



BOARD OF SUPERVISORS

CITY AND COUNTY OF SAN FRANCISCO

AGENDA

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

Tuesday, June 4, 2013 - 2:00 PM

Regular Meeting

DAVID CHIU, PRESIDENT
JOHN AVALOS, LONDON BREED, DAVID CAMPOS, MALIA COHEN,
MARK FARRELL, JANE KIM, ERIC MAR, KATY TANG, SCOTT WIENER, NORMAN YEE

Angela Calvillo, Clerk of the Board

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

BOARD COMMITTEES

Committee Membership

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

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

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

Government Audit and Oversight Committee
Supervisors Cohen, Tang, Campos

Land Use and Economic Development Committee
Supervisors Wiener, Kim, Chiu

Neighborhood Services and Safety Committee
Supervisors Campos, Mar, Yee

Rules Committee
Supervisors Yee, Breed, Cohen

Meeting Days

Wednesday
1:00 PM

Wednesday
10:00 AM

4th Thursday
3:30 PM

2nd and 4th Thursday
10:00 AM

Monday
1:30 PM

1st and 3rd Thursday
10:00 AM

1st and 3rd Thursday
1:30 PM

Agenda Item Information

Each item on the Consent or Regular agenda may include the following documents:

- 1) Legislation
- 2) Budget and Legislative Analyst report
- 3) Department or Agency cover letter and/or report
- 4) Public correspondence

These items will be available for review at 1 Dr. Carlton B. Goodlett Place, City Hall, Room 244, Reception Desk.

Meeting Procedures

The Board of Supervisors is the legislative body of the City and County of San Francisco. The Board has several standing committees where ordinances and resolutions are the subject of hearings at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers, and similar sound-producing electronic devices; 3) bringing in or displaying signs in the meeting room; and 4) standing in the meeting room.

Each member of the public will be allotted the same maximum number of minutes to speak as set by the President or Chair at the beginning of each item or public comment, excluding City representatives, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.

IMPORTANT INFORMATION: The public is encouraged to testify at Committee meetings. Persons unable to attend the meeting may submit to the City, by the time the proceedings begin, written comments regarding the agenda items above. These comments will be made a part of the official public record and shall be brought to the attention of the Board of Supervisors. Written communications should be submitted to the Clerk of the Board, Clerk of a Committee or its members: 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102. Communications which are not received prior to the hearing may be delivered to the Clerk of the Committee at the hearing and you are encouraged to bring enough copies for distribution.

LAPTOP COMPUTER FOR PRESENTATIONS: Contact City Hall Media Services at (415) 554-7490 to coordinate the use of the laptop computer for presentations. Presenters should arrive 30 minutes prior to the meeting to test their presentations on the computer.

AGENDA PACKET: Available for review in Clerk's Office, Room 244, City Hall, 1 Dr. Carlton B Goodlett Place, or on the internet at <http://www.sfbos.org/meetings>. Meetings are cablecast on SF Cable 26. For DVD copies and scheduling call (415) 554-4188.

LANGUAGE INTERPRETERS: Requests must be received at least 48 hours in advance of the meeting to help ensure availability. Contact Madeleine Licavoli at (415) 554-7722. **AVISO EN ESPAÑOL:** La solicitud para un traductor debe recibirse antes de mediodía de el viernes anterior a la reunion. Llame a Derek Evans (415) 554-7702.

翻譯 必須在會議前最少四十八小時提出要求
請電 (415) 554-7719

Disability Access

The Legislative Chamber (Room 250) and the Committee Room (Room 263) in City Hall are wheelchair accessible. Meetings are real-time captioned and are cablecast open-captioned on SF Cable 26. Assistive listening devices for the Legislative Chamber are available upon request at the Clerk of the Board's Office, Room 244. Assistive listening devices for the Committee Room are available upon request at the Clerk of the Board's Office, Room 244 or in the Committee Room. To request sign language interpreters, readers, large print agendas or other accommodations, please contact Madeleine Licavoli at (415) 554-7722 or (415) 554-5227 (TTY). Requests made at least 48 hours in advance of the meeting will help to ensure availability.

The nearest accessible BART station is Civic Center (Market/Grove/Hyde Streets). Accessible MUNI Metro lines are the F, J, K, L, M, N, T (exit at Civic Center or Van Ness Stations). MUNI bus lines also serving the area are the 5, 6, 9, 19, 21, 47, 49, 71, and 71L. For more information about MUNI accessible services, call (415) 701-4485.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex. Accessible curbside parking is available on Dr. Carlton B. Goodlett Place and Grove Street.

In order to assist the City's efforts to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to perfumes and various other chemical-based scented products. Please help the City to accommodate these individuals.

Know Your Rights Under The Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils, and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact by mail Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102; phone at (415) 554-7724; fax at (415) 554-7854; or by email at sotf@sfgov.org

Citizens may obtain a free copy of the Sunshine Ordinance by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at <http://www.sfbos.org/sunshine>

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 25 Van Ness Avenue, Suite 220, San Francisco, CA 94102; telephone (415) 252-3100; fax (415) 252-3112; web site <http://www.sfgov.org/ethics>

ROLL CALL AND PLEDGE OF ALLEGIANCE

AGENDA CHANGES

APPROVAL OF MEETING MINUTES

Approval of the [April 23, 2013](#), Board Meeting Minutes.

COMMUNICATIONS

CONSENT AGENDA

All matters listed hereunder constitute a Consent Agenda, are considered to be routine by the Board of Supervisors and will be acted upon by a single roll call vote of the Board. There will be no separate discussion of these items unless a member of the Board so requests, in which event the matter shall be removed from the Consent Agenda and considered as a separate item.

Questions on the Consent Agenda are on final passage, first reading, adoption, or approved, as indicated.

Items 1 through 10

Recommendations of the Budget and Finance Sub-Committee

Present: Supervisors Farrell, Breed, Kim

1. [130226](#) **[Park Code - South of Market West Skatepark and Dog Park]**
Sponsor: Kim
Ordinance amending the Park Code to designate portions of the property (Assessor's Block No. 3513, Lot Nos. 071 and 074) leased by the City and County of San Francisco from the State of California, immediately under and adjacent to the portions of the Central Freeway located between Otis and Stevenson Streets and between Valencia and Stevenson Streets and partially bounded by Duboce Avenue and referred to as "South of Market (SoMa) West Skatepark and Dog Park," as a "park" within the meaning of the Park Code and to authorize the Recreation and Park Department's Park Patrol to patrol those portions of the leased property; and making environmental findings, and findings of consistency with the General Plan.

05/21/2013; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

2. [130363](#) **[Appropriation - Road Repaving and Street Safety General Obligation Bonds, 2011, Series 2013C - \$133,275,000 - FY2012-2013]**

Sponsors: Mayor; Wiener, Yee, Chiu and Mar

Ordinance appropriating \$133,275,000 of the Road Repaving and Street Safety General Obligation Bonds, 2011, Series 2013B, Proceeds including \$122,058,097 to the Department of Public Works and \$11,216,903 to the Municipal Transportation Agency for resurfacing, sidewalk, curb ramp, and street structure improvements, the redesign of street streetscapes to include pedestrian and bicycle safety improvements, and traffic signal improvements to support transit priority for FY2012-2013 and placing these funds on Controller's Reserve pending the sale of the bonds.

(Fiscal Impact)

05/21/2013; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

3. [130368](#) **[Appropriation - Earthquake Safety and Emergency Response General Obligation Bonds, 2011, Series 2013B - \$31,905,000 - FY2012-2013]**

Sponsors: Mayor; Chiu

Ordinance appropriating \$31,905,000 of the Earthquake Safety and Emergency Response General Obligation Bonds, 2010, Series 2013B, Proceeds to the Department of Public Works in FY2012-2013 for necessary repairs and seismic improvements in order to better prepare San Francisco for a major earthquake or natural disaster; and placing these funds on Controller's Reserve pending the sale of the bonds.

(Fiscal Impact)

05/21/2013; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

4. [130371](#) **[Appropriation and De-Appropriation - Clean and Safe Neighborhood Park General Obligation Bonds, 2012, Series 2013A - \$74,030,000 - FY2012-2013]**

Sponsors: Mayor; Farrell, Wiener, Chiu, Avalos, Kim and Mar

Ordinance appropriating \$74,030,000 of the Clean and Safe Neighborhood Park General Obligation Bonds, 2012, Series 2013A, Proceeds including \$55,156,304 to the Recreation and Parks Department and \$18,873,696 to the Port for the renovation, repair, and construction of parks and open spaces (Proposition B) in FY2012-2013 and placing these funds on Controller's Reserve pending the sale of the bonds.

(Fiscal Impact)

05/21/2013; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendation of the Government Audit and Oversight Committee

Present: Supervisors Cohen, Tang, Campos

- 5. **130318** **[Transportation Code - Extension of Abandoned Vehicle Abatement Fee]**
Sponsor: Cohen
 Ordinance amending the Transportation Code, Division I, Section 4.4, to authorize the Service Authority for the Abatement of Abandoned Vehicles (the San Francisco Municipal Transportation Agency Board) to extend the \$1 abandoned vehicle abatement fee on all vehicles registered to City residents for ten years, from June 1, 2013, through May 31, 2023, and making environmental findings.

 (Fiscal Impact)

 05/21/2013; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the Land Use and Economic Development Committee

Present: Supervisors Wiener, Kim, Chiu

- 6. **130070** **[Planning Code - Duboce Park Historic District]**
Sponsors: Wiener; Campos
 Ordinance amending the Planning Code, by adding a new Appendix N to Article 10, Preservation of Historical, Architectural, and Aesthetic Landmarks, to create the Duboce Park Historic District; and making findings, including environmental findings, and findings of consistency with the General Plan, and Planning Code, Section 101.1(b).

 05/21/2013; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Present: Supervisors Wiener, Chiu

- 7. **130359** **[Sale of Easement - Public Utilities Commission to Pacific Gas & Electric Company - Watershed Lands Near Edgewood Road, Unincorporated San Mateo County - \$2,200]**
 Resolution approving and authorizing the sale of an easement on the City and County of San Francisco's property, consisting of approximately 7,800 square feet of watershed lands in unincorporated San Mateo County, near Edgewood Road, by the Public Utilities Commission, for the price of \$2,200; adopting findings under the California Environmental Quality Act; adopting findings that the conveyance is consistent with the General Plan and the 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)

Question: Shall this Resolution be ADOPTED?

Recommendations of the Rules Committee

Present: Supervisors Yee, Breed, Cohen

- 8. [130406](#) **[Appointments, Bicycle Advisory Committee - Kevin Dole and Bert Hill]**
Motion appointing Kevin Dole and Bert Hill, terms ending November 19, 2014, to the Bicycle Advisory Committee. (Clerk of the Board)
Question: Shall this Motion be APPROVED?

- 9. [130408](#) **[Appointments, Urban Forestry Council - Andrew Sullivan and Dan Kida]**
Motion appointing Andrew Sullivan and Dan Kida, terms ending November 18, 2014, to the Urban Forestry Council. (Clerk of the Board)
Question: Shall this Motion be APPROVED?

- 10. [130445](#) **[Appointment, Graffiti Advisory Board - Daniel Kling]**
Motion appointing Daniel Kling, term ending April 10, 2015, to the Graffiti Advisory Board. (Clerk of the Board)
Question: Shall this Motion be APPROVED?

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of the Land Use and Economic Development Committee

Present: Supervisors Wiener, Kim, Chiu

- 11. [130182](#) **[Police, Administrative Codes - Entertainment-Related Permits]**
Sponsors: Wiener; Chiu and Campos
Ordinance amending the Police Code to clarify permit requirements and procedures, as well as to expand suspension, citation, and enforcement provisions regarding Entertainment Commission permits, including Place of Entertainment Permits, Limited Live Performance Permits, Temporary Place of Entertainment Permits, Temporary Limited Live Performance Permits, Extended-Hours Premises Permits, and Temporary Extended-Hours Premises Permits, and noise limits and standards; amending the Administrative Code to clarify fee setting and reporting procedures; and making environmental findings.

05/21/2013; AMENDED.

05/21/2013; PASSED ON FIRST READING AS AMENDED.

Question: Shall this Ordinance be FINALLY PASSED?

NEW BUSINESS

Recommendations of the Budget and Finance Committee

Present: Supervisors Farrell, Mar, Breed, Wiener

12. [130340](#) **[Park Code - Farmers' Market Permits]**
Sponsor: Wiener
Ordinance amending Park Code, Section 7.21, to authorize Farmers' Markets on Recreation and Park Department property to operate more than once a week, and specifying the applicable permit fee; and making environmental findings.
Question: Shall this Ordinance be PASSED ON FIRST READING?
13. [130341](#) **[Real Property Acquisition - Park Purposes - 3861-24th Street - \$4,242,510]**
Sponsor: Wiener
Resolution authorizing the acquisition of real property at 3861-24th Street, Assessor's Block No. 6509, Lot No. 040, for \$4,242,510 for park purposes, from the Noe Valley Ministry PCUSA; finding that the proposed transaction is in conformance with the City's General Plan and the priority policies of Planning Code, Section 101.1, and categorically exempt from environmental review as under the California Environmental Quality Act.

(Fiscal Impact)
Question: Shall this Resolution be ADOPTED?

Present: Supervisors Farrell, Avalos, Breed, Wiener

14. [130482](#) **[Appropriation - Port Revenue Bond Proceeds, Surplus Revenues, and Expenditures of Supporting Capital Projects - \$34,722,930 - FY2012-2013]**
Sponsors: Mayor; Chiu
Ordinance appropriating \$34,722,930 consisting of \$25,265,500 of 2013 Port Revenue Bond Series A and B proceeds, \$849,680 of Interest Earnings, \$6,445,220 from 2010 Revenue Bond funded projects, \$1,689,074 from 2012 Certificates of Participation Series B funded projects and \$473,456 from Port Capital Funded projects to the Port Commission in FY2012-2013 for the development of the Cruise Terminal Project at Pier 27 and the Northern Waterfront Historic Pier Structures Repair Project.
Question: Shall this Ordinance be PASSED ON FIRST READING?
15. [130448](#) **[Contract Amendment - Port of San Francisco - Pier 27 James R. Herman Cruise Ship Terminal and Northeast Wharf Plaza - Not to Exceed \$11,491,708]**
Resolution authorizing the Executive Director of the Port of San Francisco to execute an amendment to the contract with Kaplan, McLaughlin, and Diaz Architects, and Pfau Long Architecture, a Joint Venture, for architectural and engineering design services for the Pier 27 James R. Herman Cruise Ship Terminal and Northeast Wharf Plaza Project at Pier 27 to increase the not to exceed contract amount by \$1,541,708 from \$9,950,000 to \$11,491,708 for the period of November 10, 2009, through December 31, 2014. (Port)
Question: Shall this Resolution be ADOPTED?

16. [130488](#) **[Issuance - Port Revenue Bonds - James R. Herman Cruise Terminal Project - Not to Exceed \$25,300,000]**

Sponsors: Mayor; Chiu

Resolution authorizing the issuance of not to exceed \$25,300,000 aggregate principal amount of Port Revenue Bonds for the purpose of financing capital improvements related to Phase II of the James R. Herman Cruise Terminal Project located at Pier 27 and for improvements to Northern Waterfront Historic Piers; authorizing the Port to cause the preparation of such documents necessary in connection with the issuance of said Port revenue bonds; stating the official intent of the Port to reimburse itself with tax-exempt bonds for expenditures made or to be made for the acquisition, construction, or improvement of the project; authorizing the Port to borrow funds on an interim basis from the City's commercial paper program; and related matters.

Question: Shall this Resolution be ADOPTED?

17. [130428](#) **[Accept and Expend Grant - California Cultural and Historical Endowment Grant for Pier 70 Union Iron Works Stabilization Project - \$250,000]**

Sponsors: Mayor; Cohen

Resolution authorizing the Port to accept and expend a grant in the amount of \$250,000 from the California Cultural and Historical Endowment Under the California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Act of 2002 for the Pier 70 Union Iron Works Machine Shop Stabilization Project for the period of June 15, 2013, through December 31, 2014.

Question: Shall this Resolution be ADOPTED?

Recommendations of the Budget and Finance Sub-Committee

Present: Supervisors Farrell, Mar, Avalos

18. [130465](#) **[Settlement of Claims, Litigation, and Appropriation - Water Pipeline Break - 15th Avenue and Wawona Street - Not to Exceed \$4,000,000]**

Sponsors: Yee; Chiu

Ordinance authorizing the Public Utilities Commission (SFPUC) and the City Attorney's Office to approve settlements of claims or litigation arising out of the February 27, 2013, accidental break of the SFPUC's water transmission pipeline on 15th Avenue between West Portal Avenue and Wawona Street in San Francisco for amounts exceeding \$25,000 per claim, notwithstanding Administrative Code, Section 10.22 et seq., subject to a total amount not to exceed \$4,000,000 if the Controller certifies availability of funds, and subject to periodic reporting to the Board of Supervisors Rules Committee; and appropriating \$4,000,000 from the Water Enterprise fund balance for such purpose.

Question: Shall this Ordinance be PASSED ON FIRST READING?

19. [130295](#) **[Real Property Lease Renewal and Amendment - 1390 Market Street - BRCP 1390 Market, LLC - Monthly Rent of \$82,818.07]**
Resolution authorizing the five year renewal and amendment of a lease of approximately 27,826 square feet of space at 1390 Market Street with BRCP 1390 Market, LLC, as Landlord, for use by the Department of Public Health at the monthly cost of \$82,818.07 for the period of December 1, 2013, through November 30, 2018. (Real Estate Department)
- (Fiscal Impact)
- Question: Shall this Resolution be ADOPTED?**
20. [130391](#) **[Airport Professional Services Agreement Amendment - Curbside Management Program - Not to Exceed \$14,636,814]**
Resolution approving Amendment No. 1 to Professional Services Agreement, Airport Contract No. 8994, Manage and Staff the Curbside Management Program, between FSP PPM Management, LLC, and the City and County of San Francisco, acting by and through its Airport Commission, in an amount not to exceed \$14,636,814, pursuant to Charter, Section 9.118(b), for the period of July 1, 2013, through June 30, 2014. (Airport Commission)
- (Fiscal Impact)
- Question: Shall this Resolution be ADOPTED?**
21. [130418](#) **[Retail Lease - Sega Food Groups, Inc. - 133 O'Farrell Street - Annual Base Rent of \$180,000]**
Sponsor: Chiu
Resolution authorizing the Municipal Transportation Agency to execute a retail lease agreement with Sega Food Groups, Inc., and Ramin Vahabi for approximately 1,127 square feet of retail space at 133 O'Farrell Street, for a 10 year term, plus two five year extension options, at an initial annual base rent of \$180,000 with annual increases.
- Question: Shall this Resolution be ADOPTED?**
22. [130421](#) **[Accept and Expend Grant - Highway Bridge Program - \$3,415,487]**
Sponsor: Cohen
Resolution authorizing the Department of Public Works to retroactively accept and expend a Federal grant in the amount of \$3,415,487 from the Federal Highway Administration for the Islais Creek Bridge Rehabilitation Project for the period of May 1, 2013, through March 31, 2015.
- (Fiscal Impact)
- Question: Shall this Resolution be ADOPTED?**
23. [130422](#) **[Contract for, Accept, and Expend Grant - Criminal Restitution Compact - Up to \$256,974]**
Sponsor: Cohen
Resolution authorizing the Office of the District Attorney to contract for, accept, and expend up to \$256,974 allocated from the California Victim Compensation and Government Claims Board for a project entitled the Criminal Restitution Compact for the period of July 1, 2013, through June 30, 2016.
- Question: Shall this Resolution be ADOPTED?**

Recommendations of the Government Audit and Oversight Committee

Present: Supervisors Cohen, Tang, Campos

24. [130419](#) **[Resolution of Intention - Top of Broadway Community Benefit District]**
Sponsor: Chiu
Resolution declaring the intention of the Board of Supervisors to establish a property-based business improvement district (community benefit district) to be known as the "Top of Broadway Community Benefit District" and levy a multi-year assessment on identified parcels in the district; approving the Management District Plan, Engineer's Report, and proposed boundaries map for the district; ordering and setting a time and place for a public hearing thereon; approving the form of the Notice of Public Hearing and Assessment Ballots; directing environmental findings; and directing the Clerk of the Board of Supervisors to give notice of the public hearing and balloting as required by law.

Question: Shall this Resolution be ADOPTED?

25. [130470](#) **[Resolution of Intention - Renew and Expand the Central Market Community Benefit District]**
Sponsor: Kim
Resolution declaring the intention of the Board of Supervisors to renew and expand the property-based business improvement district (community benefit district) to be known as the "Central Market Community Benefit District" and levy a multi-year assessment on all parcels in the district; approving the Management District Plan, Engineer's Report, and proposed boundaries map for the district; ordering and setting a time and place for a public hearing thereon; approving the form of the Notice of Public Hearing and Assessment Ballot Proceeding, and Assessment Ballot; directing environmental findings; and directing the Clerk of the Board of Supervisors to give notice of the public hearing and balloting as required by law.

Question: Shall this Resolution be ADOPTED?

Recommendations of the Land Use and Economic Development Committee

Present: Supervisors Wiener, Chiu

26. [111278](#) **[Planning Code, Zoning Map - Establishing the Art and Design Educational Special Use District - 1111 Eighth Street]**
Sponsor: Cohen
Ordinance amending the Planning Code, by adding Section 249.67, and the Zoning Map, Section Map SU08, to establish the Art and Design Educational Special Use District at 1111 Eighth Street to facilitate the continued operation of the California College of the Arts, and provide a regulatory scheme for a potential future phased expansion of the campus; 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.

Question: Shall this Ordinance be PASSED ON FIRST READING?

27. [120488](#) **[Environment Code - Bottle Filling Stations]**
Sponsor: Chiu
Ordinance amending the Environment Code, by adding Chapter 23, to require new buildings that have drinking fountains to provide bottle filling stations; and making environmental and other findings.
- Question: Shall this Ordinance be PASSED ON FIRST READING?**
28. [130180](#) **[Planning Code - Pre-Application Meetings in Production/Distribution/Repair-1-B (Light Industrial Buffer) District]**
Sponsor: Cohen
Ordinance amending the Planning Code, by adding Section 313, to require pre-application meetings for certain projects in the Product/Distribution/Repair -1-B (Light Industrial Buffer) District; and making environmental, General Plan, and Planning Code, Section 101(b), findings.
- Question: Shall this Ordinance be PASSED ON FIRST READING?**

Recommendations of the Neighborhood Services and Safety Committee

Present: Supervisors Campos, Yee

29. [130233](#) **[Comprehensive Immigration Reform Including Same-Sex Couples]**
Sponsors: Campos; Avalos, Wiener, Chiu and Yee
Resolution urging Congress to pass an inclusive comprehensive immigration reform that includes all families, including same-sex couples.
- Question: Shall this Resolution be ADOPTED?**
30. [130245](#) **[Liquor License Transfer - 522 Sutter Street]**
Resolution determining that the transfer of a Type 21 off-sale general license from 539 Sutter Street to 522 Sutter Street (District 3), to Naser J. Zakout for the Theatre Too Café, will serve the public convenience or necessity of the City and County and San Francisco, in accordance with California Business and Professions Code, Section 23958.4, and recommending that the California Department of Alcoholic Beverage Control impose conditions on the issuance of the license. (Neighborhood Services and Safety Committee)
- Question: Shall this Resolution be ADOPTED?**

Referred Without Recommendation from the Neighborhood Services and Safety Committee

Present: Supervisors Campos, Yee

31. [130168](#) **[Liquor License Transfer - 800 Post Street]**
Resolution determining that the transfer of a Type 48 on-sale general public premises license from 493 Broadway Street to 800 Post Street (District 3), to Dan Cowan and Jim Saxton for UNX Enterprises, LLC, dba Café Royale, will serve the public convenience and 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)
- Question: Shall this Resolution be ADOPTED?**

Recommendations of the Rules Committee

Present: Supervisors Yee, Breed, Cohen

32. [130330](#) **[Appointment, SOMA Community Stabilization Fund Community Advisory Committee - M. Alicia Duke]**
Motion appointing M. Alicia Duke, term ending April 27, 2015, to the SOMA Community Stabilization Fund Community Advisory Committee. (Clerk of the Board)
- Question: Shall this Motion be APPROVED?**
33. [130407](#) **[Appointment, Ethics Commission - Brett Andrews]**
Motion appointing Brett Andrews, term ending February 1, 2017, to the Ethics Commission. (Clerk of the Board)
- Question: Shall this Motion be APPROVED?**
34. [130410](#) **[Appointments, Pedestrian Safety Advisory Committee - Pi Ra and Rebecca Hogue]**
Motion appointing Pi Ra and Rebecca Hogue, terms ending March 28, 2015, to the Pedestrian Safety Advisory Committee. (Clerk of the Board)
- Question: Shall this Motion be APPROVED?**

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

35. ROLL CALL FOR INTRODUCTIONS

Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, letters of request to the City Attorney and Board Members' reports on their regional body activities.

36. PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes.

Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures were introduced for adoption without committee reference. A unanimous vote is required for adoption of these resolutions today. Any Supervisor may require any resolution to go to committee.

Questions on the For Adoption Without Committee Reference Agenda are on for adoption, or approved, as indicated.

Items 37 through 39**37. [130498](#) [Lafayette Park Grand Reopening]**

Sponsor: Farrell

Resolution recognizing the grand reopening of the Lafayette Park and commending the Recreation and Park Department, Department of Public Works, Friends of Lafayette Park, and the entire project team, for their hard work and commitment to San Francisco's parks and its residents.

05/21/2013; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

38. [130457](#) **[Final Map 7336 - 1080 Sutter Street]**
Motion approving Final Map 7336, a 35 residential unit and one commercial unit, mixed-use condominium project, located at 1080 Sutter Street being a subdivision of Assessor's Block No. 0279, Lot No. 011, and adopting findings pursuant to the General Plan and City Planning Code, Section 101.1. (Public Works Department)

05/24/2013; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

39. [130475](#) **[Final Map 7424 - 3500-19th Street]**
Motion approving Final Map 7424, a 17 residential unit and two commercial unit, mixed-use condominium project, located at 3500-19th Street being a subdivision of Assessor's Block No. 3588, Lot No. 012, and adopting findings pursuant to the General Plan and City Planning Code, Section 101.1. (Public Works Department)

05/24/2013; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

40. **IMPERATIVE AGENDA**

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires eight (8) votes or a unanimous six (6) or seven (7). A unanimous vote is required for the resolution(s).

[Serious Injury Finding]

Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

[Purely Commendatory Finding]

Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

[Brown Act Finding]

Motion that the Board find by roll call vote that, for the resolution(s) being considered at this time, there is a need to take immediate action. The need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

LEGISLATION INTRODUCED AT ROLL CALL

Introduced by a Supervisor or the Mayor

Pursuant to Charter, Section 2.105, an Ordinance or Resolution may be introduced before the Board of Supervisors by a Member of the Board, a Committee of the Board, or the Mayor and shall be referred to and reported upon by an appropriate Committee of the Board.

Legislation Introduced will appear on the Final Minutes for this meeting. Once the Legislation Introduced is approved, it will be available on http://www.sfbos.org/legislation_introduced.

Introduced at the Request of a Department

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

PROPOSED ORDINANCES

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)

05/13/2013; RECEIVED FROM DEPARTMENT.

06/04/2013; RECEIVED AND ASSIGNED to the Rules Committee.

130450 [Offer to Compromise - Zeno Zimmerman - \$125,000]

Ordinance authorizing the service of a 998 Offer To Compromise in the lawsuit filed by Zeno Zimmerman against the City and County of San Francisco for \$125,000; the lawsuit was filed on December 6, 2011, in San Francisco County Superior Court, Case No. CGC-11-516360; entitled Zeno Zimmerman, et al., v. City and County of San Francisco, et al. (City Attorney's Office)

05/13/2013; RECEIVED FROM DEPARTMENT.

06/04/2013; RECEIVED AND ASSIGNED to the Rules Committee.

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 United States 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)

05/24/2013; RECEIVED FROM DEPARTMENT.

06/04/2013; RECEIVED AND ASSIGNED to the Rules Committee.

130508 [General Plan - Van Ness Area Plan - California Pacific Medical Center - Cathedral Hill Campus]
Ordinance amending the San Francisco General Plan by amending the Van Ness Area Plan in order to facilitate the development of a high density medical center at the transit nexus of Van Ness Avenue and Geary Boulevard and reflect various elements of this use; and adopting findings, including environmental findings, Planning Code, Section 340, findings, and findings of consistency with the General Plan and the priority policies of Planning Code, Section 101.1. (Planning Department)

05/24/2013; RECEIVED FROM DEPARTMENT.

06/04/2013; RECEIVED AND ASSIGNED to the Land Use and Economic Development Committee.

130509 [General Plan Maps - Urban Design Element and Van Ness Area Plan - California Pacific Medical Center - Cathedral Hill Campus]
Ordinance amending the San Francisco General Plan by amending Map 5 of the Urban Design Element, to reflect the proposed maximum plan dimensions and maximum diagonal plan dimensions of 385 feet and 466 feet, respectively, for the Cathedral Hill Campus Hospital site and 265 feet and 290 feet, respectively, for the Cathedral Hill Campus Medical Office Building site; Map 1 of the Van Ness Area Plan, to designate the sites of the proposed Cathedral Hill Campus Hospital and Cathedral Hill Campus Medical Office Building as the Van Ness Medical Use Subdistrict; and Map 2 of the Van Ness Area Plan, to create a 230-V height/bulk district coterminous with the Hospital site; and adopting findings, including environmental findings, Planning Code, Section 340 findings, and findings of consistency with the General Plan and the priority policies of Planning Code, Section 101.1. (Planning Department)

05/24/2013; RECEIVED FROM DEPARTMENT.

06/04/2013; RECEIVED AND ASSIGNED to the Land Use and Economic Development Committee.

- 130510 [General Plan Maps - Urban Design Element - California Pacific Medical Center - St. Luke's Campus]**
Ordinance amending the San Francisco General Plan, Map 4 of the Urban Design Element to increase the height limit for the California Pacific Medical Center's St. Luke's Campus, Assessor's Block No. 6575, Lot Nos. 001-002, and Assessor's Block No. 6576, Lot No. 021, and the portion of San Jose Avenue between Cesar Chavez Street and Twenty Seventh Street to 145 feet for a portion of the St. Luke's Campus Hospital site where the hospital tower will be located, and 105 feet for the balance of the Campus; and Map 5 of the Urban Design Element to reflect the proposed maximum plan dimensions and maximum diagonal plan dimensions of 229 feet and 285 feet, respectively, for the St. Luke's Campus Hospital site and 204 feet and 228 feet, respectively, for the St. Luke's Medical Office Building site; and adopting findings, including environmental findings, Planning Code, Section 340, findings, and findings of consistency with the General Plan and the priority policies of Planning Code, Section 101.1. (Planning Department)
- 05/24/2013; RECEIVED FROM DEPARTMENT.
- 06/04/2013; RECEIVED AND ASSIGNED to the Land Use and Economic Development Committee.

PROPOSED RESOLUTIONS

- 130451 [Settlement of Claim - Magdaleno Rios - \$50,000]**
Resolution approving the settlement of the unlitigated claim filed by Magdaleno Rios against the City and County of San Francisco for \$50,000; claim was filed on February 8, 2013. (City Attorney's Office)
- 05/13/2013; RECEIVED FROM DEPARTMENT.
- 06/04/2013; RECEIVED AND ASSIGNED to the Rules Committee.
- 130452 [Settlement of Claim - Sharon Prieto - \$40,000]**
Resolution approving the proposed settlement of claim by Sharon Prieto against the City and County of San Francisco for \$40,000; the claim was filed on June 11, 2012, bearing Claim No. 12-02916. (City Attorney's Office)
- 05/13/2013; RECEIVED FROM DEPARTMENT.
- 06/04/2013; RECEIVED AND ASSIGNED to the Rules Committee.
- 130511 [Contract Amendment - HealthRIGHT 360 - \$19,129,695]**
Resolution 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 \$9,130,695 from \$9,999,000 to \$19,129,695. (Public Health Department)
- 05/24/2013; RECEIVED FROM DEPARTMENT.
- 06/04/2013; RECEIVED AND ASSIGNED to the Budget and Finance Committee.

- 130512 [Contract Amendment - West Bay Housing Corporation - \$26,050,297]**
Resolution 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 \$16,480,867 from \$9,569,430 to \$26,050,297. (Public Health Department)
- 05/24/2013; RECEIVED FROM DEPARTMENT.
- 06/04/2013; RECEIVED AND ASSIGNED to the Budget and Finance Committee.
- 130513 [Contract - MedImpact Healthcare Systems, Inc. - \$28,291,346]**
Resolution 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 \$28,291,346 for the term of July 1, 2013, through June 30, 2018. (Public Health Department)
- 05/24/2013; RECEIVED FROM DEPARTMENT.
- 06/04/2013; RECEIVED AND ASSIGNED to the Budget and Finance Committee.
- 130514 [Contract Amendment - Siemens Medical Solutions USA, Inc. - Not to Exceed \$52,314,454]**
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 52,314,454. (Public Health Department)
- 05/24/2013; RECEIVED FROM DEPARTMENT.
- 06/04/2013; RECEIVED AND ASSIGNED to the Budget and Finance Committee.
- 130515 [Report of Assessment Costs - Sidewalk and Curb Repairs]**
Resolution approving report of assessment costs submitted by the Director of Public Works for sidewalk and curb repairs ordered to be performed by said Director pursuant to Public Works Code, Sections 707 and 707.1, the costs thereof having been paid for out of a revolving fund. (Public Works Department)
- 05/24/2013; RECEIVED FROM DEPARTMENT.
- 06/04/2013; RECEIVED AND ASSIGNED to the Budget and Finance Committee.
- 130516 [Emergency Contract - HHP Holm Powerhouse Unit 1 - Not to Exceed \$521,465.07]**
Resolution approving an emergency public work contract of the Public Utilities Commission under San Francisco Administrative Code, Section 6.60, to replace the HHP Holm Powerhouse Unit 1 with a contract amount not to exceed \$521,465.07. (Public Utilities Commission)
- 05/24/2013; RECEIVED FROM DEPARTMENT.
- 06/04/2013; RECEIVED AND ASSIGNED to the Budget and Finance Committee.

130517 [Emergency Contract - Declaration of Emergency - North Shore Force Main - Not to Exceed \$7,000,000]

Resolution approving a Declaration of Emergency and emergency contract to repair leaks along the North Shore Force Main in the amount not to exceed \$7,000,000. (Public Utilities Commission)

05/24/2013; RECEIVED FROM DEPARTMENT.

06/04/2013; RECEIVED AND ASSIGNED to the Budget and Finance Committee.

130478 [Petitions and Communications]

Petitions and Communications received from May 13, 2013, through May 24, 2013, for reference by the President to Committee considering related matters, or to be ordered filed by the Clerk on June 4, 2013.

Personal information that is provided in communications to the Board of Supervisors is subject to disclosure under the California Public Records Act and the San Francisco Sunshine Ordinance. Personal information will not be redacted.

From Controller, regarding Public Utilities Commission's noncompliance with Certificate of Completion requirement. (1)

From Controller, regarding audit report issued on Airport tenants and airlines. (2)

From State Fish and Game Commission, submitting notice of proposed regulatory action relating to abalone sport fishing. Copy: Each Supervisor. (3)

From Chamber of Commerce, regarding support for development of Seawall Lot 337 and Pier 48. File No. 130286. Copy: Each Supervisor, Mayor, Port. (4)

From Clerk of the Board, reporting the following individual has submitted a Form 700 Statement: (5)

Sheila Chung-Hagen - Legislative Aide - Leaving.

From Clerk of the Board, submitting a memorandum sent to the Board of Supervisors regarding the following appointment by the Mayor: (6)

Judith F. Karshmer - Health Commission

From Mayor, submitting notice of appointment to the Entertainment Commission. Copy: Each Supervisor, Rules Committee Clerk, City Attorney, Legislation Clerk. (7)

Barbara Seymour Campagnoli

From concerned citizens, regarding Masonic Avenue cycle track project. File No. 120974. 6 letters. Copy: Each Supervisor. (8)

From concerned citizens, regarding support for Neighborhood Emergency Response Team. 4 letters. (9)

From concerned citizens, regarding Employees' Retirement System divesting from fossil fuels. File No. 130123. 2 letters. (10)

From American Legion Auxiliary, regarding War Memorial Veterans Building at 401 Van Ness Avenue. File No. 130148. Copy: Each Supervisor, Budget and Finance Sub-committee Clerk. (11)

From concerned citizens, regarding support for Café Royale. File No. 130168. Copy: Supervisors Campos, Mar, and Yee, Neighborhood Services and Safety Committee Clerk. (12)

From Alisa Depalma, regarding compliments for Health Care Security Ordinance. (13)

From Natalie Lee, regarding complaint about Oak and Fell bicycle project. (14)

From Bhanu Vikram, regarding exercise bars in San Francisco parks. (15)

From Department of Human Resources, submitting 12B Waiver request for use of South San Francisco Conference Center. (16)

From Department of Public Health, submitting notification of 12B Waiver request to purchase hospital-grade televisions. (17)

From Department of Public Health, submitting notification of 12B Waiver request to rent post office boxes. (18)

From Allen Jones, regarding Host City Super Bowl announcement. 2 letters. (19)

From Paul Timothy Diaz, regarding affordable housing in San Francisco. Copy: Each Supervisor. (20)

From State Wildlife Conservation Board, regarding Estuary Invasive Spartina Eradication. Copy: Each Supervisor. (21)

From Board of State and Community Corrections, regarding denial of application to house wards to age 21. Copy: Each Supervisor. (22)

From Treasurer and Tax Collector, submitting Monthly Investment Report for April 2013. (23)

From Controller, issuing Government Barometer - Quarter 3, Fiscal Year 2013. (24)

From Peter Stewart, regarding dissatisfaction with Muni and the Municipal Transportation Agency Board. (25)

From Betty Shaw, regarding petition to restore Sharp Park. (26)

From concerned citizens, regarding Ethics Commission appointment. File No. 130407. 2 letters. (27)

From Lee Goodin, regarding Central Subway. 4 letters. (28)

*From concerned citizens, regarding Bernal Heights Neighborhood Center. File No. 130195. Copy: Each Supervisor. 302 letters. (29)

*From Controller, submitting 2013 City Survey Report. (30)

From James Chaffee, regarding the Public Library. Copy: Each Supervisor. (31)

From Capital Planning Committee, regarding resolution for Port to issue revenue bonds. Copy: Each Supervisor, Budget and Finance Committee Clerk. (32)

From Capital Planning Committee, regarding recommendation on FYS 2013-2014 and 2014-2015 capital budgets for General Fund departments. Copy: Each Supervisor, Budget and Finance Committee clerk. (33)

From Laguna Honda Hospital, submitting quarterly report on compliance with reversal of Admission Policy priorities. Copy: Government Audit and Oversight Committee Clerk. (34)

From Controller, submitting Economic Barometer: Quarter 1, 2013. (35)

From Municipal Transportation Agency, regarding Coalition for Economic Equity letter. (36)

From Mayor, designating Supervisor Norman Yee as Acting-Mayor from May 22, 2013, until May 24, 2013. (37)

From Michaele Ignon, regarding opposition to metered parking in neighborhoods. (38)

From Lee Goodin, regarding concerns with Municipal Transportation Agency and Muni. 2 letters. (39)

From Controller, regarding report issued on Port tenants. (40)

From Judi Brown, regarding divesting from fossil fuels. Copy: Each Supervisor. (41)

*From Weinberg, Roger & Rosenfeld, regarding 34th America's Cup. Copy: Each Supervisor. (42)

From Ivan E. Pratt, regarding San Francisco's Tenderloin Area. (43)

*From Controller, regarding report issued on improvements needed to monitor subcontractors' insurance and licenses. (44)

From Scott Meselson, regarding Woodhouse on Marina Green. File No. 120987. (45)

*(An asterisked item represents the cover sheet to a document that exceeds 25 pages. The complete document is available at the Clerk's Office, Room 244, City Hall.)

ADJOURNMENT