



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, September 10, 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, 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

There were none.

COMMUNICATIONS

SPECIAL ORDER 2:00 P.M. - Mayor's Appearance Before The Board

Pursuant to Charter Section 3.100(7), this item will be read at the Board Meeting on the second Tuesday of each month, unless rescheduled by the Mayor and the Board President. The Mayor and the Board may not discuss matters that have already been considered in Committee and that are on the Board's Agenda as an action item.

By supermajority vote of the Board of Supervisors (8 votes), the Board may, by oral motion, allow an eligible District Supervisor to ask a question that was not previously posed if the question relates to a sudden or unexpected incident or occurrence raising formal, time-sensitive policy questions that were not anticipated prior to the posting of this agenda. Public comment for this item will take place during general public comment.

1. [130816](#) **[Formal Policy Discussions - September 10, 2013]**

Pursuant to Charter, Sections 2.103 and 3.100(7), and Administrative Code, Section 2.11, the Mayor shall answer the following eligible questions submitted from Supervisors representing Districts 1, 3, 5, 9, and 11. The Mayor may address the Board initially for up to five minutes. Discussion shall not exceed five minutes per Supervisor.

1. Mayor Lee - As you know, San Francisco has set ambitious goals to combat climate change. In many ways, the City is making great strides in this direction, from increasing bicycling, to pursuing zero waste goals, to hiring a new, excellent environmental policy advisor in Rodger Kim who has a strong background in environmental justice and community engagement. However, the Public Utilities Commission has repeatedly failed to set rates for CleanPowerSF, the most impactful local proposal yet designed to curb carbon emission. This program was adopted by the Board of Supervisors, the legislative body of the City. However, there are some allegations that your office is stalling its implementation. What specifically are you doing, as the City's head executive, to implement this policy in a timely fashion? (Supervisor Mar, District 1)

2. Mr. Mayor, can you please outline your objections to the CleanPowerSF program as approved last year on a vote 8-3 by the Board of Supervisors? (Supervisor Chiu, District 3)

3. Recognizing the constraints imposed by state law, particularly with respect to opt-out provisions, how would a clean power program need to be structured in order for you to support it? Are you willing to work with the Board of Supervisors, and have your staff and commissioners work with the Board of Supervisors, to revise CleanPowerSF so that you can support it? Can we come to the table and make clean power a reality without any further delay? (Supervisor Breed, District 5)

4. The Board of Supervisors has been very supportive of CleanPowerSF. Do you think it is appropriate for a City Commission to go against the policy the Board of Supervisors set when it approved CleanPowerSF? (Supervisor Campos, District 9)

5. Days after the one-year anniversary of the 2010 PG&E San Bruno pipeline explosion, you called PG&E a "great local corporation" and a "great company that gets it." However, the examples of PG&E's immoral, illegal, and greedy behavior are legion:

- PG&E avoided admitting fault in the San Bruno explosion, failed to cooperate with the investigation, fought against paying a fair fine, and hopes to make ratepayers pay for the fine.
- PG&E's current electric mix is only 20% California-certified renewable.
- Outages of PG&E-owned streetlights have increased over 400% in recent years, and PG&E wants to increase by \$600,000 a year the amount it charges the City for streetlight maintenance without committing to improved service.
- Despite the fact that PG&E already has some of the highest electric rates in the country, PG&E is seeking to further increase rates in each of the next three years.
- While PG&E has proposed a new Green Tariff program, it remains only a vague proposal and there is no guarantee that it will ever be implemented.
- PG&E's previous green campaigns-such as ClimateSmart and "Let's Green This City"-have proven to be short lived and ineffective public relations stunts.

Multiple public surveys conducted by the PUC to gauge the level of support for CleanPowerSF have all found that a substantial number of San Franciscans want the opportunity to pay a slight premium for a 100% renewable alternative to PG&E.

Why does your office continue to oppose providing City ratepayers with an alternative to PG&E's monopoly by implementing CleanPowerSF? (Supervisor Avalos, District 11)

Question: The Mayor shall DISCUSS the eligible questions with the Board of Supervisors.

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.

There were no items.

REGULAR AGENDA

UNFINISHED BUSINESS

There were no items.

NEW BUSINESS

There were no items.

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

2. 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.

3. 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.

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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 4 through 7

4. [130828](#) **[Enterprise Zone Targeted Employment Area]**
Sponsor: Mayor
Resolution approving the boundaries of the City and County of San Francisco Enterprise Zone Targeted Employment Area.

09/03/2013; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?
5. [130829](#) **[Urging the Public Utilities Commission to Set Not-to-Exceed Rates for CleanPowerSF Without Any Further Delay]**
Sponsors: Breed; Avalos, Mar and Campos
Resolution reiterating the Board of Supervisor's support for CleanPowerSF, citing the Board's role as the preeminent policymaking body in San Francisco, urging the Public Utilities Commission to set not-to-exceed rates for CleanPowerSF without any further delay, and promising further action if the Public Utilities Commission fails to set rates.

09/03/2013; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?
6. [130830](#) **[Deferred Action for Childhood Arrivals Day - September 4, 2013]**
Sponsors: Campos; Chiu
Resolution commending the Dream SF Deferred Action Grant Program and declaring September 4, 2013, as Deferred Action for Childhood Arrivals (DACA) Day in the City and County of San Francisco.

09/03/2013; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

7. [130792](#) **[Committee of the Whole - Disposition and Development Agreement - Transbay Block 6 - September 17, 2013]**

Sponsor: Kim

Motion scheduling the Board to sit as a Committee of the Whole on September 17, 2013, at 3 p.m., to hold a public hearing of the proposal of the Successor Agency to the San Francisco Redevelopment Agency to enter into a Disposition and Development Agreement for the sale and development of land located at the corner of First and Folsom Streets, Assessor's Parcel No. 3738-004, commonly known as Transbay Block 6, with Golub Real Estate Corporation, a Illinois corporation, and Mercy Housing California, a California non-profit public benefit corporation, consistent with the provisions of the California Community Redevelopment Law, Section 33433.

09/03/2013; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

8. **IMPERATIVE AGENDA**

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

[Serious Injury Finding]

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

[Purely Commendatory Finding]

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

[Brown Act Finding]

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

LEGISLATION INTRODUCED AT ROLL CALL

Introduced by a Supervisor or the Mayor

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

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

Introduced at the Request of a Department

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

PROPOSED ORDINANCES

130836 [Building Code - Repeal of Existing 2010 Code and Enactment of 2013 Edition]

Ordinance repealing the 2010 Building Code in its entirety and enacting a 2013 Building Code consisting of the new model code, as amended by the State of California and as further amended by San Francisco; adopting environmental findings and findings of local conditions under the California Health and Safety Code; providing for an operative date of January 1, 2014; and directing the Clerk of the Board to forward the legislation to the State Building Standards Commission as required by State law. (Building Inspection Commission)

08/29/2013; RECEIVED FROM DEPARTMENT.

09/10/2013; ASSIGNED UNDER 30 DAY RULE to the Land Use and Economic Development Committee.

130837 [Building Code - Residential Building Requirements]

Ordinance incorporating the provisions of the 2013 California Residential Code into various chapters of the Building Code with local amendments, and adding Chapter 36 to serve as a directory of where such provisions may be found in the Building Code; adopting environmental findings and findings of local conditions under the California Health and Safety Code; providing for an operative date of January 1, 2014; and directing the Clerk of the Board to forward the legislation to the State Building Standards Commission as required by State law. (Building Inspection Commission)

08/29/2013; RECEIVED FROM DEPARTMENT.

09/10/2013; ASSIGNED UNDER 30 DAY RULE to the Land Use and Economic Development Committee.

130838 [Electrical Code - Repeal of Existing 2010 Code and Enactment of 2013 Edition]

Ordinance repealing the 2010 Electrical Code in its entirety and enacting a 2013 Electrical Code consisting of the new model code, as amended by the State of California and as further amended by San Francisco; adopting environmental findings and findings of local conditions under the California Health and Safety Code; providing for an operative date of January 1, 2014; and directing the Clerk of the Board to forward the legislation to the State Building Standards Commission as required by State law. (Building Inspection Commission)

08/29/2013; RECEIVED FROM DEPARTMENT.

09/10/2013; ASSIGNED UNDER 30 DAY RULE to the Land Use and Economic Development Committee.

130839 [Mechanical Code - Repeal of Existing 2010 Code and Enactment of 2013 Edition]

Ordinance repealing the 2010 Mechanical Code in its entirety and enacting a 2013 Mechanical Code consisting of the new model code, as amended by the State of California and as further amended by San Francisco; adopting environmental findings and findings of local conditions under the California Health and Safety Code; providing for an operative date of January 1, 2014; and directing the Clerk of the Board to forward the legislation to the State Building Standards Commission as required by State law. (Building Inspection Commission)

08/29/2013; RECEIVED FROM DEPARTMENT.

09/10/2013; ASSIGNED UNDER 30 DAY RULE to the Land Use and Economic Development Committee.

130840 [Plumbing Code - Repeal of Existing 2010 Code and Enactment of 2013 Edition]

Ordinance repealing the 2010 Plumbing Code in its entirety and enacting a 2013 Plumbing Code consisting of the new model code, as amended by the State of California and as further amended by San Francisco; adopting environmental findings and findings of local conditions under the California Health and Safety Code; providing for an operative date of January 1, 2014; and directing the Clerk of the Board to forward the legislation to the State Building Standards Commission as required by State law. (Building Inspection Commission)

08/29/2013; RECEIVED FROM DEPARTMENT.

09/10/2013; ASSIGNED UNDER 30 DAY RULE to the Land Use and Economic Development Committee.

130841 [Green Building Code - Enactment of New Code]

Ordinance enacting a 2013 San Francisco Green Building Code consisting of the 2013 California Green Building Standards Code, as amended by San Francisco; adopting environmental findings and findings required by the California Health and Safety Code, California Public Resources Code, and Title 24 of the California Code of Regulations; providing for an operative date of January 1, 2014; and directing the Clerk of the Board to forward the legislation to the State Building Standards Commission as required by State law. (Building Inspection Commission)

08/29/2013; RECEIVED FROM DEPARTMENT.

09/10/2013; ASSIGNED UNDER 30 DAY RULE to the Land Use and Economic Development Committee.

130823 [Petitions and Communications]

Petitions and Communications received from August 26, 2013, through August 30, 2013, for reference by the President to Committee considering related matters, or to be ordered filed by the Clerk on September 10, 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 City Departments, submitting notification that the adopted Budget for FYs 2013-2014 and 2014-2015 is adequate for the Department to meet service levels as proposed by the Board: (1)

- Asian Art Museum
- Arts Commission
- Assessor-Recorder
- City Attorney
- Children and Families Commission
- Children, Youth and Their Families
- Controller
- Planning
- Superior Court
- Civil Service Commission
- Department of Public Works
- Human Services
- Economic and Workforce Development
- Environment
- Fine Arts Museums
- Fire
- Human Rights Commission
- Human Resources
- Juvenile Probation
- Public Library
- Law Library
- Mayor's Office of Housing
- Police
- Elections
- Academy of Sciences
- Sheriff
- Treasurer and Tax Collector
- War Memorial and Performing Arts Center
- Department on the Status Women
- Office of Citizens Complaints
- Department of Technology

From Clerk of the Board, reporting the following individuals have submitted Form 700 Statements: (2)

- Mawuli Tugbenyoh - Legislative Aide - Assuming
- Jennifer Low - Legislative Aide - Assuming

From concerned citizens, regarding the Japantown Cultural Heritage and Economic Sustainability Strategy. 3 letters. Copy: Each Supervisor. (3)

From concerned citizens, regarding the Gan Noe Preschool's Conditional Use Permit. File No. 130818. 4 letters. Copy: Each Supervisor. (4)

From concerned citizens, regarding fiber broadband. 2 letters. Copy: Each Supervisor. (5)

From Dr. E. Martin Spencer, regarding Masonic Avenue cycle track project. File No. 120974. Copy: Each Supervisor. (6)

From Joe Rinzel, regarding Formula Retail legislation. File No. 130788. Copy: Each Supervisor. (7)

From Michael Krasnobrod, regarding City College. Copy: Each Supervisor. (8)

From Steven Love, regarding "Ban the Box in San Francisco." Copy: Each Supervisor. (9)

From Amanda M. Cruz, regarding BART ridership. Copy: Each Supervisor. (10)

From California Department of Fish and Wildlife, submitting notice of proposed rulemaking. Copy: Each Supervisor. (11)

From Department of Public Health, regarding 2012-2013 Civil Grand Jury report, "Golden Gate Park's Homeless Population." File No. 130605. (12)

From City Departments, regarding 2012-2013 Civil Grand Jury report, "Are the Wheels Moving Forward?" File No. 130602. (13)

Police Department
Bicycle Advisory Committee

From Citizens' General Obligation Bond Oversight Committee, regarding 2012-2013 Civil Grand Jury report, "Auditing the City Services Auditor." File No. 130639. (14)

From City Administrator, submitting annual gift report for FY2012-2013. Copy: Each Supervisor. (15)

*From Department of Emergency Management, submitting FY2012-2013 Annual Report. Copy: Each Supervisor. (16)

From Department of Public Health, submitting General Hospital Rebuild Program's Bond Accountability Report and 4th Bond Sale. Copy: Each Supervisor. (17)

From Mercy Housing, regarding financing for affordable housing development at 705 Natoma Street. Copy: Each Supervisor. (18)

From Marc A. Rappaport, regarding Pat Robertson's video. Copy: Each Supervisor. (19)

From Jeff Greenberg, regarding invasion of Syria. Copy: Each Supervisor. (20)

*(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