Greater Transparency for the Kaiser Healthcare Rate Increase and Urging the California State Legislature to Pass Senate Bill 746]

Sponsors: Farrell; Avalos, Breed, Campos, Chiu, Cohen, Kim, Mar, Tang, Wiener and Yee
Resolution urging Kaiser to immediately begin negotiating with the Health Service System toward a fair and transparent pricing model that provides fee schedule transparency and requesting the Health Service System to report back to the Board of Supervisors on the progress of negotiations.

Privilege of the floor was granted to Catherine Dodd, Ph.D., Director, Health Service Systems, who responded to questions raised throughout the discussion.

The President inquired as to whether any member of the public wished to address the Board relating to File No. 130748. Jane Manning; Female Speaker; Male Speaker; Claire Zvansky; expressed various concerns relating to Kaiser and transparency. There were no other speakers. The President declared public comment closed.

Supervisor Campos, seconded by Supervisor Farrell, moved that this Resolution be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee
Resolution urging Kaiser to immediately begin negotiating with the Health Service System toward a fair and transparent pricing model that provides fee schedule transparency; requesting the Health Service System to report back to the Board of Supervisors on the progress of negotiations; and urging the California State Legislature to pass Senate Bill 746 to require health plans to disclose data.

Supervisor Campos, seconded by Supervisor Farrell, moved that this Resolution be CONTINUED AS AMENDED to July 30, 2013. The motion carried by the following vote:

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

Supervisor Breed requested that File No. 130747 be severed so that it may be considered separately.

130747 [Supporting Octavia Boulevard Special Fund Programming - Proposition I Ancillary Projects]

Sponsors: Breed; Wiener

Resolution supporting the programming of \$7,300,000 of funding from the Octavia Boulevard Special Fund for Proposition I Ancillary Projects.

Supervisor Breed, seconded by Supervisor Wiener, AMENDED on Page 1, Line 17, by deleting 'the' and 'to be', and Line 18, by adding '(Additional Ancillary Projects)'. The motion carried by the following vote:

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

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

Resolution No. 277-13

ADOPTED AS AMENDED by the following vote:

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

Supervisor Chiu requested that File No. 130753 be severed so that it may be considered separately.

130753 [Authorizing Preparation of Proponent/Opponent Ballot Arguments and Rebuttal Ballot Arguments for Submittal to the Voters at the November 5, 2013, Consolidated General Municipal Election]

Motion authorizing preparation of written Proponent and Opponent ballot arguments and rebuttal ballot arguments for submittal to the voters at the November 5, 2013, Consolidated General Municipal Election. (Clerk of the Board)

Supervisor Wiener, seconded by Supervisor Mar, moved that this Motion be CONTINUED to July 30, 2013. The motion carried by the following vote:

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

IMPERATIVE AGENDA

There were no items.

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

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.

07/23/13; ASSIGNED UNDER 30 DAY RULE to Government Audit and Oversight Committee.

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.

07/23/13; ASSIGNED UNDER 30 DAY RULE to Government Audit and Oversight Committee.

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 an immigration detainer after they become eligible for release from custody.

07/23/13; ASSIGNED UNDER 30 DAY RULE to Neighborhood Services and Safety Committee.

130765 [Health Code - Alternate Water Sources for Non-Potable Applications]**Sponsors: Chiu; Mar**

Ordinance amending the Health Code to establish permitting requirements for two or more parcels that share the use of alternate water sources for non-potable applications; setting permit fees; and making environmental findings.

07/23/13; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 8/22/2013.

130766 [Park Code - Hours of Operation for City Parks]**Sponsors: Wiener; Farrell**

Ordinance amending the Park Code to establish hours of operation for City parks from 5:00 a.m. to midnight, with certain exceptions; and making environmental findings.

07/23/13; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 8/22/2013.

Resolutions

130756 [Major Street Encroachment - Chinese Hospital - 835 Jackson Street]**Sponsor: Chiu**

Resolution granting revocable permission to the Chinese Hospital to occupy a portion of the public right-of-way to construct, install, and maintain the following infrastructure improvements: one 5,000 gallon fuel oil storage tank and four PG&E transformer vaults at the Jackson Street frontage, a new 10" sewer line, under the sidewalk and parallel to the property line, two 6,000 gallon sewer holding tanks, one new rain water storage tank, with its location to be determined by Public Utilities Commission, and two pump station vaults at the James Place frontage, for hospital operations at 835 Jackson Street (Assessor's Block No. 0192, Lot No. 041), conditioned upon the payment of an annual assessment fee of \$1,913; and making environmental findings, findings of consistency with the General Plan, and the priority policies of Planning Code, Section 101.1.

07/17/13; RECEIVED FROM DEPARTMENT.

07/23/13; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

130767 [Comprehensive Bicycle Theft Prevention and Recovery Policy]**Sponsors: Mar; Breed, Campos and Chiu**

Resolution urging for the creation of a comprehensive bicycle theft prevention and recovery policy for the Municipal Transportation Agency to develop and quickly implement short and medium term strategies to greatly expand bicycle parking in San Francisco; and for the Police Department to standardize best practices and implement a voluntary bicycle registration program.

07/23/13; RECEIVED AND ASSIGNED to Neighborhood Services and Safety Committee.

130768 [Cayuga Park Day - August 17, 2013]**Sponsors: Avalos; Campos**

Resolution recognizing the grand reopening of Cayuga Park, commending the Recreation and Park Department, Department of Public Works, Arts Commission, Cayuga Improvement Association, and the entire project team for their hard work and commitment to San Francisco's parks and its residents, and declaring August 17, 2013, as Cayuga Park Day in the City and County of San Francisco.

07/23/13; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

130769 [Multifamily Housing Revenue Bonds - Western Park Apartments - 1280 Laguna Street - Not to Exceed \$35,000,000]**Sponsor: Breed**

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 \$35,000,000 for Western Park Apartments, 1280 Laguna Street, San Francisco, California 94115; 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 \$35,000,000; 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).

07/23/13; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

130770 [Endorsing the 2013 Annual Language Access Ordinance Compliance Report]**Sponsors: Mar; Chiu and Campos**

Resolution endorsing "Advancing Language Access in San Francisco: Language Access Ordinance Annual Compliance Summary Report, March 2013," issued by the Office of Civic Engagement and Immigrant Affairs.

07/23/13; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

130771 [Cabrillo Playground Day - August 3, 2013]**Sponsor: Mar**

Resolution declaring August 3, 2013, Cabrillo Playground Day and celebrating the grand opening of the new Cabrillo Playground and Clubhouse in the City and County of San Francisco.

07/23/13; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Requests for Hearing**130669 [Hearing - Special Assessment of Liens for Assessment of Cost]**

Hearing of persons interested in or objecting to the proposed Resolution confirming report of Delinquent Charges for Code Enforcement cases with delinquent assessment of costs, and fees pursuant to the provisions of Building Code, Sections 102A.3, 102A.4, 102A.6, 102A.12, 102A.16, 102A.17, 102A.18, 102A.19, 102A.20 et seq., 103A.3.3, 108A, and 110A - Tables 1A-K and 1A-G, submitted by the Director of the Department of Building Inspection for Services rendered by said Department of costs thereof having accrued pursuant to code violations referenced above. (Clerk of the Board)

07/23/13; SCHEDULED FOR PUBLIC HEARING to Board of Supervisors.

130772 [Hearing - Update on Bay Area Rapid Transit Labor Negotiations and the City's Preparedness for a Potential Strike]**Sponsors: Avalos; Campos, Breed and Mar**

Hearing to review the status of labor negotiations at the Bay Area Rapid Transit (BART) and the prospects for a protracted strike, including the City's level of preparedness and the potential economic and environmental impacts; to consider the track record of BART management's Chief Negotiator, Thomas P. Hock, of Veolia, Transportation, Inc., and the pattern of their past negotiations resulting in strikes and complaints to the National Labor Relations Board; and the potential involvement by officials from the four counties BART serves to help produce an expedited settlement.

07/23/13; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

130773 [Hearing - Tour Bus Regulations]**Sponsors: Mar; Breed**

Hearing on regulations regarding tour buses' routes, frequencies, and safety measures.

07/23/13; RECEIVED AND ASSIGNED to Neighborhood Services and Safety Committee.

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 RESOLUTIONS**130729 [Agreement - County CalWIN Consortium - \$53,019,909]**

Resolution retroactively amending the membership of the 18 County CalWIN Consortium and authorizing the Director of the Human Services Agency to expand the expenditure authority from \$42,530,138 for an additional amount of \$10,489,771 the project budget including this extension is totaling to \$53,019,909 from July 1, 2013, through August 1, 2015. (Human Services Agency) (Fiscal Impact)

07/09/13; RECEIVED FROM DEPARTMENT.

07/23/13; RECEIVED AND ASSIGNED to Budget and Finance Committee.

130730 [Agreement - In-Home Supportive Services Consortium - \$87,321,540]

Resolution retroactively approving the contract between the City and the In-Home Supportive Services (IHSS) Consortium of San Francisco for the provision of IHSS for the period of July 1, 2013, to June 30, 2017, in the amount of \$87,321,540. (Human Services Agency)

07/10/13; RECEIVED FROM DEPARTMENT.

07/23/13; RECEIVED AND ASSIGNED to Budget and Finance Committee.

130731 [Settlement of Claim - Jeanine Dubois - \$45,000]

Resolution approving the settlement of the unlitigated claim filed by Jeanine Dubois against the City and County of San Francisco for \$45,000; claim was filed on June 30, 2008. (City Attorney's Office)

07/11/13; RECEIVED FROM DEPARTMENT.

07/23/13; RECEIVED AND ASSIGNED to Rules Committee.

130732 [Real Property Lease - Port Commission - 295 Terry Francois - Seven Percent of Gross or \$10,011.81 Monthly]

Resolution approving Port Commission Lease No. L-15255 with East Street Ventures, LLC for restaurant space located at 295 Terry Francois Boulevard in the Central Waterfront with a 180 month term with one 60 month term extension option for initial monthly rent of the greater amount of either seven percent of all gross revenue or \$10,011.81.

..Comment

(Fiscal Impact) (Port)

(Fiscal Impact)

07/23/13; RECEIVED FROM DEPARTMENT.

07/23/13; RECEIVED AND ASSIGNED to Budget and Finance Committee.

In Memoriams

Nicolas Javier Solis - Board President David Chiu

Beverly Joan Hubbard Adams - Supervisors Malia Cohen and John Avalos

ADJOURNMENT

There being no further business, the Board adjourned at the hour of 8:17 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 September 3, 2013.

Angela Calvillo, Clerk of the Board