



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 26, 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 22, 2013, Board Meeting Minutes.

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. [131139](#) [Formal Policy Discussions - November 26, 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 and 3. The Mayor may address the Board initially for up to five minutes. Discussion shall not exceed five minutes per Supervisor.

1. Mayor Lee, According to the recent Budget and Legislative Analyst's report on San Francisco's eviction crisis, between 2009 and 2013 the Richmond District, as a whole, has had 79 Ellis Act evictions and 202 no-fault evictions, placing my District among the leaders in both of these categories. We also have among the highest number of seniors, many with mobility issues. Unfortunately, the Richmond District and the entire west side of the City lacks the tenant focused services that are concentrated on the east side of town. Given the tremendous need for tenant services and the geographic inequity in their distribution within San Francisco, I would like to begin exploring, with your assistance, the possibility of establishing a multi-service center in the Richmond District, that would include tenant focused services.

Can you commit to assisting my office in doing so? (Supervisor Mar, District 1)

2. Every day, we see rental and homeownership prices in San Francisco rise further beyond the reach of everyday San Franciscans. To address the affordability crisis, your office is working closely with me, my colleagues and community members on efforts to prioritize housing for Ellis Act evictees, assist nonprofits in danger of displacement, and stabilize housing for people who live in non-permitted in-law units, among other initiatives. While building subsidized affordable housing won't alone solve the crisis, we also know that last year's voter approved Housing Trust Fund will provide \$1.3 billion of affordable housing for low and middle income San Franciscans in the coming decades. Can you provide us with an update on affordable housing units under construction and planned for the near future, as well as an update on other housing programs supported by the Trust Fund? What creative approaches can we take now to build these affordable units as quickly as possible? What else can we do to encourage developers to build affordable units on site as they construct market rate housing? (Supervisor Chiu, District 3)

Discussion: The Mayor shall DISCUSS eligible questions(s) 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.

Questions on the Consent Agenda are on final passage, first reading, adoption, or approved, as indicated.

Items 2 through 11

Recommendations of the Budget and Finance Committee

Present: Supervisors Farrell, Mar, Avalos

- 2. **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)

11/19/2013; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

- 3. **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)

11/19/2013; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

- 4. **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.

11/19/2013; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the Land Use and Economic Development Committee

Present: Supervisors Wiener, Kim, Chiu

5. [130970](#) **[Changes to Special Tax District No. 2009-1 - San Francisco Sustainable Financing]**
Sponsors: Mayor; Chiu, Tang and Wiener
Resolution making changes to City and County of San Francisco Special Tax District No. 2009-1 (San Francisco Sustainable Financing) to authorize seismic safety standard retrofits to certain privately owned buildings or real property; and directing the Clerk of the Board to publish a notice of public hearing and other matters related thereto.
Question: Shall this Resolution be ADOPTED?
6. [130971](#) **[Amended and Restated Local Goals and Policies - Community Facilities Districts and Special Tax Districts]**
Sponsors: Mayor; Chiu, Tang and Wiener
Resolution adopting amended and restated Local Goals and Policies to provide financial flexibility in connection with the formation of Special Tax Districts, pursuant to Administrative Code, Chapter 43, Article X.
Question: Shall this Resolution be ADOPTED?

Recommendations of the Rules Committee

Present: Supervisors Yee, Breed, Cohen

7. [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)
11/19/2013; PASSED, ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?
8. [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)
11/19/2013; PASSED, ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?

9. [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)

11/19/2013; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

10. [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)

11/19/2013; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

11. [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.

11/19/2013; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of the Budget and Finance Committee

Present: Supervisors Farrell, Mar, Avalos

12. [130940](#) **[Contract Agreement - IPS Group, Inc. - Award of Single-Space Parking Meter Procurement and Support Services - Not to Exceed \$54,000,000]**

Sponsor: Avalos

Resolution authorizing the Municipal Transportation Agency to enter into an agreement with IPS Group, Inc., for the procurement of single-space parking meters and support services, for an amount not to exceed \$54,000,000 and for a term of five years, to commence following Board approval, with the option to extend the contract for up to two additional years.

(Fiscal Impact)
(Supervisor Farrell dissented in Committee.)

10/22/2013; CONTINUED.

11/05/2013; CONTINUED.

Question: Shall this Resolution be ADOPTED?

NEW BUSINESS

Recommendations of the Budget and Finance Committee

Present: Supervisors Farrell, Mar, Avalos

13. [131083](#) **[Accept and Expend Private Grant - Mission Bay South Plan First Source Hiring Program, and Amendment to the Annual Salary Ordinance - FYs 2013-2014 and 2014-2015 - \$500,000]**

Sponsor: Mayor

Ordinance retroactively authorizing the Office of Economic and Workforce Development (OEWD) to accept and expend a grant in the amount of \$500,000 from FOCIL-MB for the Mission Bay South Plan First Source Hiring Program, and amending Ordinance No. 160-13 (Annual Salary Ordinance, FYs 2013-2014 and 2014-2015) to reflect addition of two Class 9704 Employment and Training Specialists III positions (1.00 FTE) and one Class 2992 Contract Compliance Officer I position (0.50 FTE) in the Office of Economic and Workforce Development for the period of October 1, 2013, to June 30, 2016.

Question: Shall this Ordinance be PASSED ON FIRST READING?

14. [131084](#) **[Appropriation - General Hospital Improvement General Obligation Bonds - FY2013-2014 - \$209,955,000]**
Sponsor: Mayor
Ordinance appropriating \$209,955,000 of General Obligation Bond Proceeds approved by voters under Proposition A in the November 2008 election, authorizing the issuance of General Obligation Bonds for the building or rebuilding and earthquake safety improvement of the General Hospital and Trauma Center in the Department of Public Health for FY2013-2014.

(Fiscal Impact)

Question: Shall this Ordinance be PASSED ON FIRST READING?
15. [131089](#) **[Waiver of Payment in Lieu of Taxes - Housing Authority - FYs 1991-1992 to 2012-2013]**
Sponsor: Mayor
Resolution approving a waiver of the payment in lieu of taxes (PILOT) for FYs 1991-1992 to 2012-2013 from the Housing Authority of the City and County of San Francisco.

(Fiscal Impact)

Question: Shall this Resolution be ADOPTED?
16. [131090](#) **[Sale of General Obligation Bonds - General Hospital Improvement - Not to Exceed \$209,955,000]**
Sponsor: Mayor
Resolution authorizing and directing the sale of not to exceed \$209,955,000 aggregate principal amount of City and County of San Francisco General Obligation Bonds, Series 2013D; prescribing the form and terms of said bonds; authorizing the execution, authentication, and registration of said bonds; providing for the appointment of depositories and other agents for said bonds; providing for the establishment of accounts related to said bonds; providing for the manner of sale of said bonds by competitive sale; approving the forms of official notice of sale and notice of intention to sell bonds; directing the publication of the notice of intention to sell bonds; approving the form of the preliminary official statement and the form and execution of the official statement relating to the sale of said bonds; approving the form of the continuing disclosure certificate; authorizing and approving modifications to documents; declaring the City's intent to reimburse certain expenditures; ratifying certain actions previously taken; and granting general authority to City officials to take necessary actions in connection with the authorization, issuance, sale, and delivery of said bonds.

(Fiscal Impact)

Question: Shall this Resolution be ADOPTED?
17. [131091](#) **[Issuance of Tax-Exempt Obligations - Pacific Primary - Not to Exceed \$4,500,000]**
Sponsor: Breed
Resolution approving the issuance of tax-exempt obligations by the Association of Bay Area Governments Finance Authority for nonprofit corporations in an aggregate principal amount not to exceed \$4,500,000 to finance and refinance various capital facilities owned by Pacific Primary, a California nonprofit corporation, or an affiliate thereof; and determining other matters in connection therewith.

Question: Shall this Resolution be ADOPTED?

18. [131093](#) **[Multifamily Housing Revenue Bonds - 280 Beale Street - Not to Exceed \$17,000,000]**
Sponsor: Kim
Resolution declaring the intent of the City and County of San Francisco (the City) to reimburse certain expenditures from proceeds of future bonded indebtedness; authorizing the Director of the Mayor's Office of Housing and Community Development (the 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 \$17,000,000 for 280 Beale Street; 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 \$17,000,000; 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?**

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

SPECIAL ORDER 3:00 P.M.

(The public comment legally required under California Government Code, Section 54954.3, and San Francisco Administrative Code, Section 67.15(a), prior to approval was provided and completed on November 19, 2013.)

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

19. [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)

11/19/2013; CONTINUED.

Question: Shall this Motion be APPROVED?
20. [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)

11/19/2013; CONTINUED.

Question: Shall this Motion be APPROVED?

21. [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)

11/19/2013; CONTINUED.

Question: Shall this Motion be APPROVED?

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.*

22. [130990](#) **[Public Hearing - Appeal of Application of Condominium Conversion Fee - 124-5th Avenue, Apartment 2]**
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 124-5th Avenue, Apartment 2, Assessor's Block No. 1364, Lot No. 034. (District 2) (Appellant: Scott Yarmark) (Filed October 3, 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.)

23. **130991** **[Denying Appeal for Waiver, Adjustment, or Reduction of Condominium Conversion Fee - 124-5th Avenue, Apartment 2]**
Motion denying the appeal seeking a waiver, adjustment, or reduction of the condominium conversion fee in Subdivision Code, Section 1396.4(j), for 124-5th Avenue, Apartment 2. (Clerk of the Board)
- Question: Shall this Motion be APPROVED?**
24. **130992** **[Approving Waiver, Adjustment, or Reduction of Condominium Conversion Fee - 124-5th Avenue, Apartment 2]**
Motion approving a waiver, adjustment, or reduction of the condominium conversion fee in Subdivision Code, Section 1396.4(j), for 124-5th Avenue, Apartment 2.
- Question: Shall this Motion be APPROVED?**
25. **130993** **[Preparation of Findings Related to the Appeal for Waiver, Adjustment, or Reduction of Condominium Conversion Fee - 124-5th Avenue, Apartment 2]**
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 124-5th Avenue, Apartment 2. (Clerk of the Board)
- Question: Shall this Motion be APPROVED?**

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.*

26. [130994](#) **[Public Hearing - Appeal of Application of Condominium Conversion Fee - 124-5th Avenue, Apartment 5]**

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 124-5th Avenue, Apartment 5, Assessor's Block No. 1364, Lot No. 034. (District 2) (Appellant: William Jeffery Rolf) (Filed October 7, 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.)

27. [130995](#) **[Denying Appeal for Waiver, Adjustment, or Reduction of Condominium Conversion Fee - 124-5th Avenue, Apartment 5]**

Motion denying the appeal seeking a waiver, adjustment, or reduction of the condominium conversion fee in Subdivision Code, Section 1396.4(j), for 124-5th Avenue, Apartment 5. (Clerk of the Board)

Question: Shall this Motion be APPROVED?

28. [130996](#) **[Approving Waiver, Adjustment, or Reduction of Condominium Conversion Fee - 124-5th Avenue, Apartment 5]**

Motion approving a waiver, adjustment, or reduction of the condominium conversion fee in Subdivision Code, Section 1396.4(j), for 124-5th Avenue, Apartment 5. (Clerk of the Board)

Question: Shall this Motion be APPROVED?

29. [130997](#) **[Preparation of Findings Related to the Appeal for Waiver, Adjustment, or Reduction of Condominium Conversion Fee - 124-5th Avenue, Apartment 5]**

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 124-5th Avenue, Apartment 5. (Clerk of the Board)

Question: Shall this Motion be APPROVED?

COMMITTEE REPORTS

Reports from committees, if any, recommending emergency or urgent measures.

The following item will be considered by the Rules Committee at a Regular Meeting on Thursday, November 21, 2013, at 1:30 p.m. The Chair intends to request the Committee to send the following item to the Board as a Committee Report on Tuesday, November 26, 2013.

30. [131088](#) **[Appointment, Director of the San Francisco Bay Area Regional Water System Financing Authority - Harlan L. Kelly, Jr.]**

Sponsor: Mayor

Resolution appointing Harlan L. Kelly, Jr., for a four-year term, to commence upon Board of Supervisors' approval, as a Director of the San Francisco Bay Area Regional Water System Financing Authority.

Question: Shall this Resolution be ADOPTED?

The following items will be considered by the Land Use and Economic Development Committee at a Regular Meeting on Monday, November 25, 2013, at 1:30 p.m. The Chair intends to request the Committee to send the following items to the Board as a Committee Report on Tuesday, November 26, 2013.

31. [130968](#) **[Administrative, Planning Codes - Ellis Act Displaced Emergency Assistance Ordinance]**

Sponsors: Chiu; Campos, Kim, Mar and Breed

Ordinance amending the Administrative and Planning Codes to provide a preference in occupying units or receiving assistance under all affordable housing programs administered or funded by the City, including all former San Francisco Redevelopment Agency affordable housing programs administered or funded by the City, to certain tenants being evicted under the Ellis Act, California Government Code, Section 7060 et seq.; 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?

32. [131069](#) **[Construction Approval - West Garden Cafe Project - Academy of Sciences in Golden Gate Park]**

Sponsors: Mar; Tang

Resolution approving the construction of a cafe in the West Garden of the Academy of Sciences in Golden Gate Park pursuant to Charter, Section 4.113; adopting findings pursuant to the California Environmental Quality Act; and adopting findings of consistency with the Golden Gate Park Master Plan, the General Plan, and the eight priority policies of Planning Code, Section 101.1.

Question: Shall this Resolution be ADOPTED?

33. [131119](#) [Transportation Code - Inoperable/Broken Parking Meter Time Limits]**Sponsor: Chiu**

Ordinance amending the Transportation Code, Division I, to clarify the definition for "Parking Meter" to include electronic pay stations, and change the time limit for parking at inoperable or broken parking meters from two hours to the maximum time permitted for the parking meter; and making environmental findings.

Question: Shall this Ordinance be PASSED ON FIRST READING?

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 44

- 36. [131113](#) [Final Map 7472 Phase 1 - Mission Bay Block 1]**
Motion approving Phase 1, Final Map No. 7472 , Mission Bay Block 1, a three lot subdivision of Assessor's Block No. 8715, Lot No. 4, for financing and conveyancing purposes only; and adopting findings pursuant to the General Plan, and the eight priority policies of Planning Code, Section 101.1, and the Mission Bay South Redevelopment Plan and plan documents. (Public Works Department)

11/15/2013; RECEIVED FROM DEPARTMENT.

Question: Shall this Motion be APPROVED?
- 37. [131114](#) [Final Map 7444 - 1998 Market Street]**
Motion approving Final Map 7444, a merger and resubdivision for a 115 residential unit and four commercial unit, mixed-use condominium project, located at 1998 Market Street being a subdivision of Assessor's Block No. 0872, Lot Nos. 005, 006, and 007; and adopting findings pursuant to the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Public Works Department)

11/18/2013; RECEIVED FROM DEPARTMENT.

Question: Shall this Motion be APPROVED?
- 38. [131115](#) [Final Map 7448 - 1600 Market Street]**
Motion approving Final Map 7448, a 24 residential unit and two commercial unit, mixed-use condominium project, located at 1600 Market Street being a subdivision of Assessor's Block No. 0854, Lot No. 001; and adopting findings pursuant to the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Public Works Department)

11/18/2013; RECEIVED FROM DEPARTMENT.

Question: Shall this Motion be APPROVED?
- 39. [131116](#) [Final Map 7562 - 55-9th Street]**
Motion approving Final Map 7562, a 273 residential unit and two commercial unit, mixed-use condominium project, located at 55-9th Street being a subdivision of Assessor's Block No. 3701, Lot No. 066; and adopting findings pursuant to the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Public Works Department)

11/18/2013; RECEIVED FROM DEPARTMENT.

Question: Shall this Motion be APPROVED?

- 40. [131132](#) [Supporting Assembly Bill 1266 - The School Success and Opportunity Act]**
Sponsors: Campos; Mar, Avalos, Yee and Wiener
Resolution supporting Assembly Bill 1266, authored by Assemblymember Tom Ammiano, set to take effect on January 1, 2014, which restates existing State law prohibiting discrimination against transgender students in public education and permitting students to participate in sex-segregated facilities and activities based on their gender identity.

11/19/2013; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

- 41. [131133](#) [Declaration of Election Results of the November 5, 2013, Municipal Election]**
Sponsor: Chiu
Resolution declaring the results of the November 5, 2013, Municipal Election.

11/19/2013; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

- 42. [131134](#) [Supporting Senate Bill 316 and House Bill 630 - Postal Service Protection Act of 2013]**
Sponsor: Chiu
Resolution supporting Senate Bill 316 and House Bill 630, the Postal Service Protection Act of 2013, and federal efforts to maintain levels of postal service provided by the United States Postal Service.

11/19/2013; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

- 43. [131135](#) [City Typhoon Relief Fund]**
Sponsor: Chiu
Resolution urging the Mayor and Department of Human Resources to explore establishing a method by which City employees can donate to a Typhoon Relief Fund for the Philippines.

11/19/2013; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

- 44. [131136](#) [Supporting the Secure Our Smartphone Initiative]**
Sponsor: Kim
Resolution supporting the Secure Our Smartphones Initiative, the objective of which is to demand that smartphone manufacturers implement technological solutions to remove the economic incentives that support and drive the theft and re-sale of smartphone devices.

11/19/2013; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

45. 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

131112 [Settlement of Claim - United States of America (U.S. Coast Guard) - \$973,287.38]

Resolution approving the settlement of the unlitigated claim by the United States of America (U.S. Coast Guard) against the City and County of San Francisco for \$973,287.38; claim was served on June 5, 2012. (City Attorney)

11/15/2013; RECEIVED FROM DEPARTMENT.

11/26/2013; RECEIVED AND ASSIGNED to the Rules Committee.

131050 [Petitions and Communications]

Petitions and Communications received from November 8, 2013, through November 18, 2013, for reference by the President to Committee considering related matters, or to be ordered filed by the Clerk on November 26, 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 Supervisor Wiener, requesting the Board to hear the Ellis Act Displaced Emergency Assistance Ordinance at the November 26, 2013, meeting as a Committee Report. File No. 130968. Copy: Each Supervisor. (1)

From Youth Commission, submitting First Quarter FY2013-2014 Youth Commission Report. Copy: Each Supervisor. (2)

From Controller, regarding the appropriations limit for FY2013-2014. Copy: Each Supervisor. (3)

From Mayor, designating Supervisor Katy Tang as Acting-Mayor from November 18, 2013, to November 24, 2013. Copy: Each Supervisor. (4)

*From the Office of Citizen Complaints, submitting Third Quarter 2013 Statistical Report. Copy: Each Supervisor. (5)

From Fire and Sheriff's Departments, submitting 12B Waiver Request Forms for Holiday Inn Fisherman's Wharf. (6)

From Recreation and Park, submitting Childhood Lead Poisoning Prevention Program First Quarter FY2013-2014 Status report. Copy: Each Supervisor. (7)

From Treasury and Tax, submitting City and County investment report for October 2013. Copy: Each Supervisor. (8)

From California Department of Public Health, regarding approval of agreement funding application for Black Infant Health program. (9)

*From California Department of Public Health, regarding approval of agreement funding application for California Home Visiting program. (10)

From California Public Utilities Commission, submitting notification of filing of Pacific Gas and Electric Company's Gas Pipeline Safety Enhancement Plan Update. Copy: Each Supervisor. (11)

From Bay Area Rapid Transit District, regarding the new BART contracts and transit operations. Copy: Each Supervisor. (12)

From James Chaffee, regarding the Library Commission and City Librarian Luis Herrera. Copy: Each Supervisor. (13)

From Carol Denney, regarding e-cigarette regulation. Copy: Each Supervisor. (14)

From Bob Legallet, regarding expanding Mother Brown's operations on Jennings Street in the Bayview. Copy: Each Supervisor. (15)

From Andrea Lewin, regarding the parking meter contract agreement with IPS Group. Copy: Each Supervisor. (16)

From Shannon Rice, regarding Masonic Avenue cycle track project. File No. 120974.
Copy: Each Supervisor. (17)

From Michael Wright, regarding the east span of the Bay Bridge. Copy: Each
Supervisor. (18)

From Scott Yarmark, regarding appeal of the condominium conversion fee. File No.
130990. Copy: Each Supervisor. (19)

From Excelsior Action Group Advisory Board, regarding the Garden Project. Copy: Each
Supervisor. (20)

From concerned citizens, regarding park hours legislation. File No. 130766. 4 letters.
Copy: Each Supervisor. (21)

From concerned citizens, submitting signatures for a petition regarding Sharp Park. 901
signatures. Copy: Each Supervisor. (22)

*(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