

BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

MEETING MINUTES

Tuesday, April 7, 2015 - 2:00 PM

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

Regular Meeting

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

BOARD COMMITTEES

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

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

ROLL CALL AND PLEDGE OF ALLEGIANCE

President London Breed called the meeting to order at 2:02 p.m. On the call of the roll, Supervisors Julie Christensen, Eric Mar, and Scott Wiener were not present. There was a quorum.

AGENDA CHANGES

There were no agenda changes.

COMMUNICATIONS

There were no communications.

APPROVAL OF MEETING MINUTES

President Breed inquired whether any Board Member had any corrections to the Board Meeting Minutes of March 3, 2015. There were no corrections.

Supervisor Kim, seconded by Supervisor Tang, moved to approve the Board Meeting Minutes of March 3, 2015. The motion carried by the following vote, following general public comment:

Ayes: 8 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Tang, Yee

Absent: 3 - Christensen, Mar, Wiener

Supervisors Julie Christensen and Eric Mar were noted present at 2:04 p.m.

Supervisor Scott Wiener was noted present at 2:05 p.m.

CONSENT AGENDA

Recommendations of the Rules Committee

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)

Motion No. M15-060

APPROVED

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)

Motion No. M15-061

APPROVED

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)

Motion No. M15-062

APPROVED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Christensen, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of the Budget and Finance Sub-Committee

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.

Ordinance No. 046-15

FINALLY PASSED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Christensen, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Recommendations of the Government Audit and Oversight Committee

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.

Ordinance No. 047-15

FINALLY PASSED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Christensen, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

150119 [Transportation Code - Narration by Tour Bus Drivers]

Sponsors: Yee; Kim, Avalos, Cohen, Campos, Mar and Farrell

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.

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

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Christensen, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

NEW BUSINESS

Recommendations of the Budget and Finance Sub-Committee

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)

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Christensen, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

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)

Resolution No. 111-15

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Christensen, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

150204 [Funding Agreement - Bay Area Air Quality Management District - Electronic Bicycle Lockers Project - \$70,000]

Sponsors: Mar; Farrell

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).

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

Resolution No. 112-15

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Christensen, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

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)

Resolution No. 113-15

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Christensen, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Recommendation of the Land Use and Transportation Committee**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)

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Christensen, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Recommendations of the Rules Committee

150083 [Administrative Code - Family Violence Council]

Sponsors: Tang; Breed, Cohen, Mar, Kim and Farrell

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.

Supervisors Mar, Kim, and Farrell requested to be added as co-sponsors.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Christensen, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

150259 [Appointment, Veterans Affairs Commission - Latonia Dixon]

Motion appointing Latonia Dixon, term ending January 31, 2019, to the Veterans Affairs Commission. (Rules Committee)

Motion No. M15-063

APPROVED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Christensen, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

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.)

Motion No. M15-064

APPROVED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Christensen, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Supervisor Mar Excused from Voting

Supervisor Kim, seconded by Supervisor Campos, moved that Supervisor Mar be excused from voting on File No. 150280. The motion carried by the following vote:

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

Excused: 1 - Mar

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)

Motion No. M15-065

APPROVED by the following vote:

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

Excused: 1 - Mar

Supervisor Kim Excused from Voting

Supervisor Campos, seconded by Supervisor Yee, moved that Supervisor Kim be excused from voting on File No. 150281. The motion carried by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Christensen, Cohen, Farrell, Mar, Tang, Wiener, Yee
Excused: 1 - Kim

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)

Motion No. M15-066

APPROVED by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Christensen, Cohen, Farrell, Mar, Tang, Wiener, Yee
Excused: 1 - Kim

Supervisor Christensen Excused from Voting

Supervisor Tang, seconded by Supervisor Campos, moved that Supervisor Christensen be excused from voting on File No. 150282. The motion carried by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee
Excused: 1 - Christensen

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)

Motion No. M15-067

APPROVED by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee
Excused: 1 - Christensen

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

There were no recognition of commendations.

SPECIAL ORDER 3:00 P.M.

Supervisor Wiener Excused from Voting

Supervisor Christensen, seconded by Supervisor Tang, moved that Supervisor Wiener be excused from voting on File Nos. 150167, 150168, 150169, 150170. The motion carried by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Christensen, Cohen, Farrell, Kim, Mar, Tang, Yee
Excused: 1 - Wiener

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)

The President inquired as to whether any member of the public wished to address the Board. Hector Martinez (Appellant) provided an overview of the appeal and further requested the Board to approve the appeal. Henry Eisler; Chris Parks; Duke Dollin; Roxanne Alphas; spoke in support of the appeal. Jeanie Poling (Planning Department) and Sarah Jones, Environmental Review Officer, provided an overview of the decision of the Planning Department and responded to questions raised throughout the discussion. Brett Gladstone (Project Sponsor) provided an overview of the project and further requested the Board to uphold the decision of the Planning Department. Sonja Trauss; Laura Clerk; Male Speaker; Female Speaker; Marcy Berry; Martin Reed; Female Speaker; spoke in support of the project and in opposition to the appeal. Roxanne Alphas and Hector Martinez (Appellant) provided a rebuttal and further requested the Board to approve the appeal. There were no other speakers. The President declared the public hearing closed.

HEARD AND FILED

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)

Motion No. M15-068

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

Ayes: 10 - Avalos, Breed, Campos, Christensen, Cohen, Farrell, Kim, Mar, Tang, Yee
Excused: 1 - Wiener

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)

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

Ayes: 10 - Avalos, Breed, Campos, Christensen, Cohen, Farrell, Kim, Mar, Tang, Yee
Excused: 1 - Wiener

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)

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

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

Excused: 1 - Wiener

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

The President inquired as to whether any member of the public wished to address the Board. Supervisor Kim provided some opening remarks. Sue Hestor and Bob Planthold (Appellant) provided an overview of the appeal and further requested the Board to approve the appeal. Charles Fratborn; Dorothy Dana; spoke in support of the appeal. Kansai Uchida, Elizabeth Watty, Devyani Jain (Planning Department), Sarah Jones, Environmental Review Officer, and Marlena Byrne, Deputy City Attorney, provided an overview of the decision of the Planning Department and responded to questions raised throughout the discussion. John Kevlin (Project Sponsor) provided an overview of the project and further requested the Board to uphold the decision of the Planning Department. Jim Finley; Alice Rodgers; Charles Withers; spoke in support of the project and in opposition to the appeal. Sue Hestor (Appellant) provided a rebuttal and further requested the Board to approve the appeal. There were no other speakers. The President declared the public hearing closed.

HEARD AND FILED

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)

Motion No. M15-069

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

Ayes: 11 - Avalos, Breed, Campos, Christensen, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

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)

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

Ayes: 11 - Avalos, Breed, Campos, Christensen, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

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)

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

Ayes: 11 - Avalos, Breed, Campos, Christensen, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

ROLL CALL FOR INTRODUCTIONS

See Legislation Introduced below.

PUBLIC COMMENT

Andrew Yip; expressed various concerns.

Walter Paulson; shared in song certain concerns with the Board.

Male Speaker; expressed various concerns relating to the Sheriff's Department.

Vladimir; expressed various concerns relating to fascism.

Christopher Dahl; expressed various concerns relating to sea levels and polar ice melt.

John DiDonna; shared in poem certain concerns with the Board.

Tom Gilberty; expressed various concerns relating to values and perceptions.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

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.

Resolution No. 114-15

ADOPTED

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)

Motion No. M15-070

APPROVED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Christensen, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Severed from the For Adoption Without Committee Reference Agenda

Supervisor Wiener requested that File No. 150337 be severed so that it may be considered separately.

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.

Supervisor Wiener, seconded by Supervisor Campos, moved that this Resolution be CONTINUED to April 14, 2015. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Christensen, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

IMPERATIVE AGENDA

There were no imperative agenda items.

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

150347 [Appropriation and De-Appropriation - Surplus Expenditures of \$9,630,762 Supporting Increased Overtime Expenditures - FY2014-2015]

Sponsor: Mayor

Ordinance appropriating \$9,630,762 to overtime and de-appropriating \$9,630,762 from permanent salaries, fringe benefit expenses, and power for re-sale in the Sheriff's Department, Department of Emergency Management, Fire Department, Department of Public Health, and the Public Utilities Commission operating budgets in order to support the Departments projected increases in overtime as required per Ordinance No. 194-11 in FY2014-2015; this Ordinance requires a two-thirds vote of all members of the Board of Supervisors for approval of \$105,000 to the Public Utilities Commission of this request pursuant to Administrative Code, Section 3.15.

(Fiscal Impact)

04/07/15; ASSIGNED UNDER 30 DAY RULE to Budget and Finance Sub-Committee, expires on 5/7/2015.

150348 [Planning Code - Applying Inclusionary Housing Requirements to Group Housing]

Sponsors: Avalos; Kim

Ordinance amending the Planning Code to clarify that the Inclusionary Affordable Housing Program applies to housing projects, as defined, including group housing projects; affirming the Planning Department's determination under the California Environmental Quality Act; and making findings, including findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

04/07/15; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 5/7/2015.

150349 [Health Code - Extending the Food Security Task Force]

Sponsor: Mar

Ordinance amending the Health Code to extend the sunset date of the Food Security Task Force by three years.

04/07/15; ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 5/7/2015.

150350 [Health Code - Mandatory Use of Alternate Water Supplies in New Construction]**Sponsors: Wiener; Breed, Avalos and Christensen**

Ordinance amending the Health Code, Article 12C, to require that new buildings of 250,000 square feet or more of floor area be constructed, operated, and maintained using available alternate water sources for toilet and urinal flushing and irrigation; that new buildings of 40,000 square feet or more of floor area prepare water budget calculations; and that subdivision approval requirements include compliance with the Health Code, Article 12C; and affirming the Planning Department's determination under the California Environmental Quality Act.

04/07/15; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 5/7/2015.

Resolutions**150351 [Civic Center Community Benefit District - Annual Reports for FYs 2011-2014]****Sponsors: Breed; Kim**

Resolution receiving and approving annual reports for the Civic Center Community Benefit District for FYs 2011-2014, submitted as required by the Property and Business Improvement District Law of 1994 (California Streets and Highways Code, Sections 36600, et seq.), Section 36650, and the District's Management Agreement with the City, Section 3.4.

04/07/15; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

150352 [Top of Broadway Community Benefit District - Annual Report for FY2013-2014]**Sponsor: Christensen**

Resolution receiving and approving an annual report for the Top of Broadway Community Benefit District for FY2013-2014, submitted as required by the Property and Business Improvement District Law of 1994 (California Streets and Highways Code, Sections 36600, et seq.), Section 36650, and the District's Management Agreement with the City, Section 3.4.

04/07/15; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

150353 [Accept In-Kind Gift - Vertiba, Inc. - Technical Assistance for District Attorney's Crime Strategies Unit - \$20,000]**Sponsor: Farrell**

Resolution retroactively authorizing the San Francisco Office of the District Attorney to accept an in-kind gift of technical assistance for its Crime Strategies Unit valued at \$20,000 from Vertiba, Inc.

04/07/15; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

150354 [Cost-Sharing Agreement - Pacific Gas and Electric Company - Dredging and Harbor Reconstruction - Gas House Cove - Not to Exceed \$10,000,000]**Sponsor: Farrell**

Resolution retroactively approving a cost-sharing agreement not to exceed \$10,000,000 between the City and County of San Francisco and the Pacific Gas and Electric Company for environmental analysis, planning, design, and permitting for dredging and harbor reconstruction in Gas House Cove for the term of October 14, 2014, through October 14, 2024.

04/07/15; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

150355 [Equal Pay Day - April 14, 2015]**Sponsors: Breed; Christensen, Cohen, Tang, Campos, Kim, Farrell and Yee**

Resolution declaring April 14, 2015, as Equal Pay Day in the City and County of San Francisco; commending American Association of University Women for its leadership in advancing public awareness about Equal Pay Day; and encouraging action to close the gender pay gap.

04/07/15; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Request for Hearing**150356 [Hearing - Senior Isolation and Mental Health Services]****Sponsors: Mar; Farrell and Yee**

Hearing to address programs concerning senior isolation and adequate mental health services for San Francisco's senior population; and requesting the Department of Public Health, the Department of Aging and Adult Services, the Human Services Agency, and other related departments to report.

04/07/15; RECEIVED AND ASSIGNED to Public Safety and Neighborhood Services 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 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)

03/30/15; RECEIVED FROM DEPARTMENT.

04/07/15; RECEIVED AND ASSIGNED to 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)

03/30/15; RECEIVED FROM DEPARTMENT.

04/07/15; RECEIVED AND ASSIGNED to 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) (Supervisor Kim dissented in committee.)

03/30/15; RECEIVED FROM DEPARTMENT.

04/07/15; RECEIVED AND ASSIGNED to Land Use and Transportation Committee.

Requests Granted

From: Supervisor Avalos

To: City Attorney

Requesting/Inquiring: Requesting the City Attorney to draft revenue measures for the November 2015 ballot:

- A \$500 million general obligation bond for affordable housing*
- An increase to the utility users tax for commercial customers with an exception for 100% greenhouse gas emission free electricity*
- A parcel tax on commercial properties*

From: Supervisor Avalos

To: Controller

Requesting/Inquiring: Requesting the Controller to draft revenue measures for the November 2015 ballot:

- A \$500 million general obligation bond for affordable housing*
- An increase to the utility users tax for commercial customers with an exception for 100% greenhouse gas emission free electricity*
- A parcel tax on commercial properties*

In Memoriams

Laura Mattos - Supervisor Christensen

Melvin Patterson - Supervisor Christensen

ADJOURNMENT

There being no further business, the Board adjourned at the hour of 5:28 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 May 12, 2015.

Angela Calvillo, Clerk of the Board