



# 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, April 7, 2015 - 2:00 PM

#### Regular Meeting

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LONDON BREED, PRESIDENT  
JOHN AVALOS, DAVID CAMPOS, JULIE CHRISTENSEN, 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](http://www.sfbos.org)

#### BOARD COMMITTEES

##### Committee Membership

**Budget and Finance Committee**  
Supervisors Farrell, Tang, Mar, Yee, Wiener

**Budget and Finance Sub-Committee**  
Supervisors Farrell, Tang, Mar

**City and School District Select Committee**  
Supervisors Kim, Yee, Campos, Commissioners Mendoza-McDonnell, Fewer, Wynns

**Government Audit and Oversight Committee**  
Supervisors Yee, Christensen, Breed

**Land Use and Transportation Committee**  
Supervisors Cohen, Wiener, Kim

**Public Safety and Neighborhood Services Committee**  
Supervisors Mar, Campos, Christensen

**Rules Committee**  
Supervisors Avalos, Tang, Cohen

##### Meeting Days

Wednesday  
1:00 PM

Wednesday  
10:00 AM

4th Thursday  
3:30 PM

1st and 3rd Thursday  
10:30 AM

Monday  
1:30 PM

1st and 3rd Thursday  
2:00 PM

2nd and 4th Thursday  
11:00 AM

## **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 SFGovTV, the Government Channel 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 Peggy Nevin at (415) 554-5184. **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. **Paunawa:** Ang mga kahilingan ay kailangang matanggap sa loob ng 48 oras bago mag miting upang matiyak na matutugunan ang mga hiling. Mangyaring tumawag kay Joy Lamug sa (415) 554-7712.

**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 SFGovTV, the Government Channel 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 Wilson Ng at (415) 554-5184 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 [sof@sfgov.org](mailto:sof@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

## COMMUNICATIONS

## APPROVAL OF MEETING MINUTES

Approval of the [March 3, 2015](#), Board Meeting Minutes.

## CONSENT AGENDA

All matters listed hereunder constitute a Consent Agenda, are considered to be routine by the Board of Supervisors and will be acted upon by a single roll call vote of the Board. There will be no separate discussion of these items unless a member of the Board so requests, in which event the matter shall be removed from the Consent Agenda and considered as a separate item.

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

### Items 1 through 3

### Recommendations of the Rules Committee

Present: Supervisors Avalos, Tang, Cohen

1. [150283](#) **[Appointment, San Francisco Health Authority - Emily Webb]**  
Motion appointing Emily Webb, term ending January 15, 2018, to the San Francisco Health Authority. (Rules Committee)  
**Question: Shall this Motion be APPROVED?**
  
2. [150284](#) **[Appointments, Sweatfree Procurement Advisory Group - Jason Oringer, Yuval Miller, and Julienne Fisher]**  
Motion appointing Jason Oringer, Yuval Miller, and Julienne Fisher, terms ending December 17, 2015, to the Sweatfree Procurement Advisory Group. (Rules Committee)  
**Question: Shall this Motion be APPROVED?**

3. [150285](#) **[Appointments, Shelter Monitoring Committee - Mico Rolanda Williams, Darcel Jackson, and Anakh Sul Rama]**  
Motion appointing Mico Rolanda Williams, Darcel Jackson, and Anakh Sul Rama, terms ending November 23, 2016, to the Shelter Monitoring Committee. (Rules Committee)  
  
Question: Shall this Motion be APPROVED?

## REGULAR AGENDA

## UNFINISHED BUSINESS

### Recommendation of the Budget and Finance Sub-Committee

*Present: Supervisors Farrell, Tang*

4. [131122](#) **[Administrative Code - Retiree Health Care Trust Fund]**  
**Sponsor: Farrell**  
Ordinance amending the Administrative Code to identify members of the Retiree Health Care Trust Fund Board as City officers; provide the members with health insurance coverage through the San Francisco Health Service System; and exclude Retiree Health Care Trust Fund contracts from the Administrative Code, Section 21.02, definition of services.  
  
03/31/2015; PASSED ON FIRST READING.  
  
Question: Shall this Ordinance be FINALLY PASSED?

### Recommendations of the Government Audit and Oversight Committee

*Present: Supervisors Yee, Christensen, Breed*

5. [150118](#) **[Police Code - Prohibiting Discrimination Against Lesbian, Gay, Bisexual, and Transgender Residents by Long-Term Care Facilities]**  
**Sponsors: Wiener; Campos**  
Ordinance amending the Police Code to prohibit discrimination against residents or patients at long-term care facilities in San Francisco on the basis of sexual orientation or gender identity; to provide aggrieved persons with the right to seek investigation and mediation by the Human Rights Commission, as well as a private right of action; and to impose treble damages on violators.  
  
03/31/2015; PASSED ON FIRST READING.  
  
Question: Shall this Ordinance be FINALLY PASSED?

- 6. [150119](#) **[Transportation Code - Narration by Tour Bus Drivers]**  
**Sponsors: Yee; Kim, Avalos, Cohen, Campos and Mar**  
Ordinance amending the Transportation Code to prohibit drivers of tour buses not regulated as passenger stage corporations or charter party carriers from narrating while driving; and affirming the Planning Department's determination under the California Environmental Quality Act.

03/31/2015; CONTINUED ON FIRST READING.

**Question: Shall this Ordinance be PASSED ON FIRST READING?**

## NEW BUSINESS

### Recommendations of the Budget and Finance Sub-Committee

*Present: Supervisors Farrell, Tang, Mar*

- 7. [150219](#) **[Appropriation and De-Appropriation - Renovation, Repair, and Construction of Parks and Open Spaces Projects - \$11,517,300 - FY2014-2015]**  
**Sponsor: Mayor**

Ordinance appropriating and de-appropriating \$11,517,300 comprised of \$11,417,300 of bond proceed funded projects, and \$100,000 of general fund projects, for the renovation, repair, or construction of parks and open spaces in the Recreation and Park Department for FY2014-2015.

(Fiscal Impact)

**Question: Shall this Ordinance be PASSED ON FIRST READING?**

- 8. [150049](#) **[Memorandum of Agreement Modification - United States Department of the Interior, National Park Service - Not to Exceed \$34,073,384]**

Resolution authorizing the General Manager of the San Francisco Public Utilities Commission to negotiate and execute a modification to the Memorandum of Agreement with the United States Department of the Interior, National Park Service, Yosemite National Park, to provide additional funding in the amount of \$6,586,880 for a total revised agreement not to exceed amount of \$34,073,384 with an extension of one year, for a total duration of six years through July 1, 2016, pursuant to Charter, Section 9.118. (Public Utilities Commission)

(Fiscal Impact)

**Question: Shall this Resolution be ADOPTED?**

- 9. [150204](#) **[Funding Agreement - Bay Area Air Quality Management District - Electronic Bicycle Lockers Project - \$70,000]**

**Sponsor: Mar**

Resolution approving a Funding Agreement with the Bay Area Air Quality Management District for the San Francisco Municipal Transportation Agency's Electronic Bicycle Lockers Project, in an amount of \$70,000 for a term in excess of ten years to commence following Board approval, pursuant to Charter, Section 9.118(b).

**Question: Shall this Resolution be ADOPTED?**

10. [150216](#) **[Annual Fundraising Drive - 2015]**  
Resolution designating those agencies qualified to participate in the 2015 Annual Joint Fundraising Drive for officers and employees of the City and County of San Francisco. (City Administrator)

**Question: Shall this Resolution be ADOPTED?**

**Recommendation of the Land Use and Transportation Committee**

*Present: Supervisors Cohen, Wiener, Kim*

11. [150149](#) **[Planning Code - Adopting Nexus Analysis for Certain Development Fees]**  
Ordinance amending the Planning Code to adopt the San Francisco Citywide Nexus Analysis supporting existing development fees, including fees in the Downtown and other Area Plans, to cover impacts of residential and commercial development in the areas of recreation and open space; pedestrian and streetscape improvements; childcare facilities; and bicycle infrastructure; making findings related to all of the fees in Article IV generally and certain development fees supported by the Nexus Analysis specifically; and making environmental findings, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Planning Commission)

**Question: Shall this Ordinance be PASSED ON FIRST READING?**

**Recommendations of the Rules Committee**

*Present: Supervisors Avalos, Tang, Cohen*

12. [150083](#) **[Administrative Code - Family Violence Council]**  
**Sponsors: Tang; Breed and Cohen**  
Ordinance amending the Administrative Code to change the composition of the Family Violence Council; and establishing a sunset date for the Council, unless it is reauthorized by an Ordinance.

**Question: Shall this Ordinance be PASSED ON FIRST READING?**

13. [150259](#) **[Appointment, Veterans Affairs Commission - Latonia Dixon]**  
Motion appointing Latonia Dixon, term ending January 31, 2019, to the Veterans Affairs Commission. (Rules Committee)

**Question: Shall this Motion be APPROVED?**

- 14. [150265](#) **[Confirming Reappointment, Municipal Transportation Agency Board of Directors - Joél Ramos]**  
**Sponsor: Mayor**  
Motion confirming the Mayor's reappointment of Joél Ramos to the Municipal Transportation Agency Board of Directors, term ending March 1, 2019.  
  
(Charter, Section 8A.102(a), provides that the Board of Supervisors shall confirm the Mayor's appointment by a majority (six votes) of the Board of Supervisors after a public hearing. Transmittal Date: March 13, 2015.)  
  
**Question: Shall this Motion be APPROVED?**
  
- 15. [150280](#) **[Appointment, Local Agency Formation Commission - Supervisor Eric Mar]**  
Motion appointing Supervisor Eric Mar as a member, term ending February 4, 2018, to the Local Agency Formation Commission. (Clerk of the Board)  
  
**Question: Shall this Motion be APPROVED?**
  
- 16. [150281](#) **[Reappointment, Association of Bay Area Governments, Executive Board - Supervisor Jane Kim]**  
Motion reappointing Supervisor Jane Kim, term ending June 30, 2015, to the Association of Bay Area Governments, Executive Board. (Clerk of the Board)  
  
**Question: Shall this Motion be APPROVED?**
  
- 17. [150282](#) **[Appointment, Association of Bay Area Governments, Executive Board - Supervisor Julie Christensen]**  
Motion appointing Supervisor Julie Christensen, term ending June 30, 2016, to the Association of Bay Area Governments, Executive Board. (Clerk of the Board)  
  
**Question: Shall this Motion be APPROVED?**

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



## SPECIAL ORDER 3:00 P.M.

### APPEAL PROCEDURES

Board Rule 4.18 provides that public hearings on appeals shall be scheduled for 3:00 p.m. If more than one public hearing is scheduled, then the Clerk, in consultation with the President, may determine the order in which the appeals will be scheduled. Second and later appeals may be scheduled at specified times later than 3:00 p.m. An appeal shall not be heard prior to its scheduled time on the calendar, and it may not be called until the Board's consideration of appeals scheduled earlier on the calendar is completed. It is the policy of the Clerk of the Board to schedule multiple appeals in the following order at 3:00 p.m.:

1. Appeals where all parties have agreed to request a continuance or a tabling of the appeal.
2. Continued appeals from previous Board meetings (continued appeals will be listed in order of those closest to deadlines for Board decision).
3. Appeals appearing on the calendar for the first time, in chronological order of receipt by the Clerk.
4. Multiple appeals appearing on the calendar may be staggered at times specific, beginning at 3:00 p.m.
5. Appeals involving participants who have ADA considerations may be set for specific times beginning at 3:00 p.m.

**18. [150167](#) [Public Hearing - Appeal of Categorical Exemption from Environmental Review - 53 States Street]**

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 January 8, 2015, for the proposed project at 53 States Street. (District 8) (Appellant: Hector Martinez) (Filed February 9, 2015). (Clerk of the Board)

03/24/2015; CONTINUED.

**Question: Shall this Hearing be HEARD AND FILED?**

*Pursuant to Government Code Section 65009, notice is hereby given: If you challenge the above matter in court, you may be limited to raising only those issues you or someone else raised at the public hearing described above, or in written correspondence delivered to the Board of Supervisors, (1 Dr. Carlton B. Goodlett Place, Room 244; San Francisco, CA 94102-4689) at, or prior to, the public hearing.*

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

**19. [150168](#) [Affirming the Categorical Exemption Determination - 53 States Street]**

Motion affirming the determination by the Planning Department that a proposed project at 53 States Street is categorically exempt from environmental review. (Clerk of the Board)

03/24/2015; CONTINUED.

**Question: Shall this Motion be APPROVED?**

20. [150169](#) **[Reversing the Categorical Exemption Determination - 53 States Street]**  
Motion reversing the determination by the Planning Department that a proposed project at 53 States Street is categorically exempt from environmental review. (Clerk of the Board)

03/24/2015; CONTINUED.

**Question: Shall this Motion be APPROVED?**

21. [150170](#) **[Preparation of Findings to Reverse the Categorical Exemption Determination - 53 States Street]**  
Motion directing the Clerk of the Board to prepare findings reversing the determination by the Planning Department that a proposed project at 53 States Street is categorically exempt from environmental review. (Clerk of the Board)

03/24/2015; CONTINUED.

**Question: Shall this Motion be APPROVED?**

## **SPECIAL ORDER 3:00 P.M.**

22. [150171](#) **[Public Hearing - Appeal of Community Plan Exemption from Environmental Review - 340 Bryant Street]**  
Hearing of persons interested in or objecting to the issuance of a Community Plan Exemption by the Planning Department on January 8, 2015, for the proposed project at 340 Bryant Street, exempting the project from further environmental review under the California Environmental Quality Act. (District 6) (Appellant: Sue Hestor on behalf of San Franciscans for Reasonable Growth) (Filed February 9, 2015). (Clerk of the Board)

03/24/2015; CONTINUED.

03/31/2015; CONTINUED.

**Question: Shall this Hearing be HEARD AND FILED?**

*Pursuant to Government Code Section 65009, notice is hereby given: If you challenge the above matter in court, you may be limited to raising only those issues you or someone else raised at the public hearing described above, or in written correspondence delivered to the Board of Supervisors, (1 Dr. Carlton B. Goodlett Place, Room 244; San Francisco, CA 94102-4689) at, or prior to, the public hearing.*

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

23. [150172](#) **[Affirming the Community Plan Exemption Determination - 340 Bryant Street]**  
Motion affirming the determination by the Planning Department that a proposed project at 340 Bryant Street is exempt from further environmental review under a Community Plan Exemption. (Clerk of the Board)
- 03/24/2015; CONTINUED.  
03/31/2015; CONTINUED.
- Question: Shall this Motion be APPROVED?**
24. [150173](#) **[Reversing the Community Plan Exemption Determination - 340 Bryant Street]**  
Motion reversing the determination by the Planning Department that a proposed project at 340 Bryant Street is exempt from further environmental review under a Community Plan Exemption. (Clerk of the Board)
- 03/24/2015; CONTINUED.  
03/31/2015; CONTINUED.
- Question: Shall this Motion be APPROVED?**
25. [150174](#) **[Preparation of Findings to Reverse the Community Plan Exemption Determination - 340 Bryant Street]**  
Motion directing the Clerk of the Board to prepare findings reversing a Community Plan Exemption determination by the Planning Department that a proposed project at 340 Bryant Street is exempt from further environmental review. (Clerk of the Board)
- 03/24/2015; CONTINUED.  
03/31/2015; CONTINUED.
- Question: Shall this Motion be APPROVED?**

**26. 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.*

## 27. 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 28 through 30

#### 28. [150252](#) [Supporting California Senate Bill 203 (Monning) - Sugar-Sweetened Beverage Safety Warning Act]

**Sponsors: Mar; Cohen and Wiener**

Resolution supporting the Sugar-Sweetened Beverage Safety Warning Act, also known as California Senate Bill 203, authored by Senator Bill Monning, to make California the first state to require health warning labels to be placed on sugary drinks, including sodas, sports drinks, and energy drinks.

03/10/2015; RECEIVED AND ASSIGNED to the Public Safety and Neighborhood Services Committee.

03/16/2015; REFERRED TO DEPARTMENT.

04/01/2015; TRANSFERRED to the Board of Supervisors.

**Question: Shall this Resolution be ADOPTED?**

29. [150337](#) **[Denouncing Indiana State Senate Bill 101 (Kruse, Schneider, and Steele) - Discrimination Against Lesbian, Gay, Bisexual, and Transgender Community]**  
Sponsors: Wiener, Campos, Cohen, Farrell, Avalos, Kim, Christensen, Tang, Breed, Mar and Yee

Resolution denouncing Indiana State Senate Bill 101, co-authored by Senators Kruse, Schneider, and Steele, a law that permits discrimination against the lesbian, gay, bisexual, and transgender community under the guise of religious freedom.

03/31/2015; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**Question: Shall this Resolution be ADOPTED?**

30. [150328](#) **[Final Map 8325 - 480 Potrero Avenue]**  
Motion approving Final Map 8325, a 75 residential unit and one commercial unit, mixed-use Condominium Project, located at 480 Potrero Avenue, being a subdivision of Assessor's Block No. 3973, Lot No. 002C; and adopting findings pursuant to the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Public Works)

03/24/2015; RECEIVED FROM DEPARTMENT.

03/31/2015; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**Question: Shall this Motion be APPROVED?**

### 31. 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](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

### 150329 [Settlement of Lawsuits - Pacific Gas and Electric Company - City to Pay \$1,563,963.29 and City to Receive \$1,563,963.29]

Ordinance authorizing settlement of two lawsuits: the first lawsuit entitled Pacific Gas and Electric Co. v. City and County of San Francisco was filed by the Pacific Gas and Electric Company (PG&E) on December 14, 2007, in San Francisco Superior Court, Case No. CGC-07-470086; that settlement requires the City to pay PG&E \$1,563,963.29 and allows the City to continue providing electric service to the Ferry Building; the second lawsuit entitled City and County of San Francisco v. Pacific Gas and Electric Co. was filed by the City on March 6, 2013, in San Francisco Superior Court, Case No. CGC-13-529309; that settlement requires PG&E to pay the City \$1,563,963.29 and to provide the City with certain information necessary to prevent any future underpayments of franchise fees. (City Attorney)

03/30/2015; RECEIVED FROM DEPARTMENT.

04/07/2015; RECEIVED AND ASSIGNED to the Government Audit and Oversight Committee.

**150330**

**[Settlement of Lawsuit - FlightCar Incorporated - City to Receive \$230,000]**

Ordinance authorizing settlement of lawsuit filed by the City Attorney on behalf of People of the State of California against FlightCar Incorporated and the Cross-Complaint filed by FlightCar Incorporated against the City and County of San Francisco; for the payment of \$230,000 by FlightCar Incorporated to the City; the underlying lawsuit was filed on May 31, 2013, in San Francisco Superior Court, Case No. CGC-13-531807, entitled People of the State of California v. FlightCar, Inc. and later changed venue to Santa Clara County Superior Court, Case No. 1-13-CV-251634; FlightCar Incorporated's Cross-Complaint, entitled FlightCar Incorporated v. City and County of San Francisco, with the same case number, was filed on February 4, 2014. (City Attorney)

03/30/2015; RECEIVED FROM DEPARTMENT.

04/07/2015; RECEIVED AND ASSIGNED to the Government Audit and Oversight Committee.

**PROPOSED RESOLUTION**

**150331**

**[Teatro ZinZanni Hotel/Theater/Park Project - Sole Source Negotiations]**

Resolution exempting from the competitive bidding policy set forth in Administrative Code, Section 2.6-1, the potential real estate transaction involving Port property at Seawall Lots 324 and 323 on the west side of The Embarcadero at Vallejo Street with Teatro ZinZanni, and financial partner Kenwood Investments No. 6, LLC, operating together as TZK Broadway, LLC (TZK), for development of a dinner theater and maximum 200-room, 40-foot boutique hotel and an approximately 7,500 square foot privately financed public park and ancillary uses; urging the Port, Teatro ZinZanni, and TZK to engage in outreach to affected and interested neighbors, community members and other stakeholders to ensure that the proposed project is designed with public input; and urging the Port Director, with the assistance of Port staff, the City Attorney's Office and other City officials to take all actions needed to negotiate an exclusive negotiating agreement and a term sheet with Teatro ZinZanni and TZK on a sole source basis, consistent with this Resolution. (Port)

03/30/2015; RECEIVED FROM DEPARTMENT.

04/07/2015; RECEIVED AND ASSIGNED to the Land Use and Transportation Committee.

**150327 [Petitions and Communications]**

Petitions and Communications received from March 23, 2015, through March 30, 2015, for reference by the President to Committee considering related matters, or to be ordered filed by the Clerk on April 7, 2015.

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 Public Library, regarding Grant Budget Revision. Copy: Each Supervisor. (1)

From Rent Board, submitting FY2014-2015 annual eviction report. Copy: Each Supervisor. (2)

From Coalition for San Francisco Neighborhoods, regarding opposition to the adoption of 2014 Housing Element. Copy: Each Supervisor. (3)

From concerned citizens, regarding 53 States Street CEQA Appeal. File No. 150167. 2 letters. Copy: Each Supervisor. (4)

From Westwood Park Association, regarding proposed amendment of Balboa Citizen's Advisory Committee legislation. File No. 150247. Copy: Each Supervisor. (5)

From Alice Rogers, regarding proposed project at 340 Bryant Street. File No. 150171 Copy: Each Supervisor. (6)

From John Jenkel, regarding open letter to the leaders of the Islamic Republic of Iran. (7)

From Controller, submitting City Services Benchmarking: Museum Services report. Copy: Each Supervisor. (8)

From Terry Woods, regarding summary vacation of sewer easement at 98 Crown Terrace. File No. 150263. Copy: Each Supervisor. (9)

From Eman Fallah, regarding support for opening SF Watershed. Copy: Each Supervisor. (10)

From concerned citizens, regarding CleanPowerSF. 2 letters. Copy: Each Supervisor. (11)

From National Asian American Coalition, regarding funding for multilingual language programs. Copy: Each Supervisor. (12)

From Building Inspection Commission, regarding noise regulations relating to residential uses near places of entertainment. File No. 141298. Copy: Each Supervisor. (13)

From Treasurer and Tax Collector, submitting revised Monthly Pooled Investment Report for January 2015. Copy: Each Supervisor. (14)

From Employees' Retirement System, submitting retirement contribution rates for FY2015-2016. (15)

From Public Health, submitting approved FY2014-2015 PATH revised budget. Copy: Each Supervisor. (16)



From Public Health, submitting FY2013-2014 annual report. Copy: Each Supervisor. (17)

From Aaron Goodman, regarding concerns over trash and public transportation at large music festivals. Copy: Each Supervisor. (18)

From Gerawan Farming, regarding Gerawan farm workers' right to be represented by the United Farm Workers. File No. 150126. Copy: Each Supervisor. (19)

From Gay & Lesbian Advocates & Defenders, regarding LGBT Long-Term Care Facility Residents Bill of Rights. (20)

From Controller, submitting audit of Citywide Construction: Adopting Leading Practices Could Improve the City's Construction Contractor Bid Pool. Copy: Each Supervisor. (21)

From State Superior Court, regarding peremptory writ of mandate. Copy: Each Supervisor. (22)

From Clerk of the Board, reporting that the following individuals have submitted Form 700 Statements as of March 27, 2015: (23)

Burns, Kanishka - Legislative Aide - Assuming  
Mormino, Matthias - Legislative Aide - Annual  
Hsieh, Frances - Legislative Aide - Annual  
Johnston, William Conor - Legislative Aide - Annual  
Kelly, Margaux - Legislative Aide - Annual  
Lee, Mason - Legislative Aide - Assuming  
Quizon, Dyanna - Legislative Aide - Annual  
Rubenstein, Beth - Legislative Aide - Annual  
Caldeira, Arthur Rick - Legislative Deputy - Annual  
Bohannon Jones, Ambi - Administration and Finance Manager - Annual  
Duran, Dawn - Assessment Appeals Board Administrator - Annual  
Nevin, Margaret - Operations Deputy - Annual  
Fried, Jason - LAFCo Executive Officer - Annual  
Campbell, Severin - Budget and Legislative Analyst, Director - Annual  
Rose, Harvey - Budget and Legislative Analyst - Annual  
Brown, Vallie - Legislative Aide - Annual  
Cerda, Juan David - Legislative Aide - Annual  
Montejano, Jess James - Legislative Aide - Annual  
Ronen, Hillary Alyson - Legislative Aide - Annual  
Laxamana, Junko - Accountant III - Annual  
Newman, Debra - Budget and Legislative Analyst - Annual  
Bruss, Andrea Elizabeth - Legislative Aide - Annual

## ADJOURNMENT