

# BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

## MEETING MINUTES

Wednesday, January 7, 2015 - 2:00 PM

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

Special Meeting

---

KATY TANG, PRESIDENT

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

*Angela Calvillo, Clerk of the Board*

### BOARD COMMITTEES

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

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

---

## **ROLL CALL AND PLEDGE OF ALLEGIANCE**

*President Katy Tang called the meeting to order at 2:05 p.m. On the call of the roll, all Supervisors were noted present.*

## **AGENDA CHANGES**

*There were none.*

## **COMMUNICATIONS**

*Angela Calvillo, Clerk of the Board, informed the Board of Supervisors that she was in receipt of correspondence from Mayor Edwin Lee on January 7, 2015, communicating the \*Third Declaration of Local Emergency, relating to the Rim Fire (Stanislaus National Forest Area), pursuant to Charter, Section 3.100, and Administrative Code, Chapter 7, which empowers the Mayor to proclaim the existence of a local emergency, subject to ratification by the Board of Supervisors. Further communicating that this matter was placed on the Without Reference to Committee Agenda for the meeting on January 13, 2015.*

*\*(Note: In fact the correspondence from the Mayor referred to a Continuance of the Second Declaration, not Third Declaration.)*

## **REGULAR AGENDA**

## UNFINISHED BUSINESS

### From the Board

#### **141279 [Reappointment, Retirement Board - Wendy Paskin-Jordan]**

Motion approving/rejecting the Mayor's reappointment of Wendy Paskin-Jordan to the Retirement Board, seat 4, for a four-year term ending February 20, 2019. (Clerk of the Board)

*Privilege of the floor was granted unanimously to Wendy Paskin-Jordan, Jay Huish, Executive Director (San Francisco Employees' Retirement System), and Jon Givner (Office of the City Attorney) who responded to questions raised throughout the discussion.*

**Supervisor Avalos, seconded by Supervisor Farrell, moved that this Motion be AMENDED on Page 1, Line 3, by deleting 'rejecting', and Line 17, by deleting 'rejects'. The motion carried by the following vote:**

Ayes: 10 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee  
Motion approving the Mayor's reappointment of Wendy Paskin-Jordan to the Retirement Board, seat 4, for a four-year term ending February 20, 2019. (Clerk of the Board)

**Motion No. M15-001**

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

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

## NEW BUSINESS

### SPECIAL ORDER 2:00 P.M.

## Board of Supervisors Sitting as a Committee of the Whole

#### **141318 [Hearing - Status of the Labor Dispute at San Francisco International Airport Restaurants]**

Hearing to consider and discuss the issues arising from the labor dispute at the San Francisco International Airport restaurants. (Clerk of the Board)

**TABLED BY OPERATION OF LAW**

## ROLL CALL FOR INTRODUCTIONS

*See Legislation Introduced below.*

## **Privilege of the Floor**

Supervisor Tang, seconded by Supervisor Farrell, 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, Campos, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

*Supervisor Tang introduced, welcomed, and presented a Certificate of Honor to Diane Rivera of the San Francisco Fire Department in recognition of her accomplishments and continued community support. Chief Joanne Hayes-White and Lt. Erica Arteseros shared in the commendation.*

*Supervisor Tang introduced and presented a Certificate of Honor on behalf of the full Board to the late Gerald "Jerry" Lee, San Francisco Municipal Transportation Agency Board of Director, in recognition of his accomplishments. Supervisors Yee, Kim, and Mar shared in the commendation.*

## **PUBLIC COMMENT**

*Larry Blake; expressed concerns regarding a "Castro Cares" pamphlet received in the mail.  
Christopher Dahl; expressed various concerns regarding San Francisco's housing stock.  
Jacqui Naylor; expressed support of the landmark designation of the Rube Goldberg building.  
Tom Gilberty; expressed various concerns regarding housing availability.*

## **FOR ADOPTION WITHOUT COMMITTEE REFERENCE**

### **141317 [Committee of the Whole - Status of the Labor Dispute at San Francisco International Airport Restaurants]**

**Sponsors: Mar; Campos**

Motion scheduling the Board of Supervisors to sit as a Committee of the Whole, on January 7, 2015, at 2:00 p.m., to hold a public hearing to consider and discuss the issues arising from the labor dispute at the San Francisco International Airport restaurants.

*The President inquired as to whether any member of the public wished to address the Board relating to File No. 141317. There were no speakers. The President declared public comment closed.*

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

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

## **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

#### **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.

01/07/15; SUBSTITUTED AND ASSIGNED to Land Use and Economic Development Committee.

#### **141149 [Administrative Code - Language Access Requirements for Departments]**

**Sponsors: Tang; Yee**

Ordinance amending the Administrative Code to expand the scope of the Language Access Ordinance to apply to all City Departments that provide information or services directly to the public, revise complaint procedures, and enhance the annual departmental compliance plan requirement.

11/04/14; ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 12/4/2014.

11/10/14; REFERRED TO DEPARTMENT.

12/30/14; REFERRED TO DEPARTMENT.

01/06/15; RESPONSE RECEIVED.

01/07/15; SUBSTITUTED AND ASSIGNED to Rules Committee.

**150017 [Planning Code - Castro Street Neighborhood Commercial District, 24th Street-Noe Valley Neighborhood Commercial District, and Upper Market Street Neighborhood Commercial Transit District]**

**Sponsor: Wiener**

Ordinance amending the Planning Code to require that certain uses obtain conditional use authorization in the Castro Street Neighborhood Commercial District, the 24 Street-Noe Valley Neighborhood Commercial District, and the Upper Market Neighborhood 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.

01/07/15; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 2/13/2015.

## **Resolution**

**150018 [Repealing Resolution No. 468-14 - Authorizing Issuance of Special Tax Bonds - Community Facilities District No. 2014-1 (Transbay Transit Center) - Not to Exceed \$1,400,000,000]**

**Sponsors: Mayor; Kim**

Resolution repealing Resolution No. 468-14, and authorizing the issuance and sale of not to exceed \$1,400,000,000 Special Tax Bonds for City and County of San Francisco Community Facilities District No. 2014-1 (Transbay Transit Center) and determining other matters in connection therewith.

01/07/15; RECEIVED AND ASSIGNED to Board of Supervisors.

## **Motions**

**141308 [Committee of the Whole - Disposition and Development Agreement - Transbay Block 9 - February 3, 2015]**

**Sponsor: Kim**

Motion scheduling the Board of Supervisors to sit as a Committee of the Whole on February 3, 2015, at 3:00 p.m., to hold a public hearing to consider the proposal of the Successor Agency to the San Francisco Redevelopment Agency to enter into a Disposition and Development Agreement for the sale and development of land located on Folsom Street between Essex and First Streets, Assessor's Parcel No. 3736-120, commonly known as Transbay Block 9, with Block 9 Transbay, LLC, a Delaware limited liability company, consistent with the provisions of the California Community Redevelopment Law, Section 33433.

01/07/15; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**150019 [Follow-Up Board Response - 2013-2014 Civil Grand Jury Report - “Ethics in the City: Promise, Practice or Pretense”]****Sponsor: Breed**

Motion responding to the Civil Grand Jury request to provide a status update on the Board of Supervisors’ response to Recommendation No. 24 contained in the 2013-2014 Civil Grand Jury Report, entitled “Ethics in the City: Promise, Practice or Pretense;” and urging the Mayor to cause implementation of accepted recommendation through his/her department heads and through the development of the annual budget.

01/07/15; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**150020 [Committee of the Whole - Declaring Election Results - Levy and Collection of Special Taxes - Repealing Resolution No. 468-14-Issuance of Special Tax Bonds - Community Facilities District No. 2014-1 (Transbay Transit Center) - Not to Exceed \$1,400,000,000]****Sponsor: Kim**

Motion scheduling the Board of Supervisors to sit as a Committee of the Whole, on January 13, 2015, at 3:00 p.m., to hold a public hearing to consider a Resolution declaring results of a Special Election that was approved by the qualified electors, and directing recording of notice of special tax lien (File No. 141306); an Ordinance authorizing the levy and collection of special taxes within City and County of San Francisco Community Facilities District No. 2014-1 (Transbay Transit Center) (File No. 141145); and a Resolution repealing Resolution No. 468-14, and authorizing the issuance and sale of not to exceed \$1,400,000,000 Special Tax Bonds (File No. 150018).

01/07/15; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**150022 [Concurring in the Continuation of the Second Declaration of Local Emergency - Rim Fire (Stanislaus National Forest Area)]**

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

01/07/15; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**Request for Hearing****150021 [Hearing - Declaring Election Results - Levy and Collection of Special Taxes - Repealing Resolution No. 468-14-Issuance of Special Tax Bonds - Community Facilities District No. 2014-1 (Transbay Transit Center) - Not to Exceed \$1,400,000,000]**

Hearing to consider a Resolution declaring results of a Special Election that was approved by the qualified electors, and directing recording of notice of special tax lien (File No. 141306); an Ordinance authorizing the levy and collection of special taxes within City and County of San Francisco Community Facilities District No. 2014-1 (Transbay Transit Center) (File No. 141145); and a Resolution repealing Resolution No. 468-14, and authorizing the issuance and sale of not to exceed \$1,400,000,000 Special Tax Bonds (File No. 150018). (Clerk of the Board)

01/07/15; RECEIVED AND ASSIGNED to Board of Supervisors.

## **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**

### **150002 [Planning Code - Landmark Designation - 182-198 Gough Street (aka the R. L. Goldberg Building)]**

**Sponsor: Breed**

Ordinance designating 182-198 Gough Street (aka the R. L. Goldberg Building), Assessor's Block No. 0837, Lot No. 014, as a Landmark under Planning Code, Article 10; and making environmental findings, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

12/22/14; RECEIVED FROM DEPARTMENT.

01/07/15; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 2/6/2015.

### **150003 [Planning Code - Zoning Map Amendment - 1600-1612 Cortland Avenue]**

**Sponsor: Campos**

Ordinance amending the Zoning Map to rezone a parcel located at 1600-1612 Cortland Avenue from Heavy Commercial and Industrial Protection Zone Special Use District to Production Distribution and Repair - General; and making environmental findings pursuant to the California Environmental Quality Act, Planning Code, Section 302 findings, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

12/11/14; RECEIVED FROM DEPARTMENT.

01/07/15; ASSIGNED to Land Use and Economic Development Committee.

## **PROPOSED RESOLUTIONS**

### **150004 [Contract Approval - Arriba Juntos - Welfare-to-Work Services - \$51,122,499]**

Resolution retroactively approving a contract between the City and County of San Francisco and Arriba Juntos, to provide transitional employment services and employment training services for the period from October 1, 2014, to June 30, 2023, in the amount of \$51,122,499. (Human Services Agency)

(Fiscal Impact; No Budget and Legislative Analyst Report.)

12/15/14; RECEIVED FROM DEPARTMENT.

01/07/15; RECEIVED AND ASSIGNED to Budget and Finance Committee.



**150005 [Settlement or Policy Limits Demand of Unlitigated Claim - Precision Engineering, Inc. - City to Demand or Receive \$11,000,000]**

Resolution approving settlement of the unlitigated claim of the City and County of San Francisco against Precision Engineering, Inc., and its carriers for \$11,000,000; or alternatively authorizing the City Attorney to make a binding policy limits demand.

12/22/14; RECEIVED FROM DEPARTMENT.

01/07/15; RECEIVED AND ASSIGNED to Rules Committee.

**150006 [Real Property Lease - Tenant Improvements - Raychris, LLC - 2 Gough Street (aka 86 Otis Street) - \$243,915 Base Rent for Remainder of FY2014-2015 - \$610,695 Estimated Tenant Improvement Cost]**

Resolution authorizing the lease of 13,938 square feet at 2 Gough Street (aka 86 Otis Street), with Raychris, LLC, for the first and second floors, commencing upon approval by the Board of Supervisors and Mayor, in their sole and respective discretion, at the monthly rent of \$40,652.50 after substantial completion of the tenant improvements for a Base Rent for the remainder of FY2014-2015 of \$243,915; and construction of tenant improvements at an estimated cost to the City of \$610,695. (Real Estate Department)  
(Fiscal Impact)

12/23/14; RECEIVED FROM DEPARTMENT.

01/07/15; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**In Memoriam**

*Commissioner Gerald "Jerry" Lee - Full Board  
Merla Zellerbach - Supervisor Farrell*

**ADJOURNMENT**

*There being no further business, the Board adjourned at the hour of 3:27 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 January 27, 2015.*

---

Angela Calvillo, Clerk of the Board