

BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

MEETING MINUTES

Tuesday, November 18, 2014 - 2:00 PM

**Legislative Chamber, Room 250
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689**

Regular Meeting

DAVID CHIU, PRESIDENT

JOHN AVALOS, LONDON BREED, DAVID CAMPOS, MALIA COHEN,
MARK FARRELL, JANE KIM, ERIC MAR, KATY TANG, SCOTT WIENER, NORMAN YEE

Angela Calvillo, Clerk of the Board

BOARD COMMITTEES

Budget and Finance Committee Supervisors Farrell, Mar, Avalos	Wednesday 10:00 AM
City and School District Select Committee Supervisors Kim, Avalos, Farrell, Commissioners Mendoza-McDonnell, Fewer, Wynns	4th Thursday 3:30 PM
Government Audit and Oversight Committee Supervisors Breed, Tang	2nd and 4th Thursday 11:00 AM
Land Use and Economic Development Committee Supervisors Wiener, Kim, Cohen	Monday 1:30 PM
Neighborhood Services and Safety Committee Supervisors Campos, Mar, Yee	1st and 3rd Thursday 10:00 AM
Rules Committee Supervisors Yee, Tang, Campos	1st and 3rd Thursday 2:00 PM

Members Present: John Avalos, London Breed, Malia Cohen, Mark Farrell, Jane Kim, Eric Mar, Katy Tang, Scott Wiener, and Norman Yee

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:14 p.m. On the call of the roll, Supervisor Campos was noted not present. There was a quorum.

AGENDA CHANGES

There were none.

APPROVAL OF MEETING MINUTES

Supervisor Farrell, seconded by Supervisor Mar, moved to approve the Board Meeting Minutes of October 7, 2014. The motion carried by the following vote:

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

Absent: 1 - Campos

COMMUNICATIONS

Angela Calvillo, Clerk of the Board, acknowledged receipt of a communication from the Office of Supervisor David Campos, dated November 18, 2014, stating the Supervisor will not be in attendance and requests to be excused from the November 18, 2014, Board of Supervisors meeting.

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

There were no questions submitted from Supervisors representing the even districts. Mayor Edwin Lee addressed the Board of Supervisors by thanking the Board for their collaboration on the measures passed during the November 2014 Election, and congratulating the Department of Animal Care and Control and Mayor Frida for the successful bid on "Mayor for a Day." Following public comment this matter was filed. No further action was taken.

Supervisor Campos Excused from Attendance

Supervisor Farrell, seconded by Supervisor Kim, moved that Supervisor Campos be excused from attending today's meeting. The motion carried by the following vote:

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

Excused: 1 - Campos

CONSENT AGENDA

Recommendations of the Land Use and Economic Development Committee

120881 [Planning Code, Zoning Map - Uses, Conformity of Uses, Parking Requirements for Uses, and Special Use Districts]

Sponsor: Chiu

Ordinance amending the Planning Code, by repealing Section 158 and amending various other Code Sections, to modify controls for uses and accessory uses in Commercial and Residential Commercial (RC) Districts; eliminate minimum parking requirements for the Chinatown Mixed Use Districts, RC Districts, the Broadway and North Beach Neighborhood Commercial Districts (NCDs), and the Washington-Broadway Special Use District (SUD); make maximum residential parking permitted in Downtown Commercial and RC Districts consistent with Neighborhood Commercial Transit (NCT) Districts; make maximum non-residential parking in RC Districts, Chinatown Mixed Use Districts, and Broadway and North Beach NCDs consistent with NCT Districts; make surface parking lots a non-conforming use in Downtown Commercial Districts; modify conformity requirements in various use districts; modify streetscape requirements, public open space requirements, floor-area ratio calculations, and transportation management requirements for various uses in certain districts; permit certain exceptions from exposure and open space requirements for historic buildings; remove references to deleted sections of the Code; amend Zoning Map Sheet SU01 to consolidate the two Washington-Broadway SUDs and revise the boundaries; and making environmental findings, Section 302, findings, and findings of consistency with the General Plan, and the priority policies of Planning Code, Section 101.1.

Ordinance No. 232-14

FINALLY PASSED

140970 [Administrative Code - Calculating Interest on Residential Rental Security Deposits]

Ordinance amending the Administrative Code to provide a new method for calculating the interest on residential rental security deposits beginning March 1, 2015. (Rent Stabilization and Arbitration Board)

Ordinance No. 233-14

FINALLY PASSED

140980 [Summary Street Vacation - Portion of Raccoon Drive]

Sponsor: Wiener

Ordinance ordering the summary street vacation of a portion of Raccoon Drive, between Twin Peaks Boulevard and Saint Germain Avenue; approving a quitclaim of the City's interest in the vacation area; approving a public access easement over a portion of the vacation area; affirming the Planning Department's determination under the California Environmental Quality Act; adopting findings that the actions contemplated in this legislation are consistent with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and authorizing official acts in connection with this Ordinance.

Ordinance No. 234-14

FINALLY PASSED

Recommendations of the Rules Committee

140947 [Settlement of Lawsuit - Carpenter's Union Local 22 - \$60,000]

Ordinance authorizing settlement of the lawsuit filed by Carpenter's Local 22 against the City and County of San Francisco for \$60,000; the lawsuit was filed on April 8, 2014, in United States District Court, Northern District of California, Case No. CV-14-01615 RS; entitled Carpenters Union, Local 22, v. City and County of San Francisco, et al. (City Attorney)

PASSED, ON FIRST READING

141056 [Settlement of Lawsuit - Michael P. Walsh, Trustee of the John L. Stevenson Trust - Execution of Long-Term Lease - Mowry East Shopping Center, Fremont, California]

Ordinance authorizing settlement of the lawsuit filed by Michael P. Walsh, Trustee of The John L. Stevenson Trust against the City and County of San Francisco by executing a long-term lease of the City's property for shopping center parking, access and landscaping at the Mowry East Shopping Center, Fremont, California; the lawsuit was filed on November 29, 2011, in Alameda County Superior Court, Case No. RG 11606118; entitled Michael P. Walsh, Trustee of The John L. Stevenson Trust v. City and County of San Francisco; other material terms of said settlement are that the plaintiff will pay fair market rent for portions of the leased premises used for parking, the parties will suspend their current dispute for the duration of the lease and the lease will govern the parties' relationship during the lease term, upon expiration or other termination of the lease, each party will retain its ability to assert the claims presented in the lawsuit, and the plaintiff will dismiss the lawsuit. (City Attorney)

PASSED, ON FIRST READING

141057 [Settlement of Lawsuit - Heinz Hofmann and Thomas Buckley - \$200,000]

Ordinance authorizing settlement of the lawsuit filed by Heinz Hofmann and Thomas Buckley against the City and County of San Francisco for \$200,000; the lawsuit was filed on May 7, 2012, in United States District Court for the Northern District of California, Case No. 11-4016 CW; entitled Heinz Hofmann and Thomas Buckley v. City and County of San Francisco, et al. (City Attorney)

PASSED, ON FIRST READING

141058 [Settlement of Lawsuit - Brian Hill - \$30,400]

Ordinance authorizing settlement of the lawsuit filed by Brian Hill against the City and County of San Francisco for \$30,400; the lawsuit was filed on March 5, 2009, in the San Francisco Superior Court, Case No. CGC 14-538953; entitled Brian Hill v. San Francisco Water Power Sewer, and Does 1 to 10. (City Attorney)

PASSED, ON FIRST READING

141072 [Settlement of Claim - Riverbed Technology, Inc. - \$125,760.77]

Resolution approving the settlement of the unlitigated claim filed on January 31, 2014, by Riverbed Technology, Inc., against the City and County of San Francisco for \$125,760.77. (City Attorney)

Resolution No. 416-14

ADOPTED

141073 [Settlement of Claim - Susquehanna Financial Group, LP - \$49,385.04]

Resolution approving the settlement of the unlitigated claim filed on April 10, 2014, by Susquehanna Financial Group, LP, against the City and County of San Francisco for \$49,385.04. (City Attorney)

Resolution No. 417-14

ADOPTED

141074 [Settlement of Claims - Oak River Insurance Company - \$480,838.45]

Resolution approving the settlement of the unlitigated claims filed by Oak River Insurance Company against the City and County of San Francisco on February 26, 2014, for \$480,838.45. (City Attorney)

Resolution No. 418-14

ADOPTED

141075 [Settlement of Claim - Net Power and Light, Inc. - \$26,743.72]

Resolution approving the settlement of the unlitigated claim filed on April 7, 2014, by Net Power and Light, Inc., against the City and County of San Francisco for \$26,743.72. (City Attorney)

Resolution No. 419-14

ADOPTED

141076 [Settlement of Claim - The Trustees of the University of Pennsylvania - \$134,808.36]

Resolution approving the settlement of the unlitigated claim filed by The Trustees of the University of Pennsylvania, on behalf of The Wharton School of the University of Pennsylvania against the City and County of San Francisco for \$134,808.36; claim was filed on April 10, 2014. (City Attorney)

Resolution No. 420-14

ADOPTED

141134 [Appointments, Bicycle Advisory Committee - Kevin Dole, Winston Parsons, Edward Nicolson, Morgan Fitzgibbons, and Richard May]

Motion appointing Kevin Dole, Winston Parsons, Edward Nicolson, Morgan Fitzgibbons, and Richard May, terms ending November 19, 2016, to the Bicycle Advisory Committee. (Rules Committee)

Motion No. M14-187

APPROVED

The foregoing items were acted upon by the following vote:

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

Excused: 1 - Campos

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of the Land Use and Economic Development Committee

140844 [Planning Code - Formula Retail and Large-Scale Retail Controls]

Sponsor: Mar

Ordinance amending the Planning Code to amend the definition of Formula Retail to include businesses that have 11 or more outlets worldwide; expand the applicability of Formula Retail controls to other types of uses; require Conditional Use authorization for Formula Retail establishments in the C-3-G district with facades facing Market Street, between 6th Street and the intersection of Market Street, 12th Street and Franklin Street; provide a method for calculating the concentration of formula retail establishments in a certain area; require Planning Department staff to recommend disapproval of new formula retail in the Upper Market Neighborhood Commercial District based on concentration of existing Formula Retail; delete the requirement for Conditional Use authorization when a Formula Retail establishment changes operator but remains the same size and use category; define intensification and abandonment for Formula Retail uses; require Formula Retail uses to comply with performance guidelines; amend the Conditional Use criteria for Large-Scale Retail Uses, and for Formula Retail uses of 20,000 gross square feet or greater except for General and Specialty Grocery stores, to require an economic impact study and establish new fees for said study; require 30 days' public notice for conditional use hearings on proposed Formula Retail uses; amend Neighborhood Commercial Districts that required Conditional Use for Financial and Limited Financial Services to principally permit Financial and Limited Financial Services except in the Castro Street Neighborhood Commercial District, Upper Market Neighborhood Commercial Transit District, and 24th Street - Noe Valley Neighborhood Commercial District; delete the Conditional Use requirement for Walk-Up Facilities that are not set back 3 feet; and correct various Code provisions to ensure accuracy of cross-references; and adopting findings, including environmental findings, Planning Code, Section 302 findings, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

Ordinance No. 235-14

FINALLY PASSED by the following vote:

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

Excused: 1 - Campos

NEW BUSINESS

Recommendations of the Budget and Finance Committee

141097 [Administrative Code - Department of Public Health Managed Care Contracts]

Sponsors: Farrell; Chiu and Campos

Ordinance amending the Administrative Code to authorize the Director of Health to enter into managed care contracts for the provision of services to individuals covered under federal and state programs including subsidized health coverage for low income populations.

PASSED ON FIRST READING by the following vote:

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

Excused: 1 - Campos

141039 [Accept and Expend Grant - Herz Playground Improvements - A. Ruiz Construction Company and Associates, Inc. - \$117,000]

Sponsor: Cohen

Resolution retroactively authorizing the Recreation and Park Department to accept and expend a grant of \$117,000 from A. Ruiz Construction Company and Associates, Inc., for improvements to the pathways at Herz Playground for the period of May 15, 2014, through May 31, 2014.

Resolution No. 421-14

ADOPTED by the following vote:

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

Excused: 1 - Campos

141040 [Accept and Expend Grant - Herz Playground Improvements - O.C. Jones and Sons, Inc. - \$248,000]

Sponsor: Cohen

Resolution retroactively authorizing the Recreation and Park Department to accept and expend a grant of \$248,000 from O.C. Jones and Sons, Inc., for the renovation of the baseball diamond at Herz Playground for the period of March 26, 2014, through May 31, 2014.

Resolution No. 422-14

ADOPTED by the following vote:

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

Excused: 1 - Campos

141100 [Accept and Expend Grant - Racial and Ethnic Approaches to Community Health - Heart Healthy SF- \$799,159]**Sponsors: Cohen; Mar**

Resolution retroactively authorizing the Department of Public Health to accept and expend a grant in the amount of \$799,159 from Centers for Disease Control and Prevention to participate in a program entitled "Racial and Ethnic Approaches to Community Health - Heart Healthy SF" for the period of September 30, 2014, through September 29, 2015.

Supervisor Mar requested to be added as a co-sponsor.

Resolution No. 423-14**ADOPTED by the following vote:**

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

Excused: 1 - Campos

140989 [Support Goals for Federal Funding - Community Development Block Grant, Emergency Solutions Grant and Housing Opportunities for Persons with AIDS Programs - FY2015-2016]

Resolution supporting FY2015-2016 Community Development Block Grant, Emergency Solutions Grant, and Housing Opportunities for Persons with AIDS Consolidated Plan Goals. (Mayor's Office of Housing)

Resolution No. 424-14**ADOPTED by the following vote:**

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

Excused: 1 - Campos

Recommendations of the Land Use and Economic Development Committee**140981 [Administrative Code - Street Light Policy]****Sponsors: Wiener; Cohen and Breed**

Ordinance amending the Administrative Code to provide a Street Light Policy; and to make relevant findings.

PASSED ON FIRST READING by the following vote:

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

Excused: 1 - Campos

141005 [Street Encroachment - Automated Waste Collection System within Candlestick Point-Hunters Point Shipyard]**Sponsor: Cohen**

Resolution granting revocable permission to Recology, Inc., to occupy a portion of the public right-of-way to construct and maintain various improvements for the below-grade Automated Waste Collection System (AWCS), which will be located within the Candlestick Point-Hunters Point Phase 2 Redevelopment Project Areas, to transport streams of solid waste in the AWCS pipe network from multiple private indoor and public outdoor waste inlets to separate enclosed centralized waste collection facilities for transport to off-site landfill, recycling, or compost facilities; conditioning the permit; making environmental findings under the California Environmental Quality Act; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

Resolution No. 425-14**ADOPTED by the following vote:**

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

Excused: 1 - Campos

141034 [Street Encroachment - Avalon Bay Communities - Hickory Street Frontage of 307-323-325 Octavia Street]**Sponsor: Breed**

Resolution granting revocable permission to Avalon Bay Communities to occupy a portion of the public right-of-way to construct and maintain improvements within Hickory Street between Octavia and Laguna Streets fronting 307-323-325 Hickory Street (Assessor's Block No. 0831, Lot No. 023), and making environmental findings, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

Resolution No. 426-14**ADOPTED by the following vote:**

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

Excused: 1 - Campos

Recommendations of the Neighborhood Services and Safety Committee**140697 [Donation of Obsolete Ambulance to City College of San Francisco]**

Resolution authorizing the Fire Department to donate an obsolete ambulance to the Emergency Medical Services Academy of City College of San Francisco. (Fire Department)

Resolution No. 427-14**ADOPTED by the following vote:**

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

Excused: 1 - Campos

140698 [Donation of Obsolete Self-Contained Breathing Apparatuses to City College of San Francisco Fire Sciences Program]

Resolution authorizing the Fire Department to donate 30 obsolete Self-Contained Breathing Apparatuses to the City College of San Francisco Fire Sciences Program. (Fire Department)

Resolution No. 428-14

ADOPTED by the following vote:

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

Excused: 1 - Campos

140914 [Liquor License - 533 Sutter Street]

Resolution determining that the issuance of a Type 64 general theatre license to 533 Sutter Street (District 3), to Matt Shelton for the Shelton Theater, will serve the public convenience or necessity of City and County of San Francisco in accordance with California Business and Professions Code, Section 23958.4, and recommending that the California Department of Alcoholic Beverage Control impose conditions on the issuance of the license. (Neighborhood Services and Safety Committee)

Resolution No. 429-14

ADOPTED by the following vote:

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

Excused: 1 - Campos

141008 [Urging the Successful Resolution of Negotiations between the San Francisco Unified School District and the United Educators of San Francisco]

Sponsors: Mar; Campos, Cohen and Avalos

Resolution urging the successful resolution of negotiations between the San Francisco Unified School District and the United Educators of San Francisco to avoid a strike and an interruption to the education of San Francisco's students.

Resolution No. 430-14

ADOPTED by the following vote:

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

Excused: 1 - Campos

Recommendations of the Rules Committee

140909 [Administrative Code - Catastrophic Illness Programs]

Ordinance amending the Administrative Code to authorize the Department of Public Health to designate another City department to carry out various functions in the administration of the Catastrophic Illness Program for City employees and the Catastrophic Illness Program for family members of City employees. (Public Health Department)

PASSED ON FIRST READING by the following vote:

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

Excused: 1 - Campos

140953 [Environment Code - Revising the Urban Forestry Council Composition and Meeting Requirements]

Sponsor: Wiener

Ordinance amending the Environment Code to revise the composition and meeting schedule requirements for the Urban Forestry Council.

PASSED ON FIRST READING by the following vote:

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

Excused: 1 - Campos

141135 [Appointments, Mental Health Board - Deborah Hardy and Ulash Thakore-Dunlap]

Motion appointing Deborah Hardy and Ulash Thakore-Dunlap, terms ending January 31, 2016, to the Mental Health Board. (Rules Committee)

Motion No. M14-188

APPROVED by the following vote:

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

Excused: 1 - Campos

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

Privilege of the Floor

Supervisor Farrell, seconded by Supervisor Wiener, moved to suspend Rule 5.36 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests. The motion carried by the following vote:

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

Excused: 1 - Campos

Supervisor Farrell introduced, welcomed, and presented a Certificate of Honor to Mark Youngkin, Jan Monaghan, and Julie Cheever of the Presidio Restoration Advisory Board in recognition of their accomplishments and continued community support.

Supervisors Wiener and Tang introduced, welcomed, and presented a Certificate of Honor to Mayor Frida, a pet Chihuahua, and Dean Clark, guardian, in recognition of their successful bid on the Animal Care & Control auction item "Your Pet is Mayor for the Day."

SPECIAL ORDER 3:00 P.M.

The President consolidated the two hearing matters (File Nos. 141059 and 141064) related to the 115 Telegraph Hill Boulevard project into one single hearing without objection.

141059 [Public Hearing - Appeal of Exemption from Environmental Review - 115 Telegraph Hill Boulevard]

Hearing of persons interested in or objecting to the determination of categorical exemption from environmental review under the California Environmental Quality Act issued by the Planning Department on September 3, 2014, for the proposed project at 115 Telegraph Hill Boulevard. (District 3) (Appellant: Susan Brandt-Hawley, on behalf of Telegraph Hill Dwellers) (Filed October 14, 2014). (Clerk of the Board)

The President inquired as to whether any member of the public wished to address the Board. Susan Brandt Hawley, Dr. Lawrence Karp, and Alice Barkley (Appellants) provided an overview of both the appeals, responded to questions raised throughout the discussion, and further requested the Board to approve the appeals. Male Speaker; Gary Near; Male Speaker; Sandra Lee Fewer; Jason Owens; Jim Yasso; Stan Hayes; Female Speaker; Peter Dwares; Peter Alexander; Michael Barrett; Andres Katz; John Stewart; Howard Wong; Patricia Sheehan; Nancy Shanahan; Judy Irving; Gerry Crowley; spoke in support of the appeals. AnMarie Rodgers, Jessica Range, and Elizabeth Watty (Planning Department) provided an overview of the decisions of the Planning Commission and Department and responded to questions raised throughout the discussion. Jeremy Ricks, Lewis Butler, and Daniel Frattin (Project Sponsors) provided an overview of the project, responded to questions raised throughout the discussion, and further requested the Board to uphold the decisions of the Planning Commission and Department. Lewis Soapbox; Bran Askin; Vincent Troll; John Stewart; Dustin Hakesper; Robert Middlestaff; Female Speaker; Calvin Shan; Kyle Hotel; Bill Ricks; spoke in support of the project and in opposition to the appeals. Alice Barkley and Susan Brandt Hawley (Appellants) provided a rebuttal and further requested the Board to approve the appeals. There were no other speakers. The President declared the public hearing closed.

HEARD AND FILED

141060 [Affirming the Exemption Determination - 115 Telegraph Hill Boulevard]

Motion affirming the determination by the Planning Department that a proposed project at 115 Telegraph Hill Boulevard is exempt from environmental review. (Clerk of the Board)

Motion No. M14-189

Supervisor Chiu, seconded by Supervisor Farrell, moved that this Motion be APPROVED. The motion carried by the following vote:

Ayes: 7 - Breed, Chiu, Cohen, Farrell, Tang, Wiener, Yee

Noes: 3 - Avalos, Kim, Mar

Excused: 1 - Campos

141061 [Reversing the Exemption Determination - 115 Telegraph Hill Boulevard]

Motion reversing the determination by the Planning Department that a proposed project at 115 Telegraph Hill Boulevard is exempt from environmental review. (Clerk of the Board)

Supervisor Chiu, seconded by Supervisor Farrell, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 7 - Breed, Chiu, Cohen, Farrell, Tang, Wiener, Yee

Noes: 3 - Avalos, Kim, Mar

Excused: 1 - Campos

141062 [Preparation of Findings to Reverse the Exemption Determination - 115 Telegraph Hill Boulevard]

Motion directing the Clerk of the Board to prepare findings reversing the determination by the Planning Department that a proposed project at 115 Telegraph Hill Boulevard is exempt from environmental review. (Clerk of the Board)

Supervisor Chiu, seconded by Supervisor Farrell, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 7 - Breed, Chiu, Cohen, Farrell, Tang, Wiener, Yee

Noes: 3 - Avalos, Kim, Mar

Excused: 1 - Campos

SPECIAL ORDER 3:00 P.M.

The President consolidated the two hearing matters (File Nos. 141059 and 141064) into one single hearing noted above.

141064 [Public Hearing - Appeal of Conditional Use Authorization - 115 Telegraph Hill Boulevard]

Hearing of persons interested in or objecting to the Planning Commission's decision of September 11, 2014, Motion No. 19232, relating to approval of a Conditional Use Authorization (Case No. 2013.1375EC), to allow the construction of three new dwelling units (for a lot total of four units) with three off-street parking spaces within the RH-3 (Residential House, Three-Family) Zoning District, Telegraph Hill - North Beach Residential Special Use District and a 40-X Height and Bulk District located at 115 Telegraph Hill Boulevard, Assessor's Block No. 0105, Lot No. 065. (District 3) (Appellant: Vedica Puri, on behalf of Telegraph Hill Dwellers) (Filed October 14, 2014). (Clerk of the Board)

The President inquired as to whether any member of the public wished to address the Board. Susan Brandt Hawley, Dr. Lawrence Karp, and Alice Barkley (Appellants) provided an overview of both the appeals, responded to questions raised throughout the discussion, and further requested the Board to approve the appeals. Male Speaker; Gary Near; Male Speaker; Sandra Lee Fewer; Jason Owens; Jim Yasso; Stan Hayes; Female Speaker; Peter Dwares; Peter Alexander; Michael Barrett; Andres Katz; John Stewart; Howard Wong; Patricia Sheehan; Nancy Shanahan; Judy Irving; Gerry Crowley; spoke in support of the appeals. AnMarie Rodgers, Jessica Range, and Elizabeth Watty (Planning Department) provided an overview of the decisions of the Planning Commission and Department and responded to questions raised throughout the discussion. Jeremy Ricks, Lewis Butler, and Daniel Frattin (Project Sponsors) provided an overview of the project, responded to questions raised throughout the discussion, and further requested the Board to uphold the decisions of the Planning Commission and Department. Lewis Soapbox; Bran Askin; Vincent Troll; John Stewart; Dustin Hakesper; Robert Middlestaff; Female Speaker; Calvin Shan; Kyle Hotel; Bill Ricks; spoke in support of the project and in opposition to the appeals. Alice Barkley and Susan Brandt Hawley (Appellants) provided a rebuttal and further requested the Board to approve the appeals. There were no other speakers. The President declared the public hearing closed.

Privilege of the floor was granted to Marlena Byrne (Office of the City Attorney) who responded to questions raised throughout the discussion on File Nos. 141065, 141066, and 141067.

HEARD AND FILED

141065 [Approving the Conditional Use Authorization Decision - 115 Telegraph Hill Boulevard]

Motion approving the decision of the Planning Commission by its Motion No. 19232, approving a Conditional Use Authorization identified as Planning Case No. 2013.1375EC on property located at 115 Telegraph Hill Boulevard, and adopting findings pursuant to Planning Code, Section 101.1. (Clerk of the Board)

Supervisor Chiu, seconded by Supervisor Farrell, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 8 - Breed, Chiu, Cohen, Farrell, Kim, Tang, Wiener, Yee

Noes: 2 - Avalos, Mar

Excused: 1 - Campos

141066 [Disapproving the Planning Commission's Conditional Use Authorization Decision - Approving a Conditional Use Authorization - 115 Telegraph Hill Boulevard]

Motion disapproving the decision of the Planning Commission by its Motion No. 19232, approving a Conditional Use Authorization identified as Planning Case No. 2013.1375EC on property located at 115 Telegraph Hill Boulevard, and adopting findings pursuant to Planning Code, Section 101.1. (Clerk of the Board)

Supervisor Chiu, seconded by Supervisor Farrell, moved that this Motion be AMENDED to disapprove the Planning Commission's decision, approve the project, and add eleven conditions. The motion carried by the following vote:

Ayes: 8 - Breed, Chiu, Cohen, Farrell, Kim, Tang, Wiener, Yee

Noes: 2 - Avalos, Mar

Excused: 1 - Campos

Motion disapproving the decision of the Planning Commission by its Motion No. 19232, approving a Conditional Use Authorization identified as Planning Case No. 2013.1375EC on property located at 115 Telegraph Hill Boulevard; approving a Conditional Use Authorization for the same Planning Case and property with additional conditions; and adopting findings pursuant to Planning Code, Section 101.1. (Clerk of the Board)

Motion No. M14-190

Supervisor Chiu, seconded by Supervisor Farrell, moved that this Motion be APPROVED AS AMENDED. The motion carried by the following vote:

Ayes: 8 - Breed, Chiu, Cohen, Farrell, Kim, Tang, Wiener, Yee

Noes: 2 - Avalos, Mar

Excused: 1 - Campos

141067 [Preparation of Findings Related to the Conditional Use Authorization - 115 Telegraph Hill Boulevard]

Motion directing the Clerk of the Board to prepare findings relating to the proposed Conditional Use Authorization identified as Planning Case No. 2013.1375EC on property located at 115 Telegraph Hill Boulevard. (Clerk of the Board)

Supervisor Chiu, seconded by Supervisor Farrell, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 8 - Breed, Chiu, Cohen, Farrell, Kim, Tang, Wiener, Yee

Noes: 2 - Avalos, Mar

Excused: 1 - Campos

SPECIAL ORDER 3:00 P.M.

Board of Supervisors Sitting as a Committee of the Whole

141166 [Public Hearing - Public Comment on Possible Nominations and Election of Board President]

Hearing to receive public comment on nominations and the opening of the election for the Office of Board President, in the event a vacancy occurs, to fill the unexpired portion of the term ending January 8, 2015, at 12:00 p.m. (Clerk of the Board)

The President inquired as to whether any member of the public wished to address the Committee of the Whole relating to File No. 141166 and the subsequent nominations and election of the Board President. Female Speaker; Female Speaker; Male Speaker; Andy Duftin; expressed various concerns regarding the nomination and election of a Board President. Female Speaker; expressed her support of Supervisor Breed for Board President. There were no other speakers. The President declared public comment closed, adjourned as the Committee of the Whole, and reconvened as the Board of Supervisors.

HEARD AND FILED

Committee of the Whole Adjourn and Report

NOMINATIONS FOR PRESIDENT OF THE BOARD

Supervisor Farrell nominated Supervisor Tang.

The President asked if there were any further nominations. There being no response the nominations for President of the Board of Supervisors were then closed.

*Supervisor Mar was noted absent at 7:11 p.m.
Supervisor Avalos was noted absent at 7:13 p.m.*

ELECTION OF THE PRESIDENT OF THE BOARD

The roll was called on the nomination of Supervisor Tang.

Motion to elect Supervisor Tang as President of the Board of Supervisors, in the event a vacancy occurs to fill the unexpired portion of the term ending January 8, 2015, at 12:00 p.m., PASSED by the following vote:

Ayes: 8 - Breed, Chiu, Cohen, Farrell, Kim, Tang, Wiener, Yee

Excused: 1 - Campos

Absent: 2 - Avalos, Mar

Supervisors Avalos and Mar were noted present at 7:14 p.m.

COMMITTEE REPORTS

Recommendations of the Budget and Finance Committee

140880 [Police Code - Hours and Retention Protections for Formula Retail Employees]

Sponsors: Mar; Chiu, Campos and Avalos

Ordinance amending the Police Code to regulate the operation of Formula Retail Establishments, including requiring employers to offer additional hours of work, when available, to current part-time employees; and requiring successor employers to retain employees for 90 days upon a change in control of the business.

(Economic Impact)

Privilege of the floor was granted to Jon Givner (Office of the City Attorney) who responded to questions raised throughout the discussion on File Nos. 140880 and 141024.

Supervisor Wiener, seconded by Supervisor Tang, moved that this Ordinance be AMENDED to change the formula retail definition from '11 locations' to '20 locations' worldwide. The motion carried by the following vote:

Ayes: 7 - Breed, Chiu, Cohen, Farrell, Mar, Tang, Wiener

Noes: 3 - Avalos, Kim, Yee

Excused: 1 - Campos

(Economic Impact)

Supervisor Breed, seconded by Supervisor Tang, moved that this Ordinance be AMENDED to remove 'property services contractors' from the requirements of this section. Supervisor Breed withdrew the motion.

Supervisor Breed, seconded by Supervisor Tang, moved that this Ordinance be AMENDED to remove the 'private right of action' requirements. The motion carried by the following vote:

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

Excused: 1 - Campos

(Economic Impact)

Supervisor Wiener, seconded by Supervisor Tang, moved that this Ordinance be CONTINUED AS AMENDED to November 25, 2014. The motion FAILED by the following vote:

Ayes: 4 - Breed, Farrell, Tang, Wiener

Noes: 6 - Avalos, Chiu, Cohen, Kim, Mar, Yee

Excused: 1 - Campos

PASSED ON FIRST READING AS AMENDED by the following vote:

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

Excused: 1 - Campos

141024 [Police Code - Fair Scheduling and Treatment of Formula Retail Employees]**Sponsors: Chiu; Mar**

Ordinance amending the Police Code to require Formula Retail Establishments to provide employees with two weeks notice of work schedules, notice of changes to work schedules, and compensation for schedule changes made on less than seven days notice and unused on-call shifts; and to provide part-time employees with the same starting rate of hourly pay, access to time off, and eligibility for promotions, as provided to full-time employees.

Privilege of the floor was granted to Jon Givner (Office of the City Attorney) who responded to questions raised throughout the discussion on File Nos. 140880 and 141024.

Supervisor Wiener, seconded by Supervisor Tang, moved that this Ordinance be AMENDED to change the formula retail definition from '11 locations' to '20 locations' worldwide. The motion carried by the following vote:

Ayes: 7 - Breed, Chiu, Cohen, Farrell, Mar, Tang, Wiener

Noes: 3 - Avalos, Kim, Yee

Excused: 1 - Campos

Supervisor Tang, seconded by Supervisor Chiu, moved that this Ordinance be AMENDED on Page 12, Line 11, by making the requirements of the San Francisco Family Friendly Workplace Ordinance, Chapter 12Z, prevail when there is an unavoidable conflict. The motion carried by the following vote:

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

Excused: 1 - Campos

Supervisor Breed, seconded by Supervisor Tang, moved that this Ordinance be AMENDED to remove 'property services contractors' from the requirements of this section. Supervisor Breed withdrew the motion.

Supervisor Breed, seconded by Supervisor Tang, moved that this Ordinance be AMENDED to remove the 'private right of action' requirements. The motion carried by the following vote:

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

Excused: 1 - Campos

Supervisor Wiener, seconded by Supervisor Tang, moved that this Ordinance be CONTINUED AS AMENDED to November 25, 2014. The motion FAILED by the following vote:

Ayes: 4 - Breed, Farrell, Tang, Wiener

Noes: 6 - Avalos, Chiu, Cohen, Kim, Mar, Yee

Excused: 1 - Campos

PASSED ON FIRST READING AS AMENDED by the following vote:

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

Excused: 1 - Campos

ROLL CALL FOR INTRODUCTIONS

See Legislation Introduced below.

PUBLIC COMMENT

Male Speaker; expressed various religious concerns.
Male Speaker; expressed concerns regarding traffic congestion and ridesharing.
Walter Paulson; shared in song certain concerns with the Board.
Deborah Benedict; expressed concerns regarding Proposition 47.
Mike Casey; expressed concerns regarding nomination and election of a Board President.
Female Speaker; expressed concerns regarding nomination and election of a Board President.
Nissim Lanyadoo; expressed concerns regarding the Mayor candidacy.
Christopher Dahl; expressed various religious concerns.
Mario Yedidia; expressed concerns regarding nomination and election of a Board President.
Female Speaker; expressed concerns regarding free Muni.
Julie Prushu; expressed concerns regarding nomination and election of a Board President.
Patrick Conors; expressed concerns regarding nomination and election of a Board President.
Tammy Bryant; expressed concerns regarding nomination and election of a Board President.
Dan Rosay; expressed various concerns regarding breast cancer.
Trace Lander; expressed concerns regarding nomination and election of a Board President.
Frank Martinez; expressed various concerns.
Bobby Coleman; expressed concerns regarding nomination and election of a Board President.
Andy Duftin; expressed concerns regarding nomination and election of a Board President.
Patrick; expressed various concerns.
Female Speaker; expressed concerns regarding nomination and election of a Board President.
Peter Warfield; expressed concerns regarding nomination and election of a Board President, congratulated Supervisor Chiu on his successful election, and expressed additional concerns regarding public comment.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

141156 [Approval of a 60-Day Extension for Planning Commission Review of an Ordinance Amending the Planning Code to Permit Exceptions from Dwelling Unit Density Limits and from Other Specified Code Requirements (File No. 140954)]

Sponsor: Wiener

Resolution extending by 60 days the prescribed time within which the Planning Commission may render its decision on an Ordinance (File No. 140954) amending the Planning Code to permit exceptions from dwelling unit density limits and other requirements of the Code when adding Dwelling Units to existing buildings undergoing seismic retrofitting; deleting the requirement that a new In-Law Unit constructed in and near the Castro Street Neighborhood Commercial District be limited to 750 square feet; correcting outdated cross-references and Code language; affirming the Planning Department's California Environmental Quality Act determination; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

Resolution No. 431-14

ADOPTED

141157 [Urging the Municipal Transportation Agency to Negotiate a Provision in the Upcoming Towing Contract that Eliminates or Reduces Fees Imposed on Victims of Motor Vehicle Theft]

Sponsors: Wiener; Tang

Resolution urging the Municipal Transportation Agency to include a provision in its 2015 towing contract that either waives all fees imposed on all victims of motor vehicle theft in San Francisco, or significantly reduces the towing fee and significantly extends the grace period during which victims of motor vehicle theft can recover their vehicles before incurring storage fees.

Supervisor Tang requested to be added as a co-sponsor.

Resolution No. 432-14

ADOPTED

141143 [Final Map 7545 - Hunters View Phase 2]

Motion approving Final Map No. 7545, a 377 unit mixed use residential and commercial condominium project within 5 buildable lots; approving a Public Improvement Agreement related to the Final Map; and adopting findings pursuant to the General Plan, the eight priority policies of Planning Code, Section 101.1, and the Hunters View Development Documents. (Public Works)

Motion No. M14-191

APPROVED

141164 [Final Transfer Map 8404 - 901 Gilman Avenue]

Motion approving Final Transfer Map 8404, a twenty-three-lot subdivision located within Assessor's Block No. 5000, Lot No. 1 and Assessor's Block No. 4977, Lot No. 6, comprised of lots (Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, and 23), and established for conveyancing or financing purposes in furtherance of the Candlestick Point and Phase 2 Hunters Point Shipyard development; and adopting findings pursuant to the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Public Works)

Motion No. M14-192

APPROVED

The foregoing items were acted upon by the following vote:

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

Excused: 1 - Campos

Severed from the For Adoption Without Committee Reference Agenda

Supervisor Avalos requested that File No. 141165 be severed so that it may be considered separately.

141165 [Committee of the Whole - Receive Public Comment on Possible Nominations and Open Election of Board President]

Sponsor: Chiu

Motion scheduling the Board of Supervisors to sit as a Committee of the Whole on November 18, 2014, for the purpose of receiving public comment on nominations and to open the election for the Office of Board President, in the event a vacancy occurs, to fill the unexpired portion of the term ending January 8, 2015, at 12:00 p.m.

Supervisor Avalos, seconded by Supervisor Mar, moved that this Motion be REFERRED to Committee. The motion FAILED by the following vote:

Ayes: 4 - Avalos, Kim, Mar, Yee

Noes: 6 - Breed, Chiu, Cohen, Farrell, Tang, Wiener

Excused: 1 - Campos

Motion No. M14-194

APPROVED by the following vote:

Ayes: 6 - Breed, Chiu, Cohen, Farrell, Tang, Wiener

Noes: 4 - Avalos, Kim, Mar, Yee

Excused: 1 - Campos

Supervisor Kim requested that File No. 141152 be severed so that it may be considered separately.

141152 [Committee of the Whole - Consent to Successor Agency Actions Facilitating Interim Financing for Transbay Transit Center - Transbay Redevelopment Project Area - December 9, 2014]

Sponsor: Kim

Motion scheduling the Board of Supervisors to sit as a Committee of the Whole, acting in its capacity as the Successor Agency to the former Redevelopment Agency of the City and County of San Francisco, on December 9, 2014, at 3:00 p.m., to hold a public hearing to approve actions by the Commission on Community Investment and Infrastructure to subordinate property interest in a site designated for affordable housing in the Transbay Redevelopment Project Area for the construction of the Transbay Transit Center.

Supervisor Kim, seconded by Supervisor Avalos, moved that this Motion be AMENDED to change the Committee of the Whole hearing date from 'November 25, 2014' to 'December 9, 2014.' The motion carried by the following vote:

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

Excused: 1 - Campos

Motion No. M14-193

Supervisor Kim, seconded by Supervisor Avalos, moved that this Motion be APPROVED AS AMENDED. The motion carried by the following vote:

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

Excused: 1 - Campos

IMPERATIVE AGENDA

There were none.

LEGISLATION INTRODUCED AT ROLL CALL

Introduced by a Supervisor or the Mayor

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

Ordinances

140704 [Administrative Code - Providing Electric Power to City Departments and New Developments]

Sponsors: Wiener; Breed and Kim

Ordinance amending the Administrative Code to clarify the requirement for the City to provide electric service to City departments and facilities and to evaluate the feasibility of providing electric power to new developments and projects.

06/17/14; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 7/17/2014.

07/14/14; REFERRED TO DEPARTMENT.

11/18/14; SUBSTITUTED AND ASSIGNED to Land Use and Economic Development Committee.

140982 [Planning Code - Arcades in the Upper Market Street Neighborhood Commercial Transit District]

Sponsor: Wiener

Ordinance amending the Planning Code to permit arcades in the Upper Market Street Neighborhood Commercial Transit District; affirming the Planning Department's determination under the California Environmental Quality Act; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

09/16/14; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 10/16/2014.

09/29/14; REFERRED TO DEPARTMENT.

10/17/14; RESPONSE RECEIVED.

11/18/14; SUBSTITUTED AND ASSIGNED to Land Use and Economic Development Committee.

141181 [Public Employment - Amendment to the Annual Salary Ordinance for the Office of the Assessor-Recorder - FYs 2014-2015 and 2015-2016]**Sponsor: Farrell**

Ordinance amending Ordinance No. 147-14 (Annual Salary Ordinance, FY2014-2015 and FY2015-2016) to reflect the addition of two Class 4214 Assessor-Recorder Office Specialist positions (1.16 FTE), one Class 4215 Assessor-Recorder Senior Office Specialist position (0.65 FTE), and two Class 4261 Real Property Appraiser positions (1.16 FTE) in the Office of Assessor-Recorder for the implementation of the State-County Assessors' Partnership Agreement Grant.

(Fiscal Impact)

11/18/14; ASSIGNED to Budget and Finance Committee.

Resolutions**141175 [Commending Supervisor David Chiu]****Sponsor: Board of Supervisors**

Resolution commending and honoring Supervisor David Chiu for his distinguished service as President of the San Francisco Board of Supervisors.

11/18/14; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

141182 [Accept and Expend Grant - Financial Empowerment Innovation Fund Contract - \$442,996]**Sponsor: Mayor**

Resolution retroactively authorizing the Mayor's Office of Housing and Community Development, on behalf of the City and County of San Francisco, to accept and expend an Innovation Fund Research Contract in the amount of \$442,996 from the U.S. Department of the Treasury, Internal Revenue Service, for the period of September 30, 2014, through December 21, 2016.

11/18/14; RECEIVED AND ASSIGNED to Budget and Finance Committee.

141183 [Authorizing Participation in the CaliforniaFIRST Program - Renewable Energy Efficiency Program]**Sponsors: Mayor; Farrell**

Resolution authorizing the City and County of San Francisco to join the CaliforniaFIRST Program; authorizing the California Statewide Communities Development Authority to accept applications from property owners, conduct contractual assessment proceedings, and levy contractual assessments within the territory of the City and County; and authorizing related actions as defined in the Resolution.

11/18/14; RECEIVED AND ASSIGNED to Budget and Finance Committee.

141184 [Authorizing Participation in the California Home Energy Renovation Opportunity Program - Renewable Energy Financing Program and Joint Powers Agreement Amendment]

Sponsors: Mayor; Farrell

Resolution consenting to the inclusion of properties within the City's jurisdiction in the California Home Energy Renovation Opportunity Program to finance distributed generation renewable energy sources, energy and water efficiency improvements, and electric vehicle charging infrastructure; and approving the amendment to a certain Joint Powers Agreement related thereto.

11/18/14; RECEIVED AND ASSIGNED to Budget and Finance Committee.

141185 [Authorizing Participation in the California Statewide Communities Development Authority Open PACE Program - Soft Story and Renewable Energy Financing]

Sponsors: Mayor; Farrell

Resolution consenting to the inclusion of properties within the territory of the City and County of San Francisco in the California Statewide Communities Development Authority (CSCDA) Open PACE Program; authorizing the CSCDA to accept applications from property owners, conduct contractual assessment proceedings, and levy contractual assessments within the territory of the City and County; and authorizing related actions as defined in the Resolution.

11/18/14; RECEIVED AND ASSIGNED to Budget and Finance Committee.

141186 [Accept and Expend Grant - San Francisco Parks Alliance - Up to \$500,000]

Sponsor: Wiener

Resolution authorizing the Recreation and Park Department to accept and expend a grant of up to \$500,000 from the San Francisco Parks Alliance to fund additive alternates in the construction budget for the children's play area in Joe DiMaggio Playground for the period of February 1, 2015, through June 1, 2016.

11/18/14; RECEIVED AND ASSIGNED to Budget and Finance Committee.

141187 [Authorizing the Issuance and Sale of Farebox Revenue Bonds by the Peninsula Corridor Joint Powers Board - Not to Exceed \$11,000,000]

Sponsor: Cohen

Resolution authorizing the issuance and sale by the Peninsula Corridor Joint Powers Board of Farebox Revenue Bonds in an aggregate principal amount not expected to exceed \$11,000,000.

11/18/14; RECEIVED AND ASSIGNED to Budget and Finance Committee.

141188 [Accept and Expend Grant - State-County Assessor's Partnership Agreement - \$1,285,000]

Sponsor: Farrell

Resolution authorizing the Office of the Assessor-Recorder to accept and expend a State-County Assessor's Partnership Agreement Program Grant from the California State Department of Finance in the amount of \$1,285,000 (\$300,000 for FY2014-2015, \$460,000 for FY2015-2016, and \$525,000 for FY2016-2017) for the period of October 15, 2014, to June 30, 2017.
(Fiscal Impact)

11/18/14; RECEIVED AND ASSIGNED to Budget and Finance Committee.

141189 [Credit Agreement - Goldman Sachs Bank USA - Transbay Joint Powers Authority - Not to Exceed \$171,000,000]

Sponsor: Kim

Resolution approving a Credit Agreement for an amount not to exceed \$171,000,000 from Goldman Sachs Bank USA to the Transbay Joint Powers Authority and making certain public benefit findings for the Transbay Transit Center program under California Government Code, Section 6586.5.

11/18/14; RECEIVED AND ASSIGNED to Budget and Finance Committee.

141190 [Authorizing the Nullification of the Current Four Priority Conservation Areas - Sutro Tower, Aquavista/Twin Peaks, Palou/Phelps Open Space, and Bayview Radio Property]

Sponsor: Mar

Resolution authorizing the nullification of the current four Priority Conservation Areas: Sutro Tower, Aquavista/Twin Peaks, Palou/Phelps Open Space, and Bayview Radio Property and allowing the Planning Department to further study the topic in order for the Board of Supervisors to consider new designations at a later date that align more closely with the policies and goals adopted by the City.

11/18/14; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

141191 [Accept and Expend Grant - Randall Museum Friends - Randall Museum Renovation Project - Not to Exceed \$3,500,000]

Sponsor: Wiener

Resolution authorizing the Recreation and Park Department to accept and expend a grant not to exceed \$3,500,000 from the Randall Museum Friends, for the enhancements to the Randall Museum Renovation Project at the Randall Museum, for the term of December 17, 2014, through August 31, 2016.

11/18/14; RECEIVED AND ASSIGNED to Budget and Finance Committee.

141192 [Interim Zoning Controls Six-Month Extension - Upper Market Street Neighborhood Commercial Transit District]

Sponsor: Wiener

Resolution extending for an additional six-month period interim zoning controls that require Conditional Use authorization for Limited Financial Service and Business or Professional Service uses in the Upper Market Neighborhood Commercial Transit District; affirming the Planning Department's California Environmental Quality Act determination; and making findings of consistency with the General Plan, and with the eight priority policies of Planning Code, Section 101.1.

11/18/14; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

141193 [Urging the Municipal Transportation Agency to Implement Free Muni for Seniors and People with Disabilities]

Sponsors: Yee; Mar, Avalos, Kim and Campos

Resolution urging the Municipal Transportation Agency Board of Directors to implement a free Muni for seniors and people with disabilities program.

11/18/14; RECEIVED AND ASSIGNED to Neighborhood Services and Safety Committee.

Motions

141194 [Committee of the Whole - Transbay Transit Center - Option Agreement Amendment for the Purchase and Sale of Real Property - Credit Agreement for an Amount Not to Exceed \$171,000,000 - December 9, 2014]

Sponsor: Kim

Motion scheduling the Board of Supervisors to sit as a Committee of the Whole, on December 9, 2014, at 3:00 p.m., to hold a public hearing to authorize execution of the First Amendment to the Option Agreement for the Purchase and Sale of Real Property, and execute a consent to the conditions of the Transbay Joint Powers Authority's Bridge Loan Agreement; and approve a Credit Agreement for an amount not to exceed \$171,000,000 from Goldman Sachs Bank USA to the Transbay Joint Powers Authority.

11/18/14; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

141202 [Concurring in the Second Declaration of Local Emergency - Rim Fire (Stanislaus National Forest Area)]

Motion concurring in the "Rim Fire" Second Declaration of Local Emergency by the Mayor and in the actions taken to meet the emergency. (Clerk of the Board)

11/18/14; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

141203 [Board of Supervisors Regular Meeting Schedule - 2015]

Motion establishing the 2015 Board of Supervisors Regular Meeting Schedule by cancelling the Board meetings of January 6th and 20th, February 17th, May 26th, June 30th, September 8th, October 13th, November 10th, and December 1st; and by further cancelling all Board and Committee meetings during the summer and winter breaks from July 29th through August 31st, and December 16, 2015, through January 4, 2016. (Clerk of the Board)

11/18/14; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Requests for Hearing

141195 [Hearing - Impact of Minimum Wage Increase on Small Businesses and City-Funded Nonprofits]

Sponsor: Avalos

Hearing to review the anticipated impact of the voter-approved increase in the minimum wage on small businesses and nonprofit City contractors; to review plans for educating and supporting small businesses and nonprofit City contractors that employ minimum wage workers; and requesting the Mayor's Office, the Controller, the Budget and Legislative Analyst, the Office of Small Business, and the Office of Economic and Workforce Development to report.

11/18/14; RECEIVED AND ASSIGNED to Budget and Finance Committee.

141196 [Hearing - Staffing Levels at the Office of Labor Standards and Enforcement]**Sponsor: Avalos**

Hearing to review the current staffing levels at the Office of Labor Standards and Enforcement in light of their expanding enforcement mandates from the passage of recent labor laws.

11/18/14; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

141197 [Hearing - Update on the Municipal Transportation Agency's Muni Service Equity Strategy and the Increase in Baseline Funding from Proposition B]**Sponsor: Avalos**

Hearing to review the status of the Municipal Transportation Agency's (MTA) Muni Service Equity Strategy adopted in the MTA Resolution No. 14-071, and how the increase in the MTA baseline funding from the passage of Proposition B will enable the MTA to implement recommendations from the Muni Service Equity Strategy.

11/18/14; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

141198 [Hearing - Impacts of Proposition 47 in San Francisco]**Sponsor: Cohen**

Hearing to review the impacts of Proposition 47 on the City and County of San Francisco; and requesting City departments including, but not limited to, the Sheriff, Police, District Attorney, and Adult Probation to report.

11/18/14; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

141199 [Hearing - Police District Boundaries]**Sponsor: Kim**

Joint hearing of the Neighborhood Services and Safety Committee and the San Francisco Police Commission on the proposed police district boundaries, and on the process by which the proposed boundaries were reviewed and adjusted, a comparison of the current boundaries and the proposed boundaries, and the factors which were taken into consideration, among other issues of interest; and requesting the Police Department and the Office of the Controller to report.

11/18/14; RECEIVED AND ASSIGNED to Joint Meeting - Neighborhood Services and Safety Committee and Police Commission.

141200 [Hearing - Tenderloin Pit Stop Public Toilet Program]**Sponsor: Kim**

Hearing on the results of the Tenderloin Pit Stop Public Toilet Program; on what resources are currently being employed by the City, what costs and benefits have been identified after the six-month trial, what recommendations staff have to continue a safe and clean public toilet program, and the potential for expanding to other high need neighborhoods; and requesting Public Works to report.

11/18/14; RECEIVED AND ASSIGNED to Neighborhood Services and Safety Committee.

141201 [Hearing - Vision Zero and Street Safety Project Delivery]**Sponsor: Wiener**

Hearing on the delivery of Vision Zero and other street safety improvements; and requesting the Municipal Transportation Agency and Public Works to report.

11/18/14; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

Introduced at the Request of a Department

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

PROPOSED ORDINANCE**141138 [Settlement of Lawsuit - Elvis Taouil - \$50,000]**

Ordinance authorizing settlement of the lawsuit filed by Elvis Taouil against the City and County of San Francisco for \$50,000; the lawsuit was filed on August 8, 2013, in the United States District Court, Case No. C13-3674 DMR; entitled Elvis Taouil v. City and County of San Francisco, et al. (City Attorney)

10/31/14; RECEIVED FROM DEPARTMENT.

11/18/14; RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED RESOLUTIONS**141159 [Emergency Work - Repairing Lower Cherry Aqueduct and Upgrading Sunol Valley Water Facilities Related to Drought Declaration - Not to Exceed \$33,000,000]**

Resolution approving emergency public work of the San Francisco Public Utilities Commission related to drought declaration under Administrative Code, Section 6.60, to perform immediate work to repair Lower Cherry Aqueduct, Sunol Valley Water Treatment Plant, San Antonio Pump Station, and related infrastructure with contract amounts not to exceed \$35,000,000 collectively. (Public Utilities Commission)
(Fiscal Impact)

11/04/14; RECEIVED FROM DEPARTMENT.

11/18/14; RECEIVED AND ASSIGNED to Budget and Finance Committee.

141160 [Settlement of Claims - Wells Fargo - \$248,565.92]

Resolution approving the settlement of four unlitigated claims filed by Wells Fargo against the City and County of San Francisco for \$248,565.92; claims were filed on April 25, 2014. (City Attorney)

11/06/14; RECEIVED FROM DEPARTMENT.

11/18/14; RECEIVED AND ASSIGNED to Rules Committee.

141161 [Contract Agreement - Recology San Francisco, Recology Golden Gate, and Recology Sunset Scavenger - Refuse Collection - Not To Exceed \$40,000,000]
Resolution approving under Charter, Section 9.118(b), a Contract Agreement between the City and County of San Francisco and Recology San Francisco, Recology Golden Gate, and Recology Sunset Scavenger (Contractors), for refuse services, resulting in total compensation to Contractors in an amount not to exceed \$44,000,000 for the term of December 1, 2014, through November 30, 2020. (City Administrator)

11/07/14; RECEIVED FROM DEPARTMENT.

11/18/14; RECEIVED AND ASSIGNED to Budget and Finance Committee.

141162 [Master License Agreements - ExteNet Systems, LLC, and GTE Mobilnet of California, LP, d/b/a Verizon Wireless - Outdoor Distributed Antenna System Pole Installation]

Resolution authorizing the General Manager of the San Francisco Public Utilities Commission to execute Master License Agreements for Outdoor Distributed Antenna System Pole Installation between the City and County of San Francisco, ExteNet Systems (California), LLC, and GTE Mobilnet of California, LP, d/b/a Verizon Wireless, each for a term of 12 years to commence following Board approval. (Public Utilities Commission)

11/07/14; RECEIVED FROM DEPARTMENT.

11/18/14; RECEIVED AND ASSIGNED to Budget and Finance Committee.

141163 [Approval to Grant Easement for Installation of Subsurface Tiebacks and Related Surface Access - TUP Folsom, LLC - 923 Folsom Street Development Project]

Resolution approving the grant of an Easement for installation of subsurface tiebacks and related surface access on Assessor's Parcel Block No. 3753, Lot No. 313 to TUP Folsom, LLC, in connection with construction of the residential development project at 923 Folsom Street; making environmental findings, and adopting findings that the grant of easement is consistent with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and authorizing the Director of Property to execute documents, make certain modifications and take certain actions in furtherance of this Resolution as defined. (Real Estate Department)

11/10/14; RECEIVED FROM DEPARTMENT.

11/18/14; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

In Memoriams

Danny Williams - Supervisor Wiener

Robin Reichert - Supervisor Wiener

Paula Minkus - Supervisor Yee

Sr. Master Sgt. William Cluster (Bill) Yancey – Supervisor Breed

ADJOURNMENT

There being no further business, the Board adjourned at the hour of 7:17 p.m.

N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on December 16, 2014.

Angela Calvillo, Clerk of the Board