



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, October 1, 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 are none.

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 16

Recommendation of the Neighborhood Services and Safety Committee

Present: Supervisors Campos, Mar, Yee

- 1. 130767 [Comprehensive Bicycle Theft Prevention and Recovery Policy]**
Sponsors: Mar; Breed, Campos and Chiu
Resolution urging for the creation of a comprehensive bicycle theft prevention and recovery policy for the Municipal Transportation Agency to develop and quickly implement short and medium term strategies to greatly expand bicycle parking in San Francisco; and for the Police Department to standardize best practices and implement a voluntary bicycle registration program.

Question: Shall this Resolution be ADOPTED?

Recommendations of the Rules Committee

Present: Supervisors Yee, Breed, Cohen

- 2. 130581 [Appointment Process - Road Commissioner]**
Sponsor: Mayor
Ordinance declaring that future appointments done by the City and County of San Francisco for Road Commissioner shall be enacted by Resolution.
Question: Shall this Ordinance be PASSED ON FIRST READING?
- 3. 130582 [Appointment, Road Commissioner - Mohammed Nuru]**
Sponsor: Mayor
Ordinance appointing Mohammed Nuru, Director of the Department of Public Works, as Road Commissioner for the City and County of San Francisco; repealing Ordinance No. 160-10.
Question: Shall this Ordinance be PASSED ON FIRST READING?
- 4. 130696 [Settlement of Lawsuit - Jessica Orozco - \$50,000]**
Ordinance authorizing settlement of the lawsuit filed by Jessica Orozco against the City and County of San Francisco for \$50,000; the lawsuit was filed on March 13, 2012, in San Francisco Superior Court, Case No. CGC-12-519124; entitled Jessica Orozco v. City and County of San Francisco, et al. (City Attorney's Office)
Question: Shall this Ordinance be PASSED ON FIRST READING?
- 5. 130697 [Settlement of Lawsuit - Andrew Melomet - \$40,000]**
Ordinance authorizing settlement of the lawsuit filed by Andrew Melomet against the City and County of San Francisco for \$40,000; the lawsuit was filed on February 2, 2012, in California Superior Court, San Francisco Branch, Case No. CGC-12-518471, entitled Andrew Melomet v. City and County of San Francisco Human Services Agency; said lawsuit was removed to United States District Court for the Northern District of California, Case No. C 12-03101 EDL. (City Attorney's Office)
Question: Shall this Ordinance be PASSED ON FIRST READING?
- 6. 130757 [Settlement of Lawsuit - Joseph P. CuvIELLO, Deniz Bolbol, and Alex Felsinger - \$180,000]**
Ordinance authorizing settlement of the lawsuit filed by Joseph P. CuvIELLO, Deniz Bolbol, and Alex Felsinger against the City and County of San Francisco for \$180,000 in the United States District Court for the Northern District of California, Case No. CV-12-3034-EMC; entitled CuvIELLO et al. v. City and County of San Francisco, et al. (City Attorney's Office)
Question: Shall this Ordinance be PASSED ON FIRST READING?

7. **130758** **[Settlement of Lawsuit - Ana Pichardo - \$50,000]**
Ordinance authorizing settlement of the lawsuit filed by Ana Pichardo against the City and County of San Francisco for \$50,000; the lawsuit was filed on May 9, 2012, in United States District Court, Case No. C12-4042; entitled Ana Pichardo v. City and County of San Francisco, et al. (City Attorney's Office)
- Question: Shall this Ordinance be PASSED ON FIRST READING?**
8. **130759** **[Settlement of Lawsuit - Bank of America N.A. - \$975,000]**
Ordinance authorizing settlement of the lawsuit filed by Bank of America N.A. against the City and County of San Francisco for \$975,000; the lawsuit was filed on September 9, 2010, in San Francisco Superior Court, Case No. CGC-10-503389; entitled Bank of America N.A. v. City and County of San Francisco, et al. (City Attorney's Office)
- Question: Shall this Ordinance be PASSED ON FIRST READING?**
9. **130803** **[Settlement of Lawsuit - Lloyd O'Neil - \$185,000]**
Ordinance authorizing the settlement of the lawsuit filed by Lloyd O'Neil against the City and County of San Francisco for \$185,000; the lawsuit was filed on September 29, 2011, in San Francisco Superior Court, Case No. CGC 11-514739; entitled Lloyd O'Neil v. City and County Of San Francisco. (City Attorney's Office)
- Question: Shall this Ordinance be PASSED ON FIRST READING?**
10. **130854** **[Settlement of Lawsuit - Erik Russell - \$30,000]**
Ordinance authorizing settlement of the lawsuit filed by Erik Russell against the City and County of San Francisco for \$30,000; the lawsuit was filed on February 24, 2012, in United States District Court, Northern District of California, Case No. 12-CV-00929 JCS; entitled Erik Russell, et al., v. City and County of San Francisco, et al. (City Attorney's Office)
- Question: Shall this Ordinance be PASSED ON FIRST READING?**
11. **130855** **[Settlement of Lawsuit - E. Lynn Schoenmann - \$160,000]**
Ordinance authorizing settlement of the lawsuit filed by E. Lynn Schoenmann against the City and County of San Francisco for \$160,000; the lawsuit was filed on December 10, 2012, in Bankruptcy Court, Case No. 12-32146-HLB; Adv. Proc. No. 12-03170; entitled E. Lynn Schoenmann, Trustee, et al., v. City and County of San Francisco. (City Attorney's Office)
- Question: Shall this Ordinance be PASSED ON FIRST READING?**
12. **130731** **[Settlement of Claim - Jeanine Dubois - \$45,000]**
Resolution approving the settlement of the unlitigated claim filed by Jeanine Dubois against the City and County of San Francisco for \$45,000; claim was filed on June 30, 2008. (City Attorney's Office)
- Question: Shall this Resolution be ADOPTED?**

- 13. 130755 [Settlement of Claim - Beth Mondry - \$175,000]**
Resolution approving the proposed settlement of claim filed by Beth Mondry against the City and County of San Francisco for \$175,000; claim was filed on November 13, 2012. (City Attorney's Office)
Question: Shall this Resolution be ADOPTED?

- 14. 130739 [Appointment, Local Homeless Coordinating Board - Deleano Seymour]**
Motion appointing Deleano Seymour, term ending October 21, 2014, to the Local Homeless Coordinating Board, residency requirement waived. (Clerk of the Board)
Question: Shall this Motion be APPROVED?

- 15. 130742 [Appointments, Food Security Task Force - Karen Gruneisen, Anne Quaintance, Teresa Olle, Bruce McKinney, Deloris McGee, Hilary Seligman, Charles Sommer, and Simon Pitchford]**
Motion appointing Karen Gruneisen, Anne Quaintance, Teresa Olle, Bruce McKinney, Deloris McGee, Hilary Seligman, Charles Sommer, and Simon Pitchford, for indefinite terms, to the Food Security Task Force. (Clerk of the Board)
Question: Shall this Motion be APPROVED?

- 16. 130859 [Appointment, Shelter Monitoring Committee - Amanda Reichmuth]**
Motion appointing Amanda Reichmuth, term ending November 23, 2014, to the Shelter Monitoring Committee. (Clerk of the Board)
Question: Shall this Motion be APPROVED?

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendations of the Budget and Finance Committee

Present: Supervisors Farrell, Mar, Avalos

17. 130784 [Business and Tax Regulations Code - Miscellaneous Changes]

Sponsor: Chiu

Ordinance amending the Business and Tax Regulations Code by, among other things: 1) (Common Administrative Provisions) requiring monthly installment payments rather than prepayments of hotel and parking taxes; eliminating the annual parking tax bond renewal requirement; providing a due date for business registration fees; excluding penalties from calculation of interest on tax determinations; adding an underreporting penalty for failure to file a return when tax liability exceeds \$5,000; changing the penalty for failure to register or update a registration, making misstatements in a registration, failure to allow inspection or production of records, and failure to file a return; 2) (Tax on Occupancy of Parking Space in Parking Stations) eliminating the prepayment Revenue Control Equipment certification; 3) (Business Registration provisions) requiring a copy of the business registration certificate rather than a business tax registration tag be displayed on company vehicles; eliminating the Tax Collector's authority to suspend a business registration certificate; 4) (Payroll Expense Tax Ordinance) providing that interest applies to unpaid penalties but not unpaid fees and interest; changing the date that businesses must file an affidavit with the Office of Economic and Workforce Development claiming the Central Market Street and Tenderloin Area Payroll Expense Tax Exclusion; and 5) (Parking Stations, Revenue Control Equipment) specifying the date the Revenue Control Equipment Compliance Fee is due.

09/24/2013; PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

18. 130861 [Appropriation - Municipal Transportation Agency 2013 Series Revenue Bond Proceeds - Transportation Capital Projects and Equipment - \$165,000,000 - FY2013-2014]

Sponsor: Mayor

Ordinance appropriating \$165,000,000 of 2013 Series Revenue Bond proceeds to the Municipal Transportation Agency for Transit, Bicycle, Pedestrian, and Parking Garage Projects and Equipment in FY2013-2014.

(Fiscal Impact)

09/24/2013; PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendation of the Land Use and Economic Development Committee

Present: Supervisors Wiener, Kim, Chiu

19. 130781 [Administrative Code - Special Tax Financing Law]

Sponsors: Mayor; Tang and Wiener

Ordinance to amend the Administrative Code Special Tax Financing Law, constituting Article 43.10, to authorize financing by special tax districts of work deemed necessary to bring buildings or real property, including privately owned buildings or real property, into compliance with seismic safety standards or regulations, and related technical amendments; and to establish certain procedures by which the City can make changes to a special tax district.

09/24/2013; PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendation of the Neighborhood Services and Safety Committee

Present: Supervisors Campos, Mar, Avalos

20. 130764 [Administrative Code - Due Process for All Ordinance on Civil Immigration Detainers]

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

Ordinance amending the Administrative Code, by adding Chapter 12I, to prohibit law enforcement officials from detaining individuals on the basis of a civil immigration detainer after they become eligible for release from custody, except for individuals who have prior conviction for a violent felony within a certain period of time, are currently being charged with a violent felony, and may pose a public safety risk.

09/17/2013; CONTINUED ON FIRST READING.

09/24/2013; AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.

09/24/2013; PASSED ON FIRST READING AS AMENDED.

Question: Shall this Ordinance be FINALLY PASSED?

NEW BUSINESS

Recommendations of the Budget and Finance Committee

Present: Supervisors Farrell, Mar, Avalos

21. 130869 [Multifamily Housing Revenue Bonds - 1751 Carroll Avenue - Not to Exceed \$30,000,000]

Sponsor: Cohen

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 and Community Development (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 \$30,000,000 for 1751 Carroll Avenue (Assessor's Parcel No. 5431A, Lot No. 42), San Francisco, California 94124; 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 \$30,000,000; 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).

Question: Shall this Resolution be ADOPTED?

22. 130887 [Multifamily Housing Revenue Bonds - 1825 Mission Street (Vincentian Villa) - Not to Exceed \$15,500,000]

Sponsor: Campos

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 qualified mortgage revenue bonds in an aggregate principal amount not to exceed \$15,500,000 for 1825 Mission Street (Vincentian Villa); authorizing and directing the Director to direct the Controller's Office to hold in trust an amount not to exceed \$77,500 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 qualified mortgage revenue bonds; approving, for purposes of the Internal Revenue Code of 1986, as amended, the issuance and sale of mortgage revenue bonds by the City in an aggregate principal amount not to exceed \$15,500,000; 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).

Question: Shall this Resolution be ADOPTED?

23. 130827 **[Issuance of Tax-Exempt Obligation - The Hamlin School - Not to Exceed \$22,000,000]**
Sponsor: Farrell
Resolution approving, in accordance with Internal Revenue Code, Section 147(f), of the issuance of a tax-exempt revenue obligation by the California Enterprise Development Authority in an aggregate principal amount not to exceed \$22,000,000 to refinance various capital facilities owned and operated by The Hamlin School.
- Question: Shall this Resolution be ADOPTED?**
24. 130865 **[Memorandum of Understanding - Urban Areas Security Initiative]**
Sponsor: Mayor
Resolution approving a Memorandum of Understanding (MOU) with the Cities of Oakland and San Jose and the Counties of Alameda, Contra Costa, Marin, Monterey, San Mateo, Santa Clara, and Sonoma that provides governance structures and procedures for application, allocation, and distribution of Federal Urban Areas Security Initiative (UASI) Grant Funds to the Bay Area Urban Area, as well as for other Federal grant funds to the Bay Area Urban Area as permitted under the MOU; and continues San Francisco as the primary grantee and fiscal agent for UASI grant funds to the Bay Area Urban Area, as well as for other Federal grant funds to the Bay Area Urban Area, as permitted under the MOU for the period of December 1, 2013, through December 1, 2017.
- Question: Shall this Resolution be ADOPTED?**
25. 130867 **[Multifamily Housing Revenue Note - Western Park Apartments - Not to Exceed \$30,000,000]**
Sponsor: Breed
Resolution authorizing the execution, sale, and delivery of a multifamily housing revenue note in an aggregate principal amount not to exceed \$30,000,000 for the purpose of providing financing for the acquisition and rehabilitation of a 182-unit affordable multifamily senior residential rental housing project known as Western Park Apartments; 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?**

Recommendations of the Land Use and Economic Development Committee

Present: Supervisors Wiener, Kim, Chiu

26. 130765 **[Health Code - Alternate Water Sources for Non-Potable Applications]**
Sponsors: Chiu; Mar
Ordinance amending the Health Code to establish permitting requirements for two or more parcels that share the use of alternate water sources for non-potable applications; setting permit fees; and making environmental findings.
- Question: Shall this Ordinance be PASSED ON FIRST READING?**

- 27. 130785 [Administrative Code - Family Friendly Workplace Ordinance]**
Sponsors: Chiu; Cohen, Mar, Campos, Yee, Breed, Avalos and Kim
Ordinance amending the Administrative Code to allow San Francisco-based employees to request flexible or predictable working arrangements to assist with care giving responsibilities, subject to the employer's right to deny a request based on business reasons; prohibit adverse employment actions based on caregiver status; prohibit interference with rights or retaliation against employees for exercising rights under the Ordinance; require employers to post a notice informing employees of their rights under the Ordinance; require employers to maintain records regarding compliance with the Ordinance; authorize enforcement by the Office of Labor Standards Enforcement, including the imposition of remedies and penalties for a violation and an appeal process for an employer to an independent hearing officer; authorize waiver of the provisions of the Ordinance in a collective bargaining agreement; and making environmental findings.

Question: Shall this Ordinance be PASSED ON FIRST READING?

- 28. 130863 [Eliminating Official Sidewalk Width - Renovation of Glen Canyon Park - Portion of Elk Street (Between Chenery and Sussex Streets)]**
Sponsor: Wiener
Ordinance amending Ordinance No. 1061, entitled "Regulating the Width of Sidewalks," to eliminate the official sidewalk width on a portion of the westerly side of Elk Street, between Chenery and Sussex Streets, for the renovation of Glen Canyon Park; requiring the Recreation and Park Department to address relocation, modification, or both of facilities affected by the sidewalk width change; and making environmental findings, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

Question: Shall this Ordinance be PASSED ON FIRST READING?

Recommendation of the Rules Committee

Present: Supervisors Yee, Breed, Cohen

- 29. 130858 [Appointment, Reentry Council - Robert Bowden]**
Motion appointing Robert Bowden, term ending June 1, 2014, to the Reentry Council. (Clerk of the Board)

(Supervisor Yee dissented in Committee.)

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.

30. 130805 [Public Hearing - Appeal of Determination of Exemption from Environmental Review - 435-437 Potrero Avenue]

Hearing of persons interested in or objecting to the Planning Commission's determination dated July 11, 2013, that the project located at 435-437 Potrero Avenue, Assessor's Block No. 3974, Lot No. 022 is exempt from environmental review under Class 1 of the California Environmental Quality Act (CEQA) Guidelines as a minor alteration to an existing facility; the proposed work involves establishment of an internet services exchange to occupy the entirety of an existing 10,000 square foot building. (District 10) (Appellant: Mica I. Ringel) (Filed August 12, 2013). (Clerk of the Board)

09/24/2013; CONTINUED.

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.)

31. 130806 [Affirming the Exemption Determination - 435-437 Potrero Avenue]

Motion affirming the determination by the Planning Commission that a project located at 435-437 Potrero Avenue is exempt from environmental review.

09/24/2013; CONTINUED.

Question: Shall this Motion be APPROVED?

- 32. 130807 [Reversing the Exemption Determination - 435-437 Potrero Avenue]**
Motion reversing the determination by the Planning Commission that a project located at 435-437 Potrero Avenue is exempt from environmental review.

09/24/2013; CONTINUED.

Question: Shall this Motion be APPROVED?

- 33. 130808 [Preparation of Findings to Reverse the Exemption Determination - 435-437 Potrero Avenue]**
Motion directing the Clerk of the Board to prepare findings reversing the determination by the Planning Commission that a project located at 435-437 Potrero Avenue is exempt from environmental review.

09/24/2013; CONTINUED.

Question: Shall this Motion be APPROVED?

34. 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.

35. 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 36 through 38**36. 130943 [City Employees' Wellness]****Sponsor: Farrell**

Resolution recognizing the importance of wellness to City employees' quality of life, controlling health care costs, and providing government services to San Francisco efficiently and effectively and pledging to support a comprehensive employee wellness plan that expands on current wellness offerings.

09/24/2013; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

37. 130944 [Approval of a Nine-Month Extension for Planning Commission Review of the Definition of Formula Retail in the Upper Fillmore Street Neighborhood Commercial District (File No. 130735)]**Sponsor: Farrell**

Resolution extending by nine-months the prescribed time within which the Planning Commission may render its decision on a Ordinance (File No. 130735) amending the Planning Code, Section 703.3, to expand the definition of formula retail uses in the Upper Fillmore Street Neighborhood Commercial District; adopting findings, including environmental findings, Section 302 findings, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

09/24/2013; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

38. 130945 [Endorsement of the Japantown Cultural Heritage and Economic Sustainability Strategy]**Sponsor: Breed**

Resolution endorsing the Japantown Cultural Heritage and Economic Sustainability Strategy (JCHESS).

09/24/2013; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

39. 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

There are none.

PROPOSED RESOLUTIONS

130902 [Master Lease Amendment - United States Navy - Treasure Island South Waterfront]

Resolution approving the Twenty-Ninth Amendment to the Treasure Island South Waterfront Master Lease between the Treasure Island Development Authority and the United States Navy to extend the term for a period of one year beginning on December 1, 2013, and ending on November 30, 2014. (Treasure Island Development Authority)

09/20/2013; RECEIVED FROM DEPARTMENT.

10/01/2013; RECEIVED AND ASSIGNED to the Budget and Finance Committee.

130903 [Master Lease Amendment - United States Navy - Treasure Island Land and Structures]

Resolution approving the Thirty-Eighth Amendment to the Treasure Island Land and Structures Master Lease between the Treasure Island Development Authority and the United States Navy to extend the term for a period of one year beginning on December 1, 2013, and ending on November 30, 2014, and amend the leased premises. (Treasure Island Development Authority)

09/20/2013; RECEIVED FROM DEPARTMENT.

10/01/2013; RECEIVED AND ASSIGNED to the Budget and Finance Committee.

130904 [Master Lease Amendment - United States Navy - Treasure Island Marina]

Resolution approving the Seventeenth Amendment to the Treasure Island Marina Master Lease between the Treasure Island Development Authority and the United States Navy to extend the term for a period of one year beginning on December 1, 2013, and ending on November 30, 2014. (Treasure Island Development Authority)

09/20/2013; RECEIVED FROM DEPARTMENT.

10/01/2013; RECEIVED AND ASSIGNED to the Budget and Finance Committee.

130905 [Master Lease Amendment - United States Navy - Treasure Island Childcare]

Resolution approving the Ninth Amendment to the Treasure Island Childcare Master Lease between the Treasure Island Development Authority and the United States Navy to extend the term for a period of one year beginning on December 1, 2013, and ending on November 30, 2014. (Treasure Island Development Authority)

09/20/2013; RECEIVED FROM DEPARTMENT.

10/01/2013; RECEIVED AND ASSIGNED to the Budget and Finance Committee.

130906 [Master Lease Amendment - United States Navy - Treasure Island Event Venues]

Resolution approving the Twenty-Fifth Amendment to the Treasure Island Event Venues Master Lease between the Treasure Island Development Authority and the United States Navy to extend the term for a period of one year beginning on December 1, 2013, and ending on November 30, 2014. (Treasure Island Development Authority)

09/20/2013; RECEIVED FROM DEPARTMENT.

10/01/2013; RECEIVED AND ASSIGNED to the Budget and Finance Committee.

130907 [Master Lease Amendment - United States Navy - Fire Fighting Training Center]

Resolution approving the Twenty-Fifth Amendment to the Treasure Island Fire Fighting Training Center Master Lease between the Treasure Island Development Authority and the United States Navy to extend the term for a period of one year beginning on December 1, 2013, and ending on November 30, 2014. (Treasure Island Development Authority)

09/20/2013; RECEIVED FROM DEPARTMENT.

10/01/2013; RECEIVED AND ASSIGNED to the Budget and Finance Committee.

130901 [Petitions and Communications]

Petitions and Communications received from September 16, 2013, through September 23, 2013, for reference by the President to Committee considering related matters, or to be ordered filed by the Clerk on October 1, 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 Clerk of the Board, submitting the June 3, 2014, Board of Supervisors Election Calendar. Copy: Each Supervisor. (1)

From Assessor-Recorder, submitting response to Supervisor Campos' September 10, 2013, Letter of Inquiry regarding foreclosure among San Francisco homeowners. (2)

*From Chief Medical Examiner, submitting FY2013-2014 annual report. Copy: Each Supervisor. (3)

*From Controller, submitting Citywide Payroll Audits Combined Report for FY2012-2013. Copy: Each Supervisor. (4)

From Mayor, revising declaration of local emergency due to the "Rim Fire." File No. 130900. Copy: Each Supervisor. (5)

From Planning, regarding completion of requirements under Ordinance 161-13. File No. 121019. Copy: Each Supervisor. (6)

From Capital Planning Committee, authorizing legislation and related supplemental appropriation requests by the Jail Replacement Project team, Municipal Transportation Agency, and the Treasure Island Development Authority. Copy: Each Supervisor. (7)

From AIDS Housing Alliance, regarding October 7, 2013, LGBTQ connect event. (8)

From Joyce Lavey, regarding the appeal of exemption from environmental review for 435-437 Potrero. File No. 130805. Copy: Each Supervisor. (9)

*From Mica I. Ringel, submitting Petition for Peremptory Writ of Mandate. (10)

From Avrum Shepard, regarding the Golden Gate National Recreation Area's new dog-management plan. Copy: Each Supervisor. (11)

From concerned citizens, regarding the immigration detainer ordinance. File No. 130764. 3 letters. Copy: Each Supervisor. (12)

From Javier Gonzalez, regarding formula retail legislation. File Nos. 130372, 130486, 130783, 130788. Copy: Each Supervisor. (13)

From concerned citizens, regarding the Masonic Avenue cycle track project. File No. 120974. 2 letters. Copy: Each Supervisor. (14)

From Janice Miller, regarding Gan Noe Preschool. File No. 130818. Copy: Each Supervisor. (15)

From concerned citizens, regarding City College. File No. 130795. 11 letters. Copy: Each Supervisor. (16)

From concerned citizens, submitting signatures for a petition regarding fiber broadband. 34 signatures. Copy: Each Supervisor. (17)

From concerned citizens, submitting signatures for a petition regarding Sharp Park. 850 signatures. Copy: Each Supervisor. (18)

From concerned citizens, submitting signatures for a petition regarding employment and housing background checks standardization guidelines. 215 signatures. Copy: Each Supervisor. (19)

*(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