

BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

MEETING MINUTES

Tuesday, March 19, 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 1:00 PM
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, Jane Kim, Eric Mar, Katy Tang, and Scott Wiener

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:06 p.m. On the call of the roll, Supervisors Farrell and Yee were noted absent. There was a quorum.

Supervisors Farrell and Yee Excused from Voting

Supervisor Campos, seconded by Supervisor Wiener, moved that Supervisors Farrell and Yee be excused from voting. The motion carried by the following vote:

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

Excused: 2 - Farrell, Yee

AGENDA CHANGES

There were none.

APPROVAL OF MEETING MINUTES

Supervisor Cohen, seconded by Supervisor Mar, moved to approve the Board Meeting Minutes of February 12, 2013. The motion carried by the following vote:

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

Excused: 2 - Farrell, Yee

COMMUNICATIONS

There were none.

CONSENT AGENDA

Recommendations of the Budget and Finance Committee

121211 [Administrative Code - Rescinding Sunset in the San Francisco Bonding and Financial Assistance Program]

Ordinance amending the San Francisco Administrative Code, Section 14B.16, to rescind the sunset clause in the San Francisco Bonding and Financial Assistance Program, make technical amendments, and make environmental findings. (City Administrator)
(Fiscal Impact)

Ordinance No. 040-13

FINALLY PASSED

130117 [Appropriating \$2,774,224 of Fee Revenue for the Planning Department - FY2012-2013]

Sponsor: Mayor

Ordinance appropriating \$2,774,224 of fee revenue for the Planning Department in FY2012-2013 to reduce the backlog of planning cases and building permits requiring review, and funding the Permit and Project Tracking System, and Central Corridor Environmental Impact Report, including \$1,672,224 to fund staff positions, \$807,000 to fund office space reconfiguration, records and information technology improvements, and updated guidelines and procedures, \$45,000 to fund training and configuration needs of the Permit and Project Tracking System, and \$250,000 to fund the Central Corridor Environmental Impact Report.

Ordinance No. 046-13

FINALLY PASSED

130118 [Public Employment - Amendment to the Annual Salary Ordinance for Planning Department - FY2012-2013]

Sponsor: Mayor

Ordinance amending Ordinance No. 165-12 (Annual Salary Ordinance FY2012-2013) to reflect the addition of 8 positions (2.0 FTEs) Class 1404 (Clerk), 5275 (Planner Technician), 5277 (Planner I), 5278 (Planner II), 5291 (Planner III), and 5298 (Planner III - Environmental Review) in the Planning Department to focus on reducing the backlog of planning cases and building permits requiring review.

Ordinance No. 047-13

FINALLY PASSED

130142 [Appropriating \$118,107 for the San Francisco Department on the Status of Women]

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

Ordinance appropriating \$118,107 to the San Francisco Department on the Status of Women for FY2012-2013.

Ordinance No. 048-13

FINALLY PASSED

Recommendations of the Land Use and Economic Development Committee

130029 [Building Code - Seismic Standards]

Sponsor: Chiu

Ordinance amending the Building Code, and adding various sections, concerning seismic standards and making conforming changes; making environmental findings; making findings pursuant to California Health and Safety Code, Section 17958.5; and directing the Clerk of the Board to forward this legislation to the California Building Standards Commission.

Ordinance No. 045-13

FINALLY PASSED

130146 [Health Code - Commercial Dog Walking Regulations]

Sponsor: Wiener

Ordinance amending the Health Code to correct numbering and clarify provisions of the Commercial Dog Walking Ordinance.

Ordinance No. 049-13

FINALLY PASSED

Recommendations of the Rules Committee

130111 [Settlement of Lawsuit - Derek Kerr, M.D. - \$750,000]

Ordinance authorizing settlement of the lawsuit filed by Derek Kerr, M.D., against the City and County of San Francisco for \$750,000; the lawsuit was filed on November 16, 2010, in United States District Court of California, Case No. C-10-5733 CW; entitled Derek Kerr, M.D. v. City and County of San Francisco, et al. (City Attorney)

PASSED ON FIRST READING

130112 [Settlement of Lawsuit - Rissa Kossen, et al. - \$27,500]

Ordinance authorizing settlement of the lawsuit filed by Rissa Kossen and Cameron Kossen against the City and County of San Francisco for \$27,500; the lawsuit was filed on December 1, 2011, in San Francisco County Superior Court, Case No. CGC-11-517538; entitled Rissa Kossen and Cameron Kossen, et al. v. City and County of San Francisco, et al.; other material terms of said settlement is full payment of San Francisco General Hospital's lien. (City Attorney)

PASSED ON FIRST READING

130113 [Settlement of Lawsuit - Ana Guevara - \$75,000]

Ordinance authorizing settlement of the lawsuit filed by Ana Guevara against the City and County of San Francisco for \$75,000; the lawsuit was filed on October 13, 2011, in San Francisco Superior Court, Case No. CGC-11-515089; entitled Ana Guevara v. City and County of San Francisco, et al. (City Attorney)

PASSED ON FIRST READING

130135 [Settlement of Lawsuit - Shawn and Sarah Myers - \$200,000]

Ordinance authorizing settlement of the lawsuit filed by Shawn and Sarah Myers against the City and County of San Francisco for \$200,000; the lawsuit was filed on February 27, 2008, in United States District Court, Case No. 08-cv-1163; entitled Shawn Myers, et al., v. City and County of San Francisco, et al. (City Attorney)

PASSED ON FIRST READING

130136 [Settlement of Lawsuit - Veronica Hinkley Reck - \$70,000]

Ordinance authorizing settlement of the lawsuit filed by Veronica Hinkley Reck against the City and County of San Francisco for \$70,000; the lawsuit was filed on July 27, 2011, in Alameda Superior Court, Case No. RG-11-587571; entitled Veronica Hinkley Reck, et al. v. City and County of San Francisco, et al. (City Attorney)

PASSED ON FIRST READING

130164 [Settlement of Lawsuit - Mary Allen, et al. - \$40,000]

Ordinance authorizing settlement of the lawsuit filed by Mary Allen against the City and County of San Francisco for \$40,000; the lawsuit was filed on October 22, 2010, in San Francisco Superior Court, Case No. CGC-10-504814; entitled Mary Allen, et al. v. City and County of San Francisco, et al.; other material terms of said settlement are dismissal with prejudice and a waiver of any and all monetary sanctions. (City Attorney)

PASSED ON FIRST READING

130165 [Settlement of Lawsuits - Greenwich Associates LLC and Octavia Associates LLC - \$360,632.36]

Ordinance authorizing settlement of the lawsuits filed by Greenwich Associates LLC and Octavia Associates LLC against the City and County of San Francisco for \$360,632.36; the lawsuits were filed on September 26, 2012, in San Francisco County Superior Court, Case Nos. CGC-12-524729 and CGC-12-524730; entitled Greenwich Associates LLC v. City and County of San Francisco, et al. and Octavia Associates LLC v. City and County of San Francisco, et al. (City Attorney)

PASSED ON FIRST READING

130166 [Settlement of Lawsuit - Regina Potascher - \$87,500]

Ordinance authorizing settlement of the lawsuit filed by Regina Potascher, by her conservator Kim Schwarcz against the City and County of San Francisco for \$87,500; the lawsuit was filed on November 14, 2011, in San Francisco Superior Court, Case No. CGC-11-515780; entitled Regina Potascher, by her conservator Kim Schwarcz, et al. v. City and County of San Francisco, et al. (City Attorney)

PASSED ON FIRST READING

130137 [Settlement of Unlitigated Claim - SF Works - \$110,000]

Resolution approving the settlement of the unlitigated claim filed by the City and County of San Francisco against SF Works for \$110,000. (City Attorney)

Resolution No. 084-13

ADOPTED

130212 [Appointment, Bicycle Advisory Committee - Marc Brandt]

Motion appointing Marc Brandt, term ending November 19, 2014, to the Bicycle Advisory Committee. (Clerk of the Board)

Motion No. M13-045

APPROVED

The foregoing items were acted upon by the following vote:

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

Excused: 2 - Farrell, Yee

REGULAR AGENDA

UNFINISHED BUSINESS

Referred from the Land Use and Economic Development Committee Without Recommendation

130001 [General Plan Amendments - Western South of Market Area Plan]

Ordinance amending the General Plan, by adding the Western South of Market (SoMa) Area Plan, generally bounded on its western portion by 7th Street, Mission Street, Division Street, and Bryant Street, and on its eastern portion by 7th Street, Harrison Street, 4th Street, and Townsend Street; making conforming amendments to the Housing, Commerce and Industry, and Recreation and Open Space Elements, the Land Use Index, and the SoMa, East SoMa, Mission, Showplace Square/Potrero, and Central Waterfront Area Plans; and making environmental findings and findings of consistency with the General Plan and the Priority Policies of Planning Code, Section 101.1. (Planning Department)

Ordinance No. 041-13

FINALLY PASSED by the following vote:

Ayes: 8 - Avalos, Breed, Campos, Chiu, Cohen, Kim, Mar, Tang

Noes: 1 - Wiener

Excused: 2 - Farrell, Yee

130002 [Planning Code - Implementing the Western South of Market Area Plan]**Sponsor: Kim**

Ordinance amending the Planning Code, by adding and amending various sections to implement the goals, objectives, and policies of the Western South of Market Area Plan, bounded generally by 7th Street, Mission Street, Division Street, and Bryant Street on the western portion of the plan area, and 7th Street, Harrison Street, 4th Street, and Townsend Street on the eastern portion of the plan area; and making findings, including environmental findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code, Section 101.1.

Ordinance No. 042-13**FINALLY PASSED by the following vote:**

Ayes: 8 - Avalos, Breed, Campos, Chiu, Cohen, Kim, Mar, Tang

Noes: 1 - Wiener

Excused: 2 - Farrell, Yee

130003 [Zoning Map - Height and Bulk Revisions to the Western South of Market Area Plan]**Sponsor: Kim**

Ordinance amending Zoning Map Sheets ZN01, ZN07, ZN08, HT01, HT07, and HT08 to revise use districts and height and bulk districts within the Western South of Market Plan Area; and making environmental findings, Planning Code, Section 302, findings, and findings of consistency with the General Plan and Planning Code, Section 101.1.

Ordinance No. 043-13**FINALLY PASSED by the following vote:**

Ayes: 8 - Avalos, Breed, Campos, Chiu, Cohen, Kim, Mar, Tang

Noes: 1 - Wiener

Excused: 2 - Farrell, Yee

130004 [Administrative Code - Adding Western South of Market Area Plan to Eastern Neighborhoods Area Plan Monitoring Program]**Sponsor: Kim**

Ordinance amending the Administrative Code, Section 10E.2, to integrate the Western South of Market (SoMa) Area Plan into the Eastern Neighborhoods Monitoring Program for purposes of reviewing the effectiveness of the Western SoMa Area Plan and inclusion of the Western SoMa Area Plan into the Eastern Neighborhoods reporting requirement, Eastern Neighborhoods capital expenditures plan, and the Eastern Neighborhoods Citizens Advisory Committee; and making environmental findings.

Ordinance No. 044-13**FINALLY PASSED by the following vote:**

Ayes: 8 - Avalos, Breed, Campos, Chiu, Cohen, Kim, Mar, Tang

Noes: 1 - Wiener

Excused: 2 - Farrell, Yee

NEW BUSINESS

Recommendations of the Budget and Finance Committee

130173 [Adjusting the Access Line Tax with the Consumer Price Index of 2013]**Sponsor: Mayor**

Resolution concurring with the Controller's establishment of the Consumer Price Index for 2013, and adjusting the Access Line Tax by the same rate.

Resolution No. 085-13

ADOPTED by the following vote:

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

Excused: 2 - Farrell, Yee

130175 [Accept and Expend Grant - Keys to Freedom Program - \$599,894]**Sponsor: Breed**

Resolution authorizing the Sheriff's Department to retroactively accept and expend \$599,894 in funds from the U.S. Department of Justice, Office of Justice Programs, through the Second Chance Act Reentry Program for adult offenders with co-occurring substance abuse and mental health disorders, for The Keys to Freedom Program to increase public safety, and reduce recidivism among incarcerated and recently released women and transgendered adults in the City and County of San Francisco; and waiving any indirect costs for the period of October 1, 2012, through September 30, 2014.

Resolution No. 086-13

ADOPTED by the following vote:

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

Excused: 2 - Farrell, Yee

130188 [Accept and Expend Grant - Trust for Public Land - \$3,350,000]**Sponsor: Kim**

Resolution authorizing the Recreation and Park Department to retroactively accept and expend a grant of up to \$3,350,000 from the Trust for Public Land for the design and construction of improvements to Father Alfred E. Boeddeker Park for the period of August 13, 2012, through March 3, 2014.

Resolution No. 087-13

ADOPTED by the following vote:

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

Excused: 2 - Farrell, Yee

Recommendations of the Land Use and Economic Development Committee

130062 [Planning, Administrative Codes, Zoning Map - Miscellaneous Technical Amendments, Fee Changes, Clarifications, and Corrections]

Sponsor: Tang

Ordinance amending the Planning and Administrative Codes to correct errors; make language revisions and updates; revise graphics to be consistent with text; amend fees to be charged for certain kinds of applications and appeals; clarify the meaning of certain Planning Code sections; amend the Zoning Map to remove the incorrect Chinese Hospital Special Use District designation from Assessor's Block No. 0192, Lot No. 041; and adopt findings, including findings under the California Environmental Quality Act, and Planning Code, Section 302, and findings of consistency with the General Plan and Planning Code, Section 101.1.

PASSED ON FIRST READING by the following vote:

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

Excused: 2 - Farrell, Yee

130181 [Administrative Code - Exceptions to Seismic Safety Loan Program Requirements for a \$2,379,464 Loan to Hotel Isabel, 1091 Mission Street]

Sponsor: Kim

Ordinance approving exceptions to requirements of the Seismic Safety Loan Program (SSLP) under the Administrative Code and the SSLP Program Regulations, regarding a \$2,379,464 loan for an existing affordable housing project at the Hotel Isabel located at 1091 Mission Street.

PASSED ON FIRST READING by the following vote:

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

Excused: 2 - Farrell, Yee

Recommendations of the Neighborhood Services and Safety Committee

121063 [Liquor License Transfer - 717 Battery Street]

Resolution determining that the transfer of a Type 57 special on-sale general license from 4461 Mission Street to 717 Battery Street (District 3), to MXB Battery Operations, L.P., for The Battery, will serve the public convenience and 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)

Resolution No. 081-13

ADOPTED by the following vote:

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

Excused: 2 - Farrell, Yee

121083 [Liquor License - 1 Polk Street]

Resolution determining that the issuance of a Type 42 on-sale beer and wine license to Andrew and Jennifer Hall for The Beer Hall, LLC, located at 1 Polk Street (District 6), 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)

Resolution No. 082-13

ADOPTED by the following vote:

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

Excused: 2 - Farrell, Yee

121140 [Liquor License Transfer - 2001 Market Street]

Resolution determining that the transfer of a Type 20 off-sale beer and wine license from 1169 Market Street to 2001 Market Street (District 8), to Whole Foods Market California, Inc., for the Whole Foods Market, 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)

Resolution No. 083-13

ADOPTED by the following vote:

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

Excused: 2 - Farrell, Yee

Recommendations of the Rules Committee**120899 [Municipal Elections Code - Miscellaneous Amendments]**

Sponsor: Kim

Ordinance amending the Municipal Elections Code, Sections 100, 110, 200, 205, 220, 230, 260, 335, 500, and 590, and adding Section 810, to: incorporate state law provisions governing Community College and Board of Education candidates; change deadlines for withdrawal of candidacy and candidate qualification statements; change the public inspection period for candidate materials; change requirements for petition circulator badges; delete the requirement that a disclaimer appear before Board of Supervisors' arguments in the Voter Information Pamphlet; incorporate state law provisions governing signatures in lieu of filing fees; reinstate candidate filing fee provisions; and make other technical amendments.

Supervisor Kim, seconded by Supervisor Cohen, moved that this Ordinance be AMENDED on Page 16, to delete Lines 12 and 13. The motion carried by the following vote:

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

Excused: 2 - Farrell, Yee

PASSED ON FIRST READING AS AMENDED by the following vote:

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

Excused: 2 - Farrell, Yee

121156 [Appointment, Reentry Council - Robert Bowden]

Motion appointing Robert Bowden, term ending July 17, 2013, to the Reentry Council. (Clerk of the Board)

(Supervisor Cohen dissented in Committee.)

Motion No. M13-046

APPROVED by the following vote:

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

Excused: 2 - Farrell, Yee

130115 [Appointment, Port Commission - Mel Murphy]

Motion confirming the Mayor's appointment of Mel Murphy, term ending May 1, 2016, to the Port Commission. (Mayor)

Supervisor Wiener, seconded by Supervisor Breed, moved that this Motion be CONTINUED to March 26, 2013. The motion carried by the following vote:

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

Excused: 2 - Farrell, Yee

Supervisor Cohen Excused from Voting

Supervisor Mar, seconded by Supervisor Wiener, moved to excuse Supervisor Cohen from voting on File No. 130211. The motion carried by the following vote:

Ayes: 8 - Avalos, Breed, Campos, Chiu, Kim, Mar, Tang, Wiener

Excused: 3 - Cohen, Farrell, Yee

130211 [Appointment, Association of Bay Area Government Executive Board - Supervisor Malia Cohen]

Motion amending Board of Supervisors Motion No. M13-031 to appoint Supervisor Malia Cohen to the Association of Bay Area Governments Executive Board, for a term ending June 30, 2013.

(Clerk of the Board)

Motion No. M13-047

APPROVED by the following vote:

Ayes: 8 - Avalos, Breed, Campos, Chiu, Kim, Mar, Tang, Wiener

Excused: 3 - Cohen, Farrell, Yee

The Board recessed at the hour of 3:20 p.m. and reconvened at 3:40 p.m.

SPECIAL ORDER 3:30 P.M. - Recognition of Commendations

Privilege of the Floor

Supervisor Cohen, seconded by Supervisor Kim, moved to suspend Rule 4.37 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: 9 - Avalos, Breed, Campos, Chiu, Cohen, Kim, Mar, Tang, Wiener

Excused: 2 - Farrell, Yee

WOMEN'S HISTORY MONTH

Emily M. Murase, Executive Director; spoke on behalf of the Department on the Status of Women. Commissioners Kay Gurbengay and Andrea Shorter spoke on behalf of the Commission on the Status of Women.

Supervisors introduced, welcomed, and presented Certificates of Honor to individuals in recognition of Women's History Month, their accomplishments, and their continued community support as referenced below:

*Supervisor John Avalos recognized Stephanie Felder;
Supervisor London Breed recognized Debby Davidson;
Supervisor David Campos recognized Maggie Sullivan (accepted by her father, Tom Sullivan);
Supervisor David Chiu recognized Tina Moylan;
Supervisor Malia Cohen recognized Marlena Jackson;
Supervisor Jane Kim recognized Mimi Yee;
Supervisor Eric Mar recognized Gael Beresford;
Supervisor Katy Tang recognized Laura Tam;
Supervisor Katy Tang, on behalf of Supervisor Mark Farrell, recognized Julia Hartz;
Supervisor Scott Wiener recognized Dr. Sue Carlisle; and
Supervisor John Avalos, on behalf of Norman Yee, recognized Donna M. Cahill.*

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

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

Bill Dillon; expressed concerns relating to public comment via phone.

Male Speaker; expressed various religious concerns.

Walter Paulson; shared in song certain concerns with the Board.

Male Speaker; expressed concerns relating to senior services.

Dr. Hunter Gaskie; expressed concerns relating to intimidation surrounding Planned Parenthood facilities.

Jane Kennedy; expressed concerns relating to underground utilities.

Josephine Coffey; expressed concerns relating to anti-Arab and anti-Muslim advertising on Muni.

Male Speaker; expressed concerns relating to garbage services.

Douglas Yep; expressed concerns relating to the Whistle Blower Program.

Valarie Swartz; expressed concerns relating to harassment and police reporting requirements.

Beverly Upton; expressed concerns relating to intimidation surrounding Planned Parenthood facilities.

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

Ace Washington; expressed concerns relating to housing.

Anne Surrot; expressed concerns relating to protection for women.

Female Speaker; expressed various concerns.

Cleft; expressed concerns relating to funding for public services.

Carl McBardo; expressed concerns relating to taxi medallions issuance and illegal operator.

Alisa Berha; expressed concerns relating to anti-Arab and anti-Muslim advertising on Muni.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

130258 [Approval of a 60 Day Extension for Planning Commission Review of Conversion of Student Housing Monitoring (File No. 120883)]

Sponsor: Kim

Resolution extending by 60 days the prescribed time within which the Planning Commission may render its decision on an Ordinance (File No. 120883) amending the Planning Code, by adding Section 102.36.1, to establish an annual monitoring requirement for Student Housing conversions; to require a posting to announce that the report is available for public review; and to provide an enforcement mechanism for failure to submit the annual report; adopting findings, including environmental findings, Section 302 findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code, Section 101.1.

Resolution No. 089-13

ADOPTED

The foregoing items were acted upon by the following vote:

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

Excused: 2 - Farrell, Yee

Severed from the For Adoption Without Committee Reference Agenda

Supervisor Chiu requested that File No. 130257 be severed from the For Adoption Without Committee Reference.

130257 [Anti-Arab and Anti-Muslim Bus Advertisements]

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

Resolution standing with Muslim and Arab communities in the face of anti-Arab and anti-Muslim bus advertisements.

Resolution No. 088-13

ADOPTED by the following vote:

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

Excused: 2 - Farrell, 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**130261 [Health Code - Retroactive Increase in Patient Rates for Certain Mental Health Services]**

Sponsor: Mayor

Ordinance amending the Health Code, Section 128, to retroactively increase patient rates charged for certain mental health services.

03/19/13; ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 4/18/2013.

130262 [Police Code - Access to Reproductive Health Care Facilities]

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

Ordinance amending the Police Code, Article 43, Sections 4301, 4302, 4303, and 4304, to replace the existing eight-foot bubble zone around individuals entering, exiting, and seeking services at health care facilities with a fixed buffer zone around the entrances, exits, and driveways of reproductive health care facilities; and to prohibit any person from entering or remaining in that buffer zone, with certain exceptions; and making environmental findings.

03/19/13; ASSIGNED UNDER 30 DAY RULE to Neighborhood Services and Safety Committee, expires on 4/18/2013.

130263 [Planning Code - Castro Street Neighborhood Commercial District Use Size Limits]**Sponsor: Wiener**

Ordinance amending the Planning Code, Sections 121.2 and 715.1, the Castro Street Neighborhood Commercial District controls, to allow a neighborhood-serving nonprofit institution to exceed the use size limits with a Conditional Use Authorization; 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.

03/19/13; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 4/18/2013.

121162 [Planning Code - Inclusionary Affordable Housing Program, Updates, and Clarifications]**Sponsor: Mayor**

Ordinance amending the Planning Code, Section 401, and provisions of the Inclusionary Affordable Housing Ordinance, Sections 415 et seq., to update and clarify provisions of the Inclusionary Affordable Housing Program (Program) by reducing certain on-site requirements under Charter, Section 16.110; providing a cap on rent increases; clarifying the timing of off-site developments; requiring rental units that convert to ownership to sell at less than the price for ownership units under certain circumstance; establishing pricing for affordable Single Room Occupancy units; changing the status of projects using California Debt Limit Allocation Committee tax exempt bonds so that such projects are subject to the Program, but that units may qualify as on- or off-site units under certain circumstances; allowing income levels of qualifying households to exceed those specified in certain situations; clarifying that the threshold application of the Program to projects of 10 units or more applies to the South of Market Youth and Family Special Use District and all other areas of the City; making technical clarifications and corrections; and making environmental findings and findings of consistency with the General Plan.

12/04/12; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 1/3/2013.

12/06/12; RESPONSE RECEIVED.

12/13/12; REFERRED TO DEPARTMENT.

12/20/12; RESPONSE RECEIVED.

03/19/13; SUBSTITUTED AND ASSIGNED to Land Use and Economic Development Committee.

120474 [Planning, Administrative Codes - Transfer of Development Rights]**Sponsor: Chiu**

Ordinance amending the Planning Code, Sections 128 and 819, and Administrative Code, Section 10E.1, to permit the transfer of development rights from any eligible building in a Downtown Commercial (C-3) District or the South of Market Extended Preservation District to a development site in a C-3 District; require annual reporting of buildings designated as historic resources and of transferred development rights, and requiring a Preservation, Rehabilitation, and Maintenance Plan to be submitted with an application for Certificate of Transfer instead of with an application for Statement of Eligibility; and adopting environmental findings, Section 302, findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code, Section 101.1.

05/17/12; REFERRED TO DEPARTMENT.

03/19/13; SUBSTITUTED AND ASSIGNED to Land Use and Economic Development Committee.

Resolutions**130264 [Adoption of Guidelines for the Establishment and Use of an Infrastructure Financing District on Port Land]****Sponsors: Mayor; Kim**

Resolution adopting Guidelines for the Establishment and Use of an Infrastructure Financing District with Project Areas on Land Under the Jurisdiction of the San Francisco Port Commission. (Fiscal Impact)

03/19/13; RECEIVED AND ASSIGNED to Budget and Finance Committee.

130265 [Issuance of Tax-Exempt Obligation - French American International School - Not to Exceed \$6,500,000]**Sponsor: Breed**

Resolution approving, in accordance with Section 147(f) of the Internal Revenue Code, the issuance of a tax-exempt revenue obligation by the California Statewide Communities Development Authority in an aggregate principal amount not to exceed \$6,500,000 to finance various capital facilities owned by the French American International School.

03/19/13; RECEIVED AND ASSIGNED to Budget and Finance Committee.

130266 [Street Name Change to Dr. Tom Waddell Place]**Sponsors: Kim; Wiener, Campos, Avalos and Mar**

Resolution changing the name of Lech Walesa Street in the Civic Center area to "Dr. Tom Waddell Place," in recognition of Dr. Tom Waddell's contributions to the City of San Francisco.

03/19/13; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

130267 [Contract Amendment - Transbay Transit Center Program Services - Not to Exceed \$5,393,677]**Sponsor: Kim**

Resolution approving the Second Amendment to Contract No. CS -159 between the Municipal Transportation Agency and the Transbay Joint Powers Authority for Transbay Transit Center program services pursuant to Charter, Section 9.118, to increase the not to exceed amount from \$3,280,677 to \$5,393,677 for the period of July 21, 2009, through December 31, 2017. (Fiscal Impact)

03/19/13; RECEIVED AND ASSIGNED to Budget and Finance Committee.

130268 [Supporting the Bay Area Rapid Transit District's Pilot Program to Allow Full-Time Bicycle Access]**Sponsor: Avalos**

Resolution supporting the Bay Area Rapid Transit District's Pilot Program to allow full-time bicycle access.

03/19/13; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

130269 [Urging the California State Legislature to Pass Assembly Bill 1194 - Safe Routes to School Program]**Sponsor: Mar**

Resolution urging the California State Legislature to pass Assembly Bill 1194 to require that the existing Safe Routes to School Program be funded by an annual appropriation in the budget act of not less than \$46,000,000 and to transfer authority of the program to the California Transportation Commission.

03/19/13; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Motion**130271 [Approving the 2013 Budget and Legislative Analyst Services Work Plan]****Sponsors: Chiu; Cohen**

Motion approving the Budget and Legislative Analyst Services work plan for 2013, which allocates hours for Calendar Year 2013; authorizes the Budget and Legislative Analyst to reallocate up to 10 percent of the hours between service categories based on Board of Supervisors service needs; and requires Board of Supervisors approval of hours re-allocation greater than 10 percent; and establishes performance goals and sets a date for the 2013 annual performance evaluation of the Budget and Legislative Analyst Joint Venture Partnership.

03/19/13; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

Request for Hearing**130270 [Hearing - Pedestrian Safety Advisory Committee - Quarterly Update Presentation]****Sponsor: Breed**

Hearing to get an update on pedestrian safety issues in San Francisco and the recent efforts of the San Francisco Pedestrian Safety Advisory Committee.

03/19/13; 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 ORDINANCE**130244 [Health, Business and Tax Regulations Code - Regulate and Establish Annual Fees - Cottage Food Operations]**

Ordinance amending the Health Code, by adding Section 452.1, to establish a procedure for regulating Cottage Food Operations; amending the Business and Tax Regulations Code, by adding Section 249.1A, to establish annual fees for Cottage Food Operations; and making environmental findings. (Public Health Department)
(Fiscal Impact)

03/08/13; RECEIVED FROM DEPARTMENT.

03/19/13; ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 4/18/2013.

ADJOURNMENT

There being no further business, the Board adjourned at the hour of 4:55 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 April 23, 2013.

Angela Calvillo, Clerk of the Board