



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, November 19, 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

City and School District Select Committee
Supervisors Kim, Avalos, Farrell, Commissioners Mendoza-McDonnell, 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
10:30 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 [October 8, 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 19

Recommendations of the Land Use and Economic Development Committee

Present: Supervisors Wiener, Kim, Chiu

1. [130549](#) **[Planning Code - Controller's Reports]**
Sponsor: Mayor
Ordinance amending the Planning Code to modify when the Controller is required to issue various reports; and making environmental findings, and findings of consistency with the General Plan.

11/05/2013; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

2. [130878](#) **[Street Encroachment - Sanjay Dani - Reed Street to Access a New Garage - 45 Priest Street]**

Resolution granting revocable permission to Sanjay Dani to occupy a portion of the public right-of-way on Reed Street, an existing unaccepted public right-of-way, to extend the existing roadway by approximately 20 feet, and construct a concrete driveway ramp from the edge of an existing garage at 44 Reed Street to provide access to a proposed new garage at the Reed Street frontage of 45 Priest Street, conditioned upon the payment of an annual assessment fee; and making environmental findings, and findings of consistency with the General Plan, and the priority policies of Planning Code, Section 101.1. (Public Works Department)

Question: Shall this Resolution be ADOPTED?

Present: Supervisors Wiener, Avalos

3. [130084](#) **[Planning Code, Zoning Map - Establishing the Excelsior Outer Mission Street Neighborhood Commercial District]**

Sponsor: Avalos

Ordinance amending the Planning Code to establish the Excelsior Outer Mission Street Neighborhood Commercial District (NCD) along Mission Street between Alemany Boulevard and the San Francisco-San Mateo County line; repealing the Excelsior Alcohol Restricted Use District and adding controls on liquor establishments to the new NCD; amending various sections to make conforming and other technical changes; amending the Zoning Map to rezone specified properties to the new NCD; and making environmental findings, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

11/05/2013; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the Rules Committee

Present: Supervisors Yee, Breed, Cohen

4. [120575](#) **[Appointment, Commission on the Aging Advisory Council - Ken Prag]**

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

Question: Shall this Motion be APPROVED?

5. [130948](#) **[Appointment, Lesbian, Gay, Bisexual, and Transgender (LGBT) Seniors Task Force - G. Joyce Pierson]**

Motion appointing G. Joyce Pierson, for an indefinite term, to the Lesbian, Gay, Bisexual, and Transgender (LGBT) Seniors Task Force. (Clerk of the Board)

Question: Shall this Motion be APPROVED?

6. [130955](#) **[Settlement of Administrative Enforcement Action - San Francisco Bay Regional Water Quality Control Board - \$608,310]**
Ordinance authorizing settlement of the unlitigated administrative enforcement action filed by the San Francisco Bay Regional Water Quality Control Board against the City and County of San Francisco for \$608,310; and appropriating \$608,310 for this purpose from the Public Utilities Commission Water Enterprise fund balance. (City Attorney's Office)
- Question: Shall this Ordinance be PASSED ON FIRST READING?**
7. [130956](#) **[Settlement of Lawsuit - Carlos Hutcherson, et al. - \$125,000]**
Ordinance authorizing settlement of the lawsuit filed by Carlos Hutcherson, Tarasa Gates, and Donald Walton against the City and County of San Francisco for \$125,000; the lawsuit was filed on December 21, 2012, in United States District Court, Case No. 12-cv-6481; entitled Carlos Hutcherson, et al., v. City and County of San Francisco, et al. (City Attorney's Office)
- Question: Shall this Ordinance be PASSED ON FIRST READING?**
8. [130957](#) **[Settlement of Administrative Enforcement Acton - San Francisco Bay Regional Water Quality Control Board - \$69,000]**
Resolution approving the settlement of the unlitigated administrative enforcement action filed by the San Francisco Bay Regional Water Quality Control Board against San Francisco imposing a penalty of \$69,000. (City Attorney's Office)
- Question: Shall this Resolution be ADOPTED?**
9. [130958](#) **[Settlement of Administrative Enforcement Action - Central Valley Regional Water Quality Control Board - \$1,000,000]**
Resolution approving the settlement of the unlitigated administrative enforcement action filed by the Central Valley Regional Water Quality Control Board against San Francisco imposing a penalty of \$1,000,000. (Public Utilities Commission)
- Question: Shall this Resolution be ADOPTED?**
10. [130959](#) **[Settlement of Claim - Adam Holm - \$50,000]**
Resolution approving the settlement of the unlitigated claim filed by Adam Holm against the City and County of San Francisco for \$50,000; claim was filed on March 28, 2013. (City Attorney's Office)
- Question: Shall this Resolution be ADOPTED?**
11. [131013](#) **[Settlement of Lawsuits - Zeno Zimmerman - \$145,000]**
Ordinance authorizing settlement of the lawsuits filed by Zeno Zimmerman against the City and County of San Francisco for \$145,000; the lawsuits were filed on December 6, 2011, in San Francisco Superior Court, Case Nos. CGC-11-516360 and CGC-11-516361 (consolidated); entitled Zeno Zimmerman v. City and County of San Francisco, et al. (City Attorney's Office)
- Question: Shall this Ordinance be PASSED ON FIRST READING?**

12. [131014](#) **[Settlement of Lawsuit - Calkin, et al. - \$862,500]**
Ordinance authorizing partial settlement of the lawsuit filed by Donald Calkin, Gordon Clark, Silvia David, Sally Foster, John Higgins, Janet Lacampagne, Kenneth Sanchez, Colleen Sullivan, and Lee Sullivan against the City and County of San Francisco for \$862,500; the lawsuit was filed on May 18, 2012, in United States District Court, Northern District of California, Case No. C12-02584 JCS; entitled Donald Calkin, Gordon Clark, Silvia David, Sally Foster, John Higgins, Janet Lacampagne, Kenneth Sanchez, Colleen Sullivan, and Lee Sullivan v. City and County of San Francisco. (City Attorney's Office)
- Question: Shall this Ordinance be PASSED ON FIRST READING?**
13. [131033](#) **[California Code of Civil Procedure, Section 998 - Offer to Compromise to Defendants - Anshen and Allen, Architects Inc.]**
Sponsor: Yee
Ordinance authorizing the City Attorney to make a California Code of Civil Procedure, Section 998, Offer to Compromise to Defendants to the City in the lawsuit entitled City and County of San Francisco v. Anshen and Allen, Architects, Inc., et al., Alameda County Superior Court Case No. RG13679711.
- Question: Shall this Ordinance be PASSED ON FIRST READING?**
14. [131030](#) **[Appointments, Airport Facilities Naming Advisory Committee - Jon Ballesteros and Maggie Weiland]**
Motion appointing Jon Ballesteros and Maggie Weiland, for indefinite terms, to the Airport Facilities Naming Advisory Committee. (Clerk of the Board)
- Question: Shall this Motion be APPROVED?**
15. [131047](#) **[Appointments, Assessment Appeals Board No. 1 - Jeffrey Morris and Eugene Valla]**
Motion appointing Jeffrey Morris and Eugene Valla, terms ending September 5, 2016, to the Assessment Appeals Board No. 1. (Clerk of the Board)
- Question: Shall this Motion be APPROVED?**
16. [131048](#) **[Appointments, Assessment Appeals Board No. 2 - John Lee, Mervin Conlan, and Alfredo Perez]**
Motion appointing John Lee, Mervin Conlan, and Alfredo Perez, terms ending September 5, 2016, to the Assessment Appeals Board No. 2. (Clerk of the Board)
- Question: Shall this Motion be APPROVED?**
17. [131049](#) **[Appointments, Assessment Appeals Board No. 3 - Yosef Tahbazof, Kristine Nelson, Shawn Ridgell, and Angela Cheung,]**
Motion appointing Yosef Tahbazof, term ending September 1, 2014, Kristine Nelson, term ending September 7, 2015, Shawn Ridgell and Angela Cheung, terms ending September 5, 2016, to the Assessment Appeals Board No. 3. (Clerk of the Board)
- Question: Shall this Motion be APPROVED?**

Recommendation of the Government Audit and Oversight Committee

Present: Supervisors Cohen, Tang, Campos

18. [130400](#) **[Health Code - Massage Practitioners]**
Ordinance amending the Health Code to exempt massage practitioners who are certified by the California Massage Therapy Council (CAMTC) and massage establishments that employ only CAMTC-certified massage practitioners from requirements for obtaining a permit from the San Francisco Health Department; require massage establishments that employ only CAMTC-certified massage practitioners to pay an annual license fee; increasing the licensing fees for all establishments and practitioners; and making environmental findings. (Public Health Department)
- 11/05/2013; PASSED, ON FIRST READING.
- Question: Shall this Ordinance be FINALLY PASSED?**

Recommendation of the Budget and Finance Committee

Present: Supervisors Farrell, Mar, Avalos

19. [130799](#) **[Administrative Code - Airport Capital Improvement Promotion and Event Fund]**
Ordinance amending the Administrative Code, Section 10.100-18, to establish a special fund to receive donations and authorize expenditures for the purpose of holding events to promote the opening of major capital improvement projects at the San Francisco International Airport; and deleting obsolete provisions. (Airport Commission)
- (Fiscal Impact)
- 11/05/2013; PASSED, ON FIRST READING.
- Question: Shall this Ordinance be FINALLY PASSED?**

REGULAR AGENDA

UNFINISHED BUSINESS

Referred Without Recommendation from the Land Use and Economic Development Committee

Present: Supervisors Wiener, Kim, Chiu

- 20. [130766](#) **[Park Code - Hours of Operation for City Parks]**
Sponsors: Wiener; Farrell and Cohen
 Ordinance amending the Park Code to establish hours of operation for City parks from 5:00 a.m. to midnight, with certain exceptions; and making environmental findings.

 10/29/2013; CONTINUED ON FIRST READING.

 11/05/2013; AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.

 11/05/2013; AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.

 11/05/2013; AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.

 11/05/2013; AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.

 11/05/2013; PASSED ON FIRST READING AS AMENDED.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendation of the Land Use and Economic Development Committee

Present: Supervisors Wiener, Avalos

- 21. [130734](#) **[Administrative Code - Planning Commission Review of Medical Cannabis Dispensary Location Regulations]**
Sponsors: Avalos; Cohen
 Ordinance amending the Administrative Code, by adding Section 2A.54, to direct the Planning Commission to prepare and submit a report to the Board of Supervisors evaluating the provisions of the Planning Code related to the location of medical cannabis dispensaries.

 11/05/2013; AMENDED.

 11/05/2013; PASSED ON FIRST READING AS AMENDED.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendation of the Government Audit and Oversight Committee

Present: Supervisors Cohen, Tang, Campos

22. [130789](#) [Health Code - Licensing and Regulations of Massage Establishments and Practitioners]

Sponsors: Tang; Chiu, Kim, Yee and Farrell

Ordinance amending the Health Code to require massage establishments to post the photo identification cards of all practitioners licensed by San Francisco working at the establishment; deny Massage Establishment permits to applicants convicted of specified crimes; provide an appeal process for persons denied a Massage Establishment permit; establish health and safety requirements for all Massage Establishments; establish penalties for violations of Article 29 governing Massage Practitioners and Massage Establishments; require notice of violations be sent to the owner(s) of property where Massage Establishments are located; and making environmental findings.

11/05/2013; AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.

11/05/2013; AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.

11/05/2013; PASSED ON FIRST READING AS AMENDED.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the Budget and Finance Committee

Present: Supervisors Farrell, Mar, Avalos

23. [130937](#) [Administrative Code - Film Production Daily Use Fees; Film Rebate Program]

Sponsors: Farrell; Campos

Ordinance amending the Administrative Code to reduce the daily use fee for film productions with budgets less than \$100,000 from \$100 per day to \$50 per day; expand the definition of film productions and low-budget film productions eligible for the Film Rebate Program to include episodes of a web series; and extend the Film Rebate Program expiration date from June 30, 2014, to June 30, 2015, and correspondingly increase the current funding cap from \$2,000,000 to \$3,000,000 subject to annual appropriation; and making environmental findings.

(Fiscal Impact)

11/05/2013; PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

24. [131034](#) **[Forgivable Loan Agreement - California Department of Housing and Community Development - 2115 Jennings Street - \$978,000]**
Sponsor: Mayor
Resolution authorizing the Human Services Agency to enter into a \$978,000 forgivable loan agreement from the California Department of Housing and Community Development to renovate the leased premises at 2115 Jennings Street for use as a 100 bed homeless shelter.

11/05/2013; CONTINUED.

Question: Shall this Resolution be ADOPTED?

NEW BUSINESS

Recommendations of the Budget and Finance Committee

Present: Supervisors Farrell, Mar, Avalos

25. [130629](#) **[Supporting the Health Service System to Establish Full Quality and Cost Transparency in the Public Interest]**
Sponsors: Farrell; Chiu, Campos and Mar
Resolution supporting the Health Service System for participating in the establishment of multi-payer databases that can be used to evaluate and improve the quality and cost of care and resolving to pass legislation to establish full quality and cost transparency in the public interest.

06/25/2013; REFERRED to the Budget and Finance Committee.

Question: Shall this Resolution be ADOPTED?
26. [130797](#) **[Contract Amendment - Dominion Voting Systems, Inc. - Not to Exceed \$19,690,933.25]**
Ordinance authorizing the Department of Elections to enter into the third amendment of an agreement with Dominion Voting Systems, Inc., to commence following Board approval, to extend the term of the agreement through December 10, 2016, increasing the total not-to-exceed amount of the agreement by \$3,645,900 from \$16,045,033.25 to \$19,690,933.25. (Elections Department)

(Fiscal Impact)

Question: Shall this Ordinance be PASSED ON FIRST READING?

27. [130860](#) **[Appropriation - Parking Garage Revenue and Expenditure - \$13,786,681 - FY2013-2014]**
Sponsor: Mayor
Ordinance appropriating \$13,786,681 of parking garage revenue and expenditures to the Municipal Transportation Agency consisting of \$8,513,825 for the 5th and Mission Parking Garage and \$5,272,856 for the Ellis-O'Farrell Parking Garage in order to support the Department's projected revenue and expenditure increases.

(Fiscal Impact)

Question: Shall this Ordinance be PASSED ON FIRST READING?
28. [130962](#) **[Contract Modification - S & S Trucking Corporation - Estimated Cumulative Value of \$13,500,000]**
Resolution extending an agreement between the City and County of San Francisco and S & S Trucking Corporation from December 20, 2013, through December 19, 2015, and increasing the estimated cumulative contract amount from \$9,000,000 to \$13,500,000 for hauling biosolids (sludge) and grit, pursuant to Charter, Section 9.118(b). (Public Utilities Commission)

(Fiscal Impact)

Question: Shall this Resolution be ADOPTED?
29. [131031](#) **[Business and Tax Regulations Code - Business Tax Installment Payments; Combined Reporting; Special Assessments]**
Sponsor: Chiu
Ordinance amending the Business and Tax Regulations Code to provide additional penalty relief for payroll expense tax and gross receipts tax payments; to require combined reporting of the payroll expense tax by related taxpayers; and to clarify that fees and special assessments are administered according to the common administrative provisions applicable to other business taxes.

Question: Shall this Ordinance be PASSED ON FIRST READING?
30. [131035](#) **[Real Property Purchase and Sale Agreement - 201-229 Eddy Street - \$4,200,000]**
Sponsors: Avalos; Kim
Resolution authorizing the execution and performance of an Agreement of Purchase and Sale for Real Estate between the City and County of San Francisco and Tenderloin Neighborhood Development Corporation, a California nonprofit public benefit corporation, for the purchase of real property located at 201-229 Eddy Street, San Francisco, in the amount of \$4,200,000 for the rehabilitation of 105 units of affordable housing for low and very low income persons; authorizing the execution and performance of a Ground Lease between the City and County of San Francisco and Franciscan Towers Associates L.P., a California limited partnership, for a term of 75 years, to commence following Board approval, at an annual rate of \$420,000; adopting findings under the California Environmental Quality Act; and adopting findings that the conveyance is consistent with the City's General Plan, and eight priority policies of City Planning Code, Section 101.1.

(Fiscal Impact)

Question: Shall this Resolution be ADOPTED?

31. [131037](#) **[Multifamily Housing Revenue Note - Tenderloin Family Housing - 201 Turk Street - Not to Exceed \$22,000,000]**
Sponsors: Chiu; Kim
Resolution authorizing the execution, sale, and delivery of a multifamily housing revenue note in an aggregate principal amount not to exceed \$22,000,000 for the purpose of providing financing for the acquisition and rehabilitation of a 175-unit affordable multifamily residential rental housing project known as Tenderloin Family Housing; approving the form of and authorizing the execution of a funding loan agreement and a borrower loan agreement; providing the terms and conditions of the note and authorizing the execution and delivery thereof; approving the form of and authorizing the execution of a regulatory agreement and declaration of restrictive covenants; authorizing the collection of certain fees; approving modifications, changes and additions to the documents; granting general authority to City officials to take actions necessary to implement this Resolution; and ratifying and approving any action heretofore taken in connection with the note and the Project (as defined herein).
- Question: Shall this Resolution be ADOPTED?**
- Present: Supervisors Farrell, Mar*
32. [130801](#) **[Contract Amendment - Global Tel*Link - Inmate Telephone Services - \$3,000,000]**
Resolution retroactively authorizing the Sheriff's Department to amend the existing contract with Global*TelLink for inmate telephone services from June 1, 2010, to May 31, 2013, to June 1, 2010, to May 31, 2014, with an additional one-year option to extend the term remaining, which will result in an anticipated commission to the Inmate Welfare Fund of more than \$3,000,000 over the four-year contract term. (Sheriff)
- Question: Shall this Resolution be ADOPTED?**
33. [131036](#) **[Real Property Lease Renewal - AIM TWO - 755 and 759 South Van Ness Avenue - \$2,130,628]**
Sponsor: Campos
Resolution authorizing the lease renewal of approximately 13,545 square feet of space at 755 and 759 South Van Ness Ave., San Francisco, with AIM TWO, as Landlord, for use by the Department of Public Health at the monthly cost of \$38,738.70 for an initial term of four years and seven months for an approximate total of \$2,130,628 to commence following Board approval, including an additional 3,675 square feet parking area at no further cost.
- (Fiscal Impact)
- Question: Shall this Resolution be ADOPTED?**
34. [131070](#) **[Accept and Expend Grant - Hepatitis B Early Identification and Linkage to Care for Foreign-Born Persons with Hepatitis B - \$300,000]**
Sponsors: Wiener; Mar
Resolution retroactively authorizing the Department of Public Health to accept and expend a grant in the amount of \$300,000 from Centers for Disease Control and Prevention to participate in a program entitled Hepatitis B Early Identification and Linkage to Care for Foreign-Born Persons with Hepatitis B in San Francisco for the period of September 30, 2013, through September 29, 2014.
- Question: Shall this Resolution be ADOPTED?**

35. [131071](#) **[Accept and Expend Grant - Library Programs - Friends of Public Library - Up to \$720,000 - FY2013-2014]**

Sponsor: Yee

Resolution retroactively authorizing the Department of Public Library to accept and expend a grant in the amount of up to \$720,000 of in-kind gifts, services, and cash monies from the Friends of Public Library for direct support for a variety of public programs and services for the period of July 1, 2013, through June 30, 2014.

Question: Shall this Resolution be ADOPTED?

Recommendation of the Neighborhood Services and Safety Committee

Present: Supervisors Campos, Mar, Yee

36. [130849](#) **[Liquor License - 550 Montgomery Street]**

Resolution determining that the issuance of a Type-21 off-sale general license to Daniel Kramer for On the Fly, Inc., dba Wingtip, located at 550 Montgomery Street (District 3), will serve the public convenience or necessity of the City and County of San Francisco, in accordance with California Business and Professions Code, Section 23958.4. (Neighborhood Services and Safety Committee)

Question: Shall this Resolution be ADOPTED?

Recommendations of the Rules Committee

Present: Supervisors Yee, Breed, Cohen

37. [131017](#) **[Approving Reappointment, Entertainment Commission - Al Perez]**

Motion approving the Mayor's nomination for reappointment of Al Perez, term ending July 1, 2017, to the Entertainment Commission. (Clerk of the Board)

(Section 4.117 of the City Charter provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days of the date the nomination is transmitted to the Clerk then the nominee shall be deemed approved. Transmittal date - 9/24/13.)

Question: Shall this Motion be APPROVED?

38. [131019](#) **[Reappointment, California State Association of Counties - Supervisor Eric Mar]**

Motion reappointing Supervisor Eric Mar, term ending November 28, 2014, to the California State Association of Counties Board of Directors. (Clerk of the Board)

Question: Shall this Motion be APPROVED?

39. [131051](#) **[Confirming Appointment, City Hall Preservation Advisory Commission - Patrick Carney]**
Motion confirming the Mayor's appointment of Patrick Carney, term ending January 13, 2016, to the City Hall Preservation Advisory Commission. (Mayor)

Question: Shall this Motion be APPROVED?

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

SPECIAL ORDER 3:00 P.M.

APPEAL PROCEDURES

Board Rule 4.18 provides that public hearings on appeals shall be scheduled for 3:00 p.m. If more than one public hearing is scheduled, then the Clerk, in consultation with the President, may determine the order in which the appeals will be scheduled. Second and later appeals may be scheduled at specified times later than 3:00 p.m. An appeal shall not be heard prior to its scheduled time on the calendar, and it may not be called until the Board's consideration of appeals scheduled earlier on the calendar is completed. It is the policy of the Clerk of the Board to schedule multiple appeals in the following order at 3:00 p.m:

- 1. Appeals where all parties have agreed to request a continuance or a tabling of the appeal.*
- 2. Continued appeals from previous Board meetings (continued appeals will be listed in order of those closest to deadlines for Board decision).*
- 3. Appeals appearing on the calendar for the first time, in chronological order of receipt by the Clerk.*
- 4. Multiple appeals appearing on the calendar may be staggered at times specific, beginning at 3:00 p.m.*
- 5. Appeals involving participants who have ADA considerations may be set for specific times beginning at 3:00 p.m.*

40. [130950](#) **[Public Hearing - Appeal of Application of Condominium Conversion Fee - 273A-29th Street]**
Hearing of persons interested in or objecting to the application of the condominium conversion fee per Subdivision Code, Section 1396.4(j), for property located at 273A-29th Street, Assessor's Block No. 6633, Lot No. 025. (District 8) (Appellants: Jasmine Oberste and Anne Michele Smart) (Filed September 26, 2013). (Clerk of the Board)

Question: Shall this Hearing be HEARD AND FILED?

Pursuant to Government Code Section 65009, notice is hereby given: If you challenge the above matter in court, you may be limited to raising only those issues you or someone else raised at the public hearing described above, or in written correspondence delivered to the Board of Supervisors, (1 Dr. Carlton B. Goodlett Place, Room 244; San Francisco, CA 94102-4689) at, or prior to, the public hearing.

(Only one of the following two motions should be approved.)

41. [130951](#) **[Denying Appeal for Waiver, Adjustment or Reduction of Condominium Conversion Fee - 273A-29th Street]**
Motion denying the appeal seeking a waiver, adjustment or reduction of the condominium conversion fee in Subdivision Code, Section 1396.4(j), for 273A-29th Street. (Clerk of the Board)

Question: Shall this Motion be APPROVED?
42. [130952](#) **[Approving Waiver, Adjustment or Reduction of Condominium Conversion Fee - 273A-29th Street]**
Motion approving a waiver, adjustment or reduction of the condominium conversion fee in Subdivision Code, Section 1396.4(j), for 273A-29th Street. (Clerk of the Board)

Question: Shall this Motion be APPROVED?
43. [130953](#) **[Preparation of Findings Related to the Appeal for Waiver, Adjustment or Reduction of Condominium Conversion Fee - 273A-29th Street]**
Motion directing the Clerk of the Board to prepare findings relating to the Board of Supervisors' decision to approve a waiver, adjustment or reduction of the condominium conversion fee in Subdivision Code, Section 1396.4(j), for 273A-29th Street. (Clerk of the Board)

Question: Shall this Motion be APPROVED?

44. 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.

45. 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 46 through 50

46. [131016](#) **[Buck Delventhal Day - November 20, 2013]**
Sponsors: Wiener; Campos
Resolution declaring November 20, 2013, as Buck Delventhal Day in the City and County of San Francisco in recognition of his receipt of two prestigious awards honoring his contributions in the field of municipal law and his longstanding service and ongoing leadership in the San Francisco City Attorney's Office.
- 10/16/2013; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 10/22/2013; AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.
- 10/22/2013; CONTINUED AS AMENDED.
- Question: Shall this Resolution be ADOPTED?**
47. [131104](#) **[Concurring in the Continuation of the Revised Declaration of Local Emergency - Rim Fire (Stanislaus National Forest Area)]**
Motion concurring in the continuation of the "Rim Fire" Revised Declaration of Local Emergency by the Mayor and in the actions taken to meet the emergency. (Clerk of the Board)
- 11/13/2013; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Motion be APPROVED?**
48. [131081](#) **[Final Map 4556 - 277 Golden Gate Avenue]**
Motion approving Final Map 4556, an 88 Residential Unit and One Commercial Unit, Mixed-Use Condominium Project, located at 277 Golden Gate Avenue being a subdivision of Assessor's Block No. 0348, Lot No. 015, and adopting findings pursuant to the General Plan and City Planning Code, Section 101.1. (Public Works Department)
- 10/29/2013; RECEIVED FROM DEPARTMENT.
- Question: Shall this Motion be APPROVED?**

49. [131082](#) **[Final Map 7543 - 3418-26th Street]**
Motion approving Final Map 7543, an 11 Residential Unit Condominium Project, located at 3418-26th Street being a subdivision of Assessor's Block No. 6529, Lot No. 034, and adopting findings pursuant to the General Plan and City Planning Code, Section 101.1. (Public Works Department)

10/29/2013; RECEIVED FROM DEPARTMENT.

Question: Shall this Motion be APPROVED?

50. [131097](#) **[Final Map 7437 - 246 Ritch Street]**
Motion approving Final Map 7437, a 19 Residential Unit and one Commercial Unit, Mixed-Use Condominium Project, located at 246 Ritch Street being a subdivision of Assessor's Block No. 3776, Lot No. 092, and adopting findings pursuant to the General Plan and City Planning Code, Section 101.1. (Public Works Department)

11/08/2013; RECEIVED FROM DEPARTMENT.

Question: Shall this Motion be APPROVED?

51. **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 ORDINANCE

131078

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

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

10/31/2013; RECEIVED FROM DEPARTMENT.

11/19/2013; RECEIVED AND ASSIGNED to the Rules Committee.

PROPOSED RESOLUTIONS

131079

[Settlement of Claim - Pacific Gas and Electric Company - \$35,000]

Resolution approving the settlement of the unlitigated claim filed by Pacific Gas and Electric Company against the City and County of San Francisco for \$35,000; claim was filed on June 17, 2013. (City Attorney's Office)

10/31/2013; RECEIVED FROM DEPARTMENT.

11/19/2013; RECEIVED AND ASSIGNED to the Rules Committee.

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

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

10/29/2013; RECEIVED FROM DEPARTMENT.

11/19/2013; RECEIVED AND ASSIGNED to the Budget and Finance Committee.

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

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

11/08/2013; RECEIVED FROM DEPARTMENT.

11/19/2013; RECEIVED AND ASSIGNED to the Budget and Finance Committee.

131028 [Petitions and Communications]

Petitions and Communications received from October 28, 2013, through November 8, 2013, for reference by the President to Committee considering related matters, or to be ordered filed by the Clerk on November 19, 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 Tax Collector, submitting tax exclusion reports for 2012 tax year. Copy: Each Supervisor. (1)

From Controller, submitting FY2012-2013 Surplus Transfers Report. Copy: Each Supervisor. (2)

From Controller, submitting 2012 Annual Report for Citizen's General Obligation Bond Oversight Committee. Copy: Each Supervisor. (3)

From District Attorney, submitting Real Estate Fraud Annual Report for FY2012-2013. Copy: Each Supervisor. (4)

From Controller, regarding memorandum on Port Commission's compliance with close-out requirements for Pier 35 North Apron Improvements Project. Copy: Each Supervisor. (5)

*From Civil Service Commission, regarding Prevailing Wage Certification legislation. Copy: Each Supervisor. (6)

*From Planning Department, submitting Commerce and Industry Inventory 2012. Copy: Each Supervisor. (7)

From Ethics Commission, submitting FY2012-2013 Annual Report. Copy: Each Supervisor. (8)

From San Francisco Bay Water Quality Control Board, submitting notice of revised hearing date for Renewal of Conditional Waiver. Copy: Each Supervisor. (9)

From Howard Chabner, regarding legislation that impacts people with major mobility disabilities. Copy: Each Supervisor. (10)

From State Fish and Game Commission, submitting notice of proposed regulatory action relating to Enhancement on Private Lands Management. Copy: Each Supervisor. (11)

*From Public Utilities Commission, submitting certificates in accordance with Proposition E of 2002. File No. 120469. Copy: Each Supervisor. (12)

From Department of the Environment, submitting regulation for implementing Green Building Requirements. Copy: Each Supervisor. (13)

From Laguna Honda Hospital, submitting quarterly report on admissions, age, ethnicity and referral information. (14)

From Police Academy, submitting request for waiver of Administrative Code, Chapters 12B and 14B for Embassy Suites Hotel. (15)

From Assessor-Recorder, submitting 2012 Annual Report on Central Market Street and Tenderloin Area Exclusion. (16)

From Assessor-Recorder, submitting annual clean energy technology exclusion report. Copy: Each Supervisor. (17)

From Economic and Workforce Development, regarding release of Business Portal Project Reserve. File No. 131060. (18)

From concerned citizens, regarding parking meters in the North Mission. 9 letters. Copy: Each Supervisor. (19)

From Patrick Monette-Shaw, regarding article on San Francisco General Hospital's dialysis patients. Copy: Each Supervisor. (20)

From concerned citizens, regarding park closure legislation. File No. 130766. 6 letters. Copy: Each Supervisor. (21)

From Caltrain, regarding Holiday Train kick off. Copy: Each Supervisor. (22)

From Public Defender, announcing upcoming job openings. (23)

From Chamber of Commerce, regarding Film Production Daily Use Fees. File No. 130937. Copy: Each Supervisor. (24)

From concerned citizens, regarding Appeal of Permit Applications for 1050-1058 Valencia Street. File Nos. 130896-130899. 4 letters. Copy: Each Supervisor. (25)

From concerned citizens, regarding cell phone power increase. 4 signatures. File Nos. 131024-131027. Copy: Each Supervisor. (26)

From Sierra Club, regarding parking at 555 Fulton Street. Copy: Each Supervisor. (27)

From concerned citizens, submitting signatures for petition regarding police patrol in the Excelsior Neighborhood. 350 signatures. File Nos. 130084 and 130734. Copy: Each Supervisor. (28)

*From concerned citizens, regarding Excelsior Outer Mission Neighborhood Commercial District. File Nos. 130084, 130734, and 131023. 11 letters. Copy: Each Supervisor. (29)

*From Aaron M. Shank, regarding 725 Taraval Street. File Nos. 131024-131027. Copy: Each Supervisor. (30)

*From CalTrain, regarding Progress Reports: SamTrans and Caltrain "By the Numbers." (31).

From James Chaffee, submitting a letter regarding the description of Ray Hartz's October 23, 2013, email in the communication pages. File No. 131053. (32)

From San Francisco International Airport, regarding Lease Agreements. File No. 130778. 2 letters. Copy: Budget & Finance Committee Members. (33)

*From Controller, regarding memorandum on follow-up results of 2005 Audit of the Department of Aging and Adult Services. (34)

*From concerned citizen, regarding Public Utilities Commission proposed decision on Transportation Network Companies. (35)

From concerned citizen, submitting signatures for petition regarding, prioritizing broadband. 1251 signatures. Copy: Each Supervisor. (36)

From concerned citizens, submitting signatures for petition regarding, reforming housing and employment background checks in San Francisco. 500 signatures. Copy: Each Supervisor. (37)

From City Attorney, regarding Gross Up Ordinance. Copy: Each Supervisor. (38)

From Matthew Steen, regarding Bayview Shelter Loan Agreement. File No. 131034. Copy: Each Supervisor. (39)

From Jake Dodge, regarding Masonic Avenue. File No. 120974. Copy Each Supervisor. (40)

*(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