

BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

MEETING MINUTES

Tuesday, May 7, 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, 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 2:11 p.m. On the call of the roll, all Supervisors were noted present.

AGENDA CHANGES

There were none.

APPROVAL OF MEETING MINUTES

Supervisor Cohen, seconded by Supervisor Campos, moved to approve the Board Meeting Minutes of March 26, 2013, and April 2, 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 Sub-Committee

130131 [Administrative Code - Agricultural Inspection Fees]

Ordinance amending the Administrative Code, Section 1.10, to revise registration fees for inspecting agricultural products; and making environmental findings. (Public Health Department)

Ordinance No. 080-13

FINALLY PASSED

130132 [Administrative Code - Weights and Measures Fees]

Ordinance amending the Administrative Code, Section 1.13-5, to revise registration fees for inspecting and testing weighing and measuring devices as provided by State law; and making environmental findings. (Public Health Department)

Ordinance No. 081-13

FINALLY PASSED

130133 [Administrative Code - Public Health Solid Waste Penalties Fund]

Ordinance amending the Administrative Code, by adding Section 10.100-217, to establish a fund for the deposit of civil penalties assessed by the Department of Public Health and paid by operators of solid waste facilities for violation of solid waste disposal laws; and making environmental findings. (Public Health Department)

Ordinance No. 082-13

FINALLY PASSED

Recommendations of the Land Use and Economic Development Committee**120901 [Planning Code - Upper Market Zoning]**

Sponsor: Wiener

Ordinance amending Planning Code, Sections 721.1 and 733.1, to modify the explanation of the boundaries of the Upper Market Street Neighborhood Commercial District and the Upper Market Street Neighborhood Commercial Transit District; Section 703.2(b), to permit in a limited area food processing as an accessory use to a nearby off-site non-residential use; Section 733, making clerical corrections in tables; 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.

Ordinance No. 083-13

FINALLY PASSED

120902 [Planning Code, Zoning Map - Upper Market Zoning Map]

Sponsor: Wiener

Ordinance amending Planning Code, Sectional Map Sheets ZN07 and HT07, to change the use classification of specified lots on Assessor's Block Nos. 3561 through 3565, now in the Upper Market Neighborhood Commercial District to the Upper Market Neighborhood Commercial Transit District; change the height and bulk classification of Assessor's Block No. 3563, Lot No. 034, from 50-X to 62-B; and adopting findings, including environmental findings, and findings of consistency with the General Plan and the priority policies of Planning Code, Section 101.1.

Ordinance No. 084-13

FINALLY PASSED

Recommendations of the Rules Committee**130313 [Settlement of Lawsuit - Carlos Benavides Arroliga v. CCSF, et al. - \$250,000]**

Ordinance authorizing settlement of the lawsuit filed by Carlos Benavides Arroliga against the City and County of San Francisco for \$250,000; the lawsuit was filed on September 13, 2011, in San Francisco Superior Court, Case No. CGC-11-514165; entitled Carlos Benavides Arroliga, et al., v. City and County of San Francisco, et al.; other material terms of said settlement are material terms. (City Attorney's Office)

PASSED, ON FIRST READING

130314 [Settlement of Lawsuit - Lloyds and Zurich North America v. CCSF - \$80,000]

Ordinance authorizing settlement of the lawsuit by Zurich American Insurance Company, against the City and County of San Francisco for \$80,000; the lawsuit was filed on January 17, 2013, in San Francisco Superior Court, Case No. CGC-13-528071; entitled Zurich American Insurance Company v. City and County of San Francisco, et al. (City Attorney's Office)

PASSED, ON FIRST READING

130312 [Settlement of Claim - Kerry MacRae - \$275,000]

Resolution approving the settlement of the unlitigated claim filed by Kerry MacRae against the City and County of San Francisco for \$275,000; claim was filed on April 27, 2012. (Public Works Department)

Resolution No. 134-13

ADOPTED

121102 [Appointments, In-Home Supportive Services Public Authority - Patricia Webb, Kelly Dearman, and Tatiana Kostanian]

Motion appointing Patricia Webb, Kelly Dearman, and Tatiana Kostanian, terms ending March 1, 2016, to the In-Home Supportive Services Public Authority. (Clerk of the Board)

Motion No. M13-060

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 Consent Agenda

Supervisor Avalos requested that File No. 130315 be severed so that it may be considered separately.

130315 [Settlement of Lawsuit - CTIA - The Wireless Association]

Ordinance authorizing settlement of a lawsuit filed by CTIA against the City and County of San Francisco; the lawsuit was filed on July 23, 2010, in United States District Court, Northern District of California, Case No. 3:10-cv-03224 (WHA); entitled CTIA - The Wireless Association v. City and County of San Francisco; the material terms of said settlement are that: CTIA and the City will enter into a stipulated Final Judgment for the CTIA, including declaratory relief and a permanent injunction against enforcement of the Cell Phone Right-to-Know Law; the City will cease all litigation over the Cell Phone Right-to-Know Law; and, CTIA will waive its claims for attorney's fees. (City Attorney's Office)

PASSED ON FIRST READING by the following vote:

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

Noes: 1 - Avalos

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of the Government Audit and Oversight Committee

130179 [Agreement - Tom Eliot Fisch/Knapp Architects, JV - Authorizing Waiver of Certain As-Needed Contract Requirements In Order to Complete Design and Engineering of Bayview Opera House - \$1,275,000]

Sponsor: Cohen

Ordinance waiving the as-needed contract modification not to exceed amount requirement under Administrative Code, Section 6.64, and authorizing the Director of Public Works to amend its as-needed Architectural Services Agreement with Tom Eliot Fisch/Knapp Architects, JV by increasing the not to exceed amount by \$150,000 from \$1,125,000 to \$1,275,000 for the limited purpose of completing the design and engineering for the Bayview Opera House project for the period of September 2, 2010, through September 1, 2015.

Ordinance No. 085-13

FINALLY PASSED by the following vote:

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

NEW BUSINESS

Recommendations of the Budget and Finance Committee

130284 [Planning, Building Codes - Fee Waiver Program - Small Business Month, May 2013]

Sponsor: Tang

Ordinance recognizing Small Business Month in May 2013; amending the Planning Code and the Building Code to retroactively waive fees for the month of May for certain façade improvements; and making findings, including environmental findings and findings of consistency with the General Plan and 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

130299 [Appropriation and De-Appropriation - \$4,072,764 for Overtime - FY2012-2013]**Sponsor: Mayor**

Ordinance appropriating \$4,072,764 to overtime and de-appropriating \$4,072,764 consisting of \$3,272,301 in permanent salaries and \$800,463 in fringe benefits in the Fire Department's operating budget in order to support the department's projected increases in overtime as required per Ordinance No. 194-11.

(Fiscal Impact)

PASSED, ON FIRST READING by the following vote:

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

Recommendations of the Budget and Finance Sub-Committee**130224 [Agreement - Pacific Gas and Electric Company - University Mound Reservoir Project - \$86,765.18]****Sponsor: Campos**

Ordinance authorizing the Public Utilities Commission General Manager to enter into a long-term interconnection agreement with Pacific Gas and Electric Company to connect a small renewable energy project at University Mound Reservoir to the electric system; and waiving specific requirements of the Administrative Code and the Environment Code in the best interests of the City for an amount of \$86,765.18 with a duration of ten years and automatic renewal every year thereafter.

PASSED, ON FIRST READING by the following vote:

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

130319 [Multifamily Housing Revenue Bonds - Western Park Apartments - 1280 Laguna Street - Not to Exceed \$25,000,000]**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 (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 \$25,000,000 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 \$25,000,000; 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).

Resolution No. 135-13

ADOPTED by the following vote:

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

Recommendation of the Land Use and Economic Development Committee

120669 [Subdivision Code - Condominium Conversion Fee]

Sponsors: Farrell; Wiener, Chiu, Yee and Kim

Ordinance amending the Subdivision Code, by adding Section 1396.4, to adopt a condominium conversion impact fee applicable to certain buildings that would be permitted to convert during a six year period, and subject to specified requirements, including lifetime leases for non-purchasing tenants; adding Section 1396.5, to suspend the annual condominium conversion lottery until 2024 and resume said lottery under specified circumstances tied to permanently affordable rental housing production; amending Section 1396, to restrict future condominium lotteries to buildings of no more than four units with a specified number of owner occupied units for three years prior to the lottery; and adopting environmental findings.

(Economic Impact)

(Supervisor Wiener dissented in Committee.)

Supervisor Farrell, seconded by Supervisor Chiu, moved that this Ordinance be RE-REFERRED to the Land Use and Economic Development Committee on May 13, 2013. The motion carried by the following vote:

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

Recommendation of the Neighborhood Services and Safety Committee

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

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

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.

PASSED, ON FIRST READING by the following vote:

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

Recommendation of the Rules Committee

130329 [Appointments, Shelter Monitoring Committee - Deborah Muise and Raija Freeman]

Motion appointing Deborah Muise and Raija Freeman, terms ending November 23, 2014, to the Shelter Monitoring Committee, residency requirement waived. (Clerk of the Board)

Motion No. M13-061

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 Cohen, seconded by Supervisor Breed, 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: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Supervisor Cohen introduced, welcomed, and presented a Certificate of Honor to Judge Troy L. Nunley of the U.S. District Court in recognition of his recent appointment to the Federal Bench, his accomplishments, and continued community support.

Supervisor Breed introduced, welcomed, and presented a Certificate of Honor to Sheryl Davis of the Fillmore/Western Addition Neighborhood in recognition of receiving the prestigious Jefferson Award, her accomplishments, and continued community support.

Supervisor Breed introduced, welcomed, and presented a Certificate of Honor to Recreation and Park Department staff and volunteers in recognition of cleaning up Golden Gate Park after the '420' celebrations, their accomplishments, and continued community support.

SPECIAL ORDER 4:00 P.M.**130308 [Public Hearing - Appeal of a Final Environmental Impact Report - 706 Mission Street - The Mexican Museum and Residential Tower Project]**

Hearing of persons interested in or objecting to the Planning Commission's decision, dated March 21, 2013, Certification of a Final Environmental Impact Report identified as Planning Case No. 2008.1084E, through its Motion No. 18829, a proposed mixed-use project at 706 Mission Street (Assessor's Block No. 3706, Lot Nos. 093, 275, and portions of 277), the Mexican Museum and Residential Tower Project. (District 6) (Appellants: Lippe Gaffney Wagner, LLP, on behalf of the 765 Market Street Residential Owners Association, Friends of Yerba Buena, Paul Wornick, Matthew Schoenberg, Joe Fang, and Margaret Collins; and Brandt-Hawley Law Group on behalf of the Tenants and Owners Development Corporation and Yerba Buena Neighborhood Consortium, LLC) (Filed April 2, 9, and 10, 2013) (Clerk of the Board)

The President inquired as to whether any member of the public wished to address the Board. Tom Lippe, Susan Brandt-Hawley, and John Eberling (Appellants) provided an overview of the appeal, responded to questions raised throughout the discussion, and further requested the Board to approve the appeal. Diane Bunag; Elena Gruenberg; Alicia Duke; John Mburu Njoroge; Joe Fang; Paul Sedway; Matthew Shornberg; Richard Laiderman; John Herman; Ron Wornick; Jeannie Riggs; Edward Collins; Jack Clumeck; John Comgs; Howard Wexler; Robert Friend; Terry Eckert; Theresa Shoenberg; spoke in support of the appeal. Debra Dwyer; Devyani Jain; Diego Sanchez, Greg Riessen, and Sarah Jones (Planning Department) and Marlena Byrne (City Attorney's Office) provided an overview of the decision of the Planning Department and responded to questions raised throughout the discussion. Margot Bradish (Project Sponsor) provided an overview of the project and further requested the Board to uphold the decision of the Planning Commission. Female Speaker; Ampero Vigin; Nora Wagner; David de la Torre; Emily Pimentel; Marta Melendez; Sandra Vivanco; Eric Dorrea; Antonio Torres; John Calloway; Tom Dunner; Anna Bolton; Wilson Roberts; Benny Guitierrez; Virginia Gordji; Mike Theriault; Shawn Smith; Juana Villegas; Roberta Padilla; Beatriz Dankin; Arturo Rieza; spoke in support of the project and in opposition to the appeal. Tom Lippe and Susan Brandt-Hawley (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

130309 [Affirming FEIR Certification - 706 Mission Street - The Mexican Museum and Residential Tower Project]

Motion affirming the certification by the Planning Commission of the Final Environmental Impact Report for the 706 Mission Street - The Mexican Museum and Residential Tower Project. (Clerk of the Board)

Motion No. M13-062

Supervisor Kim, seconded by Supervisor Yee, 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

130310 [Reversing FEIR Certification - 706 Mission Street - The Mexican Museum and Residential Tower Project]

Motion reversing the certification by the Planning Commission of the Final Environmental Impact Report for the 706 Mission Street - The Mexican Museum and Residential Tower Project. (Clerk of the Board)

Supervisor Kim, seconded by Supervisor Yee, 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

130311 [Preparation of Findings to Reverse FEIR Certification - 706 Mission Street - The Mexican Museum and Residential Tower Project]

Motion directing the Clerk of the Board to prepare findings reversing the certification by the Planning Commission of the Final Environmental Impact Report for the 706 Mission Street - The Mexican Museum and Residential Tower Project. (Clerk of the Board)

Supervisor Kim, seconded by Supervisor Yee, 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

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.

Cathleen Gillis; expressed concerns relating to abortion.

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

Male Speaker; expressed various religious concerns.

Lea Freewall; expressed concerns relating to utility undergrounding.

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

Female Speaker; expressed various concerns relating to civil rights and abortion.

Mary Anne Schlong; expressed concerns relating to abortion.

Male Speaker; expressed concerns relating to abortion.

Eugene Gordon, Jr.; expressed various concerns relating to slavery.

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

Ron Sarcastsi; expressed concerns relating to abortion.

Maura Outgreave; expressed concerns relating to abortion.

Vera Haile; spoke in support of immigration reform.

Tom Dunner; expressed concerns relating to abortion.

Otto Duffy; expressed various concerns.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

130354 [Final Map 7335 - 1880 Mission Street]

Motion approving Final Map 7335, a 202 residential unit and three commercial unit mixed-use condominium project, located at 1880 Mission Street, being a merger and resubdivision of Assessor's Block No. 3547, Lot Nos. 002A, 003, 004 and 029, and adopting findings pursuant to the General Plan and Planning Code, Section 101.1. (Public Works Department)

Motion No. M13-063

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 Cohen requested that File No. 130386 be severed so that it may be considered separately.

130386 [Urging the California State Senate to Pass Senate Bill 622]

Sponsors: Campos; Avalos, Mar and Kim

Resolution urging the California State Senate to pass Senate Bill 622, which would levy an excise tax of one cent (\$0.01) per fluid ounce on any beverage with added caloric sweeteners, such as sodas, in order to fund activities to prevent childhood obesity.

Supervisor Campos, seconded by Supervisor Cohen, moved that this Resolution be CONTINUED to May 14, 2013. The motion carried by the following vote:

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

Supervisor Chiu requested that File No. 130387 be severed so that it may be considered separately.

130387 [Urging the United States Senate to Amend Senate Bill 744 and Pass Comprehensive Immigration Reform]

Sponsors: Chiu; Campos and Kim

Resolution urging the United States Senate to amend Senate Bill 744 and pass Comprehensive Immigration Reform legislation to focus on family reunification, create a real pathway to citizenship, and be inclusive of our country's diversity.

Resolution No. 136-13

ADOPTED 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

130412 [Public Works Code - Installation of City Infrastructure in Excavation Projects]

Sponsor: Chiu

Ordinance amending the Public Works Code to require the installation of City-owned telecommunications and electricity infrastructure in excavation projects where the City has determined that it is both financially feasible and consistent with the City's long-term goals to develop the City's electrical and communications infrastructure; and to coordinate the installation of the infrastructure with municipal and utility excavators.

05/07/13; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee.

130413 [Municipal Elections Code - Publication of Legal Text of Proposed Measures]

Sponsor: Chiu

Ordinance amending the Municipal Elections Code to specify that the Voter Information Pamphlet will not include the legal text of any ballot measure that exceeds 100 pages.

(Fiscal Impact)

05/07/13; ASSIGNED UNDER 30 DAY RULE to Rules Committee.

130414 [Appropriation - \$1,267,985 for the San Francisco Airport Commission - FY2013-2014]

Sponsor: Mayor

Ordinance appropriating amended estimated receipts and amended estimated expenditures of \$1,697,907 for the San Francisco Airport Commission for the fiscal year ending June 30, 2014.

05/07/13; ASSIGNED to Budget and Finance Committee.

130415 [Public Employment - Amendment to the Annual Salary Ordinance, FYs 2012-2013 and 2013-2014 - Port of San Francisco]

Sponsor: Mayor

Ordinance amending Ordinance No. 165-12 (Annual Salary Ordinance FYs 2012-2013 and 2013-2014) to reflect the addition of 7.0 positions (5.39 FTEs) in Class 9330 (3.85 FTEs, Pile Worker), 9331 (0.77 FTEs, Piledriver Engine Operator), and 9332 (.77 FTEs, Piledriver Supervisor I) in the Port of San Francisco in FY2013-2014.

05/07/13; ASSIGNED to Budget and Finance Committee.

130416 [Appropriation - \$3,857,224 for the Port of San Francisco - FY2013-2014]**Sponsor: Mayor**

Ordinance appropriating amended estimated receipts and amended estimated expenditures of \$3,857,224 for the Port of San Francisco for the fiscal year ending June 30, 2014.

05/07/13; ASSIGNED to Budget and Finance Committee.

130417 [Public Employment - Amendment to the Annual Salary Ordinance, FYs 2012-2013 and 2013-2014 - San Francisco Airport Commission]**Sponsor: Mayor**

Ordinance amending Ordinance No. 165-12 (Annual Salary Ordinance FYs 2012-2013 and 2013-2014) to reflect the addition of 32 positions (27.17 FTEs) in various job classes and delete 11 positions (11 FTEs) in various job classes for FY2013-2014 in the San Francisco Airport Commission.

05/07/13; ASSIGNED to Budget and Finance Committee.

130434 [Municipal Elections Code - Publication of Legal Text of Proposed Measures]**Sponsor: Wiener**

Ordinance amending the Municipal Elections Code to specify that the Voter Information Pamphlet will not include the legal text of any ballot measure that exceeds 20 pages.

05/07/13; ASSIGNED UNDER 30 DAY RULE to Rules Committee.

Resolutions

130411 [Lyme Disease Awareness Month - May 2013]**Sponsors: Kim; Campos**

Resolution declaring May 2013 as Lyme Disease Awareness Month.

05/07/13; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

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.

05/07/13; RECEIVED AND ASSIGNED to Budget and Finance Committee.

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.

05/07/13; ASSIGNED to Government Audit and Oversight Committee.

130420 [Real Property Conveyance - Land Dedication - 1294-8 Shotwell Street - Inclusionary Affordable Housing]**Sponsor: Campos**

Resolution approving and authorizing an agreement for the conveyance of a parcel of real estate, consisting of approximately .27 acres improved by a 11,672 square foot commercial building for the Mayor's Office of Housing pursuant to the land dedication process permitted under Planning Code, Section 419; adopting findings under the California Environmental Quality Act; adopting findings that the conveyance is consistent with the City's General Plan and Eight Priority Policies of City 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.

05/07/13; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

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)

05/07/13; RECEIVED AND ASSIGNED to Budget and Finance Committee.

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.

05/07/13; RECEIVED AND ASSIGNED to Budget and Finance Committee.

130423 [Accept and Expend Grant - 2011 Port Security Grant Program Funds for Portwide CCTV and Pier 80 Security Improvements - \$1,322,753]**Sponsors: Mayor; Cohen**

Resolution authorizing the Port to accept and expend \$1,322,753 in 2011 Port Security Grant Program funds from the U.S. Department of Homeland Security's Infrastructure Protection Program, including \$919,243 for Portwide CCTV and \$403,510 for Pier 80 security improvements, for the period of June 1, 2013, through June 30, 2013.

05/07/13; RECEIVED AND ASSIGNED to Budget and Finance Committee.

130424 [Approval of Official Statement for Certificates of Participation - Port Facilities Project]**Sponsor: Mayor**

Resolution providing for the sale of certificates of participation (Certificates) evidencing undivided, proportionate interests in the right to receive certain rental payments to be made by the City under a Project Lease to finance capital projects at the Port of San Francisco; providing for the sale of the Certificates by competitive sale; approving the form and publication of an Official Notice of Sale and a Notice of Intention to Sell the Certificates; approving the form of a Preliminary Official Statement and the form and execution of an Official Statement relating to the sale of the Certificates; approving the form of a Continuing Disclosure Certificate; granting general authority to City officials to take necessary actions in connection with the execution, sale and delivery of the Certificates; approving modifications to documents; and ratifying previous actions taken in connection therewith.

05/07/13; RECEIVED AND ASSIGNED to Budget and Finance Committee.

130425 [Accept and Expend Grant - Friends of San Francisco Public Library - Up to \$750,000]**Sponsor: Mayor**

Resolution authorizing the Department of Public Library to retroactively accept and expend a grant in the amount of up to \$750,000 of in-kind gifts, services, and cash monies from the Friends of the San Francisco Public Library for direct support for a variety of public programs and services for the period of July 1, 2012, through June 30, 2013.

05/07/13; RECEIVED AND ASSIGNED to Budget and Finance Committee.

130426 [Proposition J Contract Certification - Specified Contracted-Out Services Previously Approved - Airport Commission]**Sponsor: Mayor**

Resolution concurring with the Controller's certification that services previously approved can be performed by private contractor for a lower cost than similar work performed by City and County employees for information booth, security, and shuttle bus services at the Airport.

05/07/13; RECEIVED AND ASSIGNED to Budget and Finance Committee.

130427 [New Market Tax Credit Program - Continuation]**Sponsors: Mayor; Breed**

Resolution approving the continuation of the New Market Tax Credit Program, established by the former Redevelopment Agency of the City and County of San Francisco, revisions to the Bylaws of the San Francisco Community Investment Fund, and contributions of City staff under a Cooperative Agreement, and authorizing the San Francisco Community Investment Fund to enter into contracts to implement New Market Tax Credit Program at no cost to the City's General Fund.

05/07/13; RECEIVED AND ASSIGNED to Budget and Finance Committee.

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.

05/07/13; RECEIVED AND ASSIGNED to Budget and Finance Committee.

130431 [Asian Women's Shelter - 25th Anniversary]**Sponsors: Chiu; Kim and Campos**

Resolution commemorating the Asian Women's Shelter on their 25th anniversary for their distinguished service to those who have suffered from domestic violence in the City and County of San Francisco.

05/07/13; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

130432 [San Francisco Conservation Corps - 30th Anniversary]**Sponsors: Chiu; Campos**

Resolution commemorating the San Francisco Conservation Corps on their 30th anniversary for their dedication to providing job and academic training to youth in underserved communities in the City and County of San Francisco.

05/07/13; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

130433 [Urging the California State Legislature to Pass Assembly Bill 840]**Sponsor: Yee**

Resolution urging the California State Legislature to pass Assembly Bill 840 to require the Department of Motor Vehicles to have driver's license applicants sign a statement implying they are aware of the dangers caused by distracted driving.

05/07/13; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

130435 [National Hispanic Hepatitis Awareness Day - May 15, 2013]**Sponsors: Campos; Avalos**

Resolution declaring May 15, 2013, as National Hispanic Hepatitis Awareness Day in the City and County of San Francisco in order to raise awareness of Hepatitis A, Hepatitis B, and Hepatitis C, and liver health overall, in the lives of San Francisco's diverse Latino and Latina residents.

05/07/13; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

130436 [Urging the California State Legislature to Pass Assembly Bill 755]**Sponsors: Mar; Campos, Yee and Chiu**

Resolution urging the California State Legislature to pass Assembly Bill 755 to require all proposed new construction or refurbishment of bridges take into account plans for a suicide barrier to become eligible for any State or Federal funds apportioned by the State.

05/07/13; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Motions

130397 [Committee of the Whole - Report of Assessment Costs for Blighted Properties]

Motion scheduling the Board of Supervisors to sit as a Committee of the Whole on May 21, 2013, at 3:00 p.m., to hold a public hearing on a Resolution approving a report of assessment costs submitted by the Director of Public Works for inspection and/or repair of blighted properties ordered to be performed by said Director pursuant to Administrative Code, Chapter 80, the costs thereof having been paid for out of a blight abatement fund. (Clerk of the Board)

05/07/13; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

130403 [Closed Session - Existing Litigation - Consolidated Cases Relating to Transient Occupancy Tax]

Sponsor: Chiu

Motion that the Board of Supervisors convene in closed session on May 14, 2013, for the purpose of conferring with, or receiving advice from, Legal Counsel regarding existing litigation relating to the Transient Occupancy Tax in which the City is a defendant pursuant to California Government Code, Section 54956.9(a), and San Francisco Administrative Code, Section 67.10(d)(1), which permits this closed session because discussion in open session concerning this matter would likely and unavoidably prejudice the position of the City in the existing litigation.

05/07/13; RECEIVED AND ASSIGNED to Board of Supervisors.

Requests for Hearing

130394 [Hearing - Implementation of Recommendations - Civil Grand Jury Report - "Deja Vu All Over Again: San Francisco's City Technology Needs a Culture Shock"]

Hearing to receive updates, from various City Departments who were required to provide a response, on the implementation of Recommendation Nos. 4, 7, 9, 10, 11, 12, 13, 14, 15, 17, and 18 contained in the 2011-2012 Civil Grand Jury Report, entitled "Deja Vu All Over Again: San Francisco's City Technology Needs a Culture Shock" and respond to the Civil Grand Jury on the status of these implementations. (Clerk of the Board)

05/07/13; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

130398 [Public Hearing - Report of Assessment Costs for Blighted Properties]

Hearing to consider objections to a report of assessment costs submitted by the Director of Public Works for inspection and/or repair of blighted properties ordered to be performed by said Director pursuant to Administrative Code, Chapter 80, the costs thereof having been paid for out of a blight abatement fund. (Clerk of the Board)

05/07/13; RECEIVED AND ASSIGNED to Board of Supervisors.

130437 [Hearing - Reviewing the Proliferation of Parklets]

Sponsor: Mar

Hearing to look at how parklets have spread in certain parts of the City, examine their impact, and consider the benefits they may provide to merchant corridors.

05/07/13; RECEIVED AND ASSIGNED to Neighborhood Services and Safety Committee.

130438 [Hearing - Municipal Transportation Agency Budget Update - FY2013-2014]**Sponsor: Farrell**

Hearing to receive an update on the Municipal Transportation Agency's Budget for FY2013-2014.

05/07/13; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

130439 [Hearing - Youth Commission's Policy & Budget Priorities Update - FYs 2013-2014 and 2014-2015]**Sponsor: Farrell**

Hearing to receive an update on the Youth Commission's Policy & Budget Priorities for FYs 2013-2014 and 2014-2015.

05/07/13; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

130440 [Hearing - Sunday Streets]**Sponsor: Avalos**

Hearing to review Sunday Streets Program, including a review of how the program operates, the benefits of the program, how the program is funded, and what the City can do to further the program's goals.

05/07/13; RECEIVED AND ASSIGNED to Neighborhood Services and Safety Committee.

130441 [Hearing - Affordable Housing Fund - Stabilization Program]**Sponsors: Avalos; Chiu**

Hearing on proposed uses of Affordable Housing Fund Stabilization Program to support San Francisco homeowners to preserve affordable housing options and upgrade habitability of secondary units.

05/07/13; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

130442 [Hearing - City Fiber Network]**Sponsor: Chiu**

Hearing into the vision and strategy of the Department of Technology and other City agencies regarding the expansion and uses, including support for public WiFi, of the City's fiber network.

05/07/13; RECEIVED AND ASSIGNED to Land Use and Economic Development 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**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)

04/19/13; RECEIVED FROM DEPARTMENT.

05/07/13; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

130360 [Settlement of Claim - Bank of San Francisco - \$32,246]

Resolution approving the proposed settlement of claim filed by Bank of San Francisco against the City and County of San Francisco for \$32,246; claim was filed on July 17, 2012, bearing claim number 13-00117. (City Attorney's Office)

04/19/13; RECEIVED FROM DEPARTMENT.

05/07/13; RECEIVED AND ASSIGNED to Rules Committee.

130361 [Settlement of Claim - Stanford Group Company - \$63,292.52]

Resolution approving the proposed settlement of claim filed by Stanford Group Company against the City and County of San Francisco for \$63,292.52; claim was filed on July 25, 2012, bearing claim number 13-00190. (City Attorney's Office)

04/18/13; RECEIVED FROM DEPARTMENT.

05/07/13; RECEIVED AND ASSIGNED to Rules Committee.

130362 [Lease Extension Agreement - 711 Van Ness Avenue - Emergency Management and Assessor-Recorder - 14.5 Months for \$17,996.67 Per Month]

Resolution authorizing a 14.5 month extension of the Lease with SFOC, LLC, of 9,800 sq. ft. at 711 Van Ness Avenue, for a total lease term of 35 months with a base rent of \$17,966.67 per month, for the Department of Emergency Management and the Office of the Assessor-Recorder for the period of April 14, 2014, through June 30, 2015. (Real Estate Department)
(Fiscal Impact)

04/22/13; RECEIVED FROM DEPARTMENT.

05/07/13; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

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 \$15,067,000, pursuant to Charter, Section 9.118(b), for the period of July 1, 2013, through June 30, 2014. (Airport Commission)

04/24/13; RECEIVED FROM DEPARTMENT.

05/07/13; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

130392 [Agreement Amendment - Motorola, Inc., 800 MHz - \$28,000,000]

Resolution authorizing the Department of Technology to enter into the Seventh Amendment of the Citywide 800 MHz Radio System Project Agreement between the City and Motorola, Inc., to increase the contract amount to \$28,000,000 for the period of September 22, 1997, through September 21, 2017. (Department of Technology)

04/25/13; RECEIVED FROM DEPARTMENT.

05/07/13; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

130399 [Report of Assessment Costs for Blighted Properties]

Resolution approving report of assessment costs submitted by the Director of Public Works for inspection and/or repair of blighted properties ordered to be performed by said Director pursuant to Administrative Code, Chapter 80, the costs thereof having been paid for out of a blight abatement fund. (Public Works Department)

04/29/13; RECEIVED FROM DEPARTMENT.

05/07/13; RECEIVED AND ASSIGNED to Board of Supervisors.

In Memoriams

Todd Bove - Supervisor Campos

Babette Drefke - Supervisor Cohen

Pamela Rollo - Supervisor Yee

ADJOURNMENT

There being no further business, the Board adjourned at the hour of 7:56 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 June 11, 2013.

Angela Calvillo, Clerk of the Board